

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT

Regular Meeting
January 23, 2024
—MINUTES—

1. CALL MEETING TO ORDER:

Chairman Foose called the meeting to order at 7:00 pm.

2. OPEN PUBLIC MEETING ANNOUNCEMENT:

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 9, 2024 proper notice was sent to the Courier News 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 Zoning Board of Adjustment policy for public hearings: No new applications will be heard after 10:15 pm and no new testimony will be taken after 10:30 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:

4. ROLL CALL

Donald Sweeney-	Present	Jeff Foose-	Present
Bruce Bongiorno-	Present	John Gayeski-	Present
James Weideli-	Present	Claudio Vescio-	Present
Jeffrey Sicat-	Absent	Andrew Fresco-	Present
Pushpavati Amin-	Present	Gary LaSpisa-	Present
John Kulak	Present		

Others present: Board Attorney Rich Oller, Esq., Board Engineer William Burr, IV, PE, and Roger Dornbierer, Zoning Officer

5. OPEN TO THE PUBLIC

Chairman Foose opened the meeting to the public.

6. APPROVAL OF MINUTES

November 14, 2023 Regular Meeting

On motion by Mr. Weideli, seconded by Mr. Bongiorno, the Board voted to adopt the minutes as amended based on the following roll call vote:

Ayes: Mr. Weideli, Mr. Fresco, Mr. Sweeney, Mr. Bongiorno

& Chairman Foose

Nays:
Ineligible: Mr. LaSpisa & Ms. Amin
Abstain: Mr. Kulak & Mr. Vescio
Absent: Mr. Sicat

November 28, 2023 Regular Meeting

On motion by Mr. Weideli, seconded by Mr. Bongiorno, the Board voted to adopt the minutes as presented based on the following roll call vote:

Ayes: Mr. Weideli, Mr. LaSpisa, Ms. Amin, Mr. Fresco, Mr. Bongiorno,
Mr. Gayeski & Chairman Foose
Nays:
Ineligible: Mr. Sweeney
Abstain: Mr. Kulak & Mr. Vescio
Absent: Mr. Sicat

December 12, 2023 Regular Meeting

On motion by Mr. Weideli, seconded by Mr. Bongiorno, the Board voted to adopt the minutes as amended based on the following roll call vote:

Ayes: Mr. Weideli, Mr. LaSpisa, Ms. Amin, Mr. Sweeney, Mr. Fresco,
Mr. Bongiorno & Chairman Foose
Nays:
Ineligible:
Abstain: Mr. Gayeski, Mr. Kulak & Mr. Vescio
Absent: Mr. Sicat

7. RESOLUTIONS

**Application No. 22-008-ZB; SIGNATURE ACQUISITIONS, LLC
Block 206, Lot 3; 1130 Route 22**

On motion by Mr. Weideli, seconded by Mr. Bongiorno, the Board voted to adopt the resolution based on the following roll call vote:

Ayes: Mr. Weideli, Mr. LaSpisa, Ms. Amin, Mr. Sweeney,
Mr. Fresco, Mr. Bongiorno & Chairman Foose
Nays:
Ineligible:
Abstain:
Abstain: Mr. Gayeski, Mr. Kulak & Mr. Vescio
Absent: Mr. Sicat

**Application No. 21-020-ZB; GATEWAY 70-B, LLC
Block 221, Lot 1.01; 229 Adamsville Road**

On motion by Mr. Weideli, the Board voted to adopt the resolution based on the following roll call vote:

Ayes: Mr. Weideli, Mr. Sweeney, Mr. Fresco, Mr. Bongiorno,
& Chairman Foose
Nays:
Ineligible: Mr. LaSpisa, Ms. Amin, Mr. Gayeski, Mr. Kulak
& Mr. Vescio
Abstain:
Abstain:
Absent: Mr. Sicat

8. LAND DEVELOPMENT APPLICATIONS

**Application No. 23-009-ZB; Chimney Rock Self Storage
Block 800, Lot 9; 1661 Route 22
Major Site Plan with D Variance & Bulk Variances**

See attached transcripts by Magna Legal Services.

**Application 23-014-ZB; CX Towers
Block 163, Lot 6.01; 719 Route 202
Preliminary & Major Final Site Plan with C&D Variances**

This application was carried to the Tuesday February 27, 2024 Regular Meeting at 7 pm without further notice.

**Application No. 23-011-ZB; 1200 Route 22 Land Investors & 1200 Route 22 LLC Holding
Block 221; Lots 1.02, 1.03, 1.04, 2 & 2.01; 1210 & 1220 Route 22
Preliminary & Final Site Plan Approval with variances**

This application was carried to the Tuesday February 13, 2024 Regular Meeting at 7 pm without further notice.

**Application No. 23-010-ZB; Bellie Holdings LLC
Block 249, Lot 40; 19-21 Mount Pleasant Ave
Use Variance**

This application was carried to the Tuesday March 12, 2024 Regular Meeting at 7 pm without further notice.

9. OTHER BOARD BUSINESS

There was no other Board business.

10. ADJOURNMENT

The Board unanimously voted to adjourn at approximately at approximately 10:04 pm.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Jo-Ann M. Ricks".

Jo-Ann M. Ricks

Deputy Land Use Administrator/Deputy Zoning Officer

IN RE: CHIMNEY ROCK ASSOCIATES, LLC

January 23, 2024

Zoning Board of Adjustment meeting,
taken in the Bridgewater Township Municipal
Building, 100 Commons Way, Bridgewater, New Jersey,
before LISA F. PENROD, Certified Court Reporter
(XIO1753) and Registered Professional Reporter, on
the above date, commencing at 7:00 p.m., there being
present:

GREENBAUM, ROWE, SMITH & DAVIS, LLP
BY: STEVEN G. MLENAK, ESQ.
Attorneys for the Applicant.

BOARD MEMBERS:

JEFF FOOSE - CHAIRMAN
GARY LASPISA
ANDREW FRESCO
DONALD SWEENEY
PUSHPAVATI AMIN
JAMES WEIDELI
BRUCE BONGIORNO
JOHN GAYESKI
JOHN KULAK
CLAUDIO VESCIO

TOWNSHIP PROFESSIONALS:

Richard Oller, Esquire - Solicitor
Roger Dornbierer - Zoning Officer
William Burr - Township Engineer

APPLICANT PROFESSIONALS:

MATTHEW LANG - Snapbox Self Storage
PAUL WINTERS - Consultant
ROBERT NOCELLA - Architect
PAUL RICCI - Planner

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MR. FOOSE: Good evening again. We're going to call this regular meeting to order, Bridgewater Commons Way, Bridgewater, New Jersey 08807 at 7 p.m. open public meetings announcement.

Both adequate and electronic notice of this meeting specifying the time, place and manner in which such notice was provided in accordance with the Open Public Meetings Act N.J.A.C. 10:4-6.

Specifically, on April 19, 2023, proper notice was sent to the Courier News and the Star Ledger and filed with the clerk at the Township of Bridgewater and posted in the municipal bulletin board.

Please be aware of the Zoning Board of Adjustment policy on public hearings, no new applications will be heard after 9:30 p.m. and no new testimony will be taken after 10 p.m.

If you're able, please rise for the salute to the flag.

(Flag salute.)

MR. FOOSE: All right. Roger, can we get another roll call, please.

MR. DORNBIERER: Mr. Foose.

MR. FOOSE: Here.

MR. DORNBIERER: Mr. Weideli.

MR. WEIDELI: Here.

MR. DORNBIERER: Joe Laspisa.

MR. LASPISA: Here.

MR. DORNBIERER: Ms. Amin.

MS. AMIN: Here.

MR. DORNBIERER: Mr. Sweeney.

MR. SWEENEY: Here.

MR. DORNBIERER: Mr. Fresco.

MR. FRESCO: Here.

MR. DORNBIERER: Mr. Bongiorno.

MR. BONGIORNO: Here.

MR. DORNBIERER: Mr. Gayeski.

MR. GAYESKI: Here.

MR. DORNBIERER: Mr. Secat.

Mr. Kulak.

MR. KULAK: Here.

MR. DORNBIERER: Mr. Vescio.

MR. VESCIO: Here.

MR. DORNBIERER: Mr. Oller.

MR. OLLER: I'm here.

And Mr. Burke.

MR. BURKE: Here.

MR. DORNBIERER: Quorum.

MR. FOOSE: Thank you. That leaves us with Chimney Rock Storage. Good evening.

1 MR. MLENAK: Good evening, Mr.
2 Chairman. Good evening and thanks for having us
3 back. Thank you for carrying this the last couple
4 of meetings without further notice.

5 By way of brief introduction, you may
6 recall we were last before you on November 14th on
7 this application for preliminary and final site plan
8 variance relief.

9 During that meeting, the board
10 provided valuable feedback to the applicant in terms
11 of its perception of the variance relief being
12 sought. Even though all that's transpired so far is
13 the testimony being provided by our civil engineer,
14 we did take that feedback back and we rolled up our
15 sleeves and tried to reduce the intensity of some of
16 the variances that were being sought and outright
17 remove some of the variances that were being sought.

18 Still, at the November hearing, we
19 explained to the board, and will continue doing so
20 tonight, that the topography, the layout, the
21 dimensions of this particular property are such that
22 there's nothing that can be developed without some
23 relief, which is the reality of the site
24 configuration.

25 So as I said, we went back, we tried

1 to analyze every angle of the plan that was
2 previously submitted and made adjustments and will
3 have testimony about what those adjustments are
4 tonight.

5 We've eliminated many of the variances
6 that we were originally seeking, and for those that
7 we did not eliminate, we tried our best to reduce
8 the intensity or bring it as close as possible to
9 the intent of the zoning plan and the zoning
10 ordinance for the site.

11 It's our hope that the board sees a
12 lot of these revisions that were made and will be
13 testified tonight as an expression of our
14 willingness to try to do, to listen to the board,
15 its concerns and bring this into closer compliance
16 with your ordinance.

17 Our plan is to present four witnesses
18 tonight, and at the conclusion of those witnesses
19 and the testimony being provided, including
20 operations, engineering, architecture and planning,
21 the board will have a complete understanding of what
22 our proposal is here tonight.

23 MR. FOOSE: One quick comment. We
24 don't have a planner here tonight. The township is
25 hiring a planner. So I'm going to recommend that

1 when we get to the planning testimony, maybe that's
2 where we're going to complete our evening tonight so
3 we can get at least a consulting planner on behalf
4 of Bridgewater Township and on behalf of this board
5 involved to properly ask questions and vet your
6 testimony, if that's okay with you.

7 MR. MLENAK: Was that done in the
8 reorganization earlier this evening?

9 MR. FOOSE: Yes. We approved
10 Mr. Sullivan.

11 MR. MLENAK: I spoke with him
12 yesterday and he indicated he wasn't coming tonight.

13 MR. FOOSE: He couldn't come tonight
14 so it's kind of cart and a horse type of situation.

15 So I just wanted to throw that out to
16 you, and we do have a full house tonight and we have
17 a lot of testimony, and when you get to your
18 planning testimony, why don't we talk about it.

19 MR. MLENAK: We'll talk about when we
20 get there. Let's get to the first three anyway.

21 We would like to start with the
22 gentleman to my right, Matt Lang.

23 I believe all of these witnesses have
24 previously been sworn in. Mr. Oller can confirm
25 that.

1 MR. OLLER: New year, new day.

2 MR. MLENAK: Do you want to do all
3 four of them at once?

4 MR. OLLER: Yeah, why don't we do
5 that, and Bill as well.

6 MATT LANG

7 is duly sworn by a Notary Public of the State of New
8 Jersey and testifies under oath as follows:

9 MR. OLLER: And would you each, let's
10 go in order of your witnesses if you like, but just
11 identify yourselves for the record.

12 MR. MLENAK: Matt.

13 MR. LANG: Sure. Matthew Lang,
14 Snapbox Self Storage based in Philadelphia,
15 Pennsylvania.

16 MR. WINTERS: Paul Winters, Bowman
17 Consulting, Parsippany, New Jersey.

18 MR. NOCELLA: Robert Nocella, SNS
19 Architects and Engineers, Montvale, New Jersey.

20 MR. RICCI: Paul Ricci, Licensed
21 Professional Planner, Atlantic Highlands, New
22 Jersey.

23 MR. BURR: Will Burr, township
24 engineer.

25 MR. OLLER: Thank you. Thank you,

1 everyone.

2 BY MR. MLENAK:

3 Q. So Matt, you did give some brief testimony
4 at the last meeting in response to some questions,
5 but we really haven't introduced you yet to the
6 board so I'll start by asking you just to do just
7 that.

8 Who are you? Explain to the board
9 your business, what Snapbox is. Walk us through.

10 MR. LANG: Thank you, Board.
11 Appreciate your time tonight.

12 A. My name is Matthew Lang. I am cofounder and
13 COO of Snapbox Self Storage.

14 We are a vertically integrated
15 self-storage business based in Philadelphia,
16 Pennsylvania. We have been in business for 10
17 years. We operate over 50 locations across 10
18 states encompassing over three million square feet
19 of self storage and 30,000 individual storage units.
20 And we are here as a third-party management company
21 for the application.

22 Q. Tell us about your presence in New Jersey.

23 A. We currently operate nine facilities
24 throughout the State of New Jersey. We also have
25 another one coming online that's under construction

1 in North Bergen that we'll be delivering in the
2 summer this year.

3 Q. And is there anything that differentiates
4 you from other self-storage facilities or what your
5 mission is?

6 A. Ultimately, our business is here to serve
7 the community. It's a community-based business.
8 Our customers come from a small radius around the
9 facility.

10 As the name would indicate, we try and
11 make this business and process a snap. So
12 ultimately, customers are going through life events
13 and we're here to make the process for them smooth,
14 easy and provide great service and a clean, safe,
15 secure environment for them to store their
16 possessions.

17 Q. Okay. What interests you about this site?
18 Why Bridgewater? Why this particular site?

19 A. So as we analyze this location, there are a
20 number of factors that we look at. We look at the
21 amount of competition in a market. We look at the
22 traffic patterns. We look at rental rates that are
23 factors, and ultimately, in our determination, the
24 market is underserved with the amount of existing
25 supply that is in the market, and over the past few

1 years, there's been increased demand for various
2 uses of self storage.

3 This property obviously has great
4 visibility, and with that, also very good access for
5 customers, which is important for ease of use at a
6 location.

7 Q. When you do that analysis, do you look at
8 the existing supply of these particular facilities,
9 their location relative to this site and what you
10 would offer that they don't? Could you talk to us
11 about that analysis?

12 A. We do. So as we look and we do our market
13 studies, we understand the age of existing
14 properties, the features and benefits that product
15 is in the market.

16 In this current marketplace, there is
17 an undersupply of Class A quality self-storage
18 product, climate control, something that is able to
19 keep possessions clean, dry through that.

20 This type of multistory facility is a
21 newer type of construction within the industry. A
22 number of the properties in the market are older
23 vintage and do not offer the same type of feature
24 and benefits that a new property would offer.

25 Q. Talk to us about your planned operations for

1 the site, the employees, who your customers are
2 going to be. Just, what are the plans?

3 A. Yeah. So when we're looking at a new market
4 for our business, we take into account the existing
5 facilities, what their hours of operation are, what
6 their office hours are. We tend to match what is
7 already existing in a market.

8 For instance, customers will have
9 access to the facility between 6 a.m. and 9 p.m.,
10 with office hours that are staffed by employees
11 typically from 9:30 a.m. to 6 p.m. That would be
12 office hours staffed from Monday through Friday with
13 limited hours on Saturday, and we're typically
14 closed on Sundays.

15 With that, we typically have, in an
16 operation like this, two full-time employees and
17 then we have district managers that would be
18 operating and coming in and checking on the facility
19 twice a month and working with the team.

20 Those two full-time employees are not
21 there at the same time. We overlap in terms of
22 staffing hours, but that gives us coverage, and
23 generally it's a very light intensive business where
24 we don't have a lot of customer demand on a regular
25 basis.

1 Q. Talk to us about security. You mentioned
2 the hours that people are able to access the site
3 outside of when you have full-time employees. So
4 how would they get that access and what is the
5 security of the facility?

6 A. So all of our properties have access
7 control. This specific facility would have keypad
8 entrance where individuals are assigned a unique key
9 code for them to enter the building. Those key pads
10 are disabled after hours so you're not able to get
11 in. You are able to get out of the building through
12 emergency exits, but the security of it is 24-hour
13 cameras that are running throughout the building and
14 then the access control.

15 BY MR. BONGIORNO:

16 Q. Can I ask a question? You said you monitor
17 as people go in and they come out as well?

18 A. Yes.

19 Q. So if I were to go in and I was a client and
20 I signed in at 9 o'clock and comes 9 p.m., you can
21 tell that I haven't left the facility?

22 A. Yes. So there's often exit key pads as well
23 which then can track the incoming and outgoing of
24 customers.

25 Oftentimes, especially in new

1 developments, where we have the ability to wire
2 speakers, we have playback saying that the facility
3 is closing this time, please finish up what you're
4 doing and exit the building. That's something that
5 we have going on at a number of our facilities that
6 are new construction.

7 Q. Thank you.

8 Do you also interview people when they
9 apply for storage? In other words, do you ask them
10 what they plan to do, the household goods or
11 minerals or, I don't know, whatever? What do you
12 do?

13 A. So there are a number of ways that customers
14 rent with us. They can do full service rental
15 online. They can rent through a call center that we
16 operate ourselves. They can rent through the office
17 and the manager there.

