

**Township of Manalapan**  
120 Route 522 & Taylors Mills Road  
Manalapan, NJ 07726

**Planning Board Minutes**  
**Reorganization and Public Meeting**  
**February 8, 2024**

The meeting was called to order with the reading of the Open Public Meetings Act by Chairwoman Kathryn Kwaak at 7:30 p.m., followed by the salute to the flag.

Mr. Brown read the TV Disclosure Statement and took the Roll Call of the Board.

In attendance at the meeting:           Barry Fisher, Todd Brown, John Castronovo, Barry Jacobson, Kathryn Kwaak, Jack McNaboe, Richard Hogan, Steve Kastell, Brian Shorr, Nunzio Pollifrone, Pat Givelekian.

Also present:                               Ronald Cucchiaro, Planning Board Attorney  
Brian Boccanfuso, Planning Board Engineer  
Jennifer Beahm, Planning Board Planner  
Nancy McGrath, Recording Secretary

Deputy Mayor McNaboe administered the Oaths of Office to Nunzio Pollifrone and Pat Givelekian the two alternates to the Planning Board.

Mr. Cucchiaro swore in Brian Boccanfuso, Professional Engineer, and Jennifer Beahm, Professional Planner.

**Minutes:**

A Motion was made by Chief Hogan and Seconded by Mr. Shorr to approve the Minutes of January 11, 2024 as written.

Yes:                   Brown, Castronovo, Jacobson, Kwaak, McNaboe, Hogan, Kastell, Shorr  
No:                   None  
Absent:              None  
Abstain:             None  
Not Eligible:       Fisher, Pollifrone, Givelekian

**Resolutions**

**PMS2314 ~ Vincent Tornatore**  
45 Saupe Drive ~ Block 339 / Lot 12.01

A Motion was made by Chief Hogan and Seconded by Mr. Brown to memorialize the Vincent Tornatore Two-Lot Minor Subdivision

Yes:                   Brown, Castronovo, Jacobson, Kwaak, McNaboe, Hogan, Shorr  
No:                   None  
Absent:              None  
Abstain:             None  
Not Eligible:       Kastell, Pollifrone, Givelekian

## **Applications**

### **PFM2308~ Lamb Lane Stables, LLC**

Lamb Lane ~ Block 74/Lot 14.02

Preliminary and Final Major Site Plan

12 buildings/stables

Mr. Cucchiaro announced the application to be carried to the March 14, 2024 Planning Board meeting with no further noticing to the property owners.

### **PMS2238 ~ Monmouth Battlefield Flex Co., LLC**

Route 33~Block 79.02/Lots 2, 3 & 5

Preliminary & Final Major Site Plan - Flex Space

Hearing #3

**Please refer to the transcript below for application PMS2238 Monmouth Battlefield Flex.**

TOWNSHIP OF MANALAPAN PLANNING BOARD  
COUNTY OF MONMOUTH - STATE OF NEW JERSEY

- - - - -

REGULAR MEETING FOR:

MONMOUTH BATTLEFIELD FLEX COMPANY, LLC  
BLOCK 79.02, LOTS 2, 3 & 5 (SED-5 ZONE)  
STATE HIGHWAY 33

PRELIMINARY AND FINAL MAJOR SITE PLAN - FLEX SPACE

APPLICATION NO. PMS2238

- - - - -

MANALAPAN TOWN HALL  
COURTROOM  
120 ROUTE 522  
MANALAPAN, NEW JERSEY 07726

- - -

THURSDAY, FEBRUARY 8, 2024

7:30 P.M.

- - -

TRANSCRIPT OF PROCEEDINGS

PUBLIC HEARING  
- CONTINUED -

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

BOARD MEMBERS PRESENT:

KATHRYN KWAAK, Chairperson  
TODD BROWN, Vice-Chairperson  
JOHN CASTRONOVO  
BARRY FISHER  
PASQUALE GIVELEKIAN  
RICHARD HOGAN, Fire Chief  
BARRY JACOBSON, Committeeman  
STEVEN KASTELL  
JACK McNABOE, Committeeman  
NUNZIO POLLIFRONE  
BRIAN SHORR

BOARD CONSULTANTS AND STAFF PRESENT:

RONALD CUCCHIARO, ESQUIRE, Board Attorney  
Weiner Law Group, LLP  
BRIAN BOCCANFUSO, P.E., Board Engineer  
CME Associates  
JENNIFER BEAHM, P.P., AICP, Board Planner  
Leon S. Avakian, Inc.  
NANCY McGRATH, Board Secretary  
Township of Manalapan

STENOGRAPHICALLY REPORTED BY:

ANGELA BUONANTUONO, NJ-CCR, RPR  
License 30XI00233100

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

GIORDANO, HALLERAN & CIESLA, P.C.

BY: JOHN A. GIUNCO, ESQUIRE

125 Half Mile Road

Red Bank, New Jersey 07701-6777

T: 732-741-3900

F: 732-224-6599

Email: jgiunco@ghclaw.com

--Counsel for the Plaintiff

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

CHRISTINE COFONE, AICP, P.P.

Cofone Consulting Group, LLC

## I N D E X

WITNESSESPAGE

BHASKAR HALARI, P.E.

12

Concept Engineering Consultants, P.A.

ERIC WAGNER, AIA

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Kellenyi Johnson Wagner Architects

JOHN REA, P.E.

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McDonough and Rea, Associates

PUBLIC COMMENT:NAMEADDRESSPAGE

NONE.

## E X H I B I T S

NO.DESCRIPTIONPAGE

NONE.

1 CHAIRPERSON KWAAK: I would like to  
2 call this meeting to order for the Manalapan  
3 Township Planning Board, February 8th at 7:30.

4 Pursuant to Section 5 of the Open  
5 Public Meetings Act, notice of this meeting was sent  
6 and advertised in the Asbury Park Press.

7 A copy of that notice was posted on the  
8 bulletin board where public notices are displayed in  
9 the municipal building.

10 In addition, a copy of this notice is  
11 and has been available to the public and is on file  
12 in the office of the municipal clerk. Accordingly,  
13 this meeting is deemed to be in compliance with the  
14 Open Public Meetings Act.

15 Can we please stand and salute the  
16 flag.

17 (Pledge of Allegiance.)

18 - - -

19 CHAIRPERSON KWAAK: Todd, can you  
20 please read the TV Disclosure statement?

21 VICE-CHAIRPERSON BROWN: The Township  
22 of Manalapan Television Network will be videotaping  
23 this meeting for re-broadcast on MTTN Channel 77 on  
24 Cablevision and Channel 42 on Verizon Fios.

25 By attending this evening the attendees



1 acknowledge this recording and agree to allow their  
2 image to be broadcast on MTTN Channel 77 and Verizon  
3 Fios Channel 42.

4 All attendees and participants agree to  
5 conduct themselves in a manner appropriate for  
6 public gathering. Inappropriate behavior or  
7 gatherings creating a disturbance or safety hazard  
8 are prohibited inside this meeting.

9 Individual speakers should be advised  
10 that no right of privacy protects a citizen's public  
11 comments made in a public forum.

12 Any statements made by members of the  
13 public to promote or alter public opinion about a  
14 candidate for political office, a political party or  
15 interest group are inappropriate and in violation of  
16 MTTN broadcast policies.

17 Accordingly, all participants bear  
18 responsibility for their own statements and  
19 commentary.

20 CHAIRPERSON KWAAK: Thank you. Can  
21 you also do roll call, please.

22 VICE-CHAIRPERSON BROWN: Mr. Fisher?

23 MEMBER FISHER: Here.

24 VICE-CHAIRPERSON BROWN: Mr. Brown,  
25 here.

1 Mr. Castronovo?

2 Mr. CASTRONOVO: Here.

3 VICE-CHAIRPERSON BROWN: Mr. Jacobson?

4 COMMITTEEMAN JACOBSON: Here.

5 VICE-CHAIRPERSON BROWN: Chairman

6 Kwaak?

7 CHAIRPERSON KWAAK: Yes.

8 VICE-CHAIRPERSON BROWN: Mr. McNaboe?

9 COMMITTEEMAN MCNABOE: Here.

10 VICE-CHAIRPERSON BROWN: Chief Hogan?

11 FIRE CHIEF HOGAN: Present.

12 VICE-CHAIRPERSON BROWN: Mr. Kastell?

13 MEMBER KASTELL: Here.

14 VICE-CHAIRPERSON BROWN: Mr. Shorr?

15 MEMBER SHORR: Here.

16 VICE-CHAIRPERSON BROWN:

17 Mr. Pollifrone?

18 MEMBER POLLIFRONE: Present.

19 VICE-CHAIRPERSON BROWN: And

20 Mr. Givelekian?

21 MEMBER GIVELEKIAN: Present.

22 CHAIRPERSON KWAAK: Thank you.

23

24 (Whereupon, board members were sworn.

25 - - -

1 CHAIRPERSON KWAAK: Mr. Cucchiaro,  
2 swear in the professionals.

3 ATTORNEY CUCCHIARO: Do you swear or  
4 affirm the testimony you are going to provide this  
5 board is the truth the whole truth, and nothing but  
6 the truth?

7 PLANNER BEAHM: I do.

8 ENGINEER BOCCANFUSO: Yes, I do.

9 CHAIRPERSON KWAAK: Thank you.  
10

11 (Whereupon, the board continues with  
12 posted agenda.)

13 - - -

14 CHAIRPERSON KWAAK: Okay, on to  
15 PMS2238 Monmouth Battlefield Flex, LLC, Route 33,  
16 Block 79.02, Lots 2, 3 and 5. Preliminary and Final  
17 Major Site Plan flex space.

18 ATTORNEY CUCCHIARO: Madam Chair?

19 CHAIRPERSON KWAAK: Yes.

20 ATTORNEY CUCCHIARO: Just before we  
21 get started, just by way of housekeeping, I notice  
22 there's a lot of suits out there walking around.

23 Mr. Giunco, any other attorney who is  
24 here representing someone, could you just enter your  
25 appearance.

1                   ATTORNEY GIUNCO: No, just my  
2 witnesses.

3                   ATTORNEY CUCCHIARO: Well, enter your  
4 appearance, then.

5                   CHAIRPERSON KWAAK: Enter your  
6 appearance, he's saying.

7                   ATTORNEY GIUNCO: I didn't hear you.

8                   ATTORNEY CUCCHIARO: I didn't know if  
9 you would be aware if anyone who is not part of your  
10 team showed up, that's why I was asking. You would  
11 know.

12                  ATTORNEY GIUNCO: I don't, of course.

13                  ATTORNEY CUCCHIARO: John, just enter  
14 your appearance, please.

15                  CHAIRPERSON KWAAK: Enter your  
16 appearance; say who you are on the record.

17                  ATTORNEY GIUNCO: John Giunco,  
18 Giordano Halleran & Ciesla, appearing on behalf of  
19 the applicant.

20                  ATTORNEY CUCCHIARO: Thank you.

21                  ATTORNEY GIUNCO: Sorry.

22                  ATTORNEY CUCCHIARO: All right,  
23 Madam Chair.

24                  CHAIRPERSON KWAAK: Okay, Mr. Giunco.

25                  ATTORNEY GIUNCO: When we were here

1 last there were some edits requested for the plan  
2 and Mr. Halari -- -

3 CHAIRPERSON KWAAK: Speak up a little  
4 bit.

5 ATTORNEY GIUNCO: When we were last  
6 here we entered most of our testimony, but there  
7 were some revisions to the plans proposed and  
8 Mr. Halari has worked on those and I'm going to  
9 offer his testimony now with regard to the revisions  
10 to the plans and status. And there were a couple of  
11 open questions.

12 ATTORNEY CUCCHIARO: Mr. Halari, you  
13 were previously sworn?

14 BHASKAR HALARI: Not on this  
15 application, no.

16 ATTORNEY CUCCHIARO: No?

17 BHASKAR HALARI: No.

18 ATTORNEY CUCCHIARO: Okay. Do you  
19 swear or affirm the testimony you are about to  
20 provide this board is the truth, the whole truth,  
21 and nothing but the truth?

22 BHASKAR HALARI: I do.

23 ATTORNEY CUCCHIARO: Please state and  
24 spell your name for the record.

25 BHASKAR HALARI: Sure. My name is

1 Bhaskar Halarai, H-A-L-A-R-I. Professional engineer,  
2 Concept Engineering, Manalapan, New Jersey.

3 ATTORNEY GIUNCO: Bhaskar, you're a  
4 licensed professional engineer?

5 BHASKAR HALARI: Yes, sir.

6 ATTORNEY GIUNCO: Ms. Chairman, we  
7 offer Mr. Halari as an expert in the field of civil  
8 engineering.

9 CHAIRPERSON KWAAK: His credentials  
10 are sufficient. He has been before this board  
11 before.

12 ATTORNEY GIUNCO: Thank you.

13 THE WITNESS: Thank you very much.

14 CHAIRPERSON KWAAK: You're welcome.

15

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

17

18 ATTORNEY GIUNCO: Since the last  
19 meeting would you describe to the board any edits or  
20 amendments that you made to the plans?

21 THE WITNESS: Sure. I'm just going to  
22 briefly go through the existing site here. I don't  
23 know if all the members remember from the last  
24 hearing that --

25 PLANNER BEAHM: Bhaskar, this is the

1 third hearing, just put the proposed plan up.

2 THE WITNESS: Okay, great. Makes life  
3 easier.

4 Like I said, here is the proposed plan.  
5 So the changes that we have made on this plan, as  
6 you can see previously we had one large building.  
7 Now we have divided that into four buildings. The  
8 square foot is about similar, each building is about  
9 48,140 square feet.

10 The entrance to the site stays at the  
11 same location as previously was proposed.

12 We have a circular driveway system that  
13 goes around all four buildings.

14 The loading and unloading is located in  
15 the center courtyard, which is covered by the four  
16 buildings around.

17 The buildings, the two north buildings  
18 are divided into 13 units each, and those buildings  
19 will have one loading dock in the back and obviously  
20 the office space would be on the front, that is  
21 facing the parking lot.

22 The two buildings located to the south  
23 has a 15-unit each. That will have about -- sorry,  
24 that has ten units with a loading dock and there is  
25 five units facing south which each will have a

1 drive-in door.

2 And again, all units will have a small  
3 office, a bathroom facility.

4 The change of this design also required  
5 us to change the stormwater management design, so we  
6 have, this plan shows ten infiltration basins.  
7 There is -- nine of them are small infiltration and  
8 one large infiltration basin.

9 So as you can see on this plan we have  
10 two that is located on the westerly property line,  
11 that is two on the southerly side. There's two on  
12 the easterly side, and then two that is on the  
13 northeasterly corner of the property.

14 The site is serviced by public water  
15 and septic. The plan shows the two septic systems.  
16 One septic system for Building 1 and 2, that is  
17 located on the northerly portion of the site. And  
18 for Building 3 and 4 we have one septic system  
19 located on southeasterly corner of the site.

20 We have one design waiver and one  
21 variance.

22 Sorry, before I go there, we have  
23 proposed the sidewalk and the curbing along the  
24 Business 33. And we propose a contribution for  
25 sidewalk and curbing to the Express 33 on the south.



1 Again, it's the board's choice but we think sidewalk  
2 on the express will not serve any...

3 PLANNER BEAHM: So before you go any  
4 further, I just want to say I reviewed the  
5 transcript of the last meeting and there was  
6 reference to the fact that you agreed to put  
7 sidewalk on both frontages.

8 I'm not suggesting that that's what  
9 they do, but that was what was represented to us in  
10 August that you were willing to put sidewalk on  
11 Business 33 and Express 33. So it will ultimately  
12 be up to you guys as the board as to what you want,  
13 but they have expressed the willingness to do both.

14 ATTORNEY GIUNCO: Correct.

15 PLANNER BEAHM: I just want to make  
16 that clear, from the transcript.

17 ATTORNEY GIUNCO: We do understand  
18 that the board had expressed a preference to make a  
19 contribution to the Sidewalk Fund instead of putting  
20 the sidewalks along the southern frontage of the  
21 property along the expressway to Route 33. So  
22 either way we would fulfill the obligation.

23 PLANNER BEAHM: John, you've got to  
24 talk into that mic because I can guarantee that  
25 people in the back cannot hear a word you're saying.

1                   ATTORNEY GIUNCO:   Either way we would  
2   fulfill the obligation, either pay in lieu of or  
3   build the sidewalks in that location.

