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TOWNSHIP OF MANALAPAN
PLANNING BOARD
CASE NO: PMS1931A/PMS1931TS

IN RE: :
: :
CARDINALE AND :
MANALAPAN CROSSING :
ASSOCIATES :
: :
BLOCK: 66 :
LOT: 8.03 :
: :
162 HIGHWAY 33 :

JANUARY 23, 2025
TRANSCRIPT OF PROCEEDINGS:

B E F O R E:

- CHAIRWOMAN KATHRYN KWAAK
- VICE CHAIRMAN TODD BROWN
- MAYOR ERIC NELSON
- COMMITTEEMAN JACK MCNABOE
- BARRY JACOBSON
- JOHN CASTRONOVO
- BARRY FISHER
- STEVE KASTELL (RECUSED)
- NUNZIO POLLIFRONE

- RON CUCCIARO, ESQ., BOARD ATTORNEY
- JENNIFER BEAHM, PP, BOARD PLANNER
- JORDAN RIZZO, PE, BOARD ENGINEER
- NANCY MCGRATH, BOARD SECRETARY

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

CLEARY, GIACOBBE, ALFIERI, JACOBS, LLC
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BY: SALVATORE ALFIERI, ESQ.
Attorney for the applicant

GASIOROWSKI AND HOLOBINKO
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BY: BERNARD REILLY, ESQ.
Attorney for the objector

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

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7	PUBLIC SPEAKER
8	NONE

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11 None

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14

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16 REQUESTS FOR DOCUMENTS/INFORMATION

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18 NONE

19 DIRECTIONS NOT TO ANSWER

20	PAGE-LINE
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21 None

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23

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1 CHAIRWOMAN KWAAK: I'd like to call
2 this meeting to order for Manalapan Township Planning
3 Board for January 23, 2025 at 7:32. Pursuant to
4 section 5 of the Open Public Meetings Act, notice of
5 this meeting was sent and advertised in the Asbury
6 Park Press. A copy of that notice was posted on the
7 bulletin board where public notices are displayed in
8 the municipal building. In addition, a copy of this
9 notice is and has been available to the public and
10 it's on file in the office of the municipal clerk.
11 Accordingly, this meeting is deemed to be in
12 compliance with the Open Public Meetings Act. Will
13 you please stand and salute the flag.

14

15 (At which time, all stood for the Pledge
16 of Allegiance)

17

18 CHAIRWOMAN KWAAK: John, can you read
19 the TV disclosure statement?

20 MR. CASTRONOVO: Sure, the Township of
21 Manalapan television network will be videotaping this
22 meeting to be broadcast on MTTN channel 77 on
23 Cablevision and channel 42 on Verizon Fios. By
24 attending this meeting, attendees acknowledging this
25 recording and agree to allow their image to be

1 broadcast on MTTN channel 77 and Verizon Fios channel
2 42.

3 All attendees and participants agree to
4 conduct themselves in a manner appropriate for a
5 public forum. Inappropriate behavior or gathering
6 creating a disturbance or safety hazard are
7 prohibited inside this meeting. Individuals should
8 be advised that no right of privacy protects a
9 citizen's public comment made in a public forum. Any
10 statements made by the members of the public to
11 promote or alter public opinion about a candidate for
12 political office, political party, or interest group
13 are inappropriate and in violation of MTTN broadcast
14 policies. Accordingly, all persons bear
15 responsibility for their own statements and
16 commentary.

17 CHAIRWOMAN KWAAK: Thank you. Can you
18 please do roll call.

19 MR. CASTRONOVO: Mr. Fisher?

20 MR. FISHER: Here.

21 MR. CASTRONOVO: Mr. Brown?

22 MR. BROWN: Here.

23 MR. CASTRONOVO: Mr. Castronovo is here.
24 Barry Jacobson?

25 MR. JACOBSON: Here.

1 MR. CASTRONOVO: Chairwoman Kwaak?

2 CHAIRWOMAN KWAAK: Here.

3 MR. CASTRONOVO: Committeeman McNaboe?

4 COMMITTEEMAN MCNABOE: Here.

5 MR. CASTRONOVO: Steve Kastell?

6 MR. KASTELL: Here.

7 MR. CASTRONOVO: Mayor Nelson?

8 MAYOR NELSON: Here.

9 MR. CASTRONOVO: Mr. Pollifrone?

10 MR. POLLIFRONE: Present.

11 CHAIRWOMAN KWAAK: Thank you. Mr.

12 Cucchiaro, can you please swear in our professionals

13

14 JENNIFER BEAHM, B-E-A-H-M, having first been duly

15 sworn, testified under her oath as follows:

16

17 JORDAN RIZZO, R-I-Z-Z-O, having first been duly

18 sworn, testified under his oath as follows:

19

20 (At which time the board continued with

21 agenda items).

22

23 CHAIRWOMAN KWAAK: Application

24 PMS1931A/PMS1931TS, Cardinale and Manalapan Crossings

25 Associates, amended preliminary and final major site

1 plan, minor technical subdivision, lot 66, lot 8.03.
2 162 Highway 33 Shoprite. This is carried from the
3 November 14th meeting, and as stated at the last
4 meeting, Mr. Alfieri is going to continue putting on
5 his presentation with his witnesses. There will be
6 no questions from the professionals or board members
7 or public at this time.

8 MR. CUCCHIARO: Madam Chair, also, just
9 by way of housekeeping, it's my understanding that
10 the mayor has listened to or watched the previous
11 video and has certified so, and is eligible to vote
12 on this application. I think all city members, Mr.
13 Castronovo as well, so all city members are eligible
14 to vote.

15 Also, just by way of housekeeping, Mr.
16 Alfieri, just enter your appearance, and I know Mr.
17 Gasiorowski isn't here tonight, Mr. Reilly is here
18 and he can enter his appearance also.

19 MR. ALFIERI: Good evening, Madam
20 Chair, members of the board, Salvatore Alfieri,
21 Cleary, Giacobbe, Alfieri, and Jacobs on behalf of
22 the applicant.

23 CHAIRWOMAN KWAAK: And I would just
24 like the record to reflect that Mr. Kastell is
25 stepping off the dais, he has to recuse himself for

1 this application.

2 MR. REILLY: My name is Bernard Reilly,
3 R-E-I-L-L-Y, I'm appearing from the firm of
4 Gasiorowski and Holobinko. Mr. Gasiorowski who was
5 here at the first hearing could not make it tonight
6 and we've discussed the matter with counsel and I'm
7 not going to cross examine or anything, that's going
8 to be held until the next meeting and our witnesses,
9 if available, we'll, at that time present our
10 witnesses if you get to the end of this case. But
11 we're not going to cross examine tonight on this.

12 CHAIRWOMAN KWAAK: Okay.

13 MR. REILLY: Thank you very much.

14 MR. ALFIERI: Thank you. So, just by
15 way of a little refresher, the site plan approval for
16 the Shoprite at the Manalapan Crossing project is
17 what we're here for tonight, we also, as you
18 mentioned, the technical subdivision. Your ordinance
19 has a provision that allows essentially, new lot
20 lines so that each building can be on a separate lot,
21 but the site will still act as one unified site with
22 cross access easements and parking easements, but it
23 allows financing, et cetera for each building, so we
24 have two sections of our application.

