

BRIDGEWATER TOWNSHIP  
ZONING BOARD OF ADJUSTMENT

Regular Meeting

August 13, 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-	Present	Andrew Fresco-	Present
Pushpavati Amin-	Present	Chris Gabbett-	Present
John Kulak	Present		

Others present: Board Attorney Rich Oller, Esq., Board Planner Katherine Sarmad, and Roger Dornbierer, Zoning Officer.

**5. OPEN TO THE PUBLIC**

Chairman Foose opened the meeting to the public. With there being no members of the public wishing to speak, the Board closed this portion of the meeting.

**6. APPROVAL OF MINUTES**

There were no minutes for adoption.



## **7. RESOLUTIONS**

There were no resolutions for adoption.

## **8. LAND DEVELOPMENT APPLICATIONS**

### **Application #24-005-ZB**

**821 Bridgewater LLC and Jewish Community Center of Somerset, Hunterdon & Warren  
Block 477, Lots 45&46 (821 & 831 Route 202-206)**

D(1), D(4), D(5) Variances

See transcript provided by Magna Legal Services (Krystina Kornak Flora, RPR,CCR).

### **Application #23-014-ZB; CX Towers**

**Block 163, Lot 6.01 (719 Route 202)**

Preliminary & Major Final Site Plan with D Variance, C Variance (s)

This application was carried to the Tuesday September 10, 2024 Regular Meeting pending new notice.

### **Application #23-023-ZB; Bridgewater Realty II LLC (Starbucks)**

**Block 222, Lot 6.01 (1288 & 1298 Rt. 22 & Morgan Lane)**

Preliminary & Final Major Site Plan, Use Variance, Bulk Variances

This application was carried to the Tuesday August 27, 2024 Regular Meeting pending new notice.

### **Application #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 D Variance(s), Bulk Variance(s)

This application was carried to the Tuesday October 8, 2024 Regular Meeting pending new notice.

### **Application #23-010-ZB; Bellie Holdings LLC**

**Block 249, Lot 40 (19-21 Mount Pleasant Ave)**

D Variances, Bulk Variances

This application was carried to the Tuesday June 11, 2024 Regular Meeting 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 7:52 PM.

Respectfully Submitted,



Jo-Ann M. Ricks  
Certified Board Secretary



BRIDGEWATER TOWNSHIP  
ZONING BOARD OF ADJUSTMENT  
TUESDAY, AUGUST 13, 2023  
7:00 P.M.

-----	)	LOCATION:
IN THE MATTER OF:	)	
	)	
	)	BRIDGEWATER
	)	MUNICIPAL COURTROOM
21 Bridgewater, LLC, and	)	100 Commons Way,
Jewish Community Center	)	Bridgewater, New
Somerset, Hunterdon and	)	Jersey 08807
Warren	)	
	)	
-----	)	

COURT REPORTER:

KRYSTINA KORNAK FLORA, RPR, CCR

Magna Legal Services  
866-624-6221  
www.MagnaLS.com



1 APPEARANCES: 2

2 CONNELL FOLEY  
3 56 Livingston Avenue  
4 Roseland, New Jersey 07068  
5 973-535-0500  
6 BY: RYAN BENSON, ESQ.  
7 KEVIN COAKLEY, ESQ.

8 TOWNSHIP OF ROXBURY BOARD MEMBERS:

- 9 JEFF FOOSE, CHAIRMAN
- 10 RICHARD OLLER, ESQ.
- 11 BRUCE BONGIORNO
- 12 JAMES WEIDELI
- 13 PUSHPAVATI AMIN
- 14 ANDREW FRESKO
- 15 JOHN KULAK
- 16 JEFFREY SICAT
- 17 JOHN GAYESKI
- 18 CHRIS GABBETT
- 19 KATHERINE SARMAD, PP
- 20 WILLIAM BURR, PE

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2 MR. FOOSE: You're Mr. Cohen? Hi, sir.

3 MR. COHEN: I am Cohen.

4 MR. COAKLEY: He moved around.

5 So we're here for a somewhat unusual  
6 application. It's an application for four  
7 use variances. Two D(1) variances, a D(4)  
8 FAR variance, and a D(5) density variance.

9 This property has been kicked around  
10 for a long time. Many people looked at it.  
11 It's a 15-acre property comprising of two  
12 lots, owned by the Poliacik family. They  
13 have gone into contract with 821, whose  
14 principal is Joseph Forgione. And the  
15 purpose of their agreement is to develop 64  
16 townhouses on part of the 15 --

17 MR. BONGIORNO: How many? What was the  
18 number?

19 MR. COAKLEY: 64.

20 64 townhouses on a 12-acre portion of  
21 the Lots 45 and 46, and to be able to convey  
22 the three-acre portion to the west that  
23 adjoins the JCC property to the Jewish  
24 Community Center for use in connection with  
25 their existing programs.

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2 MR. FOOSE: All right. So we're going  
3 to move onto our applications.

4 I see Mr. Coakley here.

5 Good evening, sir. Good to you see  
6 you.

7 MR. COAKLEY: Good evening. How are  
8 you?

9 MR. FOOSE: Good.

10 We have 821 Bridgewater, LLC, and  
11 Jewish Community Center Somerset, Hunterdon  
12 and Warren.

13 MR. COAKLEY: Thank you.

14 Good evening.

15 MR. FOOSE: Good evening, sir.

16 MR. COAKLEY: Good evening,

17 Mr. Chairman, counsel. Good evening, Members  
18 of the Board. It's our pleasure to be here  
19 this evening. With me is my colleague, Ryan  
20 Benson, who was out put together this  
21 application. We have him to blame for it.  
22 And also with us is Howard Cohen. Howard is  
23 the individual, personal counsel to the  
24 Jewish Community Center of Somerset, et  
25 cetera.

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2 So both of those transfers are  
3 contingent upon getting all necessary  
4 approvals, including the approvals from this  
5 particular Board.

6 So Mr. Cohen and the 821 folks got  
7 together and made this transaction and that's  
8 why we're here this evening.

9 While this is a Section 76 bifurcated  
10 application, there's a tremendous amount of  
11 information that has been gathered about  
12 these properties and this project. Your  
13 staff did a great job of eliciting additional  
14 information about the property, and we've  
15 done a lot of work. We've done a grading  
16 plan; we've done DEP permitting and reviews;  
17 we've done architectural layouts; we've done  
18 stormwater management.

19 So the plan that you're going to get,  
20 and it's a use variance application, the plan  
21 that you're seeing now is the plan you will  
22 get on site plan and subdivision approval.  
23 It's locked in. I'm not saying there  
24 wouldn't -- there might be a footer here or  
25 there, or something like that, but you're

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1 - 821 BRIDGEWATER AND JCC - 6  
 2 getting 64 townhouse units. That's what the  
 3 variance is for. And there's plenty of  
 4 information that would justify that that's a  
 5 doable project in this instance.  
 6 MR. FOOSE: Mr. Coakley, if I could  
 7 interrupt you. At our last meeting we had an  
 8 applicant, a developer come in and they  
 9 wanted to do a bifurcated application, which  
 10 is absolutely their right, and it's your  
 11 right as well. They did not provide nearly  
 12 the quantity of information you have  
 13 provided, and this Board felt that it was too  
 14 intertwined with the D(1) variance to  
 15 proceed, and we actually told that applicant  
 16 we can't hear you, because we can't make a  
 17 decision based on the information that's been  
 18 presented.  
 19 In your professional opinion, had you  
 20 provided this Board with enough information  
 21 for us to make those intertwined decisions?  
 22 MR. COAKLEY: Yes, absolutely. And, in  
 23 fact, in this case the decisions are not  
 24 intertwined. You know, this project stands  
 25 on its own. It's not related to anything

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 2 else. And the two cases that the staff  
 3 cited, you know, have no pertinence here.  
 4 One was a bus parking area, and they didn't  
 5 provide an access road to the bus parking  
 6 area. You could see why maybe that variance  
 7 was not granted until they filed for site  
 8 plan approval. The other case, the court  
 9 reversed the local board, because the local  
 10 board failed to grant the variance.  
 11 So, you know, it's a very unusual  
 12 circumstance for a board to deny a decision  
 13 on a bifurcated application. That doesn't  
 14 mean you're approving it, but not to grant a  
 15 decision.  
 16 The other thing I'd like to keep in  
 17 mind is as this goes on, this would come back  
 18 to the Board for site plan, subdivision,  
 19 C variances, and the Board would review those  
 20 various approvals just as if they were  
 21 reviewing the negative criteria for a use  
 22 variance. So all of those characteristics  
 23 that come in the subsequent review are  
 24 subject to a heightened scrutiny.  
 25 So, I mean, in terms of protecting the

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 2 public's interest, when you get it again you  
 3 have -- you know, it's sort of open season.  
 4 I have to admit that. But, I mean, I think  
 5 most boards, if they would grant a variance,  
 6 are going to stand behind it if it's been  
 7 sustained in terms of the proof.  
 8 In terms of the JCC, you know, the JCC  
 9 needs three acres. It needs it for its  
 10 existing programs. And as to the property to  
 11 be conveyed to it by 821, there's a house  
 12 that's going to be used for JCC office  
 13 purposes. There is a barn that's going to be  
 14 used for storage purposes. And the bulk of  
 15 the property is open space. It's cleared  
 16 area that's going to be used for recreational  
 17 purposes of existing JCC programs. JCC runs  
 18 extensive summer camps and extensive programs  
 19 for children and young adults, and they  
 20 simply need some more room for those  
 21 programs, and that's why they really  
 22 desperately need this three-acre property.  
 23 So that's --  
 24 MR. FOOSE: Three acres for games  
 25 and...

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1 - 821 BRIDGEWATER AND JCC - 9  
 2 MR. COAKLEY: Three acres of the  
 3 15 acres that are being purchased from  
 4 Poliacik will be used for a house that's on  
 5 the property now, a barn that's on the  
 6 property now, and for use of the cleared area  
 7 for the recreation area for children.  
 8 MR. FOOSE: Okay, thank you.  
 9 MR. COAKLEY: So that's what's planned  
 10 by the applicant. If anyone has any  
 11 questions about what the program is.  
 12 So those are the use variances sought.  
 13 The FAR variance is sought as a result of the  
 14 D(1) variance, because if you allow, you  
 15 know, the use sought in the D(1) variance it  
 16 automatically brings about the application of  
 17 the FAR and density variance. So in the law  
 18 sometimes they're called -- they're subsumed  
 19 within the D(1) variance or part of it. You  
 20 get all of it if you get any of it.  
 21 The C variances that are not going to  
 22 be decided, all are as a result of the fact  
 23 that you have a D(1) variance for townhouses,  
 24 and the existing zone is based on  
 25 single-family housing. You know, the zone is

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 2 going to, in general, have a lot of  
 3 variances. They would be dealt with on  
 4 site-plan approval and subdivision approval,  
 5 but they kind of -- because I think one of  
 6 the questions was why can't you adhere to the  
 7 FAR standards. Well, those standards were  
 8 not meant for this type of project. This is  
 9 a townhouse project; not a single-family  
 10 residential project.  
 11 So you'll hear testimony from Laura  
 12 Friedman for the JCC, who is their executive  
 13 director and chief operating officer, and is  
 14 really the heart of the JCC; and she'll tell  
 15 you about what the JCC does and how it  
 16 operates in its current facility, how long  
 17 it's been there, and that sort of thing to  
 18 support an inherently beneficial use variance  
 19 for that property. Inherently beneficial use  
 20 because we're taking three acres and we're  
 21 adding it to the JCC property, so that's why  
 22 it's being added to and needs its own  
 23 variance.  
 24 Now, the JCC property is zoned for  
 25 house-of-worship use, but it's not on the

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 2 particular streets. There's four or five  
 3 streets in the municipality, plus county  
 4 roads and state roads that automatically get  
 5 the right to have a house of worship. And,  
 6 unfortunately, the JCC is not on one of those  
 7 streets. 202 is one of those streets,  
 8 obviously the state highway, but it's not  
 9 directly on 202. So it needs a use variance  
 10 to expand its use even though it seems  
 11 perfectly obvious that it's an addition to  
 12 inherently beneficial use.  
 13 So she will be the first witness.  
 14 MR. FOOSE: Mr. Coakley, you're going  
 15 to present the case of 64 townhouses that  
 16 you're going to try and convince this Board  
 17 is inherently beneficial.  
 18 MR. COAKLEY: No. That's --  
 19 MR. FOOSE: That's what it sounded like  
 20 it.  
 21 MR. COAKLEY: There's two variances.  
 22 MR. FOOSE: Gotcha, okay.  
 23 MR. COAKLEY: One D(1) variance for the  
 24 JCC, inherently beneficial use; and D(1)  
 25 variance and related D(4) D(5) variances for

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 2 the 64-unit part of the program, you know, as  
 3 being a particularly well suited, satisfying  
 4 the special reasons test.  
 5 And so there will be a planner, Peter  
 6 Steck, who I think has been before the Board  
 7 before, who will testify as to how that use  
 8 meets the criteria in the Medici case. So  
 9 that's a separate. So there's really two  
 10 main cases. There's the Medici on the  
 11 particularly well suited, and then there's  
 12 the inherently beneficial case law.  
 13 So Mr. -- those witnesses will start,  
 14 and then following -- well, Mr. Steck will  
 15 come last, but our second witness will be the  
 16 821 witness, and we'll be basically telling  
 17 you how this transaction came about. You  
 18 know, it's a pretty unusual transaction where  
 19 you've had a property that's been kicked  
 20 around for all these years, and sort of in a  
 21 zoning quandary. And Mr. Joe came forward  
 22 with this application and hooked up with  
 23 Mr. Cohen of the JCC, and they made this  
 24 agreement to split the property in a way that  
 25 I've described; 3 acres to 12 acres. And

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 2 there's good reason to do that. There's good  
 3 reason not to build single-family homes on  
 4 this 15-acre property. And there's very good  
 5 reasons to build age-restricted housing that  
 6 will be -- that's in dire need in the local  
 7 community. So you'll hear some business  
 8 testimony as well as to why he's here. And I  
 9 described the role of Mr. Steck.  
 10 Eric Keller will testify on traffic.  
 11 Basically the 64-unit project generates  
 12 almost no traffic. It's indiscernible  
 13 according to him. So you'll have that  
 14 testimony and I think that's one of the most  
 15 apt issues regarding whether or not there's  
 16 off-site negative criteria.  
 17 It's on a state highway. No question  
 18 we'll get a state-highway permit to develop  
 19 that property. It's actually a subdivision  
 20 permit. And there's almost no traffic  
 21 generated; no additional traffic generated by  
 22 the JCC. The JCC is a light traffic  
 23 generator. It has heavy traffic at a couple  
 24 times a day during the summer camp period  
 25 where they bring busses in. They manage

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 2 those busses. They have people carefully  
 3 adjusting how they move and get in and out of  
 4 there and don't stop traffic on the adjacent  
 5 roadways. So Mr. Keller will testify.  
 6 So, you know, that's the essence of it.  
 7 There probably will be one additional  
 8 witness. Mr. Rob Moschello will testify  
 9 concerning the general situation with the  
 10 property, the environmental issues, the  
 11 permitting, the stormwater, and all those  
 12 things that really helped to tell you that  
 13 that 64-acre plan is a plan that's not going  
 14 to change. That's what you're voting on the  
 15 use variance tonight. It's not guess work.  
 16 So those are the principal parts that  
 17 you'll hear this evening. I think this is an  
 18 opportunity for the Board to do two very good  
 19 things. One is to allow the JCC to expand,  
 20 which is critical to them, and they are in  
 21 need of extra space to handle their clientele  
 22 at the present time. And the JCC, as you'll  
 23 find out, is a Jewish-ran organization, but  
 24 it's not limited to people of Jewish  
 25 religion. It has a very wide ambit of people

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 2 who are interested in the JCC.  
 3 And, you know, as far as the Poliacik  
 4 property. You know, it's been up for sale  
 5 for a dozen years. People have gone and  
 6 gone, and looked at it, and didn't acquire  
 7 it. This is an opportunity to give that  
 8 property fair zoning and move forward with  
 9 it, and not only do that, but move forward  
 10 with an age-restricted use that would be  
 11 beneficial to the local residents. The local  
 12 residents don't want to leave Bridgewater,  
 13 they want to stay in Bridgewater, but they  
 14 don't want to have a place to go that's  
 15 extremely expensive, that's not near  
 16 anything. They want to stay near to their  
 17 family and friends, and institutions, and  
 18 organizations. That's what the purpose of  
 19 having age-restricted housing here is, and so  
 20 that is what we will testify to.  
 21 MR. BONGIORNO: What age are they  
 22 targeting?  
 23 MR. COAKLEY: 55. So the Mount Laurel  
 24 issue was raised. If you give a variance for  
 25 the 64 units, that will be an inclusionary

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 2 development, and it will subject the property  
 3 to the 20 percent set aside in the  
 4 Bridgewater Township / Mount Laurel  
 5 ordinance.  
 6 That can be satisfied in several ways.  
 7 It can be satisfied by off site, on site, or  
 8 by a in lieu contribution. Bridgewater has a  
 9 judgment of repose, which means that they've  
 10 satisfied all their affordable housing  
 11 obligations. So our expectation, and this is  
 12 after some discussion, but nothing binding or  
 13 anything like that, is that an in lieu  
 14 contribution will be an acceptable means of  
 15 resolving that obligation. And so that is  
 16 the plan. So we are subject to the ordinance  
 17 and we could satisfy the ordinance in several  
 18 different ways, which we will.  
 19 MR. BONGIORNO: Just so that I'm clear,  
 20 because I'm just a little confused. Are you  
 21 saying the affordable housing numbers, you  
 22 want to make a contribution to the affordable  
 23 housing fund rather than put up affordable  
 24 houses?  
 25 MR. COAKLEY: Yes. And that's allowed

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 2 by the Bridgewater affordable housing  
 3 ordinance.  
 4 MR. BONGIORNO: We have to come up with  
 5 about 800 units by July of next year, so  
 6 we're looking for affordable housing units.  
 7 MR. FOOSE: Let's let Katherine chime  
 8 in here on what the next phase looks like for  
 9 Bridgewater.  
 10 MS. SARMAD: Mr. Coakley is correct  
 11 that Bridgewater Township does have a  
 12 judgment of compliance and repose for the  
 13 third round. The fourth round is impending.  
 14 The process for that round is starting in  
 15 January. We're going to have numbers  
 16 attached and obligations provided by the DCA  
 17 sometime at the end of this year.  
 18 MR. FOOSE: And I won't hold you to it,  
 19 but we've heard numbers from 650 to 850.  
 20 MS. SARMAD: And I won't speak on  
 21 those, because it's completely unknown what  
 22 the number will be. We know we probably will  
 23 have a number, and an obligation moving  
 24 forward. Our immunity from that judgment of  
 25 compliance and repose ends June 30, 2025, so

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 2 less than a year from now. And our housing  
 3 elements and fair share plans are due to be  
 4 revised, including a plan for the fourth  
 5 round in January of next year.  
 6 MR. BONGIORNO: Would you be in favor  
 7 of maybe setting aside a few houses for  
 8 affordable housing?  
 9 MR. COAKLEY: No. Because we believe  
 10 that making an in lieu contribution and  
 11 allowing the municipality to have the subsidy  
 12 that comes with that for affordable housing  
 13 is a better way to achieve significant  
 14 amounts of affordable housing than a couple  
 15 of units here and a couple of units there.  
 16 MR. FOOSE: Let's get the case started.  
 17 You know, we don't want to get hung up on  
 18 this.  
 19 But, Mr. Coakley, if you're not  
 20 finished, I don't want to interrupt you. I  
 21 do want to talk about safety and stormwater  
 22 management, and Mr. Moschello from Gladstone  
 23 has been in front of this Board many times,  
 24 and he's a good witness. And I'm very  
 25 excited to hear from members of the JCC. My

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 2 I say it to every developer.  
 3 MR. COAKLEY: Let me do this. Let  
 4 me -- without waiving my right, let me just  
 5 bring up Ms. Friedman for about two  
 6 questions, and then bring Mr. Moschello up.  
 7 MR. FOOSE: I didn't want to sidetrack  
 8 you, I just wanted to let you know --  
 9 MR. COAKLEY: No, that's okay. I just  
 10 want to have her testimony on the record as  
 11 to what the variance is for.  
 12 MR. FOOSE: And you're always very  
 13 responsive, and thank you in advance.  
 14 Whenever you've been in front of the Board  
 15 you always address these issues. I just feel  
 16 like I need to say it, because if I don't say  
 17 it another applicant is going to say I  
 18 treated you different.  
 19 MR. KULAK: I do want to stop you for  
 20 just a moment, if I may. For the sake of  
 21 clarity, your law firm represents both  
 22 parties that are on this application?  
 23 MR. COAKLEY: Yes.  
 24 MR. KULAK: And you had introduced a  
 25 host of attorneys that are present here, and

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 2 kids went to Camp Ruach and it's a wonderful  
 3 facility and does the community a great  
 4 benefit. But I'm going to tell you, and I  
 5 tell this to every developer that comes in  
 6 front of this Board is safety is paramount.  
 7 If you look at kind of a logistical  
 8 layout of me just as one voter on the Zoning  
 9 Board, you know, safety comes first. During  
 10 the storms we've had in the past five years  
 11 we literally had residents picked up from  
 12 Route 22 and their bodies are dumped at the  
 13 train station in Bound Brook. I don't know  
 14 what the situation is at your site, but some  
 15 of these things that have happened in our  
 16 town makes us extremely aware and we want to  
 17 be very careful in how we develop properties.  
 18 So he's witness number four, and you could do  
 19 whatever order you'd like, but just speaking  
 20 from myself, you know, safety is a big deal.  
 21 We've got a lot of residents here in the  
 22 seats, you know, probably from West Foothill  
 23 and Talamini. You know, there's some  
 24 velocity question marks that come off this  
 25 property. So I just want to put that to you.

