

**MINUTES OF REMOTE REGULAR MEETING OF THE
PLANNING BOARD HELD ON THURSDAY, APRIL 15, 2021**

Chairman Blewett called to order the regular remote (Zoom) meeting of the Board and announced the meeting was duly advertised in compliance with the Open Public Meetings Act by notice sent to Daily Record, Suburban Trends and posted on the bulletin board and website at Borough hall.

**PRESENT: BLEWETT, FLORENTINO, KAUFMAN, KOLDYK, MARINO, RUNFELDT,
*TAORMINA AND TERRERO**

ALSO PRESENT: BOORADY, ENGINEER, NEISS, COUNSEL AND RICCI, PLANNER

ABSENT: GEMIAN

Chairman Blewett stated before we start I'd like to acknowledge for the Meridia application we have Donna Arnold who is a certified court reporter. Allyson, I believe she has been invited by your organization.

Ms. Kasetta stated that is correct Mr. Chairman.

Chairman Blewett stated okay. We have two items on the agenda before we get to your application.

Ms. Kasetta stated perfect.

Chairman Blewett stated the first item on the agenda is approval of the minutes from March 18, 2021.

Ms. Ward stated that should be the minutes of the February 18th meeting not March. The members that can vote on the minutes are Blewett, Florentino, Taormina, Terrero and Runfeldt.

Chairman Blewett stated on those on page 4 propane. If you haven't caught that it is there. That's the only comment that I had.

Ms. Ward stated okay I have it.

Chairman Blewett asked any other comments about the minutes. Is there a motion to approve?

Mr. Terrero moved the minutes.

Mr. Florentino second.

Roll call:

Yes: Terrero, Florentino and Blewett

No: None

Abstain: None

Chairman Blewett stated I don't see him he must have dropped off.

Ms. Ward mentioned I guess Mayor Runfeldt dropped off too.

Chairman Blewett stated Joan I think that is enough votes.

Ms. Ward stated the minutes are approved.

Chairman Blewett stated the second item on the agenda is Minor Site Plan & Variance Application #374 and Flood Plain Encroachment Application #FPE 20-02 by Bellmore Home Lincoln Park, Inc., d/b/a Costello's Ace Hardware, on property known as Block 22, Lots 304 and 305.1 on the municipal tax map also known as 261 Comly Road. This is a consideration

of a resolution of memorialization. Any questions or comments about the resolution?

Mr. Koldyk stated I will be sitting this one out due to a conflict.

Chairman Blewett stated okay.

Ms. Ward stated the members that can vote on this resolution would be Blewett, Florentino, Runfeldt, Taormina and Terrero.

Chairman Blewett asked for a motion from the Board.

RESOLUTION OF THE LINCOLN PARK PLANNING BOARD

**APPLICATION OF BELLMORE HOME LINCOLN PARK, INC.
D/B/A COSTELLO'S ACE HARDWARE
261 COMLY ROAD, LINCOLN PARK, NEW JERSEY
BLOCK 22, LOT 304 AND 305.1 [TAX MAP SHEET #28]**

**APPLICATION FOR MINOR SITE PLAN APPROVAL APPL. #374
FLOOD PLAIN ENCROACHMENT, #FPE 20-02
ZONING PERMIT, #2020-115Z**

WHEREAS, BELLMORE HOME LINCOLN PARK, INC. (the "Applicant") having applied to the Lincoln Park Planning Board (the "Board") for minor site plan approval with a request for a variance from Zoning Ordinance §28-15.1D¹ and for other, related relief with respect to (a portion of the) real property known as 261 Comly Road a/k/a Block 22, Lot 304 and 305.01, on Tax Sheet Nos. 27 and 28, of the tax records of the Borough of Lincoln Park (the "Property"); and

WHEREAS, the Board has reviewed the testimony, exhibits and other evidence submitted in connection with the application, as well as the December 18, 2020 and February 11, 2021 review letters of the Board's Engineer, Darmofalski Engineering Associates, Inc. (together, the "Engineer's Report"), all of which are incorporated into the record of this application and the Engineer's Report is attached hereto and made part hereof²; and

WHEREAS, the application was a subject of a noticed public hearing held on February 18, 2021 and at which it was established that notice was properly published and served upon property owners within 200' of the Property in accordance with the Municipal Land Use Law and the notice requirements of the Borough of Lincoln Park Land Development Ordinance §17-4.6; and

WHEREAS, at the hearing, the Applicant introduced Frank Vitale, the Executive Vice President of the Applicant and manager of the store, who testified that the Applicant is "not serving our customers as we'd like to" because, as a full service hardware store, they do not sell propane gas and having plants, which require watering, inside the store could create a potential and unnecessary liability; and the Applicant introduced

Exhibit A-1: "Outdoor Display – Home Depot, Montville, NJ"

And

¹ "Outside display. Business structures or uses shall not display food or goods for sale or rental purposes outside of the structure in which such activity is carried on."

² The December 18, 2020 Engineer's Report, at pages 1-2 of 5, contains a list (1-14) of the documents and materials submitted to and considered by the Board. The February 21, 2021 Engineer's Report, at p. 1 of 2, contains a list of two additional items. The documents of those two lists are specifically incorporated into the record of this application.

WHEREAS, the Applicant introduced Joseph S. Miannecki, Jr. whose credentials as an expert in engineering and planning were accepted by the Board; the witness testified from his site plan dated February 28, 2020, last revised 01-19-21; the application as currently presented is to place two propane tank exchange cabinets on the concrete sidewalk area to the left (north) of the store entrance as well as install a 4' x 40' display area for gardening products (soil, mulch, flowers, etc.); the flood plain encroachment is resolved by a permit-by-rue approval; the Applicant would install "No Stopping" and/or "No Standing" signs in the area of the two new developments; as to the variance, the witness testified that the ordinance was geared more to the downtown area than to this standalone hardware store, other stores do have outdoor displays, that there would be no impairment by these developments to pedestrian movement on the affected sidewalk, and that the sizes of the two additional displays when compared to the size of the hardware store structure, is very small; and

WHEREAS, following the testimony of each witness presented by the Applicant, the public was invited to question the witness and, at the conclusion of the Applicant's case, the public was invited to comment on the application; and

WHEREAS, the Board has made the following findings and conclusions:

1. The Applicant is the lessee of a building that is the subject of this application and which is a part of the Property. The owner of the Property, Lincoln Park Plaza Associates, LLC, has consented to the application. Accordingly, the Applicant, as the developer, has standing to bring this application before the Board.

2. The Property is used as a retail shopping center and is commonly known as Lincoln Park Plaza.

3. The Property is located in the B-2 Business Zone, and is within the Lincoln Park Redevelopment Area and the Downtown Redevelopment Area.

4. The development proposal of this application is to install two outdoor displays in the front area of the Ace Hardware Store.

5. The Applicant stated that it will comply with the Technical Review comments 1-8 of the Engineer's Report.

6. The Board finds and concludes that the requested variance relief for the outdoor displays can and should be granted for the reasons stated by the Applicant's planner, all of which are hereby adopted by the Board. Based on these rationales, the Board finds that the benefits to be had will substantially outweigh any resulting detriments.

7. For the same reasons, the Board also concludes that the requested relief can be granted without substantial detriment to the public good, the zone plan or the Borough's zoning ordinance.

NOW, THEREFORE, BE IT RESOLVED that the application by BELLMORE HOME LINCOLN PARK, INC. be, and hereby is, granted subject to the following conditions:

1. All "**WHEREAS**" recitals set forth above are incorporated, as if set forth at length as part of the Board's findings.

2. The Applicant's application to the Board and all materials submitted in support of and in connection with it, including all correspondence, plans, surveys and exhibits, and the documents introduced and marked for identification at the Board's hearing together with the Applicant's testimony and stipulations on the record, if any, as well as the testimony of the witnesses introduced by the Applicant and the persons otherwise heard by the Board, if any, are all deemed part of the record of this application.

3. The Property shall be developed strictly and entirely in accordance with the last plans that were presented to the Board and any revised plans or materials to be submitted and approved as may be required herein, the testimony of the Applicant's witnesses, and the stipulation made on the record regardless whether the same, or any of them, appear herein as

such.

4. The Applicant shall install “No Parking” and “No Stopping” signage, of a size and nature that complies with the Borough Ordinances and the reasonable satisfaction of the Board Engineer, at the front of the store to prevent, to the extent possible, vehicles from blocking any location at the front of the building.

5. The plans shall be amended to conform with the testimony and agreements made by the Applicant during the course of the hearing as it pertains to compliance with the Engineer’s Report.

6. The Applicant agreed to, and shall, comply with any recommendation made by the Fire Department concerning the application.

7. The Applicant shall comply with paragraphs 1-8 of the Technical Review comments of the Engineer’s [December 18, 2020] Report.

8. The Applicant shall continue to be responsible for payment of all escrow fees and inspection fees, and shall furnish such sum in full no later than (20) days subsequent to any written request therefor.

9. The Applicant shall comply with all applicable Borough, County, State and Federal laws, ordinances, codes regulations and directives.

10. Prior to the issuance of a certificate of completion for the project approved by this Resolution or at such earlier time as the Board Engineer may require:

- (a) The Applicant shall submit to the Board Secretary a certification from the Finance Department (i) setting forth the then-current balance in the Applicant’s escrow account and (ii) confirming that all charges billed to such account have been paid in full;
- (b) The Board Secretary shall determine (after inquiries to the Board’s professionals) that there is sufficient balance in the escrow account to cover all remaining services chargeable to such account.
- (c) Applicant shall submit to the Board Secretary a certification from the Tax Collector that all real property taxes on the property have been paid to date.
- (d) Within no more than ten (10) business days of completion, the Applicant shall submit four (4) sets of as-built plans prepared by a licensed professional engineer and a project completion report to be certified by the Applicant.

11. All construction and development of the property shall be in conformity with the plans approved herein and the terms and conditions of this Resolution. Nothing contained in this Resolution shall be deemed to amend any prior approval concerning the Property unless this Resolution specifically and directly does so.

12. Hours of construction activity shall be limited to those permitted by Chapter 93 of the Code of the Borough of Lincoln Park.

13. All notes included in the approved plans, including noted required by this Resolution, if any, shall be deemed to be conditions of the Resolution having the same force and effect as the conditions expressly set forth herein.

14. The Applicant shall provide to the Building Department and the Board Engineer a Project Completion Report. A final site inspection by the Construction Official and Borough Engineer is required to verify the Applicant’s conformance with the site plan approval granted herein,

Mr. Terrero moved the resolution.

Chairman Blewett asked for a second.

Mr. Florentino seconds.

Roll call:

Yes: Terrero, Florentino and Blewett

No: None

Abstain: None

Ms. Ward stated Mayor Runfeldt and Mr. Taormina were on but there is no response.

Chairman Blewett asked are we good.

Ms. Ward stated yes the resolution is adopted.

Chairman Blewett stated the third Item on the agenda is waiver request with reference to Grading Permit Application #G21-01 and Soil Removal Permit #2021-01 by Michael and Elaine Mac Laren, on property known as Block 2.01, Lot 4 on the municipal tax map also known as 20 Eugene Circle. Is there a representative?

Mr. Onello stated yes. Angelo Onello, on behalf of the applicants, Elaine and Michael.

Chairman Blewett asked is anyone else appearing.

Mr. Onello stated no not at this time for the waiver review. At the follow up hearing in May I believe the applicants will also appear.

Chairman Blewett stated very good. Arthur, do we need to swear him in?

Mr. Neiss stated yes, I would.

Mr. Neiss swore in Mr. Onello. Please state your full name and business affiliation for the record.

Mr. Onello testified sure. Angelo Onello III, P.E., New Jersey 49284, Onello Engineering, Principal Engineer.

Chairman Blewett asked does anyone have any concerns with his qualifications. Hearing none, please continue. Did you receive the report dated April 6th, 2021 from the Board's secretary which is the checklist waiver and the report from the engineer?

Mr. Onello testified yes I have it dated April 6th, 2021 from Thomas Boorady.

Chairman Blewett stated very good. Tom so you want to go over any concerns you have?

Mr. Boorady stated sure. This application is for a grading permit to construct a pool with retaining walls in the backyard of 20 Eugene Circle. The report issued to the Board was on April 6th, 2021 which is a combination waiver summary of checklist waivers and then we also go into a technical report, but for tonight we are not hearing any testimony it is just the completeness review. I'll just walk you through the checklist items for the Board's consideration and subject to granting those checklist waivers the applicant can be heard at the meeting in May.