4                   PLANNER BEAHM:   And, Bhaskar, I just  
5   want to correct you.   You said one waiver and one  
6   variance, I think there's two waivers; you have the  
7   buffer --

8                   THE WITNESS:    Okay, yes.

9                   PLANNER BEAHM:   -- and the foundation  
10   plantings.

11                  THE WITNESS:    Correct.

12                  PLANNER BEAHM:   And another variance  
13   for the signage.

14                  THE WITNESS:    Sign, correct.

15                  PLANNER BEAHM:   I just want to be  
16   clear.

17                  THE WITNESS:    No, no.   I misspoke,  
18   yes.   Thank you very much, I appreciate it.

19                  PLANNER BEAHM:   No problem.

20                  THE WITNESS:    So the waiver we just  
21   talked about a minute ago, one waiver is in  
22   reference to providing a landscaping and berming  
23   along Local 33.

24                  Previous to the last meeting there was  
25   a discussion about another office meeting with a

1 shade tree from -- sorry, Shari Spero from CME to  
2 review the existing densely wooded area along that  
3 Business 33.

4           Upon the site visit with John Ploskonka  
5 from our office and Shari, they came to a conclusion  
6 that it is definitely worth preserving, these trees  
7 are 40 to 50 feet in height and they provide a much  
8 better screening than removing them and installing a  
9 berm and putting landscaping.

10           There is one existing house which  
11 creates a small opening. So in that area we have  
12 provided a dense landscaping to fill up that gap.

13           On to the south site, there is some  
14 vegetation that exists along the Express 33 but it's  
15 not dense enough to provide the screening. So on  
16 the south side we have basically provided compliant  
17 berming with the landscaping on the south end.

18           And the second waiver that we just  
19 discussed about, as you can see we have provided a  
20 foundation planting all around the building except  
21 for where there's a loading dock or a drive-in door  
22 or a walk-in, like vehicular -- sorry, pedestrian  
23 access into the building, but we have provided, like  
24 you can see on this building which is facing to the  
25 south, we have a landscape island along the

1 frontage. Obviously on all four sides we have  
2 provided foundation planting. But because it's  
3 required all around but we couldn't provide where  
4 the drive-in door and the loading dock and the  
5 walk-in doors are, it's still technically considered  
6 a waiver.

7                   The variance relates to one directory  
8 sign. The project proposes two signs. There is a  
9 one sign monument sign at the entrance of the  
10 driveway on Business 33. As you can see on this  
11 blowup it's landscape island area with a sign  
12 located in the center. That sign is compliant to  
13 the ordinance requirement.

14                   The second sign is proposed at the,  
15 basically, end of the main driveway going into our  
16 site before the first intersection. And that is a  
17 directory sign. It's 32 square feet which would  
18 provide basically the names of the companies located  
19 in the four buildings so the person knows whether to  
20 make a right turn or a left turn, and which way to  
21 go.

22                   Our architect has provided -- he did  
23 the details and he will go over the sign detail in  
24 his testimony.

25                   And this is primarily the changes. I

1 think the intent here was that we made an  
2 application under the previous definition of a flex  
3 space, originally that we are one large building,  
4 but subsequently the town abandoned the flex space  
5 definition and the applicant directed our office to  
6 come up with a plan which as compliant as possible  
7 with this new definition of the flex space.

8           So, therefore, this plan shows the  
9 total 56 units, so the intent is for a small user,  
10 3,000/2,500 square feet. And we basically met all  
11 of the requirements except for the building height  
12 where the new definition of a flex space has much  
13 restricted building height. But we have reduced the  
14 height from what was previously proposed.

15 Previously was 42 feet, we have reduced to 37. And  
16 37 is because of the loading area in the back; the  
17 way the definition characterizes the building height  
18 is you take an average of four elevations on the  
19 corner and because you have a loading dock on one  
20 side you have four feet of extra depth or height.  
21 So because of that average it's 37 but the building  
22 themselves are 35 feet high.

23           And the architect can go into much  
24 further detail about the looks and how it is  
25 designed to be like an architect really meeting the

1 flex-space type of design.

2 I think, John, I don't have...

3 ATTORNEY GIUNCO: With regard to the  
4 waivers, could you advise the board if you've  
5 analyzed whether they would be reasonable given the  
6 design and the scope of the project?

7 THE WITNESS: Sure. As we said  
8 previously that the existing mature vegetation  
9 serves a better screening than removing them, so  
10 that just justifies that. And also the board/Shade  
11 Tree person also agreed with that based on the site  
12 meeting.

13 And as far as the waiver for the  
14 foundation planting, well, obviously, it's  
15 impractical to provide a foundation planting where  
16 you're walking into the building, where you're  
17 driving a vehicle into the building. So just from  
18 the physical standpoint that waiver is -- is  
19 required, but actually we have tried to comply with  
20 the requirements.

21 And the sign, again, as we I think we  
22 had discussed in the previous hearing as well, the  
23 directory sign is more for the means, so people are  
24 visiting the site, so they don't have to walk or  
25 drive around to find the location. The ordinance

1 doesn't provide any directory sign. Even Jennifer,  
2 last meeting, she was in favor of having this sign  
3 because, obviously, that would make people visiting  
4 the site, easier to find the location.

5 So I think that is a -- a public  
6 benefit and that's why we think the variance for the  
7 sign is justified.

8 ATTORNEY GIUNCO: And while you're on  
9 signs, Bhaskar, I know there was a request -- I know  
10 there was a request for some additional signage for  
11 directional throughout the project. Are we able to  
12 accommodate that?

13 THE WITNESS: Yes, that we'll  
14 accommodate. But those are within the township  
15 ordinance requirements, we will provide that.

16 PLANNER BEAHM: John, I'm sorry, I  
17 cannot hear you myself so I can guarantee you the  
18 people in the back cannot hear you and so I don't  
19 even know what you just said, like, literally about  
20 the signage.

21 ATTORNEY GIUNCO: Well, I asked  
22 Bhaskar, there was a request for additional signage  
23 was he able to accommodate it.

24 THE WITNESS: Directional signage is  
25 what he was talking about. So we don't have that

1 signage on the plan but we will talk to your office  
2 and see what additional signage you think we need.

3 PLANNER BEAHM: Okay.

4 ATTORNEY CUCCHIARO: Excuse me --

5 ATTORNEY GIUNCO: I have no other  
6 questions.

7 ATTORNEY CUCCHIARO: -- would the  
8 addition of the signage require any relief?

9 THE WITNESS: No, no, the sign,  
10 directional signage we'll propose within the  
11 township ordinance, whatever is permitted. We're  
12 not looking for relief on that.

13 CHAIRPERSON KWAAK, Bhaskar, your  
14 testimony is done?

15 THE WITNESS: Yes, ma'am.

16 CHAIRPERSON KWAAK: Okay.  
17 Professionals, questions? Jen? Ron.

18 PLANNER BEAHM: So when you're talking  
19 about the height of the building being 37 feet does  
20 that include the structures that are on top of the  
21 roof to screen the HVAC?

22 THE WITNESS: I think I will let the  
23 architect speak to that because he's here and he  
24 will explain that, yes.

25 PLANNER BEAHM: So I just want it to



1 be clear that I don't want to forget about that  
2 because the building itself is X, but then the  
3 building plus the screening, and I think from the  
4 prior testimony those screens are 6 to 8 feet so  
5 that would take it to maybe 45 feet or, you know,  
6 maybe 43 feet. So I just want to be clear on what  
7 we're dealing with with respect to that.

8 THE WITNESS: Understood.

9 ATTORNEY GIUNCO: Well, Mr. Wagner is  
10 our architect, he's here. He'll discuss the  
11 screening and that way...

12 PLANNER BEAHM: And then, I mean I  
13 guess it's going to be you, considering I know that  
14 at the prior hearing you had Mr. Denholtz here to  
15 talk about the use, but then he was, like, excused.

16 Do you legitimately anticipate having  
17 56 tenants at this space? Or, like, what's the  
18 average?

19 I'm just saying, you know, because  
20 that's what you're showing on the plan but, in  
21 theory, someone could come and take three spaces.  
22 So based upon experience are we legitimately  
23 thinking we're going to have 57 users? Or are we  
24 going to have something less than that?

25 ATTORNEY GIUNCO: Well, I can address

1     that. I have a similar project in Marlboro, it's  
2     about 100,000 square feet and there is one tenant in  
3     the entire site that has more than three spaces.  
4     Primarily it's either one 2,500 unless it's slightly  
5     bigger, or two.

6                     And that's -- that's you're asking me  
7     in general, that's my experience.

8                     PLANNER BEAHM: Okay.

9                     ATTORNEY GIUNCO: So I do anticipate  
10    that we'll have a number of tenants there that will  
11    want two spaces, possibly somebody might want a  
12    third, but I don't think that's very -- I mean, it  
13    will happen -- it can happen, but I don't think it's  
14    likely.

15                    PLANNER BEAHM: And then, I notice  
16    John Rea is not here, right, so we're going to  
17    postpone the traffic to another date?

18                    ATTORNEY GIUNCO: Well, he was  
19    travelling today, there was...

20                    PLANNER BEAHM: Totally fine. I'm  
21    just saying --

22                    ATTORNEY GIUNCO: Yeah, we might have  
23    to postpone the traffic.

24                    PLANNER BEAHM: -- I have some  
25    questions about, like, the parking and things like

1     that; is that going to be deferred to him or is,  
2     Bhaskar, are you handling that?

3                 THE WITNESS:   Jennifer, I just talked  
4     to John and --

5                 ATTORNEY GIUNCO:   I didn't know.

6                 THE WITNESS:  -- John Giunco didn't  
7     know about it, but John Rea is on his way and he  
8     should be here by 8:30, so just so you know.

9                 ATTORNEY CUCCHIARO:  We'll save it for  
10    Mr. Rea but my understanding also is that the  
11    traffic counts that you guys were going to perform,  
12    there was something wrong with the strips that were  
13    out there, and we don't have that tonight, right?

14                ATTORNEY GIUNCO:   That is correct.  
15    However, I think -- and I don't know this because I  
16    didn't get to speak to him -- but when we became  
17    aware of that he expected to have the counts this  
18    week but we didn't have the report ready.  So I  
19    don't know if that got completed because he's been  
20    away until today.

21                ATTORNEY CUCCHIARO:  I have not seen  
22    it.

23                PLANNER BEAHM:   So when we talked the  
24    last time when you were envisioning that bigger  
25    building being divided up to ten tenant spaces, we



1 the piers and the height of the piers. So I'll  
2 defer that to later?

3 ATTORNEY GIUNCO: You should have had  
4 -- I thought there was a submission.

5 PLANNER BEAHM: I have it.

6 ATTORNEY GIUNCO: Oh, Okay.

7 PLANNER BEAHM: I have it. So now I  
8 have some questions about it.

9 ATTORNEY GIUNCO: Of course. But  
10 Mr. Wagner is here. In fact, I intended to call him  
11 when Mr. Halari has completed his testimony, if the  
12 board approves.

13 PLANNER BEAHM: Okay. I don't have  
14 anything else. Brian?

15 ENGINEER BOCCANFUSO: Thanks.

16 Bhaskar, did you state that there were  
17 eight refuse enclosures proposed?

18 THE WITNESS: Yes.

19 ENGINEER BOCCANFUSO: And where are --  
20 I only identified four.

21 THE WITNESS: So there are two right  
22 in the center here. These are back-to-back, in this  
23 area here.

24 ENGINEER BOCCANFUSO: Oh, okay. Got  
25 it.

1 THE WITNESS: Basically we have one  
2 trash enclosure at each end of the buildings.

3 ENGINEER BOCCANFUSO: Understood.  
4 Okay. I didn't catch those ones in the middle  
5 there. Great.

6 THE WITNESS: It happens. Happens to  
7 me too.

8 ENGINEER BOCCANFUSO: Great. As you  
9 alluded to there were some adjustments to the  
10 stormwater management system as a result of the  
11 redesign of the site. We had some comments on those  
12 in our technical engineer report.

13 To the extent that the minor revisions  
14 or additional analysis are required to address them,  
15 do you have any issues with those comments?

16 THE WITNESS: As a matter of fact, we  
17 agreed to supply and revise the plans, as per your  
18 engineering report, dated January 10th, 2024. And  
19 we will take care of all the items you have in that  
20 report to your satisfaction.

21 ENGINEER BOCCANFUSO: Great. Just  
22 today, this afternoon actually, I received a copy of  
23 the report from the Freehold area health department.  
24 Did you see that?

25 THE WITNESS: Yes, we did.

1 ENGINEER BOCCANFUSO: And did you  
2 review the comments in there?

3 They had some concerns about the, first  
4 of all, the fact that I guess only two septic  
5 systems were proposed, and they weren't certain that  
6 sufficient soil logs were done. They also had a  
7 question about the 56 separate units and the  
8 challenges in predicting the volume of sewage  
9 generated from that.

10 Are those comments that you're going to  
11 be able to address with them? And if so, how?

12 THE WITNESS: Yes we will be able to  
13 address them. Obviously, we had done the soil  
14 testing for the disposal field located on the  
15 northern end of the site. As you can see on this  
16 plan we have two soil borings there. But in this  
17 revised design we proposed the second in the south  
18 end of this area -- southeasterly corner of the  
19 site, and we were not able to complete that testing  
20 before we made the application.

21 But while we were on the site we have  
22 done at least 30, 40 soil logs.

23 ENGINEER BOCCANFUSO: For stormwater  
24 management.

25 THE WITNESS: For stormwater

1 management. Another purpose, the site has regular  
2 soil or sandy soil. No water table. The site has  
3 no perc or anything, it's basically what you call  
4 high and dry piece of property. May be the last  
5 high and dry piece of property in Manalapan.

6 ENGINEER BOCCANFUSO: It might be.

7 THE WITNESS: So we think we wouldn't  
8 have any issue performing the logs and making sure  
9 it works there.

10 As far as the sewer capacity concern,  
11 this type of use that we envision here, flex space,  
12 they tend to have a small office, this is like  
13 10-by-20, and 200 square feet, and they don't have  
14 lot of people working there.

15 So we proposed in each office, and I  
16 think Eric will go over that, that we have an office  
17 in each of these units. And if he use an EP  
18 criteria for amount of square footage we have and  
19 according to those calculations, we have over  
20 2000 gallons per day. And so we will comply with  
21 the water requirement.

22 ENGINEER BOCCANFUSO: Now, I  
23 understand that and I don't take any exception to  
24 the representation that small offices are going to  
25 generate small estimated flows for sewage. But if



1 something were to change, I mean it's flex space, so  
2 that's kind of the point.

3 THE WITNESS: Right.

4 ENGINEER BOCCANFUSO: What happens if  
5 the end-users of the facility are something that is  
6 permitted and also generates a higher estimated  
7 sewer flow than an office use; do you have  
8 flexibility on the site to expand the footprint on  
9 the sewage disposal system, if necessary?

10 THE WITNESS: Yes.

11 ENGINEER BOCCANFUSO: Are there other  
12 things you can do to make sure that you have a  
13 sufficiently sized system, because, obviously, if  
14 there is an approval, you have no choice but to  
15 comply with the Health Department requirements.  
16 You're going to have to make it work, otherwise  
17 you'll be back here with a modified design.

18 THE WITNESS: I agree. So the design  
19 of the field size that we have shown on the plan,  
20 each field size is for 2000 gallons. So actually  
21 the two fields totally can accommodate  
22 4,000 gallons. But that would require NJPDES permit  
23 from the DEP and we can get that, that's not an  
24 issue.

25 But as far as the space on the site as

1 I said we have oversized beds already shown on the  
2 plan, which is worst-case scenario.

3 PLANNER BEAHM: So my concern is,  
4 let's just say, one of those spaces or two of those  
5 spaces get occupied by an indoor recreation  
6 facility, whether it's sports training, strength and  
7 agility. We just saw the one from you in  
8 Englishtown that you put like that training facility  
9 in a space just like this, that is a little  
10 different scenario than like a small office that may  
11 have one or two people, you might have 25, 30 kids  
12 in there at a time and the demand on the septic is  
13 going to be very different.

14 So my question -- and don't  
15 misinterpret that I'm negative to that use, I'm just  
16 asking what is the trigger that would bring that  
17 back to the review of the board of health once this  
18 is approved, if it is approved?

19 THE WITNESS: Every tenant before they  
20 can occupy the space they're required to get a  
21 zoning approval.

22 PLANNER BEAHM: Right.

23 THE WITNESS: And also board of health  
24 approval because whenever you have a septic system  
25 they automatically forward the file to the board of

1 health to make sure that the new proposed use is  
2 going to comply with the soil capacity.

