

CITY OF SOUTH AMBOY
PLANNING BOARD
SPECIAL MEETING/MINUTES
March 30, 2022

Members present: Mary Szaro, Scott Kominkiewicz, Mayor Fred A. Henry, Thomas Kelly, George Baranowski, Janet Kern, Gary Forshner, William DeMasi, Andrew Horezga, Robert Paulukiewicz, Francis Mulvey

Members absent: Council President Michael Gross, Jorge Gonzalez-Gomez

Also present: Jason C. Valetutto, P.E., P.P., James E. Stahl, Esq.

Chairwoman Szaro called this meeting to order.

Adequate notice of this meeting has been provided under “The Open Public Meeting Act of New Jersey” by advertisement published in the Home News Tribune, on the City of South Amboy Planning/Zoning Board website, and by posting on the information board at City Hall. Electronic notice has been provided via the agenda on the City Website and the agenda posted on the bulletin board at City Hall.

Salute the Flag.

Roll call was taken at this time.

Chairwoman Mary Szaro announced that the March 23, 2022 minutes will be carried to the April 27, 2022 meeting.

Chairwoman Mary Szaro then reviewed the evening’s agenda.

APPLICATION HEARING

PB Application # 431-22 – SA 101 Main Street Urban Renewal, LLC.

101 Main Street / Block 160, Lot 1

Please refer to the transcript

Chairwoman Mary Szaro asked for a motion to open this portion of the meeting to the public. Motion by Gary Forshner, seconded by Janet Kern. Allen Ng spoke as a member of the public. Please refer to the transcript in regards to Mr. Ng’s questions, comments, and replies from the Board and Applicant. With no other public member wishing to speak, Chairwoman Szaro asked for a motion to close this portion of the meeting. Motion by Gary Forshner seconded by Janet Kern. All in favor

Motion by Gary Forshner, seconded by Thomas Kelly to approve the Preliminary and Final Major Site Plan portion of the application subject to all the testimony, all conditions outlined in the letter

Chairwoman Mary Szaro opened the meeting to the public. With no one from the public wishing to speak, Chairwoman Mary Szaro asked for a motion to close the meeting to the public. Motion by Janet Kern, seconded by Gary Forshner. All in Favor

Chairwoman Mary Szaro announced that the next scheduled meeting will be held in person on Wednesday, April 27, 2022, at 7:00 pm.

Chairwoman Szaro called this meeting to adjourn. All in favor.

Respectfully submitted,



Amy Russo

Planning Board Secretary

Minutes Approved on April 27, 2022

CITY OF SOUTH AMBOY
 LAND USE BOARD
 WEDNESDAY, MARCH 30, 2022
 7:00 P.M.

 IN THE MATTER OF:) TRANSCRIPT OF
)
 APPLICATION 431-22,) PROCEEDING
 URBAN RENEWAL, LLC;)
 101 MAIN STREET;)
 BLOCK 160, LOT 1.)

B E F O R E:

MARY SZARO, CHAIRWOMAN
 SCOTT KOMINKIEWICZ, VICE CHAIRMAN
 MAYOR FRED A. HENRY
 MICHAEL GROSS, COUNCILMAN (ABSENT)
 THOMAS KELLY, MEMBER
 GEORGE BARANOWSKI, MEMBER
 JANET KERN, MEMBER
 DR. JORGE GONZALEZ-GOMEZ, MEMBER (ABSENT)
 GARY FORSHNER, MEMBER
 WILLIAM DeMASI, 1ST ALTERNATE MEMBER
 ANDREW HOREZGA, 2ND ALTERNATE MEMBER
 ROBERT PAULUKIEWICZ, 3RD ALTERNATE MEMBER
 FRANCIS MULVEY, 4TH ALTERNATE MEMBER (EARLY DEPARTURE)

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AMY RUSSO, LAND USE SECRETARY
 JASON VALETUTTO, P.E., P.P., BOARD ENGINEER/PLANNER

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I N D E X (cont.)

E X H I B I T S

<u>NO.</u>	<u>DESCRIPTION</u>	<u>IDENT/EVID</u>
A-1	Colorized Aerial Map Exhibit Prepared by Dynamic Engineering Consultants, Dated March 30, 2022	15
A-2	Colorized Overall Site Plan Prepared by Dynamic Engineering Consultants, Dated March 30th, 2022	17
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1 CHAIRWOMAN SZARO: Good evening,
 2 everyone. I'd like to call the meeting to order.
 3 Adequate notice of this meeting has
 4 been provided under the Open Public Meetings Act of
 5 New Jersey by advertisement published in The Tribune,
 6 Star Ledger, on the City of South Amboy's Planning
 7 and Zoning Board website, and by posting on the
 8 information board at City Hall.

9 Can we please all stand to salute the
 10 flag?

11 (Whereupon, all rise for a recitation
 12 of the Pledge of Allegiance.)

13 CHAIRWOMAN SZARO: Roll call.

14 MS. RUSSO: Chairwoman Szaro?

15 CHAIRWOMAN SZARO: Here.

16 MS. RUSSO: Scott Kominkiewicz?

17 VICE CHAIRMAN KOMINKIEWICZ: Here.

18 MS. RUSSO: Mayor Henry?

19 MAYOR HENRY: Here.

20 MS. RUSSO: Tom Kelly?

21 MR. KELLY: Here.

22 MS. RUSSO: Councilman Gross is absent.

23 George Baranowski?

24 MR. BARANOWSKI: Here.

25 MS. RUSSO: Janet Kern?

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1 deviation relief from the Northern Waterfront
 2 Redevelopment Plan, 101 Main Street, Block 160,
 3 Lot 1.

4 You know, based on the fact that the
 5 property is in the Redevelopment Plan already
 6 acknowledges the fact that the Municipality felt that
 7 the property was worthy of a blight designation.

8 But in this instance, if you go to the
 9 property, I think it's pretty clear that the
 10 application and the property the way it exists today
 11 is in need of redevelopment.

12 The nature of this application is for a
 13 warehouse of approximately 285,000 square feet, a
 14 little bit more than that actually, 285-and-change.

15 The application proposed is to
 16 redevelop the site completely with stormwater,
 17 landscaping, lighting and a brand new warehouse
 18 facility.

19 We do have some deviations from the
 20 Redevelopment Plan, although I will say it is
 21 basically 95 percent compliant with all the typical
 22 bulk standards, such as setback, building height,
 23 coverage, FAR.

24 However, we do need deviations from
 25 parking, which we'll get to later, as well as

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1 MS. KERN: Here.

2 MS. RUSSO: Jorge Gonzalez is absent.

3 Gary Forshner?

4 MR. FORSHNER: Here.

5 MS. RUSSO: William DeMasi?

6 MR. DeMASI: Here.

7 MS. RUSSO: Andrew Horezga?

8 MR. HOREZGA: Here.

9 MS. RUSSO: Robert Paulukiewicz?

10 MR. PAULUKIEWICZ: Here.

11 MS. RUSSO: Francis Mulvey?

12 MR. MULVEY: Yes.

13 MS. RUSSO: We have a quorum.

14 CHAIRWOMAN SZARO: Thank you.

15 For this evening, we are going to waive
 16 the approval of the minutes of the previous meeting,
 17 which was just last week.

18 And we have one application for this
 19 meeting. That's Application 431-22, 101 Main Street.

20 Mr. Tuvel, good evening.

21 MR. TUVEL: Good evening, Madame Chair,
 22 Members of the Board, Jason Tuvel, attorney for the
 23 applicant, for the record.

24 This is an application for Preliminary
 25 and Final Major Site Plan approval along with

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1 signage.

2 I have three witnesses with us this
 3 evening that I plan on calling. I do have other
 4 members of the project team in the event that they
 5 are needed for testimony.

6 But I plan on calling our witnesses in
 7 the following order. Tom Mueller from Dynamic
 8 Engineering is our site engineer. Corey Chase from
 9 Dynamic Traffic is our traffic expert. And
 10 Keenan Hughes is our Professional Planner on this
 11 project.

12 We've reviewed your board engineer's
 13 letter, as will be reflected in testimony from our
 14 engineer. We believe that we can substantially
 15 comply with all the comments set forth therein.

16 To the extent that there are comments
 17 that require testimony, they'll obviously address
 18 that during the course of the application.

19 MR. STAHL: Jason, I'm sorry to
 20 interrupt.

21 MR. TUVEL: Go ahead.

22 MR. STAHL: For the record, the letter
 23 that you have referred to, is a letter dated
 24 March 28, 2022.

25 MR. TUVEL: That is correct.

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1 MR. STAHL: Through the Chair, Mary
 2 Szaro, it is -- I didn't count the pages -- 13 pages.
 3 And that is the letter that you are acknowledging
 4 receipt of; am I correct?
 5 MR. TUVEL: That's right, yes. And
 6 just also from a procedural standpoint, we are deemed
 7 complete by the board previously. I filed my
 8 Affidavit of Notice and Publication with the board.
 9 I also wanted to thank the board for
 10 having a special meeting. I know everybody's time is
 11 valuable. You normally don't meet on this day.
 12 So the applicant really appreciates the
 13 board's time for this special meeting.
 14 So, Madame Chair, unless you have any
 15 more questions for me, I'd be happy to call my first
 16 witness and jump right in.
 17 MR. FORSHNER: I just have one
 18 housekeeping matter, in the interest of full
 19 disclosure.
 20 MR. TUVEL: Sure.
 21 MR. FORSHNER: One of the gentleman
 22 named Maximilian Dorne, I am doing some work now for
 23 an entity of which his brother is an at-will
 24 employee. I don't believe it's a conflict, but I
 25 wanted, in the interest of disclosure, to make that.

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1 ready to rock a roll and get into it, I'll call my
 2 first witness, Tom Muller from Dynamic Engineering.
 3 I know he's been qualified before this
 4 board previously, but for the record, we can go
 5 through his qualifications very briefly.
 6 MR. PAULUKIEWICZ: I don't know the
 7 gentleman so I would like...
 8 MR. STAHL: No, I was not -- thank you,
 9 Robert. No, I was not going to concede that.
 10 I mean, we all know many experts who
 11 come here. But he should be sworn in.
 12 Mr. Chase [sic], would you raise your
 13 right hand, please?
 14 Do you swear the testimony you're about
 15 to give will be the truth, the whole truth, and
 16 nothing but the truth so help you God?
 17 MR. MULLER: Yes, I do.
 18 T H O M A S M U L L E R, P.E.
 19 1904 Main Street, Lake Como, New Jersey 07719,
 20 having been duly sworn, testifies as follows:
 21 MR. STAHL: You can put your hand down.
 22 Either you or me, Jason. I just want
 23 to get a voir dire quick on his licensure and his
 24 appearances before this board.
 25 MR. VALETUTTO: Just for the record,

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1 And if anyone feels that I do have a conflict, I'd be
 2 happy to recuse myself.
 3 MR. STAHL: I have reviewed that with
 4 Mr. Forshner before this evening's meeting because he
 5 was concerned, as he also is with potential
 6 conflicts.
 7 I think that it is so remote that
 8 normally it might not even require a disclosure.
 9 But as attorneys, we know the
 10 disclosure is the safest course. So you have been --
 11 explained that.
 12 And, you know, I just would like to
 13 know if you have any objection to Mr. Forshner
 14 continuing on in the process?
 15 MR. TUVEL: No.
 16 I mean, I don't think so. There's no
 17 conflict per se. There's no familial relationship.
 18 There's no business relationship directly with the
 19 applicant.
 20 And if Mr. Forshner feels he can be
 21 impartial on this matter, I have no issue with it
 22 whatsoever.
 23 MR. FORSHNER: Thank you.
 24 MR. STAHL: Thank you so much.
 25 MR. TUVEL: So, Madame Chair, if we're

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1 his name is Tom Muller, not Mr. Chase.
 2 MR. STAHL: Sorry.
 3 I know Muller and not Chase.
 4 Okay, got it.
 5 VOIR DIRE EXAMINATION
 6 BY MR. TUVEL:
 7 Q. Tom, before you get started, just state
 8 your full name and business address for the record.
 9 MR. STAHL: He didn't give the name and
 10 address, how was I supposed to know.
 11 MR. TUVEL: There you go.
 12 THE WITNESS: Thomas Muller,
 13 M-U-L-L-E-R. Dynamic Engineering Consultants, Thomas
 14 Muller 1904 Main Street, Lake Como, New Jersey 07719.
 15 BY MR. TUVEL:
 16 Q. All right, great.
 17 And, Tom, for the board's edification,
 18 if you can go through your educational background,
 19 licenses held, and your license is in good standing,
 20 and experience testifying as a civil engineer in the
 21 state of New Jersey?
 22 A. Yeah.
 23 I'm a licensed Professional Engineer in
 24 the State of New Jersey in good standing.
 25 I have a Civil Engineering degree from

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1 Rutgers University, both a Bachelor of Science and a
2 Master's of Science in Civil Engineering from
3 Rutgers.

4 I've been with the firm for over ten
5 years. I have over 12 years of civil engineering
6 experience on many projects very similar to this.

7 I have presented before this board once
8 before on another application and through many dozens
9 of other applications throughout the State of New
10 Jersey for various planning and zoning board
11 applications.

12 MR. TUVEL: I'd ask that the board
13 would accept Mr. Muller as an expert in the field of
14 civil engineering.

15 MR. STAHL: It is Mr. Muller, not
16 Chase.

17 MR. MULLER: Thank you.

18 MR. STAHL: Any problems, Madame Chair.

19 CHAIRWOMAN SZARO: Does the board have
20 any objections?

21 (No response.)

22 CHAIRWOMAN SZARO: No objections.

23 MR. VALETUTTO: Jason, if you can just,
24 I guess, if you can try to share the microphone
25 because it's really...

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1 Tom, before you get started in your
2 testimony, why don't we just mark each exhibit.

3 So, Jim, if we could just mark them all
4 at first, I think that would be helpful.

5 MR. STAHL: Amy is giving replicas of
6 each of the exhibits to the board members and staff.
7 So let's start. We'll use it as an A exhibit.

8 MR. TUVEL: Perfect.

9 MR. STAHL: Tom, why don't you give us
10 those.

11 MR. MULLER: Certainly.

12 MR. STAHL: We have a list now.

13 MR. MULLER: Yes. Exhibit A-1.

14 A-1 is an aerial map exhibit prepared
15 by our office, dated March 30th, 2022. It's simply a
16 colorized aerial image similar to the application
17 aerial that was submitted as part of the site plan.

18 CHAIRWOMAN SZARO: Is it one of these?

19 MR. MULLER: Yes. It would be the
20 reduced-sized version of what you're holding there.

21 (Whereupon, Colorized Aerial Map
22 Exhibit Prepared by Dynamic Engineering
23 Consultants, Dated March 30, 2022, is
24 received and marked as Exhibit A-1 for
25 identification.)

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1 MR. TUVEL: And I can be loud. That's
2 fine.

3 So, Tom, why don't you take the mike.

4 MR. MULLER: Yep.

5 MR. STAHL: Now, Jason, to the extent
6 that there are any documents which are not part of
7 the original package submitted to Jason Valetutto and
8 the board, we'll mark those.

9 The board policy usually is to require
10 documents be presented provided to the board prior to
11 the meeting, or at least, I think, it's ten days.

12 But we understand with a special
13 meeting that it may not be feasible.

14 MR. TUVEL: Yeah.

15 And nothing that we're providing is
16 anything new. These are just demonstrative exhibits.
17 So nothing is -- there's nothing here that the board
18 hasn't seen from a substantive or technical
19 standpoint.

20 MR. STAHL: Is there any objection --

21 MR. VALETUTTO: I was going to say, is
22 it fair to say that these are just colorations of
23 what the board has already seen?

24 MR. TUVEL: Correct.

25 And aerial maps as well. Exactly.

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1 MR. MULLER: A-2.

2 MR. STAHL: Wait a minute.

3 CHAIRWOMAN SZARO: If we could just
4 wait one second to make sure the board has everything
5 that's being handed out.

6 MR. STAHL: Let's start over here.

7 There are a lot of different items going.

8 A-1, what is -- repeat to me, what is
9 A-1?

10 MR. MULLER: Aerial map exhibit
11 prepared by Dynamic Engineering Consultants, dated
12 March 30th, 2022.

13 MR. STAHL: Do you have that?

14 MR. TUVEL: Yeah.

15 No, I think there are a few over there.
16 Everybody should have just four sheets.

17 MR. HOREZGA: We're missing A-2 on this
18 level.

19 MR. TUVEL: The next time we will
20 collate the packets.

21 MR. FORSHNER: Yeah, we're not very
22 good at this obviously.

23 MR. TUVEL: All right. Jim, are you
24 ready to go through it?

25 MR. STAHL: Are we all set?

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1 CHAIRWOMAN SZARO: Everybody good?
 2 MR. STAHL: I think we're good.
 3 MR. TUVEL: Okay, great.
 4 MR. MULLER: I apologize for that
 5 confusion there. I think we have A-1 on the record.
 6 MR. STAHL: Yes.
 7 MR. MULLER: A-2 would be an Overall
 8 Site Plan Rendering prepared by Dynamic Engineering
 9 Consultants, March 30th, 2022.
 10 It's a colorized site plan rendering,
 11 which is identical to the site plan that was
 12 submitted as part of the site plan package.
 13 It's simply colorized to show the
 14 different coverages that we're proposing. The orange
 15 is the building. The dark grays are the asphalts.
 16 The tans are the concrete. Patches of greens are the
 17 landscaped areas.
 18 I'll be referring to that for most of
 19 my presentation.
 20 (Whereupon, Colorized Overall Site Plan
 21 Prepared by Dynamic Engineering Consultants,
 22 Dated March 30th, 2022, is received and
 23 marked as Exhibit A-2 for identification.)
 24 MR. MULLER: Then we have two
 25 professionally prepared renderings of the building.

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1 been to the site a few times.
 2 I personally prepared the drawings and
 3 reports that you have in front of you as part of the
 4 application.
 5 Q. Great.
 6 So why don't you give a description of
 7 the existing conditions of the property?
 8 A. Yes, absolutely.
 9 So the subject property is Block 160,
 10 Lot 1. It's 101 Main Street, County Route 684, in
 11 the City of South Amboy.
 12 At the farthest northwest edge of the
 13 municipality, we actually have South Amboy -- I'm
 14 sorry -- Sayreville just to the north of us and to
 15 the west of us.
 16 For the purposes of this existing
 17 condition description, I'm referencing Exhibit A-1,
 18 which is on the left-most easel.
 19 Exhibit A-1 is oriented so that the
 20 north boundary is to the top of the page. The east
 21 is obviously there to the right.
 22 The property is about 21.5 acres in
 23 size. It's generally rectangular in size. You can
 24 see on the top of Exhibit A-1 that the northern
 25 property line is very uniquely shaped. The reason

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1 The first one is identified as "Proposed Facility,"
 2 prepared by Cornerstone Architects, Ltd., dated
 3 March 23rd, 2022. It's the sunset version of a
 4 3D-depiction of project.
 5 That would be Exhibit A-3.
 6 (Whereupon, Proposed Facility, Sunset
 7 Version, Prepared by Cornerstone Architects,
 8 Ltd., Dated March 23, 2022, is received and
 9 marked as Exhibit A-3 for identification.)
 10 MR. MULLER: Then Exhibit A-4, which is
 11 part of your packet, is just a different vantage
 12 point of the same building, more of a daytime version
 13 of that picture. It's also identified as "Proposed
 14 Facility," prepared by Cornerstone Architects, Ltd.,
 15 dated March 23rd, 2022.
 16 (Whereupon, Proposed Facility, Daytime
 17 Version, Prepared by Cornerstone Architects,
 18 Ltd., Dated March 23, 2022, is received and
 19 marked as Exhibit A-4 for identification.)