Beginning on page two of my report in the middle there are the beginnings of the checklist waiver summaries that I outline. The standard development application there are some updates that we will discuss under Item 6.J. below. The checklist for general information will be coordinated with Joan so there are no waivers on those two items.

Moving down to the grading permit checklist, Item #4 and 5 of the checklist, we are recommending completeness waivers. They are NJDEP related and there are no flood or wetland areas in this area, or on the property so we recommend waivers for those.

Item 6.G We recommend an update to the key map so no waiver on that, but if they could just update it per our comments.

Item 6.J We are recommending updates to the zoning table so there is no waiver on 6.J., but we would appreciate an update before the meeting.

Item 6.L There is no waiver on that item as well.

Item 6.M is a partial waiver. This is typical checklist item that asks for sewers, storm drains, water mains within 200 feet and we are recommending a partial waiver as long as what is shown on the subject property and in the frontage of the property we have no objection to a partial waiver from going beyond the limits of the property to pick up those features, so we are recommending a partial on 6.M.

6.S., 6.T. And 6.U those are full waivers. There are no NJDEP regulated flood areas or wetland areas so 6.S., 6.T., and 6.U. would be full waivers.

Item 6.X. We have no engineering objection to a waiver for existing lighting and landscaping.

Item 6.Y. They are going to provide lighting and landscaping information. I spoke with the applicant's engineer today and he is already working on a plan to provide 6.Y., so there is no waiver from 6.Y. requested.

Item 6.FF Similarly is a partial waiver from picking up items beyond the subject property in the frontage and those are features within 200 feet; such as water courses, right-of-way widths, etc. Again this is just work in the back of the property and we recommend a partial waiver on that.

Item 6.HH We are requesting they do provide the first floor elevation of the pavilion so there is no waiver of 6.HH.

Item 7. There is no waiver but they are missing some details of the stormwater calculations, and I spoke to the engineer and they will provide that.

Item 10. Architectural plans and Item 11 samples of materials, we are recommending full waivers for those two items. There is no dwelling being constructed so we recommend a waiver from 10 and 11.

Chairman Blewett stated so the rest of it is technical review and we will just get that at the next meeting.

Mr. Boorady stated correct.

Chairman Blewett asked Mr. Onello do you agree with what Tom has laid out that you will provide as part of the application.

Mr. Onello testified yes, I already spoke with Tom today and I concur with the waiver requests being, and as far as the other items we have no issues in providing that information.

Chairman Blewett thanked Mr. Onello.

Any questions from the Board? Hearing none.

Mr. Onello asked everybody has a copy of the plans correct.

Ms. Ward stated no they do not have the plans. You only provided 3 sets of plans; one was given to Tom, the Health Department and I have the other one in our file.

Mr. Onello testified I meant the PDF.

Mr. Boorady stated no not at this time. Angelo the plans get distributed after the application is deemed complete and the reason for that is just in case certain waivers aren't given the Board will see the final version of the plans for their consideration instead of the progress print.

Mr. Onello testified sure.

Mr. Boorady stated but they will have copies for the May meeting.

Mr. Onello testified okay.

Chairman Blewett asked if someone would like to make a motion relative to the completeness and partial waivers.

Mr. Koldyk made the motion granting the waivers as noted.

Mr. Kaufman seconds.

Roll call:

Yes: Koldyk, Kaufman, Blewett, Florentino, Marino, Runfeldt and Terrero

No: None

Abstain: None

We assume Mr. Taormina is no longer participating in the meeting he dropped off.

Ms. Ward mentioned the waivers are granted.

Mr. Onello thanked everyone.

Chairman Blewett stated thank you very much.

Mr. Onello testified I'll see everyone in a month.

Chairman Blewett stated the fourth item on the agenda is Amended Preliminary & Final Major Site Plan Application #367A and Amended Grading Permit Application #G19-05A by Meridia, Urban Renewal, Lincoln Park, LLC, on property known as Block 3.5, Lot 305.2 on the municipal tax map also known as 115 Main Street. This would be a public hearing. I guess Allyson you are representing the applicant?

Ms. Kasetta stated good evening Mr. Chairman and members of the Board, Allyson Kasetta from the firm of Prime & Tuvel, appearing on behalf of the applicant. As you mentioned, this is an application concerning the property at 115 Main Street, Block 3.5, Lot 305.2 located in the upper Main Street redevelopment area and governed by the Upper Main Street Redevelopment Plan.

A little history, about year ago last April this Board granted Preliminary & Final Major Site Plan Approval and a Grading Permit for the construction of a 4 story 175 unit multi-family residential building. At that time the applicant proposed a detached parking garage with additional garage paring located partially below grade and then some more surface parking.

At that time the Board granted relief for several deviations from the Redevelopment Plan and those were for the perimeter buffer, the perimeter fence height and parking space dimensions for a total of 9 spaces that did not comply with the minimum space dimension.

What the applicant is seeking now is amended site plan approval and an amended grading permit to eliminate the detached parking garage, expand the garage parking that is located partially below grade, and our witnesses will tell you more about that, and then modify the on-site vehicular circulation and the stormwater management facility.

I want to note that the total number of residential units remains exactly the same and the number of parking spaces which is currently at 332 continues to comply with the Redevelopment Plan. We don't believe that any new deviations or variances are required. I know that Mr. Ricci had called out one deviation in his report for the height of the fence in the front yard and we will address that in testimony, but the bottom line is the applicant is willing to modify that in order to comply.

Our witnesses tonight will be the project architect, the civil engineer and our traffic expert. Although I don't intend to present any direct testimony from them, I do have representatives of the applicant and our professional planner available to answer questions if that becomes necessary. So before I begin with the testimony I just want to confirm with Mr. Neiss that our proof of notice for tonight's hearing was received and found to be adequate.

Mr. Neiss stated it is my understanding that that is the case.

Ms. Ward stated everything is in order.

Chairman Blewett stated Joan and Arthur confirmed that's good.

Ms. Kasetta thanked them. With that said, our first witness is our architect, Avelino Martinez.

Chairman Blewett asked is it 332 or 333 parking spaces.

Ms. Kasetta stated I have 332 in my notes but I can double check that.

Chairman Blewett stated in our document it says 333 but we can discuss that as we go through.

Ms. Kasetta stated I will have our engineer confirm that because it could be that my notes are wrong, I apologize.

Chairman Blewett stated no problem.

Ms. Kasetta stated Mr. Chairman I just want to check before our witnesses begin, are they able to share their screen because they do have a couple of exhibits.

Chairman Blewett stated if they are a panelist they should be able to present and we can take care of that.

Ms. Kasetta stated perfect. So I would like to have Mr. Martinez sworn first.

Mr. Neiss swore in Mr. Martinez. Would you please state your full name and business affiliation for the record?

Mr. Martinez testified Avelino Martinez (M-a-r-t-i-n-e-z), principal of Blackbird Group Architects.

Mr. Neiss thanked him.

Ms. Kasetta asked Mr. Martinez to give the Board the benefit of your educational background and qualifications please.

Mr. Martinez testified sure. I hold a degree in architecture, I am licensed to practice architecture in the State of New Jersey, as well as a number of other states, and I have been accepted as a witness throughout a number of Boards throughout the state including this one.

Mr. Neiss asked Mr. Martinez you testified at the hearing that was held last year on this matter correct.

Mr. Martinez testified I did yes.

Mr. Neiss asked and the Board accepted you as an expert in architecture at that time did it not.

Mr. Martinez testified yes sir.

Mr. Neiss asked is your license still valid and in place.

Mr. Martinez testified yes.

Mr. Neiss thanked him.

Ms. Kasetta asked Mr. Martinez you prepared the architectural plan that was originally approved by the Board and the one that was submitted in connection with this application correct.

Mr. Martinez stated that is correct for both yes.

Ms. Kasetta asked would, give the Board an overview of the architectural aspects of the property that has changed in connection with this application. I would just ask that when you present any exhibits you identify and mark them as you refer to them.

M. Martinez stated sure. So if I may, I'll just share my screen and hopefully everyone can see that. Okay so this set of drawings is the architectural drawings that were submitted as part of the application, 11 sheets last dated October 23rd, 2020. I'm not sure if that is treated as an exhibit or how you wish to handle it?

Ms. Kasetta stated Mr. Neiss I typically only mark things that have not been previously submitted is that appropriate?

Mr. Neiss stated I will agree with that. We don't need to mark things that have already been submitted and are part of the record of the application. I would just note for the record, that the record generally will consist of the listing of the documents received by the Board generally contained in the report of the Board Engineer.

Ms. Kasetta stated so we will mark things that haven't been formally submitted prior to tonight.

Mr. Neiss stated that's correct.

Mr. Martinez testified as Allyson noted, the project still consists of the same number of units that is 175 total rental apartments, plus 1 management residence. The distribution of the units remains identical in that there is 107 one bedroom units, 67 two bedroom units, and 1 three bedroom unit, and the distribution of affordable units remains identical for a total of 14 where 13 are two bedroom units, and 1 of them is a 3 bedroom unit.

In terms of the architectural revisions, if I may, the best way to show this maybe referring to Drawing A1.2 of the previously submitted drawings. The image we have in the middle of the page is a section cutting through one of the courtyards of the building, so referring to this key plan at the bottom right where north would be to the top of the page. What we've changed was we left the building pretty much identical to what it was with the exception that we expanded the garage level, which was previously below grade and remains below grade by approximately 100 feet to the north. In doing so, we gain approximately 100 parking spaces within the building and we eliminated the separate standalone parking garage that was previously proposed on site.

So referring to the garage level plan, so this would be Drawing A2.0 Overall Garage Floor Plan, and as you can see, this entire portion here is parking underneath the exterior parking level. So if we were coming in off Main Street, you would be driving as the grade slopes up, approaching the building and then parking above at the main residential level, and then coming around we have an additional 100 spaces within the building.

In terms of architectural floor plan changes, again they were very limited in the sense that referring to Drawing A2.2 First Floor Plan. What we did was just reposition the spaces and shifted the elevator slightly so that they work well with the parking configuration on the lower level, but with the exception of that it was really a very minor change to the architectural layout. I guess I'll mark this as an exhibit I assume? This would be Architectural Color Rendering of the exterior of the building, undated and I can mark that A-1 if that is appropriate?

Ms. Kasetta stated sure.

Mr. Martinez testified again the exterior of the building really hasn't changed from the rendering from the last hearing and as you can see everything sort of remains the same. The difference being that as we approach and come up to the main level of the residential level, beneath that area with the enclosed parking where previously that was just an exterior surface parking lot, again there were some minor changes; relocation of stairs and things of that sort, but in terms of the architectural design everything generally remains the same.

So I think that summarizes the general summary of the changes. I know there is a bunch of civil and traffic issues that have to be discussed which I will defer to those experts. With that I will defer to any questions that I can answer.

Ms. Kasetta asked if I could Mr. Chairman, just a couple of follow-up items before the Board asks their questions.

Chairman Blewett stated go ahead.

Ms. Kasetta asked you did a thorough job of explaining what has changed but I want to just clarify a couple of things that have not changed, particularly items that were mentioned in the professional's report. You were just going over the exterior design and I think it was the Board's planner wanted confirmation about the building transparency and color scheme as to compliance with the Redevelopment Plan, so would you confirm for the Board that they are exactly the same as the previous application and they continue to comply.

Mr. Martinez testified that is correct. The exterior finishes have not changed they are proposed to be the same as previously proposed and approved at the time. With respect to the transparency calculations by nature of changing the base area that we are measuring from, those numbers vary slightly but I can confirm they are all in excess of the required 20% required by the Redevelopment Plan.

Ms. Kasetta stated and then there was a similar question about the location and visibility of the HVAC equipment, has that remained the same as well?

Mr. Martinez testified that is correct. I guess the only, if we can just talk about that for a moment, the courtyards formed by these legs of the building if you will, previously were landscaped courtyards so I think we had planned on having some of the end units in those areas, the intent at this time is to have them all located at grade at the rear of the building, so again same idea they are not visible they are really just behind the building.

Ms. Kasetta thanked him.

Then you mentioned a slight shift in the locations of the elevators, but there were some comments and questions about the walking distance for the residents to the elevators. Is the shift in location significant enough that it would affect the walking distance from someone's unit to an elevator?

Mr. Martinez testified no, they were modified very slightly just a matter of a few feet, and I am referring to Drawing A2.2 for the record, where this elevator is currently placed it may have been 2 or 3 feet more or less or something of that sort. The intent is that we still maintain the 2 elevators on the right side of the building where it extends the full 4 stories.