18 The lease does stipulate what you can
19 and cannot store in a facility, and so we also, as
20 the owners, management of any of our properties,
21 have the ability to and the right to enter any unit
22 without notification if we feel that there's any
23 issue that needs to be addressed.

24 MR. BONGIORNO: Thank you very much.

25 BY MR. MLENAK:

1 Q. On the same subject, can you Walk the board
2 through, what are some of those items that are
3 prohibited through your lease that you would not
4 authorize to be stored?

5 A. These are flammable items, explosives,
6 ammunition. Generally things that cause life safety
7 issues.

8 Q. Who are your target customers? What's your
9 demographic? What do you expect to be your
10 customers at this facility?

11 A. Self storage is a unique business where
12 really any demographic, age, income is a possible
13 candidate for self storage. These are folks that
14 are going through life events typically, and so we
15 are typically seeing customers coming in because
16 they're moving, they're downsizing.

17 It is something that is driven by life
18 events. So this is marriage, divorce, death,
19 children, military, college. All of these life
20 events create need for storing your items.

21 Q. And in your experience at your other
22 facilities, how often do these individuals visit the
23 site? How much traffic do you see generated at the
24 facility?

25 A. So that does vary. A lot of customers, we

1 see them twice. We see them when they're moving in
2 and when they're moving out.

3 A number of customers may use it for
4 business services. So they may be storing files.
5 They may be storing inventory. Those types of users
6 will come in more frequently, but it varies
7 tremendously.

8 However, I would say a majority of our
9 customers are not there on a daily basis and a
10 typical trip will generate time onsite of less than
11 one hour. I would say it's more in the half hour
12 range where there's no reason for customers to be on
13 site for long periods of time.

14 Even for businesses that are storing
15 inventory, if you've been in a self-storage
16 facility, there's really no reason to linger around.
17 So they're not that exciting, and ultimately folks
18 who come in, they get what they need and they're out
19 and on to the business that they really are having
20 to attend to.

21 Q. One of the changes, and we're going to have
22 our engineer talk about the changes to the plans,
23 but one deals with operations, which is the trash
24 and recycling.

25 How would that be addressed on this

1 particular site? As the board will hear and have
2 seen in the plans, we have removed the enclosure in
3 the original plans.

4 A. Yeah. Trash is very minimal from our
5 perspective, and recycling for that matter.
6 Recycling is probably more so, just due to
7 packaging, boxes, things of that nature, but we
8 don't have any food, refuse.

9 This is packaging material from retail
10 items that we might sell for moving and storage,
11 boxes, but overall, that's really it.

12 What we have modified is that we can
13 utilize a storage unit near the loading area for any
14 trash or recycling needs and we have regular pickup,
15 and our managers can manage that and provide access
16 to the waste haulers at that time.

17 Q. That's all the questions I have for you
18 unless you have something you think could be, from
19 an operations point of view, that didn't get
20 addressed from my questions for the board?

21 A. I know in our previous hearing that traffic
22 is a concern, and I want to say that even at a
23 facility that is fully occupied, and in this case
24 that might be in the range of 700 customers, which
25 on paper seems like a lot, but we have less than 10

1 percent of our customer base that is visiting us on
2 a daily basis, and not only is it 10 percent of that
3 fully occupied space that's visiting us, but they're
4 visiting us through the hours of 6 a.m. to 9 p.m.

5 So the amount of trip generations
6 throughout the day is minimal. There's minimal site
7 impact. Folks are not there overnight, and also at
8 this location, there is no overnight parking.

9 So from an activity perspective, this
10 is one of the few uses that has such a low impact on
11 the real estate and property.

12 BY MR. BONGIORNO:

13 Q. You mentioned a lot of metrics that you
14 gather by saying that certain traffic happens at
15 this time of the day or people don't come in every
16 day.

17 I'm assuming that you generate reports
18 on a regular basis to track this information?

19 A. The access control systems really are the
20 leading indicator on activity at a site.

21 Q. Online, or is there a report generated for
22 one of those people that are permanent employees to
23 review?

24 A. This is software that is web-based. So
25 really, anybody in our organization with the right

1 credentials is able to log in and see that
2 information.

3 It is certainly available at the site
4 for the managers to view. It's something that they
5 have open on their screens, along with our POS
6 system and other softwares, but overall, these are
7 reports that we're able to generate from anywhere.

8 MR. BONGIORNO: Thank you.

9 BY MR. KULAK:

10 Q. I wasn't clear on the security features
11 where I have a keypad to get in, and then I didn't
12 quite understand your answer for exiting.

13 Must I key in an exit code? Do I walk
14 out and somehow you know I'm gone? That one wasn't
15 clear to me.

16 A. So each facility, each design tends to
17 create or have different demand in terms of how a
18 customer is entering and exiting.

19 In this specific instance, there can
20 be -- I mean, ultimately, we want to make sure that,
21 from a life safety perspective, folks have the
22 ability to get out without any delay. Typically,
23 these are motion sensor doors, sliding doors,
24 similar to a retail environment, and so there would
25 be that ability to get out of the building when

1 needed.

2 A lot of times the security cameras
3 can also take tabs on activity and they log motion,
4 and so we can see, if we don't have take exit keypad
5 available, we can also tie it back to the security
6 camera which is integrated with our access control.

7 Q. I think what I'm trying to address is if
8 somebody keys themselves in and you don't know
9 whether they've actually left or not unless somebody
10 asked you to check?

11 A. So ultimately, that's part of the manager's
12 responsibility and they are our eyes and ears at the
13 site. They have a keen indication on customer use,
14 and if there are individuals who they see coming in
15 very late in the day, we often are addressing that
16 type of activity with the customers because it tends
17 to lead to scenarios where somebody is camping out
18 in a unit or something along those lines.

19 With over 30,000 storage units in our
20 portfolio, we have encountered many degrees of this
21 type of behavior, and our managers are trained on
22 identifying it and understanding it, and it's also a
23 reason why we really do, even if a customer rents
24 online, our team is required to make contact with
25 them, to introduce themselves, to create a

1 relationship with those customers, and from that
2 point you get better indication on why they're
3 there, when they're there, how often they're there.

4 Q. That's pretty much, as you're describing it,
5 a function of the manager, his relationship, the
6 tenure that the manager has, the sharing of his
7 duties with the person who comes in after him.

8 All I'm trying to say is it's a little
9 Swiss-cheese like in terms of determining if
10 somebody's still there or not. You want to be able
11 to let him out, I understand that. At the same
12 time, I'd like to know that they checked in at 2
13 p.m. and they did, in fact, leave the building
14 before it closed even though they can get out after
15 of the fact. Right now there's no way to do that.

16 A. No, that's not that there's no way to do
17 that because there are motion sensors going on in
18 the building. There are security functions that can
19 alarm us that if there are folks inside the building
20 after hours. We have emergency contacts that are
21 notified, and we have a chain of command between the
22 manager, district manager, regional operations,
23 myself at that list.

24 BY MR. MLENAK:

25 Q. Matt, would it be fair to analyze how you're

1 describing to what people in the room may be more
2 familiar which is going to a bank after hours and
3 putting your ATM card in to get into the door, and
4 you don't have to do it to get out again, but
5 there's a tracking of who goes in, and I'm sure
6 there are cameras and that's how you track it?

7 A. Yeah, very similar to that.

8 Again, it's with a unique key code,
9 and so these individuals are each assigned and so it
10 may be an eight digit code and something that's not
11 easily duplicated there.

12 BY MR. FOOSE:

13 Q. Mr. Lang, I don't know if you saw it. It
14 was in the New York Post today. I think it was page
15 3 or 4. 14 weeks a couple lived in their storage
16 unit.

17 Now, that wasn't one of your
18 facilities, I'm assuming?

19 A. No. I don't think -- I did not see Snapbox
20 notification come up on my Google news, but no, and
21 --

22 Q. Is it possible for that to happen in your
23 configuration of your security? I mean, 14 weeks is
24 a long time.

25 A. In our organization, that's not possible.

1 The amount of -- the amount of
2 understanding that a manager has of the property
3 that they are overseeing is tremendous, and it
4 doesn't just go to that property, and as you said,
5 Swiss cheese. There's always going to be some gap
6 in terms of information.

7 There's also a lot of systems that we
8 utilize in order to take notes on a unit, on a
9 customer that, even if somebody goes on vacation, is
10 out of the office for a while, that that information
11 has continuity between the organization and
12 different layers of management.

13 And so for our team, the way they're
14 trained is to understand who is accessing the
15 properties, how often, when, where. You know,
16 they're as much of a security guard as they are
17 customer service and sales. So it's part of the
18 responsibility.

19 BY MR. BONGIORNO:

20 Q. I'd like to just make it easier for me to
21 understand.

22 Again, the exit is the issue that I'm
23 looking at right now. If someone comes in in the
24 morning, I come in in the morning and it's 11
25 o'clock and 9 o'clock you're closing down. How do

1 you know that I haven't had a heart attack in my
2 unit and I'm still there? How would you know?

3 A. So each property has a relatively small
4 office, a rental office with retail merchandise and
5 things of that nature that is 800 square feet.

6 Half of their time at a property in
7 any given day is spent on the property, walking
8 around, doing lock checks, making sure that the
9 units that are vacant are vacant, the units that are
10 rented are locked, and so the security of it is
11 really something that they're going through, every
12 morning they're doing a check, before they're
13 closing they're doing a check.

14 If we're seeing anything of that
15 nature, we also have motion sensor lighting, if
16 there's activity in a unit, you'll see a portion of
17 that building with lights on that should not have
18 lights on.

19 Q. So why wouldn't it make sense, and you
20 probably can tell me, why wouldn't you have them
21 have to swipe out as well?

22 A. Well, life safety is one issue with that,
23 and if there's anything that would require somebody
24 to exit a building quickly, we want to make sure
25 that, first and foremost, that everybody is safe on

1 the property.

2 Secondly --

3 Q. You would have an emergency exit probably
4 covered by cameras, right?

5 A. All entrances and exits are covered by
6 cameras, yes.

7 MR. BONGIORNO: Okay.

8 BY MS. AMIN:

9 Q. I have a question about your customers. Are
10 they required to have some kind of agreement to use
11 the space for a certain amount of time, so many
12 nights or so many days or whatever it is? Can
13 someone have very short period? A week? Two weeks?

14 A. So our customer agreements are month to
15 month. Minimum amount of time would be one month.

16 Most customers, the average length of
17 stay in today's environment is 14, 16 months, and so
18 some people, you know, are moving and they have a
19 specific amount of time that they're -- they think
20 they're going to be out or in transition.

21 What tends to happen is folks who
22 think they're going to be renting end up staying for
23 six months, nine months or longer. Ultimately, it's
24 a flexible use for storage and it's an easy way to
25 put possessions out of the area.

1 But we do not rent daily, weekly.

2 Minimum timeframe is one month.

3 Q. If someone is moving from one house to
4 another and they need a space to put their furniture
5 or some goods for a week or two weeks, is that
6 something that is allowed in your --

7 A. They can use it for one day, but they're
8 going to be renting for one month and paying for one
9 month.

10 Q. Okay.

11 A. So whatever their use is is up to them, but
12 those agreements are standardized.

13 Q. So based on what we saw, you have more than
14 500 storage areas, sections, right?

15 So do you allow every customer to have
16 more than one or two and you can open up the space
17 and have bigger space?

18 A. So customers are welcome to rent as much
19 space as they need. We rent them unit by unit. So
20 we do not necessarily consolidate units.

21 If somebody needs 1,000 square feet,
22 they can rent five units, and so ultimately, that
23 flexibility, having it month to month, means that
24 they have the ability to scale up their needs if
25 they need more space, and they have the ability to

1 scale down if that need is reduced.

2 BY MR. VESCIO:

3 Q. So you mentioned that there's no overnight
4 parking allowed at the facility, so on a manager's
5 way out that evening, what will they do if there's a
6 car still in the parking lot?

7 A. So typically, if they do see something like
8 this, oftentimes -- for instance, if a customer's
9 car broke down, they're in communication with that
10 customer. You know, if it's there for one night,
11 they're not necessarily going to have it towed.

12 If it's there -- oftentimes a manager
13 will recognize the vehicle of this customer. If
14 somebody is frequenting the property on a consistent
15 basis, managers can see. Especially with this
16 design where your entrance is coming up near the
17 offers, managers are going to be able to see that
18 type of activity coming in. The parking is right
19 out front of the office so they're going to be able
20 to see who is this and are they a customer? Are
21 they not?

22 If they see an individual parking and
23 then walking behind the property to the community
24 there, they would certainly go to them and let them
25 know that this is for customer use only.

1 If it's something that we see becomes
2 one, two nights, they would call their supervisor
3 and see if it's appropriate to have it towed.

4 Q. And do customers, like, register their
5 license plates when they sign up for a unit? Is
6 that information on the vehicle?

7 A. They do not. We do take identification so
8 we have driver's license, but as it relates to
9 vehicle license plate, only at properties where we
10 have vehicle storage would that happen.

11 MR. VESCIO: Thank you.

12 BY MR. FRESCO:

13 Q. So Mr. Lang, let me ask you this, a couple
14 things.

15 First is, you referred to yourself as
16 the third-party management company for the
17 applicant. So let's spend a few moments, minutes
18 drilling down on that.

19 Tell us what that means. How do you
20 define that?

21 A. Sure. So third-party management is defining
22 the relationship between our company where we
23 provide management services for a third-party owner.

24 The owner of the facility is not an
25 operator, and ultimately, they're looking to our

1 expertise to assist them with the management of the
2 property.

3 Q. So is there a time issued on that? Is it in
4 perpetuity? Is it one year? Six months?

5 A. It's on an annual basis. Assuming we do a
6 good job, hopefully it's in perpetuity.

7 Q. I see.

8 So it's not like it's a ramp up. So
9 when a restaurant starts, they bring in corporate
10 people, they train everybody and then they hand it
11 over.

12 So that's not the situation here?

13 A. No, it is not.

14 Q. So then any filings, any contact information
15 that the police and the fire, it's going to be the
16 third-party management company?

17 A. It would be the third-party. It would be
18 us. It would be our management team.

19 Q. Right.

20 A. And ultimately, typically emergency response
21 may have four or five people listed within an
22 organization in that chain of command.

23 Q. Now, what about, so -- and that's staffing
24 as well? So you're interviewing? You're staffing?

25 A. That's correct.

1 Q. They work for your third-party company?

2 A. That's correct, yes. They are on our
3 payroll.

4 Q. And then as far as liability goes, though,
5 so I assume, I don't know if there's an owner in the
6 room, somebody's actually the owner of this entity.
7 Well, I guess that must be in the filing.

8 So liability-wise on the record, I
9 mean, we know who this person is? Is this person
10 background checked? I mean, how do we really know?

11 A. In terms of the ownership?

12 Q. Yes.

13 A. Well, they currently own the property, and
14 so they've been operating in the municipality for
15 many years.

16 As it relates to, there's insurance
17 that we carry as a management company. There's
18 insurance that we have as an umbrella policy.
19 There's property insurance and liability insurance
20 that also follow along with that.

21 Q. Okay. And is this the case in all of your
22 properties? Is this common?

23 A. In terms of third-party management?

24 Q. Yes.

25 A. It is a very common theme within the

1 industry overall.

2 It is a unique operation. It is an
3 ever-changing industry, and so a number of owners,
4 just like apartment communities, hotels, would
5 prefer to have a professional organization run it
6 versus themselves.

7 Q. Okay. All right. Great. Thank you. Okay.

8 So let's talk about the size for a
9 second. I don't -- for some reason my notes from
10 the prior meeting, I don't have how many units, and
11 I understand that they probably come in different
12 sizes and shapes, and I also understand that
13 obviously you're selling space so the more space you
14 have, the more revenue you can generate, and I
15 respect that, I really do.

16 So it's 129,750 square feet, I
17 believe, the new building, and that's unless
18 something's changes, roughly.

19 How many units are in that?

20 A. So that is the gross square footage. Within
21 the design of self storage, you have hallway
22 corridors, elevators, office, stairwells, and so
23 typically -- and because of the shape of this
24 parcel, we have a unique shaped building. That
25 tends to increase the loss factor essentially, and

1 so with that, I believe we are ending up with
2 somewhere in the range of 90,000 square feet
3 rentable.

4 In a typical market like this where
5 customers don't necessarily need a hallway closet,
6 they may need an extra bedroom, for instance, our
7 average unit size, I believe offhand is going to be
8 somewhere around 110 square feet, which then equates
9 to somewhere in the range of 800 storage units.

10 Q. 800.

11 A. The amount of storage units is not
12 necessarily the critical component because as a
13 building lease is up, you tend to see different
14 demand metrics and the flexibility of storage is
15 also that you can modify these units through that
16 lease-up period to create the best unit mix for
17 market demand.

18 Q. Got you.

19 Okay. So, and you know, right now a
20 mature facility, let's say a year old facility, what
21 do you have? 70 percent? 80 percent occupancy?
22 And you don't have to divulge any industry stuff.
23 Just roughly. I mean, 50 percent?

24 A. No. So there tends to be anywhere between a
25 two- and three-year lease-up period, and so it's

1 generally evenly spaced across first, second, third
2 year.

3 Q. All right. So let's just say you're at 50
4 percent. That's 400 units, and you said earlier
5 that you're seeing 10 percent of your clients on a
6 daily basis. That's 40 spots.

