

BRIDGEWATER TOWNSHIP PLANNING BOARD
Regular Meeting
Tuesday, September 11, 2018
—MINUTES—

1. **CALL MEETING TO ORDER:**

Chairman Charles called the meeting to order at 7:00 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 10, 2018 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 weekends 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
Councilman Howard Norgalis – present
Tricia Casamento – present

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

Others present: Board Attorney Thomas Collins, Township Engineer David Battaglia, Board Planner Scarlett Doyle

5. **APPROVAL OF BOARD MINUTES:**

6. **MEMORIALIZATION OF RESOLUTIONS:**

7. **LAND DEVELOPMENT APPLICATIONS:**

8. **CIP II/AR BRIDGEWATER HOLDINGS LLC**

Block 483 Lot 17, 18 & 19- Route 202/206

#18-012-PB- Preliminary & Final Major Site Plan – Mixed use development including retail, office, restaurant, residential, and office research

See attached Transcription dated September 11, 2018 prepared by: Michael Lombardozzi, CSR, CRR. of Veritext Legal Solutions, 290 W Mt. Pleasant Avenue, Livingston, NJ 07039.

9. **MEETING OPEN TO THE PUBLIC:**

There were no members of the public wishing to address the Board on any matter not listed on the agenda.

10. **OTHER BOARD BUSINESS:**

11. **ADJOURNMENT**

It was the consensus of the Board to adjourn the meeting at approximately 10:44 pm.

Respectfully submitted,
Jacqueline Pino,
Secretary to Municipal Services

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TOWNSHIP OF BRIDGEWATER
PLANNING BOARD

In the Matter of: :
: Transcript
FILE 18-012-PB :
: of
CIP II/AR BRIDGEWATER HOLDINGS :
Route 202/206 : Proceedings
Block 483, Lots 17, 18 & 19 :

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Monday, September 11, 2018
100 Commons Way
Bridgewater, New Jersey 08807
Commencing at 7:05 p.m.

BOARD MEMBERS PRESENT:

- RON CHARLES, Chairman
- DAN HAYES, Mayor
- HOWARD NORGALIS, Councilman
- JAMES FRANCO
- STEPHEN RODZINAK
- TRICIA CASAMENTO
- EVAN LERNER
- URVIN PANDYA
- DEBRA ALBANESE

- JACQUELINE PINO, Sec. of Municipal Services
- SCARLETT DOYLE, Township Planner
- DAVID BATTAGLIA, Board Engineer
- CHRISTOPHER MELICK, Board Planning Consultant
- JAY TROUTMAN JR., Board Traffic Consultant
- KEITH SAVEL, Board Environmental Consultant

MICHAEL LOMBARDOZZI, CSR, CRR

Job No. NJ3003838

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1 APPEARANCES:
 2 THOMAS COLLINS, ESQUIRE
 Attorney for the Board
 3
 CONNELL FOLEY, LLP
 4 BY: KEVIN COAKLEY, ESQUIRE
 NICOLE B. DORY, ESQUIRE
 5 Attorneys for the Applicant
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1 CHAIRMAN CHARLES: So we'll move
 2 right to land development applications. This is
 3 a continuation of CIP II/AR Bridgewater Holdings,
 4 LLC, Route 202/206, Block 483, Lots 17, 18, and
 5 19, preliminary and final major site plan
 6 mixed-use development including retail, office,
 7 restaurant, residential, and office research.
 8 MR. COAKLEY: Good evening,
 9 Mr. Chairman, members of the board, Kevin
 10 Coakley, Connell Foley, on behalf of the
 11 applicant.
 12 My pleasure to be here again this
 13 evening to further this application. I'm sure
 14 you'll recall we were here at the end of August,
 15 at which time we presented testimony from the two
 16 architects, one on the commercial, one on the
 17 residential, and we had limited planning
 18 testimony.
 19 Tonight, we'd like to further the
 20 application with four witnesses, if we have time:
 21 First would be Lisa DiGerolamo from
 22 PS&S, who will provide civil engineering
 23 testimony.
 24 Gary Dean will be here to give
 25 traffic testimony.

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1 Rick Gimello, former assistant
 2 commissioner of the Department of Environmental
 3 Protection, will talk about the environmental
 4 issues.
 5 And Julie Kobesky from Melillo &
 6 Bauer will talk about the landscape architecture.
 7 So with those introductions, if I
 8 might have those witnesses sworn, and we will
 9 proceed.
 10 MR. COLLINS: All the witnesses who
 11 might be testifying with the applicant tonight
 12 please come forward and standby one of the mics,
 13 please.
 14 (Gary Dean, Julie Kobesky, Lisa
 15 DiGerolamo, and Rick Gimello are sworn in.)
 16 MR. COLLINS: Starting on my left,
 17 your right, please state your name and at least a
 18 business address, and spell your last name.
 19 MR. DEAN: Certainly, Gary Dean,
 20 D-E-A-N, professional address 181 West High
 21 Street, Somerville.
 22 MS. KOBESKY: Julie Kobesky,
 23 K-O-B-E-S-K-Y, professional address is 200 Union
 24 Avenue in Brielle.
 25 MR. GIMELLO: Rick Gimello,

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1 G-I-M-E-L-L-O, WCD Group, the professional
2 address is 7 Tree Farm Road, Route 31,
3 Pennington, New Jersey.
4 MS. DiGEROLAMO: Lisa DiGerolamo,
5 D-i-G-E-R-O-L-A-M-O, Paulus Sokolowski & Sartor,
6 the address is 67B Mountain Boulevard Extension,
7 Warren, New Jersey.
8 MR. COLLINS: Thank you very much.
9 And we can do their qualifications
10 at the time they come up.
11 CHAIRMAN CHARLES: And just quickly
12 for the public, the way this works, if you
13 haven't been here, is that the applicant will
14 provide witnesses. At the conclusion of their
15 testimony, the board will ask questions. At the
16 conclusion of that, the public will be invited to
17 step forward and ask questions specific to that
18 witness's testimony.
19 At the conclusion of the
20 application, whenever that is, there'll be an
21 opportunity for general comments from the public.
22 MR. COAKLEY: Mr. Chairman, if I
23 might have marked as P-2, a copy of the boards
24 that Ms. DiGerolamo will speak from. All told,
25 there's six papers. And with your permission,

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1 I'll hand them out.
2 LISA DiGEROLAMO,
3 having been duly sworn, testified as follows:
4 DIRECT EXAMINATION
5 BY MR. COAKLEY:
6 Q. Ms. DiGerolamo, what is your
7 profession?
8 A. Civil engineer.
9 Q. All right. How long have you
10 practiced civil engineering?
11 A. Thirty-one years.
12 Q. Oh my gosh. Couldn't tell by
13 looking at you.
14 A. Thank you.
15 Q. And what firm do you work for?
16 A. Paulus Sokolowski & Sartor.
17 Q. And what's your general experience
18 in the field of civil engineering?
19 A. I have been working on site
20 development, site layout, site grading,
21 utilities, stormwater management, different
22 types of facilities, including residential,
23 commercial, retail, warehousing. I've done some
24 municipal work as well, some public roadways,
25 again, all utilities associated with that as

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1 well.
2 Q. All right. And have you testified
3 before various boards in the state of New
4 Jersey?
5 A. I have testified in front of a
6 number of boards in New Jersey, including this
7 one.
8 Q. All right.
9 MR. COAKLEY: I'd like to offer
10 Ms. DiGerolamo as an expert in the field of civil
11 engineering.
12 MR. COLLINS: Yes, the board will
13 accept her qualifications as a professional
14 engineer and civil engineer. Please go ahead.
15 BY MR. COAKLEY:
16 Q. All right. Ms. DiGerolamo, have
17 you been in overall supervision of this project?
18 A. Yes, I have.
19 Q. All right. And would you start out
20 by telling the board about the existing
21 conditions of the site?
22 A. Okay. Do I need to mark the
23 exhibit?
24 Q. We've marked a set of these
25 exhibits. All the exhibits have been marked as

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1 P-2. So if you could maybe just refer to each
2 one that you speak to.
3 A. The first one I'm going to speak to
4 is EXH-1. What that basically is is an aerial
5 image with the site identified on it. And just
6 to kind of orient everybody, even though you
7 probably don't need orientation, we have 287 on
8 the top of the drawing, which is west, we have
9 202/206 on the --
10 CHAIRMAN CHARLES: Could I ask,
11 could we move that over to the corner, so the
12 public can see it? We've got the handouts, and
13 that way anybody who doesn't have that can take a
14 look. That'd be great.
15 MS. DiGEROLAMO: Does that work?
16 Can I still talk to it?
17 CHAIRMAN CHARLES: Anybody else who
18 wants to see it can move, feel free. Thank you.
19 A. Okay. So as I was saying, the top,
20 287, that's the western portion of the site;
21 202/206 along the eastern portion of the site;
22 the north end is adjacent to the temple site;
23 and we have some residential to the south of the
24 site.
25 The site total acreage is

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1 approximately 109 acres. It currently has a
2 number of buildings on it. Obviously, it used
3 to be the Sanofi Aventis campus. There's
4 parking garages, there's a number of different
5 buildings throughout the site, utility services,
6 parking lots, roadways, sidewalks; all that
7 infrastructure currently exists on the site.
8 In addition to that, we have Peters
9 Brook which traverses the site, coming in from
10 the east here under 202/206, Peters Brook comes
11 into the site, and then it goes around the
12 eastern property line, the northern property
13 line, and then it goes along the west, and out
14 back under 287.
15 That waterway is a regulated DEP
16 waterway, it does have riparian zones associated
17 with it, which is an area that's 50 feet from
18 the top of bank on either side of it. It does
19 have a floodplain associated with it, and for
20 the most part the floodplain along the eastern
21 edge and the northern edge is contained within
22 the banks, it's a very steep channel, but as we
23 get closer to the crossing of 287, that
24 floodplain spreads out a little bit.
25 So you can also see here in the

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1 corner there's some wetlands associated with the
2 site as well.
3 We have a couple of easements of
4 interest. We have, along the southern property
5 line, a number of utility easements, two
6 overlapping easements directly on the southern
7 property line, and then a secondary easement
8 that's a little bit further to the north, but
9 again, just on that southern end. We also have
10 a sanitary sewer easement going through the
11 center of the property, and we do have a PSE&G
12 easement as well.
13 The zone line does pass through the
14 property, and it comes down -- I'm not sure how
15 to describe this without just pointing -- the
16 east/west portion is just north of the southerly
17 property line, and then that line turns to the
18 north, and then it passes back to the east
19 again, and then it goes back north. So it's
20 basically the southeast side that will be part
21 of the redevelopment zone; the remainder of it
22 would be part of the ORD Zone.
23 And that's the area, the ORD Zone,
24 where we're going to keep the buildings, that's
25 where the R&D facility is going to continue to

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1 operate. So that would be these buildings,
2 again, on the western portion and the northern
3 portion of the site.
4 The remaining buildings would be
5 demolished as part of this activity.
6 Q. And are any of the easements that
7 you mentioned, are any of them to be abandoned,
8 or are they to be continued?
9 A. The easements along the southerly
10 will be maintained. The sanitary easement
11 through the center of the site would partially
12 be abandoned in the new zone, and as well as the
13 PSE&G easement, that would be abandoned as well.
14 May I?
15 Q. Sure.
16 A. So moving forward, as I said, the
17 area on the northwest, which is going to be
18 maintained as the R&D facility; the area on the
19 south and to the east will be part of the
20 redevelopment plan. So the redevelopment plan
21 will incorporate the various uses from the plan:
22 a hotel, a grocer, a main boulevard with retail
23 and office, residential in two locations.
24 From a zoning perspective, again,
25 I've indicated that the rear, which would be the

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1 ORD Zone, and then the front, which would have
2 the B-Seed zone.
3 The improved lot coverage when
4 we're finished with the redevelopment area will
5 be 51 percent, where 60 percent is required, and
6 the FAR is going to be 0.28 percent, where 0.4
7 is the maximum. So we meet both those criteria.
8 The one item I would note, for the
9 existing area of the R&D that will remain, is
10 that there is one building that violates a
11 setback in the ORD Zone, that's an existing
12 building, and that's where the line is. So we
13 do have a building that will require a variance
14 in its existing location.
15 So just walking through the
16 proposed development, starting with the
17 commercial portion, we have the grocer -- I'm
18 sorry, let me start over again. Let me start
19 with Building Number 1, so we don't get
20 aflutter.
21 We have Building Number 1, that's
22 on the eastern side of the property. That is a
23 wellness/retail building. The wellness portion
24 is the portion furthest east on the roadway, and
25 that would be a three-story building, and there

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1 will be retail on the western side of that
2 building.
3 Hopping to the other side of the
4 boulevard, we have Building Number 2: The first
5 floor would have retail; the second floor would
6 have office.
7 And then, moving to Building Number
8 3, which is in the heart of the boulevard.
9 Building Number 3 is going to be a combination
10 of restaurant, retail, and office; the office
11 would be on the second floor.
12 And then, on the north side of the
13 central boulevard we have Building Number 4.
14 Building Number 4 is broken up into two pieces:
15 a smaller cafe that would be on the easternmost
16 edge, and then the bulk of Building 4, again,
17 would be a restaurant retail. Building 4 would
18 have a partial mezzanine, not that second floor
19 office.
20 And then, at the head of the
21 boulevard we have the executive class hotel.
22 The hotel would be five stories in height and it
23 would provide 124 rooms.
24 Moving to the south, we have the
25 grocer, which would be 80,000 square feet, and

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1 in the southeast corner, we have a small cafe.
2 I'm going to move to the
3 residential buildings. So this drawing
4 highlights the residential buildings. We have
5 Residential Buildings 7, 8, 9, and 10 on the
6 north end of the site. There'll be 368 units
7 within that building area. And then we have a
8 second area of residential building on the
9 southern end of the site, which would have 32
10 units.
11 The Buildings 7, 8, 9, and 10 would
12 have a height maximum of four stories, and the
13 residential building on the southern end would
14 have a maximum of three stories.
15 Focusing a little bit on the
16 parking now, we can start off with the garages.
17 There are two garages proposed: one on the south
18 side and one on the north side. Each of those
19 garages is focused on the residential area,
20 garage number 2 sitting with Buildings 7, 8, 9,
21 and 10, and garage 1 sitting with residential
22 Building Number 11.
23 The parking garages, garage number
24 2 will have 491 stalls, and parking garage
25 number 1 would have 276 stalls.

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1 We then have a number of surface
2 parking in the lighter orange here, and that is
3 spread out through the site, obviously along all
4 of the roadways, around the hotel, and the
5 larger area of parking in front of the grocer,
6 and parking to the south of the grocer.
7 Q. All right. So, now, as far as the
8 numerical parking count, does the parking that's
9 provided meet the standard of the ordinance?
10 A. Yes.
11 Q. Okay. And that's using RSIS for
12 the residential?
13 A. Residential is based on RSIS.
14 Q. All right. And just give -- if you
15 can, give the board the number of spaces that
16 are provided versus required.
17 A. For the commercial portion, there's
18 1,280 stalls required; we provided 1,288. And
19 for the residential portion, in accordance with
20 RSIS, there's 764 required, and we're providing
21 778.
22 CHAIRMAN CHARLES: Just for clarity,
23 the two parking garages are symmetrical, meaning
24 the same amount of spaces on floor one and floor
25 two for each of them?

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1 MS. DiGEROLAMO: You know, that's a
2 better question for the architect, but they're
3 generally the same. I don't think they're
4 exactly the same, because of internal workings
5 and such.
6 CHAIRMAN CHARLES: That's fine.
7 COMMISSIONER LERNER: I have a
8 question. I didn't catch a number, you were a
9 little quick. Garage 2 and garage 1, it sounded
10 like maybe 60 percent of the spaces were garage 2
11 and 40 percent 1, and I'm just guessing because
12 you said the numbers a little quickly.
13 MS. DiGEROLAMO: 491 on the larger
14 garage, number 2, and then 276 on the smaller
15 garage.
16 MR. COAKLEY: I think, actually, the
17 larger one is 505, with the 14 for the hotel.
18 Correct?
19 MS. DiGEROLAMO: No, I think it's
20 491.
21 MR. COAKLEY: Okay.
22 COMMISSIONER LERNER: My question
23 is, it's a little bit more than -- a little bit
24 less than 2 to 1, but I think the ratio of
25 apartments is much higher.

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1 MS. DiGEROLAMO: Correct. Garage 2
2 is generally for this residential, but on garage
3 1, a lot of that parking is also going to feed
4 Building 1, the wellness area. The three-story
5 wellness on the corner there is going to require
6 that additional parking.
7 COMMISSIONER LERNER: So that is
8 intended for what would otherwise look as the
9 residential parking. So that'll be the other
10 orangeish one above it?
11 MR. DEAN: This parking area here
12 would support the residential as well as the
13 wellness building, yeah.
14 COMMISSIONER LERNER: Got you.
15 Thanks.
16 MS. DOYLE: Mr. Chairman, may I ask
17 a question on the specific parking issue?
18 CHAIRMAN CHARLES: Yep.
19 MS. DOYLE: Thank you.
20 Based upon my review of the plan
21 that didn't have the parking deck by the highway,
22 you did say, at that time, there would be 14
23 stalls in the first parking deck that were to
24 service the hotel. Is that correct still?
25 MS. DiGEROLAMO: Yes, there are 14

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1 stalls that will need to accommodate the hotel.
2 I mean, the hotel is accommodated through the
3 parking area, obviously, directly behind it, and
4 then on Bridge Boulevard, but if there's a few
5 additional stalls that would be necessary, they
6 can be accommodated in the garage or they could
7 be accommodated on the surface.
8 MS. DOYLE: My question to that is,
9 are those shared parking stalls?
10 MS. DiGEROLAMO: They're not shared.
11 MS. DOYLE: That's fine.
12 The next question I have, is the
13 grocery is going -- is the grocery going to have
14 shared parking at all behind or south of Building
15 3?
16 MS. DiGEROLAMO: It will not be
17 shared parking, but let me explain just a little
18 further. The area in front of the grocer here is
19 also going to participate in providing parking
20 for the boulevard retail.
21 MS. DOYLE: Okay. Both sides. So
22 Building 4, which is on the north side of the
23 boulevard, will use the parking field that's
24 behind Building Number 3. Is that correct?
25 MS. DiGEROLAMO: It could. I mean,

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1 we're looking at the retail along the boulevard
2 as almost a common element that -- you know, and
3 hopefully somebody goes from one place to the
4 next place, and isn't just there to make one
5 particular stop. So we would have parking behind
6 Building 3 that would provide the parking
7 requirement for the boulevard buildings.
8 MS. DOYLE: And that was shown in
9 your plans. Correct?
10 MS. DiGEROLAMO: Yes.
11 MS. DOYLE: Okay. And the next
12 question, Building Number 2, which is also to the
13 north side of the boulevard, in your plans, where
14 did you think that parking would be? It seemed
15 to be what was now the parking deck.
16 MS. DiGEROLAMO: Oh, again, I look
17 at Building 2 -- 2, yes -- along with the
18 boulevard buildings. So we have parking along
19 Bridge Avenue, and then they will also use the
20 parking directly behind Building 3.
21 MS. DOYLE: And Building 1? That's
22 what your --
23 MS. DiGEROLAMO: Yes.
24 MS. DOYLE: Okay. Thank you.
25 That's a lot of clarity.

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1 MS. DiGEROLAMO: Okay.
2 COUNCILMAN NORGALIS: Next question:
3 The width of the parking spots, what are you
4 proposing?
5 MS. DiGEROLAMO: I'm sorry, with
6 the parking?
7 COUNCILMAN NORGALIS: The width of
8 the parking spots.
9 MS. DiGEROLAMO: Oh, yes, we are
10 proposing 9-by-18 parking stalls, and that is
11 consistent with industry standard, and it is also
12 consistent with the other parking on site. We
13 have provided the additional 2-foot strip at the
14 end of each of the islands to provide that
15 flexibility of getting in and out of the vehicle.
16 COMMISSIONER CASAMENTO: One
17 question along those lines: Is industry standard
18 the same for the shopping center parking lot,
19 like the grocery store, or is it different?
20 MS. DiGEROLAMO: 9-by-18 is fairly
21 consistent standard parking stall.
22 CHAIRMAN CHARLES: So just to get at
23 the bottom of that question, you know, I think
24 the ordinance is 9-and-a-half-by-18, if I'm not
25 mistaken, and generally that was created in order

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1 to accommodate shopping carts and things like
2 that. Am I correct?
3 COUNCILMAN NORGALIS: Ten for
4 shopping centers; nine and a half is the standard
5 right now.
6 CHAIRMAN CHARLES: So 9 and a half
7 is the standard, 10 for shopping centers, so
8 we'll just note that for now and go from there,
9 because we'd have to probably do some
10 calculations and see what that would -- how that
11 would change the total numbers.
12 BY MR. COAKLEY:
13 Q. Okay. So based on the parking
14 count that you've enumerated, the number of
15 spaces meets the ordinance requirements without
16 any shared parking. Is that so?
17 A. That's correct.
18 Q. Okay. Do you want to move on to
19 access and circulation?
20 CHAIRMAN CHARLES: So the current
21 design there has a surplus of 22 spots over RSIS.
22 I think that's from your numbers --
23 MR. COAKLEY: Let me just check
24 that.
25 CHAIRMAN CHARLES: The residential

Page 23

1 has --
2 MR. COAKLEY: I have 15 over.
3 CHAIRMAN CHARLES: Okay.
4 MR. COAKLEY: Fifteen over.
5 CHAIRMAN CHARLES: Right. Okay.
6 A. So from a vehicular circulation
7 perspective, we've tried to retain that grid
8 pattern of the east/west roadways and the
9 north/south roadways. We are maintaining the
10 two existing access points, the southerly
11 access, and then there's the access in the
12 middle of the site. The southerly access will
13 continue to provide direct access to the R&D,
14 and it will also have points of connection to
15 the commercial development, actually, at Copper
16 Lane and at Powelson Farm Road.
17 The access from 202/206 at the
18 traffic light at Muirfield, what we're doing
19 here is maintaining the same location of that
20 driveway, and we're actually maintaining the
21 same location of the driveway all the way down
22 until we get to Peters Brook Lane, which is that
23 easterly-most driveway.
24 And the reason for that is we have
25 Peters Brook, again, coming through the site, if

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1 we go back to that existing conditions plan,
2 Peters Brook enters the site and kind of runs
3 along this ring road here, and we have that --
4 we have a crossing already in place, it's in
5 good shape, and it does cross the waterway,
6 crosses the riparian zone. So we're looking to
7 hold this point here, and then have a straight
8 run on Bridge Boulevard that basically has the
9 hotel at the -- at the terminus of that.
10 So, then, again, in order to
11 maintain a continued connection, the road bends
12 a little bit to the south and a little bit back
13 to the north, and provides that connection back
14 to what we're calling Discovery Drive, which is
15 that drive along the southern end.
16 CHAIRMAN CHARLES: Is there any type
17 of -- up at the top, the 13th Avenue/Discovery
18 Road connection up top, we had -- I think this
19 looks -- I can't tell exactly how that's
20 constructed. I mean, if it's not you, we'll get
21 into it in traffic, that's fine, but is that a T
22 with -- I see an island there. Can you explain
23 how that's designed? Just so I understand.
24 MS. DiGEROLAMO: Sure. We have
25 Bridge Boulevard coming down and meeting

Page 25

1 Discovery Drive, which turns into 13th Avenue.
2 So we're actually creating a four-way
3 intersection here.
4 But as you pass on Bridge Boulevard,
5 once you pass that Discovery Drive, that's where
6 we start the security for the R&D campus.
7 CHAIRMAN CHARLES: Okay.
8 MS. DiGEROLAMO: So it's not -- and
9 you may look at it as a T, because that's a
10 security gate, but it is a through movement, you
11 just have to pass through the security gate.
12 And then, as you go on Discovery
13 Drive, if you don't make a left into the R&D
14 through the security gate, you could go straight,
15 and there would be, again, another secure spot
16 before you can continue on 13th Avenue into the
17 R&D campus.
18 CHAIRMAN CHARLES: Okay. All right.
19 That helps.
20 MR. SCHREK: Chairman, if I may.
21 Has the culvert crossing at Peters
22 Brook been analyzed that it's adequate for the
23 proposed traffic for the movement? Has it been
24 rated?
25 MS. DiGEROLAMO: I'd have to get

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1 back to you on that one. I don't know.
2 MR. SCHREK: So at this point you
3 haven't done an analysis, and that would be
4 required.
5 MS. DiGEROLAMO: We have not done a
6 structural analysis, no.
7 MR. SCHREK: Okay.
8 BY MR. COAKLEY:
9 Q. Visually, it's in very good shape,
10 I think you've said.
11 A. Yes, it is. It's actually very
12 pretty, you know, they have a nice facade on it,
13 and kind of prettied it up like a pharma campus.
14 Q. Okay. We're going to move onto
15 pedestrian access.
16 A. From a pedestrian perspective, we
17 do have a lot of sidewalk throughout the
18 development to create that walkable environment,
19 particularly on Bridge Boulevard, we have some
20 nice -- minimum 10 feet, and that kind of goes
21 more to 14 and 16 feet in a variety of places,
22 depending on the architecture. So we have that
23 nice pedestrian walkway going down Bridge
24 Boulevard. We also have a very wide sidewalk in
25 front of the supermarket.