25 Our original application was with the

1 road infrastructure as it currently is developed
2 during the course of our negotiations with the Saker
3 organization, they requested that we amend the plan
4 so we have a right-in and right-out on Route 33 in
5 addition to the current driveway and access
6 configuration. We also, as testified previously, we
7 have received NJ DOT and Monmouth County Planning
8 Board for the application before the right-in and
9 right-out was added on to Route 33.

10 So, if the board were to approve this
11 application, we could perfect the subdivision with
12 the NJ DOT and Manalapan, and Monmouth County
13 Planning Board approvals in place, Saker, however,
14 cannot build the Shoprite unless they get the new DOT
15 permit for the right-in/right-out. If, for some
16 reason, that's denied, we would have to come back for
17 the amended site plan to deal with the driveway
18 configuration as it exists in the field today without
19 the right-in/right-out, they're confident with
20 discussions with the NJ DOT as testified at the last
21 meeting, that that permit should be issued at some
22 point.

23 We've received reports from Jennifer
24 November 13th, Jordan November 12th, police November
25 6th, fire in September, and a subsequent e-mail

1 November 14. Those are the reports we were working
2 off of last meeting, and nothing has changed since
3 the last meeting.

4 At the last hearing, our planner Ian
5 Borden presented testimony describing the overall
6 site and the history of the project and the current
7 status of construction including the special needs
8 housing which are fully built and occupied. He
9 agreed to address the fire official's letter, and he
10 agreed to address all of the technical comments
11 contained in the other board professional reports,
12 and he started to discuss variances, but tonight
13 we'll bring him back to finish the variance
14 testimony.

15 We also had James Ballar, who is the
16 Saker architect, he described the architectural
17 features, obviously and discussed the facade signage
18 because there are variances associated with some of
19 the signage. We had the traffic expert retained from
20 Collier who issued a report on October 31 and they
21 testified to discuss the new NJ DOT permitting and
22 queuing and site circulation.

23 John Rea also provided testimony, he did
24 the original traffic report without the
25 right-in/right-out and described that and those

1 approvals that I discussed earlier, and then we
2 finished.

3 Tonight, we have a representative of the
4 Saker Organization who is gonna discuss operational
5 issues, we have our engineer, Graham McFarland from
6 PDS and then Ian Borden will come up, finish the
7 planning testimony, and then we'll be finished with
8 our presentation in full.

9 So, having said all of that, I'm sorry
10 for the long intro, but I wanted to bring everyone up
11 to speed. We are gonna call Rob Cullen from the
12 Saker Organization.

13

14 ROBERT CULLEN, C-U-L-L-E-N having first been duly
15 sworn, testified under his/her oath as follows:

16 MR. CUCCHIARO: Please state and spell
17 your name for the record.

18 MR. CULLEN: It's Robert Cullen,
19 C-U-L-L-E-N.

20 MR. ALFIERI: I spelled your name wrong
21 before, sorry. And Mr. Cullen, what is your position
22 with the Saker Organization?

23 MR. CULLEN: I'm currently vice president
24 of operations for District 1.

25 MR. ALFIERI: And can you give the

1 board a little history and description of who the
2 Saker Organization is and what they do?

3 MR. CULLEN: The Saker Organization
4 encompasses 39 Shoprite supermarkets, a Dearborn
5 Market which is located in Holmdel, New Jersey, and
6 two liquor stores.

7 MR. ALFIERI: And you said District 1,
8 what does that mean?

9 MR. CULLEN: The organization, the 39
10 Shoprite stores are split into three districts, 13
11 stores a piece. So there is two more vice presidents
12 of operations for the company.

13 MR. ALFIERI: And you're familiar with
14 this proposed location and the design of the
15 supermarket that's proposed here, correct?

16 MR. CULLEN: Yes.

17 MR. ALFIERI: Can you first tell the
18 board what the hours of operation would be if this
19 were approved both for the actual store hours and the
20 off hours for the staff and stocking of shelves, et
21 cetera.

22 MR. CULLEN: So, the store operational
23 hours Monday through Saturday would be 6 a.m. to 11
24 p.m., Sunday store hours would be 6 a.m. to 10 p.m.
25 The employees hours of the store are 24 hours a day,

1 we go from morning right through the, we have morning
2 shifts, evening shifts and overnight shifts, so there
3 are employees in the building 24 hours a day.

4 MR. ALFIERI: And the number of
5 employees, can you just give the board a sense in
6 terms of peak hours, what you think the number of
7 employees are that will be onsite?

8 MR. CULLEN: So, the total number of
9 employees for the store would be 300 employees, of
10 that 250 would be part-time employees, 50 would be
11 full-time associates, and the peak would be, the peak
12 amount of employees on any given time would be on the
13 weekend shifts and that would be during the day
14 shifts which would be about 175, if you want to call
15 it shifts, or 175 employees, and that would be over
16 the course of Saturday and Sunday would be the peak.

17 MR. ALFIERI: And you have a mechanism
18 in place so that the employees would park on the
19 perimeter of the site away from the store property so
20 it doesn't interfere with customers, is that correct?

21 MR. CULLEN: Correct.

22 MR. ALFIERI: Can you describe for the
23 board deliveries, what types of deliveries take place
24 and how frequently, and what type of vehicles?

25 MR. CULLEN: So, deliveries we get, this

1 store would get approximately 38 tractor trailers a
2 week and that would be all seven days and those
3 tractor trailers, if you figure that's five to six a
4 day out of that two to four would come overnight and
5 the other ones would come usually between 7 a.m. to
6 2/3:00.

7 Besides that, we have DSD deliveries,
8 right, which is direct store delivery which is Coke,
9 Pepsi, Nabisco, all these different companies.
10 During the course of the week, that would be about
11 160 deliveries. During the course of the week,
12 typically not Sunday, that would be Monday through
13 Saturday, Sunday is very limited with DSD deliveries.
14 So you're looking at approximately 27 DSD deliveries
15 a week which are usually not tractor trailer
16 deliveries, they're anywhere from van size to a box
17 truck. Those deliveries are typically, you might
18 have a couple in there, we have receiving hours, an
19 actual receiver on staff from 5 a.m. to 9:30 at night
20 Monday through Saturday, on Sunday, we're 6 a.m. to
21 10 p.m. but overnight we have store manager who also
22 receives deliveries.

23 MR. ALFIERI: And all the deliveries
24 are made at the loading docks that are provided at
25 the rear or side of the building, is that correct?

1 MR. CULLEN: So, the tractor trailers come
2 into the back of the building, and the DSD deliveries
3 are one spot in the rear of the building.

4 MR. ALFIERI: Now how do you, is there
5 a record or a methodology to coordinate so you don't
6 have six tractor trailers showing up at the same time
7 and idling or parking in the parking lot or the drive
8 aisles?

9 MR. CULLEN: Yes, so during the course of
10 the night, those two to four deliveries would be
11 spread out, they're typically not on top of each
12 other and if they come during the day, we're open
13 from 5 a.m. to 9:30 at night, so they're typically
14 spread out. The trucks would not be idling, we shut
15 trucks down when they come onto the premises until
16 they're, whether they back in, we shut them down, or
17 if they're waiting, we try to shut them down.

18 MR. ALFIERI: And can you describe for
19 the board how refuse, both solid waste, recyclable,
20 et cetera, is handled?