Ms. Kasetta thanked him.

Then the last question, similar there were comments and questions about the size and location of the trash room, can you just briefly address that and where they stand in relation to the previous application?

Mr. Martinez testified that is correct. The trash room located on every level of the building, all the residential floors which is depicted on the right side here on Drawing A2.2 that has not changed in any way, and the compactor room below has not changed in any way either.

Ms. Kasetta stated and so there was a request that you give an opinion on the adequacy of the size. I assume if you felt it was adequate last time you would still feel that way, but if you could

confirm that I would appreciate it.

Mr. Martinez testified when the questions was raised last time, the applicant's management team had analyzed the frequency of pickups and generation based on experience from other projects that they manage of similar size and characteristics, and they determined that this was adequate to serve this building.

Ms. Kasetta thanked him. Those are all the questions that I have.

Chairman Blewett asked okay are there any questions of this witness from the Board.

Mr. Boorady stated Mr. Chairman, I don't know if you want to start with me or with members of the Board it is up to you?

Chairman Blewett stated let's go with you Tom.

Mr. Boorady stated okay. I only have a couple of questions for the architect.

Chairman Blewett asked can I just ask one question Tom.

Mr. Boorady stated sure.

Chairman Blewett stated you sent a number of engineering reports to the Board and the one we are working off of now is the report of April 7th is that the most current?

Mr. Boorady stated the report from April 7th from my office supersedes everything prior.

Chairman Blewett stated okay very good.

Mr. Boorady stated you can ignore my prior reports.

Chairman Blewett stated thanks.

Mr. Boorady stated so going off the April 7th report on page 5, and I don't know if Mr. Martinez is the proper witness, but Item #15 speaks to the 200 square feet available for garbage and recycling and I know there is talk about a compactor unit and I was wondering if you were the proper applicant's witness to address that comment?

Mr. Martinez testified I'm happy to speak to anything architectural that I can answer for you, so with regard to the operation and frequency of pickups I would probably have to defer to the applicant, but I'll give it a shot.

Mr. Boorady stated well for 175 units over three hundred some residents, similar developments are 200 square feet, a typical area for a compactor, plus recycling, cardboard comingled and have enough work area for whoever the garbage attendant is going to be at the building, is that enough room to accommodate garbage and recycling in your experience?

Mr. Martinez testified in my experience it is. I guess the ultimate question comes down to frequency of pickups and housing the trash within the building, and that frequency I can't answer for you, but I can tell you we have done projects with something of similar size. The compactor room on the lower level does accommodate a compactor with a two yard dumpster attached to it, as well as separate recycling dumpster fed by a separate shut from above, and then each of the trash rooms above would have adequate room for additional smaller receptacles for cardboard if you will.

Mr. Boorady asked will all garage and recycling be contained within that 200 square feet at all times, or is there a need for any outdoor storage because I don't believe the site plan contemplates outdoor storage of dumpsters or containers.

Mr. Martinez testified so again that sort of treads again on the frequency of pickup issue, but the frequency of that pickup may not be once a week, twice a week or three time that part unfortunately hasn't been answered.

Chairman Blewett stated but the question is, as condition of approval would the applicant agree to no storage of outside garbage?

Ms. Kasetta stated yes.

Chairman Blewett thanked her.

Mr. Boorady stated okay. So Allyson will there be other testimony regarding the frequency of pickup and such?

Ms. Kasetta stated sure we can answer that.

Mr. Boorady stated okay. Then we can move on from that item just so we can get through with the architect. On page 7 of my April 7th letter, I believe I just had a question about Item #25 and 26 and I think you've addressed 25 about the distance walking from the elevators. I think you had already asked Mr. Martinez about that correct?

Mr. Martinez testified that's correct.

Mr. Boorady stated yeah. So #26 can you just confirm the clear height of the porte-cochere.

Mr. Martinez testified the clear height will be a minimum of 10 feet 6 inches and that was consistent with the request of the emergency service's letter.

Mr. Boorady stated okay. Is that consistent with the engineer's plan with the grading?

Mr. Martinez testified yes. On that subject the drawings that were initially submitted, the architectural drawings did note a different floor elevation which was subsequently raised to that elevation 194 as you are aware, so when that grade comes up everything goes with it, so that 10 feet 6 will be maintained at the porte-cochere.

Mr. Boorady stated okay will be maintained.

Lastly is there any way you could briefly go through egress for each wing on how they get out to grade outside? Could you briefly go through egress?

Mr. Martinez asked sure, you mean emergency egress or --

Mr. Boorady stated yeah.

Mr. Martinez testified since we are on the first floor here and all floors are very similar except for the fourth of course, but there are three stair towers and two elevators. If you were to exit through this stair tower on the east side, I'm sorry on the north side, you would take that stair down to the garage level, exit through the door at this point and then access through the drive aisle. Same idea for the other stairs, the stairs to the south on the left side of the building that one will exit directly out to grade on the south side, and then the stairs in the middle you could come out through this area and walk to one of the openings, or on the main residential floor exit through the lobby, through the vestibule, and to the covered area in the front so in that manner.

Mr. Boorady asked with the center egress is that code to dump out into the hallway back into the building from that protected shaft and then go outside.

Mr. Martinez testified so there are provisions in the code that allow you to exit into a lobby provided that the lobby is a certain distance from the exterior of the building. Outside of that, this area that section of the corridor would be afforded the same rating as a stair, so this would be considered an exit passageway which affords you the same fire rating as a stair tower.

Mr. Boorady asked so that center hallway has a two hour fire rating.

Mr. Martinez testified it will yes, at this level this is sort of diagrammatic but all the construction drawings will be coordinated so that all of this is compliant with the respective code requirement.

Mr. Boorady stated I see that for the middle lane, but the end wings really the egress path is down into the garage level below and then I have to walk back out to grade correct? My egress is into the garage area.

Mr. Martinez testified that is correct.

Chairman Blewett stated I thought you said the one side headed directly outside.

Mr. Martinez testified the one on the right side would go back into the garage and there is also a stair into the garage from this stair on the left side, but the direct exit discharge as it is referred would be to grade directly.

Mr. Kaufman asked would it be possible to have direct exit on the right side to grade in addition or instead of going into the garage.

Mr. Martinez testified I'm not sure that we can directly from the stair tower but we could have an additional opening on the right side so that somebody could exit directly to the exterior without continuing to travel to that portion of the garage.

Mr. Kaufman stated it just seems in a true emergency with moments of panic that people may run into the garage instead of out of the garage on that right side there. I would rather see an easier egress from there than have them go into the garage, and if there is smoke or any kind of real situation people need an easy exit.

Mr. Martinez testified that is a great point and we can accommodate that absolutely.

Chairman Blewett thanked him.

Mr. Boorady stated I would just follow up with Mr. Neiss, the Planning Board Attorney, that perhaps list that as condition of approval that the applicant's architect testified that egress on the right side, which direction am I?

Mr. Martinez testified that is the north side.

Mr. Boorady stated okay, the north wing will have a direct access to the grade and not to the garage for egress. I'm sorry, you are still dumping into the garage right?

Mr. Martinez testified right.

Mr. Boorady asked where would they come out from.

Mr. Martinez testified they would come out right from this area through this portion of the wall here, there would just be an opening right here. The issue is about stairs, but at this point you are at an intermediate landing so you are probably 6 feet above grade so if you are coming out at this point, you would make a right and continue straight to the exterior.

Mr. Boorady stated so there maybe a couple of steps there to get back up.

Mr. Martinez testified no, I meant within the stair tower that is why we didn't have the door right from the stair tower, but once we are outside of the stair tower that should be relatively at grade.

Mr. Boorady stated okay.

Mr. Martinez testified if not, there would be a few steps.

Mr. Neiss stated and I presume there will be signage as well.

Mr. Martinez testified that's correct.

Mr. Boorady stated I have no further questions for the architect.

Chairman Blewett stated okay. This is a public hearing, Arthur should we open the public

hearing?

Mr. Neiss stated I have two questions first, if you wouldn't mind Chuck?

Chairman Blewett stated go ahead.

Mr. Neiss asked A-1, the document that was marked for identification as A-1 is that the colored scheme that will ultimately be on the building? Is that a true rendering of the actual color scheme?

Mr. Martinez testified that is the actual color scheme.

Mr. Neiss stated okay. I guess what I'm asking you is how does that get confirmed? Is there some form of, are you going to present bricks or are you going to show the Board a color board or something like that? In this rendering I think it looks beautiful, but there are many shades of green and many shades of other colors, so I guess what I'm asking is how can we solidify the color scheme that is going to be employed at the property?

Mr. Martinez testified so there was an architectural material board that was introduced at the last hearing and I believe and I can introduce it again this evening. In addition to that, I believe the planner had requested that all of those color names and material names be also incorporated into the final architectural documents for resolution compliance. So I can do both of those, I can reintroduce that material board at this time and we can also list those color names on the drawings.

Mr. Neiss stated from my perspective you don't need to reintroduce it. If it was part of the previous application and you've represented that that aspect of the application is not changing that is sufficient for my purposes and that is okay.

The second question I have relates to the space, I think you've testified that the HVAC units were coming out from the areas between what you referred to as the legs of the building and you are putting them in the rear, what is going to be in those spaces now between the buildings?

Mr. Martinez testified I think I will defer portions of that to the civil engineer because it appears on their site plan in greater detail, but I'll touch on it very briefly. These courtyard will have a paver finish and outdoor seating areas if you will, with some potted plants and things of that nature so that is what takes place in these two areas.

Mr. Neiss asked can you tell how wide that area is actually going to be or should we leave that to the engineer.

Mr. Martinez testified I can tell you the space.

Ms. Kasetta stated that is reflected on the site plan I would think.

Mr. Martinez testified okay. But just in terms of dimension that is about 46½ feet the distance, depending on where we measure to but it comes out roughly 46 feet.

Mr. Neiss stated okay great. Thank you.

Mr. Florentino asked so there was a change in the parking so it is now going to be underneath, was there any change on the islands that we talked about last time, or like the bike rack, the charging station and also security cameras.

Mr. Martinez testified so that is probably going to be better answered by the civil and traffic experts, but the bicycle racks were relocated to a different portion just given the configuration, so for the record I am referring to Drawing A2.0. As you can see in this general area by the stairs, there is a recessed portion and that area houses approximate 15 bicycle so that is where the bike rack is. I believe there are provisions for electric car charging stations but I'm just going to defer that to the civil and traffic experts.

Mr. Florentino stated okay.

Chairman Blewett asked are there any other questions from the Board.

Mr. Boorady stated I just have a follow-up question on that. Did he say 15 bicycles?

Mr. Martinez testified I did, yes.

Mr. Boorady stated okay. I think last year it was 25 bicycles and I don't know that it matters much to anyone, but I would like to point that out after reading the minutes from last year's meeting, and I don't know what the appropriate number of bicycles to be stored is?

Mr. Kaufman stated I would say that I don't think 15 or 25 is sufficient for the amount of bicycles in the building, but I also don't think that people are going to leave their bikes locked up in the garage they are going to have then on a wall rack or something in their apartment. I don't think the number is sufficient but I don't think it really matters that it makes any sense.

Chairman Blewett stated in that case wouldn't they be wired to go with what was approved last time, so that would be 25 right?

Ms. Kasetta stated I just checked the resolution and it is 25.

Chairman Blewett stated okay. The applicant is agreeing now that that is the number?

Ms. Kasetta stated I was just asked to come back to this issue and let me just double check with them but I believe that can be accommodated

Chairman Blewett stated okay, thank you.

This is a public hearing and I only see one individual for the public. If you don't mind, can you just stop sharing for a second?

Mr. Martinez testified sure.

Chairman Blewett asked for a motion to open the public hearing.

Mr. Koldyk made the motion to open the public hearing.

Chairman Blewett asked for a second.

Mr. Terrero seconds.

Chairman Blewett stated all in favor.

Board aye.

Chairman Blewett stated there is one individual that it seems, I cannot allow him to speak. Mr. Gurkovich if you could type in your chat whether you would like to say something or not? Let me see if I can, it is not allowing me to open the public hearing.

Mr. Gurkovich stated I can hear you now.

Mr. Blewett stated okay. Is there anything you would like to say or question this witness?

Mr. Gurkovich stated no I'm just observing the meeting that's all.

Chairman Blewett thanked him. You can come back on mute then. There appears to be no other participants from the public, so at this time we will move on with the witnesses.