3 We have in the town right now, I mean  
4 on Route 33, the Kaiser buildings, there is two, two  
5 buildings right on 33 across from I think there's a  
6 -- it's right on Route 33 between from Millhurst and  
7 --

8 COMMITTEEMAN McNABOE: From Pegasus.

9 THE WITNESS: Hmm?

10 COMMITTEEMAN McNABOE: Across from  
11 Pegasus.

12 THE WITNESS: Pegasus, yes, right  
13 there.

14 So those two -- there is existing  
15 buildings and we used to occupy one of the space at  
16 one time, so that's why I know, we designed the  
17 project.

18 So every tenant that comes in there  
19 they required for zoning and then required to the  
20 board of health, and then make sure the soil  
21 capacity is there. If not, they don't get a permit.

22 PLANNER BEAHM: Thank you. Sorry,  
23 Brian.

24 ENGINEER BOCCANFUSO: Not a problem.

25 The bulk of the other comments in our

1 report have been addressed.

2 I think the only -- there were several  
3 relative to traffic, which we'll get to, when  
4 Mr. Rea arrives and we hear his testimony.

5 We had a comment about a meeting that  
6 you had with Shari Spero from our office. I know  
7 that you did discuss the existing vegetation along  
8 Route 33 Business frontage, which you provided  
9 testimony on. I think that there was another  
10 comment that she had relative to specific  
11 information on tree replacement calculations and  
12 locations of specimen trees.

13 Is that something that you looked at,  
14 sir, or can you provide that information?

15 THE WITNESS: Yes, we can continue to  
16 provide that, yes.

17 ENGINEER BOCCANFUSO: You have  
18 provided it?

19 THE WITNESS: No, we have not.

20 VICE-CHAIRPERSON BROWN: Okay.

21 THE WITNESS: We can provide it, I  
22 said.

23 ENGINEER BOCCANFUSO: Okay. Great. I  
24 think that's all I have right now, Madam Chair.

25 CHAIRPERSON KWAAK: Okay. Ron,

1 anything before I go on no?

2 ATTORNEY CUCCHIARO: No, Madam Chair.

3 Okay. Chief?

4 FIRE CHIEF HOGAN: Nothing at the  
5 moment.

6 ATTORNEY CUCCHIARO: Okay. Jack?

7 FIRE CHIEF HOGAN: Nothing at the  
8 moment.

9 CHAIRPERSON KWAAK: Jack?

10 COUNCILMAN MCNABOE: No, I'll wait for  
11 the whole thing to go up.

12 CHAIRPERSON KWAAK: Okay. I just have  
13 a couple of questions for you, Bhaskar.

14 THE WITNESS: Sure, ma'am.

15 CHAIRPERSON KWAAK: In looking at the  
16 refuse enclosures, right, when you pull in the site,  
17 at the top of the picture there, the first two units  
18 on either side, when those people try to back up to  
19 the to those units, there're going to be not right  
20 now.

21 CHAIRPERSON KWAAK: I just have a  
22 couple of questions for you, Bhaskar.

23 THE WITNESS: Sure ma'am.

24 CHAIRPERSON KWAAK: In looking at the  
25 enclosures when you pull in the site, at the top

1     those first two units on either side, when those  
2     people try to back up to the loading dock they're  
3     going to be awful tight to that refuse.

4                 THE WITNESS:   You see there's loading  
5     docks -- the dock itself is normally eight feet  
6     wide.

7                 CHAIRPERSON KWAAK:   Okay.

8                 THE WITNESS:   We provided 12 feet  
9     space for the loading dock.   So what happens you  
10    have three feet on both sides of it.

11                CHAIRPERSON KWAAK:   Okay.

12                THE WITNESS:   And the pad itself for  
13    the trash enclosure is 11 feet deep, so you don't  
14    use the whole 11 feet in the back, so the gate and  
15    all that will be recessed in.

16                CHAIRPERSON KWAAK:   So, in other  
17    words, if there's a truck there or something doing  
18    that, if the garbage people come to pick up the  
19    garbage, there's not going to be a problem?

20                THE WITNESS:   Oh, I understand your  
21    question.   If the truck is standing there,  
22    obviously, they cannot get to that trash enclosure,  
23    but we can give time for pick up when there is no  
24    truck there.   But if there is truck when they come  
25    for garbage, people don't pick up, but we can hold

1 the garbage, if necessary, but normally these type  
2 of tenants don't have high frequency of  
3 tractor-trailer coming around.

4 CHAIRPERSON KWAAK: Okay. You  
5 mentioned about the signage. Now is there going to  
6 be signage directly on each signage of the  
7 buildings, like Building A, Building B as well?

8 Do they need relief for that, Jen?

9 PLANNER BEAHM: That was not shown.  
10 And I think that that would be acceptable, if you  
11 had like 1, 2, 3, 4, A, B, C, D. It's like if you  
12 every single tenant wants -- if you like have 57  
13 tenant signs...

14 CHAIRPERSON KWAAK: Well, no. Like on  
15 the main sign when you come in Building A to the  
16 left it's this, but then to the left it says  
17 Building A?

18 PLANNER BEAHM: Yes, I think that's  
19 okay to have like the identification. It's no  
20 different than having your address on your house.

21 ATTORNEY GIUNCO: So you want the  
22 identification location on the sign to match where  
23 they are on the site?

24 THE WITNESS: That makes sense.

25 CHAIRPERSON KWAAK: But I'm asking

1     also, too, does that trigger another...

2                   PLANNER BEAHM:   I think that's not --  
3     I think that's permitted.

4                   THE WITNESS:    That's permitted.

5                   PLANNER BEAHM:   Yes.

6                   CHAIRPERSON KWAAK:  Will there be any  
7     storage trucks, storage of trucks overnight?

8                   THE WITNESS:    We haven't proposed no  
9     storage trucks.  There is no parking provided to  
10    park the trucks.

11                   CHAIRPERSON KWAAK:  Okay.

12                   THE WITNESS:    Obviously, if there's  
13    some delivery or something that came and they need  
14    to complete the delivery before they close, then  
15    maybe they can stay there so they can complete the  
16    delivery, but there's no parking proposed.

17                   CHAIRPERSON KWAAK:  Okay.

18                   PLANNER BEAHM:   So if one of your  
19    tenants is, let's say, a landscaping contractor that  
20    has multiple equipment, trucks, whatever, you're  
21    telling me they're not going to be stored here?

22                   CHAIRPERSON KWAAK:  Like a plumber, an  
23    electrician.

24                   THE WITNESS:    No, no.

25                   PLANNER BEAHM:   Like CJ Landscaping,



1     when you drive into their space where they have one  
2     little tenant space, they have like 25 vehicles that  
3     stay there overnight while their employees take  
4     their cars and go home.

5                     THE WITNESS:   I think I misunderstood  
6     the comment.

7                     PLANNER BEAHM:   That's why I'm  
8     clarifying.

9                     THE WITNESS:   What I thought as you  
10    were asking about tractor-trailers or trailer  
11    parking, that's what I thought.

12                    CHAIRPERSON KWAAK:   Both.   I'm asking  
13    for both, and I'm sorry.

14                    THE WITNESS:   No, no problem.

15                    I think that, obviously, what Jen is  
16    pointing out is correct, if we have that type of  
17    tenant where the vehicle that they use for their  
18    normal business operation, that will be parked there  
19    overnight, yes.

20                    CHAIRPERSON KWAAK:   Okay.   That's all  
21    I have right now.

22                    Brian?

23                    MEMBER SHORR:   I have a question, but  
24    I might need Mr. Rea.   I would like to see how the  
25    entrance and exit of trucks are coming in and

1 leaving your facility, if you can go into a picture  
2 on that?

3 ATTORNEY GIUNCO: Do you have a  
4 circulation plan?

5 THE WITNESS: I do have a circulation  
6 plan that I can show you.

7 So this plan shows the truck turning  
8 into the project. Then basically carrying into the  
9 loading dock and leaving the loading dock and going  
10 out and turning again on 33.

11 So they can make the turns, no  
12 problems.

13 MEMBER SHORR: Okay, that's fine.  
14 That's all I wanted to know.

15 THE WITNESS: Sure, understand.

16 CHAIRPERSON KWAAK: Barry?

17 COMMITTEEMAN JACOBSON: Getting back  
18 to about the trucks, what was -- I know you don't  
19 have any tenants yet, but do you envision mostly box  
20 trucks or tractor-trailers?

21 And if there are tractor-trailers, I  
22 know you are getting out, you know, because the way  
23 33 is configured over there, there is a -- and going  
24 west, there's a slight bend. And so if you had  
25 tractor-trailers entering and exiting at the same

1 time would that cause a problem?

2 Now I don't know if that's for the  
3 traffic engineer or for Bhaskar.

4 ATTORNEY GIUNCO: I think that's a  
5 civil question.

6 THE WITNESS: I think that's what the  
7 intent of this plan was. This plan was basically --  
8 actually, the comment came from Brian's office where  
9 they wanted to see a tractor-trailer turning  
10 movement to make sure that the driveway can meet the  
11 demand, I mean this kind of vehicles.

12 So that's why we prepared this plan and  
13 this plan does show that if a vehicle is standing or  
14 leaving the site, the vehicle coming in can make the  
15 turn.

16 COMMITTEEMAN JACOBSON: One other  
17 question, it might be for the traffic engineer, the  
18 EV stations, where are they -- are they going to be  
19 because parking will change, where are they going to  
20 be configured?

21 THE WITNESS: No, they are proposed on  
22 the plan. Just give me one second.

23 So as you can see on this plan, you're  
24 looking at the northern part of the site, the  
25 northern two buildings. And if I zoom in a little

1 more, you can see right here is the EV parking  
2 station with the chargers.

3 And they are scattered thought the  
4 site. I mean you see four on the northerly part,  
5 there are -- same, basically mirror image on the  
6 other side of the site as well as -- so the other  
7 side also we have, yes.

8 COMMITTEEMAN JACOBSON: Thank you.  
9 That's all I had.

10 CHAIRPERSON KWAAK: Todd?

11 VICE-CHAIRMAN BROWN: I recall during  
12 the August 10th meeting Mr. Denholtz giving great  
13 testimony on the definition of the flex space and  
14 the typical user, the needs for them, the number of  
15 trips to be expected.

16 Does this new design still fit Mr.  
17 Denholtz's testimony for flex space? I'm not  
18 questioning the use, I'm just questioning how many  
19 tenant spaces are being proposed and if this would  
20 be, you know, a fit for this property.

21 ATTORNEY GIUNCO: The application  
22 requests no variance, so we can start there. So  
23 that kind of indicates that it does fit the town's  
24 vision for the site.

25 Second, in terms of my experience in

1 the flex space industry, not as extensive as  
2 Steve's, Mr. Denholtz's, but it's 90 percent of this  
3 size unit will use box trucks.

4 They will -- the most use of trailers  
5 will be delivery of supplies to those users and  
6 that's one of the things that we've discussed in  
7 preparing this design to make it as direct and  
8 simple and in and out as the trailers, as you saw  
9 the display as we put it.

10 So I'm hopeful that there will be a lot  
11 of box trucks on this site. We're hopeful there  
12 will be plenty of trailers in and out. And we  
13 designed it to be successful.

14 VICE-CHAIRMAN BROWN: Thank you. As I  
15 recall there were ten trailer parking spaces and I  
16 believe it was the southeast corner --

17 THE WITNESS: That is correct.

18 VICE-CHAIRMAN BROWN: -- and those  
19 were needed, according to Mr. Denholtz's testimony.

20 So I'm trying to figure out, okay,  
21 those went, I don't see those on the site anymore  
22 and, okay, but you're still looking for the same  
23 type of tenants when the testimony was given that --

24 ATTORNEY GIUNCO: Well, we're not  
25 looking for -- this is not the same type of tenant.

1 I cut you off, I'm sorry.

2 VICE-CHAIRMAN BROWN: Oh, no, no. So  
3 that's why I'm kind of -- I'm kind of scratching my  
4 head saying, okay, is this a whole other piece we're  
5 looking at based on what Mr. Denholtz was kind of  
6 painting the picture of, hey, this is what this  
7 project is going to be.

8 ATTORNEY GIUNCO: Yes. He was  
9 speaking in general of flex space, but specifically  
10 related to those units we had, which were --

11 The buildings we have.

12 THE WITNESS: 25,000 square foot  
13 building.

14 ATTORNEY GIUNCO: -- 25,000 square  
15 feet each -- or 28,000, right?

16 THE WITNESS: I don't know how many.

17 ATTORNEY GIUNCO: Anyway, they were 8  
18 or 10 times larger than these. And consequently,  
19 the industry that would be there would have -- has  
20 lesser demands.

21 VICE-CHAIRPERSON BROWN: So we're not  
22 -- I'm sorry, I don't want to cut you off; were you  
23 done?

24 ATTORNEY GIUNCO: What's that?

25 VICE-CHAIRPERSON BROWN: Were you

1 done? Sorry, I didn't want to cut you off.

2 So last time I think popcorn makers,  
3 wood for retail fabricators, printer repairs,  
4 suppliers, contractors. Is that still the  
5 anticipated --

6 ATTORNEY GIUNCO: Well, I don't think  
7 popcorn makers are really...

8 VICE-CHAIRPERSON BROWN: I'm looking  
9 at my own notes, that's the only reason.

10 PLANNER BEAHM: He did say it. So I  
11 went through the transcript, it definitely -- he  
12 definitely said that.

13 VICE-CHAIRPERSON BROWN: I was not  
14 that off. I'm not drawing pictures on my notes  
15 here.

16 ATTORNEY GIUNCO: I haven't come  
17 across a popcorn maker as a tenant for 25,000 square  
18 feet or even 1000 square feet.

19 In addition I have a fair amount of  
20 ground space in that area, size range but popcorn is  
21 typically what you get at the bank when you're  
22 waiting in line.

23 VICE-CHAIRPERSON BROWN: But you are  
24 looking at, so at the end of the day, you're looking  
25 at the same type of tenants.

1 THE WITNESS: So this is the  
2 previously --

3 ATTORNEY GIUNCO: I think you might  
4 consider it as the same type of tenants but perhaps  
5 on a smaller scale.

6 VICE-CHAIRPERSON BROWN: Okay.

7 ATTORNEY GIUNCO: So instead of a 75-  
8 or 80-man law firm, you have like a ten-man law  
9 firm. Instead of five machines to do their work,  
10 they might have two, that kind of thing.

11 Because the size is smaller, the rents  
12 are much lower, the cost of the building is much  
13 less. This is not the elaborate project that we had  
14 originally proposed. This is fitting to the  
15 ordinance that we have now in terms of the design.

16 VICE-CHAIRPERSON BROWN: For testimony  
17 -- let me ask --

18 PLANNER BEAHM: Go ahead. I'm sorry.

19 VICE-CHAIRPERSON BROWN: For testimony  
20 on the actual trailers and number of trips, that's  
21 to wait for Mr. Rea.

22 ATTORNEY GIUNCO: I think so.

23 CHAIRPERSON KWAAK: Okay.

24 PLANNER BEAHM: Todd, if I could just  
25 add to what you're saying?



1 VICE-CHAIRPERSON BROWN: Sure.

2 PLANNER BEAHM: There was definitely  
3 conversation, and I think it was Nunzio who  
4 initially brought up like the last-mile. And there  
5 was testimony in the transcript that talks about  
6 there could be a fulfillment tenant in a flex  
7 building, so I just -- and, like, we put a pin in it  
8 until the next hearing, which is now.

9 So I get you don't have an operation  
10 user here but I think the concern --

11 ATTORNEY GIUNCO: No, I mis --excuse  
12 me, I thought you dismissed Mr. Denholtz.

13 PLANNER BEAHM: We did.

14 ATTORNEY GIUNCO: And he came as a  
15 courtesy, you know, I didn't have to...

16 PLANNER BEAHM: We did. And there  
17 were definitely things that you committed to  
18 bringing back to us whether he's here or not, one of  
19 which is the discussion of a fulfillment tenant in a  
20 flex space. That's Number one. And there was no  
21 clarification as to the hours of operation.

22 So those are two things that we left  
23 open ended at the end of August, which initially was  
24 going to be in November and now here we are in  
25 February.

1 I'm not suggesting that Mr. Denholtz  
2 come back. You're absolutely correct, we did open  
3 it to the public to him and he was excused, but  
4 those are open-ended things that the board -- I'm  
5 not asking for this exact second, but the board is  
6 going to want to know the answers to those  
7 questions, right?

8 So we talked about, I think it was like  
9 11 to 6; right where there's no activity and then  
10 there was concern that there's residents not that  
11 far away and is 11 really appropriate? And I get  
12 that six is -- you know, and then I think Nunzio  
13 also brought up the noise ordinance and how it's 10  
14 to 7 is the noise situation.