1 - 821 BRIDGEWATER AND JCC - 21  
 2 some of whom will be offering testimony? Or  
 3 they will be --  
 4 MR. COAKLEY: No. No. No, attorneys.  
 5 Mr. Benson is my colleague with the same  
 6 office. Mr. Cohen is the in-house -- or not  
 7 in-house, but he's the personal counsel for  
 8 the Jewish Community Center. There are  
 9 certain expert witnesses here who are not  
 10 likely to testify, but who have worked for  
 11 the JCC on prior occasions.  
 12 MR. KULAK: Okay, thank you.  
 13 And the other question was: Because  
 14 this application comes to us and you're  
 15 looking for specific D variances, if one part  
 16 of this proposal somehow is tied to the  
 17 other, in other words, the whole package has  
 18 to be approved.  
 19 MR. COAKLEY: Yes.  
 20 MR. KULAK: Okay, thank you.  
 21 MR. FRESCO: Mr. Chairman, one question  
 22 also, just while we're on it.  
 23 Mr. Coakley, I'm quoting you, you said  
 24 there's a zoning quandary. Can you just  
 25 elaborate? What do you mean -- just as we

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 2 kick this case off, we've got a lot of eyes  
 3 here, what do you mean a "zoning quandary"?  
 4 MR. COAKLEY: We have a property that  
 5 has been vacant for a long time. It's  
 6 underutilized as a farm use.  
 7 MR. FRESCO: There is a resident in the  
 8 home, though.  
 9 MR. COAKLEY: There is, but it's a  
 10 15-acre property. There's two homes on the  
 11 property. So it's not fully utilized, I  
 12 might say. And there have been lots of  
 13 people who have come by and looked at that  
 14 property and no one has ever bought it. And,  
 15 you know, back in 1990, the last master plan  
 16 in Bridgewater called for this property in  
 17 this area to be developed for multifamily  
 18 housing. But that has never happened either,  
 19 so that's what I'm speaking of when I say a  
 20 quandary.  
 21 All right. Ms. Friedman, could you  
 22 just come up for one second please.  
 23 MR. FOOSE: Will you swear the witness  
 24 in?  
 25 MR. OLLER: Yes. Let's do one at a

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 2 time as they come up.  
 3 Raise your right hand please.  
 4 Do you solemnly swear that the  
 5 testimony you'll give to this Board will be  
 6 the truth, the whole truth, and nothing but  
 7 the truth so help you God.  
 8 MS. FRIEDMAN: Yes.  
 9 MR. OLLER: And for the record, would  
 10 you state your name and spell your last name  
 11 please.  
 12 MS. FRIEDMAN: It's Laura Friedman,  
 13 F-R-I-E-D-M-A-N. Fried, man; pronounced  
 14 Friedman.  
 15 MR. COAKLEY: Ms. Friedman, have you  
 16 been here for the opening statement?  
 17 MS. FRIEDMAN: Yes.  
 18 MR. COAKLEY: Anything I said about the  
 19 JCC, is anything of it inaccurate?  
 20 MS. FRIEDMAN: No.  
 21 MR. COAKLEY: Your organization is  
 22 seeking a use variance this evening, correct?  
 23 MS. FRIEDMAN: Correct.  
 24 MR. COAKLEY: What are the specific  
 25 purposes of that use variance? In other

Page 24

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 2 words, you're going to use this three-acre  
 3 property for what?  
 4 MS. FRIEDMAN: For the existing program  
 5 we have so far. So we have a camp with about  
 6 650 children. We want to be able to spread  
 7 them out a little bit. We have a preschool.  
 8 We have a special needs program. So all the  
 9 programs that we have already; just so that  
 10 we have more space to use. They're outside a  
 11 lot; nature. And that's it.  
 12 MR. COAKLEY: And there's a house  
 13 you're going to --  
 14 MS. FRIEDMAN: Yup. On the same  
 15 property there's a home we hope to move the  
 16 camp office to in the summer. In the winter  
 17 we'd hope to -- in the fall and the spring we  
 18 hope to use it for adult classes in the  
 19 evening. The special needs program can use  
 20 it. It's extra space in addition to what we  
 21 have now.  
 22 MR. COAKLEY: And there's a barn,  
 23 you're going to use that?  
 24 MS. FRIEDMAN: We would be thrilled to  
 25 have the barn, because we have -- for storage

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 2 purposes.  
 3 MR. COAKLEY: And if the use variance  
 4 is granted, your organization will return to  
 5 this Board and seek site-plan approval,  
 6 subdivision approval, et cetera?  
 7 MS. FRIEDMAN: Yes.  
 8 MR. COAKLEY: No more questions.  
 9 MR. OLLER: Can I just ask, what is  
 10 your position with --  
 11 MS. FRIEDMAN: I'm the CEO.  
 12 MR. OLLER: For how long?  
 13 MS. FRIEDMAN: I've been at the JCC  
 14 since they opened their doors in 1999, but  
 15 I've been doing this position since 2013.  
 16 MR. OLLER: Thank you.  
 17 MS. FRIEDMAN: You're welcome.  
 18 MR. FOOSE: Mr. Coakley, the JCC would  
 19 have to come back in front of the planning  
 20 board. No? For subdivision?  
 21 MR. COAKLEY: No. Under the  
 22 ordinance -- under the statute, excuse me --  
 23 MR. FOOSE: Because we're granting the  
 24 use variance we would grant the subdivision?  
 25 MR. COAKLEY: Yes.

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2 MR. FOOSE: Does the Board have any

3 questions?

4 MR. SICAT: Can I ask, what is the

5 current use now for that three-acre property?

6 MR. COAKLEY: It's part of a farm.

7 There's a house that has been, at least in

8 the past, a residence. And a barn that has

9 storage in it.

10 MR. SICAT: So farm or single-family

11 home? Farm?

12 MR. COAKLEY: On the property all told,

13 which is 15 acres, there are two homes and

14 several barn-type structures. Most of them

15 will come down.

16 MR. SICAT: I'm just trying to

17 understand what can be developed without the

18 variance.

19 MR. COAKLEY: What can be developed on

20 the three acres without a variance.

21 MR. SICAT: Yes.

22 MR. COAKLEY: Single-family housing.

23 MR. SICAT: Okay. That's what I wanted

24 to understand. Thank you.

25 MR. FOOSE: Any other Board questions

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2 for Ms. Friedman?

3 Members of the public, questions on the

4 testimony from Ms. Friedman.

5 Seeing none -- oh, come on up. Name

6 and address please.

7 MS. RICCI: Lori Ricci; 771 Talamini

8 Road. So I'm a house away from the JCC.

9 They've been wonderful. I'm just wondering

10 the three acres, does it stay in green land

11 or is it going to be developed in any way?

12 Black top? Anything like that?

13 MS. FRIEDMAN: No. There was a

14 picture. There's two big fields and a little

15 pond, the house, and the barn.

16 MS. RICCI: And are we just addressing

17 that? Because I'm concerned about the

18 construction of the 64 units. I'm literally

19 right on Talamini and they're behind me.

20 MR. FOOSE: I hear you, and this is the

21 way that the cases typically go, is that we

22 have witnesses come up and members of the

23 public can ask questions of the witness on

24 their testimony. So Ms. Friedman didn't

25 testify on anything with the 64. But I

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2 promise you, I'll make you aware when those

3 applicants speak. And then at the end I'm

4 going to let anyone, for as much time as they

5 want, speak for or against this case at the

6 very end. So thank you for coming and I'll

7 make sure you're able to ask questions of the

8 witnesses.

9 MS. RICCI: Thank you.

10 MR. FOOSE: Thank you.

11 Anyone else?

12 Please.

13 MS. SEIP: Janette Seip, 812 Summit

14 Ridge Drive in Bridgewater.

15 MR. FOOSE: Could you spell your last

16 name please.

17 MS. SEIP: "S" as in Sam, E-I, "P" as

18 in peter.

19 MR. FOOSE: What was the street?

20 MS. SEIP: 812 Summit Ridge Drive,

21 Bridgewater, New Jersey. A long-time

22 resident, as you could tell.

23 I'm quoting from a New Jersey, NJ.com,

24 online. I guess it's tied into the Star

25 Ledger. They mentioned this development.

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2 They call it The Venue. It's 64 townhouses.

3 I believe it's for seniors. Is that correct?

4 MR. OLLER: Ms. Seip, right now it's

5 only questions for this witness on what she

6 testified.

7 MS. SEIP: Oh, I'm sorry.

8 And you're with the JCC?

9 MS. FRIEDMAN: Yes.

10 MS. SEIP: I don't really have any

11 questions for you. I think a Jewish house

12 of --

13 MR. OLLER: After they testify about

14 the proposal and the 64 units you could come

15 up and ask them about that.

16 MR. FOOSE: And the reason that we're

17 such sticklers on procedures, because at some

18 point if someone doesn't like how I did, or

19 Rich did, or the Board did they could take

20 this to a court, and everything that we say,

21 including your questions, will go in front of

22 a judge and that's why we have to kind of

23 keep this procedurally by something called

24 the MLUL. That's the Municipal Land Use Law.

25 So they kind of dictate how we run these

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 2 meetings and how the format has to be. So I  
 3 promise, and if I screw up Rich will poke me  
 4 over here, but you will definitely be a  
 5 participant in this meeting and be able to  
 6 ask questions.  
 7 MS. SEIP: Thank you.  
 8 MR. FOOSE: Ms. Friedman, I think  
 9 you're finished.  
 10 Oh, that's my fault.  
 11 MS. SARMAD: I'm sorry, I have a  
 12 handful of questions.  
 13 Can you just describe what uses are  
 14 currently on the JCC site.  
 15 MS. FRIEDMAN: So we service zero,  
 16 meaning the babies, all the way to seniors or  
 17 however old you might be fortunate to get.  
 18 We have a preschool; we have a camp; we have  
 19 an after-school program; we have a swim team;  
 20 we have basketball leagues; we have a special  
 21 needs program where 31 special-needs adults  
 22 come daily; we have senior programming; we  
 23 have senior fitness programming; we have  
 24 pools; we have a swim club; we have fitness;  
 25 we have a tremendous amount of Jewish

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 2 programming. If you want, I could go into  
 3 details.  
 4 MS. SARMAD: I'm more just trying to  
 5 look at more of a technicality, and this is  
 6 probably more for the attorney and for our  
 7 Board.  
 8 But they're seeking a use variance for  
 9 a house of worship, and I just want to make  
 10 sure because I heard a lot about programming.  
 11 So my real question is: Is there  
 12 presently any kind of worshipping or  
 13 service -- like temple services.  
 14 MS. FRIEDMAN: So Fridays, which is  
 15 Shabbat, we have preschool service, we have  
 16 Shabbat service in our hallway. For camp,  
 17 every day there's Shabbat services. So those  
 18 are the services that we have.  
 19 Every holiday is celebrated. We  
 20 actually run the township's Hanukkah program.  
 21 We bring in Israel cultures, so through them  
 22 all the Jewish holidays; Yom HaAtzmaut, Yom  
 23 Hazikaron. All the holidays that happen in  
 24 Israel. So that's the Jewish aspect.  
 25 Adult Jewish courses. We run Jewish

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 2 Life, which is a Jewish program in the  
 3 community that basically brings in authors  
 4 and educators. We have a Jewish educator on  
 5 board. Our staff, we have an Israeli  
 6 shlichah, which is a person who comes here  
 7 from Israel for two years, who works with us  
 8 as well, doing Jewish and Israel education.  
 9 MS. SARMAD: Thank you. I only bring  
 10 that up because in the confines of a use  
 11 variance I want to make sure we're capturing  
 12 everything, so that any approval that this  
 13 Board grants will then protect that use in  
 14 the future, rather than if we are saying a  
 15 term like "house of worship," I want to make  
 16 sure that that's not a connotation that  
 17 they're building a new house of worship on  
 18 this portion of the site. That it's going to  
 19 fall under the use that they're seeking.  
 20 The house of worship, under the  
 21 conditional use section, does include that  
 22 houses of worship have ancillary social  
 23 events, recreational activities,  
 24 compilations, and similar. So it captures  
 25 those things. So it's not just -- the

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 2 definition for house of worship isn't just  
 3 for a place where religious services are  
 4 held. It includes other community activities  
 5 and social activities.  
 6 But I just wanted to make sure that was  
 7 captured as this Board is considering the use  
 8 variance.  
 9 MR. FOOSE: I think it's an important  
 10 point and the Courts have been clear that  
 11 accessory uses are houses of worship  
 12 essentially, and we really can't delineate  
 13 between the two, and they both fall under the  
 14 house of worship context in every way, shape,  
 15 and form.  
 16 MS. SARMAD: And that's why our  
 17 ordinance reads that way, and I just wanted  
 18 to make it clear that we're capturing all of  
 19 these events within that house of worship  
 20 use, in particular, that ordinance says to --  
 21 well, it says Planning Board, but this Board  
 22 shall note any of these other activities, and  
 23 that's just to make sure we're protecting any  
 24 kind of use variance approval moving forward;  
 25 if they ever had to come back or anything

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 2 like that, that we captured those other  
 3 social events and other recreational  
 4 activities in there.  
 5 MR. FOOSE: Why don't I just ask you  
 6 the question then for the benefit of the  
 7 public is that in your opinion is this a  
 8 house of worship and is it an appropriate use  
 9 that they're seeking based on that house of  
 10 worship definition that you just mentioned.  
 11 MS. SARMA: Yes. And I would just  
 12 make the Board -- it's my recommendation that  
 13 they should include all the testimony we  
 14 heard tonight about those other activities so  
 15 that it's captured.  
 16 MS. FRIEDMAN: Can I talk to two really  
 17 important things? Our Holocaust Memorial and  
 18 Education Center, which is the only one in  
 19 this area, as well as in times of need we run  
 20 all the Jewish vigils in the area. So when  
 21 there was attack on Jews around the world, we  
 22 had them coordinate with the synagogues.  
 23 MS. SARMA: Thank you. And I don't  
 24 think we're going to go into those specifics,  
 25 which I appreciate the testimony, I

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 2 also said regardless they do have services  
 3 there. They have junior.  
 4 MS. FRIEDMAN: For our preschool, for  
 5 camp, and the community.  
 6 MR. FOOSE: Because you provided extra  
 7 testimony - and, Mr. Burr, I didn't forget  
 8 about you - I do want to remind the public,  
 9 if they want to ask more questions on the  
 10 additional testimony just raise your hand and  
 11 I'll have you come up.  
 12 Yes. If we could just get your name  
 13 and address.  
 14 MS. FERRARA: Lisa Ferrara, 788 West  
 15 Foothill. Just, could you share a map of how  
 16 the three acres and the 12 acres are divided  
 17 up or...  
 18 MR. BENSON: We can, but we will need  
 19 the Board to turn on my computer screen if  
 20 that's okay.  
 21 MR. FOOSE: I think the question was  
 22 your three acres, where is it going to lie.  
 23 I think it's to the west.  
 24 MS. FRIEDMAN: I feel like I need a  
 25 pointer somehow to show you.

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 2 appreciate knowing more about it, I think  
 3 it's very helpful. I think that the Board  
 4 will more generally capture that there are  
 5 social, recreational, community services and  
 6 religious services that are held on site as  
 7 well.  
 8 MR. FOOSE: I think the Board has heard  
 9 loud and clear that this is a house of  
 10 worship. You know, there had been some  
 11 questions coming in, you know, is it truly  
 12 where a rabbi has services each, you know --  
 13 you know, I'm catholic, so every Sunday we  
 14 have house of worship we go to. But these  
 15 ancillary uses make it a house of worship,  
 16 and we can't delineate it. It falls all  
 17 under the house of worship, and it's very  
 18 important that the Board understands that.  
 19 MS. SARMA: I agree with that. And  
 20 our ordinance I think captures that as well.  
 21 I just want to make sure, as we're seeking  
 22 the use variance, we're not putting them in a  
 23 box for just the term "house of worship,"  
 24 which might be too constrictive here.  
 25 MR. FOOSE: And I think Ms. Friedman

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 2 Oh, he has a pointer.  
 3 So if that's our property right there  
 4 where my little dot is. Where the blue,  
 5 looks like it's blue on the corner. It forms  
 6 its own little triangle. The property that  
 7 you're looking at is connected parallel to  
 8 our property. The other map was a better  
 9 option. That first one that was up shows it  
 10 perfectly clear.  
 11 There we go, perfect. So the triangle  
 12 that looks like it's right next to 287,  
 13 that's the JCC where it currently exists.  
 14 The two rectangles are the property that  
 15 we're discussing. The part that we would get  
 16 would be attached directly to our -- yes,  
 17 exactly. Exactly.  
 18 Did that answer your question?  
 19 Okay, great.  
 20 THE PUBLIC: Can you go back to the  
 21 view again. (Unknown speaker.)  
 22 MS. FRIEDMAN: I believe what I'm  
 23 looking at is what Mr. Forgione is looking at  
 24 for the townhouses, and then our little piece  
 25 of the property is the green part.

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 2 MR. FOOSE: It sounds like you answered  
 3 the question. Thank you.  
 4 MS. FRIEDMAN: Okay.  
 5 MR. FOOSE: Mr. Burr, I didn't forget  
 6 about you. I apologize.  
 7 MR. OLLER: So before we do that, I'm  
 8 sorry. Mr. Coakley, where did you go.  
 9 Mr. Coakley, what we just looked at, is  
 10 that in our package?  
 11 MR. COAKLEY: Yes.  
 12 MR. OLLER: Exactly rendered?  
 13 MR. BENSON: No, this is an exhibit.  
 14 MR. COAKLEY: It's not in the board's  
 15 package?  
 16 MR. BENSON: No. We sent it over as an  
 17 exhibit electronically.  
 18 MR. OLLER: But that's not in our Board  
 19 package. I want to mark it as an exhibit is  
 20 where I'm getting at.  
 21 So we'll mark that as Exhibit A-I, and  
 22 would you just identify what that is.  
 23 MR. BENSON: We actually have this  
 24 marked as Exhibit A-4 already.  
 25 MR. OLLER: Okay. We could go with

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 2 premarked. So A-4 is -- see it's on the  
 3 side. What is it? How are we going to  
 4 describe that?  
 5 MR. BENSON: So we have here four  
 6 sheets in this A-4 exhibit. Romanette i is  
 7 this view of the three lots that are at issue  
 8 here. We didn't look at Romanette ii or  
 9 Romanette iii, and Romanette iv is the image  
 10 that shows a zoomed in picture of the Lots 45  
 11 and 46, and it shows where the town homes  
 12 will be, and also the portion to the left of  
 13 that red line is the three acres that would  
 14 be subdivided. And --  
 15 MR. OLLER: I'm sorry, is that sheet  
 16 three, you said?  
 17 MR. BENSON: So this is Exhibit A-4,  
 18 Romanette iv. You see in the lower left  
 19 corner there, there are Romanette numbers.  
 20 MR. OLLER: Way too small to read that.  
 21 MR. BENSON: I do have hard copies as  
 22 well, if you'd like.  
 23 MR. OLLER: I would like a hard copy  
 24 for our file, for sure.  
 25 MR. FOOSE: Any members of the public

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 2 that would like a copy, by all means, let's  
 3 get them one as well.  
 4 MR. COAKLEY: We'll leave one up here  
 5 for the public.  
 6 MR. OLLER: Does Nancy have one for the  
 7 file? We need to make sure the Board file  
 8 has one.  
 9 Nancy, if you would just mark it A-4  
 10 with today's date please. And I'm going to  
 11 try and identify it just for the record,  
 12 Mr. Coakley. So A-4 consists of four sheets.  
 13 First sheet is where the A-4 is, is an  
 14 aerial, looks like the lots are identified  
 15 with lot boundaries. Right? For three lots.  
 16 The second sheet just has lot  
 17 boundaries for Lot 45 and Lot 46, again, an  
 18 aerial.  
 19 I will need one of you to tell me what  
 20 the third sheet is here. Is that --  
 21 environmental constraints exhibit. Okay. Is  
 22 the third sheet.  
 23 MR. BENSON: Correct.  
 24 MR. OLLER: And the fourth sheet is --  
 25 is just a rendered site plan. Right?

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 2 MR. COAKLEY: I think that's a good  
 3 description.  
 4 MR. OLLER: All right, thank you.  
 5 MR. FOOSE: All right, so we answered  
 6 members of the public questions. We have one  
 7 last professional I wanted to -- oh, let's  
 8 finish with the public, and then we'll get to  
 9 Mr. Burr.  
 10 If we could just get your name and  
 11 address please.  
 12 MR. KURZ: Robert Kurz, 775 West  
 13 Foothill Road.  
 14 I do have a question that's going to  
 15 cover both sides, but I'll ask the JCC first.  
 16 As you're adding on more property, is there  
 17 any intent of providing other access to your  
 18 property? Because right now you only come  
 19 out of one driveway.  
 20 MS. FRIEDMAN: No.  
 21 MR. KURZ: And the next question for  
 22 JCC. Were the house -- I know you said  
 23 you're not going to do pavement and stuff  
 24 like that, but will you be bringing vehicles  
 25 up to the house area? Like a stone lot.

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 2 MS. FRIEDMAN: Not cars. Golf carts.  
 3 We have a couple of golf carts that we use  
 4 among the grounds.  
 5 MR. KURZ: And right now there's no  
 6 intent of having access off of 206, you know,  
 7 like a common driveway.  
 8 MS. FRIEDMAN: No.  
 9 MR. KURZ: Thank you.  
 10 MS. FRIEDMAN: You're welcome.  
 11 MR. FOOSE: All right, Mr. Burr.  
 12 MR. BURR: Thank you, Mr. Chairman.  
 13 Just had two quick questions, I think, for  
 14 Ms. Friedman.  
 15 So the existing dwelling you had  
 16 testified earlier that that is not going to  
 17 be used anymore as living space, that's going  
 18 to be used for classrooms or for some of your  
 19 programs.  
 20 MS. FRIEDMAN: Yes, no one is living  
 21 there.  
 22 MR. BURR: Nobody is going to be living  
 23 there in the future either.  
 24 MS. FRIEDMAN: No. There's no plan,  
 25 no.