21 MR. CULLEN: So, the store has a large
22 compactor that is connected to the store and the
23 products are disposed inside the store. That
24 compactor is typically picked up once every two
25 weeks. There is a recycle container on the property,

1 that is a smaller container, like a 6 to 8 yard
2 container, that's typically picked up once, sometimes
3 twice a week. And we have for natural, for a lot of
4 the food we have what is called a digester that
5 digests the food in the back of the store.

6 MR. ALFIERI: And then there is
7 dumpsters outside that would be used as well,
8 correct?

9 MR. CULLEN: No.

10 MR. ALFIERI: No dumpsters?

11 MR. CULLEN: No dumpsters.

12 MR. ALFIERI: And then you talked about
13 a compacter, what is the compacter used for?

14 MR. CULLEN: The compacter is anything
15 that is not recyclable, or any food that we can't
16 digest or can't liquify. So, anything, berries,
17 produce, meat, we typically put it in a digester and
18 anything else would go, that is nonrecyclable would
19 go into a compacter.

20 MR. ALFIERI: There is also sidewalk or
21 area outside of the store where you would have
22 outdoor displays of product. Can you describe for
23 the board how that would function, what types of
24 product would be stored outside?

25 MR. CULLEN: So, out front on the

1 sidewalk, we typically do it almost every week of the
2 year, it's up against the building, usually, and it's
3 generated basically if you look at the seasonal
4 aspects, we do, in the summertime we do plants,
5 flowers, all those types of things, summer chairs,
6 summer merchandise, so it follows the seasons, pretty
7 much. In the winter we do windshield wash, firewood,
8 we do some nonfood displays for the summertime up
9 against the building, Christmastime we sell wreaths
10 out front, we sell grave blankets, so if you go
11 through the holidays, it's basically, we stay with
12 that through the course of the year, but it is 52
13 weeks a year.

14 MR. ALFIERI: And that material is
15 purchased by a consumer and brought into the store or
16 paid for in the store or are their outside cashiers
17 as well?

18 MR. CULLEN: So, we put a register outside
19 on the sidewalk. We try to do that usually it's
20 about 9 in the morning until nighttime, 6 p.m., and
21 then the merchandise can be brought inside the
22 building.

23 MR. ALFIERI: And is anything stored
24 overnight, outside?

25 MR. CULLEN: Yes, the products will remain

1 out there, we typically block off with carriages, or,
2 but typically we block with carriages.

3 MR. ALFIERI: Are there other types of
4 businesses or subusers that are located within the
5 store, and if there are, can you describe what types
6 of users and how they would function in conjunction
7 with the Shoprite operation?

8 MR. CULLEN: We don't have subusers
9 inside.

10 MR. ALFIERI: Well, what do you call,
11 for example, if you were to put a sushi person,
12 company in there, or a bank or something, would that
13 be possible with this store?

14 MR. CULLEN: I'm not aware of a bank,
15 sushi we would put in there which is an outside
16 person. As far as whether they're a subuser, I don't
17 believe they're a subuser.

18 MR. ALFIERI: So, any of those people,
19 any of those, I don't know what you would you call it
20 then, what would you call that sushi person?

21 MR. CULLEN: A vendor. We have the vendor
22 that goes to the store.

23 MR. ALFIERI: So, the vendors, are
24 there types of vendors other than the sushi company
25 that would operate within the Saker, within the

1 Shoprite store?

2 MR. CULLEN: We have sushi and Chinese
3 which is one vendor, and that's the only one I'm
4 aware of for this facility.

5 MR. ALFIERI: And they operate at the
6 same hours as the Shoprite itself, correct?

7 MR. CULLEN: Actually they --

8 MR. ALFIERI: Not more than.

9 MR. CULLEN: Not more than.

10 MR. ALFIERI: So, within that
11 timeframe?

12 MR. CULLEN: Correct.

13 MR. ALFIERI: And you're not aware of
14 any other vendors?

15 MR. CULLEN: No.

16 MR. ALFIERI: Are there emergency
17 generators for power proposed?

18 MR. CULLEN: Yes, so we have an outside
19 full store generator on the property.

20 MR. ALFIERI: And will there be sound
21 attenuation for the generator?

22 MR. CULLEN: I believe the generator will
23 have a wall surrounding it, that would cover that
24 generator, the generator as far as I know is on the
25 right hand side of the, if you're looking at the

1 building it's over on the right hand side and there's
2 walls around the generator.

3 MR. ALFIERI: The architect testified
4 to the signage at the last hearing, I'm not sure if
5 you have anything to add about the, we need a
6 variance for the number of signs, and I guess the
7 question is, is the sign package that is proposed
8 consistent with the other Shoprites that you have?

9 MR. CULLEN: Yes.

10 MR. ALFIERI: There is also a police
11 memo dated November 6th which I'm gonna show you just
12 in case you need to see it, but they ask a question
13 about well, can you explain to the board what the
14 police department has asked for and how you would
15 accommodate that?

16 MR. CULLEN: They're looking for assurance
17 that radio transmission for police, fire, EMS are
18 clear throughout the interior of the Shoprite
19 building. And with every store that we build prior
20 to opening, weeks out we invite all to the building
21 to totally use the equipment and make sure everything
22 is functioning. If it's not functioning, we rectify
23 it.

24 MR. ALFIERI: And during the course of
25 your operation, not just when you first open, but all

1 consistently all along the period of time during the
2 course of the year, you still communicate when
3 necessary?

4 MR. CULLEN: Yes.

5 MR. ALFIERI: I think those are all the
6 questions we had for operations, Madam Chair.

7 CHAIRWOMAN KWAAK: Okay, thank you.

8 MR. ALFIERI: That's it.

9 MR. CULLEN: Thank you.

10

11 GRAHAM MCFARLANE, M-C-F-A-R-L-A-N-E, having first
12 been duly sworn, testified under his oath as follows:

13 MR. CUCCHIARO: Please state and spell
14 your name for the record.

15 MR. MACFARLANE: Sure, it's Graham
16 Macfarlane, M-A-C-F-A-R-L-A-N-E. Professional
17 engineer, professional planner, certified municipal
18 engineer, tonight I'm just offering engineering
19 testimony. I've held my license since 1992, I've
20 appeared before approximately 80 different planning
21 and zoning boards throughout the state offering
22 testimony as a professional engineer. I formerly
23 served as both the planning board and zoning board
24 engineer in Lakewood Township. Currently a principal
25 of PDS. I've also been accepted as an expert in

1 civil engineering by the Superior Court of New
2 Jersey.

3 CHAIRWOMAN KWAAK: Your credentials are
4 sufficient, thank you.

5 MR. ALFIERI: And Mr. Macfarlane, your
6 office prepared the site plan and subdivision plan
7 that were submitted in support of this application,
8 is that correct?

9 MR. MACFARLANE: Yes, we did.

10 MR. ALFIERI: And you've been involved
11 since the beginning of this project, not just the
12 Shoprite phase?

13 MR. MACFARLANE: Correct.

14 MR. ALFIERI: Overall, can you just
15 describe, we'll focused now on the Shoprite phase.
16 Can you describe the storm water management and how
17 that will function and will it change drastically
18 from what was previously approved?