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1 The remainder of the sidewalks
2 throughout the development are generally 6 and 7
3 feet in width, which is a generous sidewalk as
4 well. The 7 foot was applied in areas where we
5 had parking directly up against the curb.
6 Q. So on the exhibit, what's shown in
7 green is the sidewalks. Is that correct?
8 A. Correct is.
9 CHAIRMAN CHARLES: What's shown is
10 the sidewalks, and then the pedestrian path that
11 was part of the application. Correct?
12 MS. DiGEROLAMO: Yes, the second
13 part of the exhibit is the loop path.
14 A. This exhibit does show two separate
15 loop paths. There is a connection between the
16 two of them, but they are separate, because one
17 is behind the fence of the R&D, again, trying to
18 keep that business secure to the standards that
19 they're used to. So we have a loop path going
20 around that portion, and then we have a loop
21 going around the new redevelopment area.
22 There's a couple places in the
23 redevelopment area that we are proposing to make
24 that loop path only 6 feet, as opposed to the 10
25 feet, and those are the areas where it passes

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1 through the riparian zone, and utilizes the foot
2 bridges that are available to have those
3 crossings of the tributaries to Peters Brook.
4 So those -- there's two locations right up
5 against 202/206 where we'll be necking that down
6 to 6 feet, just through the riparian zone, and
7 then we'll widen them back out again.
8 And then, there'll be a new
9 crossing of Peters Brook along the north edge,
10 and again, we'll make that 6 feet where it's in
11 the riparian zone, and pull that back out to 10
12 when it's not. And the reason for the 6 feet is
13 the permit by rule for DEP for footpaths within
14 a riparian zone.
15 BY MR. COAKLEY:
16 Q. Let me ask a couple questions.
17 The width of the sidewalk along the
18 boulevard through the center of the site, how
19 wide is that?
20 A. It's a minimum of 10 feet.
21 Q. Okay. And with respect to the all
22 of the development that you've described, have
23 you made an assessment as to whether all of this
24 is permissible through the DEP?
25 A. Yes. And, again, that's why we're

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1 recommending the 6 feet through the riparian
2 zone, so that we can accommodate the
3 requirements of NJDEP, as well as providing the
4 loop path.
5 Q. Okay. So you don't see any
6 significant permitting problems with this
7 project, as you've described it?
8 A. Correct, we believe that we have --
9 there is a path forward in NJDEP without any
10 hardships or anything like that, just a standard
11 permit process.
12 CHAIRMAN CHARLES: Just a quick
13 clarification: Is there a civil engineering
14 reason why we couldn't have the pathway, the
15 footpath, go all the way around the property, on
16 the outside, so that the entire community could
17 use it?
18 MS. DiGEROLAMO: You mean coming
19 around here?
20 CHAIRMAN CHARLES: Yeah. It was
21 originally part of the plan.
22 MS. DiGEROLAMO: There's a couple of
23 issues. Number 1, the fence for the R&D is up --
24 is up against the property already, so they're --
25 you know, it doesn't fit.

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1 Another issue --
2 CHAIRMAN CHARLES: It doesn't fit
3 without removing the fence?
4 MS. DiGEROLAMO: You'd have to move
5 the entire fence.
6 CHAIRMAN CHARLES: So it's not a
7 civil engineering issue, just to be clear.
8 MS. DiGEROLAMO: Okay. Up at 287,
9 where you're up at 287, I believe the DOT has a
10 fence, their right-of-way line, and then there's
11 a secondary fence for the site, so in that
12 particular case, if you moved the fence in, you
13 would have this gap that you might call a
14 pedestrian pathway, but you'd be between two
15 fences, so that would complicate that. And it --
16 that's kind of an awkward feel, to be in a
17 10-foot-wide space with fences on either side.
18 CHAIRMAN CHARLES: Okay.
19 MS. DiGEROLAMO: The other concern
20 is that Peters Brook, again, does circle the
21 site, so we'll be dealing with more impacts to
22 wetlands and impacts to floodplains to do that.
23 CHAIRMAN CHARLES: But the only
24 wetlands are up in the far corner, so you'd be
25 just going around them. You could conceivably go

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1 around the stormwater management basin and still
2 make this bigger. I think the one -- just the
3 thought process was actually to have something --
4 in addition to having the village, have something
5 stepped out that the community can bike, and jog,
6 and things like that, that were -- you know, that
7 was a bit more outside of that reticular, I think
8 was the driving discussion around it. That's why
9 I just wanted to note that that change is -- is
10 significant, in that it deviates from that
11 thought process, that's all. But thank you for
12 explaining your thinking on it.
13 BY MR. COAKLEY:
14 Q. And would there be a riparian zone
15 issue with respect to Peters Brook along 287?
16 A. Yes, and if you go back to the
17 existing conditions plan, there's also a wider
18 floodplain in this area, as well as more
19 significant wetland areas, as you get to the
20 southwest corner. So you'll be dealing with
21 more environmental issues.
22 COUNCILMAN NORGALIS: Question,
23 please: Was your original instruction to include
24 a perimeter pathway by 287? What were you
25 originally told to design it for?

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1 MS. DiGEROLAMO: To provide a loop
2 path around the redevelopment area.
3 COUNCILMAN NORGALIS: Okay. A loop
4 path for the -- within a constrained fence for
5 the R&D community?
6 MS. DiGEROLAMO: No, out -- not
7 within the constrained fence of the R&D, not to
8 permit traffic between the R&D -- or from the
9 redevelopment to the R&D.
10 COUNCILMAN NORGALIS: I'm sorry,
11 would you say that again?
12 MS. DiGEROLAMO: Not to permit
13 pedestrian traffic from the redevelopment to the
14 R&D, unless you -- you know, you're badged and
15 have been approved to go into the R&D.
16 COUNCILMAN NORGALIS: Okay. So the
17 intent was to design it with two separate
18 perimeter pathways: one restricted and one
19 public?
20 MS. DiGEROLAMO: Yes.
21 COUNCILMAN NORGALIS: Okay.
22 BY MR. COAKLEY:
23 Q. All right. The issue of bus stops
24 I think has come up previously. Do you have any
25 information for the board on that -- those

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1 issues?
2 A. So we are proposing a bus stop that
3 would be in front of Building 7. That would
4 allow buses to come into the development, make a
5 right turn, make a left turn, stop, like I said,
6 in front of Building 7, and then provide an easy
7 pathway, you know, a left and a left, and right
8 back out to 202. And we're currently having
9 correspondence with the board of education, we
10 have provided that plan to them, and we're
11 waiting for feedback from them.
12 CHAIRMAN CHARLES: Would that be
13 designed in a way to also accommodate New Jersey
14 Transit bus to New York City?
15 MS. DiGEROLAMO: It could, yeah. It
16 could be both a school bus stop and a New Jersey
17 Transit stop. The other opportunity for a New
18 Jersey Transit stop might be directly on 202.
19 CHAIRMAN CHARLES: Less compelling
20 if you live in the property. Right?
21 MS. DiGEROLAMO: Walking is good.
22 Gotta exercise a little bit.
23 BY MR. COAKLEY:
24 Q. Okay. Would you -- Ms. DiGerolamo,
25 would you just quickly go over the general

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1 grading of the site, so the board has that in
2 mind?

3 A. So the site does have a somewhat
4 mild slope to it, basically 3 percent across it,
5 but I'm sure most of you have been there, and
6 you notice there is a little bit of shelving to
7 it, where we have some flat areas, and then
8 slope, and then some flat areas. But, actually,
9 3 percent can create quite a large differential
10 in grade. So we did have some challenges
11 associated with grade.

12 Particularly, we focused on Bridge
13 Boulevard. That was an area that we wanted to
14 keep fairly flat, to, again, just continue that
15 environment. A 1 percent slope on that road
16 would minimize the amount of finished floor
17 changes that we need to have in the buildings,
18 plus provide a better experience for the shopper
19 or the office worker.

20 But as we go down Bridge Boulevard,
21 it's a 3 percent slope, there's about 25 feet of
22 fall from the intersection of Peters Brook Lane
23 and the boulevard and the intersection with
24 Discovery Drive. So by providing that flat area
25 in there, we actually created a little bit of a

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1 steeper slope on Bridge Boulevard between the
2 hotel and the supermarket. Everything -- we
3 looked to maintain 5 percent or less, so 5
4 percent's not that significant of a slope, but
5 compared to providing that 1 percent slope, we
6 were making it up in the area where there was
7 less activity.

8 A couple other places that we
9 needed to address, again, grade changes, were
10 coming down from Discovery Drive and into these
11 parking areas and coming down Copper Lane as
12 well. So we have, again, a little bit more
13 slope in those upper reaches, maybe 3 or 4
14 percent, in order to give us a little bit of a
15 better plateau through the grocer area, as well
16 as, again, once we get to Building 1 and
17 Building 3.

18 The other area where we have a
19 little bit of grade differential -- remember,
20 again, I said Bridge Boulevard, on the end of
21 it, has a bit of a slope, which means that, as
22 we go down across the hotel, this is dropping.
23 So also through the parking area of the hotel,
24 from one corner to the other, there is some fall
25 there as well.

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1 The other area where we're trying
2 to catch some grade is Peters Brook Lane as it
3 turns to Powelson Road here on the north end,
4 again, there's about 15 feet of fall between
5 that residential building area, so we tried to
6 maintain things fairly flat.

7 On the east side and on the west
8 side, but we provide that grade transition as
9 you turn the corner there.

10 Q. All right. And as a result of
11 dealing with the grades, have you had to
12 construct some retaining walls?

13 A. We do -- yes, because of some of
14 those grade transitions, we've tried to, you
15 know, provide enough room throughout the site,
16 but there are a couple places that are going to
17 require some retaining walls, and particularly
18 around the hotel, there will be a retaining
19 wall, and behind the grocer we have a retaining
20 wall in order to maintain the loading area.
21 Those are the most significant walls, you know,
22 ranging in height up to 16 feet.

23 But then we have some low walls
24 that are just helping us, you know, catch a
25 little bit of grade, on the one side of 13th

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1 Avenue, and then the last wall -- again, not a
2 significant wall, but a wall that's necessary to
3 help adjust grade from the -- from the upper
4 area of Discovery Drive down to the parking area
5 in front of the grocer.

6 Q. All right. Could you briefly
7 describe the stormwater management overall plan,
8 without getting into all the details?

9 A. So, again, if you think back to the
10 drawing that had all of the development on it,
11 we are redeveloping, so there currently exists
12 pavement, and buildings, and impervious
13 surfaces. We do have an increase, even though
14 there is a significant amount of impervious
15 surface to begin with, and we will be bringing
16 all that to a stormwater management basin on the
17 southwest side of the site.

18 We've provided a conveyance system
19 that has two sets of pipes: one set of pipes for
20 the paved areas and one set of pipes for the
21 roof runoff, so that we could take that paved
22 surface and bring it to a forebay, which would
23 collect any trash or larger debris, and then
24 that would filter into a sand filter, and the
25 sand filter would provide the required water

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1 quality from both Bridgewater's ordinances and
 2 the state DEP.
 3 The pipe system that's collecting
 4 the roof will discharge directly into the lower
 5 portion of the basin, which is just purely a
 6 detention basin, we're not passing that through
 7 the forebay and the sand filter. So they'll
 8 both end up down in the stormwater management
 9 basin. The stormwater management basin is
 10 designed and does comply with the requirements
 11 of DEP and Bridgewater for water quality and
 12 peak flow attenuation.
 13 We do have a small recharge
 14 requirement, which will be handled separately in
 15 a recharge bed that'll be just to the north of
 16 the stormwater management basin.
 17 Q. All right. And is it your plan to
 18 submit some revised plans going forward to cover
 19 stormwater management, among other things?
 20 A. Yes, because of the -- the
 21 residential area is still being developed, what
 22 we have done for the stormwater management basin
 23 is actually made a very conservative estimate as
 24 to what the runoff would be from there. So once
 25 that is finalized, we will adjust those numbers.

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1 Q. All right. And so you plan to
 2 submit some additional plans by the end of
 3 September. Is that the plan?
 4 A. That's correct.
 5 Q. Okay. And then, there was a letter
 6 from the board's engineer. Do you plan to
 7 address that letter?
 8 A. Yes, and those revised plans will
 9 provide a point-by-point response to the letter.
 10 Q. Those are the Van Cleef plans.
 11 Correct?
 12 A. That's correct.
 13 Q. All right. You're going to meet
 14 with Van Cleef and try to resolve as many of
 15 those comments as possible?
 16 A. Absolutely.
 17 CHAIRMAN CHARLES: And I'm sure it's
 18 in here, but what is the percent increase in
 19 impervious coverage? Do you know that offhand?
 20 MS. DiGEROLAMO: So we currently
 21 have 20.75 acres of impervious, and we're
 22 proposing 33.15.
 23 CHAIRMAN CHARLES: Okay. Thank you
 24 BY MR. COAKLEY:
 25 Q. All right. So, now, the question

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1 was raised at the last hearing about phasing.
 2 Can you comment on that?
 3 A. So the phasing will be in
 4 accordance with the redevelopment plan. The
 5 redevelopment plan does prescribe the order in
 6 which the -- particularly, the boulevard is
 7 constructed, and then the order in which
 8 percentages of the commercial and the
 9 residential must follow each other, and the
 10 phasing will follow that prescription.
 11 Q. And as part of plan compliance, or
 12 subsequent to the board approval, is it your
 13 plan to come up with an additional plan showing
 14 the actual construction sequence; a logistic
 15 plan?
 16 A. Yes, that would be at -- yeah, at
 17 time of building permit, we'll put together the
 18 construction logistics plan.
 19 Q. All right. Now, have you also
 20 considered utilities for the site?
 21 A. Yes.
 22 Q. All right. And are there adequate
 23 utilities all around?
 24 A. There is adequate utilities
 25 available, obviously, from 202/206; the sanitary

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1 actually discharges towards 287, and under 287.
 2 MR. SCHREK: Do we have will-serve
 3 letters from the required utilities?
 4 MS. DiGEROLAMO: I believe we do.
 5 MR. COAKLEY: We'll provide them.
 6 BY MR. COAKLEY:
 7 Q. All right. Now, there's some
 8 variances occasioned by the proposed
 9 development. Is that correct?
 10 A. Yes.
 11 Q. All right. So one is a parapet
 12 wall. Could you just explain that, what that
 13 variance is?
 14 A. The parapet wall is the
 15 architectural feature at the top of the
 16 building, we'd like to go from a 3-foot to a
 17 6-foot in various cases, in order to provide,
 18 kind of, a little bit more flexibility in the
 19 heights of the buildings, and variability across
 20 the face of each of the -- across the face of
 21 each of the buildings, and basically for an --
 22 for aesthetic reasons.
 23 Q. All right. So that would be 3 feet
 24 being allowed to 6 feet on certain buildings?
 25 A. On certain buildings, yes.

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1 Q. And I think we've already talked a
2 little bit about parking size -- stalls, the
3 width of the parking stalls, and you've -- I
4 think you've testified that that will reduce
5 impervious cover. Is that correct?
6 A. Yes.
7 Q. And that it meets what you believe
8 is industry standard?
9 A. Yes.
10 Q. Okay. Are there some fences and
11 walls that exceed the standards of the
12 ordinance?
13 A. Yes, there's the two walls that I
14 mentioned on the west side of the site that will
15 exceed the 6 feet, and again, that's due to the
16 grading and the topography of the site that
17 requires us to put those walls in.
18 The second item is the 8-foot
19 fence, there's currently an 8-foot fence around
20 the entire campus, and obviously the
21 redevelopment plan -- redevelopment area does
22 not require the 8-foot fence, but certainly the
23 R&D campus does, so we'd like to take that
24 8-foot fence from completely around and shift it
25 to just the R&D area.

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1 Q. All right. And you require a
2 variance for the width of the loop, is that
3 correct, the pedestrian loop?
4 A. Yes.
5 Q. And why is that?
6 A. The reduction in the width of the
7 loop road is through the riparian zones. Again,
8 we're trying to minimize the environmental
9 impact, and fit within a permit by rule for the
10 DEP.
11 MR. COLLINS: Can we just focus on
12 that? Could you show me on the plan where the
13 pedestrian crossing is?
14 MR. COAKLEY: Where's the loop
15 road --
16 MS. DiGEROLAMO: So there's three
17 crossings: two existing, one proposed.
18 MR. COLLINS: Just for the
19 pedestrian?
20 MS. DiGEROLAMO: Yes. Yeah, three
21 for pedestrians.
22 MR. COLLINS: Okay. So show me
23 where they are.
24 MS. DiGEROLAMO: The first one is
25 pretty far to the south, where Peters Brook

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1 enters the site, we have the pedestrian path --
2 the footbridge is already there, but we'll
3 provide the 6-foot connections so that.
4 And then, as we go further to the
5 north, just north of the existing entry, again,
6 there's another existing footbridge, and we'll
7 provide the 6 feet of walkway on either side of
8 that through the riparian zone.
9 And then, as the footpath continues
10 to the north, there's a portion -- there's
11 another crossing of Peters Brook, and that one
12 would be completely new, and we would be making
13 that 6 feet through the riparian zone, as well as
14 across the waterway.
15 MR. SCHREK: You'll do that by
16 permit by rule, Lisa?
17 MS. DiGEROLAMO: Yes.
18 MR. COLLINS: This permit by rule,
19 is there any way to have a permit by rule for a
20 5-foot in one direction and a 5-foot in another
21 direction, if you state in the application that
22 one is for one direction and the other is for the
23 other direction?
24 MS. DiGEROLAMO: That's an
25 interesting question.

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1 MR. COLLINS: Because we'd consider
2 this a two-way -- we want a two-way, let's call
3 it, bikeable, handicap-movable, walkable
4 pedestrian way, but that's two-way traffic and
5 not one-way.
6 So the first question is, is there a
7 way to use the permit by rule for one 5-foot in
8 one direction and the other 5-foot in another
9 direction?
10 And the second question, how much
11 harder is it to get a permit for something like
12 that if you don't go by rule?
13 MS. DiGEROLAMO: My concern about
14 doing 5 feet in one direction and 5 feet in
15 another direction is the expression of the
16 reviewer back at me that I'm -- I'm trying to
17 avoid the rule. So I would think that there
18 would have to be some kind of distance between
19 those, and then that might defeat your purpose,
20 if I had to have a certain distance between them.
21 Obviously, you can ask DEP anything,
22 but when they provide permit by rules, it's been
23 my experience that they really like you to work
24 within those permit by rules for the particular
25 items.