Ms. Kasetta stated I would like to call our civil engineer, James Kinosian. While he is getting settled I can confirm that we will provide spaces for 25 bikes as agreed to last time.

Chairman Blewett stated right, thank you.

Ms. Kasetta stated your welcome.

Mr. Boorady asked Alyson will someone show where those will be or is this space --

Ms. Kasetta stated yes, we could do that assuming the Board approves the application on our resubmission for resolution compliance we can show that on a site plan.

Mr. Boorady stated okay.

Mr. Neiss swore in Mr. Kinonian. Please state your full name and business affiliation for the record.

Mr. Kinonian testified sure. James Kinonian (K-i-n-o-s-i-a-n) with Stonefield Engineering & Design, located at 92 Park Avenue in Rutherford, NJ. I received my Bachelor of Science in Civil Engineering from Rutgers University and am a professional licensed civil engineer in the State of New Jersey. I have been working with Stonefield for over 10 years now and during that time I've had the opportunity to provide expert testimony before various Planning Boards and Zoning Board all throughout the State of New Jersey, as well as many other states throughout the northeast.

Chairman Blewett asked have you testified before us in the past.

Mr. Kinonian testified no not in the past.

Chairman Blewett asked does the Board have any concerns on his qualifications. Please proceed.

Ms. Kasetta stated James your office prepared the site plan that was submitted in connection with this application correct?

Mr. Kinonian testified correct.

Ms. Kasetta asked as well as the site plan that previously was approved by the Board.

Mr. Kinonian testified that is right.

Ms. Kasetta stated so if you would, walk the Board through the modifications to the site plan and just as Avelino did, please mark and identify any exhibits as you refer to them, ones that haven't already been submitted.

Mr. Kinonian testified certainly, I'm going to share my screen and can everyone see it?

Chairman Blewett stated yes.

Mr. Kinonian testified okay. I have pulled up a colorized site plan rendering that was prepared by our office, Stonefield Engineering, dated March 15th, 2021 and I marked it A-2. I believe that is what we are at correct?

Ms. Kasetta stated yes.

Mr. Kinonian testified okay. What this represents is the same exact site plan sheet that was included in the full site plan set that was submitted as part of the package. We simply incorporated the landscaping onto it and added some color to give it a little context and clarify for presentation purpose. This is sheet 1 of 2. Because of some of the unique features of an underground parking garage we do show two different sheets (inaudible – static) and as I go through it I will likely flip flop back and forth between the two.

The first sheet represents what you would see from a birds-eye view above the site if you were to pull it up on an aerial, and the lighter half represents the concrete that would be part of the parking on the surface lot that would be at the same elevation as the first floor with the underground parking garage below it. That underground parking garage is shown on sheet 2 which represents what you would see if you were to enter into the underground parking garage in

the rear, that is the full layout underneath the building and underneath the (inaudible – dropped voice down).

So overall as the attorney mentioned and our architect has explained, we are here for an amended approval because we do feel there are some significant improvements throughout the development that we were able to incorporate and we wanted to bring it back before the Board and make these changes before we proceed with construction. Overall there are a number of improvements as the architect has mentioned that we removed, that raised parking structure in the rear and we've increased the amount of covered parking in the garage below by expanding that parking garage. By doing so we have been able to locate many more parking spaces closer to the access point to the building and the elevators, and naturally we reduced the amount of surface parking pretty significantly with about a quarter acre of impervious coverage reduction.

What that has allowed us to do is to incorporate more green space and incorporate green infrastructure between the stormwater runoff naturally so we have less pipes and less infrastructure for the stormwater management design. Naturally with less surface parking, we are able to reduce the illumination needed to properly illuminating areas, as well as improving the pedestrian circulation throughout the development. I'm sure everyone is familiar with it but I'll just give a little reminder of what those previous conditions look like.

Today the previous single-family residences and driveways have been removed so it is pretty much a remainder of wooded area and grassed areas on the property. The site does slope down from the high side which is the south down to the north that is the lower side, so the Main Street frontage is approximately 10 feet higher than the rear north property line, and the second one by residential uses to the west, the north, the south are homes to the east.

As the architect mentioned, we have the same number of units, we have the same density, the buildings remain fully within the required setbacks and the biggest change is that elevated parking deck which was going to raise approximately 18 feet high in the rear of the property with 42 parking spaces on it has been removed and that surface parking area has been reduced by expanding the parking garage below the building.

The previous parking garage had 97 spaces within it and now we are up to 200, so that benefits the residences because now there are more than over a hundred covered parking spaces that can be accessed by the residents rather than having to go outside and be exposed to the elements, and now they are located much closer to the elevator shafts in those building entrance points.

With the reduction of the surface parking, specifically in the northwestern portion of the property, we were able to reduce the travel path that a resident would have to take walking just from some of the extents of those parking lots over to the building. All that green space that you see in the northwestern section is an added benefit from these changes and that measures up to about a 120 feet or so of a reduced walking path that a tenant would now have to travel less.

Throughout that rear surface parking lot we have also been able to incorporate some additional crosswalks and sidewalks to properly delineate and identify all this specific location that a resident should be traveling from that rear parking lot over towards the building. Overall we have 332 parking spaces, and I know there was a question about it earlier and you mentioned there were 332 and that does continue to comply with the 331 that is required. With that reduction in impervious surfaces we have to reduce the impervious coverage on site on the previously approved 62.2% down to 54.8%, so as I mentioned that equates to 10,619 sq. ft. in reduction of paved surfaces which is close to a quarter of an acre.

The site will continue to be accessed via two access points along Main Street. The easterly access point is going to continue to be a full ingress driveway that was previously agreed to, and the westerly access point will be a full movement driveway to service the parking field along the western side of the building.

The one-way drive aisle in front of the main lobby is going to be maintained and it has been designed to properly service and support the fire truck, as the fire truck will need to access that western side of the building, essentially right in front of the lobby there.

The loading zone was previously approved in front of the lobby, however it has been relocated after some coordination with Mr. Boorady, the fire chief, as well as the fire subcode official to locate it adjacent to the southern wing of the building along the westerly side. What that allows us to do is to provide a proper 18 foot minimum fire lane without having any kind of interference into a striped loading zone. So we have been able to coordinate that with all parties and provide some supplemental fire turning point movements so that way everyone is aware of where the fire truck will go and that is a completely clear 18 foot wide minimum drive aisle.

The two parking rows that are located immediately adjacent to the western side of the building those will be what we will call at surface grades, so those will be roughly at the same elevation as that finished floor if you were to walk into that lobby. Then the two rows on the western side of the layout are actually moderately sloped down as they similarly where in the previous design towards the rear, the northern portion of the site to get to that rear parking area.

Now what that moderate slope provides is the change in elevation needed in order for the difference in elevation at the finished floor to provide enough separation for the underground parking garage entrance point so that there is a sufficient clearance within that parking garage. That change in elevation between the finished floor and the garage entry points is 11½ feet, and we've noted in Mr. Boorady's review letter that the minimum clearances that are requested the applicant will be complying with, which is an 8 foot 2 inch minimum clearance in the ADA parking area, as well as the routes that lead to those assessable parking areas, and then a minimum of 7 foot 10 inch clearance within the remainder of the underground parking garage.

Looking at the second sheet, you will be able to see the parking garage layout. It is serviced by two-way circulation throughout and 9 x 18 foot parking spaces are all serviced by 24 foot wide drive aisles. The columns that are located in the parking garage are located in between those designated parking spaces so they don't interfere with the 9 x 18 parking area measurements. Stop signs and stop bars are incorporated at each turning maneuver in order to properly control traffic. Stop signs and mirrors as well, and stop bars are also going to be incorporated throughout the garage at each turning location, as you often see in many parking garages to really just enhance driver's angles of vision within the garage.

The two-way aisle are consistent with most residential parking garage designs. Typically in this case all the parking spaces as previously approved are going to be assigned to the residents. So each person is going to be very familiar with the layout and driving to a specific space rather than traveling through a commercial or a retail development where they are actually scanning the area and trying to find a space or opening. They will be very comfortable with the turning movements as they go through the garage and as they approach or exit their designated parking space. Since this is a low traffic and low turnover area, the tenants will slowly maneuver through the garage and it is consistent with the same alignment that was actually previously approved within the smaller parking garage from the applications first approval. That condition has essentially been maintained.

However, there are more turning locations now simply because the parking garage size has been increased and the applicant has designed and built and has been owning and operating a number of these very similar, or same parking garage configuration in their other buildings. To provide a comparison from this parking garage layout to some of the other open and operational layouts, we did provide four other architectural layouts and these are all fully constructed operating parking garages that have no record of conflicts, accidents or any kind of issues, some of which have been open and operating for over 6 years now. We do feel that the parking garages are suitably designed to service the residents.

In addition to the other site features I mentioned, as our attorney stated, we do provide a fence that is 6 foot high on all sides of the development. The intention there is to specifically comply with the Redevelopment Plan request for a 6 foot high fence. We noted in the planner's review letter that it does call out for a variance when that fence encroaches closer towards Main Street than the actual building does and that is because it is 6 feet high rather than 4 feet high in that position. So we are happy to reduce the height of that fence to meet a completely variance free plan from 6 feet down to 4 feet in those areas in front of the building. Our intention is simply to comply as much as possible with either the underlying zoning code or the Redevelopment Plan so we are representing the applicant and we are happy with either condition that is preferred.

With that reduction in the impervious surfaces there are, of course, stormwater management improvements that can be made, so as a reminder from the previous application the existing runoff on this site flows to essentially three different ditches that exist on site. One of them the western border, one of them along the eastern border and one that is centrally located within the site and they all discharge to ultimately the same point towards the northern property line and what we want to do is incorporate an above ground basin in that northwestern rear area of the site, that green space. We have been able to utilize that to incorporate the above ground basin so that all paving surface runoff is drained and cleaned by natural and non-structural methods within that above ground basin. Previously we had to incorporate two different water quality structures below the ground to clean the water to comply with the applicable stormwater quality regulations, so we view this as a significant improvement to the water quality aspects of the stormwater management design.

The above ground basin not only cleans the water but it stores it and allows the water to infiltrate back down into the ground. In large storm events as the above ground basin fills up, it will discharge from the above ground basin through an overflow pipe that is conveyed to the underground detention basin which is located in the rear of the site below the rear surface parking lot.

The roof top runoff that is collected from the top of the building surface that gets conveyed directly to the underground basin since that water is cleaned, and lastly all water is stored in the larger storm event in that underground basin below the surface parking lot. It is once again infiltrated to the maximum extent possible before it does discharge any remaining runoff to the property in the rear while still maintaining all the existing drainage patterns and meets all the quantity reductions for each discharge point. In the previous design to meet the quantity reductions, we did have to have two separate underground basins using essentially all structural methods, so again with this introduction of the green infrastructure we are able to reduce the structural aspect of the stormwater management design, and it will grow each point of interest is required and does meet the reduction of a 50%, 25%, and 20% reduction in stormwater runoff during the 2, 10 and 100 year storms respectively.

The landscaping plan has been slightly modified so to count for the site plan changes, the original design and intent remains intact, but we certainly focused on the surrounding buffer, the residential buffer to the west and continued to provide a very low (inaudible) and mix of plantings. We have 206 proposed evergreen and shade trees, 305 evergreen and deciduous shrubs and over 1,000 perennials and ornamental grasses disbursed throughout the landscaping areas. We continue to meet the street tree requirement as the previous application did and we have also proposed some flowering shrubs up along the site frontage.

The buffering along the north and east property lines has pretty much remained the same, and that buffering along the western property line has continue to remain the same with the minor site layout. That residential buffer and screening is to remind everyone that it is going to be very densely planted with evergreens, double rows, in fact with mature heights that will grow up to 30 feet or higher over time.

The courtyards that were being discussed before, I'll flip back to the bird's-eye view, the two courtyards are essentially paved areas that are going to be used as a recreational space that they are located above the parking garage and decorative planters are proposed along the perimeter, and contains some tolerant ornamental grasses and perennials, and then there are some smaller shade trees that have been incorporated through the dining area to provide some shade for residents that kind of help and enhance the area. Between the buildings we have a number of benches, seating areas and umbrellas within that space to host some passive recreation activities so they can have small gatherings, outdoor eating, lounging, reading, and any kind of relaxing activities that residents would enjoy.