19 MR. MACFARLANE: Yes, this amended
20 application does not have any negative impact to the
21 overall storm water management plan. This amended
22 application actually results in a net decrease in
23 impervious coverage, so a slight reduction in the
24 storm water volume would be realized if this project
25 is approved.

1 So, overall, it does not have any impact
2 to the design of the detention basins or again, the
3 overall storm water management system. With the
4 changes in the site design to accommodate this new
5 building, of course there just have been some updates
6 to the local collection system to the pipe network,
7 to the inlets, and the geometry of the collection
8 system.

9 MR. ALFIERI: And you're familiar with
10 the landscape plan also that was proposed as part of
11 this most recent set of plans, correct?

12 MR. MACFARLANE: Yes.

13 MR. ALFIERI: And the applicant
14 attempted to provide as much buffering as they could
15 between the Shoprite building and the residential
16 community across Crossing Lane?

17 MR. MACFARLANE: Yes, I think Mr. Borden
18 touched on that last time in his presentation of the
19 overall plan, but this amended application certainly
20 includes a significant amount of landscaping
21 throughout the entire portion of the project and
22 particularly that buffering and screening to reduce
23 and minimize any impact to the residential
24 properties.

25 MR. ALFIERI: And Mr. Borden did

1 stipulate to this at the last meeting, but to the
2 extent that there are engineering comments that are
3 contained within the board professional reports, are
4 you comfortable to stipulate that you can address all
5 of those comments as a condition of approval?

6 MR. MACFARLANE: Yes, we don't take
7 exception to any of the comments provided in the CME
8 review letter.

9 MR. ALFIERI: And then finally, in
10 terms of site circulation, we had our traffic
11 engineer testify to that previously that the site and
12 the site circulation, not only for the Shoprite but
13 for the entirety of the site would operate safely and
14 is it your opinion that as well?

15 MR. MACFARLANE: Yes, I do, I agree with
16 the conclusions drawn by Mr. Rea and the site has
17 been designed to provide for adequate circulation for
18 both normal visitors using the commercial property as
19 well as providing for adequate circulation for trucks
20 for the loading and the deliveries.

21 MR. ALFIERI: That's all we have of the
22 engineer, Madam Chair.

23 CHAIRWOMAN KWAAK: Thank you.

24 MR. ALFIERI: And last would be Mr.
25 Borden.

1 IAN BORDEN, B-O-R-D-E-N, having been previously
2 sworn, testified under his oath as follows:

3 MR. CUCCHIARO: Mr. Borden, as a way of
4 intro, can you please state and spell your name for
5 the record, again?

6 MR. BORDEN: Certainly, thank you, Ian
7 Borden, B-O-R-D-E-N, president of Professional Design
8 Services.

9 MR. ALFIERI: And Mr. Borden, we
10 previously qualified you as a planner, correct?

11 MR. BORDEN: Yes.

12 MR. ALFIERI: So, at the last hearing
13 you described essentially four types of variances
14 that the applicant was seeking that were new, the
15 ground signage, the freestanding sign has two sides
16 instead of three now, the display of goods which is
17 controlled by the ordinance, and then the section 35
18 of the Municipal Land Use Law planning variance
19 because this doesn't technically front on a public
20 street.

21 MR. BORDEN: Correct.

22 MR. ALFIERI: And we're gonna ask you
23 to go into a little more detail, put the proofs of
24 the record. There were also several variances that
25 were approved as part of the original site plan that

1 still remain, correct?

2 MR. BORDEN: That's correct.

3 MR. ALFIERI: And I'm going to ask you
4 to cover those as well.

5 MR. BORDEN: Okay.

6 MR. ALFIERI: So, go ahead.

7 MR. BORDEN: Okay, so, the previously
8 granted variances, we had six. The first one is, the
9 section is very long so I'm not going to read it.
10 The minimum required track boundary is 50 feet
11 whereas 10 feet was proposed at the southeast corner
12 of lot 8.01, that would be, this is exhibit A-2 is
13 the overall site and that would be the bottom left
14 corner by the solar field. The tract boundary is
15 required to be 50 feet and 10 feet was provided.

16 MR. ALFIERI: And that is not impacted
17 in any way?

18 MR. BORDEN: No, that was an internal area
19 between, lot number 1 was subdivided out as a
20 separate lot before this project began, so it's to
21 that internal lot. The tract boundary to Four
22 Seasons, for example and areas to the north has
23 always been 50 feet and that certainly has not
24 changed with this application.

25 Secondly, we have the minimum buffer

1 between the commercial and the single family homes of
2 30 feet. In that case, we provide a 50 foot buffer,
3 but it is proposed on the residential tract. Please
4 recall that Crossing Lane is a private roadway, so,
5 and because this was a new design and we weren't, as
6 normally might be the case about building commercial
7 next to existing residential, or vice versa, because
8 this was a holistically designed project, the buffer
9 was placed on the north side of Crossing Lane closer
10 to, and to the rear of the residential homes. And
11 again, that remains unchanged by this application.

12 Number 3, we have the minimum commercial
13 parking setback from the residential tract boundary
14 where 60 feet is required and that is 25 feet, that
15 is for building G. Looking at exhibit A-2, building
16 G is the, is the, it was a medical office building
17 located on Millhurst Road on the right side of that
18 figure and that parking, again, this is an internal
19 from building G to the residential homes and that
20 remains unchanged. We are not proposing any
21 modifications to building G, that remains as
22 originally approved.

23 Similarly, on a different side of
24 building G, the parking setback is 50 feet where, and
25 this is from the Millhurst Road, the parking setback

1 is 50 feet where 46 was provided, that's along
2 Millhurst Road, and that remains unchanged, again,
3 building G has not changed at all.

4 As far as the signage, there were a
5 variance granted to the convenience store building
6 where that building was permitted to have three wall
7 signs, one per each side, not to exceed 100 square
8 feet. There is, and that's what the ordinance
9 required, where two wall signs were proposed on two
10 frontages, for a total of four. So, where three were
11 permitted, four were proposed, rather than three
12 sides, it was on two sides. Again, that was
13 previously approved, that is a convenience store
14 which has been constructed and completed and we're
15 not proposing any change to that with this
16 application.

17 And lastly, there was a variance for an
18 additional monument sign containing 32 square feet
19 for the convenience store at Crossing Lane, that was
20 granted as part of the amended commercial, amended
21 site plan approval for the convenience store where
22 Quick Check received a variance to build an
23 additional monument sign on Crossing Lane.

24 MR. ALFIERI: So, the proofs that were
25 presented in support of those variances that were

1 granted will not change and I don't think we need to
2 spend time to go through them again since none of
3 them are being impacted by this application, correct?

4 MR. BORDEN: I agree.

5 MR. ALFIERI: So, let's go in now to
6 the new variances, and I know you touched on them all
7 at the last meeting, but let's discuss each one and
8 then place the necessary proofs on the record.

9 MR. BORDEN: Certainly. I think I would
10 like to go over, I guess each variance and then do
11 the proofs that way I think it's more sensible that
12 way. So, the first proposed variance is a sign
13 variance where the ordinance allows six development
14 signs are permitted in the commercial zone. We did
15 receive the variance for the seventh sign which is
16 that Quick Check sign I just referenced a few moments
17 ago and we are proposing a variance for signs number
18 eight and nine, these would be monument signs for the
19 Shoprite, one would be located on Crossing Lane, and
20 one would be located on Route 33 at the new proposed
21 right-in driveway.