20 DIRECT EXAMINATION

21 BY MR. TUVEL:

22 Q. So, Tom, you visited the site and the
 23 surrounding area and you're familiar with it?

24 A. Yes.

25 I personally inspected the site. I've

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1 for that is because our northern boundary is actually
 2 the mean-high-water line of the Raritan Bay.
 3 We have about 149 linear feet of
 4 frontage on County Route 684, which is also
 5 identified as Main Street. It's a four-lane roadway,
 6 two lanes in each direction, with a center median.
 7 We have Raritan Street which intersects
 8 Main Street to the south of our property. It does
 9 not extend into our property, but it does make a
 10 T-intersection to Main Street.
 11 In terms of the existing use on site,
 12 it's been historically used as a tractor-trailer
 13 storage facility. There's a commercial driving
 14 school associated with that.
 15 There's also quite a number of
 16 different activities going on in terms of
 17 construction staging, construction equipment like
 18 forklifts and things of that nature.
 19 The entirety of the developed area is
 20 all gravel. It's broken asphalt, broken gravel.
 21 There's dilapidated fences around the perimeter of
 22 the facility.
 23 In 1945 to about 1975, this was
 24 actually used as a municipal landfill. About the
 25 eastern 50 percent of the site was used as a

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1 landfill. I'll touch on that in a little bit. But
2 that's not a closed landfill. Part of this
3 application does -- includes capping that landfill in
4 accordance with NJ DEP regulations, which I'll touch
5 on in a little bit.

6 Then towards the '70s and '80s is when
7 you started seeing the gravel being replaced and the
8 site being used as a tractor-trailer facility.

9 I did mention that our northern
10 property line is the Raritan Bay. So we have quite a
11 number of different environmental regulations and
12 restrictions associated with this property, such as
13 coastal wetlands, freshwater wetlands, state open
14 waters, riparian zones and flood hazard areas.

15 The site is generally flat; however, it
16 generally drains from the east to the west, from the
17 right to the left of the page, generally towards
18 Raritan Bay.

19 There is, essentially, no stormwater
20 management system on the site today, other than a
21 large culvert that drains water from Main Street to
22 the Raritan Bay. It's a twin 48-inch culvert that
23 drains the county runoff through the middle of the
24 site and to the Raritan Bay.

25 In terms of the zoning, the underlying
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1 **A.** Yes, it does.

2 **Q.** Okay.

3 **A.** Just real quick on the surrounding
4 areas, as I mentioned a few times. The northern
5 portion of the property, we have no neighbors; it's
6 the Raritan Bay.

7 To the east of the property is
8 Lot 1.03. This board might be familiar with another
9 land development application that was recently
10 presented to the board by a different applicant
11 completely separate from this project, but they are
12 proposing a warehouse on that project, which is not
13 illustrated on this aerial map because it's simply
14 existing conditions of being an undeveloped parcel
15 there (indicating).

16 To the south of the parcel, we have
17 Main Street, which is a four-lane roadway. Beyond
18 that, we have a construction trailer -- I'm sorry --
19 construction material. I believe it's the Cambridge
20 Pavers facility.

21 And then to the west of us, we have the
22 municipal boundary of Sayreville. The small notch on
23 the southwest corner of our property is the South
24 Amboy Wellness Center (indicating).

25 And then to the west, within Sayreville
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1 prior to 1995 was the M-1 Light Industrial Zone.
2 However, in 1995, the City established a Waterfront
3 Redevelopment Plan known as the Northern Waterfront
4 Redevelopment Area.

5 For this property as well as the
6 property immediately east of the site, which is
7 identified as Lot 1.03, in 2020 that Redevelopment
8 Plan was amended through an ordinance which actually
9 expanded the permitted uses for that particular
10 redevelopment area from just standard recycling. It
11 was -- actually, the only permitted use was
12 industrial recycling.

13 And in 2020, the City adopted an
14 ordinance that expanded that to include offices,
15 warehouses and other light industrial uses.

16 It also revised a number of the bulk
17 standards, which this property complies with and I'll
18 touch on in a few minutes.

19 Overall, the existing trailer storage
20 is not permitted out there; however, it does predate
21 the original Redevelopment Plan so it's an existing
22 nonconforming use.

23 **Q.** Tom, before you get into that, from a
24 minimum lot area standpoint, the lot far exceeds the
25 minimum lot size requirement in the zone, correct?

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1 is Beacon Metals and the municipal pump station.

2 That really wraps up the existing
3 conditions.

4 I'm just going to switch over to the
5 proposed development at this point, which would...

6 **Q.** So that's A-2.

7 **A.** Yeah.

8 **Q.** As you indicated earlier, that's a
9 colorized rendering with the landscaping
10 superimposed. It is exactly what was received by the
11 board members in their packet?

12 **A.** Yes, exactly.

13 **Q.** Okay.

14 **A.** So, as Mr. Tuvel mentioned, we are
15 seeking preliminary and final site plan approval for
16 the development of a warehouse project on this
17 property. We are proposing a single-story warehouse,
18 a total footprint of 285,742 square feet.

19 As I go through my testimony, I do want
20 to just mention, as Mr. Tuvel mentioned, I had a
21 chance to review Mr. Valetutto's review letter in
22 great detail, and I did work in a lot of his comments
23 into my direct testimony.

24 Obviously I'd be happy to talk about
25 any of the comments in greater detail as I go through

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1 them, but we are going to address a few of the
2 comments as we go.

3 Specifically, there was a question on
4 how big this building actually is. I worked with the
5 architect on this. And the footprint is 285,742
6 square feet.

7 From that footprint, we have a reserved
8 area of 19,086 for ancillary office for the overall
9 warehouse operation, which leave 266,656 square feet
10 of warehouse space.

11 I think it's important to understand
12 how we arrived at this layout, just to give you an
13 idea of why we're presenting this site plan layout as
14 we are.

15 Of course, we first looked at the
16 zoning requirements. We looked at the setbacks
17 required. We looked at the lot coverage requirements
18 that are required.

19 We also considered site safety and
20 circulation. We went out of our way to provide
21 circulation on all four sides of this building.

22 So what you see here is a building that
23 complies with all building setbacks, provides
24 circulation on all sides of the building, and it
25 provides all necessary setbacks from all our

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1 We did have a number of meetings with them, and the
2 application is formally pending with them.

3 In terms of the driveway layout, we
4 have the western driveway which is dedicated for
5 passenger vehicles. As you enter that driveway, you
6 have the option of going north on the site, or west
7 or east on the site.

8 As you make your way northern to site,
9 we have -- I'm not sure if that's me -- we have a
10 parking area associated with the office space, which
11 would be on the northwest corner of the warehouse
12 building.

13 We have a refuse enclosure in that
14 area, which is dedicated purely for the office waste
15 associated with the warehouse and the office space.

16 As you make your way down to the
17 southern portion of the property, we have a two-way
18 driveway with parking areas and sidewalks along the
19 southern portion of the building. Then we have a
20 second egress driveway on the eastern portion of that
21 parking area that allows passenger vehicles and
22 emergency vehicles to exit the site back onto Main
23 Street and make an egress movement only out of the
24 site.

25 Then on the furthest eastern portion of
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1 regulated areas on the northern portion of the site
2 associated with the Raritan Bay.

3 VICE CHAIRMAN KOMINKIEWICZ: Excuse me,
4 Mr. Muller

5 MR. MULLER: Yes.

6 VICE CHAIRMAN KOMINKIEWICZ: When you
7 use the term "circulation," are you referring to
8 traffic circulation?

9 MR. MULLER: Traffic circulation, yes.

10 In terms of just the general layout, we
11 have three driveways proposed on Main Street. We are
12 also proposing an offsite improvement on Main Street.

13 As I mentioned before, there's a
14 divided highway essentially on Main Street. What
15 we're doing is we're actually removing portions of
16 that median and providing two dedicated left-turn
17 lanes into the site, which would certainly help
18 access into the site. It keeps trucks coming from
19 the west towards the east, which is our main highway
20 system to the west. It allows those vehicles to make
21 a left into the site and circulate through the site.

22 MR. PAULUKIEWICZ: I don't want to
23 disturb your presentation. But you said you're going
24 to, have you gotten approval from Middlesex County?

25 MR. MULLER: It's currently pending.

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1 the site, we have a full-movement driveway for
2 tractor trailers only. We created a dedicated
3 tractor-trailer driveway intentionally to separate
4 passenger vehicles from the truck traffic for safety
5 purposes.

6 We have a two-way driveway entering the
7 rear loading area on the eastern portion of the
8 property.

9 And then as you make your way around
10 the back of this building, it opens up into a loading
11 area and trailer storage area to serve the warehouse.

12 So we have the tractor trailer loading
13 positions along the immediately northern portion of
14 the building. Opposite to the loading circulation
15 aisle, we have trailer storage. And then as you make
16 your way to the northwest side of the site, we have a
17 dedicated area for tractor-trailer storage.

18 MR. PAULUKIEWICZ: I guess the -- I
19 guess the tenants are pending. There's no tenants,
20 so you don't know if you have adequate parking for
21 trailers, or how many would be there?

22 MR. TUVEL: We far exceed -- I
23 believe, Tom, correct me if I'm wrong, the trailer
24 parking, we far exceed the ordinance.

25 Although you're correct, this is a

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1 speculative warehouse. No tenant has been
2 identified.
3 But in terms of the loading spaces -- I
4 think Mr. Valetutto pointed this out in his report --
5 we far exceed that.

6 Correct, Tom
7 MR. MULLER: Correct.
8 In terms of just the zoning very

9 quickly, this is the Northern Waterfront
10 Redevelopment Area.

11 As I mentioned, we are proposing a
12 standard distribution warehouse, which is permitted
13 by the Redevelopment Plan.

14 As I mentioned before, this project
15 complies with all the bulk standard requirements:
16 Lot width, lot depth, front yard setback, rear yard
17 setback, side yard setback, combined side yard
18 setbacks, accessory building setbacks.

19 Maximum building height, it's 50-foot
20 maximum permitted. We're proposing 46.8 feet, which
21 complies with the ordinance.

22 We comply lot coverage, and minimum
23 landscaping, and maximum impervious coverage.
24 BY MR. TUVEL:

25 Q. So I think two of those are worth
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1 parking stall per 2,500 square feet. We're right at
2 that one parking space per 1,500 square feet number.
3 We have a total 188 parking spaces.

4 And to provide the parking calculation
5 that the ordinance requires, we essentially backed
6 into the number of employees that would be
7 anticipated at this facility. The ordinance requires
8 one parking space per employee on maximum shift plus
9 10 percent for visitors. That would associated with
10 170 total employees for this warehouse project.

11 Q. On a shift, correct?

12 A. Per a shift, correct; 170 per shift.

13 Q. Yeah.

14 A. So we have enough parking spaces for
15 all those employees on that shift plus 10 percent for
16 potential visitors.

17 I do want to touch on the fact that
18 Mr. Valetutto did note on our parking calculation
19 that we did not break out the office space from our
20 parking calculation.

21 Just generally, it's our usual
22 interpretation that the number of employees for the
23 overall site would be included in that parking
24 calculation because the office is just an ancillary
25 component of the overall warehouse.

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1 noting.

2 In terms of the maximum lot coverage,
3 45 percent is allowed; we're only at 30.5, correct?

4 A. Correct. We're substantially below
5 that.

6 There's also a floor area requirement
7 maximum of 1.5. We're only proposing .3 here.

8 So we're substantially under the
9 maximum floor area ratio here.

10 Q. And we're more than double the minimum
11 site landscaping requirement, correct?

12 A. Correct.

13 In terms of the parking, I discussed
14 the layout of the parking, but just quickly to talk
15 about the amount of parking we're proposing.

16 The Ordinance and Redevelopment Plan
17 contemplate the parking calculation based on the
18 number of employees, which puts us in a little bit of
19 a chicken-or-egg situation when we have a speculative
20 warehouse.

21 So what we did on this project is we
22 used industry standard to provide a substantial
23 amount of parking based on what we see in the
24 marketplace here today. Typically we see about one
25 parking stall for 1,500 square feet to the one

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1 We're talking about the office only
2 being about 7 or 8 percent of the overall footprint
3 of the building.

4 If this building was 50 percent office,
5 for instance, then we would consider breaking it out.
6 But we did not break it out. However, we would like
7 to just note what the calculation would be if we do
8 break it out, assuming 170 employees.

9 According to Mr. Valetutto's
10 calculation, the office requires 3 spaces per 1,000
11 square feet, which would require 5,700 -- sorry --
12 57 parking spaces for the 19,000-square-foot offices
13 that we're proposing.

14 For the 170 employees, we would need
15 187 spaces, including the visitors, which would be a
16 total 244 parking spaces, whereas we're only
17 proposing 188 parking stalls.

18 So we are actually formally request a
19 deviation from the Redevelopment Plan for the amount
20 of parking we're proposing.

21 As I mentioned, we have full confidence
22 that this project provides enough parking for
23 overseeing the current warehouse design standards.

24 Our traffic engineer, Mr. Chase, will
25 touch on this a little bit more.

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1 But we don't want to over park this
2 project. We don't want to have parking stalls that
3 are empty 99 percent of the time. We want to provide
4 an appropriate number of parking stalls. We feel
5 that granting that variance doesn't create a
6 substantial detriment to the municipality.

7 We are proposing a number of electrical
8 vehicle charging stations. Those charging stations
9 are not proposed on the plan as you see here. Recent
10 legislation in New Jersey requires them for all
11 developments of a certain size. So we are proposing
12 electrical vehicle charging stations.

13 **Q.** We can work with Mr. Valetutto
14 post-approval should the board approve the
15 application.

16 But as Tom indicated, back in the fall
17 or late summer of 2021, the legislature required EV
18 charging stations and certain, I guess, numbers,
19 based on the type of use, the number of spaces.

20 And this would fall in the category
21 where if you have over a 150 spaces, 4 percent of the
22 stalls must be EV, which results in 8 stations,
23 correct?

24 **A.** Correct.

25 MR. TUVEL: So we could work with
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1 They also don't discuss whether they're fast chargers
2 or slow chargers. But, you know, there is that
3 requirement.

4 Then there's another issue that has
5 come up -- it should not be in this -- is whether or
6 not the electrical providers have enough power to
7 provide the issue. But with this number I don't
8 think that's a problem.

9 **CHAIRWOMAN SZARO:** But if I come with
10 my nonelectric car, I can use the spot, the electric
11 charging spot.

12 **MR. TUVEL:** Correct. It's not
13 obstructed.

14 **MR. STAHL:** I missed that question.

15 **MR. VALETUTTO:** She wants to know if
16 it's reserved purely for an electric vehicle, or
17 dedicated to an electric vehicle.

18 **MR. KELLY:** As barrier-free parking
19 would be.

20 **MR. TUVEL:** Correct, exactly.

21 **MR. KELLY:** Anybody could park in the
22 stall. If you don't have an electric vehicle and
23 that's the only spot available, you park there.

24 **MR. TUVEL:** Right. Yeah.

25 But we have to comply now since that
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1 Mr. Valetutto on where those would be placed
2 throughout the parking lot.

3 But that is a requirement of state law
4 that we have to comply with.

5 **CHAIRWOMAN SZARO:** If I could just ask
6 while we're on the topic. I understand that it's
7 pending, so I think it's great to consider.

8 But can you just tell me, so with that
9 new requirement, is that a specific charging station
10 that a regular car can go in, or an electrical car?

11 So that doesn't add the additional
12 requirements for parking?

13 **MR. TUVEL:** No. It actually takes
14 away.

15 **MR. STAHL:** I'm sorry. Mary, you get
16 credit -- and Jason Valetutto can define that.

17 But you can get credit for providing
18 the ECVs -- EVs?

19 **MR. TUVEL:** EV stations.

20 **MR. STAHL:** EV is an acronym. I messed
21 up the EVC. It doesn't define it. It should be a
22 charger that will provide services to any electric
23 car.

24 There is an issue, of course, depending
25 on what you have, they're not always interchangeably.

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1 legislation was introduced.

2 **MR. STAHL:** Well, Tom, I would agree if
3 there's no other spots available -- and I don't have
4 an electric car so yet, so I'm not looking for
5 myself.

6 But most of the signage I see says
7 that, you know, as a courtesy you should allow that
8 space to be available so if there are other spaces,
9 it's like -- it's like an -- I don't want to compare
10 it.

11 So if there are other spaces available,
12 you should use them first to permit who may be
13 running out of power on his way to Atlantic City and
14 wants to stop in South Amboy to buy something
15 downtown and charge his car.

16 **MR. KELLY:** Mayor, I was trying to help
17 out our residents.

18 **MR. TUVEL:** Madame Chair, I'm not aware
19 of anything in the statute that says that it has to
20 be reserved. I'm not aware of any language in there.

21 But this is obviously something new and
22 evolving.

23 **CHAIRWOMAN SZARO:** Exactly. I didn't
24 mean to derail this. I was just wondering with all
25 the parking requirements how is this going to fit in

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1 I know it's coming. You know, I appreciate you
 2 considering it, but I'm trying to learn along the
 3 way.
 4 MR. TUVEL: No problem. No.
 5 We're trying to figure out how this is
 6 going to play out in all projects going forward.
 7 MR. HOREZGA: You have those EV spots.
 8 Would they be considered public spots, or would they
 9 be --
 10 MR. TUVEL: They would be spots for the
 11 employees of the -- yeah, it would just be like a
 12 regular spot, but just for an employee or a visitor
 13 to the facility that had an electric car if they
 14 choice to use it.
 15 MR. HOREZGA: Are there any public
 16 parking spaces on this site?
 17 MR. TUVEL: No. This is all -- do you
 18 mean... Just for visitors and employees.
 19 That's it.
 20 Go ahead, Tom
 21 MR. MULLER: Yeah. Just to close out
 22 the parking, all the parking stalls will be
 23 9-feet-wide-by-18-feet-long, which complies with the
 24 ordinance requirement.
 25 All the drive aisles are 24-feet wide

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1 and making a right back out onto Main Street to get
 2 back to the highway system.
 3 Mr. Valetutto had a concern with
 4 allowing trucks to make a left out of this facility,
 5 which would send tractor trailers deeper into South
 6 Amboy and potentially even into the downtown area
 7 where we are now. And the applicant is more than
 8 willing to restrict left turns out of trucks from
 9 that driveway.
 10 So we'd be happy to satisfy
 11 Mr. Valetutto's comment by restricting trucks from
 12 making that left and forcing them to make a right
 13 back out onto Main Street.
 14 Q. Thanks, Tom.
 15 Do you want to go to the stormwater?
 16 A. Just quickly on loading regulation --
 17 MR. HOREZGA: Just a quick question
 18 before we go to stormwater on parking, because I'm
 19 sure it will come up again
 20 MR. MULLER: Sure.
 21 MR. HOREZGA: If I just generally
 22 understand, there's a deficiency on the number of
 23 parking spots, but there's an excess on the number of
 24 trailer storage?
 25 MR. TUVEL: Yeah.

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1 minimum, which complies with the ordinance.
 2 We're providing 6 ADA parking stalls,
 3 which complies with the federal standard.
 4 Mr. Valetutto had a question about the number of van
 5 accessible spaces. We'd certainly be willing to work
 6 with him and add more if that's deemed necessary.
 7 We're proposing traffic signage and
 8 striping throughout the entire site to meet MUTCD
 9 requirements, which is a federal standard. And we've
 10 designed this project to have clear sight triangles
 11 throughout the parking areas as well as in the
 12 driveways connecting to the public right-of-way.
 13 Q. And, Tom, I don't know if you were
 14 going to get to this, but Mr. Valetutto did
 15 recommend, although this is county road, a
 16 restriction on truck-turning movement.
 17 Do you mind speaking to that?
 18 A. Yes.
 19 The truck-turning driveway is the
 20 easternmost driveway. Right now it's proposed as a
 21 full-movement driveway. A vast majority, if not all,
 22 of the tractor trailers that come to this project,
 23 would be coming from the west to east, which is where
 24 our main highway system.
 25 Then they'd be leaving that driveway

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1 MR. HOREZGA: Maybe that's something
 2 that would be adjusted.
 3 MR. TUVEL: Yeah.
 4 Can I ask a favor? Can we hold off on
 5 that discussion until the traffic engineer comes up?
 6 He's going to delve into that.
 7 And if there's still questions, we'd be
 8 happy to address them.
 9 MR. HOREZGA: That's fine.
 10 MR. TUVEL: Okay, great, thank you.
 11 MR. MULLER: Just to quickly touch on
 12 the loading calculation. The ordinance requires one
 13 loading space per 1,500 square feet of gross floor
 14 area, which would be 20 spaces.
 15 We're proposing a total of 52 spaces,
 16 which exceeds that number so it complies with the
 17 ordinance.
 18 We are providing a number of loading
 19 docks, which would be, you know, typical of current
 20 industry standards. So we're providing a good amount
 21 that would serve this site successfully.
 22 The drive aisles are 70-feet wide for
 23 the tractor-trailer area. The loading area is all
 24 concrete, 60-feet long. And we have a total of 163
 25 trailer-storage spaces which are 55-feet long by

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1 12-foot wide.
 2 In terms of just touching quickly on
 3 the grading and stormwater management, we prepared a
 4 detailed drainage area analysis, that was part of our
 5 Stormwater Management Report. The grading and
 6 stormwater design is illustrated on our site plan
 7 drawings as well.

