# BRIDGEWATER TOWNSHIP PLANNING BOARD

Regular Meeting
Tuesday September 13, 2016
—MINUTES—

#### 1. CALL MEETING TO ORDER:

Chairman Charles called the meeting to order at 7:10 p.m. in the Municipal Courtroom, 100 Commons Way, Bridgewater, New Jersey.

# 2. OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT:

Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act N.J.S.A. 10:4-6. On January 13, 2016, proper notice was sent to the Courier Newspaper and the Star-Ledger and filed with the Clerk at the Township of Bridgewater and posted on the bulletin board in the Municipal Building. Please be aware of the Planning Board policy for public hearings: no new applications will be heard after 10:00 pm and no new testimony will be taken after 10:15 pm. Hearing Assistance is available upon request. Accommodation will be made for individuals with a disability, pursuant to the Americans With Disabilities Act (ADA), provided the individual with the disability provides 48 hours advance notice to the Planning Department Secretary before the public meeting." However, if the individual should require special equipment or services, such as a CART transcriber, seven days advance notice, excluding wweekends and holidays, may be necessary.

#### 3. SALUTE TO FLAG:

There was salute to the flag.

#### 4. ROLL CALL:

Stephen Rodzinak – present
James Franco – present
Chairman Ron Charles – present
Councilwomen Christine Henderson-Rose – present
Tricia Casamento – present

Mayor Dan Hayes – present Evan Lerner – present Urvin Pandya, Alt. #1 – absent Debra Albanese, Alt. #2 – present

Others present: Board Attorney Thomas Collins, Board Engineer David Battaglia, Board Planner Scarlett Doyle, Planning Department Secretary Ann Marie Lehberger

#### 5. APROVAL OF BOARD MINUTES:

July 25, 2016, Regular Meeting – Motion by Mrs. Casamento, second by Mr. Rodzinak, the foregoing minutes were adopted as written on the following roll call vote:

AFFIRMATIVE:

Mr. Rodzinak, Councilwoman Rose, Mrs. Casamento, Mr. Lerner, Ms. Albanese

ABSENT:

Mr. Pandya

NOT ELIGIBLE:

Chairman Charles, Mr. Franco, Mayor Hayes

August 9, 2016, Regular Meeting – Motion by Mr. Franco, second by Councilwoman Rose, the foregoing minutes were adopted as written on the following roll call vote:

AFFIRMATIVE:

Mr. Rodzinak, Chairman Charles, Mr. Franco, Councilwoman Rose,

Mayor Hayes, Mrs. Casamento, Mr. Lerner

ABSENT:

Mr. Pandya

NOT ELIGIBLE:

Ms. Albanese

# 6. <u>MEMORIALIZATION OF RESOLUTIONS:</u> I & L ENTERPRISES – 1940 Route 22 East

#### BRIDGEWATER TOWNSHIP PLANNING BOARD

Regular Meeting Tuesday, September 13, 2016

-MINUTES-

Block 382 Lots 4

#16-003-PB, Preliminary & Final Major Site Plan - The Learning Experience

Approved with Conditions: 7/25/16

Motion by Mr. Lerner; Second by Mr. Rodzinak, the foregoing resolution was adopted on the following roll call vote:

AFFIRMATIVE:

Mr. Rodzinak, Mrs. Casamento, Mr. Lerner, Ms. Albanese

ABSENT:

Mr. Pandya

NOT ELIGIBLE:

Chairman Charles, Mr. Franco, Mayor Hayes, Councilwoman Rose

# 7. LAND DEVELOPMENT APPLICATIONS:

# EDEN WOOD REALTY (PATRIOT GREENS)

Block 329 Lots 3.01, 13.01 & 14 (Main St. and Radel Ave.)

#16-004-PB, Preliminary & Final Major Site Plan -Residential Complex

See attached Transcription dated September 13, 2016 prepared by: Latitisa Russell, C.C.R. of Schulman, Wiegman & Associates, 216 Stelton Road, Suite C-1, Piscataway, NJ 08854.

Motion by Chairman Charles, second by Mr. Lerner, the foregoing application was approved with conditions on the following roll call vote:

AFFIRMATIVE:

Mr. Rodzinak, Chairman Charles, Mr. Franco, Councilwoman Rose, Mayor

Hayes, Mrs. Casamento, Mr. Lerner,

ABSENT:

Mr. Pandya

NOT ELIGIBLE:

Ms. Albanese

# 8. MEETING OPEN TO THE PUBLIC:

#### 9. OTHER BOARD BUSINESS:

a. Attorney Kevin Coakley was present to represent SJP properties, owner of Somerset Corporate Center to discuss two prospects that the developer is proposing for the center. The first is fitness center and the second is a hotel with restaurant. Mr. Coakley is requesting authorization from the Board so that the Township Planner can study the property and Zoning in relation to The Master Plan and prepare a report for the Board's review.

Motion by Chairman Charles, second by Councilwoman Rose, the Board authorizes the Township Planner to examine the area and prepare a report on the following roll call vote:

AFFIRMATIVE:

Mr. Rodzinak, Chairman Charles, Mr. Franco, Councilwoman Rose, Mayor

Hayes, Mrs. Casamento, Mr. Lerner

ABSENT:

Mr. Pandya

NOT ELIGIBLE:

Ms. Albanese

b. CHIMNEY ROCK CROSSING WEST LLC- Block 711 Lot 6.01 #15-021-PB, Extension of time of minor subdivision approval

Board Attorney Collins stated that that the applicant has requested a reapproval and an extension of the time period for recording of the plat of minor subdivision for an additional 190 days from today's date.

#### BRIDGEWATER TOWNSHIP PLANNING BOARD Regular Meeting Tuesday, September 13, 2016

-MINUTES-

Motion by Mr. Rodzinak, second by Mrs. Casamento, the request for extension of time was approved on the following roll call vote:

AFFIRMATIVE:

Mr. Rodzinak, Chairman Charles, Mr. Franco, Councilwoman Rose, Mayor

Hayes, Mrs. Casamento, Mr. Lerner

ABSENT:

Mr. Pandya

NOT ELIGIBLE:

Ms. Albanese

# 10. EXECUTIVE SESSION:

Resolution to go into Executive Session pursuant to section 7 and 8 of the Open Public Meetings Act to discuss matters of Attorney Client Privileged Communication including Woodmont v. Bridgewater and Bridgewater Township Planning Board possible settlement. The matter is to be revealed to the public upon the completion of all litigation and appeals and the removal of the need for confidentiality.

Motion by Mr. Rodzinak, second by Chairman Charles, the Board entered into executive session at 10:20 pm on the following roll call vote:

AFFIRMATIVE:

Mr. Rodzinak, Chairman Charles, Mr. Franco, Councilwoman Rose, Mayor

Hayes, Mrs. Casamento, Mr. Lerner

ABSENT:

Mr. Pandya

NOT ELIGIBLE:

Ms. Albanese

The Board returned to open session at 10:30 pm with all same members present

A Resolution to approve the settlement agreement subject to the finalization of the agreement by the Mayor and Township Council.

Motion by Mr. Rodzinak; Second by Mr. Lerner, the foregoing resolution was adopted on the following roll call vote:

AFFIRMATIVE:

Mr. Rodzinak, Chairman Charles, Mr. Franco, Councilwoman Rose, Mayor

Hayes, Mrs. Casamento, Mr. Lerner

ABSENT:

Mr. Pandya

NOT ELIGIBLE:

Ms. Albanese

# 11. ADJOURNMENT

It was the consensus of the Board to adjourn the meeting at approximately 10:35 pm.

Respectfully submitted, Ann Marie Lehberger Secretary to the Planning Division

# TOWNSHIP OF BRIDGEWATER PLANNING BOARD

IN RE: EDEN WOODS \* SEPTEMBER 13, 2016

\_ \_ \_ \_ \*

CERTIFIED COURT REPORTERS

216 STELTON ROAD

SUITE C-1

PISCATAWAY, NEW JERSEY 08854

732-752-7800

SCHULMAN, WIEGMANN & ASSOCIATES

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2	of the proceedings in the above-entitled matter as	2	INDEX
3	taken by and before LATITISA RUSSELL, CCR	3	INDEA
4	#30XI00234100, RPR and Notary Public of the State of	4	WITNESS DIDECT
	New Jersey, held at the Bridgewater Council Meeting	_	WITNESS DIRECT
5		5	WILLIAM HAMILTON
6	Room, 100 Commons Way, Bridgewater, New Jersey,	6	Mr. Linnus 39
7	September 13, 2016 commencing at 7:05 p.m.	7	
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19 20 21 22	Dan Hayes, Mayor Scarlett Doyle, P.P., Township Planner Thomas Collins, Board Attorney	20 21	

Page 6 Page 8 1 1 CHAIRMAN: Tonight, we have the 2 CHAIRMAN: I'd like to call this 2 continuation of Eden Woods Realty land development meeting to order. This is the Bridgewater Township 3 3 application and we also have an executive session 4 Planning Board regular meeting for Tuesday, September 4 after that, so everyone is aware of that. I think we 5 13, 2016. Adequate notice of this meeting has been 5 should start now with the continuation of the land 6 given in accordance with the Open Public Meeting Act 6 development application. 7 N.J.S.A. 10:4-6 on January 18, 2016. 7 MR. LINNUS: Thank you very much, 8 Proper notice was sent to the Courier 8 Chairman, members of the planning board, members of 9 News and the Star Ledger and filed with the clerk with 9 the public. My name is Francis P. Linnus. This is 10 the Township of Bridgewater and posted on the bulletin 10 the continuation of the August 9th public hearing. 11 board in the municipal building. Please be aware of 11 It's our third appearance before the planning board. 12 the planning board policy of public hearings. No new 12 As you board members may recall, we 13 applications will be heard after 10 o'clock and no new 13 came before you on May 10th to initiate the 14 testimony will be taken after 10:15. 14 proceedings. We were then carried to August 9th and 1.5 15 Hearing assistance is available upon now we are here hopefully to conclude this matter 16 request. Accommodation will be made for individuals 16 tonight at this meeting. Here's where we left off. 17 with disability pursuant to the Americans with 17 We left off with Craig Peregoy. Craig's from Dynamic 18 Disabilities Act provided the individual with the 18 Engineering. I believe the public will be 19 disability provides 48 hours advanced notice to the 19 cross-examining him and I think the board 20 planning department secretary before the public 20 cross-examined him. He gave direct testimony and our 21 meeting. However, if the individual should require 21 final witness will be Bill Hamilton. He's a licensed 22 special equipment or services such as a CART 22 planner and licensed engineer and he'll be testifying 23 transcriber seven days advanced notice, excluding 23 as to the compliance with the redevelopment plan and 24 weekends and holidays may be necessary. Please rise 24 basically, answer any unanswered questions. He'll 25 and join me in the salute to the flag. 25 also testify to the variances and deviations that are Page 7 Page 9 1 1 required by this application. So without further ado 2 2 (Pledge of allegiance) I guess, Mr. Peregoy is up. 3 3 CHAIRMAN: Mr. Peregoy, as the attorney 4 CHAIRMAN: Roll call, please. 4 said, I think you completed your testimony. We had 5 BOARD SECRETARY: Mr. Rodzinak? 5 asked the board if there were any comments or 6 MR. RODZINAK: Here, 6 questions of Mr. Peregoy. I would like to open up to 7 BOARD SECRETARY: Chairman Charles? 7 the board for any questions at this time and continue 8 CHAIRMAN: Here. 8 from there. Then open the floor up to the public. 9 BOARD SECRETARY: Mr. Franco? 9 Does any member of the public have a question of this 10 MR. FRANCO: Here. 10 specific witness and based upon his specific testimony 11 BOARD SECRETARY: Councilwoman Rose? 11 is welcome to come forward at this time. 12 COUNCILWOMAN ROSE: Here. 12 MR. KULAK: Good evening, everyone. 13 BOARD SECRETARY: Mayor Haves? 13 John Kulak. 13 Ramsey Street. 14 MAYOR HAYES: Here. 14 CHAIRMAN: Mr. Kulak, I think you're 15 BOARD SECRETARY: Ms. Casamento? 15 still under oath. 16 MS. CASAMENTO: Here. 16 MR. KULAK: Thank you. I know that the 17 BOARD SECRETARY: Mr. Lerner? 17 traffic study, itself, has been talked about and you 18 MR. LERNER: Here. 18 had gone through a variety of descriptions of how your 19 BOARD SECRETARY: Mr. Pandya is absent 19 model works and the kinds of adjustments you can for 20 and Ms. Albanese? 20 it. Did you start with a total number of estimate of MS. ALBANESE: Here. 21 cars that you have for the apartment complex, itself? 21 22 22 MR. PEREGOY: Yes, projections. 23 (At which time other agenda items were 23 MR. KULAK: Can you tell me what that 24 addressed,) 24 number is projected to be? 25 MR. PEREGOY: We look at the peak 25

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hours. So during the morning peak hours we had a 105 total trips and during the evening 135.

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MR. KULAK: How about a total number of cars for the complex, itself?

MR. PEREGOY: Total cars, however many parking spaces we have.

MR. KULAK: Do you know what that number is.

MR. PEREGOY: My number is based on the number of apartment units, residential units.

MR. KULAK: So does someone know how many cars there are again? I think it was 456.

MR. LINNUS: We're fishing out the number of parking spaces for the record.

MR. PEREGOY: You're talking about the number of trips in and out?

17 MR. KULAK: No, just the number of 18 cars,

MR. PEREGOY: That will be potentially 19 be there. 2.0

> MR. KULAK: I'm guessing from there is how you derive your numbers. You said it's not true. You'd rather derive the number from the number of units?

MR. PEREGOY: Yes.

1 Street and if they make a right onto Main Street they

2 are going to immediately come up against a traffic

3 light. Beyond that there is an additional traffic

light where you do shopping where you run into both 4

the stadium and shopping center, Promenade Center and 5

even further, there's even another traffic light where 6

7 you have Home Depot and Target and so on. Are you

able to make then adjustments for that? Do you look 8

at the number of cars coming out of the that Promenade 9 10 complex, say, Christmastime, holidays and the stadium

11 traffic? How did you account for those additional

12 factors?

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MR. PEREGOY: We took our counts in December. So it would have that holiday traffic involved and we've taken the count a number of times and the December numbers were the highest that I used probably because of exactly what you're saying.

MR. KULAK: You're able to adjust your model based on those things is that what you did?

MR. PEREGOY: Yes, based on the counts we did and we took the busiest ones of all the data that we have.

MR. KULAK: Because looking at how unique the site is and pushing the traffic out onto Main Street, I have additional traffic the same

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MR. KULAK: How do you assign a number of cars to the number of units?

MR. PEREGOY: It's based on research done in other similar complexes throughout the country and based on the number of units I can project based on trips per unit at this location.

MR. KULAK: So you're using complexes outside of this one to create a model of some kind?

Institute if Transportation Engineers. Trip generation manual and it's got research counts conducted at hundreds of other similar developments.

MR. PEREGOY: Yes. It's called the

MR, KULAK; Just using the number of units rather than the number of cars is how you begin your projections? I see Mr. Lynn is point to a number.

MR. PEREGOY: 458 parking spaces.

MR. KULAK: Now you've got a model you're using and you're making adjustments to it based on other factors. So this is quite a unique site.

You've got all of the cars locked into one particular private roadway system so they can only come out and go in one way.

MR. PEREGOY: Correct.

MR. KULAK: They are going out to Main

traffic coming out and making a right onto Main Street

heading east toward Bound Brook and make a left onto 2

3 Pearl Street and from there they are going to go out to Pearl Street and can either go in one or two 4

5 directions onto Route 28 where there is no traffic

6 light at that time. Were you able to look at the 7 impact on Pearl Street?

MR. PEREGOY: We looked at the impact of the Main Street, Pearl Street, Ramsey Street intersection.

MR. KULAK: That was it?

MR. PEREGOY: Yes, that's the closest one. Anything beyond is going to have less of an impact because obviously, people disperse. Some people might go to Pearl Street. Some might go to Chimney Rock and some people turn left to go towards Manville.

MR. KULAK: As the traffic is flowing, it seems that it only has a few places that it can go when you're making that right turn. When you describe what those places are and these places, we look at them as residents, present a bottleneck that I can't understand how your model can say that there is limited impact when you're looking at specific -- you can't make a left turn onto 28 on Pearl Street as it

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is now. You can make a right and then you have to go to Chimney Rock or to Foothill where they converge and then you have another bottle neck there. So we're are surrounded by bottlenecks and your testimony is this complex will have no impact to that or little to no impact. Is that what you're saying?