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 2 MR. BURR: And then Mr. Coakley  
 3 indicated that if these D variances are  
 4 approved in the future, site plan and  
 5 subdivision approval would be necessary for  
 6 this merger. Do you envision the application  
 7 being a joint application at that point in  
 8 the future or is that undetermined? Could  
 9 they be split and proceed separately? Or  
 10 would they likely come through as a joint --  
 11 MR. FOOSE: Mr. Cohen.  
 12 MR. COHEN: May I respond to that. The  
 13 intent with respect to the site plan and  
 14 subdivision components, when they're  
 15 presented will be presented jointly with  
 16 A-21.  
 17 MR. BURR: Thank you.  
 18 MR. FOOSE: Thank you, Mr. Burr.  
 19 Ms. Friedman, we have nothing further.  
 20 Thank you very much.  
 21 MS. FRIEDMAN: Thank you.  
 22 MR. COAKLEY: Okay. Mr. Moschello by  
 23 popular demand.  
 24 MR. OLLER: Raise your right hand  
 25 please. Do you solemnly swear that the

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 2 testimony you will give to this Board will be  
 3 the truth, the whole truth, and nothing but  
 4 the truth so help you God.  
 5 MR. MOSCHELLO: I do.  
 6 MR. OLLER: And your name please.  
 7 MR. MOSCHELLO: Robert Moschello.  
 8 M-O-S-C-H-E-L-L-O. Business address is 265  
 9 Main Street, Gladstone, New Jersey. And my  
 10 license is in good standing with the state  
 11 and I've appeared before this Board as an  
 12 expert witness.  
 13 MR. FOOSE: All right. Mr. Moschello,  
 14 good to see you again. This Board accepts  
 15 your qualification. Please continue.  
 16 MR. COAKLEY: I guess the first  
 17 question is: What did you do to investigate  
 18 this property before you did anything more?  
 19 MR. MOSCHELLO: Right. So let me go  
 20 through. I have a series of exhibits I want  
 21 to present here to the Board. It was  
 22 actually entered as Exhibit A-4 for the  
 23 record, so let's start off with going through  
 24 the various imagery that I have to explain  
 25 the property, to explain the constraints on

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 2 the property, and then to get into the actual  
 3 application itself as of what we're asking  
 4 for, use variance approval this evening. So  
 5 we'll start off with --  
 6 For the record here, we have sheet --  
 7 this is Roman Numeral I in the exhibit  
 8 package, it's entitled, "Neighborhood Aerial  
 9 Exhibit." It's dated August 13, 2024, for  
 10 the record. And that's what's up on the  
 11 screens here that you see if front of you and  
 12 on the sides.  
 13 What we're looking here is the 2020 New  
 14 Jersey State aerial as the base mapping for  
 15 this property and then for the surrounding  
 16 neighborhoods. I just want to point out some  
 17 of the surrounding environs before we get  
 18 into the site-specific details itself.  
 19 So as you could see on the plan here,  
 20 on the left-hand side of the plan that's 287.  
 21 That's what I'll say the west side of the  
 22 plan with north being up on the screen.  
 23 Okay. On the east side of the plan you have  
 24 Route 202/206 running in a north/south  
 25 direction. You could see the 202/206 label

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 2 there on the screen.  
 3 To the north we have West Foothill  
 4 Road, which is access off of 202/206. And to  
 5 the south we have Talamini Road, which has  
 6 access off of 202/206 as well, and that has a  
 7 flyover over 287, or an overpass.  
 8 You see here three properties that are  
 9 outlined on here for the purposes of this  
 10 application. You have Block 477, Lots 45,  
 11 46, and 53.  
 12 As Ms. Friedman pointed out, Lot 53 is  
 13 the JCC property. That's that triangular  
 14 shaped piece of property adjacent to  
 15 Route 287. And if you look at the aerial  
 16 imagery, you see there on the property you  
 17 have access off the south of that property  
 18 off of Talamini Road. Just on the bottom  
 19 there where the pointer is. That's the main  
 20 access drive that comes into the property,  
 21 and you have a driveway coming in, which  
 22 accesses the parking lot and the building  
 23 complexes that are on that site.  
 24 You could see, it's a very, you know,  
 25 developed property. You have parking, you

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 2 have multiple buildings, you've got tennis  
 3 courts, basketball court, ball fields. All  
 4 those types of features that are on that  
 5 property as of today.  
 6 And then we also have, looking at the  
 7 surrounding environs, we are in the R-40  
 8 Zone; the residential R-40 Zone. And  
 9 basically all that property, plus the JCC  
 10 property, and the properties to the north and  
 11 south of our develop is in the R-40 Zone.  
 12 To the east of 202/206, that's the  
 13 R-40A Zone. Just to be specific. You could  
 14 see the dash line that runs down 202/206,  
 15 that's the zone line that separates the R-40  
 16 and the R-40A Zone. As you could see on the  
 17 mapping, you have residential development  
 18 both to the north and to the south, as well  
 19 as on the east side of 202/206; and at the  
 20 corner of Foothill Road and Route 202/206 is  
 21 the Bridgewater Veterinary Hospital. That's  
 22 there as well. And that site has access off  
 23 of 202/206.  
 24 And I'll come into discussion when we  
 25 talk about the site plan a little later on.

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 2 So that's the overall environs of the  
 3 surrounding neighborhood.  
 4 When we go to the next slide, which is  
 5 that Roman Numeral II in your package, this  
 6 is entitled, "Aerial Exhibit." And this is a  
 7 little bit of a zoomed in look at the  
 8 properties themselves as the subject of the  
 9 development application this evening. So  
 10 I've un-highlighted the JCC property to the  
 11 left, and we're focusing on the two lots that  
 12 are the subject of this application. And as  
 13 Mr. Coakley pointed out, it is Block 477,  
 14 Lots 45 and 46. They are two separate lots.  
 15 One is -- Lot 45 is 7.032 acres and Lot 46 is  
 16 7.884 acres. In total, those two lots  
 17 combined, for the record are 14.916 acres.  
 18 There are existing improvements on the  
 19 property, and as you could see from the  
 20 aerial, this was kind of talked about  
 21 already, the property has its main access off  
 22 of 202/206, right where the 202/206 label is  
 23 on the plan. It's a driveway that comes off  
 24 of the existing highway. You come in there  
 25 and it actually splits. You could go to the

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 2 right to the existing farm stand that's on  
 3 the property today. There's some parking  
 4 there, gravel parking for that farm stand.  
 5 And then if you go to the left, it's a little  
 6 hard to see on the aerial, but there's a  
 7 single-lane driveway that goes up to the back  
 8 part of the property where the rear portion  
 9 has -- two existing dwellings has a metal  
 10 barn building and some additional storage  
 11 buildings, as well as a pretty large gravel  
 12 parking area that's also back there. You  
 13 could see where those cars are parked on the  
 14 northwestern portion of the property if  
 15 you're looking at the exhibit.  
 16 And you could see from looking at the  
 17 imagery, the property is both wooded more  
 18 towards the middle and along the northern  
 19 property line, as well as open grass fields  
 20 on the southwestern side, as well as around  
 21 the development of the house; and then in the  
 22 front where you have the farm stand is also  
 23 open fields as well. But it's generally  
 24 wooded. On the main portion site it's  
 25 generally wooded, and you could see that from

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 2 the aerial.  
 3 The existing lot coverage on the  
 4 property, as it stands today, is  
 5 approximately 1.59 acres or about 11 percent  
 6 of the overall lot coverage on the two lots  
 7 combined together. And like I said, that  
 8 consists of the driveway, the buildings, the  
 9 gravel parking area, and so forth.  
 10 As noted in the application, there  
 11 are -- because these are two lots and however  
 12 they were created and put together many years  
 13 ago, there are some cross easements to allow  
 14 access to both lots over the existing  
 15 driveway. For whatever purpose that's in  
 16 place. Those easements are there today.  
 17 Ideally, if the application was ultimately  
 18 approved and went to the site-plan process,  
 19 those easements would be extinguished and no  
 20 longer will be needed for a townhouse  
 21 development. But they do exist on the  
 22 property today.  
 23 So any questions on the existing layout  
 24 before I go into the environmental  
 25 constraints?

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 2 MR. KULAK: Those easements in specific  
 3 you were talking about, you don't know what  
 4 they're for now?  
 5 MR. MOSCHELLO: They're called access  
 6 easements. So there's one over that gravel  
 7 parking area. So ideally if someone had  
 8 owned Lot 46, they would have the ability to  
 9 park on Lot 45, if it was under separate  
 10 ownership. But that's how I would interpret  
 11 it today.  
 12 MR. KULAK: Thank you.  
 13 MR. FRESCO: Question. So let's talk  
 14 about the water feature on the property. Can  
 15 you go over that?  
 16 MR. MOSCHELLO: I'm actually going to  
 17 touch on that under the environmental  
 18 constraints.  
 19 MR. FRESCO: Fair enough.  
 20 MR. MOSCHELLO: That's actually a good  
 21 segue into the next sheet, which is Roman  
 22 Numeral III in the set.  
 23 This is the environmental constraints  
 24 exhibit, also dated August 13, 2024. This is  
 25 basically a colorized version of the existing

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 2 conditions plan that's in the site plan set  
 3 that was submitted to the Board. So this has  
 4 a lot of existing information on it in terms  
 5 of the property itself from an  
 6 on-the-ground-level type of condition here.  
 7 So we'll talk about some of the various  
 8 features that are on the property today.  
 9 First off, again, we have our access  
 10 off of 202/206, which is still on the  
 11 right-hand side of the plan. The driveway  
 12 comes in there. The site is gentle to  
 13 moderately sloping in terms of the  
 14 topography, and the topography is on the site  
 15 plans. It basically goes from an elevation  
 16 of about 202 on the northwestern portion of  
 17 the site, or the site closest to the JCC.  
 18 And it slopes downward towards Route 202/206  
 19 to an elevation of about 138. So you have  
 20 about 60, 65 feet of grade change across that  
 21 site, which when you take that over 1,000  
 22 feet it's gentle to moderately sloping.  
 23 We've done our slope analysis on the  
 24 property, and on the colored map here you  
 25 could see the slopes are outlined in a green

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 2 color on the map on the screen, and we have  
 3 identified that based on your slope  
 4 categories within your ordinance. And you  
 5 could generally see that for the most part  
 6 there's a pocket of steep slopes down towards  
 7 Route 202, and they're not even that steep.  
 8 They're in your 11 to 19 percent range, and  
 9 there's a couple of other little pockets of  
 10 slopes around the property.  
 11 You'll notice a darker green area slope  
 12 towards the southern portion of the site,  
 13 right in there. That's in your steeper  
 14 category of 20 to 29 percent, but if you look  
 15 at the topography it's actually around a --  
 16 it looks like a mound of dirt that may have  
 17 been placed there; a pile of dirt that was  
 18 placed there at one time on the property. So  
 19 in looking at that, it looks like it was  
 20 actually manmade, but still, nonetheless,  
 21 it's identified as a steep slope on your  
 22 category. So the slopes are sparse around  
 23 the site.  
 24 And we have done the Hillside  
 25 Development calculation per your ordinance.

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 2 Again, when you start off with the  
 3 14.91 acres of land that constitutes the two  
 4 lots, when you take into account your  
 5 Hillside Development ordinance calculations,  
 6 the developable area of the overall property  
 7 goes down to 14.45 acres of available land  
 8 for development, and you use that to  
 9 calculate your FAR, your lot coverage, and so  
 10 forth. So you could see it's a little less  
 11 than a half acre of reduction, so for the  
 12 most part, from looking at those numbers you  
 13 don't have a lot of steep slopes on this  
 14 property.  
 15 In terms of the DEP regulated areas on  
 16 the property. So you have three categories  
 17 of the DEP regulations that we now deal with  
 18 today. You have freshwater wetlands, state  
 19 open waters; you have riparian zones; and  
 20 then you also have floodplains.  
 21 So we've actually gone to the DEP and  
 22 gotten verification from them on the wetlands  
 23 and the riparian zone on the property. So on  
 24 the map you see here, we've identified --  
 25 under our LOI, we've identified state open

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 2 waters and ordinary resource value wetlands  
 3 or ditches that exist on the property. So in  
 4 looking at the property -- and I'll go from  
 5 west to east. So starting on the west,  
 6 you've got that blue circle there. That is  
 7 the existing pond that's on the property. It  
 8 was designated as a state open water under  
 9 the LOI.  
 10 MR. BONGIORNO: Designated as what?  
 11 MR. MOSCHELLO: State open water.  
 12 MR. BONGIORNO: What does that mean.  
 13 MR. MOSCHELLO: It's waters of the  
 14 state. It's regulated under the DEP, that  
 15 it's a water body that is protected under the  
 16 wetland regulations.  
 17 MR. BONGIORNO: So it's going to stay  
 18 there?  
 19 MR. MOSCHELLO: Under the current plans  
 20 it's going to stay there, yes.  
 21 MR. FRESCO: But would you be able to  
 22 develop around it or on it?  
 23 MR. MOSCHELLO: You could develop  
 24 around it, yes. They have some requirements  
 25 for certain distance off the top of bank, but

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 2 yes, you could develop around state open  
 3 water. It does not have a riparian zone, it  
 4 does not have a floodplain, because basically  
 5 it's a pond that was built on the property a  
 6 number of years ago more for aesthetics than  
 7 anything else. But under the rules, it is  
 8 regulated. So that pond is there and that  
 9 pond is going to end up -- when we get into  
 10 the discussion about what's going to be  
 11 subdivided to the JCC, that pond will be on  
 12 the JCC property.  
 13 So then if we move over the right side  
 14 of the property, or the eastern side of the  
 15 property, along Route 202 we have some  
 16 additional constraints there. Now, you  
 17 have -- in the bigger picture of things you  
 18 have a tributary to Peters Brook that runs  
 19 along the west side of the Route 202/206.  
 20 That tributary drains down to Peters Brook.  
 21 It also comes up onto our property --  
 22 actually it goes under Talamini, runs along  
 23 the left side or the west side of 202/206,  
 24 and then goes under a culvert right before  
 25 the access driveway into the property. That

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 2 culvert then takes that tributary on the  
 3 Bridgewater Vet property and continues up  
 4 under Foothill Road, up into the mountains.  
 5 That's the unnamed tributary to Peters Brook.  
 6 That tributary is regulated under the state.  
 7 It's greater than a 50-acre drainage area.  
 8 So what we've done for that tributary  
 9 initially, and it's shown here in blue, we've  
 10 identified the riparian zone that's  
 11 associated with it. So there's a 50-foot  
 12 riparian zone, as verified by the state, and  
 13 it's shown in that red dashed line on the  
 14 plan. It comes out off of that tributary.  
 15 It actually picks up a small ditch that's on  
 16 the property, and it's outlined in red on the  
 17 plan. That's a 50-foot riparian zone  
 18 verified by the state.  
 19 MR. BENSON: The pink or the orange?  
 20 MR. MOSCHELLO: Oh, the pink.  
 21 MR. WEIDELI: Can I ask you a quick  
 22 question while you were talking about 202.  
 23 So does the property then go all the way out  
 24 to 202/206?  
 25 MR. MOSCHELLO: The property actually

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 2 goes to the centerline, but we counted the  
 3 acreage to what would ultimately might become  
 4 a DOT dedication. I'm going to leave the DOT  
 5 dedication to our traffic engineer, because  
 6 there's been some back and forth with the  
 7 DOT, and sometimes now they're not taking  
 8 right of way as they used to. So I'd like to  
 9 defer the whole DOT dedication discussion to  
 10 our traffic engineer, but right now the lot  
 11 line, in some aspects, go to the center line  
 12 of the road.

13 MR. WEIDELI: It does go there, okay.

14 MS. AMIN: I have a question for you.  
 15 The houses -- there are two houses there in  
 16 the back. Right? One of them will be  
 17 demolished and the other one will stay?

18 MR. MOSCHELLO: That is correct.

19 MS. AMIN: So during construction how  
 20 do you have access to the one house that is  
 21 going to stay? Because the roadway that goes  
 22 in the back will be --

23 MR. MOSCHELLO: During construction  
 24 there'll be nobody living there anymore.  
 25 It'll be ultimately at that point -- if this

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 2 closing, for example. So if the Board were  
 3 to approve the application, there's a whole  
 4 series of other steps that have to happen  
 5 after that before the property actually  
 6 closes and the developer can start  
 7 construction on the property. At that time,  
 8 the house will be vacant, so there would be  
 9 no reason for any resident to access the  
 10 house. It'll then be turned over to the JCC  
 11 and they'll have the ability to access it  
 12 from their property. The three acres will  
 13 then become part of their property, and  
 14 they'll be able to access it from there.

15 MS. AMIN: Okay.

16 MR. MOSCHELLO: So talking about the  
 17 environmental constraints. We have a 50-foot  
 18 riparian zone that's on the property. That's  
 19 now verified by the NJ DEP, and we show that  
 20 on the plan.

21 One of the constraints that we have not  
 22 fully verified yet, and this actually goes  
 23 back to when we submitted for the wetlands  
 24 LOI and the riparian zone verification about  
 25 two years ago, the DEP was in the process of

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 2 were to go through the entire process, both  
 3 the bifurcated use variance and then site  
 4 plan approval, the existing home then would  
 5 be turned over to the JCC, and there would be  
 6 no more residents living in it. So access  
 7 would then come from the JCC property. As  
 8 Ms. Friedman pointed out, most likely by some  
 9 type of a small trail for golf carts and the  
 10 like to access the building.

11 MS. AMIN: Right now that portion of  
 12 the property, which is three acres, is not  
 13 part of JCC at present, right?

14 MR. MOSCHELLO: Correct.

15 MS. AMIN: So then the question would  
 16 be: How is that three-acre property being  
 17 accessed? Until, of course, you know, the  
 18 two properties get combined, then it will  
 19 have access through JCC. But up until that  
 20 point, how does someone get into that three  
 21 acres?

22 MR. MOSCHELLO: Again, once the -- if  
 23 it were to go through approval and the three  
 24 acres then becomes part of the -- so the lot  
 25 becomes subdivided. Upon -- we'll call it

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 2 proposing the new flood hazard area rules,  
 3 which changed all the flood elevations across  
 4 the state. If we were to submit it at that  
 5 time, the verification that they would have  
 6 granted us would have been null and void with  
 7 the new rules that were issued six to  
 8 nine months later. So we've looked at the  
 9 stream of the property. We can attest to the  
 10 fact that the floodplain will not impact the  
 11 proposed development, but we will have to get  
 12 that verified as part of the site plan  
 13 process going forward with the DEP. And we  
 14 are going to need a DEP permit in order to  
 15 cross the ditch to access the site, and  
 16 you'll see that on the site plan, as well as  
 17 disturbing a portion of the riparian zone.  
 18 So we have to go get that from the state  
 19 anyway, so that would be something we would  
 20 do as part of the site plan approval process.

21 MR. FOOSE: Mr. Moschello, I just got  
 22 to ask you, because I feel like I own half of  
 23 the veterinarian across the street with my  
 24 dog. They did work on that tributary there,  
 25 and they moved some land, they put in some

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 2 pipes. The DEP regulates that and dictated  
 3 that for that property. I know this is a  
 4 different parcel, but what if the DEP, during  
 5 your processing for the permit, dictates that  
 6 you have to move and put in pipes and  
 7 culverts and things that the vet had to do?  
 8 How would that affect this application?  
 9 MR. MOSCHELLO: I could say that I  
 10 worked on the vet application. I did the  
 11 site plan on that. That's probably going  
 12 back over ten years now.  
 13 MR. FOOSE: Well, I paid for it. I  
 14 paid for it.  
 15 MR. MOSCHELLO: So, again, we had to  
 16 put underground storm drainage on that  
 17 property for detention and so forth, and we  
 18 had to design it in such a way that the  
 19 building did not impact the floodplain.  
 20 MR. FOOSE: You're going to  
 21 preemptively just kind of do this here?  
 22 MR. MOSCHELLO: On this particular  
 23 site, and I'll get the stormwater when I talk  
 24 about the site plan, we have to install a  
 25 full stormwater management system on this

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 2 property. The intent is that where we're  
 3 going to put the driveway, there's an  
 4 existing pipe there now that takes drainage  
 5 off of Route 202/206, we're going to cross  
 6 over that pipe. We have to extend it a  
 7 little bit, and that'll be part of the  
 8 stormwater portion of it, and the DOT portion  
 9 of it as well. Because remember, 202/206 is  
 10 regulated by the state, so any improvements  
 11 that we do to 202/206 is going to be looked  
 12 at by the state DOT, as well as the state  
 13 DEP. So we're going to get two different  
 14 levels of stormwater review when we go down  
 15 to the state.  
 16 MR. FOOSE: Well, three. You're going  
 17 to get Bridgewater as well.  
 18 MR. MOSCHELLO: And three, yes. I  
 19 don't want to forget Mr. Burr. So we'll have  
 20 three different levels of stormwater review.  
 21 And when I get into that, I'll talk about how  
 22 we intend to manage that stormwater runoff  
 23 with the site plan.  
 24 MR. KULAK: I'm not going to ask you to  
 25 talk about the stormwater management just

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 2 yet, but I'm going to ask you: Does the JCC  
 3 will have its own plan in the future, and the  
 4 other parcel will have its plan, or are you  
 5 designing for the entire almost 15 acres?  
 6 MR. MOSCHELLO: We're designing for the  
 7 development that we're proposing. As we're  
 8 being told, as you heard this evening from  
 9 Ms. Friedman, there's no proposed  
 10 improvements to the JCC lot other than what  
 11 I'm envisioning some type of an access path  
 12 or a car path. If we're going to do an  
 13 access path, we will address that as part of  
 14 the site plan application for the stormwater  
 15 at that time for this particular lot.  
 16 Because it has to be accounted for; it's  
 17 going to be gravel. Now, there's gravel  
 18 there today, they may elect to cut some of  
 19 that back, they might want to leave it. So  
 20 that'll have to be something we'll assess,  
 21 but that will be part of the final stormwater  
 22 management analysis, and I'll talk about why  
 23 we did the preliminary one this evening and  
 24 how that impacts it, but that'll be addressed  
 25 and looked at.