8 What we did was we analyzed the amount
 9 of water that's draining towards the county
 10 right-of-way as well as the amount of water that's
 11 draining towards the bay. We're not sending any more
 12 water to the county right-of-way.

13 In fact, we're sending most of it to
 14 the Raritan Bay, which is a tidally influenced water
 15 body, which is what normal stormwater code, city and
 16 state requirements typically lean towards. We
 17 want to send it towards the open water instead of
 18 sending it back towards the public system on the
 19 County road.

20 The project has been designed to
 21 completely comply with all state, local and county
 22 requirements for stormwater management. I understand
 23 Mr. Valetutto reviewed our stormwater report and was
 24 generally in agreement with it.

25 I believe a comment was made that the
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1 of this area.

2 We're proposing a retaining wall along
 3 the entire waterfront side of this property, which
 4 will help stabilize the coastline under existing
 5 conditions. It's essentially an open gravel edge to
 6 the water.

7 Like I mentioned, it's in very poor
 8 condition under existing conditions. We're
 9 formalizing that, stabilizing it, engineering walls
 10 here that would create a stabilized coastline, which
 11 would definitely be a benefit at the end of the
 12 day.

13 **Q.** So, Tom, just I know this is somewhat
 14 rhetorical but, from a stormwater management
 15 perspective, the proposal is a highly beneficial
 16 proposal for the property, correct?

17 **A.** Yes.

18 It's highly beneficial, yes.

19 **Q.** Are there any negatives or any
 20 substantial detriments to the properties around this
 21 with regard to your design and the proposal from a
 22 stormwater standpoint?

23 **A.** No, absolutely not.

24 **MR. PAULUKIEWICZ:** I guess a question
 25 about the stormwater again. This is subject to DEP,
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1 city engineer must also review it. I'd be happy to
 2 meet with him and talk about our stormwater report.

3 A stormwater report will also be
 4 submitted to the county, the Soil Conservation
 5 District, and New Jersey DEP, all will be required to
 6 approve it.

7 Just in terms of the overall design.
 8 The existing condition is obviously mostly gravel.
 9 It's trailer storage. It's very poorly managed in
 10 terms of the stormwater perspective.

11 Under proposed conditions, we're
 12 reducing that amount of open gravel space. We're
 13 essentially removing it all. And a majority of the
 14 property is going to be a roof, which is clean
 15 runoff. We're reducing the amount of dry well
 16 services on the overall site.

17 So we're substantially increasing water
 18 quality for the site and surrounding drainage area.

19 We're also proposing to raise this site
 20 out of the flood hazard area. So we're actually
 21 going above and beyond what's required by state and
 22 city requirement by raising the entirety of the
 23 parking area at least 1 foot above the flood hazard
 24 area, and then the building even further than that,
 25 to really improve the flood resistance and resiliency

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1 the city engineer, point, non-point source pollution,
 2 stormwater. They may direct you to go to Middlesex
 3 County Sewer Authority to get inspected. These are
 4 things that may happen.

5 **MR. MULLER:** Yes, absolutely.

6 **MR. PAULUKIEWICZ:** And it's also,
 7 you're going to put a wall up. I guess you get some
 8 high tides and you get runoff coming down Raritan
 9 River to the bay. Tides tend to run a little high.

10 Will that maybe be impacted by the flood
 11 wall and they turn them back?

12 **MR. MULLER:** Yeah.

13 The mean high water here is about
 14 elevation 2-and-a-half. We're raising this site up
 15 to a minimum elevation of elevation 16.

16 So we're going to be 14 feet higher
 17 than the normal tide elevation. The mean high is --
 18 the highest of the high is over a certain average.
 19 So we're going to be well above the normal
 20 fluctuations.

21 But for our extreme storms, the
 22 100-year storms that we see in coastal flood
 23 situations, we're going to be high and driveway above
 24 that. And that's the intent of why we're raising the
 25 entire site so...

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1 MR. HOREZGA: Since we're here on this
 2 specific topic, can you expound briefly on how --
 3 MR. STAHL: Can you keep your voice up.
 4 I just want to make sure the reporter...
 5 MR. HOREZGA: Yeah. Where? Okay,
 6 yeah.
 7 Can you just expound briefly on how
 8 your runoff rates go down with the proposed
 9 construction as opposed to --
 10 MR. MULLER: Yeah.
 11 So what we did was, we had to analyze
 12 numerous points of analysis. One point of analysis
 13 is Main Street. There's an existing conveyance
 14 system, inlet stormwater pipes, that drain on Main
 15 Street.
 16 And portions of this site actually
 17 drain towards the county right-of-way.
 18 We analyzed how much water goes there.
 19 And we actually reduced the amount of water that goes
 20 to that county right-of-way system under the proposed
 21 condition. We do that by sending more water to the
 22 Raritan Bay.
 23 The Raritan Bay is an open water body.
 24 It's essentially the Atlantic Ocean at this point.
 25 So the DEP requirement actually allows

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1 two pipes that are now have about a half percent
 2 slope. And you're proposing about a .31 percent
 3 slope.
 4 Did you do a calculation on that to
 5 make sure that that will provide adequate drainage?
 6 MR. MULLER: Yes.
 7 MR. HOREZGA: Because you're providing
 8 less slope over the same distance. I'm just curious,
 9 is it because of the concrete?
 10 MR. MULLER: Yeah, absolutely. Great
 11 question.
 12 Under existing conditions there's two
 13 parallel 48-inch circular pipes. So what we're
 14 actually doing is increasing that to a box culvert, a
 15 very large box culvert.
 16 It's a shallower slope, but it's a
 17 bigger capacity in terms of the cross-sectional area
 18 that can flow through that area.
 19 So I believe it's 5-foot-high by
 20 15-foot-wide box culvert. So it's a very large box
 21 culvert. We'd be able to stand in it. It's much
 22 bigger than the existing 48-inch pipes that currently
 23 drain through the site.
 24 So we're actually increasing capacity
 25 from Main Street to get to the Raritan Bay.

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1 you to increase runoff to the Raritan Bay. They
 2 actually encourage it because we want to take water
 3 away from the county system or city system, and we
 4 want to send it to Atlantic Ocean. So that's how
 5 we're reducing to the county right-of-way by sending
 6 more to the bay.
 7 MR. HOREZGA: Is there a way to do that
 8 roughly with those -- the two concrete culverts,
 9 replacing those 40-inch pipes.
 10 MR. MULLER: Yes.
 11 We have an onsite system. We have a
 12 substantial amount of onsite stormwater management
 13 pipes, inlet systems, roof leaders from building.
 14 And we're conveying all that back -- the majority of
 15 that back to the Raritan Bay.
 16 I appreciate you bringing that up. We
 17 are relocating that culvert that cuts through the
 18 middle of the site. We're rebuilding that around the
 19 building and outfalling it back to the Raritan Bay.
 20 And, of course, that's going to require
 21 substantial permits from the DEP, which we're
 22 actively pursuing. That's how we -- that's how we're
 23 draining it to the Raritan Bay.
 24 MR. HOREZGA: Just one last question on
 25 that specific topic, in your report it says that the

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1 MR. HOREZGA: The last question I have
 2 on this section is, has there been any testing done
 3 yet as far as contamination there, given the history
 4 --
 5 MR. MULLER: Yes.
 6 MR. HOREZGA: -- and the potential of
 7 the previous dump, and then obviously the -- I guess,
 8 the trucks at least that are there? Any testing?
 9 Any boring? Anything to determine any contamination
 10 there?
 11 MR. MULLER: Yep.
 12 As part of our assignment on this
 13 project, we were hired as the LSRP. Dynamic Earth,
 14 LLC is an Affiliate of Dynamic Engineering.
 15 We've been out to the site on many,
 16 many occasions. We've done many borings, test pits
 17 on this site. We've delineated where we think the
 18 edges of the municipal landfill are. We've analyzed
 19 the existing condition of the soil above the
 20 landfill, within the landfill and below the landfill.
 21 It's not a line landfill. It was never
 22 properly closed. You know, back in the '40s to the
 23 '70s, there were no regulations on closing landfills.
 24 So we do have an application submitted
 25 to the DEP to close that landfill as part of this

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1 land development project.
2 The area outside the landfill, which
3 would be the other half of the site, the western half
4 of the site, there are a number of other contaminants
5 that we've done borings on.

6 There's a number of spots that will
7 need hotspot remediation. There's a Remedial Action
8 Work Plan that was submitted to the NJ DEP which is
9 currently under review, which would be enacted on as
10 part of the land development project here.

11 So we have a whole big team working on
12 that behind the scenes with the DEP directly.

13 MR. HOREZGA: Would any of those
14 findings change your proposed design of these
15 culverts?

16 MR. MULLER: No.

17 MR. HOREZGA: It would just make it
18 harder to do in time.

19 MR. MULLER: No.

20 It's a different exercise. So their
21 findings don't impact us.

22 MR. HOREZGA: Thank you.

23 MR. MULLER: Yeah, just quickly on the
24 landscaping. We have -- we did provide a number of
25 landscaped areas within the site, mostly within the

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1 All the new lights will be
2 LED-efficiency lights. We have a total of 29
3 fixtures proposed.

4 We have a number of area lights
5 proposed throughout the loading area as well as the
6 parking areas. We have a total of 15 wall-mounted
7 lights on the building itself.

8 Overall, all the lights are downward
9 facing, like I mentioned. They're not floodlights.
10 They're not going to be directed towards offsite
11 properties. The light source is directly down.

12 The light levels proposed are generally
13 between are generally .3 footcandles throughout the
14 site. We have a minimum .3 and an average of about
15 1.2 footcandles, which is a very good, very modest,
16 and also very safe amount of lighting for this
17 project.

18 Mr. Valetutto did comment on the fact
19 that we do have a little bit of a spillover from our
20 proposed development onto adjacent properties which
21 is not permissive from the ordinance.

22 Based on our lighting design and the
23 proximity of the driveways and the parking areas to
24 the public right-of-way, it's our opinion that full
25 compliance with that requirement would not be

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1 perimeter of the site to provide a green buffer
2 around the site. We have a buffer along the front of
3 the site as well as the sides and the rear of the
4 site.

5 A total, we're proposing 436 total
6 plantings. We have a number of shade trees
7 throughout the site, ornamental trees throughout the
8 site, evergreen trees throughout the site, a large
9 number of evergreen shrubs and deciduous shrubs
10 throughout the site.

11 Just skipping over to Exhibit A-4 and
12 A-3, we do have a landscape strip along the façade of
13 the building to provide a little bit of a buffer to
14 the building, to the parking area.

15 I did read Mr. Valetutto's letter, like
16 I mentioned, and he did have a few landscape-related
17 comments, which we have no problem complying with
18 directly.

19 In terms of the lighting, we're
20 providing all new lighting fixtures out there onsite.
21 If you've been out to the site, you might have
22 recognized that a lot of the existing lights are
23 flood lights. They're angled. They're
24 old-fashioned, ugly lights. We're removing those of
25 course.

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1 possible on this project. We could certainly take a
2 look at the lighting again to attempt to reduce the
3 amount of lighting that overflows onto adjacent
4 properties.

5 But, as I mentioned on my existing
6 conditions discussion, we really have no neighbors
7 that would be negatively impacted by this. We have a
8 warehouse that's being built to the east of us.

9 We have the Borough of Sayreville, the
10 scrap yard, you know, to the west of us
11 Main Street to the south of us.

12 There's no residential neighbors within
13 the vicinity of the area.

14 So we've done our best to reduce the
15 amount of spillover to the right-of-way, but we
16 believe that deviation is still going to be required.

17 As I mentioned, it's not going to
18 create a substantial detriment to the surrounding
19 area.

20 MR. PAULUKIEWICZ: On the lighting, is
21 this lighting adequate for security purposes? You're
22 going to have trailers.

23 Again, you don't know who the tenants
24 are going to be, but they could do multiple shifts,
25 so employees coming and going in the middle of the

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1 night. There will be adequate lighting for their
2 security, vehicle security, so nobody can wander.

3 MR. MULLER: Yes. The entirety of the
4 walkways and pavement areas are all lit with a
5 minimum .3 footcandles, which is a great level of
6 light for safety for that reason.

7 And we did try to distribute that
8 throughout the site. That's another reason why some
9 of it does slightly spillover into the Main Street
10 right-of-way.

11 MR. TUVEL: If there was overnight
12 usage, obviously that lighting would be maintained
13 overnight for security purposes.

14 MR. MULLER: Yes.
15 Just very quickly on signage. We're
16 not proposing any monument sign or freestanding sign
17 on this project.

18 You can see on Exhibit A-3 and A-4 that
19 we are proposing four wall-mounted signs. There will
20 be two basically --

21 MR. TUVEL: Just so everybody can see.
22 Thanks, Tom.

23 MR. MULLER: Exhibit A-3 is on the left
24 easel. Exhibit A-4 is on the right easel.

25 Both are of the same building. It

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1 And you can see that's really just a result of the
2 size of the building and the location of where those
3 offices are.

4 Just very quickly again to touch on the
5 architectural design. We worked hand in hand with
6 the architect on this project. Our site plans match
7 the architectural plans in terms of building size and
8 door locations. We worked with them.

9 And I think it's clear to see on those
10 renderings, on Exhibit A-3 and A-4, this is a very
11 handsome building. It was prepared with great
12 detail. This is not a standard warehouse that you
13 might have seen in past years with just metal siding
14 and concrete block.

15 We have precast manufactured panels on
16 all four sides of this building. There's numerous
17 types of colors, articulations. The parapet is
18 stepped in certain areas to break up one single roof
19 line. You can see how it's broken up here.

20 There's a mixture of grays, whites and
21 blacks throughout the entire building. The offices
22 on each corner of the building are highlighted with
23 those taller towers in that darker manufactured
24 material. There's a storefront glazing in front of
25 the office that breaks up the façade even more.

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1 shows the signage. We catty-cornered the signage
2 above the office tower on either corner of the
3 building.

4 As we mentioned, this is a speculative
5 warehouse, so we simply labeled "Tenant Signage."
6 The final artwork and design of that signage will be
7 determined when and if a tenant comes to the site.

8 And more specific construction detail
9 will obviously have to be submitted to the Municipal
10 Zoning Officer for approval at that time.

11 But, at this time, we are proposing a
12 total of four signs, all of which are 100 square
13 feet. Municipal ordinance actually does not require a
14 maximum or have a maximum sign area requirement. So
15 we intentionally chose 100 square feet.

16 It's a very modest sign. You can see
17 how modest that looks on the renderings on Exhibit
18 A-3 and A-4.

19 We are proposing to internally
20 illuminate those signs. And there is one deviation
21 required for that signage. The ordinance permits
22 only a maximum height of 25 feet for the signs. Just
23 as part of a standard warehouse project like this and
24 the fact that we have to elevate the sign, we are
25 proposing a total sign of 40 feet for these signs.

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1 The building is, as I mentioned,
2 46 feet 10 inches in height, which complies with the
3 ordinance requirement.

4 We are proposing -- all of the
5 mechanical equipment on the roof won't be mounted on
6 the site. It would be mounted on the roof.
7 Considering how tall this building is, you won't be
8 able to see that mechanical equipment from the road.
9 It will be set back from the edge of the building.

10 Yeah, that's really it. In terms of
11 the actual floor plan of this project, there really
12 is none. It's a standard distribution warehouse.
13 We're proposing one dedicated office pod on the
14 southwest corner of the site and another office pod
15 on the southeast corner of the site.

16 The rest of the building is really just
17 standard distribution, racks for storage and things
18 of that nature.

19 There are two smaller pods on the
20 northwest and northeast corners of the building.
21 That's really just for an area for truckers or the
22 truck drivers to just have an area, you know, to have
23 lunch, to sit, to have a small break room. But it's
24 not a formal office. It's really just a small
25 amenity area.

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1 BY MR. TUVEL:

2 Q. Tom, before you conclude, just go over
3 utilities also where the refuse and recycling
4 location will be?

5 A. Sure, sure.

6 In terms of utilities, we do have
7 public water, sewer, electric and gas here. We are
8 using adjacent Lot 1.03 to connect our sewer. There's
9 an established easement that gives rights to our --
10 to the subject property, to the property to
11 the east. So we're proposing a sewer connection to
12 east.

13 Mr. Valetutto requested two separate
14 laterals for multiple tenants. We have no problem
15 having those laterals come out of the building.
16 They'll eventually meet up to one single point of
17 connection to the offsite sewer obviously. But we
18 have no problem providing multiple laterals there.

19 We also have public water and sewer --
20 sorry. The public water connection will be into the
21 building. We'll have a fire service connection.
22 We'll have a domestic water service connection. The
23 building is fully sprinkled. We are proposing fire
24 main extension to the back of the site with a fire
25 hydrant along the back of the site, which will be

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1 whatever the ordinance is, which I think is similar
2 to the warehouse to the east, which I guess would be
3 subject to the same regulations. If it could be open
4 24 hours, if the tenant requires that, that's what it
5 would be.

6 So whatever the ordinance in town
7 permits

8 MR. MULLER: Just to touch on the
9 refuse question. Jason, we do have one refuse
10 enclosure shown on the western side of the building.
11 It's adjacent to the parking area. It's a 10-by-20
12 trash enclosure. It's really just dedicated for
13 standard office waste to be serviced by a private
14 hauler.

15 The actual operation of the warehouse is
16 obviously speculative. But if a tenant did come in
17 that had a larger recycling requirement, we do have
18 the opportunity of using an interior compactor or an
19 interior system. And then what we see typically is
20 that the loading positions can actually be used to
21 pick up that extra refuse.

22 We do also have two drive-in doors into
23 the building. There's ramps into the building. So
24 smaller vehicles can actually drive in there and
25 actually pick up refuse if that really becomes

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1 required to be reviewed and approved by the city
2 obviously.

3 We do have public gas and electric.
4 There is a transformer shown on the site plan. It's
5 a little bit hard to see, but it's at the
6 southernmost portion of the site in the center of the
7 parking area. That's a ground-mounted transformer.
8 It takes electric service in from Main Street and
9 feeds it into the building.

10 MR. HOREZGA: Just real quick on the
11 floor plan. Is that going to be all open space
12 shared by all tenants, or do you plan on subdividing
13 that between tenants.

14 MR. TUVEL: I think, as was mentioned
15 before, it's a speculative warehouse. It does have
16 the ability to be split into two sides, partitioned,
17 but the applicant does not know that at this point.

18 The reason it was set up with an office
19 on each side is, if it's going to be partitioned in
20 the future, it makes it easy with an office on each
21 side.

22 CHAIRWOMAN SZARO: I understand you
23 don't know, but do you know -- are you aware of the
24 hours of operation, or any thoughts on that?

25 MR. TUVEL: We would comply with

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1 necessary.

2 Q. Tom, in speaking with your client, it's
3 your understanding that industry standard is
4 typically two to three pickups per week for trash and
5 recycling?

6 A. Yes, correct.

7 Q. Anything else?

8 A. Yeah, that really covers everything.
9 There's a quite of number of outside agencies that
10 are required, DEP, County Soil District.

11 We're actively working on getting
12 those. And copies of those approvals would certainly
13 be provided to the city once we receive them.

14 That really wraps up my direct
15 testimony.

16 Q. Just to be clear, unless for some
17 reason you didn't mention -- anything that you didn't
18 mention from Mr. Valetutto's letter that required a
19 technical comment or some sort of plan revision, you
20 would agree to make that revision, correct?

21 A. Yes, absolutely.

22 MR. TUVEL: Okay, great. Thank you
23 very much, Madame Chair.

24 CHAIRWOMAN SZARO: Thank you.

25 Does the board have any questions?

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1 I'll start with you Jason.
2 MR. VALETUTTO: Can we just go through
3 my report page by page just to hit the testimony
4 items that I think were not mentioned.