7 A. That's 40 spots spread out across 15 hours.

8 Q. Yes, yes.

9 A. Yes, right.

10 Q. Still, 19 --

11 A. It's also loading areas, and so the number
12 of loading areas that are on the site are going to
13 be utilized, the folks that are using the parking
14 spaces.

15 So at 40, you know, that's, you break
16 that out into 10 hours and you have four cars on
17 site each hour.

18 Q. But if I remember my old bachelor days, my
19 rent was up and I moved out at the end of the month.

20 So I would assume that you're busy at
21 a certain time. There's got to be some peak times,
22 right? The end of the month? The beginning of the
23 month? The middle of the month kind of thing?

24 A. Yeah. The activity does bookend the month,
25 and so with that, it is something where, there

1 again, a lot of agreements are signed throughout the
2 week. Moving activity is generated more so Friday,
3 Saturday, Sunday. But again, that is something
4 that, as the property stabilizes, it becomes more of
5 a natural flow as opposed to everybody coming in
6 February 1st and having 80 leases signed. That's
7 not really the case in our business.

8 MR. VESCIO: Okay. All right. Fair
9 enough. That's great.

10 Thank you very much. That's all I
11 have.

12 A. Thank you.

13 BY MR. KULAK:

14 Q. You have described the aspects of the site
15 itself and the location as being desirable for your
16 business. The demographics of the surrounding area,
17 the relative absence of competition, at least for
18 the kind of quality facility you propose running,
19 and so you know a lot about the business aspect of
20 this.

21 This is an intensification of use on
22 that site. The building which exists today in many
23 ways is unobtrusive, for a lot of reasons. It does
24 not have the degree of intensity that you propose.

25 So my question to you is, is it

1 necessary to have that big a building with that many
2 units and still operate a profitable business and in
3 which case you can scale down considerably that
4 which you propose to us in these meetings and
5 perhaps in some ways eliminate some of the other
6 variances which are going to come before, but from a
7 pure business perspective, can you build it smaller
8 and still make money?

9 A. The design and size of this building, the
10 thought in mind was really to meet where the market
11 demand is in this community, and that's what we saw
12 ultimately was the demand, and so as the
13 self-storage expert, I can't really talk to other
14 factors that are involved in this application.

15 What we see is that there's an
16 undersupply of self storage in the marketplace. Not
17 only that, a typical trade area for us, maybe three
18 miles or five miles, depending on density, because
19 of the location on Route 22, we tend to see market
20 demand further out from that radius because of
21 functions of somebody works in this market, they
22 drive here day in and day out. It's a convenient
23 location for them, and so ultimately, the way we
24 look at the business is, is the community being
25 served with the amount of storage that we see in

1 demand?

2 Q. But you have operating history of all the
3 facilities which you currently manage or operate,
4 and so you do know those which are profitable and
5 those which are ascending into the profit margin.

6 All I'm asking is, can you build it
7 smaller, still make it a profitable investment for
8 the owner of the property and make sense for you as
9 a management company?

10 A. I understand your question, but ultimately,
11 in my position, I can't make that determination.
12 I'm a manager in this relationship and I understand
13 what can be done and what cannot be done.

14 In our portfolio, we certainly have
15 locations that are smaller and we have ones that are
16 larger. In the scenarios we're owners, we're
17 looking at the same fundamentals to see that just
18 because you're going larger doesn't mean it's going
19 to be more profitable. If you're creating something
20 that is too large to serve the market, then there's
21 no sense in having vacant space either.

22 So from that perspective, we feel that
23 the design is there to meet the demand.

24 Q. And I understand in this case you don't want
25 to speak for the owner as you're being the

1 management company, but I do know that with respect
2 to the operating history you have of your own
3 facilities or the ones that you manage, you do have
4 a formula by which you can determine whether these
5 things make sense, and it might be customizable to
6 the individual property, and perhaps then my
7 question is best posed to the owner.

8 BY MR. MLENAK:

9 Q. Maybe before you -- and I'm going ask this
10 of the architect as well, but you addressed it in
11 one of your responses to the questions from the
12 board regarding percentage factor of the dead space,
13 the hallways, the walkway, the office space that is
14 not attributable to the rental space.

15 Describe that a little bit and how
16 that plays a factor into your market analysis.

17 A. Yeah. So listen, I think the traditional
18 self storage that you would have seen 20 years ago,
19 which is the single story drive up, you have a lot
20 of pavement. You have a lot of impervious coverage,
21 but you have no hallways, and so the buildings that
22 you put up are 100 percent utilized.

23 In a multistory facility which
24 ultimately came out of the industry for having
25 better locations instead of being tucked away in the

1 back of an industrial park, more self-storage
2 properties, and certainly ones that you've heard in
3 other applications over the years, are going
4 vertical with multistory.

5 Again, that creates a need for
6 elevators, stairwells and hallways. An irregular
7 shaped building creates less right angles and more
8 hallways, and so as we look at that, and certainly
9 my colleague on the architect side has much more
10 information relating to that, but even in a single
11 story conversion, which we've done of defunct retail
12 buildings, we have a loss factor, and so real estate
13 taxes are not based on the net rentable and our
14 insurance is not based on the net rentable. This is
15 on a gross building factor.

16 We try and make the buildings and
17 design them in the most efficient manner so that
18 customers have a clear understanding of how to get
19 around the property. We have interior signage to
20 help with way finding and things of that nature.
21 But ultimately, the design is a way to maximize
22 efficiency.

23 Q. So ultimately, in a regular shaped building
24 because of an irregular shaped lot will yield more
25 unrentable space, more hallways that factor in?

1 A. That's correct. If you have a perfect
2 square or rectangle, I think the most efficient we
3 could get in a multistory design would be 25 percent
4 loss.

5 In a scenario like this, we're pushing
6 just over 30 percent, and so again, we have gone
7 through iterations to make it more efficient while
8 also providing a clean and clear map for folks to be
9 able to get around.

10 MR. KULAK: Fair enough. Thank you.

11 BY MR. GAYESKI:

12 Q. One question. How much of a demand in this
13 area would this facility address? So have you
14 calculated, I believe it's X number of units?

15 A. Yeah. And so from what we've seen, there is
16 continued demand. We have been tracking other
17 potential development sites in the market.

18 The interest rate environment has made
19 it difficult to develop from a real estate
20 perspective, pure and simple, but even with the
21 other applications and also outside of the
22 municipality, we saw there being a demand.

23 We started working on this a long time
24 ago before the interest rate environment has slowed
25 down further development. So we felt that there was

1 viability with this project even with the two or
2 three other projects that we were tracking in the
3 marketplace.

4 Q. So this would address 33 percent of the
5 demand?

6 A. This would probably address 15 percent of
7 the demand.

8 BY MR. FOOSE:

9 Q. All right. I have a question, and I'm just
10 going to ask it, and Mr. Lang, you did a great job.
11 Thank you for -- clearly you're an expert
12 third-party management company, but in late 2022,
13 the Bridgewater Township Council passed an ordinance
14 which removed warehousing as a primary use in all
15 commercial zones.

16 So I hadn't thought about this until
17 your own testimony triggered it, and essentially
18 your quo, business storing inventory. So you do
19 have customers that are businesses and they store
20 inventory there.

21 So what I'm trying to get at that this
22 case doesn't create impairment of the intent of the
23 township council which removed warehousing as an
24 effect in Bridgewater Township.

25 So what would happen, and again, this

1 is going to the operations side, not to the planning
2 side, what would happen if you saw a number of
3 business customers come to you and say, We need to
4 store inventory here, and we know that's a demand
5 because we've had infinite applications for
6 warehousing in front of this own board.

7 Would you reconfigure the 800
8 approximate spots to start to give this business
9 demand places to store their inventory? Because I'm
10 concerned about potentially this becoming a back
11 door to warehousing operation, even if there was no
12 configuration done to our bay doors and whatever.
13 What if you had someone show up and said, Hey, I
14 make iron railings and I want to store 50,000 of
15 these iron railings and I'll pay you X to do it?
16 And that X is 30 percent above your operation
17 margin.

18 How do we as a board prevent your
19 company from reconfiguring those 800 spots to create
20 a backdoor warehouse, which the Bridgewater Township
21 Council has removed as a primary use in this case?

22 MR. MLENAK: If you have experience
23 from an operations points of view. Certainly it's a
24 very fair question from a planer.

25 Q. That's what it speaks to, and you put on the

1 record that you have 50 locations in 10 states.

2 How do you handle a business customer
3 that comes to you and wants to store a large parcel
4 or large inventory component and they want you to
5 reconfigure your layout to accommodate that? What
6 would happen? How can I tell the township council
7 of Bridgewater that we prevented any backdooring of
8 warehousing here in this application?

9 A. No, it's certainly a valid concern.

10 I think through our business
11 operations, there are a number of ways that we have
12 the ability to exclude that type of use. There are
13 a number of ways.

14 A, a customer who's looking for large
15 amounts of space automatically starts to raise
16 flags. The manager starts to interview and ask more
17 questions about the customer's use.

18 Also, because of the camera and access
19 control, we have full visibility on what is coming
20 into the building, even we're not there.

21 So a customer that is maybe not even
22 telling us that they want to take on that much
23 space, could rent it online, but we will see that
24 type of activity occurring.

25 We also have --

1 Q. You testified that this is a part of your
2 business, that you have business storing inventory.

3 A. It is.

4 Q. So I'm just saying, they come to you, this
5 is a business, they want to store inventory, and
6 let's say they buy 30 units and they want to
7 reconfigure those 30 units because they've
8 effectively found an arbitrage, a storage arbitrage
9 and it's an arbitrage of our ordinances, and I want
10 to make sure that I can tell the township council we
11 didn't allow a local arbitrage to happen between
12 storage at a warehouse and storage at a facility
13 such as yours.

14 A. So I think there's also differentiation
15 between traditional warehouse, which is maybe some
16 of the use cases.

17 Q. Well, that's prohibited in New Jersey.
18 That's my point.

19 A. Understood.

20 And so a number of the factors that
21 you would find in a warehouse you will not find in
22 self storage. There are no forklifts. The lift or
23 the elevator between floors is a large passenger
24 elevator. There are, again, small carts that you
25 can use, but the operation of a self-storage

1 facility would not be conducive to warehousing.

2 Q. If I can just stop you. Those are great
3 answers.

4 So would you be willing to stipulate
5 that no forklifts will be used in this operation?

6 A. 100 percent.

7 Q. Okay. And now, you're a third-party
8 manager. You testified you have a one-year
9 contract. This is going to run with the approval of
10 the property.

11 So we're going to stipulate that no
12 forklifts are going to be utilized at this property?

13 MR. MLENAK: That's correct. And
14 there are other factors obviously that we can talk
15 about.

16 MR. FOOSE: Let's hear them. That's a
17 great answer. Let's keep expanding on that. How do
18 we protect this from --

19 MR. MLENAK: Someone who's done a lot
20 of warehouse applications, the number one thing is
21 ceiling height. That's what they're looking for
22 now, and you don't have that here.

23 Is that correct?

24 A. That is correct.

25 MR. FOOSE: But you could have if you

1 removed partitions in these -- because you've
2 already talked about reconfiguring layouts.

3 MR. MLENAK: Well, you can go
4 horizontal, but not vertical.

5 A. Yeah, we're also -- the type of racking that
6 a typical warehouse user is going to want to have
7 you're not going to have in this facility. You may
8 have shelves, and even a consumer has that ability
9 to put up plastic shelves.

10 In our rules and regulations, you're
11 not allowed to modify the space on your own and nor
12 would we be modifying the space for a user like
13 that.

14 So while I certainly understand the
15 concern, in practice and in operation, it would not
16 happen.

17 BY MR. MLENAK:

18 Q. And not only is the ceiling height about 10
19 feet --

20 A. Correct.

21 Q. -- we're talking about here, but there are
22 columns spaced every 10 feet --

23 A. Yeah, absolutely. That's right.

24 Q. -- for warehousing?

25 A. And so from an engineering perspective, I

1 can't tell you exactly where the columns are. I
2 know that they're tucked away and so that they're
3 not obstructing hallways, and ultimately, the floor
4 load of a self storage is there to support the
5 contents that our customers are storing, but outside
6 of that, we do not have, in this specific instance
7 with this property, there's no vehicles that can
8 enter the building, and again, no forklifts that
9 would be on site.

10 BY MR. FOOSE:

11 Q. And just to put this on the record. 129,000
12 square feet of total usable space. If this was a
13 warehouse application and it got approved, you would
14 have a renter in one day.

15 I mean, so to say that the height
16 isn't really marketable, it's untrue. 129,000 feet
17 in Bridgewater, New Jersey, would probably be leased
18 in a day.

19 MR. MLENAK: Respectfully, 10 foot
20 ceiling height, agree.

21 MR. FOOSE: I'll withdraw it, but with
22 that said, I do want to make sure that the intent
23 here is not the impairment of what the township
24 council put through in October of 2022. I think
25 it's 126-143. And I'm going to ask every one of

1 your witnesses the same question in how we prevent
2 this storage arbitrage, and it's an ordinance
3 arbitrage, and we have to make sure.

4 I think the forklift is a great way to
5 start, but we have to ask ourselves with each
6 witness how are we preventing this arbitrage from
7 happening of our local ordinances, because we're one
8 of the few towns that have done this. We've
9 outlawed this.

10 MR. MLENAK: We will be happy to
11 address any conditions of approval that are
12 reasonable that won't impair our operations to
13 prevent that.

14 MR. FOOSE: As we go along, this is a
15 work in progress. Anything that would help me go
16 back to the township council and say we upheld the
17 intent from that ordinance change in, I think
18 October 2022.

19 MR. MLENAK: Sure.

20 MR. FOOSE: All right. Any other
21 board questions?

22 BY MR. BONGIORNO:

23 Q. If an applicant wants to change dimensions
24 of a space, you can't do that?

25 A. No, no. They cannot.

1 Q. So when you build it, that's what's going to
2 be there forever?

3 A. When we build it, they will come.

4 Q. Okay. What is the largest space you would
5 be renting?

6 A. I believe at this facility, the largest
7 space would be 10 feet wide by 20 feet deep, so 200
8 square feet. Typically, the largest size that we
9 offer in a facility of this design.

10 Q. Would you also be willing to state that you
11 would never reconfigure any of the existing spaces?

12 MR. MLENAK: That would be a tough
13 thing --

14 A. I think that's a slippery slope because
15 there are scenarios, for instance, that we deal with
16 now at other properties where the average unit size
17 was designed to be 90 square feet, and through the
18 demand of the marketplace, we see that 100, 150
19 square feet is in higher demand. So we have the
20 ability to combine a unit.

21 It's something that, we take a lot of
22 time and effort in the planning and the design of
23 this to hopefully match the market and to create the
24 right target. It's been very seldom that we've come
25 across a scenario where we need to modify a building

1 in order to meet the demand that we've missed.

2 Q. Almost never?

3 A. Rarely.

4 Q. So then you would not have a problem
5 agreeing to that, right?

6 A. Self storage is built in a manner so that it
7 is, to a degree, flexible.

8 Now, the column spacing, the doors
9 that are there, the way that these are built
10 interior does not make it easy. It's not a simple
11 task. It's costly. It's something that we don't
12 want to be doing either.

13 MR. LASPISA: Is there an acceptable
14 maximum size that -- since you can't get a vehicle
15 in here anyway so we're not leaving -- they don't
16 need to be huge. You're not using forklifts anyway.
17 Is there an acceptable maximum unit size? And we
18 could also put this as minimum number.

19 A. Yeah. I mean, generally speaking, that is
20 something that can be accommodated.

21 You know, in our portfolio of all
22 these properties, minimum size might be, call it
23 five by five with half height. So those might be
24 considered a locker.

25 In this market, with the density of

1 population that we have here, that's not a highly
2 desirable type of unit. In this scenario, our
3 smallest unit size would be five feet by five feet
4 and eight and-a-half feet tall.

5 The largest size unit which I believe
6 we have in the unit mix is 10 feet wide by 20 feet
7 deep, being 200 square feet.

8 MR. BONGIORNO: You're still
9 projecting, and we haven't gone over a lot of the
10 old variances yet, but you're still projecting to do
11 three levels, three stories?

12 A. Yes, that's correct.

13 MR. BONGIORNO: Thank you.

14 MR. FOOSE: Anyone else from the
15 board?

16 Mr. Burr.

17 MR. BURR: Thank you, Mr. Chairman.

18 BY MR. BURR:

19 Q. Mr. Lang, actually had a question. I think
20 it was in the follow-up to one of your responses to
21 Mr. Kulak where you had mentioned that you have some
22 facilities that are smaller than this, some that are
23 larger in size.

24 Early on in your testimony, I think
25 you mentioned you have nine facilities in New Jersey

1 with maybe a tenth one on the way in the summer.

2 A. That's correct.

3 Q. Can you give us an idea what those size
4 range is typically involved from the low end up to
5 the high end?

6 A. Yeah. So, and bear in mind, the size,
7 shape, construction, layout have been evolving over
8 the course of self-storage industry. The industry
9 is relatively new, as you think about this. The
10 first storage units were popping up in the 1960s.
11 So when you think about this as an asset class, it's
12 still relatively new.

13 With that in mind, properties that
14 were built in the '90s and early 2000s tend to be
15 smaller.

16 So in New Jersey, our smallest
17 location is about 45,000 square feet, maybe 350
18 units, somewhere in that range. The largest
19 facility that we have is 110,000 square feet
20 rentable. The one that's under construction is
21 going to be in the 95,000 square foot range.