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1 MR. COLLINS: Don't they generally
2 favor pedestrian accessways to -- through areas
3 of riparian and wetland adaptation? I mean,
4 isn't that something they try to encourage?
5 MS. DiGEROLAMO: I totally agree,
6 and that's why they provide the 6 foot. Like,
7 you can meander, you know, a 6-foot walk through
8 a wetland or a floodplain, they definitely
9 encourage it, but in their encouragement, they're
10 restrictive.
11 MR. COLLINS: I guess I would say
12 that this is something that the board probably
13 expects you to try to get from DEP in some
14 provable way; not necessarily limited to permit
15 by rule.
16 And also, as to location of it, I
17 think the board probably wants the walkway to be
18 outside of the fence, and usable by people in
19 both the research and development and in the
20 mixed-use area. So that's just a statement that
21 we -- that's what I would anticipate the board is
22 going to expect. So if it takes more than asking
23 for a permit by rule, I think the board would
24 prefer that, and probably require it as a
25 condition of any approval -- at least that's my

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1 sense.
2 COUNCILMAN NORGALIS: Would you
3 trace the perimeter walkway within the
4 development area? I know where it is for the
5 research area, but would you trace it with your
6 finger, please?
7 MS. DiGEROLAMO: Starting at the
8 exit from the R&D, traveling south, and then
9 traveling east, north, west, and then back south,
10 will cross over and then traverse down the
11 boulevard, and reconnect at the entry to the R&D.
12 COUNCILMAN NORGALIS: So it's really
13 not bikeable. Right? Somebody really can't ride
14 a bicycle down the sidewalk in front of the
15 retails, can they?
16 MS. DiGEROLAMO: The sidewalk is
17 fairly wide, so there is -- there is plenty of
18 room there. Like I said, it's a minimum of 10
19 and in most places it's more like 14 feet.
20 COUNCILMAN NORGALIS: I wouldn't
21 want to be pushing a baby stroller in front of
22 that bicycle coming.
23 May I ask a question about the sand
24 filter? I want to recycle back to the DEP
25 question. You said there's a sand filter to take

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1 care of the percolation from the parking areas.
2 Who maintains -- what is a sand filter and does
3 it require maintenance? And if so who does it?
4 MS. DiGEROLAMO: All stormwater
5 management facilities require maintenance.
6 COUNCILMAN NORGALIS: Okay.
7 MS. DiGEROLAMO: And a stormwater
8 management plan is -- a stormwater management
9 maintenance plan is generally part of any
10 stormwater management facility. So the sand
11 filter will require maintenance, and it will be
12 part of the maintenance plan.
13 MR. COAKLEY: And it would be
14 maintained by the condo.
15 COUNCILMAN NORGALIS: Got it. Thank
16 you.
17 COMMISSIONER FRANCO: If I can just
18 ask a question, Lisa, the pedestrian path, where
19 it comes heading west again on the north side of
20 the property and coming south, is it possible for
21 that to then continue west and go around the
22 entire perimeter? Because bringing it back
23 through the center -- the village, it's called --
24 those sidewalks were originally intended for
25 chairs and things like that. I don't know that

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1 we'd really permit bicycles to ride on the
2 sidewalks along with pedestrians.
3 MS. DiGEROLAMO: It would have to
4 continue through the riparian zone, but the issue
5 is that there isn't sufficient area along the --
6 along the western edge in order to provide that
7 10 foot. What we're trying to do is hold part of
8 12th Avenue as a one-way road in order to provide
9 access for loading and unloading of Building F.
10 MS. DOYLE: May I, Mr. Chairman?
11 CHAIRMAN CHARLES: Yes, please.
12 MS. DOYLE: You explained your
13 design again, but I think what Mr. -- I'm going
14 to repeat what Mr. Franco said, and that is the
15 sidewalks -- the general sidewalks that you've
16 put in, which are 10, 14 feet, were intended for
17 tables and chairs, and not to have people sitting
18 in tables and chairs with bikes going through
19 them. He asked whether or not you could figure
20 out a different route, so that you weren't
21 providing that conflict. Is that possible?
22 MR. COAKLEY: I guess anything's
23 possible, but you've heard some of the problems
24 with -- that we've been trying to address. So
25 we'll continue to address them.

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1 MAYOR HAYES: I think, Counselor,
2 one of the things that we heard is, you know,
3 Councilman Norgalis asked what the design intent
4 was, and the design intent was -- as instructed,
5 was not to meet the requirement. The requirement
6 states clearly that we asked for a path around
7 the entire outside, and as stated that wasn't
8 even the goal. So that's a bit of a concern.
9 MR. COAKLEY: I agree that's what
10 Ms. DiGerolamo said; I think she was intending to
11 say, though, that the problem with the R&D campus
12 in the back is what led to that design. I think
13 that was what the intent of it was.
14 MAYOR HAYES: That's not what we
15 heard.
16 COUNCILMAN NORGALIS: That's not
17 what I heard.
18 MAYOR HAYES: That's not what she
19 said.
20 MR. COAKLEY: Perhaps not, but I
21 think that's what the intent was, I agree with
22 you.
23 COMMISSIONER FRANCO: Perhaps you
24 can take a look at a different route to try to
25 get it back over there without going through the

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1 center of the village.
2 MR. COAKLEY: We'll take a look at
3 it.
4 MR. BATTAGLIA: And if I can inject,
5 especially a different route for the bicycles,
6 because as far as I understand state law,
7 bicycles are considered a vehicle, they're not
8 allowed on sidewalks.
9 COMMISSIONER FRANCO: They're not,
10 and that was my question, if you're going through
11 the buildings you're riding on the road.
12 MR. COAKLEY: These are private
13 sidewalks, not public, so I think there might be
14 a difference there.
15 MR. BATTAGLIA: True enough, but
16 there's still a safety factor.
17 CHAIRMAN CHARLES: So I think the
18 action is to go back and get the pencil
19 sharpened, and see if there's a way around that.
20 I still go back to I'm not sure I heard a civil
21 engineering; I heard, I have to move fences
22 reason, for the preponderance of it. So maybe we
23 can anxiously await to see how you guys amend
24 that.
25 MS. DiGEROLAMO: Like I said,

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1 there's also a significant amount of
2 environmental features here.
3 CHAIRMAN CHARLES: Yep.
4 MR. BATTAGLIA: If I can interject
5 one more thing, I'm also curious which permit by
6 rule are you looking at for your 6 foot? Because
7 my understanding of permit by rule, which I
8 believe is number 23, is that I believe it's 8
9 feet.
10 MS. DiGEROLAMO: I'll go back and
11 check.
12 BY MR. COAKLEY:
13 Q. Okay. So I think there are just
14 two other minor variances that we should
15 mention; one is a parking driveway setback. Is
16 that right, Ms. DiGerolamo?
17 A. Yes, the parking driveway setback
18 is really the result of the two zones being next
19 to each other, and the fact that we want to
20 connect the R&D campus to the redevelopment area
21 and provide access to 202. So the roadways do
22 come across the two lines, and they come
23 adjacent to the zone lines. So it's really, you
24 know, the areas where we have the connections
25 that's producing that.

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1 Q. Technical variance.
2 A. It's the technical, yeah.
3 Q. And then there's an issue with the
4 central utility plan. Can you explain that?
5 A. Yes, I mentioned this a little bit
6 earlier: The zone line comes right around the
7 existing Building F of the R&D facility. So
8 just by virtue of the fact that it's existing
9 there, and that's where the line was drawn, it
10 is producing a variance, since 20 foot is
11 required to the zone line, and I think we only
12 have 1.18 feet.
13 Q. Okay.
14 MR. COAKLEY: I have no further
15 questions.
16 CHAIRMAN CHARLES: Other members of
17 the board? Mr. Lerner?
18 COMMISSIONER LERNER: If you can
19 help educate me, when you help engineer projects
20 like this with a big residential piece, are they
21 engineered with dog friendliness in mind? If so,
22 is this intended to be the kind of development
23 where people would have them or not?
24 MS. DiGEROLAMO: I think I'll leave
25 that to the landscape architect.

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1 COMMISSIONER LERNER: Okay. Because
2 I'm kind of thinking back to the circumference
3 route, if people are walking their dogs through
4 the boulevard, it's probably not intended,
5 because it's not sanitary, that's all. Just as a
6 comment, that wasn't a question.
7 MS. DiGEROLAMO: Okay.
8 CHAIRMAN CHARLES: Mrs. Albanese,
9 any questions?
10 COMMISSIONER ALBANESE: No.
11 CHAIRMAN CHARLES: Mr. Pandya?
12 COMMISSIONER PANDYA: Thank you.
13 CHAIRMAN CHARLES: Ms. Casamento,
14 you're good?
15 I have one. You made a comment in
16 the end on EXH-6, about keeping a portion of 12th
17 Avenue one way to load and unload Building F.
18 Can you just -- well, you can probably do it on
19 that slide too, but can you just give me the
20 route of a truck who's coming off Route 206 who's
21 going to load and unload on Building F?
22 MS. DiGEROLAMO: They would have to
23 pass through the R&D first. It's really within
24 the R&D campus.
25 CHAIRMAN CHARLES: That's all within

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1 the R&D campus.
2 MS. DiGEROLAMO: Yes. Yes.
3 CHAIRMAN CHARLES: Okay. Questions
4 on this side?
5 COMMISSIONER CASAMENTO: So then it
6 wouldn't use that 12th Avenue?
7 CHAIRMAN CHARLES: No, it's inside.
8 Powelson Farm Road is in the redevelopment area;
9 12th Avenue one way, I'm assuming that's within
10 the fence.
11 MR. BATTAGLIA: Correct.
12 MS. DiGEROLAMO: Yes.
13 CHAIRMAN CHARLES: Okay.
14 COMMISSIONER RODZINAK: Well, for
15 different bigger vehicles, has consideration been
16 taken for the turning radiuses of our
17 firefighting equipment?
18 MS. DiGEROLAMO: We have run the
19 truck turning templates and we can provide that.
20 COMMISSIONER RODZINAK: For the
21 biggest piece of equipment that we have?
22 MS. DiGEROLAMO: Yes.
23 COMMISSIONER RODZINAK: I didn't see
24 that in your report, that's why I was wondering.
25 MS. DiGEROLAMO: We can provide you

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1 with an exhibit.
2 CHAIRMAN CHARLES: Mr. Pandya?
3 COMMISSIONER PANDYA: Someone
4 mentioned New Jersey Transit coming to pick up,
5 as well as the school buses. Have we thought of
6 what the impact on the parking would be if folks
7 from outside of this area were to come in and
8 just park? It would take up a considerable
9 number of spots. Would there be a special
10 section for those people to park? Have you taken
11 any --
12 MS. DiGEROLAMO: There's no
13 intention to have commuter parking here.
14 COMMISSIONER PANDYA: But someone
15 can just come in here and park, if they wanted
16 to, correct, and take the New Jersey Transit bus?
17 CHAIRMAN CHARLES: If --
18 MS. DiGEROLAMO: It's not intended
19 for commuter parking --
20 CHAIRMAN CHARLES: Right, but I
21 think the question was, generally, someone can
22 come in here and park, and I think the answer to
23 that is yes.
24 MS. DiGEROLAMO: I don't know how
25 you could stop somebody from -- you know, unless

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1 there's signage, and the police --
2 CHAIRMAN CHARLES: So the answer to
3 my question, as far as was this considered,
4 really was no. Although it was it could be a
5 school bus or a New Jersey Transit, the answer is
6 no, because it hasn't been thought of, it hasn't
7 been discussed, it hasn't been, you know, baked
8 into the plan, from what I can see. That's my
9 takeaway. Is that right?
10 MS. DiGEROLAMO: The school bus.
11 CHAIRMAN CHARLES: The school bus
12 has, but not a New Jersey Transit bus.
13 MS. DiGEROLAMO: New Jersey Transit
14 is a new item.
15 CHAIRMAN CHARLES: Got it. Just
16 want to make sure we're clear on that.
17 COMMISSIONER PANDYA: Thank you.
18 CHAIRMAN CHARLES: Other questions
19 from this side? Councilman?
20 COUNCILMAN NORGALIS: I raised the
21 issue at the last session whether the internal
22 roadway would be dedicated to the township or in
23 private hands, because I still believe the board
24 of education refuses to takes a school bus on
25 private property. Has that issue -- I know it

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1 was an open question last time. Has it been
2 addressed or resolved at this point?
3 MR. COAKLEY: It's still going to be
4 a private road, but I know you've attempted to
5 contact the board of education. Right?
6 MS. DiGEROLAMO: We have, but we
7 have not heard back yet. We're still
8 communicating with them.
9 COUNCILMAN NORGALIS: Okay.
10 MS. DiGEROLAMO: We provided them
11 the new plan --
12 COUNCILMAN NORGALIS: Okay. But the
13 road will be a private road?
14 MR. COAKLEY: Yes. Yes.
15 COUNCILMAN NORGALIS: Okay.
16 CHAIRMAN CHARLES: Other questions?
17 Mr. Franco?
18 COMMISSIONER FRANCO: I'm good.
19 CHAIRMAN CHARLES: Mayor?
20 MAYOR HAYES: Nope, good.
21 CHAIRMAN CHARLES: Scarlett?
22 Okay. At this point, I'll open it
23 up to the public to ask questions specifically of
24 this witness relative to her testimony.
25 Seeing no questions, you may proceed

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1 with your next witness.
2 MR. COAKLEY: Okay. Mr. Dean?
3 G A R Y D E A N, having been duly
4 sworn, testified as follows:
5 MR. DEAN: Good evening.
6 MR. COLLINS: We can confirm for the
7 record that the board recognizes and accepts
8 Mr. Gary Dean's qualifications as a professional
9 engineer, traffic engineer.
10 MR. DEAN: Thank you, Mr. Collins,
11 Mr. Chairman, board members.
12 MR. COAKLEY: He's testified so
13 much, he doesn't need a lawyer to ask him
14 questions.
15 MR. COLLINS: I don't know about
16 that. I didn't say he's that qualified.
17 DIRECT EXAMINATION
18 BY MR. COAKLEY:
19 Q. All right. Mr. Dean, let's start
20 by just telling the board, with your general
21 experience with this stretch of roadway --
22 MR. COAKLEY: And, you know, he's
23 going to go back to the 1980s. He really doesn't
24 look like he's that old, but you'll find out he
25 is.

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1 BY MR. COAKLEY:
2 Q. Go ahead.
3 A. Thank you. In 1986, when I was a
4 member of a different firm, that firm
5 represented this board and developed a document
6 that was known as the Traffic Master Plan and
7 Engineering Study for the Route 202/206
8 corridor. It's now 32 years old. And that
9 document identified the traffic conditions along
10 Route 202, and in particular it provided traffic
11 counts for what was, at the time, the American
12 Hurst site, which is now the subject property.
13 It's helpful in providing that
14 background in that, for over 32 years, the
15 township has long sought to improve the Route
16 202 corridor, taking the efforts to commission a
17 study that was advanced through NJDOT in an
18 effort to solicit funding to improve the
19 highway. Unfortunately, the price tag in 1986
20 dollars to improve the highway from the
21 Bedminster municipal line down to Route 287 was
22 \$9.7 million, and I'm not good at economics, but
23 I suspect it's multiple magnitudes of that in
24 current dollars.
25 Over time, and from 1986 to the

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1 current time, the only traffic signal that
2 existed along the entire highway was at the
3 subject site. Muirfield Lane, which is opposite
4 the property, didn't even exist at that time.
5 So the only signal from Bedminster the to 287,
6 as I mentioned, was at this particular site.
7 Brown Road had a blinker; Talamini did not have
8 a signal.
9 And over the successive years,
10 through efforts by the township, as well as
11 private applicants, we've now seen some
12 advancement of highway improvements. We
13 obviously have a signal now at Brown. We have
14 the signals to the north near Bridgewater Manor,
15 where Sanofi is currently --
16 MR. COLLINS: Let's take a short
17 break while one of the board members -- the mayor
18 has to get an important phone call.
19 CHAIRMAN CHARLES: Okay.
20 MR. COLLINS: I want him to remain
21 eligible.
22 CHAIRMAN CHARLES: Good idea. Let's
23 take a break. Let's come back at 8:25, according
24 to that clock.
25 (Whereupon, there is a brief pause

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1 in the proceeding.)
2 CHAIRMAN CHARLES: Quick roll call,
3 please.
4 THE SECRETARY: Mr. Rodzinak?
5 COMMISSIONER RODZINAK: Yes.
6 THE SECRETARY: Chairman Charles?
7 CHAIRMAN CHARLES: Yes.
8 THE SECRETARY: Mr. Franco?
9 COMMISSIONER FRANCO: Yes.
10 THE SECRETARY: Councilman Norgalis?
11 COUNCILMAN NORGALIS: Yes.
12 THE SECRETARY: Ms. Casamento?
13 COMMISSIONER CASAMENTO: Yes.
14 THE SECRETARY: Mr. Lerner?
15 COMMISSIONER LERNER: Yes.
16 THE SECRETARY: Mayor Hayes?
17 MAYOR HAYES: Yes.
18 THE SECRETARY: Mr. Pandya?
19 COMMISSIONER PANDYA: Yes.
20 THE SECRETARY: And Mrs. Albanese?
21 COMMISSIONER ALBANESE: Yes.
22 BY MR. COAKLEY:
23 Q. All right, Mr. Dean, where were you
24 when you left off?
25 A. It's a long-winded introduction,

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1 and I assure you I'm almost done.
2 As I was describing this master
3 plan for the highway that was commissioned by
4 the township, there's still one element of the
5 master plan that remains unfulfilled, and that
6 is the installation of a traffic signal at
7 Foothill Road.
8 That's relevant, in that, as the
9 board is aware, part of this application entails
10 not just contributing, but making many different
11 physical improvements to the highway, one of
12 which includes the installation of a traffic
13 signal at Foothill Road. So after 32 years, and
14 by virtue of this application as a private
15 contribution, those improvements to the highway
16 will be fulfilled, largely as a result of this
17 application.
18 There are some numbers that are
19 important, as related to the traffic from the
20 subject property, but I'll hold off on those
21 until a little bit later.
22 My office was first retained in
23 2013 to begin the process of evaluating the
24 feasibility of the project as it's before you.
25 That obviously culminated in the drafting of the

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1 redevelopment ordinance, and obviously the
2 application that fulfills the objectives of that
3 ordinance is before you in the form of a site
4 plan application.
5 As part of that application, my
6 office prepared a comprehensive traffic impact
7 analysis, and for identification purposes, it
8 was dated May 9th of this year, and it contains
9 a vast amount of information; I'll do my best to
10 cover it in as much detail as you'd like, and if
11 there are specific question, I'd be happy to
12 address those.
13 But we basically evaluated the
14 extent of the Route 202/206 corridor at
15 locations that are prescribed under the NJDOT
16 access code as potential locations that would
17 have a traffic impact associated with this site,
18 and there are laborious calculations that are
19 involved in how we determine that, but as is
20 noted in the study, the scope, the extent of our
21 analysis, began to the north at Old Farm Road,
22 continued all the way to the south past the
23 subject property, included Brown Road, it
24 included obviously the site, it included
25 Foothill Road, and it also included Talamini

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1 Road, because, in accordance with the DOT
2 criteria, this site could potentially have a
3 traffic impact that at least warrants study of
4 these different locations.
5 And as is customary practice in
6 traffic engineering, we perform these analyses
7 by taking traffic counts; that is, staff are
8 present at the various intersections during peak
9 hours that are the focus of a study. And for
10 this project, we looked at those hours, again,
11 established by DOT, when traffic from the site,
12 in aggregate, would be highest, meaning we have
13 a retail component, we have a lodging component,
14 we have wellness, and we have residential.
15 Those peak hours, because those businesses would
16 be open and generating traffic, would be during
17 the weekday evening peak hour, our typical
18 commuter rush hour, and on Saturday midday, when
19 we would experience higher retail demand
20 associated with those components.
21 We know, of course, the site will
22 generate traffic throughout the day, but because
23 of the way traffic studies are done, logically,
24 if we study those times when traffic is most
25 busiest, then we know at other times of the

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1 day -- for example, in the morning, when it's
2 not as busy -- if the infrastructure that's
3 designed to work at peak loading is acceptable,
4 we know, with sub-peak loading, it'll obviously
5 continue to work.

6 So, for that reason, we focused on
7 those peak hours when traffic would be busiest,
8 representing the confluence of activity for each
9 of the proposed components, the retail, all of
10 the individual ones I mentioned, but also the
11 R&D, and of course when the highway itself would
12 be busiest.

13 Our findings show -- and here's
14 where some of the numbers are somewhat
15 relevant -- that in the morning peak hour, we
16 didn't calculate what the site would generate,
17 but from the counts that we've conducted, and
18 what traffic engineers typically do to forecast
19 traffic, I can say with certainty that this
20 application, and its resultant traffic, will be
21 less than half of the traffic activity that we
22 saw when the site was developed by American
23 Hurst.

24 Now, that goes back to the 1986
25 counts, but that at least is a benchmark, it

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1 tells us how busy, how much traffic was on the
2 highway arising from the use of this property.
3 And it was a considerable number, it was about
4 730 traffic movements in the morning peak hour,
5 and with the apartments and the R&D -- because,
6 by and large, the retail components are not
7 open, say, at 7:30 -- it would be less than
8 half.

9 Q. And Mr. Dean, just following up
10 with that point, did you find a 2002 DOT permit
11 that was issued for this site?

12 A. I did. And so the board is aware,
13 when Sanofi was considering modifying and
14 changing their operation, they applied to NJDOT
15 and received approval for a highway access
16 permit, and that permit, much like sewer
17 capacity, it allows for certain traffic volumes,
18 and those volumes for which the site was
19 approved are higher than what we're indicating
20 with this site in the morning peak hour.

21 In the evening, which I was about
22 to get into, it's a little different, in that an
23 office use, or an R&D campus as exists, would
24 generate different traffic, and by that I
25 mean -- and you can -- I'm referring to Exhibit

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1 EXH-1, I don't know how it's been marked, but I
2 believe it's part of the site plan set, titled
3 Aerial Image of Existing Site Exhibit -- the
4 site is comprised of an R&D campus closest to
5 Route 287, or the westerly side of the site, and
6 then the buildings closest to the highway
7 consist principally of more office-type
8 activity.

9 And with an employment-based
10 center, the traffic, by and large, is ewe any
11 directional, and by that I mean people come in
12 in the morning to go to work, and they leave at
13 night, and sometimes with R&D they're working
14 off shift and the like, but by and large it's
15 that type of direction.

16 The proposed development balances
17 that traffic. Obviously, as we have retail, a
18 car comes in, shops, works out, whatever that
19 customer is on the site, and then leaves. So
20 there's a little different balance in that
21 traffic activity.

22 In terms of the peak flow of, say,
23 what gets out onto the highway in the evening
24 peak hour, the proposed redevelopment will also
25 generate less traffic than did American Hurst,

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1 and we have that from the historic traffic
2 counts. So in terms of impact on the highway,
3 and how that affects, obviously, ambient traffic
4 has grown, and that's what anticipates the need
5 for a reevaluation. But in terms of what this
6 site and how it has affected generating cars on
7 the highway, I would submit that, at least at
8 one point in the site history, it was certainly
9 busier than we're forecasting for this
10 application.

11 Saturday is a little different, and
12 obviously, with an employment center, we'll
13 assume closed on Saturday, that's a little
14 different scenario. So there will be additional
15 traffic created principally by the retail
16 component over the weekend.

17 Our traffic study did take into
18 account some of the R&D space within the rear
19 portion or westerly portion of the site, that is
20 not currently occupied. So we did add that to
21 our traffic equation.