15 So at some point we're going to need  
16 clarification to those issues. It doesn't have to  
17 be at this minute and I don't necessarily know if  
18 it's Bhaskar, but I'm saying they're open-ended  
19 issues that you guys are going to have to need to  
20 address before the board entertains any kind of  
21 action.

22 ATTORNEY GIUNCO: As we said, I'm sure  
23 we said last time, I don't know any tenants yet  
24 because we're not -- we can't rent space we can't  
25 say that we can build, so that's the first thing.

1                   Second, I think that part of what this  
2 achieves over the first plan is limitation on any  
3 first/last-mile deliveries, it's just -- these units  
4 are too small.

5                   PLANNER BEAHM: So are you accepting  
6 as a condition that this would not be any last-mile;  
7 you would not accept a last-mile tenant because that  
8 would be a fulfillment versus flex?

9                   ATTORNEY GIUNCO: I think if we could  
10 define it I think we would certainly agree with  
11 that.

12                  ATTORNEY CUCCHIARO: I agree with  
13 that.

14                  ATTORNEY GIUNCO: And -- I'm sorry.

15                  ATTORNEY CUCCHIARO: So I think if you  
16 provide us with a definition of what you think --  
17 what you think flex space is.

18                         I mean to me the prominent  
19 characteristic of a fulfillment center is that they  
20 have products there and they're bringing them to  
21 private homes. And, you know, it's not really  
22 storage of product or distribution of a product to  
23 wholesalers, they're bringing it to people's homes.

24                  ATTORNEY GIUNCO: Well...

25                  ENGINEER BOCCANFUSO: It could kind of

1 be a slippery slope, though, if you have -- I'm just  
2 thinking out loud here because I think the point is  
3 clear, we need to define it.

4 If you have someone who produces custom  
5 products like on Etsy, and they produce them in  
6 these smaller units and then they deliver them to an  
7 end-user, that's -- does that violate the last-mile  
8 intent?

9 ATTORNEY GIUNCO: But if we think of a  
10 plumber he's going to take the -- they want to put a  
11 new bathroom in or a new bathtub, he's going to go  
12 to the house with the products.

13 ENGINEER BOCCANFUSO: Of course. So I  
14 think the point is --

15 ATTORNEY GIUNCO: So I mean, I  
16 think --

17 ENGINEER BOCCANFUSO: -- we have to be  
18 careful how it's defined.

19 PLANNER BEAHM: I agree. I think the  
20 definition is critically important because what  
21 we're trying to avoid is a mini Amazon working out  
22 of this site, right, where nothing is being actually  
23 created, and the people that are working there are  
24 not coming to do the installation, it's taking  
25 product and just putting it in vans and delivering

1     it, which is going to change a lot of the traffic.  
2     And I know Mr. Rea is not here but it's going to  
3     change a lot of the trip distribution if it's  
4     something of that -- I say his name and he  
5     appears -- but I just think that --

6                   ATTORNEY GIUNCO:  Everybody listens to  
7     you, Jen.

8                   PLANNER BEAHM:  I know, well...

9                   But I just think that that's something  
10    that the board is going to need a very clear  
11    definition of in order for them to understand what  
12    they can anticipate from the site.

13                   What we don't want to have happen is  
14    somebody take two or three of these units and become  
15    a mini Amazon end-mile, you know, where there's like  
16    a million vans in and out all day long.  That's a  
17    little different than a plumber that has six jobs  
18    during the day, loads up his truck and goes from  
19    Point A to Point B, and it's not back and forth,  
20    back and forth, back and forth.

21                   ATTORNEY GIUNCO:  Right.  But if the  
22    plumber had five crews, that would be 30 trips.

23                   PLANNER BEAHM:  I mean, John, you know  
24    what I'm saying, right?  I don't want to make this  
25    adversarial, but I can tell you right now --

1                   ATTORNEY GIUNCO: Let's work on that,  
2 let's work on a definition and we'll do this  
3 successful.

4                   PLANNER BEAHM: Right, exactly.

5                   ATTORNEY GIUNCO: Because I think your  
6 ordinance already is restrictive and we intend to  
7 comply with it.

8                   PLANNER BEAHM: I understand that, but  
9 I think we need it clearly spelled out so it can be  
10 clearly defined in a resolution so that somebody  
11 that works here in Town Hall that is not a volunteer  
12 on the board or a professional working for the board  
13 has a very clear understanding of what is expected  
14 on the site. So that in the event that there's a  
15 problem they have something to go back to and very  
16 clearly say this is allowed, this is not allowed.

17                   So that's incumbent upon you to provide  
18 us with what you would like to see. I know you  
19 don't have any tenants, but you need to provide us  
20 with that so that we can provide the board  
21 information to say we're comfortable with this.

22                   Because that is concerning in this  
23 area, you have residential development not that far  
24 away. So that's what we're asking.

25                   ATTORNEY GIUNCO: Well, since we have

1 to wait for the traffic counts, I would like to have  
2 an opportunity to consider that carefully so that --  
3 because that may hamper it.

4 PLANNER BEAHM: I mean, I would  
5 recommend --

6 ATTORNEY GIUNCO: If it's too  
7 restrictive, I mean we can't do the job.

8 PLANNER BEAHM: I understand your  
9 reluctance, but then I would recommend to the board  
10 if they were looking to act in the affirmative that  
11 they condition that these uses not be permitted on  
12 the site as part of the flex.

13 So you can take the opportunity to tell  
14 me what you would like. If you are not interested  
15 in doing that, that's fine. But then I'll advise  
16 them what I think we should prohibit as a condition  
17 should the board act in the affirmative.

18 ATTORNEY GIUNCO: Well, we could  
19 sit -- well, if you're able to work on it with me we  
20 could probably either come to a decision or save a  
21 lot of the board's time.

22 CHAIRPERSON KWAAK: All right, so  
23 we're going to move on.

24 Who is -- Todd?

25 VICE-CHAIRPERSON BROWN: I'm done.

1 CHAIRPERSON KWAAK: Okay.

2 John?

3 MEMBER CASTRONOVO: I don't have any  
4 questions.

5 CHAIRPERSON KWAAK: Not at this time,  
6 okay.

7 Barry?

8 MEMBER FISHER: I just have a couple.  
9 I know we have that fund for curbs and sidewalks.

10 CHAIRPERSON KWAAK: Correct.

11 MEMBER FISHER: But if we ride down  
12 Woodward Road and Tennant Road, the cars and trucks  
13 pulling off to the side looks horrible. There's  
14 tracks, there's deep mud. It looks unsightly.

15 CHAIRPERSON KWAAK: Well, that's...

16 MEMBER FISHER: Can we ask, I know you  
17 said you would either put in the curbs -- I'm not  
18 worried about the sidewalks, but the curbs would  
19 prevent those cars from tearing --

20 ATTORNEY GIUNCO: This is on the  
21 expressway of Route 33?

22 MEMBER FISHER: Yes.

23 ATTORNEY GIUNCO: We already said we  
24 would do that if you want.

25 MEMBER FISHER: No, no.



1 BOARD MEMBER: Business.

2 THE WITNESS: I think on Business 33  
3 we are installing the curb and the sidewalk.

4 CHAIRPERSON KWAAK: They are.

5 THE WITNESS: We are talking about  
6 only -- the choice we're giving to the board is for  
7 the curb and a sidewalk on Express 33 --

8 CHAIRPERSON KWAAK: The backside.

9 THE WITNESS: -- on the backside.

10 And we think that putting a curbing and  
11 a sidewalk there doesn't serve any residents, so it  
12 would be better to contribute.

13 But the choice is to the board, you  
14 decide whatever you like.

15 MEMBER FISHER: Just on Tennant and  
16 Woodward Road, where they're pulling off, I would  
17 much rather have the curbs. The sidewalks,  
18 whatever, but the curbs to prevent that.

19 It just looks unsightly for people who  
20 live in the area.

21 ATTORNEY GIUNCO: I think you're  
22 talking about an area where it's a four-lane divided  
23 highway with a center, so it's...

24 THE WITNESS: I think you're talking  
25 about --

1 ATTORNEY GIUNCO: Show them --

2 THE WITNESS: -- this is --

3 MEMBER FISHER: I know what I'm  
4 talking about. It's on Tennant Road and Woodward  
5 Road.

6 THE WITNESS: But this is -- no, no --

7 CHAIRPERSON KWAAK: No, no. What  
8 part, Barry, what part are you talking about at this  
9 project for curbing?

10 They're already saying they're going to  
11 be doing the curbing.

12 MEMBER FISHER: Then that's it.

13 ATTORNEY GIUNCO: We would, if you  
14 want it.

15 CHAIRPERSON KWAAK: On the Old 33. On  
16 the Highway 33 it's our choice as a board.

17 MEMBER FISHER: Right. I would like  
18 to see the curbs in. Not the sidewalks, at minimum  
19 the curbs, and the rest could be a donation to the  
20 fund.

21 THE WITNESS: Just so you know,  
22 Highway 33, we have a two-lane highway with a  
23 shoulder. So there's 12 feet of shoulder.

24 So you're talking about the car going  
25 off the lane itself, crossing over the shoulder, and

1 then going over.

2 So on Express 33 we feel we don't need  
3 it because there is so much space beyond the drive  
4 lane for you to pull over.

5 ATTORNEY GIUNCO: Bhaskar, is that  
6 expressway for Route 33 anything like Tennant Road  
7 or Woodward Road?

8 THE WITNESS: No. That's what I'm  
9 saying, this is like you would never see a curbing  
10 on a national highway. You look, Highway 80 or 287,  
11 anywhere you go, you wouldn't see a curbing normally  
12 because you have a large shoulder.

13 But if you have, like Business 33 here,  
14 there is an area where you don't have --

15 MEMBER FISHER: You don't have a lot  
16 of frontage on that road anyway.

17 ATTORNEY GIUNCO: We do, substantial.

18 THE WITNESS: No, we have on Express  
19 33 as well.

20 MEMBER FISHER: I don't want to keep  
21 dwelling on it, but that is the only place I would  
22 like to have the curbs, where it's Tennant Road or  
23 Woodward Road.

24 The next thing is the zoning officer  
25 does not have to go in, am I correct, on every

1 person who goes in there and opens up?

2 THE WITNESS: Every -- before any  
3 tenant can occupy the space they're required to get  
4 a CO and they need to apply to zoning office because  
5 they have to approve the use, because they need to  
6 -- they're the one who will check whether that new  
7 tenant is meeting the definition of the use for that  
8 building.

9 MEMBER FISHER: All right. At that  
10 point they would have to state who's going in, what  
11 the operation is, how many vehicles?

12 ATTORNEY GIUNCO: The actual tenant  
13 would make an application for a Certificate of  
14 Occupancy for the individual unit. That may be done  
15 by either management or it could be done  
16 individually.

17 So if Building A, Unit 6 was a plumber  
18 who moved in, he has to come in say I want to have a  
19 plumbing department here, he'll explain, he'll tell  
20 them what he wants to do and they'll say if it is or  
21 isn't part of the use. That's the zoning  
22 certificate process. You're familiar with that.

23 MEMBER FISHER: I understand that.

24 The other thing was there's not going  
25 to be manufacturing per se, I mean that's -- I mean

1 light assembly but not manufacturing?

2 THE WITNESS: Manufacturing is a  
3 permitted use here. You can do manufacturing. We  
4 just don't know what kind of manufacturing; it could  
5 be small. Obviously small-scale. You're not going  
6 to have a large-scale but somebody could be making  
7 some kind of custom product, smaller product.

8 ATTORNEY GIUNCO: Just for an example,  
9 one very likely tenant is a chocolate shop, and they  
10 would manufacture their products and package them.

11 MEMBER FISHER: It's a sweet deal.

12 ATTORNEY GIUNCO: It's a sweet deal.

13 MEMBER FISHER: Okay, going back to  
14 our -- when you came before the Environmental  
15 Committee, the environmental meeting, were you going  
16 to do solar on the roofs?

17 THE WITNESS: We have not proposed the  
18 solar on the roof right now.

19 MEMBER FISHER: If a tenant wants to  
20 do solar, then they could put solar on there,  
21 correct?

22 THE WITNESS: Yes, the building will  
23 be designed to accommodate the solar panel on the  
24 roof, yes.

25 MEMBER FISHER: Okay. How about the

1 No Idling signs --

2 ATTORNEY GIUNCO: Yes.

3 THE WITNESS: Yes.

4 MEMBER FISHER: -- I think you agreed to  
5 that, right?

6 THE WITNESS:

7 ATTORNEY GIUNCO: -- you spoke about  
8 that a few minutes ago, there were directional  
9 signs, one of which was No Idling that was asked to  
10 be put on the site, and we said we'll accommodate  
11 it. And I'm expected that Bhaskar and Brian would  
12 work out where they want to see them.

13 MEMBER FISHER: Last but not least, the  
14 plantings were great, and they taste better for the  
15 deer. We're going to use deer-resistant --

16 THE WITNESS: Yes, I recall -- Shari  
17 always recommends those, some changes to the plans  
18 if something is not right.

19 CHAIRPERSON KWAAK: Steve?  
20 Microphone.

21 MEMBER KASTELL: Can you go over for  
22 me how big are the loading docks, and what is the  
23 space between the loading docks?

24 And what is the space from the building  
25 to the end? You said they were 12 feet wide,

1 correct?

2 THE WITNESS: Yes.

3 MEMBER KASTELL: How long are they?

4 THE WITNESS: Well the space between  
5 these two buildings is 180 feet.

6 MEMBER KASTELL: Okay.

7 THE WITNESS: More than 180 feet of  
8 the distance between these two buildings. So the  
9 concrete that you see is, I think, it's 60 feet of  
10 concrete they use, you know.

11 MEMBER KASTELL: Okay, so it's  
12 180 feet. A tractor-trailer could be 72 feet, which  
13 means if you have two facing each other, they're  
14 going to be barely 30-odd feet apart.

15 How are they possibly going to turn  
16 within the space you provided?

17 THE WITNESS: Number one, as we talked  
18 about is having the tractor-trailer frequency on  
19 this type of tenants is not high.

20 MEMBER KASTELL: Doesn't mean they're  
21 not going to be there.

22 THE WITNESS: And the second thing is,  
23 we will, before the next meeting, we will prepare an  
24 exhibit for you with the tractor-trailer on both  
25 sides and see if we can turn -- the turning movement

1 can --

2 MEMBER KASTELL: I think you need to  
3 make sure you have potential to have about 30 feet.  
4 And I don't believe that's enough for them to make  
5 it into a 12-foot space, particularly across from  
6 each other.

7 THE WITNESS: So we will make that  
8 exhibit.

9 MEMBER KASTELL: Please.

10 CHAIRPERSON KWAAK: That's it?

11 MEMBER KASTELL: That's it.

12 CHAIRPERSON KWAAK: Nunzio?

13 MEMBER POLLIFRONE: Yes, I do.

14 Apologies if you covered this before. Will you  
15 permit tenants to add a mezzanine to any of the  
16 units or will this simply be a single-floor unit.

17 THE WITNESS: Single-floor unit. No  
18 mezzanine.

19 MEMBER POLLIFRONE: Okay. I noticed  
20 since the last submission this new submission has  
21 considerably more parking spaces.

22 Have you had to increase the amount of  
23 impervious surface in order to create those parking  
24 spaces?

25 THE WITNESS: Actually, we have, the



1 way the design worked out, we actually -- because on  
2 the previous plan we had a lot more tractor-trailer  
3 parking and whatnot on the original plan, I don't  
4 know if you remember, but right now we have  
5 56 percent FAR, which was less than -- previously  
6 was 58 or 59 percent. So this plan has less  
7 impervious than previous plan.

8 MEMBER POLLIFRONE: Okay. Well, you  
9 just answered my next question about the FAR.

10 THE WITNESS: Okay.

11 MEMBER POLLIFRONE: Okay, so that's  
12 all I have.

13 Thank you very much.

14 THE WITNESS: Sure.

15 CHAIRPERSON KWAAK: Pat, anything?

16 MEMBER GIVELEKIAN: Yes. You had  
17 mentioned a similar project in Marlboro and the  
18 conversations centered on traffic flow in and out,  
19 the number of box trucks versus tractor-trailers,  
20 whether the office use is going to be small or  
21 employees that are there for the day, whether we're  
22 going to have landscapers leaving large amounts of  
23 equipment, which would then take away from parking  
24 for visitors in and out, last mile, et cetera.

