

BRIDGEWATER TOWNSHIP PLANNING BOARD

Regular Meeting

December 3, 2024

-Minutes-

CALL MEETING TO ORDER

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

OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT

Chairman Vescio read the OPMA Statement.

SALUTE TO THE FLAG

ROLL CALL

Mayor Moench-	Absent	Mr. Banga-	Absent
Councilman Kirsh-	Present	Ms. Sikora-	Absent
Mr. Pappas-	Absent	Mr. Choudhury-	Present
Mr. Magura-	Present	Mr. Atkins-	Present
Chairman Vescio-	Present	Ms. Chartowich-	Absent
Mr. Wang-	Absent		

Others present: Board Attorney Mr. Mark Peck, Ms. Katherine Sarmad, Board Planner, Mr. Bill Burr, Township Engineer & Land Use Administrator Nancy Probst.

MEETING OPEN TO THE PUBLIC

Chairman Vescio opened the meeting to the public. With there being no comments from the public, the Boad closed this portion.

APPROVAL OF MINUTES

There were no minutes for approval.

MEMORIALIZATION OF RESOLUTIONS

There were resolutions for adoption.

LAND DEVELOPMENT APPLICATIONS

**Application No. 23-024-PB; Has
Block 150, Lots 12&13; 147 Chestnut St.
Minor Subdivision with Variances**

This application was carried to the Tuesday December 17, 2024 Regular Meeting without further notice.

Application #24-014-PB; Chick-Fil-A
Block 164, Lot 6.05; 754 Route 202
Preliminary & Final Major Site Plan

See attached transcript provided by AB Court Reporting LLC. This application was carried to Tuesday December 17, 2024 Regular Meeting without further notice.

Application #24-022-PB; R.I. Heritage Inn of Bridgewater LLC
c/o Theraldson Hospitality Development LLC
Block 222, Lot 3.01; 1260 Route 202
Amended Preliminary & Final Major Site Plan

See attached transcript by AB Court Reporting LLC. This application was carried to Tuesday December 17, 2024 Regular Meeting without further notice.

ADJOURN

The Board unanimously voted to adjourn the meeting at 11:01 pm.

Respectfully Submitted

A handwritten signature in black ink, appearing to read 'Jo-Ann M. Ricks', written over a horizontal line.

Jo-Ann M. Ricks
Board Secretary Certified

**CHICK-FIL-A
CERTIFIED
TRANSCRIPT**

1 TOWNSHIP OF BRIDGEWATER PLANNING BOARD
2 COUNTY OF SOMERSET - STATE OF NEW JERSEY

3 -----
4 REGULAR MEETING FOR:

5 CHICK-FIL-A, INC.
6 BLOCK 164, LOT 6.05
7 754 ROUTE 202

8 *PRELIMINARY & FINAL MAJOR SITE PLAN*
9 APPLICATION NO. 24-014-PB
10 -----

11 MUNICIPAL BUILDING
12 COUNCIL CHAMBERS
13 100 COMMONS WAY
14 BRIDGEWATER, NEW JERSEY 08807

15 -----
16 TUESDAY, DECEMBER 3, 2024
17 7:00 P.M.
18 -----

19 TRANSCRIPT OF PROCEEDINGS
20 PUBLIC HEARING
21 - CONTINUATION -

22 AB COURT REPORTING, LLC
23 Certified Court Reporters
24 26 Algonquin Terrace
25 Millstone Township, New Jersey 08535
Tel: (732)882-3590
angelabuonocsr@gmail.com

1 BOARD MEMBERS PRESENT:

2 MAURIZIO VESCIO, CHAIRMAN

3 WILLIAM ATKINS

4 NIREN CHOUDHURY

5 MICHAEL KIRSH, COUNCILMAN

6 JAMES MAGURA

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11 PROFESSIONALS AND STAFF PRESENT:

12 MARK R. PECK, ESQUIRE, Board Attorney
13 Florio Perrucci Steinhardt Cappelli & Tipton, LLC

14 WILLIAM H. BURR, IV, P.E., Township Engineer
15 Township of Bridgewater

16 KATHERINE SARMAD, P.P., Board Planner
17 Sarmad Planning Group, LLC

18 NANCY PROBST, Land Use Administrator
19 Township of Bridgewater

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23 STENOGRAPHICALLY REPORTED BY:

24

25 ANGELA BUONANTUONO, CCR, RPR
26 License No. 30XI00233100

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1 A P P E A R A N C E S:

2

3 DIFRANCESCO, BATEMAN, KUNZMAN, DAVIS, LEHRER & FLAUM, PC
4 BY: MICHAEL E. SILBERT, ESQUIRE

5 15 Mountain Boulevard
6 Warren, New Jersey 07059

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9 Email: msilbert@newjerseylaw.net

10 --Counsel for the Applicant

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19 A L S O P R E S E N T:

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21 JOHN MARTINEZ, Senior Development Manager
22 Chick-fil-A, Inc.

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24 MATT FLYNN, P.P.
25 John McDonough Associates, LLC

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I N D E X

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25WITNESSESPAGEZACHARY CHAPLIN, P.E.
Stonefield Engineering & Design

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PATRICK DOWNEY, P.E., PTOE
Dynamic Traffic

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PUBLIC QUESTIONS AND/OR COMMENTS:NAMEADDRESSPAGE

Steven Hernandez 13 Edgewood Terrace

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E X H I B I T S

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<u>NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
A-4	Overall Aerial prepared by Stonefield Engineering, dated October 14, 2024	29
A-5	Zoomed-in aerial prepared by Stonefield Engineering, dated October 14, 2024	29
A-6	Colorized Site Plan	29

6 1 CHAIRMAN VESCIO: Good evening. And 2 welcome to the Bridgewater Township Planning Board 3 meeting for Tuesday, December 3, 2024. 4 Adequate notice of this meeting has 5 been given in accordance with the Open Public 6 Meetings Act, or N.J.S.A. 10:4-6. On February 7th, 7 2024, proper notice was sent to The Courier News and 8 The Star-Ledger, and filed with the Clerk at the 9 Township of Bridgewater, and posted on the bulletin 10 board in the Municipal Building. 11 Please be aware that the Planning Board 12 Policy for public hearings, no new applications will 13 be heard after 9:30 p.m., and no new testimony will 14 be taken after 10:00 p.m. 15 Hearing assistance is available upon 16 request. Accommodation will be made for individuals 17 with a disability, pursuant to the Americans with 18 Disabilities Act, or ADA, provided the individual 19 with the disability provides 48 hours' advance 20 notice to the Planning Department secretary before 21 the public meeting. 22 However, if the individual should 23 require special equipment or services, such as a 24 CART transcriber, seven days' advance notice, 25 excluding weekends and holidays, may be necessary.	8 1 CHAIRMAN VESCIO: Thank you, 2 Ms. Probst. 3 4 (Whereupon, the board continues with 5 the agenda as posted.) 6 - - - 7 (Whereupon, the application is called 8 at 7:09 p.m.) 9 - - - 10 CHAIRMAN VESCIO: We have new 11 applications this evening. And we are going to 12 begin with Chick-fil-A. It's a continuance from 13 October 15, 2025, Block 164, Lot 6.05, commonly 14 known as 754 Route 202. 15 Mr. Silbert, I spy you in the room. 16 ATTORNEY SILBERT: Mr. Chairman, could 17 we please start with R.I. Heritage Inn, if that's 18 okay? 19 CHAIRMAN VESCIO: What's the reason? 20 I'm just curious. 21 ATTORNEY SILBERT: We felt that it 22 would probably be a quicker application since it's 23 an amended site plan approval. 24 The application was previously approved 25 back in 2018, and we're seeking minor adjustments to
7 1 Would everyone please rise to salute to 2 the flag. 3 [Pledge of Allegiance.] 4 CHAIRMAN VESCIO: Ms. Probst, could I 5 have a roll call, please? 6 Chairman Vescio? 7 CHAIRMAN VESCIO: Here. 8 ADMINISTRATOR PROBST: Mayor Moench is 9 absent, for the record. 10 Councilman Kirsh? 11 COUNCILMAN KIRSH: Here. 12 ADMINISTRATOR PROBST: Mr. Pappas will 13 be absent. 14 Mr. Magura? 15 MEMBER MAGURA: Here. 16 ADMINISTRATOR PROBST: Mr. Wang will 17 be absent. Ms. Sikora will be absent. Mr. Banga 18 will be absent. Ms. Chartowich will be absent. 19 Mr. Choudhury? 20 MEMBER CHOUDHURY: Here. 21 ADMINISTRATOR PROBST: Mr. Atkins? 22 MEMBER ATKINS: Here. 23 ADMINISTRATOR PROBST: Mr. Peck is 24 present. Mr. Burr and Ms. Sarmad. 25 You have a quorum and you can proceed.	9 1 the building footprint. Any relief required in 2 association with this application are improvements 3 to previous variances that were already granted. 4 CHAIRMAN VESCIO: Okay. I considered 5 that. If that's the case, however, I would like to 6 say that I would be willing to give at least an hour 7 to each applicant this evening if we were to start 8 in that order. 9 I would like to start with Chick-fil-A, 10 given that it's a continuance. I believe that we 11 have gone through most of the testimony there. 12 ATTORNEY SILBERT: I'm fine with doing 13 that. I just need to -- I have the other folder 14 here, and just switch materials, if that's your 15 preference, absolutely. 16 CHAIRMAN VESCIO: Okay. Thank you. 17 ATTORNEY SILBERT: While we're trying 18 to get our electronics set up here, perhaps I can 19 start off and save the board some time with a brief 20 introduction. 21 Good evening, board members, members of 22 the public, professionals. My name is Michael 23 Silbert, from the law firm DeFrancesco Bateman, 24 located in Warren Township, New Jersey. I have the 25 privilege of representing the applicant,

10 1 Chick-fil-A, Inc. 2 This is an application for Preliminary 3 and Final Major Site Plan approval with bulk 4 variance relief to construct a Chick-fil-A 5 restaurant with a drive-thru on property identified 6 as Block 164, Lot 6.05, more commonly known as 754 7 Route 202. 8 The focus of this application, as the 9 board recalls, is on a single pad site within the 10 development directly east of Towne Center Road -- 11 directly east of the Town Center Road entrance to 12 the site from U.S. Route 202. 13 This is the second hearing on this 14 matter. On October 15th we presented and concluded 15 the operations testimony of John Martinez, senior 16 vice-president of development for Chick-Fil-A. 17 Since our October 15th hearing, I did 18 want to just go over a few submissions that were 19 made to the board. They were supplemental 20 submissions. 21 So following the October 15th hearing 22 the applicant submitted supplemental materials in 23 response to the board professionals joint review 24 memo, dated October 9th, 2024. These submissions, 25 all dated November 8th, 2024, include a revised site	Z. Chaplin, P.E. 12 1 can swear him in. 2 The other witnesses were all sworn in. 3 Please bring Mr. Chaplain forward. 4 ATTORNEY PECK: Do you swear or affirm 5 that the testimony you are going to give in 6 connection with this hearing will be the truth and 7 nothing but the truth? 8 ZACHARY CHAPLIN: I do. 9 ATTORNEY PECK: Thank you. Can you 10 state and spell your name for the record? 11 ZACHARY CHAPLIN: Sure. My name is 12 Zachary Chaplin, last name is C-H-A-P-L-I-N, and I'm 13 with the firm Stonefield Engineering, with offices 14 located at 92 Park Avenue, in Rutherford, New 15 Jersey. 16 ATTORNEY SILBERT: Thank you. 17 - - - 18 E X A M I N A T I O N 19 - - - 20 ATTORNEY SILBERT: And if you wouldn't 21 mind putting your academic credentials and your 22 professional background on the record in the field 23 of civil engineering. 24 THE WITNESS: Does this work too? 25 ATTORNEY SILBERT: Yes, it does.
11 1 plan, a fire truck turning exhibit, an updated 2 stormwater management report, and an operations and 3 maintenance manual. 4 So these submissions include minor 5 revisions to address comments and clean up details, 6 such as adding the canopy details that we discussed 7 at the last hearing. Other things we included, an 8 additional ADA parking space per Mr. Pappas's 9 request at the last hearing. Changes were made to 10 the crosswalk. 11 We also provided the board and the 12 board's professionals with a detailed submission 13 cover letter prepared by Stonefield Engineering. 14 And this cover letter provided responses to each 15 comment in the professional review memo I 16 referenced. 17 Also after the October 15th hearing we 18 received a sewer utility memo, and that's dated 19 September 26th, 2024. Our engineer can address it 20 but the applicant is prepared to accommodate and 21 comply with all comments in that memo. 22 So to start off I'll call our first 23 witness. And, Mr. Chairman, he's going to have to 24 be sworn in. So our engineer, Zachary Chaplin, was 25 not at the hearing on October 15th, so perhaps we	Z. Chaplin, P.E. 13 1 THE WITNESS: Sure. So I received my 2 bachelor's degree in civil engineering from the 3 University of Delaware. I'm a licensed professional 4 engineer in the states of New Jersey, New York and 5 Connecticut. I have worked on over a dozen 6 Chick-fil-A applications in the past five or six 7 years. I have been accepted as an expert witness by 8 multiple boards throughout the state. 9 CHAIRMAN VESCIO: Does the board have 10 any objections to Mr. Chaplin's qualifications? 11 MEMBER MAGURA: No objection. 12 CHAIRMAN VESCIO: Please proceed. 13 ATTORNEY SILBERT: Thank you, 14 Mr. Chairman. 15 And I represented to the board you were 16 not in attendance at the last hearing; is that 17 accurate? 18 THE WITNESS: Yes. However, I was 19 able to watch the YouTube of the hearing on the 20 township's YouTube website, so I was able to watch 21 the hearing. 22 ATTORNEY SILBERT: Great. Great. So 23 you were familiar with Mr. Martinez's questions and 24 the comments from the board. 25 Why don't you start us off by talking

Z. Chaplin, P.E. 14 1 about the revised site plan, some of the changes 2 that were made. 3 I don't want to steal your thunder if 4 you have your own outline here so... 5 THE WITNESS: Yeah, sure. I think 6 just to jump in, you know, listening to the 7 testimony from last time, I think Mr. Martinez did a 8 really good job talking about Chick-fil-A's 9 operations, the circulation, how unique it kind of 10 is compared to some of the other fast food tenants 11 out there, so I will probably stick to more of the 12 engineering and site plan layout as we dive into it. 13 But kind of from a higher level, I 14 think this is a good redevelopment opportunity for 15 both the township and Chick-fil-A. I think that 16 this is a good location and site for Chick-fil-A. 17 Probably one of the reasons why it's one of the few 18 locations that actually permits the fast food use. 19 I think we've carefully designed it, 20 like you've heard, with a lot of Chick-fil-A's 21 greatest and latest technologies that we were able 22 to implement. The fact we're in a shopping center 23 allows us to use shared parking which I think is a 24 great advantage. 25 We're seeking very limited relief	Z. Chaplin, P.E. 16 1 ATTORNEY PECK: Overall aerial, okay. 2 THE WITNESS: So this is just a Google 3 Earth snapshot of the shopping center. 4 Of course, we front 202. Wegman's and 5 Home Depot are the main anchors. Raymour & Flanigan 6 is centered to our north. And then to the east of 7 our site is a Verizon store and a Wells Fargo Bank. 8 So our site is just east of the 9 signalized intersection. It's the former TGI 10 Fridays. 11 And then just kind of zooming in -- and 12 if we want we can mark this separately or this could 13 be a two of two, however you prefer. 14 CHAIRMAN VESCIO: That was a former 15 Ruby Tuesday. 16 THE WITNESS: Sorry, Ruby Tuesday. 17 BOARD MEMBER: One of those days of the 18 week. 19 ATTORNEY PECK: Let's make this one 20 A-4. 21 THE WITNESS: So this is - this is 22 just an aerial exhibit, no overall. Also prepared 23 by Stonefield Engineering, dated October 14th, 2024. 24 This is just zooming into our -- 25 ATTORNEY PECK: Close up of the
Z. Chaplin, P.E. 15 1 tonight that I can go through. And we'll also be 2 adding in landscaping around the perimeter that will 3 be an improvement compared to the existing 4 condition. 5 Just briefly on the existing condition, 6 I'm just going to refer to the exhibit on the 7 screen. This is an aerial exhibit overall, it's 8 dated -- 9 ATTORNEY PECK: Was this previously 10 marked? 11 ATTORNEY SILBERT: So there was a 12 colorized site plan -- 13 ATTORNEY PECK: That's A-1? 14 ATTORNEY SILBERT: -- marked A-1 at the 15 last hearing. 16 THE WITNESS: Yeah, this was not 17 marked, to my knowledge, but we can mark it now. 18 ATTORNEY SILBERT: Sorry. 19 THE WITNESS: This is an overall 20 aerial exhibit, prepared by Stonefield Engineering, 21 dated October 14th, 2024. 22 So we can mark this as A-2. 23 ATTORNEY PECK: I'm sorry, you called 24 that overhead aerial? 25 THE WITNESS: Overall aerial exhibit.	Z. Chaplin, P.E. 17 1 aerial. 2 THE WITNESS: Exactly. Really what 3 you will see here is the previous restaurant. You 4 will note that there were two access points into the 5 pad site with parking around the perimeter. 6 I do want to note on here you will see 7 that there are a few shade trees to the west and 8 some mature shrubs to the east. All of those are to 9 remain as part of our application. 10 I also want to note that there's about 11 a 5-foot grade change between our site and the 12 Verizon in that green sloped area. So that's 13 something that we're not changing, we're keeping 14 those shrubs in that slope change that is there. 15 As we wait for it to load, the next 16 exhibit is going to be a colorized rendering of the 17 latest site plan that was submitted. We can mark 18 this -- 19 ATTORNEY PECK: A-5. 20 THE WITNESS: A-5? 21 ATTORNEY SILBERT: Mr. Peck, was there 22 another exhibit submitted at the last hearing marked 23 A-2? 24 ATTORNEY PECK: That was the Grand 25 Opening Plan.

Z. Chaplin, P.E. 18 1 ATTORNEY SILBERT: Right. Okay, so 2 then we can call what we just identified as A-2 as 3 the overall aerial exhibit as A-3. 4 Is that okay? 5 ATTORNEY PECK: Overall aerial is A-3. 6 ATTORNEY SILBERT: Okay. 7 ATTORNEY PECK: And zoomed-in aerial 8 is A-4. 9 And then we'll call the colorized 10 latest iteration of the site plan will be A-5. 11 ATTORNEY PECK: I'm sorry, so A-2 is 12 still the Grand Opening Plan. 13 ATTORNEY SILBERT: That's correct. 14 ATTORNEY PECK: All right. 15 THE WITNESS: So this is loading -- 16 there we go. So this is just a colorized version of 17 the site plan, and it also shows the landscaping 18 that is there. 19 Under the proposed conditions the site 20 would be scraped so the restaurant would be removed. 21 A new 4,989 square foot Chick-fil-A building is 22 proposed. 23 As Mr. Martinez mentioned there are two 24 canopies associated with the building, there's the 25 pickup canopy and the ordering canopy. So the	Z. Chaplin, P.E. 20 1 under the ordering canopy. Beyond that there is a 2 bypass lane all the way to the north, so in the 3 event someone has an emergency or needs to peel out, 4 you know, we do have that third lane that can be 5 used, and that's essentially just like a bypass 6 through the parking lot. 7 This isn't super common for Chick-fil-A 8 but when we have the ability to add it we do and 9 it's, of course, a nice thing to have for a 10 drive-thru. 11 Once they pick up their order under 12 the pickup canopy the cars would then circulate out 13 the same access point they came in. I think it's 14 worth noting that the drive aisles on-site have been 15 oversized at 30 feet, both the westerly drive aisle 16 and the southerly drive aisle. And that's just to 17 make sure that there's really good maneuverability 18 for these customers as they, you know, drive through 19 the site. 20 It's also one of the reasons why we do 21 need relief for the front -- for parking within the 22 front yard just because we need that oversized drive 23 aisle to kind of help with our maneuverability. 24 There are 43 parking spaces proposed 25 where 30 are required. We did add that third ADA
Z. Chaplin, P.E. 19 1 pickup canopy you could kind of see here in that 2 light yellow tone. That covers the vehicles when 3 they're receiving their food from the team members. 4 And then on the east side of the building, that is 5 where the ordering canopy is. And that's where 6 there are either two ordering boards or team members 7 that could take your orders under that easterly 8 canopy. 9 In terms of access, there's one main 10 signalized access point kind of in the center of the 11 shopping center. There's also an ingress only and 12 an egress only curb cut to the shopping center, but 13 I think most of our activity -- I'll leave this to 14 our traffic engineer, but I think most of the 15 customers will be coming in from that signalized 16 intersection. 17 We have one access point into the site 18 that allows us to maximize the drive-through queue. 19 So customers will be coming in off Towne Center 20 Road, they'll make a right turn into our site. 21 They'll have the ability to park in one of many 22 parking spaces, and/or continue on to the 23 drive-through. 24 As mentioned before once entering the 25 drive-through they would have their order taken	Z. Chaplin, P.E. 21 1 space at the front of the restaurant as well. 2 There's also one EV space proposed that we'll put in 3 day one. 4 ATTORNEY PECK: One EV space? 5 THE WITNESS: One EV space. 6 As mentioned, we do have the ability to 7 use parking within the shopping center, so we have 8 proposed a sidewalk connection at the northwest 9 corner that will take mostly employees to that 10 Raymour & Flanigan parking lot that they can use. 11 Also, I want to point out that we have 12 been in conversation with the DOT. We have an 13 active application with them. And while it is shown 14 here, we will be providing a new sidewalk along the 15 frontage of the Chick-fil-A that will add pedestrian 16 path to the restaurant as well. 17 There's a trash enclosure proposed at 18 the northwest corner of the site. That location was 19 chosen for two reasons. One, just for easy access 20 for the trash vehicles. And also it's closest to 21 the exit for the team members who bring out the 22 trash. 23 I know that Mr. Martinez went into kind 24 of a -- how often that occurs and the deliveries and 25 so I won't go into that.

Z. Chaplin, P.E. 22 1 From a stormwater management 2 standpoint, we do meet the green infrastructure 3 requirement by proposing porous pavement. So the 4 parking spaces along the southern end, western and 5 eastern here would be porous pavement, as well as a 6 small portion of the drive-through. This allows us 7 to provide water quality as well as quantity 8 reductions to meet those requirements. 9 If you consider the porous pavement as 10 pervious, the site actually results in a 13-percent 11 reduction of impervious surfaces. 12 From a lighting standpoint we're 13 proposing all new LED fixtures. We meet all the 14 township requirements with 20-foot-high poles all 15 the fixtures would be down lit. 16 For our landscape plan, you can kind of 17 see it on the screen. I think it's important to 18 note here, you know, we are noting that we need a 19 variance for shade trees where 27 are required and 20 we're providing 14. There are some reasons for 21 this. I know it was spoken about at the first 22 hearing. 23 The front yard, as much as we would 24 like to put some trees there, you would lose the 25 visibility of the monument sign. So for that reason	Z. Chaplin, P.E. 24 1 Chick-fil-A. They do a pretty nice job with their 2 architecture. There's that light and dark brown 3 brick veneer, the two tones. And, you know, if 4 there's any questions of the architecture I would be 5 happy to answer that. 6 From a signage standpoint, Chick-fil-A 7 is not proposing any new monument or pylon signs. 8 So that's partially the reason, we're really just 9 limited to the building signage. 10 We are looking for relief where we have 11 153 and a half square feet of building signage where 12 100 square feet is the max. But keep in mind that 13 we're proposing signage on three sides of the 14 building. So we're looking to essentially show, and 15 you can kind of see it on here, both to 202 and to 16 the shopping center, we would have signage on those 17 three sides. 18 I think the signage is modest if you 19 look at the elevations that were able to just pop 20 up. I think because we have that third side that's 21 one of the reasons why we're over that limit, but at 22 the same token we don't have that pylon or monument 23 sign, so we're hoping that, you know, the building 24 signage can help direct people to our store. 25 ATTORNEY PECK: Sorry, what was the
Z. Chaplin, P.E. 23 1 I think we just decided to go with some low shrubs 2 that you will see on our plan now that we have 3 planted instead. 4 The east side has those mature shrubs 5 that kind of separate the Verizon store from our 6 site. So instead of removing those, you know, we 7 look to keep those in place. 8 And then there are a number of shade 9 trees on the west side that we would look to remain. 10 So we're proposing three new shade trees on the 11 northeast corner of the site, looking to preserve 12 the ones on the west. And then lots of shrubs, over 13 150 shrubs throughout the pad site. 14 ATTORNEY SILBERT: And the shrubs that 15 were added to the south of the site, that was added 16 as a direct response to the board engineer's 17 request? 18 THE WITNESS: It might have been a 19 board member's request but, yes, the request at the 20 last hearing. 21 I'm trying to pull up the architectural 22 plans, it might take a second. But those were 23 submitted so you should have them in your packet. 24 From an architecture standpoint I 25 think, you know, everyone has probably seen a	Z. Chaplin, P.E. 25 1 signage permitted and proposed? 2 THE WITNESS: It's 100 square feet 3 aggregate for the building-mounted signage where 4 we're at 153.5. 5 ATTORNEY PECK: 153.5. 6 THE WITNESS: Yes. 7 ATTORNEY SILBERT: And if you recall 8 from the last hearing there was -- Mr. Martinez 9 mentioned that there was a "Welcome to Bridgewater" 10 sign that may not have been included in these 11 calculations. And I don't know if the board or the 12 board professionals believe that that should count 13 towards the aggregate. 14 So depending on how the board 15 determines that "Welcome to Bridgewater" sign comes 16 into play, it may be for four signs. And I think -- 17 I would have to -- I would have to ask Mr. Martinez 18 to refresh my memory, but I thought it could be an 19 additional 17 feet for the "Welcome to Bridgewater" 20 sign. 21 But we can flow back to that during our 22 planning testimony. 23 THE WITNESS: And then one last thing 24 I just want to bring up that was in the 25 professionals' letter, while our building is set

Z. Chaplin, P.E. 26 1 back 100.2 feet our pickup canopy does extend over 2 because there's a column that comes into play. 3 So you will notice on our site plan 4 that the canopy is 96.3 feet set back. It seems 5 unclear if relief is needed just based on the 6 township code. You know, we're happy to seek that 7 relief as a conservative measure if you feel it is 8 needed. 9 When looking to push the building and 10 the canopy back, it's a little bit tight just 11 because that back area we've got our transformer 12 pad, we've got our hot box that New Jersey American 13 Water requires, and there's a bit of a grade change. 14 So we did look to avoid the relief, but 15 after looking at just kind of the constraints we 16 have in the back of the site it would be tough to 17 push the building back. So I just want to point 18 that out for the board's benefit. 19 ATTORNEY SILBERT: And, Mr. Chaplin, 20 you're asking about whether the township would 21 consider that a variance because you are trying to 22 determine whether or not the canopy is an accessory 23 structure? 24 THE WITNESS: Correct. 25 ATTORNEY SILBERT: Okay.	Z. Chaplin, P.E. 28 1 think we have a safe and efficient site layout. 2 If there's anything I missed... 3 ATTORNEY SILBERT: The only thing that 4 I think that I noticed in the review memo here is 5 just how will snow removal take place on the site. 6 THE WITNESS: Yeah, I think where we 7 can there's some certain landscaped areas like 8 specifically like the northwest corner, the southern 9 area where we can fit it. 10 But once it gets to a point where we 11 can't fit it on-site, you know, we would hire 12 somebody to haul it off-site. 13 ATTORNEY SILBERT: Great. I don't 14 have any questions. 15 ATTORNEY PECK: A point of 16 housekeeping. 17 ATTORNEY SILBERT: Sure. 18 ATTORNEY PECK: We might have to 19 relabel the exhibits. There was an A-3. It was a 20 planting exhibit. 21 ATTORNEY SILBERT: Okay. 22 ATTORNEY PECK: So, Nancy, you got 23 that? 24 ADMINISTRATOR PROBST: No. I'm sorry, 25 it was A-3?
Z. Chaplin, P.E. 27 1 And then did you review the zoning 2 requirements for the M-1 zone with respect to 3 accessory structures? 4 If not, that's okay, we can save it for 5 planning. But I just point it out because if it's 6 an accessory structure, as our planner will testify 7 to, it wouldn't require variance relief. And that's 8 why I'm calling the board and the board's 9 professionals attention to it. 10 THE WITNESS: So just to kind of sum 11 up, you know, the plan is generally conforming, with 12 the exception of the relief that we just discussed. 13 I think we have a safe and efficient 14 layout. 15 I think Mr. Martinez gave great 16 testimony as to how the circulation, the parking, 17 the drive-through would work. And just with 18 Chick-Fil-A's experience and all the successful 19 stores that they have, how this would be able to 20 operate in this location. 21 We've optimized this site to provide 22 29 cars in the queue. We have a grand opening plan 23 that can extend that queue, if needed. 24 We have increased the landscaping. You 25 know, obviously new LED lighting. But overall I	Z. Chaplin, P.E. 29 1 ATTORNEY PECK: So the overall aerial 2 that we saw is now A-4. 3 - - - 4 (Exhibit A-4, Overall Aerial prepared 5 by Stonefield Engineering, dated October 14, 6 2024, is marked. 7 - - - 8 ATTORNEY PECK: The zoomed-in aerial 9 is A-5. 10 - - - 11 (Exhibit A-5, Zoomed-in aerial 12 prepared by Stonefield Engineering, dated 13 October 14, 2024, is marked. 14 - - - 15 ATTORNEY PECK: And the latest version 16 of the site plan, colorized, is A-6. 17 - - - 18 (Exhibit A-6, Colorized Site Plan, is 19 marked.) 20 - - - 21 CHAIRMAN VESCIO: Does the board have 22 any questions on the testimony you just heard? 23 COUNCILMAN KIRSH: Mr. Chairman, I 24 have a question in two areas. 25 Mr. Chaplin, when we talk about parking

Z. Chaplin, P.E. 30 1 we talk about employees being able to park over by 2 the furniture store. Should we be thinking about 3 parking as people will, generally speaking, park in 4 the most convenient place, but as long as there's 5 parking, you know, reasonably close that that's 6 attractive, the people will want to do business 7 there? 8 THE WITNESS: Well I think the parking 9 at the Raymour & Flanigan is specific for employees. 10 You know, we feel comfortable and 11 confident that the 43 spaces will be used for our 12 customers. So it would be the employees, which 13 could be anywhere from 20 to 25 employees that would 14 use the parking over there. 15 COUNCILMAN KIRSH: And that's 16 acceptable to the property management, property 17 ownership. 18 THE WITNESS: Yes. 19 COUNCILMAN KIRSH: Okay. And I guess, 20 given, you know, today's standards, people are 21 typically parking quickly and running in and getting 22 their food in the drive-thru lane. Fewer people are 23 dining in the restaurant. 24 THE WITNESS: Yeah, and that's what 25 we've seen, the evolution of just using either the	Z. Chaplin, P.E. 32 1 bank, you know, there's some other things going on 2 there, making that turn left can be a challenge. 3 It's not signal controlled. There's already a lot 4 of traffic at certain times leaving the complex due 5 to particularly The Home Depot and Wegmans, although 6 other locations as well. 7 The other thing I've observed more now 8 than before, there is an access and an exit point 9 further -- I'm going to get my -- I might get my 10 directions wrong but, I believe it's further to the 11 east so, you know, down more like where the Olive 12 Garden is. 13 So, you know, perhaps when your traffic 14 expert -- yeah, basically and there's an entrance 15 and an exit down there. Right? 16 Isn't there an entrance? 17 THE WITNESS: It's an exit. 18 COUNCILMAN KIRSH: I know there's an 19 exit. 20 THE WITNESS: Yeah, there's an exit to 21 the east. 22 COUNCILMAN KIRSH: And so, you know, I 23 don't know if there's anticipation that people, if 24 they can't make that left because there's a queue, 25 maybe they're going to go to the right and come
Z. Chaplin, P.E. 31 1 drive-thru or the mobile pickup more often. 2 COUNCILMAN KIRSH: Okay. I have a 3 series of questions about access and exit from the 4 site, and you mentioned it that you're not the 5 traffic expert. 6 So I guess my question, Mr. Silbert, is 7 am I better off waiting to kind of like go through 8 the traffic and traffic flow -- really, I'm more 9 concerned outside of the boundaries of your 10 property -- or shall I, you know, at least air the 11 questions now? 12 THE WITNESS: You're welcome to air 13 the question. If I can't answer it, our traffic 14 expert will. 15 COUNCILMAN KIRSH: All right. Well, I 16 don't want to go too far here but I have 17 considerable concern not so much with how people 18 potentially go from, you know, the main access road 19 into your site. That's a quick right, a quick 20 right. You know, I'm not terribly concerned about 21 that. 22 What I am definitely concerned about is 23 how people are going to leave your site, because 24 even now, with the relatively little commercial 25 activity that is going on between the Verizon, the	Z. Chaplin, P.E. 33 1 around, but then they are not going to be able to 2 get going 202 north unless they make a U, and then 3 they're going to get stuck at the traffic light. 4 You know, I don't -- I would just like 5 to see, you know, a careful explanation, you know, 6 because presumably this site is going to be pretty 7 popular. That's a problem you want to have. And I 8 just want to make sure that the board and any one 9 here from the audience, our professionals, can 10 certainly be comfortable with, you know, how we're 11 going to get, and especially at peak times, a 12 sizable number of cars on and off this property. 13 THE WITNESS: Yeah, I think our 14 traffic engineer will be best suited to answer that. 15 ATTORNEY SILBERT: And, Councilman, at 16 the last hearing you kind of vocalized those 17 concerns, not with cars coming in but cars leaving, 18 so Mr. Downey, our traffic engineer and expert, is 19 well prepared to address your comments particularly 20 related to that exit point further to the east of 21 the intersection of Towne Center Road and 202. 22 COUNCILMAN KIRSH: Okay, thank you. 23 THE WITNESS: Sure. 24 CHAIRMAN VESCIO: Thank you, 25 Councilman.

1 Any other questions? Go ahead,
 2 Mr. Choudhury.
 3 MEMBER CHOUDHURY: I see I think that
 4 two handicap parking here --
 5 (Stenographer clarification.)
 6 MEMBER CHOUDHURY: Yeah, I see here
 7 three handicap parking. The Ruby Tuesday, I think,
 8 had more handicap.
 9 Assuming that you will have more
 10 customers than any other restaurants there, because
 11 my house is right there so I see every day there, so
 12 are you okay with there are only three handicap
 13 parking?
 14 THE WITNESS: So the requirement for
 15 us is two. It's one when you have 25, and between
 16 25 and 50 is two. And then after 50, 50 to 75 is
 17 three. So with our 43 spaces we have two. We have
 18 added a space.
 19 I think it comes down to, you know, I
 20 think those customers may be using the drive-thru as
 21 well. I think, you know, we said, 50 percent of our
 22 customer base isn't even going into the store
 23 anymore, so there's a good chance that those
 24 accessible customers will be using the drive-thru.
 25 So I don't -- I think the extra space

1 was a good idea and that's why we've added it. So,
 2 you know, I think that it's a good balance between
 3 the customer base using the drive-thru and having
 4 that extra space than what is actually required.
 5 MEMBER CHOUDHURY: Okay. So
 6 obviously, you know, Mr. Burr and everybody else,
 7 probably they have -- they know what minimum
 8 standard handicap parking should be there, but,
 9 okay, I guess somebody will address it.
 10 On this A-5, or now it is A-6, last
 11 time you said that your delivery truck will be
 12 coming in the nighttime, I guess?
 13 THE WITNESS: Yeah.
 14 MEMBER CHOUDHURY: Delivery truck,
 15 that only comes at nighttime.
 16 THE WITNESS: The box truck delivery
 17 would be overnight.
 18 MEMBER CHOUDHURY: After the store is
 19 closed.
 20 THE WITNESS: Correct.
 21 MEMBER CHOUDHURY: Okay. And then did
 22 you -- it will be better if you can show something
 23 here from how the delivery will be taken into
 24 account from the back door.
 25 I think last time you mentioned that

1 there's a back -- delivery truck will be coming and
 2 deliver to the back, backdoor itself after the store
 3 is closed.
 4 So where exactly; can you point it out,
 5 where exactly it is?
 6 THE WITNESS: Yes. So the trucks
 7 would pull into the site, and then you will see here
 8 there's a door at the northwest corner of the
 9 building. We've actually already put a curb ramp
 10 in.
 11 MEMBER CHOUDHURY: Oh, yeah. Yeah,
 12 right. Okay.
 13 THE WITNESS: So you can kind of see
 14 it.
 15 So they can just come right through
 16 here and basically stage in the parking lot to bring
 17 in those deliveries.
 18 MEMBER CHOUDHURY: Oh. I was thinking
 19 on the back side, sorry.
 20 THE WITNESS: That's okay.
 21 MEMBER CHOUDHURY: No problem. Well
 22 for now it is okay, I will find out what I wrote.
 23 CHAIRMAN VESCIO: Thank you,
 24 Mr. Choudhury.
 25 Any other questions?

1 You testified that the impervious
 2 coverage on the site, given that there is going to
 3 be porous pavement, is going to be actually less
 4 than there was previously, correct?
 5 THE WITNESS: Yes.
 6 CHAIRMAN VESCIO: Does that also lend
 7 credence to that, we would imagine that the
 8 stormwater collection or the stormwater management
 9 would be decreased as well?
 10 THE WITNESS: I would say that we are
 11 reducing peak flow rates and we are enhancing the
 12 water quality as a result of our project.
 13 CHAIRMAN VESCIO: Okay. And I too
 14 have questions regarding the traffic management, the
 15 queue management specifically. Would that be better
 16 left for Mr. Downey?
 17 THE WITNESS: Yes.
 18 CHAIRMAN VESCIO: Okay. Any other
 19 questions?
 20 Mr. Atkins.
 21 MEMBER ATKINS: Just a question
 22 generally about the pavement.
 23 So the porous pavement for the majority
 24 of the parking spots, what are the measures that you
 25 guys would have to take during the winter to either

1 prevent ice or to clear the snow? Because I would
2 imagine that there would be a different process for
3 this kind of pavement.

4 THE WITNESS: Yeah, I mean the
5 maintenance vehicles, you know, essentially need to
6 be careful around the porous pavement areas.

7 So there is a stormwater management
8 maintenance and operations manual that has been
9 prepared and essentially that would get -- the
10 operator would need to abide by what's in that
11 operations and maintenance manual specifically to
12 the stormwater measures.

13 And a lot of that has to do with how to
14 maintain that porous pavement and specifically in
15 the winter months to make sure that like those
16 snowplows and what have you aren't damaging the
17 pavement.

18 CHAIRMAN VESCIO: Thank you,
19 Mr. Atkins.

20 I would like to hear from some of our
21 professionals. Ms. Sarmad?

22 PLANNER SARMAD: Thank you,
23 Mr. Chairman. I had a few questions related to
24 that.

25 In looking through the stormwater

1 maintenance manual for the porous pavement, we've
2 encountered it before this board in more residential
3 applications and I think now that it's part of the
4 DEP stormwater regs we're seeing it more and more in
5 portions of commercial parking lots.

6 And if you look through the maintenance
7 manual, it should give you some pause for concern in
8 that it seems like if something goes wrong, if
9 there's even a storm where there's mud, it could
10 severely kind of impact the function of that.

11 And so some of my questions are more
12 related to -- I think there's something in the
13 manual that says that some of these actions need to
14 be taken as soon as possible after all the runoff
15 has drained. And can you just give, kind of the
16 board an idea, of what would happen to this system
17 if mud or sediment is tracked into the surface
18 course and it's not removed, what could happen.

19 THE WITNESS: Sure. So there are
20 outlet control structures. There's a couple of
21 fail-safes so to speak.

22 So there is an underdrain in the
23 section, and so essentially we're not relying on
24 infiltration. So basically the stormwater filters
25 through the porous paving section. There's an

1 underdrain that collects it. That underdrain
2 connects to the overall shopping center conveyance
3 system.

4 In the event there's a backup or
5 there's clogging, that stormwater would naturally on
6 the surface level make its way to stormwater grates
7 in our outlet structure, and that's tied into the
8 shopping center conveyance network, which I think
9 ultimately ties into this above-ground basin to the
10 west.

11 So there are fail-safe measures just to
12 make sure that the site doesn't flood or pond and
13 what have you. And, of course, once that is
14 happening that's when our maintenance needs to kick
15 into gear and flush out any sort of clogs.

16 PLANNER SARMAD: Okay. And there was
17 other kind of following points in there, in that
18 maintenance manual that include that it needs to be
19 vacuum cleaned four times a year.

20 Who generally is responsible for that?
21 And how is that enforced, you know, based on the
22 specs of the material being used, who makes sure
23 it's vacuum cleaned at least four times a year?

24 THE WITNESS: That would be the
25 Chick-fil-A operator --

1 PLANNER SARMAD: Okay.

2 THE WITNESS: -- since it's their
3 parking and system.

4 PLANNER SARMAD: Okay. And then it
5 says once annually it has to be tested to make sure
6 it's functioning properly.

7 Who do they report to if it's not? Is
8 that just an internal function that they would then
9 be replacing or, you know, determining it needs to
10 be replaced based on those tests?

11 THE WITNESS: I think it can be the
12 township if the township chooses that and we're
13 happy to do that, but if not, obviously, it would be
14 internal. But if, for whatever reason the township
15 wanted a copy of that test, we can certainly provide
16 it.

17 PLANNER SARMAD: Okay. Thank you.
18 I know there wasn't any engineering
19 testimony at the last meeting but there were some --
20 there was a revised plan that was submitted. And
21 can you just go through some of the changes?

22 Some of those changes differ from the
23 review memo that I think Mr. Burr and I had
24 originally prepared. I don't think they were
25 substantial. When I looked at the revised plans I

1 didn't see anything that really impacted the
2 impervious coverage and things like that, setbacks,
3 but there were changes to the location of
4 crosswalks, you know, the circulation out of the
5 drive-thru area.

6 Can you just give an -- and the
7 landscaping. Can you give an overview of some of
8 those changes, if I missed any?

9 THE WITNESS: Yeah, sure. So one of
10 the things we did was add the third ADA space.

11 Another thing we did was just we took a
12 look at the cars exiting the drive-thru and we kind
13 of re-striped that area by the exit, and even put in
14 sort off like a striping along the centerline of the
15 roadway as well, to help direct those customers in
16 making that turn. So these were all additions to
17 the site plan that was recently submitted.

18 We did add a crosswalk at the southern
19 end of the parking lot, and this was really in
20 anticipation of our sidewalk that we're putting in
21 along the west side. That sidewalk will connect to
22 the shopping center sidewalk and also connect to the
23 new sidewalk that DOT has requested.

24 In addition to that we responded to the
25 comments, the landscape comments. We have also

1 added shrubs along the southerly parking row. That
2 was talked about at the last hearing.

3 So we've added landscaping, addressed
4 the comments in the letter, and I think that should
5 summarize it, unless I missed anything.

6 PLANNER SARMAD: Okay. And there was
7 the removal of a crosswalk, a mid-block crosswalk
8 that seems to cross the kind of access road, right,
9 outside of the pad site?