22 MR. MLENAK: Gross or rentable?

23 A. Rentable.

24 Q. So when you say 110 rentable, that would be
25 compared to the 90 rentable for this unit? Is that

1 what we're -- are we talking apples to apples?

2 A. That property happens to sit in a more
3 suburban marketplace than Bridgewater. It is single
4 story, and so there are driveways between 15
5 buildings that comprise of that 110,000 square feet.

6 Q. And you said a 95 and a 110.

7 Of those two that are comparable in
8 size to this one, what does the parking look like on
9 facilities like that?

10 A. That's really a great benefit of self
11 storage. Typically in self storage, we're seeing
12 parking one space per 10,000 square feet. And so
13 within our portfolio, not just within New Jersey, we
14 have locations that have probably one space for
15 every 12 or 13,000 square feet.

16 There again, it is retail conversions
17 that had 45,000 square foot buildings sitting on six
18 acres tend to have a little bit more parking, but I
19 think from the 19 -- I think we actually added some.

20 The parking spaces that we have on the
21 redesign more than accommodate the demand that we
22 would be seeing on a regular basis.

23 Q. Okay. Let me ask you a question about the
24 hours of operation.

25 I think you had mentioned 6 a.m. to 9

1 p.m. I heard Monday to Friday.

2 A. So the 6 a.m. to 9 p.m. would be customer
3 access availability. That would be seven days a
4 week.

5 Q. Oh, that is seven days a week?

6 A. Customer access is seven days a week.

7 Q. Okay. So that's where I went offline.

8 A. Yeah. And then office hours where a manager
9 would be would be Monday through Friday, 9:30 to 6,
10 and then Saturday, I don't know, 10 to 2 or
11 something along those lines.

12 Q. So it is the seven-day operation, 6 to 9?

13 A. From a customer perspective.

14 Q. From a customer perspective.

15 A. Yes. And that is standardized across every
16 competitor in the marketplace today.

17 Q. And at your facilities with the exterior
18 lighting, 9 p.m. cutoff in terms of customers being
19 able to access their units. Do the exterior lights
20 go off at that time? An hour after? When do the
21 exterior lights get extinguished?

22 A. That is actually something that we've had to
23 modify on occasion based on municipality interest.

24 We typically have photo cells on
25 lighting so that they turn on at night just for

1 visibility. Certainly this time of year, lights are
2 turning on at 4:30, and so I understand there's
3 sensitivity regarding lighting for vehicles on 22.
4 I think the team has addressed that.

5 But ultimately, there would be a few
6 lights around the building, just around entrances,
7 exits for security purposes, and then a fire lane
8 around the back that would be motion censored for
9 that need.

10 MR. BURR: Very good. Thank you.

11 MR. FOOSE: All right. We're going to
12 open it up to members of the public.

13 First up, we had an objector's
14 attorney here last time, Ms. Westlake, I believe.
15 Is she here?

16 MS. WESTLAKE: Hi. How are you?

17 MR. FOOSE: Hi. I wanted to give you
18 the first bite at the apple.

19 If you could just state your name
20 again for the record.

21 MS. WESTLAKE: Yes. Thank you very
22 much. Good evening, everybody. Happy new year.

23 My name is Rosalind Westlake and I'm
24 here representing Arthur's Self Storage.

25 BY MS. WESTLAKE:

1 Q. Just a few questions, Mr. Lang. Thank you.
2 That was very interesting testimony.

3 You said this is an annual service
4 agreement that you set up with the owner of the
5 property?

6 A. That's correct.

7 Q. So what would happen if the owner decided
8 not to renew that? Then the space would be
9 unmanaged or managed by the owner?

10 A. If they choose to manage it themselves, yes,
11 but ultimately we have a deep relationship here and
12 so if there were to be a different management
13 company, there would be a transition of services.

14 Q. But there wouldn't be anything to stop the
15 owner from having constructed the building and then,
16 unless there were significant restrictions on the
17 structural component from redoing the entire
18 interior of the building and changing the support
19 structure, correct?

20 A. I think financially there would be many
21 reasons why that would not happen.

22 Q. But it's possible?

23 A. Many things are possible.

24 Q. Okay. As to the question, with respect to
25 the docks, do you reserve dock time? Because

1 there's only the two loading docks.

2 So what happens if there's a conflict,
3 five people want to use the loading docks all at
4 once?

5 A. Well, there are two loading docks but there
6 are five loading areas, and so in our experience,
7 given the size and the demand, not only are those
8 areas there, but oftentimes people are utilizing the
9 space with a pickup truck or a van or even a light
10 vehicle which they could, of course, be utilizing
11 parking spaces for that as well.

12 Q. So you don't do any reservation of the docks
13 to control that?

14 A. We've never had a need for that.

15 Q. Okay. All right. Thank you.

16 So with respect to basically the
17 metrics that you used to identify this particular
18 location and how to design the site, can you help me
19 understand what metrics you used? The population?
20 You mentioned radius, that kind of thing. Can you
21 talk a little bit about that?

22 A. Yeah. In our experience, we see that -- we
23 look at it national level, regional level, local
24 level, and so the various metrics are there is
25 number of households, population, population growth,

1 household formation, and not only that, but again,
2 the 22 corridor brings additional demand from
3 outside the immediate trade area.

4 Q. Okay. So then if you're using all of those
5 metrics, what specific metric did you use?

6 I mean, you mentioned a three- to
7 five-mile radius is used sometimes. Is that the
8 radius that you used here, was a three-mile radius,
9 a four-mile radius?

10 A. No. Actually, in this scenario we used more
11 drive time. Again, because of that corridor and the
12 ability for customers to access this site.

13 In a typical scenario, if a higher
14 density, if you're talking about a Manhattan or
15 borough area, you're having customers that are
16 coming from one, maybe two miles. That's more
17 determined by drive time and accessibility than it
18 is by pure radius.

19 So ultimately, we use these metrics as
20 a way to frame the scenario, but at the end of the
21 day, the drive time is really what creates the
22 marketplace.

23 Q. Okay. So the marketplace that you've
24 identified or created through these metrics is then
25 translated into a building size?

1 A. Unmet demand.

2 Q. I'm not sure I understand that. What does
3 that mean?

4 A. We have the ability to track existing supply
5 in the market. We have an understanding of market
6 occupancies based on rental rates, based on
7 concessions, and we can back into an overall market
8 occupancy.

9 From there, we understand in a
10 municipality or New Jersey or even within central
11 New Jersey what the usage is for the space.

12 Q. So you backed into the space using the
13 metrics. So you chose a space of 129,000 square
14 feet and backed the metrics into that?

15 A. Yes.

16 Q. Okay. Why did you select 129,000 square
17 feet?

18 A. Ultimately, the way the site is laid out and
19 how this is, that was the unmet demand that we saw
20 we could help with this new supply.

21 Q. Okay. If you took a different building
22 size, could you back into that building size with
23 those same metrics?

24 A. Yeah. If we could go five stories, we would
25 still have that unmet demand. So --

1 Q. Right. I understand that there's an
2 unknown, unmet demand.

3 I guess my question is, if you did a
4 45,000 square foot space similar to the smallest
5 site that you manage, which presumably is
6 profitable, you could back metrics into it to show
7 that you would be meeting some demand in
8 Bridgewater, correct?

9 MR. MLENAK: Do you understand the
10 question? Because I don't understand what back
11 metrics into it.

12 MS. WESTLAKE: Well, I'm using his
13 term of backing in.

14 A. So your example of putting 45,000 square
15 foot, it's a totally different market.

16 What we have in Manchester Township in
17 Ocean County is not relatable to this site, this
18 township or this county.

19 Q. Okay. Is that because you have a metric
20 that says there's unmet demand of X and we can meet
21 70 percent of that because that's what we would like
22 to do as a business? Or are you saying there's
23 unmet demand of X, we have the ability to build a
24 building of this size, and therefore, we will be
25 able to meet 30 percent of the demand?

1 A. I'm not sure I understand the question.

2 Q. I guess my question is, is there a way to
3 design or to identify a building size that will meet
4 demand, obviously not all of it, but will meet
5 demand that doesn't take up the entire property?

6 MR. MLENAK: I object to the premise
7 that is it takes up the whole property.

8 MS. WESTLAKE: Well, okay. I'm sorry.
9 86 percent of the property.

10 A. I'm sorry?

11 Q. It takes up 86 percent of the property, but
12 I'm just having trouble understanding this whole
13 concept of having these metrics and identifying this
14 demand, and as in your own words, you said backed
15 into the size of the building in order to identify
16 which metrics you would use, so that because you're
17 being presented with the option of 129,000 square
18 foot building, you therefore say the metric I'm
19 going to use is five-mile radius or drive time of
20 three minutes or 10 minutes or an hour.

21 It sounds like your metrics can kind
22 of be identified to fit whatever building size
23 you're presented with. Would that be accurate?

24 MR. MLENAK: Just for the record, the
25 lot coverage is 46 percent, not 86 percent.

MS. WESTLAKE: Okay. I'm sorry.

A. Yeah. So the building design, shape that is being presented is a best in class facility. The look, the design, the size is also a best in class design for the municipality of this nature where customers are going to desire that.

In doing so, in creating a roof height from various metrics that we're trying adhere to, we are going down. We're not going up higher. And so through that, there are construction costs that ultimately there are financial decisions in a business like this.

Q. Okay. All right. Thank you. I appreciate it.

I'm sorry, I'm not a financier, nor do I understand metrics all that well.

MS. WESTLAKE: I think that's all I have for this witness. Thank you so much for your time.

MR. MLENAK: Mr. Chairman, a couple of redirect questions.

MR. FOOSE: Absolutely.

BY MR. MLENAK:

Q. Mr. Lang, one of the questions Ms. Westlake asked you was about a concern that the owner goes

and self manages and then the board has no control over complete redesign of the interior of the building.

You're not a specialist in land use or zoning, but would it surprise you to learn that if a structural change is proposed that that would have to come back to this board?

A. That would be my expectation.

Q. You were also asked a question, I think I understood the premise, about backing into the market based on occupancy, but you also testified that, even at this size, you would still likely, in your estimation, only be capturing approximately 15 percent of the market demand?

A. That's correct.

Q. Okay. So approximately 85 percent of the market would still be, there would still be an unmet need, and likely how does that result or what would the result be for existing facilities out there by your presence?

A. One interesting component to self storage is that just because new supply has hit a market does not mean that competitors start losing customers.

This has been a concern that we've talked to partners, investors, internally,

externally.

Customers do not move and take up a day of their time putting their contents into a truck, loading it up, unloading it into a new facility because the rate is \$5 less, \$10 less.

A stabilized property remains stabilized even through new competition. If there are other factors of reasons why a customer leaves a facility, typically that's relating more towards that facility's own operations versus having new supply and new competition in the marketplace.

MR. MLENAK: Thank you, Mr. Lang.

MR. FOOSE: Thank you. Any other members of the public have objector's attorneys present?

All right. Seeing none, I'm going to open it up to members of the public.

There's a familiar face.

MR. HUMENICK: I've been here before.

MR. FOOSE: Once or twice. Good to see you.

MR. HUMENICK: It's been three years.

MR. OLLER: For the record, will you state your name.

MR. HUMENICK: I sure will. Evans

Humenick, 3 Crest Drive, Bound Brook, New Jersey. I'm in that development just on the other side of Route 22.

MR. FOOSE: And just for the record, you're a former zoning board member, correct?

MR. HUMENICK: Yes, I am.

MR. FOOSE: Thank you. Good to see you.

BY MR. HUMENICK:

Q. Mr. Lang, let me ask a question. Have you taken a look at the property itself? Have you walked the property? Have you seen it?

Because sometimes we have people come in and they make estimates and they come up with a bunch of plans. Like, in the administration office I saw a big pile of documents so big today.

Have you seen the property?

A. Yes.

Q. Okay. And you've got experience, a lot of experience in this area with this type of storage. Okay.

So a lot of things that maybe you might hear and you might not realize, things like this do happen even if they only haven't happened yet.

1 We had a trucking company that at one
2 time wanted to open up some of their space, and it
3 turned out they had some material that was hazardous
4 material. They didn't know it themselves, but they
5 were a place where trucks would come, 5 o'clock in
6 the morning and swap --

7 MR. MLENAK: Excuse me. Is this
8 testimony? I just want to be clear. You're not
9 sworn.

10 MR. OLLER: You're giving some
11 background to get to a question.

12 MR. HUMENICK: Yeah, this is a little
13 historical question if you want.

14 Q. Where trucks would come at 5 o'clock in the
15 morning, wake up a lot of people in the neighborhood
16 and swap goods and they might move it into storage,
17 and then another truck would come and pick it up
18 because they deliver further into the city or
19 whatever, and that was hazardous material.

20 Well, they didn't put it in and they
21 didn't even know that they had hazardous material
22 coming in on their trucks.

23 Now, there's other types of material
24 or things that could happen that haven't happened
25 yet but might happen.

1 City, a company that had a warehouse that actually
2 ordered compressed gas and cylinders, but it wasn't
3 ordinary compressed gas, it was hydrogen that
4 eventually went into the World Trade Tower and it
5 was used inappropriately in the World Trade Tower
6 when this first explosion occurred.

7 Is that something that might be
8 included, as well as things like chemicals that
9 might be hazardous and cause a fire?

10 A. Yes, that's correct.

11 Q. Good.

12 How about colocation towers? Is that
13 something that, when people buy this space and
14 they're going to -- they want to raise the property
15 or the building that's there and put another one in,
16 do they plan on, if necessary, use that piece of
17 property as a staging area, like for American Water
18 who apparently puts about four or five vehicles on
19 the property in the morning so they're using it, and
20 I'm sure they're charging a fee for that, whoever
21 has the building now, because they have to pay
22 insurance to have some other service done on the
23 property.

24 Does that make sense to you?

25 A. I'm not certain that I understand the

1 When you're putting this facility up,
2 is the person who wants it built, do they want to
3 use it as another source of income?

4 Let me give you an example. We had a
5 series of time where we had a bunch of colocation
6 towers.

7 MR. OLLER: Before we get to your next
8 question, your backup or your lead-in to the first
9 question is about hazardous materials.

10 MR. HUMENICK: Yes.

11 MR. OLLER: Is the question, how do
12 you know if someone's storing hazardous materials?

13 MR. HUMENICK: Well, that is my
14 question.

15 BY MR. HUMENICK:

16 Q. And let me expand it to make it easier for
17 you to answer it.

18 You said you had documentation to make
19 sure people didn't bring certain types of hazardous
20 material into their cubical, or whatever we want to
21 call it, their space.

22 Is that what you're trying to
23 eliminate, things like hazardous materials?

24 A. Yes.

25 Q. Way back long time ago, in 1993 in Jersey

1 question.

2 Q. The question is, is the property going to be
3 used for anything else besides the intended purpose
4 of what you're building it for or is it going to be
5 used for something like a staging area or a place
6 where people can meet and get together and let's say
7 swap product from one truck to another?

8 Is there going to be colocation towers
9 which you can generate an income from? I'm not
10 trying to give anybody the idea, but is that a way
11 that you've been able to mitigate some of the cost
12 in the places that you've already established, by
13 people using it for a different purpose?

14 MR. MLENAK: I'm going to answer as
15 this is a legal question. This application involves
16 one use, and we are not going to be, if the board
17 were to so approve it, it would be not be an
18 approval of any other use, including cellular
19 towers, outdoor storage, vehicle storage, anything
20 like that.

21 MR. OLLER: If they in the future,
22 wanted to do something like that, they'd have to
23 come back before this board.

24 MR. HUMENICK: The zoning that's going
25 to be putting on the property now is what is going

1 to stay with the property?

2 MR. OLLER: Well, the zoning could
3 change.

4 MR. HUMENICK: It could if somebody
5 applied for it.

6 MR. FOOSE: Mr. Humenick, you could
7 ask him, in any of the 50 properties he manages,
8 does that occur?

9 BY MR. HUMENICK:

10 Q. Has that been done?

11 A. Putting cell phone towers on the building?

12 Q. Anything else that people have your -- that
13 they're using for the purpose of storing goods,
14 which I think automatically is something that you're
15 going put in while you're moving, somebody's moving
16 in, somebody's moving out, somebody's going to
17 college, things are coming into the area.

18 Does that --

19 A. Folks are not conducting business --

20 Q. Right.

21 A. -- on the property or in the storage unit.
22 They are not using this space as a flea market or
23 swap meet or anything of that nature.

24 Q. Has that been done?

25 A. We do not allow that at our properties.

1 Q. Okay. Little side-bar maybe for you.

2 In Bound Brook there's a bakery called
3 Mediterraneo, and that's in Bound Brook, and they
4 have a board and they have a nice small piece of
5 property. It could be appropriate for so many other
6 things, but somebody applied for that property.
7 They wanted to make it into a skating arena. You
8 would never imagine it, that this bakery could turn
9 in -- this small area could turn into something to
10 have parking and enough for an ice skating area
11 inside.

12 So I've seen things that I never
13 thought I would see on the zoning board, what things
14 can become.

15 MR. MLENAK: But they had to apply for
16 it.

17 MR. HUMENICK: They had to apply for
18 it and it's still up in the air.

19 Q. So I bring it up, and you may not think it's
20 very likely that somebody's going to bring hydrogen
21 into the property and use it to blow up the mall.
22 But let's say, we talk about what a great location
23 it is. It's great because it's centralized. You
24 can come right off 22, 78. You can come down 287,
25 202, 206. You've got so many roads here.