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MR. PEREGOY: Yes. And that's based on the traffic that we're generated and which is very light in the peak hours and as you get to those further intersections that you're talking about it's even less. So we looked at the place where it has the most impact obviously at our driveway. Anyplace beyond that is less.

MR. KULAK: You were able to factor in traffic from the train station because you have a lot of people who come down Main Street, park in the train station, head off to Manhattan and so on and you had numbers for that as well?

MR. PEREGOY: I counted Main Street right at the driveway so anybody who was going to the Promenade, train station whatever it was, is included in those counts.

MR. KULAK: From doing your counts and research we have a lot of truck traffic. Right down the street as Polhemus Lane and Chimney Rock. There if you were counting the school bus traffic that originates at that depot that's right there?

3 MR. PEREGOY: We counted everything 4 that went by, school buses, truck or car we've got 5 them all included.

MR. KULAK: At the peak hours when the school buses are leaving that's accounted for in your model, as well?

MR. PEREGOY: Yes.

MR. KULAK: How about pedestrian traffic? Do you look at that, too? Does that impact your traffic study?

MR. PEREGOY: We do count pedestrians, but at this location there was no pedestrians. December is cold. It's not a lot pedestrians.

MR. KULAK: I'm really talking about the impact of this apartment complex, itself. 220 units, 31 buildings, I think it is, maybe, 456 or 58 parking spaces, maybe 700 people living there. You have children no doubt who are going to be walking from wherever they are residing across to Main Street because on the other side of Main Street there are places for them to go. There is a convenience store.

23 24 There is a park across the street. There are school

25 buildings they will walk to if they wanted to. There

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1 is a tremendous amount of truck volume going into the

- transfer station going into the various entities that
- 3 are back there you have traffic headed in the other
- 4 direction on Chimney Rock going to all the industrial
  - buildings, across Route 28 and you have UPS as a major
- 6 contributor to traffic. Are you able to factor in
- 7 those because I can't see a model derived from gross 8

averages would be able to reflect those.

MR. PEREGOY: Yes, we do. The trucks are included in our traffic counts and the percentage of trucks is included in that modeling.

MR KULAK: When you were looking at the truck traffic, itself. In your opinion, go it would you say it's greater than other areas where you've done similar studies.

MR. PEREGOY: Usually, it's about two percent and here we had some movement around four percent, so a little more.

MR. KULAK: Twice as much? MR. PEREGOY: Sure. But it's all included in the modeling.

MR. KULAK: I understand. How about adjusting for the school bus terminal that's on Chimney Rock road, itself. You said December. I don't know if you were on holiday break for school or Page 17

1 is a lot of reason to entice them because there is a

2 supermarket, Burger King and so on and I'm observed

3 how those children are going to move through the

4 neighborhood and how they are going to impact the

traffic, itself because you have the ability crossing

Main Street at the corner of Ramsey to push a little

button there to allow to pedestrian traffic.

8 MR. PEREGOY: It's convenient that you 9 have the traffic light there to protect the crosswalk. 10

MR. KULAK: If you're crossing you're now an impediment to traffic.

MR, PEREGOY: Sure,

13 MR. KULAK: You said you counted no 14 pedestrians because there weren't any at the time, but you don't project them? 15

16 MR. PEREGOY: Not significant enough to 17 alter the results. I don't see there being a heavy 18 pedestrian flow. It takes a quite a bit of 19 pedestrians to push that button to have a lasting 20

21 MR. KULAK: What about the safety of 22 those people who are crossing? I know you did your 23 study. You have to be a little bit familiar with the 24 area. If you're on Main Street or Findeme Avenue at that intersection, which is right down the street when 25

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you see cars pulling out of Fulton Street crossing five lanes to get to Twin City Supermarket and then mix into pedestrians and bicycle traffic and things like that. It doesn't seem a like a safe environment ·5 knowing that the people -- indicating that the button is there many of them aren't going to use it because they don't use it now. So do you have an opinion about the pedestrian impact on the auto traffic and

the pedestrian safety, itself?

MR. PEREGOY: Like I said, I don't see us generating enough pedestrians to have an impact on the auto traffic and as long as there is sidewalks and controlled signalized crossings. It's as safe as anybody else for pedestrians.

MR. KULAK: I'm just not --

MR, PEREGOY: People share the road here just like anyplace else.

MR. KULAK: I'm just not comfortable with your assessment because living there and seeing the traffic on a day-to-day basis looking at people darting across Main Street from Fulton right now from other streets. Seeing cars cut across five lanes either coming from Twin City into Fulton or from Fulton and you have all the people who are bypassing Main Street and cutting through the back streets

please?

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CHAIRMAN: Sure.

MR. KULAK: In terms managing this, I know we have the traffic engineer here. There has been other testimony, which preceded this, some of which left a lot of open items. We're trying to put together in our minds a summary of where we are in the process. What's happened there are items which remain open that have to be closed. We know that. We don't know exactly what they are because we don't have all the information and from a residents' perspective, especially one who is adjacent to that, will we have the opportunity to recall some of the experts who were here earlier? At what point do we address those other issues that haven't been answered adequately?

CHAIRMAN: I think and I'll let Mr. Collins, correct me if I'm wrong, what happens after we question this particular witness and then the next witness it will be a period for general comments made by the public and by the board. Mr. Collins takes copious notes of things that would be still be open and the question at that point if in a motion was presented for approval, would there be subject to various clarifications that would be laid out at that time. As far as recall goes, I don't think we have

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1 there. Second, Third and Fourth as they exit onto

Main Street. I just don't know how any model could

3 account for all of those variables and have you

confidentially saying something not going to have any

impact.

MR. PEREGOY: Like I said, we count pedestrians and I don't think there is going to be substantial enough pedestrians generated by this development to have any impact on motoring public.

MR. KULAK: So we have a traffic study, but then we have what I believe is common sense and I don't -- as a resident as somebody who watches this everyday and looking towards the planning board as our representatives, I don't see how you can in good conscious say the plan that exists currently would guarantee the safety of the people in -- those new residents coming in, let alone the existing residents. It's too many variables that are unaccounted for by a computer model. I understand the nature of a traffic study. I understand the nature of a traffic expert, but when you're there everyday and you see the dangerous conditions that exists, it makes it very difficult to look at this and say adding all of these cars, all of these people will have no impact on

traffic. And can I ask Mr. Charles another question,

the recall opportunity for everyone at this point, Tom.

MR. COLLINS: No.

CHAIRMAN: I would suggest that you gather those thoughts and when I open it up for general comments, come up and make those statements. Either the board answers, the attorney answers. We potentially have a subject to type of thing. We take that into consideration then.

MR. KULAK: I notice that the plans and a lot of the correspondence is being managed by Bowman Engineering. Are they the right people to address the issues that might come up where there aren't people here for them?

CHAIRMAN: I think questions again, if they are the types of things that Mr. Collins would recommend that we have as a subject to in the approval. Otherwise, I would say that if there are, you know, continuing questions moving forward you have the engineering department right here to go to first and the planning department, Scarlett at that point and that's how I would follow up on those items.

MR. KULAK: One request on behalf of the public. Last time, we waited an awful long time for you to put in a break there. If you could

Page 22 Page 24 accommodate. 1 1 busy. 2 CHAIRMAN: Anyone in this room has the 2 MS, CRAVEN: Okay. The other people 3 right to wave their arm at me and say, hey, now's the 3 leave other times. So you got another 50 or so 4 time. I apologize for that we'll definitely do that. 4 leaving other times during the day. That's assuming 5 I generally target nine, but we'll see. Sometimes 5 one car per unit. Is that the idea? 6 6 someone might come up and whisper in my ear, now. So MR. PEREGOY: It's based on just the 7 I will definitely do that. 7 number of units and how many people. 8 8 MR. KULAK: Thank you. MS. CRAVEN: I just think most people 9 9 CHAIRMAN: Other questions of this leave between seven and nine to go to work. I don't 10 10 know that they leave midday. particular witness? 11 MR. PEREGOY: They do. That's why we 11 MS. CRAVEN: Yvonne Craven, 21 Field 12 12 Street, Bridgewater. count at that time. 13 CHAIRMAN: Were you sworn in? 13 MS. CRAVEN: That's what I'm trying to 14 MS. CRAVEN: I don't think so. 14 figure out. So let's say 160 or whatever. That's not 15 220 and I would think there would be lot more than one 15 16 YVONNE CRAVEN, after having vehicle per unit. You know what I'm saying? Usually 16 17 been first duly sworn, testified as follows: 17 there's two people that go to work. 18 18 MR. PEREGOY: I know what you're 19 MS. CRAVEN: I think you presented 19 saying. If you actually look at the census actually 20 something about how many cars would be going out 20 publishes the time people go to work and it's usually 21 between such hour and such hour and such hour. What 21 one-third in the busiest hour. One-third of the 22 were those? 22 people who live there go to work at that time. 23 MR. PEREGOY: We do our counts between 23 MS. CRAVEN: We have a lot more cars 24 seven and nine in the morning. 4:30, 6:30 in the 24 going in and out all times of day, is what you're 25 evening and we focus on the busiest time hour. 25 saying? Page 23 Page 25 MS. CRAVEN: Each hour it was, like, MR. PEREGOY: Sure. It's an active 1 1 2 seven to eight was going to be how many cars were you 2 residential development. Cars would be going in and 3 3 out all day. We're looking at the worst time period, thinking coming out of the complex? MR. PEREGOY: Coming out of the complex 4 4 the busiest hour. 5 in the morning. The one busiest hour in the morning 5 MS. CRAVEN: I'm thinking a lot of 6 is 83. 6 those people coming out. They really want to make a 7 7 MS. CRAVEN: 83 from seven to eight and left turn because they are going to have to go down to 8 eight to nine you're saying? 8 Manville. So I'm thinking if they are going to come 9 MR. PEREGOY: Less than 83. 83 is the 9 out they can't make a left because the traffic is so 10 10 heavy. They are going to make a right and there is a most. 11 MS. CRAVEN: 83 and 83 is 166 whatever. 11 traffic light by the fire department. So you're going 12 But there's 220 units. So wouldn't you think the 12 to go another block and make a right and make another 13 number of cars coming out would be a lot more than 83? 13 right to get to the traffic light to eventually make a 14 MR. PEREGOY: No. That's only one 14 left to go out to 28 to go on Main Street to make the 15 15 hour. People have to go to work in the morning at six left at Finderne Avenue. I'm thinking that these cars 16 and ten. 16 are still going to come through our neighborhood is 17 17 MS. CRAVEN: I'm adding 83 and 83 you what I'm thinking. 1.8 know, what I'm saying either 85 and 85 or whatever, 18 MR, PEREGOY: That would take a long 19 but together there are not even 220 cars. 19 time to go through that. 20 MR. PEREGOY: That's only two hours 20 MS. CRAVEN: How else can they make a 21 21 people leave for work all different times throughout left turn? 22 22 the day. Some people leave at six in the morning. MR. PEREGOY: We assume half the people 23 ~23 Some people leave at six at night. It's just the one leaving are making that left turn going in the 24 busiest hour when the most people leave and we assume 24 morning. It's easier to make that left turn. It will that happens at the exact time that the road is most 25 take a long time.

Page 26 Page 28 recollection. It is my understanding that the county 1 1 MS. CRAVEN: It is not. No, it's not. 2 CHAIRMAN: Ma'am, ask your question. will not unilaterally take up the reevaluation at 90 2 3 percent, but rather it was Mr. Battaglia's 3 MS. CRAVEN: That's impossible. 4 recommendation at that meeting that that be a prudent MR. PEREGOY: It will take much longer 4 5 thing to do. Therefore, the board or the township 5 to turn right. б MS. CRAVEN: I couldn't make a left 6 council would condition it on Mr. Battaglia's 7 7 recommendation: is that true? turn. I have to get to the light to make that left on 8 Main Street. This is a lot of traffic. It's no way 8 MR. BATTAGLIA: That's correct. 9 CHAIRMAN: So we would include that as 9 that you can come out. That's the other thing. 10 And my other thing that was on my mind 10 a condition of approval and --MR. BATTAGLIA: It's already a 11 11 was the school bus. It's going to come to down Ramsey 12 condition of the waiver. 12 to pickup kids and then? MR. PEREGOY: That's my understanding, 13 CHAIRMAN: So if we wanted them to come 13 yes. 14 in at 80 percent we can do that. 14 MS. GUARINO: Robin Guarino. I have 15 15 MS. CRAVEN: They are going to turn 16 around and go to the light or they are just you don't 16 been sworn. CHAIRMAN: Your question of this 17 17 18 MR. PEREGOY: I don't know. Whichever 18 witness? 19 MS. GUARINO: What is the percentage of 19 way. 20 increase in the traffic that you came up with? 20 MS. CRAVEN: They are going to come all 21 MR. PEREGOY: The percentage increase 21 the way down. So people are going to be exiting from 22 to Main Street, I didn't do the numbers, but it's 22 the development onto Ramsey. They are going to be about 2000 vehicles per hour to Main Street. We're 23 23 walking out. MR. PEREGOY: Yes, there is a sidewalk. 24 adding 100. 24 25 CHAIRMAN: That would be five percent. 25 MS. CRAVEN: But not a road. Does the Page 27 Page 29 MS. GUARINO: Now as far as the streets Board of Ed. know there is going to be this many kids? 1 1 2 that you looked at as far as you did mention that MR. LINNUS: Our next witness, Bill 2 3 Hamilton, will give complete testimony on contacts 3 Pearl Street was something that you looked at? 4 MR. PEREGOY: The intersection of Pearl with the Board of Education number of school children, 4 5 5 the bus stop, you'll hear from Mr. Hamilton. and Ramsey. MS. GUARINO: Any other intersections? MS. CRAVEN: Okay. I'm still concerned 6 6 7 MR. PEREGOY: No. Beyond, basically, 7 about that left. our driveway you're splitting the traffic in half. 8 CHAIRMAN: The question of the light at 8 9 MS. GUARINO: The reason I asked is 9 the end of this property in my mind and everything 10 because when you get down to Fulton, which is opposite that I've read I still can't get my head around it. 10 11 the strip mall there, that is the street just before 11 The county has stated that they would revisit it at 80 12 the light and I'm not sure who is aware, but there is 12 percent occupancy or sometime later. yellow line section that people have a tendency to go 13 13 MR. PEREGOY: 90 percent occupancy. flying to get to the light and I know personally last 14 CHAIRMAN: I want to be clear about 14 15 week this happened to me where I had to make a left on that because I know it was a question that once the 15 16 Fulton to get into my neighborhood and I looked into facility reaches a 90 percent occupancy the county 16 17 my side view mirror and somebody was flying past me. 17 will be coming back in and reevaluating their assumptions around the need for a traffic light and I 18 With the increase in traffic I can only imagine 18 something like that, which is why I'm asking if this think those types of behaviors would have to be 19 19 highlighted for that. 20 is something you looked into. 20 21 MR. PEREGOY: No, we only traffic from 21 MR. PEREGOY: That's correct. CHAIRMAN: Other questions of this 22 this development would be through movements. Nobody 22 23 is going to be going in or out of Fulton. It's 23 witness? 24 certainly not going to solve that condition. 24 MS. DOYLE: I'd like to clarify MS. GUARINO: What we go through to try 25 something. Engineer Battaglia confirmed my