22 Each of those signs would contain 115
23 square feet. I had gone over the sizes at the last
24 hearing, but each of them would be 115 square feet,
25 but the ordinance is very specific to the number of

1 signs, so primarily we need the variance for simply
2 having the signs.

3 MR. ALFIERI: And while you're on the
4 topic of signs, you did testify at the last meeting
5 that sign number 8 as located on the plans, would
6 need a variance for a setback and we agreed to make
7 that conform to the location.

8 MR. BORDEN: That's correct. We are gonna
9 meet the 20 foot setback for that sign, that's
10 correct.

11 The second variance is also a sign
12 detail, this is related to the large pile-on sign
13 that was included in the original approval, and that
14 sign is located looking at A-4 on the bottom right of
15 the figure, at the adjacent to the jughandle for 33
16 and Millhurst, so it's between Shoprite and the
17 jughandle is the large pile-on sign. That sign is
18 approved to having a maximum area of 210 square feet,
19 containing 150 square feet of digital area and 60
20 square feet of static area, with a sign to be located
21 to be facing each roadway, both Route 33 and
22 Millhurst Road. We are not proposing to change that,
23 that remains unchanged. However, this sign is
24 required to have a third screen facing the
25 development, it was a triangular shaped sign and the

1 third side was facing the Crossing Lane circle. We
2 are proposing to eliminate that third sign, so it
3 would go from a three-sided sign to a two-sided sign.
4 We are maintaining again, the size that we have been
5 approved for, as well as the fact that it would be
6 visible for both Route 33 and Millhurst Road.

7 MR. ALFIERI: The display of outdoor
8 goods --

9 MR. BORDEN: Well, I think, no, next we
10 have informational signs, we're permitted to have one
11 side informational signs, having the maximum area of
12 two square feet and a height of seven feet. The
13 enter and exit signs that Shoprite utilizes for the
14 words enter and exit for their internal traffic signs
15 are larger than what the ordinance permits, they have
16 a maximum area of eight square feet, where two feet
17 is permitted, and a maximum height of 5.2 feet, so
18 they have less height than the ordinance allows so
19 they conform in height, but they do not comply in
20 area because they're larger. And part of that is
21 because they have the Shoprite logo as part of the
22 sign.

23 And lastly, we have the temporary outdoor
24 sales and display of goods under 957.15C, and it was
25 testified at last hearing and I explained that and

1 you heard operational testimony tonight, it's
2 proposed to provide permanent, the ordinance allows
3 temporary display and sales and we are proposing a
4 permanent display and sales as you heard from the
5 operation testimony.

6 MR. ALFIERI: And then the only -- go
7 ahead, I'm sorry.

8 MR. BORDEN: I was just gonna say that all
9 of those sales and display are contained under the
10 canopy of the building, they're outdoor, but they're
11 under the canopy.

12 MR. ALFIERI: The other planning
13 variance that we talked about under section 35 of the
14 Municipal Land Use Law, and I know John Rea testified
15 to it also, it's, we do not front on a public street
16 because there is a strip of land between the property
17 itself and the road, isn't that correct, which is I
18 guess the buffer area.

19 MR. BORDEN: Well, I think this relates to
20 the fact that Crossing Lane is a private street.

21 MR. ALFIERI: Correct. But we will
22 have a driveway on 33.

23 MR. BORDEN: Yes.

24 MR. ALFIERI: But, go ahead.

25 MR. BORDEN: Yes, the question was brought

1 up about the Municipal Land Use Law section 40:55D35
2 where building lot is to abut a street and the
3 Municipal Land Use Law states that no permit shall be
4 given to any building unless the lot abuts a street
5 given access to each proposed building, a structure,
6 and such street shall have been duly placed on the
7 official map. And furthermore, that it shall be
8 either one, in existing state, county, or municipal
9 street or highway, or two, a street shown upon a plan
10 approved by a planning board, or three, a street on
11 the plat duly filed in the office of the county. In
12 our case, Shoprite does have access, frontage and
13 access to Route 33. In addition, it has frontage and
14 access to Crossing Lane. Just to be careful, we're
15 addressing this section, should a variance be
16 required Crossing Lane is a street that was filed in
17 the plat, there was a major subdivision plat filed to
18 create the residential lots for the residential part
19 of the job as well as lot 8.03 which forms this
20 commercial lot upon which we have this site plan
21 including this Shoprite.

22 That is a private road, but it is a
23 street filed in a plat, but to the extent that
24 Crossing Lane is a private street, should the board
25 determine that we don't comply with 55D35, relief is

1 requested. And again, there has been no change in
2 the project, this is consistent with the plans of
3 this project since it's inception, it's initial
4 preliminary approval, and applies to all the
5 commercial uses including the Quick Check and
6 building A which have been completed.

7 MR. ALFIERI: And you did testify last
8 meeting, but we didn't finish the planning testimony
9 that the variances were qualified under C(2) of the
10 Municipal Land Use Law section 70 C(2).

11 MR. BORDEN: That's correct, in my opinion
12 it would.

13 MR. ALFIERI: Can you, again now in
14 more detail place on the record the proofs that would
15 qualify under that section.

16 MR. BORDEN: Absolutely, thank you. C(2)
17 as the board knows, is the benefits verses detriments
18 variance, we're not claiming a hardship under C(1),
19 none of these are hardship, but we believe, in my
20 opinion, they do qualify for the benefits verses
21 detriments, and to meet the proof of that, we are
22 obligated to prove that the proposed variance
23 advances the purposes of the Municipal Land Use Law
24 purposes of zoning. In my opinion, these variances
25 again we're dealing with some very minor sign

1 variances that's, and we'll get back to that in the
2 negative, but in my opinion, they meet the purposes
3 of zoning under the, to encourage the municipal
4 action to guide the appropriate use of development of
5 all lands in a manner which will promote the public
6 health, safety, morals and welfare. In my opinion,
7 particularly the sign variances are necessary or
8 helpful for public welfare given that they allow
9 better visibility and directions for the motoring
10 public to enter and exit the site in a safe manner.

11 And secondly, to provide adequate light,
12 air, and open space. None of the variances adversely
13 effect air and open space, we're dealing with minimal
14 differences in two additional ground signs as well as
15 the enter and exit signs that are slightly larger
16 than permitted by the ordinance. The outdoor sales
17 and display is under the canopy, so it has no effect
18 on air or open space or any planning purpose in my
19 opinion. And the main pile-on sign was simply
20 eliminating the third sign, so there's no, the change
21 there is de minimus in my opinion.

22 If the board were to deny that variance,
23 we would simply put the third side back on and the
24 third side would face the side of the building, and
25 nobody would see it, but. And then lastly, the

1 remaining proof for the C(2) variances is to show
2 that the benefits of granting the variance will
3 satisfy the negative criteria and of course the board
4 knows the negative criteria or the variance being
5 granted without substantial detriment to the public
6 good as well as substantially, not substantially
7 impairing the intent and purpose of the zone plan and
8 ordinance, and my testimony is that these variances
9 have no effect on the zone plan or ordinance. None
10 of those are dimensional in any way reflect in any
11 way, or ask in any deviance from the zone plan or
12 master plan. And as I stated in the public purpose,
13 we're improving public safety by the sign variances
14 in particular.