25 So since you say you don't know because

1     you don't have tenants, based on the Marlboro  
2     project could you shed some light on occupancy  
3     there, what that looks like as far as the mix?

4             ATTORNEY GIUNCO: Well that particular  
5     center has been at 100 percent occupancy for about  
6     22 years. The fact is that I have never had any  
7     traffic issues whatsoever. And it's somewhat more  
8     concise or tight than this site.

9             The businesses are all -- they're all  
10    in business and they demonstrate common sense. And,  
11    for an example, if two trailers have to back in,  
12    they'll only go one at a time so they'll be able to  
13    accommodate.

14            And I don't understand the -- I'm  
15    trying to address whatever concerns you have but I  
16    really don't think you will have much issue with  
17    this site at all.

18            THE WITNESS: I think also another  
19    thing is that our traffic engineer can talk more  
20    about it because the ITE standards or parking demand  
21    for this type of centers and the Trip Generation and  
22    type of vehicle, I think he's much suited to answer  
23    your question better.

24            MEMBER GIVELEKIAN: Getting back to  
25    the point that Jennifer had raised, you know, so

1     what stipulations would you be willing to make as  
2     far as limitations, you know, on some of these  
3     issues.

4                     CHAIRPERSON KWAAK:   Anyone else?

5                     I just have a question.   This new plan,  
6     John, that you presented to the board, have the Fire  
7     Commissioners looked at it?

8                     THE WITNESS:   No, this new plan -- the  
9     previous plan was reviewed by them.   This plan we  
10    don't have any review comments on this particular  
11    plan, so we may have to go before the Fire  
12    Commissioner to come back.

13                    FIRE CHIEF HOGAN:   That's correct on  
14    the new one, yes.

15                    THE WITNESS:   Yes.

16                    FIRE CHIEF HOGAN:   Please.

17                    THE WITNESS:   Sure.

18                    COMMITTEEMAN JACOBSON:   And also, you  
19    have to go again before the Environmental  
20    Commission, correct?

21                    THE WITNESS:   Sure, if the board wants  
22    us to go back, we will go back.

23                    COMMITTEEMAN JACOBSON:   They were just  
24    notified about the revised plans.   They may want to  
25    see it again.

1 THE WITNESS: No problem. We will  
2 come over.

3 CHAIRPERSON KWAAK: Okay, we're going  
4 to take a ten-minute break. It is 8:34. We'll be  
5 back in ten minutes.

6

7 (Whereupon, a recess is taken.)

8 - - -

9 CHAIRPERSON KWAAK: I would like to  
10 call our meeting back to order at 8:45.

11 So, Mr. Giunco, we were -- we finished  
12 our questions for Bhaskar, do you have your next  
13 witness?

14 ATTORNEY GIUNCO: I would like to call  
15 Eric Wagner.

16 CHAIRPERSON KWAAK: Sir, come forward  
17 and --

18 ATTORNEY GIUNCO: Ms. Chair,  
19 Mr. Wagner appeared at the last meeting. He's the  
20 project architect; he remains under oath.

21 ATTORNEY CUCCHIARO: You remain under  
22 oath.

23 CHAIRPERSON KWAAK: You remain under  
24 oath from last time. Your ITE person is next to  
25 you.

1                   ATTORNEY GIUNCO: We have to have  
2                   somebody run the computer.

3                   BHASKAR HALARI: My second job.

4

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

6

7                   ATTORNEY GIUNCO: Eric, with regard to  
8                   the redesign did you modify the plan proposed for  
9                   the building?

10                  THE WITNESS: Yes, we did. We changed  
11                  it from one larger building on the site to four  
12                  separate buildings, each equal size.

13                  The layout has been testified to by  
14                  Bhaskar in terms of the loading bays facing each  
15                  other on the backside, and then the offices -- the  
16                  office entries to the outside.

17                  There's also, the two buildings on the  
18                  south side facing the expressway also have office  
19                  entry on the end of the building. And those, since  
20                  there's no -- there's no drop loading zone, if you  
21                  will, those have THE entry to what would be the  
22                  office and a roll-up door on the same elevation. So  
23                  you see that here with A glass door and side light  
24                  and then a smaller roll-up door for each of those  
25                  five units.

1                   ATTORNEY GIUNCO: And that's for how  
2 many units, five in each of those buildings?

3                   THE WITNESS: That's correct, yes.

4                   ATTORNEY GIUNCO: So could you also  
5 now describe to the board the proposal for the  
6 building units design features.

7                   THE WITNESS: Yes. Along the same  
8 lines as the original building we have metal panels.  
9 We're suggesting on this one a brick veneer base  
10 around the bottom of the building. And I apologize,  
11 these colors are a little bit off, it's a little bit  
12 difficult to register it with the AutoCAD converted  
13 to PDF, but the suggestion is a buff-brown brick  
14 veneer to the bottom and then metal panels up top.  
15 We have a medium gray and a darker gray accent.

16                   What Bhaskar has up here on this  
17 elevation would be the elevation, the north  
18 elevation of the two buildings closest to Local 33.  
19 So we added a little bit of detail.

20                   We added the pediment and some windows.  
21 Those windows are only on those elevations. As I  
22 said the other end elevations facing the highway  
23 have the office entrances and then there's  
24 essentially a fairly narrow alley between the --  
25 between the two buildings.

1                   So this elevation is rather plain but  
2     it's really not visible because of the alley. The  
3     buildings face each other, I think it's 20 or  
4     20 feet gap, which is enough to separate the  
5     buildings.

6                   One other thing I would like to point  
7     out, on all the elevations we are breaking the  
8     roofline. We have a parapet moving up and down to  
9     help break it down. And then the brick veneer base  
10    in the upper panels, that's all an attempt to break  
11    down the size and mass of the building.

12                  ATTORNEY GIUNCO: Eric, could you  
13    discuss the rooftop equipment mounting, and is it  
14    shielded?

15                  THE WITNESS: Yes, we're suggesting --  
16    now this building with the smaller buildings will  
17    have significantly smaller rooftop units. For a  
18    3,000 square foot space you might have a 12-ton  
19    unit. That might be four feet high, five feet high.

20                  So they're significantly smaller than  
21    we had originally planned, but we can still -- we  
22    thought the area of concern was the units that are  
23    up closest to Local 33. The grade goes up to Local  
24    33 from the building, so in a way they're somewhat  
25    looking down at the building. So we're suggesting

1 doing rooftop screening along the units at that end  
2 of the building.

3 And as you see here these are  
4 freestanding screened fencing. They also have them  
5 that mount directly to the rooftop units themselves.  
6 But in any case they can kind of look like this.  
7 And then here you see one, that is what it looked  
8 like on the top of the building.

9 These are higher. These are a larger  
10 building. What you're seeing here would be  
11 significantly higher than we would need for these  
12 smaller units.

13 ATTORNEY GIUNCO: Could you describe  
14 the color scheme.

15 THE WITNESS: Yes, we have metal  
16 panels above the gray base. Medium to -- medium  
17 gray and then a somewhat darker gray banding at the  
18 top coming down. And then the brick, there was some  
19 discussion on the brick -- can you go to the file,  
20 there was a brick veneer -- go back to the file.

21 We had originally been showing it -- we  
22 had been showing kind of a red brick and the  
23 thinking was that that didn't really fit with this.  
24 So we got away from the red brick and we're  
25 suggesting something in this family. It has some



1 browns in it and the lighter -- the lighter units  
2 somewhat buff.

3 And we think that would go with the  
4 warm, medium and light warm gray metal panels above.

5 ATTORNEY GIUNCO: Now can you describe  
6 the elevations and what would show as adjustments or  
7 breaks along the facade.

8 THE WITNESS: Well we have roof breaks  
9 so we're breaking up rather than one long plane at  
10 the roof edge we're breaking up and down. Those  
11 would be shown as jointing that would come right  
12 down to the ground.

13 The elevation that is up now you see is  
14 mostly on the ground. You don't see too much brick.  
15 It's mostly the store -- the office entrance. And  
16 we have a band, a canopy, continuous canopy that  
17 would run across these elevations. And we have  
18 tenant signage then that could go on that banding.

19 And then we did show we have the  
20 pediment, the two elevations facing Local 33 that is  
21 the other -- would be a little bit more decorative  
22 with windows and pediment, just to provide a little  
23 bit more interest and aesthetics.

24 ATTORNEY GIUNCO: Is there any other  
25 aspects?

1 THE WITNESS: We should probably talk  
2 about the signage?

3 ATTORNEY GIUNCO: Yes.

4 THE WITNESS: So we've prepared two  
5 exhibits for the signage. The top here, the G4,  
6 ground sign or pylon sign is now shown at six-feet  
7 high. The area of the sign panel is five by two, so  
8 it's 10 square feet. And this would just announce  
9 the name of the facility and it would have the  
10 street number on it.

11 It's held up off of the ground four  
12 feet just to -- so the plantings and things at the  
13 ground wouldn't interfere with it but the size and  
14 height and I think height above the ground to the  
15 bottom. They're all compliant from what I read for  
16 the sign ordinance for this G4.

17 PLANNER BEAHM: They are, but can we  
18 just talk about that for a second?

19 THE WITNESS: Yes.

20 PLANNER BEAHM: So, yes, we allow the  
21 sign to be six feet high, which you are. I just  
22 don't understand the rationale behind the  
23 4-foot-high piers. So, like, is there some visual  
24 pediment that requires it to be six-foot high?  
25 Because we would allow two and a half foot

1 clearance.

2                   So those two, like, it just looks  
3 awkward for a, quote/unquote, ground sign.  
4 Typically it's a solid base, it has like plantings  
5 around the base of it a little bit lower.

6                   But, you know, I'm going to defer to  
7 the board as to what they want, but is there some  
8 pediment on the road that would require those piers  
9 to be four feet instead of two and a half?

10                   THE WITNESS: No, I don't think  
11 they're getting the heights there to get over  
12 something so it's visible.

13                   PLANNER BEAHM: Right.

14                   THE WITNESS: Certainly four feet off  
15 the ground is maybe a little more visible. You  
16 might see it a little sooner from the road. But if  
17 you prefer that it be shorter --

18                   PLANNER BEAHM: It's up to the board.

19                   THE WITNESS: I understand. If the  
20 board felt that they would prefer the look if we  
21 shortened it, brought it back down, we can certainly  
22 do that.

23                   PLANNER BEAHM: I mean it's totally up  
24 to you. The total height of the sign is compliant.  
25 It just looked, when I looked at it, it looks a

1     little awkward with the piers four feet high.

2                   Maybe it's because I'm seeing it in  
3     kind of isolation and it's not surrounded by the  
4     landscaping which would close that gap a little bit,  
5     but, you know, it would still be compliant if it was  
6     reduced about a foot and a half. So it's up to you  
7     guys to decide what you want.

8                   The other sign you need the relief for,  
9     the directional sign.

10                  THE WITNESS: For having it at all --

11                  PLANNER BEAHM: Correct.

12                  THE WITNESS: -- because it's a second  
13     sign. Correct.

14                  So if we're identifying the buildings  
15     as Building 1, 2, 3, 4, I guess it also could be A,  
16     B, C, D, but that would be across each -- the top of  
17     the sign, and then the tenants would be listed  
18     below. They're removable, replaceable. It's not a  
19     permanent.

20                  And we could do this sign with a ground  
21     light or internally illuminated. I don't know if  
22     there's a preference?

23                  PLANNER BEAHM: I would just want the  
24     board to know that the directory sign came out of  
25     conversations with the applicant when it went from

1 one building to four buildings just to help with  
2 like circulation and safety on the site, to make  
3 sure if you need to go, once you get into the site  
4 to the left into those two buildings versus to the  
5 right, and to limit the confusion once you get into  
6 the site.

7 So that was definitely a conversation  
8 that we had with the applicant during the multiple  
9 TRCs that we had to make the internal circulation on  
10 the site safer. So I take no exception to them  
11 asking for relief for that second sign because I  
12 think the traffic safety is important, especially  
13 once you get into the site. So for whatever that's  
14 worth.

15 THE WITNESS: So I think I've covered  
16 all the changes in the new design. Certainly can  
17 answer any questions that you might have.

18 CHAIRPERSON KWAAK: Okay.  
19 Professionals, any questions?

20 PLANNER BEAHM: Go ahead, Brian.

21 ENGINEER BOCCANFUSO: Thanks.

22 I think I just have one question and I  
23 think it's kind of along the same lines of something  
24 we discussed a few months ago relative to the  
25 screening, which you talked a little bit about.

1 I think you characterized them as  
2 fencing, something along those lines?

3 THE WITNESS: Screening?

4 ENGINEER BOCCANFUSO: That's right. I  
5 guess my question is, is that something that would  
6 be offset within the building so that it would not  
7 be right up against the vertical edge of the  
8 building?

9 THE WITNESS: Oh, absolutely. We  
10 would, regardless of screening or not, we would set,  
11 you know, a 15-foot minimum.

12 If you get too close to the edge of the  
13 roof you have to put guardrails up and things around  
14 the unit for fall protection. So we would stay 15,  
15 20 feet away from the roof edge minimum.

16 I would commit to even more but the end  
17 units, you know, they're not all that wide anymore  
18 so -- but, yes, they would be held in from the edge  
19 some.

20 ENGINEER BOCCANFUSO: Now does that  
21 commitment to offset 10 to 15 feet, is that the  
22 equipment itself or the screening, the vertical  
23 screening that would be provided, or both?

24 THE WITNESS: Both.

25 That dimension, if we were concerned

1 about it being a critical dimension we could say  
2 that that's the fencing or the screening. As I  
3 said, depending on how big a unit it is, they have  
4 them that mount to the curb off the rooftop units.

5 And you could see -- I don't know if  
6 you could see or not but a lot of these panels are  
7 perforated so they allow air flow and so they could  
8 be quite close to the units and not interfere with  
9 their operation.

10 ENGINEER BOCCANFUSO: Great. And I  
11 don't know what the number is and 10 to 15 sounds  
12 reasonable to me. In general, my concern is as you  
13 have these fencing units get closer to the edge of  
14 the building they become more prominent and almost  
15 blend into the facade itself, which I think is what  
16 we're trying to avoid because it would create the  
17 appearance of a taller building.

18 THE WITNESS: 15 feet would be fine  
19 with us. That's fine. I think it looks better to  
20 be elevated also, so it's good.

21 ENGINEER BOCCANFUSO: Sounds  
22 reasonable to me.

23 That's all I have, Madam Chair.

24 CHAIRPERSON KWAAK: Jen?

25 PLANNER BEAHM: So are we still

2 THE WITNESS: The rooftop units?

6 THE WITNESS: Right, because those  
7 were bigger rooftop units that we were screening  
8 that I assumed would be 6 to 8 feet high. The  
9 screening doesn't need to be any taller than the  
0 unit itself.

15 PLANNER BEAHM: The reason I'm asking  
16 is because it's affixed to the roof so it becomes  
17 part of the overall building height.

22                   And I will say, given the setback that  
23   Brian just discussed, even though technically that's  
24   how we'll measure it, you probably won't see it.

25 | So the building will appear 37 feet but



1 for zoning purposes it would go to about 43 feet.

2 THE WITNESS: Almost anywhere on this  
3 site when you would look up if we're holding it in,  
4 15 feet, and it's only about 5 or 6 feet high, you  
5 won't see it. It will be screened by the parapet of  
6 the building itself.

7 PLANNER BEAHM: That's correct,  
8 exactly. So I just want everyone to be aware of  
9 what they're asking you to consider, that's all. I  
10 have nothing else.

11 CHAIRPERSON KWAAK: Okay. Ron,  
12 anything?

13 ATTORNEY CUCCHIARO: No, Madam Chair.

14 CHAIRPERSON KWAAK: Okay. Rick?

15 FIRE CHIEF HOGAN: Mr. Wagner, the  
16 handout, A-2, it was your floor plan of your  
17 proposal. It shows the flex space. I don't see any  
18 office space.

19 Is there any mezzanines proposed? And  
20 would it prohibit a tenant requesting to put a  
21 mezzanine in for a second-floor office?

22 THE WITNESS: Well, we don't have  
23 plans for a mezzanine. Structurally we're not  
24 designing for a mezzanine, so it would be kind of a  
25 heavy lift to come in and do an occupiable

1     mezzanine. You would have to put in -- open up the  
2     floor, put in new footings, things like that.

3                     So, you know, again that would be all  
4     part of a zoning and building application.

5                     FIRE CHIEF HOGAN: But there's nothing  
6     prohibiting it?

7                     THE WITNESS: No.

8                     FIRE CHIEF HOGAN: So where would one  
9     construct their office looking at your floor plan?

10                    THE WITNESS: So the bottom here along  
11    -- one side of the building, one long side of the  
12    building is the loading side, and then the other  
13    long side is the office entrance, and we have glass  
14    up front with doors.