From a lighting perspective once again with that reduction in surface parking, the lighting will continue to be shielded and designed around the perimeter to minimize any light spillage. But the good thing with the reduction of the surface parking, we were able to remove a number of exterior lights from the design so that has less impact on the surrounding area which we feel is a benefit. The applicant is in agreement with the comments located in Mr. Boorady's engineering review letter that all the lighting around the perimeter can be properly shielded and everything can be agreed to be modified as needed in a post-construction situation should a non-inspection

occur and needs to be identified, so we feel with the current design that we really don't think there is going to be any concern about light spillage during post-construction conditions.

We also noted in the planner's review letter there was a request to switch the decorative street lights out to a different model and we will be happy to do that as well.

Operations really remains the same from the previous design as a refresher and I know I mentioned the parking is all assigned.

Trash pickup occurs in the rear as the architect mentioned. Everything for trash operations is internal not external, and a private service agreement is made with the hauler and management controls that demand for pickups. Pickup is arranged and accounted for on an as needed basis, usually it is about two or three times a week, but there is no worry about a trash area overflowing because management has control over when and where and how often those haulers are called to the site to remove things from the property.

The fire truck I think we already talked about a little bit, but there is a grass paver in front of the property in front of the south side of the building that a fire truck and Fire Department confirmed they needed to utilize, as well as in front of the building and the western side of the building just in order to properly service all sides. We had met with them many times on the previous approval and they had agreed with our fire truck circulation pattern and we will, of course, comply fully with the fire subcode, Tom Dillon's comment on his latest review letter regarding the water loop fire hydrant locations. Everything regarding fire connections, all of that will be fully complied with.

From a delivery vehicle perspective that takes a similar route as a fire truck, that occurs from the western side of the building. They would pull up and utilize that loading zone and then be able to circulate through the remainder of the parking lot before leaving the site.

So overall that summarizes the revisions associated and what has brought us to this point for the amended application, and a lot of the reasons we felt there was a lot of benefits worth coming back before the Board and presenting so that we could make these changes before we move into the construction phase.

Ms. Kasetta stated Jim just two quick follow ups. Mr. Boorady's report recommended that as a condition of any approval granted, we include a number of specifications in our snow storage plan, can you confirm that we would agree to comply with all of those?

Mr. Kinosian testified that's right, the applicant will comply with all of those conditions as listed.

Ms. Kasetta asked could you just give the Board a very brief recap of where we stand with outside agency approval.

Mr. Kinosian testified so Morris County we had actually submitted previously, we've received some of their comments in February and we went ahead and resubmitted, so all of those changes that were required from Morris County you've already seen on the application that was submitted as part of this package. So Morris County Soil Conservation District we've already received our approval and for the NJDEP freshwater wetlands permit that is currently under review. That application has been deemed complete and it is just under technical review right now. Eventually following this, should the Board vote favorably we would proceed with TWSA applications to justify and allocate the sewer and water issue.

Ms. Kasetta stated thank you, that's all from me Mr. Chairman.

Chairman Blewett thanked Allyson. Any questions from the Board?

Mr. Kaufman stated I have a few Mr. Chairman. Mr. Kinosian along the eastern/western, I guess the northern side the trees, I assume they are going to be something like arborvitae or green giants that reach 20/30 foot in height, what is the height at planting that the applicant is planning on putting in?

Mr. Kinosian testified so they were previously agreed to be planted at six to seven feet high I

believe, I will pull up the landscaping plan to double check the height of planting but I do recall that was the previous agreement.

Mr. Kaufman stated then as to the fence, I know we had talked last time about 6 foot to the street and I believe Mr. Boorady said that he or somebody recommended that it go, if I read it correctly, go according to the ordinance that it be 4 foot from the front of the building to Main Street. My only suggestion would be on the western side that it be 6 foot to the front of the neighbor's building and then adjusted to 4 foot to continue to Main Street to try to give them additional privacy with all the trees that will be planted there.

Mr. Kinosian testified it certainly makes sense to me and we would be happy to do that should everyone be in agreement.

Mr. Kaufman stated and then some kind of a transition to the 4 foot the rest of the distance from the building to Main Street.

I have a question about and maybe you can speak to this from the applicant's other projects, are there no privacy or security issues for the tenants on the first floor, or from the patios that are being built to be utilized by all the other tenants in the building that are presumable just going to be right outside their windows and potentially bedrooms. I don't know the exact layout in front of me, but are they bedrooms or what about single women, single mothers or anything like that, what kind of issues are potentially there?

Mr. Kinosian testified just to be completely honest, as the engineer I'm not particularly exposed to that information. I can tell you I have not heard of any, but if we do need someone to speak on this on the applicant's behalf, a more factual statement, I'm sure they would be happy to, but just as the engineer of record I don't have that information.

Mr. Kaufman stated understood. The last one probably isn't landing in your wheelhouse either but I'll put it out there anyway, probably the traffic experts can speak to this. The western strip of the uncovered spots I have a concern with the straight shot without any kind of speed control. Should there potentially be a speed bump or speed hump, or whatever it is technically called, put in there for someone who is done their turns through the parking garage at the farthest point from an exit and is in a hurry to get out, and now is speeding down that strip to get to the exit. Again I understand that may not fall in your wheelhouse but I wanted to put that out there for whoever is testifying that could answer that, and it seems like it is a pretty long strip without any speed control.

Ms. Kasetta stated our next witness will be our traffic expert and I think he would be the perfect person to answer that.

Mr. Kaufman asked Allyson is there anyone who I can speak to the security and privacy concerns. Will there be extra, I don't want to say bars on the windows but extra security provided for any kind of windows for any tenants who would want that on the first floor right along side the patios?

Ms. Kasetta stated I'm not sure about security provisions, but our architect might be able to give you some comfort about what windows are along the courtyard better than James could. Avelino are you still there?

Mr. Martinez testified I am. So I guess I'll call it the north side of that area, we have some of the common areas, so there is a leasing office, the fitness center and things like that and those have limited privacy issues. There are some bedrooms and living rooms that do face those common areas and the intent is as you can see from this drawing is that there is some landscaping and potted plants up against that area, so the intention is that at least it will keep somebody from coming right up to that area so that is basically the idea is that we will manage it by potted plants and landscaping.

Mr. Kaufman asked what are the exact windows that are going to be there, are they double hung or sliders.

Mr. Martinez testified they are double hung windows.

Mr. Kaufman asked okay. Are there any stops available for people who want the extra security to prevent someone from the outside opening it all the way.

Mr. Martinez testified absolutely. They will have a locking mechanism on the interior so somebody from the outside will not be able to open that window.

Mr. Kaufman asked even if it was unlocked, would there be a mechanism to prevent them from opening it all the way. I know there is obviously a lock to prevent them from breaking in and opening it, but if the resident leaves it unlocked is there a control that says they can only open it 2"/4" instead of being able to open it all the way?

Mr. Martinez testified there are mechanism that could be added but they were not contemplated in the original scope, but we can talk to the applicant and I think that is a reasonable request absolutely. I think the answer is we can comply with that.

Mr. Kaufman stated okay.

Chairman Blewett asked any more questions from the Board.

Mr. Florentino stated yeah Mr. Chairman, a quick question. So I know the additional parking has been relocated underneath and looking at this drawing here I counted the handicap ADA spaces and there are 6, is that a sufficient number of handicap parking considering there are going to be 300 plus tenants here?

Mr. Kinosian testified the 6 you see on this first sheet here those are the ones located by that first floor entrance and then we do comply with the necessary minimum number of ADA parking spaces required. They are actually required to be kind of scattered and located at the different entrance points, so then there is another 1, 2, 3, 4, 5 that are in the parking garage also, so there are actually 11 total.

Mr. Florentino asked okay, is that sufficient enough from a ratio perspective.

Mr. Kinosian testified yes it is.

Mr. Florentino stated okay.

Mr. Kinosian testified the Federal ADA Code breaks down what that ratio is and the number of parking spaces and we comply with.

Mr. Florentino stated okay. The other question I have, so now that the parking has been relocated from the previous drawing or rendering, you were showing those are dedicated for the tenants, where would be the visitor parking? Is that the one outside that I am looking at right now?

Mr. Kinosian testified visitor parking would be assigned and striped and identified as needed on an estimated basis. They would likely be chosen to be some of the spaces that are not utilized as often or furthest from the building because the residents of the building actually do get to use some of the best utilized spaces.

Mr. Florentino stated okay.

Chairman Blewett stated they are currently not designated.

Mr. Kinosian testified they are currently no.

Mr. Florentino asked could that be an issue. From what you are telling me, this applicant has multiple buildings what has been the practice I guess?

Mr. Kinosian testified they would assigned a certain number of visitor parking spaces at the grand opening, when they first open, and as the building fills up and those visitor spaces are used, they would continue to be expanded upon as needed. I think the common practice would be to stripe them in an area that experiences the least turnover I should say, the furthest from

the unit, likely in the northwestern portion of the parking lot.

Mr. Florentino stated okay. The other question I think Mr. Martinez had mentioned, that the AC unit has been located at the back of the building right? Where is that depicted here? Before it was illustrated in the center so where is that illustrated here now?

Mr. Kinosian asked what is it that you referring to what unit.

Mr. Florentino stated the AC unit.

Mr. Kaufman stated the HVAC system is what he is referencing.

Mr. Florentino stated it was in the right middle where you guys had it, but I think Mr. Martinez said it was going to be relocated towards the back and I was just curious where is it in the back?

Mr. Martinez testified if you don't mind I'll just answer that. I just want to be clear that all of the dwelling units are serviced by what is called a key pack unit so it is a through the wall heating and air conditioning unit, so all of those apartments have below their window they have self-contained unit within them. The only additional components we would have in addition to that, are for the common areas; so that would be for your hallways, for the gym, and things of that sort. What that equates to is basically a condensing unit that's similar to what you would find in a residential home, so typically like a 30 x 30 inch small condensing unit. The final location of that hasn't been determined only because it needs to be done in connection with the mechanical design, but in terms of the general location I would say along the center of the rear of the building, so along the east side within a few feet of the building at grade. If I had to guess at this point, I would say probably 4 to 5 of those units.

Mr. Florentino stated okay. The last question I have is for the next witness for the traffic. I was concerned about that going in and making a right turn from Main Street and then there is a stop sign right there, and I mean I don't know if that is a wise thing to do where that person might not see that there is a stop sign and that is a one-way going in.

Mr. Kinosian testified I'm not --

Mr. Florentino stated that is one-way going in the parking movement, making a right in there and then a left, but then you have a stop sign in there, right there, move your hand over, right there is a stop sign right?

Mr. Kinosian asked right here.

Mr. Florentino stated no it says #7 what is that number 7?

Mr. Kinosian asked right here.

Mr. Florentino stated yup, there is a stop sign there. I don't know if that is a smart thing to do because you will see a stop sign there and maybe think they can make a right hand turn but it is a one-way going in.

Mr. Kinosian asked so you are referring if a person that has already moved within the site.

Mr. Florentino stated yes.

Mr. Kinosian testified that stop sign is also going to have signage as well to show that this is one way so they cannot make that turn, and I believe one of the recommendations was to add a stop bar right here at the point where the one-way egress driveway passes by, that left turn only spot, and we would also stripe it as do not enter so that way it is very visually apparent that that is just a one-way drive aisle and they are not allowed to make a right there.

Mr. Florentino stated okay.

Chairman Blewett asked any other questions from the Board.

Mr. Terrero stated I just have quick question regarding the separation of the (inaudible) side of the building, right up front where the cars are going to go in and out, right by the stairs but more to your left.

Mr. Kinosian asked here.

Mr. Terrero stated right. So what is the plan for the separation (inaudible) if someone drives off the edge of the deck, parking deck?

Mr. Kinosian testified this will all have either a wall or guardrail that is extended to the minimum amount for any kind of edge clearance or fall protection, so vehicles wouldn't be able to simply go over, say a wheel stop or something like that and go over the edge of the deck. It is actually going to be a permanent structure that has to meet the structural regulations for vehicular loads.

Mr. Terrero stated no bollard considered for that area right?

Mr. Kinosian testified bollards for that area no. Bollard are mostly used for internal areas but this is actually the edge of a wall and it will be part of that structural wall that continues to go up above that parking.

Mr. Terrero stated that's the key concern structural wall.

Mr. Kinosian testified yes, and that all has to be designed in accordance with the forces that a car would hit it if it were to pull too far forward in a parking stall, so all of that will comply with the structure regulations.

Going back to the one question I mentioned earlier I might have misspoke. There are going to be do not enter signs at that one-way egress section and I think I may have said there was actually going to be a painted bar, but actual a do not enter sign so that way it doesn't impede traffic coming into the parking area, the parking lot through the one-way egress driveway. It serves the same purpose and essentially it just adds additional information to properly direct the driver.