15 MR. ALFIERI: And that concludes our
16 planning testimony, Madam Chair.

17 CHAIRWOMAN KWAAK: Okay.

18 MR. ALFIERI: And that's it, it's
19 anticlimactic, right, we're all dressed up and.

20 MR. BORDEN: It took more time to set the
21 exhibit up.

22 CHAIRWOMAN KWAAK: Okay, so all your
23 witnesses are done?

24 MR. ALFIERI: Our case is now complete,
25 yes, so we're gonna request, unless the board has

1 anything else, Jen is moving her microphone, so.

2 MS. BEAHM: Well, you didn't testify at
3 all about the number of wall signs which is
4 absolutely a variance in my letter and in Jordan's
5 letter. You're able to have one wall sign, period
6 and there's 13 proposed so I would like to understand
7 what goals of zoning is being advanced and how you
8 would justify that relief.

9 MR. BORDEN: I'm not prepared to testify,
10 thought the architect testified to that.

11 MR. ALFIERI: He did.

12 MS. BEAHM: But you're the planner and
13 you need to provide the planning testimony.

14 MR. BORDEN: Okay, we'll have to come back
15 and do that.

16 MR. ALFIERI: All right, so we'll
17 bring, well, everybody is coming back at the next
18 meeting anyway, but we'll have Mr. Borden cover that.

19 MS. BEAHM: Okay. I would also, in that
20 time take a look at those signs and determine the
21 needs or opinion because if you only have sushi and a
22 Chinese food person in there, I'm not understanding
23 the need for 13 wall signs.

24 MR. ALFIERI: Okay, we will. So, Madam
25 Chair, with that, we would like to, I think we have a

1 date pretty well established for the next hearing
2 that we would like to announce that so we don't have
3 to renotice and then we would bring all our witnesses
4 back, finish with Mr. Borden, try to address
5 Jennifer's sign comments and then turn it over to the
6 objector's attorney.

7 MR. CUCCHIARO: Mr. Alfieri, also, I just
8 wanted to understand is the applicant requesting a
9 planning variance under section 35?

10 MR. ALFIERI: 35, yes. And I think the
11 reason is is that there is a strip of land between
12 the main property which is a buffer strip on Route 33
13 so technically that is common area if you will, so
14 it's not a direct access because we have to cross
15 over that buffer. So, it's very technical so we
16 just, to be very safe, we wanted to make sure.

17 MS. BEAHM: Can I just ask a question
18 about that? Ian, didn't you testify that it's
19 frontage on a road approved by the board.

20 MR. BORDEN: I did, but I think now Sal's
21 making --

22 MR. ALFIERI: It's not a public road.

23 MR. BORDEN: Well, no, no, currently lot
24 8.03 has frontage on Route 33. But what I'm hearing
25 from Mr. Cucchiaro and Mr. Alfieri is that a nuance,

1 which I had forgotten, which is we have a technical
2 subdivision that we're proposing and in the technical
3 subdivision, there is a, the scenic corridor
4 requirements of the ordinance requires that 50 foot
5 setback.

6 MS. BEAHM: It's an intervening lot. I
7 was talking about Crossings Way.

8 MR. BORDEN: Crossing Lane, we have
9 frontage on Crossing Lane.

10 MS. BEAHM: And that is approved by the
11 board, right?

12 MR. ALFIERI: That's correct. But that
13 is not a public street so we just want it to be.

14 MS. BEAHM: Understand.

15 MR. BORDEN: And the subdivision to
16 accommodate the 50 foot scenic setback puts that in a
17 common area lot not to be owned by Shoprite.

18 MS. BEAHM: Understood.

19 MR. BORDEN: So, it's a technicality that
20 the, technically then the new Shoprite lot, quote
21 unquote would not have frontage on Route 33.

22 MS. BEAHM: Understand.

23 MR. BORDEN: Practically, it would to the
24 naked eye, but you're walking from the highway on to
25 a common area lot, and then on to the Shoprite lot.

1 MR. ALFIERI: And Mr. Rea testified
2 that the access point and the roadway infrastructure
3 can handle all emergency vehicles, et cetera, which
4 are required under the statute. Does that answer
5 your question?

6 MR. CUCCHIARO: Yes.

7 CHAIRWOMAN KWAAK: Okay, professionals,
8 since we have time, do you want to ask questions
9 since we know we are coming back?

10 MR. CUCCHIARO: I think we can raise
11 submissions that they may want to be prepared for.
12 With regard to different verbiage being used, whether
13 there are subtenants, whatever you would like to call
14 them, they're entities which are not Shoprite which
15 will be operating onsite. The testimony seemed not
16 quite definitive on the nature of that. We had
17 definitely one identified possibly two, but I just
18 want some finality at least in terms of this moment
19 in time what is being proposed by way of those
20 tenants or vendors.

21 MR. ALFIERI: Okay.

22 CHAIRWOMAN KWAAK: That's it, Ron, for
23 you? Go ahead, Jen.

24 MS. BEAHM: Jordan has more comments.

25 MR. RIZZO: Thanks, Jen. So I have some

1 questions, I mean, they're kind of bouncing around
2 from different experts here, so I just feel that it's
3 in the best of your ability, but probably moreso for
4 operations. I see there's bollards in the front,
5 that's a quality of Shoprite feature, they're spaced
6 approximately 15 feet apart, I'm not sure if they're
7 strictly an aesthetic or if we're intending to stop
8 any vehicles because I think you would have to get
9 lucky to hit it with the gap between the bollards.
10 So if you increase the quantity, or do something to
11 make them more practical. Bike racks or outdoor
12 dining, are you going to have either of those?

13 CHAIRWOMAN KWAAK: Is that a no?

14 MR. ALFIERI: Are we proposing bike
15 racks or outdoor dining?

16 MR. BORDEN: Not to my knowledge, no.
17 Certainly not outdoor dining.

18 MR. RIZZO: I think bike racks would be
19 a--

20 MR. BORDEN: I think that would be a good
21 idea, I like that idea, so I'm going to ask if we can
22 do them. But there is no outdoor dining for certain.

23 MR. RIZZO: Employee parking, the
24 testimony was that there will be designated parking,
25 do you know where that location is, is it gonna be

1 signed, or is it gonna be just conveyed to employees
2 to park in the rear?

3 MR. BORDEN: Just conveyed to the
4 employees. It's intended to be the area in the back
5 against Route 33 and the jughandle. Obviously the
6 parks farthest distant from the front doors.

7 MR. RIZZO: And then delivery trucks, how
8 long do you think they typically come and load for?

9 MR. ALFIERI: How long the unloading
10 process is? We can call up Mr. Cullen back up, do
11 you want an answer right now?

12 MR. BORDEN: Why not?

13 MR. ALFIERI: You heard the question
14 about how long it takes for the tractor trailer in
15 particular, right, Jordan?

16 MR. RIZZO: Correct.

17 MR. CULLEN: So, some of the tractor
18 trailers are what we call drop trailers, so the
19 driver would come, back into a bay, crank it down,
20 unhook, and take off which would take typically 15/20
21 minutes. If we have a tractor trailer that's an
22 unload, depending on the size of the load, sometimes
23 it's a half a trailer. If a trailer is full of
24 pallets, it's a drop trailer, it's 15 minutes, 20
25 minutes in and out. If it's an unload, depending on

1 the size of the load, sometimes it's a half a
2 trailer. If a trailer is full of pallets, it's a
3 drop trailer, it's 15/20 minutes in and out. If it's
4 an unload, depending on the pallets, you can give it
5 a half hour or 35 minutes a truck.