1 What a nice place to take four or five
2 boxes or things that look like computers, but what
3 they have are, say, Fentanyl in it or some other
4 narcotic that's been brought in.

5 So when people are asking about
6 switching cargo, let's say from one place to another
7 or one truck to another, there's a real serious need
8 for that, and by the way, on Route 22, I asked if
9 you looked at the area around here, not only the
10 property, but there are other places that are trying
11 to do warehousing in the area and that are trying to
12 do things, like whatever we would call this, the --
13 what do you call this thing that you're doing?

14 MR. MLENAK: Self storage.

15 Q. Self storage. Okay.

16 And we talk about it. For homeowners,
17 let's say, and the local property owners, but I
18 believe you also said that you're going keep the
19 place closed on the weekends.

20 Now, that might be nice for some
21 people, but I think that's a time where a lot of
22 people that are moving from one place to another --

23 MR. OLLER: Actually, he didn't say
24 that.

25 MR. MLENAK: That's not correct.

1 MR. OLLER: They said it's a 24-hour
2 facility for -- I'm sorry --

3 Q. Did you not allude to the fact that you were
4 closed on the weekends?

5 MR. OLLER: -- facility for customers.

6 A. We do have office hours on Saturday. The
7 office, there would not be a manager staffed on a
8 Sunday, but again, to concern -- these storage units
9 are constructed in a manner where there is an open
10 air ceiling for each storage unit. These storage
11 units do not go all the way to the ceiling of the
12 top, and so on top for security purposes there's
13 like a mesh wire security type fencing on top.

14 Our managers have mirrors on
15 telescoping poles that they walk by. They have
16 cameras that they're able to look over top. So when
17 they're doing inspections, they are looking for
18 items that are not allowed within our property or
19 use from customers, and in those instances, our
20 agreement allows us to terminate with any reason we
21 choose to that agreement.

22 So these agreements are written in a
23 manner where us, as the management company,
24 representing the owner in this instance, have the
25 ability to manage the site and keep the property

1 secure and safe, and in the examples that you've
2 provided here, those are scenarios where our team is
3 trained to look out for, to identify, and
4 ultimately, if it comes to a scenario where we need
5 to alert the authorities, we're in very good
6 standing with great relationships with a lot of the
7 emergency service personnel in any municipality
8 where we're serving.

9 Q. Great.

10 Way back when, 1962, I think is when
11 this building was first built, the building that's
12 there now.

13 My family's been living there and
14 using the school system and all the services in the
15 area because sort of like tour the country when
16 you're out towards Somerville and Bridgewater and
17 like that, and lately it's turned into maybe it's an
18 outlying community for Essex County or Hudson County
19 or whatever.

20 MR. OLLER: Sir, you do need to get to
21 your question.

22 MR. HUMENICK: I know, but I like to
23 hear myself talk. I'll hold back on that part.

24 MR. OLLER: Get to the question.

25 Q. The point being is that things are getting a

1 lot more crowded out here and we put shopping
2 centers in and one thing leads to another, and
3 that's great and I think that's important.

4 I'm asking the question because the
5 Department of Transportation, about four years ago,
6 allowed an entrance from the Hampton Inn, which is a
7 hotel about a mile and-a-half down the road, and
8 it's -- it has a road that curve over Route 22 and
9 that road is Foothill Road and Ronson Road.

10 I'm trying to give you a definition so
11 you have an idea. Ronson Road is a very small road,
12 but Route 22 is a very wide open road, very similar
13 to the facility.

14 Maybe in 1962 it was allowed to have
15 an egress from a parking -- from a parking -- from a
16 driveway, but you couldn't do it. You could do it
17 then maybe on Route 22.

18 MR. OLLER: What is your question?

19 A. The question is, are you going to maintain
20 the two driveways that you have that go out to Route
21 22 and are egresses onto Route 22?

22 That, of course, creates a little bit
23 of a dangerous situation with being slow.

24 MR. MLENAK: There was the question.

25 MR. OLLER: Okay.

1 MR. MLENAK: You can answer it or you
2 can defer to the engineer or architect if you like.

3 Q. In my opinion, that is sufficient egress for
4 a storage facility. However, we have traffic
5 engineers and more studies that could provide
6 professional feedback?

7 A. Okay. I know, and the reason I'm asking is
8 because it was almost approved that way. They went
9 back to DOT and the DOT said no, you can't come out
10 of the Hampton Inn on Route 22 because it's not an
11 allowed exit, and everything was left to one smaller
12 exit on Ronson Road. I'm giving you that maybe as a
13 bit of information.

14 You don't want to go down the road too
15 far and find out you can't do that. I have a
16 feeling that what I see on the maps, it looks like
17 you're able to get on to Route 22 now without any
18 consideration made to that, people coming off.

19 MR. OLLER: Sir, better questions for
20 the engineer to talk about the site design.

21 This is the operator of the facility
22 and not as qualified as the engineer with respect to
23 the egress and ingress, nor did he testify about it.

24 MR. HUMENICK: Okay. I understand
25 that.

1 Well, let me just bring up one more
2 point so if there's going to be an objection, one
3 more point.

4 Q. We always here about 100-year storms. We're
5 not going to have this kind of rain and all this
6 crazy stuff.

7 MR. MLENAK: Stormwater question for
8 the engineer.

9 MR. HUMENICK: That's for the
10 engineer?

11 MR. OLLER: Yes, it's an engineering
12 question.

13 MR. HUMENICK: Okay. I hope I can
14 stay, and it's been very interesting. I appreciate
15 it, and I hope everybody here, I hope everybody here
16 appreciates all these people coming out and doing
17 all this work and evaluating what's being said, and
18 this is not their area of expertise. Certainly not
19 mine, but everybody wants to help out because we
20 want to see the right thing done.

21 I want to thank everybody.

22 MR. FOOSE: Thank you, Mr. Humenick.
23 Good seeing you. Thank you.

24 Whoever's ready, come on up.

25 Just have your name and your address,

1 please. Good evening.

2 MS. COLE: Hi. My name's Nora O'Neill
3 Cole, 60-year Bridgewater resident. Thank you.

4 I live right around the corner from
5 this guy on Vosseller Avenue right down the street.
6 BY MS. COLE:

7 Q. I have two questions and I believe they're
8 about operations. I'm a retired U.P.S. driver and I
9 have driven into storage facilities because the
10 owner of the, or the renter of the unit gave U.P.S.
11 the code and unlocked their unit and taken things
12 out on my hand truck and brought them back to the
13 truck. I've done this multiple units every day.

14 So is there a way want to -- is there
15 a way you can eliminate that or make that not a
16 thing?

17 A. There's a way that any package deliveries
18 would be delivered to the office.

19 Q. These are packages being picked up. The
20 woman had a tape business, and she would store
21 things --

22 MR. FOOSE: Can I just call a timeout
23 here? Can we swear you in? Because I think that's
24 a pretty interesting point of testimony that you're
25 providing and I want to get that on the record

1 properly.

2 NORA O'NEILL COLE

3 is duly sworn by a Notary Public of the State of New
4 Jersey and testifies under oath as follows:

5 MR. FOOSE: And you're going to be
6 giving testimony as you were -- you're going to ask
7 a question at the end of this, and just so you know,
8 at the end of the case you'll be able to speak for
9 or against as long as you want, but right now you
10 have a question on deliveries.

11 MS. COLE: I have two questions about
12 operations.

13 MR. FOOSE: And you have experience in
14 this fact because you were a U.P.S. driver.

15 MS. COLE: I literally did this.

16 MR. FOOSE: Thank you.

17 BY MS. COLE:

18 Q. So you would just take your hand truck, and
19 I understand it's not a drive-up facility, but I
20 would -- what would prevent --

21 A. Were you provided an individual code for
22 yourself or were you using a customer's code?

23 Q. Customer's code. They would give it to us
24 and it would be in your diad, and when we'd go to
25 unit the lock would be there.

1 A. And in that scenario, we would see that we
2 have a regular pickup coming from a U.P.S. driver
3 that's using --

4 Q. So is that not allowed?

5 A. That is not allowed. Individuals must use
6 their own code. They're not -- it is in our rules
7 and regulations.

8 Q. So they can't share codes? So if I rented a
9 unit, I couldn't give it to my brother to go pick
10 something up?

11 A. Listen, you're the one on the agreement, and
12 so ultimately, when we see your brother coming in,
13 we're going to ask that individual's name, their
14 unit, their relationship.

15 Our managers take great care of the
16 facility and want to make sure that they're not at
17 risk being an employee who is there day in and day
18 out, and so that scenario is unique.

19 We often have deliveries coming to our
20 facilities and picking up from our facilities. In
21 our business, those occur from the office.

22 Q. Right.

23 MR. OLLER: Sir, would you agree if
24 there were an approval to a condition that any
25 deliveries to the facility from any courier would

1 have to go to the office and not be permitted to be
2 dropped at any of the storage locations?

3 A. We would be open to that, and in addition
4 we'd be happy to put small signage with deliveries
5 to the office.

6 BY MS. COLE:

7 Q. Okay. And my second question is, you
8 mentioned that the drive time was a big metric for
9 you picking this specific area, this specific
10 location, and Bridgewater has a lot of bigger houses
11 with lots of garages, and I'm wondering if your
12 drive time metric isn't really serving Bridgewater.

13 Like, how is that serving Bridgewater
14 if the metric is drive time? So you're just
15 bringing other people in. Like, how is that serving
16 Bridgewater?

17 A. No, it's absolutely serving Bridgewater, but
18 just because you're serving Bridgewater doesn't mean
19 that you're not serving the next town over, and
20 ultimately, that's what I mean by drive time.

21 Q. Right.

22 A. It is certainly -- and the unit mix that
23 we're proposing and designing in this scenario is
24 meant for the local community.

25 We understand that there are larger

1 homes here. Again, a larger home does not need
2 another hallway closet, it needs another bedroom or
3 it needs another garage size space.

4 And so ultimately, as we think about
5 the design of the facility, it's to maximize
6 efficiency and ultimately the interest for that
7 community. It does us no good to create something
8 that is not going to be -- have the demand from that
9 local community.

10 Q. So as part of your metric, was it included
11 the massive amounts of apartments being built in
12 Somerville and Bound Brook and Raritan? Is that all
13 part of the metric to bring people to this specific
14 location?

15 A. I mean, if we see housing starts or
16 multifamily starts that are going on in a community,
17 then --

18 Q. I mean, apartments are going to need more
19 storage than houses, right? So I mean, I wonder
20 what the percentage is relative to, like, how many
21 people living in apartments need storage relative to
22 how many people in houses need storage.

23 A. We operate facilities across the 10 states
24 where we're at in markets that have household
25 incomes from 40,000 annual to 120,000.

1 The one scenario is that everybody
2 needs storage. So from that perspective, whether
3 somebody drives from the town over or is three
4 blocks away, ultimately, we're still there to serve
5 the community.

6 MS. COLE: Okay. Thank you.

7 MR. FOOSE: Thank you.

8 MS. CHERETES: Thanks for having me.

9 MR. FOOSE: Name and address, please.

10 MS. CHERETES: Sure. My name is
11 Ashley Cheretes. I live at 52 Glen Road. Basically
12 the proposed facility will be in my back yard, as
13 well as several residents who have joined me today.

14 I understand that you want questions
15 right now; is that correct, no statements, right?

16 MR. FOOSE: Yes.

17 MS. CHERETES: I want to make sure I
18 understand the assignment. Okay.

19 Just a couple questions here.

20 BY MS. CHERETES:

21 Q. I like the information that you shared with
22 regard to all of the facilities you have in the New
23 Jersey area, but are any currently positioned in a
24 neighborhood or home residential area?

25 A. Yes.

1 Q. Which one or ones?

2 A. We have a location in Hamilton, New Jersey,
3 that has residential multifamily and single family
4 on two sides. We have --

5 Q. May I ask, when was that built?

6 A. 2020.

7 Q. Okay. Has there been any data that shows a
8 decrease or increase in property value of those
9 areas?

10 MR. MLENAK: He's not an expert in
11 property valuation of real estate.

12 If you know something anecdotal, but I
13 certainly wouldn't admit it as expert testimony. Go
14 ahead.

15 A. I'm going to assume that property values
16 there have gone up 30 percent since we've opened
17 there.

18 Q. What do you think attributes to that?

19 A. Housing demand.

20 Q. Interesting.

21 MR. FOOSE: For the same reason that
22 she can't ask the question, he can't put the
23 testimony on the record as an expert.

24 Now, if you want to speculate.

25 MR. MLENAK: I said it's not expert

1 testimony. I agree.

2 MR. OLLER: This is all guesswork.

3 MR. FOOSE: If you wanted to say that
4 the National Realtor's Association in the last three
5 years has annualized return 30 percent, you're
6 certainly welcome to do that because I think that's
7 approximate, but if you want to put that back on the
8 record as an approximate valuation, absolutely.

9 A. That is approximate. I don't know the home
10 values there, and ultimately, housing demand is very
11 high.

12 Q. Understood.

13 I may get yelled at for this one, but
14 I'll just ask. What about crime rates or theft or
15 other issues like that?

16 MR. FOOSE: You have to have a
17 question.

18 MS. CHERETES: I'm sorry?

19 MR. FOOSE: What is the question?

20 Q. The question is, has there been an increase
21 or decrease in crime rates?

22 A. I cannot speak to crime rates in a
23 community.

24 I can say that our facilities are
25 secure. They're well lit. We have alarm systems,

1 and ultimately, we run a very secure property, but I
2 can't comment on a neighborhood.

3 Q. Thank you.

4 Just one other question. I know we
5 touched on this a little bit. I just want to make
6 sure I understand.

7 As far as doing, like, some sort of
8 background check or identification of the people
9 that are renting from you, are any background checks
10 done?

11 A. We do run names through what's called an
12 OFAC check, and so that will show if an individual
13 is on any watch list, and so that is standard
14 practice for us, as well as taking photo
15 identification.

16 Q. And what happens if they've been convicted
17 of a crime?

18 A. I mean --

19 Q. Are they rented?

20 A. -- if they're not on the OFAC list, which is
21 terrorist watch list, I mean, convicted of a crime
22 is a broad statement.

23 Q. Understood.

24 Well, what would happen in that case
25 if they were on the OFAC list?

1 A. We would deny access, and ultimately, I
2 mean, in those scenarios, we haven't come across
3 that. We do run that through a federal website, but
4 again, we are involved in the community from an
5 emergency response perspective. We are -- we host
6 events for -- or we sponsor events for police
7 departments, for emergency response, and from that
8 perspective, we've got great relationships with
9 those departments in the communities that they serve
10 and we serve, and from that perspective, if there
11 are issues, we communicate and participate in
12 anything that they're requesting.

13 Q. Has there been any incidents with your
14 district managers or other personnel being bribed to
15 include certain items in your storage facilities?

16 A. No.

17 MS. CHERETES: Okay. That's all my
18 questions. Thank you.

19 MR. MLENAK: Mr. Chairman, I'd like to
20 ask the witness a couple questions since she's been
21 sworn in.

22 MR. FOOSE: She's never been sworn in.

23 MR. MLENAK: I apologize. I'll ask
24 the question, then.

25 MS. CHERETES: Okay, you can do that.

1 BY MR. MLENAK:

2 Q. Your first question premised that you live
3 on Glen Road?

4 A. Yes, sir.

5 Q. And you indicated that this is in your
6 backyard, but there's a highway what separates this
7 property from Glen Road, correct?

8 A. Yes, but I can visibly see it.

9 Q. The highway is, in fact, the backyard,
10 right?

11 A. I'm sorry?

12 Q. The highway is, in fact, the backyard?

13 A. Well, I have my backyard and then my house
14 backs up to the highway.

15 Q. You also asked a question with the premise
16 this particular application is situated in a
17 residential area.

18 To your knowledge, this property is
19 not in a residential zone; is that correct?

20 A. Actually, it is because there's actually
21 houses on either side.

22 Q. From a zoning perspective, do you know if
23 this property's in a residential zone or is it
24 commercial?

25 A. No, I'm not an expert on the property, but I

1 am a concerned resident and it will be an eyesore
2 from my back yard. Thank you.

3 MR. FRESCO: Mr. Chairman, can I ask a
4 question as well?

5 MR. FOOSE: Absolutely.

6 BY MR. FRESCO:

7 Q. Ma'am, can you comment on the fact -- in the
8 prior meeting there was some testimony or a
9 question, I think it was a question by a resident,
10 it said there's a pipe that exits the westbound side
11 that spills out to the eastbound side.

12 Do you know of any pipes that are in
13 your neighborhood that are spilling out water, and
14 can you comment on that at all?

15 A. So I'm not aware of the pipes, to be honest,
16 but in my statement, which I will give at a later
17 date, I will include some information.

18 So every time our -- it rains, our
19 basements get flooded and our backyards get flooded
20 and rain comes in.

21 So back in 2021, Ida was giving us a
22 lot of rain. I think we had like four inches in
23 like an hour or something crazy like that, and we
24 have an outdoor french drain. We also have an
25 indoor french drain inside our basement. Water was

1 still coming through.

2 The recent storms that we had as well,
3 our drains and pumps were going on and on and on
4 forever. We actually from two pumps in my home.