10 THE WITNESS: Yes. And I do have the
11 previous rendering if we want to look at both, but,
12 yes, we removed the one that was in the middle. We
13 felt it was better placed where we're showing it
14 now.

15 PLANNER SARMAD: Okay. Yeah, so
16 there's one closer to the kind of pass-by lane,
17 right, that was removed?

18 THE WITNESS: Um-hmm.

19 PLANNER SARMAD: One in the mid-block
20 cross outside the site that connects to inside the
21 shopping center.

22 And then you described there was some
23 landscaping that was changed at the back of the
24 building. And there's a difference between the two,
25 the two plans in that regard, there's kind of

1 landscaping that looks like it opens up to the back
2 door there. Can you just describe -- and previously
3 there was landscaping that kind of closed that area
4 off.

5 Can you just describe what that back
6 area is kind of -- how the landscaping changed kind
7 of the function, or if it was always intended to be
8 open?

9 THE WITNESS: I think the intention
10 was for it to be open, but I will say that these
11 shrubs are evergreens because ideally we do want to
12 screen kind of like the back of the building, you
13 know, from the drive-thru. So I think it's a mix of
14 deciduous and evergreen, kind of like the evergreen
15 further back, and then the more aesthetically
16 pleasing plantings in front.

17 Previously I think we just -- it was a
18 slightly different layout, I think we just were a
19 little bit more strategic with our latest plan with
20 like where we put the deciduous shrubs versus the
21 evergreen shrubs.

22 PLANNER SARMAD: All right. And then
23 it was more -- I think I was asking more -- less
24 about the species and the type of the shrubs and
25 more about the configuration at the back that

1 previously was kind of in a row where it seemed like
2 it blocked off the back of the building -- it
3 separated the back of the building from the
4 drive-thru lane, and now it kind of has a -- it
5 looks like a pathway between -- that's created from
6 the landscaping.

7 So I just wanted to know if that is
8 intended for employees to maybe walk out the back
9 door and, you know, and typically in some of the
10 Chick-fil-A operations, as we've heard from the
11 operations testimony and that we have seen in other
12 sites there's employees that go out and go meet the
13 cars either with the electronic menu and go to the
14 canopies and take orders and go in the lane. I
15 didn't know if that was somewhere people would be
16 moving out of and if that was intended for people
17 moving.

18 And my question is does the shrubs
19 impact the ability from cars to see a person, if
20 that's the case?

21 THE WITNESS: Are we talking about
22 this gray box here?

23 ENGINEER BURR: Yes.

24 PLANNER SARMAD: There's a grey box
25 surround --

Z. Chaplin, P.E. 46 1 THE WITNESS: So the intention is 2 that's the hot box that New Jersey American Water is 3 going to require, so we've added that in. 4 The employees are going to be mostly 5 coming out of the pickup area where those doors are 6 located. 7 PLANNER SARMAD: Yes. 8 THE WITNESS: If they come out of this 9 door they would come, you know, via this curb cut 10 here. There is no intention for them to walk 11 through this landscaping. 12 PLANNER SARMAD: Okay, understood. 13 Thank you. I just wanted to make sure that that 14 kind of back-of-the-building change was put on the 15 record. 16 THE WITNESS: Yep. 17 PLANNER SARMAD: I think that's all I 18 have for this witness. 19 I'll give it for Mr. Burr. 20 CHAIRMAN VESCIO: Thank you, 21 Ms. Sarmad. 22 ENGINEER BURR: Thank you, 23 Mr. Chairman. A couple of questions. 24 So you gave an overview of some of the 25 plan revisions that were made. I think we heard	Z. Chaplin, P.E. 48 1 captured within the proposed or existing stormwater 2 facilities on-site. 3 THE WITNESS: It's all being captured 4 mainly because 202 is a bit higher than us so 5 everything is sloping into the site, so we're 6 essentially collecting everything within our 7 footprint. 8 ENGINEER BURR: Okay. So in terms of 9 the maintenance, you heard a few questions/comments 10 from board members, as well as Ms. Sarmad, it's a 11 big deal, obviously. And I, on behalf of the 12 township, every year need to certify to the state 13 that all stormwater facilities are being properly 14 maintained, both public facilities as well as 15 private. 16 So if this application is approved, I 17 would assume that your client would agree to a 18 condition where you provide me with a certification 19 by the end of every year so that, come May, I can 20 provide my certification to the state? 21 THE WITNESS: Yes. 22 ENGINEER BURR: Would you be willing 23 to certify? 24 ATTORNEY SILBERT: Yes, absolutely. 25 ENGINEER BURR: Okay, good.
Z. Chaplin, P.E. 47 1 earlier that you submitted a response letter. 2 Was there anything in our joint memo 3 that you were not able to address, are there any 4 outstanding issues that you're aware, a more 5 technical review? 6 THE WITNESS: Not to my knowledge. 7 ENGINEER BURR: Okay. As far as 8 drainage is concerned we heard a little bit about 9 the porous pavement, porous concrete. I think 10 there's a mix of both that is proposed. 11 As far as roof runoff is concerned for 12 the actual building just describe for us briefly how 13 that is going to be managed. 14 THE WITNESS: So the roof runoff 15 actually is going to be collected and it's going to 16 actually get tied into the stone section of the 17 porous pavement and then that will make its way into 18 an outlet structure and ultimately into the 19 conveyance system that we use at the pad site. 20 ENGINEER BURR: Okay. So that will 21 definitely be managed on-site? 22 THE WITNESS: Yes. 23 ENGINEER BURR: Okay. And is there 24 any runoff from the new development that is going to 25 leave unmanaged runoff detained, or will it all be	Z. Chaplin, P.E. 49 1 As far as the sidewalk, some of the 2 pedestrian access around the site, back to what was 3 just discussed previously with Ms. Sarmad, there's a 4 new crosswalk that leaves the site, I guess in the 5 northwesterly portion of the property, the 6 intersection with Towne Center Road. And that 7 crosswalk then leads to the parking lot by Raymour & 8 Flanigan, correct? 9 THE WITNESS: Yes, that's correct. 10 ENGINEER BURR: There will be a 11 sidewalk extended, is that correct, to the parking 12 lot and that space will be striped for pedestrian 13 access? 14 THE WITNESS: Yes. 15 ENGINEER BURR: That's what the plan 16 entails? 17 THE WITNESS: Um-hum. 18 ENGINEER BURR: Okay. And you had 19 mentioned along those lines that, maybe I misheard 20 you, but there's a new sidewalk -- did you mention 21 there's a new sidewalk that has to be installed 22 because DOT requested it? 23 THE WITNESS: Yes, just along the 24 Chick-fil-A frontage. 25 ENGINEER BURR: Along the Chick-fil-A

Z. Chaplin, P.E. 50 1 frontage of? 2 THE WITNESS: 202. 3 BOARD ENGINEER: Oh. So that's not 4 been reflected on your plans yet? 5 THE WITNESS: No. 6 ENGINEER BURR: Okay. So you already 7 submitted to DOT? That was going to be on of my 8 other questions. 9 THE WITNESS: Yes. 10 ENGINEER BURR: So you submitted to 11 DOT. They offered comments back? 12 THE WITNESS: Yes. 13 ENGINEER BURR: Was there anything 14 substantial negatively impacting this proposal or 15 was it more minor details? 16 THE WITNESS: I would say minor 17 details, but I would also say Mr. Downey can provide 18 more background to that. 19 ENGINEER BURR: Okay, perfect. I have 20 a couple more and then I'll be done here. 21 So you touched on the dumpster location 22 near the main entrance driveway to the site and your 23 opinion was that's the best location in terms of 24 circulation and such. 25 From an aesthetic point of view,	Z. Chaplin, P.E. 52 1 event, you know, if someone is in the drive-thru 2 queue and all of a sudden there's an emergency and 3 they have to get out, there's an extra lane to have 4 that ability to be able to escape. And then there 5 is, you know, you can kind of see it if you look 6 closely, but like an exit lane that peels off of 7 that lane. 8 So, again, it's just in that event you 9 get, you know, accidentally stuck in line, like 10 let's just say you enter the drive-thru and you 11 didn't mean to, you kind of have a way to get out 12 before circulating the entire thing. 13 ENGINEER BURR: Okay. So there is -- 14 I see that. So there is an access point from that 15 bypass lane. 16 THE WITNESS: Yes. 17 ENGINEER BURR: Okay. In the prior 18 version as the two drive-thru lanes traverse around 19 the building to the westerly side of the building, 20 in the prior version both lanes came down to the 21 parking lot fronting 202. 22 THE WITNESS: Um-hum. 23 ENGINEER BURR: In the latest revision 24 it looks like those two lanes converge down to one 25 lane directly adjacent to the building.
Z. Chaplin, P.E. 51 1 however, it's front and center to that main driveway 2 off of 202/206. Is there anything that can be done 3 or that is proposed to try to screen that, break up 4 the view of that dumpster enclosure? Could there be 5 some plantings added? 6 I don't know if -- I didn't look at the 7 detail close enough, but is the enclosure made of 8 some type of aesthetically pleasing material? 9 THE WITNESS: Yeah, it's a block 10 enclosure that will match the building. And we are 11 screening it, but we can look to even enhance that 12 further from what's already on the plans. 13 ENGINEER BURR: Okay. 14 ATTORNEY SILBERT: So we would agree 15 to enhanced screening to your satisfaction, 16 Mr. Burr, as a condition of approval. 17 ENGINEER BURR: In the rear of the 18 proposed Chick-fil-A there's a bypass lane, and I 19 think that bypass lane existed previously but, quite 20 honestly, I don't recall what the purpose of it is 21 because it just opens up to the extreme rear for a 22 short distance. 23 Can you remind us what that's for or 24 why that's proposed? 25 THE WITNESS: It's really just in the	Z. Chaplin, P.E. 53 1 Why was that change made? 2 THE WITNESS: I think just looking at 3 it more closely, we wanted to make sure that 4 vehicles leaving the drive-thru when they turned out 5 of the drive-thru that they were kind of further 6 away so as to not impact the opposing direction of 7 travel. So by kind of like guiding vehicles more 8 east, they have just an easier turning movement 9 leaving the drive-thru lane. 10 ENGINEER BURR: And the narrowed 11 portion of the exit is only going to be striped; 12 it's not going to be a physical -- it's not going to 13 be curbed? 14 THE WITNESS: Correct. 15 ENGINEER BURR: Okay. And along those 16 lines the Fire Marshal, and I think you provided 17 some truck-turning movements, but the fire official 18 requested to see how the largest fire truck would be 19 able to navigate the site. And I see on your plan 20 you show a fire truck entering the site, coming 21 around to the front of the building, but then 22 needing to back out from there. 23 So is that to say that the way this is 24 designed a fire truck would not have 360-degree 25 access around the building.

1 THE WITNESS: Yeah, it wouldn't have
2 the height clearance that -- you know, with the
3 canopies there.

4 ENGINEER BURR: Is that the limiting
5 factor, the height of the canopies, or do the radii
6 around the building not work? Do you know?

7 THE WITNESS: I think the canopies is
8 the main factor. I would have to check to see if
9 the radius is also a factor.

10 ENGINEER BURR: Okay. And the last
11 question is the landscaping. Actually, you already
12 touched on the landscaping.

13 The lighting. I think at the prior
14 meeting we had discussed lighting. And at closure
15 time are the lights going to be dimmed? Can you
16 just confirm that, I forget, was it 10:00 p.m.?

17 Is it 10:00 p.m. closure?

18 THE WITNESS: 10:00 p.m. closure.

19 ENGINEER BURR: So would there be any
20 issue with say by 11:00 p.m. an hour after closure,
21 all the on-site lighting will be dimmed to an
22 appropriate just security level?

23 THE WITNESS: Yes, that's fine.

24 ENGINEER BURR: Okay, very good.

25 Thank you. That's it.

1 CHAIRMAN VESCIO: Thank you, Mr. Burr.
2 Any questions from the board?

3 At this time if any members of the
4 public wish to ask questions regarding Mr. Chaplin's
5 testimony please feel free to come forward at this
6 time.

7 Seeing none, I close the public
8 portion for this witness.

9 ATTORNEY SILBERT: Chairman, can I
10 just have 30 seconds before I call my next witness?

11 CHAIRMAN VESCIO: Sure. Thank you,
12 Mr. Silbert.

13 ATTORNEY SILBERT: I just wanted to
14 talk to Mr. Chaplin about the "Welcome to
15 Bridgewater" sign very quickly.

16 CHAIRMAN VESCIO: Very good.

17 PLANNER SARMAD: Mr. Chairman, can I
18 ask -- can I just ask one more question? Can I ask
19 one more question of the witness?

20 CHAIRMAN VESCIO: Sure, Ms. Sarmad.

21 PLANNER SARMAD: Sorry about that. I
22 apologize.

23 In looking for the refuse enclosure
24 detail on the site plan I couldn't find one so that
25 is going to be something we're going to request to

1 add to the plans. If I just can't find it, then
2 just point us in the right direction.

3 There is something unusual about the
4 back side of the trash enclosure along
5 Towne Center Drive. Can you just describe that
6 additional box behind the refuse enclosure is? It
7 has a door it appears.

8 THE WITNESS: Sure. So that's
9 actually a storage shed. Chick-fil-A typically
10 likes to have that there just to store extra
11 equipment, you know, separate from the trash
12 enclosure.

13 PLANNER SARMAD: Okay. And is it
14 going to blend in with the trash enclosure?

15 THE WITNESS: Yes.

16 PLANNER SARMAD: Okay. Same height?

17 THE WITNESS: Yes.

18 PLANNER SARMAD: Same material?

19 THE WITNESS: Yes.

20 PLANNER SARMAD: Okay, thank you.

21 (A brief pause in proceedings.)

22 - - -

23 ATTORNEY SILBERT: Thank you,
24 Mr. Chairman. So we're ready to proceed forward
25 with our traffic engineer, if that's okay.

1 CHAIRMAN VESCIO: Please feel free to
2 bring him forward.

3 ATTORNEY PECK: Was he previously
4 sworn?

5 PATRICK DOWNEY: I believe I was, yes.

6 ATTORNEY PECK: If you could just
7 state and spell your name, for the record.

8 PATRICK DOWNEY: Sure. Patrick
9 Downey, D-O-W-N-E-Y.

10
11 P A T R I C K D O W N E Y, P.E., PTOE, previously
12 sworn, testified as follows:

13 - - -

14 E X A M I N A T I O N

15 - - -

16 ATTORNEY SILBERT: Mr. Downey, if you
17 could please place your educational background and
18 professional credentials as a professional engineer
19 and traffic expert, please.

20 THE WITNESS: Sure. So I am a
21 licensed professional engineer in the State of New
22 Jersey as well as Pennsylvania. I have a bachelor
23 of science degree in civil engineering from Rowan
24 University, I'm a certified professional traffic
25 operations engineer.

P. Downey, P.E., PTOE 58 1 I've testified before dozens of other 2 Land Use Boards around New Jersey in the field of 3 traffic engineering. 4 ATTORNEY PECK: Your license is still in -- 5 THE WITNESS: Yes, it is. 6 ATTORNEY PECK: -- good standing? 7 THE WITNESS: Good standing, yes. 8 CHAIRMAN VESCIO: Does the board have 9 any objections to Mr. Downey's qualifications? 10 Please proceed. 11 THE WITNESS: Thank you. 12 ATTORNEY SILBERT: So, Mr. Downey, you 13 heard some of the comments from the last hearing. 14 You were in attendance at the last hearing and you 15 obviously heard some of the comments tonight. 16 You prepared a traffic study for a 17 major access application; is that correct? 18 THE WITNESS: That's correct. 19 ATTORNEY SILBERT: And would you mind 20 just kind of diving into what you looked at and 21 observed on the site. You have been to the property 22 before? 23 THE WITNESS: I have, yes. 24 ATTORNEY SILBERT: Why don't you tell 25 us what you have observed, existing conditions and	P. Downey, P.E., PTOE 60 1 being improved fairly significantly. Based on 2 feedback from DOT sidewalks being added for the 3 Chick-fil-A parcel along both 202 and Towne Center 4 Road. 5 That also provides connectivity both to 6 the traffic signal, which has some new crosswalks 7 recently installed by DOT, as well as to the Raymour 8 & Flanigan parking lot to the north, which provides 9 the ability to have employees park there and leave 10 our most desirable parking spaces close to the 11 building open for customers. 12 There is a new New Jersey DOT Access 13 Permit required for this application. It's just 14 simply triggered by the change in use on a project 15 that fronts the state highway. We had a 16 pre-application meeting with DOT. We've submitted 17 our application and received one round of comments. 18 There was really nothing significant in it from 19 their perspective. 20 Again, it's about as simple an 21 application as you could get being that there's no 22 driveway modifications on this existing, fully 23 developed shopping center. 24 Moving onto the traffic study that was 25 submitted as part of the application, really to
P. Downey, P.E., PTOE 59 1 getting to the proposal here. 2 THE WITNESS: Sure. So we're really 3 charged with two things as the traffic engineer on 4 the application, one is to review traffic impact to 5 the adjacent roadway network, and one to ensure the 6 internal site circulation parking drive-through 7 configuration is acceptable. So I'll start outward 8 and work my way in. 9 As you know and as you've heard before 10 in the prior testimony, we're in a fully developed 11 existing shopping center. We're really just 12 repurposing one pad site fronting 202. 13 The existing access configuration is 14 fairly robust. We have a serious signalized 15 intersection providing full-movement access. We 16 also have a supplemental unsignalized right-turn 17 ingress driveway to the shopping center to the west 18 of the screen, and a right-out unsignalized driveway 19 to the east closer to the Chick-fil-A building 20 itself. 21 There's no proposed driveway 22 modifications as part of this project. So in terms 23 of vehicular access there's really no change. But 24 as you've heard before in terms of pedestrian 25 access, which is also something we consider, is	P. Downey, P.E., PTOE 61 1 review traffic impacts to the adjacent roadway 2 network. It's kind of a two-step process. 3 First, we look at the traffic to be 4 generated by this new proposed development. That is 5 projected utilizing the NJDOT accepted rates. Those 6 are adopted from the Institute of Transportation 7 Engineers, which is the industry standards for 8 trip-generation projections. 9 A couple of things that are important 10 to note. Number one, it's not an increase over 11 vacant land. There is an existing restaurant 12 developed on the site currently, although it is 13 currently vacant. 14 It's also located within a shopping 15 center, which provides some advantages. You've 16 heard already shared parking is an ability for this 17 site. There's also a factor called internal 18 capturing, essentially meaning that some of the 19 Chick-fil-A customers are coming from the other uses 20 within the site, both other patrons of other stores, 21 employees and vice-versa. 22 Additionally, the nature of a fast food 23 restaurant, quick service restaurant like this, is a 24 convenience-based use. A large share of the traffic 25 to be generated by a use like this is what's known

1 as pass-by trips. Those are trips that are already
2 on the adjacent roads that choose to drop in, make a
3 purchase, and continue on their way, between home
4 and work, things of that nature. It's not all new
5 traffic to the roadway network itself.

6 Next up we conduct existing traffic
7 counts to establish existing baseline conditions
8 along the highway, and then analyze the operation of
9 the driveway intersections in the before and after
10 conditions to assess the differences.

11 Because this is subject to DOT review
12 and approval we're actually held to their -- a
13 little bit more strict level of service degradation
14 criteria, essentially meaning you could only degrade
15 things so far before you need to make some
16 improvements.

17 As is documented in the traffic study
18 we analyzed all three driveways and their criteria
19 is satisfied in all three.

20 A little bit more specifically, at the
21 signalized intersection itself we actually
22 identified a signal timing improvement, essentially
23 changing the timing of the light to provide a little
24 bit more priority to Towne Center Road to make it
25 easier to exit the site not just for Chick-fil-A

1 customers but for the center as a whole.

2 With those improvements it's actually
3 going to show reduced delays on that exiting
4 approach compared to the No-Build condition, so even
5 with the additional traffic from Chick-fil-A, it's
6 more efficient to exit the site in the proposed
7 condition based on those improvements.

8 So all together it's our professional
9 opinion that that traffic study more than
10 demonstrates there's not a significant traffic
11 impact to the adjacent roadway network from this
12 particular project.

13 This report, in addition to being
14 submitted here, has been submitted to DOT and was
15 part of their review. Essentially no comments were
16 generated from DOT's Division of Traffic Engineering
17 on that report. Their only substantive comment was
18 requesting a signal timing directive showing how
19 this new timing that we identified would be
20 implemented at the intersection.

21 COUNCILMAN KIRSH: Mr. Chairman, could
22 I just ask a question on this point.

23 So it sounds like a very good solution
24 for people leaving the shopping complex, but, you
25 know, there's only so much air in the balloon so

1 that's going to have to shift somewhere else.

2 Does that run the risk of, for lack of
3 a better phrase, aggravating every other turn and,
4 you know -- you know, traffic going just straight
5 through 202, or in either direction and all the
6 other turning movements?

7 THE WITNESS: It's a great question.
8 You hit the nail on the head, there's only so much
9 time in a given hour to distribute between the
10 various approaches.

11 In this particular case it wasn't so
12 much that we were taking, you know, seconds of green
13 time away from 202 to improve the driveway, in this
14 particular case we were actually improving -- we're
15 going to get real technical here -- it's called the
16 vehicle extension. Essentially what it means is how
17 far spaced can cars be before the signal determines
18 there's no one else coming and start to initiate the
19 red light to give priority back to 202.

20 In essence, it allows, as long as
21 there is continued demand on the Town Center road
22 approach, it will just allow it to stay green a
23 little bit more efficiently than it does today.

24 The net result is, in any given peak
25 hour there will be a little bit more green time

1 allocated to Towne Center Road and that's why, you
2 know, that's why the results improved for that
3 approach. So the result is some fewer seconds of
4 green time to 202, but it's all within DOT's level
5 of service criteria.

6 Their priority is obviously to make
7 sure that the highway continues to flow efficiently.
8 They would not allow us to, you know, make it
9 significantly worse on 202.

10 COUNCILMAN KIRSH: So is it accurate
11 to say it would be different than today clearly, but
12 still within a standard to make all the other
13 motions within acceptable range.

14 THE WITNESS: Correct. To the average
15 driver it would be an imperceptible difference, yes.

16 COUNCILMAN KIRSH: Okay. And the
17 reason I ask this question -- and the reason I ask
18 all of these questions, you know, is out of a
19 general concern about building something that is
20 going to be successful, is going to be safe and, you
21 know, my concern around changing the timing on that
22 light, you know we're all from New Jersey, we're all
23 a little impatient, you know if people realize, oh,
24 that's a quick light, if I don't make it I'm going
25 to wait longer, you know, that can sometimes create

1 aggressive behaviors that can sometimes, you know,
2 then create danger and then create, you know, either
3 -- just create problems.
4 THE WITNESS: Agreed. You know, their
5 chief charge as the DOT is to make sure their
6 highway system flows efficiently and safely. You
7 know, it's an important part of what we look at too
8 just as an engineer, we have a responsibility to
9 consider those factors.

10 I will say these signal timing
11 adjustments we're talking about are fairly minor,
12 it's not, you know, a night-and-day shift here. You
13 know, a couple of seconds over the course of an hour
14 trying to process hundreds of vehicles, it does add
15 up to a more efficient flow without really changing
16 the character of the intersection.

17 COUNCILMAN KIRSH: Okay. But even a
18 couple seconds gets a few more cars through the part
19 of the intersection that we're concerned about here.

20 THE WITNESS: True, right, but on a
21 green in proper time to be coming through, correct.

22 MEMBER CHOUDHURY: Chairman, I have a
23 question.

24 CHAIRMAN VESCIO: On that point, sure.

25 MEMBER CHOUDHURY: So you made some --

1 adjustment is basically done --

2 (Stenographer clarification.)

3 MEMBER CHOUDHURY: Yeah, adjustment is
4 basically done for the peak hours, not all the time.
5 Because those are -- I don't think it is done
6 specific, like.

7 THE WITNESS: Yeah, so there's
8 different time of day plans for the intersection
9 depending on the day of the week, the hours of each
10 day. There are several that DOT implements because
11 traffic patterns are different in the morning than
12 they are in the evening and different on Saturdays
13 and Sundays.

14 So we did tweak, you know, the ones
15 that were in the critical peak hours which DOT
16 considers to be the morning commuting peak, evening
17 commuting peak and Saturday midday, you know,
18 shopping peak.

19 MEMBER CHOUDHURY: That is not only
20 for Chick-fil-A, like you said it is for the entire
21 shopping center.

22 THE WITNESS: Correct. And, you know,
23 for this traffic study and every one you see we're
24 analyzing the worst hours of the week, right. We're
25 looking at the worst-case scenario that there is.

1 The other hours of the week, other hours of the day
2 are significantly better.

3 So while each approach to the signal
4 might be allotted up to -- I'll make up a number, up
5 to 30 seconds of green time if it needs it, during
6 off-peak hours it simply won't need it and that
7 green time just reverts to 202. It's not going to,
8 you know, arbitrarily give green to approaches for
9 longer than they need it during the lower volume
10 times.

11 MEMBER CHOUDHURY: I have a follow-up
12 question actually for what our councilman previously
13 asked probably you about it, the exit one. Well I
14 always use the exit that way, you know, even though
15 I know that there's another exit there by hardly --
16 I hardly use that one and nobody use, actually
17 hardly. I see one or two cars use it.

18 So how are you -- just give from your
19 expert point of view how do you basically control
20 that exit, because really that's a dangerous exit
21 on, you know, to the Towne Center Road while coming
22 out that actually many people miss it because
23 there's one lane coming this way and two lanes going
24 this way, so basically -- actually three lanes.

25 So how, as an expert, basically control

1 that exit from the center, from the Chick-fil-A,
2 basically that road?

3 THE WITNESS: Sure. So there's a
4 couple of things to consider there.

5 Number one, DOT actually has criteria
6 for how far back the first internal drive aisle
7 intersection should be from the state highway.
8 Their requirement is fairly low, it's only about
9 50 feet, enough for two vehicles to queue based on
10 the significant nature of this intersection. This
11 one is close to 200 feet. I think it's about 190.
12 So there's stacking for seven to eight vehicles per
13 lane from the signal before you even reach this
14 intersection.

15 During the peak-peak times, if it ever
16 does back up through the intersection, the benefit
17 here is that that queue is being generated at a
18 traffic signal which then gives the green light to
19 that approach. So it's not a static queue, it's a
20 queue that then gets to clear every minute, two
21 minutes, whatever the signal timing is at that
22 particular time of day, and that leaves a gap that
23 then the vehicles exiting all the sites, including
24 Chick-fil-A, can then turn into and fill up.

25 Lastly, I will note at this particular

1 intersection because there's the two left turn lanes
 2 and the one right turn, that right turn lane
 3 actually has a little bit higher, you know, demand
 4 on it since it doesn't have two to distribute it.
 5 Right turns out are the movement that our particular
 6 location is a little bit better equipped to handle
 7 because we have the right-out driveway more closely
 8 located to this particular pad.

9 So if it ever is at the point where any
 10 customer, perhaps you, finds it too inconvenient to
 11 wait to turn out to Towne Center Road to make a
 12 right out to 202 south, you have the easy fallback
 13 option of using the unsignalized driveway.

14 MEMBER CHOUDHURY: I will see it once
 15 you build it. Thank you.

16 MEMBER ATKINS: Mr. Chair, I just have
 17 a couple of questions on these points.

18 So how are these projections
 19 determined? Do you monitor the actual traffic flow
 20 of the site, or are these based on some kind of
 21 generic algorithm?

22 THE WITNESS: So, I guess, a
 23 combination of factors. In terms of the existing
 24 traffic on the roads, that we actually go out and
 25 count what is there in the existing condition.

1 For the proposed Chick-fil-A, which
 2 obviously doesn't exist yet, but the DOT rates and
 3 the ITE rates that they are based on is based upon
 4 counts at other fast food restaurants with
 5 drive-throughs aggregated to create rates based on,
 6 you know, the size, the location, et cetera of the
 7 site.

8 MEMBER ATKINS: Okay. And so what
 9 would be the difference in peak traffic volume
 10 between the former occupant and your projections?

11 THE WITNESS: I don't have that number
 12 specifically. I would say that Chick-fil-A is
 13 obviously higher, right. So it's smaller of a
 14 building but it's a higher generating use, you know,
 15 which it ought to be being a more convenience based
 16 use.

17 As far as DOT projections go, we're
 18 actually fairly conservative in this report in terms
 19 of what that difference will be. DOT allows
 20 sit-down restaurants to be lumped together in square
 21 footage with an overall shopping center, which
 22 generates at a little bit lower rate.

23 They do not allow us to do that for a
 24 use with a drive-thru. We actually have to break
 25 that out because of a separate calculation which

1 gives the numbers a little bit higher.

2 So it's a bit apples to oranges
 3 resulting in an even greater difference than is
 4 probably realistic.

5 MEMBER ATKINS: So if you had to give
 6 an estimate, I mean how many cars per hour does this
 7 look like?

8 THE WITNESS: I'm sorry, say that one
 9 more time?

10 MEMBER ATKINS: If you had to give
 11 some kind of estimate?

12 THE WITNESS: For what this...

13 MEMBER ATKINS: The difference.

14 THE WITNESS: Use generates?

15 So I'll give you three. So morning,
 16 evening, Saturday peak hours. In terms of total
 17 trips, 255, 257, 276. So between 250 and 300 trips.

18 I'll note a trip in traffic
 19 engineering is one-way traffic. So if you come in
 20 and later come out, that's two trips.

21 So for roughly 260 trips that's about
 22 130, 150 customers.

23 MEMBER ATKINS: And that's the
 24 difference or are these the projections?

25 THE WITNESS: That's the Chick-fil-A

1 of its own right using DOT rates.

2 MEMBER ATKINS: Okay.

3 THE WITNESS: So it would be less than
 4 that in terms of difference. I just don't have that
 5 specific number to give to you off the top of my
 6 head.

7 MEMBER ATKINS: And then just a couple
 8 other, I guess, miscellaneous questions.

9 What purpose does the sidewalk on 202
 10 serve? I understand if it comes on the western side
 11 and goes down to a section -- a crosswalk to the
 12 other side of the parking lot, but I guess just
 13 specifically that extension on 202.

14 THE WITNESS: Yeah, that's a great
 15 question. You're saying the sidewalk along the 202
 16 frontage?

17 MEMBER ATKINS: Yes.

18 THE WITNESS: At the moment not a
 19 whole lot. The most important part it's being
 20 constructed as part of this project is the sidewalk
 21 connection from the intersection, which DOT recently
 22 improved to our building, so there's a safe path for
 23 those pedestrians.

24 DOT's policy more and more is becoming
 25 to build your stretch of sidewalk so that over time,

1 as different redevelopments happen, eventually
2 there's a contiguous sidewalk network but for the
3 moment doesn't really go anywhere.

4 MEMBER ATKINS: Okay. And just one
5 other thing. I guess on the future exit, I guess
6 when you're going 202 south, the exit that you would
7 reach before getting to the Towne Center Road
8 intersection, and then the entrance to the Wegman's
9 parking lot; would it be beneficial or feasible
10 possibly to reverse one of those, to divert the
11 traffic flow?

12 Is that anything that you looked at?

13 THE WITNESS: To flip the direction of
14 those driveways? That's not something we really
15 considered.

16 I will say early on we did look at the
17 potential of turning the exit-only driveway closer
18 to us to an entrance and an exit so you could make
19 the right in prior to the signal. But as you would
20 figure the right in isn't really the movement that
21 has any trouble, it's getting out that is a little
22 more challenging, so it didn't show a whole lot of
23 benefit.

24 I think for our particular location and
25 our project, having that as the existing right out

1 is actually more beneficial because getting out is
2 what needs a little bit of help.

3 MEMBER ATKINS: Okay. Thank you.

4 CHAIRMAN VESCIO: Councilman Kirsh,
5 did you have any follow-up?

6 COUNCILMAN KIRSH: Yeah. You know,
7 I'm satisfied with the conversation about the
8 traffic light. You know, I'm still interested in
9 your insights into what you expect the real driver
10 behavior to be, you know. And yeah, I guess it
11 depends on which way you want to go; if you're
12 leaving your site and you want to -- I hope I get
13 my directions right -- you want to come toward the
14 circle, so you want to go on 202 north, you really
15 have no choice but to, you know, go back to Towne
16 Center Road, otherwise there would be U-turns, there
17 would be all kinds of crazy stuff.

18 You know, I guess I'm -- you know, I
19 would like some conversation about the queuing that
20 is likely, you know, I guess I'll say behind your
21 building, I guess it's an unnamed road, you know,
22 and how that left turn, you know, could become
23 problematic and then people become frustrated and
24 then, you know -- you know, cars don't necessarily
25 yield to each other.

1 So, you know, I guess, you know, I'm
2 concerned about that, that movement, you know, which
3 will then lead to having to make the left from that
4 unnamed road to Towne Center Road, which is not
5 terrific. You know, even if you adjust the timing
6 at the traffic light, it's a rough spot.

7 And then I guess I'm also interested
8 in, you know, your look at this site and your
9 guidance on how many people who are continuing 202
10 South might over time realize wait a minute, I could
11 make this right, make another right, well, shoot,
12 I'm going to hit the traffic light, but I guess I'm
13 going to hit the traffic light either way. I guess
14 I'm just interested in your expectation of human
15 behavior here.

16 And I want to just take a step back and
17 state I'm sure nobody wants these traffic movements
18 to be more successful than Chick-fil-A because if
19 it's -- if this turns out to be not that successful
20 and, you know, a pain in the rear for people to come
21 in and out of this site, the location is not going
22 to be nearly as successful.

23 So, you know, I ask these questions
24 from the standpoint of safety, from the standpoint
25 of, you know, our motoring public, understanding

1 that Chick-fil-A likely has the same or even more
2 concern than I have.

3 So if I could just -- and I don't know
4 that there's a precise answer until you build it,
5 but I would like your guidance, you know,
6 particularly on, you know, the left-left situation,
7 as well as your assessment of whether people who are
8 continuing -- who are continuing onto 202 South are
9 going to over time going to realize, wait a minute,
10 it's a few more feet but let me loop this way and
11 avoid a little bit of the logjam.

12 THE WITNESS: Right. Yeah, I can
13 definitely address that. And while the traffic
14 study, you know, by its very nature is very
15 technical, it's very numbers based, the root of it
16 is driver behavior. Chief among those factors being
17 that by and large customers are going to choose to
18 follow the path of least resistance, right. It's
19 like water, it's going to take the easiest path to
20 get from A to B.

21 For, if you want to go back to 202
22 North, the easiest solution is to make the left out
23 of our site, left onto Towne Center Road and use the
24 signal. There's two left turn lanes provided to
25 make that left turn movement for a reason, because

1 that's the way to get all of the shopping center
2 traffic, including Chick-fil-A, out of the site.

3 During the peak times, if the queues
4 from the signal are backing up past that location,
5 it's not indefinite, the green light does alleviate
6 that and allow the queue to clear to provide space
7 for you to turn into. So while there might be a
8 period of waiting at the internal intersection
9 before you get to Towne Center Road, it's only a
10 matter of time until the light goes green to Towne
11 Center Road and gives you room to turn into.

12 It's also a bit easier to turn into the
13 Towne Center Road approach to make the left at the
14 signal because those are the closer lanes to you,
15 it's the ones you naturally turn into. It would be
16 a little more difficult to turn into the right turn
17 lane to exit to 202 South because you need to go
18 across two lanes to the third lane, right here where
19 I'm describing.

20 In terms of the right turns out of the
21 site to use the unsignalized driveway, I think, to
22 your point, the more customers figure that out, the
23 better. It's essentially a pressure release valve
24 for the signal. And when it comes to the point that
25 that is the more convenient option for customers,

1 some are going to choose to use it.

2 COUNCILMAN KIRSH: Let me ask you this
3 because I know we've all figured out our shortcuts
4 and long cuts in this complex as it is, what works
5 and what doesn't work. Would you expect any number
6 of people -- any significant number of people to,
7 like, you know, you make the right out onto that
8 unnamed road, you then make a left, to go down by
9 the furniture store, you kind of loop around so that
10 you have an easier time getting to Towne Center Road
11 even though it's more circuitous, is that logical
12 behavior that people might adopt.

13 You know, essentially to avoid that
14 left-left, I'm going to make a right and kind of
15 loop around, but then I'm going to be in -- I'm
16 going to have a better shot of getting out of here
17 because I'm not going to get stuck at the
18 grid-locked spot.

19 THE WITNESS: It's a possibility. I
20 don't find it all that likely just given driver
21 behavior, that's quite a circuitous way out of your
22 way, but it's certainly an option available to them.

23 I think that might be a little more
24 used, let's say, for the employees. Say there's you
25 know a shift change or something at a peak time,

1 they're parked over in the Raymour & Flanigan
2 parking lot to begin with, so for them it's a much
3 easier choice to, you know, go a little bit further
4 up stream to access Towne Center for sure.

5 But for customers in our pad, it may
6 happen, but I don't think it's going to very
7 frequent.

8 COUNCILMAN KIRSH: And well then I
9 guess, you know, over time people will realize, you
10 know, for the person and the family that's going to
11 Home Depot and they're going to Chick-fil-A, they're
12 going to figure out which movement is easier, do I
13 eat first and then I go to Home Depot, or do I go to
14 Home Depot first and then I get lunch, right.

15 THE WITNESS: Yep, exactly.

16 COUNCILMAN KIRSH: I mean is that what
17 likely develops over time.

18 THE WITNESS: Yeah, I mean that
19 certainly is something I do just as, you know,
20 someone driving around, hitting two uses in the same
21 center or even not.

22 COUNCILMAN KIRSH: Okay.

23 THE WITNESS: You know you hit the gas
24 station that's easier whether it's going to work or
25 from home.

1 COUNCILMAN KIRSH: And this is not --
2 this is a little bit adjacent but yeah, again, this
3 is through the lens of I'm sure Chick-fil-A wants
4 this traffic situation to be wildly successful.

5 Is there any insight into whether or
6 not there are time peaks at the Verizon store?

7 THE WITNESS: You're saying like an
8 overlap in peak times between the Verizon store and
9 this store?

10 COUNCILMAN KIRSH: You know, obviously
11 mealtime is when people go to Chick-fil-A, right.

12 THE WITNESS: Right.

13 COUNCILMAN KIRSH: And I know they've
14 extended the mealtimes and, you know, that's
15 certainly a testament to their success.

16 You know, is there a such thing as a
17 peak time or a non-peak time at, like, a Verizon
18 store?

19 THE WITNESS: There may be. I would
20 expect, like most you know freestanding retail, it's
21 probably the evening, when people are off of work or
22 Saturday when there's a lot more shopping happening.
23 So there may be some overlap with the Chick-fil-A
24 time. I would say the overall volume there is going
25 to be notably less than what Chick-fil-A generates.

1 I don't see any real concern between
2 overlap of those two. There's really an overlap
3 between lots of uses at the site that are retail in
4 nature.

5 COUNCILMAN KIRSH: All right, those
6 are my questions. Thank you.

7 CHAIRMAN VESCIO: I'm sorry,
8 Mr. Downey, did you have any further testimony?

9 THE WITNESS: I had a little bit, just
10 kind of internal to the site, specific to the
11 drive-thru.

12 CHAIRMAN VESCIO: I have a few
13 questions, but if you would like to go ahead and
14 finish, please feel free.

15 THE WITNESS: Whatever you prefer.

16 CHAIRMAN VESCIO: Please go ahead.

17 THE WITNESS: Okay. I won't belabor
18 the point on parking. As you heard before we have
19 compliant parking count with additional provision
20 for the employees to the north, which leaves the
21 most effective parking spaces open for the
22 customers.

23 In terms of the drive-thru specifically
24 I want to highlight two things: Number 1, is the
25 actual design of it; Number 2 is the size.

1 First being the design, you know, it's
2 becoming a little bit more common in the quick-serve
3 industry to have two drive-thru lanes at an ordering
4 point that then merge to one for pickup. This is a
5 little bit unique to Chick-fil-A, at least for now
6 with the dual-fulfillment model, where instead of a
7 traditional drive-through window there's a door that
8 allows the team members to actually walk out and
9 deliver food to two cars at once.

10 What they've found since really COVID
11 when this was being tested is that it's a lot more
12 efficient, handles the queue better and actually
13 helps them, you know exit the site and keeps queues
14 at a manageable level.

15 When you look at research counts that
16 have been done at other Chick-fil-A restaurants
17 throughout New Jersey, some of which have one lane,
18 some have two, et cetera, the average queue we've
19 seen at peak times is 27 vehicles where as this site
20 can stack 29 just in the formal concrete drive-thru
21 lanes.

22 We've actually recently collected some
23 new data at specifically stores that have this
24 model, dual-fulfillment lanes. That's a little bit
25 more efficient. And as you would expect the queues

1 are even less, we're seeing an average peak queue of
2 about 20 vehicles. So, you know, almost a third
3 less. So while this can stack 29, we believe it's
4 more than sufficient just within the formal
5 drive-thru lanes to stack the demand that's
6 expected, not even taking into consideration
7 additional overflow that is available within our
8 parking lot drive aisles if absolutely necessary.

9 Last I'll just touch on loading. I
10 believe it was mentioned at the last meeting but it
11 bears repeating. The deliveries from
12 tractor-trailers are overnight. That's by design.
13 That's a Chick-fil-A standard. They don't want it
14 interfering with on-site circulation. And at that
15 time the tractor-trailers have free reign of the
16 site. That's why there's no formal striped loading
17 space proposed.

18 And that's really all I have. Thank
19 you.

20 CHAIRMAN VESCIO: We talked a lot
21 about the traffic impact on the road network
22 adjacent to the site. We talked a bit about the
23 internal site, but I am a little bit concerned about
24 the impact on the site itself, right.

25 I recently visited the location in

1 Flemington on 202 and mind you it's a different
2 site, different operation completely, but I was able
3 to see the two -- the dual-lane drive-thru I think
4 in action, right. And mind you I believe it's
5 probably not completely completed yet as far as the
6 traffic management goes over there, but I found it a
7 bit exhausting. And maybe you can clear this up for
8 me.

9 But at that location there's an
10 entrance and I believe -- there's an entrance and
11 there's also an egress. There's two ways in and out
12 of that site. You talk about the behavior or
13 Councilman Kirsh talked about the behavioral of the
14 consumer.

15 Would you say this is a change in the
16 company's operations post-COVID?

17 THE WITNESS: I think it was already
18 in the pipeline being tested prior to COVID,
19 certainly not a direct response.

20 From what I understand, anecdotally,
21 the stores that were already set up testing this
22 were able to handle the influx of traffic they had
23 when, you know, fast food options were sort of
24 people's only option.

25 CHAIRMAN VESCIO: I've had the

1 opportunity to see that site before it was the
2 dual-lane drive-thru and now afterwards and you
3 could definitely feel as though it's very much a
4 drive-thru experience.

5 So I, for example, that day I drove in,
6 I parked the car, I did not use the drive-thru. But
7 there was definitely a lot of traffic on that site
8 as far as the drive-thru. So definitely a
9 drive-thru experience.