6 MR. CUCCHIARO: Well, just, I wasn't
7 always a planning board attorney, I have operated my
8 fair share of pallet jacks and have unloaded trucks.
9 So, besides unloading, is there a loading function
10 also where you're sending the damaged materials back
11 to Wakefern or anything like that so it's not just a
12 half hour of unloading but perhaps loading other
13 materials on to the trucks before leaving?

14 MR. CULLEN: Tractor trailer-wise we don't
15 send anything back. What goes back to Wakefern is
16 empty pallets which are already on the truck, but we
17 don't send merchandise back to Wakefern.

18 MR. CUCCHIARO: You send it back
19 anywhere? What happens if there is a piece of
20 merchandise that's broken, you can't sell it?

21 MR. CULLEN: We have what they call
22 reclamation, we send it through another service that
23 goes back.

24 MR. CUCCHIARO: Okay.

25 MR. RIZZO: So then your DSD loading,

1 I'll take that's right next to tractor trailers. Do
2 the drivers of those vehicles come in to the store
3 and unload any of the products or is that taken right
4 by the Shoprite employees?

5 MR. CULLEN: So, all of the, 98 percent of
6 it is brought into the stores by the vendors.

7 MR. RIZZO: Okay, I'm guessing there is
8 access there in the back of the building, they don't
9 go walk around the side or anything?

10 MR. CULLEN: Correct.

11 MR. RIZZO: Next question is about the
12 signage that is between the jughandle and the
13 building, the large freestanding sign. Now, I know
14 you dropped the sign to comply with the 30 foot
15 height requirement and obviously reduced from
16 two-sided to three-sided, but you also have a lot of
17 landscaping in this area, so I just want to make sure
18 that you're looking at the landscaping, that you
19 ensure that the signs themselves are actually visible
20 and not completely blocked the way it's currently
21 shown.

22 MR. BORDEN: Yes, the bottom of the sign
23 is fairly high above the ground, so well above any
24 landscaping that we're proposing, that we would
25 propose.

1 MR. RIZZO: Okay, I just ask that you
2 take a look at that. To me it looked by design, low
3 enough for the trees, but you have tall trees.

4 MR. BORDEN: We're not planting any. We
5 do, actually, looking at the landscape plan I have
6 figure A-5 up on the screen, here, and I do see a
7 couple of trees near that, so I will take a look at
8 that.

9 MR. RIZZO: Make sure you have good site
10 lines so you don't have to change the location later
11 on.

12 MR. BORDEN: We'll take a look at that,
13 yes.

14 MR. RIZZO: I want to talk about the
15 driveways next, I guess starting with the entrance
16 driveway.

17 MR. ALFIERI: Which entrance driveway?
18 To the, off Crossing Lane?

19 MR. RIZZO: Call it the new one way in
20 entrance. The one that you're proposing. So, I
21 would strongly recommend and reconfigure this
22 driveway, it looks like you're gonna have a lot of
23 conflicting movements here.

24 MR. ALFIERI: Yes, and we had that
25 comment last meeting or maybe during our TRC and we

1 have a solution to that. Would you like us to submit
2 something before the next meeting so you could see
3 what it is?

4 MR. RIZZO: Please, it would.

5 MR. ALFIERI: Is that all right, Ian?

6 MR. BORDEN: Yes, we had discussed that
7 and we have an alternate design so we'll provide that
8 before the next meeting.

9 MR. RIZZO: Okay, once you have that
10 figured out, make sure there is plenty of signage,
11 striping, things that make it very obvious of where
12 to go so you don't have vehicles going the wrong way.

13 MR. BORDEN: Yes.

14 MR. RIZZO: And then the exit, the one
15 way out, or right turn only exit out onto 33, it
16 looks like you could have probably two or three cars
17 queued there max, which is up against the light on
18 33. I just have concerns, once those cars fill that
19 small little area, what's gonna happen onsite? There
20 is an intersection there, two ways have a stop bar,
21 one doesn't, it looks like it's gonna be potential
22 for --

23 MR. ALFIERI: The engineer from
24 Colliers, the traffic engineer did touch on that at
25 the last meeting, he's not here tonight, but when he

1 comes back for cross, we'll make sure he comes up and
2 deals with that again.

3 MR. RIZZO: And then Route 33, there is a
4 right turn pavement marking right before that exit to
5 the highway, so I think that will be misleading to
6 motorists on the road.

7 MR. BORDEN: Okay.

8 MR. RIZZO: I think the last thing I just
9 want to ask about is the circle in Crossing Lane.
10 Now, you're building is right up against that, I just
11 want to make sure you took the aesthetics of the
12 building, the landscaping, all of that into
13 consideration because there's a lot of people that
14 use that circle daily and that building is right on
15 top of it.

16 MR. BORDEN: That was one of the items
17 I'm looking at A-5 and I blew it up on the screen,
18 that we had the landscaping along the north side of
19 the building as well as the interior of the circle.
20 The interior of the circle, if you recall, under the
21 current approval of the board is all hardscaped, and
22 we took out a lot of the hardscaping and added what
23 you see in the exhibit as landscaping.

24 MR. ALFIERI: But we'll provide a
25 little more --

1 MR. BORDEN: Maybe a view.

2 MR. RIZZO: And then in the circle
3 everything will be low enough to maintain site lines?

4 MR. BORDEN: Yes. We kind of tapered it
5 back. You have the outside edges of the circle are a
6 concrete strip and then we have tapered it so we'll
7 provide.

8 MR. RIZZO: Thank you.

9 CHAIRWOMAN KWAAK: Okay, Ron, did you
10 have anything else you want to add?

11 MR. CUCCHIARO: Madam Chair, just a few
12 more questions.

13 CHAIRWOMAN KWAAK: Go ahead.

14 MR. CUCCHIARO: And if this was already
15 addressed, I apologize. Just with regard to the
16 number of parking spaces you, and I just want to
17 confirm the applicant did not count any area that
18 would be occupied by a cart corral as an available
19 open parking space.

20 MR. BORDEN: Correct, cart corrals are not
21 parking spaces.

22 MR. RIZZO: I agree with that as well.

23 MR. CUCCHIARO: Okay, and secondly, with
24 regard to the testimony concerning the outdoor
25 displays beyond just being a display, are there gonna

1 be cash registers out there and actual transactions
2 that are happening?

3 MR. ALFIERI: He said there was.

4 MS. BEAHM: Yeah, during the day, he
5 said, during the day hours?

6 MR. ALFIERI: Yes.

7 MR. BORDEN: Yes.

8 MR. CUCCHIARO: And just, I imagine it's
9 gonna come up so if you could just be prepared to
10 answer it. What is the amount of space that you
11 imagine is gonna be available for someone to walk
12 into the store, do you walk into the store with a
13 cart and leave the cart, considering there is gonna
14 be outdoor storage materials, cash register, people
15 who are waiting to make purchases, perhaps storage
16 for carts in that area as well?