1	Page 30		Page 32
	to make a left, it's going to be worse for them.	1	I believe or maybe, earlier than that.
2		2	MR. PEREGOY: Sounds about that that
3	CHAIRMAN: That's a recent re-striping. MR. BATTAGLIA: Yes,	3	
4	MS. GUARINO: That is seriously a	4	makes sense. Based on development peak hour that makes sense.
ı	•	5	
5	problem.	6	MS. MARICONDA: Another thing to bring
l	CHAIRMAN: I happen to agree that's an	7	up is, have you done any study even 287 and all of
7	area and it has nothing to do with this application		that is all backed up and 28. When there is an accident that traffic comes down Ramsey Street and all
8	cannot be held against this application, but I think	8	· · · · · · · · · · · · · · · · · · ·
9 10	that striping is something that planning if we should	9 10	the side streets looking for a way out and there is no
11	go back and have a discussion about.	11	way out. That's why has anybody looked into
12	MR. BATTAGLIA: That's something that	12	possibly diverting the traffic to go out onto Finderne
13	the county very much likes is the striping that's out	1	through First and Fourth Avenues? You have already an
14	there.	13 14	exit on Main Street, East Main Street. Why not have something through Finderne, as well?
1	MS. GUARINO: Whoever likes it, I will		
15	love to talk to them.  MR. BATTAGLIA: You would have to	15	MR. PEREGOY: We don't have access to
17		1.6	Finderne. We don't have the ability to get there.
18	address your comments to the county engineer.	17	MS. MARICONDA: All the buses and
19	MS. GUARINO: I can tell how many	18	everything will be coming through Ramsey and our
1	accidents have been there. It's frightening. If you	19	little neighborhood where there is already
20 21	put a left turn signal on, they don't know that you're	20	MR. PEREGOY: The school buses, I don't
22	going to Fulton.	21	know what they do now.
23	CHAIRMAN: I will go on the record as	22	MS. MARICONDA: Seems like a small
24	saying I agree with you having made that left many	23	neighborhood to have 220 units and have them all
25	times.	25	diverted one way on East Main Street and that's the only outlet.
	MS. GUARINO: Thank you. I appreciate	23	only ouner.
	Page 31		Page 33
			1430 33
1	that, Mr. Chairman. I think I'm done.	1	MR. PEREGOY: It works.
2	CHAIRMAN: Thank you. Please state	1 2	MR. PEREGOY: It works. MS. MARICONDA: They will never use the
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Page 36 Page 34 1 Now the other one I had a question 1 27 Field Street. 2 about was the bus stop. Can I ask that now? CHAIRMAN: You're still under oath. 2 MR. KORDZIKOWSKI: The computer models, 3 CHAIRMAN: I think we are going to talk 3 4 about the buses with the next witness. 4 have anyone gone back to an area that they used them-5 MR, KORDZIKOWSKI: I was wondering why 5 on and validated their accuracy. б it was not in this community. MR. PEREGOY: Yes. Assume so that's 6 7 their development based on field studies and field 7 CHAIRMAN: We're going to have that 8 discussion next. Thank you. Anyone else have 8 conditions. They are based on national conditions 9 questions of this witness? Just to remind folks, 9 where people aren't as packed in as New Jersey. So 10 you'll have an opportunity to make a statement later 10 the gaps that people are looking for are much smaller 11 on as opposed to questions. Your name and address? 11 in New Jersey. People take much more of a chance in MR. MILLER: George Miller, 18 Ramsey New Jersey, but I look at what the national data is. 12 12 13 So the delays I get, the number I get, if I go back Street. 13 14 CHAIRMAN: Were you sworn in? 14 and look in general, it's actually less. It's better 15 than I project. 15 MR. MILLER: No, I was not. MR. KORDZIKOWSKI: You said this 16 1.6 GEORGE MILLER, after having traffic study was done in December. Was that the 17 17 18 whole month of December? 18 been first duly sworn, testified as follows: 19 19 MR. PEREGOY: No, that was when we took 20 MR. MILLER: Something you just said 20 our latest traffic counts when it was the busiest, 21 recently. How many days did you do the study over. 21 which was December between December 3rd. 22 22 MR, KORDZIKOWSKI: I have the same MR. PEREGOY: How many days? We count one day and get the peak hours. We've counted since 23 23 concern as one of the previous residents. Living 2007 half dozen times out there. So we got a lot of 24 there the traffic is pretty bad and when you're going 24 25 data. You use the one day's worth of data at the 25 westbound on Main Street and make a left onto Finderne Page 37 Page 35 1 busiest hour. Avenue towards Manville at times there is two lanes to 1 make a left. Those lanes get backed up and the two MR. MILLER: You used a one-day sample 2 2 Ianes that go straight in Somerville turn down a one 3 to extrapolate your whole calculation? 3 4 MR. PEREGOY: Yes, the busiest day. way at times that traffic backs up past the firehouse. 4 5 I'm looking at the worst-case scenario. 5 So the traffic situation in that area is very dense MR, MILLER: But most samplings should 6 6 and I think even a five percent increase is a little 7 bit too much. It's going to make it worse. Now you have multiple pieces attached to it. Not just one 7 single day. 8 can say everything you want to, but you don't live 8 9 MR. PEREGOY: Multiple days, multiple 9 there and you don't see what traffic is there, how years of the data. We first counted this in 2007. 10 it's backed up. There's numerous accidents at that 10 11 intersection and I can't see how all these additional 11 For the county signal study, we had a traffic counting for a week in September 2016. We did counts May 2010, 12 cars you said 86. That's less than half of what we 12 April 2013 and December 2015. Worst-case scenario, I the occupancy is. I can't see how that is not going 13 13 14 took the highest, the busiest one, which is December. to affect adversely the traffic situation. 14 15 MR, MILLER: Were they averaged And the other resident said, the 15 16 together as a whole? 16 traffic is backed up. They are not going to be able MR. PEREGOY: I looked at the worst 17 17 to make the left turn. They are going to use our one. I didn't even average. I took the highest 18 18 neighborhood as a jug handle to make a left. The 19 majority of us when we want to make a left. We go to 19 busiest day. MR. MILLER: Which day was that? 20 20 Ramsey to the light. I can't see people coming out of 21 MR. PEREGOY: December 3, 2015. 21 there when traffic is backed up past that entrance to 22 MR. MILLER: Again, I'm going back to 22 their community to try and sit there and try and make 23 the point where using a sample you go through a 23 a left. They are going to make a right, come through period. Like in December 15th, you would take several 24 24 our neighborhood as a jug handle I hope the board 25 days worth of sampling, not just one. The 25 takes that into consideration,

Page 38 Page 40 calculation, the formulation should have several dates planning boards, zoning boards and courts throughout 7 7 2 of data. Not just one. 2 the state throughout my career. I'm a municipal 3 MR, PEREGOY: We do have several days 3 planner in the Borough of Stanhope. 4 worth of data. 4 CHAIRMAN: Could you speak up, please? 5 MR. MILLER: But you're just looking at 5 MR. HAMILTON: Licensed professional 6 the one? 6 planner. I'm a member of the American Institute of 7 7 MR. PEREGOY: Yes, because we're Certified Planners, licensed landscape architect, vice 8 looking at one hour. I'm looking at the busiest hour 8 president with Bowman Consulting. I've been working of all the days we have counts. 9 9 in the field for over 30 years. I've testified before 10 MR. MILLER: I don't think you're doing 10 planning boards, zoning boards throughout the state. 11 11 a proper analysis. Thank you. I've worked on many projects similar to the one that's 12 CHAIRMAN: Just as a reminder. I think 12 before you this evening, many residential development 13 13 at the last -- the township did have its own traffic projects and I'm also the municipal planner for the 14 14 analyst, I guess is the right word, who reviewed the Borough of Stanhope. 15 traffic study and at that time found to be the 15 MR. COLLINS: Confirm for the record procedures used were generally accepted. 16 16 that this board recognizes and accepts William 17 MR, BATTAGLIA: Generally accepted 17 Hamilton's qualifications as a professional planner. 18 engineering procedures. 18 Please go ahead, Gentlemen. 19 19 MAYOR HAYES: Just to go over what you MR. LINNUS: Mr. Hamilton, did you and 20 mentioned just before. The method that you used, you 20 your firm prepare the engineering site planning that's 21 did look at several days worth of data. You chose to 21 before the board this evening? 22 use one day, the highest count day, which then 22 MR. HAMILTON: Yes, we did. 23 presents the largest forecast, the largest impact on 23 MR. LINNUS: You specifically reviewed 24 traffic? 24 the development plan that this project is governed by? 25 MR. PEREGOY: Exactly right, 25 MR. HAMILTON: Yes, I have. Page 39 Page 41 1 MAYOR HAYES: Thank you. 1 MR. LINNUS: Do you want to provide the 2 CHAIRMAN: Anyone else have questions 2 board and public with your testimony with respect to 3 3 that? for this witness? Seeing none, Counsel. 4 MR. LINNUS: Bill Hamilton. Thanks, 4 MR. HAMILTON: Sure. I thought I'd 5 5 Craig. start by taking a look at the redevelopment plan 6 6 against the proposal that's before you this evening, 7 WILLIAM HAMILTON, after 7 so I'm going to bring back up one of the exhibits that 8 having been first duly sworn, testified as follows: 8 was used previously, which is A-8. 9 9 MR. LINNUS: Again, what is A-8? 10 MR. COLLINS: Please state you your 10 MR. HAMILTON: Entitled, Site Rendering 11 name and business address. 1.1 for Patriots Green. It's dated 7/11/16. Essentially, 12 MR. HAMILTON: William Hamilton, 54 12 it's a rendered version of our landscape plan 13 Horsehill Road, Cedar Knolls, New Jersey. 13 superimposed on an aerial photograph. 14 MR. LINNUS: Would you give the board 14 CHAIRMAN: If you can make sure those 15 and members of the public, who are here, the benefit 15 are turned kind of straight out, so the public can 16 of your background, qualifications and experience? 16 also take a look, we'd appreciate it. Thank you. 17 17 MR. HAMILTON: Sure, I'd be happy to. MR. HAMILTON: I have a new exhibit, 18 I'm the vice president with Bowman Consulting. I'm a 18 which I'll mark. 19 licensed professional planner in New Jersey. I'm also 19 MR. LINNUS: Should be A-13. 20 a member of the American Institute of Certified 20 21 21 Planners and I'm also a licensed landscape architect (At which time, an enlargement of the 22 in New Jersey, New York and Pennsylvania. I've been 22 landscape plan was received and marked as A-13 for 23 23 working in the field for over 30 years. I've been identification.) 24 involved in many projects, including the one that's 24 before you this evening. I've testified before 25 MR. HAMILTON: A-13 with today's date.

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MR. LINNUS: What is A-13?

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MR. HAMILTON: An enlargement of the plan that was incorporated into your redevelopment ordinance and the reason that we've brought this up is that I wanted you to see what the differences are between your actual plan that's in your redevelopment ordinance and what we are proposing and as you can see looking at the two side by side they are very, very similar. There are some changes that I'm going to talk about and as you can see there is a boulevard entrance off of Main Street. There is a loop roadway system throughout the project. Very similar to what we are proposing. On this plan it indicates that a bus stop at the end of Ramsey and Radel, as well as a maintenance building.

Now there are a couple differences.

The first one most obvious is the access to Radel, the two points of entry that we originally had on our plans are now removed and the redevelopment plan has been revised to reflect that change.

In addition, there were two buildings that we relocated as we engineered the site and it's the area just west of building 15. This open area that I'm pointing to in center portion of the project, there were two buildings there that were conflicting

We are proposing sidewalk along the Main Street frontage of the property. There is a sidewalk connection that was added as a result of Ms. Doyle's comments in one of her review letters to connect the development to East Main Street. Then there is a sidewalk system that runs throughout the project most in the open space areas and along the parking areas and roadways.

The second item relates to zoning requirements. It was a request that we provide some testimony with regard to the bus stop and some of the public I know brought that up this evening. I did speak to Bill Coyle, who is the transportation coordinator for Bridgewater-Raritan Regional School District. I met with them along with Ms. Doyle and some other township professionals about two years ago when we were developing the plan for this project to talk about how we could address school children in terms of where the bus stop should be and how they would be picked up. He confirmed the bus currently stops to Woodrow Avenue. It doesn't come all the way down to Radel. With this project it's his opinion providing a bus stop at the corner of Radel and Ramsey would be most appropriate and for his department. That's the place that was shown on the original

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with an existing sanitary sewer easement that runs through the property that connects the neighborhoods to the east and to the west. So what we did was we relocated those two buildings.

One, we put in this open space area, which was originally open space on the master plan, up in this corner behind the clubhouse and the second one was relocated in an area down closer to the railroad tracks at the bottom of the page and that's building 19. Essentially, the plan is the same as the redevelopment plan, the one that we're proposing this evening.

MR. LINNUS: Did you review Ms. Doyle's supplemental memorandum of July 28, 2016?

MR. HAMILTON: I did.

MR. LINNUS: There were some issues that remained from that review report?

MR. HAMILTON: Yes.

MR. LINNUS: You want to address those?

MR. HAMILTON: Sure. First item is

D-8, pedestrian sidewalks along east Main Street. I think Ms. Doyle was requesting that we provide some testimony with respect to what we're proposing in the way of sidewalks and I think Mr. Corsey in his testimony reviewed it, but I'll just summarize it.

Page 45

redevelopment plan and that's where we propose it this evening. They do have a policy he told me with respect to the fact that they don't allow their buses to go on private property. However, they do have a process to get a waiver from that procedure. They do go on private property. For example, the Woodmont property up on Route 206 and the procedure is as the applicant we would submit a letter to the board requesting that the bus stop be put internally on the project if this board determines that's more appropriate and more desirable than a bus stop on Radel. Can't guarantee they will approve that, but they have in the past and we have provided a design for this site that can accommodate, not only emergency vehicles, buses, as well and we've run the templates and submit them to your professionals previously.

There is a number of discussion items that Ms. Doyle brought up, but they are kind of interrelated. We developed a calculation for the projected number of school-aged children that would be generated by this project. And we used a publication that is readily acceptable and accepted throughout the state, which is called, Who Lives In New Jersey housing it's prepared by the Center For Policy Research at Rutgers and it is the planning tool that

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seeing it lane.

1 is used, again, throughout the state in developing 2 projections both for populations as well as 3 school-aged children and in using the demographic 4 multiplier provided within that report we estimate 5 there is going to be a total of 38 public school б children generated by this development. It breaks 7 down to 26 children in grades K through six. Four in 8 grades seven through nine and three in grades 10 9 through 12.

MR. LINNUS: What's the basis for that calculations, Bill?

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MR. HAMILTON: The publication uses the 2000 census data, as well as the Rutgers studies within their housing department to develop models and factors that they put together to come up with an average population and school-aged population throughout the state. It's been many communities that were modeled. They look at both the southern, central and northern regions separately. We're using numbers for the state as a whole. So we can get a breakdown on the various grades and the impact to the different school systems because there are three school systems that would service this community, the Adamsville School, the middle school and the regional high school.

1 enclosed area that's fenced in that would have 2 benches, walking areas, tables and play equipment. 3

MR. LINNUS: Let me stop you there. If the board determines it should be a public park, it will be in the form of an easement, dedicated easement, to the township; is that correct?

MR. HAMILTON: Yes, the developer will construct all of the improvements to the park, but eventually, it will be maintained and easement for the township for continued maintenance.

MR. LINNUS: Who is this park designed for, what age group?

MR. HAMILTON: We've decided based on some of our other experiences, we ever looked at the Woodmont project on 206. By the way, we were the engineers and planners. We know it well. Then we would concentrate more on making it more of a tot lot. So we'd be looking at two to five-year olds in terms of structure that being proposed. We picked a Game Time structure. We'll certainly work with your DPW department on the most appropriate company. They are well known and I think you've used them in other parks in the township. This particular equipment again, which serves age groups two to five and service 20 to 25 children at one time. So inside that 15,000 square

Page 47

Page 49 foot area. We felt that was an appropriate size as

you recall, we talked about a number of school-aged

1 MR. LINNUS: They would be separate 2 buses, several pickups? 3 MR. HAMILTON: I imagine they would. 4 The next item is parks and open spaces. We do show a 5 pocket park on our plan as is required in the 6 redevelopment ordinance. Originally, we proposed it 7 internal to the project in the area where we're В vacating or proposed to vacate a portion of Radel 9 Avenue. Based on comments by Ms. Doyle and others we 10 had revised our plan to move that park further to the 11 east to give it better access to the neighborhood. We 12 have an exhibit that we prepared. MR. LINNUS: I'll be handing out A-14. 13 14 15 (At which time, an enlargement of A-8 16

was received and marked as A-14 for identification.)

17 18 MR. LINNUS: What is A-14? 19 MR. HAMILTON: A-14 is simply an

enlargement of two areas of the site from the rendering on A-8 where we've highlighted a little better of some of the improvements being proposed both in the area of the pool, which I'll talk about later.

24 But right now on the left side of this sheet in the park. What we've proposed is a 15,000 square foot

3 children and the number is greater K through six 4 grades, than it was in the older grades, which is not 5 inconsistent with this type of rental housing. You 6 also have a greater number of children in the 7 two-to-five range. So we thought that would be the 8 best population to serve by the park that's being 9 proposed. It's a four-foot high structure, roughly by 10 20 by 22 youth zone. It would have fall zones 11 provided in accordance with state regulations, all of 12 which is detailed on our plans. I do have a cut sheet 13 of that structure, if the board is interested in

> MR. LINNUS: I'm going to mark that A-15. While I'm passing that out, would you identify what A-15 is?