22 We also are aware of the AIFalah
23 application that is currently under
24 construction, not that it has a significant
25 impact, but we did include that in our analysis

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1 of future traffic conditions.
2 A site such as this also enjoys
3 what we call internal trips, and that is -- I
4 don't know -- Lisa, do we have a plan of the
5 proposed? Here, I'll work off the pedestrian
6 exhibit.
7 With the combination of the retail
8 components, and its proximity to the balance of
9 the campus and the R&D section, and the
10 residential components, these are mixed-use
11 sites. We recognize that some of the people who
12 live here could potentially work here -- that's
13 what makes it attractive -- they certainly will
14 shop here, visit the wellness center, and
15 basically stay on campus, or within the village.
16 So whereas most traffic studies we project
17 traffic for each individual use, we then have to
18 apply some adjustment factors, because not
19 everyone that works here is going to leave; some
20 will stay and combine trips.
21 And so we do follow a prescribed
22 methodology to reduce these internal trips, and
23 they're calculated by data that's been compiled
24 by the Institute of Transportation Engineers,
25 wherein studies have been done of mixed-use

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1 sites to ascertain the amount of internal
2 capture, if you will, and it's approximately 21
3 percent during the evening peak hour, and about
4 15 percent on a Saturday peak hour.
5 So that means even though there may
6 be movement on the site, some of that movement,
7 instead of someone getting in a car -- for
8 example, to go to Kings in Bedminster -- will
9 instead walk -- some might drive -- but they'll
10 stay on the property itself, and not create
11 additional movements on the highway. So we've
12 taken that into consideration.
13 And the net result of our study is
14 the following: is that we will not have a
15 negative impact on levels of service or
16 operations at Talamini Road. We've studied it,
17 but essentially, at least under DOT's
18 criteria -- and I'll defer to Mr. Troutman --
19 there's not enough traffic generated by this
20 project to create a need for additional
21 improvements.
22 At Route 202 and Foothill Road --
23 and I should point out, appended to our report
24 are several -- and I'm sorry I didn't bring any
25 exhibits, but they're the last, sort of, four or

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1 five pages in our report -- I have shown
2 illustrations of the improvements to be made at
3 each off-tract location.
4 At Route 202 and Foothill Road,
5 with a traffic signal control, we have some
6 movements today that operate at level of service
7 F. And I'm sure the board has heard, traffic
8 engineers, we use a descriptive term, level of
9 service, A being the best, meaning we wait very
10 little at a light; F meaning we wait a long
11 time. Sometimes, if it's at a light, it's two
12 or three times to get through the light, or if
13 it's at a stop sign, it's minutes of delay. And
14 turning off of Foothill Road, we know we have
15 problems. For 32 years, you've wanted a signal,
16 and we have level of service F condition at
17 Foothill Road today.
18 With the application and the
19 improvements that include the signal, a widening
20 of Foothill Road for a separate left and a right
21 turn lane, and then also the ability for that
22 right turn movement to accelerate and continue
23 north, we can improve that level of service to C
24 during both of our peak hours. So that is a
25 substantial upgrade, in terms of operations to

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1 the corridor.
2 As the board is aware, the
3 redevelopment ordinance requires a traffic
4 signal at the southerly access at Fourth Street
5 and Route 202. Our study has assumed that that
6 signal is in place. We've designed it to
7 accommodate very favorable levels of service,
8 also level of service C.
9 The improvements will obviously
10 necessitate -- and I'm pointing to the
11 exhibit -- the installation of a signal, but the
12 addition of a southbound through lane, basically
13 to get two lanes through the light. They would
14 taper and merge back into the single lane south
15 of the site, but that will allow us also to have
16 very good levels of service.
17 That same improvement of a double
18 southbound through lane would also be created at
19 Muirfield Drive, or our northerly site access,
20 and that will also permit levels of service to
21 be at C or better.
22 And today, with the light in place,
23 and no improvements, that southbound through
24 movement is at F conditions. So, again, these
25 improvements that would arise from the off-tract

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1 improvements from the development would enhance
2 operating conditions at these locations.
3 At Brown Road, we don't need any
4 changes, and we meet all of the property level
5 of service criteria.
6 And same at Old Farm Road, there's
7 the no signal there.
8 The redevelopment agreement also
9 requires the applicant to improve, I'll say, all
10 of the unsignalized intersections between the
11 subject site and Foothill Road, and those
12 include Heather Hill Way, Byrd Avenue, Bluestone
13 Lane, Harding Road, Carnoustie Drive, Stella
14 Drive, and Arthur Road. At each one of those
15 locations, improvements would be made, if need
16 be, to widen the highway, but also to provide
17 pavement, structurally sound pavement that would
18 allow individuals who are turning left at each
19 one of those roads to allow through traffic to
20 bypass them. Particularly, today, the shoulders
21 are too narrow; it creates a backup of traffic.
22 So that would improve mobility along the highway
23 as well, and those are commitments the
24 engineering of which would be facilitated
25 through the engineer's office, principally as

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1 the township needs to technically applicant to
2 DOT for each of those improvements.
3 So with that, we believe we have
4 provided the board with this comprehensive
5 study. It has been submitted to NJDOT as part
6 of that review process. We're working with DOT
7 not only to address the site traffic impacts,
8 which we believe have been favorably addressed,
9 but also to work through some of the technical
10 details associated with the modifications of the
11 existing signal, and the continued desire and
12 support from the township for the traffic signal
13 at Fourth Street.
14 Mr. Troutman had issued a review
15 report -- and I know he'll speak to that. I
16 believe he has had -- or make several comments,
17 just clarification, which between now and the
18 next hearing we will coordinate with him and
19 address, ideally, to his satisfaction.
20 Our next steps with DOT involve
21 compiling additional information. DOT wants to
22 see, for example, accident data at Fourth Street
23 to assist in their review of that traffic
24 signal.
25 We also need to prepare what's

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1 called a -- technically, it's called a
2 progression diagram. I won't bore you with the
3 details, but what DOT wants to ensure is that,
4 when a motorist -- when a motorist on the
5 highway gets a signal -- say, a red signal at
6 Muirfield, and then it turns green, we don't
7 want to create, I'll say, an inner city type
8 situation, where we have successive red lights.
9 We want to coordinate, synchronize these
10 signals, so that regional through traffic on the
11 highway can do so without hitting a red light
12 every time.
13 And we need to furnish DOT with
14 that. It's just, I'll say, the mechanism to
15 show them that they can be appropriately
16 sequenced, and then there's just some other
17 information they want to see, in terms of the
18 visibility of the traffic signals, in that they
19 want to ensure that a motorist doesn't perceive
20 the subsequent signal, say at Fourth Street, as,
21 in fact, being the one at Muirfield. And
22 there's just some very, I'll say, technical
23 design elements that we need to present to the
24 department, but we are in the midst of
25 addressing their concerns with that.

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1 Q. Okay. Just a few follow-up
2 questions.
3 So as far as the roadway
4 improvements, they're in a conceptual design
5 phase now. Is that correct?
6 A. I wouldn't even call them design
7 phase, Mr. Coakley, I would say we have shown in
8 our report an illustration of what we believe
9 the redevelopment ordinance intended; for
10 example, the location of new traffic signals and
11 the widening or shoulder improvements at each of
12 the non-traffic-signal-controlled intersections.
13 But we haven't undertaken that design effort
14 yet; we would do so subsequent to this process.
15 Q. So after board approval, you'd
16 start that process?
17 A. Correct.
18 Q. And in discussing your efforts at
19 DOT regarding the progression and the accident
20 reports, that's really related to the light at
21 Fourth Street. Is that correct?
22 A. That is absolutely correct.
23 Q. So that's under DOT domain, it's a
24 state highway?
25 A. It is, and it's part of the process

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1 that DOT and information that DOT needs to
2 evaluate in considering new signal locations.
3 Q. Okay. And the plan calls for the
4 applicant to improve the 202/206 thoroughfare.
5 Does this traffic plan do that?
6 A. I would state yes, where we've
7 shown significant improvements in levels of
8 service associated with the various improvements
9 along the highway, yes, this traffic study
10 fulfills the directive from the redevelopment
11 ordinance to improve highway conditions.
12 And those conditions come in two
13 forms: One is just making it work better, as a
14 motorist, we stop less, encounter less delay;
15 some of it is a safety improvement.
16 Particularly, we're enhancing the shoulders for
17 all of the -- I'll say the residential streets
18 in between, making ingress and egress from each
19 one of those safer.
20 Q. All right. And the specific
21 improvements required in the redevelopment plan
22 as to traffic are included in your program. Is
23 that correct?
24 A. Yes, they are.
25 Q. All right. And one last question.

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1 We were asked last week about Wegmans, to
2 compare the traffic at Wegmans with this
3 proposed facility. Have you done that?
4 A. I have. And I've not counted
5 Wegmans, I just relied on the same ITE, or
6 Institute of Transportation Engineers forecast.
7 The Wegmans center is comprised of approximately
8 425,000 square feet of retail space and 115,000
9 square feet of office in the -- what is it,
10 Harris Semiconductor was, I think, the tower
11 that was in front. When I add up the traffic
12 associated with those components, using the same
13 methodology that I use in my study, that center
14 generates about 50 percent more traffic than we
15 would see at this location. So I hope that's
16 somewhat helpful. I'm not sure how relevant it
17 is, but I wanted to be responsive.
18 Q. Okay.
19 MR. COAKLEY: I have nothing
20 further.
21 CHAIRMAN CHARLES: Board members,
22 questions of Mr. Dean?
23 COMMISSIONER CASAMENTO: Mr. Dean,
24 so when you talk about enhancing the shoulders on
25 the residential streets, if you take, for

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1 example, Stella, I know making a left turn out of
2 that street onto 202 can be very hectic, to say
3 the least. So are you going to -- was your
4 intention, I guess, with the plan, to enhance the
5 shoulder on that street, and the streets like it?
6 MR. DEAN: Just so we're clear, we
7 would not be making improvements on those
8 individual streets; we would be making
9 improvements on Route 202/206 at each one of
10 those streets by putting in wider shoulders. And
11 what that allows is, for example, let's say
12 you're traveling north, and you want to turn
13 right into Stella, we would be putting in wider
14 shoulders with sufficient pavement depth, so that
15 it can accommodate the traffic, and not get all
16 potholed, so that an individual would be able to
17 slow down, decelerate, and not feel like the
18 vehicle that's coming up right behind them.
19 That's what I mean by safety.
20 Same thing traveling south, if an
21 individual is traveling southbound and wants to
22 turn left into Stella, we want to provide a wider
23 shoulder section that allows traffic that has no
24 desire to go to Stella, but keeps heading south,
25 they can go around them more safely than they can

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1 today. So in those locations, we'll be making it
2 safer.
3 The concern of turning left out of
4 Stella, we can't put a light in at every
5 intersection, so there's really nothing that can
6 be done. That is life on the highway, and
7 there's -- the only thing that could help is
8 obviously putting in the signal at Fourth Street,
9 and adding another signal at Foothill, those --
10 the combination of those two will create more
11 breaks, they'll stop Route 202's traffic more
12 often, so that there'll be extra opportunities to
13 come out of Stella, Arthur, and all those other
14 streets.
15 COMMISSIONER CASAMENTO: And that
16 was my next question, is that -- are the lights
17 going to be coordinated such that coming out of
18 those streets in between Muirfield and Foothill,
19 it'll give people more opportunity?
20 MR. DEAN: Precisely, that is the
21 objective of this entire process, is to
22 improve -- without putting a light in at each
23 location, because we can't, but putting in lights
24 where they are needed, that will have that added
25 benefit, and that's the whole objective of this.

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1 COMMISSIONER CASAMENTO: Okay. One
2 more question. I see all the traffic counts were
3 done in the evening during the week. Is there
4 any reason they weren't done in morning rush
5 hour?
6 MR. DEAN: Yeah, I thought I
7 explained it.
8 COMMISSIONER CASAMENTO: I know you
9 have, and I apologize if you did.
10 MR. DEAN: The reason is, by and
11 large, the R&D is already part of our background
12 traffic, so we're not adding anything new to
13 that.
14 The residential traffic, as it
15 leaves in the morning, by designing a light, say,
16 for example, at Fourth Street, and the light at
17 Muirfield, the only thing that those lights serve
18 in the morning are people coming out. So the
19 lights are already there, they're already
20 designed to accommodate the heavier loading
21 during the evening and on Saturday. So I already
22 know they work for morning. It's not a
23 requirement to study it under DOT, and because
24 I've already studied the worst case, I don't
25 really need to study other cases, because there's

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1 less traffic. There's less traffic on the
2 highway, and there's less traffic from the site.
3 That's the only reason we didn't do it, because I
4 sort of already know the answer by studying
5 something far worse than the morning.
6 COMMISSIONER CASAMENTO: Okay.
7 Thank you.
8 MR. DEAN: You're welcome.
9 CHAIRMAN CHARLES: Any other
10 questions down there? Mr. Lerner?
11 COMMISSIONER LERNER: Yeah, I just
12 want to just -- I was the Wegmans questioner, so
13 just -- and the reason it came up, and I
14 appreciate your response, is because we all know
15 Wegmans has two left-hand turn lanes going in,
16 two left-hand turn lanes going out, the highway
17 is much, much more significant north and south at
18 that point than it is at this point, and Wegmans
19 doesn't have a peak time like this will, because
20 people are going to work at 8, 9 a.m., people are
21 coming to work at 8, 9 a.m.
22 So in my mind, I was thinking this
23 is clearly a smaller intersection, and at least
24 in peak times in the morning and the evenings,
25 it's probably going to be carrying as many cars.

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1 So I'm trying to visualize, and while I
2 appreciate how it would be coming out over time,
3 and how you're meeting it, how I appreciate the
4 traffic lights, I'm still envisioning a
5 significant clogging of the road getting in and
6 out of this facility twice a day. Am I wrong?
7 MR. DEAN: I really don't want to
8 answer that question.
9 COMMISSIONER LERNER: You can. My
10 wife tells me I'm wrong all the time, so feel
11 free.
12 MR. DEAN: Your concern is well
13 placed, as is mine, and I'm the one responsible
14 for designing this to make sure it works, and we
15 have the oversight, obviously, of Mr. Schrek and
16 Troutman, and we also have DOT, and they're the
17 first ones who will say we don't want anything
18 that, I'll say, mess up our highway. And DOT's
19 philosophy is we want our highways to be a
20 conduit of traffic, we want to keep traffic
21 moving, that's what highways are supposed to do,
22 and every time there's a driveway or a street, it
23 affects that objective. So they are very careful
24 in their review of traffic impacts.
25 This center is very different than

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1 Wegmans, and there are a variety of reasons.
2 Wegmans is on a -- adjacent to a highway that
3 carries probably three times the traffic of this
4 location. I could get you those numbers as well,
5 but it's a divided highway, it's that expressway
6 from Somerville, Bridgewater, down to Flemington
7 and Bucks County, and the patterns are very
8 different, and because of that, the highway,
9 particularly coming south at Wegmans, needs a lot
10 more green time to flush the traffic, say, out of
11 Somerset County, and that's diametrically opposed
12 to the double left lanes coming into Wegmans.
13 We don't have that situation here.
14 We have a highway that carries comparatively
15 much, much less traffic, that by and large is
16 more local. Right? 287 is carrying the regional
17 traffic. Right? Even from Bedminster to
18 Somerville. So the traffic on this particular
19 highway section is very different, in terms of
20 characteristic and volume, than 202 south of the
21 circle.
22 This site also has two proposed
23 signal locations; Wegmans has one. And we have
24 the benefit, if you will -- and I'll refer back
25 to the aerial -- and I didn't cover this, but as

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1 part of the American Hurst/Sanofi, the left-turn
2 lane, I'll say, to come into the property, starts
3 almost by Heather Hill, just south of Fourth
4 Street, and it runs the entire frontage, allowing
5 traffic to come in what will be the boulevard, as
6 well as in Fourth Street.

7 So that's very different than
8 Wegmans, which essentially has one way in and
9 out. I mean, it has those other little slip
10 driveways, but you're familiar with the site.
11 That's why this is very different. It carries
12 less traffic from the site on a highway that
13 carries less traffic, with two ways in and out.
14 So that's why it's -- I'll say it's not a fair
15 comparison, in my opinion, that's all.

16 CHAIRMAN CHARLES: Other questions
17 down this end?

18 COMMISSIONER ALBANESE: I have a
19 question. When you performed your analysis in
20 May, according to the report, where you listed
21 out the components of the current application,
22 since then, I know there was discussion at the
23 last planning board meeting about this, addition
24 of a cafe, which I think on that is Building
25 11 -- it's in the bottom corner --

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1 MR. DEAN: I think it --
2 COMMISSIONER LERNER: Lower left.
3 COMMISSIONER ALBANESE: I'm sorry,
4 lower left.
5 MR. DEAN: Down at this end, I'm
6 sorry, yes, 11.
7 COMMISSIONER ALBANESE: And there
8 was a discussion of that having a drive-through
9 component.
10 MR. DEAN: Correct.
11 COMMISSIONER ALBANESE: Based on
12 your experience, would that significantly
13 increase the traffic in and out of this
14 development?
15 MR. DEAN: The short answer is no.
16 And we don't know the type of cafe, but I'll just
17 say for discussion purposes, it is the type that
18 caters to, say, more morning traffic. ShopRite,
19 the retail, will be very light, it's just not a
20 big shopping time, say, at 7:30 in the morning;
21 the cafe will be, if it's that type of use.
22 What we see is, if a restaurant such
23 as that were to be built without the
24 drive-through, and there are -- whether it's --
25 and, again, I'm just speaking generically, so

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1 that we have -- there are Starbucks that don't
2 have drive-throughs. Right? The one at
3 Riverwalk in Bernards. It's busy as can be.
4 Adding the drive-through or having it doesn't
5 change its traffic, but it's busy in the morning;
6 at nighttime, not as busy.
7 To answer your question, it's such a
8 small component, when we aggregate all of this
9 other retail, it gets added to the shopping
10 center area, and the reason is, when traffic
11 engineers go out and do studies of shopping
12 centers, many of them include pad sites. Right?
13 The freestanding thing out in front of the
14 highway which can be McDonald's, Burger King,
15 Starbucks, what have you. So they're included
16 in that square footage. So when we aggregate and
17 look at that overall square footage, in essence,
18 it's built into it.
19 So the answer is, we've included it.
20 And Mr. Troutman identified we were off by, I
21 think, a couple thousand square feet in
22 assessment. I haven't run the numbers; it may
23 affect our projections by 10, 20 cars an hour,
24 but we're still dealing with processing 600, so
25 it's not invalidating our study. We'll clean it

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1 up to his satisfaction, but it's built in to this
2 whole analysis.
3 COMMISSIONER ALBANESE: So even once
4 those numbers are built in, and it's cleaned up,
5 as you say, it's still below the levels that you
6 saw when the prior occupants were at that site
7 and had the traffic in and out?
8 MR. DEAN: Fair point, and from the
9 old '86 study -- and I think I have my numbers
10 straight -- I believe it was 731 vehicles came
11 into this property in the morning peak hour, and
12 this site, between our residential components,
13 the small cafe, we might be at 300. So there's
14 still 400 unaccounted for trips, we're so far
15 below what was here, I'm okay with, you know, a
16 little 2,500-square-foot cafe here and there.
17 COMMISSIONER ALBANESE: Thank you.
18 MR. DEAN: You're welcome.
19 CHAIRMAN CHARLES: Other questions?
20 Councilman?
21 COUNCILMAN NORGALIS: I tend to be a
22 visual person, and I've heard the testimony in
23 terms of we're adding a lane here, we're doing a
24 thing here. Does anybody have something that
25 shows, from Brown Road to Talamini, that this is

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1 what the road looks like today, and when you
2 overlay it, this is where the additional lanes
3 are going to be?
4 MR. DEAN: I'll say yes, and on the
5 last five pages of my report is exactly what I
6 think you're after. They are aerial maps that
7 have been augmented, if you will, to show the
8 improvements that would be effectuated by the
9 project.
10 And I'll give you a specific
11 example: The first aerial exhibit is --
12 COUNCILMAN NORGALIS: Do you have a
13 bigger version?
14 MR. DEAN: -- the site driveway and
15 Muirfield Road, and what this exhibit shows is
16 that the second southbound lane would be created
17 at the traffic signal serving the site today, and
18 it shows that it would be fully extended as two
19 southbound lanes south of the subject driveway
20 and Muirfield, and as it's indicated on the note,
21 "Widening for second lane to Fourth Street."
22 If you flip to the next package,
23 there we have Fourth Street. So that second lane
24 is shown. And these are illustrative. We
25 haven't designed them, but they're to give you

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1 exactly what you're after, which is showing you
2 what it will look like.
3 COUNCILMAN NORGALIS: Okay. By the
4 way, the last time the township tried to get a
5 light at Foothill years ago, DOT said, unless we
6 realigned West Foothill to match, they wouldn't
7 allow it. Were there any discussions about the
8 West Foothill access, which we've heard about
9 from folks for years not being able to get out?
10 MR. DEAN: To answer your question
11 specifically, no, we didn't get into the design
12 element of the signal at Foothill. Because West
13 Foothill is a dead-end road serving a limited
14 number of homes by comparison, its approach
15 doesn't qualify, if you will, for a traffic
16 light. And without there being right-of-way
17 acquisition by the township, DOT, or the
18 county -- in other words, taking someone's
19 currently developed property, condemning it to
20 realign that -- I don't see that as possible.
21 COUNCILMAN NORGALIS: So Foothill
22 Road is practically a done deal, DOT's supportive
23 of that?
24 MR. DEAN: Well, a done deal is --
25 no. DOT's aware of the commitment by the

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1 developer. They participated in the 1986 study,
2 so they endorsed it. We haven't gotten to the
3 mechanics of design and alignment and putting the
4 curbs in place, and we won't, candidly, it's not
5 something that's part of a site plan application;
6 it is an off-tract contribution to be effectuated
7 as part of an approved site plan.
8 COUNCILMAN NORGALIS: That's
9 Foothill Road.
10 MR. DEAN: Correct.
11 COUNCILMAN NORGALIS: Fourth Street,
12 would you consider that ratcheted up, in terms of
13 getting that in before you proceed with that?
14 MR. DEAN: In that aspect, it is an
15 obligation under the redevelopment ordinance to
16 have that signal, and I'll say it's part of the
17 application you have before you, in that it's
18 mandated under the ordinance. So the onus is on
19 me and the applicant to effectuate that
20 objective.
21 COMMISSIONER FRANCO: Mr. Dean, did
22 you do an internal study of the site? Did you do
23 an internal circulation study of the site?
24 MR. DEAN: I won't say I did a
25 study, per se. I did consult with the civil