5 MR. TUVEL: We tried our best, Jason.

6 MR. VALETUTTO: I know. I know you
7 did. But if we can just go through it.

8 MR. TUVEL: No problem. Of course. Of
9 course.

10 MR. VALETUTTO: Page 2 of my report.
11 If you can just touch upon Claremont Property
12 Acquisitions, LLC.

13 MR. TUVEL: Oh, yeah, the Urban Renewal
14 entity that has the redevelopment agreement with the
15 city, we can just -- we can just change that on the
16 plans.

17 That's fine.

18 MR. VALETUTTO: Okay. All right. We
19 touched upon the contamination of the site. We
20 touched on the gross floor area of the building.

21 The amount of employees, I know you had
22 said it was speculative. But for the purposes of the
23 board and granting a possible parking deviation, they
24 need to have, like, a concrete number.

25 Is the applicant willing to cap the

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1 warehouse or in the ancillary office space.

2 MR. STAHL: It will be 150 employees.

3 MR. TUVEL: One-hundred-seventy.

4 MR. STAHL: I keep going back.

5 MR. TUVEL: It's okay.

6 MR. STAHL: I've got to get my hearing
7 tested soon.

8 MS. RUSSO: We're not in our usual.

9 MR. STAHL: She always saves me. Well,
10 everyone is projecting this way, and I'm getting it
11 bounced back.

12 CHAIRWOMAN SZARO: Thank you.
13 Anything else, Jason?

14 MR. VALETUTTO: Yes, we're still going.

15 MR. TUVEL: Yeah. Just to be clear, I
16 think I asked Mr. Muller this during his testimony.
17 It's 170 per shift. It's not 170 total.

18 MR. VALETUTTO: It's 170 max.

19 MR. TUVEL: Correct. Peak hour shift,
20 correct, correct.

21 MR. VALETUTTO: That's what the cap
22 would be.

23 MR. TUVEL: Yes.

24 MR. VALETUTTO: You touched upon the
25 trash pickup and private hauler in the one location.

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1 number of employees at 170 for the entire facility?

2 MR. TUVEL: Correct.

3 MR. VALETUTTO: Including the offices.

4 MR. TUVEL: Correct. The 170 that we
5 provided, based on our understanding originally of
6 the parking requirement, was warehouse and office
7 combined.

8 So, yes, the answer to your question is
9 yes.

10 MR. VALETUTTO: Just I know that the
11 board members are probably going to have more
12 questions on parking.

13 MR. TUVEL: That's fine.

14 MR. STAHL: I just want to make that
15 clear. Thank you.

16 So one of the conditions would be 170
17 spaces all inclusive.

18 MR. TUVEL: One-hundred-seventy
19 employees, correct.

20 CHAIRWOMAN SZARO: Employees, not
21 spaces.

22 MR. HOREZGA: I think it's 188 spaces.

23 MR. TUVEL: Right. And that's
24 inclusive of members -- or excuse me -- employees of
25 the warehouse that would be either in the larger

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1 What happens if you do segment this building into two
2 tenants?

3 The far tenant, it's going to be
4 awfully unfair to have them bring their trash all the
5 way around the building.

6 I was trying to think of solutions for
7 you. The only thing I can come up with is you have
8 an excess number of loading spaces, and you can
9 possibly convert some of those into another secondary
10 trash pickup for the possible second tenant if you go
11 ahead and do segment it into two tenants.

12 MR. TUVEL: Okay. I think -- so if the
13 board were to require that as a condition, it would
14 only be if the building is ultimately partitioned
15 into two.

16 MR. VALETUTTO: Correct.

17 MR. TUVEL: Okay. So we could find a
18 spot based on the resolution compliance plans with
19 you. And then if a second tenant came in, the
20 applicant would have to build that space.

21 MR. VALETUTTO: Correct, correct. I
22 think the board would be acceptable.

23 MR. TUVEL: Yeah. I just want to make
24 it clear, that would be the evolution of that.

25 MR. VALETUTTO: During the resolution

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1 compliance, we can come up with a plan of where the
 2 location would be. And should a second tenant come,
 3 that secondary trash location would be selected.
 4 MR. TUVEL: That makes sense.
 5 MR. VALETUTTO: Can you touch upon the
 6 left turns into -- onto the site, both the vehicular
 7 and the truck traffic, just on the location of the
 8 left-turn lanes? I know it stops short of the one
 9 driveway, and the other driveway would require
 10 removal of the island and a change to the island,
 11 which obviously is county jurisdiction.
 12 But if you can just touch upon any
 13 discussions that you did have with the county.
 14 MR. MULLER: Yeah.
 15 We met with the County very early on in
 16 this project. The left-turn lane was something that
 17 was presented to them. They were in full support of.
 18 They recommended a left-turn lane on this project as
 19 well.
 20 There's one left-turn lane on the
 21 western portion of Main Street which gives the
 22 opportunity for lefts into the site for passenger
 23 vehicles. It stops short a little bit of that
 24 driveway because of the intersection of Raritan
 25 Street.

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1 maintains it currently, and who will be owning and
 2 maintaining that after this is constructed.
 3 MR. MULLER: Yeah, it's a great
 4 question. There's actually no established easement
 5 for that culvert. We met with the county. They're
 6 not claiming ownership of those pipes, to my
 7 knowledge. I'm not aware of the city claiming
 8 ownership. So we're kind of in no man's land here
 9 with who owns those pipes.
 10 I personally don't know who has been
 11 maintaining them, or if they are even maintained
 12 under existing conditions. But relocating that will
 13 require approval from the county and city because we
 14 are taking runoff from a public right-of-way.
 15 Then I'd have to defer back to Counsel
 16 on who is actually going to maintain it at the end of
 17 the day. So we'll have to -- I'll have to circle
 18 back with you on that.
 19 MR. VALETUTTO: Yeah.
 20 The other comment was the truck
 21 driveway entrance. You have an inlet that's being
 22 converted from a headpiece that has a -- to a back
 23 plate.
 24 Would you be willing to make that into
 25 just a double inlet instead just to capture more -- I

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1 So we want to keep that intersection
 2 clear so Raritan Street still operates as it does
 3 today.
 4 And then we have a second left-turn
 5 lane into the eastern driveway for the tractor
 6 trailers. That's been designed to have a much longer
 7 left-turn lane.
 8 As you can see there, it gives the
 9 opportunity for multiple tractor trailers to stage
 10 there and make a left in. Instead of blocking
 11 traffic on Main Street, make the left turn right in
 12 -- the left turn into the site.
 13 And, as I mentioned, this is being
 14 reviewed by the county. And the applicant is
 15 constructing this as part of the overall project, so
 16 they're responsible for building this.
 17 MR. KELLY: Do we know how many trucks
 18 can queue there?
 19 MR. MULLER: I'd have to rely back on
 20 the traffic engineer on that, so he can touch on
 21 that.
 22 MR. VALETUTTO: Was there any
 23 discussions with the city on the storm sewer system
 24 and the modification of those double 48-inch pipes?
 25 Only because I don't know who owns that, who

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1 think it just makes more...
 2 MR. MULLER: Yeah, absolutely,
 3 absolutely.
 4 MR. VALETUTTO: The wall guiderail
 5 fence cross-section detail shows that the owner has
 6 the option of a fence or a handrail system. If you
 7 can just put on the record -- I think the owner
 8 should make a decision for the board to approve what
 9 is actually going to be installed there.
 10 And also the comment about it can't be
 11 installed in the cap of the wall because then it gets
 12 considered as part of the structure and we have
 13 height restrictions. So whatever gets installed has
 14 to be installed behind the wall system.
 15 MR. MULLER: Yeah.
 16 The fence along the -- or the retaining
 17 wall on the front of the site, which is the southern
 18 portion of the site, it ranges from about -- it
 19 tapers from about zero feet in height to 8 feet in
 20 height along the front of the site.
 21 That's as a result of us having to
 22 raise this site out of the flood hazard area.
 23 And in order to provide pedestrian
 24 safety from the parking area, we would add fall
 25 protection from that retaining wall. So we are

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1 proposing a fence on top of the retaining wall.
2 So the construction detail is more
3 generic in nature. The applicant will be required to
4 provide a fence. And based on our current design,
5 based on the proximity of the retaining wall to the
6 parking area, we do think that fence needs to be
7 installed inside the retaining wall cap.

8 So, for the record, we think that we're
9 going to have a maximum of an 8-foot-high roughly
10 retaining wall. Then we're going to have about a
11 4-foot-high fence above that. It might be set right
12 into the block.

13 So in terms of being conservative, we
14 would request a deviation for having a fence within
15 the retaining wall.

16 MR. VALETUTTO: Is the board members
17 clear and understand the ask? They've going to have
18 a retaining wall that wraps around the building. And
19 because of safety, they have to install a fence.
20 They're going to install that fence most likely
21 within the cap.

22 MR. FORSHNER: On top of the wall.

23 MR. VALETUTTO: Correct.

24 MR. KELLY: Basically the wall will be
25 12-feet high.

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1 corner of the building shown on --
2 MR. HOREZGA: Can it be a chain-link
3 fence.

4 MR. STAHL: Tom, can you show -- can
5 you highlight that.

6 MR. MULLER: There's a wall actually
7 around 360 degrees of this site, essentially, because
8 of the floodplain issues.

9 But the one along the front, there's a
10 wall there -- it might be hard to see on the
11 rendering -- but there's a wall that follows the
12 right-of-way there.

13 MR. VALETUTTO: You can see it on the
14 three-dimensional. You can see that beige area.

15 No. Along the building. Along the
16 building is -- that front corner.

17 Right there, right there, that's the
18 one I'm speaking of.

19 MR. HOREZGA: Is that a handrail or a
20 fence.

21 MR. MULLER: Yeah, along the building
22 -- I'm sorry, I thought we were talking about the
23 right-of-way still.

24 Along the building it's an actual
25 handrail. We have pedestrians walking through there.

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1 MR. VALETUTTO: So the height of the
2 wall plus the height of the fence is going to be
3 approximately 12-feet high, when the maximum allowed
4 is 6 feet within side and rear yard, and 4 feet
5 within the front yard. So that would be another
6 deviation that's there required --

7 MR. FORSHNER: So, Jason, for
8 clarification, that's from the seaward side since
9 this is higher on the high side of the retaining
10 wall?

11 So from the property side it would look
12 like it's a 4-foot fence; am I correct about that?

13 MR. MULLER: Correct.

14 Yes, absolutely.

15 MR. FORSHNER: Technically it may
16 require a deviation, but it's not going to appear to
17 be 12 feet unless you're out in the bay.

18 MR. MULLER: Correct.

19 MR. HOREZGA: I understand the issue as
20 to height.

21 Can we just get a little bit of
22 information on the kind of fencing you're proposing?

23 MR. VALETUTTO: I'm actually talking
24 about the wall that wraps around the front corner of
25 the -- let's see, we're talking about the southwest

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1 So it's an actual handrail. The details of that will
2 be programmed by the architect as part of the
3 architectural design. I don't think a formal design
4 and aesthetic has been chosen for that yet.

5 The wall and fence combination along the
6 right-of-way in the parking area would be a
7 chain-link fence. We don't need a handrail there
8 obviously.

9 We're not going to have people walking
10 along it. It's really to prevent people from walking
11 over it.

12 So the fencing has not been chosen yet,
13 but it could likely be a chain-link fence or an
14 aluminum fence, but we haven't chosen --
15 MR. STAHL: Just to clarify the
16 deviation -- just to clarify the deviation, we're
17 doing an 8-foot -- we're doing a 4-foot-on-8-feet, so
18 we're getting 12 feet and we need a 6-foot deviation?

19 MR. VALETUTTO: That is for the fence
20 that goes around the perimeter.

21 MR. STAHL: I understand.

22 MR. VALETUTTO: No, no. There's two
23 fences we're talking about. Well fence and railing.
24 Along the perimeter of the property, they're
25 installing the 8-foot wall plus the 6-foot fence --

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1 correct? Or is it a 4-foot fence?
 2 MR. MULLER: Four-foot fence.
 3 MR. STAHL: It's 8 and 4, that's 12.
 4 And there a six permitted. So we're looking for a
 5 6-foot deviation.
 6 MR. TUVEL: Correct.
 7 MR. KELLY: So, Jason, if I understand
 8 -- Mr. Muller, if I understand, I believe the
 9 testimony is that in front of the building along Main
 10 Street, on top of the retaining wall, we're proposing
 11 a fence, a chain-link fence there also
 12 MR. MULLER: Yes.
 13 For fall protection and just to block
 14 people from walking over that 8-foot-high fence.
 15 MR. KELLY: I don't think I'd have an
 16 issue with a chain-link fence anywhere else on this
 17 site for fall protection. I think, aesthetically, in
 18 the front of the building along Main Street, is there
 19 some other proposal?
 20 MR. MULLER: Yeah. We could do an
 21 aluminum --
 22 MR. KELLY: Decorative rail.
 23 MR. MULLER: Yeah, a decorative
 24 aluminum fence.
 25 MR. TUVEL: Yeah, that probably would
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1 look nicer.
 2 MR. HOREZGA: The detail of it.
 3 MR. KELLY: Rather than industrial
 4 looking 4-foot chain-link fence.
 5 MR. TUVEL: We'll work with Jason on
 6 that, if that's something that the board would
 7 prefer, like, that's fine.
 8 MR. KELLY: Especially since that's
 9 going to be now the second building you're going to
 10 see when you enter the town, the city.
 11 MR. TUVEL: That's fine.
 12 No, it's a good comment.
 13 MR. KELLY: And then in the rear of the
 14 property along the retaining wall on the Raritan Bay
 15 side, that's tractor-trailer parking; that's going to
 16 back up to the wall there.
 17 MR. TUVEL: Correct.
 18 MR. KELLY: Is there a guiderail.
 19 MR. MULLER: Yeah. There's a guiderail
 20 with bumpers as well as a fence for protection of
 21 people walking out of the site or even into the site.
 22 So it's a security fence as well.
 23 MR. FORSHNER: When you say bumper,
 24 what do you mean in that context?
 25 MR. MULLER: Just, basically, a rubber
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1 bumper on the guiderail that's, kind of, sacrificial.
 2 That would get destroyed before the guiderail. So
 3 that's another amenity we're proposing.
 4 MR. VALETUTTO: Is everyone clear on
 5 the wall? Chain-link fence around the property, and
 6 then the wall, aluminum, decorative fence along the
 7 front.
 8 MR. TUVEL: Yeah. That would be a
 9 condition if the board so chooses, yes.
 10 MR. FORSHNER: So as far as the
 11 chain-link fence goes elsewhere on the property, I
 12 think we're talking about the view of that fence
 13 would be from the seaward side; am I correct?
 14 MR. MULLER: Correct.
 15 MR. FORSHNER: So the only question I
 16 have is from an aesthetics perspective, should that
 17 be something nicer than a chain-link fence?
 18 And I'm considering both functionality
 19 as well as the aesthetics. And I'm not saying there
 20 has to be something different. I'm throwing it out
 21 there for discussion purposes because I would think
 22 that, you know, having something aesthetically
 23 pleasing from the perspective of the Raritan Bay has
 24 some benefits as well.
 25 MR. HOREZGA: Just to point out too,
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1 you did a tremendous amount of design work on the
 2 building itself, so I don't think you would want to
 3 take away from that with a chain-link fence.
 4 MR. TUVEL: No. We're willing to work
 5 with the board if you feel -- we just didn't think
 6 it's visible.
 7 I think what Tom was saying, it's not
 8 really going to be visible. You're going to have
 9 tractor-trailer storage back there that's going to
 10 block it anyway.
 11 But, you know, we're happy to work with
 12 the board on this issue.
 13 MR. FORSHNER: Generally, the rear
 14 building I wouldn't care, but here you're seeing it
 15 from the bay. And I think in that regard there's
 16 something to be said with the aesthetics of that.
 17 MR. MULLER: I think a chain-link
 18 fence, like a black-vinyl-coated chain-link fence
 19 would kind of blend into the landscape more.
 20 You know, we're only going to have a
 21 4-foot-high fence. So as you're -- if a boater is
 22 out in the bay, it's really going to be melted into
 23 the landscape. It's not going to be something
 24 prominent.
 25 There is vegetation along the Raritan
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1 Bay. You can see the green color.

2 MR. TUVEL: Yeah. So it's not going to
3 be visible.

4 MR. MULLER: Yeah. It's going to start
5 to overgrow naturally. So I think a black-coated
6 chain-link fence is more than adequate for that
7 situation. You're really -- your eye is going to
8 catch this building beyond the fence first before you
9 look at the fence.

10 VICE CHAIRMAN KOMINKIEWICZ: May I,
11 Madame Chair?

12 CHAIRWOMAN SZARO: Any other questions?
13 Are you done?

14 VICE CHAIRMAN KOMINKIEWICZ: Regarding
15 the boundary with the bay, the applicant that
16 recently received approval to the east of your site
17 had access, public access, to the bay, the walkway
18 along the bay.

19 Now, I don't exactly remember if that
20 was of their own accord or if they were in some way
21 obligated to do so.

22 But I was curious -- and it wouldn't be
23 for people to go take vacations obviously. But if
24 somebody wanted to take pictures of the birds or
25 wildlife, or if they wanted to take a walk -- I mean,

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1 on the site that we're remediating. There's
2 contamination that extends off of our property too
3 that we're not remediating because it's simply not
4 part of the property.

5 We don't want to introduce people into
6 that back area. What the applicant is actually doing
7 is instead of providing a walkway on the property,
8 they're going to actually be working with the city to
9 provide a walkway associated with your future ferry
10 terminal project where it would actually be expanding
11 where you're contemplating for the ferry project.
12 The exact details of that are still being worked on.

13 But instead of providing that walkway
14 on our site, we're providing it in a more appropriate
15 area elsewhere near to the ferry terminal project.
16 We don't want to introduce people to this tractor
17 trailer loading area. I know I personally wouldn't
18 want to walk back here so...

19 VICE CHAIRMAN KOMINKIEWICZ: So where
20 would that be? You said in accordance with the ferry
21 terminal.

22 MR. MULLER: Yeah.

23 The exact conceptual design of that is
24 still being worked on by the applicant with the city.
25 I'm not familiar with the exact details of it.

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1 this is part of the bay that people could really walk
2 or drive to for decades.

3 So now the opportunity exists because,
4 you know, you're developing this property.

5 Would there be some kind of public
6 access or even possibly a walkway along the bay
7 section?

8 MR. FORSHNER: So it wouldn't be
9 through the site. It would just be across the rear
10 along the bay is what you're...

11 VICE CHAIRMAN KOMINKIEWICZ: Well,
12 through the site would be more accessible for people
13 who want to see that.

14 MR. MULLER: Yeah, I'm aware of the
15 property to the east. They did provide a public
16 walkway. They made a different interpretation of the
17 New Jersey DEP rule, stormwater management rule,
18 which requires a walkway along the frontage of the
19 Raritan Bay.

20 We've been in an extreme amount of
21 communication with the DEP, including a conference
22 call this morning at 10 o'clock with the DEP. We're
23 not providing that walkway intentionally, because
24 there is a landfill. We are capping the landfill.
25 There is an extreme amount of contamination elsewhere

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1 But it is a requirement that the DEP is
2 going to have as part of the permission of
3 their permit.

4 So for purposes of confirming that a
5 walkway will be provided, it's going to be required
6 by the DEP conditions.

7 MR. FORSHNER: So that will be
8 addressed as part of the condition of compliance.

9 MR. MULLER: Yeah, as part of the DEP
10 permit. So the DEP permit is part of the resolution
11 compliance with the city. So the DEP and the city
12 will be able to comment on it as we make progress.

13 MR. FORSHNER: So just perhaps to
14 highlight that maybe as a condition of approval that,
15 you know, whatever the DEP requirement is with regard
16 to the walkway relative to the ferry or otherwise be
17 included.