10 I'm just curious, looking at this site
11 it's a different site altogether so we're going to
12 focus on here. But was there any reason why an
13 additional exit point wasn't considered?

14 Especially given the fact that there's
15 -- there's quite a few vehicles on the site at one
16 time at its busiest, at its peak. There are
17 probably quite a few vehicles more on this one
18 smaller site than there is on some of the other
19 sites on this greater Bridgewater center here.

20 THE WITNESS: Sure. I would say in
21 terms of the ability to add a second point of access
22 to this pad specifically from the internal shopping
23 center roadway network, we're a bit limited simply
24 by the nature of the drive-thru. You, obviously,
25 can't have access punching through that, and that

1 takes up three sides of the building.

2 So when you locate the building what we
3 feel is the optimal position in terms of drive-thru
4 stacking, really only leaves one option.

5 I will say compared to a stand-alone
6 site, let's say, an independently developed
7 Chick-fil-A on a state highway, you may be more
8 inclined to look for additional points of ingress
9 and egress simply just to disperse the activity. In
10 this particular location while the pad has one
11 access point it's to, you know, a fairly low-volume
12 internal access aisle in a shopping center that then
13 provides access to multiple points of ingress and
14 egress.

15 So I think the intent of that is still
16 sort of provided.

17 CHAIRMAN VESCIO: I believe you
18 answered the question before but -- forgive me if
19 you did. The board engineer, Mr. Burr, asked why
20 those two lanes were limited down to one ultimately
21 on the exit. Is that because of the traffic control
22 situation, to relieve the queue so to speak?

23 THE WITNESS: Yeah, it really comes
24 down to efficiency. For this particular location
25 anyone coming out of the drive-thru is turning

1 right.

2 In some other designs that's not always
3 the case, sometimes that bottom drive aisle
4 continues to additional locations and you might have
5 rights and lefts where having two separate lanes
6 actually provides a little bit more benefit. We
7 don't really need that here because everyone is
8 going in the same direction.

9 Additionally, just based on the nature
10 of the site layout, the person exiting the
11 drive-thru needs to make a right and then another
12 right. So it's, in total, it's 180 degrees of turn.

13 We wanted that to be the smoothest
14 possible radius possible. So by, you know, guiding
15 the second drive-thru lane with the striping over to
16 the first, make sure that only one person is exiting
17 at a time, and that one person has the biggest
18 radius to sweep, to make that turn as easy as
19 possible.

20 CHAIRMAN VESCIO: I appreciate on the
21 norther side that you have that extra access out
22 there for people that need to exit in an emergency.

23 Are there also boots in the ground
24 during the day to be able to manage traffic in case
25 there's something that does take place, for example?

1 Let's say, you're among the last few
2 cars that are in the drive-thru and somebody really
3 needs to leave there, there's no access out of there
4 until you get to the northern part of the site
5 there. How would a situation, for example, the
6 worst-case situation, somebody needs to leave the
7 vehicle from there and you have about, it looks like
8 30 cars stacked ahead of you.

9 THE WITNESS: Sure. So at the
10 non-peak times, we'll start there, the queue simply
11 won't be at that point. The escape lane really will
12 facilitate those types of movements.

13 During the peak times there's a lot of
14 people on staff managing traffic. Both canopies you
15 see to the east and west side of the building have
16 employees taking orders, running throughout the
17 cars. Absolutely you have the ability to intervene
18 if something -- you know, an emergent situation was
19 arising.

20 CHAIRMAN VESCIO: There are boots on
21 the ground to avoid the unsafe situations that could
22 take place, somebody gets out of the car, behaves
23 erratically, what have you?

24 THE WITNESS: Yeah, absolutely.

25 CHAIRMAN VESCIO: Okay.

1 THE WITNESS: You know, even something
2 not necessarily emergent, but just something
3 inconvenient, like a broken down vehicle in one of
4 the lanes. Having two drive-thru lanes and then the
5 escape lane for a portion of it, gives the ability
6 to move around that vehicle rather than holding up
7 the whole line so...

8 CHAIRMAN VESCIO: And I'll keep it
9 short, we belabored the point a bit, but we talked
10 about the fire truck before being able to pull in
11 and essentially having to, I think, exit out without
12 being able to go around the turn radius, correct?

13 THE WITNESS: Correct.

14 CHAIRMAN VESCIO: And is that because
15 it physically cannot make that turn at the north
16 side there, or was it just because -- to the point I
17 think that our board engineer had asked that
18 question -- because of the canopy?

19 THE WITNESS: It's the clearance of
20 the canopy is probably the primary factor. But if
21 that were not there could the radii support it? I'm
22 not entirely sure of the answer.

23 I would point out, since this is, you
24 know, adjacent to other pads, in essence, there is
25 access to four sides of the building. If you needed

1 to fight a fire on the east side of this building,
2 the Verizon drive aisle also provides that ability
3 as opposed to if we, you know, backed up to woods or
4 something inaccessible on that side.

5 CHAIRMAN VESCIO: That's all the
6 questions I have at the moment.

7 COUNCILMAN KIRSH: Mr. Chairman, two
8 other quick items.

9 Do you have any concern even at the
10 most peak time, of people going into the site where
11 presumably a lot of the traffic is going to come
12 from Towne Center Road, that there would be any
13 significant backup that would impede traffic on
14 Towne Center Road, or is this even at the most peak
15 time, you know, the queue that is shown in this
16 diagram is kind of, you know, around two sides --
17 three sides of the building.

18 You know, even in a worse-case
19 scenario, where people, you know, are flocking to
20 the location -- pun somewhat intended -- you know,
21 the site could still accommodate and you wouldn't
22 have essentially traffic backing up onto Towne
23 Center Road.

24 THE WITNESS: Correct. I think
25 someone touched it, it might have even been you

1 earlier, that entering is always the easy movement,
2 right. It's right turns in. You don't yield to
3 anybody except perhaps a pedestrian crossing a
4 crosswalk. So there's really no reason you need to
5 stop.

6 In terms of a concern of the actual
7 drive-thru queue wrapping that far along the
8 building, based on what we see at the other stores
9 we simply don't see that happening during normal
10 operations. The only time additional drive-thru
11 demands are really expected to, you know, that type
12 of level is during grand opening because there's
13 pent-up demand.

14 And not only do we prepare a grand
15 opening plan, our team to help manage that specific
16 point of time, that's also coordinated with your
17 police department to make sure, you know, there's
18 boots on the ground to manage something like that at
19 the beginning.

20 COUNCILMAN KIRSH: A question. So
21 you've worked on a number of Chick-fil-A locations.

22 THE WITNESS: Yes.

23 COUNCILMAN KIRSH: I assume you worked
24 for a lot of other businesses as well.

25 THE WITNESS: Yeah, absolutely.

1 COUNCILMAN KIRSH: Is it fair to say
2 that if a business identifies a location and it
3 seems really great, you know, there's a lot of
4 drive-by traffic, there's, you know, all the
5 positives, but you just can't get in and out of the
6 site safely and easily, would a company likely say
7 "You know what, that's probably not worth the
8 headache."

9 THE WITNESS: I'm not a developer
10 myself but we've definitely had those hard talks,
11 you know, with developers as we start to do traffic
12 studies for other projects and we say "Hey, these
13 results don't look good; you know even if this got
14 approved, it might not be the best site for you."

15 And I have seen developers pull
16 applications for those reasons. You know, no one
17 wants to invest millions of dollars in a site that
18 doesn't work.

19 COUNCILMAN KIRSH: Okay. And this
20 site is, in your mind, not in danger of being in a
21 this is going to be a tough site to get in and out
22 of category?

23 THE WITNESS: Correct. We would not
24 have gotten anywhere near this far if our team
25 wasn't on the same page that this was a site that

1 was viable.

2 COUNCILMAN KIRSH: Thank you.

3 MEMBER CHOUDHURY: I have one

4 question, or comment actually.

5 You know when Councilman Kirsh was

6 talking about, suppose --

7 (Stenographer clarification?)

8 MEMBER CHOUDHURY: I know you have told

9 me three times now. That's good. Actually, Bill

10 Burr would be better to answer also.

11 If a person coming out, if he or she

12 wants to go to 202 South, instead of basically

13 crossing the two left lanes straight -- and have

14 Mr. Burr also can comment on it -- can we have a

15 sign, 202 South this way?

16 That way at least most of the traffic

17 will be pointing to 202 South, they can actually

18 take a right turn instead of a left turn and go

19 around it by miscellaneous there because no one use

20 the right lane. I hardly see, once in a blue moon,

21 people coming out of there.

22 So that probably will alleviate

23 majority of the concern that, you know, Councilman

24 Kirsh and also the chairman asked for it, at least

25 the 202 South traffic can be all going around it.

1 THE WITNESS: It's certainly something

2 you could do. There's really two things I would say

3 to that because it's something we've considered.

4 We analyzed the peak hours of the week,

5 right. So when we're talking about things might be

6 a little more challenging is the worst-case

7 scenarios that we're looking at. During non-peak

8 times this isn't so much of a concern. So if you

9 want to go 202 South, we don't need to force every

10 customer the other 12-plus hours of the day to go in

11 the more circuitous route.

12 Secondly, unless it's going to be

13 physically prohibited, even if you have a sign

14 pointing that way, if the customers know that

15 turning left is their faster option, they're still

16 going to do that. So I would question maybe the

17 effectiveness of that sign.

18 MEMBER CHOUDHURY: Or put a double

19 arrow sign, Route 202 South this way/that way.

20 People can select which way they want to go.

21 THE WITNESS: Yeah, they absolutely

22 could but unless it's, you know, not able to reach

23 202 South by turning left, if that's the faster

24 option it's still likely to be chosen.

25 MEMBER CHOUDHURY: Well, let me -- I

1 am not the forecaster here, but looking at all the

2 numbers that you have said, 300 trips, numbers that

3 you just mentioned to Mr. Atkins' questions, I

4 think, you know, we do -- hopefully you can actually

5 consider that somewhere there's some traffic can go

6 around it, otherwise even for going to -- taking the

7 left because there are a lot of traffic will be

8 coming -- well, at least Verizon and Olive Garden,

9 and I don't know who else is there, but people be --

10 basically there will be traffic coming out of that

11 and from Towne Center Road.

12 So in order to basically cross that

13 one, cross that road to take the left turn, you will

14 have -- I don't know whether you will have a traffic

15 in your own location, at least it will take some

16 time to -- as more traffic will be coming there,

17 likelihood to have some unfortunate scene.

18 THE WITNESS: Yeah, I could say if I

19 was there, the way that I typically drive, if it was

20 a peak time I would probably take the right out and

21 use the unsignalized driveway, because I would know

22 that's my quickest path to get where I'm going and

23 it's the easiest.

24 If you think some -- if the board feels

25 that additional signage in that location would help

1 alleviate some of those concerns --

2 MEMBER CHOUDHURY: That's what I wanted

3 to basically ask.

4 THE WITNESS: -- we would definitely

5 entertain, you know, a conversation with your

6 professionals.

7 MEMBER CHOUDHURY: -- the expert

8 comment from Mr. Burr. Because, you know, he

9 probably will be able to tell better.

10 In fact, that may be -- as a common

11 person, I'm not an expert -- I think double arrow

12 sign will be because people can take any side, that

13 will be probably better.

14 THE WITNESS: Yeah, that's definitely

15 something we can look into.

16 MEMBER CHOUDHURY: Mr. Burr, do you

17 have any thoughts? I actually am asking you,

18 Chairman.

19 CHAIRMAN VESCIO: Please, Mr. Burr.

20 ENGINEER BURR: No, I think it's a

21 very good suggestion. I'm happy to discuss it with

22 the applicant's professionals.

23 We're talking about internal wayfinding

24 signage in essence, and I think it's worth

25 discussing to see if it may help to alleviate some

P. Downey, P.E., PTOE 98 1 of the concerns. 2 MEMBER CHOUDHURY: Thank you. 3 COUNCILMAN KIRSH: And just for 4 clarification that would be reiterating that you can 5 get to 202 South either way. 6 MEMBER CHOUDHURY: Right. 7 ENGINEER BURR: Either way or if 8 there's a preferred way based on some of the traffic 9 findings in the report, yes. 10 It would be -- it would need to be 11 discussed to figure out what the most effective 12 language would be. 13 COUNCILMAN KIRSH: Is that something 14 that we have to figure out now, or is that a level 15 of flexibility that the applicant would have, you 16 know, as they're building. 17 ENGINEER BURR: It's really the 18 board's call, but I would be comfortable if it was a 19 condition, if you're asking my opinion, working with 20 the applicant to come up with a plan that would best 21 address those issues. 22 COUNCILMAN KIRSH: So we would put in 23 a clause that would permit, whatever we call it, 24 internal wayfinding signage up to a certain size. 25 ENGINEER BURR: I think that's	P. Downey, P.E., PTOE 100 1 Any other questions? 2 If not, I'll hand it back over to -- 3 you have a question. 4 MEMBER MAGURA: I have one or two 5 questions. Do you have any information on any 6 accidents, the rate of accidents at that 7 intersection with 202? 8 THE WITNESS: I don't have any 9 specific data on that, no. 10 MEMBER MAGURA: The reason I ask is if 11 you look at that eastern -- the east exit from the 12 property, you come through to an acceleration lane, 13 deceleration lane, you cut over two lanes and then 14 to a fourth lane, which is a combination of left 15 turn/U-turn. I'm just wondering, that's about a 16 900-foot distance. You're going to have people 17 coming out there and flooring their car to make that 18 U-turn. 19 THE WITNESS: I'm having a little 20 trouble loading the plan but I know where you're -- 21 oh, there we go -- I know where you're describing 22 and I think, as we discussed, that right out 23 unsignalized driveway, in my opinion, is more 24 helpful for people who are destined for 202 South. 25 That's the movement that is a little bit more
P. Downey, P.E., PTOE 99 1 reasonable. 2 ATTORNEY SILBERT: And, Councilman 3 Kirsh, we would agree as the applicant, as a 4 condition of approval, to work with Mr. Burr on the 5 addition of any wayfinding signs. 6 COUNCILMAN KIRSH: Okay. And I just 7 want to make sure that if that's our intention, that 8 we have it in the resolution. Just, you know, 9 you're almost about to open, oh, oh, we got to go 10 back to, you know, the planning board. 11 ATTORNEY PECK: Yeah, that will, if it 12 gets approved, that will be a condition. 13 Councilman Kirsh: Okay. 14 ATTORNEY SILBERT: Right. Hopefully 15 we can hammer it out during the post-approval 16 compliance, if this is approved. 17 ATTORNEY PECK: Yeah, but you'll 18 coordinate and review whether or not wayfinding 19 signs, you know, make sense. 20 ATTORNEY SILBERT: Yes. 21 ATTORNEY PECK: You'll implement 22 whatever, you know, whatever you usually decide in 23 collaboration. 24 ATTORNEY SILBERT: Yes. 25 CHAIRMAN VESCIO: Thank you, Mr. Burr.	P. Downey, P.E., PTOE 101 1 contained at the signal itself, so those are the 2 customers looking for a second option. 3 So rather than, you know, customers 4 prioritizing that to reach 202 North, which I think 5 the signal does fairly well on its own, it would be 6 more for, you know, cars destined to the south that 7 don't need to move over those lanes. 8 MEMBER MAGURA: I could probably get 9 away assuming that it's really not a problem right 10 now? 11 THE WITNESS: I'm not aware of any 12 problem. I will say DOT didn't raise any concerns 13 like that in their thick review letter when we got 14 it, so, yeah, I'm not aware of any concerns. 15 MEMBER MAGURA: Okay. 16 CHAIRMAN VESCIO: Thank you, 17 Mr. Magura. 18 Ms. Sarmad, any questions regarding his 19 testimony? 20 PLANNER SARMAD: Thank you, 21 Mr. Chairman. I don't have many questions. 22 One of my questions is related to -- I 23 think some numbers were rattled off earlier based on 24 one of the board member's questions about the trip 25 generation for the Chick-fil-A.

P. Downey, P.E., PTOE 102 1 Can you just reiterate -- and I really 2 the only, I think, number that might be meaningful 3 is what's the difference, what is the added number 4 of trips that the Chick-Fil-A produces over what's 5 existing today? 6 THE WITNESS: Yeah, it's a good 7 question. The only reason it's a little challenging 8 to answer that specifically is because the existing 9 Ruby Tuesday's restaurant gets lumped in with the 10 overall shopping center. I don't have it broken 11 out, that's simply how DOT runs it, but Chick-fil-A 12 is running on its own. 13 PLANNER SARMAD: Well the DOT Highway 14 Access Permit, Table 2 in the report does show a 15 difference. So that's really what I wanted to hear 16 testimony on. 17 THE WITNESS: Right. Yes, so Table 2, 18 correct. So in looking at the entire shopping 19 center as a whole in the existing condition versus 20 the proposed, the net change in total trips in the 21 three peak hours is roughly 250 additional peak-hour 22 trips. 23 PLANNER SARMAD: Okay, thank you. 24 THE WITNESS: Yes. 25 PLANNER SARMAD: In looking at -- I	P. Downey, P.E., PTOE 104 1 THE WITNESS: Thank you. 2 PLANNER SARMAD: And then the chairman 3 had asked a question related to another point of 4 access to the pad site, and I think it's a good 5 question, or it's a good thing to raise because 6 right now every single one of the three pad sites on 7 202 has exactly that; they basically have a U-shape 8 around each of the buildings. 9 When, I don't know if you were part of 10 the kind of design phase of this or if you were 11 brought in after the site was kind of already 12 designed in particular by the civil engineer, but 13 was there any thought process to trying to preserve 14 that and trying to modify the configuration of the 15 drive-thru to maintain that kind of access? 16 THE WITNESS: I would say my 17 involvement came in once this was pretty much the 18 layout, you know, barring some improvements that had 19 been made along the way. 20 I think it's a beneficial layout in the 21 sense that it puts the drive-thru entrance as far 22 away from the entrance to the pad as possible, you 23 know, just provide as much additional overflow room 24 for additional factor of safety as possible, and 25 that, essentially, necessitates the location of the
P. Downey, P.E., PTOE 103 1 know you described some of the mitigation and the 2 timing. In looking at the tables on Page 10 -- 3 Page 10, yes, Tables 5, 6 and 7, was there any 4 significant change with mitigation as far as the 5 level of service? 6 THE WITNESS: So for the Towne Center 7 Road approach, in general, there were improvements 8 in the existing condition it's constrained out there 9 really as a result of DOT's prioritization of 202, 10 so we're seeing levels of service F on the Towne 11 Center Road approach to begin with. The delays for 12 those movements were reduced in some cases enough to 13 trip it to an E instead of F, but in general they're 14 improved. 15 There were improvements to the 16 southbound left-turn movement and U-turn movement, 17 you know, I'll call it a wash on the northbound 18 left-turn movement depending on the peak hour. And 19 then, you know, all of the movements in total 20 satisfied DOT's criteria. 21 We did what we could to prioritize exit 22 from the site, because we think that's the most 23 important for the site's viability, up to what we 24 thought DOT would permit. 25 PLANNER SARMAD: Okay, thank you.	P. Downey, P.E., PTOE 105 1 site and the building and the drive-thru where they 2 are. 3 When you look at the width of the site, 4 from left to right you have parking, drive aisle 5 parking, and then the building and drive-thru. 6 There's really not additional room available there 7 to fit a second access, you know, on the other side 8 of the drive-thru lanes. 9 PLANNER SARMAD: Yes, I think you're 10 correct in the way that it's been designed right 11 now. I didn't know if there was any kind of 12 negotiation between the amount of queuing and then 13 the access, and if those were, you know, weighed 14 against one another. 15 But I appreciate your response to the 16 question, so thank you. 17 ENGINEER BURR: Just a couple of quick 18 questions, Mr. Chairman. 19 CHAIRMAN VESCIO: Please, Mr. Burr. 20 ENGINEER BURR: So the DOT permit 21 application that was submitted, you mentioned there 22 was a comment letter received, and included in that 23 we heard that DOT requested sidewalks, sidewalks 24 along the frontage and the side of the proposed 25 Chick-fil-A.

P. Downey, P.E., PTOE 106 1 We also heard testimony about the 2 re-timing of the existing traffic signal. 3 Can you just elaborate on any of the 4 other comments that DOT offered that may impact the 5 site layout and what would physically be seen, not 6 necessarily the numbers but... 7 THE WITNESS: Sure. Really comments 8 that would affect the site layout, I don't believe 9 that there are any aside from that sidewalk comment. 10 They asked for the existing, you know, 11 ramps in the area to be reconstructed for ADA 12 compliance, which is naturally going to be done as 13 part of the sidewalk improvements. 14 You know, they really didn't have any 15 substantive comments. 16 ENGINEER BURR: The bulk of their -- 17 the bulk of their comments were related to 18 pedestrian? 19 THE WITNESS: Correct. And a lot of 20 the groups just claiming they had no comments on the 21 application. 22 ENGINEER BURR: And they agreed, or 23 were they the ones that suggested the re-timing of 24 the signal, or was that something that your firm 25 offered as part of the...	P. Downey, P.E., PTOE 108 1 was a lot of discussion by several board members, 2 Ms. Sarmad just asked. In terms of alternate 3 layouts to the site, when I looked at this obviously 4 one of the big concerns I have, and I think it's 5 shared by a number of the board members, is when we 6 talk about that left- left, and the ability to 7 actually have significant queuing once you leave the 8 pad site, it just isn't there. 9 And one way to achieve that, and I know 10 this is a difficult site because it's only a little 11 over an acre in size, but one way to get more 12 queuing, obviously, is to relocate that driveway 13 elsewhere, perhaps somewhere easterly. 14 And I think I heard you weren't 15 involved in any of those discussions. Are you privy 16 to any prior discussions in terms of alternate 17 layouts and how that might look? 18 Do you know if there was any discussion 19 about possibly having a cross access into the 20 Verizon portion of the driveway or parking lot to 21 provide for better circulation? 22 Can you give us a little more 23 background there? 24 THE WITNESS: Right, so I wasn't part 25 of vetting the different options that were reviewed.
P. Downey, P.E., PTOE 107 1 THE WITNESS: That was something that 2 we offered -- 3 ENGINEER BURR: It was? Okay. 4 THE WITNESS: -- as part of the traffic 5 study that they reviewed. 6 ENGINEER BURR: And they concurred 7 with that? 8 THE WITNESS: Correct, yes. 9 ENGINEER BURR: Okay. And did your 10 analysis also take into account -- I know we talked 11 a lot about some of the concerns with traffic. But 12 did your analysis take into account a certain 13 percentage of traffic leaving the site to the east, 14 to the exit driveway; is that how your analysis was 15 performed? 16 THE WITNESS: Correct. 17 ENGINEER BURR: Or was everything 18 coming out to the site. 19 THE WITNESS: We did have some traffic 20 routed to the unsignalized driveway simply because 21 we do think realistically it will be used, 22 particularly during the peak hours being analyzed. 23 And the overall trip distribution is 24 calculated using DOT's gravity model methodology. 25 ENGINEER BURR: Yeah, and I know there	P. Downey, P.E., PTOE 109 1 I know there were several, but I wouldn't feel 2 comfortable, you know, commenting on what exactly 3 they were. 4 ENGINEER BURR: Okay. 5 THE WITNESS: I will note cross access 6 to Verizon is very challenging given the grade 7 differential that exists, so I think that was ruled 8 out fairly early on. 9 And like I said, there's definitely a 10 push and a pull between the driveway placement and 11 the access placement. I think this has been 12 designed to really prioritize the drive-thru 13 placement which is important to make sure we manage 14 our drive-thru demand efficiently. 15 In terms of queues on the internal 16 aisle, you know, of these pad sites Chick-fil-A is 17 probably, you know, the highest traffic-generating 18 one in the future condition. So when you think of 19 traffic on that approach leaving to Towne Center 20 Road a lot of that is, you know, our traffic 21 exiting. It's not so much a queue in front of the 22 site, it's our customers leaving. 23 And based on the clearing of the Towne 24 Center Road approach with the signal, I think that 25 will continue to move. It might just be, you know,

1 in batches rather than a continuous.

2 ENGINEER BURR: Okay. And last
3 question. Just in terms of the fire truck access
4 and circulation -- not necessarily a question, but
5 more a recommendation. We had the initial fire
6 official's memo, Dynamic -- or, excuse me,
7 Stonefield offered revised plans. If it hasn't been
8 done already I would suggest the team reach out to
9 the fire official, get his follow-up feedback in
10 terms of circulation around the site.

11 Because you don't want to get jammed up
12 in the event this is approved, that is going to be a
13 requirement of site plan compliance, getting the
14 fire official's okay. So I would definitely suggest
15 reaching out to Mr. Scalera.

16 THE WITNESS: Sure, absolutely.

17 ENGINEER BURR: That's all I have.

18 Thank you.

19 CHAIRMAN VESCIO: Thank you, Mr. Burr.
20 Any other questions from our board?

21 COUNCILMAN KIRSH: I would like to --
22 I'm sorry, I do have one more question. And this
23 may not be answerable here.

24 You know, I'm satisfied that this has
25 been thoroughly considered. I remain a bit

1 having a fully developed shopping center here that
2 we did existing traffic counts on so we understand
3 the split currently for, you know, retail,
4 restaurant uses, where are customers currently
5 going, which also, you know, gives us some clues as
6 to where our customers would similarly go.

7 COUNCILMAN KIRSH: All right. So use
8 the existing complex without you guys potentially
9 being at this site, what is the -- you know, what is
10 the north versus south split; is that a known?

11 THE WITNESS: Yeah. So I'm looking at
12 our traffic study here at the existing counts.
13 During, you know, the morning, p.m. and Saturday
14 peak hours respectively it's fairly similar between
15 the two directions, a little bit more turning right
16 out, so 202 South than turning left out for
17 202 North.

18 COUNCILMAN KIRSH: Okay. Interesting.
19 All right.

20 I go right to get home but, you know, I
21 know that other people live in different places.

22 THE WITNESS: Right.

23 CHAIRMAN VESCIO: Thank you,
24 Councilman.

25 Anything else? Any other questions?

1 concerned about, you know, the number of people that
2 are going to leave the Chick-fil-A with a desirable
3 -- with the desired goal of going north, and that
4 is, like, most of Bridgewater, along with many, many
5 other communities.

6 Does Chick-fil-A have a sense of, you
7 know, what percentage of people are going to end up
8 wanting to leave and go north versus what percentage
9 are going to go south?

10 And that's not really a traffic
11 question, it's really an operational and a market
12 study question. Is that something that is even, you
13 know, is considered as part of site selection?

14 THE WITNESS: I can't comment on the
15 site selection part but I can certainly comment on
16 the traffic implications of that.

17 In this case there's really two things
18 to consider. One, DOT has what's called a gravity
19 model methodology. It draws a radius around your
20 site, sees where the different pockets of population
21 are based on Census data, and then routes how many
22 customers you think you're pulling geographically
23 from the two directions. So we have that to rely
24 on.

25 Additionally, we have the benefit of

1 At this time I would like to open up to
2 any members of the public that wish to questions the
3 testimony provided by Mr. Downey. Feel free to come
4 forward at this time.

5 Good evening. Please state your name
6 and address for the record.

7 STEVEN HERNANDEZ: Good evening.
8 Steven Hernandez, 13 Edgewood Terrace, Bridgewater.

9 So Chick-fil-A I think would be great
10 obviously to have here in Bridgewater. There's
11 nothing very close to it. So I'm not opposed to it.

12 I actually happen to live on a street
13 right before you make that right, which is Edgewood
14 Terrace. So in order for me to get out of my street
15 I have to make that right, go to the U-turn, make a
16 left if I need to go northbound. Or when I'm coming
17 back I go down to the other light and make that turn
18 to the right to Edgewood Terrace.

19 So I'm concerned about the traffic that
20 this is going to cause. Clearly every time that you
21 do see a Chick-fil-A --

22 ATTORNEY SILBERT: Sir, excuse me, but
23 -- and I appreciate your opening remarks, but do you
24 have a question for the witness?

25 STEVEN HERNANDEZ: Yeah.

1 ATTORNEY SILBERT: Because there will
2 be a comment portion at the end of the application.
3 STEVEN HERNANDEZ: Yeah, and I think
4 the question will be, I think, kind of add to Mr.
5 Michael Kirsh's, what he was saying; how are we
6 going to -- or you guys plan to route the traffic
7 out making the left turn?

8 Because currently there's a cop sitting
9 there playing with the light and there's not a
10 Chick-fil-A at this point in time. So I can see
11 that right now being a challenge. And what you're
12 showing at this point in time, it doesn't seem like
13 it still covers it fully, in my opinion.

14 THE WITNESS: Sure. So I guess
15 there's really two things to consider with regards
16 to that, number one, is to some degree we are
17 working within the context that the site exists,
18 right. So it's along 202, which is a significant
19 state highway. It's in a significantly developed
20 shopping center, well over 500,000 square feet of
21 development, of which Chick-fil-A as just a single
22 portion.

23 So the overall character of traffic
24 conditions on 202 isn't really changing as part of
25 this application. It's a busy road and will

1 continue to be.

2 What is I would say a rare benefit of
3 this application that we don't always have or get to
4 say, that we've actually improved the signal timing,
5 that even with the added traffic from Chick-fil-A
6 that left turn improves from what it is in the
7 no-build condition.

8 So not only is there, you know, an
9 insignificant impact, in this case there's actually
10 a benefit compared to the pre-development condition.

11 STEVEN HERNANDEZ: Thanks for that. I
12 will have to challenge that it's not just traffic,
13 right, because there's not Chick-fil-A around here,
14 right. So the traffic that is going to be coming
15 from all over towns -- Manville, Somerville,
16 Raritan, Bridgewater, even Morrisville -- are going
17 to come to that Chick-fil-A because there's no one
18 around here. So that extra traffic is going to be
19 coming to that Chick-fil-A.

20 And The other question is have you guys
21 looked at all the new buildings and complexes that
22 have been getting built around, that has not been
23 part of maybe -- it's much newer. So have you guys
24 taken into account how much of that is going to
25 impact this location as well?

1 THE WITNESS: We do. So when we kick
2 off a traffic study like this, we always coordinate
3 with the township to get a sense of anything else
4 that has been approved in the area and we load that
5 on as part of the traffic study, so it's included.

6 STEVEN HERNANDEZ: Okay. No further
7 questions, just expressing my concern here before
8 accepting the application. But, thank you.

9 CHAIRMAN VESCIO: Thank you,
10 Mr. Hernandez. Just a reminder, there will be more
11 time to comment on this at the conclusion of the
12 application.

13 Thank you very much.

14 STEVEN HERNANDEZ: Thanks.

15 CHAIRMAN VESCIO: Anybody else?

16 Seeing none, I'm going to close the
17 public portion for this witness.

18 Mr. Silbert?

19 ATTORNEY SILBERT: Mr. Chairman.

20 CHAIRMAN VESCIO: I would like to be
21 cognizant of the time and those that came far away
22 as well as those that have come into the room
23 tonight for our other application.

24 ATTORNEY SILBERT: Exactly,
25 Mr. Chairman. I'm in the uncomfortable situation

1 where I'm representing both applicants and I would
2 like to move both applications forward as
3 efficiently as possible, but I just wanted to make
4 certain that you're aware that for the other
5 application that is on for tonight, it was
6 represented to me and to the applicant that they
7 would be first on the agenda.

8 I point that out because they're
9 traveling from all over the country, Ohio, North
10 Dakota. I know we're talking about Chick-fil-A, but
11 I know we're approaching a time constraint here so
12 at a minimum, Mr. Chairman, assuming that
13 Chick-fil-A is concluding this evening, I would ask
14 that I would be able to at least call the witnesses
15 that traveled from North Dakota and Ohio just to
16 provide some operational testimony on the next
17 application.

18 I'm sorry I have to do this in the
19 middle of Chick-fil-A's application, but...

20 CHAIRMAN VESCIO: Do you have more
21 witnesses for Chick-fil-A this evening?

22 ATTORNEY SILBERT: We do have a
23 planner. And if the board is willing to accommodate
24 both, then that would be wonderful. But I have a
25 conflict here and I'm trying to work through it

1 particularly in light of the fact that I do have,
2 for the other applicant, members that traveled from
3 very far away so.

4 CHAIRMAN VESCIO: I don't believe the
5 board has an issue postponing the Chick-fil-A
6 application and at least bring a start to the next
7 one, yes.

8 ATTORNEY SILBERT: Thank you very
9 much. I Very much appreciate it.

10 ATTORNEY PECK: Because we'll need to
11 carry the hearing, what date would this be carried
12 to, Nancy; do we have anything?

13 ADMINISTRATOR PROBST: I believe the
14 17th.

15 ATTORNEY PECK: Of December?

16 CHAIRMAN VESCIO: Correct.

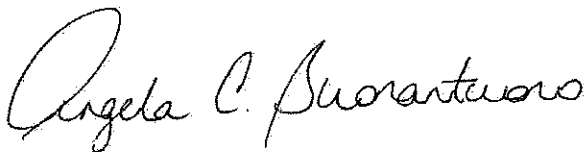
17 ADMINISTRATOR PROBST: Yes.

18 ATTORNEY PECK: Okay. So for any
19 members of the public who are here or who are
20 watching, this hearing is being carried to
21 December 17th. There will be no further notice
22 given.

23 ATTORNEY SILBERT: Thank you very
24 much. I really appreciate it.

25 (Application adjourned at 9:03 p.m.)

1 CERTIFICATE



2
3 I, ANGELA C. BUONANTUONO, a Notary Public and
4 Certified Court Reporter of the State of New Jersey
5 and Registered Professional Reporter, do hereby
6 certify that prior to the commencement, the
7 witnesses were duly sworn to testify the truth, the
8 whole truth and nothing but the truth.

9 I DO FURTHER CERTIFY that the foregoing is a
10 true and accurate transcript of the proceeding as
11 taken stenographically by and before me at the time,
12 place and on the date hereinbefore set forth.

13 I DO FURTHER CERTIFY that I am neither a
14 relative, nor employee, nor attorney, nor counsel of
15 any of the parties to this action, and that I am
16 neither a relative, nor employee of such attorney or
17 counsel, and that I am not financially interested in
18 the action.

19
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21
22
23 Angela C. Buonantuono, CCR, RPR, CLR
24 NJ License No. 30X100233100
25 Notary Public Commission No. 50014616

25 Dated: December 16, 2024

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1 TOWNSHIP OF BRIDGEWATER PLANNING BOARD
2 COUNTY OF SOMERSET - STATE OF NEW JERSEY

3 - - - - -
4 REGULAR MEETING FOR:

5 R.I. HERITAGE INN OF BRIDGEWATER, LLC
6 C/O THARALDSON HOSPITALITY DEVELOPMENT, LLC
7 BLOCK 222, LOT 3.01
8 1260 ROUTE 22

9 *AMENDED PRELIMINARY & FINAL MAJOR SITE PLAN*
10 APPLICATION NO. 24-022-PB
11 - - - - -

12 MUNICIPAL BUILDING
13 COUNCIL CHAMBERS
14 100 COMMONS WAY
15 BRIDGEWATER, NEW JERSEY 08807

16 - - -
17 TUESDAY, DECEMBER 3, 2024

18 7:00 P.M.
19 - - -

20 TRANSCRIPT OF PROCEEDINGS

21 PUBLIC HEARING

22 AB COURT REPORTING, LLC
23 Certified Court Reporters
24 26 Algonquin Terrace
25 Millstone Township, New Jersey 08535
Tel: (732)882-3590
angelabuonocsr@gmail.com

1 BOARD MEMBERS PRESENT:

2 MAURIZIO VESCIO, CHAIRMAN
3 WILLIAM ATKINS
4 NIREN CHOUDHURY
5 MICHAEL KIRSH, COUNCILMAN
6 JAMES MAGURA
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12 PROFESSIONALS AND STAFF PRESENT:

13 MARK R. PECK, ESQUIRE, Board Attorney
14 Florio Perrucci Steinhardt Cappelli & Tipton, LLC
15 WILLIAM H. BURR, IV, P.E., Township Engineer
16 Township of Bridgewater
17 KATHERINE SARMAD, P.P., Board Planner
18 Sarmad Planning Group, LLC
19 NANCY PROBST, Land Use Administrator
20 Township of Bridgewater
21

22 STENOGRAPHICALLY REPORTED BY:

23 ANGELA BUONANTUONO, CCR, RPR
24 License No. 30XI00233100
25

1 A P P E A R A N C E S:

2

3 DIFRANCESCO, BATEMAN, KUNZMAN, DAVIS, LEHRER & FLAUM, PC
4 BY: MICHAEL E. SILBERT, ESQUIRE

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10 --Counsel for the Applicant

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20 A L S O P R E S E N T:

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22 GEORGE FOLK, P.E.

23 David A. Stires Associates, LLC

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I N D E X

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WITNESSESPAGE

JEFF MCKAY, Vice-President Tharaldson Hospitality Development, LLC	18
TERRY O'BRIEN, Vice-president Park Silver Development, LLC	47
GREG HEFLIN, Vice-president Park Silver Development, LLC	47

PUBLIC QUESTIONS AND/OR COMMENTS:NAMEADDRESSPAGE

Lars Knudson	104 Chelsea Way	33, 89 101
John Kulak	13 Ramsey Street	34, 88
Mitchel Zaytoun	130 Chelsea Way	43, 96
Dan Seeley	26 Chelsea Way	102
Robert Zgorzynski	119 Chelsea Way	106

E X H I B I T S

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NO.

DESCRIPTION

PAGE

None.

6 1 CHAIRMAN VESCIO: Good evening. And 2 welcome to the Bridgewater Township Planning Board 3 meeting for Tuesday, December 3, 2024. 4 Adequate notice of this meeting has 5 been given in accordance with the Open Public 6 Meetings Act, or N.J.S.A. 10:4-6. On February 7th, 7 2024, proper notice was sent to The Courier News and 8 The Star-Ledger, and filed with the Clerk at the 9 Township of Bridgewater, and posted on the bulletin 10 board in the Municipal Building. 11 Please be aware that the Planning Board 12 Policy for public hearings, no new applications will 13 be heard after 9:30 p.m., and no new testimony will 14 be taken after 10:00 p.m. 15 Hearing assistance is available upon 16 request. Accommodation will be made for individuals 17 with a disability, pursuant to the Americans with 18 Disabilities Act, or ADA, provided the individual 19 with the disability provides 48 hours' advance 20 notice to the Planning Department secretary before 21 the public meeting. 22 However, if the individual should 23 require special equipment or services, such as a 24 CART transcriber, seven days' advance notice, 25 excluding weekends and holidays, may be necessary.	8 1 CHAIRMAN VESCIO: Thank you, 2 Ms. Probst. 3 - - - 4 (Whereupon, the board continues with 5 the agenda as posted.) 6 - - - 7 (Whereupon, the application is called 8 at 9:03 p.m.) 9 - - - 10 COUNCILMAN KIRSH: And, Mr. Chairman, 11 even before we begin this next portion, I know our 12 policy is to be wrapped up by 10. You know, I'm 13 only one person. You know, I'm willing, if there's 14 consensus, to call 10 o'clock would be 10:30 15 tonight, just to give us that little bit of extra 16 breathing room. 17 Again, I'm only one person. I don't 18 have the authority to, you know, keep people here 19 later but, you know, because some have traveled from 20 a distance, you know, I'm willing to -- for this 21 evening, have a 10:30 goal, if necessary, instead of 22 a 10 o'clock goal. 23 Again, I don't know if that's a look of 24 approval or disapproval from the other side of the 25 table.
7 1 Would everyone please rise to salute to 2 the flag. 3 [Pledge of Allegiance.] 4 CHAIRMAN VESCIO: Ms. Probst, could I 5 have a roll call, please? 6 Chairman Vescio? 7 CHAIRMAN VESCIO: Here. 8 ADMINISTRATOR PROBST: Mayor Moench is 9 absent, for the record. 10 Councilman Kirsh? 11 COUNCILMAN KIRSH: Here. 12 ADMINISTRATOR PROBST: Mr. Pappas will 13 be absent. 14 Mr. Magura? 15 MEMBER MAGURA: Here. 16 ADMINISTRATOR PROBST: Mr. Wang will 17 be absent. Ms. Sikora will be absent. Mr. Banga 18 will be absent. Ms. Chartowich will be absent. 19 Mr. Choudhury? 20 MEMBER CHOUDHURY: Here. 21 ADMINISTRATOR PROBST: Mr. Atkins? 22 MEMBER ATKINS: Here. 23 ADMINISTRATOR PROBST: Mr. Peck is 24 present. Mr. Burr and Ms. Sarmad. 25 You have a quorum and you can proceed.	9 1 CHAIRMAN VESCIO: Right, right. So we 2 typically don't take new testimony after 10:30, but 3 for those who traveled we can make an exception. 4 COUNCILMAN KIRSH: I'm sorry, we 5 usually go to 10:30? 6 CHAIRMAN VESCIO: We typically go to 7 10:30 without any new testimony after 10:30. So, 8 yes, we have been here past 11 before, but -- 9 COUNCILMAN KIRSH: Okay. 10 CHAIRMAN VESCIO: -- I'm not advocating 11 that that needs to be the case this evening. 12 COUNCILMAN KIRSH: All right. I guess 13 what I'm trying to say is if we're close, I think 14 we'll probably work with you. 15 CHAIRMAN VESCIO: Yes. 16 ATTORNEY SILBERT: Thank you. 17 And I'm hoping the next application -- 18 and I do see members of the public here, but I'm 19 hoping it will go quickly just because it's an 20 amendment to a previous approval. 21 CHAIRMAN VESCIO: I'll just make an 22 announcement for those that are in the room, we are 23 moving to the next application, that's for the R.I. 24 Heritage Inn of Bridgewater, LLC, in the care of 25 Tharaldson Hospitality Development, Block 222, Lot

10 1 3.01, commonly known as 1260 Route 22. 2 ATTORNEY SILBERT: Mr. Chairman, just 3 for the record, my name is Michael Silbert and I'm 4 an attorney at the law firm DiFrancesco Bateman, 5 located in Warren Township. I'm here tonight on 6 behalf of the applicant, R.I. Heritage Inn at 7 Bridgewater, LLC. 8 The applicant is seeking Amended 9 Preliminary and Final Site Plan approval for the 10 property identified as Block 222, Lot 3.01, as shown 11 on the township's tax maps, more commonly known as 12 1260 Route 22 East. 13 The property is located in the HIC zone 14 district and consists of a single parcel just under 15 13 acres in size. And pursuant to Section 126 -- 16 Section 126-314.182 of the township code, hotels are 17 a permitted use in the zone. 18 The property comprises five land units 19 created through a condominium arrangement. This 20 application pertains specifically, as you will see 21 in the application materials, to Land Unit D, which 22 is the southernmost building proposed on the 23 property. 24 So just a little brief background 25 information because I had made previous	12 1 the applicant's proposing to reduce the building 2 footprint and overall size of the building. And 3 this impacts several of the bulk variances that were 4 -- or at least one of the bulk variances that was 5 granted during the original site plan approval. 6 So I'll leave it to our engineer to 7 discuss the differences in building footprint, 8 F.A.R. reduction. This is going to result in a lot 9 coverage reduction. We are going to be able to 10 increase the number of parking spaces despite the 11 fact that the number of rooms are slightly 12 decreasing. 13 The witnesses I'm going to call are 14 going to explain some of these changes. Ultimately, 15 these changes are driven from an economic 16 standpoint, just responding to current real estate 17 market trends, particularly in light of being in a 18 post-COVID-19 world. 19 As noted in the joint review memo, 20 dated November 26th, 2024, the proposed amendments 21 to the building size represent actually improvements 22 to the relief that was previously granted. So from 23 a technical standpoint, variance relief is still 24 required for at least one of the bulk variances that 25 was previously received because although they're
11 1 representations earlier this evening, the project 2 was previously approved in its entirety and was 3 subject of a Preliminary and Final Site Plan 4 application. Eventually that was approved on 5 December 11, 2018. That approval allowed for the 6 construction of a Marriott Residence Inn hotel on 7 Land Unit D. 8 So as part of the original approval 9 there was a number of bulk variances and design 10 waivers that were granted. I could just very 11 quickly go through it and this -- I'll clarify this 12 later on, but essentially there was a building 13 height variance granted for the SpringHill Suites 14 Hotel for 49.33 feet where 45 feet was permitted; 15 front yard setback from Route 22, where 139.59 feet 16 was approved, 200 feet was required; buffer for 17 principal building, 90.87 feet was approved where 18 125 feet was required; minimum parking lot buffer, 19 21.87 feet was approved, where 75 feet was required; 20 minimum accessory structure buffer, 50 feet was 21 approved, 75 feet was required. 22 Why are we here tonight? The applicant 23 is returning before the board to seek an amended 24 site plan approval due to changes in the hotel user 25 and to the building on Land Unit D. Specifically	13 1 improvements, they still remain non-compliant with 2 the township's requirements. And we're going to be 3 seeking that variance under the c(2) criteria. 4 The other bulk variances granted as 5 part of the original approval, they're going to 6 remain unchanged; they'll remain as approved. 7 So I have three witnesses. Three -- I 8 have three or four witnesses because I have two 9 representatives from the future operator from Park 10 Silver Development. So I'm joined with Terry 11 O'Brien and Greg Heflin. They're both regional 12 vice-presidents from Park Silver Development, LLC, 13 and they're representing WoodSpring Suites, the 14 future hotel user of Land Unit D. 15 I'm also joined by Jeff McKay. He's 16 the vice-president of Tharaldson Hospitality 17 Development. It's a related entity of the applicant 18 and the land unit owner. 19 And I'm joined, lastly, by our 20 professional engineer, George Folk. He was the 21 original civil engineer for this project and he also 22 prepared the amended site plan. 23 One thing I just wanted to stress for 24 the board is that the exterior architectural design 25 is essentially the same that was approved back in

14

1 2018 in terms of quality of materials, certain
 2 design features. Even though the building footprint
 3 is changing and the interior space is changing, the
 4 actual exterior appearance of the building, or at
 5 least from a material standpoint, is the same.
 6 There were a couple housekeeping and
 7 site plan inconsistencies I just wanted to address
 8 from the professional review memo. So I had stated
 9 and the applicant's materials, with the exception of
 10 the site plan, indicates that this site plan
 11 application was approved or the original one was
 12 approved in 2018. The cover sheet of the site plan
 13 drawings indicates an approval date of September
 14 2020; but that is relative to post-approval
 15 compliance revisions that resulted from the 2018
 16 approval. So I just wanted to clarify that. Our
 17 civil engineer can certainly add to that.
 18 There was an incorrect F.A.R. approval
 19 date in the site plan; it made mention of the
 20 approval date on September 17th, 2024. I think
 21 that's just a typo.
 22 If there was -- there may have been a
 23 typo with respect to rear yard setback variance that
 24 we don't actually need. So I'll let our engineer
 25 address that.