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 2 MR. KULAK: That will be something  
 3 you're doing jointly with the JCC.  
 4 MR. MOSCHELLO: That's correct, yes.  
 5 MR. KULAK: And as we look at this site  
 6 plan currently, where you're talking about  
 7 the environmental constraints, the pond  
 8 effectively becomes the JCC's pond?  
 9 MR. MOSCHELLO: Yes, it does. Yeah,  
 10 the pond in the back. The pond outlined in  
 11 blue, yes.  
 12 So, again, when we talk about the  
 13 constraints, I mean, that's really what we're  
 14 looking at on the property. So we have the  
 15 LOI and we have the riparian zone verified.  
 16 We are going to have to verify the  
 17 floodplain. And based on what we know of  
 18 this area, how it's going to be delineated,  
 19 we feel that it will be contained to that  
 20 lower right-hand portion of that property,  
 21 which is the regulated area within the  
 22 riparian zone, and that'll be vetted by the  
 23 DEP. And one of the reasons why you'll see  
 24 the driveway where it is, is because we're  
 25 putting it on the higher portion of the site

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 2 in terms of access and grade as well.  
 3 Oh, lastly, besides the wetlands and  
 4 the flood hazard area. We did do a, I'll  
 5 call, partial tree survey was done on the  
 6 property. We didn't survey every tree, but  
 7 what we did, and you could see it on your  
 8 site plans, we surveyed the trees along the  
 9 northern property line with West Foothill  
 10 Road, we surveyed the trees along the  
 11 southern property line with the residents on  
 12 Talamini, and then we surveyed three boxes of  
 13 representative samples of wooded areas in the  
 14 middle portion of the site to get an idea of  
 15 what the tree cover looks like on the  
 16 property; and we have a separate calculation  
 17 for tree replacement that I'll get to later  
 18 on in the application.  
 19 MR. KULAK: If your application is  
 20 successful, you pretty much have to clearcut  
 21 all those wooded areas that exist on the  
 22 property currently.  
 23 MR. MOSCHELLO: Within the limits of  
 24 the development. We're all looking to try to  
 25 maintain, you'll see from the site plan

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 2 yellow. We don't have the middle dividing  
 3 line anymore showing the existing lots on  
 4 here, because those now no longer exist under  
 5 the proposed application. And we're looking  
 6 at the overall tract here for the proposed  
 7 development.  
 8 So as Mr. Coakley pointed out, we're  
 9 asking for the bifurcated use variance  
 10 approval this evening with the different  
 11 D variances that he mentioned. This is a  
 12 64-unit, age-restricted townhouse development  
 13 that we're proposing this evening. And there  
 14 were some talk already about the subdivision  
 15 aspect of this with the JCC.  
 16 So before we get into the specifics of  
 17 the site itself, let's just talk about the  
 18 JCC subdivision for a moment just to make  
 19 sure everyone is clear on where that is and  
 20 how it's shown on the property. So in  
 21 looking at this map here -- and Mr. Ryan, if  
 22 you could just zoom in a little bit on the  
 23 left-hand side, you'll see that there's a red  
 24 line. That red line there that's on the  
 25 plan. That red line represents the

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 2 rendering, the wooded areas along the  
 3 southern and northern property line, but the  
 4 middle portion of the site, yes, will be  
 5 clearcut for the development.  
 6 MR. BONGIORNO: There are light green  
 7 areas at the bottom here and here. What are  
 8 those? These areas?  
 9 MR. MOSCHELLO: I'll get to that on the  
 10 site plan. Those are stormwater management  
 11 basins.  
 12 MR. BONGIORNO: Thank you.  
 13 MR. MOSCHELLO: So moving on from the  
 14 constraints, now to talk about the actual  
 15 site plan application itself.  
 16 So let's go to slide four in the A-4  
 17 set. This is entitled, "Site Plan  
 18 Rendering." It's dated August 13, 2024.  
 19 This was the image that was being referred to  
 20 previously by Ms. Friedman, and when we were  
 21 talking about where the subdivision line is  
 22 and so forth. So this is the proposed  
 23 application. Again, we're oriented with 202  
 24 on the right, the JCC on the left or the  
 25 west. The overall tract is outlined in

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 2 three-acre subdivision of the property. So  
 3 we're starting out with the 14.91 acres, and  
 4 with the three lot -- I'm sorry, three-acre  
 5 subdivision, we're actually calling that  
 6 remaining lot 53 for purposes of lot  
 7 designation right now, but we'll say  
 8 remaining lands, which is to Lot 53, it's  
 9 3.0 acres, and then that leaves us with  
 10 11.91 acres of development on the main  
 11 portion of our site.  
 12 So that red line represents the  
 13 three-acre subdivision, and then what's going  
 14 to be left on that lot -- if you could zoom  
 15 in a little bit more to the left there on  
 16 that plan, to the upper left of it, since we  
 17 have it on the screen here.  
 18 So you could see the blue shade is the  
 19 pond; just to the right of that is the  
 20 existing home with the metal barn building  
 21 that's adjacent to it. That's going to  
 22 remain. Right there, yep, that light gray  
 23 and the dark gray. And then to the north of  
 24 that there's an existing gravel area, which  
 25 is a parking area right now. The intent is

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 2 that will stay unless the JCC wants to modify  
 3 that, but right now we're showing that as  
 4 remaining. And then access will come from  
 5 the JCC property to the west or to the left.  
 6 MR. BONGIORNO: How many external  
 7 parking spots are you going to provide?  
 8 MR. MOSCHELLO: Right now it's a large  
 9 gravel area, so there's no designated parking  
 10 there, but you could see from the image,  
 11 there's actually six vehicles parked there  
 12 right now.  
 13 MR. BONGIORNO: On the two -- on the  
 14 side -- on your side of the line, on the red  
 15 line, I see little dashes. I'm assuming  
 16 those are parking spots.  
 17 MR. MOSCHELLO: Yes. We have visitor  
 18 parking that we have on site plan. So  
 19 there's actually 38 visitor parking spaces.  
 20 MR. BONGIORNO: How many?  
 21 MR. MOSCHELLO: 38. And I'll get into  
 22 the genesis of that with the parking  
 23 calculation; there's 38 spaces. And they're  
 24 disbursed throughout the site. There are  
 25 some parallel, there are some perpendicular,

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 2 and I'll touch on that.  
 3 So in terms of the site itself, we're  
 4 going to propose our access on the northern  
 5 portion of the site on the northeastern side.  
 6 It's actually in the upper right-hand side of  
 7 the plan there. You could see that curved  
 8 road coming off of 202/206. We actually  
 9 lined the access up with the driveway to the  
 10 Bridgewater Vet site, because we know they  
 11 have their own dedicated left-turn lane  
 12 coming in off of 202/206. So we're also  
 13 showing the same on our side to a certain  
 14 extent. That still has to be, of course,  
 15 worked out with DOT and everything, but the  
 16 idea is to have a full-service driveway where  
 17 you could have access to the site from both  
 18 north or southbound 202/206. So we're  
 19 actually showing a divided roadway for RSIS  
 20 purposes. It's divided for when you come  
 21 into the first intersection. We have an  
 22 eight-foot wide grass median, and then two  
 23 16-foot wide drive lanes that come into the  
 24 first intersection when you get into the  
 25 site.

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 2 I know there was a comment in the fire  
 3 official's memo about showing the fire truck  
 4 access through the site. We'll certainly  
 5 provide that to him as part of the site plan  
 6 approval.  
 7 MR. WEIDELI: That's going to be 40  
 8 feet wide then, the entrance?  
 9 MR. MOSCHELLO: It'll be 16, 16, 32  
 10 plus eight-foot for the island, so 40 total.  
 11 MR. WEIDELI: Okay.  
 12 MR. MOSCHELLO: We want to make sure we  
 13 have adequate width for the fire truck to  
 14 come in. I know Green Knoll has an  
 15 articulated ladder truck and so forth, so I  
 16 want to make sure we have the right room for  
 17 them to get in there, into the site.  
 18 And there's some details and stuff to  
 19 be worked out with the curb returns at 202  
 20 and so forth, which is a site plan item, but,  
 21 again, we show that driveway coming in there.  
 22 And when come into that first intersection  
 23 you could either make a right-hand turn and  
 24 go down road B, or continue along to road A  
 25 depending on which part of the site you wish

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 2 to access. Those roads are 24-foot wide in  
 3 width, which is your RSIS compliance for a  
 4 multifamily road width. And you'll see that  
 5 on here we also have parallel parking spaces  
 6 along road A that are closer to 202, and we  
 7 have perpendicular spaces closer that are in  
 8 the back closer to the JCC lot for on-site  
 9 visitor parking. We also have some spaces  
 10 interspersed between the townhouse units as  
 11 well in terms of parking.  
 12 If you see on the screen there, just to  
 13 the right of that eight-string of townhouses  
 14 on the bottom, there are two spaces  
 15 interspersed right under the road A-label.  
 16 Right there on the top. So we've  
 17 interspersed visitor parking throughout the  
 18 site for visitors coming to the property.  
 19 In terms of the parking for the  
 20 development itself, we have what is required  
 21 under your ordinance, or under the RSIS  
 22 actually, and these are, for the record --  
 23 we've noted them as three-bedroom units for  
 24 the record. I know there's some comments in  
 25 the review letters asking to confirm the

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 2 bedroom counts. Our parking calculation on  
 3 the cover sheet notes a three-bedroom unit,  
 4 so they're all three-bedroom units. And I'm  
 5 going to show you some floor plans a little  
 6 later on from the architectural that were  
 7 submitted to the Board, but they're a  
 8 combination of -- some units have a bedroom  
 9 on the first floor and two bedrooms upstairs;  
 10 other units have all three bedrooms on the  
 11 second floor depending on your particular  
 12 preference in terms of which you want to  
 13 purchase. But, again, they're all  
 14 three-bedroom units.

15 So based upon three-bedroom units, the  
 16 parking requirements for the project, there  
 17 are 64 units, the parking factor is 2.4, you  
 18 need 154 parking spaces for the project. All  
 19 these units that we propose here are two-car  
 20 garage units with a two-car wide driveway.  
 21 So under the RSIS you get 3.5 parking spaces  
 22 for the two-car garage and driveway  
 23 combination.

24 MR. BONGIORNO: What's the average size  
 25 of the townhouses?

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 2 That's a combined combination. Your  
 3 ordinance requires 154. So clearly there's  
 4 adequate parking on site based upon the RSIS  
 5 requirements for the project. RSIS also  
 6 requires that we provide visitor parking,  
 7 which are those spaces that are disbursed  
 8 throughout the site whether they're parallel  
 9 spaces or perpendicular spaces. The project  
 10 would require 32 surface parking spaces; we  
 11 have 38. So we have excess of six additional  
 12 spaces for visitor parking on the site.

13 There was a question about EV spaces  
 14 for the project. The code does require that  
 15 15 percent of the parking spaces have to be  
 16 make-ready. However, as of right now, we  
 17 have not worked out with the developer in  
 18 terms of how many units might have the  
 19 ability to have -- work out with the  
 20 developer of them offering chargers in the  
 21 units for cars themselves. So actually  
 22 having a charger in your garage counts  
 23 towards the EV parking requirements. So  
 24 that's something we still have to work out.  
 25 So if there's an option for chargers in the

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 2 MR. MOSCHELLO: I have the numbers.  
 3 The first and second floor are about  
 4 2,200 square feet, I believe, of living space  
 5 on the first and second floor.

6 MR. BONGIORNO: Thank you.

7 MR. MOSCHELLO: But don't quote me on  
 8 that.

9 MR. OLLER: You're saying combined?

10 MR. MOSCHELLO: First and second floor  
 11 combined, about 2,200. And they're a little  
 12 bit different depending on the figuration  
 13 inside, but that's about average.

14 MR. BONGIORNO: No basements? Slabs?

15 MR. MOSCHELLO: There are basements on  
 16 these units, and there's actually an option  
 17 for finished basements on these as well. And  
 18 you'll see, when we get to the footprints,  
 19 I'll show you that in more detail. But  
 20 two-story units, two-car garages, two-car  
 21 wide driveway. So we get the  
 22 three-and-a-half parking space requirement  
 23 for each unit.

24 So when you factor that, you end up  
 25 with 224 garage and driveway parking spaces.

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 2 garages, that would count towards the number  
 3 of parking spaces. If not, we'll have to  
 4 provide some make-ready spaces on the site.  
 5 And that's a detail we'll work out during  
 6 site plan. It's a state requirement, so we  
 7 have to comply with it, so it's something we  
 8 will work out in the details during site  
 9 plan, but that will be provided as part of  
 10 the site plan.

11 MR. WEIDELI: Can I ask you a question.  
 12 I remember when we did an age-restricted a  
 13 few years ago. It's an age-restricted of 55  
 14 and over. Does that mean just the owner  
 15 needs to be over 55? Could they live there  
 16 with two college-aged kids?

17 MR. MOSCHELLO: I believe so, but I'd  
 18 probably want to defer that to our attorney  
 19 just to confirm the exact statute.

20 MR. WEIDELI: Because I don't think  
 21 that most people, if they can't have them,  
 22 would need three bedrooms and 2,200 square  
 23 feet. The idea is to downsize a little. Can  
 24 we get a clarification on that?

25 MR. MOSCHELLO: Yeah, we'll check the

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 2 statute on that.  
 3 So in terms of, I'll call it,  
 4 pedestrian access around the site. Again,  
 5 this project -- this site has access off of  
 6 202/206, but under the RSIS we've proposed  
 7 sidewalks on both sides of the road  
 8 throughout the site. I know there were some  
 9 comments about additional crosswalks, and  
 10 we'll certainly could look in that in terms  
 11 of site-plan detail. We'll add some  
 12 additional crosswalks around the property to  
 13 make sure that you can safely get across from  
 14 one side of the street to the other, and key  
 15 points around the site. But there's no  
 16 sidewalks along 202/206 in that area right  
 17 now, but we'll bring sidewalks out to the  
 18 intersection, and if DOT does something in  
 19 the future and adds additional sidewalks, the  
 20 connectivity will be there.  
 21 MR. BONGIORNO: These are not private  
 22 roads, right?  
 23 MR. MOSCHELLO: These are private  
 24 roads. This is not a, I'll say, public road  
 25 dedication or right of way. We're calling

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 2 these as private roads.  
 3 MR. BONGIORNO: So snow removal and  
 4 stuff is --  
 5 MR. MOSCHELLO: All handled by the  
 6 association.  
 7 MR. BONGIORNO: Thank you.  
 8 MR. MOSCHELLO: Now, I will say that it  
 9 has not been determined whether or not this  
 10 would end up becoming a fee-simple town home  
 11 subdivision, where the townhouses will be on  
 12 individual lots. That's something we'll work  
 13 out as part of the site-plan approval, but  
 14 that doesn't affect the design of the  
 15 project. It just means there will be  
 16 individual lots for the townhouses for a  
 17 fee-simple sale, as opposed to maybe a condo  
 18 type of unit here, but that's a detail we'll  
 19 have to work out. But, again, that doesn't  
 20 affect the layout of the project or the  
 21 roads.  
 22 MR. KULAK: And these are not meant to  
 23 be rental units.  
 24 MR. MOSCHELLO: No, these are for-sale  
 25 age-restricted development.

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 2 In terms of site grading, I just want  
 3 to touch on a few items related to site  
 4 grading. We did have a grading plan that was  
 5 submitted in the site plan set. So we show  
 6 the grades for the property on the set, and  
 7 we did look into retaining walls and where  
 8 they would be needed. As I mentioned, the  
 9 site is moderately -- gently to moderately  
 10 sloping. This is not a steep site. We're  
 11 not looking at retaining walls in the 20 to  
 12 30-foot range here to grade this property  
 13 out. It's relatively flat. So really what  
 14 we have is some retaining walls around the  
 15 proposed detention basins for, you know,  
 16 storage of runoff. They're in the four to  
 17 six, seven-foot range. We have a retaining  
 18 wall on the northern portion of the site  
 19 closer to West Foothill Road that's in the  
 20 eight-foot range. There might be some  
 21 sections of some walls that are nine to  
 22 10-foot at most, but we're not looking at  
 23 major tiered walls here like you might see on  
 24 certain sites that are 20, 25-foot high. The  
 25 site, again, is gently sloping, so we don't

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 2 really need a large amount of retaining  
 3 walls.  
 4 Ultimately, where we show the walls on  
 5 the site plan, and we did have notes to have  
 6 fencing for fall protection on those walls,  
 7 there's guardrails shown in certain areas  
 8 adjacent to the roads. So that's been looked  
 9 at already. That detail can be, you know,  
 10 further clarified in terms of the fence type  
 11 and everything as part of the site plan, but  
 12 we do have fall protection and such showing  
 13 around those retaining walls.  
 14 Just in terms of cut and fill. I know  
 15 that Mr. Burr mentioned that in his letter.  
 16 Again, this is still, I'll call, a  
 17 preliminary grading plan to the extent that  
 18 we haven't done all the site-plan work yet  
 19 and we haven't looked at maybe certain  
 20 berming or screening options in certain  
 21 areas, but, generally speaking, we're  
 22 actually in a little bit of an export right  
 23 now of about 15 to 18,000 cubic yards of  
 24 export. But that hasn't taken into account  
 25 the final, I'll say, berming and things of

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 2 that nature around the site. I just wanted  
 3 to get that number on the record as of now.  
 4 We have not, you know, finalized that with a  
 5 contractor and so forth on those numbers.  
 6 But there will be an export of dirt coming  
 7 off the site, and we may look to adjust that  
 8 number before we go to final site plan and  
 9 made some adjustments to grading to do that,  
 10 but nothing that would materially alter the  
 11 overall site design in terms of disturbance  
 12 limits and things of that nature. So onto --  
 13 MR. FOOSE: Mr. Moschello, let me jump  
 14 in. Why don't we take a break. It's 8:30.  
 15 Let's take a 15-minute break, we'll come back  
 16 at 8:45, and we'll finish up.  
 17 MS. AMIN: I have a question.  
 18 The lighting along the roads, will you  
 19 be providing port lights or any of those  
 20 kinds of things.  
 21 MR. MOSCHELLO: There will be lighting  
 22 for the project, but because it's a  
 23 residential project it's going to be a  
 24 little -- it's going to be more muted as  
 25 opposed to a commercial project; things along

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 2 those lines. So the intent is even though we  
 3 haven't submitted a lighting plan, the intent  
 4 is to have the lighting plan comply with your  
 5 ordinance requirements for residential  
 6 lighting, which we anticipate the  
 7 intersections and usually where you have  
 8 those surface parking spaces, and then the  
 9 rest of the lighting will be your typical  
 10 residential lighting on the buildings  
 11 themselves; at your doors, above your  
 12 garages; things like that. We're not going  
 13 to light the streets in addition to lighting  
 14 the houses except for just where we have  
 15 parking, because you want to have some light  
 16 where the parking is.  
 17 MS. AMIN: I also have on item 10,  
 18 about electric vehicle parking. I have  
 19 suggestion actually. Each unit should have  
 20 its own receptacle so that complies with all  
 21 the requirements.  
 22 MR. MOSCHELLO: You mean a charging  
 23 for...  
 24 MS. AMIN: For each unit inside the  
 25 garage or outside the garage you provide an

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 2 outlet that allows you to plug in your  
 3 electric vehicle.  
 4 MR. MOSCHELLO: We could take that into  
 5 account.  
 6 MS. AMIN: That's very simple. And  
 7 then that complies with all the requirements.  
 8 MR. MOSCHELLO: I think it might be  
 9 required by code now on the outside, but I'm  
 10 not the architect, so I can't confirm that.  
 11 MR. FOOSE: Let's take a break. All  
 12 right. 15 minutes, we'll see everybody back  
 13 at 8:45.  
 14 Thank you, Mr. Moschello.  
 15 (Whereupon, a break was taken at  
 16 8:31 p.m.)  
 17 (Back on the record at 8:46 p.m.)  
 18 MR. FOOSE: Okay. It's 8:45, we're  
 19 going to come back in session.  
 20 Nancy, can I get a quick roll call  
 21 please.  
 22 MS. PROBST: Chairman Foose.  
 23 MR. FOOSE: Here.  
 24 MS. PROBST: Mr. Weideli.  
 25 MR. WEIDELI: Here.