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1 engineer, we did discuss many of the internal
2 movements; I didn't do traffic counts, but I'm --
3 maybe I can answer your question.
4 COMMISSIONER FRANCO: I know,
5 really, one of our concerns was traffic coming
6 out of R&D coming to the intersection of 13th and
7 Discovery, and I know the applicant put an island
8 in there, and there's now signage directing you
9 to, well, Discovery Drive, which is fourth,
10 taking you down to the traffic light, you'll
11 reduce the amount of volume going into the
12 village.
13 MR. DEAN: I don't know that
14 anything will reduce the volume, in that if the
15 village is attractive to those people who work
16 behind us --
17 COMMISSIONER FRANCO: Well,
18 attractive for use, but my concern is vehicles
19 coming down through the village will queue up at
20 that traffic light and back up into the retail
21 area.
22 MR. DEAN: Understood. The design
23 and alignment that you see in the plan was done
24 specifically to not create a direct link, if you
25 will, between R&D, and that's effectuated by

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1 internal stop signs and control; certainly the
2 angled parking creates what I call friction
3 factors, anybody -- you know, if my objective is
4 to get out of this site, and I work in the back
5 as quickly as possible, I'm not going through the
6 village. Why would I? It's just I know there's
7 pedestrian activity, I'll be waiting for cars
8 that are backing out of the spaces, there are
9 internally controlled intersections with stop
10 signs, it's discouraged, or designed to
11 discourage through traffic.
12 Certainly, if that's troubling the
13 board, I mean, we can work with your staff, I can
14 put my thinking cap on, but I didn't see it as a
15 problem.
16 COMMISSIONER FRANCO: From early
17 discussions I'm satisfied with the direction, I
18 just wanted to get your input on it.
19 MR. DEAN: And the way it was
20 designed, obviously anyone who wishes -- and I'm
21 pointing, excuse me -- anyone who's traveling
22 from R&D, I'll say, continuing east onto Bridge
23 Boulevard, they will be directed to stop, whereas
24 the traffic turning right, I believe that sign is
25 yield. So, again, it's to reduce the friction

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1 factors to make Discovery to Fourth be the most
2 attractive exit pattern.
3 COMMISSIONER FRANCO: Thank you.
4 CHAIRMAN CHARLES: Other questions
5 of the board?
6 Down this end? Ms. Casamento?
7 COMMISSIONER CASAMENTO: Going back
8 to those paved shoulders, I was looking at the
9 photographs in the back, is there going to be
10 signage, or something like that, to indicate to
11 people that they can use those shoulders to turn
12 off, or they just do it?
13 MR. DEAN: The question often comes
14 up: I'm allowed to use the shoulder to pass?
15 Well, once a vehicle is stopped to turn, you're
16 no longer passing; you're going around them. And
17 it's sanctioned by DOT in their access code; it's
18 perfectly permitted.
19 The alternative -- and we haven't
20 discussed this with your engineer or DOT -- is to
21 create -- using the same pavement width --
22 because once the width is in place, it's just how
23 we stripe it -- is the alternative of a two-way
24 center left-turn lane. I think there's one as
25 you go further south on the highway, where it's

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1 that sort of middle lane, where anybody can use
2 it to turn left in either direction. What we
3 don't want to create are individual left-turn
4 lanes, and the reason is, if you're driving down
5 the highway, as you encounter each one of those
6 streets, you're going to be going in and out
7 like -- you're going to look like a fish driving
8 down the highway. That's not really what the
9 intent is.
10 So the idea is to keep through
11 traffic as uniform as possible, but certainly how
12 it's striped is certainly something we can engage
13 as appropriate. I'd need a consensus not only
14 from this board, your engineer, the governing
15 body, because they would technically be the
16 applicant to DOT.
17 COMMISSIONER CASAMENTO: Okay.
18 MR. BATTAGLIA: How does DOT usually
19 look at those central turning lanes if this
20 application were to make them?
21 MR. DEAN: I think, in this case,
22 because of the speed of the highway, it's not
23 such a good idea. As we get down into, say, 35
24 miles an hour or less, more of a downtown, where
25 there's a greater frequency of driveways, it

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1 makes more sense, but this is 50 miles an hour,
2 and I'm not sure it's the best. But that's just
3 my opinion. But, again, I'd look for direction
4 as to how we -- we're a little ahead of
5 ourselves, but how we effectuate that.
6 Ultimately, I'd welcome all input on that.
7 COMMISSIONER CASAMENTO: Right,
8 because I was trying to think of what the best
9 way is to keep traffic moving, and somebody's
10 trying to make a right and going to use the
11 shoulder at, you know, those streets, and so I
12 just wanted to -- I guess it's half a comment.
13 MR. DEAN: No, appreciate it.
14 CHAIRMAN CHARLES: All right.
15 Mr. Troutman, questions or comments?
16 MR. TROUTMAN: Yes, Jay Troutman,
17 McDonough & Rea Associates.
18 MR. COLLINS: Jay, I didn't swear
19 in. I swore in Dave and Scarlett; I didn't swear
20 you in yet. And I think I should swear in Stan,
21 I always do that for our experts.
22 (Jay Troutman and Stanley Schrek
23 sworn in.)
24 MR. COLLINS: Just state your name
25 and spell your last name, and give your business

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1 address, each of you.
2 MR. SCHREK: Stanley Schrek,
3 S-C-H-R-E-K, Van Cleef Engineering Associates.
4 MR. TROUTMAN: And Jay Troutman,
5 McDonough & Rea Associates, 105 Elm Street,
6 Westfield, New Jersey.
7 MR. COLLINS: And they are our board
8 consultants, and the board recognizes and accepts
9 their qualifications as a traffic engineer in
10 Mr. Troutman's case, and a civil and professional
11 engineer in Mr. Schrek's case.
12 CHAIRMAN CHARLES: Thank you.
13 MR. COLLINS: Go ahead.
14 MR. TROUTMAN: Yes, on behalf of the
15 board, we prepared a review memorandum dated
16 September 5, 2018. Mr. Dean, in his testimony,
17 has agreed to address the comments in that memo.
18 He addressed our cafe comment already.
19 Mr. Dean, would you be willing to
20 pick up the extra Saturday traffic count at
21 Fourth Street, and an ATR count as well, just so
22 we can have some new --
23 MR. DEAN: Yes. For the board's
24 benefit, we didn't have data at Fourth Street,
25 simply because I didn't think there was any. I

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1 mean, whatever little bit there is, we will
2 gladly pick that up.
3 The machine count -- ATR, as it's
4 known -- we are required to do that as part of
5 our DOT study. We can certainly install one. Is
6 there some specific concern that warrants that?
7 And the only reason I ask is I've got to send
8 some poor guy across the highway to lay some
9 rubber tube down, nail it to the road. I mean,
10 is there value in doing that?
11 MR. BATTAGLIA: I can tell you that
12 I used to do it.
13 MR. DEAN: It's unpleasant. I mean,
14 I used to do it too. Jay did it.
15 CHAIRMAN CHARLES: He was happy he
16 had a job.
17 MR. DEAN: It's part of our
18 apprenticeship in traffic engineering.
19 MR. COAKLEY: I thought you were
20 going to do it.
21 MR. DEAN: I'm a little old for
22 that. I can get DOT data, if that's helpful. I
23 just didn't know if there was something
24 particular you needed, but we're happy to do it,
25 it's not --

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1 MR. TROUTMAN: I know you're going
2 to need it for DOT, so I thought it would be
3 helpful to just get one fresh reading somewhere,
4 since, you know, the study -- the count data
5 turned over a year old this past spring.
6 MR. DEAN: Sure, we can do that.
7 MR. TROUTMAN: It looks totally
8 viable, and I can also check the township's
9 files, there was extensive data collected by a
10 prior consultant at the time for town council
11 hearings for the redevelopment ordinance, so we
12 can resource that as well.
13 I really don't have many other
14 comments. Mr. Dean reiterated all of the
15 improvements that are in his traffic report; I
16 had listed them in my memo. A couple site plan
17 and parking items to be addressed probably more
18 by PS&S, and/or the architect.
19 And I -- just my conclusion, in
20 looking at those roadway improvements, I think
21 they're consistent with what you would expect for
22 a project of this magnitude. I think the extra
23 southbound through lane on the weekday afternoon
24 peak hour across the site frontage is going to
25 improve the mobility of the traffic through that

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1 area during peak hours.
2 I also find that the proposed
3 development takes advantage of capacity that's
4 out there on a Saturday by kind of shifting what
5 would be an a.m. peak hour site in the past,
6 moving that impact out of the a.m. peak hour, and
7 taking advantage of some of the capacity that's
8 available on Saturday with the pattern for the
9 new property.
10 CHAIRMAN CHARLES: Okay. Thank you.
11 Any other questions of the board?
12 Seeing none, we'll open it up to the
13 public. Any member of the public having a
14 specific question relative to Mr. Dean's
15 testimony can please approach the podium.
16 Come on up, state your name and
17 address, and Mr. Collins will swear you in.
18 MS. MAYBERRY: Yes, I'm Elizabeth
19 Mayberry, and I live at 764 West Foothill Road.
20 E L I Z A B E T H M A Y B E R R Y,
21 having been duly sworn, testified as follows:
22 MR. COLLINS: And Elizabeth, can you
23 just spell your last name, please?
24 MS. MAYBERRY: I'm sorry, I didn't
25 hear you.

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1 MR. COLLINS: Spell your last name,
2 please.
3 MS. MAYBERRY: M-A-Y-B-E-R-R-Y.
4 MR. COLLINS: Thank you.
5 CHAIRMAN CHARLES: Your question?
6 MS. MAYBERRY: Yes, I do remember
7 that traffic study from 1986, so I have been
8 waiting for a number of years to be able to
9 safely make a left turn to come onto my street
10 when I'm traveling on 202/206 North. So I'm
11 eagerly awaiting that shoulder and that left turn
12 signal, so that I can get on my street. There
13 are about 25 residences -- it is a cul-de-sac,
14 which puts me at a disadvantage, as you've said.
15 Let me ask you something: Has the
16 paperwork request gone into the state by the
17 developer and by the township engineer?
18 MR. DEAN: Yes and no, and I'll
19 explain why. I don't mean to be difficult. The
20 way DOT applications work is the owner of a
21 property or a lot makes the application. So for
22 the subject site, we had the applicant here, they
23 have submitted their application. They own the
24 property.
25 As we get down to Foothill Road,

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1 Foothill Road is owned by Somerset County, so
2 they technically are the applicant. They submit
3 the paperwork; basically, the applicant would
4 fund the engineering, and the design, and the
5 studies and whatnot, but Somerset County has to
6 sign the form.
7 West Foothill Road is a township
8 street, so the township needs to be the
9 applicant, as the township would be for Stella,
10 Arthur, Carnoustie, et cetera.
11 So when I say "yes and no," this
12 applicant has submitted their application, but
13 all of these other improvements arise only if
14 there's a project. So if the project gets
15 approved, it is a -- I'll defer to Mr. Collins or
16 Coakley -- but these improvements are considered
17 a condition of the approval; in other words, the
18 Center can't open entirely, we'll say, without
19 having all of those commitments in place. So we
20 are a ways away from having those applications
21 ready.
22 MS. MAYBERRY: In other words, in
23 the proposal that you're making and submitting to
24 the NJDOT, it's going to make it a necessity to
25 have those improvements made on 202/206 before

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1 the project goes forward. Is that what you're
2 saying?
3 MR. DEAN: No, that's not what I'm
4 saying. The project -- I might need some help
5 legally here -- but the project goes forward by
6 virtue of a favorable action that this board may
7 take. So they vote, and they say yes, we like
8 the project, but one of the conditions of
9 approving this project is that there's a
10 commitment and we'll say a contract between the
11 developer and the township to perform these
12 improvements, and that would start the process of
13 engaging with the DOT and the applications and
14 Foothill Road and designing it. We're not there
15 yet.
16 CHAIRMAN CHARLES: So it's just the
17 order of what you were thinking. So once -- if,
18 in fact, the project is approved and moves
19 forward, then the applicant will be bound as a
20 part of an agreement to go make those things
21 happen.
22 MS. MAYBERRY: So it's going to
23 happen.
24 MR. DEAN: Well, I --
25 CHAIRMAN CHARLES: In a way.

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1 MR. DEAN: I won't respond to that,
2 but if the project happens, then all of these
3 other improvements come about, yes. It's the
4 sequence.
5 MS. MAYBERRY: Is the approval of
6 the project going to be contingent on the
7 approval of these improvements?
8 MR. DEAN: Yes.
9 MS. MAYBERRY: Okay.
10 MR. DEAN: And construction of them.
11 CHAIRMAN CHARLES: Yeah.
12 MS. MAYBERRY: Okay. Thank you.
13 MR. DEAN: You're welcome.
14 CHAIRMAN CHARLES: Any other member
15 of the public wishing to ask a question? You may
16 step forward.
17 Seeing none, we'll close that.
18 Thank you.
19 MR. DEAN: Thank you for your time
20 tonight.
21 CHAIRMAN CHARLES: We'll hear your
22 next witness.
23 MR. COAKLEY: Okay. My colleague,
24 Nicole Dory, will present the next two witnesses.
25 CHAIRMAN CHARLES: Okay.

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1 MS. DORY: Hi, good evening,
2 Mr. Chairman, members of the board, Nicole Dory,
3 Connell Foley, and our next witness is Mr. Rick
4 Gimello.
5 RICK GIMELLO, having been
6 duly sworn, testified as follows:
7 DIRECT EXAMINATION
8 BY MS. DORY:
9 Q. Mr. Gimello, can you give the board
10 the benefit of your educational background and
11 experience?
12 A. Yes, I have a master's degree in
13 public policy from Rutgers University. I've
14 been a consultant and a regulator in the
15 environmental field for 35 years. I've been
16 with my current firm, WCD Group, for 11 years
17 now, and before that I was assistant
18 commissioner for site remediation in New Jersey
19 DEP.
20 Q. And approximately how long have you
21 been in the environmental industry?
22 A. Virtually my entire professional
23 career, 30, 35 years.
24 MS. DORY: Okay. I'd like to offer
25 Mr. Gimello as an environmental consulting

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1 expert.
2 MR. COLLINS: The board will
3 recognize and accept Mr. Gimello as an
4 environmental expert. Go ahead.
5 MS. DORY: Thank you.
6 BY MS. DORY:
7 Q. Mr. Gimello, is your firm involved
8 in managing the environmental issues associated
9 with the project?
10 A. Yes, WCD Group's responsibility
11 here is as an overall coordinator of the
12 environmental aspects of the project, working
13 with all the other environmental consulting
14 firms, and also with the design team, to make
15 sure that the requirements of the environmental
16 regulations and the township tick and tie, if
17 you will, with the development plans, and we
18 help oversee the other elements of the
19 environmental work on the project.
20 Q. Okay. So in that role, you're
21 familiar with the environmental status of the
22 property?
23 A. I am, yes.
24 Q. Okay. And so could you explain the
25 status of the -- the environmental status of the

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1 property in the two issues that are still
2 pending?
3 A. Yes, in the context of the ceasing
4 of operations at the Sanofi operation, they went
5 through a housekeeping required under regulation
6 to see if there were areas of concern that
7 needed investigation, and ultimately to be
8 remediated. There were 28 areas of concern that
9 were identified by Sanofi's consultants, the
10 majority of which were underground or
11 aboveground storage tanks, with some exceptions.
12 26 of the 28 identified areas of
13 concern were closed, some of which were --
14 require remediation; some of which were just
15 removal of tanks.
16 All 26 of those closed ACOs were
17 issued an RAO, which is -- when I was at DEP,
18 the state issued what was called a no further
19 action letter, and it was a release of
20 responsibility for cleanup, and a release of
21 liability for activities on that site.
22 The state now relies on a licensed
23 site remediation professional to issue that
24 document, and they renamed it an RAO.
25 And so, again, for 26 of the 28

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1 identified areas of concern, RAOs have been
2 issued, and those are closed.
3 Q. Okay. And --
4 A. There are two remaining. There are
5 two open remaining.
6 One is referred to as 2B -- I
7 believe we have it on the -- do we have one of
8 the drawings? I'm not sure we do. The 2B area
9 of concern --
10 Q. Okay. So this is a new exhibit
11 we'll mark.
12 A. The 2B area of concern --
13 Q. We just need to mark the exhibit.
14 I think we were up to -- is it P-3?
15 MR. COLLINS: Yes, P-3.
16 So Mr. Gimello, do you have a pen
17 with you? Maybe you could do it -- P-3 with
18 today's date, 09/11/2018.
19 A. This is the location of that
20 particular area of concern. It was associated
21 with an underground storage tank, 1,000-gallon
22 underground storage tank which was discovered in
23 August of 2000. The tank was removed. There
24 was residual contamination of the groundwater,
25 which required additional monitoring and

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1 remediation. That process is ongoing.
2 There have been a series of
3 groundwater tests performed over a rather large
4 period of time, starting I believe 2010 or 2009.
5 The last two readings were taken in March and
6 May of this year. The trend, showing the
7 degradation of the contaminants and the
8 groundwater at that location has continued to go
9 down.
10 The firm that -- I believe it's
11 EcolSciences that is doing that work -- reported
12 that that trend continues. They are preparing a
13 remedial action plan -- remedial action report
14 for the department, indicating that they believe
15 they have reached compliance at that location,
16 and are seeking to have that AOC closed. And
17 we'll have to await the submittal of that report
18 and the department's reaction before we'll know
19 the outcome of that, but the data that's been
20 presented, I believe the board has copies of the
21 original data, and the additional data will be
22 sent to you, indicating a continual downgrading
23 trend in the level of contamination, and we
24 expect the report to be filed within a month
25 seeking the close your of that AOC.

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1 Q. And that AOC is located outside
2 of --
3 A. Yes, it's well outside of the
4 footprint of the proposed development; it was
5 associated with the operation of Sanofi.
6 Q. Okay. And the other AOC, I
7 believe, is AOC 11, Area of Concern 11, the soil
8 stockpile area.
9 A. AOC 11 is a former soil staging
10 area. During the construction of this
11 property -- which I'll refer to for our purposes
12 as the Sanofi campus -- a number of very deep
13 basements, a lot of construction, soil from
14 those operations was stockpiled here.
15 And this is the location for the
16 proposed stormwater basin. In order to
17 accommodate that basin, the plan is to
18 completely remove the soil staging area under a
19 closure and disruption permit that's been filed
20 with the -- or about the to be filed with the
21 Department of Environmental Protection. It will
22 completely eliminate and go back to established
23 natural grade of all that soil, the material in
24 this location. About half of that soil can be
25 absorbed on this site for reuse.

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1 We have done our own testing, WCD
2 has done its own testing of that site to
3 classify the material. It is native to this
4 footprint of the Sanofi building, and under
5 regulation can be reused on site.
6 Should there be -- and I believe
7 there will be -- excess soil, the intention
8 would be to file a beneficial reuse application
9 with the department, and export the remaining
10 soil off site to be used as fill or grading
11 material, capping material, at an appropriate
12 site, upon approval of the project.
13 Q. Okay. So your firm will make sure
14 that all necessary permits are obtained from the
15 New Jersey Department of Environmental
16 Protection?
17 A. Yes, in cooperation with Sanofi's
18 environmental firm as well, we're working in a
19 unit, they prepared the application, but we will
20 follow through with the department.
21 Q. Okay. And copies of those
22 approvals will be provided to the township?
23 A. Absolutely.
24 Q. Okay. And have you reviewed the
25 August 23rd report prepared by Mrs. Christine

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1 Shero (ph) --
2 A. Yes, I have.
3 Q. And will the applicant comply with
4 most of the recommendations in that report?
5 A. Yes, and I've spoken -- I've spoken
6 to her directly, and we will comply with all
7 requests that are embodied in that request.
8 Q. Okay. And could you identify the
9 paragraphs in Ms. Shero's report that you have
10 some comments to?
11 A. I think it was -- I'm going to have
12 to reach for this -- I believe it was the first
13 paragraph that mentioned the question about --
14 does someone have it with them?
15 Q. Yeah, I have a copy that I can give
16 to you. There's paragraphs -- if you could
17 address paragraphs 3 and 4.
18 A. Paragraph 3, there must be language
19 in the residential and commercial lease
20 agreements involving potential renters of the
21 homes and business that are built on
22 brownfields, as an outstanding ACO remedial
23 action type is a restricted use.
24 All of the -- all of this -- upon
25 closure of all the AOCs on this site, the

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1 highest level of attainment has been reached;
2 it's an unrestricted use. There'll be no
3 restriction of uses on this property, other than
4 a notation regarding the ground potential and
5 past groundwater contamination. It's called a
6 classification exception area, and it's a
7 notification to the state that, in that
8 particular area, should new potable drinking
9 water wells be constructed, that they must be
10 mindful of the past activities there, and test
11 to make sure there's no residual contamination.
12 Other than that, there'll be no restrictions on
13 the use of the property.
14 Q. Okay. And to the extent there's
15 any notice requirements, you'll comply with
16 any --
17 A. That's correct.
18 Q. Okay.
19 A. And then, as paragraph -- let's
20 see, there's paragraph --
21 Q. Paragraph 4 was a similar issue.
22 Right?
23 A. I'm sorry, you'll have to help me
24 with this -- oh, the LSRP and the RAOs suggest
25 that not all buildings will be demolished. You

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1 want to talk about the demolition?
2 Q. Yes, paragraph 5 is the next one.
3 Can you address that standard language in the
4 response action outcome?
5 A. WCD was directly involved in the
6 characterization of the material in the
7 buildings to be demolished. The full level of
8 investigation in that has been performed, and
9 those documents will be submitted through the
10 labor department and others to facilitate the
11 demolition of that building as required under
12 department of labor regulations.
13 Q. Okay. And paragraph 6 of that memo
14 requests that electric vehicle charging stations
15 be installed in the development.
16 A. It is my understanding that the --
17 it is the intention of the applicant to
18 accommodate electrical recharge stations as part
19 of the project.
20 Q. Okay.
21 MS. DORY: And our landscape
22 architect will address paragraph 7.
23 So I have no further questions, if
24 there are any questions from the board.
25 COUNCILMAN NORGALIS: I have a