15

1 And then, finally, I just wanted to
 2 address an issue with the height discrepancy. So
 3 WoodSpring Suites building is proposed at 46 feet,
 4 according to the architectural elevations. The
 5 zoning table on the cover sheet, my notice indicates
 6 that we need variance relief for the building height
 7 at 49.2 feet. That was an error. That was in
 8 reference to the other hotel. It's not in reference
 9 to WoodSpring Suites.
 10 So there's no change in the building
 11 height to -- SpringHill Suites, sorry, it's a little
 12 confusing SpringHill, WoodSpring. But the building
 13 height for WoodSpring Suites is 46 feet. It will be
 14 testified to this evening.
 15 And with that, I would ask if I could
 16 -- I'm going to start with operational testimony so
 17 the board can get some background information on
 18 WoodSpring Suites. So I would ask if I could call
 19 up my first witness, which is Terry O'Brien, he's
 20 the -- if you want to swear them all, that's fine as
 21 well.
 22 CHAIRMAN VESCIO: We actually can.
 23 I'm also looking in the interest of time here,
 24 perhaps can we take a three- to five-minute break
 25 just for those of us to use a restroom, given that

16

1 we've come this far.
 2 ATTORNEY SILBERT: Absolutely.
 3 CHAIRMAN VESCIO: So why don't we do
 4 that. I'll need a motion to break.
 5 MEMBER ATKINS: Make motion.
 6 CHAIRMAN VESCIO: Was that Mr. Atkins.
 7 I'll need a second.
 8 MEMBER MAGURA: Second.
 9 CHAIRMAN VESCIO: All in favor?
 10 BOARD MEMBERS IN UNISON: Aye.
 11 ATTORNEY SILBERT: Thank you.
 12 CHAIRMAN VESCIO: Thank you.
 13 - - -
 14 (A recess is taken at 9:13 p.m.)
 15 - - -
 16 (Time noted, 9:23 p.m.)
 17 - - -
 18 CHAIRMAN VESCIO: Members, ready to
 19 resume?
 20 All in favor?
 21 BOARD MEMBERS IN UNISON: Aye.
 22 CHAIRMAN VESCIO: Mr. Silbert, thank
 23 you very much for entertaining that break.
 24 ATTORNEY SILBERT: Mr. Chairman, my
 25 pleasure. Thank you very much for having us this

17

1 evening.
 2 I represented before the bathroom break
 3 that I was going to be calling Mr. Terry O'Brien
 4 from Park Silver Development, but I'm going to
 5 change things up; I'm actually going to call Jeff
 6 McKay from Tharaldson Hospitality Development. He,
 7 again, is a vice-president of the developer or --
 8 I'm sorry -- of the applicant, and of the property
 9 owner, which is a related entity.
 10 So if I could -- if you want to swear
 11 in all the witnesses -- did we swear all the
 12 witnesses in?
 13 ATTORNEY PECK: No, we didn't swear
 14 anyone.
 15 ATTORNEY SILBERT: Excuse me.
 16 CHAIRMAN VESCIO: We can swear them in
 17 all together.
 18 ATTORNEY PECK: If all the witnesses
 19 would, you know, known and possible, stand and raise
 20 your right hand. Do you all swear and affirm that
 21 the testimony you are going to give during the
 22 course of this hearing will be the truth and nothing
 23 but the truth?
 24 WITNESSES IN UNISON: I do.
 25 ATTORNEY PECK: And starting with

J. McKay 18 1 Mr. McKay, just state and spell your names for the 2 record. 3 JEFF McKAY: Jeff McKay, M-C-K-A-Y. 4 GEORGE FOLK: George Folk, F-O-L-K. 5 GREG HEFLIN: Greg Heflin, H-E-F-L-I-N. 6 TERRY O'BRIEN: Terry O'Brien, 7 O-B-R-I-E-N. 8 ATTORNEY PECK: Thank you very much. 9 ATTORNEY SILBERT: Thank you. 10 So, Mr. Chairman, we thought it would 11 be helpful to bring Mr. McKay up to kind of talk a 12 little bit about the change in commercial real 13 estate, some of the market changes, what led to this 14 change. And I'll let Mr. McKay take it away from 15 here. 16 17 J E F F M C K A Y, sworn, provides the following 18 testimony: 19 - - - 20 E X A M I N A T I O N 21 - - - 22 THE WITNESS: Good evening. Yeah, I 23 just wanted to give us a little bit of a background 24 on kind of why we're here and what we're trying to 25 get accomplished here.	J. McKay 20 1 38/39 percent. This isn't the only market where 2 we're not able to do a Residence Inn. We've also 3 cancelled some other locations for Residence Inn. 4 Residence Inn is a bigger building. 5 And so we looked at how we could 6 continue to develop the site and still make it what 7 we started out to do, and that is our goal. 8 In doing so, we discovered a brand that 9 we thought we could make work here. And although we 10 didn't have the expertise with the WoodSpring brand, 11 we teamed up with Terry and Greg and their 12 organization who had in-depth experience with the 13 WoodSpring and, of course, had WoodSpring 14 properties. And so we wanted to team up with people 15 that knew what the brand was and how to operate that 16 hotel. 17 So having said that, we're here to 18 propose, obviously, a different hotel. It's similar 19 in nature, a four-story. We want to make the 20 outside look just as the Residence Inn did, use the 21 same materials, the same colors, and it's going to 22 be smaller. As you could imagine, a little bit less 23 cost to build that way. 24 So really that's sort of the backdrop 25 of kind of why we're getting together here and I'm
J. McKay 19 1 ATTORNEY PECK: And if you could, 2 before you get going, could you give your title 3 again? There were a lot of entities being tossed 4 around, just so we have a clear record. 5 THE WITNESS: No problem. So my name 6 is Jeff McKay. I'm with Tharaldson Hospitality. I 7 represent Tharaldson. 8 We currently own and operate 88 hotels 9 across the United States. I was here in 2018 to get 10 a couple of hotels approved. And we worked on this 11 site for a long time, several years. And we've 12 developed over 400 hotels around the United States. 13 I celebrated my 19th year in October, here with the 14 company. 15 So Bridgewater was on our radar. We 16 wanted to be in Bridgewater and we had great plans, 17 there's no doubt about it. Today's world has 18 changed, as everyone here knows. The pandemic was 19 brutal in the hotel world. At that time we didn't 20 have 88, we had closer to 75, and we've actually 21 closed the doors on 25 hotels during the pandemic, 22 just shut them down. 23 And, unfortunately, the Bridgewater 24 market has not come back to what we feel we can 25 build a Residence Inn. Construction costs are up	J. McKay 21 1 here to answer any kind of questions that the board 2 may have and, hopefully, to seek approval to move 3 forward with our development. 4 ATTORNEY SILBERT: If I may, 5 Mr. McKay, so I made a representation in my opening 6 that there was a very strong effort to keep the 7 architectural design in line with what was approved 8 in 2018. 9 Since you were very much involved in 10 the hearing process in 2018, you're a decision-maker 11 here, do you agree with that representation and can 12 you touch on that at all? 13 THE WITNESS: Could you just repeat -- 14 you're saying the exterior? 15 ATTORNEY SILBERT: Yeah. I just 16 wanted you to confirm that my representation that 17 the architectural design that is being proposed this 18 evening is very similar to what was proposed and 19 approved back in 2018. 20 THE WITNESS: It is very similar. In 21 fact, the WoodSpring, I don't know that it commonly 22 has a flat roof, but the Residence had a flat roof. 23 We changed this to make sure it had a flat roof to 24 match what was originally approved. And again, 25 going back to the materials and even down to the

J. McKay 22 1 colors that were approved in 2018 for the Residence, 2 same colors on the building. 3 So, effectively, we have a little 4 smaller box that looks the same, that's going to 5 have a different sign on it. I mean that's really 6 what we're trying to do here. 7 ATTORNEY SILBERT: And going back to 8 the 2018 approval, the board asked questions based 9 on the resolution. The board asked questions and it 10 was the testimony of the applicant then, that this 11 architectural design would fit well within the other 12 proposed designs for the other buildings on the 13 property. 14 Do you still believe that's the case 15 today? 16 THE WITNESS: Yes, that's correct. 17 And we worked very tiresomely on getting the look of 18 the building to appease the neighborhood and the 19 Township of Bridgewater. There's no doubt about 20 that. 21 ATTORNEY SILBERT: So is it your 22 opinion that the aesthetics component to this 23 application was already -- was already reviewed and 24 approved by the board back in 2018, and what you're 25 proposing today mimics that approval as much as	J. McKay 24 1 compared to the new footprint in red. 2 COUNCILMAN KIRSH: Okay. Because, and 3 I'll tell you, I'll telegraph where I'm going with 4 this; I was not on the board in 2018. I don't think 5 any of us -- I know none of us were. Obviously, you 6 know, we stand by whatever action was taken and now, 7 you know, six years later, you know, we iterate to 8 the next opportunity. 9 I'm definitely particularly interested 10 in understanding, you know, how both the letter of 11 the resolution from 2018, as well as the intent, is 12 still being satisfied here. Because I know there 13 were concerns about berms and about privacy and 14 about trees and fences and, you know, there was a 15 lot that came out at that hearing. 16 You know, I was not there, but, you 17 know, I did some diligence in trying to speak with 18 those who were, and I just want to make sure that, 19 you know, both the letter and the intention remains 20 in place, or through this hearing we can make sure 21 that they stay in place. 22 THE WITNESS: That would be our 23 absolute intention is to honor all of those 24 requirements that were previously instated on the 25 site plan application.
J. McKay 23 1 reasonably possible? 2 THE WITNESS: Yes, that's correct. 3 ATTORNEY SILBERT: Okay, great. 4 So I'll turn it back to you, 5 Mr. Chairman, and the board, if they have any 6 questions about, you know, as to the background as 7 to why we're here, any questions on Mr. McKay's 8 testimony. 9 CHAIRMAN VESCIO: Thank you, 10 Mr. Silbert. 11 Any questions from our board regarding 12 the testimony we just heard? 13 COUNCILMAN KIRSH: Yeah. I just have 14 a clarifying question. 15 So you said -- you said affectionately 16 the box is a little smaller. Is it largely in the 17 same location? 18 THE WITNESS: It is. And we will get 19 into more of the specifics. I think that's what our 20 engineer is here to do. But I, again, just wanted 21 to provide a little bit of background on -- he has a 22 very good depiction here of the -- 23 ATTORNEY SILBERT: Counsel, can you 24 see this? 25 THE WITNESS -- the old footprint	J. McKay 25 1 COUNCILMAN KIRSH: And to the extent 2 that the building has, you know, shifted or moved or 3 something is different, you know, that -- you know, 4 there be kind of new guidance that follows the same 5 spirit, is what I'm trying to say. 6 THE WITNESS: Well, we haven't shifted 7 the building at all. In fact, it sits right within 8 the old footprint. 9 COUNCILMAN KIRSH: Okay. 10 THE WITNESS: And it's a smaller 11 footprint. And the building itself, of course, the 12 guest rooms, they're a little bit smaller, but we'll 13 speak to that as we move forward. 14 COUNCILMAN KIRSH: Thank you. 15 CHAIRMAN VESCIO: Thank you, 16 Councilman. 17 PLANNER SARMAD: I'm sorry, just to 18 add, Mr. Kirsh, some background. 19 About eight months ago or so, 20 representatives -- these same representatives from 21 this applicant team had come in and basically met 22 with the professionals in the township to better 23 understand if they did need amended site plan 24 approval based on the changes that they were 25 requesting, which now this is the subject

J. McKay 26 1 application so, obviously, the answer to that 2 question was, yes, they did. 3 So there was a thorough review of the 4 resolution, the prior architectural plan, the prior 5 building layout, which essentially the decision was 6 that they would need amended approval, which is 7 exactly why they're here tonight, is that they are 8 seeking basically a new approval that would then 9 change what was approved in the past. 10 And I will say that, I think upon 11 comparing, they were true to their word, they are 12 similar in the nature of them. It's just that the 13 actual size -- the scale and size of the building is 14 much smaller than what was previously approved. 15 And some of the amenities within the 16 building that were part -- that were specifically 17 cited in the resolution are no longer proposed. As 18 they've mentioned, I think it's an economics 19 function of why those have been changed and scaled 20 back. 21 But essentially that's why they are 22 before this board. If they had just made some minor 23 changes, they could actually have gone through, even 24 with a different brand name, likely, without an 25 amended approval; they would have worked under the	J. McKay 28 1 -- what was in error would have been a reduction in 2 height, but we're not adjusting the approved height 3 of SpringHill. 4 MEMBER CHOUDURY: So the new height is 5 46 feet? 6 ATTORNEY SILBERT: Yes. And I believe 7 the old height was, I'll confirm, but I believe it 8 was 46 feet. 9 They're the same heights? 10 THE WITNESS: Yeah. We are not trying 11 to do anything deviation-wise with the original 12 approval other than change the brand name. 13 MEMBER CHOUDURY: Thank you. And then 14 the next -- 15 ATTORNEY SILBERT: The only variance 16 we're seeking, just in case I didn't say it or I 17 said it too fast, is there's a required buffer under 18 126-314.1F, where the buffer for the principal 19 building is proposed at 94.11 feet, where 125 feet 20 is required. And previously approved was 90 feet. 21 So the only variance or deviation we're 22 seeking is an improvement to a previously received 23 variance. 24 MEMBER CHOUDURY: So basically 25 improved by 4 feet for these, right?
J. McKay 27 1 other. 2 So this whole amended approval really 3 is related to the magnitude of the changes that they 4 are proposing, and that they do deviate from the 5 original resolution. 6 CHAIRMAN KIRSCH: Okay, understood. 7 CHAIRMAN VESCIO: Thank you, Ms. 8 Sarmad. Mr. Choudhury? 9 MEMBER CHOUDHURY: The new variance, 10 the height -- the height particularly, you don't 11 explain. The height is not a variance, it's 12 becoming 46, not a 49 as it shows here, right? 13 ATTORNEY SILBERT: Yes. There were 14 two mistakes; one was made by me where when I saw 15 the change on the zoning data table between the 2018 16 approval to what we are proposing this evening, when 17 I saw that number changed, I had thought that was in 18 reference to this proposed building. That was an -- 19 in error, there is no relief requested for this 20 proposed building as it relates to height. That 21 height variance was with respect to the other hotel, 22 SpringHill Suites. 23 So I apologize for the confusion on our 24 part, but it's a good thing because we're not 25 changing the height variance. Although what we were	J. McKay 29 1 ATTORNEY SILBERT: Yes. 2 MEMBER CHOUDURY: So now there's only 3 one variance then, not the two? 4 ATTORNEY SILBERT: Correct. 5 MEMBER CHOUDURY: Okay. Thank you 6 very much. Nothing else. 7 CHAIRMAN VESCIO: Thank you, 8 Mr. Choudury. 9 Any other questions? Ms. Sarmad? 10 Mr. Burr? 11 ENGINEER BURR: I just had two quick 12 questions, Mr. Chairman. 13 So just for reference, I think what 14 we're talking about is the old Days Inn site on 15 Route 22, between the Open Road Mercedes and the old 16 Houlihan's. And the prior approval included two 17 hotels and, I believe, three commercial pad -- or 18 retail pad sites along 22. 19 So what we're talking about tonight is 20 the hotel that is most southerly or furthest into 21 the site that is positioned parallel to Route 22. 22 So my question for Mr. McKay is, as far 23 as Tharaldson is concerned, is your interest only in 24 the WoodSpring Suites Hotel, or do you have a 25 controlling interest or stake in any of the other

J. McKay 30 1 portions of the project? 2 THE WITNESS: So, yes, currently we 3 own the -- I guess it's 13 acres. We purchased the 4 land back in the time we were seeking the original 5 approvals. 6 The ownership structure and what occurs 7 from here, I guess, are unknown at this point. It 8 will depend on what we can get for approvals here. 9 ENGINEER BURR: And the follow-up 10 question to that is, it's no secret that this site 11 has been in the condition that it's in right now in 12 a semi-completed -- from a site improvement 13 perspective, semi-completed for probably going on 14 three years. 15 So I'm curious, if this was to be 16 approved, this amendment, is this going to be a 17 springboard -- no pun intended -- for building out 18 the rest of this site, or is the town looking at a 19 site that is going to be somewhat in transition or 20 kind of status quo for the foreseeable future? 21 THE WITNESS: Well, I can speak to 22 what occurred over the past four or five years and 23 that was the pandemic. That's why you saw what you 24 saw. 25 We did demolish the Days Inn and we	J. McKay 32 1 "possibly." 2 THE WITNESS: Yeah. You know, there's 3 a Developer's Agreement that is tied into this, as 4 you're aware. And there's certain activities that 5 need to occur timing-wise for, for instance, the 6 commercial to start. 7 The SpringHill is permitted and the 8 intentions are to get started on that project. We 9 have fenced the site and we're waiting on some 10 financing arrangements. 11 And then again, the WoodSpring, pending 12 approval, we would need to get the hotel drawn, get 13 the plans drawn and into the township for approval. 14 And that's probably a -- that could be an eight, 15 nine-month process, I don't know. And ideally we 16 would start immediately after that. 17 COUNCILMAN KIRSH: So looking at the 18 two hotels right now as we speak, the SpringHill is 19 more ready to go? 20 THE WITNESS: Correct. 21 COUNCILMAN KIRSH: Okay. But from a 22 financial and other standpoint, it's not moving 23 ahead right now? 24 THE WITNESS: Well, I wouldn't say 25 that it's not moving ahead. In fact, the site was
J. McKay 31 1 were prepared to start, fully start. And it was a 2 lengthy approval process, it was. And by the time 3 it was ready to get going and get started, we were 4 smack-dab in the middle of COVID-19. And people 5 weren't even working, let alone building a new 6 hotel. That's what happened. 7 And thankfully for the township, you 8 got the Days Inn leveled, you know, and a clean site 9 for a while. And our goal is to get this approval 10 and we need a domino to tip here and get one going 11 and get moving on the project. 12 COUNCILMAN KIRSH: But on that same -- 13 sorry, Mr. Chairman. 14 On that same line of questioning, you 15 know, this project is further ahead than the 16 SpringHill, further ahead than the retail in the 17 front, correct, in terms of priority? 18 THE WITNESS: In what regard? 19 COUNCILMAN KIRSH: Well, in terms of 20 timing? You know, I mean, I guess the SpringHill is 21 fully approved, it's not built. The retail is fully 22 approved, is not built. 23 You know, we're here talking about this 24 one. It feels like a step -- is it accurate this is 25 possibly a step one? And I think your answer was	J. McKay 33 1 fenced a matter of three, four weeks ago when I was 2 here. So they are, they are getting moving on that 3 one. 4 CHAIRMAN VESCIO: Thank you, Councilman 5 Kirsh. 6 Any other questions? Any questions 7 from our professionals? 8 At this time I would like to ask any 9 members of the public wishing to ask a question 10 based on the testimony we just heard, please feel 11 free to come forward at this time. 12 And if I could just reiterate, we're 13 asking questions at this stage. There will be an 14 opportunity later on for general comments. Thank 15 you. 16 LARS KNUDSON: Understood, thank you. 17 My name is Lars Knudson, L-A-R-S, K-N-U-D-S-O-N, 104 18 Chelsea Way, here in Bridgewater. I am also the 19 president of the board of trustees of Chelsea 20 Village Condo Association. And I am an attorney 21 admitted in New Jersey. 22 In the interest of time, I did have a 23 number of questions related to the impervious 24 coverage, the specific site changes, any changes in 25 the lighting, landscaping, and specific to the --

J. McKay 34 1 the brand, WoodSpring Suites. 2 Are you prepared to answer those 3 questions or -- 4 THE WITNESS: I believe that's a great 5 segue for possibly our next witness. 6 LARS KNUDSON: Say again? 7 THE WITNESS: I say that's probably a 8 good segue to introduce our next witness to explain 9 those items to you. 10 LARS KNUDSON: Great. If that's the 11 case then I will reserve my questions until the next 12 witness. 13 CHAIRMAN VESCIO: Very good. 14 JOHN KULAK: John Kulak, 13 Ramsey 15 Street in Bridgewater. And I am here as a resident 16 tonight. I have been a resident of the FINDERNE 17 section of Bridgewater for pretty much my whole 18 life. 19 When I was looking at your amended 20 plan, you are trying to present this -- or you are 21 presenting this, I should say, as a let me move one 22 building aside and put in another building and 23 everything else should remain the same. But the 24 planning board originally approved both the brand 25 and the building itself.	J. McKay 36 1 plan? 2 THE WITNESS: Correct. 3 JOHN KULAK: And when you -- and this 4 is a question both for the board and, I guess, the 5 township professionals. But because you're asking 6 for a new approval, are you subject to newer 7 requirements as they pertain to stormwater 8 management, stormwater runoff and things like that? 9 Because you're not really transferring the old 10 approval to this building, but rather you're getting 11 a new approval and seeking the variances that you 12 requested. 13 So I don't know who should better 14 answer that question but I'm wondering, since 15 there's a change, are you now subject to the newer 16 requirements? 17 ATTORNEY SILBERT: So I can -- from 18 our side, we can have our civil engineer answer that 19 question. I'll note that -- I'll let our civil 20 engineer answer the question. 21 JOHN KULAK: Okay. One last thing. 22 There was some errors in the documents submitted 23 with the wrong address, have they all been 24 corrected? 25 ATTORNEY SILBERT: So what you're
J. McKay 35 1 You alluded to the fact that the brand 2 changed because of the economics of the world had 3 changed and you selected this brand. Could you tell 4 us more about the brand? 5 Because my understanding is that it's 6 quite a step down from the Residence Inn or, 7 alternatively, the other property which will be 8 built. It's no longer a Marriott property but 9 another brand. 10 So can you talk a little bit about 11 that, please? 12 THE WITNESS: Again, I think I'll 13 reserve that for our next witness. They are the 14 experts with the brand, with WoodSpring Suites, and 15 that's why we teamed up with them so. 16 JOHN KULAK: And your decision, 17 however, was, as you stated, an economic decision? 18 THE WITNESS: Correct. 19 JOHN KULAK: Is this, in its nature, a 20 long-term residence compared to what we're more used 21 to with hotels where people come, stay a few days 22 and leave, go about their business? 23 THE WITNESS: I believe it is, yes. 24 JOHN KULAK: And would they be, then, 25 better able to speak to that as they discuss their	J. McKay 37 1 referring to is the subject line in the application 2 letter referenced the property at 202. All of the 3 actual application materials, with the exception of 4 the subject line of the letter, referenced the 5 correct address. That was an error on my part, 6 likely because of the other application. 7 But we did send notice out to 8 approximately 200 people, properly identifying the 9 correct address. If anybody as -- you know, the 10 township puts the documents that we submitted on the 11 website as a courtesy. If anyone read through the 12 letter, they would see the correct address and all 13 the plans have the correct address. 14 So I do apologize for that error. 15 JOHN KULAK: Thank you. All I'm 16 suggesting is that, to the extent that they need to 17 be corrected, that you will have done that and 18 submitted those documents correctly? 19 ATTORNEY SILBERT: I would say that 20 they -- the cover letter is probably -- is not a 21 document that would ordinarily be corrected. If it 22 was the amended site plan or actual application, I 23 would totally agree that they would need to be 24 remedied but just as far as -- it's just 25 correspondence.

J. McKay 38 1 So I don't know how to rectify that. 2 It's not an official document, I would say, it's 3 just a cover letter that accompanied the actual 4 application. 5 JOHN KULAK: I appreciate that. It 6 was just a little confusing. 7 ATTORNEY SILBERT: Understood, and I 8 apologize for that. I certainly wasn't trying to, 9 you know, mislead anyone. 10 JOHN KULAK: No, I didn't think that. 11 ATTORNEY SILBERT: It was purely a 12 typo. 13 JOHN KULAK: And I would like to 14 reserve the rest of my questions as we have the 15 additional witnesses speak. 16 COUNCILMAN KIRSH: Actually on that 17 subject, for Mr. Peck, are you satisfied that notice 18 is still in good order and we can be proceeding? 19 ATTORNEY PECK: Notice was proper and 20 conformed with all the statutory requirements. 21 COUNCILMAN KIRSH: Okay. 22 ATTORNEY PECK: And that was a typo in, 23 you know, the subject line of their submission which 24 is unfortunate because it was confusing, I mean, I 25 looked at it, too. But from a notice standpoint,	J. McKay 40 1 satisfied that not just that the law was followed -- 2 and it seems as though it was -- but that also our 3 efforts to be fully transparent, that that goal has 4 also been met. 5 ATTORNEY SILBERT: Understood. I do 6 understand that. 7 ADMINISTRATOR PROBST: Councilman 8 Kirsh, if I might, there was a typo on the agenda 9 which mirrored the typo in the transmittal letter. 10 So the agendas had also said "Route 202." It was 11 amended, reposted and then rectified. 12 COUNCILMAN KIRSH: Okay. So 13 essentially in Version 1 it was incorrect, but then 14 in an update it was correct? 15 ADMINISTRATOR PROBST: Correct. 16 COUNCILMAN KIRSH: So if I were to go 17 on the website now, which I won't, it states it 18 correctly? 19 ADMINISTRATOR PROBST: To my 20 knowledge. I forwarded it this morning to be 21 reposted to the webmaster so. 22 ATTORNEY SILBERT: And I will just 23 add, just to hopefully conclude this portion of the 24 hearing, but I have been on your side. This doesn't 25 happen in Bridgewater because Nancy does such a good
J. McKay 39 1 they're fine; notice was proper. 2 COUNCILMAN KIRSH: Okay. And, in 3 addition, our notice to the public beyond the 4 200-foot statutory requirement, are we satisfied 5 that that -- that has been sufficient? Because, 6 again, we operate with only the highest integrity 7 and transparency here. 8 ATTORNEY PECK: I'm satisfied that it 9 is. 10 COUNCILMAN KIRSH: Okay. 11 ATTORNEY SILBERT: I would just say I 12 don't think I have ever -- thus far in my career, I 13 have never provided 200 notices, so that was a long 14 and arduous process. But I can assure you that the 15 residents that are certainly most impacted by this 16 change they were notified 100 percent so -- and 17 100 percent accurately. 18 COUNCILMAN KIRSH: No, and I don't 19 doubt that. But I also have just the concern, you 20 know, that we're notifying the public also, through 21 our website and, you know, thorough any other 22 channels. We have an email blast that goes out to 23 those who are particularly concerned and interested 24 about Land Use matters. 25 So I just want to make sure that we're	J. McKay 41 1 job, but it's not uncommon that you can have an 2 agenda with a minor typographical error. It's 3 certainly not fatal, from the applicant's 4 perspective, to moving forward with their 5 application. 6 Although I totally understand and 7 respect, Councilman, where you're coming from as it 8 pertains to transparency. If perhaps this was a 9 different application and where we're going in anew 10 and didn't already have an approval here, perhaps it 11 would be a different situation. But, again, we're 12 looking to adjust the footprint of a previously 13 approved hotel. 14 COUNCILMAN KIRSH: Okay. And actually 15 since -- I don't want to belabor the point, I know 16 we have limited time -- you know, there seem to be 17 some residents from the Chelsea Development 18 property -- excuse me, the Chelsea property. There 19 is also, so within your 200 feet are at least some 20 of the residents on what I'll just affectionately 21 call "the college streets," that would be to the 22 east. They are -- I didn't look at that part of the 23 packet, I apologize. 24 ATTORNEY SILBERT: That's okay. 25 COUNCILMAN KIRSH: I assume that you

J. McKay 42 1 hit some number of those residents as well? 2 ATTORNEY SILBERT: I would have to go 3 back and look at the notice list. I would assume 4 that they weren't all Chelsea residents, but I don't 5 recall. I would have to go double-check. 6 COUNCILMAN KIRSH: Is that in the 7 packet? Because I'm going to look for it. 8 ATTORNEY SILBERT: It was provided to 9 the board with our Affidavit Service and the 10 initial -- 11 COUNCILMAN KIRSH: All right. 12 ATTORNEY SILBERT: Actually the list 13 that was provided to me by your tax assessor was 14 included in the initial application submission. 15 COUNCILMAN KIRSH: Okay, all right. 16 ATTORNEY SILBERT: So you do have a 17 copy actually of that. I apologize. 18 ADMINISTRATOR PROBST: Councilman 19 Kirsh, I personally checked Mr. Silbert's proofs and 20 they were accurate. 21 COUNCILMAN KIRSH: And it does 22 include, again, what I affectionately call "the 23 college streets," like Stanford, Dartmouth? 24 ADMINISTRATOR PROBST: There were 25 quite a few. I can't attest to...	J. McKay 44 1 MITCH ZAYTOUN: Thank you. 2 CHAIRMAN VESCIO: Thank you. 3 Anyone else? 4 Okay, that will close the public 5 portion for this witness. 6 Mr. Silbert, would you like to call 7 your next witness? 8 ATTORNEY SILBERT: I would. I just 9 have an idea. I just want to clarify something, and 10 I could speak with Mr. Peck about it, but my 11 understanding is that with an amended site plan 12 application it's not really treated as though it's 13 an application -- or a new application; it's an 14 amendment to a previous approval. 15 And I point that out because routinely 16 applicants come in, they get approval, and then 17 things happen and they realize they need to make an 18 adjustment. And if the applicant wasn't afforded 19 the opportunity to reappear before the board, a lot 20 of times they would not do that, if they had to come 21 in with a brand-new application. 22 So I just wanted to point out one 23 clarifying component to this, that I don't think 24 it's appropriate for the board to treat this as a 25 brand-new application; they should treat it as an
J. McKay 43 1 COUNCILMAN KIRSH: Okay, as long as -- 2 ADMINISTRATOR PROBST: They were 3 outside of the -- 4 ATTORNEY PECK: There are some 5 Dartmouths on here, though. 6 COUNCILMAN KIRSH: Terrific. 7 CHAIRMAN VESCIO: Any other questions 8 for Mr. McKay? 9 MITCH ZAYTOUN: Good evening. Mitch 10 Zaytoun, Z-A-Y-T-O-U-N, 130 Chelsea Way in 11 Bridgewater. I have been a resident here for 12 20-plus years. 13 I do have some questions. It looks 14 like they're more civil so, but there's one question 15 that I wanted to ask based on the testimony that 16 there was, you said you had roughly 80 hotels; is 17 that what the number was? 18 THE WITNESS: We have 88 currently. 19 MITCH ZAYTOUN: Out of those 88, how 20 many back up against residential homeowners? 21 THE WITNESS: I wouldn't have a count 22 for you. I'm not sure. 23 MITCH ZAYTOUN: Is that something you 24 can provide to the board? 25 THE WITNESS: I could, yes.	J. McKay 45 1 amendment to a prior approval. 2 ATTORNEY PECK: Well the board's 3 analysis should really be constrained to deviations 4 from the previously approved plan. 5 ATTORNEY SILBERT: Correct. 6 ATTORNEY PECK: And what kind of 7 impacts that would be, so if they're proposing 8 changes -- if they're proposing changes, say, to the 9 internal site circulation, that would be a good 10 question of inquiry or the stormwater-type 11 questions. 12 But if there's no deviation from the 13 past approval and they've perfected their approval, 14 then it's really -- you know, in my opinion, it 15 wouldn't be appropriate -- and certainly we're not 16 here to relitigate a previous approval. 17 ATTORNEY SILBERT: Thank you. That is 18 what I was trying to say. 19 But anyway, Mr. Chairman, I do have 20 what I think might be a timely solution. I have two 21 witnesses, both from Park Silver Development. If 22 you, Mr. Chairman, and the board would allow me to 23 do so, I would like to introduce both of them. 24 I would ask them questions. I think it 25 would be beneficial for the public, that way they

J. McKay 46 1 don't have to wait for the witnesses doesn't say, 2 "Well, he's going to answer it." 3 So if it's okay, I would like to call 4 both of the witnesses and just pose some questions 5 to them. If that poses a problem, I don't have to 6 do that. 7 CHAIRMAN VESCIO: I assume we can try 8 that, sure. 9 ATTORNEY SILBERT: Thank you. 10 CHAIRMAN VESCIO: As long as we don't 11 get confusing, I think that should be fine. 12 ATTORNEY PECK: And we'll just ask 13 them each identify their roles, their roles with the 14 applicant. 15 TERRY O'BRIEN: Hi, I'm Terry O'Brien, 16 I'm a Regional Director -- excuse me, Regional 17 Vice-President of Real Estate. And I'm the guy that 18 goes out and identifies the sites to build these 19 hotels. 20 ATTORNEY PECK: Are you with 21 WoodSpring? 22 TERRY O'BRIEN: I'm sorry. I'm with 23 Park Silver Development. 24 WoodSpring is the franchise company and 25 that's part of Choice Hotels, which is the second	T. O'Brien / G. Heflin 48 1 group; you heard some of the public questions or 2 comments about their concerns here so why don't you 3 start off and tell the board a little bit about 4 WoodSpring Suites. 5 TERRY O'BRIEN: Sure. 6 ATTORNEY SILBERT: Obviously there was 7 concern about the difference between what was 8 previously approved and as far as the user goes. 9 TERRY O'BRIEN: As I was saying, 10 WoodSpring is an extended stay hotel. It's part of 11 Choice Hotels. Choice is the second largest hotel 12 company in the world, 7,000 units across the world. 13 And this falls under the Extended Stay Group of 14 Choice and they have got -- Choice has 20-plus 15 brands overall, and they have got a couple of 16 extended stay brands and WoodSpring is one of their 17 extended stay brands. 18 You know, the brand is a little 19 different than Residence Inn, as has been spelled 20 here by Mr. McKay earlier. It doesn't have a pool. 21 It doesn't have a meeting space or a restaurant or 22 bar. It's really a rooms-only product. And the 23 customer that stays there is -- that's what they're 24 looking for. 25 I mean, a good example of who would be
T. O'Brien / G. Heflin 47 1 largest hotel company in the world with over 7,000 2 units. 3 GREG HEFLIN: And I'm Greg Heflin. 4 I'm also a Regional Vice-President with Park Silver 5 Development. And I pick up where Terry leaves off 6 with identifying the site and entitling it, hiring 7 any consultants and professionals to design it and 8 permit it. 9 10 G R E G H E F L I N, previously sworn, testifies 11 as follows: 12 13 T E R R Y O ' B R I E N, previously sworn, testifies 14 as follows: 15 - - - 16 E X A M I N A T I O N 17 - - - 18 ATTORNEY SILBERT: So, Greg, is it 19 fair to say that I should direct questions more to 20 you about the elevations and the floor plans and -- 21 would you agree with that? 22 GREG HEFLIN: Yes. 23 ATTORNEY SILBERT: And, Mr. O'Brien, 24 would you agree that you're in a position, you can 25 answer some questions about background of the hotel	T. O'Brien / G. Heflin 49 1 staying there, traveling nurses, who come in to work 2 in the hospital for three to six months at a time on 3 contract, need a place to stay. They probably still 4 have their own apartment, but they come in, they 5 stay at the hotel for a week at a time and then they 6 go back. Or consultants who come in, that are 7 working on big projects. 8 Even displaced people that have been 9 either burnt out of their home, maybe flooded out of 10 their home. And we have got the great example, 11 which is down in Asheville, North Carolina, which as 12 we all know went through a very bad time recently. 13 And we have got a lot of people staying in the hotel 14 that have been displaced out of their homes. 15 So it's not your typical hotel that 16 Greg or I, when we're on the road, go and stay for 17 one or two nights and then you move on. It's a 18 little different customers base. 19 And extended stay hotels, in the last 20 25 years, is by far the fastest growing segment of 21 the hotel industry. You would probably recognize 22 brands a little more like -- well, Residence Inn, 23 certainly, but TownePlace Suites, Home2Suites, 24 Candlewood Suites, Mainstay Suites. All these 25 hotels are, in the hotel vernacular, are extended

T. O'Brien / G. Hefflin 50 1 stay hotels. 2 Are all the people staying there 3 extended stay people? No. They get regular 4 customers who stay there too. But it has a small 5 two-top burner and a small refrigerator and a 6 microwave. And so if you wanted to stay there and 7 cook, you know, heat up a macaroni and cheese or 8 whatever, you can do it. But that's kind of an 9 explanation or short answer to what this product is. 10 You know, it will be a \$16 or \$17 11 million development. It's a first-class piece of 12 real estate. And it's not -- as I say, it's not a 13 Residence Inn, it's not a Ritz-Carlton, but it's a 14 nice property and, you know, we really look forward 15 to coming into your community and developing here. 16 ATTORNEY SILBERT: So you had 17 mentioned some of the other extended stays or 18 comparisons. In your opinion, in terms of quality, 19 how does this hotel compare to your examples, in 20 your opinion? 21 TERRY O'BRIEN: Well, in this segment 22 it's in a mid-tier property. It's a mid-tier 23 property. So against any of those, it's -- I think 24 it's won the J.D. Power Award for the last three or 25 four years, if I'm right, Greg --	T. O'Brien / G. Hefflin 52 1 vacation necessarily. They're here to work. 2 They're here to train. They're here as military. 3 They're here as nurses. They're out the door in the 4 morning, they're back at night. 5 They utilize the amenities outside of 6 the hotel; the restaurant down the street, the bar, 7 the lounge, the shops, et cetera, et cetera. And we 8 don't try to keep our guests in; they're out and 9 about doing their work. They're just here for that 10 basis. 11 ATTORNEY SILBERT: And, Greg, if I 12 could just ask you a little bit more specifically 13 about this proposed building, how many rooms are 14 there per floor, if you know an approximate number? 15 And if you need my cheat sheet, you're welcome. 16 GREG HEFLIN: No. So we're 26 17 floors -- 26 rooms on the first floor and 32 rooms 18 on the other three floors. 19 ATTORNEY SILBERT: And could you just 20 talk a little bit about the location of the 21 stairwells and the elevators? 22 GREG HEFLIN: Yes, we have one. As 23 you enter the lobby, there is the guest check-in and 24 security door. There's a small lobby where you can 25 gather and eat and get coffee in the morning.
T. O'Brien / G. Hefflin 51 1 GREG HEFLIN: That's correct. 2 TERRY O'BRIEN: -- as the number one 3 extended stay product. So I think that should 4 answer the question. 5 ATTORNEY SILBERT: Thank you. 6 So one of the questions in the 7 professional reports -- or in the professional 8 report is basically, you know, you're reducing the 9 footprint size but you're maintaining relatively the 10 same number of rooms with a slight decrease. 11 So turning now to the floor plans, can 12 you just talk about what a typical room layout looks 13 like, walk us through a typical room. 14 GREG HEFLIN: So as Terry pointed out, 15 they're very similar to a Residence Inn, just on a 16 smaller scale. We have a kitchenette, bed area, 17 sleeping area, a bath, shower, et cetera, a lounge 18 or living area. We're a little bit smaller on a 19 per-room basis. 20 The major deviation on the square 21 footage has to do with the amenity space. We don't 22 have an indoor pool. We don't have a gatehouse. We 23 don't have a breakfast area. 24 As Terry pointed out, these are a 25 different customer. They're not here to be on	T. O'Brien / G. Hefflin 53 1 You go beyond that, there is a fitness 2 center, there's guest laundry. There's one 3 elevator. That's kind of our core. There's two 4 elevator shafts -- sorry -- two stair shafts, one on 5 either end of the building. 6 We meet all the codes for New Jersey 7 and the other places that we develop across the 8 country. 9 ATTORNEY SILBERT: So you just hit 10 another point I was going to ask you. So although 11 you're eliminating the indoor pool here and some of 12 the conference rooms, it's not as though you're 13 proposing a building with no amenity space; there's 14 still amenity space here, right? 15 TERRY O'BRIEN: That's correct. We 16 include the amenity space that our guests seek out. 17 They want to do fitness on-site, they want to grab a 18 coffee. They want to do their laundry if they're 19 staying for an extended period of time, which I 20 think our average stay is 11 nights where the 21 Residence Inn was about three to four nights. 22 And so we provide the amenities that 23 our guests seek out, but not the ones that they 24 don't want to pay for. 25 ATTORNEY SILBERT: Thank you.