(At which time, a catalogue cut of the proposed play structure was received and marked as A-15 for identification.)

23 MR. HAMILTON: A-15 is a catalog cut of 24 the proposed play structure from Game Time. It's 25 model 12204. It's a youth zone 25 by 22 feet, a fall

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height of four feet, services age two to five, about

20, 25 children and again, this is an example of what

- we would put in. We would certainly work with the 3
- township on the most appropriate spot. We did hear 4
- 5 some discussion I believe from the public at the last
- 6 meeting that I listened to regarding the location of
  - this tot lot, of this playground. We would defer to
- 8 the board in terms of where it goes. If it's internal
- 9 to the project we have no problem with that. I think

10 the process of the redevelopment plan Ms. Doyle

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explained at the last meeting has a facility that serves both the new community as well as the existing 12

community. But again, we'll put the tot lot wherever

you'd like to see it.

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CHAIRMAN: Just to be clear on your other comment, you will maintain it?

MR. LINNUS: If it's going to be a

public park, then the township would maintain it. CHAIRMAN: You would maintain it?

MR. LINNUS: No, the township would be

maintaining it if it's a public park.

CHAIRMAN: If the township makes the decision. So if the township is put in the position

of the difficult part of deciding.

MR. LINNUS: That's correct. It's a

recommended that we keep some of the evergreen trees 1

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2 that we had originally noted on our plans to be

3 removed along, I'll just than point to it, along this

eastern border of the site where our property backs up 4

5 to the homes on the left side of Ramsey. We have no

6 issue with that. In fact, we looked at those plans

carefully. We have identified a number of them that

are diseased or dying that we do recommend that we 8

take down, but we will agree to work with Ms. Doyle on 9

10 coming up with a balance in terms of plants that we

keep and the ones that we don't. A lot of those trees 11

12 are older white pines. As you know, the branches at

the bottom are sparse as they get older, but again, it 13

14 would with Ms. Doyle. Also, she had suggested that a

15 site inspection been done prior so that any voids in

16 those planting areas can be addressed and we will

17 agree to that as a condition should this board decide

to approve the application.

The third element of the landscape plan are the open space plantings and these include the clubhouse and the formal open spaces throughout the project referring again to exhibit A-14, which is

23 recreational amenities exhibit. Looking on the right

24 side we have made some changes to the clubhouse that

were incorporated into the last of the drawings that

Page 51

private park. We are going to maintain it.

MR. HAMILTON: We haven't really

2 3 provided the testimony yet on the landscaping. So

4 I'll go through that. Mr. Corsey discussed all the

5 other site plan elements, but I'd like to talk about

the landscape design and in doing so, we are going to

get into a couple other areas as well and again, the

7 landscape plan is depicted on A-8, which is still up 8

in front of you. It's a generous plan. We are

10 proposing over 750 trees throughout the project, which

includes 400 evergreens, as well as over 3,000 shrubs, 11

ornamental grasses and ground covers. It's really 12

four elements to the plan that's being proposed. We 1.3

14 have the streetscape and parking area design, we are

15 introducing naturally shade trees, ornamental trees to

16 provide space definition along the roadways, but also 17

to provide shade to the various parking spaces and

parking areas that are adjacent to the drives. 18

> Buffer plantings are very important, both to define the in-project uses between buildings,

21 for example, but more importantly to buffer the

22 adjacent residential uses particularly the homes that backup to the site from Ramsey and as well as on the

23 24 western portion of the site.

25 Ms. Doyle in her letters has

1 were submitted with the application to address some of

2 your planner and engineer's comments and what we did

3 was, we moved the pool a little to the south and we

were able to provide more of an outdoor

5 recreation/sitting area where there could be barbecue

6 table and chairs and gathering places for the

residents and as you can see, there is significant

8 landscaping around that entire pool area.

9 Finally, we have foundation plantings.

Your ordinance is very specific in terms of number of 10

plants that are required around the foundations of the 11

12 building. We have met that ordinance. Again, we are

13 using a mixture of flowering shrubs, ornamental

shrubs, material that compliments the architecture. I 14

think you've heard testimony in the previous meeting 15

16 from the architect the buildings meet the standards of

17 your redevelopment ordinance in terms of the amenities

18 of the building, but also the design o the building.

19 The colors, the textures and the like. So these

plants had been designed to complement that 20

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architecture and/or all in conformance with your

ordinance standards. 22

23 MR. LINNUS: In addition to the

24 municipal land use law and the local ordinances and

the redevelopment plan governing the development, this

development is subject to the residential site improvement standards, correct?

MR. HAMILTON: Yes.

MR. LINNUS: Based on your review of the residential site improvement standards are there any di minimus exceptions that you may want to look into?

MR. HAMILTON: We've identified three di minimus exceptions that we're requesting in the plan. This is considered a residential access road from residential site improvement standards. So we have to comply with the standards for that roadway category. Sidewalks are required on both sides of the road. We're asking for relief in certain areas of the site where we felt it was appropriate. Just looking at the plan, again I'm over at A-8, for example, the loop road that goes down both the western side and eastern side paralleling Radel and the railroad we don't have sidewalk on the opposite side of that road. There are no units on that side. There is sidewalk internally throughout, however.

There are a couple other smaller roadway connections. For example, road E, which is located here on the south side of the clubhouse, we have sidewalk on one side as it's a minor road. It

project. So we feel that's appropriate.

With regard to the curb radius, that's really to reduce the pedestrian crosswalk width and it's a little hard to explain, but I'll look at A-8 where, for example, in this case road E, which is the small sub-road going in an east/west direction with the main road C, there's a radius on the curb of 20 feet. If we make it 25 feet, it just makes the walkway longer. We're trying to shorten the distance pedestrians walk across those intersections.

CHAIRMAN: Could you also point out an example of the other exceptions?

MR. HAMILTON: Sure. I think the radius that is the tightest is on the lower portion of the site. Again, I think it's 37 feet here you can see there is relief requested here on road B in the northwest corner it's requested down here on road H in two spots. It's requested to road C centrally located and then at the eastern most end of the site. So there is really one, two, three, four, five, six spots where we are requesting that relief. Again, it's consistent with the redevelopment plan. It's always been our desire to provide this type of

been our desire to provide this type of
traffic-calming measures for the project.

MR. LINNUS: In your experience, is

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only services six buildings and it seemed appropriate to have sidewalk on one side and the benefit of that is, ebviously, there is less impervious coverage without the need to put in sidewalk reduces site disturbance, allows us to maintain more of the existing vegetation that's at the site.

MR. LINNUS: In your professional opinion would this exception be classified as di minimus?

MR. HAMILTON: Yes, it would and its exception that we get many times on projects of a similar nature to this project. The other two exceptions relate to roadway design. There is a minimum radius requirement of 100 feet for this type of roadway. We're asking for relief from that. We have a minimum radius at one point of the site of 37 feet and as a requirement for the intersection curb radii of 25 feet and we're asking for 20 and the reason for that is really two fold.

One is, we want cars to drive slowly in this development. So we use these radiuses as traffic-calming mechanisms. We did run templates, which we did submit to your professionals with regard to fire trucks, garbage trucks, moving vans, et cetera to show that they can maneuver safely throughout the

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this type of relief usually accepted?

MR. HAMILTON: Yes.

MR. LINNUS: If you're done with that portion of your testimony, there were a number of comments that the board or the public wanted answers to at the last meeting. There was a question regarding hours of pool operation.

MR. HAMILTON: Yes. Just give me one second.

MR. LINNUS: How about the fence to the Radel rear yard, did you discuss that?

MR. HAMILTON: Yeah, our intention is to leave that fence in its current condition. We are providing landscaping that will buffer, but we are not proposing to replace that fence.

MR. LINNUS: How about the chain link fence on the west property line?

CHAIRMAN: Could you point out that fence on your chart?

MR. HAMILTON: Let's go back. We are going to work with Scarlett again on the plantings in this area. At the end of the day, if it's determined if a fence is what's needed to provide the proper buffering, we will put that fence in.

With regard to the second question,

Page 60 Page 58 that's the chain link fence that runs along the 1 very important part. You wanted to address the zoning 1 2 requirement, correct? western side of the property that's in and out of a 2 3 MR. HAMILTON: We are asking for some number of properties as well as this property. Our 3 minor relief from your redevelopment plan as well as intention is to leave that fence, which at the moment 4 4 from your zoning ordinance with this application. Let 5 5 is somewhat overgrown with vegetation in spots. It me go through those. The first is there is a minimum 6 provides some separation and buffering, but we are 6 7 setback of 15 feet required from an internal street to 7 going to obviously supplement the landscaping along an 8 a building. What we are proposing on one building 8 entire western border as we are other portions of the 9 only and it's building 15, which is at the 9 1.0 intersection of road C and road B, right here, is 13 10 MR. LINNUS: Site lighting, what's the feet on the northern corner of the building. It jumps 11 11 timing on the site lighting? up to well over 20 feet, actually, on the southern MR. HAMILTON: Site lighting is going 12 12 13 corner. So the average is more than 15, but we are to be on all night. It's a residential community. We 13 14 14 asking for 13 feet there and that is because of that have designed the lights in accordance with your easement that I talked about earlier that goes through 15 standards, but we do need to provide safety lighting 15 16 the site. We just want to stay a couple feet away 16 for the residents. These are going to be LED from that easement with the proposal? fixtures. They can be adjusted in terms of the 17 17 intensity of the light unlike some of the other metal 18 MR. COLLINS: Building 15? 18 MR. HAMILTON: Building 15, right. 19 halide, some of the other fixtures that we've used in 19 20 MR. COLLINS: Building 15 and at its 20 the past. However, it's our position that from a 21 closest point to he curb will be 13 feet, I take it? 21 safety perspective we would keep the lights on. MR. HAMILTON: Correct. Again, these are down, as Mr. Corsey testified to, 22 22 MR. COLLINS: Or is it the sidewalk? 23 23 they are dark skylight fixtures in they are downward 24 MR. HAMILTON: To the curb. I have throwing on any lights that are adjacent to 24 25 another exhibit to talk about. residential uses such as the homes that back up off of 25 Page 61 Page 59 Ramsey we will have outside shield on them to prevent 1 MR. LINNUS: We are going to mark that 1 2 A-16. 2 any spillage. MR. LINNUS: Finally, we'll get to the 3 3 (At which time, Plan Without Radel 4 4 hours of operation of the pool, Mr. Norris has them, Avenue Vacation was received and marked as A-16 for 5 5 but finally, do you have a professional opinion, sir, as to whether the development application that's being 6 identification.) 6 7 presented to this board for approval is consistent 7 MR. LINNUS: What is A-16? 8 8 with the redevelopment plan adopted by the township 9 MR. HAMILTON: I'm marking this A-16. 9 and the planning board? 10 It's entitled, Plan Without Radel Avenue Vacation and 10 MR. HAMILTON: Absolutely. As I've because of the fact that Radel has not been vacated 11 indicated, there's very minor deviations from the 11 yet, it's proposed to be accomplished after hopefully 12 12 redevelopment plan. 13 this board approves the project. It creates a 13 MR. LINNUS: Can I refresh your recollection on the hours of operation of the pool? 14 situation where we need relief at least temporarily 14 1.5 from the 15-foot buffer requirement. What this 15 If I were to tell you the applicant is proposing to 16 exhibit shows is the existing right of way of Radel 16 open on Memorial Day and close on Labor Day and open Avenue, which goes into the site somewhat and it's 17 17 the pool generally at 11 a.m. and close it at dusk, even shown on A-8, which I know you have a copy of in 18 does that refresh your recollection? 18 19 a lighter tone. That then is essentially the current 19 MR. HAMILTON: It does refresh my 20 property line for the project. Once Radel is vacated, recollection. 20 21 the property line moves back and this area is used for 21 MR. LINNUS: I have no further 22 landscaping and buffering, but for the moment if you questions. 22 superimpose a 25-foot buffer around that right of way CHAIRMAN: Members of the board, 23 23 you can see that we are encroaching or at least 24 24 questions? roadway is encroaching a little bit on road C within 25 25 MR. LINNUS: I'm sorry. We've missed a

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that buffer and in fact, that the reduction is

actually 8.9 feet. So instead of the 25 feet opposite

3 building 15 there is 8.9 feet. So from a practical

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4 standpoint the buffer is provided. I mean, the area

is landscaped, but from a technical standpoint until

that vacation takes place we would need that relief.

We also need to look at your zoning ordinance because in your redevelopment plan there is a statement that whatever is not covered in your redevelopment plan must comply with the ordinance standards and do you have a Hillside ordinance regulates disturbance what are on termed steep-slope areas and what we did was, I have another exhibit.

MR. LINNUS: You want to mark that A-17 with today's date on it?

(At which time, Steep Slopes Map Prepared By Bowman Consultants dated 1/4/16 was received and marked as A-17 for identification.)

MR. LINNUS: Would you identify A-17 for the record?

MR. HAMILTON: A-17 is entitled, Steep Slopes Map Prepared By Bowman Consultants dated 1/4/16 and what this is. In going through your ordinance is

1 regulates how much of those areas you can disturb with

2 your project and also, the impervious coverage within

3 the steep-sloped areas as well. Even though there are

4 variances, it's a little misleading because when you

5 have small area on a steep slope on a property, if you

6 disturb that small area you're in a variant situation.

7 Even though if you look at the total area, it's less

8 than one acre of the whole site that's categorized as

9 a steep slope. So we're asking for that relief, as 10 well.

Finally, Mr. Corsey testified to the fact that although we modified our lighting plan to match your ordinance standards as close as we could in conjunction with discussions with Ms. Doyle we still don't exactly match, for example, the average foot candle limit, which I think is five. It's very hard to exactly match those standards. So Mr. Corsey indicated we're asking for relief from that, as well, which I will just reiterate.

Now these are all C-2 variances in my opinion. The variances will promote certain purposes of planning as outlined in the municipal land use law. What we think we're promoting here is public health, safety and general welfare because this project, as you know, has providing for affordable housing that's

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required that we identify all the steep slopes and

those are classified as slopes over ten percent and

those are three categories over ten percent. It's 10

to 19 percent, 20 to 29 percent and over 30 percent

and the colors you see on this document indicate the

areas where those steep slopes are. It's very minimal

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on this site.

Most of them are in the detention basin that's located adjacent to Radel. You know, a three-to-one slope and a detention basin is generally what they are designed to, but in effect that's a 30-feet slope. So that's a steep slope by ordinance. There are also minor slopes in excess of ten percent on adjacent to the parking lot that's on the east side of the site and what that is, is the parking lot is built a little bit into the existing grade and it slopes up to connect to existing grade before the edge of the property. There are some steep slopes around-the building that's located short of centrally on the property and they are really along the walkway where it's sloping away from the entrance to the building.

Finally, there is an existing ditch on the southwest corner of the site, which we're not exactly touching, but there are steep slopes in there as well. So your ordinance regulates two things. It

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going to help meet your requirement, your obligation and it's consistent, I believe, with your housing element in the township.

With any variance we must show that the negative criteria can be met. The variance can be granted without substantial detriment to the public good. What that means is, what's going to be the impact to the neighborhood.