18 MR. MULLER: Yes, I think that's fair.

19 VICE CHAIRMAN KOMINKIEWICZ: Thank you.

20 CHAIRWOMAN SZARO: Any other questions?

21 MR. FORSHNER: I have others.

22 MR. VALETUTTO: I just have one more
23 quick one.

24 You don't intend the architect to speak
25 tonight, correct?

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1 MR. TUVEL: No.
 2 MR. VALETUTTO: If I can just ask Tom?
 3 MR. TUVEL: Sure, go ahead.
 4 MR. VALETUTTO: Because there was a
 5 conflict between the site plan and the architectural
 6 plan on the dimensions, can you just tell us which
 7 one was more accurate or closer?
 8 And is this building, like, supposed to
 9 be exactly symmetric? Because the figures were
 10 slightly different.
 11 MR. MULLER: Yeah. What we did on our
 12 site plan was we measured the extreme outer edge to
 13 the extreme outer edge, which included a slight
 14 bump-out on either end of the building.
 15 So our dimensions were rounded up
 16 slightly more than, you know, what the architect has
 17 on their exact dimension.
 18 I'll make sure that our site plans
 19 match the architectural design exactly. I'm not sure
 20 if it was intentional to be perfectly symmetrical.
 21 If it's not, you know, that's the way it was
 22 designed, and it's fine. But we'll make sure our
 23 plans match the architect's plans.
 24 CHAIRWOMAN SZARO: Any other questions?
 25 MR. VALETUTTO: I'm done.

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1 required. Everything will be oriented towards the
 2 rear.
 3 MR. MULLER: Yes. It will be set back
 4 from the perimeter of the building, not directly in
 5 the rear. There might be some towards the front.
 6 But they won't be right up against the edge of the
 7 building.
 8 They'll be set back enough where you
 9 won't be able to see it from the road or anything, or
 10 the parking areas.
 11 MR. KELLY: Does the building have any
 12 type of parapet at all in the architectural proposal;
 13 do you know?
 14 MR. MULLER: Yeah. There's a parapet
 15 that's proposed at the office areas. And then the
 16 ridges and then the valleys of the roof actually have
 17 a variant -- result in a varying parapet. So instead
 18 there's actually a zero foot parapet.
 19 But as the roof makes its ridges for
 20 roof drainage purposes, there is a parapet that
 21 starts to reveal itself and kind of make its way
 22 across the roof of the building.
 23 But there is a parapet immediately
 24 above the offices to help screen some of that RTU a
 25 little bit.

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1 MR. KELLY: So are we -- are we leaning
 2 towards two tenants with the layout.
 3 MR. TUVEL: We are not sure.
 4 And we gave it the flexibility to be
 5 able to do that. I've noticed that with most
 6 speculative warehouse projects that they give
 7 themselves that flexibility.
 8 Then if they make some internal
 9 changes, if there's one tenant they do that.
 10 But that's why you see the designs. So
 11 there's no surprises if they do partition it into
 12 two.
 13 MR. KELLY: Then so we're understanding
 14 then that this is to be one floor, one story, so
 15 there are no mezzanines proposed.
 16 MR. MULLER: Correct. There is one
 17 story. No mezzanines.
 18 Everything is one story, correct.
 19 MR. KELLY: Just real quick. We
 20 touched briefly, because I know the architect is not
 21 going to testify.
 22 But all the RTUs will be set back away?
 23 Because there's no screening proposed around the
 24 perimeter of the building for any of the rooftop
 25 equipment, any of the RTUs or any ventilation that's

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1 MR. KELLY: So we're not going to
 2 propose any screening at all, then? There's no
 3 parapet, no screening at all?
 4 We're fairly certain that upon entrance
 5 into the city, we're not going to be able to view any
 6 rooftop equipment.
 7 MR. MULLER: Yes. Because the site is
 8 going to be elevated. And the building is also over
 9 46 feet high. It's very unlikely anything will be
 10 seen from street level.
 11 MR. KELLY: Thank you.
 12 CHAIRWOMAN SZARO: Gary.
 13 MR. FORSHNER: Okay. So I have some
 14 stream of consciousness thoughts here as I jotted
 15 out. You know I've got to put you through the paces,
 16 Jason.
 17 Let me see if I can go through these
 18 items and just get some clarity.
 19 First of all, with regard to the light
 20 spillover we raised, I wouldn't think there would be
 21 any -- and this is for you as well, Jason -- are
 22 there any safety issues that we need to be concerned
 23 about? And I would think mostly in terms of traffic
 24 and having glare in someone's eye.
 25 But I wouldn't think that is a concern

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1 in any regard here. Yes? No? Maybe?
 2 MR. MULLER: I have no concern with the
 3 spillover in terms of site safety.
 4 It probably actually promotes safety
 5 offsite. It won't add glare into drivers' eyes or
 6 anything.
 7 MR. VALETUTTO: Yeah, I have no issues
 8 with Main Street, because primarily all the lights
 9 are facing towards the building. The spillage
 10 comment was mostly for -- they could provide some
 11 shielding to prevent from the neighboring and towards
 12 Sayreville.
 13 It is minimal spillage. But if they
 14 put shielding on, or something, they can control it a
 15 little bit. But it is minimal.
 16 MR. FORSHNER: And it looks like most
 17 of the spillover is on the adjacent warehouse
 18 property; am I correct?
 19 MR. MULLER: Yeah.
 20 MR. VALETUTTO: There is a -- there's a
 21 little bit there, but it's mostly towards the
 22 Sayreville side and the adjoining facility that's
 23 located on -- what is that, Lot 1.05.
 24 MR. MULLER: Yeah, the health facility.
 25 MR. VALETUTTO: I was talking about the

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1 what I think is the wetlands line but not the buffer.
 2 Is there going to be full compliance with the buffer
 3 requirements?
 4 MR. MULLER: Yes, absolutely.
 5 Permitting will be required.
 6 MR. FORSHNER: With regard to the
 7 office space, if my eyeball math is correct, it looks
 8 like the way you've got it laid out is about a tenth
 9 of a mile from the walk from the parking lot to the
 10 closest office space, and perhaps a quarter of a mile
 11 to the other office space.
 12 First of all, it looks like you have
 13 walkways throughout the entirety of that. Am I
 14 correct in my view of the land?
 15 MR. MULLER: Yes, we do.
 16 MR. FORSHNER: And then is that going
 17 to function well to have people walking that far to
 18 get to their office spaces, and is there another way
 19 perhaps to address it?
 20 I mean, two things quickly come to
 21 mind. If, say, the property is divided, the demising
 22 wall is in the middle of it, put the office closest
 23 to the demising wall, not the far side of the
 24 building, at least cut a portion of that off.
 25 Two, you could reserve some or all of

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1 other facility, the treatment facility.
 2 MR. KELLY: Yeah.
 3 That's actually South Amboy, though.
 4 That property is in South Amboy, the treatment
 5 facility.
 6 MR. MULLER: Yes, it is. It's a very
 7 small amount of spillover there. I'd probably also
 8 even say that they probably have light spillover that
 9 comes on our property, to be honest.
 10 But it's a commercial use, we wouldn't
 11 negatively impact at all with our light spillover.
 12 MR. FORSHNER: So -- go ahead.
 13 MR. HOREZGA: I know that they have
 14 hours after dark in that treatment facility.
 15 MR. FORSHNER: So that was part of one
 16 of my questions. I don't think there's a residential
 17 facility.
 18 MR. TUVEL: No.
 19 MR. FORSHNER: So there's no issues in
 20 terms of noise other than compliance with the DEP
 21 requirements with regard with noise.
 22 MR. TUVEL: Correct. We would have to
 23 comply.
 24 MR. FORSHNER: Okay. Wetlands.
 25 When I'm looking at this plan, I see

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1 the parking along the frontage if you have a second
 2 facility.
 3 And the only other third thing I
 4 thought of -- and I don't know if this makes sense or
 5 not -- perhaps consider the office space in that
 6 bump-out adjacent to the trailer -- to the loading
 7 areas. I don't know if that's appropriate in light
 8 of noise or any other considerations there. But I
 9 was just concerned about the functionality of those
 10 components.
 11 MR. TUVEL: I think your first
 12 alternative was probably the more -- the prudent,
 13 where if there were two tenants and it was split down
 14 the middle, the spaces closer to the tenant to the
 15 east would probably be assigned to the tenant to the
 16 east, and the spaces to the west to the west, so you
 17 don't have to walk as far of a distance. It would
 18 just make sense from an efficiency standpoint.
 19 MR. FORSHNER: And then would you also
 20 consider relocating that office from -- as opposed to
 21 the far side of the building to the demising wall.
 22 MR. TUVEL: Oh, do you mean, like, if
 23 it was split down the little, just moving it a little
 24 bit? I'd have to ask -- I don't know if from a
 25 business standpoint it would make sense. I'd

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1 probably have to ask the client that question.
 2 MR. PAULUKIEWICZ: Again, this is all
 3 speculative, if you have more than one tenant. If it
 4 comes up you have two tenants, you'll be resolving it
 5 at that time.

6 MR. TUVEL: It's speculative with
 7 respect -- that's also speculative how big. We
 8 maxxed out the office space there at the 9,000. It
 9 might be less than that.

10 But we tried to, you know, just be as
 11 efficient as possible so that the board is maxxed
 12 out.

13 MR. HOREZGA: I'm assuming there's a
 14 bathroom associated with the office spaces.

15 MR. TUVEL: Yes.

16 MR. HOREZGA: So the location is going
 17 to be important to figure out, or at least keep the
 18 way they are.

19 MR. TUVEL: Yeah.

20 I'm sure in that regard we would have
 21 to comply with all building codes with regard to
 22 restrooms, locations, things of that nature.

23 MR. FORSHNER: Yeah. If you're like me
 24 and I parked over there and I'm running late to work
 25 and I have to stop in the bathroom and jog a quarter

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1 the site so we can --

2 MR. TUVEL: Understand.

3 Yeah, that's in his report, and I'll
 4 have him speak to it.

5 MR. FORSHNER: Okay. Let's see what
 6 else I've got.

7 With regard to this -- I don't know if
 8 this is feasible in any regard.

9 But when I initially looked at the
 10 plan, I thought about whether or not it would be
 11 appropriate to do some landscaping along the
 12 frontage, either immediately adjacent to the building
 13 or along the frontage itself.

14 I don't know if that works with regard
 15 to the retaining wall system that's out there.

16 But just thinking of the aesthetics of
 17 breaking up the building a little bit, whether
 18 there's an opportunity to do some landscaping there,
 19 because I don't think I see any on the plan

20 MR. MULLER: Yeah. We actually have a
 21 3-foot-wide landscaping strip along the immediate
 22 foundation -- it's a foundation planting strip --
 23 which we are proposing to put a number of shrubs
 24 there so it does break up.

25 MR. FORSHNER: Is that on the plan?

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1 of a mile to get to the bathroom, that might be a
 2 concern.

3 But that's my concern, not yours.

4 MR. TUVEL: I thought you were going to
 5 do that just for exercise.

6 MR. FORSHNER: I may. I may. If you
 7 build a path maybe I'll do some jogging along the
 8 path there.

9 With regard to the parking relief
 10 that's being requested -- and maybe this is a better
 11 question for your traffic engineer, but I'll pose it
 12 anyhow just so it's out there and we'll remember it
 13 --

14 MR. TUVEL: Sure.

15 MR. FORSHNER: -- what the number of
 16 parking spaces IT would require.

17 MR. TUVEL: Yeah. Mr. Chase will go
 18 through all that.

19 MR. FORSHNER: Fair enough.

20 With regard -- and this may also be a
 21 question for Mr. Chase as well. With regard to the
 22 dedicated left-hand turning movement into the site, I
 23 just would like some testimony when you get there
 24 with regard to the sufficiency of the queuing there,
 25 and in particular the number of peak hour trips into

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1 Because I don't think I saw that or noticed that on
 2 the plan.

3 MR. MULLER: The planting strip is on
 4 the plan. I might not have illustrated the shrubs in
 5 there. I'll make sure we show the shrubs.

6 MR. FORSHNER: Yeah. And maybe we just
 7 put in a condition that will be to this Jason's
 8 satisfaction.

9 MR. MULLER: Sure, absolutely.

10 MR. FORSHNER: I think you answered
 11 this. I noted the elevated walk and the rail along
 12 the front of the building. I assume that's for the
 13 flood issue, flood hazard issues you talked about.

14 MR. MULLER: Yeah, exactly.

15 MR. FORSHNER: Okay. And the flood
 16 hazard areas and the riparian areas, with perhaps one
 17 exception, are not shown on the plan. Could you just
 18 quickly walk us through how that's going to be
 19 addressed.

20 I think the flood areas you've largely
 21 addressed by saying you're going to elevate the
 22 building out of the parking area.

23 But above the flood hazard areas --
 24 just do me a favor, walk us through that.

25 MR. MULLER: Yeah, absolutely. We

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1 submitted an application to the DEP to verify the
2 limit of wetlands and buffers. We do have a Letter
3 of Interpretation for the site. It is still valid.

4 We also have a Flood Hazard
5 Verification for this site, which establishes the
6 flood elevations for the site as well as the riparian
7 zone for the site.

8 So we have an approved survey that was
9 submitted as part of the application that shows those
10 regulated areas.

11 We're in the process of preparing
12 separate flood hazard area exhibits and wetlands
13 exhibits showing improvement the proposed
14 improvements in those regulated areas, which will be
15 submitted to the DEP. We're required to submit a
16 public notice to the city, so a copy will be
17 submitted to the municipal clerk for your inspection.

18 So we are still in the process of establishing those
19 final exhibits.

20 MR. FORSHNER: And I would just
21 encourage you to show those buffer areas, riparian,
22 all of that on the plan so that when Jason reviews it
23 they're in condition compliance. He can make sure
24 he's comfortable with all of that.

25 I note that there is a riparian area
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1 as a condition of approval that that be all shown on
2 the plan so we can be certain that those have been
3 adequately and appropriately addressed.

4 And then, Jason, was there any issues
5 with local ordinance with regard to riparian
6 obligations?

7 MR. VALETUTTO: That's all under the
8 city engineer's jurisdiction.

9 And I deferred everything in my report
10 to the city engineer in regards to all that.

11 MR. FORSHNER: And I did notice that.
12 Perhaps this is really a board issue. But perhaps as
13 part of the application review process, we can make
14 that part of it and be distributed to the city
15 engineer so applicants can get the feedback while
16 they're going through the process to make sure that
17 there's no hidden surprises.

18 MR. TUVEL: That's fine.

19 MR. FORSHNER: That's not an issue for
20 you. That's really an issue for us.

21 I think the condition of approval that
22 Jason recommends is going to be subject to the city
23 engineer's approval as to all of those items. You
24 know, personally I like to see that before I get to
25 the board just in case they require me to modify
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1 shown on the plan. Is that state or local that's
2 being shown on the plan?

3 And then, Jason, the follow-up question
4 to you is, does this comply with local riparian
5 requirements?

6 MR. MULLER: Yeah.

7 The riparian zone I believe you're
8 mentioning is on the demolition plan. That's a
9 riparian zone that's regulated by the NJ DEP under
10 the Flood Hazard Control Act rules.

11 So that goes into what I was just
12 saying. We're submitting an application to them to
13 approve the minor disturbances within that riparian
14 zone.

15 MR. FORSHNER: Is that the only
16 riparian zone on the entire site.

17 MR. MULLER: There's other riparian
18 zones. There's knee-high water lines which are
19 beyond -- well beyond our disturbance line.

20 But the immediate riparian zone is in
21 the center of the site where that open ditch is that
22 we're culverting over.

23 So we're only disturbing an extremely
24 small amount of riparian zone.

25 MR. FORSHNER: Again, I would just ask
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1 something.

2 Can you give us the approximate
3 distance to residential? It looks like the closest
4 residential, eyeballing it from the aerial, is on
5 Scott Avenue.

6 Am I correct about that? Can you give
7 us an approximate distance? I don't need you to
8 scale it. If you can eyeball it, it's fine for my
9 purposes.

10 MR. MULLER: Yeah.

11 It's about probably -- yeah, about 450
12 or 500 feet away to the closest residences, which is
13 on Scott Avenue, like you mentioned.

14 MR. FORSHNER: Okay. Let's see what
15 else I've got. I think your engineer has addressed
16 this.

17 The 100-square-foot sign that you're
18 required, I gather that's permitted by ordinance. Is
19 that scaled on that architectural plan? Is that what
20 we're going to be seeing?

21 MR. MULLER: Yes, that's scaled.

22 MR. FORSHNER: And then with regard to
23 the height of it, I think if, I'm reading the plans
24 and application correctly, it just simply says
25 "Greater than 100 feet." If we can get some idea of
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1 what that is so we know, you know, what limit we're
 2 being asked to approve that would be appreciated.
 3 MR. TUVEL: You mean for the height,
 4 Gary, right.
 5 MR. FORSHNER: The height of the sign.
 6 That's what you asking for relief for. Because I
 7 think the ordinance says it can't be more than
 8 25 feet. You're got a 46-foot building. Putting it
 9 at 25 feet wouldn't make sense. I get that. But I
 10 just --
 11 MR. TUVEL: Yeah. I believe Tom
 12 mentioned during testimony -- and we can make sure we
 13 pinned it down -- he said to the top of the sign
 14 would be 40 feet.
 15 MR. FORSHNER: Okay. Can you give us a
 16 very brief overview of the contamination that exists
 17 at this site? I assume it's all going to be cleaned
 18 up to nonresidential clean-up standards. But just so
 19 we understand what we're dealing with here, if you
 20 can just give us a 30-second overview of that I'd
 21 appreciate it.
 22 MR. MULLER: Yeah, absolutely. I think
 23 I touched on it very quickly here.
 24 MR. PAULUKIEWICZ: You did.
 25 MR. MULLER: We've done a substantial

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1 put in a condition of approval that it be contained
 2 in the lease agreement so there's a limit on the
 3 number of employees consistent with that limit.
 4 MR. TUVEL: On the peak shift is what
 5 you're saying.
 6 MR. FORSHNER: Yeah.
 7 MR. STAHL: I think we had that with
 8 the other application. I think we had that with the
 9 Woodmont application.
 10 MR. FORSHNER: Yeah. I'm just, you
 11 know, suggesting it so that we capture that as a
 12 condition of approval.
 13 MR. TUVEL: Okay.
 14 MR. FORSHNER: We're getting close
 15 here.
 16 MR. VALETUTTO: But ultimately combined
 17 if there's two tenants, 170 maximum within the
 18 building. They don't have to be equal between the
 19 two tenants, but the 170 combined between the two
 20 tenants that's important.
 21 MR. TUVEL: Understood.
 22 MR. STAHL: And the owner is obligated
 23 to enforce, you know, the limitation.
 24 MR. FORSHNER: I think that's all I
 25 have.

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1 amount of work on the site.
 2 The eastern half of the site is the
 3 municipal landfill. It's been -- it was active from
 4 1945 to 1974. The landfill was never closed.
 5 To make things worse, regional historic
 6 fill was put on top of that landfill, which also
 7 contained contaminants.
 8 There's buried drums on the eastern
 9 portion of the -- I'm sorry -- the western portion of
 10 the site. Corroded. They've been in the ground.
 11 There's hex chrome associated with them. There's
 12 PCBs throughout the site.
 13 So we're in the process of, like I
 14 said, remediating that, getting approval from the DEP
 15 to do hotspot remediation in those areas with hex
 16 chrome and PCBs as well formally closing that
 17 landfill per standard engineering practice that the
 18 DEP requires.
 19 That's really it in 30 seconds or so.
 20 MR. FORSHNER: So the good news, it
 21 will be cleaned up; the bad news, it brings some
 22 pretty nasty stuff out there.
 23 MR. MULLER: Yes.
 24 MR. FORSHNER: With regard to the
 25 number of employees, I think, Jim, in the past we've

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1 CHAIRWOMAN SZARO: Thank you.
 2 Does the board have any other
 3 questions?
 4 (No response.)
 5 CHAIRWOMAN SZARO: Okay, thank you.
 6 MR. TUVEL: Did you want to ask the
 7 public, or at the end.
 8 CHAIRWOMAN SZARO: Well, I was going to
 9 ask your court reporter if she needs a little
 10 five-minute break.
 11 MR. STAHL: We normally go to the
 12 public when all the testimony --
 13 CHAIRWOMAN SZARO: Yeah, after your
 14 experts.
 15 MR. TUVEL: That's fine.
 16 (Whereupon, a brief recess is held.)
 17 CHAIRWOMAN SZARO: Roll call.
 18 MS. RUSSO: Chairwoman Mary Szaro?
 19 CHAIRWOMAN SZARO: Yes.
 20 MS. RUSSO: Scott Kominkiewicz?
 21 VICE CHAIRMAN KOMINKIEWICZ: Here.
 22 MS. RUSSO: Mayor Henry?
 23 MAYOR HENRY: Here.
 24 MS. RUSSO: Tom Kelly?
 25 MR. KELLY: Here.