1 And then Mr. McKay had testified to and
2 I made in my opening remarks, that the architectural
3 style, materials, that they were heavily influenced,
4 if not substantially similar to what was previously
5 approved. Do you concur with that testimony you
6 heard and my representation?

7 GREG HEFLIN: Yes.

8 ATTORNEY SILBERT: And is this a
9 customary design for WoodSpring Suites? I'm
10 referring to the elevations that were submitted.

11 Speak to that a bit.

12 GREG HEFLIN: That's not our
13 prototype. We would normally have a pitched roof,
14 more of a residential look. To mimic the Residence
15 Inn, we have a flat roof. That is allowed by
16 Choice, but we have chosen to mimic the Residence
17 Inn with that look.

18 We have added color variation, Hardie
19 plank on the exterior and I believe that we have a
20 stacked-stone look on the base on the first floor.

21 ATTORNEY SILBERT: Okay. So is it
22 fair to say in recognition of the previous approval
23 that you really made a strong effort to incorporate
24 or mimic the previously approved Residence Inn?

25 GREG HEFLIN: Yes, we did.

1 ATTORNEY SILBERT: Thank you. I don't
2 have any --oh, actually, one more question.

3 I don't know which one would be
4 appropriate to answer. I think you, Greg. But just
5 provide some details on the number of full-time and
6 part-time employees, typical shifts for WoodSpring
7 Suites, if you would.

8 GREG HEFLIN: Yeah, so we
9 typically have -- I think we have shown four
10 employees on the peak shift and then four employees
11 on the after shift; we usually have a general
12 manager who also does sales, an assistant manager, a
13 maintenance engineer and a housekeeper.

14 TERRY O'BRIEN: Just to add, I was just
15 going to say in this operation the employees tend to
16 wear several hats; you know, where they're needed,
17 that's the job they tend to do, which is good
18 because you can cross-train your employees and gives
19 them good experience, too, that they can take into
20 the industry further.

21 ATTORNEY SILBERT: Thank you. I have
22 no further questions, Mr. Chairman.

23 If the board or professionals have
24 questions, please...

25 CHAIRMAN VESCIO: Thank you,

1 Mr. Silbert. I would like to open to our board for
2 any questions on the testimony you just heard.
3 COUNCILMAN KIRSH: Oh, all right. I
4 have several. And I guess one of them is, first, to
5 Mr. Peck.

6 So this property is zoned hotel,
7 correct?

8 ATTORNEY PECK: Correct.

9 COUNCILMAN KIRSH: Is there a
10 delineation when we zone for a hotel, what type of a
11 hotel it is, whether it's a standard product, an
12 extended stay product?

13 ATTORNEY PECK: No, you can't.

14 COUNCILMAN KIRSH: We permit a hotel
15 in a particular place and as long as what you do
16 meets that definition, you can build a hotel there?

17 ATTORNEY PECK: You can't say it
18 permits fast food restaurants but will only allow
19 McDonald's and not Burger King.

20 COUNCILMAN KIRSH: Well, but with that
21 analogy, you know, it's not we allow McDonald's but
22 not Burger King; we allow fast food but you can't be
23 an elegant restaurant or vice-versa. I mean, like
24 should we think of a hotel is a hotel, as long as it
25 meets the definition it's permitted?

1 ATTORNEY PECK: A hotel is a hotel --
2 a hotel is a hotel.

3 COUNCILMAN KIRSH: Okay.

4 PLANNER SARMAD: Sorry, just to
5 interject, the zone permits hotels and motels, so
6 it's more broad than just...

7 COUNCILMAN KIRSH: And the reason I'm
8 going there -- there's a reason. The reason -- the
9 reason I'm going here is, going back to 2018, this
10 specific property was identified as an extended stay
11 hotel under the Residence Inn brand, correct?

12 ATTORNEY SILBERT: I don't -- hold on.
13 Was it an extended stay under Residence Inn?

14 JEFF MCKAY: I believe just Residence
15 Inn. Residence Inn is traditionally an extended
16 stay brand.

17 COUNCILMAN KIRSH: By it's definition,
18 Residence Inn is in the extended stay category?

19 ATTORNEY SILBERT: Correct.

20 COUNCILMAN KIRSH: So what you are
21 asking to do is it's almost -- it's almost
22 independent of extended stay because Residence Inn
23 was approved as a Residence Inn; you are asking,
24 okay, shift that approval to this brand?

25 ATTORNEY SILBERT: Right. I don't --

T. O'Brien / G. Heflin 58 1 exactly. I don't know if there was tremendous -- I 2 wasn't there so I don't know, and I couldn't take it 3 away from the resolution. I don't know if there was 4 significant focus in 2018 as to whether the 5 Residence Inn was an extended stay, but my 6 understanding is hat it is an extended stay. 7 Even though the board may not have 8 focused on it, we're saying, okay, we're replacing 9 it with another extended stay hotel. 10 COUNCILMAN KIRSH: You're saying it's 11 a like product, you know, albeit based on the 12 testimony a Residence Inn, the average person is 13 there three to four nights, yours is more like 11? 14 TERRY O'BRIEN: Right. 15 COUNCILMAN KIRSH: Okay. I guess what 16 I would like to understand from the length of the 17 stay is, is there a maximum? I mean, could someone 18 stay at this hotel for, like, a year? 19 TERRY O'BRIEN: That's a good 20 question. Unless there is a local restriction on 21 that, which we have seen in some municipalities, to 22 be honest, yeah, somebody could stay there -- some 23 of the municipalities we have worked in they have a 24 30-day stay, and then they check out and then they 25 have to re-check in or whatever.	T. O'Brien / G. Heflin 60 1 Most extended stay hotels have that ability for them 2 -- for a person to stay at a hotel for a year or 3 more or less. With the Residence Inn and the 4 WoodSpring Suites it would be the same opportunity. 5 But, we, in the industry we have a 6 term called ESOC, which is extended stay occupancy 7 and you see that without any extended stay. People 8 stay for long periods of time in a Hampton Inn. 9 COUNCILMAN KIRSH: You could go to the 10 Marriott by the mall and stay for a year. 11 TERRY O'BRIEN: Expensive but you 12 could. 13 GREG HEFLIN: You could absolutely do 14 that. 15 COUNCILMAN KIRSH: What's that? 16 TERRY O'BRIEN: It would be expensive 17 but you could. 18 COUNCILMAN KIRSH: I guess, here is 19 kind of where I'm headed. At what point could 20 somebody be at your property, potentially have 21 children with them at the property, right, and then 22 we absorb a responsibility to educate children? 23 TERRY O'BRIEN: Well, I mean, I don't 24 know how often that would happen. But to Greg's 25 point, you may have that in some of the existing
T. O'Brien / G. Heflin 59 1 But some municipalities do have that 2 requirement. But, yeah, I mean, but again, if you 3 have a traveling nurse who has with a six-month 4 contract with one of the hospitals, she'll be there 5 for six months. She'll stay that long. 6 And so, yeah, I mean, and then there's 7 the residency thing in California we've run into -- 8 and again I'm shooting from the hip here, I can't 9 remember if that's the right term -- because after 10 30 days in California, don't you establish residency 11 or something, Greg? 12 GREG HEFLIN: Yeah. I think 13 California and Florida operate similarly. 14 COUNCILMAN KIRSH: I believe, and I'm 15 not an attorney, but I believe in New Jersey there 16 is a 90-day standard that somehow triggers a 17 different category in terms of eviction and things 18 like that. 19 But I guess what my concern is, do we 20 know what Bridgewater's standard is; do we have a 21 maximum stay in a hotel? 22 PLANNER SARMAD: Not that I'm aware 23 of. 24 COUNCILMAN KIRSH: Okay. 25 GREG HEFLIN: May I add some clarity?	T. O'Brien / G. Heflin 61 1 hotels now, I don't know, where somebody is down on 2 their luck or whatever and they are a staying in one 3 of the other type of hotels. 4 I don't really know. I mean I don't 5 have an answer. 6 GREG HEFLIN: We don't have school 7 buses that enter the properties. We don't have 8 children. We don't have that issue. It generally 9 doesn't come up. 10 COUNCILMAN KIRSH: But it could? I 11 mean -- 12 ATTORNEY PECK: It could but, again, 13 you're dealing with a permitted use. 14 ATTORNEY SILBERT: Right. And it's 15 not unique to this hotel either; it could happen 16 with any hotel. 17 COUNCILMAN KIRSH: So a person and 18 their children could be living at the Marriott by 19 the mall and then, since you have to educate your 20 children in the State of New Jersey, theoretically 21 there could be a school child enrolled -- 22 ATTORNEY PECK: In theory, yeah, if 23 they establish residence there. 24 PLANNER SARMAD: I apologize for my 25 ignorance before saying that we don't have something

1 -- I just quickly looked into the code, it does
 2 include that extended stay facilities for transients
 3 staying five or more days with an average seven to
 4 ten days, but not to exceed 89 days.
 5 So there is a limitation of basically
 6 89.
 7 COUNCILMAN KIRSH: But just so --
 8 okay, so that kind of jives with the 90-day thing
 9 with the eviction law. Let me understand, what does
 10 that mean?
 11 Does that mean I can stay 89 days, I
 12 check out for one day, and then I come back for
 13 another 89 days?
 14 PLANNER SARMAD: From a technical
 15 sense, yes. From an enforcement standpoint, if
 16 there was enforcement on things -- like you're
 17 talking about, implications with the school system
 18 and things like that, that could be something that
 19 would be an enforcement issue.
 20 COUNCILMAN KIRSH: Do you think that
 21 that 89 days means, okay, I have to move from Room
 22 101 to Room 102?
 23 PLANNER SARMAD: I don't think that's
 24 the intention. I think it's supposed to be
 25 something that is enforced by the hotel at a higher

1 level, knowing that there's a code violation if they
 2 don't.
 3 COUNCILMAN KIRSH: Okay. So let me
 4 ask this question, is the operator willing to, you
 5 know, actively enforce, you know, this 89-day rule?
 6 TERRY O'BRIEN: Yes. Yes, we would.
 7 COUNCILMAN KIRSH: Okay.
 8 I may have others, so maybe you can
 9 move on to another board member.
 10 MEMBER MAGURA: I have traveled and
 11 stayed in hotels and I have noticed that some of the
 12 hotels take in people and families being paid for by
 13 the township. It's because of the housing issues or
 14 what-have-you, they put them up in hotels. Well, at
 15 least in New York City, right, but I have seen it in
 16 some of the hotels, living there.
 17 TERRY O'BRIEN: It happens. We
 18 haven't experienced it.
 19 MEMBER MAGURA: And I assume they're
 20 more than 90 days. I assume they're there for
 21 longer periods of time.
 22 TERRY O'BRIEN: I don't think it's a
 23 huge problem in some of the suburban locations we
 24 operate in, but I don't -- I assume it doesn't go on
 25 in Bridgewater, I don't know. But it does happen in

1 some municipalities, I would think.
 2 GREG HEFLIN: Our corporate policy is
 3 not to take money from government officials to house
 4 individuals. It hasn't been since the '90s when we
 5 worked there at Embassy Suites, it hasn't been
 6 since, and doesn't, you know, now.
 7 CHAIRMAN VESCIO: I've got a question
 8 over here.
 9 MEMBER CHOUDURY: No, it's a comment
 10 actually for Mr. Kirsh -- Councilman Kirsh.
 11 Actually I, myself, stayed in a hotel with my son
 12 for a long period of time because of an assignment.
 13 So it is common actually. You know, many of the
 14 international assignments also, comes and stay with
 15 the children. So, you know, whether it's 89 days
 16 or -- my question was actually, what is the
 17 difference for the room number -- number of rooms on
 18 the WoodSpring as well as the Residence Inn, what
 19 was the -- do you know, Mr. Silbert what was the
 20 resolution passed for Residence Inn?
 21 TERRY O'BRIEN: Seven less.
 22 MEMBER CHOUDURY: So now you are
 23 basically talking about 33, 19, 19 plus 26, or
 24 something, which is about 125 rooms, right?
 25 GREG HEFLIN: We're 122.

1 TERRY O'BRIEN: It was 127 to 122. So
 2 it came down five rooms.
 3 MEMBER CHOUDURY: Oh, okay. So it's
 4 almost the same size, a similar size.
 5 GREG HEFLIN: Yes.
 6 MEMBER CHOUDURY: Other than the
 7 Residence Inn, have a pool; Residence Inn had a
 8 pool, right?
 9 GREG HEFLIN: Yes, a pool, a breakfast
 10 area.
 11 MEMBER CHOUDURY: Breakfast area,
 12 yeah.
 13 GREG HEFLIN: Expanded employee areas.
 14 MEMBER CHOUDURY: Right, okay.
 15 TERRY O'BRIEN: Little bit of meeting
 16 space.
 17 MEMBER CHOUDURY: So those are the
 18 things that are basically going to be eliminated
 19 here, and it's simpler?
 20 GREG HEFLIN: Yes, correct.
 21 COUNCILMAN KIRSH: Mr. Chairman, I do
 22 have a couple others. I might bounce back and
 23 forth.
 24 Are any of the rooms interconnected
 25 internally?

1 GREG HEFLIN: I don't think we have
2 adjoining rooms, no.

3 COUNCILMAN KIRSH: Because I think it
4 would be important to stipulate that that not be the
5 case, because I think interconnected rooms, while,
6 you know, may provide convenience under certain
7 circumstance, I think it could open the door for,
8 you know, making a two, you know, two, three-bedroom
9 situation here, which I think could lead us down a
10 challenging path.

11 You know, again, I don't know how that
12 impacts your business model.

13 ATTORNEY SILBERT: Can I answer that
14 for a second? I am going to let WoodSpring answer
15 that, of course, but I would say that from -- when
16 you put together a resolution, it stays with the
17 property for eternity. So if there was ever another
18 user that, for whatever reason, needed adjoining
19 rooms, while it might work for WoodSpring Suites, it
20 would be unusual to have special restrictions with
21 that respect on just WoodSpring Suites when they're
22 -- I don't know the answer to this -- but I'm
23 assuming there is no other such conditions on other
24 hotel approvals. I don't know for a fact, but just
25 pointing that out there.

1 COUNCILMAN KIRSH: Mr. Peck, do you
2 agree with that?

3 ATTORNEY PECK: That we can't -- yeah,
4 I would tend to agree. I mean, you can't -- I mean,
5 if it's a hotel, it's a hotel. I mean, I don't
6 think you can say, "Well, if it's a WoodSpring
7 hotel, you can't have" --

8 COUNCILMAN KIRSH: I'm not concerned
9 about the brand. I'm concerned about the category.
10 And I'm concerned -- and, again, maybe this is
11 unfounded, but I'm concerned, you know, if this
12 becomes a situation where, oh, you can start
13 stringing three rooms together and, you know, the
14 price point is pretty low, you know -- what's that?

15 JEFF McKAY: He said that he doesn't
16 have any adjoining rooms.

17 ATTORNEY SILBERT: Yeah, there's none
18 proposed.

19 I will let you testify to that, Greg.

20 GREG HEFLIN: I don't believe there
21 are any proposed. I believe, however, that the
22 Residence Inn does have adjoining rooms, or would
23 have had adjoining rooms if they got built. And the
24 Courtyard and the other brands and Marriott do
25 consistently have that.

1 ATTORNEY SILBERT: I just didn't want
2 to create a situation where 40 years from now a new
3 user comes in, say it's -- whatever it is, say they
4 want to increase the room size, or -- you know, I
5 just didn't want there to be something that runs
6 with the land that would somehow jeopardize the
7 marketability of the property 40 years from now. We
8 don't have a crystal ball.

9 But there's no adjoining rooms proposed
10 with this application.

11 COUNCILMAN KIRSH: But over time, the
12 property, even under the hands of this ownership
13 group or this management group could decide that it
14 needs a change, we're going to start doing some
15 internal construction and making some of the our
16 rooms interconnected.

17 ATTORNEY SILBERT: Sure, but there's
18 nothing that in your ordinance that would prohibit
19 that. Again, I just go back to the fact that
20 there's no reason that a WoodSpring Suites, which is
21 an extended stay hotel, should have a special
22 condition imposed upon it, that wouldn't otherwise
23 be imposed on a Residence Inn, and that's really
24 what I fall back to.

25 COUNCILMAN KIRSH: Well, I'm saying

1 maybe it ought to be, you know, on a going-forward
2 basis. But I guess that's a question of potential
3 ordinance change --

4 ATTORNEY SILBERT: Yeah.

5 COUNCILMAN KIRSH: -- or not.

6 You mentioned the staffing. I think
7 you said typically a general manager, assistant
8 general manager, an engineer, housekeeper, wear
9 multiple hats. Completely understand that.

10 In overnight conditions, like 3:00 in
11 the morning, how many of those people will typically
12 be on-site?

13 TERRY O'BRIEN: It's 24-hour. Some of
14 these lower-end properties, I know sometimes don't
15 have a desk after 11, anyone there. But we have
16 someone on-site for 24 hours.

17 COUNCILMAN KIRSH: Okay. So if there
18 is a question or problem, there is going to be a
19 human there?

20 TERRY O'BRIEN: Correct.

21 COUNCILMAN KIRSH: And if a toilet
22 clogs in the middle of the night, hopefully whether
23 it's the engineer or somebody would be able to
24 handle a circumstance like that?

25 TERRY O'BRIEN: Yes, absolutely.

1 COUNCILMAN KIRSH: Okay. All right,
 2 I'm good for now.
 3 CHAIRMAN VESCIO: It is fascinating.
 4 We learn so much in these hearings and some nights
 5 -- tonight, for example, we're learning about the
 6 hotel industry and the hospitality industry and I
 7 plea completely ignorant on this. But I did hear a
 8 few times, they talked about a different customer,
 9 or that it's for a different customer.
 10 And I'm just going to, for a second, go
 11 from the outside looking in, you know, from a
 12 business perspective, what is the typical consumer
 13 that WoodSpring Suites is looking for?
 14 Who is their target market?
 15 TERRY O'BRIEN: Obviously, anybody who
 16 wants to stay for an extended period of time, that's
 17 the obvious answer, but it's all over the board.
 18 Like I was saying earlier, you know,
 19 it's the traveling nurses. It's maybe if people who
 20 are coming in to work on construction projects and
 21 they're going to be here for six months off and on,
 22 consultants that have these assignments.
 23 And Greg and I, we have been in this a
 24 long time but we still are learning, I think. It's
 25 amazing what you find out about who is staying at

1 your hotel. And it's just -- it's a huge market.
 2 And it's hard to really pinpoint and say this is
 3 really what we target.
 4 But our salespeople do go out and call
 5 on local companies and try to get, you know, their
 6 employees that are coming into town to stay with us,
 7 just like any other hotel would. But they do drill
 8 down and say well, what kind of company do we really
 9 want to target that is going to bring people in here
 10 that is not just going to stay like the corporate
 11 guy does, one night or two nights, but somebody who
 12 is going to stay here for a month and we can keep
 13 that room full.
 14 So it's kind of a hard answer and I
 15 didn't give you a real good answer, but it's kind of
 16 all over the board who our customer really is.
 17 CHAIRMAN VESCIO: How do you avoid the
 18 situation where Johnny gets thrown out by his wife
 19 and he stays in the WoodSpring Suites and you find
 20 him working on his car outside for 30 days; what is
 21 the type of enforcement, at least for something like
 22 that?
 23 TERRY O'BRIEN: Well, we wouldn't
 24 permit anybody working on their car. But we have --
 25 I have seen Johnny get thrown out of the house and

1 he has come to the WoodSpring before. That does
 2 happen.
 3 CHAIRMAN VESCIO: I'm sure.
 4 TERRY O'BRIEN: When you think about
 5 it, unfortunately, that would happen to any of us.
 6 JEFF McKAY: I might add that we have
 7 seen Johnny at the Residence Inn too.
 8 TERRY O'BRIEN: So where do you go, I
 9 mean, you know...
 10 COUNCILMAN KIRSH: I'm sorry, I want
 11 to make sure I heard that right, "could" or "could
 12 not" be working on their car out in your parking
 13 lot?
 14 TERRY O'BRIEN: Could not.
 15 COUNCILMAN KIRSH: And is that because
 16 we prohibit it or because your policies prohibit it?
 17 TERRY O'BRIEN: Our policies prohibit
 18 it, yes.
 19 COUNCILMAN KIRSH: Your policies
 20 prohibit, okay.
 21 So like in an emergency situation where
 22 you have to fix something in your car, yes, but if
 23 somebody is, you know, changing the oil and
 24 detailing a car out in your parking lot, that would
 25 violate your policies?

1 TERRY O'BRIEN: Putting all four
 2 wheels on the jacks, working on the brakes, you
 3 know, that's no.
 4 COUNCILMAN KIRSH: Okay.
 5 TERRY O'BRIEN: But yeah, if you have a
 6 busted radiator hose or something, you have got to
 7 fix the car, obviously. But you know what I mean,
 8 where a car's sitting there for a week and it's
 9 on...
 10 COUNCILMAN KIRSH: Again, going back
 11 to be this whole it rests with the land, so if you
 12 have that policy, that makes me feel better. But do
 13 all hotels have that policy? I would say, maybe
 14 not.
 15 So what happens 25 years from now where
 16 it is no longer -- you know, and you guys all seem
 17 like aboveboard, committed to making this work and I
 18 respect that and I appreciate your willingness to
 19 come into our community. But the same way, you
 20 know, we were asked about the 40 years from now, you
 21 know, with the connecting rooms, i'm looking at what
 22 happens 25 years from now when the whole property
 23 changes hands and, you know, it's like do whatever
 24 you want, you know, we have loose rules. You know,
 25 what do we do at that point?

1 TERRY O'BRIEN: I think most hotels
2 are going to be reasonable with somebody if, to your
3 point, it's an emergency. But, you know, if you're
4 working on your car out in the lot for three days,
5 that's a different story and you're going to say,
6 "No, You can't do that here, we're going to tow the
7 car; either you get it off the lot or we're going to
8 tow the car."

9 COUNCILMAN KIRSH: But to me it's a
10 bit beyond the whole working-on-your-car thing. I
11 don't think we can allow ourselves to be sold on you
12 are going to care for this property as though it's
13 your own, Because it sounds like you will. But
14 25 years from now, maybe somebody else owns it,
15 maybe somebody else is operating it, maybe they
16 don't have those same standards.

17 You know, and that is just a concern
18 that I have. I mean, maybe it's an open-ended
19 concern that can't be answered in a forum like this.

20 ATTORNEY SILBERT: I think you could
21 probably say that about every commercial property.

22 COUNCILMAN KIRSH: Yes, you can.

23 ATTORNEY SILBERT: And it would be the
24 operator's prerogative and it would be advantageous
25 to the property owner to trespass that individual

1 from their property.

2 Obviously, WoodSpring Suites is trying
3 to deliver a quality product just like I would think
4 most businesses in Bridgewater so.

5 MEMBER MAGURA: While we're on that,
6 we mentioned interconnecting rooms. I assume that
7 it's going to be a structural modification, they
8 would have to get permits for the structure, for
9 electrical, the fire inspector. The Fire Marshal is
10 going to be inspecting that building once a year and
11 he will notice changes. Those guys have fantastic
12 memories.

13 TERRY O'BRIEN: Yep. Good point.

14 CHAIRMAN VESCIO: Any other questions?

15 COUNCILMAN KIRSH: Last one for this
16 segment, I promise. And thank you for your
17 indulgence.

18 So you said -- I'm going to come back
19 to this point about Residence Inn being three to
20 four nights on average. Probably they do have some
21 outliers, but they've got an awful lot of people
22 like me, I've never stayed at a Residence Inn for
23 more than maybe two nights. So that's how you
24 probably come to a three, four-night average.

25 Your typical property, are you

1 averaging 11 largely because you don't have the
2 onesie, twosie, threesie as part of that mix? You
3 know what I'm saying?

4 Because like the Residence Inn, you
5 know, I have stayed like one night. It sounds like
6 you would take the reservation and you would satisfy
7 that customer, but the likelihood of them coming to
8 your property like yours for one or three nights is
9 pretty low?

10 TERRY O'BRIEN: Yeah, it depends. It
11 depends the time of year, obviously, the room
12 demand, how full you are. You know, it's like
13 anything else, any other commodity, if it's really
14 in demand, you know, you might not take that
15 one-night stay, you might wait for the five-night
16 stay.

17 COUNCILMAN KIRSH: But wait a minute,
18 I went on your website today. You can put in
19 specific dates, specific locations, like I guess
20 it's based on the property manager's desires, if
21 they want to open it up to low stays during times
22 that you have rooms open, they'll take it.

23 TERRY O'BRIEN: Yes. That's what I
24 was trying to say, exactly.

25 COUNCILMAN KIRSH: All right. Thank

1 you.

2 CHAIRMAN VESCIO: Board professionals,
3 do you have any questions on the testimony you just
4 heard?

5 ENGINEER BURR: Just a couple of quick
6 questions.

7 So the Marriott is going from 127 rooms
8 to this property would be 122 rooms. And we heard
9 that there are some amenities that are being taken
10 out of this -- of this new model, the pool is going
11 away, the breakfast facility, meeting rooms I think
12 I heard. But those amenities in and of themselves
13 don't constitute such a large decrease in the size
14 of the building.

15 So are the units themselves -- I don't
16 think I heard -- are the units themselves shrinking
17 significantly from what the Residence Inn was
18 providing; is that how the building is being
19 tightened up so much?

20 TERRY O'BRIEN: Yeah, smaller rooms is
21 part of the total factor of the reduction of the
22 square footage.

23 ENGINEER BURR: Are all the rooms --
24 the typical, in my mind, the typical efficiency
25 type, you know, it's one big room, maybe a little

T. O'Brien / G. Heflin 78 1 kitchenette and that's it; there's no one-bedroom, 2 two-bedrooms, they're all just single-occupancy, if 3 you will? 4 TERRY O'BRIEN: That's right. Yes. 5 ENGINEER BURR: Okay. And we talked a 6 little bit about what the typical clientele might 7 be, where we heard consultants and long-stay nurses, 8 et cetera. But has your company done a market 9 research of Bridgewater and the surrounding area to 10 feel comfortable that, you know, this product is 11 viable at this location? 12 TERRY O'BRIEN: Absolutely. It's one 13 of the strongest market studies that we have ever 14 gotten back actually. 15 ENGINEER BURR: It's one of the -- can 16 you repeat? 17 TERRY O'BRIEN: Strongest markets 18 we've looked at. 19 ENGINEER BURR: Is that right? Very 20 good, thank you. 21 CHAIRMAN VESCIO: Thank you, Mr. Burr. 22 COUNCILMAN KIRSH: You have other 23 locations. I think there's one in South Plainfield, 24 right? There's a couple I think closer to 95? 25 TERRY O'BRIEN: Linden, if you know	T. O'Brien / G. Heflin 80 1 me, look at that hotel, you don't have to do 2 anything they will give you a ticket and then you go 3 and stay there without any extra charges or anything 4 else. 5 Are you having in the process of having 6 co-sharing with SpringHill Suites as well as your 7 hotel or vice-versa? 8 TERRY O'BRIEN: I didn't -- I didn't 9 understand your question. 10 MEMBER CHOUDHURY: Suppose one of your 11 -- SpringHill Suites obviously is a different 12 operator, right? And you're is a different 13 operating company, that's correct? 14 TERRY O'BRIEN: Different owners. 15 MEMBER CHOUDURY: Generally when you 16 have same hotel in the different area fully booked 17 up, the hotel give actually give you okay, Mr. 18 Choudury, you can go and we already talked about it, 19 you just go there. 20 TERRY O'BRIEN: We haven't yet but we 21 yeah, we definitely -- that's a common practice in 22 the industry. 23 MEMBER CHOUDURY: So you do the same 24 thing so people don't have to go back somewhere else 25 because you have two hotels nearby?
T. O'Brien / G. Heflin 79 1 where that is. 2 COUNCILMAN KIRSH: Yep. 3 TERRY O'BRIEN: Those are not our 4 properties but they're part of our system. 5 COUNCILMAN KIRSH: This brand, not 6 your management group? 7 TERRY O'BRIEN: Correct. South 8 Brunswick, Linden. Is there one in East Brunswick? 9 GREG HEFLIN: South Plainfield. 10 TERRY O'BRIEN: South Plainfield, I'm 11 sorry. 12 GREG HEFLIN: There's one a little 13 further up 95, I can't think of the name of the 14 town. 15 MEMBER CHOUDURY: Mr. Chairman? 16 CHAIRMAN VESCIO: Mr. Choudury. 17 TERRY O'BRIEN: There's 235 18 nationally, with another 75 under development, 19 probably. 20 MEMBER CHOUDURY: Yeah, my question is 21 actually now that you will have two hotel probably 22 sometime in the future, generally when I go, I 23 travel every week, so when I go to some hotel, and 24 there's two or three hotels there, if the hotel is 25 already booked up, when I reserve it they will tell	T. O'Brien / G. Heflin 81 1 TERRY O'BRIEN: Usually that's just 2 sort of a no-brainer because it's right there and 3 you just go right next door and you have the working 4 relationship. 5 MEMBER CHOUDURY: Okay, thank you. 6 COUNCILMAN KIRSH: Mr. Chair, earlier 7 in the testimony, you made reference to, you need a 8 first domino to trigger potentially the other 9 projects here. So I just want to make sure that I 10 understand that presuming that you obtain this 11 approval, presuming that your financing -- I know 12 it's very complicated, you don't just snap your 13 finger and a hotel shows up. I understand it's a 14 lengthy and complicated process. 15 But do you anticipate, you know -- no 16 obligation -- but do you reasonably anticipate that 17 that will then trigger the activity necessary to see 18 the SpringHill built, we'll see the retail in the 19 front built? 20 TERRY O'BRIEN: I can't really speak 21 to the retail but typically retail users do like to 22 see hotels because there's people that will come and 23 spend money. 24 And by the way, we're self-funded. We 25 have a fund we work with. We don't have to get

1 financing. You know, we build them out of cash.
 2 But yeah, I think -- obviously I think
 3 the first thing that gets going there is going to
 4 trigger people saying, oh, there's something's going
 5 on over there finally, because it's been sitting for
 6 a long time.

7 But, yeah, I think if one goes, then
 8 maybe the other one goes. I don't know -- I don't
 9 know the particulars on the SpringHill so I can't
 10 speak to that. Maybe Jeff might be able to.

11 JEFF McKAY: If I can comment on the
 12 commercial --

13 COUNCILMAN KIRSH: They may want you
 14 to come to the microphone just so everyone can hear.

15 JEFF McKAY: Just a comment briefly on
 16 the commercial out front, they have actually lost
 17 some tenants as a result of, you know, not having
 18 the hotels, right.

19 COUNCILMAN KIRSH: Uncertainty, okay.

20 JEFF McKAY: Yeah. So if that helps to
 21 answer your question, we think that once we get a
 22 hotel done, the users will come and finish off the
 23 front with the commercial.

24 COUNCILMAN KIRSH: If I'm looking at
 25 the interplay between the two potential hotels, they

1 are very different models, you know, but there's a
 2 belief that reasonably in the near future could see
 3 -- could see investment in both of those properties,
 4 correct?

5 JEFF McKAY: Correct.

6 COUNCILMAN KIRSH: Okay. Thanks.

7 CHAIRMAN VESCIO: Is there anything
 8 else from our professionals.

9 PLANNER SARMAD: I just have a couple
 10 of questions.

11 To Mr. Burr's question about has a
 12 market analysis been conducted, which I believe
 13 you've answered. When you look at that market
 14 analysis, where are those -- where is the demand
 15 coming from?

16 So like where are -- just out of
 17 curiosity, where are the nurses, and the military
 18 and the people that are in construction jobs, where
 19 are they currently now and where is the demand
 20 coming from.

21 TERRY O'BRIEN: Well, some of it is in
 22 existing hotels. As Greg said earlier, what we
 23 call, ESOC, extended stay demand, it's -- they stay
 24 in a Hampton Inn, or they stay in one of your older
 25 maybe budget motels, whatever, you know, wherever

1 they can get someone to say I can stay there for
 2 30 days, that's where they're staying. So this
 3 demand is everywhere and nationally it's so
 4 underserved.

5 Again, I can't answer the question,
 6 where is it all coming from. I mean, we're always
 7 trying to figure that out, but it's not an easy
 8 answer. But it's everywhere. I mean, this extended
 9 stay demand, it's everywhere. You just have to find
 10 it.

11 Typically if you build a new box, which
 12 obviously is what we want to do, new always sells,
 13 and so that pulls a lot of business in your
 14 direction.

15 PLANNER SARMAD: Thank you.

16 As far as -- do you have, like, target
 17 occupancy rates for this type of hotel?

18 TERRY O'BRIEN: This hotel will
 19 typically run anywhere from 80 -- low 80s to almost
 20 90-percent occupancy, believe it or not.

21 PLANNER SARMAD: Okay. And when you
 22 go to build, is there a price range? Is there like
 23 a bottom and a -- for a price that you kind of keep
 24 as far as the quality of the hotel?

25 TERRY O'BRIEN: Price from

1 development?

2 PLANNER SARMAD: Sorry, price per
 3 night?

4 TERRY O'BRIEN: Oh, from a price per
 5 night? I would assume in this market -- and, again,
 6 I don't have the numbers in front of me -- probably
 7 129 a night, 139.

8 GREG HEFLIN: Yeah. I think here it
 9 was like \$90 so.

10 TERRY O'BRIEN: So somewhere in that
 11 range.

12 PLANNER SARMAD: Okay, thank you.
 13 And I think that's all I have for these
 14 witnesses. Thank you.

15 CHAIRMAN VESCIO: Mr. O'Brien, you
 16 mentioned earlier that Bridgewater was a very strong
 17 market choice. What are some of the metrics that
 18 are used to classify your term "strong"?

19 What is it about Bridgewater
 20 specifically; what are some of the specific
 21 measures?

22 TERRY O'BRIEN: Well, I think you have
 23 a real diverse economy here; you know, you have a
 24 lot of big companies and you also have a lot of
 25 smaller companies. So you have a good mix of

1 business. The retail is good. The housing is
2 strong. It's just a great community, and the whole
3 general area.

4 This is really the second project I
5 have worked on up here, I have worked on another
6 project back in the teens that I never got built, it
7 was a Cambria Hotel which I think eventually got
8 approved as a Home2 Suites, but it hasn't been built
9 yet.

10 But I remember even back then when
11 your -- maybe the economy was even stronger here
12 prior to COVID, you know, it's just -- it was kind
13 of a no-brainer, and you walk in and it's just --
14 and again, some of this is intuitive to me because
15 this is what I have done my whole life -- but just a
16 good community with a lot of good support services
17 and a lot of job growth and a lot of good companies.

18 And that's kind of the ideal terrain
19 for a hotel product regardless of what price point
20 you're at.

21 CHAIRMAN VESCIO: Sometimes we ask
22 those questions because we figure that 15 or 20
23 years ago it was an no-brainer. You know, this was
24 a major piece of the pharmaceutical corridor, and
25 you think today it's a vastly different world.

1 So it begs the question, what is it
2 specifically about Bridgewater, is it mostly
3 cooperate or is there some other element that makes
4 it that attractive to people?

5 TERRY O'BRIEN: Yeah. It's funny, you
6 know, and I have been in the hotel business a long
7 time but it's kind of a broad-brush comment, and not
8 specific to extended stay but when I was first
9 starting in the industry, you know, you went out to
10 look for a site, and you would look, 5 million
11 square foot of office, okay, I want to build here
12 because there's a lot of business here.

13 And back then the weekends at a hotel
14 you were empty, and midweek you were full. Well,
15 that's -- it hasn't turned the midweek but weekend
16 business at hotels has just skyrocketed in the last
17 15, 20 years. And it's soccer teams. It's hockey
18 teams. It's traveling sports. It's families.

19 You know, it's this huge demand that --
20 and there's a lot of that out here, too. And this
21 demand is now there and it was never there 25 --
22 when I started in the industry, a hotel couldn't run
23 30 percent on the weekend. And now you can't find
24 one that probably isn't running 80 percent.

25 So it's kind of interesting.

1 CHAIRMAN VESCIO: Any other questions?
2 Any other questions from the board?

3 Okay, at this time I would like to open
4 up to any members of the public who would like to
5 ask questions based on the testimony you just heard.

6 JOHN KULAK: John Kulak again, 13
7 Ramsey Street. I heard, as you were describing the
8 brand, the extended stay and then, Katherine, I
9 think you addressed the municipal ordinance in place
10 that protects people from establishing residency at
11 your location.

12 In New Jersey law, and I would have to
13 defer to Mr. Peck, but it states that if you are
14 90 days in one place consecutively and you list that
15 as your permanent address, then the hotel has to
16 enter into a different agreement with you, which is
17 more of a landlord-tenant agreement than just a
18 hotel, you're providing hotel services.

19 So as long as we're protected from
20 that, then we have a way to protect the township and
21 the adjacent residents from a -- what could become a
22 less-desirable community staying at your hotel.

23 I know you don't want that. I'm
24 certain we don't. But we have two well-established
25 thriving communities right next to this hotel and

1 the last thing we want to do is expose our residents
2 to a transient population that is trying to
3 establish residence.

4 Not to say I don't feel for the --
5 what's the proper term now -- unhoused people. We
6 have a number of illegal immigrants in this state
7 that the Governor has refused to identify. So we
8 don't know who is going to come to your place with
9 intentions other than staying 20 days, or 11 days
10 and so on.

11 So as long as we can protect the
12 residents and the hoteliers agree to stipulate to
13 have stays less than that period of time, then I
14 think we're in a better place overall. So thank
15 you.

16 TERRY O'BRIEN: Thank you.

17 LARS KNUDSON: Would you like me to
18 reenter my name in the record?

19 CHAIRMAN VESCIO: If you could?

20 LARS KNUDSON: Would you like me to
21 reenter my name into the record?

22 CHAIRMAN VESCIO: If you could. I have
23 it but...

24 LARS KNUDSON: It's Lars Knudson,
25 K-N-U-D-S-O-N. President of the Board of Trustees

1 for Chelsea Village.
 2 I had some questions about the
 3 impervious coverage and the lighting and the parking
 4 spaces. The notice indicates that you are dropping
 5 three parking spaces. Do you know where those
 6 parking spaces will be lost from?
 7 ATTORNEY PECK: Would these be more
 8 appropriately directed at the engineer?
 9 ATTORNEY SILBERT: Yeah.
 10 ATTORNEY PECK: Sorry to have to --
 11 LARS KNUDSON: That's fine.
 12 ATTORNEY PECK: And I think these are
 13 more appropriate for the site engineer.
 14 LARS KNUDSON: That's fine. That is
 15 fine. I wanted to make sure that I'm -- that's who
 16 I understood was going to be able to answer these
 17 questions, and it was represented that the next two
 18 witnesses --
 19 ATTORNEY PECK: I heard that, too, but
 20 maybe the engineer is coming up, I don't know.
 21 LARS KNUDSON: I'll defer those
 22 questions. I am concerned, it's 10:45 now, are we
 23 going to have time to get to that?
 24 CHAIRMAN VESCIO: We're probably going
 25 to have to carry; we're approaching the hour.

1 ATTORNEY PECK: As long as there's no
 2 one else.
 3 LARS KNUDSON: And will all the
 4 witnesses be back for the next phase? Because if
 5 that's the case, then I will defer all of my
 6 questions until the next.
 7 ATTORNEY SILBERT: I would advise,
 8 since our witnesses are traveling, that spoke
 9 tonight, from very far locations throughout the
 10 United States, that if you can ask any questions of
 11 the witnesses. And, obviously, we'll try to
 12 accommodate and have them back out.
 13 LARS KNUDSON: Most of my questions
 14 are going to be directed to the engineer, so that's
 15 -- that's fine.
 16 I do want to thank Mr. Kirsh
 17 particularly, and the board, for raising the issues
 18 about the -- the market of the new hotel. Thank you
 19 very much for raising that. A lot of my questions
 20 were answered with that.
 21 Just looking through my list of my
 22 notes and seeing if there's anything that I want to
 23 raise for the -- you know, I'm going to defer my
 24 questions to the engineer.
 25 ATTORNEY SILBERT: And if I could just

1 say, based upon Mr. Kulak's questions, if the board
 2 and, Mr. Peck, if you want to put into the
 3 resolution of approval -- assuming we receive one at
 4 the next hearing -- a specific reference to the
 5 ordinance that Ms. Sarmad referenced --
 6 ATTORNEY PECK: I already have that,
 7 yeah --
 8 ATTORNEY SILBERT: Wonderful.
 9 ATTORNEY PECK: -- in some way or
 10 another that the hotel would enforce the 89-day
 11 occupancy limit --
 12 ATTORNEY SILBERT: Absolutely. We're
 13 good to do that.
 14 ATTORNEY PECK: -- the definition
 15 section for extended stay lodging.
 16 ATTORNEY SILBERT: Thank you.
 17 LARS KNUDSON: There was one other
 18 thing that just -- apologies, I just wanted to raise
 19 to the board in particular, regarding the notice
 20 requirements that were discussed earlier. The
 21 notice for this was sent by certified mail,
 22 postmarked November 22nd. That notice period
 23 included the Thanksgiving holiday when a lot of us
 24 were -- when mail was not being delivered, and it
 25 would have made it a little more difficult for us to

1 be able to reach out to our association counsel to
 2 get advice on this.
 3 I just wanted that to be entered into
 4 the record for consideration in case there are any
 5 questions about notice.
 6 And notice was not sent to members of
 7 the Association of the Chelsea Village Condo
 8 Association who did not immediately border -- adjoin
 9 the southern and western boundaries of the subject
 10 property, even though the condo association -- the
 11 property is a condo association, most of that
 12 property is held in common by all of the residents.
 13 So if you want to look at notice going forward, the
 14 condo association should definitely have been on
 15 notice and I don't believe we were.
 16 But that being said, we are willing to
 17 waive those objections if we have adequate
 18 opportunity to question and get satisfaction of our
 19 concerns from the engineer.
 20 CHAIRMAN VESCIO: Thank you.
 21 ATTORNEY SILBERT: Just to very
 22 quickly, respond to that, I'll go through the list
 23 and see if the condo association was on it. Under
 24 the MLUL, the applicant's only requirements are in
 25 accordance with the certified list.