If you look at the setback of building 15, we're going to be two feet short of what the requirement is. It's going to be no impact. The two feet is not going to be perceivable to the public and we are providing landscaping to help mitigate that -discrepancy or the difference between 15 feet, 13 feet. The steep slope disturbance is minimal, as I mentioned. It doesn't meet the ordinance really because of the limited amount of steep slopes and these are not steep slopes on a Hillside as your ordinance discusses, but they are steep slopes that have been disturbed. There's very little vegetation on them. Most of them are turf only and with respect to the detention basin we're moving that basin. As you know, to a new location further away for the residents in the neighborhood to the east and it's going to be fenced and protected and stabilized in

Page 68 Page 66 accordance with all of your ordinance standards. l publication because I did hear some statements earlier 1 on some suspected numbers and based upon the Rutgers 2 2 The variance can be granted without 3 study, it would be 437 people in the community substantial impairment to your zone plan and zoning 3 4 overall. 4 ordinance. Again, we've talked about how this project 5 COUNCILWOMAN ROSE: How many of them do 5 is very consistent with the redevelopment plan and any 6 you anticipate being children? of the relief that we've requested, which we've 6 7 MR. HAMILTON: We have the 38 7 discussed this evening is minor in nature and in my 8 school-aged children and another 25 children that are 8 opinion, di minimus. 9 younger. 9 MR. LINNUS: To do the balancing 10 COUNCILWOMAN ROSE: That's the number 10 analysis that C-2 requires, is it your opinion, sir, we are going to go with? 11 11 that the net benefit for the granting of the variances 12 MR. HAMILTON: Yes, or deviations you've testified to substantially 12 13 COUNCILWOMAN ROSE: How are we 13 outweigh any detriment? 14 preventing parking along the roadways? 14 MR. HAMILTON: Yeah. Absolutely. MR. HAMILTON: We have met with and 15 MR. LINNUS: I have no further 15 16 talked to your fire officials and your engineer. We 16 questions. 17 are going to sign it and we have come to an agreement 17 CHAIRMAN: Thank you, Scarlett, I want 18 to make sure before we go to the questions of the 18 with them with regard to striping, like, the yellow 19 striping throughout the project. 19 board that all of your issues cited in your report on COUNCILWOMAN ROSE: I think this is 20 20 your pages has at least be identified, if not more have a question for counsel because I'm not sure 21 addressed to the board's satisfaction we'll address 21 22 how this all works. You mentioned something about the 22 that, but nothing missing. 23 vacation of Radel Road and that needs to be done. 23 MS. DOYLE: Nothing missing, but I do 24 MR. LINNUS: Yes, I've been in contact 24 have questions after the board. with Mr. Savo, the township attorney. Last year, we 25 25 CHAIRMAN: Board questions? Page 69 Page 67 Councilwoman Rose? 1 did submit proposed vacation and Mr. Savo preferred to 1 COUNCILWOMAN ROSE: I just have a 2 wait until the board made a determination. Then we'd 2 3 couple. You said that there would be 38 children 3 go to the council with the ordinance. We think it's expected in this complex? 4 going to be vacated, but we don't know. 4 5 MR, HAMILTON: Yes. 5 COUNCILWOMAN ROSE: So should the planning board approve the application, the next step 6 COUNCILWOMAN ROSE: 33 of them are 6 7 7 going to school. Who is using the tot lot? would be put that back on the council's agenda. 8 MR. LINNUS: Correct. 8 MR. HAMILTON: I'm sorry. Maybe, I 9 COUNCILWOMAN ROSE: Prior to this 9 should restate. There are 38 school-aged children. 10 So the tot lot would be used by the two-to-five years 10 project starting construction that road would be 11 olds. 11 vacated? MR. LINNUS: No, we don't have any 12 12 COUNCILWOMAN ROSE: How many of those control over whether the road is going to be vacated 13 do you anticipate? 13 14 MR. HAMILTON: Generally, I would think 14 or not. What we presented to the planning board was they would be consistent with the number of children 15 two scenarios. One with a portion of Radel being 15 within K through sixth grades, which is 26. We're 16 vacated and the other with Radel being vacated and if 16 17 probably looking at somewhere at 25 kids or so. 17 the planning board approves the project that's the end of it for the planning board and if indeed the council COUNCILWOMAN ROSE: Okay. And none of 18 18 19 your manuals speak to that more specifically. 19 vacates Radel --20 COUNCILWOMAN ROSE: All that 20 MR. HAMILTON: Say that again. COUNCILWOMAN ROSE: None of your potentially could be done prior to that of the shovel 21 21 22 going into the ground? 22 numbers speak to that specifically, that age 23 MR. LINNUS: We wanted it done a year 23 population? MR. HAMILTON: I do have a number of 24 24 ago. the total population for the community based upon the 25 COUNCILWOMAN ROSE: If the park doesn't 25

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Are you applying a state average for all living conditions are you applying something that represents this type of community? Could you go over that?

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MR. HAMILTON: Sure. MAYOR HAYES: Thank you. MR. HAMILTON: In the data what we've done is they've provided projected school-aged children for various different types of housing. They have single-family detached housing and they look at how many bedrooms are in each of those units. They also look at multifamily housing five units plus that are owned or rented and they look at multifamily, again five plus units, that are rent, which is what this project is. In addition, they have values for homes that are below the median average income and above the average median income and it's factors that are applied to each one of those categories. So we have 88 one bedroom units market, 88 two bedroom unit, market. We have 8 one bedroom affordable units. 27, two bedroom affordable units and 9 three bedroom affordable units. So what we did was, we took those numbers. We applied the factors that were presented in the document. For example, I'll run through one of them for you. On a two bedroom multifamily unit below site does, but I don't know why there is a difference there.

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Now I know a project in Denville, which is the exact same product as this project, five and ten unit buildings very similar design. It's 100 units and they have ten school-aged children and it's 95 percent occupied. So it does vary a lot based upon, at least, in my opinion, location of the project. I don't know why the Woodmont project is a little higher than these averages. It could be that it's more of a suburban area. It's three larger buildings as opposed to this we're spread out and more located within, you know, more of a center of the town. It does vary, but these numbers have proved out over time to be accurate reflections of what the averages are throughout the state.

MR. LINNUS: The model that you're referring to is the Rutgers model of 2006?

MR. HAMILTON: Correct.

MR. LINNUS: Has that been used before planning boards, zoning boards and courts to demonstrate demographics regarding school children?

MR, HAMILTON: Yes.

MS. CASAMENTO: Mr. Lerner's comments before may have already addressed this. Getting a

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is we multiplied that by number of units and that's 1

2 how we come up with 12 school-aged children for those

median income the factor is .432. So what we've done

3 27 units and we did that for each category, added them 4

up and the result was 38 public school children. Now

I will tell you that does take into account the fact 5

that some of the kids and this is public school, will

go to private and parochial schools. I know it's one

8 in Somerville, I think, Immaculata and I know it's

9 private schools in the area. So they do take into

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account this calculations a certain percentage of the students will go to private and parochial and other

schools. Does that answer your question?

MAYOR HAYES: It does answer mine.

Looks like you used the proper grouping.

MS. CASAMENTO: Okay. MR. HAMILTON: Maybe, I should give you a little more information. Ms. Doyle provided some data with regard to the Woodmont project on 206,-which I mentioned earlier. I don't know how many school kids are there. She indicated I think to some site management there is, approximately, 30 kids now, 400 units. Now that's a little higher than what these numbers would tell you it should be and there may be reasons for that. That's an all two bedroom

community. It doesn't have one bedrooms like this

school bus into the development that's possibility, you said?

MR. HAMILTON: Yes, we've run the template to the school bus. It could get through our community.

MS. CASAMENTO: I was worried about having a child that's five-years old living in the uppermost house and then having to walk all the way down to, you know, that Radel Avenue stop.

MR. HAMILTON: We did think about that. For example, if somebody is in building one, it's a pretty good walk. We did provide some parking spaces here with a walkway over to the bus stop in the event somebody wanted to drive their children over in the morning.

MS. CASAMENTO: Thank you. MAYOR HAYES: I have a comment. The discussion on the park this board did not agree to accept the park on the township's behalf. So how do we handle the fact that, you know, can be open?

MR. COLLINS: You could recommend it. The applicant has offered to dedicate it as an easement to the township. To the board can recommend that to the township council perhaps in its resolution and could even recommend that the developer's

Page 78 Page 80 1 agreement may be recommended to include and address 1 questions of this witness, Mr. Hamilton. 2 2 COUNCILWOMAN ROSE: Excuse me, Chairman that and the governing body decides whether to accept 3 the dedication and under what terms and the governing 3 Charles. We had another question. 4 body is the council. If they decide to accept it then 4 CHAIRMAN: At the last meeting we spoke 5 it would become a public park by the easement as 5 about the potential for parking along Radel Avenue and 6 6 proposed and the proposal is the township would we talked about considering a fence along Radel 7 maintain it, but the township and the developer can 7 Avenue. What the residents were concerned about is 8 talk about that in the developer's agreement. If the 8 the potential for visitor parking and things like that 9 township council does not accept the dedication of the 9 or even people at the bus stop that's there to be 10 parking along and no curbs and things like that and we public park. Then it remains a private park. 10 11 CHAIRMAN: Tom, you said that they can 11 talked about the potential for a fence. Was that any 12 discuss the maintenance, if the easement went through 12 conversation with your client since the last meeting? 13 are there, obviously, that's tied to liability issues 13 MR. HAMILTON: Yes, we think that we 14 and things like that, are there creative ways that 14 provided the existing landscaping that's there, 15 townships have figured out how to have the developer 15 Although some of it is a little overgrown and the 16 16 maintain the park yet. plantings that we are proposing shown on the A-8 17 MR. COLLINS: There are, but it would 17 that's a pretty good buffer. However, if it was the 18 be an negotiated agreement. 18 board's determination that a fence was desirable there 19 19 MR. LINNUS: I might point out in that we will agree to that. 20 vein this is an affordable housing project and we're 20 CHAIRMAN: Right now there is 21 subsidizing certain units and there are cost factors 21 landscaping. Is there any berming at all going on 22 that go into that analysis. 22 there or is it just trees and whatnot? 23 23 CHAIRMAN: We are very familiar with MR. HAMILTON: There is not a lot of 24 this. Any other questions from the board? Why don't 24 berming. We do have the opportunity to add some if we take our break now, five-minute break and come back 25 25 that's desired, but our intention was to keep the Page 79 Page 81 1 and open up to the public for their questions of this 1 vegetation because we didn't want to change the grade 2 witness. 2 too much in that area. 3 3 CHAIRMAN: I think we understand the 4 (At which time a short recess was 4 other question on the park. With that, questions of 5 5 taken.) this witness and I'll remind the public again that 6 6 once the questions of this witness are complete then 7 CHAIRMAN: Roll call, please. 7 it will be the opportunity for any statements that 8 BOARD SECRETARY: Mr. Rodzinak? 8 you'd like to make. 9 MR. RODZINAK: Here. 9 MR. BAUER: Good evening. My name is 10 BOARD SECRETARY: Chairman Charles? 10 John Bauer, B-A-U-E-R. 33 Manville Boulevard. 11 CHAIRMAN: Here. 11 CHAIRMAN: Mr. Bauer, you're still 12 BOARD SECRETARY: Mr. Franco? 12 sworn in. Your question? 13 MR. FRANCO: Here. 13 MR. BAUER: With respect to your 14 BOARD SECRETARY: Councilwoman Rose? 14 30-years experience, you don't have 30-years 15 COUNCILWOMAN ROSE: Here. 15 experience living with Finderne Avenue. With the 16 BOARD SECRETARY: Mayor Hayes? 16 fence nonproposal, I was there 30 years ago when 17 MAYOR HAYES: Here. 17 MacMillan Bloedel originally developed that property. 18 BOARD SECRETARY: Ms. Casamento? 18 They put a wooden fence up. Within six months kids 19 MS. CASAMENTO: Here. 19 kicked that fence in and it became a hangout. It got 20 BOARD SECRETARY: Mr. Lerner? 20 to the point where they had to put a fence up to stop 21 MR. LERNER: Here. 21 that. Not only an eight-foot chain link fence, which 22 BOARD SECRETARY: Ms. Albanese? 22 is still there, but barbed wire on top of it. We 23 MS. ALBANESE: Here, 23 don't have something on there to prevent that. 24 CHAIRMAN: We'll continue along. At 24 CHAIRMAN: You're talking about exactly 25 this point, we'll open up the meeting to the public on where, sir?

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MR. BAUER: Along the entire length of Radel Avenue.

CHAIRMAN: So the one I just talked about a minute ago.

MR. BAUER: That area.

CHAIRMAN: Your question of this witness is?

MR. BAUER: I think you really have to revisit the fact and the board has to look at this as far as a fencing is concerned there, if you have people parking, that stops people parking. You have a wide open area at that end which is far away from any adult supervision. That area is going to become a hangout and if you don't fence that off you're going to have kids walking through there and hanging out just like they did before when it was a lumbar yard. You know what they say about history. If you don't learn, you're doomed to repeat it. If you put the fence up, you stop that. If you put the fence up you stop people parking there possibly.

Councilwoman Rose had a meeting about three or four months ago. People brought up the fact that they may park on Radel Avenue. They said we'll put up no parking signs. Then it was brought up they'll park on side streets and walk up there. They Who do we see specifically regarding that problem if it does occur?

CHAIRMAN: The township is who you see directly and that's what Mr. Franco referred to in terms of we've had this a number of places and where there are offending lights that go in with meters and whatnot now and they make sure that gets to the ordinance level.

MR. COLLINS: Who is the specific individual we would get in contact with?

11 CHAIRMAN: Township engineer.

MR. BAUER: That's all my comments.

Thank you very much.

CHAIRMAN: Other questions of this witness?

MS. GUARINO: Robin Guarino. When you talked about the children and you were saying that this is, like, some kind of average that's used. Do those studies ever take into consideration the type of district you're moving into? You sound like what you're using is an average throughout the entire state and I happen to know that working for the Bridgewater School system that's actually a desirable one for various reasons, but people move here with children for certain services that our district provides. Is

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said, well, we'll give you stickers. Well, now I'm going to have a party I've got 20 people coming. I can't put that many cars in my driveway. Are those people going to be ticketed? It's going to be the same for everyone in that area.

A fence solves all those problems.

What do we have to do? Call up Bridgewater Police
Department and say, listen, we've got people parking
here. Is that a priority for them? They should be
doing other things than handing out parking tickets
and people are going to park there until someone comes
down and gives them a ticket and let's face it.
People are not going to be living here very long.
It's going to be a turnover rate here that you can't
believe the trains blowing the whistles right there.
You've got recycling directly behind it. You've got
Pave Rite and you've got a Superfund cleanup site and
you're thinking about moving the park closer to all of
those things and without a fence. That's going to be
little bit of a problem.

The other thing is the lighting system

I was there when they put the lighting system in
everything that's being said now and the first day
they turned it on, it was like living in Stalag 17.
Every place was lit up. You could have got a suntan.

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something like that ever taken into consideration
because I, like a number of other people, feel the
numbers of children that you're stating of school-aged
children is way below.

MR. HAMILTON: It's an average and it averages both the districts or the towns that have perhaps lower children numbers with the towns that have higher and we talked a little bit about Woodmont on 206 and if you look at those numbers, I think I said this, versus you know, the studies that we use as planners they are a little bit higher they are almost a third higher. So maybe, you're right. Maybe, Bridgewater is a little different or maybe, that project is a little different, but in looking from a planning perspective you have to use the best data that's available. That's the best we have available. Could it fluctuate? Yeah, it could fluctuate up and down a little bit, but it's not significant. Even the Bridgewater project. It's a less than a third difference than the average that's here and that's a high number based upon my experience.

MS. GUARINO: You also made mention that you were basing it on lower-income housing and like, two bedrooms and .43 children.

MR. HAMILTON: No, I based it for the

market rate units we used the higher income, but for the affordable units we used the lower income numbers.

MS. GUARINO: You came up with .43 for two bedroom, low income. That's the note I took. Because living in a neighborhood of Second and Third Street. I can tell you that there are a whole heck of a lot more kids for those type of apartments.

MR, HAMILTON: .432 for two bedroom unit.

MS. GUARINO: I was going to ask about the park and the liability the township would have. Who's making that determination? That's something that's just going to be discussed between --

CHAIRMAN: What's that?

MS. GUARINO: As far as the park becoming part of the township, that whole easement, do we get any input, the public or is that just negotiation with the township.

MAYOR HAYES: If you have an opinion express it. Now it's a good time, as well.

MS. GUARINO: Well, considering the fact that maintenance of it would up property taxes because it's another cost to the township. You're talking two to five-year olds and I mean, I didn't get a chance to see what the equipment looks like, but I'm

1 what we were told. There is a certain amount that's

2 getting some kind of low fence like at the beginning

3 from Main Street in somewhat. Because I honestly

4~ don't go to the end of the street. I don't know what

5 fence you say it's going to stay there, what it looks

like, the condition of it, whether the kids go over
it. I don't know. I don't know how unsightly it is.

8 Not that, that is necessarily your responsibility

9 because it has been there and you're going to put

trees behind it. Is there an or is there not some of that that is going to have another type of fencing?

MR. HAMILTON: No. I believe what Mr. Corsey testified to was that fence was going to remain, but it would be repaired if areas where repairs were needed.

MS. GUARINO: I thought it was something going from Main Street.