Chairman Blewett asked any other questions from the Board. If not, Tom do you want to go through the additional items on your report?

Mr. Boorady stated sure. Thank you Chairman.

Just a follow-up on some of the Board members questions. So far under the prior approval, I believe Josh Kaufman actually asked for the fence on the west side to be extended 6 feet all the way to the right-of-way and that was a condition of approval under the prior application from last year to grant the variance to allow a 6 foot fence where it abuts the westerly property line to the residents, and that the funeral home, the east side would transition to 4 feet. If the Board was so inclined, you granted the variance last year and you may want to do the same this year to provide that buffer. If you see where the house is located to the west, it is pretty far into the front yard so I think Josh's comment from last year was to extend that fence so just to make sure that this becomes a condition of this approval as well if that is what you desire.

Mr. Kaufman stated Tom, last year I said to the street. I'm looking at it from the drawing and I just don't know if a 6 foot fence to the front of their property is going to become a sight issue for traffic coming east on Main Street. So if we bring at least 6 foot to the front of that house and then transition to 4 foot that will give that house privacy but it will also allow for avoiding any kind of sight issue or driving dangerously there.

Mr. Boorady stated correct.

Mr. Kaufman stated as long as the house has a 6 foot fence, the neighbors have a 6 foot fence equal to the front of their building, I'm okay with either variance.

Mr. Boorady stated okay so that would be a variance.

Mr. Neiss asked whoever has control of the hand that is on that, can you point to what we are

talking about so that it is clear. So Josh, you are saying it will be 6 feet in the back and then as it moves forward, no I'm sorry it will be 4 feet in the back and as it moves forward to Main Street it will be 6 feet the fence.

Mr. Kaufman stated I believe it is going to be 6 feet all the way, but technically it goes 6 to 4 in the front most of their building is that correct Tom?

Mr. Boorady stated yes.

Mr. Kaufman stated and I'm suggesting that it continue 6 feet for the additional whatever 10, 15, 12 feet to the front of the neighbor's building, the house to the west on the left, we are looking at this drawing on the left and then transition to a 4 foot.

Mr. Terrero asked you are talking about 6 feet because the site slopes towards the back. You are calling for 6 feet from what way is doable.

Mr. Kaufman stated a 6 foot fence is a 6 foot fence right.

Mr. Terrero stated right but the site is sloping backwards so a 6 foot fence is not going to cover anything at its lowest point.

Mr. Kaufman stated we can't go higher than 6 feet. I think the ordinance says no higher than 8 maybe, but you are limited in what you can do. If it is a 6 foot fence plus the trees that they are going to plant that are fast growing trees, then we at least have that coming on the whole property line and then that small distance from the front most part of their building to the front most part of the neighbor's building stays 6 foot and then transitions to 4 foot.

Chairman Blewett stated from the street.

Mr. Kaufman stated 4 foot from the neighbor's building to the street yes.

Chairman Blewett asked any concern with that. Does everybody agree with that condition? I'm certainly in favor of that.

Mr. Boorady stated that was the Board's consensus last year just what Josh explained so I think the variance is on the table.

Chairman Blewett stated okay.

Mr. Boorady stated okay.

Chairman Blewett stated can I just ask on that point and we can close that out.

Ms. Kasetta stated no concerns from us. I just want to note that if the condition is going to remain the same as in the original approval, I don't think the Board needs to grant a variance again because it was already granted. I will defer to you on that but I don't think you need to.

Mr. Neiss stated perhaps I will allude to it in the resolution and do it that way.

Chairman Blewett stated that sounds good to us, same outcome. Okay Tom.

Mr. Boorady stated just a follow-up with one other question I thought I heard, assigned parking. The parking in the underground area will be assigned correct?

Mr. Kinosian testified correct.

Mr. Boorady stated and that was the case last year.

Okay just very briefly because James and your whole team did a really good job of addressing those things, and you also did a good job tonight addressing some of my comments throughout your testimony, but if I could just briefly go through my report. I'm not going to necessarily go through each item but I'm just going to hit a couple of items if you don't mind.

Chairman Blewett stated absolutely.

Mr. Boorady stated okay. So the right yard setback is noted on the Stonefield plan to be 25.3 feet where 25 is required. Does that dimension take into consideration Mr. Martinez's plans and the finished materials so that at no point the building will create a variance situation on the right side yard?

Mr. Kinosian testified it does take that into consideration. We worked directly with Avelino to make sure that was incorporated in our final exterior footprint and we did see the recommendation for the foundation location survey prior to construction. I think that is a good idea since we are right on that setback requirement to make sure it is adequate.

Mr. Boorady stated okay. Stonefield also included this time around the electric charging stations for electric vehicles correct?

Mr. Kinosian testified we did.

Mr. Boorady stated 10 current and 14 for the future?

Mr. Kinosian testified that's right. That's consistent with the previous resolution.

Mr. Kaufman asked Chuck I have a question on that.

Chairman Blewett stated go ahead.

Mr. Kaufman stated I just read an article that there has been a big problem at charging stations with gas vehicles parking in charging stations just for the hell of it or because they are against electronic vehicles. Are you going to have any kind of restrictions that only allow the electronic vehicles to park there and is there any time limit they can parking there? Is it only charging or is it satisfying spots where they can park even after they are charged?

Mr. Kinosian testified I'm not particularly sure of how management controls it. If you like we can speak with them and then report back on the exact specifics of hours of charging and things like that. I would have to talk specifically with them, I know we were happy to designate all the electrical stations as needed but I would have to talk to them.

Mr. Kaufman stated I'm curious if they are going to be assigned. If someone comes in with an electronic vehicle are they going to be assigned an e-spot, or is that just to charge and then they go to their designated spot?

Mr. Kinosian testified I believe they get assigned to it, but I would have to talk to the applicant and we can also have the traffic expert speak to that as well.

Chairman Blewett stated I just want to go back to Tom's comment, and so the applicant has agreed to a condition of the as-built foundation prior to continuing construction?

Mr. Boorady stated right.

Mr. Kinosian testified say that again.

Chairman Boorady stated I just want to make sure that we don't come back to these things, but with respect to the foundation, the applicant will provide an as-built prior to any further construction.

Mr. Kinosian testified yeah, as-built surveys usually regarding the post-construction elements.

Chairman Blewett stated but his terminology was an as-built foundation location plan.

Mr. Boorady stated I can clarify that. You know typically we would ask for as the foundation is being completed and before framing begins so that we don't frame and start the side sheet rock before the foundation is confirmed that it is in the right place, so I am requesting that the

foundation location be done before framing begins.

Mr. Kinosian testified we would agree to that.

Chairman Blewett stated okay.

Mr. Boorady stated great.

I believe #5 without going into too much detail is the applicant willing to insure that the final column dimensions for the underground parking are no larger than depicted on the plans so that there is no further encroachment into drive aisles or parking stalls.

Mr. Kinosian testified they would agree to that.

Mr. Boorady stated okay.

I believe you spoke to #6 already regarding the capability of the deck to be designed to support AASHTO truck loads; including the fire truck, garbage truck and outriggers of the ladder truck.

Mr. Kinosian testified that is correct.

Mr. Boorady stated I believe we covered #7 already. We covered #8 already. We are recommending some signage forbidding the stopping of vehicles in front of the porte-cochere and I don't know if that was put on the revised plans or not, but would you guys agree to have some signage there just so that it is clear.

Mr. Kinosian testified yes, we can do that.

Mr. Boorady stated okay.

Again you spoke to #9 regarding the building height, the clear height in the underground parking to be 8 foot 2 and 7 foot 10 and you will probably need an internal low clearance sign as well, so that at some point in the drive aisles you'll have to stop if you are taller than 7 foot 10 and turn back around again.

Mr. Kinosian testified okay that is correct.

Mr. Boorady stated great.

I think 10 you have an answer to that the parking will be assigned.

Item #11 we also believe that the fire chief and the fire official have reviewed that and they have already issued their letter.

Item #12 we spoke about bicycles and I believe the testimony was that it was going to be 25 and you'll find room for that, but we don't know where yet correct?

Mr. Kinosian testified correct. We'll work together with our team and locate it on the resubmission document and we agree to provide 25.

Mr. Boorady stated okay.

Item 13 was kind of a big one and I know you guys did a great job of finding some other developments that showed the turning movements inside the garage considering the drive aisle widths, considering the column locations and the 180 turning movements, and we had a little exhibit at the top of page 5. Do you think that there is any room to adjust the columns perhaps even just at the end spaces, and/or to make the end spaces for compact cars in hopes of maybe creating a better turning radius, and also structurally could that be done with the columns?

Mr. Kinosian testified what we usually focus on is placing those columns so that they are not going to interfere and be further up towards the head of the stall that's called, they are not going to interfere with anyone opening or closing their doors, plus or minus a foot. It could probably be

shifted just towards the head of the stall but in general any more than that we would worry about somebody actually slamming their door when they try to get out, so we try to design it consistent with most parking garages in a way that allows everything to function properly.

Mr. Boorady stated okay. In the Roselle plan that you showed had stacked parking actually which I found very interesting, was that a valet situation or are those assigned to the same apartments?

Mr. Kinosian testified you know honestly I don't know the specific agreement for those tandem spaces in other applications. A unit that actually gets assigned two parking spaces that they end up getting those tandem spaces and you know either the couple or the family that lives there actually coordinate themselves; who parks in where and how to get them out. Specific to that I don't particularly know but I do see that relationship.

Mr. Boorady asked do you think to help improve the situation perhaps a convex mirror at the end of each aisle where there might be an issue, is that something you've seen in these parking garages and is that something you would recommend.

Mr. Kinosian testified that's right. We have seen those and we asked the applicant will they be incorporated and they definitely will.

Mr. Boorady asked will that be a condition of approval that the applicant would be willing to agree to convex mirrors where needed, to allow drivers to see around the corner so that they can swing a little wider if they needed to if they have a larger vehicle or what have you. Are mirrors something you would agree to?

Mr. Kinosian testified we would agree to it.

Mr. Boorady stated okay great.

I know you spoke a little bit about garbage, will there be somebody else from Meridia to speak in detail about garbage because I know you mentioned frequency of pickup but we don't know what that frequency is?

Mr. Kinosian testified until the site is open and operational, depending on the occupancy that will change, but the important thing to note is that management controls it. They have their own hauler that comes on an as needed basis, so if it is two times a week it will be two times a week. If it happens to be a particular busy week, it would come more frequently than that. The good thing about the agreement that they have in place is that they have the relationship so they are not necessarily waiting for a certain day of the week for it to get pickup, it is on an as needed basis.

Mr. Boorady stated right. I just noticed the exhibits that were submitted ahead of time, it appeared that the garbage rooms were double the size of what you are proposing here, although those units or those developments appear to have less apartments. So I was just trying to compare apples to apples somehow with the exhibits that were provided by the applicant and it just seemed the garbage rooms were double the space with less people, so I guess we will wait to hear from operations on how that is going to work?

Mr. Kinosian testified I don't particularly know what the trash agreement was for those developments. If you like, we could ask the applicants, but the focal point for our application was knowing that the room was sized adequately and they will come as often as needed and everyone was comfortable with that operation.

Ms. Kasetta stated if I could just jump in, I think another thing we have to keep in mind is that this part of the application has not changed since the approval last year. The number of units is the same, the size of the trash unit is the same so this is not a new issue. If Mr. Boorady really feels it is necessary to have someone from the applicant to speak to it, we can do that, but it is something that remains the same as it was last year.

Mr. Boorady stated okay we can move on.

Chairman Blewett stated yeah but the point being, is the applicant is going to manage, they have to take care of the garbage and they can't let it pile up there so they are going to have to deal with it if it becomes overfull.

Mayor Runfeldt stated I think they have a lot into operations here and I'm not quite sure why, but I think we can trust that they have some experience running and managing and operating buildings, so keep it more in line with what we are supposed to be doing here.

Chairman Blewett stated well I think the point being, if they hadn't provided examples that showed larger garbage areas for less units it may not have come up and we would have dealt with it a long time ago. I think at least from my perspective, they are on the hook to manage it and they have to please the tenants, they can't leave it pile up and they are going to have to service their facility so they are going to have to manage it.

Mr. Boorady stated moving on then.

Chairman Blewett stated sure.