5 MR. FOOSE: I have to stop you.

6 MS. CHERETES: Sorry.

7 MR. FOOSE: It was really like a yes,
8 no, but at the end you can certainly -- and you can
9 ask more questions of the --

10 MS. CHERETES: No, I'm good --

11 MR. FOOSE: -- witnesses, but thank
12 you.

13 MS. CHERETES: Thank you, everyone.

14 MR. FOOSE: Do you want to clarify
15 something?

16 BY MR. BONGIORNO:

17 Q. You said this was, it was customer access
18 24/7, correct?

19 A. No. Customer access 6 a.m. to 9 p.m.

20 Q. I'm sorry.

21 A. Customer --

22 Q. Seven day a week?

23 A. Seven day a week, not 24 hours.

24 Q. Okay. And the managers are there what days?
25 All days?

1 Is that correct?

2 A. Yeah. Yes, that is correct.

3 In terms of saying 9:30 today versus 9
4 then, again, it's something that we match the
5 market, and so when we are actually opening the
6 store for business, we're again taking a survey of
7 when they're open.

8 Now, market conditions change. We
9 have recently identified a large operator in our
10 industry that is now open till 7 o'clock at night.

11 We don't typically see much activity
12 past 6 p.m., and so that's a business decision in
13 terms of office hours.

14 MR. GAYESKI: One item on a question
15 that she asked.

16 The facility you said was in a
17 residential area in Hamilton, is that a three-story
18 facility?

19 A. It is in a commercial business corridor that
20 happens to be adjacent and abuts back to
21 residential, and that is -- that happens to be a
22 single story. However, we do have multistory
23 facilities that are next to or adjacent also to
24 residential.

25 MR. FOOSE: Hi. Your name and

1 A. Monday through Friday, normal business
2 hours, 9:30 to 6 p.m. and then Saturday --

3 Q. There really is nobody minding the store on
4 the weekend?

5 A. On Sunday, no.

6 Q. Sunday.

7 A. On Sunday, nobody would be -- office hours
8 would not be open, but on Saturday, yes, there would
9 be office hours.

10 Q. Okay. And I think you said earlier that
11 you're going to have two managers there?

12 A. That's correct.

13 Q. Okay.

14 MR. OLLER: Not at the same time?

15 A. There is overlap between there, but if you
16 think about those hours, you know, you probably end
17 up with roughly 60 hours of staffing in a week, and
18 so for a full-time employee, you'll have roughly 20
19 hours of overlap.

20 MR. BONGIORNO: Thank you.

21 MR. OLLER: So at the October hearing,
22 you testified, at least my notes say you testified
23 that the hours of having someone in the office, your
24 employees, would be from 9 to 6 on Monday to Friday
25 and 10 to 2 on Saturday and closed on Sunday.

1 address, please.

2 MS. FERNANDEZ: Deborah Fernandez and
3 46 Glen Road, right behind the building. Yes, the
4 highway's there.

5 So for -- I have a question about the
6 market. For the analysis, you stated that the area
7 needs this kind of storage unit.

8 Did that include all the new storage
9 units that are in the area? There's -- just down 22
10 in Branchburg, they opened up now ones. In Bound
11 Brook there's now ones.

12 A. It did account for them.

13 Q. And what about any new ones? Because it
14 always seems like once something's big, there's
15 always a surplus, and then they're empty.

16 A. It tends to be the bias as well. So as you
17 start to recognize them, you notice them more
18 frequently. If you buy a red car and all of a
19 sudden you see a lot of red cars. So part of that
20 is just identifying what that is.

21 I would say the other scenario is that
22 these types of buildings have, again, existed, at
23 least in this market, since the mid '80s, and over
24 the evolution of the business, as well as the use of
25 real estate, they tend to evolve in their locations

1 and design.

2 Q. And instead of, like, maybe taking an
3 existing area that has a storage unit and redoing
4 that to make it the climate control, is there a
5 reason why this area versus something that already
6 has it?

7 A. That's something that I'm not really
8 qualified to speak on, but yeah.

9 Q. And I mean, it is going to be much larger
10 and intrusive in the area, because right now it's,
11 the building's nice and putting something much
12 larger.

13 A. I guess beauty is in the eye of the
14 beholder. It's, this is a well-designed building
15 using high quality materials, and from that
16 perspective, it's what's been the designed.

17 Q. And for the 15 percent market share, is that
18 the existing market share or what's out there?

19 A. No. That's what we saw as an unmet demand
20 and how much of that unmet demand would this
21 building supply.

22 Q. And then if -- I guess, you know, the
23 concern is just, like, if it does become vacant and,
24 like, if it's a third-party agreement, you know,
25 what's the backout?

1 A. This development is financially feasible for
2 the demand. This is not a use or a construction
3 that you walk away from, and in terms of active
4 management on this site, even for a mom and pop
5 operator that own a single facility, there's great
6 care that we take of the facility and the
7 relationship that we have with owners.

8 They've maintained this office that is
9 currently there for many, many years, and in terms
10 of the, again, the materials, the design, the
11 thought that went into designing this, as well as
12 the maintenance that we'll take care of as an active
13 manager is going to continue to be of high quality.

14 To walk away from that investment or
15 to ignore it is, it's just not in the realm of
16 feasibility.

17 MS. FERNANDEZ: All right. Thank you.
18 BY MR. MLENAK:

19 Q. Speaking about your relationship, this would
20 not be your first facility with this ownership
21 group, correct?

22 A. No. This is our third.

23 Q. And that relationship dates back quite a
24 way?

25 A. Yeah. It dates back 30 years.

1 Q. Okay.

2 MR. KULAK: I do have one follow-up
3 question to what the woman was asking you, one of
4 our residents.

5 When you're looking at your backyard
6 as a resident and you see something new, which is a
7 complete departure from that which exists today,
8 much more substantial structure, it's going to be a
9 different use, it's going to create different
10 patterns. It's not just a matter of what's in the
11 eye of the beholder. As a zoning board, you look at
12 the residents' concerns and we look at their view of
13 the world and try and represent their interest as
14 much as we try and comply with all the rules and
15 regulations that we have to.

16 So I'm a little concerned that it's
17 not just a subjective view. It's rather concerns
18 that the neighborhood expresses, and we need to hear
19 those.

20 A. I think that's a very valid point, and you
21 know, quite honestly, I apologize that it was taken
22 that way.

23 It is, again, a community-based
24 business. We're not there to force self storage to
25 anybody. In fact, we're only going there because

1 there's demand from the area.

2 But again, in choosing the materials
3 and the design, it's to make the aesthetic as
4 appealing as we can.

5 MR. KULAK: I appreciate that. Thank
6 you.

7 MR. FOOSE: Thank you, Mr. Kulak.

8 It's going on 9 o'clock. Why don't we
9 take a 15-minute break. We'll reconvene at 9:15.
10 Thank you.

11 Please approach. We're absolutely
12 going to take more questions. If you have them, you
13 can wait till 9:15?

14 We're going to take a quick break.
15 Thank you.

16 (Brief recess.)

17 MR. FOOSE: All right. We're going to
18 reconvene.

19 Roll call, please, Roger.

20 MR. DORNBIERER: Mr. Foose.

21 MR. FOOSE: Here.

22 MR. DORNBIERER: Mr. Weideli.

23 MR. WEIDELI: Here.

24 MR. DORNBIERER: Mr. Laspisa.

25 MR. LASPISA: Here.

1 MR. DORNBIERER: Ms. Amin.
 2 MS. AMIN: Here.
 3 MR. DORNBIERER: Mr. Sweeney.
 4 MR. SWEENEY: Here.
 5 MR. DORNBIERER: Mr. Fresco.
 6 MR. FRESCO: Here.
 7 MR. DORNBIERER: Mr. Bongiorno.
 8 MR. BONGIORNO: Here.
 9 MR. DORNBIERER: Mr. Gayeski.
 10 MR. GAYESKI: Here.
 11 MR. DORNBIERER: Mr. Secat, absent.
 12 Mr. Kulak.
 13 MR. KULAK: Yes.
 14 MR. DORNBIERER: And Mr. Vescio.
 15 MR. VESCIO: Yes.
 16 MR. DORNBIERER: Mr. Oller.
 17 MR. OLLER: I'm here.
 18 MR. DORNBIERER: And Mr. Burr.
 19 MR. BURR: Here.
 20 MR. FOOSE: Picking up where we left
 21 off. We were taking question from the public, and,
 22 sir, you wanted to be next.
 23 MR. KURZEJA: Thank you. My name is
 24 Ron Kurzeja. I'll spell it, K-U-R-Z-E-J-A.
 25 I lived in the community for 47 years.

1 I'm a practicing attorney in the State of New
 2 Jersey. I don't have an objector at this point in
 3 time.
 4 MR. FOOSE: Could we just get your
 5 address.
 6 MR. KURZEJA: Sure. My office
 7 address? I'm going to give you my office address.
 8 MR. FOOSE: Whatever you want.
 9 MR. KURZEJA: Unless you object to
 10 that.
 11 MR. FOOSE: Whatever Mr. Oller wants.
 12 MR. OLLER: Actually, I'd rather have
 13 you, if you're here as a Bridgewater resident, your
 14 Bridgewater address.
 15 MR. KURZEJA: Okay. 32 Shady Lane.
 16 It's Bridgewater but it uses a Bound Brook post
 17 office.
 18 MR. OLLER: Got you.
 19 BY MR. KURZEJA:
 20 Q. Okay. Sir, I didn't get the spelling of
 21 your last name.
 22 A. L-A-N-G, Lang.
 23 Q. I'm sorry. I looked at the transcript
 24 briefly.
 25 Did you give testimony the first night

1 briefly? Somebody from Snapbox, I thought did?
 2 A. If I did, it was a few minutes.
 3 Q. You don't remember?
 4 MR. FOOSE: We had some questions on
 5 the office hours, and on that November 12th he did
 6 provide some very quick bits of testimony and he was
 7 sworn in for that.
 8 MR. KURZEJA: Sir, with all due
 9 respect, my objection is that I think you're
 10 coaching the witness, and I don't want that to
 11 happen.
 12 MR. FOOSE: Excuse me?
 13 MR. KURZEJA: I'm serious. I got a
 14 response --
 15 MR. FOOSE: Time out. Time out. I
 16 just provided factual testimony of Mr. Lang and the
 17 fact that he did give testimony to help you out to
 18 provide better questioning for the witness.
 19 So why don't want we just take a deep
 20 breath.
 21 MR. KURZEJA: In all fairness --
 22 MR. FOOSE: I certainly will not coach
 23 any witness and I will go to great lengths to coach
 24 you, who is not versed in land use law as a resident
 25 of Bridgewater, I will go to great lengths to help

1 you --
 2 MR. KURZEJA: That's fine.
 3 MR. FOOSE: -- ask a better question.
 4 So with that said --
 5 MR. KURZEJA: Here's the deal. Try to
 6 keep that to a minimum because the response I got
 7 said he wasn't sure.
 8 MR. FOOSE: Keep what to a minimum?
 9 MR. KURZEJA: That kind of
 10 questioning, okay?
 11 MR. FOOSE: I didn't ask a question.
 12 I provided factual --
 13 MR. KURZEJA: Here's my concern. Let
 14 me express my concern.
 15 MR. FOOSE: Sure.
 16 MR. KURZEJA: I got a response from
 17 that gentleman, okay? He's a motivator for this
 18 application.
 19 MR. FOOSE: Stop.
 20 MR. KURZEJA: He didn't know if he
 21 appeared to testify.
 22 MR. FOOSE: You're pointing at people.
 23 Which gentlemen?
 24 MR. KURZEJA: Say that again.
 25 MR. FOOSE: You just said that

1 gentleman. Which gentleman?

2 MR. KURZEJA: Mr. Lang, okay?

3 MR. FOOSE: Okay.

4 MR. KURZEJA: Now, my concern is
5 credibility, okay, and that's why I raise this issue
6 right now.

7 I got a response from him before you
8 came into the discussion that said he wasn't sure.
9 He's the motivator for this application, okay? It's
10 his company who's really pushing this thing, and if
11 he doesn't know if he appeared to give testimony in
12 the first hearing of this, I suggest that there may
13 be a real credibility issue here, okay?

14 I made my point. Let me proceed.

15 MR. FOOSE: Sure, go ahead.

16 MR. KURZEJA: Okay? Thank you.

17 BY MR. KURZEJA:

18 Q. Okay. Sir, did you or did you not appear at
19 the first meeting in November?

20 A. I did appear.

21 Q. Okay. So now you say you appeared. Before
22 you weren't sure.

23 A. No. You asked if I gave testimony.

24 Q. Good. You weren't sure that you gave
25 testimony.

1 Did you give testimony? Sir, can you
2 answer the question?

3 A. Yeah. I answered to the hours of operation.

4 Q. Okay. So you did give testimony in
5 November, and you weren't sure before?

6 A. Quite honestly, from -- I'm not sure if you
7 were here at that meeting.

8 Q. I wasn't here, but I read the transcript.

9 A. So a majority of our time was spent going
10 through the civil engineering plan.

11 Q. But that wasn't your testimony?

12 A. No, it was not.

13 Q. I read the whole thing and that was
14 Mr. Winters, correct?

15 A. That's correct.

16 Q. But, in fact, you did give testimony and
17 that's what you're saying now, right?

18 A. Yes.

19 Q. Okay. Sir, how long has Snapbox been in
20 business?

21 A. 10 years.

22 Q. Okay. Were you with the company the whole
23 time?

24 A. I'm a cofounder.

25 Q. I'm sorry? Say that again.

1 A. I am a cofounder.

2 Q. Okay. Is Snapbox a New Jersey corporation?

3 A. We're based in Pennsylvania.

4 Q. So are you incorporated in Pennsylvania?

5 A. We're incorporated in Delaware. We are
6 based in Philadelphia.

7 Q. I'm sorry.

8 A. And we have nine locations in New Jersey.

9 Q. Let's start again.

10 You're a Delaware corporation?

11 A. That's correct.

12 Q. But you made some statement about
13 Pennsylvania.

14 A. We're headquartered in Pennsylvania.

15 Q. Headquartered.

16 Are you authorized to do business in
17 Pennsylvania?

18 A. Yes.

19 Q. Okay. Are you authorized to do business in
20 New Jersey?

21 A. Yes.

22 Q. Okay. And how long have you been authorized
23 to do business in Jersey?

24 A. 10 years.

25 Q. All right. And I thought I heard from your

1 testimony that there are nine facilities now in New
2 Jersey, correct?

3 A. That's correct.

4 Q. Okay. Have all of those locations been in
5 business for substantial periods of time?

6 A. Yes.

7 Q. Okay. So let's go through them.

8 Let me just make one general
9 statement. You testified for about two hours, but I
10 have not seen one document to support any of your
11 testimony.

12 Did you bring documents with you here
13 today that support the testimony that you gave for
14 roughly the last two hours?

15 A. I do not have documents with me.

16 Q. Okay. So you can't produce a single
17 document, if I were to get into detail with you,
18 about your prior testimony for two hours?

19 A. What is your question?

20 Q. The question right now is general. What did
21 you bring so that we can attempt to either verify or
22 challenge?

23 A. I brought expertise and institutional
24 knowledge.

25 Q. I'm sorry? Say it again.

1 A. I brought expertise and institutional
2 knowledge.
3 Q. But no documents. You said that.
4 Okay. Sir, of the nine locations in
5 New Jersey, they're all active right now, correct?
6 A. Yes.
7 Q. Have there been other locations in New
8 Jersey over the past 10 years that are not now
9 active or are no longer under your control pursuant
10 to what I'm going to call third-party management?
11 A. We have sold locations.
12 Q. Okay.
13 A. So we no longer control them.
14 Q. When you say sold them --
15 MR. MLENAK: I'm going to ask that you
16 let him finish the question before you ask the next
17 question.
18 MR. KURZEJA: That's fine.
19 Q. Do you have something to add to that answer?
20 A. We sold that location. We no longer operate
21 it.
22 Q. Just one?
23 A. Correct. In New Jersey.
24 Q. Okay. When was the earliest location that
25 you established in New Jersey? What date?

1 A. Late December 2013.
2 Q. Okay. So that was about 10 years ago?
3 A. Yes.
4 Q. That was one ever your first locations?
5 A. Correct.
6 Q. Is that one still of your locations?
7 A. Yes, it is.
8 Q. Okay. And you've only lost one in 10 years?
9 A. We didn't lose it. We sold it.
10 Q. Okay. What was the reason for selling it?
11 A. Various reasons why we sell property.
12 Q. My question was specific. Can you identify
13 the reasons?
14 A. We had a great offer.
15 Q. Okay. Well, that's the reason. All right.
16 Have you been to the location in
17 Bridgewater?
18 A. Yes.
19 Q. How many times?
20 A. Six or seven times.
21 Q. Okay. So you've walked it?
22 A. Yes.
23 Q. Is it safe to say that that commercial
24 district which is where that lot is, it's in a C-5
25 zone, correct?

1 A. I'm not familiar with the specification.
2 Q. That's fine.
3 It's a sliver of land?
4 A. No.
5 Q. Between Donahue and Route 22?
6 I'm sorry, sir, sir, sir, you must
7 respond to me.
8 A. I'm not sure what a sliver means.
9 Q. I'm sorry?
10 A. I'm not sure what a sliver means.
11 Q. Okay, good.
12 This property's triangular, isn't it?
13 A. Yes.
14 Q. Okay. And at one point, at one point of the
15 triangle Donahue Road meets Route 22, correct?
16 A. Correct.
17 Q. What is the widest dimension of the
18 property?
19 A. I'm not -- I don't know.
20 Q. Okay. But you walked it six or seven times?
21 A. Yes.
22 Q. Is it 100 feet?
23 A. I'm not sure.
24 Q. Is it 200 feet?
25 A. I don't know.