MR. HAMILTON: There is a retaining wall that's adjacent just to the west of road B for a portion of that property line and there is a fence on top of that retaining wall, but that's separate from the existing fence.

MS. GUARINO: You were talking about steep slopes. Even though you a such a small percentage on that property, what kinds of problems

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thinking the liability could be something that's a serious problem for the district. So I think we need some tough negotiators, who are going to get them to give it to us and still maintain it or at least deal with the liability aspect of it.

And also how is that actually accessed? Because we really can't see things you're pointing to and so forth. If it stays in that spot, how is that accessed? You're saying it's a public park. Will people have to go through that entire complex to get to it?

MR. HAMILTON: There are two ways into it. First of all, this entire area is going to be fenced in. It's going to be access through the new community with a gate and access with a gate out to Radel.

MS. GUARINO: What's the point of having it a township park, if truthfully, I don't think people are going to end up going into it?

CHAIRMAN: It's good to know because the township council will ultimately have the say in how this gets handled.

MS. GUARINO: The fence along the west part because that's the part that has to do with my neighborhood. I'm just trying to remember back to

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could those steep sloped areas cause?

MR. HAMILTON: Right now they are stabilized with grass for the most part. With the exception of the ditch that's located in the southwest corner. What we are going to do for example the retention basin, as I mentioned, we are going to reconstruct that with a different part of the site. We are going to re-vegetate it, stabilize it in accordance with soil erosion standards and then we will be creating a new steep slope essentially, but it's a stabilized steep slope in accordance with your zone regulations.

MS. GUARINO: The other ones, the smaller ones? I'm just curious because to me whether it's one percent, two percent if it's something that still will create a problems, are those problems things that are going to impinge upon surrounding neighborhoods or is it going to impinge upon people that are going to be living there?

MR. HAMILTON: They are not going to impinge on anyone. For example, it's a couple steep slopes adjacent to this building. This whole area is going to be regraded, stabilized. It's going to be units here, driveways and new stabilized slopes in accordance with your regulations. It's the same thing

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along the eastern side where you have a little slope 1 2 off the parking lot. That's all going to be regraded and restabilized. So yes, we're disturbing them. 3 4, They are isolated slopes and there is no significance to them and no chance or problem of soil erosion or 5 6 anything like that. 7

MS. GUARINO: The reason I was asking was is because when you were asking for exceptions to some of these variances. In other words, you were saying, I want to be able to make the lighting brighter. What you were asking for permission to change something, correct?

MS. HAMILTON: Yes.

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MS. GUARINO: What's the purpose of asking if you're correcting them anyway?

MR. HAMILTON: It's one of the ordinance standards that if the slope is over ten percent you have to identify that slope on your plan and then there is a certain requirement as to how much of that slope you can disturb on that ordinance. We're disturbing more than the ordinance requires for those limited slope categories.

MS. GUARINO: And also you said something about 2006 model that you were using.

MR. HAMILTON: The publication that we

Jersey in addition to the more-populated parts?

MR. HAMILTON: Entire state.

MR. KULAK: Is there nothing more specific to our area from, which to draw?

MR. HAMILTON: There is some data on specific areas, like, the south, the central and the north part of the state, but it's not as recent as this data, number one and number two, I don't believe that the information now in terms of the impact of different grades, but there was an insignificant difference.

MR. KULAK: When you're coming up with this number, you're eluding to the Woodmont property that you're very familiar with and said had a greater number of children, who were attending public schools.

MR. HAMILTON: Represented by Ms. Doyle, yes.

MR. KULAK: That number was about 100, give or take; am I correct?

MR. HAMILTON: 30 school-aged children.

MR. KULAK: 100, 30 school-aged 21 22 children. So if we were to extrapolate we would get to 60. How would you describe or compare the two 23 24 you're proposing here versus Woodmont in terms of the

target market for it, the kind of tenant you're

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base our school age and populated projections is 2006 1 2 report.

MS. GUARINO: Why isn't there something more current? It just doesn't exist?

MR. HAMILTON: Doesn't exist. We used the best data available.

MS. GUARINO: Again, years this area and a lot of other areas changed drastically. Seems like we're working on some very old information.

MR. HAMILTON: When the initial studies were done I think it was 2000 or 2006 the number of kids went down from earlier and I suspect that might be the same day.

MS. GUARINO: Obviously, in our district it's going to go up. All right. Thank you.

CHAIRMAN: Thank you. Other questions of this witness?

MR. KULAK: John Kulak, again. 13 Ramsey Street. We're talking about the study you used to determine the school-aged children. A lot of us are having a hard time believing that with 220 units you're going to end up with 38 school-aged children. You said you used the state average on the whole and where you come up with those numbers. Even the

less-densely populated parts of the State of New

seeking, whether they have children or not because you're talking about an affordable component, too, which more likely is going to bring in additional children. Can you compare them since you introduced them as a comparable?

MR. HAMILTON: Sure. The Woodmont project is three buildings. It's 100 units. It has 20 percent affordable units as this project does and they are all two bedroom units. In Woodmont project we're 50/50 split from the market unit for one bedroom and two bedroom and you're right. The affordable units do generate more school-aged children as reflected in our calculations and the numbers from the Rutgers study.

Again, I mentioned why there is more school-aged children there, it's difficult to say. This is a very high-end product one and two bedroom units. The one project that's closest to it is the one in Denville that I mentioned that's at 95 percent occupancy where they have very few kids. I think it's 12, is what I said and that's 100 units, as well. So it varies from project to project. Whether it's a fact that it's more suburban area, it's tough to say.

MR. KULAK: Look at the existing population of apartments in Bridgewater. You can look

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at Finderne, itself, where there are several units and two developments in specific and lot of multi-family housing to see the population of children that come from those units and then use that as anyway to do your projection.

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MR. HAMILTON: I did not, but I can tell you that the number of school-aged children that are in, for example, Meadowbrook Village, which I worked on probably 20 years ago, which is more of a garden apartment complex. It's a very different product than what's being proposed here. And we found that that this attracts more of the younger crowd as well as recently separated people and you also have an older component for residents of Bridgewater who want to downsize, but still want to stay in the town and that's what we found generally on these projects and I've worked on many of them is the demographics for this type of project.

MR. KULAK: When you then look and extrapolate from there to the school bussing that you were talking about earlier, right now we don't know how many buses are coming through. You don't have that number to share and I don't think the planning board knows that number right now. Anybody? So we don't know how many buses are coming through now.

1 MR. KULAK: When you're looking at 2 using the data that you had, all you had was the 2000 3 census data and the best data that you have is the 4 2006 report and that's how you came up with these 5 figures? 6

MR. HAMILTON: Yes. MR. KULAK: Again, it's tough for us

8 living in the area knowing how desirable the 9 Bridgewater Township schools and how overcrowded they 10 currently are to believe that you are only going to add a few numbered people. You mentioned the product 11 12 that you're offering here and the kind of people it 13 attracts. Could you talk a little bit more about 14 that? You said it's going to attract a younger 15 demographic. You also said it might attract some 16 senior citizens and perhaps, those that are separated 17 or suffering a decline in their financial condition 18 and moving into affordable housing, in your mind, is 19 that what you're marketing to those groups or is that 20 just what's going to move in and graduated.

> MR. HAMILTON: That's an accurate description. These are high-end units, probably with the exception of affordable units, that's generally what we found to be in the market are those groups of people.

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We're wondering if you're going to be adding one, two, 1 2 three buses since you're driving them down local 3 streets right now and we prefer that you don't do 4 that, but have you any indication then as to the total 5 number of buses that are going to be circulating 6 around?

MR. HAMILTON: I do not. I asked Mr. Coyle if he felt we would need additional buses for this project and he wasn't able to answer that. He would have to a look at the number of kids and bus stops and routes and everything.

MR. KULAK: The process by, which you would ask for an exception to allow the bus to go into your complex could you describe that process again and whether you'll be making application for that?

MR. HAMILTON: If that is a condition of the approval here, we agree to send a letter to the Board of Education requesting bus service and a bus stop on a private property and only the board, it's my understanding, can grant that approval.

MR. KULAK: If they were to do that, would those buses be picking up children only for your development or would they be going and picking up children from the other neighborhood, as well?

MR. HAMILTON: I don't know.

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MR. KULAK: I'm going to switch gears a 1 little bit because your testimony covers a wide area. 2 3 I want to go back for request for fencing along Radel 4 Avenue and some of the parking issues. I think the 5 fence would be prudent in terms of protecting the 6 existing neighborhood from any traffic that might 7 accrue as a result of people parking on Radel or 8 parking on the streets and trying to move right into 9 the apartment complex. Human nature tells you if 10 you're restricted and you're going into the apartment 11 complex roadways and following the perimeter roadways 12 and trying to get to your apartment that you can park 13 perhaps on Ramsey Street if you're down in these lower 14 units on the southern side along the railroad tracks and hop over and get in your car and go to work. So 15 16 we're concerned about that. I'll stop there and see 17 if you have an opinion because I think certainly the 18 board should-consider that seriously and given what 19 we're looking at in terms of protecting the existing 20 neighborhood from the impact of this project. 21

MR. HAMILTON: Two things, First of all, we know we have adequate parking onsite. We have 422 spaces to get 458. But secondly, as I indicated earlier if it's the board's desire to put a fence along there we will agree on that,

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MR. KULAK: I want to draw your attention to the backyard along Ramsey Street. That's where my house is and so I'm particularly interested and I'm requesting a fence be put along that backyard in addition to the plantings that you have. Again, human nature is people are going to cut through our yards and we don't have any protection and we're looking at a similar situation where people are parking on those streets and then moving in through the yards, going to the apartment complex. So I'm requesting a fence along that line, as well. Do you have any opinion about that?

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MR. HAMILTON: Well, as I stated, we believe that the landscaping that we propose and the ordinance is very aggressive in terms of number of plants that are required in a buffer and the spacing of those plants. We are going to meet that ordinance, but again, if the board determines that in addition to that significant planting that a fence is appropriate, we would agree to that.

MR. KULAK: I think that part of the intention is to provide screening, which is visual. Right now if I were to look out my backyard and I see the existing plantings that are there the property has been unoccupied for at least 20 years directly behind

MR. HAMILTON: Correct.

MR. KULAK: I'm going to go back to the park because you asked us in terms of our opinion that given the liability that's presented by a public park on private property over which you would have little control over the responsibility and the existing habits of the local youth population who seem to look for areas to hangout and do whatever they do, I think that's something that we choose not to have, but I do have a question about it. The park right now as it's proposed is fenced, but the adjacent detention basin is not; is that true?

MR. HAMILTON: I believe in Mr. Corsey's testimony that we agreed to extend the fence along Radel. So that the park would be fenced and this extra piece going to the east would also provide a barrier to the detention basin.

MR. KULAK: The detention basin, itself, is not surrounded by a perimeter fence, but just that portion along Radel is meant to deter?

MR. HAMILTON: That's correct.

MR. KULAK: I don't have a lot of experience with detention basins. Could you tell us at worst it's there for a period of time and slowly drains away? What's the real purpose of it?

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me. As a result of that I'm naturally desiring some plantings, some screening along those lines, but that doesn't address the issue of pedestrian traffic and

4 people cutting through people's yards and I think that

would be an important component of this plan and go 5 6 along way toward protecting those of us who really are

backing right up to it. Could you tell me how close 7 that private roadway to the backyards to the people 8

who live on Ramsey Street?

10 MR. HAMILTON: This roadway here? 11 MR. KULAK: Yes.

MR. HAMILTON: 25-foot separation from the curb line to the property.

13 14 MR. KULAK: That's consistent with what's required? 15

16 MR. HAMILTON: Yes.

MR. KULAK: How wide is that road?

MR. HAMILTON: 24 feet. 18

MR. KULAK: That allows for two cars to 19 20 pass each other going in either direction?

21 MR. HAMILTON: Yes, two way. 24 feet.

22 MR. KULAK: People coming in the main 23 entrance from Main Street when they hit that little

24 landscaped area in the center can either go to the 25

right along the perimeter road or to the left?

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MR. HAMILTON: That is the purpose, to control the outfall and the runoff going off your site. So you're right. We're just going to be discharged into the inlet, go into the detention basin held back for a certain period of time, not a long period and then it's released to the downstream system. We always have discussions on many of our projects as to whether we should fence these detention basins or not. There are some philosophies that would say let's not fence it because if we fence it, it becomes a nuisance if some kids get in there and they will sometimes, it's more difficult to get out if it's fenced and provide help when it's needed. This particular basin is located in the eastern part of the site. There is a play area there. If it remains there that's going to be fenced. We don't see there is a lot of pedestrian traffic that's close to it. So our intention wasn't to fence the whole basin. 19

MR. KULAK: Do those retention basins serve as a place where insects and other stuff that's dangerous to us would breed as a result of water stagnating there?

MR. HAMILTON: No. It's a low-flow channel that's proposed, which is typical on a basin like this which takes the lower storm events. So

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the people in the area? Do they have to be protected

MR. HAMILTON: No, we don't believe so.

from the drainage ditch?

MR. HAMILTON: We've identified on our

plans and we surveyed the trees. So we know exactly

which ones are on the applicant's property and which

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project.

MR, KULAK: Is there any way for me to get access to that data?

MR. HAMILTON: I believe it's on sheet three of our set. It's on file with the town.

MR. KULAK: Then just to go back to the lighting for a moment a big concern to us especially since our backyards are going right into the apartment complex you said the lighting plan calls for 24-hour lighting. There is no dimming the lights at a certain hour or some lights stay on some stay off. They are just all on the entire evening?

MR. HAMILTON: Correct.

MR. KULAK: If I understood the planning board requirement if those are offensive to us there is some shielding, but I didn't understand what that was. Can you describe better to me what that might be?

MR. HAMILTON: Sure. Any of the lights that are, for example, which may affect you on the eastern side of road C, they are going to be facing towards roadway. They would have a shield behind the light that would limit your view of that light and limits the extent of the foot candles.

MR. KULAK: Why are you requesting what

illuminated during the entire evening and you're make attempts to shield the light from pointing towards the houses, but that whole area is going to be lit up like the shopping areas.

MR. HAMILTON: I wouldn't say that. We're only lighting roadways during the evening hours for safety. There are low-level lights on the buildings, themselves and again, we're using the best fixtures that you can get today in terms of LED fixtures. It's not going to be shopping center levels. Shopping centers, they have a much higher lighting standards than a residential roadway does. We are not looking to over light the site. We're

MR. KULAK: Thank you.

looking to meet your ordinance as close as we can.

CHAIRMAN: Other questions of this particular witness?

MS. CRAVEN: Yvonne Craven. I'm concerned about the property along Radel and I'm not sure you're not going to be putting up fencing because if I were living in those apartments and there was no fencing I could certainly park on Radel and walk across to my --

CHAIRMAN: I think the applicant agreed that if the board decided they would do that and I

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I'm going to describe as brighter lights than the township will require?

MR. HAMILTON: We're not. We're meeting the township standards. There are some standards as we've said and we've explained, I think Mr. Corsey did, when you have a standard of say 1.5 foot candles for average and then you have another standard for maximum and minimum, it's really possible to exactly get to that 1.5. What we did on our original application was come up with a lighting design that meets your ordinance standards for the most part, but we were over in two categories. We came back and had our lighting consultant redesign the project to get us that closer to what the standard is. So we think the lighting is appropriate for the

MR. KULAK: For all practical concerns people on either side of this development are going to be seeing essentially an L-shaped area that's completely illuminated during the evening and your intention is to try and keep it within that footprint. MR. HAMILTON: Say that again.

MR. KULAK: From the perspective of the people who live right next door to you on either side who are going to see an L-shaped development

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1 think if you want to make a statement about whether or 2 not you're in favor of it, there will be an 3 opportunity to do that. Not right now.

MS. CRAVEN: I think it's something that they should consider for that reason. Thank you.

CHAIRMAN: Thank you. Other questions of this particular witness.

MR. KORDZIKOWSKI: Joe Kordzikowski. When the trees or shrubs that you are going to planting there, when they die, are you going to be replacing them? Are you taking responsible for that.

MR. HAMILTON: There is an ordinance requirement particularly for the buffer requirement. We are asking for approval for planting design to provide buffering to the neighbors I think your ordinance recovers the replacement.

CHAIRMAN: Scarlett, you may want to comment on that, . It's the maintenance of the landscaping as, if anything dies, responsibility to the property.