Mr. Boorady stated utilities there is some comments about the water system with the consultant. There is a letter dated March 26th, 2021 and March 30th, 2020 and I believe 16 and 17 with relating to fire hydrants, and also 18 would all be conditions of approval that the applicant has agreed to address those items. Is that fair to say James?

Mr. Kinosian testified yeah, we agree.

Mr. Boorady stated lighting #19 you agreed to the shielding. I would just make sure that it is actually noted on the plan that shielding is available if needed, so it makes its way to the plan, as well as in the resolution.

Mr. Kinosian testified okay no problem.

Mr. Boorady stated stormwater management had any progress been made with test pits to confirm that the system can function as designed considering ground water depth.

Mr. Kinosian testified we are arranging for that geotech work to be done and I think Tom you had mentioned you wanted to be on site during it. So we are specifically going to reach out to you and connect you with our geotech consultant and arrange a time for all that testing to be done and we will certainly apply those results to the stormwater management design.

Mr. Boorady stated fair enough. So it sounds like 20, 21, 22, and 23 will all be coordinated as subject to approvals okay, and that is all stormwater management related. We had some back and forth regarding #21 but we can discuss that off line and subject to approval.

Mr. Kinosian testified yup agreed. I know you were looking for some additional literature from the manufacturer so we will connect all those dots and provide that.

Mr. Boorady stated yeah typically there is a foot of cover over the pipes in addition to the flexible pavement when you read the footnotes of the ADS Manual, but we can take a look at that together and work that out later.

Mr. Kinosian testified agreed.

Mr. Boorady stated landscaping Item #24, I believe you went through that that you have a hardscaped design with some planters in between the three wings correct?

Mr. Kinosian testified correct.

Mr. Boorady stated there was already testimony about that.

Mr. Kinosian testified that's right.

Mr. Boorady stated skipping down to Items 25 and 26 we've already reviewed that with the

architect.

Construction details 27 and 28 that again will be subject to approval providing the necessary construction details for trenching, bollards, signs, etc.

Mr. Kinosian testified we will provide all of that.

Mr. Boorady stated great.

Item #29 we didn't go over the snow exhibiting detail but the applicant has agreed to all those letters, a through h conditions regarding snow removal.

Mr. Kinosian testified correct.

Mr. Boorady stated okay.

Obviously 30 is the Borough's departments and consultants and you've already agreed to address their comments under separate cover.

Item 31 since January we haven't seen anything from Morris County Planning Board, could the applicant give us an update as to where that stands? It has been four months since the County issued a letter asking the applicant for several items and I don't know that I've seen any correspondence since.

Mr. Kinosian testified yeah we can pass along our resubmission letters. I believe we resubmitted in February but we haven't heard back yet with an updated review yet. But all of the comments that we saw to address from the County they were incorporated into this design, so we can share the review letters we have and the response will be provided, as well as keep everybody updated when we hear back from the County.

Mr. Boorady asked is there anything in your correspondence with Morris County regarding the entrances because it is their road that portion of Main Street. Are there any comments from them that you think will cause you to have to come back to this Board for any reason?

Mr. Kinosian testified nothing new. Everything that we saw to revise to resubmit to them was incorporated in all our supplemental resubmissions as we were working together, so all of that has been incorporated so far so we don't expect anything new.

Mr. Boorady stated okay.

Wetlands you already provided an update. Going through my report and I think everything has been addressed and if it hasn't been addressed, it can be a condition of approval and I think the applicant has agreed to that. I have nothing further to add beyond my report at this point anyway, so I would yield to whomever the next person is that would like to ask questions.

Chairman Blewett stated there was a report that I saw from our police force and it was with respect to certain types of signage and lettering on the pavement, did you consider that and have you agreed to that?

Mr. Kinosian testified yeah we will agree to that. We just want to make sure that, I think they even stated not all of those measures will be necessary to be provided, but they were really focused on that one point we were talking about earlier the internal spot where people can make a left if they continue to travel in front of the building, so we will absolutely incorporate one or some of those things as we spoke about before.

Chairman Blewett stated okay. Any other comments from the Board? Once again this is a public hearing and I would like to open the public hearing. If anyone would like to speak, please unmute yourself. Anyone from the public? Either Mr. Gurkovich or John Corak.

Ms. Kasetta stated John Corak is with Stonefield, Mr. Chairman, so don't believe he has any comments.

Chairman Blewett stated I guess he didn't get to be a panelist then. Thanks Allyson.

Mayor Runfeldt stated seeing no one wishing to come forward, I move to close the public portion.

Mr. Terrero seconds.

Chairman Blewett asked all in favor.

Board aye.

Chairman Blewett asked opposed.

Board none.

Mr. Anderson stated Gary Anderson from JDA, your traffic consultant.

Chairman Blewett stated yes.

Mr. Anderson stated I just had a couple of quick comments. I think Mr. Boorady hit on a lot of our items but I just want to mention a couple of things if I could?

Chairman Blewett stated sure.

Ms. Anderson stated the memo from Sgt. Bosland, of the Police Department, we look at his suggestions and I think both of those will work well there at that intersection. He also mentioned about some signing in the garage to indicate two-way travel. I don't think it is necessary to put those signs throughout the garage but at the entrance to indicate that it is two-way travel throughout the garage. I don't think you need it all the way in all the different locations but maybe just at the garage entrance.

Mr. Kinosian testified we are comfortable with that.

Mr. Anderson stated okay. And then from our last review letter of April 9th, Mr. Boorady kind of hit on a lot of those items. There are a couple of things, the loading zone that was relocated, the sign identifying the loading zone is still at the old location.

Mr. Kinosian testified yeah that will be relocated to the new location.

Mr. Anderson stated okay. You mentioned as far as the garage how there are assigned spaces, was there any consideration for gates to restrict access or is it going to be open?

Mr. Kinosian testified it is open and that is what we propose at this time and there are no gates to restrict that.

Mr. Anderson stated okay. The management parking only spaces at the top left corner, are those spaces for employees coming on site, or are those for the residents who live here and work for the management company?

Mr. Kinosian testified those are required from the redevelopment code when it gets into the actual breakdown of units, it is 1.8 units, excuse me, 1.8 spaces per unit, management unit on site again, the same as the previously approved designs, so those spaces were incorporated and sized properly to show that we are complying with that.

Mr. Anderson stated I also had a comment, there is a proposed pedestrian crosswalk site, yield here for pedestrian crosswalk that crosses that main northbound drive aisle. It's kind of located in the middle of a striped area which puts it in an area intended for a pedestrian to walk from that crosswalk and then down south along that area.

Mr. Kinosian testified we could shift that over to provide that clear width that's not a problem.

Mr. Anderson stated most of that detail has to be a little bit higher.

Mr. Kinoshian testified we saw that detail and we will revise ours to get that minimum clearance as well.

Mr. Neiss asked which area is this. Can somebody use the hand to point that out?

Mr. Kinoshian testified yeah right in front of the lobby.

Mr. Anderson stated if you cross that crosswalk by the lobby, you want to walk down towards Main Street there is a sign right in your way and that hashed painted area is supposed to be in lieu of a sidewalk to walk outside the drive aisle.

I didn't see a detail for any protection or different kind of insulation method for any signs installed in areas not protected by curbs.

Mr. Kinoshian testified we will put them on bollards in the areas where there is traffic nearby where there is not a curb. What we want to do is work with the structural consultant to provide a detail since those are primarily in the location of the underground parking garage, so we will put that together for you.

Mr. Anderson stated one other comment I had, I know you were talking about the bicycle storage and you had to redesign the underground parking garage and there was one parking space that you lost, there is a circulation issue up in that northeast corner there is a pretty large open space now and I don't know if that can be used for bicycles.

Mr. Kinoshian testified that was our first thought that is exactly what we were thinking.

Mr. Anderson stated okay. Just a general comment about the circulation. I know the parking concerns, as well as Mr. Boorady's concerns with the circulation in the garage, you know you come down some of those rows and turning into the main drive aisle there are situations where you have to make a wide turn and you know encroach into that lane which kind of seems (inaudible) from a traffic engineering standpoint and the safest way to provide circulation, but I think with this type of garage for a residential unit like this that has limited access and it is only the residents parking there, and again you showed us some samples of other parking garages similar to this and we are familiar with those as well, I don't think it makes it anymore unsafe situation. If it was a larger parking garage where you have like an airport or shopping mall, where you have a lot of people going in and out and are not familiar with it, driving around looking for a space then it might be a little bit more unsafe, but I think in this situation it will be okay. Those are all the comments we have.

Chairman Blewett asked Allyson if she had anybody else to testify.

Ms. Kasetta stated I do have our traffic expert and based on the dialogue that we had so far I think his testimony can be pretty brief. I would just like to have him confirm that he believes the circulation patterns are safe, maybe respond to a couple of questions that have been asked. I know there was one about a possible traffic calming measure in that long aisle of the surface parking, so if that's okay with you, I would like him to touch upon those few things.

Chairman Blewett stated certainly.

Ms. Kasetta stated so that is Charles Olivo, also with Stonefield.

Chairman Blewett stated yes.

Mr. Neiss swore in Mr. Olivo. Again please state your full name and business affiliation for the record.

Mr. Olivo testified good evening Mr. Chairman and members of the Board, my name is Charles Olivo (O-I-I-V-O), of Stonefield Engineering & Design, located at 92 Park Avenue, Rutherford, NJ.

Ms. Kasetta asked Mr. Olivo to give the Board a brief overview of your educational background and qualifications.

Mr. Olivo testified I have a Bachelor of Science in the field of Civil Engineer from the University of Notre Dame and I'm a licensed professional engineer in the State of New Jersey, and also a certified traffic operations engineer certified by the Institute of Transportation Engineers. I have testified before this Board as a traffic expert, as well as before over a 115 municipalities in the State of New Jersey and sworn and accepted as an expert in the field of traffic engineer.

Ms. Kasetta stated and I realize that James stole a lot of your thunder and we had a really good discussion with the Board and the professionals without the traffic, but I would appreciate it if you would give them your opinion as a traffic expert, actually I should ask the Board to accept you as a traffic expert, I apologize.

Chairman Blewett stated he has testified before us, is there any objection from the Board? Please proceed.

Ms. Kasetta thanked the chairman. If you would just give them your opinion on the safety of the vehicular and pedestrian circulation and answer any questions that you think may not have been thoroughly answered about safety on the property.

Mr. Olivo testified absolutely I would agree I'll keep it brief. I think that James, Tom and Gary have done an excellent job in really vetting out some of the traffic concerns as part of this new amended approval that we are seeking. I think James touched upon it very well during the initial part of his testimony that there are a number of improvements associated with this amended approval that we are seeking and those improvements and benefits extend to the traffic engineering, circulation and the parking on the site as well.

So very briefly I will go over some of the changes that have been made which I believe are beneficial to this development program that we have here, which is in the spirit of the Redevelopment Plan. But if you recall as part of the previous application, the building itself and the parking underneath it very much mimic the shape that you see of this almost like a number three here this beautiful building that Avelino has proposed. As a result of that, you had a number of dead end aisles that were located within the parking underneath the building structure, and as James has pointed out those dead end aisles have been eliminated.

In addition to that, you may recall that upon entering the site through the easterly driveway, you then came over a bridged area that took you into an elevated parking deck that was somewhat isolated and separated from the other parking areas on the site and that has been eliminated completely. So rather than having these disjointed areas in parking, what you've really done is create a very unified parking area that not just spans the building but also spans to the area to the west of that. So from a traffic engineering perspective, from a maneuvering perspective on the site, you end up with an excellent and efficient design that is very much in keeping with the industry standards for parking and circulation so there were a number of improvements in that regard.

Now I know there were some comments about trying to control the areas that are most closely approximate to Main Street as you enter and exit the site, and I believe the recommendation, I think the Police Department had a number of comments about the benefits of this plan, and some improvement to the plan as well, and I think as James pointed out, we can do a bit better upon entering the site with some do not enter signs. I believe one of the Board members spoke about just making sure we eliminate any confusion for a driver that is located at the left only stop bar as you are traveling in an easterly direction and making the left back to the pickup/drop off area. With do not enter signs clearly mounted in those locations, also perhaps a one-way sign within the area of that one-way aisle, I think we can do a better job in terms of visibility and certainly giving some knowledge to the motorist about the fact that this is a one-way aisle so we can remove any concerns there.