15                    So the office would be some dimension.  
16    We didn't show them because, again, we didn't know  
17    how big. You know, that's going to vary.

18                    And that structure or the demising wall  
19    from the front office to the rear warehouse space,  
20    if you will, for storage or manufacturing, whatever  
21    the use would be, that is built as a steel stud  
22    chip-board wall typically. It wouldn't be -- it  
23    wouldn't be designed -- have to be designed in the  
24    building giving us a little flexibility.

25                    FIRE CHIEF HOGAN: With regard to fire

1 protection, I did not have the availability -- or I  
2 guess you haven't provided information yet to the  
3 Fire Prevention Bureau. Can you tell us what the  
4 fire protection elements are within the building?

5 THE WITNESS: The building will be  
6 fully sprinklered, so we have a sprinkler and  
7 electric room identified.

8 We haven't gotten to the level of  
9 detail to understand what water is available,  
10 whether we'll need a fire pump, but the buildings  
11 will be fully sprinklered. There will be  
12 non-combustible construction, steel, steel studs, no  
13 wood, so.

14 FIRE CHIEF HOGAN: Access to the roof  
15 from the interior; any access?

16 THE WITNESS: We can provide that in  
17 either the electric or the sprinkler closet, yes,  
18 with a ladder, yep.

19 FIRE CHIEF HOGAN: That's all I have  
20 right now. Thank you.

21 ATTORNEY GIUNCO: Mr. Hogan, do you  
22 want to see interior access to the roof?

23 FIRE CHIEF HOGAN: I believe it may be  
24 a requirement.

25 ATTORNEY GIUNCO: Well, we'll meet the

1 requirement, of course.

2 FIRE CHIEF HOGAN: When the  
3 architectural is submitted during review.

4 Thank you.

5 CHAIRPERSON KWAAK: Okay. Brian?

6 ENGINEER BOCCANFUSO: If I could just  
7 touch on one item that was discussed here with the  
8 Chief.

9 As far as the mezzanine, the only thing  
10 that I could see that would prevent it is the  
11 floor-area ratio, they are about 3.6 or 7 percent  
12 under their maximum FAR now, so based upon the area  
13 of the site they could put a total of somewhere in  
14 the ballpark of 35,000 square feet of additional  
15 floor space or parking space or stormwater  
16 management basin before they had too much FAR to  
17 comply with the zoning regulations.

18 And again, that's assuming that the DOT  
19 doesn't take any right-of-way from them, and those  
20 types of things.

21 So there is a -- an upper limit with  
22 the FAR, but beyond that I would agree there's  
23 nothing to prevent them from doing it.

24 FIRE CHIEF HOGAN: Thank you.

25 CHAIRPERSON KWAAK: Okay. Jack?

1 COMMITTEEMAN McNABOE: Okay, so you're  
2 talking about RTU's and I could see you using those  
3 when they were that big.

4 You're saying these units break down  
5 you said 3000, it's somewhere between three and four  
6 if they're symmetrical to each other. So,  
7 obviously, our concern is the height on this  
8 building. So why RTUs?

9 At 3,000 why wouldn't you use -- you're  
10 not providing air conditioning in the entire  
11 warehouse area, are you?

12 THE WITNESS: It depends on the use.  
13 It potentially could be. If it's used for  
14 manufacturing or, you know, if they're doing any  
15 kind of metal work, that kind of think.

16 COMMITTEEMAN McNABOE: Right. But  
17 you're delivering a building here, you're going to  
18 put a building together to market it. Will all  
19 these bays be air-conditioned or is that something  
20 that's going to be done as they need to be fit up?

21 THE WITNESS: We're talking about  
22 providing it complete with HVAC, including air  
23 conditioner.

24 COMMITTEEMAN McNABOE: Including air  
25 conditioning?

1 THE WITNESS: Yes.

2 COMMITTEEMAN McNABOE: In the shop  
3 areas?

4 THE WITNESS: Yes.

5 COMMITTEEMAN McNABOE: Okay. The  
6 reason I'm saying that is, you know, obviously if it  
7 was just heat we could do it from the interior. The  
8 height of this building is being a concern. So  
9 we're already, you know, somebody just did the math  
10 for you, you're back at 40 feet when you basically  
11 stand walls or fences or whatever you want to call  
12 it, even though they're moved in, it's still a total  
13 height of the building, right?

14 THE WITNESS: Yes.

15 COMMITTEEMAN McNABOE: So we're in an  
16 area that we're trying to watch that.

17 So if anything could be done, you know,  
18 today's mini systems have changed between minis --  
19 I'm not designing the building for you, but there's  
20 all kinds of new HVAC systems and we don't have to  
21 go up quite so much. Certainly on the roof, but if  
22 it's something that's lower to the roof deck than  
23 rise, it sure would be nicer to see a three-foot  
24 fence instead of a six foot, for instance, if you  
25 can get the fence smaller.

1 THE WITNESS: Yes.

2 COMMITTEEMAN McNABOE: Okay. So  
3 height is a real concern. I don't know where the  
4 board is on this but if it's approved, lower is  
5 better.

6 THE WITNESS: Yes, sir.

7 COMMITTEEMAN McNABOE: Okay. That's  
8 where I was trying to go with this.

9 You talk about this with the color  
10 scheme that goes all the way around this. When you  
11 gave me the 37 feet to the top gray band, that is to  
12 the highest point, not the roof deck, right? So, in  
13 other words, you have parapet areas that go up and  
14 down?

15 THE WITNESS: Well, yes, we have  
16 parapets that go up and down. So we're showing this  
17 -- our elevation is showing 35 feet from the walk-in  
18 grade.

19 COMMITTEEMAN McNABOE: Yes.

20 THE WITNESS: The 37 feet that Bhaskar  
21 testified to was because of the average.

22 COMMITTEEMAN McNABOE: Yes.

23 THE WITNESS: Average with the loading  
24 dock so --

25 COMMITTEEMAN McNABOE: It was a 39 at

1 the loading dock, 35 at-grade.

2 THE WITNESS: Yeah.

3 COMMITTEEMAN MCNABOE: I got that. But  
4 that's to the top of the parapets now. The highest  
5 point of the building before we start to talk about  
6 an HVAC and fencing?

7 THE WITNESS: I don't think that's  
8 what's shown here but if we were to agree to that  
9 and amend this plan so it shows that --

10 COMMITTEEMAN MCNABOE: I just think we  
11 need a height going into this, we're concerned with  
12 height. We're not answering that now, go back and  
13 get me a real number that we could live with and you  
14 could testify to a number that we're actually going  
15 to do.

16 THE WITNESS: So if we put a flat roof  
17 on this building, a flat roof by code still has to  
18 have a quarter-inch per foot. And if we put a ridge  
19 down the middle of this building it will have an  
20 18-inch height differential from the center ridge,  
21 the high ridge in the middle, to the gutter line to  
22 the outside.

23 COMMITTEEMAN MCNABOE: Okay.

24 THE WITNESS: So, you know, it's kind  
25 of a little bit of a moving target. We did locate



1 on the ends of the buildings we raised that parapet  
2 so it would hide the -- it's not much of a slope  
3 that you would see, but you would hide it entirely  
4 behind the stepped parapet, but we could clarify  
5 that and -- and set instead of showing 35 there from  
6 the grade to the lower of the two parapets, we could  
7 set it to the higher, yes.

8 COMMITTEEMAN McNABOE: Yeah, that's  
9 what I'm just looking for, a real, true number that  
10 we could do.

11 And if you would just look at that HVAC  
12 equipment, some of the newer stuff see what we could  
13 do about getting it down. If it's going to be six  
14 feet, it's going to be six feet. I just want to  
15 know what we've got going into here, because why put  
16 up a six-foot wall to hide a two-foot high unit.

17 THE WITNESS: Right.

18 COMMITTEEMAN McNABOE: So that's what  
19 I'm trying to get.

20 THE WITNESS: Well, I think that the  
21 screen fencing would follow the rooftop equipment.

22 COMMITTEEMAN McNABOE: Yes. I agree  
23 with you 100 percent.

24 THE WITNESS: Once we knew how high it  
25 was and how big it was, then we decide on the type,

1    whether it's a freestanding fence type or it's a  
2    rail mounted right on the RTU. We would decide that  
3    and it would be no higher than it needed to be for  
4    the equipment.

5                   But, yes, there's a lot of new  
6    mechanical equipment out there that -- like split  
7    systems and things, and they're kind of  
8    suitcase-size condensing units that would sit up on  
9    the roof rather than larger, and they don't have the  
10   duct work that docks through, it's just -- other  
11   than fresh air intake, it's just a condensing line.

12                   You know, again, one of the  
13   difficulties from our perspective is that we don't  
14   know how the tenant is going to be and what the  
15   loads and things are. But let's say, there was a  
16   higher air conditioning load and we were concerned  
17   about the height, we could put in two or three units  
18   rather than one large unit.

19                   So there's some options.

20                   ATTORNEY GIUNCO: Couldn't you move  
21   them further back and it would be even less visible?

22                   THE WITNESS: Well, we could move them  
23   back to a certain degree but, then, you know, the  
24   end unit -- how wide is the units -- they're not all  
25   that -- 25 feet. So I need it over the first unit.

1                   So, anyway, so 15, 15 feet would work  
2     for that, but I'm just saying, you know -- but I  
3     don't think, you know, the screening down on the  
4     south end of the buildings that face the highway,  
5     that is kind of elevated looking up from the  
6     highway. I mean we could do some sight of line --  
7     line-of-sight studies, but I think if we're holding  
8     them back we might not be able to see those at all.

9                   COMMITTEEMAN McNABOE: All right.  
10    This is in front of one of the most beautiful parks  
11    in the state so you want to do something, if it  
12    should in any way end up in the affirmative, we want  
13    something that, you know, is conducive to the area.  
14    We don't need a big box out there. So I'm saying  
15    try to get it down, try to get it attractive.

16                  You used "suitcase size". I love  
17    suitcase size versus being standard RTUs so.

18                  THE WITNESS: Yes.

19                  COMMITTEEMAN McNABOE: Just when -- I'm  
20    sure we're not finishing up tonight, we'll have an  
21    idea on that and a height and what this thing looks  
22    like when it's done.

23                  You don't have anything showing us but  
24    that basically a sketch on a roof where you're  
25    planning this fence or wall being okay?

1 THE WITNESS: Yes.

2 COMMITTEEMAN McNABOE: Thanks very  
3 much.

4 CHAIRPERSON KWAAK: Okay, my question  
5 is back to the sign.

6 Bhaskar, can you put back up the  
7 colored rendering of the site with the new plan on  
8 it? Yeah, that one. Zoom in, please, where the  
9 sign is on 33, Old 33.

10 Perfect, thank you. So that tall sign  
11 that you showed before, personally I think it should  
12 be lower, but I also think it should be on the other  
13 side where there's more opening and somebody is not  
14 flying past it to turn in and they've passed the  
15 sign.

16 I think it needs to be where Bhaskar's  
17 mouse is right now. There it's more open than that.  
18 Will that sign be lit?

19 THE WITNESS: Yes.

20 CHAIRPERSON KWAAK: Mounted on -- if  
21 it's shrunk down it's going to be on the ground or  
22 internal?

23 THE WITNESS: If there's a preference  
24 it could be either way, ground, lit or internally  
25 illuminated if you have a preference.

1 CHAIRPERSON KWAAK: Professionals, do  
2 we prefer internal lighting or ground mount  
3 lighting?

4 PLANNER BEAHM: I would prefer  
5 internally illuminated because there's no  
6 opportunity for glare.

7 BHASKAR HALARI: Spillage, yes.

8 PLANNER BEAHM: Right.

9 BHASKAR HALARI: Also there is a lot  
10 of LED lighting where it lights, so it's not going  
11 to be like entire sign there.

12 CHAIRPERSON KWAAK: Okay. Now the  
13 other lighting, the other sign that shows the  
14 buildings and who's going where, what is the size of  
15 that signage going to be for the A, B, C Company; is  
16 it going to be where somebody can read it or is it  
17 going to be too small.

18 THE WITNESS: Well the panels are  
19 three inches high, so you could have two and a half  
20 inch, 2 and 3/4-inch lettering.

21 PLANNER BEAHM: It says slots three  
22 inches high, 24 inches wide.

23 THE WITNESS: Correct.

24 CHAIRPERSON KWAAK: So I don't know  
25 what's a good normal trying to read and pulling into

1 a parking lot, you know, because -- I'm just -- and  
2 that's going -- I would like to see that internally  
3 lit as well.

4 PLANNER BEAHM: Yeah, I agree.

5 BHASKAR HALARI: Yes.

6 CHAIRPERSON KWAAK: Okay. That's my  
7 question. Just if you could show us -- this is  
8 great, but I would like to see the size of the  
9 lettering.

10 THE WITNESS: Yes.

11 CHAIRPERSON KWAAK: Because I'm sure,  
12 like the rest of my board members, when you're  
13 pulling into a place and you have people pulling in  
14 behind you, you don't want to, you know, try to read  
15 a sign and drive at the same time. That's all I  
16 have at this time.

17 Brian?

18 MEMBER SHORR: I don't have any  
19 questions.

20 CHAIRPERSON KWAAK: Barry?

21 COMMITTEEMAN JACOBSON: My concerns  
22 were addressed by Jennifer and you.

23 CHAIRPERSON KWAAK: Okay.

24 Todd?

25 VICE-CHAIRPERSON BROWN: A couple of

1 echoes. I fully agree in regards to the need for  
2 the directory sign just for safety purposes, as Jen  
3 said. I agree with the concern that, with the  
4 Chairwoman, with regard to what really is the  
5 legibility of a 2, 2 and a half inch size letter,  
6 especially when you have over 50 tenants that are  
7 on. And it's right at the main entrance. So if  
8 someone is going to stop, try to figure out what  
9 building the tenant they're going to, as box trucks  
10 1, 2, 3 deliveries a week. How many we'll wait for  
11 Mr. Rea.

12 But I really do question that many  
13 tenants, that sign. I don't want it to be bigger  
14 but I kind of have to scratch the head saying what's  
15 the purpose of that with two-inch letters, 50  
16 tenants?

17 ATTORNEY GIUNCO: It is small.

18 VICE-CHAIRPERSON BROWN: And it's too  
19 small almost, to the point where now you're sitting  
20 there going I know -- okay, forget it.

21 Today we do have phones. We can do  
22 Google searches, there's websites, we can always use  
23 that, try and figure out where to park best for a  
24 mall or for a parking center. Get it? Got it?  
25 Good.

1                   With regards to the ground sign on  
2 Business 33, Jen, the requirement in the ordinance  
3 for this required clearance of two and a half feet,  
4 is that from the ground to the bottom of the sign it  
5 has to be at least two and a half feet?

6                   PLANNER BEAHM: Correct.

7                   VICE-CHAIRPERSON BROWN: So the  
8 purpose of this sign is for direction of traffic of  
9 hey, this is 123 Highway Route 33, Battlevue Park,  
10 correct?

11                  ATTORNEY GIUNCO: It's an  
12 identification.

13                  PLANNER BEAHM: It's a site  
14 identification sign.

15                  VICE-CHAIRPERSON BROWN: So a  
16 four-inch high letter would that be good for that  
17 type of road with that speed limit.

18                  I guess where I'm going at is  
19 definitely I agree to make it lower, make it look  
20 more like a monument-style sign. And I wouldn't be  
21 opposed to make it a little bit bigger, the sign  
22 area, more than two feet in height so you can get  
23 bigger letters so that on that road people are able  
24 to use the -- a box truck or a tractor-trailer  
25 could actually see this.



1                   ATTORNEY GIUNCO: Well I think that  
2                   would be much more visible and effective than what  
3                   the --

4                   VICE-CHAIRPERSON BROWN: Than what is  
5                   being proposed now.

6                   ATTORNEY GIUNCO: -- what is  
7                   recommended. Yeah, well, that's meeting ordinance/  
8                   we would have to deviate I think from that.

9                   VICE-CHAIRPERSON BROWN: Oh. Would  
10                  they have to deviate if they were to make the  
11                  letters larger.

12                  BHASKAR HALARI: Yes. This is maximum  
13                  permitted.

14                  PLANNER BEAHM: The sign area is  
15                  compliant. If they -- and I'm not disagreeing with  
16                  you. And if the board would like to see it a little  
17                  bit bigger, it would require relief that you would  
18                  have to consider, but traffic safety would be kind  
19                  of like the rationale behind it.