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1 MS. RUSSO: George Baranowski?
 2 MR. BARANOWSKI: Here.
 3 MS. RUSSO: Janet Kern?
 4 MS. KERN: Here.
 5 MS. RUSSO: Gary Forshner?
 6 MR. FORSHNER: Here.
 7 MS. RUSSO: William DeMasi?
 8 MR. DeMASI: Here.
 9 MS. RUSSO: Andrew Horezga?
 10 MR. HOREZGA: Here.
 11 MS. RUSSO: Robert Paulukiewicz?
 12 MR. PAULUKIEWICZ: Here.
 13 CHAIRWOMAN SZARO: Thank you.
 14 And Mr. Mulvey left so...
 15 MS. RUSSO: Yes, Mr. Mulvey left.
 16 CHAIRWOMAN SZARO: Please.
 17 MR. TUVEL: Thank you, Madame Chair.
 18 The next witness I'd like to call is Corey Chase from
 19 Dynamic Traffic. He's our traffic engineer. We
 20 should swear him in, and I can go through his
 21 qualifications.
 22 MR. STAHL: Well, I can mix him up with
 23 Muller.
 24 MR. TUVEL: That would be perfect.
 25 MR. STAHL: In this matter, Mr. Chase,
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1 CHAIRWOMAN SZARO: Does the board have
 2 any objection?
 3 (No response.)
 4 CHAIRWOMAN SZARO: No objection.
 5 DIRECT EXAMINATION
 6 BY MR. TUVEL:
 7 Q. So, Corey, you prepared a Traffic
 8 Impact Study in connection with the application?
 9 A. We did. It's dated February 23rd,
 10 2022.
 11 Q. Okay. If you can go through that
 12 analysis with regard to trip generation and then also
 13 speak to onsite circulation as well as parking during
 14 the course of your testimony?
 15 A. Certainly.
 16 I think I'm going to start with onsite
 17 circulation since it was just fresh.
 18 Mr. Forshner just brought up the two
 19 left-turn lanes that we're proposing.
 20 As Mr. Muller mentioned, we are
 21 proposing a total of three curb cuts along Main
 22 Street. The easternmost -- or rather the westernmost
 23 driveway will be utilized for passenger vehicles
 24 only.
 25 As part of that, we are constructing a
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1 the testimony you're about to give will be the truth,
 2 the whole truth, and nothing but the truth, so help
 3 you God?
 4 MR. CHASE: It will, yes.
 5 C O R E Y C H A S E, P.E.
 6 245 Main Street, Chester, New Jersey, having been
 7 duly sworn, testifies as follows:
 8 MR. STAHL: And please state your name
 9 and spell your last name, please.
 10 MR. CHASE: Certainly. It's Corey,
 11 C-O-R-E-Y. The last name is Chase, C-H-A-S-E.
 12 I'm a principal at the firm of Dynamic
 13 Engineering located at 245 Main Street in Chester,
 14 New Jersey.
 15 I'm a licensed Professional Engineer in
 16 the State of New Jersey. My license is currently in
 17 good standing.
 18 Bachelor of Science degree in Civil
 19 Engineering from the University of Massachusetts.
 20 I've been qualified as an expert in
 21 traffic engineer before over 100 municipalities
 22 throughout the state, including the city on the
 23 previous application.
 24 MR. TUVEL: Will the board accept him
 25 as an expert in traffic engineering?
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1 dedicated left-turn lane within the median 100 feet
 2 in length, which can accommodate four passenger
 3 vehicles in storage.
 4 Based on the results of our analysis,
 5 the 95th percentile queuing for this left-turn lane
 6 is one vehicle. So there's a significant factor of
 7 safety associated with the design of that left-turn
 8 lane.
 9 The western driveway, which will serve
 10 the truck access located to the rear of the building,
 11 is 250 feet in length. So it can accommodate three
 12 tractor trailers in storage. Similar to the western
 13 driveway, the calculated 95th percentile queue for
 14 that eastern truck-access driveway is only one
 15 vehicle.
 16 So, again, a factor of safety
 17 associated with that design as well.
 18 MR. FORSHNER: Any issues with a
 19 passenger vehicle waiting to turn left into the first
 20 driveway and then a truck behind it wanting to get
 21 into the next driveway?
 22 MR. CHASE: So the fortunate design
 23 that we propose is we're actually separating those
 24 movements. So a truck can't utilize the western
 25 driveway to get to the rear of the building. All
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1 trucks will be directed to the eastern driveway,
 2 which again is why we have a substantially longer
 3 left-turn lane to serve that access.
 4 So the western driveway is passenger
 5 vehicles only. So, again, it can accommodate --
 6 MR. FORSHNER: Oh, I see, two
 7 different...
 8 MR. CHASE: Correct.
 9 So that parking area actually isn't
 10 connected. So there are two separate parking areas.
 11 MR. FORSHNER: So you have three
 12 driveways.
 13 MR. TUVEL: Correct.
 14 MR. FORSHNER: You identified the
 15 turning on the -- the one I'll say the far left I
 16 guess would be the northwest. You've identified the
 17 stacking for the trucks.
 18 But what about the one in the middle if
 19 you have few passenger vehicles in that turning lane
 20 to turn into that driveway?
 21 MR. CHASE: So the center driveway is
 22 actually a right turn exit only driveway. And that
 23 was really so that we didn't have dead-end parking
 24 along the front of the building. We wanted to
 25 provide a relief so that employees that were parked

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1 along the front of the building didn't have to
 2 traverse west all the way to the driveway to exit the
 3 subject property on Main Street; they can do so if
 4 they're parked on the eastern portion of the
 5 property.
 6 So right out only. No ingress
 7 associated with that driveway.
 8 MR. FORSHNER: Right out only.
 9 MR. CHASE: Correct.
 10 MR. FORSHNER: So what happens if
 11 someone wants to go make in that direction and they
 12 want to make a left to go into town.
 13 MR. CHASE: In that case, they would
 14 actually have to traverse west along the front of the
 15 building to access the full-movement driveway located
 16 at the western property line.
 17 MR. HOREZGA: Just before we move on,
 18 just because I think it was touched upon earlier.
 19 But the property that was recently approved to the
 20 east, my understanding is that they were required to
 21 change their design so that truck movement into the
 22 property was allocated to one side only and exit to
 23 the other side only exit.
 24 I know you're still waiting on county
 25 approvals for this. If they require that for your

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1 location, how does that change that dynamic that you
 2 just opened with?
 3 MR. CHASE: So we did have a
 4 Pre-application meeting with the county. They have
 5 seen this layout. So they are aware that we're
 6 concentrating all of our truck movements to the
 7 eastern side of the subject property.
 8 Really consistent with good engineering
 9 practice for warehouse facilities, we always try to
 10 separate the car and truck movements whenever
 11 possible.
 12 So we always prefer to have a dedicated
 13 truck access, a dedicated passenger vehicle access
 14 whenever possible, and not intermix those two.
 15 MR. HOREZGA: That I understand. Just
 16 do you know if they might require that same
 17 requirement for you? If so, would you still keep
 18 them separated with a divider along the left-hand
 19 side, or anything like that.
 20 MR. CHASE: So the current layout
 21 couldn't accommodate that. Based on the location of
 22 the passenger vehicle parking, we wouldn't be able to
 23 allow those trucks to circulate and exit through the
 24 western driveway.
 25 Based on our initial discussions with

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1 the County, I don't expect them to request that same
 2 comment from us.
 3 CHAIRWOMAN SZARO: If I can just
 4 suggest maybe we let Mr. Chase finish and then we ask
 5 him questions.
 6 Thank you.
 7 MR. CHASE: I don't mind. Feel free to
 8 interrupt. I don't mind.
 9 As Mr. Tuvel mentioned, we did provide
 10 a Traffic Impact Analysis which assessed the overall
 11 impacts of the redevelopment with the subject
 12 property.
 13 With the proposed warehouse, the trip
 14 generation for the proposed warehouse building is
 15 summarized on Table 3, which is on page 6 of our
 16 report.
 17 The traffic generation projections were
 18 developed utilizing the Institute of Transportation
 19 Engineers Trip Generation Manual, the 11th Edition,
 20 which is the current edition of the manual. That's
 21 the state and nationally recognized standard for
 22 developing traffic projections for a variety of uses,
 23 including warehouse-type facilities.
 24 As you can see, the total volumes again
 25 are summarized in Table 3. We broke those out based

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1 on trucks and cars and the total volume.
 2 The redevelopment of the subject
 3 property is projected to generate a maximum of 61
 4 trips during the peak hour. As traffic engineers, we
 5 focus on peak hour operations. Those are usually
 6 consistent with the peak commuting hours on the
 7 adjacent roadway network.
 8 So we looked at the weekday morning and
 9 the weekday evening. A total of 60 trips. That's
 10 about one trip per minute during the peak hour. The
 11 ITE and the New Jersey Department of Transportation,
 12 they've identified a threshold of 100 or more trips
 13 during peak hour as being a significant increase in
 14 traffic. So we're approximately 60 percent of that
 15 threshold. So the redevelopment of this site
 16 wouldn't generate a significant increase in traffic
 17 on the adjacent roadway network.
 18 And that's not taking into account that
 19 the site is obviously occupied, as Mr. Muller
 20 mentioned earlier. It's sort of a trailer storage,
 21 driving school, a variety of uses on the site. It
 22 certainly has a certain amount of traffic that's
 23 being generated to and from the subject property
 24 today. We didn't take any credit for that as part of
 25 our analysis.

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1 a similar type facility. So in addition to the Trip
 2 Generation Manual, the ITE also publishes the Parking
 3 Generation Manual, which provides parking generation
 4 data similar to the Trip Generation date.
 5 For a facility of this size, the ITE
 6 would recommend a total of 112 parking spaces.
 7 MR. STAHL: I'm sorry, how many.
 8 MR. CHASE: One-hundred-twelve.
 9 So we do exceed the ITE's
 10 recommendation. As Mr. Muller mentioned, we're also
 11 consistent with industry practice. We're providing
 12 approximately one space per 1,500 square feet, which
 13 is consistent with other warehouses that we've
 14 developed in the region.
 15 Based on that, we think the parking,
 16 the site access and circulation is going to be safe
 17 and efficient. It's not going to have any
 18 detrimental impacts on the adjacent roadway network.
 19 And the proposed redevelopment certainly represents a
 20 betterment of the property than its existing
 21 condition today.
 22 CHAIRWOMAN SZARO: Thank you.
 23 MR. STAHL: With regard to the parking,
 24 Mr. Chase, you've heard the condition that is going
 25 to be imposed, that being that the maximum of all

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1 So even not taking credit for that, it
 2 wouldn't generate a significant increase in traffic
 3 on the adjacent roadway network.
 4 We did a Level of Service Analysis for
 5 the subject property driveways and found that they're
 6 going to operate at acceptable level of service C or
 7 better during each of the peak hours. Again, as I
 8 mentioned, limited queueing on Main Street in the
 9 dedicated left-turn lanes.
 10 This is certainly going to be an
 11 improvement providing a dedicated left-turn lane for
 12 each of the full-movement driveways. Any of those
 13 left-turning vehicles are going to be pulled out of
 14 the through volume and not impede any people wishing
 15 to continue east into the city.
 16 We did also look at parking. I know
 17 that that was a discussion earlier. We are
 18 requesting a deviation from the Redevelopment Plan
 19 for the parking supply. Conservatively, if you break
 20 out the warehouse and office uses separate, a total
 21 of 244 parking spaces would be required, whereas we
 22 are proposing 188 parking spaces onsite.
 23 I believe it was Mr. Forshner's request
 24 earlier that we provide the Institute of
 25 Transportation Engineers' parking recommendations for

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1 employees in the building per shift of 170. You
 2 understood that. I think I did get the number right
 3 this time.
 4 MR. CHASE: You did, sir.
 5 MR. STAHL: Do you find that that
 6 number is an adequate and reasonable number to
 7 satisfy the needs of the building without incurring
 8 any problems for the municipality in terms of queuing
 9 or interior circulation.
 10 MR. CHASE: I do.
 11 Based on the ITE parking generation
 12 data that I provided, they're estimating
 13 approximately 112 vehicles parked onsite for a
 14 facility of this size.
 15 So I think it would be sufficient to
 16 accommodate those needs.
 17 MR. STAHL: Well, the 112 that is
 18 recommended, are those for buildings -- I don't want
 19 to call it a flex building, that has its own
 20 definition -- but a building that includes both an
 21 office and a warehouse component?
 22 MR. CHASE: That's correct. Both the
 23 ITE trip generation and the parking generation data
 24 assumes that there's an ancillary office component to
 25 the warehouse use.

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1 MR. STAHL: And those -- just so the
 2 board fully understands, that research and that
 3 analysis, what is a typical breakdown, if you can, a
 4 percentage of office to warehouse.
 5 MR. CHASE: They assume that it can be
 6 up to 10 percent of the total floor area would be
 7 dedicated to office space.
 8 MR. STAHL: Ten percent of total office
 9 space.
 10 MR. CHASE: Total floor area would be
 11 considered office. So in this case, it could be up
 12 to 28,000 square feet.
 13 MR. TUVEL: I think Mr. Muller
 14 testified, Corey, that we have about 7 percent.
 15 MR. CHASE: Yeah. So we're below that
 16 typical standard.
 17 MR. STAHL: Thank you.
 18 CHAIRWOMAN SZARO: I have two
 19 questions. The first is, you referenced two of our
 20 new developments. And I was just wondering, in your
 21 calculations in your report, is that inclusive of the
 22 projected impact of the future traffic, or is this
 23 just as it stands right now?
 24 MR. CHASE: Correct. So when we
 25 analyzed the driveways in the future condition, we
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1 roadway network, meaning it's not going to be a
 2 notable or noticeable increase in traffic.
 3 CHAIRWOMAN SZARO: So if I can say,
 4 little if any impact.
 5 MR. CHASE: That's correct.
 6 CHAIRWOMAN SZARO: Thank you.
 7 MR. STAHL: That would include, as
 8 Mary -- those are good -- I thought they were very
 9 good questions that I did not ask.
 10 And you did an analysis of any nearby
 11 or adjacent intersections as well; am I correct?
 12 MR. CHASE: We did we analyzed the
 13 intersection of the proposed site driveway with
 14 Raritan Street as well as the access to points along
 15 Main Street.
 16 MR. STAHL: As we indicated, that's
 17 something we always ask. To the extent you could,
 18 did you include future development which is either
 19 approved or on the drawing board?
 20 MR. CHASE: We did, yes.
 21 MR. STAHL: Obviously you cannot
 22 anticipate that what is not approved or on the
 23 drawing board.
 24 But knowing the City of South Amboy, I
 25 mean, looking ahead, because we're concerned about
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1 included the adjacent warehouse developments to the
 2 east. And as part of our background traffic, we also
 3 included the multifamily residential project, which
 4 is obviously further east in the city as well.
 5 CHAIRWOMAN SZARO: Okay, thank you.
 6 My other question is, in your
 7 conclusion, can you maybe give me a little bit more
 8 depth into "will not experience any significant
 9 degradation in operating conditions with the
 10 construction of this project"? I mean, what does
 11 that equate to in the impact?
 12 MR. CHASE: Again, that goes back to my
 13 reference of the ITE and the NJ DOT has set a
 14 threshold of 100 additional trips during a peak hour
 15 being a significant increase in traffic.
 16 The redevelopment of this property,
 17 without considering the operation of the existing
 18 facility, the existing property today is projected to
 19 generate a maximum of only 61 trips during the peak
 20 hour. So that equates to approximately one trip
 21 every minute during the peak hour.
 22 That's about 60 percent of that
 23 threshold for being a significant increase.
 24 So from a traffic engineering standpoint, that's not
 25 a perceptible increase in traffic on the adjacent
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1 interior traffic, are you aware of any conditions
 2 that may alter your findings?
 3 MR. CHASE: I'm not aware of any
 4 conditions that would again alter our findings, just,
 5 you know, based on the results contained in our
 6 Traffic Impact Analysis. Like I said, we took a
 7 conservative approach to analyzing this. We didn't
 8 take credit for what's currently on the property
 9 today. The summary and findings are still
 10 acceptable.
 11 MR. STAHL: Let me ask you. You know,
 12 the problem with this is we keep asking questions to
 13 get interested in the project.
 14 Adjoining your project of course, we
 15 know, is a residential development.
 16 MR. TUVEL: No.
 17 MR. CHASE: The warehouse development
 18 to the east.
 19 MR. PAULUKIEWICZ: Station Bay. It's
 20 on other side of the railroad tracks.
 21 MR. CHASE: Right. There's several
 22 large-scale residential developments as you get
 23 further into the city, correct.
 24 MR. STAHL: Yes.
 25 Right now you're concerned with the
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1 other warehouse use. I'm talking about, are there
2 any residential uses that you're aware of that could
3 be or would be impacted?

4 MR. CHASE: There are.

5 Yeah, we included those in our
6 background traffic as well.

7 I think obviously another substantial
8 point is the inclusion of the ferry terminal coming
9 on. That's obviously going to have an impact on how
10 those people in those residential developments
11 ultimately commute to work, obviously having the
12 presence of a train station adjacent to those
13 residential developments as well.

14 So certainly the opportunity to utilize
15 mass transit as a means of commuting is very
16 prevalent in the area.

17 BY MR. TUVEL:

18 Q. I just wanted to ask one more question.
19 You analyzed the sight distances at the driveways?

20 A. We did.

21 As Mr. Muller indicated, there are
22 acceptable sight distances at each of the three
23 access points.

24 Q. Okay. And your level of service
25 analysis that you opine would be acceptable and

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1 they're not going to impact one another. We
2 obviously designed ours to be along the entirety of
3 our site frontage and be able to accommodate our
4 traffic.

5 I'm not aware of their left-turn lane,
6 or if they're proposing a left-turn lane, impacting
7 our driveway.

8 MR. PAULUKIEWICZ: As conditions are,
9 there is an entrance, just to say, that they're going
10 to have stacking set up. You're going to be adjacent
11 to it. And your exit for trucks will be close to
12 theirs. So that's why I was just wondering if you
13 took that into consideration that there's enough
14 space?

15 MR. CHASE: We did.

16 And, ultimately, we're working with the
17 county. I know that they're working through the
18 County site review process as well.

19 So certainly if the County has any
20 issues with where their access is located, you know,
21 certainly it will be worked out through the process.

22 MR. TUVEL: Sorry. Does it assist
23 that, you know, we're also adhering to
24 Mr. Valetutto's comment, which is, the exit movement
25 for the trucks would be right out only as well.

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1 appropriate dealt with intersection and driveways?

2 A. Yes.

3 MR. FORSHNER: Just to help to --
4 CHAIRWOMAN SZARO: Whoa, hold on. Bob.

5 MR. PAULUKIEWICZ: Just a few
6 questions.

7 MR. CHASE: Sure.

8 MR. PAULUKIEWICZ: Was your analysis --
9 was it on one tenant, two tenants.

10 MR. CHASE: It's based on building
11 square footage. That's a great question. It's based
12 on building square footage. So it assumes total
13 occupancy of the facility. It wouldn't have a change
14 in our analysis if it was one or two tenants because
15 it's based on the total square footage.

16 MR. PAULUKIEWICZ: It was asked about,
17 like, you know, the different businesses around. But
18 it was also talking about you're going to have your
19 entrance or exit on the far eastern or eastern side
20 of the building. Okay. You have a proposed
21 warehouse that's going to be put up there. They have
22 an entry point where they have allowed for stacking.

23 Will your stacking -- your entrance
24 interfere were theirs? Is there enough clear space?

25 MR. CHASE: It's my understanding that

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1 MR. CHASE: That's a great point,
2 Mr. Tuvel.

3 As it's currently designed today, we
4 have 250 feet of stacking. And that was really to
5 accommodate the potential for the left-turn-egress
6 movement.

7 With the elimination of that movement,
8 restricting access to right out only, can actually
9 extend that left-turn lane a little bit further.

10 So we're going to gain probably another
11 30 feet approximately of storage in that. So it will
12 be approximately 280 feet of stacking.