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1 question. Could you go back to paragraph 4 on
2 the August 23rd letter? It says, "Renters and
3 employees of the Center of Excellence should be
4 made aware of brownfields by either signage or
5 written notification before entering into an
6 apartment, rental agreement, or employment
7 there." I realize the -- if the contamination is
8 in the business side, apartments don't apply, but
9 is that an -- if the AOC restricted use is
10 lifted, does that mean paragraph 4 does not need
11 to be --
12 MR. GIMELLO: Yes, paragraph 4, as I
13 read it, is not required. This is an
14 unrestricted use, and therefore there will be no
15 signage indicating that this was a historically
16 contaminated facility. That's not required under
17 the regulations.
18 COUNCILMAN NORGALIS: So you do
19 not -- you no longer consider this a brownfield
20 place now?
21 MR. GIMELLO: I'm sorry?
22 COUNCILMAN NORGALIS: Is it your
23 opinion, then, that that site is no longer a
24 brownfield site; it has been totally cleaned up?
25 MR. GIMELLO: Yes, it will be, upon

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1 closure of these two -- and it's technically not
2 really a brownfield site. I mean, this was a
3 volunteer cleanup that was done under the
4 auspices of Sanofi as they closed their facility.
5 Brownfield's now become, sort of, the common term
6 for contaminated remediated sites. It doesn't
7 apply here.
8 This would be -- there will be no
9 restrictions that would impact any of the
10 activities on this site. So notification -- when
11 that happens, typically, those signs are posted
12 during remediation, not after the fact.
13 COUNCILMAN NORGALIS: But you said
14 there's been a progressive cleanup here, but 2B
15 was benzene, and they've been taking out the
16 benzene or whatever, so when it gets to the point
17 where there is literally no more benzene, then
18 they will have met the requirement of the AOC.
19 Is that right?
20 MR. GIMELLO: They will come into
21 compliance with the established groundwater
22 criteria for that contaminant, that's correct.
23 COUNCILMAN NORGALIS: When do you
24 think that point would be achieved?
25 MR. GIMELLO: EcolSciences, who is

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1 the firm that's doing that monitoring now, and
2 has installed that well, believes that their last
3 two rounds of sampling indicate that they have
4 achieved that; hence the application to DEP
5 asking for the closure of the AOC.
6 COUNCILMAN NORGALIS: So they say
7 they've arrived. Okay. Thank you.
8 CHAIRMAN CHARLES: And then that
9 handles the one issue, and the other issue, you
10 say, goes away once the drainage ditch is built,
11 and that soil's removed.
12 MR. GIMELLO: We're obligated, upon
13 disruption and removal of this, to submit to the
14 department as-built that confirm that we're back
15 at the established grade, and to document the
16 placement of that material that's been removed,
17 and that becomes the approved protocol under
18 which we can close the AOC.
19 MR. COLLINS: And on that one, were
20 you saying that you expect to have beneficial use
21 of the soil and those --
22 MR. GIMELLO: The excess soil.
23 MR. COLLINS: Excess soil -- on the
24 property? I couldn't quite --
25 MR. GIMELLO: We're only using about

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1 half of this -- half of the material that comes
2 out of the excavation of the stockpile area to
3 create the basin, and also I believe there's some
4 sub-excavation to accommodate part of the basin.
5 Half of that material will be used as grading
6 material to support the current development; the
7 remaining residual will be exported off site
8 under a beneficial use application. The site --
9 the placement of that, and the beneficial use
10 site, has not been chosen, it's too early in the
11 process.
12 COUNCILMAN NORGALIS: You need to be
13 aware: The town ordinance requires soil, if it's
14 going to be removed from the township, has to be
15 certified as being toxic free, so to speak.
16 MR. GIMELLO: Yes, and we know by
17 characterization that that's there, and we will
18 comply with that notification.
19 COUNCILMAN NORGALIS: Thank you.
20 CHAIRMAN CHARLES: Other questions?
21 Mrs. Casamento?
22 COMMISSIONER CASAMENTO: I have one
23 question regarding the soil staging area. So
24 that's the dirt you're going to remove, right,
25 you were just saying?

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1 MR. GIMELLO: Yes, ma'am.
2 COMMISSIONER CASAMENTO: So,
3 previously, though, there were -- it sounds like
4 it was a dumping ground, a little bit. Right?
5 There were paint cans. Is that the same area --
6 MR. GIMELLO: There are, what I
7 would call, in my professional judgment, rumors,
8 and some minor notification that there was office
9 furniture, some ceiling tiles, in this pile of
10 dirt. There have been in excess of a dozen test
11 pits dug throughout the pile, and probably in
12 excess of a dozen borings, seven of which my firm
13 did personally. We did not find anything other
14 than a little chip of concrete, and some macadam,
15 some blacktop.
16 But our plan for excavation will
17 segregate -- any material that is not soil will
18 be segregated, tested, and disposed of at a
19 proper location. So we will stockpile and screen
20 this material, and anything that isn't soil is
21 coming out and being disposed of off site; will
22 not be and cannot be reused on site.
23 COMMISSIONER CASAMENTO: Thank you.
24 CHAIRMAN CHARLES: Any other
25 questions from the board?

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1 MR. COLLINS: I guess I have to
2 understand that: So on the stockpile, after the
3 segregation and after the determination, I guess,
4 of the remedial action outcome that the soil can
5 remain on site, that soil that remains on site
6 will be documented to meet the DEP standards
7 for --
8 MR. GIMELLO: Yes, it will be
9 characterized -- we've already done some of that,
10 we know what's in there, there's some elevated
11 metals in that, that we believe are naturally
12 background. We've taken samples outside of that
13 stockpile area, underneath the existing parking
14 lots and throughout this, and we find the same
15 level of that contamination; we believe that's
16 native to the soil, and we're prepared to make
17 that representation, which makes it eligible --
18 it can be used on this site, because it is common
19 to that site.
20 MS. DORY: And if I may just ask,
21 Mr. Gimello, there is a separate approval process
22 for beneficial use determination?
23 MR. GIMELLO: Yes, we will have to
24 have -- we will identify a site to which this
25 material will be sent; there has to be agreement

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1 from that township and the developer of that
2 particular site before the material can be sent
3 there. And that documentation is also provided
4 to the department.
5 MS. DORY: And that would also be
6 provided to the township?
7 MR. GIMELLO: Yes.
8 MR. COLLINS: And then the reuse or
9 the use of it on site will be basically a fully
10 compliant soil, perhaps with some determination
11 by the LSRP that some naturally existing
12 compounds over the standard --
13 MR. GIMELLO: That's correct.
14 MR. COLLINS: -- are there, but
15 since they're consistent with the natural
16 conditions -- that's arsenic or something like
17 that? What is the --
18 MR. GIMELLO: You know, I think
19 there's some arsenic, there's some palladium,
20 there's some odd metals that are in there that we
21 believe, based on the other testing, are common
22 to that entire footprint of the original Sanofi
23 facility, and therefore, when the soil -- when we
24 can demonstrate through testing that it is native
25 soil, it can be reused on site, because it

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1 already exists.
2 MR. COLLINS: And there will be no
3 effort to have a capped soil -- on-site soil
4 contamination under the tech regs, that will not
5 be --
6 MR. GIMELLO: There's nothing we
7 will need to do from that other than screen it to
8 make sure that there's not debris that is not
9 native to the site.
10 MR. COLLINS: Okay. And there won't
11 be any need for a declaration of environmental
12 restrictions for a soil -- soil contamination
13 remaining on site?
14 MR. GIMELLO: That's correct.
15 MR. COLLINS: And there won't be any
16 need for a cap?
17 MR. GIMELLO: There will not be --
18 although various elements, in fact, provide cap,
19 it is not a requirement this material be capped.
20 MR. COLLINS: And under the tech
21 regs and the LSRP, you don't expect there to be a
22 courting of a declaration of environmental
23 restrictions requiring certain soils to be, you
24 know --
25 MR. GIMELLO: That's correct, I

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1 expect this to be able to operate as an
2 unrestricted site.
3 MR. COLLINS: The one nuance you did
4 mention, though, as to the groundwater, is there
5 will perhaps be a classification exception area
6 for the groundwater related to that AOC --
7 MR. GIMELLO: 2B, I believe.
8 MR. COLLINS: 2B, yes, but in that
9 one, you don't expect any problems with -- you
10 and the LSRP don't expect any problems with vapor
11 intrusion of any kind.
12 MR. GIMELLO: No, the levels are not
13 at all warrant soil screening, and given the fact
14 that it's completely outside the develop area,
15 there's no building proposed here that would
16 require vapor protection.
17 MR. COLLINS: And do you have a
18 sense of the direction of flow of the groundwater
19 of that -- that classification exception area
20 that's likely to be --
21 MR. GIMELLO: You know, I want to
22 say it flows through the creek, but I know there
23 were some oddities, where it -- not all the
24 groundwater -- I can't recall off the top of my
25 head. I can clarify that for you.

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1 MR. COLLINS: But you and the LSRP
2 are satisfied that it won't negatively impact any
3 buildings or basements or --
4 MR. GIMELLO: Categorically.
5 MR. COLLINS: Thank you.
6 CHAIRMAN CHARLES: Other questions
7 from the board?
8 At this time, I'll open it up to the
9 public and --
10 MR. BATTAGLIA: Hold on, I just want
11 to make sure that our environmental consultant
12 has a chance to respond.
13 MR. COLLINS: Sir, please come
14 forward, and I'll swear you in.
15 (Keith Savel is sworn in.)
16 MR. COLLINS: Please state your
17 name, and at least a business address.
18 MR. SAVEL: My name is Keith Savel,
19 S-A-V-E-L. I work for NV5 as a consultant for
20 the town. I am a New Jersey licensed site
21 remediation professional. My address is 7 Campus
22 Drive, Parsippany, New Jersey.
23 MR. COLLINS: Thank you, Mr. Savel.
24 The board will confirm that it accepts your
25 qualifications as a licensed site remediation

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1 professional environmental consultant.
2 MR. SAVEL: Thank you.
3 So we have reviewed the new
4 environmental impact statement, as well as a
5 bunch of data that was provided in the last
6 application. I know that we met earlier, several
7 months ago. I have the Township of Bridgewater
8 Department of Health letter, as well as the
9 letter that we submitted -- I'm not sure that the
10 board got it, but I believe that the applicant
11 got this letter.
12 MS. DORY: I don't believe we've
13 received it.
14 MR. BATTAGLIA: I do have to
15 apologize --
16 MR. GIMELLO: I've not seen a letter
17 from NV5.
18 MR. BATTAGLIA: I know the board did
19 get the letter, and that's a mistake on our part,
20 but I did e-mail it to Kevin.
21 MS. DORY: Okay. Well, I apologize,
22 it didn't make its way to me --
23 MR. COLLINS: If you wanted to come
24 back --
25 MR. COAKLEY: I must say, I never

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1 received that letter.
2 MR. COLLINS: And with that being
3 said, maybe we could -- well, one thing is we
4 could take a little break so that the gentleman
5 can read it, that'd be good, and then I defer to
6 the two attorneys, if they'd like to continue
7 this subject to another night, but you can think
8 about that after you read the letter, because you
9 haven't read the letter, and I haven't read the
10 letter.
11 MR. BATTAGLIA: I thought everybody
12 got it.
13 MR. COLLINS: Maybe I did, but I
14 just didn't notice that one. But as a courtesy
15 to the applicant, and to Mr. Gimello, it's
16 important that we have that opportunity, if the
17 applicant would like to take some time to be able
18 to --
19 MR. COAKLEY: Perhaps we'll call our
20 next witness --
21 MR. GIMELLO: I'd be glad to read it
22 while you move on, so we don't hold you up.
23 MR. COAKLEY: -- and while we're
24 doing that, we'll read the letter.
25 MR. COLLINS: Okay. Thank you.

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1 CHAIRMAN CHARLES: Okay. So we'll
2 have that conversation after the next witness.
3 We'll open it up to the public for questions of
4 this witness also after the next witness.
5 MR. COLLINS: Maybe Mr. Coakley can
6 work with the two gentlemen.
7 MS. DORY: Okay.
8 CHAIRMAN CHARLES: Call your next
9 witness, please.
10 MS. DORY: Do we need to open it up
11 to the public at all?
12 MR. COLLINS: We'll do that after
13 the next witness.
14 MS. DORY: Okay. The next witness
15 will be Julie Kobesky from Melillo & Bauer, and I
16 believe she has a presentation, a PowerPoint
17 presentation that she'd like to set up.
18 MR. COLLINS: I don't believe she's
19 testified here before, so maybe we can use the
20 time to qualify her.
21 MS. DORY: We have some handouts
22 that we'd like to mark.
23 (Whereupon, there is a brief pause
24 in the proceeding.)
25 MS. DORY: Okay. I think we're

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1 still setting up over here, so do you want to get
2 started, then? Do you need an extra copy?
3 Okay. So I think everybody has a
4 copy, which we'll be working off them, and she'll
5 work off the computer. So this is Julie Kobesky,
6 she's with Melillo & Bauer Associates.
7 JULIE KOBESKY, having
8 been duly sworn, testified as follows:
9 DIRECT EXAMINATION
10 BY MS. DORY:
11 Q. Ms. Kobesky, if you can give the
12 board the benefit of your education and
13 qualifications?
14 A. Yes, I'm a 2004 graduate of Penn
15 State University where I received a bachelor of
16 landscape architecture degree. I have 14 years
17 of experience working professionally as a
18 landscape architect in the state of New Jersey,
19 and I am a licensed landscape architect in the
20 state of New Jersey. Currently, I hold the
21 position of Melillo & Bauer Associates in
22 Brielle, New Jersey.
23 MR. COLLINS: Thank you, the board
24 will recognize her qualifications as a certified
25 landscape architect.

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1 And we can make this Exhibit -- we
2 have physical copies of it -- and you're going to
3 use PowerPoint -- that we can mark P-4.
4 MS. DORY: Sure.
5 MR. COLLINS: And also, if we get
6 our secretary a copy of the PowerPoint in digital
7 format by e-mail, however you can get it to her
8 in the near future, that would be very helpful.
9 MS. DORY: Yes, I think we actually
10 might have it on a flash drive, so hopefully we
11 can provide that after the hearing, and I've
12 marked a hard copy also as P-4.
13 BY MS. DORY:
14 Q. So, Ms. Kobesky, you oversaw the
15 landscape and lighting plans for this
16 application?
17 A. Yes, I did.
18 Q. And can you explain to the board
19 the investigation that you performed for this
20 project, and your recommendations with respect
21 to those topics?
22 A. Yes. So tonight's presentation is
23 going to focus on four main elements of the
24 landscape design: We can note the general
25 overview of the planting design, then move

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1 through a discussion of the open space layout
2 for the project, and then discuss some of the
3 key open space areas and the site amenities that
4 we're providing within those areas. And then,
5 I'd like to end with a quick overview of some of
6 the ideas that we have for the residential site
7 that has yet to be designed for the project.
8 So to move to the overall landscape
9 plan on the project -- bear with me, I'll try
10 to --
11 Q. We actually have those up.
12 A. Oh, great.
13 So our office has prepared a
14 dynamic planting design for the site that
15 includes a diverse plant palette to provide
16 year-round interest throughout the site, and
17 also to help lessen the impact of the hardscape
18 of the design within the site plan, and then
19 also to help to enhance the architecture of the
20 site plan.
21 The plantings include a diverse
22 mixture of deciduous and evergreen trees,
23 deciduous and evergreen shrubs, and then there
24 are also areas that are designated for the
25 planting of ornamental grasses and flowering

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1 perennials and ground covers, again, to provide
2 year-round interest throughout the site.
3 We've selected mainly native and
4 adaptive species to ensure the survivability of
5 the plant material.
6 And as I said, the plant material
7 is located in a way that will enhance the
8 architecture and soften the impact of the
9 hardscape throughout the site.
10 So moving into a discussion of open
11 space, we focused our overview of the open space
12 on the R-Seed portion of the redevelopment area.
13 The R-Seed area is comprised of 61.95 acres. In
14 red, you can see the areas that will be
15 designated as total open space provided within
16 the site. That acreage is equivalent to 33.2
17 acres, or roughly 50 percent of the entire site.
18 What's required is 20 percent, so
19 as you can see, we're providing a large amount
20 of open space within the site design for the
21 project.
22 Q. Okay. And I think one of the
23 comments was the board would like to see an open
24 space plan. So we will work with the board's
25 professionals to provide that?

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1 A. We will work with the board's
2 professionals to provide that, yes.
3 Moving along, I'm not going to
4 belabor the discussion of the pedestrian
5 footpath, since Ms. DiGerolamo has already
6 discussed that in her presentation, but the loop
7 path that is intended to go throughout the
8 public portion of the site will be lushly
9 landscaped, especially along the buffer or the
10 frontage area along 202/206. The intention is
11 to create a very pleasant experience for users,
12 to create a definitive amenity for public and
13 the residents of the site.
14 So moving along to the Route
15 202/206 frontage, our intention was to enhance
16 the landscape that's existing. There's already
17 pleasant landscape out there with mature trees;
18 Peters Brook runs through that area. So our
19 goal, with the inclusion of the planting design,
20 and then also the loop path that runs through
21 that site, was to create a parklike setting that
22 enhances what's already there, and then includes
23 additional lush planting, to provide a really
24 nice amenity for users along that -- along that
25 corridor.

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1 Q. Okay. Can you just speak to the
2 frontage along 202/206? In your opinion, does
3 the design comply with the redevelopment plan
4 ordinance requirements?
5 A. Yes, in our opinion, it does. We
6 provide an excess amount of plant material above
7 and beyond what the ordinance requirements
8 state, and we've prepared a couple of views to
9 show you what our idea for the character of that
10 area is.
11 First, this is an existing view of
12 the site. So you can see that it is a bit of a
13 pastoral landscape with existing mature trees,
14 and you can see the footbridge for the Peters
15 Brook. Our goal is to enhance that with a
16 number of various plant materials, including
17 ornamental trees, flowering shrub materials, and
18 then also areas that will be designated for the
19 planting of ornamental grasses and flowering
20 perennials, to create a really -- a parklike
21 setting, so that the view from the 202/206
22 corridor is enhanced.
23 And we also intend to frame the
24 views into the site, to create a really nice
25 setting, both for the greater community and also

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1 the users within the site. So this is a view
2 looking north along 202/206, and then we've also
3 prepared a view looking south: again, the
4 existing conditions, and then the proposed
5 development of that area.
6 So moving along to the boulevard
7 area, as you move into the site, the Street
8 Sense testimony at the last hearing gave a
9 detailed overview of the streetscape and the
10 adjacent amenity areas, including the town
11 green, which you can see in locations here, and
12 then also in some of the views that should be
13 familiar to you from the last presentation
14 prepared by Street Sense. This area just shows
15 a typical node along the streetscape showing
16 some of the site furnishings and the lush
17 planting, and then also an overview of the town
18 green.
19 What I'd like to share with you
20 tonight are some of the site amenities that we
21 intend to use to enhance that pedestrian area.
22 So benches, bike racks, and decorative planters
23 will be located along the streetscape, both
24 along the boulevard and within other areas
25 throughout the site, to really enhance that --

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1 the experience along the streetscape, and to
2 create a really nice environment for people as
3 they move through the site.
4 Picnic tables will be provided
5 within the town green, to allow for dining
6 options and just general use.
7 And then, moving along the
8 boulevard to the terminus at the hotel plaza and
9 drop-off area, the intention of this is to
10 create a really strong visual terminus as you
11 move through the site along the corridor, and
12 access at the boulevard. It'll be landscaped
13 with fountains, sculpture, and then areas
14 designated for outdoor dining, shopping, and
15 walking.
16 And the intention, as Mr. Diamond
17 had indicated in the last presentation, is that
18 this should have somewhat of European-style
19 plaza feeling to it, where pedestrians are
20 really welcomed throughout and traffic is calmed
21 moving through that drop-off area.
22 So we'll include a number of
23 moveable table-and-chair seating options within
24 the outdoor dining areas. Linear planters will
25 be utilized to help define any outdoor dining

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1 spaces, and designate that separate from the
2 pedestrian areas. And then, bollards will also
3 be utilized throughout, to help delineate
4 vehicular versus pedestrian areas, to ensure a
5 safe location.
6 Finally, moving along Bridge
7 Boulevard, at the terminus is the new entry into
8 the R&D campus. The traffic flow was discussed
9 briefly in the civil presentation for this area,
10 but I wanted to discuss some of the enhancements
11 that we were proposing to use for that area, to
12 help create just a really visual -- or nice
13 visual location, and also to help with
14 wayfinding for both deliveries and people moving
15 in and out of the R&D campus.
16 So we've prepared again a couple of
17 views. This one looks in -- you can see that
18 we're proposing to have some screen walls,
19 intended to help block some of the loading zones
20 and some of the utilities and mechanical
21 structures that are located at the entrance into
22 the R&D campus. As discussed previously, this
23 would be a gated area, and you can see in the
24 second view a little bit closer how there will
25 be a garden booth and gated access into it. Our

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1 intention was to include decorative planting
2 with a mix of evergreen and deciduous materials
3 in there. There's also an opportunity for
4 signage along those screen walls to help locate
5 you into that portion of the site.
6 I would also like to discuss
7 briefly the lighting design for the site. We're
8 utilizing two levels of lighting for the site.
9 One is the D-Series light that you can see in
10 the bottom of the slide, that light is intended
11 for use along Discovery Drive that enters into
12 the R&D campus, and also within the grocer's
13 parking lot. It's a higher level of light for
14 those areas that need additional security, and
15 additional light will be used at nighttime hours
16 more frequently.
17 And then, we're also using the
18 Solena light fixture that's located at the top
19 of the slide. That would be the light fixture
20 that would be utilized through the commercial
21 corridor along the boulevard, and then also
22 within the residential area. So it's a smaller
23 light fixture and a more decorative light
24 fixture to be used in those pedestrian-oriented
25 areas.