20                  Ten square feet is small.

21                  VICE-CHAIRPERSON BROWN: But that's  
22                  all that is required.

23                  PLANNER BEAHM: That's all that is  
24                  permitted.

25                  ATTORNEY GIUNCO: But that's not the

1 minimum, that's maximum.

2 PLANNER BEAHM: Yeah.

3 VICE-CHAIRPERSON BROWN: Correct,  
4 so...

5 ATTORNEY GIUNCO: And I think  
6 everybody on this side --

7 VICE-CHAIRMAN BROWN: I am not giving  
8 away variances tonight. That's not my thing.

9 ATTORNEY GIUNCO: -- everybody thinks  
10 that's too small.

11 VICE-CHAIRMAN BROWN: I'm seeing the  
12 concerns of the purpose of this sign and what you're  
13 trying to do -- is it meeting the intent of what  
14 you want?

15 ATTORNEY GIUNCO: Its too small, but  
16 it's the ordinance requirement so we...

17 PLANNER BEAHM: I would also -- so I  
18 know you don't have tenants, but do you anticipate a  
19 lot of public coming to this location?

20 Like typical flex space is usually  
21 people that work there, right?

22 BHASKAR HALARI: Yes.

23 ATTORNEY GIUNCO: Well, typically, but  
24 there are some uses that bring tenants in -- or  
25 bring customers in, but it's part of what flex

1 means, it's flexible to all different types of  
2 businesses.

3 BHASKAR HALARI: I agree with Jen in  
4 the sense compared to retail or some other type of  
5 use --

6 ATTORNEY GIUNCO: Oh, yeah, it's not  
7 retail.

8 BHASKAR HALARI: -- or an office,  
9 let's say that a number of people visit -- a  
10 percentage of population that will be visiting first  
11 time type of thing would be less. If somebody has  
12 come there a couple of times, he knows where he's  
13 going.

14 So I understand what Jen is saying --

15 PLANNER BEAHM: Right. So, like, for  
16 example, if there was say some athletic thing that  
17 we just put in the Englishtown Business Park, right,  
18 yeah, probably the first time they're going to look  
19 for the entrance, but once you take your kid there  
20 multiple times you know where you're going so it's  
21 not like a retail store where you're going to see a  
22 lot of different users coming there.

23 So I do understand your rationale in  
24 terms of we want to make sure that people aren't  
25 passing it and then making a U-turn on Business 33

1 or what have you. I think as Deputy Mayor said  
2 earlier, we're probably not going to finish tonight.  
3 I would suggest taking a look at that.

4 You know, John, maybe taking -- John,  
5 I'm talking to John Rea -- taking a look at even  
6 though the speed limit is X, most people travel X  
7 plus, myself included.

8 ATTORNEY GIUNCO: So you're concerned  
9 about the conspicuity of the sign?

10 PLANNER BEAHM: Just to see whether or  
11 not --

12 ATTORNEY GIUNCO: Which makes sense.

13 PLANNER BEAHM: -- you know, and I'm  
14 not opposed to it, right, just to make sure -- you  
15 want the traffic safety to be taken care of. And if  
16 giving them a little extra area would prevent some  
17 traffic situation, that's something that perhaps  
18 when you guys come back we can discuss.

19 If you feel like it's adequate then  
20 that's fine too, but that's something that you guys  
21 should just go back and evaluate with your traffic  
22 consultant talking about the average speed on the  
23 road regardless of the speed limit.

24 ATTORNEY GIUNCO: Well, we designed  
25 that to meet the ordinance.

1 PLANNER BEAHM: I understand that.

2 BHASKAR HALARI: No, but I think we  
3 understand what Jen --

4 PLANNER BEAHM: You know what I'm  
5 saying?

6 BHASKAR HALARI: -- you're trying to  
7 say, so we will come back with what we feel that  
8 given the speed limit, what size...

9 ATTORNEY GIUNCO: I got it. I  
10 understand.

11 CHAIRPERSON KWAAK: Now, Jen, what  
12 about the placement?

13 PLANNER BEAHM: No, I agree with your  
14 recommendation to turn it -- move it to the other  
15 side of the driveway. That, I think, is a good  
16 idea.

17 CHAIRPERSON KWAAK: Okay.

18 ATTORNEY GIUNCO: We will prepare a  
19 couple of alternatives.

20 PLANNER BEAHM: Okay.

21 VICE-CHAIRPERSON BROWN: And I echo  
22 that, the new proposed location.

23 Jen, for my own education, in this zone  
24 would a design center for let's say kitchens would  
25 that be a permitted use in this zone?

1                   PLANNER BEAHM: It would probably fall  
2 under the category of flex for sure.

3                   VICE-CHAIRPERSON BROWN: That might be  
4 but the flip side of an athletic center that takes  
5 once to understand where -- to locate where it is,  
6 but you always know where to go.

7                   But if you have a design center that  
8 may have one or two appointments a day, like we  
9 typically have appeared before our board before,  
10 that may be where you need the bigger letters and  
11 that intent would -- or the sign that is proposed  
12 would not be of any use per se, or meet what you're  
13 trying to do.

14                   So I think it's, on the flip side, yes,  
15 it's an athletic place, you have a six-month time,  
16 but if you have customers coming for a design  
17 appointment, that probably would be detrimental for  
18 the safety of the site trying to read a two-inch  
19 letter.

20                   ATTORNEY GIUNCO: Well, I would expect  
21 there would be design centers in a project like  
22 this.

23                   BHASKAR HALARI: But let's just say in  
24 general, like if you go to drive-through windows,  
25 like which has multiple and really those letter

1 signs are smaller than the two-inch.

2 So just so, you know, the distance that  
3 you are going to be looking at is about the same  
4 because you would be very close to it. But the  
5 intent is you just want them to stop and look at it,  
6 if somebody wants to look at it.

7 And another thing is as well is, the  
8 number of people who probably have to do that in an  
9 entire complex would be much less because, as I  
10 said, most of the traffic is there coming regularly.

11 So we feel that the sign size and the  
12 lettering size we propose is adequate for that  
13 location.

14 VICE-CHAIRPERSON BROWN: And I  
15 understand your logic when it's a drive-through, on  
16 the size of that, but your car is actually -- it's  
17 designed in a drive-through for the car to stop.

18 With this, that is the main entrance  
19 and exit to the site. And the only entrance and  
20 exit to the site. It's probably not the best place  
21 you would want someone to stop when you're having  
22 box trucks and tractor-trailers going through.

23 ATTORNEY GIUNCO: I think it should be  
24 bigger but...

25 VICE-CHAIRPERSON BROWN: So I'm not

1 saying bigger, I'm just saying, hey, you know, maybe  
2 at a different location for that, it's not at the  
3 main entrance. And that's all.

4 BHASKAR HALARI: I think what we could  
5 do is we could design some kind of widening in that  
6 area, where the car can pull over if they really  
7 need to look at the sign.

8 VICE-CHAIRPERSON BROWN: Possibly.

9 BHASKAR HALARI: And then they're  
10 still open, driving...

11 VICE-CHAIRPERSON BROWN: It's an  
12 option.

13 ATTORNEY GIUNCO: It is, but, I mean,  
14 that certainly isn't very attractive.

15 VICE-CHAIRPERSON BROWN: I don't want  
16 to get too far into the weeds on that one.

17 On the end units, there's ten end  
18 units. And you put -- you showed that there would  
19 be a man door and a roll-up door.

20 What restrictions would there be that,  
21 for loading at the end, for safety of someone who,  
22 say you have a design center doing -- coming in and  
23 out, that they're walking in right next to the  
24 actual loading dock or loading area to those  
25 tenants?



1                   BHASKAR HALARI: Well, I think, that  
2                   again, I think I have to go back to the same thing  
3                   as number of people visiting and traffic. If you  
4                   have a design center then you don't have that number  
5                   of deliveries when people are coming there.

6                   So this is basically being designed for  
7                   a smaller tenant. It's 2,500 square feet. So  
8                   you're looking at a contractor type of tenants, you  
9                   know, their design center, or they would want more  
10                  space, and then you have a different type of unit.

11                  VICE-CHAIRPERSON BROWN: That's fair.  
12                  That's all. Thank you.

13                  CHAIRPERSON KWAAK: Thank you.  
14                  John?

15                  MEMBER CASTRONOVO: Talking about  
16                  that, the directional signs for the buildings, so if  
17                  one of the tenants occupies the entire building  
18                  floor --

19                  BHASKAR HALARI: He cannot. The flex  
20                  definition requires certain minimum number of  
21                  tenants in the building, if I'm not mistaken. I  
22                  think there's two or three or something, I believe.

23                  ENGINEER BOCCANFUSO: I'm not sure. I  
24                  don't know -- the current -- the current ordinance  
25                  does, but I think you guys were under a previous

1 ordinance which --

2 BHASKAR HALARI: I think the previous  
3 ordinance required minimum -- I think there was  
4 still in the building -- two-minimum tenants  
5 required. But, anyway...

6 MEMBER CASTRONOVO: Okay, yeah. But  
7 so the building floor needs to have a minimum of  
8 two, two tenants?

9 BHASKAR HALARI: Any building can have  
10 minimum two tenants.

11 MEMBER CASTRONOVO: Okay. So instead  
12 of having ten signs you now need, in effect, two  
13 signs?

14 THE WITNESS: Yes.

15 MEMBER CASTRONOVO: Are they going to  
16 be that much proportional so it would be two signs  
17 for the occupants; rather than the two-inch sign it  
18 will be a 20-inch sign?

19 THE WITNESS: It could be, yes. Sure.

20 ATTORNEY GIUNCO: It would certainly  
21 be better address some of the directional issues  
22 that the board was speaking of.

23 MEMBER CASTRONOVO: I'm sorry?

24 ATTORNEY GIUNCO: It would certainly  
25 address the direction- finding issues that we were

1 just talking about.

2 MEMBER CASTRONOVO: Yeah, that would  
3 make it easy. But the thing is I was wondering if,  
4 since your concerned about the two-inch sign that it  
5 makes it difficult to drive up and see, which,  
6 honestly, I don't think is the issue. I think we  
7 should probably have the building directional signs,  
8 which way, would be the most efficient. And then in  
9 front of the building would have the tenants to know  
10 which door to go enter. Because right now you don't  
11 have the door number of that tenant to --

12 BHASKAR HALARI: No, each unit has a  
13 number, and this sign will have a unit number and a  
14 name on it.

15 MEMBER CASTRONOVO: Oh, so it will  
16 have the room or the suite number or whatever you  
17 call it?

18 BHASKAR HALARI: Yes. Each building,  
19 yes. So let's say Building A, or Building --  
20 whatever it is, will have Building 101, 102,  
21 something like that, yes.

22 MEMBER CASTRONOVO: I thought you just  
23 were having the name of the applicant.

24 THE WITNESS: Oh, no, no. I agree,  
25 that would be even after seeing this sign they would

1 be driving around.

2 Each unit will have a number and each  
3 unit will have that number identified on their  
4 individual sign on the door, so they know which unit  
5 it is as they drive around, yes.

6 MEMBER CASTRONOVO: All right. That  
7 clarifies it. Okay, thank you. That's it.

8 CHAIRPERSON KWAAK: Barry?

9 MEMBER FISHER: So driving in, if you  
10 have Building A, B, C, and D with an arrow, and then  
11 they go up to the space it will have, 1, 2, 3, 4. I  
12 can't see that being a problem finding that  
13 particular location, if it's Building A this way,  
14 Building B that way, Building C, Building -- and  
15 then they look for the number, but they're guided  
16 through the center.

17 The next thing is, okay, the chocolate  
18 factory they're worried about melting, so they're  
19 going to put in a generator. Where would those  
20 generators be located?

21 BHASKAR HALARI: It will go in the  
22 back of the building where the loading dock area is.

23 MEMBER FISHER: In the back where the  
24 loading dock is, is the loading area?

25 BHASKAR HALARI: Not where the loading

1 dock is but each unit is 25-feet wide, so there is  
2 one door is only 12 feet wide. So you still have  
3 another 12 feet left.

4 PLANNER BEAHM: Barry, are you talking  
5 about in the event the power goes out? Because I  
6 think they talked about earlier that the building  
7 was going to be air-conditioned.

8 MEMBER FISHER: Well, the air  
9 conditioning also. But I was just talking about  
10 that factory that has all of that chocolate in there  
11 and it's going to melt.

12 PLANNER BEAHM: Like refrigeration?

13 ATTORNEY GIUNCO: I think Mr. Fisher  
14 is concerned about a power outage and filling in --

15 PLANNER BEAHM: That's what I just  
16 asked him.

17 ATTORNEY GIUNCO: Yeah, I think he's  
18 thinking emergency power, and that would be tenant  
19 option.

20 MEMBER FISHER: This is like home,  
21 right, my wife has to explain everything I said.

22 ATTORNEY GIUNCO: If you are fogging  
23 your windows you know you do not have air  
24 conditioning there.

25 MEMBER FISHER: That makes sense,

1 Building A, B, C, then maybe you look for the  
2 numbers, 1, 2, 3, 4. That's it.

3 CHAIRPERSON KWAAK: Steve?

4 MEMBER KASTELL: I'm good.

5 CHAIRPERSON KWAAK: Nunzio?

6 MEMBER POLLIFRONE: Oh, yes, thank  
7 you.

8 This is just a followup, maybe some  
9 housekeeping here. I know earlier when I asked  
10 about the possibility of a mezzanine and we brought  
11 it up again, I was told no mezzanines are permitted.  
12 So can we just make that a condition so this way we  
13 don't have to bring it up again and we can close the  
14 book on that one?

15 ATTORNEY GIUNCO: I don't make  
16 conditions. I think the ordinance has a lot of  
17 conditions in it and I would prefer to have no  
18 further -- no greater restrictions than the  
19 ordinance actually.

20 PLANNER BEAHM: Right, but I think you  
21 committed to no mezzanines at the last meeting.  
22 That's in my notes and it was also in the transcript  
23 you committed no mezzanines.

24 So I think the confusion is here we are  
25 all these months later and the message is changing,

1 right?

2 ATTORNEY GIUNCO: Well that was a --  
3 what were they 30,000 square foot units -- that was  
4 in a 30,000 square foot unit and a 2,500 square foot  
5 unit I could see --

6 ATTORNEY CUCCHIARO: Didn't we just  
7 have discussion about this earlier tonight? Brian  
8 said you're sort of marginally within the FAR and he  
9 wasn't sure whether you could actually have casinos?

10 PLANNER BEAHM: Mezzanines.

11 ATTORNEY CUCCHIARO: Sorry,  
12 mezzanines.

13 ATTORNEY GIUNCO: Well, we weren't  
14 planning mezzanines.

15 ATTORNEY CUCCHIARO: Well if you do  
16 put in mezzanines and it exceeds the height, that's  
17 going to be a zoning board application for a D(6).  
18 So we want to make sure for purposes of our hearing  
19 you're not planning a D(6).

20 ATTORNEY GIUNCO: We're not planning  
21 mezzanines.

22 ATTORNEY CUCCHIARO: So why would that  
23 be a problem with the condition of the resolution?

24 You said -- the statement from our  
25 professional was if you do do it, there is going to

1 be an FAR problem.

2 ATTORNEY GIUNCO: Most tenants would  
3 have storage racks or something, now that isn't a  
4 mezzanine but...

5 PLANNER BEAHM: John --

6 ATTORNEY GIUNCO: I'm lost on why we  
7 are talking about mezzanines.

8 PLANNER BEAHM: -- you're all over the  
9 place.

10 ATTORNEY CUCCHIARO: Madam Chair?

11 CHAIRPERSON KWAAK: Yes.

12 ATTORNEY CUCCHIARO: If the board  
13 wants it in the resolution, we can put it in as  
14 condition.

15 ATTORNEY GIUNCO: We don't have to  
16 have it, we can say no, we don't need a mezzanine,  
17 that we can probably say no mezzanines.

18 CHAIRPERSON KWAAK: We can put that in  
19 the resolution as a condition.

20 ATTORNEY GIUNCO: Why does that effect  
21 the ordinance?

22 PLANNER BEAHM: I think the concern is  
23 that you made a statement at the last hearing, we  
24 will not have a mezzanine. Then there were  
25 questions earlier and now the message has changed.



1                   And I think Nunzio is trying to get is  
2   clarity. And I don't think up to what we may  
3   consider as a condition, your explanation hasn't  
4   been clarified in any way, you're all over the  
5   place.