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 2 MS. PROBST: Ms. Amin.  
 3 MS. AMIN: Here.  
 4 MS. PROBST: Mr. Fresco.  
 5 MR. FRESCO: Here.  
 6 MS. PROBST: Mr. Bongiorno.  
 7 MR. BONGIORNO: Here.  
 8 MS. PROBST: Mr. Gayeski.  
 9 MR. GAYESKI: Here.  
 10 MS. PROBST: Mr. Sicat.  
 11 MR. SICAT: Here.  
 12 MS. PROBST: Mr. Kulak.  
 13 MR. KULAK: Here.  
 14 MS. PROBST: Mr. Gabbett.  
 15 MR. GABBETT: Here.  
 16 MR. FOOSE: Okay. Our board  
 17 professionals and attorney are here.  
 18 Mr. Moschello, welcome back.  
 19 MR. MOSCHELLO: Thank you.  
 20 Okay. So we just were talking about  
 21 the site plan. I think this is the good time  
 22 to jump right into the topic of stormwater  
 23 management on the property.  
 24 So we're going to stick with the  
 25 Exhibit A-4 that was up on the board, which

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 2 is the rendering; just for informational  
 3 purposes. I'm going to talk a little bit  
 4 more about the stormwater details. There  
 5 was, submitted with the application, besides  
 6 the conceptual grading plan that was in the  
 7 site plan set that was submitted, there was a  
 8 preliminary stormwater report that was also  
 9 prepared for this project. It's not a  
 10 full-on total comprehensive report, but it's  
 11 a preliminary report that looks at certain  
 12 aspects of the stormwater management system  
 13 on site.  
 14 Before I get into that, I'll just back  
 15 up for a moment just to talk about what the  
 16 project is classified under. So we are --  
 17 under the rules, we are a major stormwater  
 18 development, because we're more than a  
 19 quarter of new impervious, an acre of  
 20 disturbance, and we are also subject to the  
 21 latest round of rules that were put in place  
 22 now about a year ago, which is the new  
 23 attenuation requirements under the state  
 24 statute for stormwater management, which now  
 25 requires us to look at not only current

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 2 precipitation levels for year 2024, 2025, but  
 3 also look at precipitation levels projected  
 4 out to the year 2100, which is the new  
 5 resiliency requirements of the state DEP for  
 6 stormwater management. So we're required to  
 7 not only design for current, but also design  
 8 for this future 2100-year storm. It's  
 9 2100-year, two 10, and 100-year storm events,  
 10 and those events are quite larger than what  
 11 we've dealt with under the current rules over  
 12 the last number of years. Coupled with that,  
 13 we also have to meet with the green  
 14 stormwater requirements, which, if you may  
 15 recall on some other applications, your  
 16 drainage areas to your water quality basins  
 17 can be no more than 2.5 acres in size, where  
 18 you have to treat your water quality  
 19 requirements for the project before you might  
 20 discharge into, what we'll call, large scale  
 21 basin for all intents and purposes.  
 22 On top of your attenuation requirements  
 23 for those large storm events, you have water  
 24 quality which has to be treated either  
 25 through the use of green infrastructure such

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 2 as bioretention basins, infiltration, or  
 3 mechanical or a manufactured treatment device  
 4 means on the property.  
 5 And then, lastly, you have recharge.  
 6 Based on the soil characteristics of the  
 7 site, you have to recharge or put water back  
 8 into the ground as close to the point with  
 9 which you put the impervious surfaces in  
 10 order to meet your recharge requirements for  
 11 your project.  
 12 Because we are doing a bifurcated use  
 13 variance application, we did not go into all  
 14 the specifics of the stormwater design at  
 15 this time, but what we did look at, in terms  
 16 of those three prongs, - the attenuation,  
 17 water quality, and recharge - we look at the  
 18 attenuation aspect of it, and we looked at  
 19 the attenuation for that 2100-year storm  
 20 event, for the two 10 100-year storm. The  
 21 future precipitation, which basically for  
 22 that 100-year storm, that's almost a 12-inch  
 23 an hour -- a 12-inch rain event over a  
 24 24-hour period, where the prior 100-year  
 25 storm under current calculations is about

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 2 eight inches over a 24-hour period. So it's  
 3 almost 50 percent greater than what we're  
 4 required to design for just over a year ago.  
 5 So in looking at that, we said, well,  
 6 the worst-case scenario is that 2100-year,  
 7 100-year storm, so we want to make sure that  
 8 we could at least provide on the site plans  
 9 the required storage and attenuation related  
 10 to that storm event. Typically, if you could  
 11 meet that storm event you could meet the  
 12 attenuation required with that, meeting your  
 13 water quality and then meeting your recharge.  
 14 They basically will fall into place under the  
 15 future design, because that's the hardest  
 16 thing to do to make that 2100-year storm work  
 17 in terms of storage on your site.  
 18 We also didn't look at recharge yet,  
 19 because that would require soil testing,  
 20 which we will do at the appropriate time, but  
 21 we've designed the basins as if we weren't  
 22 recharging, which means they're actually  
 23 conservatively designed for the most amount  
 24 of water they have to hold, which means that  
 25 under a recharge scenario some of that water

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 2 will go back into the ground if we were  
 3 recharging during a storm event.  
 4 We've done the calculation so far to  
 5 exclude that recharge, so instead of that  
 6 water going into the ground for the time  
 7 being it's being designed to be held into the  
 8 basins and discharged slowly.  
 9 MR. FOOSE: Mr. Moschello, you worked  
 10 across the street. You can't tell us what  
 11 the attenuation is going to be? You can't  
 12 tell us anything about the soil? You did the  
 13 work across the street.  
 14 MR. MOSCHELLO: Well, no, even though  
 15 we did the work across the street, the rules  
 16 require to do, you know, two test pits per  
 17 basin.  
 18 MR. FOOSE: So based on the work that  
 19 you did across the street, tell us about the  
 20 basins. Are they appropriate in size?  
 21 MR. MOSCHELLO: That's where I was  
 22 getting at, Mr. Chairman, was because we  
 23 didn't look at the soil recharge yet, which  
 24 actually allows you to make the basins  
 25 slightly smaller, we've looked at it saying,

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 2 times. You do great work. You know what I'm  
 3 going to say before I say it.  
 4 So with that said, how can you make  
 5 members of the public and make this Board  
 6 make a safe decision even in a bifurcated  
 7 case? I don't think you can.  
 8 MR. MOSCHELLO: I think, Mr. Chairman,  
 9 to your point, I think when you look at what  
 10 we have here on the plan in -- and I'm  
 11 referring to the conceptual grading plan that  
 12 was submitted and then those calculations --  
 13 MR. FOOSE: This is why we tell  
 14 bifurcated applications -- if you want to do  
 15 it, it's your right, but we tell them we  
 16 don't prefer to hear them. This is the  
 17 reason.  
 18 MR. MOSCHELLO: I understand what  
 19 you're saying, but I think what we submitted  
 20 here, it shows the calculations demonstrate  
 21 that we have --  
 22 MR. FOOSE: You did so much work. Just  
 23 submit it. Just do it. Do the perc test.  
 24 Go and do the soil test, so you could put it  
 25 on the record, and this Board can make a safe

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 2 well, take the recharge out of the question  
 3 for right now and let's just make the basins  
 4 to the largest size we need to treat that  
 5 2100-year storm, and that's what we have here  
 6 on the plan. This is the largest basins we  
 7 would have.  
 8 MR. FOOSE: Where is this plan? What  
 9 am I looking at? I have this ream of paper  
 10 here that was in my packet, that the members  
 11 of the public certainly don't have. This is  
 12 what makes me nervous as a board member, that  
 13 I don't know what you're proposing. Where is  
 14 it? Where can we point to? So that our  
 15 board professionals can review it and talk  
 16 about it and make the neighbors feel safe,  
 17 make people that live on the street feel  
 18 safe.  
 19 MR. MOSCHELLO: So if you look at --  
 20 again, like I said, this is a bifurcated  
 21 application, but if you're looking at our  
 22 conceptual grading plan --  
 23 MR. FOOSE: But it's intertwined in the  
 24 decision-making process, and Mr. Moschello,  
 25 you've been in front of this Board so many

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 2 decision. I just don't know how you could  
 3 ask the Board in a bifurcated case on 64  
 4 townhouses on one of the busiest roads in the  
 5 township; actually I'm going to say probably  
 6 the busiest road on a density basis on  
 7 acreage. And Mr. Coakley is going to  
 8 interrupt me, but how can we possibly make a  
 9 safe decision that's not arbitrary and  
 10 capricious, that a judge isn't going to look  
 11 and say they had all the information.  
 12 Mr. Coakley.  
 13 MR. COAKLEY: The alternative would be  
 14 this is the worst-case scenario. He's  
 15 prepared these basins without getting any  
 16 benefit of recharge.  
 17 MR. FOOSE: Okay.  
 18 MR. COAKLEY: I mean, you know, I don't  
 19 think you get the information you're looking  
 20 for on a site plan application either. I'm  
 21 not sure you do. Maybe when the applicant  
 22 goes to DEP and gets permits, that's so, but  
 23 I'm not sure you get it in a regular  
 24 application.  
 25 MR. FOOSE: But to your benefit, you

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 2 did so much work here. I don't know why you  
 3 just don't do those things. I hear what  
 4 you're saying, that you've sized this to the  
 5 worst-case situation. Nonetheless, why don't  
 6 you do the testing, so at least the Board has  
 7 the benefit of all this information. What if  
 8 there is something crazy going on with this.  
 9 You know, we do have quarries in town, we do  
 10 live on a shale.

11 MR. COAKLEY: Can I just remind you of  
 12 one thing, and that is when we come back,  
 13 whatever you get on a full site plan or a  
 14 subdivision application you get again, and  
 15 you get the ability to say it doesn't pass  
 16 the negative criteria test.

17 MR. FOOSE: I don't really want to  
 18 speak to that, because, to be honest, we  
 19 don't have any bifurcated cases. Did one on  
 20 Chimney Rock Road, but they did 95 percent of  
 21 the work, and you did at least 90 percent of  
 22 the work here. I don't know why you just  
 23 don't finish it and just do it. I know  
 24 there's a matter of expense, but you've  
 25 already done so much.

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 2 MR. COAKLEY: You have the statute for  
 3 a couple of reasons. One of the reasons is  
 4 to try to keep cost under control. You have  
 5 a nonprofit corporation here involved in this  
 6 as well. You have two applications. It  
 7 seems like it was drawn for this statute,  
 8 this type of application.

9 MR. FOOSE: All right.

10 MR. COAKLEY: Let me ask you, how long  
 11 would it take to do the test pits?

12 MR. MOSCHELLO: The test pits would  
 13 probably involve a month of work to do that,  
 14 to get the test pits done for this particular  
 15 project.

16 MR. FOOSE: Mr. Burr, is there a  
 17 scenario where this year 2100 testing isn't  
 18 enough, because I certainly think there is.  
 19 But I'm not the expert; you are.

20 MR. BURR: Mr. Chairman, you're raising  
 21 some good points. Obviously it's always  
 22 easier for us to sit up here and tell the  
 23 Board and the public that we have the full  
 24 picture.

25 MR. FOOSE: Could you just tell

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 2 Mr. Moschello again, and Mr. Coakley about  
 3 what happened in our town on Route 22 and the  
 4 dead bodies that washed up in Bound Brook.  
 5 Just give an overview about it, because I  
 6 think it's worth talking about, because I  
 7 have to bring it up every case.

8 MR. BURR: I think they've heard us  
 9 talk about it, but it's --

10 MR. FOOSE: Every case is unique to  
 11 itself, so I want to put it on the record.

12 MR. BURR: So it's something in the  
 13 township and in the engineering department  
 14 that we probably field the most of any  
 15 questions or concerns from the public on a  
 16 daily basis, is drainage-related issues. Ida  
 17 was something we never seen before obviously.  
 18 The township, just in some of the public  
 19 infrastructure that we were able to get  
 20 funding for, 3 million plus dollars worth of  
 21 damage, we had sanitary sewer trunk lines  
 22 washed away, we had retaining walls  
 23 supporting roads washed away that caused road  
 24 closures. We had a number of people perish  
 25 unfortunately. So you're absolutely right.

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 2 Mr. Chairman, this is something that we pay  
 3 very close attention to on each and every  
 4 application, and, quite frankly, it's  
 5 something I'm struggling with a little bit,  
 6 because I want to give Mr. Moschello and the  
 7 applicant the benefit of the doubt, because I  
 8 appreciate -- on most bifurcated applications  
 9 we don't get anything in the way of a  
 10 stormwater report.

11 MR. FOOSE: And we send them away.

12 MR. BURR: Exactly. And we don't get  
 13 the level of plans prepared to this extent on  
 14 other applications, but, you know, on the  
 15 flip side, if the Board is asking me with 100  
 16 percent center that this is going to pass  
 17 muster at the site plan phase, I really can't  
 18 say that unless I have all of that  
 19 information. So it's tricky.

20 MR. FOOSE: And, Mr. Moschello, I mean  
 21 this with all due respect, I don't trust  
 22 Trenton. I don't trust your 2100. I don't  
 23 know what that means. That sounds like a  
 24 total gimmicky Trenton word. I do trust you  
 25 and I trust Mr. Burr, and I think if you did

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 2 a soil sample it would certainly help me as  
 3 one vote on the Zoning Board, to understand  
 4 what we're dealing with here. Your 2100  
 5 sounds like a gimmick. Even though  
 6 Mr. Coakley says that it's not, and I respect  
 7 you as well, sir, I don't know what your 2100  
 8 means.

9 MR. COAKLEY: I'm not relying on that.  
 10 I'm relying on the fact that when we come in  
 11 for site plan approval and subdivision  
 12 approval, all of the requirements of that  
 13 have to be met, and if they're not met you  
 14 have the right to turn it down. You're not  
 15 bound by this approval in that respect.

16 MR. FOOSE: Okay.

17 MR. COAKLEY: And that's right in the  
 18 statute.

19 MR. FOOSE: All right.

20 MR. COAKLEY: I mean, a lot of this is  
 21 people have to plan. I mean, you can't plan  
 22 if you don't know what your property can be  
 23 used for. You know, we're all paralyzed.

24 MR. FOOSE: Right. But that's why I  
 25 say my speech up front about safety.

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 2 But to your point, Mr. Chairman, and  
 3 trying to get to where I was mentioning about  
 4 the soil testing, let's say for argument sake  
 5 that, you know, we do the soil testing,  
 6 there's no recharge on the property. It's  
 7 what they call D-soils, and Mr. Burr has  
 8 heard that term before. In which case we'll  
 9 be able to infiltrate. We have the storage,  
 10 you know, outlined on the plan here that we  
 11 need for those basins to function as the  
 12 regulations intend it to.

13 So, again, we're looking at a plan here  
 14 with basically eight stormwater basins on the  
 15 site. So you're taking what basically  
 16 amounts to a 11-acre, 12-acre project and  
 17 you're taking even less than that  
 18 two-and-a-half acre requirement per basin -  
 19 we're actually doing even less than that - to  
 20 those basins based on the grading on the site  
 21 and the way it drains towards 202/206.

22 MR. KULAK: And this plan also  
 23 incorporates the land that's been portioned  
 24 to the JCC?

25 MR. MOSCHELLO: Yes. This takes into

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 2 MR. COAKLEY: And we appreciate that,  
 3 and that's why I'm saying we stipulate that  
 4 the ordinance allows you, if you feel that  
 5 this is unsafe at the final application, that  
 6 you can turn this application down. You have  
 7 that right.

8 MR. FOOSE: You say that after you  
 9 present this grand design, that we're going  
 10 to help out the JCC. I don't want to be the  
 11 jerk to turn this down, because I want to  
 12 help the JCC, I want to help my community,  
 13 and I'm telling you right now I don't want to  
 14 be that jerk, and why don't we come up with a  
 15 plan where the Zoning Board doesn't have to  
 16 be the bad guy. You're basically putting the  
 17 Zoning Board in a position where we don't  
 18 want to be. I'm saying you could alleviate  
 19 that and remove that trigger by giving us a  
 20 little bit more information.

21 MR. COAKLEY: Well, maybe let's go on  
 22 and I'll discuss it.

23 MR. FOOSE: Fair enough, thank you.

24 MR. MOSCHELLO: Let's discuss that and  
 25 see what we could do.

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 2 account what's going to come from that side  
 3 of the property. So if they do any  
 4 development there, we would have to account  
 5 for that runoff that comes towards us. Yes.  
 6 And if that means we have to tweak a basin as  
 7 we get into those final calculations, we  
 8 certainly would do that. But this takes into  
 9 account adding eight basins to the site. We  
 10 have two underground basins and six surface  
 11 basins that provides stormwater management  
 12 for the site the way it's designed right now.

13 I certainly understand your concerns  
 14 about safety and if the basins aren't  
 15 designed properly we're going to cause  
 16 flooding on the culvert just south of 202/206  
 17 by Talamini, and we certainly don't want to  
 18 do that.

19 The rules require us to meet the  
 20 existing discharge points as the water leaves  
 21 the site, and that's what we are designing to  
 22 meet those standards. So that's something  
 23 that we take very seriously with our  
 24 stormwater calculations, and we're designing  
 25 this to meet those standards that the state

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 2 requires. And, again, your engineer is also  
 3 going to have to look at this very closely as  
 4 well as part of his review, and present his  
 5 interpretation of what we proposed here.  
 6 MR. KULAK: When you look at the  
 7 adjacent residential properties to your  
 8 development, you've got this high intensity  
 9 development of 64 town homes crammed into  
 10 roughly 11 acres, and you're trying to design  
 11 a water management plan. How are the  
 12 neighbors affected by your plan and/or this  
 13 development?  
 14 MR. MOSCHELLO: I think from a -- from  
 15 a stormwater perspective, the way the runoff  
 16 is coming here, we're actually taking the  
 17 northern lots that are closer to -- West  
 18 Foothill sort of drain towards us. Okay.  
 19 The lots that are south of us -- we  
 20 currently, as of today, as of right now, no  
 21 development on the property, the water from  
 22 our site runs off onto their properties on  
 23 the southern side. So by doing this  
 24 development, we would actually reduce the  
 25 runoff going towards those southern

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 2 properties. I don't know if they have any  
 3 drainage issues there today. I have not  
 4 looked at that, I have not studied their  
 5 properties, but by developing the site and  
 6 putting those basins we have on the southern  
 7 portion of the site, behind those 16 units --  
 8 if you could just pan up a little bit, Ryan,  
 9 on that plan there. I'm sorry, pan down, I  
 10 apologize. You'll see those two-lighter  
 11 shaded green areas on the plan. Those are  
 12 stormwater basins that we're proposing behind  
 13 the units.  
 14 MR. FOOSE: How many trees are you  
 15 removing from this property? Right now they  
 16 have the benefit of a lot of trees.  
 17 MR. MOSCHELLO: The site is wooded  
 18 today, and we are going to remove --  
 19 MR. FOOSE: Let's get the number for  
 20 the neighbors. How many trees are you going  
 21 to cut down?  
 22 MR. MOSCHELLO: So we are going -- and  
 23 this is based on an approximate calculation  
 24 right now, because we only did -- we surveyed  
 25 the trees along the perimeter, like I

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 2 mentioned, and we did representative samples  
 3 inside the site.  
 4 MR. FOOSE: I think the neighbors  
 5 deserve to know how many trees you're going  
 6 to cut down.  
 7 MR. MOSCHELLO: Right now we're looking  
 8 at a tree removal number of about 560 trees  
 9 approximately.  
 10 MR. FOOSE: That's approximate?  
 11 MR. MOSCHELLO: Approximate trees,  
 12 correct.  
 13 MR. FOOSE: How far off could your  
 14 number be? Could you be 50 percent wrong;  
 15 100 percent wrong?  
 16 MR. MOSCHELLO: Given the way we've  
 17 done these calculations in the past, and for  
 18 one-acre boxes, it's usually -- they could be  
 19 a magnitude of 10 to 20 percent.  
 20 MR. FOOSE: Now, in other cases we've  
 21 had an applicant where they cut down trees in  
 22 error. I pulled up a satellite image and I  
 23 was able to assess a fine off of the  
 24 satellite image. Why can't you do the same  
 25 thing? Why can't you pull up the sat and

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 2 view the square footage, and just count the  
 3 trees?  
 4 MR. MOSCHELLO: Well, we surveyed three  
 5 boxes on site, internal to the site. So if  
 6 you go back and look on our sheet 2 of 5 of  
 7 the site plan set, we actually have three  
 8 approximate limits of partial tree surveys.  
 9 We did these smaller boxes internal to the  
 10 site. So we did that to assess what the  
 11 internal condition of the site would be as  
 12 opposed to surveying all the trees at this  
 13 time.  
 14 MR. FOOSE: I hate to interrupt  
 15 Mr. Kulak, and I apologize for that.  
 16 My microphone has been off.  
 17 But Mr. Kulak asked a question how will  
 18 it impact the neighbors, and right now it's  
 19 impacting them because there's approximately  
 20 585 existing trees that won't be there  
 21 following the development. Is that correct,  
 22 Mr. Moschello?  
 23 MR. MOSCHELLO: According to the  
 24 current calculations, that's correct.  
 25 MR. FOOSE: Mr. Kulak, I'm sorry.