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1 The idea -- or the overall idea of
2 the lighting design is to step down from the
3 southern portion of the site with the grocer
4 parking lot, the R&D entry drive along Discovery
5 Drive, that would be where the higher levels of
6 light are concentrated. A mid level of lighting
7 was provided within the commercial district
8 along the boulevard, to ensure safety throughout
9 nighttime activities. And then, the lowest
10 level of light would be within the residential
11 area.
12 And finally, as I said, I'd like to
13 just touch upon some of the ideas that we had
14 for the residential open space courtyards. I
15 know that there was some concern expressed in
16 the last meeting about what the nature of the
17 design of that overall block would be -- I
18 believe the term prison-like was used in
19 reference to it -- so we just wanted to share
20 some projects that we've worked on.
21 Some of the discussion reminded us
22 of, in particular, one project, The Rivington in
23 Hoboken, New Jersey. You can see in the
24 existing conditions photo, it did have a bit of
25 a prison courtyard-like feeling when we were

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1 initially involved in the project. It was a sea
2 of concrete with a linear space in between
3 buildings, a couple of benches; a couple of
4 light fixtures scattered throughout, and that
5 was about it.
6 Our landscape design was able to
7 accommodate a number of various features and
8 amenities throughout the site, including lush
9 plantings, nodes for seating with fire pits and
10 soft outdoor lounge seating. We were also able
11 to also provide amenities like game lawns, movie
12 lawns, and outdoor grilling stations as well.
13 So it was a really successful project, and we
14 just wanted to share it with you to show that
15 this is one project that we'd like to use as a
16 precedent as we move forward with the design of
17 the residential courtyards.
18 Another project that came to mind
19 is the Urby project in Harrison. Again, it's a
20 linear space located in between residential
21 buildings. It's lushly landscaped, and through
22 the use of various materials and various site
23 furnishings, we were able to create a number of
24 distinct and intriguing spaces, including bocci
25 courts, outdoor dining areas, outdoor grilling

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1 stations, there's a pool terrace, and then just
2 additional areas for seating, and also fire pit
3 areas for more intimate seating.
4 So, again, this is the introduction
5 we'd like to have as we proceed with the design
6 for the residential courtyard spaces.
7 CHAIRMAN CHARLES: So just to
8 clarify, what you're presenting is a potential
9 landscape enhancement to the way that the
10 buildings are --
11 MS. KOBESKY: Yes, just to show you
12 some similar spaces that we've designed, to give
13 you an idea of what our intention would be for
14 the general nature of the design of those spaces.
15 BY MS. DORY:
16 Q. And that would be further developed
17 when we return for final site plan approval.
18 Correct?
19 A. Yes.
20 Q. And can you just briefly speak to
21 the waivers or variances for landscaping and
22 lighting for this project?
23 A. Yes, there were three landscape
24 variances: one was in reference to landscape
25 trees, one was in reference to shrubbery, and

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1 one was in reference to foundation planting.
2 Overall, we feel that the planting
3 plan maximizes the amount of planting on site,
4 and we feel that we've provided a lush landscape
5 within the constraints of the redevelopment
6 plan, and the plan -- the site plan that was --
7 that has been provided, based upon satisfying
8 the requirements of the redevelopment plan.
9 There is a bit of a disparity
10 between the ordinance requirements for the
11 planting, and the urban nature of the
12 redevelopment plan, but like I said, we feel
13 that we have maximized the amount of planting,
14 and we provide a lush landscape with the
15 landscape design.
16 CHAIRMAN CHARLES: There's a
17 significant difference. I mean, when we look at
18 landscape trees, that jumped out at me, that
19 we're only providing 20 percent of what the
20 target here is. I don't think I've seen an
21 application that that's low.
22 MS. KOBESKY: Right, like I said, we
23 do feel that we maximized within the parking
24 areas and within the available areas. One item
25 to note is that, for the landscape trees and also

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1 for the shrubbery, the calculations were based
2 upon the impervious area -- I'm sorry, the
3 disturbed -- the total disturbed area calculation
4 for the entire site, inclusive of the residential
5 portion. So some of those numbers will be
6 reduced once we do develop the planting plans for
7 the residential portion, including plant
8 materials for that.
9 CHAIRMAN CHARLES: Will the numbers
10 be reduced or will the numbers on the left side
11 of the equation go up when it includes --
12 MS. KOBESKY: The disparities will
13 be reduced; the numbers on the left side will go
14 up, yes, you're correct.
15 By MS. DORY:
16 Q. Is it fair to say that the
17 disparity will be significantly less when you
18 come back for final site plan approval for the
19 residential portion of the landscaping?
20 A. Yes, that's the intention.
21 Q. So these numbers are only based on
22 the landscaping for the commercial side.
23 Correct?
24 A. Correct.
25 CHAIRMAN CHARLES: But, again, the

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1 disparity would be -- I mean, again, to our head,
2 20 percent means you might come back with 40
3 percent. So it's just such a significant
4 disparity that I think it's important that that
5 gets addressed, so when we come back and see it,
6 we're not dealing with those kinds of numbers.
7 MS. DORY: Certainly.
8 MR. COLLINS: But, like, to get --
9 help me understand this, then. So you had a --
10 put the slide up of -- I think it was the
11 Harrison building. I think you said Harrison
12 building.
13 MS. KOBESKY: Just stop me when --
14 MS. DORY: Urby.
15 MR. COLLINS: This is Harrison,
16 isn't it?
17 MS. KOBESKY: Yes.
18 MR. COLLINS: So, in your numbers,
19 you have not counted any trees or shrubs at all
20 in the -- in this section of the residential.
21 MS. KOBESKY: No, there's no
22 planting designed.
23 MR. COLLINS: And you believe it'll
24 be something more like this, the Harrison type of
25 space between buildings that -- in terms of

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1 features?
2 MS. KOBESKY: Yes, I think they're
3 similar -- it's a very similar --
4 MR. COLLINS: Is there a way to,
5 sort of, template that? Is there a way for you,
6 as a landscape architect, to -- well, first of
7 all, I think we can get closer to the detail of
8 the landscape plan without it being the final
9 site plan, so I would like to do that before the
10 end of this hearing, but is there a way to do
11 some sort of template of it'll be at least this,
12 and this'll be at least X trees and X shrubs, and
13 although we're not doing the foundation
14 plantings, we're doing, you know, a thousand
15 plantings that are replacing the foundation
16 calculations? I imagine you're going to plant
17 all kinds of decorative grasses, maybe there's
18 flower arrangements, I don't know. It seems to
19 me there's some way to sort of quantify the
20 likelihood of the future details, or at least in
21 an order of magnitude that -- at least, I mean --
22 I don't think you would work with Scarlett on
23 that --
24 MS. DOYLE: I'd like to suggest a
25 little reverse might work, and that is, rather

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1 than trying to speculate on the residential
2 component, why don't we deal with what we have?
3 We have what I'll call the commercial component,
4 and based upon the 10 shrubs to improve the
5 impervious area, and requirements for disturbed
6 area, we should know -- you're providing 255
7 trees. How many are required in that area? We
8 can then deal with the residential side later. I
9 personally don't think the residential side is
10 worth approving at this point, I don't think you
11 have enough detail; certainly not capable with
12 dealing with the preliminary, where you can
13 actually build.
14 But I think it might be helpful for
15 the board to know how many trees and shrubs are
16 required for what they're asking for, for
17 preliminary and final.
18 MR. COLLINS: For the sections that
19 are seeking final at this time?
20 MS. DOYLE: Yeah, anything
21 preliminary, I don't think we should see those
22 numbers, because it's --
23 MR. COLLINS: Well, I'd like to get
24 closer to the number -- I guess what troubles me
25 is I see the footprint of the building, but I

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1 don't see the -- I don't see what the problem is
2 with planting the footprint and the space in
3 between buildings, that doesn't sound very
4 complicated to me. If I can take a picture like
5 this, and say it's going to be at least like
6 this, I'm -- I'm talking about Harrison one or
7 the post-development Hoboken one -- it looks
8 quantifiable, it looks significant --
9 MS. KOBESKY: I think it really
10 depends upon uses that we have designated for
11 those areas. Without having that layout
12 developed, it would be difficult to really
13 determine a number of -- we can take a stab at
14 it, but I don't know --
15 CHAIRMAN CHARLES: If that's the
16 case, and that's your position, then we should
17 look at -- as Ms. Doyle said, we should look at
18 the -- you know, the portion of this, and what
19 are the targets in that portion, where we are
20 regarding that, so we look at -- we can look at
21 it in two pieces.
22 MS. KOBESKY: Yeah, we can --
23 CHAIRMAN CHARLES: But I don't think
24 these numbers don't do anything but insight --
25 you know, so I think we need to look at it one

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1 way or another. Right?
2 MS. DORY: Yes.
3 CHAIRMAN CHARLES: Either we create
4 a scenario where we say something like
5 Mr. Collins is recommending, or I think probably
6 better off saying, based upon this -- you know,
7 the preliminary and final we want, this is where
8 we are with the plantings.
9 MS. DORY: So just to clarify, if I
10 may, if the board accepts the recommendation from
11 Ms. Doyle, that would be determining the amount
12 of disturbed area for the commercial portion, and
13 then calculating the amount of landscaping based
14 on that area, not the entire site. Is that
15 correct?
16 CHAIRMAN CHARLES: Is that your
17 recommendation, Scarlett?
18 MS. DOYLE: It is.
19 CHAIRMAN CHARLES: Yeah, I think
20 that's -- and then, when we're listening to the
21 residential side, we'll look at that, and
22 logically, we'll probably be adding things
23 together and looking at the whole package at that
24 point. But now, I'm not sure these numbers
25 really mean anything to me.

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1 MS. KOBESKY: Right.
2 MS. DORY: If that's the board's
3 recommendation, then we can certainly work on
4 that.
5 CHAIRMAN CHARLES: You okay with
6 that, Mr. Collins?
7 MR. COLLINS: Yeah. Yeah, I think
8 so.
9 CHAIRMAN CHARLES: All right. I
10 guess it's odd, because it's like giving a
11 variance for half or whatever quarter this is --
12 Mr. Collins: And then you're
13 reserving the ability to require them in the
14 other half, and I think we might, and so I'm
15 debating my mind, are we ready for this variance.
16 COUNCILMAN NORGALIS: I don't think
17 so.
18 MR. COLLINS: And I'll let the
19 applicant explain why this is all going to work.
20 So I think that maybe the engineers and the
21 architect and the landscape architect can do a
22 lot more work before the next submission by PS&S,
23 and I think that would be very helpful. I think
24 it's good to know what the landscaping will look
25 like in spaces that are between buildings,

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1 because that's what the urban landscape needs, it
2 needs that softening that you just described.
3 And I thank you for these pictures,
4 it helped me understand where you're headed, but
5 I'd like to get closer to that sooner rather than
6 later. I certainly don't think we should be
7 waiting for this for months or years or something
8 like that, I think it should be part of this
9 hearing -- this set of hearings; that we move
10 expeditiously, but that it be known before
11 there's an action by the board.
12 CHAIRMAN CHARLES: Yeah, I mean, I
13 think my expectation would be a little bit
14 different, in that I would expect, even for this
15 portion of the application, to meet the
16 requirements of the numbers of this portion as
17 well, so that we wouldn't be looking for --
18 MR. COLLINS: I don't think, with
19 that massive parking lot, you're going to get
20 there.
21 MS. DOYLE: Well, the difficulty is
22 we're a thousand trees short, and I'd like -- and
23 put that on the residential. You're only getting
24 255 here, and you need a thousand. So I'd like
25 them to try -- you've got some constraints, but

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1 you also have some ability to plant -- we
2 discussed areas that can be planted with those
3 trees, or a shrub swap should that become
4 necessary, but that's been mentioned.
5 I have a few questions, if she's
6 done.
7 MS. DORY: I was just going to have
8 her speak very briefly to the lighting waivers,
9 if that's okay.
10 CHAIRMAN CHARLES: Yeah.
11 MS. KOBESKY: Again, for lighting,
12 there are three waivers: one is for parking lot
13 lighting, one is for lighting at the
14 intersections, and then one is for the
15 residential areas.
16 For the lighting at the
17 intersection, our understanding is that that
18 intersection is considered only the two entry
19 points from Route 202/206, with all the other
20 intersections on site would be considered
21 private. So we can look at ways that we can try
22 to meet the standard, and look at ways that we
23 can incorporate some of the existing lighting
24 into our calculations as well, so we can meet the
25 standard requirement by the ordinance, and then

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1 also we will have to make sure that we conform to
2 NJDOT standards as well for those areas.
3 MS. DORY: We also wanted to go
4 through the review reports, but if you want to
5 ask your questions first, I don't know if that
6 would deal with some of them.
7 MS. DOYLE: It will deal with a few
8 of them. May I? In terms of the lighting?
9 CHAIRMAN CHARLES: Yes, please do.
10 I'm still wondering what I just heard.
11 MS. DOYLE: In terms of the
12 lighting, we had a discussion this afternoon -- I
13 had, with the expert -- and we explored a few
14 areas, and I find it very hard to understand why
15 they can't meet the ordinance, based upon the
16 facts that we now know there currently are light
17 fixtures that can be restated -- I'll call it
18 restat -- based upon your iPhone or an iPad that
19 you're walking around with, you can actually see
20 the modulation of intensity. They're doing it
21 now at Chimney Rock, and so I think they should
22 explore that. If they explore that and find it
23 doesn't work, they should come back to the board,
24 but I really think that that's something that is
25 worthy of trying to meet the ordinance.

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1 In terms of the open space
2 requirement, it's my understanding you will
3 provide a specific map for the 20 percent, to
4 designate that this is -- because this is going
5 to be restricted for open space purposes.
6 MS. DORY: I believe we'll comply
7 with the ordinance requirements, we'll designate
8 the area.
9 MS. DOYLE: Fine. Okay.
10 But the next thing is something that
11 I found -- I think is quite important, and that
12 is there will be a protracted time when
13 demolition and construction will create what
14 appears to be an unappealing streetscape. It has
15 to happen, and so I have asked that it be placed
16 on the record whether or not the applicant would
17 be willing to leave the existing decorative fence
18 up along the highway, and plant the landscaping
19 in front of that fence, as they're proposing to
20 plant it now anyway. So during the course of the
21 time when we are under demolition, we're still
22 going to have some beauty along the highway.
23 Now, it was to be questioned of
24 the -- the expert was going to question that of
25 her client, and I think it would -- it's in my

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1 report, and I think that, to me, is very
2 important.
3 MS. DORY: Yes, and if you're
4 finished, we can go through those points.
5 MS. DOYLE: I'm finished.
6 MS. DORY: Okay. So Ms. Kobesky, if
7 you can speak first to the lighting levels, and
8 are there any other requirements that you might
9 have to look at --
10 CHAIRMAN CHARLES: I just want to
11 clarify what you said before. I heard you're
12 going to meet the requirements. I want to make
13 sure that I heard right.
14 COUNCILMAN NORGALIS: What
15 intersection were you referring to? I thought
16 you said we'll meet it at the intersection
17 leading in, but the other intersections were
18 private, and therefore would not be met. Did I
19 hear that correctly?
20 MS. DOYLE: Maybe I should speak to
21 that, because I'll put my two cents in, because I
22 kind of guided you.
23 The interior -- the intersections
24 that are inside are no different than cross
25 connections in a parking lot. You have a

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1 boulevard, that's true, but the interaction isn't
2 like a city street, it isn't like -- so, for that
3 reason, the parking lot standards should be
4 met -- and they're high. Parking lot not
5 standards are not low. But to have them at an
6 intersection of a highway, the same intersection
7 of a highway, is extremely bright, and I
8 believe -- maybe we can get some other advice,
9 but in the past, we have not considered those
10 types of interactions as being of the level --
11 the high-intensity --
12 MAYOR HAYES: But Scarlett, if I can
13 understand what you're saying, you're saying that
14 the intersections that are within the complex are
15 not -- you don't feel that they have the same
16 lighting requirements as the intersection that
17 goes from the complex to the highway.
18 MS. DOYLE: Correct.
19 MAYOR HAYES: I don't disagree.
20 What lighting levels do you feel
21 merit the cityscape that they're showing?
22 MS. DOYLE: Well, let's go to the
23 ordinance. They're providing 2.1. We're at 1
24 and a half. They're providing 2.1. And the
25 intersection at the boulevard, where it goes into

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1 the highway, is a 3, and they're providing 1.78,
2 which should be a 3.
3 COUNCILMAN NORGALIS: That sounds
4 like a deficiency to me.
5 MS. DOYLE: That is a deficiency.
6 COUNCILMAN NORGALIS: Okay. Can you
7 move up to Copper Lane and Bridge Boulevard?
8 That's the main street here.
9 MS. DOYLE: Okay. So what are we
10 talking about? Where is -- let's compare that to
11 the intersection of the highway. Where is the
12 high traffic, the high volume, the --
13 MAYOR HAYES: No, so I think
14 you're -- you're hearing, from me anyway, an
15 agreement that that intersection does not merit
16 the lighting of this one, of the highway one.
17 MS. DOYLE: The highway is very --
18 MAYOR HAYES: So I'm asking, does
19 anyone have a standard for -- because what we
20 want to do is have a professional opinion as to
21 what adequate lighting is at that one.
22 MS. DOYLE: But it says to maintain
23 the average of 1.5, and they're saying 2.1, and I
24 think that's just fine.
25 MAYOR HAYES: Okay.

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1 MS. DOYLE: I think they can
2 accomplish that.
3 MAYOR HAYES: So you're saying,
4 along the boulevard, the internal intersection is
5 a --
6 MS. DOYLE: They can be 2.2.
7 MAYOR HAYES: 2.2 makes sense.
8 MS. DOYLE: Yeah, in my view, 2
9 is -- if you look at what's outside, and where we
10 leave our parking lot, and circulation, it's very
11 much less than 2.
12 CHAIRMAN CHARLES: Okay. So just to
13 be clear for me, the intersections that we're
14 talking about, 3.0, and then you're saying the
15 other intersections, 2 --
16 MS. DOYLE: They have 2.1; I think
17 we can keep that.
18 CHAIRMAN CHARLES: Okay. And you --
19 COUNCILMAN NORGALIS: So Peters
20 Brook and Bridge Boulevard would be 2.1?
21 MS. DOYLE: Correct, but the highway
22 has to -- is not acceptable at 1.78, it has to be
23 double -- well, not -- double is not the right
24 term --
25 COUNCILMAN NORGALIS: So 202/206 and

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1 Bridge Boulevard needs to be 3, as does the end
2 of the Discovery Drive.
3 MS. DOYLE: Correct.
4 COMMISSIONER FRANCO: I just have a
5 question about the grocery Lithonia D-Series
6 lights.
7 MS. KOBESKY: Yes.
8 COMMISSIONER FRANCO: Typically, we
9 have, one hour after closing, that the lights go
10 out on a lot of our retail. Now, the D-Series I
11 know is a censored light, so you can dim it down
12 to, like, 0.5, and as somebody walks out there,
13 or say a car drives in, it'll boost itself back
14 up. Are you doing something with sensors on this
15 parking lot?
16 MS. KOBESKY: We can definitely
17 explore that possibility with the lights that we
18 have.
19 COMMISSIONER FRANCO: Especially
20 because we now have residential that's going to
21 be over being looking that parking lot, to have
22 those on during the night -- and I know for
23 security purposes, that exact fixture has a very
24 good sensor that boosts up when somebody goes out
25 there.

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1 MS. KOBESKY: Yeah, we'll definitely
2 look into that.
3 COMMISSIONER FRANCO: Okay.
4 MS. DORY: If I might just add one
5 follow-up question.
6 Ms. Kobesky, with respect to the
7 lighting at the intersection near the highway,
8 are there other requirements for lighting that
9 you have to look at?
10 MS. KOBESKY: Yes, we need to make
11 sure that whatever was provided by NJDOT
12 standards for light spillage onto the -- to the
13 highway.
14 MS. DORY: Okay. And so you'll work
15 with the board's professionals to try to meet the
16 standard as much as possible, while taking into
17 consideration the DOT's lighting requirements?
18 MS. KOBESKY: Yes.
19 MS. DORY: Okay.
20 MS. DOYLE: The second part of that
21 question is, will you keep the decorative fence,
22 and plant all the plantings prior to -- as a
23 first phase, as the initial phase, prior to
24 demolition? There was a -- there is a question
25 as to irrigation, and I think that's something

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1 that can be certainly handled by trucks that come
2 and irrigate, and the Gator bags for trees.
3 MS. DORY: You want to address that
4 comment?
5 MS. KOBESKY: Yes, the applicant has
6 indicated that we can provide the planting within
7 the first phase.
8 MS. DOYLE: I think that will be an
9 extremely fine asset to the project until it
10 starts looking something like that's a little
11 more appealing. Thank you.
12 That's it, Mr. Chairman.
13 MS. DORY: Okay. And if I may,
14 there's one other item that I wanted Ms. Kobesky
15 to address, which is the August 23rd memo from
16 Human Services, item number 7, with regard to the
17 bike lane. Could you comment on that portion of
18 the memo?
19 MS. KOBESKY: Yes, the -- our
20 understanding is that the Complete the Streets
21 resolution of requirement is for public streets,
22 whereas the streets within the site would be
23 considered private streets, so it's not
24 applicable. But as was discussed in the civil
25 testimony at length, there will be considerations

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1 made for bicycle access throughout the site.
2 CHAIRMAN CHARLES: I'm sorry, does
3 that mean there'll be bike lanes on all the
4 streets or no? I don't know what -- there'll be
5 bike access considered. Is it -- are you going
6 to follow the recommendation of public streets in
7 the project, or you're going to do something
8 else? And if so, what is that something else?
9 Just so we can get a feel for that.
10 MS. KOBESKY: Well, as discussed,
11 the intention was to provide bicycle movement
12 along the perimeter path; I don't know the
13 alignment --
14 CHAIRMAN CHARLES: And we've already
15 said the perimeter path needs further work --
16 MS. KOBESKY: Yes.
17 CHAIRMAN CHARLES: -- and bicycles
18 on sidewalks don't work. And your depiction of
19 the pedestrian loop is different from the PS&S,
20 when she followed the loop by Councilman
21 Norgalis. I'm not sure which one's right, but
22 that's okay, because we expect that to be
23 readdressed again.
24 MAYOR HAYES: And I just have a
25 question. So I'm still working with what do you

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1 mean by bicycle access within the street? So
2 that's the non-pathway? So on the regular
3 streets, someone who wants to ride their bike,
4 will there be -- along -- for example, along
5 Discovery Drive, or Boulevard, are you saying
6 there will be accommodations for biking or not?
7 MS. DORY: There will be an area of
8 the path along the boulevard. Correct?
9 MS. KOBESKY: Correct.
10 MS. DORY: And that will allow for
11 bicycle access. Right?
12 MS. KOBESKY: Correct.
13 MAYOR HAYES: And that will be also
14 the commuting way to the back. Is that correct?
15 MS. KOBESKY: Yes, the bicycle path
16 would continue -- does continue along Discovery
17 Way, so there would be -- with the alignment as
18 it currently is designed, there would be access
19 for residents to get to the R&D campus.
20 MAYOR HAYES: Okay. I'm still
21 trying to process what your comment is. So I
22 understand your comment that they're private
23 streets, I get it, and that you're not required,
24 then, you are not under certain obligations, but
25 I'm trying to understand what you are saying you

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1 will do, and that's where I'm trying -- that's
2 where I'm losing my image.
3 COUNCILMAN NORGALIS: I didn't hear
4 the dedicated --
5 MAYOR HAYES: I don't know if you're
6 thinking about it -- and I understand you're
7 saying -- or I'm hearing that you are a private
8 road. So I think the question is, we will pursue
9 it, as to what does that mean, in terms of what
10 you will do for biking along the private roads.
11 COMMISSIONER FRANCO: Is that, like,
12 a wider shoulder --
13 MS. DORY: We'd actually like to go
14 back and, you know, explore the loop path, and
15 what will be provided, and provide some more
16 details to the board in the next set of plans.
17 So if --
18 MAYOR HAYES: But because we're
19 working as a community towards Complete the
20 Streets, and if that has a different translation,
21 because you are a private road, I just want to
22 know what that different translation is, that's
23 all.
24 CHAIRMAN CHARLES: And just to
25 clarify my comment, the pedestrian loop path on

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1 your chart goes through the middle of the housing
2 development, and when we looked at your landscape
3 plan that you're anticipating between those
4 buildings, those aren't bicycle friendly.
5 So, anyway, we look forward to
6 seeing that.
7 MS. DORY: Thank you.
8 MR. COLLINS: I don't really know if
9 this is a real issue or not, I think you're going
10 to find ways to accommodate the safe streets
11 concepts, but my initial reaction as an attorney
12 is it doesn't matter if roads are private or
13 public, if we require safe streets -- which I
14 don't think is hard to do -- it applies to all
15 streets, even if they're private.
16 And so I -- it's basically saying
17 I'd have to be convinced that there's some
18 difference between private and public streets.
19 On this subject, I don't think there is. On
20 RSIS, there is no difference. But I don't know
21 what that means. I don't know what we're going
22 to end up with. I think we can find a way to
23 meet the concepts of safe streets, and safe
24 walkways, and do it really nicely here, so I'm
25 not too worried.