6                   ATTORNEY GIUNCO: No mezzanines.

7                   PLANNER BEAHM: Thank you.

8                   CHAIRPERSON KWAAK: And the Chief had  
9   asked it too.

10                  PLANNER BEAHM: I know.

11                  FIRE CHIEF HOGAN: Again, I mean you  
12   brought me up here --

13                  PLANNER BEAHM: Sorry.

14                  FIRE CHIEF HOGAN: -- and I'm okay with  
15   a mezzanine. I have no problem with it because we  
16   have seen it. We have seen businesses in town  
17   request one, once they're in for a couple of years  
18   and they need some more office or storage area.

19                  I think Brian explained it pretty well  
20   before.

21                  ENGINEER BOCCANFUSO: Sure, I can  
22   certainly revisit it.

23                  Aside from the discrepancies in the  
24   testimony which we've talked about, the only thing  
25   mathematically that would limit it is the FAR, as

1 far as I could see. And based upon my real quick  
2 dirty math here tonight they could provide in the  
3 ballpark of 35,000 square feet of mezzanine space in  
4 total between the four buildings before they got  
5 into trouble with the FAR requirements, and at that  
6 point they would need to go to the zoning board.

7 But up to 32/34,000 square feet of  
8 mezzanine space, they would still comply with the  
9 FAR requirements, assuming no additional parking  
10 areas or stormwater basins, things of that nature.

11 So there is some wiggle room built  
12 into the design, assuming there's no condition that  
13 mezzanines are prohibited.

14 CHAIRPERSON KWAAK: Okay.

15 MEMBER POLLIFRONE: And just for  
16 clarity there is, I believe, a separate FAR for a  
17 building; is that correct?

18 PLANNER BEAHM: No.

19 BHASKAR HALARI: That's exactly what  
20 Brian is pointing out, that an FAR calculation if  
21 you put the mezzanine, that is at least not floor  
22 area, so your FAR goes up.

23 Currently our plan, the way it's  
24 designed we are at, as Brian said, we can handle the  
25 32,000 or 33,000 square feet of space and we would

1 be still below the required FAR for the zone.

2 PLANNER BEAHM: Right. But here in  
3 Manalapan the definition of FAR is different. It's  
4 not just building; it's building, parking areas and  
5 stormwater management basins, which is different  
6 from other communities, which is why the FAR numbers  
7 that we allow are significantly higher than you  
8 would see somewhere else.

9 So we don't have separate FAR building  
10 versus other things. It includes the parking lot,  
11 the circulation drive, and the bays and any kind of  
12 stormwater management.

13 MEMBER POLLIFRONE: Understood. Thank  
14 you. Thank you for that.

15 Okay, next question, Todd brought up  
16 the roll-up doors. Are you anticipating commercial  
17 vehicles entering into the building through those  
18 roll-up doors? And is there any anticipation of  
19 your tenants leaving commercial vehicles inside the  
20 building overnight?

21 ATTORNEY GIUNCO: We don't plan to  
22 park in the building, but it's likely that most of  
23 these tenants will have a forklift at least. They  
24 would keep that kind of machinery in the building.  
25 That's very typical. I don't see why that would be

1 an issue.

2 So the reason --

3 MEMBER POLLIFRONE: Sorry.

4 ATTORNEY GIUNCO: The reason that the  
5 roll-up door is on that end was because that's a  
6 different approach and it appeals to a ore limited  
7 -- a limited market. But I would expect every one  
8 of these units would have a forklift for their  
9 operation.

10 THE WITNESS: I think there's some  
11 prohibitions against bringing vehicles in because  
12 you're going to get into -- there's limits on, for  
13 the building use, flammable -- the amounts of  
14 flammable liquids. So if you have a full tank of  
15 gas in a van, I think you would be violating that.

16 MEMBER POLLIFRONE: Yeah, I certainly  
17 agree. I was thinking in terms of someone earlier  
18 from the board brought up a landscaper and whether  
19 they would be leaving their vehicles in the parking  
20 lot. Well, maybe not. Would they leave those  
21 vehicles inside the building?

22 But if you're saying that that's not  
23 permitted, then that would answer my question.

24 ATTORNEY GIUNCO: Well, for parking.  
25 But if, say they wanted to do a repair or change a

1     tire, they should be able to pull into the building.

2                   BHASKAR HALARI:    Yes.

3                   ATTORNEY GIUNCO:   It's only ten units  
4     that have the drive-in.

5                   MEMBER POLLIFRONE:  More overnight,  
6     overnight parking of the vehicle inside the  
7     building, commercial vehicles.

8                   THE WITNESS:   Well, I think we would  
9     have to say that we would be compliant with what the  
10    construction codes are.  So, you know, it's the type  
11    of building, the area of the building, whether it's  
12    sprinklered or not.  There's all kinds of things  
13    that factor into the code analysis for construction  
14    code compliance.

15                   We absolutely would comply with  
16    construction code.  So if there's a prohibition for  
17    our building against that, it wouldn't be -- it  
18    wouldn't allowed but --

19                   CHAIRPERSON KWAAK:  I'm sorry, if you  
20    could just speak into the microphone.  It's not  
21    picking you up.

22                   THE WITNESS:   I'm sorry.  We're saying  
23    that we would need to be compliant with construction  
24    codes relative to that, as well as any other  
25    requirements.

1                   MEMBER POLLIFRONE:   Thank you for  
2   that.

3                   THE WITNESS:    Yes.

4                   CHAIRPERSON KWAAK:   Pat?

5                   MEMBER GIVELEKIAN:   Nothing at this  
6   time.

7                   CHAIRPERSON KWAAK:   Okay.

8                   ATTORNEY CUCCHIARO:   Madam Chair?

9                   CHAIRPERSON KWAAK:   Yes.

10                  ATTORNEY CUCCHIARO:   I don't know if  
11   is for the architect, or maybe Bhaskar, but was  
12   there ever any kind of internal analysis that was  
13   performed to look at, you know, the size and scope  
14   of the building, and to make sure that whatever  
15   noise would be needed would be compliant with the  
16   local noise ordinance and standards?

17                  BHASKAR HALARI:    We haven't done any  
18   studies because we don't know the tenants.

19                  But are you talking about rooftop  
20   units?

21                  ATTORNEY CUCCHIARO:   I'm talking about  
22   -- at one point it talks about how much noise you  
23   can produce, at what levels.   And the state has  
24   requirements as well.

25                  BHASKAR HALARI:    Yes.   So we will

1     comply with all those requirements.

2                     CHAIRPERSON KWAAK:   Anything else,  
3     Ron?

4                     ATTORNEY CUCCHIARO:   That's it.

5                     CHAIRPERSON KWAAK:   Okay.   Mr. Giunco?

6                     ATTORNEY GIUNCO:    I have no other  
7     questions for Mr. Wagner.

8                     I would like to call John Rea.

9                     CHAIRPERSON KWAAK:   Okay.

10                    ATTORNEY GIUNCO:    Thanks, Eric.

11                    THE WITNESS:    Sure.

12                    ATTORNEY CUCCHIARO:   Mr. Rea, you were  
13     previously sworn?

14                    JOHN REA:    Yes.   Yes, sir.

15                    ATTORNEY CUCCHIARO:   I'll just remind  
16     you that you remain under oath.

17

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

19

20                    ATTORNEY GIUNCO:    Hi, John.

21                    THE WITNESS:    Hello.

22                    ATTORNEY GIUNCO:    Could you pick up  
23     the board's questions that have come up so far, and  
24     Mr. -- Brian had requested some additional counts.

25                    THE WITNESS:    I will do my best to

1 provide the board with information this evening. It  
2 sounds like we're coming back for another meeting.

3 It is my intent to provide Brian a  
4 written response to all of the comments that are in  
5 the latest CME review letter. I will respond point  
6 by point to all of the traffic items that are in the  
7 CME letter.

8 As far as the traffic counts are  
9 concerned I did have an opportunity to go back and  
10 review my file and here is what I did in terms of  
11 doing the traffic study. When we were engaged to do  
12 the project it was May of 2022, and that's when we  
13 did our traffic counts. So the original traffic  
14 counts done by McDonough & Rea Associates for the  
15 report were done in May, 2022.

16 We had an opportunity to review the  
17 Colliers report that was done for the adjoining flex  
18 space building on the adjoining property, I think  
19 it's to the west of us if I'm not mistaken.

20 ATTORNEY GIUNCO: Correct.

21 THE WITNESS: And their traffic counts  
22 were pre-pandemic counts. They were actually  
23 conducted in October of 2019. And I think there was  
24 an issue of October counts may be higher because of  
25 the orchards in the area and the apple picking and



1 the things of that nature.

2 So in looking at the Colliers counts  
3 from October of 2019 and the McDonough & Rea counts  
4 from May of 2022, the Colliers counts were higher,  
5 fairly significantly. And I'll go over some of  
6 those numbers and I'm going to provide all of this  
7 information to Brian in a written response.

8 But to give you an example, our May  
9 2022 morning peak hour traffic volumes passing the  
10 site frontage were 497 cars. The Colliers counts  
11 from October 2019 were 680. Almost 200 cars higher.  
12 So that's what we used for our analysis.

13 ATTORNEY GIUNCO: What do you mean  
14 that's what you used; the 400 or the 600?

15 THE WITNESS: No, we used the higher  
16 Colliers counts.

17 The afternoon peak hour on our  
18 May 2022 counts there were 767 cars passing our site  
19 frontage. The Colliers counts from October 2019,  
20 were 994. So as I went back and I reviewed how I  
21 prepared the Traffic Impact Analysis what I can tell  
22 you is that we used the 2019 pre-pandemic higher  
23 Colliers counts to establish a base.

24 I then expanded those traffic counts  
25 from 2019 to 2025, after consulting the NJDOT's

1 traffic growth rate data for the area. So I  
2 expanded the Colliers counts by another significant  
3 -- a significant percentage.

4 I also included the counts from the  
5 Colliers report for the adjoining property as far as  
6 how much traffic that flex building would generate  
7 that's all been included in the analysis.

8 And I'm just to give you some  
9 additional numbers. And again, I'm going to provide  
10 this to Brian to respond to the latest CME review  
11 letter. The no-build traffic volumes that I  
12 established for the traffic study upon which we  
13 added our traffic to in order to do our analysis,  
14 for the morning peak hour the no-build traffic  
15 volumes in my report were 807 cars in two directions  
16 passing the site frontage. 807.

17 And I will remind everybody the counts  
18 we did in May of 2022, which we didn't use, were  
19 497, significantly higher. The afternoon peak hour  
20 counts that we prepared in our traffic study which  
21 included the Colliers counts, the NJDOT's background  
22 traffic growth rate, plus the traffic from the  
23 Colliers project, we had 1,164 cars passing the site  
24 frontage for the afternoon peak hour and that was  
25 the base that we used in order to do our traffic

1 study.

2                   So what I'm essentially saying is that  
3 I went to great lengths to prepare a very  
4 conservative, in my opinion, analysis with the  
5 highest traffic counts that were recorded in the  
6 area, pre-pandemic counts. And we didn't stop  
7 there. We included the background traffic growth  
8 rate data from the DOT to expand the counts to a  
9 2025 design year, which is another issue I know  
10 that's in Brian's report. He wants that expanded by  
11 another two years. I can do that when I prepare my  
12 response.

13                   So I guess the key thing I just wanted  
14 to indicate to the board tonight was I went back, I  
15 looked at my file. I think everybody knows me  
16 pretty well, I don't try to fool anybody with these  
17 traffic counts. We did a very conservative analysis  
18 and I can tell you that I am absolutely certain  
19 that, if anything, I have overestimated how much  
20 traffic will be passing the site frontage during  
21 those peak hours for our design year.

22                   Nevertheless, I will use those numbers  
23 from the traffic study and I will provide a written  
24 detailed response to the CME letter which,  
25 hopefully, I can testify to at the next meeting.

1           I think that's probably, with all of  
2     the other items that are in the CME review letter  
3     that I have to respond to, which I will, I think  
4     that was probably the one thing I just wanted to let  
5     the board know. I did have an opportunity to go  
6     back and look at everything. I did get the traffic  
7     study done.

8           And the only other thing I can tell the  
9     board members and I think everybody here probably  
10    knows it, we have done-- when I say "we," my firm,  
11    we have done significant -- a significant amount of  
12    traffic impact studies along the Route 33 corridor  
13    in Manalapan and Millstone and Monroe, and I can  
14    tell you that since the pandemic the peak hour  
15    traffic volumes on Route 33 have increased.  
16    Depending upon which intersection you look at, it  
17    could be anywhere from 10 to 20 percent. I suspect  
18    it's because of a change in commuter patterns with  
19    people, you know, working from home a little bit  
20    more since the pandemic, but there has been a  
21    decrease in the peak hour volumes along the Route 33  
22    corridor.

23           Again, depending upon which  
24    intersection you look at, it could range from 10 to  
25    20 percent. Having said all of that, we used the

1 pre-pandemic counts to do the traffic study.

2 CHAIRPERSON KWAAK: Okay. So we're  
3 not going to ask questions tonight, people. We're  
4 going to let Mr. Rea go home and do his homework.

5 So, obviously, we're not going to make  
6 a decision on this tonight so I would like to carry  
7 this application to our next meeting, which is  
8 February 22nd.

9 Does that work for...

10 We don't have anything, correct?

11 SECRETARY McGRATH: We do.

12 UNIDENTIFIED SPEAKER: Madam Chairwoman,  
13 are we going to get to speak?

14 CHAIRPERSON KWAAK: Not tonight, no,  
15 ma'am. When they're finished all their testimony  
16 then, yes, you can ask all of these witnesses all  
17 your questions.

18 SECRETARY McGRATH: I do have a  
19 subdivision for Wood Avenue that they're --

20 CHAIRPERSON KWAAK: That's okay. I  
21 want to get this done, and while it's fresh in  
22 everybody's minds.

23 So February 22nd; does that work for...

24 ATTORNEY GIUNCO: Sure.

25 THE WITNESS: Could I ask a question

1     since I have to put this information together for  
2     Brian; how many days in advance of the February 22nd  
3     meeting do you need the information, Brian?

4                 ENGINEER BOCCANFUSO:   As many as  
5     possible.

6                 THE WITNESS:   It's February 8th  
7     already.   I guess I know what I'm doing this  
8     weekend, Okay.

9                 ENGINEER BOCCANFUSO:   I recognize  
10    we're up against a short time frame.   I can  
11    certainly touch base with you between now and then.

12                THE WITNESS:   Okay.

13                ENGINEER BOCCANFUSO:   I would just  
14    request them as far in advance as possible.   I mean  
15    it's not as if --

16                CHAIRPERSON KWAAK:   He wants them  
17    Monday morning at 9:00 a.m.

18                THE WITNESS:   Okay.

19                ENGINEER BOCCANFUSO: -- it's not as if  
20    I'm reviewing this for the first time; there's  
21    certain things I'm looking for, there's specific  
22    questions in my reports.

23                THE WITNESS:   Okay.

24                ENGINEER BOCCANFUSO:   So, I mean, a  
25    couple of hours at most, but I mean if you can get

1 it to me a few days in advance, a week in advance.

2 The Friday before, would be great.

3 THE WITNESS: I can do that.

4 ENGINEER BOCCANFUSO: Sooner would be  
5 even better, but as soon as possible.

6 ATTORNEY CUCCHIARO: Okay,  
7 Madam Chair?

8 CHAIRPERSON KWAAK: Yes.

9 ATTORNEY CUCCHIARO: The application  
10 of Monmouth Battlefield Flex Company, LLC, will be  
11 carried to the board's February 23rd -- I'm sorry,  
12 February 22nd, 2024, meeting. It's a live meeting  
13 here at Town Hall, beginning at 7:30.

14 Again, that's February 22nd, 2024.

15 This is important. We're caring it  
16 without the need for -- without the requirement of a  
17 new public notice. So if you got a notice in the  
18 mail on this application, you're not going to  
19 receive another one.

20 Again, this is the announcement that  
21 they will be returning on February 22nd.

22 ATTORNEY GIUNCO: Thank you.

23 CHAIRPERSON KWAAK: Okay, thank you.

24 - - -

25 (Time Noted, 9:50 p.m.)

## C E R T I F I C A T E

I, ANGELA C. BUONANTUONO, a Notary Public and Certified Court Reporter of the State of New Jersey and Registered Professional Reporter, do hereby certify that prior to the commencement, the witness was duly sworn to testify the truth, the whole truth and nothing but the truth.

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

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



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Angela C. Buonantuono, NJ-CCR, RPR, CLR  
NJ License No. 30XI00233100

Dated: February 16, 2024



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