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 2 MR. KULAK: That's okay. You could  
 3 continue.  
 4 MR. MOSCHELLO: So, yes, to your point  
 5 Mr. Kulak, the impacts to the runoff --  
 6 because I thought that was the question you  
 7 were asking in terms of stormwater, is that  
 8 by constructing those basins on the southern  
 9 side of the property we're going to cut off  
 10 that runoff that's leaning towards those  
 11 southern properties. We're going to put in  
 12 our basins and then we're going to discharge  
 13 it at the required rates into the existing  
 14 stream that's on -- the tributary that's on  
 15 the property.  
 16 MR. KULAK: The presumption, based on  
 17 your answer, is that the properties to the  
 18 north are draining through the existing  
 19 property today.  
 20 MR. MOSCHELLO: Coming onto our  
 21 property, yes.  
 22 MR. KULAK: Right. And that -- I'm  
 23 just going to ask this. Is it likely, then,  
 24 that's all being absorbed because you have  
 25 pretty much a natural site there. So none of

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 2 that runoff is coming through to the  
 3 neighbors to the south.  
 4 MR. MOSCHELLO: The way the  
 5 calculations work is that there are certain  
 6 absorption that happens under wooded  
 7 condition versus a lawn condition versus a  
 8 pavement condition. So even though, yes,  
 9 there's water coming off of those residential  
 10 lots that comes onto our site, as it travels  
 11 through our site because it's wooded, you  
 12 have less runoff as opposed to the current  
 13 condition, which is why you have to provide  
 14 detention and stormwater management.  
 15 So, yes, there may be some infiltration  
 16 occurring there, which is why, under the  
 17 rules, we have to go in and do those recharge  
 18 calculations, do that for the basins, provide  
 19 the water quality, provide the attenuation,  
 20 because you are putting pavement and lawn,  
 21 which has a higher runoff value than you  
 22 would a wooded area. That's what the  
 23 regulations require you to do, to do the  
 24 calculations.  
 25 But by adding all these basins now, and

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 2 we're picking up all this runoff, we're  
 3 picking up some runoff that's coming onto our  
 4 property from the upstream lots and we're  
 5 preventing runoff from going to those  
 6 southern lots on the lower portion of our  
 7 site. So there's a balance there that's  
 8 happening just by virtue of the development  
 9 that's occurring here.  
 10 MR. KULAK: Understood.  
 11 MR. BONGIORNO: I have a question.  
 12 In the upper northwest corner, there's  
 13 a detention basin?  
 14 MR. MOSCHELLO: Upper northwest.  
 15 MR. BONGIORNO: To the right, sorry.  
 16 Northeast.  
 17 MR. MOSCHELLO: Northeast, yes.  
 18 There's a couple basins to the northeast.  
 19 MR. BONGIORNO: Okay. So is there a  
 20 possibility that if those overflow and they  
 21 overflow the stream, that the access to the  
 22 development would be not accessible?  
 23 MR. MOSCHELLO: Given the elevations  
 24 and the way the site is designed, if the  
 25 stream were to overflow, let's just say --

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 2 because the stream is just south of that,  
 3 that gradient is probably 6 to 8 to 10 feet  
 4 higher. I don't see that flooding out that  
 5 driveway. If it floods out that driveway,  
 6 you're flooding out the entire 202/206, and  
 7 that storm is not just coming from our site.  
 8 That's something completely different.  
 9 MR. BONGIORNO: Well, that's my  
 10 concern, is that there's only one entrance  
 11 and one exit of the development. So if  
 12 something should happen to that specific  
 13 spot, these people would be in trouble.  
 14 MR. MOSCHELLO: Just based on the  
 15 grading, it's higher than where the flooding  
 16 would occur on the property, which is why we  
 17 placed it on the northern portion of the  
 18 site. If we were to keep the driveway where  
 19 the existing driveway is today -- if you've  
 20 visited, you've probably driven by the site,  
 21 you know where that gravel driveway is down  
 22 closer to the stream. That driveway, that  
 23 area is susceptible to flooding. So you  
 24 don't want to have your access at that point  
 25 there. So that's why we're moving it to the

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 2 northern portion of the site. We know that  
 3 access is high and dry compared to what's  
 4 happening down by the culvert. And that's  
 5 something we have to prove not only to the  
 6 Board with the calculations, but also to the  
 7 DEP as well when we do the site plan.  
 8 MR. BONGIORNO: And I know you haven't  
 9 done all the testing yet, but all of the  
 10 detention basins you're going to have would  
 11 account for 100-year flooding?  
 12 MR. MOSCHELLO: 100-year flooding,  
 13 correct.  
 14 MR. FOOSE: Mr. Moschello, where would  
 15 the 65th unit go hypothetically on this plan?  
 16 MR. MOSCHELLO: 65th unit?  
 17 MR. FOOSE: Yeah.  
 18 MR. MOSCHELLO: I could fit a 65th  
 19 unit.  
 20 MR. FOOSE: Where would it go?  
 21 MR. MOSCHELLO: I could put it in the  
 22 upper left-hand corner, if -- you know, if we  
 23 tweak the roadway out a little bit.  
 24 MR. FOOSE: So the 65th unit would go  
 25 in the northwest corner.

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 2 MR. MOSCHELLO: Yeah, northwest. I  
 3 could maybe make that a seven string to fit  
 4 one there.  
 5 MR. FOOSE: Now, why do you think I  
 6 asked that question.  
 7 MR. MOSCHELLO: Well, I think you're  
 8 asking it based on the density of the current  
 9 project.  
 10 MR. FOOSE: Thank you. That was it.  
 11 MR. MOSCHELLO: All right. So in terms  
 12 of -- that generally covers the stormwater  
 13 management that we submitted. Of course, the  
 14 plan doesn't have the piping network laid out  
 15 yet, but that would be a function of, you  
 16 know, of the final ultimate design of the  
 17 site plans, but the way the site is graded  
 18 all the water is going towards 202/206 as it  
 19 does today under existing conditions, as it  
 20 would under proposed conditions.  
 21 There were some questions about some  
 22 other items to briefly talk about. There  
 23 were some questions about lighting. I  
 24 mentioned that we would have lighting on the  
 25 site adjacent to certain parking areas, and

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 2 just at the intersections of the site. This  
 3 would not be an overly lit site, because it's  
 4 a residential project. It would be a muted  
 5 type of lighting that would comply with your  
 6 ordinance. LED lights, down lighting; no up  
 7 lighting. That would meet the ordinance  
 8 requirements for lighting purposes.  
 9 I just want to touch on --  
 10 MR. FRESCO: Can I just jump in and ask  
 11 a question real fast, I'm sorry.  
 12 You know, I'm looking at the -- just  
 13 before we leave the water. So I have the  
 14 benefit of looking at this plan. You know,  
 15 we keep talking about the neighbors and the  
 16 neighbors' runoff, but basically all the  
 17 impervious coverage on all of these roofs,  
 18 all 64 of these, are all getting piped into  
 19 these main pipes that lead into your  
 20 retention basins, right? I mean, that's what  
 21 all these --  
 22 MR. MOSCHELLO: All the roofs are being  
 23 picked up and they're either going to be  
 24 piped into underground storage basins or the  
 25 surface basins. But, correct, they are being

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 2 directed --  
 3 MR. FRESCO: That's right. They all  
 4 lead there. Okay. And I'm glad you brought  
 5 up -- so the one in the middle, that's the  
 6 underground one. Just run through that. You  
 7 know, we've heard from you, and these things,  
 8 I know they come in all different shapes and  
 9 sizes, and you're stating that you don't want  
 10 to do the ground test on those, but what  
 11 about the underground one? What's the story  
 12 with that?  
 13 MR. MOSCHELLO: Well, we're proposing  
 14 200 underground basins right now basically to  
 15 take the roof runoff. And the assumption  
 16 is --  
 17 MR. FRESCO: Well, the roof runoff for  
 18 the ones that are in that proximity.  
 19 MR. MOSCHELLO: Right. Correct, yeah.  
 20 We take the middle section and go to there.  
 21 And there's also one to the north of the  
 22 six-string of units by the entrance in the  
 23 upper right-hand corner.  
 24 MR. FRESCO: I see it, yup.  
 25 MR. MOSCHELLO: There's one up there as

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 2 well. The intent is, again, those would be  
 3 designed as -- they're designed right now as  
 4 just straight up storage basins, so the  
 5 amount of volume in them is based on the  
 6 runoff coming from the roofs of the units  
 7 with no infiltration. So if we -- when we go  
 8 out there and do the soil testing, not if.  
 9 When we do the soil testing we would  
 10 determine if the soils have the ability to  
 11 infiltrate runoff. If they do, then we  
 12 change those and the calculation from just  
 13 straight up detention to infiltration. And  
 14 then that's how they would be treated for the  
 15 roof runoff.  
 16 MR. FRESCO: Okay. So the underground,  
 17 the one that's in the middle of the complex,  
 18 that is what? That's grass with gravel?  
 19 MR. MOSCHELLO: So, yeah, from the  
 20 surface it would look like lawn, but  
 21 underneath the ground there would be a series  
 22 of -- and we haven't picked a final detail,  
 23 whether we do, I'll say, oval chambers,  
 24 pipes, or the type of plastic storage system.  
 25 There's different options out there in the

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 2 marketplace. But, ultimately, they all give  
 3 you a certain amount of storage volume that  
 4 we have to meet from a stormwater runoff. So  
 5 it's completely underground. There will be  
 6 access hatches, you know, manholes.  
 7 MR. FRESCO: And when it reaches  
 8 capacity, it then spills into one of the  
 9 overflows.  
 10 MR. MOSCHELLO: One of the surface  
 11 basins.  
 12 MR. FRESCO: Surface basins, right,  
 13 okay. But we don't know how big that one is,  
 14 though. But you're saying, though -- you're  
 15 testifying --  
 16 MR. MOSCHELLO: That footprint is --  
 17 that's the largest it could be, the footprint  
 18 that's shown.  
 19 MR. FRESCO: Okay.  
 20 MR. MOSCHELLO: And I just can't read  
 21 the dimensions, but it's probably at least  
 22 100 feet long by 40 feet wide.  
 23 MR. FRESCO: Okay. Now, you said,  
 24 though -- you testified to the fact that you  
 25 moved -- so you guys knew that the road

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 2 wasn't in a good spot, right? Because it  
 3 flooded. So you moved it to the north,  
 4 right?  
 5 MR. MOSCHELLO: We moved it to the  
 6 north for two reasons. One, we know there's  
 7 a regulated area there that we have to deal  
 8 with, and from an access standpoint that's  
 9 not the most ideal. Secondly, and you'll  
 10 hear from our traffic engineer as well, we  
 11 lined it up with the driveway with the vet,  
 12 because you have a better access there with  
 13 turn lanes and everything.  
 14 MR. FRESCO: Good, yeah, what's where I  
 15 was going. But that's also a higher grade  
 16 there, though, right?  
 17 MR. MOSCHELLO: It's much higher, yeah.  
 18 MR. FRESCO: Right. So it seems like  
 19 to me, just knowing the area well, that seems  
 20 like a more dangerous place to put the road.  
 21 Right? If you put it south, which I know is  
 22 not convenient for 64 units, but it would be  
 23 safer, because you'll get a much safer line  
 24 of site there. Right? Because you're at the  
 25 bottom of the hill, not at the top of the

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 2 hill. If you're making a left out of this  
 3 complex going north, you have zero visibility  
 4 coming over that crest.  
 5 MR. MOSCHELLO: I'll have to double  
 6 check, because we know that we have the  
 7 driveway for the vet on the other side, and  
 8 it's the same turn. If I'm making a left out  
 9 of the vet, I have to be able to see up past  
 10 the Foothill Road intersection. But that's  
 11 something we will make sure, because we have  
 12 to meet the DOT site distance requirement  
 13 anyway for access. So that's something --  
 14 and, again, just totally from being out  
 15 there, we know there's a certain -- you have  
 16 a distance past on -- what was it? West  
 17 Foothill Road up there. You could see from  
 18 that intersection.  
 19 MR. FRESCO: Yeah. Okay. So then --  
 20 and just really quickly. So what you're  
 21 saying is, so it makes sense in your world to  
 22 have that road across from another driveway  
 23 opposing? That actually somehow benefits  
 24 traffic?  
 25 MR. MOSCHELLO: Yeah --

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 2 MR. FRESCO: We'll wait for traffic guy  
 3 obviously -- okay, fine.  
 4 I just want to step back real quick,  
 5 because I let it go before, but I wanted my  
 6 chance to ask. You stated that you're trying  
 7 to allow north and southbound access into  
 8 this?  
 9 MR. MOSCHELLO: Yes, that's the way  
 10 it's currently designed. It's not a right  
 11 in, right out. It's designed to have access  
 12 from both north and south into the site.  
 13 MR. FRESCO: Right. Without a  
 14 slow-down lane.  
 15 MR. MOSCHELLO: We show on the plan,  
 16 it's probably a little hard to see, but  
 17 there's striping there now. There's supposed  
 18 to be a left-turn lane that mirrors the  
 19 left-turn lane for the vet on the other side  
 20 of the intersection. And, again, I'll leave  
 21 that up to our traffic engineer to elaborate  
 22 on, but that's the intent there to do that.  
 23 MR. FRESCO: Okay, great. Thank you.  
 24 That's it.  
 25 MR. MOSCHELLO: So, Mr. Chairman, I do

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 2 want to just point out something on the  
 3 zoning really quick. Two items related to  
 4 zoning in regards to what was on the site  
 5 plans. We did a calculation for floor area  
 6 ratio for the overall project based on the  
 7 square footages of the units, plus the  
 8 finished basements, and there was a slight  
 9 discrepancy in that number, because we had  
 10 the wrong basement number on our plans. So I  
 11 just want to clarify that for the record,  
 12 that the actual floor area ratio, and this is  
 13 based on the Hillside Development ordinance  
 14 for available land area, for the record is  
 15 0.48 FAR. And that was noticed correctly  
 16 when we gave that to the attorney, it was  
 17 0.48. The plans say 0.45. I just want to  
 18 make sure that's clear, it's 0.48 for the  
 19 record.  
 20 And then lot coverage also, too. When  
 21 we did the lot coverage calculation we  
 22 actually based it on the overall lot area,  
 23 not the Hillside Development lot area. So  
 24 it's actually, instead of 49.2 percent, it's  
 25 actually 51.1 percent of lot coverage for

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 2 this development as you see it right now.  
 3 MR. FOOSE: And you agree with what's  
 4 required? 18 percent on that?  
 5 MR. MOSCHELLO: 18 percent for the  
 6 zone.  
 7 MR. FOOSE: And on the FAR .15.  
 8 MR. MOSCHELLO: Yes, that's per the  
 9 zoning.  
 10 MR. FOOSE: That's a big difference,  
 11 right?  
 12 MR. MOSCHELLO: Yes, that's a big  
 13 difference.  
 14 MS. SARMA: Mr. Moschello, can you  
 15 just give the total square footage  
 16 calculation for the .48, for the FAR.  
 17 MR. MOSCHELLO: Oh, yes. And the  
 18 number that was noted incorrectly was the  
 19 area of the basement area on the units. So  
 20 the basement area, so you have the chart  
 21 correct, in terms of finished basements where  
 22 it says optional on the chart, that should be  
 23 64,674 square feet.  
 24 MS. SARMA: And what does that bring  
 25 the total to?

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 2 MR. MOSCHELLO: To 239,464 square feet.  
 3 MS. SARMA: Thank you.  
 4 MR. MOSCHELLO: And the lot coverage  
 5 was -- it was 51.1. And I will say that from  
 6 a lot coverage perspective, I'm sure there  
 7 will be some tweaks to sidewalks and the  
 8 like, so that number, 51.1, is probably going  
 9 to vary slightly, which is why we weren't  
 10 asking for that variance now. It would be  
 11 confirmed and locked in as part of site-plan  
 12 approval.  
 13 MR. KULAK: And these calculations do  
 14 not include the three acres that's being  
 15 seated to the JCC.  
 16 MR. MOSCHELLO: That's correct. These  
 17 are just based on the lot area for this  
 18 particular project, excluding the deeded area  
 19 to the right of way for the DOT. This is  
 20 just what's left on the project with the  
 21 three acres taken out for the JCC.  
 22 MR. GAYESKI: Can you confirm the lot  
 23 size? Because the application said 15.3  
 24 acres, and your plans say 14.9.  
 25 MR. MOSCHELLO: So the acreage is --

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 2 well, because what you have is you have a  
 3 deeded area. An area they call -- let me get  
 4 the right terminology here just for the  
 5 record. You say to deed line. The deed line  
 6 is the area that was plotted to almost the  
 7 centerline of 202/206. So when you take the  
 8 area of both existing lots, it's actually  
 9 just over 15 acres. But when we're doing  
 10 calculations and we're saying what's going to  
 11 be left, we're excluding that deed area and  
 12 we're going to the right-of-way line based on  
 13 what the DOT map says the right-of-way line  
 14 is to be. So you end up with 14.91 acres,  
 15 because you take out that .2 or .3 acres of  
 16 deeded area, which is the roadway basically.  
 17 MR. GAYESKI: That's the difference in  
 18 what was on the lot diagram.  
 19 MR. MOSCHELLO: That's correct, yes.  
 20 That long narrow rectangle along the highway.  
 21 MR. WEIDELI: Could I ask you a  
 22 question. Look at the diagram there and you  
 23 see the townhouses, where the road is there,  
 24 that looks like an awful lot of the space of  
 25 the 12 acres. Do you know how much that is,

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 2 so I could figure out how much the townhouses  
 3 are actually on?  
 4 MR. MOSCHELLO: I'm not sure I'm  
 5 following the question.  
 6 MR. WEIDELI: If you see where the road  
 7 is coming in.  
 8 MR. MOSCHELLO: Right. The curve of  
 9 the road coming in.  
 10 MR. WEIDELI: All that. That's a  
 11 pretty big area there. How much of acreage  
 12 is that.  
 13 MR. MOSCHELLO: I have to calculate it.  
 14 Maybe it's an acre, just roughly looking at  
 15 it.  
 16 MR. WEIDELI: Could you have that for  
 17 the next meeting please.  
 18 MR. MOSCHELLO: Yeah, I could  
 19 definitely figure that out.  
 20 One other topic I just want to touch on  
 21 this evening, and these plans were submitted  
 22 to the Board already, but I just want to  
 23 point them out for the record, is the  
 24 architectural drawings that were submitted  
 25 for the units. I didn't talk much about the

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 2 units other than noting that they're three  
 3 bedrooms units. We have these noted in  
 4 strings of 4, 6 and 8 in terms of how they're  
 5 laid out on the site plan. But I do just  
 6 want to put on the record just some of the  
 7 sheets that were submitted. And these were  
 8 already submitted to the Board, so I don't  
 9 know if we have to enter them as separate  
 10 exhibits or just reference --  
 11 MR. OLLER: No. If they're part of our  
 12 application, they're fine.  
 13 MR. MOSCHELLO: Right. So Mr. Benson,  
 14 if you could just pull up on the screen sheet  
 15 SK-1.1.  
 16 SK-1.1 is the 32-foot two-story town  
 17 homes perspectives, just to give the Board a  
 18 sense of what they would look like. I just  
 19 want to zoom into the upper right one there.  
 20 Just to give the Board a sense of what the  
 21 street view is of these units.  
 22 Again, two-story units with two-car  
 23 garage. Going along the street there. And  
 24 that is the eight-unit string. The  
 25 eight-unit building string that's shown

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 2 there. And there's two different types of  
 3 elevations here based on the finishing  
 4 materials. So if you look at the  
 5 architectural drawings, if you go to SK-1.2,  
 6 which is the next sheet, you could see you  
 7 have your typical material types. If you  
 8 zoom into one of those elevations, you could  
 9 see that they're labeled on there with the  
 10 various material types; the shingles, the  
 11 siding, and colors, and the like for  
 12 reference purposes. For the Board.  
 13 And that's a rear view of the units  
 14 that you see in there. And if you go to the  
 15 right, that's the side view of the side entry  
 16 unit. If you go down to the lower -- go down  
 17 below that, that's a front view of the units.  
 18 That's a four-string building that you see in  
 19 terms of its elevation.  
 20 And then I know there were some  
 21 questions about floor plans. In the  
 22 submission set there was -- in the back of  
 23 the submission set there were floor plans for  
 24 each of the different unit types, and they  
 25 labeled the number of bedrooms. Some were

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 2 master down or master on the first floor, or  
 3 owner suite. And then some had three  
 4 bedrooms with the owner suite on the second  
 5 floor. And they did call out optional  
 6 finished basement, so we took that into  
 7 account in terms of our FAR calculation that  
 8 was done.  
 9 So all told -- actually I mentioned, I  
 10 said before 2,200 square feet. These are  
 11 actually 2,600-square foot units for three of  
 12 them, and one of them is actually  
 13 2,800-square foot in terms of the first floor  
 14 and second floor living space. That doesn't  
 15 count the finished basement in those numbers.  
 16 I was off by a few hundred square feet there.  
 17 That, Mr. Chairman, concludes my direct  
 18 testimony.  
 19 MR. FOOSE: Mr. Moschello, I'm hung up  
 20 on -- I think Mr. Kulak asked the question  
 21 about the driveway, or Mr. Bongiorno. On  
 22 Frontier Road we did a project, it was  
 23 probably 10 years ago, and we had concerns as  
 24 a Board that there were safety issue on  
 25 Frontier Road if something was to happen and

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 2 the EMS vehicle couldn't get up to that  
 3 facility. I'm kind of hung up on this  
 4 driveway. If something does happen there,  
 5 and this is something I think your traffic  
 6 engineer should work with our chief police  
 7 on, he has a pretty good database of  
 8 accidents. I just recently saw one right in  
 9 front of this entrance way, but, nonetheless,  
 10 if something happens to this driveway,  
 11 upwards of 180 people are landlocked, I'm  
 12 curious -- our Board attorney had an idea  
 13 potentially, you know, some access road, you  
 14 know, really could just be a pathway with a  
 15 chain-linked fence, that's what we did on  
 16 Frontier Road, which is accessible via  
 17 Foothill, and only EMS is able to access  
 18 that. But if that is a way that via the JCC  
 19 via Talamini and the access road at the JCC  
 20 to come across that gravel road on the  
 21 northwest corner of this property, and maybe  
 22 have another way to come in there. And you  
 23 don't have to give an answer. It's just  
 24 something I wanted to throw out, that  
 25 potentially this is A-1 solution and we did

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 2 it already on Frontier Road.  
 3 MR. MOSCHELLO: I appreciate that and  
 4 we'll take that -- I think if you give us a  
 5 chance to take that under consideration and  
 6 talk to our traffic folks and the JCC about  
 7 it, but we'll definitely take that under  
 8 consideration, Mr. Chairman.  
 9 MR. FOOSE: And I'm open to anywhere.  
 10 It's just that's the one that stands out to  
 11 me, and, you know, I do worry about safety  
 12 first, and I told you that at the beginning  
 13 of the meeting, and we want to make sure that  
 14 EMS and fire and whoever can get to this  
 15 facility in any condition.  
 16 MR. MOSCHELLO: Understood.  
 17 MR. FOOSE: Thank you.  
 18 MR. MOSCHELLO: So I'm done with my  
 19 direct.  
 20 MR. FOOSE: All right. Let's open it  
 21 up to questions. Board questions.  
 22 MR. KULAK: Mr. Weideli had asked a  
 23 question earlier about the amount of space  
 24 dedicated to the incoming roadway, and then  
 25 adjacent to that incoming roadway are the

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 2 retention basins and some of the proposed  
 3 drainage solutions, and so on. And you said  
 4 you have to get back to us as to what that  
 5 area itself might be calculated to be.  
 6 Eyeballing it, it's not much smaller than the  
 7 three acres dedicated to the JCC. So you  
 8 have sort of parallel properties on either  
 9 side. It looks a little bit smaller just to  
 10 be fair. So we've got then the 64 units  
 11 compressed into what I guess is nine acres.  
 12 MR. MOSCHELLO: 11.9 right now, so  
 13 let's say nine point -- I'd say ten acres.  
 14 MR. KULAK: I just want to eyeball it,  
 15 so I have a better idea.  
 16 MR. MOSCHELLO: Ten acres for purposes  
 17 of discussion.  
 18 MR. KULAK: Thank you. That's all I  
 19 have.  
 20 MR. FOOSE: Thank you, John.  
 21 Other questions.  
 22 MR. FRESCO: Yeah. You know,  
 23 Mr. Moschello, we've gotten to know you,  
 24 especially this year. I feel like I've spent  
 25 all summer with you, and you do amazing work.