13 MR. PAULUKIEWICZ: And your peak trips
14 won't interfere with, say, now Cambridge? Because
15 their trucks, they go in and they have to come out,
16 make a right turn only when they exit the property to
17 come back out to the county road to Main Street to go
18 -- make a left and go also. That was also
19 calculated.

20 MR. CHASE: It was. That was all
21 accounted for as part of our analysis.

22 MR. TUVEL: Sorry, I didn't ask you
23 this either. You didn't take any credit for EV
24 stations being installed.

25 MR. CHASE: We did not.

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1 So as part of the installation of the
2 electric vehicle charging stations, they actually
3 allow you -- we're required to install eight.
4 So they allow us to count each of
5 those eight spaces as two parking spaces. So
6 effectively you get a one space credit for every EV
7 charging station you install.
8 So that would actually reduce the
9 parking requirement slightly. Instead of 247
10 required, that would actually reduce it to 239 spaces
11 required.

12 MR. STAHL: Can I ask a question? I
13 question why Robert did not bring this up. But this
14 is a serious question.

15 Is there any contemplation for --
16 unless I missed it -- for truck electric charging
17 stations for the future?

18 MR. CHASE: The state statute does not
19 cover --

20 MR. STAHL: I know that. I'm just...

21 MR. CHASE: Is there any contemplation?
22 There's not at this time.

23 MR. STAHL: Some developers are
24 anticipating, because there are tractors now that are
25 electric. I'm not throwing a kibosh on anything.

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1 MR. TUVEL: I don't think we're
2 proposing any gates. But obviously there will be
3 security on these.

4 MR. PAULUKIEWICZ: So that would be up
5 to --

6 MR. TUVEL: The tenant. That's
7 correct.

8 MR. STAHL: Well, that's a good -- I
9 have another. May I.

10 CHAIRWOMAN SZARO: No. Because Gary is
11 next. I'm trying to keep everybody in order here, so
12 you have to hold on.

13 MR. STAHL: I am.

14 MR. FORSHNER: Jim, if you have
15 something relating to what Bob was saying, I'll defer
16 to you and come back.

17 MR. STAHL: It's up to the Chair.

18 CHAIRWOMAN SZARO: Gary, can you just,
19 please.

20 MR. FORSHNER: Okay. Bob, if my
21 recollection is correct -- and I'm not 100 percent
22 certain -- I seem to recall that the adjacent site,
23 that their stacking lane was on the furthest side of
24 the property. I may be wrong about that.

25 But if so, it gives more separation.

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1 It's just a curiosity question, that some of these
2 facilities are considering it.

3 MR. CHASE: There's nothing
4 contemplated at this time. Something like that would
5 be very much tenant-driven. If the tenant that would
6 ultimately occupy this facility wanted to install
7 those, there would be --

8 MR. FORSHNER: Actually, there's an
9 exception to the statute.

10 CHAIRWOMAN SZARO: I just want to ask
11 again. I think questions are great, but let's just
12 kind of keep it in line.

13 MR. STAHL: You have to be recognized
14 by the Chair.

15 CHAIRWOMAN SZARO: Yes. And, Bob,
16 you're finished with your questions.

17 MR. PAULUKIEWICZ: Well, I just came --
18 because it's Jim's fault. But I was thinking about,
19 are there any security gates so after hours nobody
20 could access the property as far as there's nothing
21 designed.

22 Because I was thinking with the EV,
23 people from the neighborhood will come in and say,
24 oh, a charger where I could go park there for the
25 night.

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1 MR. CHASE: That was the last site plan
2 that I saw for the Woodmont property. That was the
3 case. Their entrance was to the far east.

4 MR. PAULUKIEWICZ: Both to the far
5 east.

6 MR. CHASE: Exactly.

7 MR. PAULUKIEWICZ: In between for them
8 to pull over and get into that lane, there would be
9 no interference.

10 MR. FORSHNER: With regard to the EV
11 charges stations, there's actually an exception in
12 the statute. If you want to add them, you don't have
13 to come back.

14 MR. TUVEL: Correct.

15 Now they're deemed to be permitted. A
16 bunch of these -- I'm sure you've seen it too,
17 Mr. Forshner -- you go to a Wawa or some other type
18 of facility, they needed use variances in the past
19 because the ordinance didn't contemplate it and the
20 statutory amendments sort of codified that and
21 allowed them to go forward.

22 MR. FORSHNER: And then to try to help
23 elucidate, I think one of the questions that the
24 board had -- and I think this is helpful to you -- if
25 I'm reading your future levels-of-service table here,

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1 most of the turning movements you're actually
2 reducing the amount of delay from what's existing
3 today.

4 And I'm assuming that's mostly because
5 of the turning lanes that you're adding to the site.

6 MR. CHASE: It is. That coupled to the
7 fact that -- and I'm referring to Exhibit A-1. The
8 subject property today only has a single access point
9 that aligns opposite Raritan Street. So all the
10 traffic entering and exiting this facility today is
11 concentrated on that one driveway.

12 By us having multiple access points
13 along Main Street, it allows us to spread out that
14 ingress and egress volume, and that actually reduces
15 the turning movements at the intersection of Raritan
16 Street and that driveway.

17 MR. FORSHNER: I notice there's no
18 degradation but there's one turning movement that has
19 an F level of service. Can you just walk us through
20 that.

21 MR. CHASE: Certainly.
22 And that's the northbound Raritan

23 Street. So the turning movement coming off Raritan
24 Street. So the turning movement coming off Raritan
25 Street in the evening peak hour, it is currently

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1 What if Amy Russo has an electric car
2 and she decides she's going to drop -- she's going to
3 plug it in there and then walk around -- well, I
4 don't know where she's going to walk, but she's going
5 to leave it there. What do we do?

6 Some towns -- I'll tell you honestly,
7 I'm not crazy about it -- are saying it's got to be
8 open to the motoring public. So when Amy is driving
9 down and she needs a charge, she'll put her car there
10 and --

11 MR. TUVEL: I don't believe, Mr. Stahl,
12 there's any intention to open the charging stations
13 to the public.

14 MR. STAHL: I can't hear.

15 MR. TUVEL: I don't believe there's any
16 intention of the opening charging --

17 MR. STAHL: I'm not saying you should.

18 MR. CHASE: Yeah.

19 My experience has been that facilities
20 that are obviously open to the public, like a Wawa, a
21 shopping center, things of that nature, certainly the
22 public is free to use those facilities.

23 The ones that we propose in residential
24 -- multifamily-residential facilities, facilities
25 like this that are really private and for employee or

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1 operating at a level of service F.

2 There's no degradation. There's only a
3 one-second increase -- it's actually a one-second
4 decrease in average vehicle a day weekday peak hour.

5 I would say, for the board's benefit,
6 that level of service calculation is very
7 conservative because it doesn't take into account the
8 fact there is an existing signalized intersection to
9 the west of the subject property at the Route 9 off
10 ramps. What that traffic signal does is actually
11 meters traffic along Main Street. So the analysis is
12 conservative in that it doesn't account for the gaps
13 created by that traffic signal.

14 MR. FORSHNER: Thank you.

15 CHAIRWOMAN SZARO: Mr. Stahl, do you
16 have any questions?

17 MR. STAHL: Some of my experience does
18 overlap into other municipalities.

19 Some municipalities are requiring that
20 where there's an open facility, open lot, if you
21 will, that the electric charging stations be
22 available for the public.

23 Now, I'm not sure I'm crazy about that.
24 But it's something -- I mean, is there any discussion
25 or concern about that?

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1 residents only, they are restricted to be utilized by
2 just the occupants of the facility.

3 MR. STAHL: I agree with that. I just
4 wanted to ask the question.

5 MR. KELLY: So the aforementioned Wawa
6 and the places that are open to the public, they're
7 not free. You swipe your credit card.

8 MR. TUVEL: Correct.

9 MR. KELLY: Here it's going to be
10 private to the property owner.

11 MR. FORSHNER: It still could be at a
12 fee if they choose to.

13 MR. KELLY: They certainly could.
14 There's nothing prohibiting them from doing that.

15 They could also allocate it to their employees --

16 MR. TUVEL: Sure.

17 MR. KELLY: -- and have a disconnect at
18 the end of the night when they close the business
19 down and disconnect. It's their decision. There's
20 no regulations requiring or prohibiting them from
21 doing either/or.

22 MR. TUVEL: Or, Mr. Kelly, they could
23 make it charging for employees during these hours and
24 then it shuts off.

25 MR. KELLY: One hundred percent
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1 accurate.
 2 MR. TUVEL: Yeah. I mean, it's all
 3 going to be based on what the user wants to do.
 4 MR. PAULUKIEWICZ: It's up to the
 5 tenant. Back to that.
 6 MR. TUVEL: Obviously per state law we
 7 have to install them.
 8 MR. KELLY: I totally agree.
 9 CHAIRWOMAN SZARO: Time will tell.
 10 Any other questions?
 11 MR. FORSHNER: I just had one other
 12 question. Corey, just to borrow your expertise.
 13 Any idea what number -- forget the
 14 statute for a second -- what number of actual
 15 charging stations a facility like this might actually
 16 utilize?
 17 MR. CHASE: Certainly the eight that
 18 we're proposing I think is adequate to accommodate
 19 this facility. Obviously the future is unknown as to
 20 where it goes from here.
 21 But I think the eight -- and I really
 22 think that the statute is fairly accurate as far as
 23 what they're calling for a multifamily and things
 24 like this. In my professional opinion, I think it's
 25 accurate.

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1 MR. HOREZGA: I appreciate that.
 2 I had a couple questions on the
 3 methodology you used in the beginning of your report.
 4 So your study time was 7 a.m. to 9 a.m.
 5 in the morning?
 6 MR. CHASE: Correct. And from 4:30
 7 p.m. to 6:30 p.m. in the evening.
 8 MR. HOREZGA: All right, correct.
 9 So here's my question regarding that.
 10 If you go to our Reference Table 1 on page 3 that
 11 kind of gives those numbers, let's just use the June
 12 2021 because that's what we're going to kind of look
 13 at.
 14 MR. CHASE: Sure.
 15 MR. HOREZGA: So you're saying a.m.
 16 count was 780. And then p.m. return, I'm assuming,
 17 is over 1,300.
 18 MR. CHASE: Correct.
 19 So that's total intersection volumes
 20 between those peak periods.
 21 MR. HOREZGA: So more people coming in
 22 at night than going out in the morning. I know this
 23 from commuting myself occasionally that 7 a.m. is a
 24 late commute time.
 25 Did you account for, like -- obviously

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1 CHAIRWOMAN SZARO: Andrew, you had a
 2 question.
 3 MR. HOREZGA: I do. I have a few.
 4 I'll try to kind of move quick because I think we've
 5 covered a lot of it.
 6 But if you could just give a brief,
 7 like, 20,000-foot overview of what the service levels
 8 are? Service C, Service F, Service D, what does that
 9 terminology refer to?
 10 MR. CHASE: So the -- and I should have
 11 provided this in my direct. I apologize.
 12 So when we do a level of service
 13 analysis, it actually calculates the average vehicle
 14 delay. They take those average vehicle delays. That
 15 means how long someone is sitting at a stop sign or
 16 how long someone is on average sitting to make a left
 17 turn.
 18 They take those -- and Mr. Forshner is
 19 providing them. There's actually a table in our
 20 report.
 21 MR. HOREZGA: Okay, I have my answer
 22 then.
 23 MR. CHASE: Basically it goes A to F.
 24 It corresponds to varying degrees of average vehicle
 25 delay.

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1 you didn't but...
 2 So you have half the amount of traffic
 3 in the a.m. And I'm wondering if you had increased
 4 your counting time to, say, 5, if that number would
 5 have been higher?
 6 MR. CHASE: So the sort of unique
 7 situation that we're in as a result of the pandemic
 8 has kind of drawn us to what Table 1 actually
 9 represents.
 10 So if you look in that table, there's
 11 actually a comparison. You're correct in what you're
 12 pointing out in that the a.m. volume -- and we're
 13 seeing this across the board. I honestly don't have
 14 a great explanation as to why we're seeing this. But
 15 you're seeing sort of as we're coming out of the
 16 pandemic that the weekday evening peak hours volumes
 17 are very similar to what they were post-pandemic.
 18 For some reason -- I don't know if it's
 19 more people working from home, more people getting a
 20 later start to work -- the weekday morning peak hours
 21 are still lower than they were pre-pandemic. So
 22 you're seeing that in this table.
 23 So if you look at -- the comparisons
 24 are actually the September 2017 published DOT volumes
 25 to the counts that we did in 2021. You can see the

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1 morning and evening volumes are very similar.
 2 They're very close. Approximately within 100
 3 vehicles of one another.
 4 But when we did the counts in June of
 5 2021, the morning volumes were significantly lower.
 6 So actually what we did was we increased those
 7 morning volumes by 76 percent to account to what they
 8 may have been pre-pandemic.
 9 MR. HOREZGA: Okay. So you're assuming
 10 then that inflow and outflow in the a.m. would be the
 11 same.
 12 MR. CHASE: Yeah. It's effectively
 13 evening.
 14 MR. HOREZGA: Okay. I appreciate you
 15 clarifying that. Which leads me kind of to my next
 16 question regarding that is, you don't know who your
 17 tenant will be. You don't know their shift schedule
 18 or anything of that nature?
 19 MR. CHASE: We don't. So we do a lot
 20 of these speculative-type warehouses where we don't
 21 know what their shift schedule is going to be. We do
 22 rely on the ITE trip generation data.
 23 And it's really a conservative
 24 assessment. It's assuming there's a peak hour trip
 25 generation. And we add that on to the peak street
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1 volume. So it effectively represents a worst case
 2 scenario.
 3 Typically what we see in a lot of these
 4 warehouse facilities is these shift changes occur off
 5 peak. And they're -- by design, they're not changing
 6 shifts during peak hour conditions just for that
 7 reason, so their employees don't have to wait in
 8 traffic.
 9 MR. HOREZGA: Okay. That makes sense.
 10 I appreciate you clarifying that for me.
 11 If you go to page 6, just some of the
 12 future conditions we talked about, which based on
 13 your testimony just now, I understand that you
 14 accounted for a percent factor. So you're not using
 15 COVID numbers per se. They're adjusted to kind of
 16 equalize the a.m. and p.m. rate so they're similar?
 17 MR. CHASE: Correct. To what the
 18 volumes were pre-pandemic.
 19 MR. HOREZGA: Okay. So you talk about
 20 in your second paragraph the developments in the
 21 region that you're considering. There's two here.
 22 We talked about I think one other.
 23 Can you just for clarity on the record
 24 just state all the developments in the region that
 25 you considered, just for the board to have that in
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1 front of them in case there may have been one you
 2 missed?
 3 MR. CHASE: Certainly.
 4 So we included obviously the warehouse
 5 development which is directly to the east of the
 6 subject property, the Woodmont industrial project.
 7 We also included the development of 499
 8 residential units which are located on North Roswell
 9 Street, which again is to the east of the property
 10 more towards the center of the city.
 11 MR. HOREZGA: So you did not then
 12 consider the new development Station Bay.
 13 MR. CHASE: So we're aware of Station
 14 Bay obviously, you know, being located directly
 15 adjacent to the ferry terminal. I believe that's
 16 what it's referred to as.
 17 MR. HOREZGA: I'm not sure on that. If
 18 anyone...
 19 MR. FORSHNER: Yeah. There's a -- the
 20 Station Bay residential project is just further down
 21 Main Street from where you are now.
 22 MR. CHASE: It is. So I should have
 23 clarified it better in the report. So we included
 24 that as part of -- we actually did the traffic study
 25 for the development on Roswell. So as part of that
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1 traffic study, we had included Station Bay in that.
 2 So it's subsumed in the Roswell traffic study. I
 3 should have been more clear in defining that for the
 4 board.
 5 CHAIRWOMAN SZARO: Andrew, do you have
 6 any other questions?
 7 MR. HOREZGA: Just one more.
 8 I think we talked about parking. So
 9 there's 66 spots that you're deficient on the
 10 parking; is that correct? The requirement is 244.
 11 Proposed is 188.
 12 MR. TUVEL: If you take the
 13 interpretation that you parcel out the space.
 14 MR. CHASE: Office.
 15 MR. HOREZGA: Right.
 16 I guess the question is, why are you
 17 coming for that ask to the board if you have the
 18 space on your land to fit those in by adjusting where
 19 the trailer storage is compared to where the employee
 20 parking is?
 21 Why not just go for the 244 if you have
 22 the space?
 23 MR. CHASE: Really, in our opinion, and
 24 certainly in consultation with the developers and in
 25 working on a variety of these projects throughout the
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1 region, we don't think we're going to need those
2 parking spaces. Really, the last thing we want to do
3 is build 66 extra parking spaces to just stay vacant
4 all the time. For lack of a better term, it's a
5 waste of impervious coverage.

6 And based on our data that we see in
7 our facility, the ITE data, the 188 spaces are going
8 to be more than sufficient to accommodate this
9 development.

10 MR. HOREZGA: Thank you.

11 That's all.

12 CHAIRWOMAN SZARO: Any other questions
13 from the board?

14 (No response.)

15 CHAIRWOMAN SZARO: Let's just give
16 anybody else a chance.

17 Any other questions?

18 (No response.)

19 CHAIRWOMAN SZARO: Okay, Gary.

20 MR. FORSHNER: Just a couple of items.

21 First of all, Andrew, the ITE standards
22 are generally the gold standard. Unless there's some
23 site specific or use specific, it is generally the
24 gold standard.

25 So we defer to that typically.

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1 MR. HUGHES: Good evening.

2 MR. TUVEL: Swear him in.

3 MR. STAHL: Sir, in this matter do you
4 swear the testimony you're about to give will be the
5 truth, the whole truth, and nothing but the truth, so
6 help you God?

7 MR. HUGHES: Yes, I do.

8 K E E N A N H U G H E S, P.P.

9 70 Hudson Street, Suite 5B, Hoboken, New Jersey,
10 having been duly sworn, testifies as follows:

11 MR. STAHL: Please state your name and
12 spell your last name.

13 MR. HUGHES: It's Keenan Hughes,
14 H-U-G-H-E-S.

15 MR. STAHL: All right, Mr. Tuvel.

16 VOIR DIRE EXAMINATION

17 BY MR. TUVEL:

18 Q. Keenan, if you could just go through
19 your educational background, licenses held, and
20 experience testifying as a planner in the State of
21 New Jersey?

22 A. Sure.

23 I'm license Professional Planner in New
24 Jersey and a member of the American Institute
25 of Certified Planners.

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1 Corey, with regard to the adjustments
2 or the assumptions that have to be made because of
3 the pandemic and the reduction in traffic, you've
4 generally shown the levels of service anticipated.

5 If we assume that the actual numbers of
6 traffic on the roads post-pandemic are going to be
7 higher, your adjustments, if you would, in your
8 chart, future levels of service would be essentially
9 the same?

10 In other words, it would may be built
11 on a higher base, but the amount of change is going
12 to be comparable to what you have here?

13 MR. CHASE: Correct.

14 MR. FORSHNER: Okay.

15 CHAIRWOMAN SZARO: Any other questions?
16 (No response.)

17 CHAIRWOMAN SZARO: Any other questions
18 from the board?

19 (No response.)

20 CHAIRWOMAN SZARO: Thank you so
21 much.

22 MR. CHASE: Thanks.

23 MR. TUVEL: Thank you, Madame Chair.

24 The last witness I'd like to call is
25 our Professional Planner, Keenan Hughes.

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1 I'm a principal of Phillips Preiss.

2 It's a planning firm based in Hoboken.

3 I've previously appeared before this
4 board. And I represent both municipalities and
5 private clients on planning and zoning matters
6 throughout the state.

7 MR. STAHL: And your license is still
8 in good standing?

9 MR. HUGHES: Yes, sir.

10 MR. TUVEL: Would the board accept
11 Mr. Hughes as a Professional Planner in the state?

12 CHAIRWOMAN SZARO: Any objections?
13 (No response.)

14 CHAIRWOMAN SZARO: No objections.

15 DIRECT EXAMINATION

16 BY MR. TUVEL:

17 Q. Keenan, in preparation of the
18 application, you visited the site and the surrounding
19 area?

20 A. Yes, I did.

21 Q. And you've listened to all the
22 testimony that's been proffered this evening?

23 A. I have.

24 Q. And you reviewed all the plans and
25 application materials?

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1 A. Yes.