MS. DOYLE: The planning board does require the ordinance that a performance bond be posted to assure that it's planted and after it gets planted. I would inspect it and after I confirm it's inspected it's in the location, it's in the height,

Page 110 Page 112 it's in the numbers that were by the plan then they go comment would be the fence along Radel and behind the ٦ 1 2 for a two-year maintenance bond. They have to post 2 property along the houses on Ramsey Street. People 3 that too and after two years we check again and all of 3 are just going to walk through there, park their cars those plants have to be there and healthy and then the 4 on Radel. I can see where you want to put shrubs issue is perpetual versus non-perpetual maintaining 5 there if people are going to walk through those shrubs and that would be a legal issue as to how the board 6 if there is no another deterrent than a fence. Thank 6 7 7 attorney would craft the language to assure that you have continued assurance of that, particularly the 8 CHAIRMAN: Thank you. Other questions 9 9 buffers. of this witness? Any further questions from the 10 MR. KORDZIKOWSKI: Thank you. You said 10 board? you're going to be using some of the existing plants. 11 MAYOR HAYES: On the school children 11 12 Does that include existing plants along Radel? 12 and the comparison with Woodmont, I'm just trying to 13 MR. HAMILTON: Yes. 13 keep it in perspective and this group has 120 units. 14 MR. KORDZIKOWSKI: Have you been down 14 Woodmont has 100. Woodmont has 100 units of all two 15 Radel. 15 bedrooms and this unit is 220. If you subtract the 88 16 MR. HAMILTON: I have. 16 that are one bedroom, you then have I think most would 17 MR. KORDZIKOWSKI: They are poison ivy, 17 agree that one bedrooms do not generate children. You 18 weeds, half trees are dead. It's pretty bad. 18 have 132 units that are two bedroom or more and 19 MR. HAMILTON: And I know that. Any 19 Woodmont has 100 units that are two bedrooms. 20 20 dead tree we are going to take down. We are going to Woodmont generated 30 and the prediction of 38 given 21 21 clean up the area in terms of poison ivy, invasive what we heard of the variability of the study does not 22 species, things like that. We were going to leave 22 strike me as a big difference. I know I'm putting it 23 some of the vegetation because some of the plants were 23 together and I'm saying one is 38 and the other is 30. 24 safe. They are not specimen trees or plants, but they 24 You can add a couple more to 38, but it's not out of 25 provide some buffering to the neighbors and in 25 the ballpark. Am I missing something? Page 111 Page 113 1 addition to that on our plans between Radel and the 1 MR. HAMILTON: You're correct. 2 2 MR. FRANCO: Going off that, you've got improvement on our site we are providing significant 3 3 landscaping as proposed. 88 marketable units that are single bedroom and how MR. KORDZIKOWSKI: You mentioned 38 4 many COAH units are single bedroom? 4 5 5 school-aged children. Did I hear you say 25 not MR. HAMILTON: Eight. 6 6 school-aged children. MR. FRANCO: We've got 96 single 7 7 MR. HAMILTON: No. What I said was, we bedroom units. Would that be correct? 8 8 anticipated in the neighborhood of 25 children in the MR. HAMILTON: Correct. 9 9 two-to-five-year range. Not yet in school. MR. FRANCO: About lighting, if you're 10 MR. KORDZIKOWSKI: Eventually, it will, 10 doing any development creating new streets, cul-de-sac 11 11 the lighting you've done would be consistent with approximately, be 63 school-aged children? 12 12 MR. HAMILTON: You will have some something would you do in a new development; is that 13graduation. 13 correct? MR. KORDZIKOWSKI: There is a barrier 14 14 MR. HAMILTON: Absolutely. between the train tracks and the back of the building 15 MR. FRANCO: If this were single-family 15 16 is there going to be a fence to prevent kids from that 16 houses you would still be required to do that 17 development getting on the train tracks or from the 17 lighting? 18 train tracks. 18 MR. HAMILTON: The light standards for 19 MR. HAMILTON: No fence proposed. 19 the roadway whether it's single family or multifamily 20 MR, KORDZIKOWSKI: That's a safety 20 21 hazard, I would think, allowing access into the train 21 MR. FRANCO: The last comment I have is 22 22 tracks. seems by what I'm hearing is sounds like the fence is 23 23 something that is very, very desirable, also moving MR. HAMILTON: We are not proposing 24 24 the park internally over towards that vacated Radel that. 25 25 area and keeping it private seems to be the direction MR. KORDZIKOWSKI: I guess the other

Page 114 Page 116 that I'm hearing. 1 those occupying the units from coming onto Radel and 1 2 CHAIRMAN: Other questions? 2 parking their vehicles there, which if it were me and 3 COUNCILWOMAN ROSE: Could we go back to 3 I had access just going through trees to get to my 4 the point that was just raised in terms of people in 4 unit and the reason I would park on Radel is I need to 5 this development having access to the railroad tracks? 5 make a left turn on Main Street and I wouldn't be able 6 How to kids get on the tracks now? 6 to do that going out the main road. So I will work on 7 CHAIRMAN: There's track openings 7 Radel or Ramsey or wherever, so I can have access in 8 everywhere along Bridgewater. They are not required 8 the morning to go to the traffic light and to make a 9 to be fenced in at this particular time. 9 left turn at the light rather than not being able to COUNCILWOMAN ROSE: So there is really 10 10 do that with the main road that's in and out of the 11 11 no protection for anybody? development. Does that make sense? 12 12 MR. RODZINAK: Anywhere. CHAIRMAN: Yes. 13 13 COUNCILWOMAN ROSE: Thank you. MS. CRAVEN: So I feel very strongly 14 CHAIRMAN: At this time I'd like to 14 that a fence along Radel is appropriate. 15 open the floor up to public for any general comments? 15 CHAIRMAN: Thank you. Other 16 Anybody having a comment about this application at 16 statements, comments? 17 this time is welcome to approach and make their 17 MR. MILLER: George Miller, 18 Ramsey 18 comment. Please sate your name again and address. 18 Street. Pull back from the whole fence thing even 19 MS. MARICONDA: Kris Mariconda, 19 19 though I know it's a big sore spot because we think we 20 Ramsey Street. I do ask that everybody really 20 should be secluded from it. I want to talk to it as a 21 consider putting that fence along Ramsey Street and 21 whole. You're doubling or tripling the size of the Radel Avenue. Living at 19 Ramsey Street for 20 years 22 22 entire area of the population in an area of a ten-mile 23 I've had people walking through my yard with their 23 radius where there is a significant amount of housing 24 dogs. I have a pool. I don't want to have liability 24 being developed already. It seems disingenuous to the 25 issues with children being on the other side. I've 25 area for the population as well as to the township to Page 115 Page 117 witnessed all the vandalism and people walking towards 1 1 build this thing and I want to be on record that I 2 2 the train tracks and knocking down fences and poison totally oppose this. 3 3 ivy. CHAIRMAN: Thank you. 4 4 The last thing I want to bring to MR. KULAK: John Kulak again. 13 5 everyone's attention and I'm sorry I'm opening up a 5 Ramsey Street. I want to talk to the existing 6 can of worms, just a few weeks my neighbor who moved 6 condition of the property first because over the last 7 7 into his house found a large asbestos pipe on the 20 years that property has been allowed to deteriorate property behind his house and I want to make sure how 8 8 by the neglect of the current owner. So the current 9 that's going to be removed. It's on the property of 9 state that we face everyday when we look out our 10 this Weyerhaeuser lot. You guys are going to note it? 10 backyards and see dilapidated dangerous buildings, It's a large asbestos pipe. 11 11 which pose to us not only a quality of living hazard 12 CHAIRMAN: Yes, we have your comments 12 and actual hazard because we don't know the extent. 13 noted. Yes. Please. You can make any comment you 13 We do know that it's dangerous substances both in the 14 14 office building and additionally, in the Weyerhaeuser want. 15 MS. CRAVEN: The fence that's on 15 buildings, as well. So we have this existing state 16 Radel ---16 and this state exists because the current owner of the 17 MR. COLLINS: Your name for the record? 17 property has ignored to the best of our understanding 18 MS. CRAVEN: Yvonne Craven. Now it's, 18 all of the township ordinances, which would prevent 19 like, falling apart as well as the bushes that were 19 that state from occurring. So every time a violation 20 20 there that. They put up a wood fence when is issued nothing happens. The only time that we've 21 21 Weyerhaeuser was there before and then it's all seen any evidence of the current owner making any 22 collapsed and a mess and then, of course, it's no 22 attempt at approving the property is while this 23 fencing where the building is, but there is some trees 23 application process has been brought forth to the

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township council.

Now the planning board and we can tell

and bushes and stuff like that, but I still feel that

we need to have a fence along Radel sort of to prevent

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- now the calendar of when the grass is going to be cut
- 2 is when there is a planning board meeting. If locks
- 3 are going to be put on something, it's because
- somebody said there were no locks put on those doors
- 5 previously and only now that this developer is making
- 6 this application are we seeing any improvement at all.
- So we have an existing owner who's established a track
- 8 record and now you're going to impose a variety of
- 9 restrictions on them to develop what is a gross insult
- 10 to the overall community and 220 units within a very
- 11 small footprint is just way too dense. But given
- 12 those restrictions we have no confidence that this
- 13 developer this owner would adhere to those
- 14 restrictions as they have not done in the past. So we
- 15 start with a bad actor to begin with and somebody who
- 16 has neglected the property and now seeks to profit
- 17 from it and profit from it at the expense of the
- 18 neighborhoods that are adjacent it. There have been
- 19 some compromises. Di-minimus is a good example of a
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- word they used earlier and while we're looking for
- 21 protection honestly, it's just a complete disruption 22 of the entire neighborhood.

The other thing is viability of the

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project, itself. It's marketed towards a high-end renter. I can't imagine high-end renters wanting to faith of the builder, there is no good faith here.

2 They haven't demonstrated any.

3 And if it's not a viable project, what 4 happens? Does it get completed? Do they start it and 5 decide to finish it later? Do they lower the rental 6 that they are expecting? Do they seek additional 7 tenants who might have more subsidies available to 8 them just so they can rent the units? We don't know 9 the answer to any of those, but we do know that the

10 marketplace in its current condition offers healthy 11

competition and many of the apartments that have been built have been struggling.

The impact on the schools, itself, it's still difficult for me to believe that those numbers are real, but on the presumption that they are. It's still an impact to an already overcrowded school system and there are still open issues with the respect to the buses themselves.

Early on when we talked to the township council, one of the conditions was to prevent our neighborhoods from being impacted by any of the traffic as a result of this project. So while you've kept to that and maintained the integrity of the project keeping within its perimeter, we're trying to guarantee that happens by asking for fences and things

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- 1 live along the railroad tracks, but maybe, I'll
- 2 presume that they can sell those units at some lower
- 3 price perhaps and more desirable ones up top. Maybe,
- 4 that's where they'll concentrate the low-income units,
- 5 put them along the railroad tracks. I'm not really
- 6 sure. But I don't see it as a high-end development
- 7 and within a five-mile radius. There are hundreds of
- 8 units building or approved to be or built and unrented
- 9 and someone who's had 20 years in commercial lending,
- 10 I'd be very hesitant to put any of the bank's money
- 11 behind a project like this given the current state of
- 12 what might very well be an apartment bubble.

13 Now Bridgewater has an obligation, but 14 they don't know what it is toward the affordable 15 housing units that are ascribed to them. There are

- 16 other ways for you to obtain those units without
- 17
- having to go through this density a project and the 18
- only reason that we're standing here now is because 19
- this project has been put forward as a solution to
- 20 what should be a site that was already cleaned and
- 21 left in pristine condition, but rather is left to
- deteriorate and propose a hazard to the people living 22
- 23 there currently. When you think about that insult to
- 24 the people who live there currently and adjacent on
- 25 either side and then ask us to rely upon the good

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- 1 like that and now we're going to have additional
- 2 buses, unless they are asked to have bus stop put
  - inside. So I would recommend they do that, as well.

It's so important I think to the

5 township if this project is approved and ultimately

6 the demolition begins and the project is going to be 7 underway to coordinate any of their efforts with the

nearby Superfund cleanup site it's within visual

observation of their side and only separated by about

1500 feet.

11 Their drainage plan and stormwater plan 12 ultimately goes right into the Raritan River 13 co-mingling, if you will, the drainage, with that 14 which is coming from the Superfund site and the fact 15 that they didn't know in the early testimony that

- 16 there was a Superfund site there is mind boggling, but
  - then to approve this without requiring them to
- 18 coordinate their efforts with the existing efforts of,
- 19 I think it's under Pfizer now, for the reclamation of
- 20
- the American Cyanamid site and then the impact to the 21 river would be irresponsible. So I think you need to
- make a strong recommendation or a condition that they 22
- 23 continue to coordinate any of their development
- 24 efforts with the Superfund cleanup site and any impact
- 25 either one would have upon the other and I think

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that's critical. 1

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Lastly, the people in the neighborhoods have been appealing to, first the township council, the planning board. I met with the mayor early on. He has supported this project 100 percent from its inception and I really haven't felt that you have been responsive to the public other than to entertain our questions, which we appreciate. But your position hasn't changed at all in terms of the support for this project despite the outpouring of people's concerns about how it impacts their quality of life.

Bridgewater is made up of extremely wealthy people and extremely poor people. We are trying to create a balance it appears among the community and yet the Finderne section has always been an area that the township felt was expendable.

If you look at the revenue generated from Finderne with all of its industrial properties all of its commercial properties, all of its retail properties, it's just an unbelievable disproportionate amount of money that comes from it and yet, when we're looking for a little relief here in terms of leaving what might have been vacant land or developing of single-family homes, we feel we've been ignored in the process when you're looking at protecting what little

CHAIRMAN: It's also not dependent on the vacated right of way.

MS. DOYLE: What's different here is the type of equipment is for five-year olds. If you see the modest apparatus and presumably there will be benches and tables. I don't hold the same concern because the level of activity and the age of the children will not create what I was concerned about.

CHAIRMAN: Other comments?

MR. LERNER: Second comment, also on the playground. We have a vocal group of residents here, but I wouldn't expect the residents in the neighborhood that have toddlers to be here because it's very hard for parents that have young kids to come to a meeting like this. I understand the gentleman who spoke doesn't think it necessarily needs to be a public playground. I don't know if it's representative of the neighborhood. I don't know how many young kids live in the neighborhood. So I wouldn't -- I guess what I'm saying is I wouldn't be swayed 100 percent by the neighbors who are there. I'm not saying that it should be public or not public. I just don't think we have representative people from the --

CHAIRMAN: Based on the fact that this

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that home, and then the integrity of your quality of 2 3 life, you expect that your political representatives 4 would be more responsive to our needs rather than the 5 needs of the developer who, quite frankly, won't see 6 that property once it's been developed. With that, I 7

slice of life you have, your own home, the value of

CHAIRMAN: Thank you. Other comments from the public? Hearing none, other comments from the board at this time?

just want to continue on my opposition and thank you.

MR, LERNER: I have one. Going back to the playground, which I guess is currently on the southeastern piece of this property, I don't like it there. Personally, I don't think it's the safest place for kids to be. It's isolated and I like communities to be able to see who's coming in and coming out.

There were two spots proposed. One of which Scarlett had a problem with, the more obvious of the two, which is the one bordering the neighborhood as opposed to the more interior one. I think we need to flush that out a little bit because i that interior spot is large enough and doesn't work it doesn't have the problem that Scarlett mentioned at the last meeting.

board cannot force the township to accept the public 1 2 park, we would be entertaining the proposal that says 3 it's private and leave the discussion, further 4 discussion, to the township council if it so desired. 5

MR. RODZINAK: As the location? CHAIRMAN: Well, we would make a recommendation as a board assuming it's a private park in one of the two locations. So I think we would do that. However, the township council I think would still have the opportunity to entertain whether or not other people who, maybe aren't here, want to approach the council and say, I think you need to revisit this for some reason, but we would not be approving that. I don't think we have that authority as a planning board.

MR. COLLINS: The applicant offered it as an offer. You can decline the offer and say you want it to be private. So it's a site plan. So I'm satisfied you have control. If you want it to be private, you can just make it a private tot lot. It's not even a park. It's a tot lot in a development. I think that Ms. Doyle is thinking of that corner opposite unit 15, building 15.

MR. LINNUS: You want to point that out, Bill?