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 2 You really do. But I got to tell you, I  
 3 think you outdid yourself with this one. You  
 4 really did. There's a lot here and I'm not  
 5 going to ask you if it's financially viable  
 6 to do with less or this and that, because I  
 7 know that's not your job. But were there  
 8 plans -- did you explore plans with less  
 9 units? I mean, this is very, very dense.  
 10 The road looks tiny. It looks like a lot of  
 11 water -- you know, just water retention. A  
 12 little bit of road. It just seems like a  
 13 lot.

14 MR. MOSCHELLO: We actually explored  
 15 one or two conceptual ideas with actually  
 16 more units. They were actually smaller  
 17 units. These are 2,600, 2,800-square foot  
 18 units. We actually looked at 1,800 to  
 19 2,200-square foot units, and you end up with  
 20 more units on the property. So, again, given  
 21 the density of it and the size of the units,  
 22 you know, we settled on 64. Just the way the  
 23 strings worked out and the way the units  
 24 could be configured, that's how we ended up  
 25 with 64, with larger units.

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 2 MR. MOSCHELLO: Understood. I think if  
 3 we take that under consideration, what we  
 4 hear this evening, and, you know, let us  
 5 think about some of that as well.

6 MR. FOOSE: But just can you -- we  
 7 really spent a lot of time on the Starbucks,  
 8 which in infinitely smaller than this, a  
 9 fraction of this size, and --

10 MR. FRESCO: They put up more trees  
 11 more than they're tearing down.

12 MR. MOSCHELLO: I think you have to  
 13 take it from a landscape perspective and  
 14 understand that, yes, it is bifurcated, and I  
 15 think you're going to see what you see here  
 16 in terms of landscaping right now, there's  
 17 some more work to be done.

18 MR. FOOSE: Mr. Moschello, I feel like  
 19 my decision is intertwined with the use  
 20 variance to quote a very skilled planner.

21 MR. MOSCHELLO: I sense you were going  
 22 to say that.

23 MR. FRESCO: Yeah, no further  
 24 questions.

25 MR. FOOSE: Anyone else on the Board

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 2 MR. FRESCO: I think about when we  
 3 worked together with the Starbucks pending  
 4 application and we spent so much time talking  
 5 about landscaping and screening, and I  
 6 realize this is not a final, but I struggle  
 7 to see where you're going to add landscaping  
 8 to this, you know, with your final. Do you  
 9 have some plan to help these folks understand  
 10 that you're tearing down -- I mean, it's 560  
 11 tree count. That's almost like a record.

12 MR. FOOSE: We spent three meetings  
 13 with you on Starbucks, and we have spent our  
 14 whole summer with you, and it's been  
 15 enjoyable. It's been very nice. But  
 16 Mr. Fresco's point is that, you know, in the  
 17 bifurcated meetings it just feels rushed, it  
 18 doesn't feel right, and I feel like we owe  
 19 the neighbors more. I feel like we owe  
 20 everybody more. And I don't know,  
 21 Mr. Coakley does a lot of business in  
 22 Bridgewater. He's a great attorney. I feel  
 23 like he does better work. This isn't the  
 24 best work. And that's why bifurcated  
 25 applications stink in my opinion.

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 2 questions? Rich.

3 MR. OLLER: So, Rob, we haven't spent a  
 4 lot of time on the proposed subdivision line,  
 5 and when you look at that line you brought it  
 6 to within about a foot of the barn and the  
 7 house. Right? And as you get from the north  
 8 to south as you come down towards that barn  
 9 and house, the line actually jetties closer  
 10 to the barn and the house. So is there a way  
 11 you could show us a proposed subdivision line  
 12 where the JCC wouldn't have to trespass to  
 13 maintain their property.

14 MR. MOSCHELLO: That's a great question  
 15 when you look at that, and there was some  
 16 back and forth early on in terms of some of  
 17 the structures, and in looking at the line,  
 18 it does have to be adjusted, and that's  
 19 something I didn't mention earlier, and I  
 20 should have mentioned it, because we provided  
 21 the parking cutout there. I shouldn't saying  
 22 parking. We didn't put parking in that area  
 23 for a reason, and the agreement is three  
 24 acres. So we have to look at slightly  
 25 adjusting that. So we don't have a

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 2 foot-and-a-half between the building and the  
 3 lot line from a practicality standpoint of  
 4 use, and that's something that has to be  
 5 tweaked.  
 6 MR. OLLER: Because as you know, like  
 7 the condo association could put a fence  
 8 there, they would never be able to maintain  
 9 that side of the building.  
 10 MR. MOSCHELLO: Agreed. That's why we  
 11 have a cutout in the road, and that has to be  
 12 adjusted. But we have to maintain the three  
 13 acres, so it's a little bit of a balance with  
 14 the lot line.  
 15 MR. OLLER: They could amend the  
 16 agreement. It doesn't have to be three  
 17 acres. It's just, you know... However you  
 18 get there. It's just a little too tight.  
 19 MR. MOSCHELLO: I won't answer that.  
 20 Yes.  
 21 MR. FOOSE: Board professionals please.  
 22 MS. SARMAD: While we're on that.  
 23 Mr. Moschello, would that lot line adjustment  
 24 potentially impact the FAR calculations, the  
 25 impervious coverage calculations?

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 2 MR. MOSCHELLO: No. If I have to  
 3 adjust this, we're going to maintain the  
 4 three acres.  
 5 MS. SARMAD: So there's no chance it  
 6 would make it over three acres in order to  
 7 accommodate that.  
 8 MR. MOSCHELLO: As the way it was  
 9 explained to me, the three acres was part of  
 10 the agreement, so I'm on honoring those three  
 11 acres.  
 12 MS. SARMAD: Okay. But it could impact  
 13 more dimensional requirements like setbacks  
 14 and things like that.  
 15 MR. MOSCHELLO: Slightly in that area,  
 16 yes. When we get to the actual C variances  
 17 for the setbacks, yes. Because we're  
 18 applying the R-40 setbacks.  
 19 MS. SARMAD: Correct. I just mean  
 20 functionally the setbacks, whether or not  
 21 we're looking at the requirements, the actual  
 22 dimensions.  
 23 MR. MOSCHELLO: Yes.  
 24 MS. SARMAD: While we're in that area  
 25 as well, there is a sidewalk on the proposed

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 2 townhouse site that literally I think is on  
 3 the property line, right adjacent to those  
 4 five parking spaces, which leaves no wiggle  
 5 room whatsoever if there was a -- if there --  
 6 MR. MOSCHELLO: That's where we're  
 7 going to have to make the adjustment, in that  
 8 area. We'll have to move this lot line over  
 9 from that sidewalk a little bit, and then  
 10 shift it over. So we're going to go in a  
 11 little bit on one side, and come out a little  
 12 bit by the building to balance that three  
 13 acres out.  
 14 MS. SARMAD: Okay. Do you know -- I  
 15 don't know if the dimensions were included  
 16 anywhere for the distance from some of these  
 17 townhouse units to the retaining walls. So  
 18 if you look at, you know, the northwest  
 19 corner where those two basins are, the 3-A  
 20 and 3. Do you know -- do you have an idea of  
 21 the height of that retaining wall to the east  
 22 of the eastern most unit and the --  
 23 MR. MOSCHELLO: We're talking about the  
 24 wall on the northern side, right?  
 25 MS. SARMAD: Yeah, just along the

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 2 basin. Basin number three.  
 3 MR. MOSCHELLO: Basin number three,  
 4 yes, that wall is in the 8 to 9-foot range, I  
 5 believe it is right now.  
 6 MS. SARMAD: And do you know the  
 7 distance between the townhouse wall and the  
 8 retaining wall?  
 9 MR. MOSCHELLO: In a situation like  
 10 that we try to hold ten feet, but I don't  
 11 have a scale here, so I can't confirm that.  
 12 Just to be able to construct footings and  
 13 such for the building and not have the wall  
 14 impact the building. So I just need to  
 15 confirm that dimension.  
 16 MS. SARMAD: Okay. I know Mr. Fresco  
 17 had brought up some of the landscaping. I  
 18 have a similar, I guess, concerns or similar  
 19 recommendations that I think additional  
 20 landscaping should be provided, especially  
 21 along the 202/206 frontage. There's, you  
 22 know, I think some landscaping elsewhere  
 23 proposed throughout the site, but virtually  
 24 none along the frontage, and that includes  
 25 the requirement for street trees, which have

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 2 not been provided.  
 3 MR. MOSCHELLO: Understood. We could  
 4 certainly look into that.  
 5 MS. SARMAD: Additionally, you noted  
 6 that the parking in being provided far in  
 7 excess of what would be required. Correct?  
 8 MR. MOSCHELLO: Yes, the actual unit  
 9 parking. Yes.  
 10 MS. SARMAD: There's proposed parallel  
 11 spaces on the southeastern corner adjacent to  
 12 where the riparian zone is, correct?  
 13 MR. MOSCHELLO: Yes.  
 14 MS. SARMAD: Is there any reason -- it  
 15 appears, actually, that some of the  
 16 development encroaches in that riparian zone.  
 17 Can you just explain a little bit about what  
 18 activities are allowed within that riparian  
 19 area?  
 20 MR. MOSCHELLO: Yeah. We're going to  
 21 request a permit from the DEP to disturb that  
 22 little section of the riparian zone there to  
 23 construct the parking and the curve of the  
 24 road.  
 25 MS. SARMAD: Is there any reason why

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 2 those parallel spaces, especially adjacent to  
 3 something environmentally sensitive, is  
 4 required if you have an excess of parking  
 5 elsewhere?  
 6 MR. MOSCHELLO: We were just looking,  
 7 because we know that in past on certain  
 8 townhouse developments there's always concern  
 9 about having extra, additional parking spaces  
 10 for visitors on the streets. So while the  
 11 RSIS requires 32, we worked out to have 38  
 12 here. So if -- again, looking at the plan, I  
 13 will say this, if there's an opportunity to  
 14 make an adjustment and maybe take some of  
 15 those parallel spaces and make them  
 16 perpendicular, we could certainly look at  
 17 that and try to minimize that impact there.  
 18 But that's a good point that we could look  
 19 take a look at.  
 20 MS. SARMAD: Okay, thank you.  
 21 MR. MOSCHELLO: And we're trying to  
 22 balance it out across the site. We have some  
 23 on the east and some on the west.  
 24 MS. SARMAD: No, I understand. In  
 25 particular, that area is sensitive to develop

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 2 in it. It's one of the twoish riparian zones  
 3 on the site, and I think, you know, as much  
 4 sensitivity can be provided to that area is  
 5 probably better.  
 6 MR. MOSCHELLO: Okay, understood.  
 7 MS. SARMAD: This probably isn't a  
 8 question for you, but maybe you could  
 9 partially answer it. Was any intention, as  
 10 the site was being developed, to provide the  
 11 affordable housing units on site?  
 12 MR. MOSCHELLO: That conversation was  
 13 not discussed in terms of a unit type for  
 14 affordable housing. So I didn't have  
 15 those -- you know, use this type of unit for  
 16 affordable. It was looking at age-restricted  
 17 in a townhouse environment setting.  
 18 MS. SARMAD: So just generally looking  
 19 at the number of units and then, you know,  
 20 the actual --  
 21 MR. MOSCHELLO: Right, we did not look  
 22 to cite affordable unit building on the site.  
 23 MS. SARMAD: Okay, thank you. And was  
 24 any -- was there any kind of exploration for  
 25 providing any on-site amenities for the

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 2 units, any gathering areas, anything besides  
 3 sidewalks essentially.  
 4 MR. MOSCHELLO: We haven't looked at  
 5 maybe some additional simple amenity area,  
 6 like maybe some landscaped garden areas or  
 7 maybe some little outdoor gathering spaces.  
 8 We haven't gotten to that level yet. We  
 9 didn't look at doing any type of clubhouse or  
 10 pool given the number of units here. It  
 11 didn't really lend itself to something of  
 12 that nature. But there might be an  
 13 opportunity to identify one or two areas on  
 14 site where there could be some outdoor  
 15 gathering space that might be beneficial to  
 16 the residents.  
 17 MS. SARMAD: Is there any space that --  
 18 I'm having trouble identifying somewhere that  
 19 would probably warrant an amenity gathering  
 20 space. Is there anywhere you could point me  
 21 to that would probably be likely a location  
 22 for that?  
 23 MR. MOSCHELLO: I think maybe in the  
 24 northwest portion of the site, or there might  
 25 be some area down towards the southeast

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 2 between the edge of the road and the riparian  
 3 buffer itself. We have a little bit of an  
 4 area in there that's kind of a -- even though  
 5 we have a retaining wall, we could modify the  
 6 retaining wall location to make some area  
 7 there as well. In two places, just looking  
 8 right at me. I might be able to identify  
 9 another spot, but those two area come to  
 10 mind.  
 11 MS. SARMAAD: Okay. I think that the  
 12 site has shown a significant accommodation to  
 13 make space for the units, and I would highly  
 14 recommend that other on-site amenities that  
 15 cater to these units and lower any kind of  
 16 traffic in and out of this site would be  
 17 recommended, and to find some room for other  
 18 things on the site besides the units. Thank  
 19 you.  
 20 MR. FOOSE: Do we have any feel for  
 21 Loft Farms? I live in Martinsville and this  
 22 kind of reminds me of that in some ways. But  
 23 they have a pool, they have a clubhouse, they  
 24 have lots of affordable housing units. I  
 25 mean, are they 200 units? Are they

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 2 150 units?  
 3 MS. SARMAAD: The Loft Farm development?  
 4 120 units I believe, and I think they have  
 5 about 20 affordable units.  
 6 MR. FOOSE: And they have a pool, and a  
 7 clubhouse, and a --  
 8 MS. SARMAAD: Pool, clubhouse, and  
 9 outdoor area I believe. My brother-in-law  
 10 lives there.  
 11 MR. FOOSE: All right, good.  
 12 All right, thank you.  
 13 Mr. Burr.  
 14 MR. BURR: Thank you, Mr. Chairman.  
 15 So, Rob, back to the topic of the  
 16 proposed subdivision lot. As you take a look  
 17 at potentially making some adjustments, keep  
 18 in mind that I think there's a provision in  
 19 the ordinance that requires parking lots and  
 20 driveways to be at least ten feet from a  
 21 property line. So take a look at that.  
 22 Unless you're going to be seeking relief from  
 23 that, just keep that in mind, because I think  
 24 certainly the one area Katherine mentioned  
 25 gets pretty close to that. So I don't know

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 2 if you're going to be compliant with that or  
 3 not.  
 4 MR. MOSCHELLO: I'll take a look.  
 5 MR. BURR: You know, as far as some of  
 6 the landscape buffering, and this kind of  
 7 tailors into the stormwater management, I'm  
 8 noticing the two proposed basins on the  
 9 southerly property line, and then the small  
 10 basins to the northeasterly corner of the  
 11 site. The grading is right up against the  
 12 property line, which tells me we're going to  
 13 be taking existing trees down, which tells me  
 14 there's not going to be room to reestablish a  
 15 buffer, and I do believe there are certain  
 16 landscape buffer requirements at play here  
 17 given the adjacent residential uses. So how  
 18 that all goes into the constructability of  
 19 this project, those are three concerns I have  
 20 as far as the location of those basins. I  
 21 know you testified that the way you've drawn  
 22 the basins are likely oversized, but with  
 23 some of the questions we're hearing from the  
 24 Board and certainly some of my concerns from  
 25 earlier, we've got to make sure this thing is

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 2 constructible the way it's laid out.  
 3 Along the same lines, the two basins at  
 4 the southerly property line have retaining  
 5 walls around them. I believe there's  
 6 language in the ordinance that states that  
 7 any wall above 48 inches is considered a  
 8 structure. So I want you to take a look at  
 9 that as well, because I don't know what the  
 10 height of the walls are, but in my mind that  
 11 tells me the walls would have to comply with  
 12 at least the accessory structure setback  
 13 distances, which I think are 20 feet. So,  
 14 again, take a look at that, because I think  
 15 those are some of the questions that we need  
 16 to get resolved here. I don't know if you  
 17 have any thoughts at this point.  
 18 MR. MOSCHELLO: I'd like to talk to our  
 19 planner on that.  
 20 MR. WEIDELI: So, Bill, you're saying a  
 21 36-inch wall is treated then a 40 --  
 22 MR. BURR: The ordinance says that  
 23 anything below 48 inches is not a structure;  
 24 anything above 48 inches for a retaining wall  
 25 is a structure.

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 2 MR. WEIDELI: Okay.  
 3 MR. BURR: I only mention it, because  
 4 there's a few walls that get pretty close to  
 5 the property lines, and I want to make sure  
 6 that's not going to be an issue.  
 7 I know you just -- your design just  
 8 included doing some of the sizing or volume  
 9 calculations to make sure that, you know, you  
 10 could attenuate these larger storms. You  
 11 didn't do water quality; you haven't done  
 12 anything with the recharge we heard; you  
 13 haven't done anything with soil testing. But  
 14 as far as the layout of, what I'll say, the  
 15 conveyance system, the piping on the site,  
 16 have you looked at that? Are you comfortable  
 17 with the location of the basins that this can  
 18 drain properly from a gravity perspective.  
 19 MR. MOSCHELLO: We looked at the basin  
 20 locations, and on our proposed drainage area  
 21 map we at least anticipated the drainage area  
 22 for each of those basins. We have to size  
 23 that for the routings. So, yes, while we  
 24 haven't designed the pipes yet, we know where  
 25 they're going to go. And as I'm sure you're

1 - 821 BRIDGEWATER AND JCC - 148  
 2 MR. MOSCHELLO: Well, no, we have a  
 3 patio number in here of 7,681 square feet.  
 4 So it says patios are optional. I mean, it's  
 5 accounted for but --  
 6 MR. BURR: It's accounted for, but  
 7 they're optional.  
 8 MR. MOSCHELLO: Right. So they may not  
 9 build them, but I haven't seen a developer  
 10 yet who's built a product without a patio or  
 11 a deck in the back of a townhouse unit. So  
 12 even though they're optional -- even if it's  
 13 deck, it would still count under coverage.  
 14 MR. BURR: It depends what's under the  
 15 deck. As long as it's not covered, as long  
 16 as there's earth underneath the deck, it's  
 17 technically not coverage.  
 18 Hillside Development ordinance, you  
 19 took that into account when you ran your  
 20 calculations, you had updated numbers for  
 21 FAR, lot coverage as a result of that. Are  
 22 there any 30 plus percent slopes on this  
 23 property?  
 24 MR. MOSCHELLO: Bear with me for one  
 25 second. There are. The 30 percent and

1 - 821 BRIDGEWATER AND JCC - 147  
 2 seeing with a lot of these projects where we  
 3 have a lot of basins, the amount of pipes  
 4 that end up on site now are 20 to 50 percent  
 5 more than you might have had 10, 15 years  
 6 ago, because we're having to route water in a  
 7 lot of different directions to make it work  
 8 on all these projects. Not just this  
 9 project, but we're seeing with every project  
 10 with the DEP now that with the new rules that  
 11 we have a lot of pipes we have to deal with.  
 12 But, yeah, we've looked into the aspect of  
 13 where to take it and how we're going to pipe  
 14 it around.  
 15 MR. BURR: Okay. The lot coverage, you  
 16 clarified coverage is now is at 51.1 percent.  
 17 MR. MOSCHELLO: Yeah.  
 18 MR. BURR: Does that include -- I saw a  
 19 note, maybe on the site plan sheet, but does  
 20 that include the optional patios on the back  
 21 of the dwellings, so you know?  
 22 MR. MOSCHELLO: I'll have to check the  
 23 numbers.  
 24 MR. BURR: I want to make sure that  
 25 51.1 is the right number.

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 2 greater slope is actually -- if you could go  
 3 back, Ryan, to the environmental constraints  
 4 plan. It's actually that area adjacent to  
 5 the -- what I recall, there's some type of  
 6 pile of material that was placed there at one  
 7 time. That's that green area on the bottom  
 8 of the plan, yeah. That is the 30 percent  
 9 and greater -- there's 2,884 square feet of  
 10 it on site.  
 11 MR. BURR: And where is that area in  
 12 relation to your proposed plan? Is it near  
 13 small scale basin number seven? What I'm  
 14 getting at is are you going to disturb the  
 15 30 percent slopes or are you going to work  
 16 around that with your plan.  
 17 MR. MOSCHELLO: We were disturbing that  
 18 30 percent slope, because in looking at it,  
 19 it was built as something that was done on  
 20 the property years ago, so we're going to  
 21 take that slope out.  
 22 MR. BURR: And is that called out as  
 23 future relief that would be sought?  
 24 MR. MOSCHELLO: I'd have to check. I  
 25 don't know if we went that far yet with all

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1 - 821 BRIDGEWATER AND JCC - 150  
 2 the relief. Yeah, that's not been accounted  
 3 for yet in the relief numbers, and, again,  
 4 those were just informational.  
 5 MR. BURR: Based on your knowledge of  
 6 the site and the way this lays out, in your  
 7 opinion, is there a way to avoid --  
 8 regardless if they were manmade or not, is  
 9 there a way to avoid disturbing those slopes?  
 10 Or you'd have to take a look.  
 11 MR. MOSCHELLO: I mean, I'd have to  
 12 take a look, you know, in terms of what we  
 13 have over there. Because it's the basin that  
 14 impacts them.  
 15 MR. BURR: Okay. Let me see what else  
 16 I have here. The driveways to each of the  
 17 townhouses, I think your plan shows a little  
 18 over 20 feet?  
 19 MR. MOSCHELLO: Yes.  
 20 MR. BURR: That's from the backside of  
 21 the proposed crosswalk, correct?  
 22 MR. MOSCHELLO: That is correct.  
 23 MR. BURR: And that's sufficient  
 24 length, in your opinion, for a driveway for a  
 25 use like this?