1 Q. 300?
2 MR. OLLER: Mr. Kurzeja, he said he
3 doesn't know.
4 MR. KURZEJA: That's fine.
5 Q. Has the company had any litigation in the
6 past 10 years?
7 A. Relating to what?
8 Q. Related to Snapbox businesses.
9 A. Yes.
10 Q. With third-party individuals or companies
11 that have worked with you?
12 STAFF: Sir, I'm sorry, can you speak
13 into the microphone for me?
14 MR. KURZEJA: Does this solve the
15 problem?
16 STAFF: I need you to be closer to the
17 microphone.
18 MR. KURZEJA: Okay. And I'm close
19 enough now?
20 Let me do this and I think this will
21 make a difference. Is that fine?
22 Q. So sir, with respect to litigation, let's
23 focus on litigation with -- and I don't know the
24 term I'm going to use, but I'm going to call them
25 your business partners, and I identify a business

1 partner as an individual or entity who would provide
2 the land and whatever else they provide for your
3 combined efforts.

4 MR. MLENAK: Mr. Oller, I have no idea
5 what we're doing here.

6 MR. OLLER: He didn't testify about
7 that aspect of his company, so it's outside the
8 scope of his direct testimony.

9 MR. KURZEJA: Okay. Doesn't this
10 board -- I'm going to address that.

11 MR. MLENAK: This isn't a
12 deposition --

13 MR. KURZEJA: Sir, sir.

14 MR. MLENAK: -- where anything goes.

15 MR. KURZEJA: All right. I'm
16 addressing the board attorney. I don't want to be
17 interrupted, okay?

18 MR. MLENAK: I'm going to object to
19 your statement. I'm going to give a reason why I'm
20 objecting.

21 MR. OLLER: Mr. Kurzeja, let me
22 explain a couple things. I understand you don't do
23 a lot of Municipal Land Use Law, but in here it's a
24 lot different than in a courtroom.

25 MR. KURZEJA: I know.

1 MR. OLLER: This is a different
2 decorum between the attorneys and those who
3 participate, and you're more than welcome to ask as
4 many questions of this witness as you would like,
5 but with respect to his direct testimony, okay?

6 The board may ask some additional
7 questions even after you're finished, and I
8 understand where you're going. You're trying to
9 establish what's the background of the company who's
10 going to run this operation for the owner, okay.

11 MR. KURZEJA: Now, let me tell you why
12 I believe it's relevant.

13 MR. OLLER: Let me tell you.

14 MR. KURZEJA: Go ahead.

15 MR. OLLER: Okay. So the quorum that
16 we follow here is just not the way you started.

17 We need to ask proper questions in a
18 proper way, and this witness and future witnesses
19 will answer those questions for you, and if you
20 don't understand the answer or you're not happy with
21 the answer, you're welcome to continue to question
22 that witness, but it's going to be based on his
23 direct testimony properly.

24 MR. KURZEJA: Let me address that
25 issue. It's cross-examination and I should be given

1 fair latitude, significant latitude as to the scope
2 of the cross, okay? And I think this board, this
3 board has a right to know about the suitability of
4 this company to address -- or not to address, but to
5 stand behind an application that they're seeking
6 approval for.

7 This board really should know how
8 viable this company is. You didn't see or hear
9 anything.

10 MR. FOOSE: Land use approvals are not
11 predicated on the suitability of an owner. Land use
12 is predicated on the MLUL of New Jersey.

13 MR. OLLER: This owner is allowed to
14 sell this property the day after it's approved.

15 MR. KURZEJA: I know that.

16 MR. OLLER: We're not approving the
17 owner or the operator. We're approving or not the
18 requested use on the property.

19 MR. KURZEJA: But it was testified to
20 that it's feasible -- not feasible, but somebody
21 could likely pull out in a year. I mean, they could
22 likely pull out in a year.

23 MR. FOOSE: Ask that line of
24 questioning.

25 MR. KURZEJA: All right. Let me

1 proceed at this point, okay?

2 MR. FOOSE: Sure.

3 MR. KURZEJA: I'm sure we'll have
4 other objections along the way. So give me one
5 second.

6 MR. OLLER: I just want you to
7 understand, we as a board don't have the right to
8 approve who the owner is or who the operator is.
9 That doesn't come into the equation.

10 MR. KURZEJA: Okay, I got that part.
11 BY MR. KURZEJA:

12 Q. Sir, in operating the locations you operate
13 in, are you governed by the New Jersey statute that
14 controls storage facilities?

15 A. There's not a New Jersey statute that
16 controls self storage that I'm aware of. There are
17 certain laws that we need to adhere to.

18 Q. Okay. They pertain to rights of unit
19 renters, correct?

20 A. Are you referring to lien laws?

21 Q. Yes.

22 A. Okay.

23 Q. So you do?

24 A. Yeah.

25 Q. Okay. Now, you made reference to the use of

1 the term lease with these people.

2 These aren't really leases that you
3 enter into, are they?

4 A. They're agreements.

5 Q. Well, you call them agreements.

6 Aren't they really licenses?

7 A. No.

8 Q. Where they can be revoked at will?

9 A. They're agreements.

10 Q. Okay. But you can revoke the right to use
11 the locker, or the storage space at will?

12 A. We can.

13 Q. Have you done much of that? Have you done
14 that?

15 A. When circumstances call for that, yes, we
16 do.

17 Q. Okay. And that's usually when people don't
18 pay their monthly fee?

19 A. Could be for a variety of reasons. It could
20 be because they're coming in after hours. It could
21 be because they're storing items that are
22 prohibited. So yes.

23 Q. Okay. Do you conduct auctions very often?

24 A. Only as often as needed.

25 Q. How often would that be?

1 A. It depends on the property.

2 Q. Okay. So I heard questioning to you before
3 about the market that you're trying to meet. You
4 used a specific term. It wasn't marketability, but
5 it was market dynamics or something like that.

6 Do you remember the term?

7 A. I mean, as it relates to what?

8 Q. As it relates to finding out whether you can
9 satisfy or whether there's a market to put --

10 A. Demand?

11 Q. -- a storage facility in a given location.

12 A. Yeah. We have analyzed the market and we
13 see that there is unmet demand from the consumer
14 base that is here in the community.

15 Q. Okay. So, in fact, you did that to
16 establish a likelihood of success at the Chimney
17 Rock location, correct?

18 A. Yes.

19 Q. Now, I don't recall hearing any testimony in
20 detail about that study.

21 Was a formal study done?

22 A. Yeah. We go through the formulas that we do
23 to understand the dynamics of a marketplace.

24 Q. Okay. So what specifically did you do to
25 establish demand at Chimney Rock in terms of looking

1 at the market?

2 A. Again, we looked at the population, the
3 population growth, households, single-family
4 households, multifamily households, and then
5 existing supply in the market, as well as some other
6 fundamentals to see if there's additional demand
7 that has been unmet from the existing supply.

8 Q. In what geographic range?

9 A. One, three, five miles.

10 Q. Specifically for this property, correct?

11 A. Yes.

12 Q. Do you have somebody in your organization
13 who does the market studies?

14 A. We have a number of folks that do that.

15 Q. Are they independent or are they employees
16 of the organization?

17 A. They are employees.

18 Q. Do you know the name of the person who did
19 the one here?

20 A. It was a team effort so we would have a
21 number of individuals that contribute to the
22 project.

23 Q. Okay. Do you recall what locations that
24 competitor -- well, let me ask it this way.

25 Did you identify competitors within

1 certain distances?

2 A. We are able to identify competitors within
3 any distance that we choose.

4 Q. Okay. So what did you choose? It sounds
5 like we're --

6 A. Yeah. The one-, three- and five-mile.

7 Q. Okay. Do you remember what locations you
8 found when you decided to look at competition?

9 A. Found everything that you would find on a
10 Google search.

11 Q. Okay. Did you find anything in Greenbrook?

12 A. I don't remember offhand.

13 Q. Okay. Well, were you part of the team --
14 MR. FOOSE: Sir, if we can get you
15 back on the microphone, please.

16 MS. AMIN: Microphone, please.

17 MR. KURZEJA: I'm sorry. I didn't
18 hear you.

19 MR. FOOSE: If you don't talk into the
20 microphone, people at home watching can't hear you
21 and also the hearing impaired can't hear you.

22 MR. KURZEJA: That's fine.

23 BY MR. KURZEJA:

24 Q. So I think my last question was, did you
25 locate anything in Greenbrook?

1 A. I don't recall that specifically.
 2 Q. Okay. Did you locate anything in Bound
 3 Brook?
 4 A. I do not have the details with me right now
 5 to detail every single location that we've analyzed
 6 within the marketplace.
 7 Q. For this property?
 8 A. Correct.
 9 Q. Okay. What about Middlesex?
 10 A. No.
 11 Q. What about Warren?
 12 When you say no, you didn't find any
 13 or you don't know?
 14 A. Same. I don't have that information right
 15 now.
 16 Q. Okay. What about Watchung?
 17 A. Again, I don't have that information with
 18 me.
 19 Q. Okay. So any town I give you that's
 20 contiguous to Bridgewater, you'd give me the same
 21 response?
 22 A. Correct.
 23 Q. Do you know that there's a storage facility
 24 that was built in Bound Brook, other than from your
 25 study?

1 A. The factors that I've outlined through my
 2 testimony.
 3 Q. Okay. I heard the board question you about
 4 warehousing. Are you familiar with that issue in
 5 Bridgewater?
 6 A. Yes, I heard the chairman.
 7 Q. You were not aware of that issue before
 8 tonight?
 9 A. We're not a warehousing business, so no. We
 10 are self storage and that's what this application
 11 refers to.
 12 Q. In fact, didn't you concede that your units
 13 could be turned into warehouses?
 14 A. They cannot be turned into warehouses.
 15 Q. Okay. And that's because you police them,
 16 correct?
 17 A. It's because that's not what the use is, and
 18 for warehouses, if you're familiar with a warehouse,
 19 self storage is very different.
 20 Q. Okay.
 21 MR. KURZEJA: No further questions
 22 right now.
 23 MR. FOOSE: Thank you, sir.
 24 Any members of the public like to ask
 25 a question? Please, come on up.

1 A. The competition supply is not tied to
 2 municipality areas. If a consumer is coming from
 3 the next town over to here, they're not refusing to
 4 choose a coffee shop, bakery, self-storage facility
 5 because it is in Bound Brook versus the next town
 6 over. It is what is most convenient to that
 7 customer.
 8 Q. Well, you're talking about the customers
 9 now. I was talking about the competition, and the
 10 reason why --
 11 A. I'm not worried about the competition. The
 12 competition that we've seen is stabilized. So this
 13 is not a competitive practice discussion.
 14 MR. OLLER: Mr. Kurzeja, I can tell
 15 you as well that the board would not consider any
 16 kind of market economics in making their decision.
 17 It's just outside of the scope what they should be
 18 considering.
 19 MR. KURZEJA: Okay.
 20 BY MR. KURZEJA:
 21 Q. What was the single most important factor
 22 that led you to choose this location?
 23 A. Demand.
 24 Q. Okay. And that was what, based upon
 25 anything specific? What factors?

1 State your name and address, please.
 2 MR. LAURENCELLE: John Laurencelle, 9
 3 Deerhead Drive, and that's spelled
 4 L-A-U-R-E-N-C-E-L-L-E.
 5 MR. OLLER: Thank you.
 6 MR. LAURENCELLE: Bridgewater resident
 7 for 34 years, I think. Long time.
 8 So when -- we've lived there the whole
 9 time we're in town and the town has always
 10 communicated the posture that they don't want to
 11 develop 22 the way Greenbrook and Plainfield have
 12 developed 22 with the light pollution, commerce and
 13 everything.
 14 Question is, is that still hold true?
 15 Is that still part of the township plan?
 16 MR. OLLER: This is a time to question
 17 the witness.
 18 MR. LAURENCELLE: Just the witness.
 19 Okay.
 20 BY MR. LAURENCELLE:
 21 Q. So my question had to do with quality of
 22 life. We have horrible problems with traffic,
 23 lighting and flooding in the area, all right.
 24 Flooding, any time it's rained, if you
 25 go on 22 west you see it's a complete mud hole

1 because everything running off the mountain doesn't
2 work as far as catching all the runoff.

3 What's being done at in property to
4 abate that?

5 I don't say it because it's directly
6 affecting my property, but me as a taxpayer, I have
7 to pay the municipal workers to go out and clean the
8 highway at significant cost every time we have one
9 of those storms.

10 So that's why I want to know, what are
11 we doing do mitigate the water?

12 MR. MLENAK: So those three areas that
13 you identify, traffic, lighting and flooding, were
14 subject of testimony by the civil engineer at the
15 last hearing, not of this witness.

16 MR. LAURENCELLE: Okay. So the town's
17 good at the plan, then? The lighting isn't going to
18 be horrible?

19 MR. FOOSE: We have new plans from the
20 applicant that deal specifically with lighting.
21 We're going to get questions -- an opportunity to
22 question those plans.

23 Why don't we ask the attorney what
24 else he's planning on putting on with his case.

25 MR. MLENAK: After the operations

1 witness is concluded, we plan on bringing an
2 architect who designed the building to testify about
3 the architecture. Our civil engineer will come back
4 to testify about the changes of the plans that were
5 resubmitted on December 1st which include the issues
6 that you identified, and of course, we have a
7 professional planner.

8 MR. OLLER: And you'll have an
9 opportunity to ask all those folks questions.

10 MR. LAURENCELLE: That's at the next
11 meeting?

12 MR. FOOSE: It will be a subsequent
13 meeting.

14 MR. LAURENCELLE: It will be a
15 subsequent meeting, not tonight's meeting?

16 MR. FOOSE: Yes. There's two ways
17 you're going to be able to find out about it. It's
18 either through the Land Use office and you can also
19 go on our website and we're going to make everyone
20 notice.

21 MR. LAURENCELLE: Well, then, I have
22 no questions. I'm a man who also runs a business.
23 He needs 20 some odd variances to make this business
24 happen. I question why do we have zoning laws if
25 we're going to allow 20 some variances.

1 MR. OLLER: That's why there's a
2 Municipal Land Use Law.

3 MR. LAURENCELLE: Right. It defies
4 logic. Just the common man, it defies logic.

5 MR. OLLER: We're going to get to all
6 of that, and they're going to present those
7 witnesses and you can ask all those questions about
8 traffic, flooding, lighting to the engineer when he
9 comes back.

10 MR. LAURENCELLE: Subsequent meeting.
11 Thank you. I won't take any more of
12 your time, then.

13 MR. FOOSE: If you're satisfied, we're
14 satisfied.

15 MR. LAURENCELLE: We don't have the
16 information in front of us to discuss today so
17 there's no point. I don't want to waste everybody's
18 time.

19 MR. FOOSE: And at the end, if you
20 don't get the information, by all means, you can ask
21 that of the applicant and you can also give a
22 statement before or against.

23 MR. LAURENCELLE: It's really becoming
24 problematic. The noise, the traffic is really bad
25 in that area. Anybody that lives there can tell you

1 it's horrible.

2 MR. FOOSE: I will give you an
3 opportunity to make that statement.

4 MR. LAURENCELLE: Another day. Thank
5 you.

6 MR. FOOSE: Thank you, sir.
7 Any other members of the public?
8 All right. It is 9:41.

9 MR. MLENAK: I would like to call our
10 architect up.

11 MR. OLLER: I just remind you that you
12 are under oath.

13 MR. NOCELLA: Yes.

14 BY MR. MLENAK:

15 Q. Mr. Nocella, please start by giving the
16 board the benefit of your education, your
17 experience.

18 MR. OLLER: And your name for the
19 record.

20 Q. Start with that.

21 A. Sure, yes. My name is Robert Nocella. I'm
22 an architect with SNS Architects and Engineers in
23 Montvale, New Jersey. I am one of the partners of
24 the firm.

25 In 2001 I received my licence to

1 practice architecture in New Jersey. I'm a graduate
2 of Virginia Tech School of Architecture in 1995, and
3 I've testified before numerous boards, including
4 some brief testimony last year.

5 MR. OLLER: Is your license still
6 current and in good standing?

7 A. It is.

8 MR. FOOSE: All right. This board
9 accepts you as a professional architect.

10 MS. AMIN: How long have you been
11 licensed?

12 A. I'm sorry? How long? 2001, so 23 years.

13 MR. MLENAK: She just wanted to test
14 your math.

15 BY MR. MLENAK:

16 Q. Okay, Mr. Nocella, why don't you start by
17 describing what you were asked to do and what you
18 ended up designing?

19 A. So I was brought on board to design the
20 self-storage building itself based on the parameters
21 of the site and the requirements of my client.

22 Q. You've designed self-storage facilities in
23 other locations for other clients as well?

24 A. Yes, I have. I've designed three. This is
25 my third one with this particular client, and myself

1 and my firm have done approximately 12 to 15 other
2 facilities that have either been built or are still
3 on the planning board stages.

4 Q. Okay. I'm going to ask you next to walk the
5 board through the design using whatever exhibits or
6 renderings that you like. I know Sue and is working
7 on your computer so we'll give her a minute, and
8 while that's being done --

9 MR. OLLER: Let me just ask, are you
10 going to be referring to the plans that we have
11 already or is there a rendering coming out?