T. O'Brien / G. Heflin 94 1 But your first comment about the 2 Thanksgiving holiday, this was not a tactic to be 3 underhanded or wait until the last minute to provide 4 notice. The actual background is that the board was 5 potentially entertaining, because of the other 6 applications and the caseload, the possibility -- 7 and correct me if I'm mistaken -- but either a 8 Special Meeting to start this hearing at 6:00 p.m. 9 or 6:30 p.m. to hear this first, which is why I made 10 the opening remarks as the beginning. 11 So it wasn't to be underhanded. I 12 couldn't provide notice until it was confirmed that 13 it would be at its regular meeting time which was 14 very close to the holiday and we had 200 notices to 15 prepare, so it took a long time. 16 LARS KNUDSON: I appreciate that. I 17 have had on that end too so. 18 Assuming the board is going to carry 19 this, I'm going to defer any of my other questions 20 for the engineer. 21 CHAIRMAN VESCIO: Thank you. 22 ATTORNEY SILBERT: Mr. Chairman, is 23 December 17th okay? 24 CHAIRMAN VESCIO: December 17th, yes. 25 ATTORNEY SILBERT: Let me just confirm	T. O'Brien / G. Heflin 96 1 only one hearing deep into this application and two 2 into the other. 3 I ran into a situation where we were 20 4 meetings deep, new board members. It was a major 5 issue. 6 COUNCILMAN KIRSH: We're not going 7 20 hearings. 8 ATTORNEY SILBERT: I don't think so, 9 not this application. 10 But, Mr. Chairman, at the very 11 beginning of the hearing you had referenced the 12 Hulya Has application which was slated as third on 13 the agenda. I just wanted to make sure it was clear 14 on the record that there's no new notice required 15 for that application, that it's being carried 16 without new notice to the 17th. 17 CHAIRMAN VESCIO: Yes. 18 ATTORNEY PECK: That's correct. 19 ATTORNEY SILBERT: Thank you. Thank 20 you very much. 21 CHAIRMAN VESCIO: Any subsequent 22 questions of the witnesses, members of the public? 23 Questions pertinent to the testimony 24 you just heard, please. 25 MITCH ZAYTOUN: Yes. Mitch Zaytoun
T. O'Brien / G. Heflin 95 1 with my engineer. 2 CHAIRMAN VESCIO: Nancy, we're good on 3 that day? 4 ADMINISTRATOR PROBST: Confirmed. 5 COUNCILMAN KIRSH: Just for procedure, 6 though, because December 17th is our last meeting of 7 the year, do we have a requirement to adjudicate 8 cases in a calendar year? We do not. 9 ATTORNEY PECK: No. It's not like 10 with the governing body adopting an ordinance. 11 COUNCILMAN KIRSH: Okay. If somehow 12 one other cases, despite our intention, is not 13 completed that night, we can -- we might not be able 14 to select a date yet because we don't have the 15 meeting schedule yet -- 16 ATTORNEY PECK: I ran into that 17 question with another board but, no, what will 18 happen if it carries over and you have new board 19 members, they would just have to certify that they 20 listened to the tape or reviewed the transcript. 21 COUNCILMAN KIRSH: Same as tonight for 22 any who not here? 23 ATTORNEY PECK: Correct. Correct. 24 COUNCILMAN KIRSH: Okay. 25 ATTORNEY SILBERT: Fortunately we are	T. O'Brien / G. Heflin 97 1 once again, 130 Chelsea Way. 2 The gentleman that was up here speaking 3 before, he mentioned staff. I didn't hear anything 4 about a security, licensed security officer on-site. 5 Are they going to have someone like that on-site at 6 all times? 7 ATTORNEY SILBERT: One moment. I 8 apologize, I didn't know there were additional 9 questions. So we'll call him back to answer that. 10 TERRY O'BRIEN: Sorry about that. 11 So you're asking if there is security 12 on-site. Typically not, depending on location. If 13 there was a need for it, certainly. If we had -- 14 but none of the properties we own or operate, we 15 don't have any full-time security there. 16 But if there was a situation were there 17 was problems we, obviously, would deal with it. 18 MITCH ZAYTOUN: This property is 19 unique in the sense that there's residents very 20 close to your property. Security, to me, would be a 21 necessary being that there's a lot of children in 22 our complex under the age 11, and security and 23 safety is of the utmost importance to us. 24 TERRY O'BRIEN: Well, it would be to 25 us as well, absolutely.

1 I mean, we typically always make
2 friends with law enforcement, locally. We try to
3 get them to drive the lot as much as they can,
4 things like that, the basics that you do. We're
5 big, big fans of that. But we haven't had any real
6 problems so far so.

7 MITCH ZAYTOUN: Living here for
8 25 years, we have had problems in that site.

9 TERRY O'BRIEN: Really? Even being
10 empty?

11 MITCH ZAYTOUN: Empty and full. When
12 the hotel was active there were sites -- there was
13 police called in there multiple times when I lived
14 here.

15 So it's just something that I hope the
16 board will consider, I hope you consider, that
17 safety/security is the utmost importance for our
18 children.

19 TERRY O'BRIEN: Absolutely.
20 100 percent.

21 MITCH ZAYTOUN: Thank you.

22 COUNCILMAN KIRSH: And to that point,
23 I think when it was the Days Inn property there may
24 have been some concern about the state of a fence
25 that may have been there. Maybe there was certain

1 breaks in the fence or deterioration of a fence and
2 I guess it's my understanding that there is fencing
3 involved here with this property.

4 And, you know, I think it would just be
5 our desire to make sure that, you know, not only
6 does the property look as we expect, you know, on
7 opening day when everything looks great, but there
8 just be that continued commitment.

9 JEFF McKAY: I would just like to note
10 that this was an issue back in 2018 and we, as the
11 developer, agreed to a fence. And it runs that
12 whole backside between the -- the neighboring
13 Chelsea property there.

14 And there is stipulations in the fence.
15 I don't want to tell on myself, but it's a nice
16 fence and it's a big fence.

17 COUNCILMAN KIRSH: With a commitment
18 that any -- any, you know, deterioration over time
19 or anything else that might happen would be
20 addressed quickly?

21 JEFF McKAY: Whatever is agreed to has
22 been agreed to. We will honor, as I mentioned
23 earlier.

24 ATTORNEY PECK: Yes. So we can make
25 that representation for all of the prior conditions

1 and representations from 2018, you will abide by and
2 carry over.

3 ATTORNEY SILBERT: Absolutely.

4 COUNCILMAN KIRSH: On the point of a
5 fence, you know, and this is true for any
6 residential or commercial case, when somebody builds
7 a fence as a condition, there's a requirement to
8 maintain that over time, it's not just, hey, we
9 built a fence and a storm knocked it over, we don't
10 have to have a fence anymore, correct?

11 Am I right; is that correct?

12 I mean, if there's going to be a
13 condition that there be a fence, that means a
14 working fence, not just on opening day.

15 ATTORNEY PECK: We can specify a
16 condition that a fence shall be not only installed,
17 but shall be maintained --

18 COUNCILMAN KIRSH: Maintained.

19 ATTORNEY PECK: -- as a condition, for
20 so long as the hotel exists.

21 ATTORNEY SILBERT: I was going to go
22 through the resolution just to see exactly what it
23 said about the fence, but we could agree to a
24 condition that we'll maintain the fence as long as
25 it's being used in conjunction with the hotel. If

1 that answers your concern.

2 COUNCILMAN KIRSH: You know, it gives
3 me a measure of comfort. You know, just because,
4 oops, a storm came through, now we don't have a
5 fence anymore.

6 ATTORNEY SILBERT: Okay. If that
7 condition is put in there, then -- you know, I don't
8 know specifically what the ordinance says about
9 upkeep, but the zoning officer, for example, if the
10 fence was not kept in proper reasonable condition,
11 could issue a zoning violation saying you were not
12 in accordance with approval.

13 I assume when the board says you have
14 to put a fence in it is implied, although perhaps
15 not put in the last resolution that you expect the
16 fence to be kept and well-maintained. So I think
17 it's very reasonable.

18 LARS KNUDSON: Apologies for jumping
19 back in here, but in this regard, we did have a tree
20 fall on the existing fence about a year ago. It was
21 a tree that was damaged during one of the storms
22 from -- that came through about a year ago. And
23 that fence has still not been repaired. We tried to
24 reach out to the property owners to have it
25 addressed and it still hasn't been.

T. O'Brien / G. Heflin 102 1 CHAIRMAN VESCIO: Mr. O'Brien, the 2 previous resident brings up the -- 3 ATTORNEY SILBERT: We'll agree to have 4 it repaired as a condition of approval. And that 5 goes right along with the condition that we just 6 discussed. 7 DAN SEELEY: Good evening. Dan Seeley, 8 S-E-E-L-E-Y. 26 Chelsea Way. Thank you, everyone, 9 for burning the midnight oil. 10 I did have one question to jump onto 11 the security. There was no mention and it might 12 have been in the paperwork, I apologize, any 13 security or surveillance systems at the site that 14 will probably go a long -- a long way for just 15 security in the building for the tenants and the 16 surrounding -- 17 ATTORNEY PECK: Cameras and things 18 like that? 19 TERRY O'BRIEN: I think we have 22 20 cameras, I know. Inside and outside the building, 21 both. 22 DAN SEELEY: Okay. And is that for 23 the whole property or just -- okay. 24 TERRY O'BRIEN: Yes. 25 CHAIRMAN VESCIO: Thank you,	T. O'Brien / G. Heflin 104 1 the future as well. So thank you, very much. 2 TERRY O'BRIEN: Absolutely. 3 CHAIRMAN VESCIO: Thank you very much. 4 Any other questions? Okay. That will close the 5 public portion for these two witnesses. 6 Mr. Silbert, where are we? 7 ATTORNEY SILBERT: So we do have our 8 civil engineer. If the board will hear our civil 9 engineer, we would love to bring him up. 10 CHAIRMAN VESCIO: Let's see, it's 11 11:00 p.m. how many witnesses do we have? 12 ATTORNEY SILBERT: That's our final 13 witness. 14 CHAIRMAN VESCIO: That's your final 15 witness. 16 MEMBER ATKINS: Is he local? 17 CHAIRMAN VESCIO: Is he local? 18 ATTORNEY SILBERT: Mr. Folk is local. 19 COUNCILMAN KIRSH: Because here is 20 what my concern is. You know, I'd love to 21 adjudicate this tonight but, you know, there will be 22 some period of time for that testimony, there will 23 be questions from the audience, there will be 24 comments from the audience, there will be 25 deliberations. That and we're all, you know, a
T. O'Brien / G. Heflin 103 1 Mr. Seeley. 2 ATTORNEY SILBERT: Just to clarify 3 your question that you just asked, Mr. Seeley, it's 4 22 cameras associated with the WoodSpring Suites on 5 Land Unit D. 6 TERRY O'BRIEN: And it shoots the 7 parking lot too. 8 CHAIRMAN VESCIO: So it's fair to 9 assume, WoodSpring Suites is a fully-surveilled 10 establishment? 11 TERRY O'BRIEN: Correct. 12 CHAIRMAN VESCIO: There's how many 13 cameras? 14 ATTORNEY PECK: 22. 15 TERRY O'BRIEN: 22. 16 CHAIRMAN VESCIO: Okay. I'm glad that 17 the resident brings that up. 18 I, personally, was subjected to a crime 19 in a Courtyard years ago, to which my car was 20 completely vandalized and everything stolen from. 21 So years ago they did not have that type of 22 surveillance in place. 23 I'm very fortunate that that resident 24 did bring that up because this is something near and 25 dear to me but also, we want to protect our kids in	105 1 little tired here. 2 You know, as long as he's local and I 3 guess as long as we're -- and particularly the board 4 and I don't know if maybe we could give one more 5 bite at the apple to the audience for any of your 6 out-of-towners, basically now is the time to ask a 7 question to the out-of-towners. 8 That would be my suggestion. I know, 9 Mr. Chairman, it's ultimately your call. That seems 10 like the fair and neighborly thing to do at this 11 late hour. 12 CHAIRMAN VESCIO: I do see that the 13 testimony is probably going to take at least another 14 hour, not the testimony itself but the hearing. 15 So I think it would be wise to 16 postpone and carry it to the 17th. But I do agree 17 with Councilman Kirsh, I think if there are any 18 residents that would wish to ask questions now, 19 based on all the testimony you heard this evening, 20 now is the time. 21 COUNCILMAN KIRSH: Anyone who is not 22 going to be here on the 17th. 23 CHAIRMAN VESCIO: Right, anyone who is 24 not going to be here, I agree. 25 And with that, I will open it back up

106 1 to the public to anyone who wishes to ask any 2 questions based on all the testimony you heard this 3 evening. 4 COUNCILMAN KIRSH: The out-of-towners. 5 CHAIRMAN VESCIO: The out-of-towners. 6 BOB ZGORZYNSKI: I'm Bob Zgorzynski. I 7 live at 119 Chelsea Way. 8 My question is, is that I wasn't here 9 for the original, but I would like to know about the 10 timing of things, like when does the fence go up? 11 When does the landscaping go up? 12 If they're only building one hotel and 13 they don't build the rest of the site, is all the 14 landscaping going up? Is all the improvements going 15 up? 16 What is the timing of all this? 17 ATTORNEY SILBERT: Yes. So I think 18 before that they can pull a building permit for any 19 component of this site, they have to comply with the 20 conditions of the original approval and now, if this 21 were to get approved, the conditions of this 22 approval. 23 So whatever the resolution says here 24 about what has to be improved before they can start 25 building is what the applicant would have to	108 1 that are just simply not improved yet, correct? 2 ATTORNEY SILBERT: Right. Right. It 3 could almost be constructed in phases, where first 4 part of the phase might be SpringHill and then, 5 maybe one of the retail components or pads would 6 follow. So I think that you're looking at most 7 likely a phasing of construction. 8 But I would think for each land unit 9 the improvements shown on the site plan must be 10 constructed. So you wouldn't have SpringHill 11 without any of the landscaping shown for that 12 specific land unit installed. 13 BOB ZGORZYNSKI: I'm guess I'm looking 14 at the perimeter. I'm looking at, you know Chelsea 15 Way, I'm looking at what buffers there are along 16 Chelsea Way and around the whole perimeter of the 17 site. It really doesn't affect the buildings but 18 there is a cost associated with that. I would think 19 that, you know, that we would like to see it put up. 20 ATTORNEY SILBERT: Yeah, I would -- 21 it's a good question. Allow me to review the 2018 22 resolution and just see if there was -- how it 23 addressed, like, phasing and I can get back to you 24 at the next hearing with an answer of that. 25 BOB ZGORZYNSKI: Is that resolution
107 1 provide. 2 So, for example, as Mr. Folk will 3 testify to at the next hearing, he's going to talk a 4 lot about the on-site and existing infrastructure 5 that's already been improved on the site in 6 connection with the prior approval. So there is a 7 lot of infrastructure that has to be constructed on 8 the property prior to building, you know, the -- 9 BOB ZGORZYNSKI: But before they start 10 doing -- so in other words, they only build that 11 component, they don't build the rest of the 12 component, they still have to do all of the 13 landscaping infrastructure? 14 ATTORNEY SILBERT: Yeah. I'll defer 15 that to our civil engineer, but I would think that 16 at least as it's related to a specific land unit, if 17 they're developing Land Unit D, then all of the 18 landscaping would presumably have to be in place on 19 Land Unit D. 20 I don't know if that would carry 21 forward for one of the other land units. 22 COUNCILMAN KIRSH: But to that point, 23 you could have a period of time, it could be months, 24 it could be longer, where this development occurs 25 and you have a road through other parts of the site	109 1 online? I could get that online? 2 ATTORNEY SILBERT: I'll give it to 3 you. 4 BOB ZGORZYNSKI: Oh, thank you. 5 ATTORNEY SILBERT: You can submit an 6 Open Public records request to the board. 7 BOB ZGORZYNSKI: Thank you. 8 ATTORNEY SILBERT: Sure. 9 CHAIRMAN VESCIO: Thank you, 10 Mr. Zgorzynski. 11 Okay, Mr. Silbert, it seems that we can 12 offer you December 17th. 13 Nancy, we're okay with that date still? 14 ADMINISTRATOR PROBST: Yes. 15 ATTORNEY SILBERT: Okay. Yeah, I 16 think the three applications that evening, your -- 17 Hulya Has has no witnesses, and then we have one 18 witness remaining for Chick-fil-A, and one witness 19 remaining, so I think it's very doable to complete 20 all three. 21 CHAIRMAN VESCIO: I think so. 22 ATTORNEY SILBERT: And I thank the 23 board very much for indulging me and R.I. Heritage 24 Inn, allowing the out-of-towners to get their 25 testimony in tonight. So thank you very much for

1 staying and accommodating, we appreciate it. Thank
2 you.

3 CHAIRMAN VESCIO: Thank you. And we
4 do apologize for the order. And thank you very much
5 for those that came far away, and for the residents
6 that came out this evening, as well.

7 ATTORNEY SILBERT: Thank you.

8 - - -

9 (Whereupon, the application was
10 adjourned at the meeting concluded.)

11 - - -

12 (Time noted, 11:03 p.m.)

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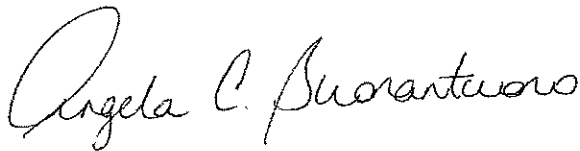
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CERTIFICATE



2

3 I, ANGELA C. BUONANTUONO, a Notary Public
4 and Certified Court Reporter of the State of New
5 Jersey and Registered Professional Reporter, do
6 hereby certify that prior to the commencement, the
7 witnesses were duly sworn to testify the truth, the
8 whole truth and nothing but the truth.

9

10 I DO FURTHER CERTIFY that the foregoing is a
11 true and accurate transcript of the proceeding as
12 taken stenographically by and before me at the time,
13 place and on the date hereinbefore set forth.

14

15 I DO FURTHER CERTIFY that I am neither a
16 relative, nor employee, nor attorney, nor counsel of
17 any of the parties to this action, and that I am
18 neither a relative, nor employee of such attorney or
19 counsel, and that I am not financially interested in
20 the action.

21

22

23

24 Angela C. Buonantuono, CCR, RPR, CLR

25 NJ License No. 30XI00233100

Notary Public Commission No. 50014616

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**R.I. HERITAGE
CERTIFIED
TRANSCRIPT**

1 TOWNSHIP OF BRIDGEWATER PLANNING BOARD
 2 COUNTY OF SOMERSET - STATE OF NEW JERSEY

3 - - - - -
 4 REGULAR MEETING FOR:

5 R.I. HERITAGE INN OF BRIDGEWATER, LLC
 6 C/O THARALDSON HOSPITALITY DEVELOPMENT, LLC
 7 BLOCK 222, LOT 3.01
 8 1260 ROUTE 22

9 *AMENDED PRELIMINARY & FINAL MAJOR SITE PLAN*
 10 APPLICATION NO. 24-022-PB
 11 - - - - -

12 MUNICIPAL BUILDING
 13 COUNCIL CHAMBERS
 14 100 COMMONS WAY
 15 BRIDGEWATER, NEW JERSEY 08807

16 - - -
 17 TUESDAY, DECEMBER 3, 2024
 18 7:00 P.M.
 19 - - -

20 TRANSCRIPT OF PROCEEDINGS
 21 PUBLIC HEARING

22 AB COURT REPORTING, LLC
 23 Certified Court Reporters
 24 26 Algonquin Terrace
 25 Millstone Township, New Jersey 08535
 Tel: (732)882-3590
 angelabuonocsr@gmail.com

1 BOARD MEMBERS PRESENT:

2 MAURIZIO VESCIO, CHAIRMAN
3 WILLIAM ATKINS
4 NIREN CHOUDHURY
5 MICHAEL KIRSH, COUNCILMAN
6 JAMES MAGURA
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12 PROFESSIONALS AND STAFF PRESENT:

13 MARK R. PECK, ESQUIRE, Board Attorney
14 Florio Perrucci Steinhardt Cappelli & Tipton, LLC
15 WILLIAM H. BURR, IV, P.E., Township Engineer
16 Township of Bridgewater
17 KATHERINE SARMAD, P.P., Board Planner
18 Sarmad Planning Group, LLC
19 NANCY PROBST, Land Use Administrator
20 Township of Bridgewater
21

22

22 STENOGRAPHICALLY REPORTED BY:

23 ANGELA BUONANTUONO, CCR, RPR
24 License No. 30XI00233100
25

1 A P P E A R A N C E S:

2

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21 A L S O P R E S E N T:

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26 GEORGE FOLK, P.E.
27 David A. Stires Associates, LLC

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I N D E X

WITNESSESPAGE

JEFF MCKAY, Vice-President Tharaldson Hospitality Development, LLC	18
TERRY O'BRIEN, Vice-president Park Silver Development, LLC	47
GREG HEFLIN, Vice-president Park Silver Development, LLC	47

PUBLIC QUESTIONS AND/OR COMMENTS:NAMEADDRESSPAGE

Lars Knudson	104 Chelsea Way	33, 89 101
John Kulak	13 Ramsey Street	34, 88
Mitchel Zaytoun	130 Chelsea Way	43, 96
Dan Seeley	26 Chelsea Way	102
Robert Zgorzynski	119 Chelsea Way	106

E X H I B I T S

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NO.

DESCRIPTION

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None.

6 1 CHAIRMAN VESCIO: Good evening. And 2 welcome to the Bridgewater Township Planning Board 3 meeting for Tuesday, December 3, 2024. 4 Adequate notice of this meeting has 5 been given in accordance with the Open Public 6 Meetings Act, or N.J.S.A. 10:4-6. On February 7th, 7 2024, proper notice was sent to The Courier News and 8 The Star-Ledger, and filed with the Clerk at the 9 Township of Bridgewater, and posted on the bulletin 10 board in the Municipal Building. 11 Please be aware that the Planning Board 12 Policy for public hearings, no new applications will 13 be heard after 9:30 p.m., and no new testimony will 14 be taken after 10:00 p.m. 15 Hearing assistance is available upon 16 request. Accommodation will be made for individuals 17 with a disability, pursuant to the Americans with 18 Disabilities Act, or ADA, provided the individual 19 with the disability provides 48 hours' advance 20 notice to the Planning Department secretary before 21 the public meeting. 22 However, if the individual should 23 require special equipment or services, such as a 24 CART transcriber, seven days' advance notice, 25 excluding weekends and holidays, may be necessary.	8 1 CHAIRMAN VESCIO: Thank you, 2 Ms. Probst. 3 - - - 4 (Whereupon, the board continues with 5 the agenda as posted.) 6 - - - 7 (Whereupon, the application is called 8 at 9:03 p.m.) 9 - - - 10 COUNCILMAN KIRSH: And, Mr. Chairman, 11 even before we begin this next portion, I know our 12 policy is to be wrapped up by 10. You know, I'm 13 only one person. You know, I'm willing, if there's 14 consensus, to call 10 o'clock would be 10:30 15 tonight, just to give us that little bit of extra 16 breathing room. 17 Again, I'm only one person. I don't 18 have the authority to, you know, keep people here 19 later but, you know, because some have traveled from 20 a distance, you know, I'm willing to -- for this 21 evening, have a 10:30 goal, if necessary, instead of 22 a 10 o'clock goal. 23 Again, I don't know if that's a look of 24 approval or disapproval from the other side of the 25 table.
7 1 Would everyone please rise to salute to 2 the flag. 3 [Pledge of Allegiance.] 4 CHAIRMAN VESCIO: Ms. Probst, could I 5 have a roll call, please? 6 Chairman Vescio? 7 CHAIRMAN VESCIO: Here. 8 ADMINISTRATOR PROBST: Mayor Moench is 9 absent, for the record. 10 Councilman Kirsh? 11 COUNCILMAN KIRSH: Here. 12 ADMINISTRATOR PROBST: Mr. Pappas will 13 be absent. 14 Mr. Magura? 15 MEMBER MAGURA: Here. 16 ADMINISTRATOR PROBST: Mr. Wang will 17 be absent. Ms. Sikora will be absent. Mr. Banga 18 will be absent. Ms. Chartowich will be absent. 19 Mr. Choudhury? 20 MEMBER CHOUDHURY: Here. 21 ADMINISTRATOR PROBST: Mr. Atkins? 22 MEMBER ATKINS: Here. 23 ADMINISTRATOR PROBST: Mr. Peck is 24 present. Mr. Burr and Ms. Sarmad. 25 You have a quorum and you can proceed.	9 1 CHAIRMAN VESCIO: Right, right. So we 2 typically don't take new testimony after 10:30, but 3 for those who traveled we can make an exception. 4 COUNCILMAN KIRSH: I'm sorry, we 5 usually go to 10:30? 6 CHAIRMAN VESCIO: We typically go to 7 10:30 without any new testimony after 10:30. So, 8 yes, we have been here past 11 before, but -- 9 COUNCILMAN KIRSH: Okay. 10 CHAIRMAN VESCIO: -- I'm not advocating 11 that that needs to be the case this evening. 12 COUNCILMAN KIRSH: All right. I guess 13 what I'm trying to say is if we're close, I think 14 we'll probably work with you. 15 CHAIRMAN VESCIO: Yes. 16 ATTORNEY SILBERT: Thank you. 17 And I'm hoping the next application -- 18 and I do see members of the public here, but I'm 19 hoping it will go quickly just because it's an 20 amendment to a previous approval. 21 CHAIRMAN VESCIO: I'll just make an 22 announcement for those that are in the room, we are 23 moving to the next application, that's for the R.I. 24 Heritage Inn of Bridgewater, LLC, in the care of 25 Tharaldson Hospitality Development, Block 222, Lot

10 1 3.01, commonly known as 1260 Route 22. 2 ATTORNEY SILBERT: Mr. Chairman, just 3 for the record, my name is Michael Silbert and I'm 4 an attorney at the law firm DiFrancesco Bateman, 5 located in Warren Township. I'm here tonight on 6 behalf of the applicant, R.I. Heritage Inn at 7 Bridgewater, LLC. 8 The applicant is seeking Amended 9 Preliminary and Final Site Plan approval for the 10 property identified as Block 222, Lot 3.01, as shown 11 on the township's tax maps, more commonly known as 12 1260 Route 22 East. 13 The property is located in the HIC zone 14 district and consists of a single parcel just under 15 13 acres in size. And pursuant to Section 126 -- 16 Section 126-314.182 of the township code, hotels are 17 a permitted use in the zone. 18 The property comprises five land units 19 created through a condominium arrangement. This 20 application pertains specifically, as you will see 21 in the application materials, to Land Unit D, which 22 is the southernmost building proposed on the 23 property. 24 So just a little brief background 25 information because I had made previous	12 1 the applicant's proposing to reduce the building 2 footprint and overall size of the building. And 3 this impacts several of the bulk variances that were 4 -- or at least one of the bulk variances that was 5 granted during the original site plan approval. 6 So I'll leave it to our engineer to 7 discuss the differences in building footprint, 8 F.A.R. reduction. This is going to result in a lot 9 coverage reduction. We are going to be able to 10 increase the number of parking spaces despite the 11 fact that the number of rooms are slightly 12 decreasing. 13 The witnesses I'm going to call are 14 going to explain some of these changes. Ultimately, 15 these changes are driven from an economic 16 standpoint, just responding to current real estate 17 market trends, particularly in light of being in a 18 post-COVID-19 world. 19 As noted in the joint review memo, 20 dated November 26th, 2024, the proposed amendments 21 to the building size represent actually improvements 22 to the relief that was previously granted. So from 23 a technical standpoint, variance relief is still 24 required for at least one of the bulk variances that 25 was previously received because although they're
11 1 representations earlier this evening, the project 2 was previously approved in its entirety and was 3 subject of a Preliminary and Final Site Plan 4 application. Eventually that was approved on 5 December 11, 2018. That approval allowed for the 6 construction of a Marriott Residence Inn hotel on 7 Land Unit D. 8 So as part of the original approval 9 there was a number of bulk variances and design 10 waivers that were granted. I could just very 11 quickly go through it and this -- I'll clarify this 12 later on, but essentially there was a building 13 height variance granted for the SpringHill Suites 14 Hotel for 49.33 feet where 45 feet was permitted; 15 front yard setback from Route 22, where 139.59 feet 16 was approved, 200 feet was required; buffer for 17 principal building, 90.87 feet was approved where 18 125 feet was required; minimum parking lot buffer, 19 21.87 feet was approved, where 75 feet was required; 20 minimum accessory structure buffer, 50 feet was 21 approved, 75 feet was required. 22 Why are we here tonight? The applicant 23 is returning before the board to seek an amended 24 site plan approval due to changes in the hotel user 25 and to the building on Land Unit D. Specifically	13 1 improvements, they still remain non-compliant with 2 the township's requirements. And we're going to be 3 seeking that variance under the c(2) criteria. 4 The other bulk variances granted as 5 part of the original approval, they're going to 6 remain unchanged; they'll remain as approved. 7 So I have three witnesses. Three -- I 8 have three or four witnesses because I have two 9 representatives from the future operator from Park 10 Silver Development. So I'm joined with Terry 11 O'Brien and Greg Heflin. They're both regional 12 vice-presidents from Park Silver Development, LLC, 13 and they're representing WoodSpring Suites, the 14 future hotel user of Land Unit D. 15 I'm also joined by Jeff McKay. He's 16 the vice-president of Tharaldson Hospitality 17 Development. It's a related entity of the applicant 18 and the land unit owner. 19 And I'm joined, lastly, by our 20 professional engineer, George Folk. He was the 21 original civil engineer for this project and he also 22 prepared the amended site plan. 23 One thing I just wanted to stress for 24 the board is that the exterior architectural design 25 is essentially the same that was approved back in

14 1 2018 in terms of quality of materials, certain 2 design features. Even though the building footprint 3 is changing and the interior space is changing, the 4 actual exterior appearance of the building, or at 5 least from a material standpoint, is the same. 6 There were a couple housekeeping and 7 site plan inconsistencies I just wanted to address 8 from the professional review memo. So I had stated 9 and the applicant's materials, with the exception of 10 the site plan, indicates that this site plan 11 application was approved or the original one was 12 approved in 2018. The cover sheet of the site plan 13 drawings indicates an approval date of September 14 2020; but that is relative to post-approval 15 compliance revisions that resulted from the 2018 16 approval. So I just wanted to clarify that. Our 17 civil engineer can certainly add to that. 18 There was an incorrect F.A.R. approval 19 date in the site plan; it made mention of the 20 approval date on September 17th, 2024. I think 21 that's just a typo. 22 If there was -- there may have been a 23 typo with respect to rear yard setback variance that 24 we don't actually need. So I'll let our engineer 25 address that.	16 1 we've come this far. 2 ATTORNEY SILBERT: Absolutely. 3 CHAIRMAN VESCIO: So why don't we do 4 that. I'll need a motion to break. 5 MEMBER ATKINS: Make motion. 6 CHAIRMAN VESCIO: Was that Mr. Atkins. 7 I'll need a second. 8 MEMBER MAGURA: Second. 9 CHAIRMAN VESCIO: All in favor? 10 BOARD MEMBERS IN UNISON: Aye. 11 ATTORNEY SILBERT: Thank you. 12 CHAIRMAN VESCIO: Thank you. 13 - - - 14 (A recess is taken at 9:13 p.m.) 15 - - - 16 (Time noted, 9:23 p.m.) 17 - - - 18 CHAIRMAN VESCIO: Members, ready to 19 resume? 20 All in favor? 21 BOARD MEMBERS IN UNISON: Aye. 22 CHAIRMAN VESCIO: Mr. Silbert, thank 23 you very much for entertaining that break. 24 ATTORNEY SILBERT: Mr. Chairman, my 25 pleasure. Thank you very much for having us this
15 1 And then, finally, I just wanted to 2 address an issue with the height discrepancy. So 3 WoodSpring Suites building is proposed at 46 feet, 4 according to the architectural elevations. The 5 zoning table on the cover sheet, my notice indicates 6 that we need variance relief for the building height 7 at 49.2 feet. That was an error. That was in 8 reference to the other hotel. It's not in reference 9 to WoodSpring Suites. 10 So there's no change in the building 11 height to -- SpringHill Suites, sorry, it's a little 12 confusing SpringHill, WoodSpring. But the building 13 height for WoodSpring Suites is 46 feet. It will be 14 testified to this evening. 15 And with that, I would ask if I could 16 -- I'm going to start with operational testimony so 17 the board can get some background information on 18 WoodSpring Suites. So I would ask if I could call 19 up my first witness, which is Terry O'Brien, he's 20 the -- if you want to swear them all, that's fine as 21 well. 22 CHAIRMAN VESCIO: We actually can. 23 I'm also looking in the interest of time here, 24 perhaps can we take a three- to five-minute break 25 just for those of us to use a restroom, given that	17 1 evening. 2 I represented before the bathroom break 3 that I was going to be calling Mr. Terry O'Brien 4 from Park Silver Development, but I'm going to 5 change things up; I'm actually going to call Jeff 6 McKay from Tharaldson Hospitality Development. He, 7 again, is a vice-president of the developer or -- 8 I'm sorry -- of the applicant, and of the property 9 owner, which is a related entity. 10 So if I could -- if you want to swear 11 in all the witnesses -- did we swear all the 12 witnesses in? 13 ATTORNEY PECK: No, we didn't swear 14 anyone. 15 ATTORNEY SILBERT: Excuse me. 16 CHAIRMAN VESCIO: We can swear them in 17 all together. 18 ATTORNEY PECK: If all the witnesses 19 would, you know, known and possible, stand and raise 20 your right hand. Do you all swear and affirm that 21 the testimony you are going to give during the 22 course of this hearing will be the truth and nothing 23 but the truth? 24 WITNESSES IN UNISON: I do. 25 ATTORNEY PECK: And starting with

J. McKay 18 1 Mr. McKay, just state and spell your names for the 2 record. 3 JEFF McKAY: Jeff McKay, M-C-K-A-Y. 4 GEORGE FOLK: George Folk, F-O-L-K. 5 GREG HEFLIN: Greg Heflin, H-E-F-L-I-N. 6 TERRY O'BRIEN: Terry O'Brien, 7 O-B-R-I-E-N. 8 ATTORNEY PECK: Thank you very much. 9 ATTORNEY SILBERT: Thank you. 10 So, Mr. Chairman, we thought it would 11 be helpful to bring Mr. McKay up to kind of talk a 12 little bit about the change in commercial real 13 estate, some of the market changes, what led to this 14 change. And I'll let Mr. McKay take it away from 15 here. 16 17 J E F F M C K A Y, sworn, provides the following 18 testimony: 19 - - - 20 E X A M I N A T I O N 21 - - - 22 THE WITNESS: Good evening. Yeah, I 23 just wanted to give us a little bit of a background 24 on kind of why we're here and what we're trying to 25 get accomplished here.	J. McKay 20 1 38/39 percent. This isn't the only market where 2 we're not able to do a Residence Inn. We've also 3 cancelled some other locations for Residence Inn. 4 Residence Inn is a bigger building. 5 And so we looked at how we could 6 continue to develop the site and still make it what 7 we started out to do, and that is our goal. 8 In doing so, we discovered a brand that 9 we thought we could make work here. And although we 10 didn't have the expertise with the WoodSpring brand, 11 we teamed up with Terry and Greg and their 12 organization who had in-depth experience with the 13 WoodSpring and, of course, had WoodSpring 14 properties. And so we wanted to team up with people 15 that knew what the brand was and how to operate that 16 hotel. 17 So having said that, we're here to 18 propose, obviously, a different hotel. It's similar 19 in nature, a four-story. We want to make the 20 outside look just as the Residence Inn did, use the 21 same materials, the same colors, and it's going to 22 be smaller. As you could imagine, a little bit less 23 cost to build that way. 24 So really that's sort of the backdrop 25 of kind of why we're getting together here and I'm
J. McKay 19 1 ATTORNEY PECK: And if you could, 2 before you get going, could you give your title 3 again? There were a lot of entities being tossed 4 around, just so we have a clear record. 5 THE WITNESS: No problem. So my name 6 is Jeff McKay. I'm with Tharaldson Hospitality. I 7 represent Tharaldson. 8 We currently own and operate 88 hotels 9 across the United States. I was here in 2018 to get 10 a couple of hotels approved. And we worked on this 11 site for a long time, several years. And we've 12 developed over 400 hotels around the United States. 13 I celebrated my 19th year in October, here with the 14 company. 15 So Bridgewater was on our radar. We 16 wanted to be in Bridgewater and we had great plans, 17 there's no doubt about it. Today's world has 18 changed, as everyone here knows. The pandemic was 19 brutal in the hotel world. At that time we didn't 20 have 88, we had closer to 75, and we've actually 21 closed the doors on 25 hotels during the pandemic, 22 just shut them down. 23 And, unfortunately, the Bridgewater 24 market has not come back to what we feel we can 25 build a Residence Inn. Construction costs are up	J. McKay 21 1 here to answer any kind of questions that the board 2 may have and, hopefully, to seek approval to move 3 forward with our development. 4 ATTORNEY SILBERT: If I may, 5 Mr. McKay, so I made a representation in my opening 6 that there was a very strong effort to keep the 7 architectural design in line with what was approved 8 in 2018. 9 Since you were very much involved in 10 the hearing process in 2018, you're a decision-maker 11 here, do you agree with that representation and can 12 you touch on that at all? 13 THE WITNESS: Could you just repeat -- 14 you're saying the exterior? 15 ATTORNEY SILBERT: Yeah. I just 16 wanted you to confirm that my representation that 17 the architectural design that is being proposed this 18 evening is very similar to what was proposed and 19 approved back in 2018. 20 THE WITNESS: It is very similar. In 21 fact, the WoodSpring, I don't know that it commonly 22 has a flat roof, but the Residence had a flat roof. 23 We changed this to make sure it had a flat roof to 24 match what was originally approved. And again, 25 going back to the materials and even down to the

1 colors that were approved in 2018 for the Residence,
2 same colors on the building.

3 So, effectively, we have a little
4 smaller box that looks the same, that's going to
5 have a different sign on it. I mean that's really
6 what we're trying to do here.

7 ATTORNEY SILBERT: And going back to
8 the 2018 approval, the board asked questions based
9 on the resolution. The board asked questions and it
10 was the testimony of the applicant then, that this
11 architectural design would fit well within the other
12 proposed designs for the other buildings on the
13 property.

14 Do you still believe that's the case
15 today?

16 THE WITNESS: Yes, that's correct.
17 And we worked very tiresomely on getting the look of
18 the building to appease the neighborhood and the
19 Township of Bridgewater. There's no doubt about
20 that.

21 ATTORNEY SILBERT: So is it your
22 opinion that the aesthetics component to this
23 application was already -- was already reviewed and
24 approved by the board back in 2018, and what you're
25 proposing today mimics that approval as much as

1 reasonably possible?

2 THE WITNESS: Yes, that's correct.

3 ATTORNEY SILBERT: Okay, great.

4 So I'll turn it back to you,

5 Mr. Chairman, and the board, if they have any
6 questions about, you know, as to the background as
7 to why we're here, any questions on Mr. McKay's
8 testimony.

9 CHAIRMAN VESCIO: Thank you,
10 Mr. Silbert.

11 Any questions from our board regarding
12 the testimony we just heard?

13 COUNCILMAN KIRSH: Yeah. I just have
14 a clarifying question.

15 So you said -- you said affectionately
16 the box is a little smaller. Is it largely in the
17 same location?

18 THE WITNESS: It is. And we will get
19 into more of the specifics. I think that's what our
20 engineer is here to do. But I, again, just wanted
21 to provide a little bit of background on -- he has a
22 very good depiction here of the --

23 ATTORNEY SILBERT: Counsel, can you
24 see this?

25 THE WITNESS -- the old footprint

1 compared to the new footprint in red.

2 COUNCILMAN KIRSH: Okay. Because, and
3 I'll tell you, I'll telegraph where I'm going with
4 this; I was not on the board in 2018. I don't think
5 any of us -- I know none of us were. Obviously, you
6 know, we stand by whatever action was taken and now,
7 you know, six years later, you know, we iterate to
8 the next opportunity.

9 I'm definitely particularly interested
10 in understanding, you know, how both the letter of
11 the resolution from 2018, as well as the intent, is
12 still being satisfied here. Because I know there
13 were concerns about berms and about privacy and
14 about trees and fences and, you know, there was a
15 lot that came out at that hearing.

16 You know, I was not there, but, you
17 know, I did some diligence in trying to speak with
18 those who were, and I just want to make sure that,
19 you know, both the letter and the intention remains
20 in place, or through this hearing we can make sure
21 that they stay in place.

22 THE WITNESS: That would be our
23 absolute intention is to honor all of those
24 requirements that were previously instated on the
25 site plan application.

1 COUNCILMAN KIRSH: And to the extent
2 that the building has, you know, shifted or moved or
3 something is different, you know, that -- you know,
4 there be kind of new guidance that follows the same
5 spirit, is what I'm trying to say.

6 THE WITNESS: Well, we haven't shifted
7 the building at all. In fact, it sits right within
8 the old footprint.

9 COUNCILMAN KIRSH: Okay.

10 THE WITNESS: And it's a smaller
11 footprint. And the building itself, of course, the
12 guest rooms, they're a little bit smaller, but we'll
13 speak to that as we move forward.