Looking at the westerly driveway, our recommendation, I'm not a proponent and having worked on many traffic engineering projects and some of those projects being remediation or mitigation of speeding within about a two hundred or two hundred fifty foot stretch that we have here, I would not recommend a speed hump in this area, and I know why that thought came to mind. But in terms of drainage, icing over, noise, as well as challenges with vehicles that would be looking to park and unpark in the area of a speed hump, my recommendation which I believe Board member Kaufman had been speaking to is trying to slow vehicles down here and I would

look to install a smaller pedestal sign in the middle of this aisle that would perhaps have a message as simple as drive slowly or something to that affect, as well as signage on either side of the aisle that could achieve some of those traffic common goals that we are looking for here.

I noticed in the Hunting Meadows Project which is a townhome project to the north of us here, they have about a seven to eight hundred foot long drive aisle as you come into the site, and I think with some very appropriate signage for this type of project we can achieve the goal of alerting motorists to the fact that this is a residential community and to drive slowly.

The other thing that I would say is the fact that we are looking at a site plan with no cars parked within these parking stalls, no activity so I would agree if this were a vacant area where there wasn't much parking this may require a little more control during those drivers traveling to and from both Main Street and the parking area that we have here, so from a traffic perspective I think with some signage we can achieve the goals of slowing vehicles down in that area.

In terms of parking as you've heard, we exceed the requirement within the Redevelopment Plan which is the RSIS requirement. In addition to that, if you look at the totality of parking, 332 parking stalls for 175 units we are almost at 2 parking stalls per unit, right about the ratio of 1.89 which is more than appropriate for this scale of project and for what we would expect in terms of parking demand here. We are well in excess of 1 parking stall per bedroom, in fact and many of the studies that our office has done show that the parking demand, the actual utilization typically under a 1 to 1 ratio when we boil it down to that lowest common denominator of bedrooms so there is more than enough parking.

We find that in terms of operation this is really an operational related item that as it relates to visitor parking, usually what property managers and owners do is start with about 5 visitor stalls and as the building is leased up they start to measure the demands of those visitor stalls, are they mostly filled or empty, and there is always the opportunity to increase those as needed based upon demand of the building itself and residents of the building.

Electric charging stations have become a more popular topic before Boards and certainly via planning documents, and what we recommend to operators and to property managers is to assign those electric charging stations for those residents that have vehicles that require that type of charging capability. So you can imagine when a resident signs up an application there may just be a new checkbox on that application that says whether or not a vehicle requires electric charging which allows operators to manage the use of those parking stalls. I believe one of the Board members mentioned very astutely that sometimes these electric charging areas become areas where the vehicles that don't require that form of charging are parked, so that would be something that we can work with the operational team here at Meridia to make sure those parking stalls are allocated to residents properly.

In terms of parking for bicycles, I think we spoke about where we can position those bicycles. Again Board members talked about the fact that if someone has a really nice bike they take it up the elevator and take it into their apartment and it becomes part of the furniture in their apartment as well. You've got an amazing, I think one of the best bike shops in the area, Bicycle Tech just down Main Street from us here, and I think we all hope that this would be an area where we can encourage bicycle usage along Main Street and other areas.

Other than that the parking throughout this project has been adequately provided for and the demand associated with the project. I would also say from a traffic engineering perspective, the findings and results of our prior traffic studies submitted to the Board for the prior application would not change as a result of this project and what is proposed before you this evening. The levels of service are generally the same, and as I mentioned on the onset the circulation maneuverability would be improved in a number of ways. If there are any questions, I would be happy to answer them.

Mr. Kaufman stated I do have one comment regarding the speed hump. In the Hunting Meadows, the strip that you mention is the driveway from I guess Beaver Brook through does not have any kind of slow down traffic impediments or anything. But once you get to the parking area right off the top west corner of this map, once the parking spots start there is a speed hump right there, so in this situation we don't have a long, I don't know what dimension you said eight hundred feet or something like that, we don't have any kind of driveway in this situation we are

right into the mix of parking spots. I see people who are getting out of that underground parking garage and flying through the parking lot where there is no pedestrian walkway or crossing at that point on that western strip to get to the exit. Once again Hunting Meadows they do use speed humps where there is actual parking spots.

Mr. Olivo testified yes, it is an older project and I would argue they are using them in the wrong place. Typically you look to use those types of traffic deterrents in straightaways that are longer than three hundred feet or so. If you look at the Institute of Transportation Engineers Traffic Common Toolbox, long straightaways without any parking on street or anything like that is what engenders higher speeds. Within parking area like this, we wouldn't expect to see high speed travel which is why I wouldn't recommend them here. I certainly had nothing to do with Hunting Meadows design, but I would recommend that again in the middle of the two-way travel way that we can place some lower pedestal signage to achieve what I think you are looking for.

Mr. Kaufman stated I'll defer to you and Mr. Anderson who are the experts. I personally don't think signage is going to deter, but again that is a lay person who drives and sees what other people are doing and you guys are the experts and your recommendations are what we will go by.

Mr. Anderson stated I think Mr. Olivo is correct on the standards that govern the design placement rather than speed humps. Typically you want to add them on more of a straightaway area where there is no parking immediately adjacent to it and they don't like to see them in areas such as this where you have them right against parking spaces. Signing isn't always the best option or most effective option, but it looks kind of wide open right now too, but I think as this thing fills up and you have more cars parked that might help to try and calm down traffic a little, but I agree this is not a spot to put traffic humps.

Mr. Florentino asked Charles or Gary what about I've seen them on streets or roads where they, I guess the ground is a little bit rigid so when you drive through it you would hear ja ja ching (phonetic) so would that help. I don't know if that is something that is allowed?

Mayor Runfeldt stated do you guys realize you are talking about less than a length of a strip of parking at Shop-Rite.

Mr. Anderson stated right and I think some of those strips you are talking about are good in certain situations, but they also create more noise such as speed humps do and it might be an issue there for the neighbors.

Mr. Florentino stated okay.

Mr. Olivo testified I know what you are speaking about with the rumble strips which is more highway design than what we are speaking about here which is residential scale.

Mr. Florentino stated okay.

Chairman Blewett asked are there any other comments.

I have one question for your engineer. Mr. Olivo one of my observations is that we approve plans that have nice landscaping but over the short course of a few years the sight distance by a major road is impacted. The landscaping proposed on this plan when you are exiting the parking lot onto 202, do you see the sight distance to the right being an issue with what I think is proposed here for landscaping?

Mr. Olivo testified Mr. Chairman, this is about providing the street trees that your ordinances and Redevelopment Plans often require I don't see a challenge. Are you talking about the westerly driveway?

Chairman Blewett stated yes.

Mr. Olivo testified it is hard to tell from the two dimensional images that the street trees can be limbed in a certain way where from about 2 feet to 10 feet is generally clear and the driver's eye being about 3 ½ feet is why we want to make sure that a tree is limbed within that area so that

you can see clearly along the straightaway like Main Street. I do think with proper maintenance and proper care that, and also the fact that we are not along a curve in the roadway here I would feel comfortable with sight distancing being appropriate, but I understand you concern completely.

Chairman Blewett stated with the appropriate trimming of the trees, I guess what I'm going after is probably would the applicant stipulate to that type of trimming the trees along the street there that one right at the corner of the parking lot?

Mr. Olivo testified I believe we can do that Mr. Chairman yes. Again these are deciduous trees, they are not evergreens or a massive pine or something like that, or I might have some different concerns.

Chairman Blewett stated agreed.

Mr. Olivo testified we can stipulate to that.

Chairman Blewett thanked him.

Mr. Anderson stated that was one of the comments from the County's letter, as well, their last letter about the sight distance for new and mature growth. I know sometimes it is an issue to get the property owner to maintain the trees 10 years down the road to make sure they keep the limbs trimmed, so that would have to be a condition.

Chairman Blewett stated okay, thank you.

Arthur, do you have anything or do you need anything else?

Mr. Neiss asked Mr. Olivo, how many actual parking spaces are devoted to the electric charging station.

Mr. Olivo testified there were a number of stalls located, so now I'm flipping to sheet 2 where we have proposed 10 along the westerly edge within the parking garage area, and we are also proposing to run the electrical conduit for additional stalls should they be needed if the demand increases.

Mr. Neiss stated that was going to be my questions, thank you. You are creating infrastructure should demand increase.

Mr. Olivo testified that is exactly right counsel.

Chairman Blewett stated it would be 10 that would be electrified and up to 14 in the future so a total of 34.

Mr. Olivo testified correct.

Chairman Blewett asked anything else Arthur.

Mr. Neiss stated no, thank you.

Chairman Blewett asked any comments from the Board. Just one more time we will open it up to the public. Are there any questions of the traffic expert? Okay, hearing none, Board what is your pleasure on this application?

Allyson do you have any last comments?

Ms. Kasetta stated no. I've taken more than enough of your time so I will thank you for your time as always, and thank the Board professionals for working so closely with us. We think this is an improvement and we believe it fully complies with the Redevelopment Plan, so thank you for listening to us.

Chairman Blewett thanked her.

Is there a motion by the Board?

Mr. Florentino made the motion.

Chairman Blewett asked to approve.

Mr. Florentino stated to approve.

Mr. Koldyk seconds.

Roll call:

Yes: Florentino, Koldyk, Blewett, Kaufman, Marino, Runfeldt and Terrero

No: None

Abstain: None

Ms. Ward stated okay approved.

Ms. Kasetta thanked everyone.

Chairman Blewett thanked her.

Ms. Kasetta stated good night everyone.

Mayor Runfeldt stated good night.

Chairman Blewett stated good night.

I did have one other item that I want to talk about. Is there any other business that anyone wants to bring forward?

Mayor Runfeldt stated just one small thing. I think we may have Joan to thank for this, but with any luck we will be having a new alternate on the Board coming in. and with any luck we will have Trish D'Antono back on the Board. I spoke with her today and I'll bring her up at the next Council meeting on the 19th and if we can get them to take action that night we can have her sworn in before the next meeting.

Mr. Neiss stated I only worked with her briefly but it sounds like you had to do a masterful job of convincing her.

Ms. Ward stated not this time.

Mr. Kaufman asked did you have to change the time back for her to come.

Mayor Runfeldt stated she doesn't work in the city anymore that's why she wants to get back on.

Mr. Neiss stated good for her.

Chairman Blewett stated the one item that I would like to bring forward again is the pool ordinance, and Arthur would you be kind of willing to lead us through what the issues are? I thought that was pretty well resolved but I guess the town attorney had some additional clarifications that were needed and it has been lingering for a while.

Mr. Neiss stated yes and I agree. I did send you that email about the last iteration that I have of this. I think it includes Tom's comments as well as my own. I don't know whether that was responsive to the Borough attorney's comments however all of that, and that is where I broke down, meaning I didn't have the final iteration of that. So what I was proposing and did so when I sent out that email was to see if we could all get together on the same page and so what I would like to do Mr. Chairman is take the laboring war and see if I can get this organized for our next meeting so that we can make the recommendation to the mayor and council. But insofar

as the verbiage goes, it looks like it is pretty tight to me, I just don't know whether or not the questions that you've raised have been answered by the final version of the document.

Mr. Kaufman asked can somebody give the rest of us an idea of what the town attorney didn't like.

Mr. Neiss stated it is not that he didn't like anything Josh, it is just that he had comments about where certain things in the provisions would be put. There are definition sections in the ordinance as it now stands and those have to be harmonized with what we are trying to put forward, and so I can't do it on the fly and so that is why I'm proposing to get us all on the same page well before the next meeting because I just don't know where it all stands in all candor.

Chairman Blewett stated I can share with the Board what I received and what my comments were. Do we need to get together before the next meeting so we can organize a subcommittee by zoom?

Okay is there any other business to come before the Board.

I do want to thank everybody for persevering through this, especially the professionals. Everybody did a great job with this application and I think certainly what we ended up with, even though there were constraints given, the case I think turned out to be fairly good and hopefully a benefit to the town in moving forward.

Any idea when they are going to start construction mayor?

Mayor Runfeldt stated well technically they have to do the Wexford site first but there are things we are allowing them to do at the same time just for cost savings and logistics wise, so my guess is they will probably start the excavation at the same time which now that they have the DEP approval I would imagine it will probably be sometime late spring or early summer.

Chairman Blewett stated okay.

My thanks to everyone.

Anything else?

Motion to adjourn?

Mr. Kaufman made the motion.

Mr. Koldyk seconds.

Mayor Runfeldt stated I was just getting use to this

Chairman Blewett asked any objections. Good night everybody.

Meeting adjourned 9:29 P.M.

Respectfully submitted:

Joan E. Ward, Secretary

Charles Blewett, Jr., Chairman