12 A. There are plans that were submitted back in
13 December, plus they're the exhibits that were sent
14 in last week. So it's combined.

15 BY MR. MLENAK:

16 Q. So what we'll do is, whatever you use, I'll
17 ask you to describe by date, and if it's something
18 that was submitted in December, we won't need to
19 mark it. If it's something new, we'll mark it.

20 MR. OLLER: If it's a rendering,
21 Steve? Mark anything if it's a rendering.

22 MR. MLENAK: If it's been submitted,
23 no.

24 MR. OLLER: Architectural plans we
25 don't have to mark.

1 MR. MLENAK: Right, right.

2 A. All right. So I can start by describing the
3 building. It's a three-story building. As was
4 testified before, it's about 129,000 square feet.
5 It is three stories, two of which are above grade.
6 The third level is considered a cellar, is actually
7 below grade. It's just a small portion on the south
8 end of the building that's exposed by the egress
9 drive island to Route 22.

10 The building height above the grade is
11 basically the same as what the existing office
12 building is right now. So in terms of height above
13 ground, it's not a real change from what's there in
14 the office building.

15 Three levels. There's a retail
16 section on the first floor that's about 600 square
17 feet. That's where people first time -- come to the
18 building for the first time would come in, sign
19 their agreement, take a look at the facilities,
20 which unit size they would want. There's also
21 toilet facilities, electrical utility room,
22 sprinkler rooms. That's in the front section of the
23 building.

24 Then throughout the building there's
25 two elevators that would serve all three floors.

1 There's two egress stairs that services the floors
2 in an emergency situation.

3 The primary loading areas, I'll recap
4 this quickly when we get our plans up on there, but
5 on the north end of the building there's a sliding
6 glass door. That's how most customers will come
7 into the building. And then on the southeast end
8 there's actually a covered area where cars can come
9 in and unload due to inclement weather.

10 MR. MLENAK: Mr. Chairman, I think
11 we're just waiting on the technology.

12 MR. FOOSE: We're waiting on
13 production staff. This may be a sign from the
14 universe. We're approaching 9:50. We have a hart
15 stop at 10.

16 MR. MLENAK: You can put up a board
17 and then I ask you some questions. We may not need
18 that.

19 MR. FOOSE: Let's make sure members of
20 the public can see this as well.

21 MR. MLENAK: Do you have any
22 recommendations for where it should go, then?
23 Sideways like that?

24 BY MR. MLENAK:

25 Q. Why don't you describe what you've just put

1 on the easel?

2 A. So what we've put up here is, this is an
3 exterior 3D rendering of the proposed self-storage
4 building. This is a view from Route 22 looking up
5 at the property.

6 So the sales office -- the sales
7 office is up at this area, and then as you move
8 further down Route 22 it slopes off, the grade drops
9 off.

10 Q. So now you did that presentation orienting
11 to the --

12 MR. OLLER: Sorry. I know we want the
13 people in there to see it.

14 MR. MLENAK: That's where I'm going.
15 That's where I'm going.

16 BY MR. MLENAK:

17 Q. So two things. You may have to do that
18 twice, but, too, because we have a stenographer here
19 who's going to be transcribing, they don't know
20 where you're pointing.

21 So on any exhibit that you point to,
22 if you could just describe the general location so
23 that that can pick up in the transcript.

24 MR. OLLER: And I would point out,
25 it's now up on the screen.

1 MR. MLENAK: There you go.

2 A. Okay. To the right side of the image, that
3 is the view from coming in the main drive aisle off
4 of Route 22. So as you come up from the right, you
5 will see the front office and retail store.

6 Moving to the left, you see the
7 entrance, the sliding glass doors where customers
8 would come in and out with their storage items, and
9 then as you continue across the left side of the
10 render is the drive aisle that goes along the
11 building, along Route 22 and eventually --

12 MR. OLLER: So Mr. Nocella, I'm sorry
13 to interrupt again. What you have on that board --

14 MR. MLENAK: It's different. I know.

15 MR. OLLER: -- and we have on the
16 screen are two different things.

17 MR. MLENAK: I'm going to get there.
18 BY MR. MLENAK:

19 Q. So if you look at the screen and when you
20 look at the board, we have to different renderings.

21 You provided both of these renderings
22 as part of the submission in December. So unless
23 Mr. Oller disagrees, I don't believe we need to mark
24 these as separate exhibits, but the exhibit that is
25 on the board and the one that's on the screen are

1 different, and you can explain how they are in terms
2 of alternative exterior treatments that we propose
3 to the board.

4 A. Correct. So what's on the video monitors
5 that the public can see, that was the original
6 design that we submitted for our testimony in
7 November of last year.

8 As you can see, to the right side
9 where you see the brick structure, there's a parapet
10 that protrudes further than the building, the main
11 building height. That parapet triggered a variance.

12 So what we did on the board that I
13 have in front of me now, we heard the concerns about
14 the height of the building, the concerns about the
15 reason for having a parapet that creates a variance,
16 so we lowered that parapet to be compliant with the
17 local ordinance.

18 That's what this rendering represents
19 that I have on the board here, in addition to the
20 additional landscaping that Mr. Winters' office had
21 added since the previous hearing.

22 MR. OLLER: And you may have said this
23 already, but is there a date -- is there a date on
24 the, what you have in front of you, on that board?

25 A. There is not a date on there. So the first

1 time you're seeing it --

2 MR. OLLER: Can we mark that.

3 STAFF: I have a date for it. The
4 date is 10/23/23.

5 MR. OLLER: No. I'm asking about
6 what's on the board.

7 A. So 10/23 would be the one that's on the
8 video screen.

9 MR. OLLER: Right, because you said
10 that was the original.

11 A. That's the original.

12 MR. OLLER: What's on the board is the
13 revised architectural plan.

14 A. Is the revised rendering of the
15 architectural rendering. It's an alternate --

16 MR. MLENAK: We're going to get there.
17 Let's take one step at a time.

18 MR. OLLER: Let's just mark the board
19 A-4.

20 BY MR. MLENAK:

21 Q. So the board that's on the easel is now
22 going to be marked A-4, and for the record, what's
23 being marked as A-4 is the rendering that was
24 revised to reduce the height of the parapet to come
25 to compliance and was submitted as part of the

1 December submission?

2 A. Correct.

3 Q. Okay. The rendering that is on the screen
4 was submitted as part of the earlier application and
5 we are not marking that.

6 MR. MLENAK: Correct, Mr. Oller?

7 MR. OLLER: That was in the original
8 submission. I don't think we have to mark that.

9 MR. MLENAK: Correct. I agree.

10 BY MR. MLENAK:

11 Q. So now that we've done that, let me clarify
12 what we're presenting here to the board.

13 The applicant has proposed that if the
14 board were inclined to grant this to give them the
15 option of exterior treatment, whether from an
16 aesthetic point of view or other reasons, they
17 prefer the parapet wall that's on the screen or the
18 one without the variance relief that's on the board?

19 A. That is correct. The client has proposed
20 two alternates. They would be happy to do whichever
21 one the board -- if there's a preference, they would
22 go with the board's decision.

23 Q. Okay. Why don't you continue your testimony
24 describing the treatment, the architecture.

25 A. So again, so a lot of people have

1 preconceived notion of what self-storage buildings
2 look like. Now, if you're going to look at more of
3 the highway districts and things, you'll see three-
4 to four-story buildings that are clad and insulated,
5 aluminum panels, usually white or gray, and
6 sometimes you'll see, if it's not Snapbox, for
7 example, Extra Space or CubeSmart tends to have bold
8 branding so you'll see a lot of red. You'll see a
9 lot of bright orange for public storage, Wasabi
10 green for Extra Space.

11 In this case, we do recognize our
12 surroundings with the neighborhoods nearby, the
13 existing office building. So what we did is we
14 tried to make this self storage not the metal box
15 that you would typically see, but something that's
16 more reflective of a residential or an office park
17 so there's smaller scale windows, brick material,
18 cornices, ephes, which is a synthetic stone finish.

19 So we really upscaled the quality of
20 the materials that go on this building as opposed to
21 the standard insulated box.

22 We also tried to help -- what's
23 important is it's a two-story building. As I
24 mentioned, it's very similar in size to the office
25 building.

1 Self storage has very low
2 floor-to-floor heights so that angle is to keep the
3 height of the building down lower. Most offices are
4 going to be in the 13 foot floor to floor. So we're
5 about two and-a-half feet per story shorter than
6 what a new office building would be.

7 So we've taken measures to try and
8 kind of minimize the impact of the building on the
9 site by use of the material.

10 MR. FRESCO: Hold on a second. I'm
11 sorry. I don't normally interrupt.

12 I just want you to repeat that. So
13 what you're saying is what, that this is shorter
14 than an office building, a two-story office
15 building? Is that what you're saying?

16 A. It's a lot -- most office buildings have
17 taller floor-to-floor heights. You need more head
18 room for office space and such. So you're usually
19 looking at a 12- to 13-foot height floor to floor.

20 Self storage doesn't need that height
21 because you're only given enough room to put the
22 storage units in. So it's an eight-foot ceiling,
23 minimal sprinkler, lighting, HVAC and the floor. So
24 we're able to kind of keep the scale of the building
25 down.

1 MR. FRESCO: Thank you. Sorry.

2 A. Not a problem.

3 MR. OLLER: What you just said, this
4 plan would be for an eight-foot ceiling?

5 A. So interior, so you'll have the slab.
6 You'll have eight feet to the security mesh that
7 Mr. Lang mentioned earlier. So a typical storage
8 unit is eight feet high. Then you'll have room for
9 sprinklers, lighting and the HVAC duct work, and
10 then the concrete deck above.

11 So it's a 10 foot, six floor to floor,
12 but the actual usable height for a storage unit
13 would be eight feet.

14 Again, also to try and help where the
15 scale of the building, you can see it on both
16 renderings, at the mid point between the first and
17 second floor, we've got some horizontal banding, so
18 what that does is kind of draws your eye to the
19 midpoint of the building and it helps detract from
20 the height.

21 So even though it's a shorter normal
22 building, there's architectural features that kind
23 of help increase the horizontality of it and not
24 make it look like such a tall presence on the
25 property.

1 MR. SWEENEY: Mr. Nocella, it would be
2 helpful if you could show us how that building is
3 going to appear to the residents that live on
4 Donahue and behind Donahue, as well as the residents
5 that live across the highway on Vosseller.

6 Do you have something that does that?

7 A. We have straight on colored elevations of
8 the building that's not a specific view from those
9 points.

10 MR. SWEENEY: Can you bring that with
11 you at the next meeting?

12 A. We could look into making those
13 presentations, but the elevations are just straight
14 on.

15 MR. FRESCO: We can look at them.
16 That's what he's saying. He's saying they're
17 straight on.

18 A. They're not true representation -- it's not
19 going to be the view from someone's backyard.

20 MR. SWEENEY: What's it going to be a
21 view of or from?

22 A. It's going to be like, say if you're just
23 standing looking at a building. Again, it's a
24 straight on view with no --

25 MR. SWEENEY: The reason I ask the

1 question is one of the things we're concerned with
2 here for any application is the impact of the
3 neighborhood, and the best way to show us that is to
4 visualize, show us a picture or a rendering of what
5 this facility is going to look like from surrounding
6 residences like those on or behind Donahue or like
7 those on Glen Road across the highway.

8 A. Right. So this view would be actually as if
9 you're right on the shoulder of Route 22.

10 So in terms of what you would see from
11 Glen, you'd have the four lanes of Route 22,
12 whatever trees are lining Route 22 dividing the
13 residential area from 22.

14 MR. SWEENEY: Donahue? What about
15 Donahue?

16 A. Donahue, basically you're going to be
17 looking -- I can pull up that elevation. Donahue's
18 basically a straight road back there and they're
19 looking right into the side of the --

20 MR. SWEENEY: So you can show us what
21 they will see?

22 A. I do not have -- no, I do not have --

23 MR. FOOSE: We only have two minutes.
24 What he's asking is, the next meeting, why don't you
25 bring that with you so we can have an impact.

1 MR. OLLER: Really what he's asking
2 for, Steve, is photo simulation.

3 MR. MLENAK: Understood.

4 MR. OLLER: Not an artist rendering.
5 Those are very pretty pictures, though.

6 A. Yes, we can take pictures along Donahue and
7 you can --

8 MR. OLLER: Yeah. Photo sim is really
9 what I think would work, would be very helpful.

10 MR. MLENAK: We'll take it back.

11 MR. FOOSE: It's 10 o'clock. We're
12 going to call it a night.

13 Thank you. Thank you, members of the
14 public that have joined us.

15 MR. OLLER: Before anyone leaves, we
16 can announce the next date to continue this hearing.

17 MR. FOOSE: Can we?

18 MR. MLENAK: We have to. We can't
19 re-notice it.

20 MR. FOOSE: Well, let's announce our
21 next meeting. Going to be February 13th, and that
22 evening we're going to here 1200 Route 22 Land
23 Investors.

24 Roger, make you can help us out. When
25 would the next available meeting that we don't

1 already have blocked out for one of our three other
2 cases be?

3 MR. DORNBIERER: Right now it appears
4 that you've got applications that are running to the
5 end of February, but I did question the land use
6 administrator today regarding these and there's
7 always the possibility that there's going to be
8 changes to what's already in the cue. It could be
9 request for extensions, etc.

10 So at this, based on this, I would say
11 a meeting in March.

12 MR. FOOSE: So our March 26 meeting?
13 We had already have a case for the 12th.

14 MR. DORNBIERER: This view doesn't
15 have everything. That's my understanding, is that
16 in the cue, only because some dates have not been
17 finalized.

18 MR. FOOSE: March 26 work with the
19 applicant?

20 MR. MLENAK: Mr. Chairman, as you can
21 appreciate, our first hearing was November 14th.
22 It's now January 23rd.

23 MR. FOOSE: Welcome to Bridgewater.

24 MR. MLENAK: Well, we're now two
25 months. We still need to be able to prosecute these

1 cases.

2 So is there no way for special
3 meeting, Mr. Chairman? I have to ask.

4 MR. OLLER: That's up to the board.
5 If the board's willing to do a special meeting, and
6 I don't know what they charge for that, what that
7 would be.

8 MR. MLENAK: Understandable there
9 would be a charge.

10 MR. OLLER: That's up to the board.

11 MR. FOOSE: Why would time be an
12 urgent necessity that would require the board to
13 have a special meeting? Is there an economic
14 impact? Is there a safety impact? Is there
15 something that benefits members of the public?

16 MR. MLENAK: The issue, Mr. Chairman,
17 is the genesis of this application is that the
18 existing use is that it's in the end of its useful
19 life. There are mechanical, structural issues which
20 need addressing. If it's going to be in operation
21 much longer, this use would almost be put into play.

22 MR. FOOSE: Can you document that
23 fact? How are you going to document that fact?

24 UNIDENTIFIED: I have property
25 managers and documentation how old the equipment is.

1 MR. OLLER: Is the building going to
2 fall down between now and the end of March?

3 MR. MLENAK: I can't stipulate to
4 that, but March may not be the end of this, though.

5 MR. OLLER: Rich, I would think based
6 on what we saw tonight it's probably not going to
7 be.

8 MR. MLENAK: Right. If it was, okay,
9 then we have one more hearing.

10 MR. FOOSE: My advice is to take the
11 March 26 meeting and then also work with our land
12 use administrator's office and find when the
13 planning board is not using this, because every
14 other Tuesday, we only get this two weeks.

15 So the planning board has to be take
16 into consideration also. They have a much lighter
17 docket than we do right now.

18 So what we don't finish on March 26,
19 at that point I would certainly be willing to
20 entertain a special meeting, but as it stands right
21 now, if there's no safety or public interest measure
22 at stake here, I just can't, in the short notice --

23 MR. MLENAK: Understood.

24 MR. FOOSE: -- schedule that.

25 MR. MLENAK: With the statement you

1 just made that you'd be willing to entertain one
2 after March 26, we'll take the March 26.

3 MR. FOOSE: Very good.

4 So concurrently, we should be working
5 on a special meeting potentially, and let's get
6 dates that are available, and Nancy Probst in the
7 land use office is going to be the one to administer
8 that. She's can tell you what the docket looks like
9 for the planning board and help guide you to a
10 special meeting date if it's needed.

11 MR. OLLER: She can coordinate then
12 with the board members to see who's available.

13 MR. FOOSE: We'd have to make sure
14 there's a quorum available, and as we start to
15 approach April, May and June, colleges graduate,
16 middle school, high schools graduate, it becomes a
17 tough time for the board.

18 So Nancy can definitely help you out
19 with that, and I'm willing to entertain that if we
20 don't finish on March 26.

21 MR. MLENAK: Thank you, Mr. Chairman.
22 I appreciate that courtesy.

23 MR. OLLER: So March 26.

24 MR. FOOSE: Yes, no further notice.

25 MR. OLLER: Right. So for members of

1 the public, this meeting will be adjourned at this
2 point. It will continue in this room on March 26 at
3 7 p.m., and there will be no further notices from
4 the applicant.
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CERTIFICATE

I, LISA PENROD, a Certified Court
Reporter (XIO1753), Registered Professional Reporter
and Notary Public of the State of New Jersey, do
hereby certify the foregoing to be a true and
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REGISTERED PROFESSIONAL REPORTER

Dated: February 6, 2024