14 COUNCILMAN KIRSH: Thank you.

15 CHAIRMAN VESCIO: Thank you,
16 Councilman.

17 PLANNER SARMAD: I'm sorry, just to
18 add, Mr. Kirsh, some background.

19 About eight months ago or so,
20 representatives -- these same representatives from
21 this applicant team had come in and basically met
22 with the professionals in the township to better
23 understand if they did need amended site plan
24 approval based on the changes that they were
25 requesting, which now this is the subject

J. McKay 26 1 application so, obviously, the answer to that 2 question was, yes, they did. 3 So there was a thorough review of the 4 resolution, the prior architectural plan, the prior 5 building layout, which essentially the decision was 6 that they would need amended approval, which is 7 exactly why they're here tonight, is that they are 8 seeking basically a new approval that would then 9 change what was approved in the past. 10 And I will say that, I think upon 11 comparing, they were true to their word, they are 12 similar in the nature of them. It's just that the 13 actual size -- the scale and size of the building is 14 much smaller than what was previously approved. 15 And some of the amenities within the 16 building that were part -- that were specifically 17 cited in the resolution are no longer proposed. As 18 they've mentioned, I think it's an economics 19 function of why those have been changed and scaled 20 back. 21 But essentially that's why they are 22 before this board. If they had just made some minor 23 changes, they could actually have gone through, even 24 with a different brand name, likely, without an 25 amended approval; they would have worked under the	J. McKay 28 1 -- what was in error would have been a reduction in 2 height, but we're not adjusting the approved height 3 of SpringHill. 4 MEMBER CHOUDURY: So the new height is 5 46 feet? 6 ATTORNEY SILBERT: Yes. And I believe 7 the old height was, I'll confirm, but I believe it 8 was 46 feet. 9 They're the same heights? 10 THE WITNESS: Yeah. We are not trying 11 to do anything deviation-wise with the original 12 approval other than change the brand name. 13 MEMBER CHOUDURY: Thank you. And then 14 the next -- 15 ATTORNEY SILBERT: The only variance 16 we're seeking, just in case I didn't say it or I 17 said it too fast, is there's a required buffer under 18 126-314.1F, where the buffer for the principal 19 building is proposed at 94.11 feet, where 125 feet 20 is required. And previously approved was 90 feet. 21 So the only variance or deviation we're 22 seeking is an improvement to a previously received 23 variance. 24 MEMBER CHOUDURY: So basically 25 improved by 4 feet for these, right?
J. McKay 27 1 other. 2 So this whole amended approval really 3 is related to the magnitude of the changes that they 4 are proposing, and that they do deviate from the 5 original resolution. 6 CHAIRMAN KIRSCH: Okay, understood. 7 CHAIRMAN VESCIO: Thank you, Ms. 8 Sarmad. Mr. Choudhury? 9 MEMBER CHOUDHURY: The new variance, 10 the height -- the height particularly, you don't 11 explain. The height is not a variance, it's 12 becoming 46, not a 49 as it shows here, right? 13 ATTORNEY SILBERT: Yes. There were 14 two mistakes; one was made by me where when I saw 15 the change on the zoning data table between the 2018 16 approval to what we are proposing this evening, when 17 I saw that number changed, I had thought that was in 18 reference to this proposed building. That was an -- 19 in error, there is no relief requested for this 20 proposed building as it relates to height. That 21 height variance was with respect to the other hotel, 22 SpringHill Suites. 23 So I apologize for the confusion on our 24 part, but it's a good thing because we're not 25 changing the height variance. Although what we were	J. McKay 29 1 ATTORNEY SILBERT: Yes. 2 MEMBER CHOUDURY: So now there's only 3 one variance then, not the two? 4 ATTORNEY SILBERT: Correct. 5 MEMBER CHOUDURY: Okay. Thank you 6 very much. Nothing else. 7 CHAIRMAN VESCIO: Thank you, 8 Mr. Choudury. 9 Any other questions? Ms. Sarmad? 10 Mr. Burr? 11 ENGINEER BURR: I just had two quick 12 questions, Mr. Chairman. 13 So just for reference, I think what 14 we're talking about is the old Days Inn site on 15 Route 22, between the Open Road Mercedes and the old 16 Houlihan's. And the prior approval included two 17 hotels and, I believe, three commercial pad -- or 18 retail pad sites along 22. 19 So what we're talking about tonight is 20 the hotel that is most southerly or furthest into 21 the site that is positioned parallel to Route 22. 22 So my question for Mr. McKay is, as far 23 as Tharaldson is concerned, is your interest only in 24 the WoodSpring Suites Hotel, or do you have a 25 controlling interest or stake in any of the other

J. McKay 30 1 portions of the project? 2 THE WITNESS: So, yes, currently we 3 own the -- I guess it's 13 acres. We purchased the 4 land back in the time we were seeking the original 5 approvals. 6 The ownership structure and what occurs 7 from here, I guess, are unknown at this point. It 8 will depend on what we can get for approvals here. 9 ENGINEER BURR: And the follow-up 10 question to that is, it's no secret that this site 11 has been in the condition that it's in right now in 12 a semi-completed -- from a site improvement 13 perspective, semi-completed for probably going on 14 three years. 15 So I'm curious, if this was to be 16 approved, this amendment, is this going to be a 17 springboard -- no pun intended -- for building out 18 the rest of this site, or is the town looking at a 19 site that is going to be somewhat in transition or 20 kind of status quo for the foreseeable future? 21 THE WITNESS: Well, I can speak to 22 what occurred over the past four or five years and 23 that was the pandemic. That's why you saw what you 24 saw. 25 We did demolish the Days Inn and we	J. McKay 32 1 "possibly." 2 THE WITNESS: Yeah. You know, there's 3 a Developer's Agreement that is tied into this, as 4 you're aware. And there's certain activities that 5 need to occur timing-wise for, for instance, the 6 commercial to start. 7 The SpringHill is permitted and the 8 intentions are to get started on that project. We 9 have fenced the site and we're waiting on some 10 financing arrangements. 11 And then again, the WoodSpring, pending 12 approval, we would need to get the hotel drawn, get 13 the plans drawn and into the township for approval. 14 And that's probably a -- that could be an eight, 15 nine-month process, I don't know. And ideally we 16 would start immediately after that. 17 COUNCILMAN KIRSH: So looking at the 18 two hotels right now as we speak, the SpringHill is 19 more ready to go? 20 THE WITNESS: Correct. 21 COUNCILMAN KIRSH: Okay. But from a 22 financial and other standpoint, it's not moving 23 ahead right now? 24 THE WITNESS: Well, I wouldn't say 25 that it's not moving ahead. In fact, the site was
J. McKay 31 1 were prepared to start, fully start. And it was a 2 lengthy approval process, it was. And by the time 3 it was ready to get going and get started, we were 4 smack-dab in the middle of COVID-19. And people 5 weren't even working, let alone building a new 6 hotel. That's what happened. 7 And thankfully for the township, you 8 got the Days Inn leveled, you know, and a clean site 9 for a while. And our goal is to get this approval 10 and we need a domino to tip here and get one going 11 and get moving on the project. 12 COUNCILMAN KIRSH: But on that same -- 13 sorry, Mr. Chairman. 14 On that same line of questioning, you 15 know, this project is further ahead than the 16 SpringHill, further ahead than the retail in the 17 front, correct, in terms of priority? 18 THE WITNESS: In what regard? 19 COUNCILMAN KIRSH: Well, in terms of 20 timing? You know, I mean, I guess the SpringHill is 21 fully approved, it's not built. The retail is fully 22 approved, is not built. 23 You know, we're here talking about this 24 one. It feels like a step -- is it accurate this is 25 possibly a step one? And I think your answer was	J. McKay 33 1 fenced a matter of three, four weeks ago when I was 2 here. So they are, they are getting moving on that 3 one. 4 CHAIRMAN VESCIO: Thank you, Councilman 5 Kirsh. 6 Any other questions? Any questions 7 from our professionals? 8 At this time I would like to ask any 9 members of the public wishing to ask a question 10 based on the testimony we just heard, please feel 11 free to come forward at this time. 12 And if I could just reiterate, we're 13 asking questions at this stage. There will be an 14 opportunity later on for general comments. Thank 15 you. 16 LARS KNUDSON: Understood, thank you. 17 My name is Lars Knudson, L-A-R-S, K-N-U-D-S-O-N, 104 18 Chelsea Way, here in Bridgewater. I am also the 19 president of the board of trustees of Chelsea 20 Village Condo Association. And I am an attorney 21 admitted in New Jersey. 22 In the interest of time, I did have a 23 number of questions related to the impervious 24 coverage, the specific site changes, any changes in 25 the lighting, landscaping, and specific to the --

J. McKay 34 1 the brand, WoodSpring Suites. 2 Are you prepared to answer those 3 questions or -- 4 THE WITNESS: I believe that's a great 5 segue for possibly our next witness. 6 LARS KNUDSON: Say again? 7 THE WITNESS: I say that's probably a 8 good segue to introduce our next witness to explain 9 those items to you. 10 LARS KNUDSON: Great. If that's the 11 case then I will reserve my questions until the next 12 witness. 13 CHAIRMAN VESCIO: Very good. 14 JOHN KULAK: John Kulak, 13 Ramsey 15 Street in Bridgewater. And I am here as a resident 16 tonight. I have been a resident of the Finderne 17 section of Bridgewater for pretty much my whole 18 life. 19 When I was looking at your amended 20 plan, you are trying to present this -- or you are 21 presenting this, I should say, as a let me move one 22 building aside and put in another building and 23 everything else should remain the same. But the 24 planning board originally approved both the brand 25 and the building itself.	J. McKay 36 1 plan? 2 THE WITNESS: Correct. 3 JOHN KULAK: And when you -- and this 4 is a question both for the board and, I guess, the 5 township professionals. But because you're asking 6 for a new approval, are you subject to newer 7 requirements as they pertain to stormwater 8 management, stormwater runoff and things like that? 9 Because you're not really transferring the old 10 approval to this building, but rather you're getting 11 a new approval and seeking the variances that you 12 requested. 13 So I don't know who should better 14 answer that question but I'm wondering, since 15 there's a change, are you now subject to the newer 16 requirements? 17 ATTORNEY SILBERT: So I can -- from 18 our side, we can have our civil engineer answer that 19 question. I'll note that -- I'll let our civil 20 engineer answer the question. 21 JOHN KULAK: Okay. One last thing. 22 There was some errors in the documents submitted 23 with the wrong address, have they all been 24 corrected? 25 ATTORNEY SILBERT: So what you're
J. McKay 35 1 You alluded to the fact that the brand 2 changed because of the economics of the world had 3 changed and you selected this brand. Could you tell 4 us more about the brand? 5 Because my understanding is that it's 6 quite a step down from the Residence Inn or, 7 alternatively, the other property which will be 8 built. It's no longer a Marriott property but 9 another brand. 10 So can you talk a little bit about 11 that, please? 12 THE WITNESS: Again, I think I'll 13 reserve that for our next witness. They are the 14 experts with the brand, with WoodSpring Suites, and 15 that's why we teamed up with them so. 16 JOHN KULAK: And your decision, 17 however, was, as you stated, an economic decision? 18 THE WITNESS: Correct. 19 JOHN KULAK: Is this, in its nature, a 20 long-term residence compared to what we're more used 21 to with hotels where people come, stay a few days 22 and leave, go about their business? 23 THE WITNESS: I believe it is, yes. 24 JOHN KULAK: And would they be, then, 25 better able to speak to that as they discuss their	J. McKay 37 1 referring to is the subject line in the application 2 letter referenced the property at 202. All of the 3 actual application materials, with the exception of 4 the subject line of the letter, referenced the 5 correct address. That was an error on my part, 6 likely because of the other application. 7 But we did send notice out to 8 approximately 200 people, properly identifying the 9 correct address. If anybody as -- you know, the 10 township puts the documents that we submitted on the 11 website as a courtesy. If anyone read through the 12 letter, they would see the correct address and all 13 the plans have the correct address. 14 So I do apologize for that error. 15 JOHN KULAK: Thank you. All I'm 16 suggesting is that, to the extent that they need to 17 be corrected, that you will have done that and 18 submitted those documents correctly? 19 ATTORNEY SILBERT: I would say that 20 they -- the cover letter is probably -- is not a 21 document that would ordinarily be corrected. If it 22 was the amended site plan or actual application, I 23 would totally agree that they would need to be 24 remedied but just as far as -- it's just 25 correspondence.

1 So I don't know how to rectify that.
2 It's not an official document, I would say, it's
3 just a cover letter that accompanied the actual
4 application.

5 JOHN KULAK: I appreciate that. It
6 was just a little confusing.

7 ATTORNEY SILBERT: Understood, and I
8 apologize for that. I certainly wasn't trying to,
9 you know, mislead anyone.

10 JOHN KULAK: No, I didn't think that.

11 ATTORNEY SILBERT: It was purely a
12 typo.

13 JOHN KULAK: And I would like to
14 reserve the rest of my questions as we have the
15 additional witnesses speak.

16 COUNCILMAN KIRSH: Actually on that
17 subject, for Mr. Peck, are you satisfied that notice
18 is still in good order and we can be proceeding?

19 ATTORNEY PECK: Notice was proper and
20 conformed with all the statutory requirements.

21 COUNCILMAN KIRSH: Okay.

22 ATTORNEY PECK: And that was a typo in,
23 you know, the subject line of their submission which
24 is unfortunate because it was confusing, I mean, I
25 looked at it, too. But from a notice standpoint,

1 they're fine; notice was proper.

2 COUNCILMAN KIRSH: Okay. And, in
3 addition, our notice to the public beyond the
4 200-foot statutory requirement, are we satisfied
5 that that -- that has been sufficient? Because,
6 again, we operate with only the highest integrity
7 and transparency here.

8 ATTORNEY PECK: I'm satisfied that it
9 is.

10 COUNCILMAN KIRSH: Okay.

11 ATTORNEY SILBERT: I would just say I
12 don't think I have ever -- thus far in my career, I
13 have never provided 200 notices, so that was a long
14 and arduous process. But I can assure you that the
15 residents that are certainly most impacted by this
16 change they were notified 100 percent so -- and
17 100 percent accurately.

18 COUNCILMAN KIRSH: No, and I don't
19 doubt that. But I also have just the concern, you
20 know, that we're notifying the public also, through
21 our website and, you know, thorough any other
22 channels. We have an email blast that goes out to
23 those who are particularly concerned and interested
24 about Land Use matters.

25 So I just want to make sure that we're

1 satisfied that not just that the law was followed --
2 and it seems as though it was -- but that also our
3 efforts to be fully transparent, that that goal has
4 also been met.

5 ATTORNEY SILBERT: Understood. I do
6 understand that.

7 ADMINISTRATOR PROBST: Councilman
8 Kirsh, if I might, there was a typo on the agenda
9 which mirrored the typo in the transmittal letter.
10 So the agendas had also said "Route 202." It was
11 amended, reposted and then rectified.

12 COUNCILMAN KIRSH: Okay. So
13 essentially in Version 1 it was incorrect, but then
14 in an update it was correct?

15 ADMINISTRATOR PROBST: Correct.

16 COUNCILMAN KIRSH: So if I were to go
17 on the website now, which I won't, it states it
18 correctly?

19 ADMINISTRATOR PROBST: To my
20 knowledge. I forwarded it this morning to be
21 reposted to the webmaster so.

22 ATTORNEY SILBERT: And I will just
23 add, just to hopefully conclude this portion of the
24 hearing, but I have been on your side. This doesn't
25 happen in Bridgewater because Nancy does such a good

1 job, but it's not uncommon that you can have an
2 agenda with a minor typographical error. It's
3 certainly not fatal, from the applicant's
4 perspective, to moving forward with their
5 application.

6 Although I totally understand and
7 respect, Councilman, where you're coming from as it
8 pertains to transparency. If perhaps this was a
9 different application and where we're going in anew
10 and didn't already have an approval here, perhaps it
11 would be a different situation. But, again, we're
12 looking to adjust the footprint of a previously
13 approved hotel.

14 COUNCILMAN KIRSH: Okay. And actually
15 since -- I don't want to belabor the point, I know
16 we have limited time -- you know, there seem to be
17 some residents from the Chelsea Development
18 property -- excuse me, the Chelsea property. There
19 is also, so within your 200 feet are at least some
20 of the residents on what I'll just affectionately
21 call "the college streets," that would be to the
22 east. They are -- I didn't look at that part of the
23 packet, I apologize.

24 ATTORNEY SILBERT: That's okay.

25 COUNCILMAN KIRSH: I assume that you

J. McKay 42 1 hit some number of those residents as well? 2 ATTORNEY SILBERT: I would have to go 3 back and look at the notice list. I would assume 4 that they weren't all Chelsea residents, but I don't 5 recall. I would have to go double-check. 6 COUNCILMAN KIRSH: Is that in the 7 packet? Because I'm going to look for it. 8 ATTORNEY SILBERT: It was provided to 9 the board with our Affidavit Service and the 10 initial -- 11 COUNCILMAN KIRSH: All right. 12 ATTORNEY SILBERT: Actually the list 13 that was provided to me by your tax assessor was 14 included in the initial application submission. 15 COUNCILMAN KIRSH: Okay, all right. 16 ATTORNEY SILBERT: So you do have a 17 copy actually of that. I apologize. 18 ADMINISTRATOR PROBST: Councilman 19 Kirsh, I personally checked Mr. Silbert's proofs and 20 they were accurate. 21 COUNCILMAN KIRSH: And it does 22 include, again, what I affectionately call "the 23 college streets," like Stanford, Dartmouth? 24 ADMINISTRATOR PROBST: There were 25 quite a few. I can't attest to...	J. McKay 44 1 MITCH ZAYTOUN: Thank you. 2 CHAIRMAN VESCIO: Thank you. 3 Anyone else? 4 Okay, that will close the public 5 portion for this witness. 6 Mr. Silbert, would you like to call 7 your next witness? 8 ATTORNEY SILBERT: I would. I just 9 have an idea. I just want to clarify something, and 10 I could speak with Mr. Peck about it, but my 11 understanding is that with an amended site plan 12 application it's not really treated as though it's 13 an application -- or a new application; it's an 14 amendment to a previous approval. 15 And I point that out because routinely 16 applicants come in, they get approval, and then 17 things happen and they realize they need to make an 18 adjustment. And if the applicant wasn't afforded 19 the opportunity to reappear before the board, a lot 20 of times they would not do that, if they had to come 21 in with a brand-new application. 22 So I just wanted to point out one 23 clarifying component to this, that I don't think 24 it's appropriate for the board to treat this as a 25 brand-new application; they should treat it as an
J. McKay 43 1 COUNCILMAN KIRSH: Okay, as long as -- 2 ADMINISTRATOR PROBST: They were 3 outside of the -- 4 ATTORNEY PECK: There are some 5 Dartmouths on here, though. 6 COUNCILMAN KIRSH: Terrific. 7 CHAIRMAN VESCIO: Any other questions 8 for Mr. McKay? 9 MITCH ZAYTOUN: Good evening. Mitch 10 Zaytoun, Z-A-Y-T-O-U-N, 130 Chelsea Way in 11 Bridgewater. I have been a resident here for 12 20-plus years. 13 I do have some questions. It looks 14 like they're more civil so, but there's one question 15 that I wanted to ask based on the testimony that 16 there was, you said you had roughly 80 hotels; is 17 that what the number was? 18 THE WITNESS: We have 88 currently. 19 MITCH ZAYTOUN: Out of those 88, how 20 many back up against residential homeowners? 21 THE WITNESS: I wouldn't have a count 22 for you. I'm not sure. 23 MITCH ZAYTOUN: Is that something you 24 can provide to the board? 25 THE WITNESS: I could, yes.	J. McKay 45 1 amendment to a prior approval. 2 ATTORNEY PECK: Well the board's 3 analysis should really be constrained to deviations 4 from the previously approved plan. 5 ATTORNEY SILBERT: Correct. 6 ATTORNEY PECK: And what kind of 7 impacts that would be, so if they're proposing 8 changes -- if they're proposing changes, say, to the 9 internal site circulation, that would be a good 10 question of inquiry or the stormwater-type 11 questions. 12 But if there's no deviation from the 13 past approval and they've perfected their approval, 14 then it's really -- you know, in my opinion, it 15 wouldn't be appropriate -- and certainly we're not 16 here to relitigate a previous approval. 17 ATTORNEY SILBERT: Thank you. That is 18 what I was trying to say. 19 But anyway, Mr. Chairman, I do have 20 what I think might be a timely solution. I have two 21 witnesses, both from Park Silver Development. If 22 you, Mr. Chairman, and the board would allow me to 23 do so, I would like to introduce both of them. 24 I would ask them questions. I think it 25 would be beneficial for the public, that way they

1 don't have to wait for the witnesses doesn't say,
2 "Well, he's going to answer it."

3 So if it's okay, I would like to call
4 both of the witnesses and just pose some questions
5 to them. If that poses a problem, I don't have to
6 do that.

7 CHAIRMAN VESCIO: I assume we can try
8 that, sure.

9 ATTORNEY SILBERT: Thank you.

10 CHAIRMAN VESCIO: As long as we don't
11 get confusing, I think that should be fine.

12 ATTORNEY PECK: And we'll just ask
13 them each identify their roles, their roles with the
14 applicant.

15 TERRY O'BRIEN: Hi, I'm Terry O'Brien,
16 I'm a Regional Director -- excuse me, Regional
17 Vice-President of Real Estate. And I'm the guy that
18 goes out and identifies the sites to build these
19 hotels.

20 ATTORNEY PECK: Are you with
21 WoodSpring?

22 TERRY O'BRIEN: I'm sorry. I'm with
23 Park Silver Development.

24 WoodSpring is the franchise company and
25 that's part of Choice Hotels, which is the second

1 group; you heard some of the public questions or
2 comments about their concerns here so why don't you
3 start off and tell the board a little bit about
4 WoodSpring Suites.

5 TERRY O'BRIEN: Sure.

6 ATTORNEY SILBERT: Obviously there was
7 concern about the difference between what was
8 previously approved and as far as the user goes.

9 TERRY O'BRIEN: As I was saying,
10 WoodSpring is an extended stay hotel. It's part of
11 Choice Hotels. Choice is the second largest hotel
12 company in the world, 7,000 units across the world.
13 And this falls under the Extended Stay Group of
14 Choice and they have got -- Choice has 20-plus
15 brands overall, and they have got a couple of
16 extended stay brands and WoodSpring is one of their
17 extended stay brands.

18 You know, the brand is a little
19 different than Residence Inn, as has been spelled
20 here by Mr. McKay earlier. It doesn't have a pool.
21 It doesn't have a meeting space or a restaurant or
22 bar. It's really a rooms-only product. And the
23 customer that stays there is -- that's what they're
24 looking for.

25 I mean, a good example of who would be

1 largest hotel company in the world with over 7,000
2 units.

3 GREG HEFLIN: And I'm Greg Heflin.
4 I'm also a Regional Vice-President with Park Silver
5 Development. And I pick up where Terry leaves off
6 with identifying the site and entitling it, hiring
7 any consultants and professionals to design it and
8 permit it.

9
10 G R E G H E F L I N, previously sworn, testifies
11 as follows:

12
13 T E R R Y O ' B R I E N, previously sworn, testifies
14 as follows:

15 - - -

16 E X A M I N A T I O N

17 - - -

18 ATTORNEY SILBERT: So, Greg, is it
19 fair to say that I should direct questions more to
20 you about the elevations and the floor plans and --
21 would you agree with that?

22 GREG HEFLIN: Yes.

23 ATTORNEY SILBERT: And, Mr. O'Brien,
24 would you agree that you're in a position, you can
25 answer some questions about background of the hotel

1 staying there, traveling nurses, who come in to work
2 in the hospital for three to six months at a time on
3 contract, need a place to stay. They probably still
4 have their own apartment, but they come in, they
5 stay at the hotel for a week at a time and then they
6 go back. Or consultants who come in, that are
7 working on big projects.

8 Even displaced people that have been
9 either burnt out of their home, maybe flooded out of
10 their home. And we have got the great example,
11 which is down in Asheville, North Carolina, which as
12 we all know went through a very bad time recently.
13 And we have got a lot of people staying in the hotel
14 that have been displaced out of their homes.

15 So it's not your typical hotel that
16 Greg or I, when we're on the road, go and stay for
17 one or two nights and then you move on. It's a
18 little different customers base.

19 And extended stay hotels, in the last
20 25 years, is by far the fastest growing segment of
21 the hotel industry. You would probably recognize
22 brands a little more like -- well, Residence Inn,
23 certainly, but TownePlace Suites, Home2Suites,
24 Candlewood Suites, Mainstay Suites. All these
25 hotels are, in the hotel vernacular, are extended

T. O'Brien / G. Heflin 50 1 stay hotels. 2 Are all the people staying there 3 extended stay people? No. They get regular 4 customers who stay there too. But it has a small 5 two-top burner and a small refrigerator and a 6 microwave. And so if you wanted to stay there and 7 cook, you know, heat up a macaroni and cheese or 8 whatever, you can do it. But that's kind of an 9 explanation or short answer to what this product is. 10 You know, it will be a \$16 or \$17 11 million development. It's a first-class piece of 12 real estate. And it's not -- as I say, it's not a 13 Residence Inn, it's not a Ritz-Carlton, but it's a 14 nice property and, you know, we really look forward 15 to coming into your community and developing here. 16 ATTORNEY SILBERT: So you had 17 mentioned some of the other extended stays or 18 comparisons. In your opinion, in terms of quality, 19 how does this hotel compare to your examples, in 20 your opinion? 21 TERRY O'BRIEN: Well, in this segment 22 it's in a mid-tier property. It's a mid-tier 23 property. So against any of those, it's -- I think 24 it's won the J.D. Power Award for the last three or 25 four years, if I'm right, Greg --	T. O'Brien / G. Heflin 52 1 vacation necessarily. They're here to work. 2 They're here to train. They're here as military. 3 They're here as nurses. They're out the door in the 4 morning, they're back at night. 5 They utilize the amenities outside of 6 the hotel; the restaurant down the street, the bar, 7 the lounge, the shops, et cetera, et cetera. And we 8 don't try to keep our guests in; they're out and 9 about doing their work. They're just here for that 10 basis. 11 ATTORNEY SILBERT: And, Greg, if I 12 could just ask you a little bit more specifically 13 about this proposed building, how many rooms are 14 there per floor, if you know an approximate number? 15 And if you need my cheat sheet, you're welcome. 16 GREG HEFLIN: No. So we're 26 17 floors -- 26 rooms on the first floor and 32 rooms 18 on the other three floors. 19 ATTORNEY SILBERT: And could you just 20 talk a little bit about the location of the 21 stairwells and the elevators? 22 GREG HEFLIN: Yes, we have one. As 23 you enter the lobby, there is the guest check-in and 24 security door. There's a small lobby where you can 25 gather and eat and get coffee in the morning.
T. O'Brien / G. Heflin 51 1 GREG HEFLIN: That's correct. 2 TERRY O'BRIEN: -- as the number one 3 extended stay product. So I think that should 4 answer the question. 5 ATTORNEY SILBERT: Thank you. 6 So one of the questions in the 7 professional reports -- or in the professional 8 report is basically, you know, you're reducing the 9 footprint size but you're maintaining relatively the 10 same number of rooms with a slight decrease. 11 So turning now to the floor plans, can 12 you just talk about what a typical room layout looks 13 like, walk us through a typical room. 14 GREG HEFLIN: So as Terry pointed out, 15 they're very similar to a Residence Inn, just on a 16 smaller scale. We have a kitchenette, bed area, 17 sleeping area, a bath, shower, et cetera, a lounge 18 or living area. We're a little bit smaller on a 19 per-room basis. 20 The major deviation on the square 21 footage has to do with the amenity space. We don't 22 have an indoor pool. We don't have a gatehouse. We 23 don't have a breakfast area. 24 As Terry pointed out, these are a 25 different customer. They're not here to be on	T. O'Brien / G. Heflin 53 1 You go beyond that, there is a fitness 2 center, there's guest laundry. There's one 3 elevator. That's kind of our core. There's two 4 elevator shafts -- sorry -- two stair shafts, one on 5 either end of the building. 6 We meet all the codes for New Jersey 7 and the other places that we develop across the 8 country. 9 ATTORNEY SILBERT: So you just hit 10 another point I was going to ask you. So although 11 you're eliminating the indoor pool here and some of 12 the conference rooms, it's not as though you're 13 proposing a building with no amenity space; there's 14 still amenity space here, right? 15 TERRY O'BRIEN: That's correct. We 16 include the amenity space that our guests seek out. 17 They want to do fitness on-site, they want to grab a 18 coffee. They want to do their laundry if they're 19 staying for an extended period of time, which I 20 think our average stay is 11 nights where the 21 Residence Inn was about three to four nights. 22 And so we provide the amenities that 23 our guests seek out, but not the ones that they 24 don't want to pay for. 25 ATTORNEY SILBERT: Thank you.

1 And then Mr. McKay had testified to and
2 I made in my opening remarks, that the architectural
3 style, materials, that they were heavily influenced,
4 if not substantially similar to what was previously
5 approved. Do you concur with that testimony you
6 heard and my representation?

7 GREG HEFLIN: Yes.

8 ATTORNEY SILBERT: And is this a
9 customary design for WoodSpring Suites? I'm
10 referring to the elevations that were submitted.

11 Speak to that a bit.

12 GREG HEFLIN: That's not our
13 prototype. We would normally have a pitched roof,
14 more of a residential look. To mimic the Residence
15 Inn, we have a flat roof. That is allowed by
16 Choice, but we have chosen to mimic the Residence
17 Inn with that look.

18 We have added color variation, Hardie
19 plank on the exterior and I believe that we have a
20 stacked-stone look on the base on the first floor.

21 ATTORNEY SILBERT: Okay. So is it
22 fair to say in recognition of the previous approval
23 that you really made a strong effort to incorporate
24 or mimic the previously approved Residence Inn?

25 GREG HEFLIN: Yes, we did.

1 ATTORNEY SILBERT: Thank you. I don't
2 have any --oh, actually, one more question.

3 I don't know which one would be
4 appropriate to answer. I think you, Greg. But just
5 provide some details on the number of full-time and
6 part-time employees, typical shifts for WoodSpring
7 Suites, if you would.

8 GREG HEFLIN: Yeah, so we
9 typically have -- I think we have shown four
10 employees on the peak shift and then four employees
11 on the after shift; we usually have a general
12 manager who also does sales, an assistant manager, a
13 maintenance engineer and a housekeeper.

14 TERRY O'BRIEN: Just to add, I was just
15 going to say in this operation the employees tend to
16 wear several hats; you know, where they're needed,
17 that's the job they tend to do, which is good
18 because you can cross-train your employees and gives
19 them good experience, too, that they can take into
20 the industry further.

21 ATTORNEY SILBERT: Thank you. I have
22 no further questions, Mr. Chairman.

23 If the board or professionals have
24 questions, please...

25 CHAIRMAN VESCIO: Thank you,

1 Mr. Silbert. I would like to open to our board for
2 any questions on the testimony you just heard.

3 COUNCILMAN KIRSH: Oh, all right. I
4 have several. And I guess one of them is, first, to
5 Mr. Peck.

6 So this property is zoned hotel,
7 correct?

8 ATTORNEY PECK: Correct.

9 COUNCILMAN KIRSH: Is there a
10 delineation when we zone for a hotel, what type of a
11 hotel it is, whether it's a standard product, an
12 extended stay product?

13 ATTORNEY PECK: No, you can't.

14 COUNCILMAN KIRSH: We permit a hotel
15 in a particular place and as long as what you do
16 meets that definition, you can build a hotel there?

17 ATTORNEY PECK: You can't say it
18 permits fast food restaurants but will only allow
19 McDonald's and not Burger King.

20 COUNCILMAN KIRSH: Well, but with that
21 analogy, you know, it's not we allow McDonald's but
22 not Burger King; we allow fast food but you can't be
23 an elegant restaurant or vice-versa. I mean, like
24 should we think of a hotel is a hotel, as long as it
25 meets the definition it's permitted?

1 ATTORNEY PECK: A hotel is a hotel --
2 a hotel is a hotel.

3 COUNCILMAN KIRSH: Okay.

4 PLANNER SARMAD: Sorry, just to
5 interject, the zone permits hotels and motels, so
6 it's more broad than just...

7 COUNCILMAN KIRSH: And the reason I'm
8 going there -- there's a reason. The reason -- the
9 reason I'm going here is, going back to 2018, this
10 specific property was identified as an extended stay
11 hotel under the Residence Inn brand, correct?

12 ATTORNEY SILBERT: I don't -- hold on.
13 Was it an extended stay under Residence Inn?

14 JEFF MCKAY: I believe just Residence
15 Inn. Residence Inn is traditionally an extended
16 stay brand.

17 COUNCILMAN KIRSH: By it's definition,
18 Residence Inn is in the extended stay category?

19 ATTORNEY SILBERT: Correct.

20 COUNCILMAN KIRSH: So what you are
21 asking to do is it's almost -- it's almost
22 independent of extended stay because Residence Inn
23 was approved as a Residence Inn; you are asking,
24 okay, shift that approval to this brand?

25 ATTORNEY SILBERT: Right. I don't --

1 exactly. I don't know if there was tremendous -- I
2 wasn't there so I don't know, and I couldn't take it
3 away from the resolution. I don't know if there was
4 significant focus in 2018 as to whether the
5 Residence Inn was an extended stay, but my
6 understanding is that it is an extended stay.

7 Even though the board may not have
8 focused on it, we're saying, okay, we're replacing
9 it with another extended stay hotel.

10 COUNCILMAN KIRSH: You're saying it's
11 a like product, you know, albeit based on the
12 testimony a Residence Inn, the average person is
13 there three to four nights, yours is more like 11?

14 TERRY O'BRIEN: Right.

15 COUNCILMAN KIRSH: Okay. I guess what
16 I would like to understand from the length of the
17 stay is, is there a maximum? I mean, could someone
18 stay at this hotel for, like, a year?

19 TERRY O'BRIEN: That's a good
20 question. Unless there is a local restriction on
21 that, which we have seen in some municipalities, to
22 be honest, yeah, somebody could stay there -- some
23 of the municipalities we have worked in they have a
24 30-day stay, and then they check out and then they
25 have to re-check in or whatever.

1 But some municipalities do have that
2 requirement. But, yeah, I mean, but again, if you
3 have a traveling nurse who has with a six-month
4 contract with one of the hospitals, she'll be there
5 for six months. She'll stay that long.

6 And so, yeah, I mean, and then there's
7 the residency thing in California we've run into --
8 and again I'm shooting from the hip here, I can't
9 remember if that's the right term -- because after
10 30 days in California, don't you establish residency
11 or something, Greg?

12 GREG HEFLIN: Yeah. I think
13 California and Florida operate similarly.

14 COUNCILMAN KIRSH: I believe, and I'm
15 not an attorney, but I believe in New Jersey there
16 is a 90-day standard that somehow triggers a
17 different category in terms of eviction and things
18 like that.

19 But I guess what my concern is, do we
20 know what Bridgewater's standard is; do we have a
21 maximum stay in a hotel?

22 PLANNER SARMAD: Not that I'm aware
23 of.

24 COUNCILMAN KIRSH: Okay.

25 GREG HEFLIN: May I add some clarity?

1 Most extended stay hotels have that ability for them
2 -- for a person to stay at a hotel for a year or
3 more or less. With the Residence Inn and the
4 WoodSpring Suites it would be the same opportunity.

5 But, we, in the industry we have a
6 term called ESOC, which is extended stay occupancy
7 and you see that without any extended stay. People
8 stay for long periods of time in a Hampton Inn.

9 COUNCILMAN KIRSH: You could go to the
10 Marriott by the mall and stay for a year.

11 TERRY O'BRIEN: Expensive but you
12 could.

13 GREG HEFLIN: You could absolutely do
14 that.

15 COUNCILMAN KIRSH: What's that?

16 TERRY O'BRIEN: It would be expensive
17 but you could.

18 COUNCILMAN KIRSH: I guess, here is
19 kind of where I'm headed. At what point could
20 somebody be at your property, potentially have
21 children with them at the property, right, and then
22 we absorb a responsibility to educate children?

23 TERRY O'BRIEN: Well, I mean, I don't
24 know how often that would happen. But to Greg's
25 point, you may have that in some of the existing

1 hotels now, I don't know, where somebody is down on
2 their luck or whatever and they are staying in one
3 of the other type of hotels.

4 I don't really know. I mean I don't
5 have an answer.

6 GREG HEFLIN: We don't have school
7 buses that enter the properties. We don't have
8 children. We don't have that issue. It generally
9 doesn't come up.

10 COUNCILMAN KIRSH: But it could? I
11 mean --

12 ATTORNEY PECK: It could but, again,
13 you're dealing with a permitted use.

14 ATTORNEY SILBERT: Right. And it's
15 not unique to this hotel either; it could happen
16 with any hotel.

17 COUNCILMAN KIRSH: So a person and
18 their children could be living at the Marriott by
19 the mall and then, since you have to educate your
20 children in the State of New Jersey, theoretically
21 there could be a school child enrolled --

22 ATTORNEY PECK: In theory, yeah, if
23 they establish residence there.

24 PLANNER SARMAD: I apologize for my
25 ignorance before saying that we don't have something

T. O'Brien / G. Hefflin 62 1 -- I just quickly looked into the code, it does 2 include that extended stay facilities for transients 3 staying five or more days with an average seven to 4 ten days, but not to exceed 89 days. 5 So there is a limitation of basically 6 89. 7 COUNCILMAN KIRSH: But just so -- 8 okay, so that kind of jives with the 90-day thing 9 with the eviction law. Let me understand, what does 10 that mean? 11 Does that mean I can stay 89 days, I 12 check out for one day, and then I come back for 13 another 89 days? 14 PLANNER SARMAD: From a technical 15 sense, yes. From an enforcement standpoint, if 16 there was enforcement on things -- like you're 17 talking about, implications with the school system 18 and things like that, that could be something that 19 would be an enforcement issue. 20 COUNCILMAN KIRSH: Do you think that 21 that 89 days means, okay, I have to move from Room 22 101 to Room 102? 23 PLANNER SARMAD: I don't think that's 24 the intention. I think it's supposed to be 25 something that is enforced by the hotel at a higher	T. O'Brien / G. Hefflin 64 1 some municipalities, I would think. 2 GREG HEFLIN: Our corporate policy is 3 not to take money from government officials to house 4 individuals. It hasn't been since the '90s when we 5 worked there at Embassy Suites, it hasn't been 6 since, and doesn't, you know, now. 7 CHAIRMAN VESCIO: I've got a question 8 over here. 9 MEMBER CHOUDURY: No, it's a comment 10 actually for Mr. Kirsh -- Councilman Kirsh. 11 Actually I, myself, stayed in a hotel with my son 12 for a long period of time because of an assignment. 13 So it is common actually. You know, many of the 14 international assignments also, comes and stay with 15 the children. So, you know, whether it's 89 days 16 or -- my question was actually, what is the 17 difference for the room number -- number of rooms on 18 the WoodSpring as well as the Residence Inn, what 19 was the -- do you know, Mr. Silbert what was the 20 resolution passed for Residence Inn? 21 TERRY O'BRIEN: Seven less. 22 MEMBER CHOUDURY: So now you are 23 basically talking about 33, 19, 19 plus 26, or 24 something, which is about 125 rooms, right? 25 GREG HEFLIN: We're 122.
T. O'Brien / G. Hefflin 63 1 level, knowing that there's a code violation if they 2 don't. 3 COUNCILMAN KIRSH: Okay. So let me 4 ask this question, is the operator willing to, you 5 know, actively enforce, you know, this 89-day rule? 6 TERRY O'BRIEN: Yes. Yes, we would. 7 COUNCILMAN KIRSH: Okay. 8 I may have others, so maybe you can 9 move on to another board member. 10 MEMBER MAGURA: I have traveled and 11 stayed in hotels and I have noticed that some of the 12 hotels take in people and families being paid for by 13 the township. It's because of the housing issues or 14 what-have-you, they put them up in hotels. Well, at 15 least in New York City, right, but I have seen it in 16 some of the hotels, living there. 17 TERRY O'BRIEN: It happens. We 18 haven't experienced it. 19 MEMBER MAGURA: And I assume they're 20 more than 90 days. I assume they're there for 21 longer periods of time. 22 TERRY O'BRIEN: I don't think it's a 23 huge problem in some of the suburban locations we 24 operate in, but I don't -- I assume it doesn't go on 25 in Bridgewater, I don't know. But it does happen in	T. O'Brien / G. Hefflin 65 1 TERRY O'BRIEN: It was 127 to 122. So 2 it came down five rooms. 3 MEMBER CHOUDURY: Oh, okay. So it's 4 almost the same size, a similar size. 5 GREG HEFLIN: Yes. 6 MEMBER CHOUDURY: Other than the 7 Residence Inn, have a pool; Residence Inn had a 8 pool, right? 9 GREG HEFLIN: Yes, a pool, a breakfast 10 area. 11 MEMBER CHOUDURY: Breakfast area, 12 yeah. 13 GREG HEFLIN: Expanded employee areas. 14 MEMBER CHOUDURY: Right, okay. 15 TERRY O'BRIEN: Little bit of meeting 16 space. 17 MEMBER CHOUDURY: So those are the 18 things that are basically going to be eliminated 19 here, and it's simpler? 20 GREG HEFLIN: Yes, correct. 21 COUNCILMAN KIRSH: Mr. Chairman, I do 22 have a couple others. I might bounce back and 23 forth. 24 Are any of the rooms interconnected 25 internally?

1 GREG HEFLIN: I don't think we have
2 adjoining rooms, no.
3 COUNCILMAN KIRSH: Because I think it
4 would be important to stipulate that that not be the
5 case, because I think interconnected rooms, while,
6 you know, may provide convenience under certain
7 circumstance, I think it could open the door for,
8 you know, making a two, you know, two, three-bedroom
9 situation here, which I think could lead us down a
10 challenging path.
11 You know, again, I don't know how that
12 impacts your business model.
13 ATTORNEY SILBERT: Can I answer that
14 for a second? I am going to let WoodSpring answer
15 that, of course, but I would say that from -- when
16 you put together a resolution, it stays with the
17 property for eternity. So if there was ever another
18 user that, for whatever reason, needed adjoining
19 rooms, while it might work for WoodSpring Suites, it
20 would be unusual to have special restrictions with
21 that respect on just WoodSpring Suites when they're
22 -- I don't know the answer to this -- but I'm
23 assuming there is no other such conditions on other
24 hotel approvals. I don't know for a fact, but just
25 pointing that out there.

1 COUNCILMAN KIRSH: Mr. Peck, do you
2 agree with that?
3 ATTORNEY PECK: That we can't -- yeah,
4 I would tend to agree. I mean, you can't -- I mean,
5 if it's a hotel, it's a hotel. I mean, I don't
6 think you can say, "Well, if it's a WoodSpring
7 hotel, you can't have" --
8 COUNCILMAN KIRSH: I'm not concerned
9 about the brand. I'm concerned about the category.
10 And I'm concerned -- and, again, maybe this is
11 unfounded, but I'm concerned, you know, if this
12 becomes a situation where, oh, you can start
13 stringing three rooms together and, you know, the
14 price point is pretty low, you know -- what's that?
15 JEFF McKAY: He said that he doesn't
16 have any adjoining rooms.
17 ATTORNEY SILBERT: Yeah, there's none
18 proposed.
19 I will let you testify to that, Greg.
20 GREG HEFLIN: I don't believe there
21 are any proposed. I believe, however, that the
22 Residence Inn does have adjoining rooms, or would
23 have had adjoining rooms if they got built. And the
24 Courtyard and the other brands and Marriott do
25 consistently have that.

1 ATTORNEY SILBERT: I just didn't want
2 to create a situation where 40 years from now a new
3 user comes in, say it's -- whatever it is, say they
4 want to increase the room size, or -- you know, I
5 just didn't want there to be something that runs
6 with the land that would somehow jeopardize the
7 marketability of the property 40 years from now. We
8 don't have a crystal ball.
9 But there's no adjoining rooms proposed
10 with this application.
11 COUNCILMAN KIRSH: But over time, the
12 property, even under the hands of this ownership
13 group or this management group could decide that it
14 needs a change, we're going to start doing some
15 internal construction and making some of the our
16 rooms interconnected.
17 ATTORNEY SILBERT: Sure, but there's
18 nothing that in your ordinance that would prohibit
19 that. Again, I just go back to the fact that
20 there's no reason that a WoodSpring Suites, which is
21 an extended stay hotel, should have a special
22 condition imposed upon it, that wouldn't otherwise
23 be imposed on a Residence Inn, and that's really
24 what I fall back to.
25 COUNCILMAN KIRSH: Well, I'm saying

1 maybe it ought to be, you know, on a going-forward
2 basis. But I guess that's a question of potential
3 ordinance change --
4 ATTORNEY SILBERT: Yeah.
5 COUNCILMAN KIRSH: -- or not.
6 You mentioned the staffing. I think
7 you said typically a general manager, assistant
8 general manager, an engineer, housekeeper, wear
9 multiple hats. Completely understand that.
10 In overnight conditions, like 3:00 in
11 the morning, how many of those people will typically
12 be on-site?
13 TERRY O'BRIEN: It's 24-hour. Some of
14 these lower-end properties, I know sometimes don't
15 have a desk after 11, anyone there. But we have
16 someone on-site for 24 hours.
17 COUNCILMAN KIRSH: Okay. So if there
18 is a question or problem, there is going to be a
19 human there?
20 TERRY O'BRIEN: Correct.
21 COUNCILMAN KIRSH: And if a toilet
22 clogs in the middle of the night, hopefully whether
23 it's the engineer or somebody would be able to
24 handle a circumstance like that?
25 TERRY O'BRIEN: Yes, absolutely.