MR. COLLINS: 14 not 15. I think she's thinking opposite near the right of way. Right in that area and when if Radel is vacated, a longer strip of Radel will go to the applicant right in that area. Obviously, the sewer line is through that area so --actually, Mr. Hamilton said they can work with the town on locating it near or on the sewer line. It's a little more flexibility after that's vacated. The tot lot is common that I multifamily development. It's common that they are private. MR. LERNER: Just to finish my

MR. LERNER: Just to finish my thoughts. I think that the fence that has been proposed both new fence or to make sure the weathered fence is viable as well as the fence on the northeast, whatever that is.

MR. COLLINS: Eastern side.

MR. LERNER: It's been discussed repeatedly. I think there are benefits to both, the development and the neighborhood and the neighborhood be secured from the development.

CHAIRMAN: Mr. Lerner, I'd be interested in your opinion on the bussing situation given your situation with the Board of Education.

Ms. Casamento's comment about the need for those new residents in the northwest portion of this

appreciate that. Mayor?

MAYOR HAYES: I support we put in as a condition which has emphasis is making the request and that the school board will view the development as an integral part of the neighborhood just use their regular optimization just now considering the ability to drive throughout the zone to pickup children where it's efficient to pickup children.

MR. LERNER: People can go to the board. If the neighborhood has 35 kids and they are all going to be going to an elementary school, people can go to the board just like they come to us and say we think you should have a bus here. The board makes their decisions the same way we do and lobby the will same way we can.

MR. RODZINAK: The four things we've been talking about are the fence on Ramsey, the houses on Ramsey the fence along Radel, moving the park which quite honestly makes sense since it's a private park to the other location that Scarlett indicated that might be the better location to make the suggestion for the bus stop location. It gives the kids something to do while they're waiting for the bus. It's a location that's central to the site and easy to

circumvent for buses if they should go in there and in

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development. It seems to me like a bus stop right in the entrance area would make sense. I don't know how the Board of Ed. works, but it would seem like having that option to handle the majority and possibly having, you know, another -
MR. LERNER: Typically, it's 100

MR. LERNER: Typically, it's 100 percent based on essentially. Mr. Coyle has a program that plots where all the kids are in the district and then they figure out exactly how many buses to go where, to use the fewest amount of buses, to get the kids moved to where they need to move and it's 100 percent programmed. They do have small buses. So I think the concept of making the request to the board and if the board deems it is not efficient events to provide a bus to the development, it will say it won't do it. But if the request is the only way to have them look at it, then I think going forward with that request is --

CHAIRMAN: We would make that a condition?

MR. LERNER: That doesn't necessarily mean the board will do it because if it's only three kids, they are not going to run a bus in there and they are not going to want to.

CHAIRMAN: Thank you, Mr. Lemer. I

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relation to the fences, which seems to be a general
consensus of the neighborhood, what type of fence are
we talking about? Something that's aesthetically
pleasing, not a chain link fence?

MS. DOYLE: The ordinance requires a

black decorative fence.

MR. RODZINAK: Similar to what we've seen for the Center for Excellence.

9 MS. DOYLE: Yes. The ordinance does 10 not permit chain link. They have to have the 11 decorative.

> CHAIRMAN: The applicant the would have to work with you, just like we talked about the applicant working with you on the site inspection regarding tree gaps and things like that.

MS. DOYLE: Mr. Rodzinak brought up an excellent point to say that if that is changed, by that I mean, if the bus comes into the site that there should be a bus pad for the children at that location at that new location.

MR. RODZINAK: I think it makes sense.

22 It's centrally located in the site.

23 CHAIRMAN: Other comments?
24 COUNCILWOMAN ROSE: Just to clarify one
25 point. Correct me if I'm wrong. My recollection of

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this discussion that council was that if the apartments were not rented that the developer would look towards selling at market value?

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MR. LINNUS: I think I remember that is a possibility, but it's not here right now. I think what we have to do, though, is deliver rental apartments to count towards your affordable housing obligation, but I don't believe that the developer would ultimately be opposed to anything that would make it a more viable project in the future. So your recollection kind of jives with mine.

COUNCILWOMAN ROSE: In terms of one of the comments that we heard tonight about a plethora of opportunities for rentals, what would happen to this particular project if that plethora is there and they could not be rented that we are not going to end up with a bunch of houses and apartments that are vacant?

MR. LINNUS: That's absolutely not the plan. Having said that, I have a number of clients and it seems that apartments are in the market now.

COUNCILWOMAN ROSE: In the event that something happens, your plan has been to sell, to move into a selling situation opposed to a rental?

MR. LINNUS: Absolutely. We're most interested along with the township and the

the two options of both somewhere in the site for whatever is the most busiest school pickup so there isn't two buses coming down and then the last option would be just everybody going through there. That's how it would be.

MR. FRANCO: I want to ask you a question. So we if do get internalized bussing that walkway and the opening of the fence would be eliminated on Radel or would that always remain as an access?

MR. HAMILTON: Could you repeat that? MR. FRANCO: Say we do get internalized bussing, we do get a bus route within the development where you now have a bus stop on Radel, we have a sidewalk and an opening in the fence.

MR, HAMILTON: If the buses all service a community internally, yes, but Mr. Lerner made a good point that the projection of high school students is pretty small. So there is a possibility that the elementary school children, for example, could be serviced internally, but you still may need that break in the fence for the older children.

CHAIRMAN: I guess thinking out loud, you know, these kids are all going to the same school. They are going to be on the same bus. There are going

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neighborhood to have a viable project. We're not in this for not having a viable project.

COUNCILWOMAN ROSE: I'd like the idea of the bus school transportation coming into the site. However, my question would be, if the applicant applies for the waiver and the waiver is not granted, we're back to a hole in the fence. We're back to a bus stop on Radel and Ramsey. So I think that somewhere in the course of all of this there needs to be that latitude that allows the applicant to go back to plan A, which is that the bus stop with the walk through to the apartment complex.

MR. LERNER: If the projections are right, you're only going to have two or three high school kids. So they are not going to run a high school bus in there. The hole in the fence, even for high school kids, but not for elementary kids, probably makes sense. We have to plan for both regardless. Just to say they are going to bring some buses in doesn't mean they are going to bring them in for elementary, middle, intermediate and high school.

CHAIRMAN: So what we're saying and I'm not sure how the wording would go, but fundamentally, we're recommending that the bus pickup be a central site within the property. If that's not viable, have

to be friendships.

MAYOR HAYES: Mr. Chairman, I think you ring a good point up. The discussion of a fence without an opening into the neighborhood does not make sense to me personally because we are creating a neighborhood. Everyone that lives there would be a Bridgewater resident and you will have friendships. That's the idea and you need to have an ability to integrate with the other areas of the neighborhood and if we're having a fence that goes the length to enforce a walkway then that's what you need to do, but a fence to create isolation is a big challenge. I do not see that neighborhood as a neighborhood where there are -- I do not believe it's human nature to run through yards. I believe it is human nature to run through shrubs, perhaps to get to streets. But it is not human nature to run through streets.

COUNCILWOMAN ROSE: Following up on what the Mayor said and to the concern of the residents. If there is the walk through, how are we going to ensure that people who live in the apartments don't choose to use Radel and Ramsey for parking to access to their apartments because do I think that's a legitimate concern? Silence?

CHAIRMAN: I just don't see sealing

Page 134 Page 136 1 off. My point originally was that there are any other exhibits that we introduced that were not 2 friendships that are going to be made. Kids in these 2 marked into evidence. 3 3 communities who the next generation is going to be MR. COLLINS: They are in evidence. 4 very much so and I hate to tell a kid in building 19 4 5 to have to go out to 28 to come across. 5 (At which time, A-13 through A-17 were 6 COUNCILWOMAN ROSE: I'm not crazy about 6 received and marked into evidence.) 7 7 the idea of a fence. However, there is a legitimate 8 concern about the ease of access of the apartments at 8 CHAIRMAN: On the question with regard 9 the end of the development from Radel and Ramsey and 9 to cleanup, we did figure that out with the department 10 how do we go about enforcing parking regulations in 10 of health, right, Mayor and Dave in terms of the 11 that area without having all the residents have to get 11 monitoring that will be going on and how we manage 12 resident parking stickers? 12 that and what are the requirements for the 13 CHAIRMAN: Is there some other 13 notification to the township. 14 methodology other than the cumbersome, 14 MR. BATTAGLIA: Yes. I believe we 15 never-works-permanent-type of process we've talked 15 discussed it at the last meeting. 16 about. Is there one where if, in fact, that were to 16 CHAIRMAN: And if there is anything 17 happen and obviously, it's a possibility, I agree with 17 significant and Mr. Poulson's onboard with everything 18 you completely, what are the options for the residents 18 that we discussed in terms of notifications, Scarlett. 19 when someone is parking in front of their home and 19 MS. DOYLE: Yes, I've spoken to him and 20 20 walking there through and adding to that? I don't there is an LSRP that will be provided and he'll get 21 know, Mr. Collins, if there is anything legally other 21 the reports and he's satisfied with that process. 22 than doing something like a permanent-type thing, but 22 CHAIRMAN: I just wanted to make sure 23 that creates problems like the resident mentioned if 23 we had that covered off. Go ahead, Tom. I'm sorry. 24 24 he has a gathering. MR. COLLINS: You can consider a motion 25 MR. COLLINS: I can't think of any way 25 on preliminary and final site plan, related di minimus Page 135 Page 137 to prevent that. They are public streets. So, you 1 exceptions and site plan exceptions and waivers and 1. 2 know, really want to control public streets too much. 2 any necessary C-2 variances. 3 So the likelihood doesn't seem extremely high once you 3 The conditions are generally as 4 fence it. 4 follows: Generally as follow the standard conditions 5 CHAIRMAN: I would think that it would 5 which are very significant, the planner's report, the 6 only be the people who live directly near where that 6 engineer's reports, all the department reports, the 7 opening would be that would it make sense and if you 7 concept that is described by the Chairman of the 8 fence it with the type of fencing that Scarlett is 8 department of health and monitoring and the 9 talking about there isn't going to be people going to 9 notifications, the hours of the pool shall be as 10 be able to jump the fence along there. So it will be 10 stated by Mr. Hamilton, which I believe was 11 a.m. to 11 contained. I would say all you can do is monitor it 11 dusk entering the summer days or months. So from 12 and if it becomes a problem, the residents can bring 12 Memorial Day weekend to Labor Day. 13 it to the township council and then you have to go 13 They will leave the fence to the rear 14 next phase, which could be permit of some type or 14 of the lots on Radel, but fix that fence as necessary. 15 15 something like that and I guess that's the only option They will also install a fence on the western side of 16 I can think of. 16 the property as described above the retaining wall and 17 COUNCILWOMAN ROSE: Or we could give 17 they will install a fall on the eastern side of the 18 all the residents that have kids a key to the gate. 18 property along the rear line of the properties 19 CHAIRMAN: That won't work, Other 19 fronting on Radel. 20 20 comments from board members? So now, Mr. Collins, I CHAIRMAN: I think that was incorrect. 21 mean, I heard clearly the fencing along Radel and 21 I could be wrong. I think the new fencing is along 22 22 Ramsey. Radel Avenue, not maintenance of the existing fencing.

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MR. LINNUS: Just a matter of

housekeeping, Mr. Chairman. I want to mark into

evidence the exhibits tonight A-13 through A-17 and

CHAIRMAN: It's new fencing on Radel

and new fencing along the backyards along Ramsey.

MR. COLLINS: Right.

Page 140 Page 138 1 by the township planner. 1 It's --MR. COLLINS: Maintenance to the fence 2 MR. LINNUS: As per the ordinance. 2 3 COUNCILWOMAN ROSE: Plus, the ordinance on the western side of the property. 3 4 only takes us to four years out. 4 CHAIRMAN: Right. 5 MR. COLLINS: Also, the site lighting 5 MS. DOYLE: Two years maintenance, two 6 will be monitored after its installation by the 6 years. COUNCILWOMAN ROSE: Two years out. You 7 7 township engineer and it will include downwardly 8 directed LED light fixtures with shielding as needed 8 plant them one year. The next year if they are still 9 there, that's good and then following that is two 9 and has directed by the township engineer. 10 years of the maintenance. 10 There will be a site inspection by the MS. DOYLE: If they plant them and I 11 11 township planner prior to certificate of occupancy to inspect, they've performed. Upon performance they put 12 12 check for and possibly require embellishment or in funds for a maintenance bond and it's a two-year 13 13 relocation of plantings. There will be a developer's 14 maintenance bond. 14 agreement or the board recommends a developer's CHAIRMAN: You're talking about having 15 agreement with the township council. It's actually a 15 16 a maintenance in perpetuity? 16 redeveloper's agreement with the township council on 17 COUNCILWOMAN ROSE: Yes. 17 this redevelopment. 18 MR. LINNUS: I have to raise a 18 The board finds and concludes that the 19 technical objection to that. It's not legal. 19 tot lot shall be a private tot lot and shall be 20 MR. LERNER: You can make it 100 years. 20 located generally speaking in the area near the new 21 COUNCILWOMAN ROSE: Let's have 100 21 private street from building 14. 22 22 It will apply to the Board of Education years. 23 MR. COLLINS: It's just site plan 23 for permission of internal bussing within the 24 requirements. It's that simple. I'm not going to get 24 development and for pickup and drop off of all involved in this. This is a worthless dispute by Mr. 25 students within the development at a bus stop location 25 Page 139 near the proposed relocated tot lot. If bussing 1 Linnus. It's a site plan. It's an obligation to 1 2 maintain your site in accordance with the site plan within the development or to the extent it's not 2 3 and that continues, but it's not -- it doesn't involve 3 allowed within the development, for example, for high school students then to that extent only there will be 4 the rule against perpetuity. It doesn't involve 4 5 perpetuities at all. It involves maintaining your 5 a bus stop on Radel. 6 site in accordance with your site plan. It's that 6 The board recommends that the township 7 7 simple. I'm not talking about it anymore. Is there a council vacate by ordinance the Radel right of way in the area shown by the applicant's in their plans. 8 motion on the site plan. 8 9 CHAIRMAN: I'll move that as described. 9 There will be a fence along Radel Road for its entire 10 length and there be one gate in that fence near the 10 MR. LERNER: Second. 11 CHAIRMAN: Roll call, please. 11 area. There will probably be a gate for the detention 12 basin for the township to be able to maintain it if 12 BOARD SECRETARY: Mr. Rodzinak? the applicant didn't because I think there is a 1.3 MR. RODZINAK: Yes. 13 14 BOARD SECRETARY: Chairman Charles? 14 driveway shown. CHAIRMAN: Yes. 15 CHAIRMAN: That will be a lock. 15 BOARD SECRETARY: Mr. Franco? 16 MR. COLLINS: Right and pedestrian gate 16 17 near the proposed bus stop. I think those are the 17 MR. FRANCO: Yes. BOARD SECRETARY: Councilwoman Rose? 18 main conditions that I had. 18 COUNCILWOMAN ROSE: Yes. COUNCILWOMAN ROSE: I have one more, if 19 19 20 BOARD SECRETARY: Mayor Hayes? 20 I may. 21 MAYOR HAYES: Yes. 21 CHAIRMAN: Councilwoman? 22 BOARD SECRETARY: Ms. Casamento? 22 COUNCILWOMAN ROSE: The trees, 23 MS. CASAMENTO: Yes. 23 preservation and maintenance of the trees please. 24 24 BOARD SECRETARY: Mr. Lerner? MR. COLLINS: Preservation and 25 maintenance of the trees and landscaping as directed 25 MR. LERNER: Yes.

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1	CHAIRMAN: Motion is approved.	
2	MR. LINNUS: Thank you very much.	
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4	(The meeting adjourned at 10:25 p.m.)	
	(The meeting adjourned at 10.23 p.m.)	
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1 1	CERTIFICATE	
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4	I, LATITISA RUSSELL, a Certified Court	,
5	Reporter and Notary Public of the State of New Jersey,	
6	certify that the foregoing is a true and accurate	
7	transcript of the stenographic notes of the deposition	
8	of said witness who was first duly sworn by me, on the	
9	date and place hereinbefore set forth.	
10	I FURTHER CERTIFY that I am neither	
11	attorney, nor counsel for, nor related to or employed	
12	by, any of the parties to the action in which this	
13	deposition was taken, and further that I am not a	
14	relative or employee of any attorney or counsel in	
15	this case, nor am I financially interested in this	
16	case.	
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20	LATITISA RUSSELL, C.C.R.	·
20	LATITISA RUSSELL, C.C.R. LICENSE NO. 30XI00234100	
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