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1 CHAIRMAN CHARLES: Okay. Other
2 questions from the board of this witness?
3 Seeing none, I'll open it to the
4 public. Any member of the public having a
5 question of this witness based on her testimony
6 is welcome to come forward.
7 Seeing none, we'll close that
8 portion.
9 MS. DORY: And we also wanted to
10 address the letter that we just got. I haven't
11 had a chance to review it.
12 MR. COAKLEY: I've reviewed it. How
13 do you want to handle that?
14 CHAIRMAN CHARLES: If that's
15 something --
16 MR. COLLINS: Can the two gentlemen
17 come up -- Mr. Gimello, please come up, and our
18 expert, please come up, and --
19 MR. COAKLEY: Maybe the easiest way,
20 there's 15 paragraphs in this letter. Maybe the
21 easiest way would be just to read them, and
22 Mr. Gimello can probably after firm as to
23 probably about 80 percent of them, and if there's
24 anything left over we can do it then.
25 MR. COLLINS: Maybe Mr. Savel can

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1 come up, and he can have interplay with you.
2 MR. COAKLEY: Okay. So the first
3 comment is that the design of the soil storage
4 area is not -- is not accurate as to the depth,
5 and Mr. Gimello is in the process of doing a
6 further design of that. Is that correct?
7 MR. GIMELLO: Yeah, the -- we
8 understood by -- there are some limitations to
9 get to the bottom of that. The idea simply is to
10 establish the firm depth. We want to move some
11 of that soil off, so that we can get to the
12 bottom of that, and we will do that, and have to
13 do that in the context of the disruption permit.
14 So that will happen.
15 MR. SAVEL: Just for your
16 information, so the depth of the -- you have this
17 landfill, it's a landfill with debris and --
18 MR. GIMELLO: I'm not sure I would
19 classify it as --
20 MR. SAVEL: That's how DEP
21 classifies it. We want to make sure that if
22 you're going to remove all the material, which
23 would be great, that we know the depth. That
24 hasn't been explored. We don't know how much
25 material is sitting on top of the native soil.

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1 That's never been explored.
2 MR. COAKLEY: That's only because
3 you can't do it yet.
4 MR. GIMELLO: There are official
5 limitations on establishing the depth of that --
6 MR. COAKLEY: This is not an
7 environmental permit application; this is a site
8 plan approval.
9 MR. COLLINS: I agree, but the
10 health officer's review raised issues which I
11 think -- I hope are going to be resolved, and I
12 think they are, I know that Mr. Savel agrees they
13 can be resolved, and without -- this is the
14 important thing to me -- a declaration of
15 environmental restrictions for a capping, and the
16 institutional controls of soil that is not
17 meeting the standards on site, and that would
18 potentially be an issue for occupants and for
19 residents when we do -- it sounds like we won't
20 have that problem, based upon the testimony, but
21 let's try to confirm that in record somehow.
22 And then -- well, I really want to
23 feel comfortable that we won't have any vapor
24 intrusion issues or similar, you know, issues of
25 concern that might not -- might be for future

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1 issues, so I don't think we're going to, but I
2 want to know that, and if that can be done
3 offline, that's fine with me. If you need more
4 time to do that, Kevin --
5 MR. COAKLEY: No, I think we can
6 address all these issues. I mean, we can run
7 through them quickly.
8 MR. COLLINS: Okay.
9 MR. COAKLEY: Second paragraph had
10 to do with adding a permit. And you agree with
11 that, Mr. Gimello. Correct?
12 MR. GIMELLO: Right, we needed a
13 disruption permit. The application has been
14 prepared and will be submitted within the month.
15 MR. COAKLEY: Third paragraph had to
16 do with the existing conditions does not include
17 the entire area of the proposed disturbance.
18 MR. GIMELLO: I don't know what the
19 basis for that conclusion is. We must
20 demonstrate through the application process that
21 we have delineated the full footprint of the soil
22 staging area, and I believe we've done so.
23 MR. COAKLEY: Fourth paragraph is
24 the tree removal plan does not include all the
25 trees to be removed.

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1 MR. GIMELLO: I can only tell you,
2 if the tree -- I haven't seen the tree plan, but
3 if there are trees present along that piece of
4 property that we're going to excavate, that they
5 will be removed during the initial grubbing
6 phrase, completely and totally.
7 MR. COAKLEY: You'll check on that.
8 Right?
9 MR. GIMELLO: Yes, sir.
10 MR. COAKLEY: Fifth one is, in the
11 EIS, it states the soil from the landfill soil
12 staging area was determined to be eligible for
13 reuse. The applicant must address the following
14 as the DEP approved of the reuse. You've already
15 testified --
16 MR. GIMELLO: They haven't received
17 the application yet.
18 MR. COAKLEY: Right. The January
19 19th Melick-Tully subsurface investigation states
20 that the material included concrete, brick, et
21 cetera. I think you were --
22 MR. GIMELLO: Yeah, as we
23 indicated -- and maybe this is -- let me just
24 expand on one part. It's our intention -- we
25 will set up a screener on this site, and as we

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1 excavate material, if there is material that is
2 not soil related, it will be screened,
3 segregated, and disposed of off site.
4 MR. SAVEL: They also mention that
5 there was piping -- pipe sections, focal (ph)
6 fabric, wood, metal, so as long as those --
7 MR. GIMELLO: Again, it all will be
8 segregated and disposed of.
9 MR. COAKLEY: Next paragraph talks
10 about the open DEP site remediation case
11 concerning groundwater, the area of concern is
12 localized in a single well, provide a map showing
13 the location of the one groundwater well of
14 concern and a groundwater flow contour map.
15 MR. GIMELLO: I'm sure that's
16 available.
17 MR. SAVEL: So the only concern
18 about the groundwater, so right now you're at 500
19 parts per billion benzene. The regulatory
20 level's 1. I'd be very shocked if you got there.
21 So it's going to -- even in your statement in
22 here, you do say you'll get a CEA. By getting a
23 CEA, we'll have a restricted RAO. At that point,
24 you would have to include that information to
25 people that will be leasing properties --

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1 MR. GIMELLO: Remember where we are:
2 it's outside the development property. It's
3 outside the footprint of the development.
4 MR. SAVEL: But we don't know the
5 extent of the groundwater plume; we don't know
6 the extent of the flow. And, you know, right
7 now, we've asked for that information twice, for
8 the results as well as the outline of the
9 groundwater. Could very well be that it will be
10 a nonissue, but you do want to make sure that, if
11 it is going to be in that area where people are
12 going to be leasing property within a hundred
13 feet of that plume, that --
14 MR. GIMELLO: That's a requirement
15 under the regulations, I agree.
16 MR. SAVEL: We all agree it's
17 probably not going to be an unrestricted use RAO.
18 MR. GIMELLO: For groundwater.
19 MR. SAVEL: For groundwater.
20 MR. GIMELLO: As I stated, there'll
21 be a CEA. It'll be unrestricted use for the
22 soils on that site to be reused; groundwater,
23 with the existence of a CEA, is by definition
24 restricted.
25 COUNCILMAN NORGALIS: Mr. Chairman,

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1 may I ask a question?
2 CHAIRMAN CHARLES: Yes, please, go
3 ahead.
4 COUNCILMAN NORGALIS: Now, in
5 earlier testimony, we heard that the benzene
6 component was reduced to the point where it was
7 hardly -- nonexistent. I just heard 500 parts
8 per billion.
9 MR. SAVEL: Correct, and the level's
10 1. It's 500 times the magnitude.
11 COUNCILMAN NORGALIS: That's not
12 nothing.
13 MR. SAVEL: Plus, they did a
14 chemical injection last year, so they brought it
15 down even from a higher level. And when we have
16 a chemical injection, we get the best results and
17 decrease in trend immediately. This has been
18 months since that, so saying it's going to go
19 down from 500 to 1 would be unusual.
20 MR. COAKLEY: This letter indicates
21 there were two quarterly rounds of sampling
22 prepared in March and May of 2018; provide the
23 results of the sampling. I mean, I don't think
24 the witness has the results of the sampling.
25 MR. SAVEL: I'm going based on the

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1 EIS. So in the EIS, they talk about the results
2 that they had in December of 2017.
3 COUNCILMAN NORGALIS: I heard 1 and
4 I hear 500 --
5 MR. COAKLEY: You know, we didn't
6 have this letter, quite frankly, we're doing the
7 best we can.
8 CHAIRMAN CHARLES: Excuse me,
9 let's --
10 MR. GIMELLO: The comment is
11 accurate, the last two rounds of sampling data,
12 this gentleman has not seen. They will be
13 provided.
14 CHAIRMAN CHARLES: Excellent.
15 MR. GIMELLO: We do not need to hit
16 1 to establish that CEA. That's the purpose of
17 the CEA.
18 MR. SAVEL: Right.
19 MR. GIMELLO: So when we submit to
20 the DEP, they will look at the trend and make a
21 determination about whether or not, given the
22 localized impact of that facility, we had that --
23 that impact has to meet 1. I think that's not
24 the representation that I think is appropriate.
25 The CEA gets -- allows us to be above 1 as a

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1 restriction. So we will be in complete
2 compliance, and that trend, and that monitoring
3 trend, will be approved by the department once we
4 submit the remedial action report.
5 MR. SAVEL: Right, but I think the
6 point was that 500 parts per million (sic) is
7 something that has to be addressed --
8 MR. GIMELLO: I couldn't agree more.
9 MR. SAVEL: -- as long as it's
10 addressed that it won't be an unrestricted use
11 RAO for the groundwater, there'll still be
12 restrictions on the property, and we just have to
13 understand the extent of the groundwater
14 contamination.
15 CHAIRMAN CHARLES: Whether it's on
16 that -- it's still an open question.
17 MR. SAVEL: Which we don't have --
18 COUNCILMAN NORGALIS: Would they
19 need a monitoring well at any point?
20 MR. GIMELLO: There are several
21 monitoring wells, and I have the data for those
22 monitoring wells, some of which is in the report
23 this gentleman is referring to, which the last
24 two rounds of sampling he has not seen yet.
25 MR. COAKLEY: I mean, again, you

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1 know, the applicant is only -- can only do the
2 best they can. The last tests were done in May.
3 I mean, we are still working on this problem.
4 COUNCILMAN NORGALIS: I understand.
5 CHAIRMAN CHARLES: It's fair to have
6 this conversation, though. I think it's
7 positive, and obviously we all want to get to the
8 same place.
9 MR. GIMELLO: I appreciate the
10 insight.
11 MR. SAVEL: The wells will stay open
12 as long as you continue to have to monitor it.
13 MR. COAKLEY: Seven is a very long
14 paragraph, but it says at the end, NV5 recommends
15 that additional geotechnical testing be
16 performed, since the basin design may need to be
17 modified depending on the results of the testing.
18 MR. GIMELLO: I think there's some
19 ongoing geotechnical investigations that have --
20 that are ongoing. I'm frankly not familiar with
21 the geotechnical research that's been done, so I
22 can't comment on that one.
23 MR. SAVEL: Okay. Well, it's in
24 the -- as long as it gets address -- you know, it
25 can be addressed --

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1 MR. COAKLEY: I can assure you that
2 we will not build the basin without proper
3 testing.
4 MR. BATTAGLIA: I believe there was
5 a similar comment in the Van Cleef letter as well
6 for additional ground testing. Is that correct?
7 MR. COAKLEY: Paragraph 8 asks for a
8 cultural resource study of historic and
9 prehistoric archeological resources.
10 MR. GIMELLO: I believe that was
11 performed, was it not? That was performed.
12 MR. SAVEL: Great, we just haven't
13 seen it. It wasn't in the environmental --
14 MR. COAKLEY: It's also the case
15 that this is not a regulated matter under the
16 state historic preservation law.
17 So number 9 --
18 MR. GIMELLO: We should make that
19 available.
20 CHAIRMAN CHARLES: Okay.
21 MR. COAKLEY: -- inspection of an
22 existing on-site culvert should be performed to
23 determine the condition of the culvert and the
24 need for repairs. I think we've heard that
25 already.

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1 Testimony may be required to explain
2 why the two on-site firefighting storage ponds
3 appear to be green. Why are they green?
4 MR. GIMELLO: I thought this was
5 addressed as well. The issue of this green pond
6 from the -- from a Google photograph, I thought
7 it was determined to be a reflection off the
8 liner. I thought that was a closed issue. So
9 that is what we brought to the board, that it's
10 my understanding that that Google aerial
11 photograph, we were picking up, I believe, a
12 reflection of the liner.
13 MR. BATTAGLIA: That's the first
14 I've heard it.
15 MR. COAKLEY: Number 11, within the
16 EIS, there's reports of asbestos, lead, waste, in
17 a report regarding the buildings.
18 MR. GIMELLO: WCD performed a total
19 evaluation of the interior of all the buildings
20 to be demolished. We have identified PCBs in the
21 window caulking, we've identified lead, we've
22 identified universal waste, all of which is
23 articulated and will be reflected in the
24 protocols for demolition. The buildings have
25 been completely categorized as hazardous and

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1 universal waste.
2 MR. COAKLEY: Twelve is, incorporate
3 the parking structure and cafe into the EIS; we
4 will do that.
5 Thirteen, stream encroachment, we
6 suggest the applicant submit for a permit for the
7 FHA permit at this time. Well, if we had an
8 approval we might be submitting for the permit,
9 but we don't submit for the permits until you
10 have an approval.
11 MR. BATTAGLIA: It'll be a condition
12 of approval.
13 MR. COAKLEY: Freshwater wetlands,
14 same suggestion that we submit for a permit,
15 which we will do when we get an approval.
16 And that's the last one.
17 CHAIRMAN CHARLES: Good. So the
18 board will get a copy of this, and the board will
19 get a copy, you were saying, about the other
20 study.
21 MR. GIMELLO: Yes, we will make
22 those available.
23 CHAIRMAN CHARLES: We'll get that,
24 and we'll take it from there.
25 MR. BATTAGLIA: I just want to

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1 apologize to the board and the applicant, so that
2 it's really the fault fell on me that none of you
3 received this.
4 CHAIRMAN CHARLES: That's all right.
5 And it seems like you were responding paragraph
6 to paragraph, so that will be the expectation.
7 MR. GIMELLO: Thank you, sir.
8 CHAIRMAN CHARLES: Thank you.
9 MR. COAKLEY: Thank you.
10 I don't think we don't have any
11 further witnesses this evening, thank the Lord.
12 CHAIRMAN CHARLES: Thank you very
13 much.
14 At this point, I'll take --
15 MR. COLLINS: Open to the public --
16 CHAIRMAN CHARLES: Very quickly, any
17 other comments by the board members?
18 MS. DOYLE: Mr. Chairman, we're
19 going to be moving on to the next phase, which is
20 identifying what date we're going to be hearing
21 and what we expect. I have a 31-page report. To
22 some extent, the comments have been addressed; to
23 a large extent, they haven't been addressed. I
24 would very much appreciate -- and I would be
25 happy to give this to the applicant in Word --

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1 that they would comment on each one, so that we
2 don't spend the whole evening going through item
3 1, 2, 3, but they would respond to it, because
4 they're going to be revising their plans, and
5 addressing such things as the pond that was
6 green, or the pond they're getting rid of, and
7 what are they going to -- that kind of thing.
8 CHAIRMAN CHARLES: Right.
9 MS. DOYLE: So I would very much
10 appreciate it. I don't know if Stan would like
11 the same thing for his report.
12 MR. SCHREK: I agree.
13 CHAIRMAN CHARLES: That would be --
14 MR. COAKLEY: Scarlett, this is a
15 report that you did from back in August?
16 MS. DOYLE: August 24th, yes.
17 MR. COAKLEY: Okay. We're familiar
18 with that one.
19 MS. DOYLE: I will forward it to --
20 MR. COAKLEY: And that's -- and the
21 report that we received about two weeks ago, is
22 that --
23 MR. BATTAGLIA: The report from Van
24 Cleef.
25 MR. COAKLEY: Yep.

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1 MS. DOYLE: I will give you mine in
2 Word, because it's easier to manipulate that --
3 MR. COAKLEY: That would be great,
4 yes.
5 CHAIRMAN CHARLES: Why don't we make
6 sure both get to the applicant, and you'll get
7 that response. Right? I think that's what
8 you're saying, Mr. Coakley?
9 MR. COAKLEY: Yep.
10 CHAIRMAN CHARLES: All right. At
11 this time, I'd like to open the meeting up to the
12 public. Any member of the public having any --
13 wishing to address the board on any matter not
14 listed on the agenda may do so at this time.
15 MR. COLLINS: Or to ask questions of
16 the last witness.
17 CHAIRMAN CHARLES: That's why you're
18 here.
19 Seeing none, we'll close that
20 portion.
21 And any member of the public wishing
22 to make comments anything not on the agenda may
23 do so at this time, not seeing any, we'll close
24 that portion.
25 And no other board business --

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1 MR. COLLINS: We are apparently
 2 setting a schedule date to carry without
 3 additional notice.
 4 CHAIRMAN CHARLES: I'm sorry. So,
 5 now, schedule.
 6 MS. DOYLE: We can schedule it, I
 7 think the board should be made aware of what
 8 you're going to receive. October 22nd is what
 9 was originally penciled in, and I don't know if
 10 that will still work, depending upon what changes
 11 are going to be made, if any, to the original
 12 plans.
 13 MR. COLLINS: How many days before
 14 do you want them, Scarlett?
 15 MS. DOYLE: We have to have them at
 16 least -- well, 14 days before is -- so that we
 17 can get the professionals to respond, and it
 18 would be helpful to have the letters responded to
 19 at the same time, so that we can cut the time
 20 down for the public hearing.
 21 CHAIRMAN CHARLES: So in order to
 22 have a most effective meeting on the 22nd, you
 23 would need those by Columbus Day, October 8th.
 24 MR. SCHREK: Minimum.
 25 CHAIRMAN CHARLES: Friday the 5th?

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1 MS. DOYLE: That's correct, by
 2 Friday the 5th would give us an extra couple
 3 days.
 4 CHAIRMAN CHARLES: So, Mr. Coakley,
 5 can your applicant meet that?
 6 MR. COAKLEY: We will certainly
 7 endeavor. We would --
 8 CHAIRMAN CHARLES: I agree. I
 9 think, with that, I think we can tear into this
 10 in a more methodical way.
 11 MS. DOYLE: It would be very help to
 12 feel to know that it's a lock, because we have
 13 two applications coming before you: four hotels,
 14 a convention center, restaurant pads, and two
 15 applications. So if October 22nd is not going to
 16 be reserved for them, and they would prefer to
 17 have November 13th, which is three weeks later,
 18 that would allow us to carry either of those two
 19 to the October 22nd, rather than reserve them and
 20 find out that they weren't able to accomplish --
 21 MR. COAKLEY: We are definitely
 22 looking forward to October 22nd, to be here.
 23 MS. DOYLE: Okay. Good.
 24 MR. COLLINS: Kevin, could you -- I
 25 think it would help if Mr. Gimello, and if

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1 there's an LSRP for Sanofi, to have a direct
 2 conversation or meeting with Mr. Savel.
 3 MR. COAKLEY: That's fine.
 4 MR. COLLINS: I think that a lot of
 5 this is -- I know it's highly technical, but I
 6 expressed before my concerns, and I think I'd
 7 like to see them work together to make sure I --
 8 I do understand that a CEA means it's a
 9 restriction, it's a response action with the CEA,
 10 which is restricting the groundwater, but I don't
 11 think you want any way here that raises deed
 12 restriction questions that require excessive
 13 notices and concerns that are not something that
 14 the ordinary person would want to see in their
 15 deed title, which I'm sure the applicant doesn't
 16 want to see either.
 17 So with that being said, I'll leave
 18 it to the experts to help accomplish that goal.
 19 So that's enough.
 20 CHAIRMAN CHARLES: That's enough.
 21 Well said, Mr. Collins. Thank you.
 22 MR. COAKLEY: Thank you, members of
 23 the board, we appreciate it.
 24 (Whereupon, the hearing concluded at
 25 10:44 p.m.)

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1 CERTIFICATE
 2
 3
 4
 5 I, Michael Lombardozi, a Notary
 6 Public and Certified Court Reporter of the State
 7 of New Jersey, do hereby certify that the
 8 foregoing is a true and accurate transcript of
 9 the testimony as taken stenographically by and
 10 before me at the time, place, and on the date
 11 hereinbefore set forth.
 12 I do further certify that I am
 13 neither a relative nor employee nor attorney nor
 14 counsel of any of the parties to this action, and
 15 that I am neither a relative nor employee of such
 16 attorney or counsel and that I am not financially
 17 interested in this action.
 18
 19
 20 Michael Lombardozi,
 21 Certified Court Reporter, State of New Jersey
 22 CERT #: 30X100239700
 23 Date: 2018-09-24
 24
 25