2 Q. And you've reviewed the Master Plan,
3 the Redevelopment Plan, and the applicable zoning
4 regulations for the City of South Amboy?

5 A. Yes, I have.

6 Q. All right. We have several, I'll call
7 them, deviations in connection with this application.
8 You've heard a lot on the parking as well signage and
9 I think the fence that was brought up as well.
10 Can you just give your planning opinion
11 on those areas of relief, and then also on general
12 compliance with the Redevelopment Plan that applies
13 to this property?

14 A. Certainly.

15 And I can keep this brief because I
16 think you've heard a lot of the testimony already
17 supporting the variance relief.
18 But there are several deviations
19 required from the Northern Waterfront Redevelopment
20 Plan. This is a permitted use. It's clearly
21 implementing the City's vision for this particular
22 area.

23 The deviations we're seeking related to
24 parking, first and foremost, you've heard all the
25 reasons why the proposed parking here is adequate.

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1 sides of the building, correct?

2 A. Exactly. For all four signs that are
3 being proposed.

4 And then, thirdly, the deviation that
5 surfaced during the course of the application as it
6 relates to the fence being mounted on top of the
7 retaining wall, I would say this is more of a C-1
8 situation. There's really practical difficulties
9 related to providing adequate safety. Some of that's
10 required on top of a retaining wall.

11 Retaining walls are required for the
12 most because the site is being raised, being
13 elevated, in compliance with flood hazard area
14 regulations.

15 So from a negative criteria standpoint,
16 the concern there would be the visual impacts. And I
17 think we've addressed that by providing a more
18 attractive fencing along the frontage of the property
19 as well as quality fencing throughout the entire
20 site.

21 So those are the three deviations that
22 we're requesting. Again, just to summarize. The
23 negative criteria, there's no surrounding residential
24 uses that would be impacted. Adequate parking of
25 course is being provided. No potential for spillover

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1 Specifically, the ITE standard is significantly less
2 than even the parking that we're providing here.

3 And from a deviation standpoint in
4 terms of the proofs, this is one that can clearly be
5 justified on a C-2 basis, and that the benefits
6 substantially outweigh the detriments.

7 Providing unnecessary parking,
8 unnecessary additional impervious coverage, is simply
9 not sensible from a planning perspective. More than
10 adequate parking is being provided, based on the
11 testimony you just heard from Mr. Chase.

12 Secondly, as it relates to the height
13 of the sign, Mr. Muller described this. You could
14 see it on the rendered perspectives of the building.
15 The height of the sign is approximately 40 feet.

16 But it's in both the appropriate
17 location. And it's logical given the architecture of
18 the building.

19 You can see it's on the corner
20 elements, southeast, southwest corner of the building
21 where you have the office space. You have a nice
22 glass entry there with some glazing above it. And
23 this is simply just the appropriate location given
24 the height and the scale of this particular building.

25 Q. Keenan, that's your opinion for both

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1 parking in the surrounding area.

2 And just to tie together the positive
3 criteria. I think the purposes being advanced here
4 would be first and foremost Purpose A in terms of
5 advancing the general welfare. In the broadest
6 sense, this implements the City Redevelopment Plan
7 which has been in place for over 25 years at this
8 point. We're limiting impervious coverage. We're
9 not building unnecessary pavement.

10 There's also remediation of the site
11 and significant improvements to the resiliency to
12 stormwater management on the property itself.

13 Purpose G, to accommodate a permitted
14 warehouse use in an appropriate location as
15 envisioned by the City's Redevelopment Plan for the
16 site.

17 Then, finally, to provide a desirable
18 visual environment by appropriately locating the
19 signage on the building and improving the overall
20 aesthetics of the site. That's in reference to
21 Purpose I.

22 So with that, unless you have anything
23 further, Jason.

24 Q. Just to go over a few things in terms
25 of the negative criteria. In connection with any of

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1 the deviations, you don't see any substantial
 2 detriment to the public good or the surrounding
 3 properties?
 4 A. No.
 5 Q. Then in terms of substantial impairment
 6 to the zone plan or zone ordinance, do you think the
 7 applicant meets those criteria?
 8 A. Yeah. I mean, this is squarely within
 9 the purpose and intent of the Redevelopment Plan.
 10 Q. Okay. So in your professional opinion,
 11 as to the C-2 criteria, the benefits of granting the
 12 variances -- or deviations -- excuse me -- would
 13 substantially outweigh any detriments?
 14 A. Correct.
 15 Q. And on the C-1 relating to the fence,
 16 you believe that there's hardship there, but again,
 17 you don't see any negative impact to the surrounding
 18 properties or any substantial impairment to the zone
 19 plan or zone ordinance?
 20 A. That's right.
 21 Q. All right. Then from an overall
 22 compliance standpoint with regard to the development
 23 plan, as Mr. Muller testified to, do you agree with
 24 him that all the bulk standards are met as part of
 25 this application?

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1 MR. TUVEL: Yes.
 2 MR. FORSHNER: Thank you.
 3 MR. KELLY: Have we thought about
 4 illumination for the signs?
 5 Are they going to be back-lit?
 6 Internally illuminated?
 7 MR. HUGHES: Yeah. On the plan it's
 8 indicated that they are internally illuminated.
 9 MR. KELLY: Okay.
 10 Obviously this is in a new development
 11 area. The building is going to go through
 12 architectural review through the Architectural Review
 13 Board through the redevelopment agency.
 14 MR. TUVEL: If that's required.
 15 Obviously it's part of our redevelopment agreement
 16 with the City.
 17 MR. KELLY: Is that in your report.
 18 MR. VALETUTTO: It's at the very end of
 19 my report, yes.
 20 MR. TUVEL: If it's a requirement, then
 21 obviously we would have to do it.
 22 MR. KELLY: Yeah. I just wasn't sure
 23 if it was in Jason's report.
 24 MR. VALETUTTO: Yeah. It's on page 12,
 25 SARA, South Amboy Redevelopment Agency. They have

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1 A. Yes.
 2 Q. And that the application complies with
 3 the applicable setbacks, lot dimensions and coverage
 4 requirements?
 5 A. Yes.
 6 Q. As well as floor area ratios and
 7 building height?
 8 A. Correct.
 9 MR. TUVEL: I have nothing further for
 10 Mr. Hughes.
 11 CHAIRWOMAN SZARO: Thank you,
 12 Mr. Hughes.
 13 Does the board have any questions?
 14 Jason? Gary.
 15 MR. FORSHNER: Can you clarify? There
 16 are four of those signs that are 100 square feet,
 17 both on the front and side of both ends of the
 18 building.
 19 MR. HUGHES: That's correct.
 20 MR. FORSHNER: Is that conforming,
 21 Jason? Okay.
 22 And if you have two tenants, are you
 23 going to have -- one set of signs is going to be for
 24 one tenant, and the other set of signs for the other
 25 tenant?

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1 named the redeveloper. They have the façade, the
 2 signage and the lighting. They have all jurisdiction
 3 on look and aesthetic of that.
 4 MR. TUVEL: That's okay.
 5 MR. KELLY: Just the last item for
 6 housekeeping is fire department review for location
 7 of hydrants.
 8 MR. TUVEL: I can have Mr. Muller speak
 9 to that. But I believe the applicant did meet with
 10 the fire official. But, again, that would be
 11 perfectly acceptable as a condition of approval.
 12 MR. KELLY: Okay.
 13 CHAIRWOMAN SZARO: Thank you. Any
 14 other questions from the board?
 15 (No response.)
 16 CHAIRWOMAN SZARO: Okay, thank you.
 17 That concludes.
 18 MR. TUVEL: That concludes our case in
 19 chief, as they say.
 20 CHAIRWOMAN SZARO: Okay, thank you. So
 21 then at this time do I have a motion to open up to
 22 the public session.
 23 MR. FORSHNER: So moved.
 24 MS. KERN: Second.
 25 CHAIRWOMAN SZARO: Is there anyone from

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1 the public who would like to speak only on this
 2 application?
 3 Please come up.
 4 MR. STAHL: Raise your right hand,
 5 please. In this matter do you swear the testimony
 6 you're about to give will be the truth, the whole
 7 truth, and nothing but the truth, so help you God.
 8 MR. NG: I do.
 9 A L A N N G,
 10 105 Augusta Street, South Amboy, New Jersey,
 11 having been duly sworn, testifies as follows:
 12 MR. STAHL: Please state your name and
 13 spell your last name.
 14 MR. NG: My name is Alan Ng. Last name
 15 N-G.
 16 MR. STAHL: Where do reside, sir?
 17 MR. NG: 105 Augusta Street.
 18 MR. STAHL: Okay.
 19 MR. NG: Regarding traffic, trucks
 20 departing the facility, there are only going
 21 westbound?
 22 I heard before it was restricted east.
 23 Does that mean absolutely no trucks can turn east?
 24 CHAIRWOMAN SZARO: They're going to be
 25 diverted out of town.

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1 site distance at the driveway based on the fact that
 2 there are trucks exiting the facility. So there is
 3 sufficient sight distance to accommodate a truck
 4 making that right turn out of the driveway.
 5 MR. NG: When that truck makes that
 6 right turn, is it going to occupy both two lanes
 7 headed west?
 8 MR. CHASE: I believe it an onto the --
 9 so I'll refer to it as a curb lane and the median
 10 lane. And I believe a truck can accommodate that
 11 turning maneuver in the curb lane.
 12 MR. NG: Would it be possible for that
 13 right turn to be at a curve instead of a 90-degree
 14 angle.
 15 MR. CHASE: I know it's hard to see
 16 from this angle, but again on A-2, there is a very
 17 generous radius exiting that driveway.
 18 So it's not like your typical driveway
 19 where, you know, it comes right up to the curb then a
 20 90-degree. It's more of a sweeping arc to allow that
 21 truck maneuver to occur in a much more efficient
 22 manner.
 23 MR. NG: Thank you.
 24 Did your traffic study consider traffic
 25 impact to Route 9?

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1 VICE CHAIRMAN KOMINKIEWICZ: Towards
 2 the Victory Circle.
 3 MR. NG: So it's definitely no cars to
 4 the east.
 5 CHAIRWOMAN SZARO: There's no left turn
 6 into town.
 7 VICE CHAIRMAN KOMINKIEWICZ: Cars.
 8 CHAIRWOMAN SZARO: Yes. Cars are fine.
 9 MR. NG: No truck traffic. Okay.
 10 So then when the trucks leave the
 11 facility going west, is it a strict 90-degree turn
 12 west.
 13 MR. STAHL: Mr. Chase, why don't you
 14 respond to those questions, please.
 15 MR. CHASE: So all the trucks are going
 16 to exit -- sorry, I'm referencing Applicant A-2.
 17 All the trucks are going to exit the
 18 subject facility through the eastern driveway. Yes,
 19 it is a 90-degree turn onto Main Street.
 20 MR. NG: I believe the speed limit at
 21 Main Street and that section 40 miles per hour.
 22 Did you consider how long it takes a
 23 truck, a fully loaded tractor trailer, to accelerate
 24 to 40 miles an hour?

MR. CHASE: Again, so we evaluated the
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1 MR. CHASE: We did not go as far as
 2 Route 9. Again, that's because of the level of
 3 traffic generation of this facility. One trip every
 4 minute during the peak hour wouldn't have a
 5 substantial impact on that intersection.
 6 MR. NG: Well, these trucks are
 7 probably going to go to Route 9 to the turnpike. If
 8 they go Route 9 South, they're probably going to head
 9 up the Route 9/Route 35 separation, that downhill.
 10 So as I think you all know, the traffic
 11 there builds up at, like, 4 p.m. to 8 p.m. at night,
 12 because everyone has to go into that one lane down to
 13 Route 9. I think that's going to have a severe
 14 impact on that. It's pretty slow already.
 15 You previously said that the warehouse
 16 was 286,000 square feet?
 17 MR. TUVEL: Yeah. I believe it was
 18 285. Yeah, roughly 286.
 19 MR. NG: That it's going to 188 parking
 20 spots.
 21 MR. TUVEL: There's 188, yes, passenger
 22 vehicle parking spaces.
 23 MR. NG: Would it be possible to
 24 request that there be solar panels on the rooftop?
 25 That's a lot of -- that's a lot of rooftop space.

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1 Solar on the parking spots. I think that will go
2 hand in hand with the potential wind energy project
3 at 135 Main Street.

4 MR. TUVEL: It's not an ordinance
5 requirement. But what I would say --

6 MR. KELLY: I don't think's something
7 that this board can require.

8 MR. NG: Okay. I just didn't know. I
9 think that's all I have.

10 Thank you very much.

11 CHAIRWOMAN SZARO: Thank you for your
12 questions and comments.

13 Would anyone else from the public like
14 to be heard?

15 (No response.)

16 CHAIRWOMAN SZARO: Okay, with that, do I
17 have a motion to close to the public?

18 MR. FORSHNER: So moved.

19 CHAIRWOMAN SZARO: Second?

20 MS. KERN: Second.

21 CHAIRWOMAN SZARO: Any closing remarks?

22 MR. TUVEL: I just want to again thank
23 the board for this special meeting. As you can see,
24 the applicant put a lot of time and effort into this
25 over the course of the last year plus in terms of

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1 office at 170 employees per shift. Not per day but
2 at any one time, 170. This will further be subject
3 to a lease restriction for all tenants in order that
4 the owner and the applicant will monitor, and to
5 extent necessary, enforce that requirement and notify
6 those tenants appropriately.

7 Number 2, with regard to an issue on
8 page 7 dealing with the grates, Mr. Valetutto is
9 suggesting a double inlet, and the applicant has
10 agreed to that.

11 With respect to page 9 and dialogue
12 with respect to fencing, the board -- the application
13 was amended to include a deviation with respect to
14 the fence pipe. And under catch-all provisions of
15 the notice provided and published by the applicant,
16 it is appropriate to amend and accept the amendment.
17 So there's going to be a 12-foot-high fence resulting
18 from an 8-foot and a 4-foot -- a 4-foot fence over an
19 8-foot berm, as more fully set forth in the record.
20 So there will be a deviation granted to that area
21 subject to that height of 6 feet.

22 Next, there was some discussion -- let
23 me just see the next. That may be it. We've got the
24 lease restriction. We've got the height deviation.
25 We've got the grate. Oh, and the dumpster.

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1 working with the city, working the DEP, the County.
2 The application is more than
3 substantially compliant with the Redevelopment Plan.
4 As you saw, we only have very few deviations. And
5 with that and with the conditions that we stipulated
6 to on the record -- Mr. Stahl, I will be getting a
7 transcript, so if you need that in order to recite
8 the conditions in a resolution, should the board
9 approve the application, I'll do that to make
10 everybody's lives easier.

11 So with that, Madame Chair, Members of
12 the Board, I would respectfully request that the
13 board grant the application with all the conditions
14 stipulated to on the record and all representations
15 made by the applicant during the course of the
16 proceedings.

17 Thank you very much.

18 CHAIRWOMAN SZARO: Thank you.

19 With that, I will ask for a motion to
20 accept Application 431-22 with the following
21 conditions. Mr. Stahl?

22 MR. STAHL: Yes. The conditions are as
23 follows, which may be supplemented by Mr. Valetutto.

24 Number 1, the number of employees shall
25 be capped for the entire building, warehouse and

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1 To the extent that there is a second
2 tenant and a second dumpster is required due to the
3 length of the walk, if you will, or the length of the
4 area to be taken for the disposal, the applicant will
5 provide Mr. Valetutto, in the event of the second
6 tenant, a proposed location for a second dumpster
7 area.

8 I believe that was it, Jason Valetutto.
9 Did you have anything else?

10 MR. VALETUTTO: You touched upon the
11 wall and the fence deviation.

12 MR. STAHL: And the grate.

13 MR. VALETUTTO: You touched -- well,
14 that's not a deviation. I'm just laying out the
15 three deviations that we're going for right now.

16 The height of the proposed signage
17 being greater than 25 feet is the second deviation.
18 And then for argument's sake, we're just going to
19 call the parking a deviation.

20 MR. TUVEL: We're looking at it
21 conservatively. In the event that anyone were to
22 deem it to be a deviation --

23 MR. VALETUTTO: The deviation would be
24 granted if there was.

25 MR. TUVEL: Yeah.

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1 MR. STAHL: And the wall is already in
 2 the record. The wall sign, if you will, has been
 3 explained and articulated by Mr. Muller.
 4 MR. TUVEL: Yeah. The only other
 5 conditions I have written down were the fence would
 6 be more of a decorative fence in the front versus in
 7 the back.
 8 Then I also have, Mr. Forshner had some
 9 comments regarding, you know, ensuring on the plan
 10 there were certain basically DEP notations regarding
 11 wetlands and flood hazard areas that would be marked
 12 on the plan as well as some of the shrubbery along
 13 the front of the property. Then Mr. Muller testified
 14 what was to be included but would be added to the
 15 plan.
 16 MR. STAHL: The resolution would
 17 include all representations made by or on behalf of
 18 the applicant --
 19 MR. TUVEL: Yes.
 20 MR. STAHL: The acceptance of
 21 Mr. Valetutto's report dated March of 2022. The
 22 requirements of SARA. So everything will be in the
 23 record, but we'd just like to highlight so that there
 24 is no miscommunication. We covered everything.
 25 MR. VALETUTTO: Just one more

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1 And my vote is yes.
 2 CHAIRWOMAN SZARO: Thank you.
 3 MS. RUSSO: Tom Kelly?
 4 MR. KELLY: Yes.
 5 MS. RUSSO: George Baranowski?
 6 MR. BARANOWSKI: Yes.
 7 MS. RUSSO: Janet Kern?
 8 MS. KERN: Yes.
 9 MS. RUSSO: Gary Forshner?
 10 MR. FORSHNER: Yes.
 11 MS. RUSSO: William DeMasi?
 12 MR. DeMASI: Yes.
 13 MS. RUSSO: Andrew Horezga?
 14 MR. HOREZGA: Based on the testimony
 15 given today and the discussions had with the board,
 16 yes.
 17 MS. RUSSO: So moved.
 18 MR. TUVEL: Great.
 19 Thank you.
 20 CHAIRWOMAN SZARO: Congratulations.
 21 Your application is approved.
 22 MR. TUVEL: I really appreciate it.
 23 Thank you.
 24 (Whereupon, this matter is concluded.
 25 Time noted: 9:39 p.m.)

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1 highlight, that the truck traffic be restricted to
 2 right-turn only off of site.
 3 MR. TUVEL: Right-turn egress, correct.
 4 CHAIRWOMAN SZARO: Okay. Thank you.
 5 Based on those conditions, do I have a
 6 motion to approve the application?
 7 MR. FORSHNER: So moved.
 8 CHAIRWOMAN SZARO: Second?
 9 VICE CHAIRMAN KOMINKIEWICZ: Second.
 10 CHAIRWOMAN SZARO: Roll call?
 11 MS. RUSSO: Chairwoman Mary Szaro?
 12 CHAIRWOMAN SZARO: Yes.
 13 MS. RUSSO: Scott Kominkiewicz?
 14 VICE CHAIRMAN KOMINKIEWICZ: Yes.
 15 MS. RUSSO: Mayor Fred Henry?
 16 MAYOR HENRY: First I want to thank all
 17 the witnesses. I think they did a great job in
 18 answering all the questions.
 19 I want to congratulate -- or thank --
 20 not congratulate just yet -- but thank Anthony for
 21 the job he's done. He's been very cooperative with
 22 the city and done everything we've asked him to do.
 23 I just think it's a great project in a great spot for
 24 it. And a lot of remediation has to be done,
 25 cleaning up the area.

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1 C E R T I F I C A T E
 2
 3 I, RONDA L. REINSTEIN, a Certified Court
 4 Reporter of the State of New Jersey, authorized to
 5 administer oaths pursuant to R.S.41:2-2, do hereby
 6 certify that the foregoing is a true and accurate
 7 transcript of the testimony as taken stenographically
 8 by and before me at the time, place and on the date
 9 herein before set forth, to the best of my ability.
 10 I DO FURTHER CERTIFY that I am neither a
 11 relative nor employee nor attorney nor counsel of any
 12 of the parties to this action, and that I am neither
 13 a relative nor employee of such attorney or counsel,
 14 and that I am not financially interested in the
 15 action.
 16
 17
 18
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 20
 21
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 23
 24 -----
 25 RONDA L. REINSTEIN, CCR No. 30X100217800

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