1 COUNCILMAN KIRSH: Okay. All right,
2 I'm good for now.

3 CHAIRMAN VESCIO: It is fascinating.
4 We learn so much in these hearings and some nights
5 -- tonight, for example, we're learning about the
6 hotel industry and the hospitality industry and I
7 plea completely ignorant on this. But I did hear a
8 few times, they talked about a different customer,
9 or that it's for a different customer.

10 And I'm just going to, for a second, go
11 from the outside looking in, you know, from a
12 business perspective, what is the typical consumer
13 that WoodSpring Suites is looking for?

14 Who is their target market?

15 TERRY O'BRIEN: Obviously, anybody who
16 wants to stay for an extended period of time, that's
17 the obvious answer, but it's all over the board.

18 Like I was saying earlier, you know,
19 it's the traveling nurses. It's maybe if people who
20 are coming in to work on construction projects and
21 they're going to be here for six months off and on,
22 consultants that have these assignments.

23 And Greg and I, we have been in this a
24 long time but we still are learning, I think. It's
25 amazing what you find out about who is staying at

1 your hotel. And it's just -- it's a huge market.
2 And it's hard to really pinpoint and say this is
3 really what we target.

4 But our salespeople do go out and call
5 on local companies and try to get, you know, their
6 employees that are coming into town to stay with us,
7 just like any other hotel would. But they do drill
8 down and say well, what kind of company do we really
9 want to target that is going to bring people in here
10 that is not just going to stay like the corporate
11 guy does, one night or two nights, but somebody who
12 is going to stay here for a month and we can keep
13 that room full.

14 So it's kind of a hard answer and I
15 didn't give you a real good answer, but it's kind of
16 all over the board who our customer really is.

17 CHAIRMAN VESCIO: How do you avoid the
18 situation where Johnny gets thrown out by his wife
19 and he stays in the WoodSpring Suites and you find
20 him working on his car outside for 30 days; what is
21 the type of enforcement, at least for something like
22 that?

23 TERRY O'BRIEN: Well, we wouldn't
24 permit anybody working on their car. But we have --
25 I have seen Johnny get thrown out of the house and

1 he has come to the WoodSpring before. That does
2 happen.

3 CHAIRMAN VESCIO: I'm sure.

4 TERRY O'BRIEN: When you think about
5 it, unfortunately, that would happen to any of us.

6 JEFF McKAY: I might add that we have
7 seen Johnny at the Residence Inn too.

8 TERRY O'BRIEN: So where do you go, I
9 mean, you know...

10 COUNCILMAN KIRSH: I'm sorry, I want
11 to make sure I heard that right, "could" or "could
12 not" be working on their car out in your parking
13 lot?

14 TERRY O'BRIEN: Could not.

15 COUNCILMAN KIRSH: And is that because
16 we prohibit it or because your policies prohibit it?

17 TERRY O'BRIEN: Our policies prohibit
18 it, yes.

19 COUNCILMAN KIRSH: Your policies
20 prohibit, okay.

21 So like in an emergency situation where
22 you have to fix something in your car, yes, but if
23 somebody is, you know, changing the oil and
24 detailing a car out in your parking lot, that would
25 violate your policies?

1 TERRY O'BRIEN: Putting all four
2 wheels on the jacks, working on the brakes, you
3 know, that's no.

4 COUNCILMAN KIRSH: Okay.

5 TERRY O'BRIEN: But yeah, if you have a
6 busted radiator hose or something, you have got to
7 fix the car, obviously. But you know what I mean,
8 where a car's sitting there for a week and it's
9 on...

10 COUNCILMAN KIRSH: Again, going back
11 to be this whole it rests with the land, so if you
12 have that policy, that makes me feel better. But do
13 all hotels have that policy? I would say, maybe
14 not.

15 So what happens 25 years from now where
16 it is no longer -- you know, and you guys all seem
17 like aboveboard, committed to making this work and I
18 respect that and I appreciate your willingness to
19 come into our community. But the same way, you
20 know, we were asked about the 40 years from now, you
21 know, with the connecting rooms, I'm looking at what
22 happens 25 years from now when the whole property
23 changes hands and, you know, it's like do whatever
24 you want, you know, we have loose rules. You know,
25 what do we do at that point?

1 TERRY O'BRIEN: I think most hotels
2 are going to be reasonable with somebody if, to your
3 point, it's an emergency. But, you know, if you're
4 working on your car out in the lot for three days,
5 that's a different story and you're going to say,
6 "No, You can't do that here, we're going to tow the
7 car; either you get it off the lot or we're going to
8 tow the car."

9 COUNCILMAN KIRSH: But to me it's a
10 bit beyond the whole working-on-your-car thing. I
11 don't think we can allow ourselves to be sold on you
12 are going to care for this property as though it's
13 your own, Because it sounds like you will. But
14 25 years from now, maybe somebody else owns it,
15 maybe somebody else is operating it, maybe they
16 don't have those same standards.

17 You know, and that is just a concern
18 that I have. I mean, maybe it's an open-ended
19 concern that can't be answered in a forum like this.

20 ATTORNEY SILBERT: I think you could
21 probably say that about every commercial property.

22 COUNCILMAN KIRSH: Yes, you can.

23 ATTORNEY SILBERT: And it would be the
24 operator's prerogative and it would be advantageous
25 to the property owner to trespass that individual

1 from their property.

2 Obviously, WoodSpring Suites is trying
3 to deliver a quality product just like I would think
4 most businesses in Bridgewater so.

5 MEMBER MAGURA: While we're on that,
6 we mentioned interconnecting rooms. I assume that
7 it's going to be a structural modification, they
8 would have to get permits for the structure, for
9 electrical, the fire inspector. The Fire Marshal is
10 going to be inspecting that building once a year and
11 he will notice changes. Those guys have fantastic
12 memories.

13 TERRY O'BRIEN: Yep. Good point.

14 CHAIRMAN VESCIO: Any other questions?

15 COUNCILMAN KIRSH: Last one for this
16 segment, I promise. And thank you for your
17 indulgence.

18 So you said -- I'm going to come back
19 to this point about Residence Inn being three to
20 four nights on average. Probably they do have some
21 outliers, but they've got an awful lot of people
22 like me, I've never stayed at a Residence Inn for
23 more than maybe two nights. So that's how you
24 probably come to a three, four-night average.

25 Your typical property, are you

1 averaging 11 largely because you don't have the
2 onesie, twosie, threesie as part of that mix? You
3 know what I'm saying?

4 Because like the Residence Inn, you
5 know, I have stayed like one night. It sounds like
6 you would take the reservation and you would satisfy
7 that customer, but the likelihood of them coming to
8 your property like yours for one or three nights is
9 pretty low?

10 TERRY O'BRIEN: Yeah, it depends. It
11 depends the time of year, obviously, the room
12 demand, how full you are. You know, it's like
13 anything else, any other commodity, if it's really
14 in demand, you know, you might not take that
15 one-night stay, you might wait for the five-night
16 stay.

17 COUNCILMAN KIRSH: But wait a minute,
18 I went on your website today. You can put in
19 specific dates, specific locations, like I guess
20 it's based on the property manager's desires, if
21 they want to open it up to low stays during times
22 that you have rooms open, they'll take it.

23 TERRY O'BRIEN: Yes. That's what I
24 was trying to say, exactly.

25 COUNCILMAN KIRSH: All right. Thank

1 you.

2 CHAIRMAN VESCIO: Board professionals,
3 do you have any questions on the testimony you just
4 heard?

5 ENGINEER BURR: Just a couple of quick
6 questions.

7 So the Marriott is going from 127 rooms
8 to this property would be 122 rooms. And we heard
9 that there are some amenities that are being taken
10 out of this -- of this new model, the pool is going
11 away, the breakfast facility, meeting rooms I think
12 I heard. But those amenities in and of themselves
13 don't constitute such a large decrease in the size
14 of the building.

15 So are the units themselves -- I don't
16 think I heard -- are the units themselves shrinking
17 significantly from what the Residence Inn was
18 providing; is that how the building is being
19 tightened up so much?

20 TERRY O'BRIEN: Yeah, smaller rooms is
21 part of the total factor of the reduction of the
22 square footage.

23 ENGINEER BURR: Are all the rooms --
24 the typical, in my mind, the typical efficiency
25 type, you know, it's one big room, maybe a little

1 kitchenette and that's it; there's no one-bedroom,
2 two-bedrooms, they're all just single-occupancy, if
3 you will?

4 TERRY O'BRIEN: That's right. Yes.

5 ENGINEER BURR: Okay. And we talked a
6 little bit about what the typical clientele might
7 be, where we heard consultants and long-stay nurses,
8 et cetera. But has your company done a market
9 research of Bridgewater and the surrounding area to
10 feel comfortable that, you know, this product is
11 viable at this location?

12 TERRY O'BRIEN: Absolutely. It's one
13 of the strongest market studies that we have ever
14 gotten back actually.

15 ENGINEER BURR: It's one of the -- can
16 you repeat?

17 TERRY O'BRIEN: Strongest markets
18 we've looked at.

19 ENGINEER BURR: Is that right? Very
20 good, thank you.

21 CHAIRMAN VESCIO: Thank you, Mr. Burr.

22 COUNCILMAN KIRSH: You have other
23 locations. I think there's one in South Plainfield,
24 right? There's a couple I think closer to 95?

25 TERRY O'BRIEN: Linden, if you know

1 where that is.

2 COUNCILMAN KIRSH: Yep.

3 TERRY O'BRIEN: Those are not our
4 properties but they're part of our system.

5 COUNCILMAN KIRSH: This brand, not
6 your management group?

7 TERRY O'BRIEN: Correct. South
8 Brunswick, Linden. Is there one in East Brunswick?

9 GREG HEFLIN: South Plainfield.

10 TERRY O'BRIEN: South Plainfield, I'm
11 sorry.

12 GREG HEFLIN: There's one a little
13 further up 95, I can't think of the name of the
14 town.

15 MEMBER CHOUDURY: Mr. Chairman?

16 CHAIRMAN VESCIO: Mr. Choudury.

17 TERRY O'BRIEN: There's 235
18 nationally, with another 75 under development,
19 probably.

20 MEMBER CHOUDURY: Yeah, my question is
21 actually now that you will have two hotel probably
22 sometime in the future, generally when I go, I
23 travel every week, so when I go to some hotel, and
24 there's two or three hotels there, if the hotel is
25 already booked up, when I reserve it they will tell

1 me, look at that hotel, you don't have to do
2 anything they will give you a ticket and then you go
3 and stay there without any extra charges or anything
4 else.

5 Are you having in the process of having
6 co-sharing with SpringHill Suites as well as your
7 hotel or vice-versa?

8 TERRY O'BRIEN: I didn't -- I didn't
9 understand your question.

10 MEMBER CHOUDHURY: Suppose one of your
11 -- SpringHill Suites obviously is a different
12 operator, right? And you're is a different
13 operating company, that's correct?

14 TERRY O'BRIEN: Different owners.

15 MEMBER CHOUDURY: Generally when you
16 have same hotel in the different area fully booked
17 up, the hotel give actually give you okay, Mr.
18 Choudury, you can go and we already talked about it,
19 you just go there.

20 TERRY O'BRIEN: We haven't yet but we
21 yeah, we definitely -- that's a common practice in
22 the industry.

23 MEMBER CHOUDURY: So you do the same
24 thing so people don't have to go back somewhere else
25 because you have two hotels nearby?

1 TERRY O'BRIEN: Usually that's just
2 sort of a no-brainer because it's right there and
3 you just go right next door and you have the working
4 relationship.

5 MEMBER CHOUDURY: Okay, thank you.

6 COUNCILMAN KIRSH: Mr. Chair, earlier
7 in the testimony, you made reference to, you need a
8 first domino to trigger potentially the other
9 projects here. So I just want to make sure that I
10 understand that presuming that you obtain this
11 approval, presuming that your financing -- I know
12 it's very complicated, you don't just snap your
13 finger and a hotel shows up. I understand it's a
14 lengthy and complicated process.

15 But do you anticipate, you know -- no
16 obligation -- but do you reasonably anticipate that
17 that will then trigger the activity necessary to see
18 the SpringHill built, we'll see the retail in the
19 front built?

20 TERRY O'BRIEN: I can't really speak
21 to the retail but typically retail users do like to
22 see hotels because there's people that will come and
23 spend money.

24 And by the way, we're self-funded. We
25 have a fund we work with. We don't have to get

T. O'Brien / G. Heflin 82 1 financing. You know, we build them out of cash. 2 But yeah, I think -- obviously I think 3 the first thing that gets going there is going to 4 trigger people saying, oh, there's something's going 5 on over there finally, because it's been sitting for 6 a long time. 7 But, yeah, I think if one goes, then 8 maybe the other one goes. I don't know -- I don't 9 know the particulars on the SpringHill so I can't 10 speak to that. Maybe Jeff might be able to. 11 JEFF McKAY: If I can comment on the 12 commercial -- 13 COUNCILMAN KIRSH: They may want you 14 to come to the microphone just so everyone can hear. 15 JEFF McKAY: Just a comment briefly on 16 the commercial out front, they have actually lost 17 some tenants as a result of, you know, not having 18 the hotels, right. 19 COUNCILMAN KIRSH: Uncertainty, okay. 20 JEFF McKAY: Yeah. So if that helps to 21 answer your question, we think that once we get a 22 hotel done, the users will come and finish off the 23 front with the commercial. 24 COUNCILMAN KIRSH: If I'm looking at 25 the interplay between the two potential hotels, they	T. O'Brien / G. Heflin 84 1 they can get someone to say I can stay there for 2 30 days, that's where they're staying. So this 3 demand is everywhere and nationally it's so 4 underserved. 5 Again, I can't answer the question, 6 where is it all coming from. I mean, we're always 7 trying to figure that out, but it's not an easy 8 answer. But it's everywhere. I mean, this extended 9 stay demand, it's everywhere. You just have to find 10 it. 11 Typically if you build a new box, which 12 obviously is what we want to do, new always sells, 13 and so that pulls a lot of business in your 14 direction. 15 PLANNER SARMAD: Thank you. 16 As far as -- do you have, like, target 17 occupancy rates for this type of hotel? 18 TERRY O'BRIEN: This hotel will 19 typically run anywhere from 80 -- low 80s to almost 20 90-percent occupancy, believe it or not. 21 PLANNER SARMAD: Okay. And when you 22 go to build, is there a price range? Is there like 23 a bottom and a -- for a price that you kind of keep 24 as far as the quality of the hotel? 25 TERRY O'BRIEN: Price from
T. O'Brien / G. Heflin 83 1 are very different models, you know, but there's a 2 belief that reasonably in the near future could see 3 -- could see investment in both of those properties, 4 correct? 5 JEFF McKAY: Correct. 6 COUNCILMAN KIRSH: Okay. Thanks. 7 CHAIRMAN VESCIO: Is there anything 8 else from our professionals. 9 PLANNER SARMAD: I just have a couple 10 of questions. 11 To Mr. Burr's question about has a 12 market analysis been conducted, which I believe 13 you've answered. When you look at that market 14 analysis, where are those -- where is the demand 15 coming from? 16 So like where are -- just out of 17 curiosity, where are the nurses, and the military 18 and the people that are in construction jobs, where 19 are they currently now and where is the demand 20 coming from. 21 TERRY O'BRIEN: Well, some of it is in 22 existing hotels. As Greg said earlier, what we 23 call, ESOC, extended stay demand, it's -- they stay 24 in a Hampton Inn, or they stay in one of your older 25 maybe budget motels, whatever, you know, wherever	T. O'Brien / G. Heflin 85 1 development? 2 PLANNER SARMAD: Sorry, price per 3 night? 4 TERRY O'BRIEN: Oh, from a price per 5 night? I would assume in this market -- and, again, 6 I don't have the numbers in front of me -- probably 7 129 a night, 139. 8 GREG HEFLIN: Yeah. I think here it 9 was like \$90 so. 10 TERRY O'BRIEN: So somewhere in that 11 range. 12 PLANNER SARMAD: Okay, thank you. 13 And I think that's all I have for these 14 witnesses. Thank you. 15 CHAIRMAN VESCIO: Mr. O'Brien, you 16 mentioned earlier that Bridgewater was a very strong 17 market choice. What are some of the metrics that 18 are used to classify your term "strong"? 19 What is it about Bridgewater 20 specifically; what are some of the specific 21 measures? 22 TERRY O'BRIEN: Well, I think you have 23 a real diverse economy here; you know, you have a 24 lot of big companies and you also have a lot of 25 smaller companies. So you have a good mix of

1 business. The retail is good. The housing is
2 strong. It's just a great community, and the whole
3 general area.

4 This is really the second project I
5 have worked on up here, I have worked on another
6 project back in the teens that I never got built, it
7 was a Cambria Hotel which I think eventually got
8 approved as a Home2 Suites, but it hasn't been built
9 yet.

10 But I remember even back then when
11 your -- maybe the economy was even stronger here
12 prior to COVID, you know, it's just -- it was kind
13 of a no-brainer, and you walk in and it's just --
14 and again, some of this is intuitive to me because
15 this is what I have done my whole life -- but just a
16 good community with a lot of good support services
17 and a lot of job growth and a lot of good companies.

18 And that's kind of the ideal terrain
19 for a hotel product regardless of what price point
20 you're at.

21 CHAIRMAN VESCIO: Sometimes we ask
22 those questions because we figure that 15 or 20
23 years ago it was an no-brainer. You know, this was
24 a major piece of the pharmaceutical corridor, and
25 you think today it's a vastly different world.

1 So it begs the question, what is it
2 specifically about Bridgewater, is it mostly
3 cooperate or is there some other element that makes
4 it that attractive to people?

5 TERRY O'BRIEN: Yeah. It's funny, you
6 know, and I have been in the hotel business a long
7 time but it's kind of a broad-brush comment, and not
8 specific to extended stay but when I was first
9 starting in the industry, you know, you went out to
10 look for a site, and you would look, 5 million
11 square foot of office, okay, I want to build here
12 because there's a lot of business here.

13 And back then the weekends at a hotel
14 you were empty, and midweek you were full. Well,
15 that's -- it hasn't turned the midweek but weekend
16 business at hotels has just skyrocketed in the last
17 15, 20 years. And it's soccer teams. It's hockey
18 teams. It's traveling sports. It's families.

19 You know, it's this huge demand that --
20 and there's a lot of that out here, too. And this
21 demand is now there and it was never there 25 --
22 when I started in the industry, a hotel couldn't run
23 30 percent on the weekend. And now you can't find
24 one that probably isn't running 80 percent.

25 So it's kind of interesting.

1 CHAIRMAN VESCIO: Any other questions?

2 Any other questions from the board?

3 Okay, at this time I would like to open
4 up to any members of the public who would like to
5 ask questions based on the testimony you just heard.

6 JOHN KULAK: John Kulak again, 13
7 Ramsey Street. I heard, as you were describing the
8 brand, the extended stay and then, Katherine, I
9 think you addressed the municipal ordinance in place
10 that protects people from establishing residency at
11 your location.

12 In New Jersey law, and I would have to
13 defer to Mr. Peck, but it states that if you are
14 90 days in one place consecutively and you list that
15 as your permanent address, then the hotel has to
16 enter into a different agreement with you, which is
17 more of a landlord-tenant agreement than just a
18 hotel, you're providing hotel services.

19 So as long as we're protected from
20 that, then we have a way to protect the township and
21 the adjacent residents from a -- what could become a
22 less-desirable community staying at your hotel.

23 I know you don't want that. I'm
24 certain we don't. But we have two well-established
25 thriving communities right next to this hotel and

1 the last thing we want to do is expose our residents
2 to a transient population that is trying to
3 establish residence.

4 Not to say I don't feel for the --
5 what's the proper term now -- unhoused people. We
6 have a number of illegal immigrants in this state
7 that the Governor has refused to identify. So we
8 don't know who is going to come to your place with
9 intentions other than staying 20 days, or 11 days
10 and so on.

11 So as long as we can protect the
12 residents and the hoteliers agree to stipulate to
13 have stays less than that period of time, then I
14 think we're in a better place overall. So thank
15 you.

16 TERRY O'BRIEN: Thank you.

17 LARS KNUDSON: Would you like me to
18 reenter my name in the record?

19 CHAIRMAN VESCIO: If you could?

20 LARS KNUDSON: Would you like me to
21 reenter my name into the record?

22 CHAIRMAN VESCIO: If you could. I have
23 it but...

24 LARS KNUDSON: It's Lars Knudson,
25 K-N-U-D-S-O-N. President of the Board of Trustees

1 for Chelsea Village.

2 I had some questions about the
3 impervious coverage and the lighting and the parking
4 spaces. The notice indicates that you are dropping
5 three parking spaces. Do you know where those
6 parking spaces will be lost from?

7 ATTORNEY PECK: Would these be more
8 appropriately directed at the engineer?

9 ATTORNEY SILBERT: Yeah.

10 ATTORNEY PECK: Sorry to have to --

11 LARS KNUDSON: That's fine.

12 ATTORNEY PECK: And I think these are
13 more appropriate for the site engineer.

14 LARS KNUDSON: That's fine. That is
15 fine. I wanted to make sure that I'm -- that's who
16 I understood was going to be able to answer these
17 questions, and it was represented that the next two
18 witnesses --

19 ATTORNEY PECK: I heard that, too, but
20 maybe the engineer is coming up, I don't know.

21 LARS KNUDSON: I'll defer those
22 questions. I am concerned, it's 10:45 now, are we
23 going to have time to get to that?

24 CHAIRMAN VESCIO: We're probably going
25 to have to carry; we're approaching the hour.

1 ATTORNEY PECK: As long as there's no
2 one else.

3 LARS KNUDSON: And will all the
4 witnesses be back for the next phase? Because if
5 that's the case, then I will defer all of my
6 questions until the next.

7 ATTORNEY SILBERT: I would advise,
8 since our witnesses are traveling, that spoke
9 tonight, from very far locations throughout the
10 United States, that if you can ask any questions of
11 the witnesses. And, obviously, we'll try to
12 accommodate and have them back out.

13 LARS KNUDSON: Most of my questions
14 are going to be directed to the engineer, so that's
15 -- that's fine.

16 I do want to thank Mr. Kirsh
17 particularly, and the board, for raising the issues
18 about the -- the market of the new hotel. Thank you
19 very much for raising that. A lot of my questions
20 were answered with that.

21 Just looking through my list of my
22 notes and seeing if there's anything that I want to
23 raise for the -- you know, I'm going to defer my
24 questions to the engineer.

25 ATTORNEY SILBERT: And if I could just

1 say, based upon Mr. Kulak's questions, if the board
2 and, Mr. Peck, if you want to put into the
3 resolution of approval -- assuming we receive one at
4 the next hearing -- a specific reference to the
5 ordinance that Ms. Sarbad referenced --

6 ATTORNEY PECK: I already have that,
7 yeah --

8 ATTORNEY SILBERT: Wonderful.

9 ATTORNEY PECK: -- in some way or
10 another that the hotel would enforce the 89-day
11 occupancy limit --

12 ATTORNEY SILBERT: Absolutely. We're
13 good to do that.

14 ATTORNEY PECK: -- the definition
15 section for extended stay lodging.

16 ATTORNEY SILBERT: Thank you.

17 LARS KNUDSON: There was one other
18 thing that just -- apologies, I just wanted to raise
19 to the board in particular, regarding the notice
20 requirements that were discussed earlier. The
21 notice for this was sent by certified mail,
22 postmarked November 22nd. That notice period
23 included the Thanksgiving holiday when a lot of us
24 were -- when mail was not being delivered, and it
25 would have made it a little more difficult for us to

1 be able to reach out to our association counsel to
2 get advice on this.

3 I just wanted that to be entered into
4 the record for consideration in case there are any
5 questions about notice.

6 And notice was not sent to members of
7 the Association of the Chelsea Village Condo
8 Association who did not immediately border -- adjoin
9 the southern and western boundaries of the subject
10 property, even though the condo association -- the
11 property is a condo association, most of that
12 property is held in common by all of the residents.
13 So if you want to look at notice going forward, the
14 condo association should definitely have been on
15 notice and I don't believe we were.

16 But that being said, we are willing to
17 waive those objections if we have adequate
18 opportunity to question and get satisfaction of our
19 concerns from the engineer.

20 CHAIRMAN VESCIO: Thank you.

21 ATTORNEY SILBERT: Just to very
22 quickly, respond to that, I'll go through the list
23 and see if the condo association was on it. Under
24 the MLUL, the applicant's only requirements are in
25 accordance with the certified list.

T. O'Brien / G. Heflin 94 1 But your first comment about the 2 Thanksgiving holiday, this was not a tactic to be 3 underhanded or wait until the last minute to provide 4 notice. The actual background is that the board was 5 potentially entertaining, because of the other 6 applications and the caseload, the possibility -- 7 and correct me if I'm mistaken -- but either a 8 Special Meeting to start this hearing at 6:00 p.m. 9 or 6:30 p.m. to hear this first, which is why I made 10 the opening remarks as the beginning. 11 So it wasn't to be underhanded. I 12 couldn't provide notice until it was confirmed that 13 it would be at its regular meeting time which was 14 very close to the holiday and we had 200 notices to 15 prepare, so it took a long time. 16 LARS KNUDSON: I appreciate that. I 17 have had on that end too so. 18 Assuming the board is going to carry 19 this, I'm going to defer any of my other questions 20 for the engineer. 21 CHAIRMAN VESCIO: Thank you. 22 ATTORNEY SILBERT: Mr. Chairman, is 23 December 17th okay? 24 CHAIRMAN VESCIO: December 17th, yes. 25 ATTORNEY SILBERT: Let me just confirm	T. O'Brien / G. Heflin 96 1 only one hearing deep into this application and two 2 into the other. 3 I ran into a situation where we were 20 4 meetings deep, new board members. It was a major 5 issue. 6 COUNCILMAN KIRSH: We're not going 7 20 hearings. 8 ATTORNEY SILBERT: I don't think so, 9 not this application. 10 But, Mr. Chairman, at the very 11 beginning of the hearing you had referenced the 12 Hulya Has application which was slated as third on 13 the agenda. I just wanted to make sure it was clear 14 on the record that there's no new notice required 15 for that application, that it's being carried 16 without new notice to the 17th. 17 CHAIRMAN VESCIO: Yes. 18 ATTORNEY PECK: That's correct. 19 ATTORNEY SILBERT: Thank you. Thank 20 you very much. 21 CHAIRMAN VESCIO: Any subsequent 22 questions of the witnesses, members of the public? 23 Questions pertinent to the testimony 24 you just heard, please. 25 MITCH ZAYTOUN: Yes. Mitch Zaytoun
T. O'Brien / G. Heflin 95 1 with my engineer. 2 CHAIRMAN VESCIO: Nancy, we're good on 3 that day? 4 ADMINISTRATOR PROBST: Confirmed. 5 COUNCILMAN KIRSH: Just for procedure, 6 though, because December 17th is our last meeting of 7 the year, do we have a requirement to adjudicate 8 cases in a calendar year? We do not. 9 ATTORNEY PECK: No. It's not like 10 with the governing body adopting an ordinance. 11 COUNCILMAN KIRSH: Okay. If somehow 12 one other cases, despite our intention, is not 13 completed that night, we can -- we might not be able 14 to select a date yet because we don't have the 15 meeting schedule yet -- 16 ATTORNEY PECK: I ran into that 17 question with another board but, no, what will 18 happen if it carries over and you have new board 19 members, they would just have to certify that they 20 listened to the tape or reviewed the transcript. 21 COUNCILMAN KIRSH: Same as tonight for 22 any who not here? 23 ATTORNEY PECK: Correct. Correct. 24 COUNCILMAN KIRSH: Okay. 25 ATTORNEY SILBERT: Fortunately we are	T. O'Brien / G. Heflin 97 1 once again, 130 Chelsea Way. 2 The gentleman that was up here speaking 3 before, he mentioned staff. I didn't hear anything 4 about a security, licensed security officer on-site. 5 Are they going to have someone like that on-site at 6 all times? 7 ATTORNEY SILBERT: One moment. I 8 apologize, I didn't know there were additional 9 questions. So we'll call him back to answer that. 10 TERRY O'BRIEN: Sorry about that. 11 So you're asking if there is security 12 on-site. Typically not, depending on location. If 13 there was a need for it, certainly. If we had -- 14 but none of the properties we own or operate, we 15 don't have any full-time security there. 16 But if there was a situation were there 17 was problems we, obviously, would deal with it. 18 MITCH ZAYTOUN: This property is 19 unique in the sense that there's residents very 20 close to your property. Security, to me, would be a 21 necessary being that there's a lot of children in 22 our complex under the age 11, and security and 23 safety is of the utmost importance to us. 24 TERRY O'BRIEN: Well, it would be to 25 us as well, absolutely.

1 I mean, we typically always make
2 friends with law enforcement, locally. We try to
3 get them to drive the lot as much as they can,
4 things like that, the basics that you do. We're
5 big, big fans of that. But we haven't had any real
6 problems so far so.

7 MITCH ZAYTOUN: Living here for
8 25 years, we have had problems in that site.

9 TERRY O'BRIEN: Really? Even being
10 empty?

11 MITCH ZAYTOUN: Empty and full. When
12 the hotel was active there were sites -- there was
13 police called in there multiple times when I lived
14 here.

15 So it's just something that I hope the
16 board will consider, I hope you consider, that
17 safety/security is the utmost importance for our
18 children.

19 TERRY O'BRIEN: Absolutely.
20 100 percent.

21 MITCH ZAYTOUN: Thank you.

22 COUNCILMAN KIRSH: And to that point,
23 I think when it was the Days Inn property there may
24 have been some concern about the state of a fence
25 that may have been there. Maybe there was certain

1 breaks in the fence or deterioration of a fence and
2 I guess it's my understanding that there is fencing
3 involved here with this property.

4 And, you know, I think it would just be
5 our desire to make sure that, you know, not only
6 does the property look as we expect, you know, on
7 opening day when everything looks great, but there
8 just be that continued commitment.

9 JEFF McKAY: I would just like to note
10 that this was an issue back in 2018 and we, as the
11 developer, agreed to a fence. And it runs that
12 whole backside between the -- the neighboring
13 Chelsea property there.

14 And there is stipulations in the fence.
15 I don't want to tell on myself, but it's a nice
16 fence and it's a big fence.

17 COUNCILMAN KIRSH: With a commitment
18 that any -- any, you know, deterioration over time
19 or anything else that might happen would be
20 addressed quickly?

21 JEFF McKAY: Whatever is agreed to has
22 been agreed to. We will honor, as I mentioned
23 earlier.

24 ATTORNEY PECK: Yes. So we can make
25 that representation for all of the prior conditions

1 and representations from 2018, you will abide by and
2 carry over.

3 ATTORNEY SILBERT: Absolutely.

4 COUNCILMAN KIRSH: On the point of a
5 fence, you know, and this is true for any
6 residential or commercial case, when somebody builds
7 a fence as a condition, there's a requirement to
8 maintain that over time, it's not just, hey, we
9 built a fence and a storm knocked it over, we don't
10 have to have a fence anymore, correct?

11 Am I right; is that correct?

12 I mean, if there's going to be a
13 condition that there be a fence, that means a
14 working fence, not just on opening day.

15 ATTORNEY PECK: We can specify a
16 condition that a fence shall be not only installed,
17 but shall be maintained --

18 COUNCILMAN KIRSH: Maintained.

19 ATTORNEY PECK: -- as a condition, for
20 so long as the hotel exists.

21 ATTORNEY SILBERT: I was going to go
22 through the resolution just to see exactly what it
23 said about the fence, but we could agree to a
24 condition that we'll maintain the fence as long as
25 it's being used in conjunction with the hotel. If

1 that answers your concern.

2 COUNCILMAN KIRSH: You know, it gives
3 me a measure of comfort. You know, just because,
4 oops, a storm came through, now we don't have a
5 fence anymore.

6 ATTORNEY SILBERT: Okay. If that
7 condition is put in there, then -- you know, I don't
8 know specifically what the ordinance says about
9 upkeep, but the zoning officer, for example, if the
10 fence was not kept in proper reasonable condition,
11 could issue a zoning violation saying you were not
12 in accordance with approval.

13 I assume when the board says you have
14 to put a fence in it is implied, although perhaps
15 not put in the last resolution that you expect the
16 fence to be kept and well-maintained. So I think
17 it's very reasonable.

18 LARS KNUDSON: Apologies for jumping
19 back in here, but in this regard, we did have a tree
20 fall on the existing fence about a year ago. It was
21 a tree that was damaged during one of the storms
22 from -- that came through about a year ago. And
23 that fence has still not been repaired. We tried to
24 reach out to the property owners to have it
25 addressed and it still hasn't been.

T. O'Brien / G. Heflin 102 1 CHAIRMAN VESCIO: Mr. O'Brien, the 2 previous resident brings up the -- 3 ATTORNEY SILBERT: We'll agree to have 4 it repaired as a condition of approval. And that 5 goes right along with the condition that we just 6 discussed. 7 DAN SEELEY: Good evening. Dan Seeley, 8 S-E-E-L-E-Y. 26 Chelsea Way. Thank you, everyone, 9 for burning the midnight oil. 10 I did have one question to jump onto 11 the security. There was no mention and it might 12 have been in the paperwork, I apologize, any 13 security or surveillance systems at the site that 14 will probably go a long -- a long way for just 15 security in the building for the tenants and the 16 surrounding -- 17 ATTORNEY PECK: Cameras and things 18 like that? 19 TERRY O'BRIEN: I think we have 22 20 cameras, I know. Inside and outside the building, 21 both. 22 DAN SEELEY: Okay. And is that for 23 the whole property or just -- okay. 24 TERRY O'BRIEN: Yes. 25 CHAIRMAN VESCIO: Thank you,	T. O'Brien / G. Heflin 104 1 the future as well. So thank you, very much. 2 TERRY O'BRIEN: Absolutely. 3 CHAIRMAN VESCIO: Thank you very much. 4 Any other questions? Okay. That will close the 5 public portion for these two witnesses. 6 Mr. Silbert, where are we? 7 ATTORNEY SILBERT: So we do have our 8 civil engineer. If the board will hear our civil 9 engineer, we would love to bring him up. 10 CHAIRMAN VESCIO: Let's see, it's 11 11:00 p.m. how many witnesses do we have? 12 ATTORNEY SILBERT: That's our final 13 witness. 14 CHAIRMAN VESCIO: That's your final 15 witness. 16 MEMBER ATKINS: Is he local? 17 CHAIRMAN VESCIO: Is he local? 18 ATTORNEY SILBERT: Mr. Folk is local. 19 COUNCILMAN KIRSH: Because here is 20 what my concern is. You know, I'd love to 21 adjudicate this tonight but, you know, there will be 22 some period of time for that testimony, there will 23 be questions from the audience, there will be 24 comments from the audience, there will be 25 deliberations. That and we're all, you know, a
T. O'Brien / G. Heflin 103 1 Mr. Seeley. 2 ATTORNEY SILBERT: Just to clarify 3 your question that you just asked, Mr. Seeley, it's 4 22 cameras associated with the WoodSpring Suites on 5 Land Unit D. 6 TERRY O'BRIEN: And it shoots the 7 parking lot too. 8 CHAIRMAN VESCIO: So it's fair to 9 assume, WoodSpring Suites is a fully-surveilled 10 establishment? 11 TERRY O'BRIEN: Correct. 12 CHAIRMAN VESCIO: There's how many 13 cameras? 14 ATTORNEY PECK: 22. 15 TERRY O'BRIEN: 22. 16 CHAIRMAN VESCIO: Okay. I'm glad that 17 the resident brings that up. 18 I, personally, was subjected to a crime 19 in a Courtyard years ago, to which my car was 20 completely vandalized and everything stolen from. 21 So years ago they did not have that type of 22 surveillance in place. 23 I'm very fortunate that that resident 24 did bring that up because this is something near and 25 dear to me but also, we want to protect our kids in	105 1 little tired here. 2 You know, as long as he's local and I 3 guess as long as we're -- and particularly the board 4 and I don't know if maybe we could give one more 5 bite at the apple to the audience for any of your 6 out-of-towners, basically now is the time to ask a 7 question to the out-of-towners. 8 That would be my suggestion. I know, 9 Mr. Chairman, it's ultimately your call. That seems 10 like the fair and neighborly thing to do at this 11 late hour. 12 CHAIRMAN VESCIO: I do see that the 13 testimony is probably going to take at least another 14 hour, not the testimony itself but the hearing. 15 So I think it would be wise to 16 postpone and carry it to the 17th. But I do agree 17 with Councilman Kirsh, I think if there are any 18 residents that would wish to ask questions now, 19 based on all the testimony you heard this evening, 20 now is the time. 21 COUNCILMAN KIRSH: Anyone who is not 22 going to be here on the 17th. 23 CHAIRMAN VESCIO: Right, anyone who is 24 not going to be here, I agree. 25 And with that, I will open it back up

106 1 to the public to anyone who wishes to ask any 2 questions based on all the testimony you heard this 3 evening. 4 COUNCILMAN KIRSH: The out-of-towners. 5 CHAIRMAN VESCIO: The out-of-towners. 6 BOB ZGORZYNSKI: I'm Bob Zgorzynski. I 7 live at 119 Chelsea Way. 8 My question is, is that I wasn't here 9 for the original, but I would like to know about the 10 timing of things, like when does the fence go up? 11 When does the landscaping go up? 12 If they're only building one hotel and 13 they don't build the rest of the site, is all the 14 landscaping going up? Is all the improvements going 15 up? 16 What is the timing of all this? 17 ATTORNEY SILBERT: Yes. So I think 18 before that they can pull a building permit for any 19 component of this site, they have to comply with the 20 conditions of the original approval and now, if this 21 were to get approved, the conditions of this 22 approval. 23 So whatever the resolution says here 24 about what has to be improved before they can start 25 building is what the applicant would have to	108 1 that are just simply not improved yet, correct? 2 ATTORNEY SILBERT: Right. Right. It 3 could almost be constructed in phases, where first 4 part of the phase might be SpringHill and then, 5 maybe one of the retail components or pads would 6 follow. So I think that you're looking at most 7 likely a phasing of construction. 8 But I would think for each land unit 9 the improvements shown on the site plan must be 10 constructed. So you wouldn't have SpringHill 11 without any of the landscaping shown for that 12 specific land unit installed. 13 BOB ZGORZYNSKI: I'm guess I'm looking 14 at the perimeter. I'm looking at, you know Chelsea 15 Way, I'm looking at what buffers there are along 16 Chelsea Way and around the whole perimeter of the 17 site. It really doesn't affect the buildings but 18 there is a cost associated with that. I would think 19 that, you know, that we would like to see it put up. 20 ATTORNEY SILBERT: Yeah, I would -- 21 it's a good question. Allow me to review the 2018 22 resolution and just see if there was -- how it 23 addressed, like, phasing and I can get back to you 24 at the next hearing with an answer of that. 25 BOB ZGORZYNSKI: Is that resolution
107 1 provide. 2 So, for example, as Mr. Folk will 3 testify to at the next hearing, he's going to talk a 4 lot about the on-site and existing infrastructure 5 that's already been improved on the site in 6 connection with the prior approval. So there is a 7 lot of infrastructure that has to be constructed on 8 the property prior to building, you know, the -- 9 BOB ZGORZYNSKI: But before they start 10 doing -- so in other words, they only build that 11 component, they don't build the rest of the 12 component, they still have to do all of the 13 landscaping infrastructure? 14 ATTORNEY SILBERT: Yeah. I'll defer 15 that to our civil engineer, but I would think that 16 at least as it's related to a specific land unit, if 17 they're developing Land Unit D, then all of the 18 landscaping would presumably have to be in place on 19 Land Unit D. 20 I don't know if that would carry 21 forward for one of the other land units. 22 COUNCILMAN KIRSH: But to that point, 23 you could have a period of time, it could be months, 24 it could be longer, where this development occurs 25 and you have a road through other parts of the site	109 1 online? I could get that online? 2 ATTORNEY SILBERT: I'll give it to 3 you. 4 BOB ZGORZYNSKI: Oh, thank you. 5 ATTORNEY SILBERT: You can submit an 6 Open Public records request to the board. 7 BOB ZGORZYNSKI: Thank you. 8 ATTORNEY SILBERT: Sure. 9 CHAIRMAN VESCIO: Thank you, 10 Mr. Zgorzynski. 11 Okay, Mr. Silbert, it seems that we can 12 offer you December 17th. 13 Nancy, we're okay with that date still? 14 ADMINISTRATOR PROBST: Yes. 15 ATTORNEY SILBERT: Okay. Yeah, I 16 think the three applications that evening, your -- 17 Hulya Has has no witnesses, and then we have one 18 witness remaining for Chick-fil-A, and one witness 19 remaining, so I think it's very doable to complete 20 all three. 21 CHAIRMAN VESCIO: I think so. 22 ATTORNEY SILBERT: And I thank the 23 board very much for indulging me and R.I. Heritage 24 Inn, allowing the out-of-towners to get their 25 testimony in tonight. So thank you very much for

1 staying and accommodating, we appreciate it. Thank
2 you.

3 CHAIRMAN VESCIO: Thank you. And we
4 do apologize for the order. And thank you very much
5 for those that came far away, and for the residents
6 that came out this evening, as well.

7 ATTORNEY SILBERT: Thank you.

8 - - -

9 (Whereupon, the application was
10 adjourned at the meeting concluded.)

11 - - -

12 (Time noted, 11:03 p.m.)

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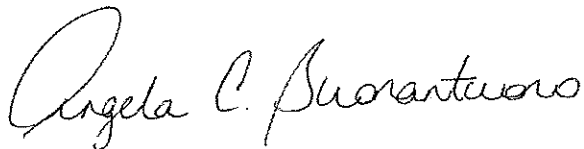
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CERTIFICATE



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3 I, ANGELA C. BUONANTUONO, a Notary Public
4 and Certified Court Reporter of the State of New
5 Jersey and Registered Professional Reporter, do
6 hereby certify that prior to the commencement, the
7 witnesses were duly sworn to testify the truth, the
8 whole truth and nothing but the truth.

9 I DO FURTHER CERTIFY that the foregoing is a
10 true and accurate transcript of the proceeding as
11 taken stenographically by and before me at the time,
12 place and on the date hereinbefore set forth.

13 I DO FURTHER CERTIFY that I am neither a
14 relative, nor employee, nor attorney, nor counsel of
15 any of the parties to this action, and that I am
16 neither a relative, nor employee of such attorney or
17 counsel, and that I am not financially interested in
18 the action.

19

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21

22

23 Angela C. Buonantuono, CCR, RPR, CLR

NJ License No. 30XI00233100

24 Notary Public Commission No. 50014616

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