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1 - 821 BRIDGEWATER AND JCC - 151  
 2 MR. MOSCHELLO: Yeah. For a townhouse  
 3 use like this, that 20-foot minimum is  
 4 sufficient. We do have -- because you  
 5 stagger the units, they're slightly staggered  
 6 by two feet, some are 22, some are 20.  
 7 MR. BURR: And you wouldn't have a  
 8 scenario where a vehicle would be hanging off  
 9 the sidewalk then.  
 10 MR. MOSCHELLO: Not your typical -- you  
 11 know, your typical parking spaces are 9 by  
 12 18, so we're giving 20 feet here. So you  
 13 shouldn't have that situation.  
 14 MR. BURR: And you testified earlier  
 15 you saw the fire official's memo, and he had  
 16 raised some questions about the turning  
 17 radii. You're going to check -- I think he  
 18 had asked for you to check for the Green  
 19 Knoll ladder truck. You'll take a look at  
 20 that and make sure that that works?  
 21 MR. MOSCHELLO: Yeah. And we have 30  
 22 foot intersection radiuses around the site,  
 23 at the main intersection, so we shouldn't  
 24 have an issue, but I'll double check it.  
 25 MR. BURR: For sanitary sewer, I know,

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1 - 821 BRIDGEWATER AND JCC - 152  
 2 again, you haven't delved into the site plan  
 3 aspect of this yet, but have you had any  
 4 conversations with SRVSA as far as capacity,  
 5 and can they accept this project.  
 6 MR. MOSCHELLO: We have not spoken to  
 7 SRVSA yet. We know it's in the sewer service  
 8 area. So, again, knowing SRVSA and their  
 9 current capacity limits, they're not at --  
 10 they're not at capacity in terms of  
 11 allocation, but that's something that would  
 12 have to be done. Because of the number of  
 13 units here, 64 units, we are over the  
 14 8,000 gallons per day flow, I think, on the  
 15 calculations. So we'll need TWA permits, so  
 16 we'll need the township's endorsement, we'll  
 17 need SRVSA's endorsement for that application  
 18 to go into the state. Now, there's a trunk  
 19 line right into 202/206, so, again, we  
 20 anticipate tying into that line that's there.  
 21 MR. BURR: Last question I have. Back  
 22 to the DEP issue. You testified about -- I  
 23 think you said you have a valid LOI for the  
 24 wetlands?  
 25 MR. MOSCHELLO: A valid LOI for the

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1 - 821 BRIDGEWATER AND JCC - 153  
 2 wetlands.  
 3 MR. BURR: You have flood hazard  
 4 verification.  
 5 MR. MOSCHELLO: For the riparian zone  
 6 only.  
 7 MR. BURR: Oh, just for riparian.  
 8 MR. MOSCHELLO: Yes.  
 9 MR. BURR: The flood hazard is what  
 10 you're going to seek.  
 11 MR. MOSCHELLO: Correct.  
 12 MR. BURR: Based on the new flood  
 13 rules.  
 14 MR. MOSCHELLO: Correct.  
 15 MR. BURR: Okay. The permits that you  
 16 envision needing, are they permits that  
 17 you're confident you're going to be able to  
 18 obtain based on the current layout and the  
 19 disturbance that's being proposed in those  
 20 regulated areas.  
 21 MR. MOSCHELLO: Yeah. For the little  
 22 bit of the riparian zone disturbance that  
 23 Ms. Sarmad pointed out already, even if we  
 24 made a tweak or an adjustment to that, I'm  
 25 confident we'll meet the requirements under

1 - 821 BRIDGEWATER AND JCC - 154  
 2 the riparian zone disturbance chart in the  
 3 DEP manual for the disturbance. And then for  
 4 the flood hazard area, based on what we  
 5 understand the flood hazard area is, we  
 6 located the driveway and the basins far  
 7 enough away from that that it won't impact  
 8 the basins or the roadway.  
 9 MR. BURR: Very good. Thank you.  
 10 Thank you, Mr. Chairman.  
 11 MR. FOOSE: Thank you, Bill.  
 12 I'll open it up to the members of the  
 13 public if they have questions on  
 14 Mr. Moschello's testimony.  
 15 Come on down. Mr. Kurr, right?  
 16 MR. KURZ: Kurz.  
 17 I'm going to ask this question only  
 18 because my neighbors are here too. Have you  
 19 ever tried to pull out of West Foothill Road  
 20 going north anytime during rush hour traffic?  
 21 MR. MOSCHELLO: West Foothill Road, I  
 22 can't say that I have.  
 23 MR. KURZ: Try it. Okay? Try it.  
 24 The next question that I have, and I  
 25 don't know if he can answer it or whether

1 - 821 BRIDGEWATER AND JCC - 156  
 2 one --  
 3 MR. KURZ: It's never come through yet,  
 4 okay. But do you take that into account when  
 5 you're making your planning.  
 6 MR. MOSCHELLO: That's a question for  
 7 our traffic engineer to look at.  
 8 MR. KURZ: That's it. Thank you.  
 9 MR. FOOSE: Please come on down.  
 10 MS. SEIP: Jeanette Seip; 812 Summit  
 11 Ridge Drive. I just have a couple questions.  
 12 NJ.com online today said from the developer  
 13 the Bowman Consulting Group. Are you  
 14 familiar with those?  
 15 MR. COAKLEY: That's traffic  
 16 consultant.  
 17 MR. MOSCHELLO: That's our traffic  
 18 engineer.  
 19 MS. SEIP: Okay. He said the  
 20 development will generate only slightly more  
 21 traffic during the week peak hours than the  
 22 existing farm stand. That's kind of amazing.  
 23 I go by the --  
 24 MR. OLLER: Again, we're just looking  
 25 for questions about what he testified to, and

1 - 821 BRIDGEWATER AND JCC - 155  
 2 it's the traffic planning. Is there anything  
 3 planned for, if they were to widen 202/206,  
 4 because it appears it would cut into your  
 5 retention basins.  
 6 MR. MOSCHELLO: I'll have to defer to  
 7 our traffic engineer on what the state would  
 8 require.  
 9 MR. KURZ: And the other question you  
 10 probably can't answer is: I was here before  
 11 the Board when the mosque was in the planning  
 12 stages, and at that time there was --  
 13 although the Board could not confirm it,  
 14 there was --  
 15 MR. FOOSE: I don't think we heard the  
 16 mosque case. That was Planning Board.  
 17 MR. KURZ: I've got my meetings off.  
 18 One of the things was that there was  
 19 going to be a synchronization of the Talamini  
 20 Road and a traffic light put at Foothill and  
 21 West Foothill. I don't know whether that was  
 22 still in the planning. You're smiling  
 23 because you heard something.  
 24 MR. MOSCHELLO: I've heard rumors over  
 25 the years about a traffic light, but no

1 - 821 BRIDGEWATER AND JCC - 157  
 2 he didn't testify about traffic. One of  
 3 their next witnesses will testify about  
 4 traffic in detail.  
 5 MS. SEIP: Okay. Well, how did you  
 6 arrive with less traffic --  
 7 MR. COAKLEY: He can't testify until  
 8 he's sworn in. We'll address that point.  
 9 MR. OLLER: You could ask him when he  
 10 testifies.  
 11 MR. FOOSE: He hasn't spoken yet. I  
 12 suspect NewJersey.com contacted someone in  
 13 our land use office and got a copy of the  
 14 report.  
 15 MS. SEIP: Is the architect who  
 16 designed the building here?  
 17 MR. MOSCHELLO: No, he's not, but I  
 18 have the information for the architectural  
 19 if you want to ask the question.  
 20 MS. SEIP: Just from looking at the  
 21 building, it looked like -- you look at the  
 22 front of the house and it's one big garage  
 23 door. There's no front windows, and you say,  
 24 oh, this is a place for cars to live. Where  
 25 do the people live? The people live behind

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1 - 821 BRIDGEWATER AND JCC - 158  
 2 the cars or they live upstairs. I think  
 3 Bridgewater can do better than that. Unless  
 4 it's very, very low cost housing. I mean, if  
 5 it's \$100,000 maybe, but I don't think  
 6 they're going to go for --  
 7 MR. FOOSE: So a question I heard for  
 8 Mr. Moschello, would these be priced around  
 9 \$100,000. So Mr. Moschello, are these units  
 10 going to be prices \$100,000?  
 11 MR. MOSCHELLO: I could probably say  
 12 with certainty they will not be.  
 13 MR. FOOSE: Okay. I'm just trying to  
 14 get a question that --  
 15 MS. SEIP: Who designed the entire  
 16 front of the building to be a garage door?  
 17 MR. MOSCHELLO: Well, you have to think  
 18 about it. These units are a certain width  
 19 and they're two-door garage doors because you  
 20 have a two-door garage. Now, we show a  
 21 single door here. I'm not saying the  
 22 architect, when they go to final design, they  
 23 may make two doors instead of one door, you  
 24 know, in terms of the look on the front of  
 25 the building. But you have a 26, or a 28, or

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1 - 821 BRIDGEWATER AND JCC - 159  
 2 a 30-foot wide unit that you need to have a  
 3 two-car garage to be able to park your car.  
 4 MS. SEIP: If you need to have that  
 5 many units jammed in there.  
 6 MR. MOSCHELLO: People have to park  
 7 their cars in the garage.  
 8 MS. SEIP: And they have to live behind  
 9 the cars. Okay, thank you.  
 10 MR. FOOSE: Just need your name and  
 11 address please.  
 12 MS. MAGLIARO: Laura Magliaro, 771  
 13 Foothill Road West. I have a question. The  
 14 picture -- can you show a straight on picture  
 15 of the eight rows? I notice the pictures of  
 16 the four is straight.  
 17 MR. MOSCHELLO: Yeah, I'll pull up a  
 18 perspective. I think it was submitted with  
 19 the set. One of the SK drawings. It was the  
 20 eight-unit.  
 21 MS. MAGLIARO: This one.  
 22 MR. MOSCHELLO: There you go. There's  
 23 the eight.  
 24 MS. MAGLIARO: You don't have it in the  
 25 context of the whole development.

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 2 MR. MOSCHELLO: No. We're just looking  
 3 at the front view of the eight units. It's  
 4 not a rendering of the development. It's a  
 5 front view of the units' elevation.  
 6 MS. MAGLIARO: Okay. Do you have a  
 7 back view? And there's a potential to put a  
 8 deck on those?  
 9 MR. MOSCHELLO: A deck or patio.  
 10 MS. MAGLIARO: So a patio would cause  
 11 more coverage than a deck, right? Because a  
 12 patio is on the floor?  
 13 MR. MOSCHELLO: Patio is on the grade,  
 14 yeah. And we've accounted for that in the  
 15 calculation. But, yes, there's an option for  
 16 a patio.  
 17 MS. MAGLIARO: And these are three  
 18 bedroom, full basement?  
 19 MR. MOSCHELLO: Three bedroom, full  
 20 basement. Option for a finished basement.  
 21 MR. FOOSE: Miss, can you speak into  
 22 the microphone, so people at home can hear  
 23 you.  
 24 MS. MAGLIARO: It's.  
 25 MR. GAYESKI: And older but you can't

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1 - 821 BRIDGEWATER AND JCC - 161  
 2 confirm if that means they can have children  
 3 there or not.  
 4 MR. MOSCHELLO: Well, the attorney can  
 5 confirm the exact statute. But there's a  
 6 requirement in the statute that you could  
 7 only have school-aged children two months out  
 8 of the year up to a certain age, if a college  
 9 student comes back. But the attorney can  
 10 confirm the exact state language.  
 11 MS. MAGLIARO: Okay. It's just my  
 12 opinion that it's way too many people. They  
 13 don't have a clubhouse. They don't have a  
 14 pool. They don't have anything.  
 15 MR. OLLER: But testimony will be  
 16 later. Right now it's just questions.  
 17 MS. MAGLIARO: Okay. So the only other  
 18 question that I have, that I don't know if  
 19 it's for you, is it possible to have  
 20 single-family here or is this just like this  
 21 because this is what you're representing?  
 22 MR. MOSCHELLO: This is what we're  
 23 proposing.  
 24 MS. MAGLIARO: Okay, thank you.  
 25 MS. SARMAD: Mr. Foose, may I ask one

1 - 821 BRIDGEWATER AND JCC - 162  
 2 more question.  
 3 MR. FOOSE: Sure.  
 4 MS. SARMAD: And it's just a logistical  
 5 question. Will the architect be appearing to  
 6 testify at a subsequent hearing?  
 7 MR. COAKLEY: We hasn't thought the  
 8 architect is necessary.  
 9 MS. SARMAD: I think that it might be  
 10 helpful.  
 11 MR. COAKLEY: May be so, but we didn't  
 12 think so.  
 13 MS. SARMAD: I'm just saying for a  
 14 future hearing, maybe. I'm just requesting  
 15 it.  
 16 MR. FOOSE: So that's a no,  
 17 Mr. Coakley?  
 18 MR. COAKLEY: I don't see the point.  
 19 MR. FOOSE: It's your case; your  
 20 application.  
 21 MR. COAKLEY: So any more questions?  
 22 MR. FOOSE: Come on down. We're  
 23 approaching 10 o'clock. If you could be  
 24 brief.  
 25 MS. FERRARA: Lisa Ferrara, 788 West

1 - 821 BRIDGEWATER AND JCC - 164  
 2 going to put a retaining wall.  
 3 MR. MOSCHELLO: We're going to put a  
 4 retaining wall between -- I'm not sure which  
 5 house is yours here, but --  
 6 MS. FERRARA: The third one from the  
 7 street. So I'm 788. So you have one on the  
 8 corner, then one, and then me.  
 9 MR. MOSCHELLO: That's probably you  
 10 right there, which is lot 42 for the record.  
 11 So, yeah, we're going to propose a  
 12 retaining wall here, and there's going to  
 13 drainage at the base of that wall that'll  
 14 pick up any runoff that comes onto our  
 15 property and put into one of our stormwater  
 16 basins.  
 17 MS. FERRARA: So there's a wall right  
 18 now where my water is currently running  
 19 through.  
 20 MR. MOSCHELLO: There will be a wall.  
 21 It'll be collected on top of this wall and  
 22 then discharges in one of our basins. We're  
 23 not blocking the water that's coming from  
 24 your property, because you're higher than us,  
 25 so the grade is coming across, the wall is

1 - 821 BRIDGEWATER AND JCC - 163  
 2 Foothill. So this is my backyard. So one  
 3 question I have, again, it's all very wooded,  
 4 right? It's beautiful trees back there, and  
 5 there's a ton of wildlife. Right? There's  
 6 dear, there's foxes, there's all kinds of  
 7 wildlife sitting in my backyard all day. And  
 8 where are they going to go?  
 9 MR. MOSCHELLO: Again, it's the EIS  
 10 that deals with the environment impacts of  
 11 what's happening with the project, but,  
 12 again, that's something that, as an  
 13 engineering, I'm not qualified to answer to  
 14 wildlife questions.  
 15 MS. FERRARA: I just know that I've  
 16 seen the trees dwindle from the mosque, the  
 17 temple, and everything. Okay. So that's an  
 18 open question.  
 19 Again, my house is to the north, and  
 20 the water drains from my house. So, first, I  
 21 get water in my basement. I just put a  
 22 second sump pump in my basement, and it  
 23 drains, like you said--  
 24 MR. MOSCHELLO: Towards us, yes.  
 25 MS. FERRARA: And you mentioned you're

1 - 821 BRIDGEWATER AND JCC - 165  
 2 going down. We're lower than your property.  
 3 MS. FERRARA: I'm just mentioning  
 4 there's a lot of water problems in this area.  
 5 I know half my neighbors who have had tons of  
 6 water in their basement, and you mentioned  
 7 there's not a lot of pitch, but there is a  
 8 lot of pitch. I could tell you that there's  
 9 a lot in my backyard.  
 10 MR. MOSCHELLO: Understood.  
 11 MS. FERRARA: I guess for talking about  
 12 traffic, I'll talk to the traffic guy, but I  
 13 could tell you that I am almost rear ended  
 14 once a week trying to turn left onto my  
 15 street. There's no turning lane to go left.  
 16 MR. OLLER: Ms. Ferrara, again, traffic  
 17 questions will be for the traffic engineer.  
 18 MS. FERRARA: Sure. Okay, then I will  
 19 save that. Thank you.  
 20 MR. FOOSE: Thank you. It's 10:02,  
 21 we're going to wrap up. Mr. Coakley.  
 22 MR. COAKLEY: So we talk schedule?  
 23 MR. FOOSE: Sure.  
 24 MR. COAKLEY: So we are willing to do  
 25 sewer work and we would anticipate that we'd

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1 - 821 BRIDGEWATER AND JCC - 166  
 2 like to keep this case going. We have two  
 3 witnesses that we haven't brought on tonight;  
 4 a traffic engineer and also the planner.  
 5 MR. FOOSE: Speaking of traffic,  
 6 Mr. Coakley, I'm going to rope in a Board  
 7 traffic expert. We are using Mr. Fishinger  
 8 in Starbucks, and I suspect, based on his  
 9 availability, he will be who the Board  
 10 selects to be there that night for us.  
 11 MR. COAKLEY: So I guess we'd like to  
 12 schedule a date where we could have the  
 13 traffic expert and the planner.  
 14 MR. FOOSE: We've got the boss here.  
 15 We're very lucky.  
 16 Nancy, what are your thoughts here for  
 17 a date in the future for 821.  
 18 MS. PROBST: So, A, we need Bright  
 19 View.  
 20 MR. FOOSE: Yes, we'll do that  
 21 tomorrow.  
 22 MS. PROBST: See what the schedule is  
 23 like September. So 8/27 is Starbucks  
 24 continuance. So that's definitely out.  
 25 MR. FOOSE: So 8/27 is Starbucks.

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1 - 821 BRIDGEWATER AND JCC - 167  
 2 MR. PROBST: September 10th we have  
 3 Somerset Properties, and we have two  
 4 residential applications on September 24th.  
 5 MR. FOOSE: And we have a mausoleum  
 6 case as well?  
 7 MS. PROBST: We have -- yes, I believe  
 8 that's already scheduled for 10/8.  
 9 MR. FOOSE: Okay. And we also have all  
 10 the cases that we briefed on at the front of  
 11 this meeting, CX Towers, et cetera. So based  
 12 on that, could we give Mr. Coakley an  
 13 approximate date?  
 14 MS. PROBST: 10/22.  
 15 MR. FOOSE: 10/22, Mr. Coakley.  
 16 MR. COAKLEY: Okay. So we'll have all  
 17 of our witnesses available that day. The  
 18 three witnesses. And, you know, again, I  
 19 would just like to note that it's sort of the  
 20 old perfection is the enemy of good. There  
 21 is a good here, but we can also destroy the  
 22 good. We want to comply with safety  
 23 evidence, because that's very important to  
 24 all of us, and we will present stormwater  
 25 testimony and evidence that I hope will

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1 - 821 BRIDGEWATER AND JCC - 168  
 2 assure you.  
 3 MR. FOOSE: Mr. Coakley, I say that to  
 4 my children all the time; Perfection is the  
 5 enemy of progress, I think is the quote.  
 6 I think Mr. Burr's statement about the  
 7 retention basins and where they lie relative  
 8 to the neighboring property, and you can't  
 9 even landscape on a lot of those.  
 10 MR. COAKLEY: We'll look at things.  
 11 MR. FOOSE: When it comes to safety,  
 12 unfortunately, we do need perfection. And  
 13 other things I do agree with you on, that it  
 14 can be the enemy of progress.  
 15 MR. COAKLEY: I'm not disagreeing with  
 16 that. We understand.  
 17 MR. FOOSE: Thank you, sir.  
 18 MR. OLLER: So for purposes of the  
 19 public, this meeting is being adjourned this  
 20 evening. It will continue on October 22nd in  
 21 this room at 7:00 p.m., and there will be no  
 22 further notices from the applicant.  
 23 (The matter was concluded.)  
 24 (Time noted: 10:06 p.m.)  
 25

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1 CERTIFICATION 169  
 2 STATE OF NEW JERSEY )  
 3 ) ss.:  
 4 COUNTY OF SOMERSET )  
 5  
 6 I, KRYSTINA KORNAK FLORA, a Notary  
 7 Public within and for the State of New Jersey, do  
 8 hereby certify:  
 9 That the testimony(s) that is(are)  
 10 hereinbefore set forth, is(are) a true and accurate  
 11 record of the testimony given by such witness(es).  
 12 I further certify that I am not  
 13 related to any of the parties to the action by blood  
 14 or marriage; and that I am in no way interested in  
 15 the outcome of this matter.  
 16 IN WITNESS WHEREOF, I have hereunto  
 17 set my hand this 26th day of August, 2024.  
 18  
 19 \_\_\_\_\_  
 20 KRYSTINA KORNAK FLORA  
 21  
 22  
 23  
 24  
 25

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