17 MR. ALFIERI: Okay.

18 MS. BEAHM: I just have, I mean,
19 obviously I need more testimony on the signage which
20 I talked about earlier. The only question I have and
21 I apologize, you're probably gonna have to come back
22 up here for operations. I do have just a question
23 about the trailers themselves. So I understand, I've
24 seen the trucks and I will admit I haven't seen this
25 so I just want to put this on the record just to get

1 it on the record. When you say the trucks come right
2 and you're saying it's an offload and the trailer is
3 left, and it takes however long to offload it, right?
4 Then what happens? Does the new truck come in and
5 take it, is the trailer stored onsite somewhere, like
6 what happens to it and how long does that process
7 take?

8 MR. CULLEN: So, in those truck bays, we
9 put drop trailers right and then during the course of
10 the evening before the overnight crew comes in,
11 sometimes even the day crew, they're unloaded into
12 the warehouse. That truck would sit empty there, so
13 when the new truck comes a Wakefern truck comes, he
14 parks in an empty bay, unhooks, and pulls out and
15 grabs the empty truck and goes on his way.

16 MR. CUCCHIARO: But it's always in the
17 bay, it's not stored in some separate parking area
18 waiting to be picked up, it's always attached to the
19 bay?

20 MR. CULLEN: Correct.

21 MS. BEAHM: So, there's no circumstance
22 where you would wind up where it may have to be moved
23 out because you have full trucks coming and there's
24 no bay available for them? That doesn't happen ever?
25 I don't want to say ever, but I'm just saying, the

1 normal procedure, there's never a situation where a
2 full truck comes in and there is no bay available for
3 them to unload it to. What do you have, six bays?

4 MR. BORDEN: I don't remember.

5 MR. CULLEN: Nine bays.

6 MS. BEAHM: So, there's no circumstance
7 where a truck can show up and there's no place to put
8 it?

9 MR. CULLEN: Typically not. I don't know
10 if I would use the word never, but what would happen
11 is he would pull a truck out in an instance, if we
12 have an unload, and we had to pull a truck out, a
13 truck would be pulled out for that half hour, unload
14 and put back in. It's very rare though, because we
15 have a lot of bays.

16 MS. BEAHM: So, it's fair to say though
17 that there's not going to be a circumstance where
18 you're gonna have empty, full, half full trailers
19 parked somewhere on the site that's not in a bay?

20 MR. CULLEN: Correct.

21 MS. BEAHM: Okay, that is what I need to
22 know, thank you.

23 CHAIRWOMAN KWAAK: Jordan, anything
24 else before I start with Jack?

25 MR. RIZZO: I'm good, thanks.

1 COMMITTEEMAN MCNABOE: Mr. Alfieri?

2 MR. ALFIERI: Yes.

3 COMMITTEEMAN MCNABOE: So, piggybacking
4 on what Jen just said there, we are looking for the
5 word never. So the trucks, nine bays will be used,
6 if a truck needs to leave before one comes, there
7 will not be any dropped in the back, there will not
8 be any dropped in the parking lot in the front, this
9 thing has to function within it's own property. Once
10 you do that, you see a whole back of the store,
11 there's no place for, look at your own turning SP-16,
12 there is absolutely no room once those trucks that
13 are at the curbs.

14 MR. ALFIERI: So, the board can impose
15 that condition that it will never be allowed, that's
16 fine.

17 COMMITTEEMAN MCNABOE: It will be
18 imposed, yes. I just want to make sure of that. So
19 that's part of it, so right now you have 10 bays
20 actually, one taken up by compacter so in order to
21 use the, bring a full truck in, take an empty one
22 out, you would have to have that empty bay in order
23 to allow those trucks to enter.

24 MR. ALFIERI: For the compacter, yes.

25 COMMITTEEMAN MCNABOE: Mr. Cucchiaro,

1 you know how to put that in wording as one of the
2 conditions that they should receive --

3 MR. CUCCHIARO: Yes.

4 COMMITTEEMAN MCNABOE: Okay, great.
5 Thank you. Same thing for the sign package. So when
6 you gave it to us, you actually have a conflict,
7 you'll notice there is towers in the front, you're
8 proposing signs on both sides, yet the comps you gave
9 us from other Shoprites shows one is done but not the
10 other. So, I understand why you would want to have
11 more packages and probably more than our one and less
12 than your 13 is where we're gonna be, but if you
13 look, what you submitted to us actually shows one
14 plain two-sided tower.

15 MR. ALFIERI: We're gonna discuss that
16 with the Saker team and their architect and come back
17 with something.

18 COMMITTEEMAN MCNABOE: So, this is a
19 unique store in the fact that it's finished on all
20 four sides, that doesn't exist on all four sides.
21 So, in the early days of seeing if this even fit on
22 the lot, one of them was that the back side would
23 have to not be able to be viewed from Millhurst Road.
24 So, there is a lot of plantings that you're showing
25 right there between building A and this building B,

1 so my question is as we're driving south on, is it
2 south? Yeah, I guess it would be south, right, the
3 road runs east to west. Heading south on Millhurst,
4 and you could see the store off to your right, am I
5 gonna see any of those trucks -- let me put it
6 another way, I'm not going to see any of those
7 trucks. So that may be a matter of if you proposed
8 eight foot plantings, maybe we want ten. We want to
9 make sure that when you're ready to cut the ribbon,
10 that those trucks are not seen.

11 And that's mainly putting it in there,
12 the front, you said the merchandising under the roof,
13 so I noticed this just today, when you do that, you
14 have to be real careful, you have a traffic lane
15 right in the building and people will be coming out
16 of almost forestry, sometimes.

17 MR. ALFIERI: Yeah, and that is
18 something that Mr. Cucchiaro pointed out.

19 COMMITTEEMAN MCNABOE: I didn't
20 actually see it, when Jordan brought up they're 15
21 feet apart you'll notice there's a pillar in between,
22 so maybe that's what they're using to blockade the
23 building, but if that's the case and these pillars
24 are two by two or something that really impedes your
25 view, you could have people with carts walking out

1 directly into traffic, so that's the problem with
2 owning bigger, with the outdoor storage.

3 I like Ron's idea where you take a
4 percentage of it, so if you took the whole roof space
5 and considered that 100 percent, what's our density
6 under there, is it 40 percent, is it 50 percent? And
7 when you do this as a condition at bat, just so we
8 have it, there will be no outdoor storage. I've been
9 to many of the Saker Shoprites to look at them,
10 mainly some of them that are sort of like ours,
11 finished on the four sides, there is a lot of outdoor
12 storage. Again, this one doesn't lead to that
13 because of that turning template that you have. I'm
14 good for now.

15 CHAIRWOMAN KWAAK: Okay. I have a
16 couple of questions. The generator, can you show me
17 where it is located on the building?

18 MR. BORDEN: It's in the, looking at
19 exhibit A-4, it's on the, what I would call on the
20 back facing the jughandle.

21 CHAIRWOMAN KWAAK: So, it's not by the
22 residents?

23 MR. BORDEN: No, no, the building is
24 between the generator and the residents.

25 CHAIRWOMAN KWAAK: In Jordan's report

1 dated November 12, on page 10 he talks about the,
2 Jordan jump in on this, the EV chargers, are we going
3 to be changing the plan to show those?

4 MR. BORDEN: We provide those.

5 MR. RIZZO: The EV chargers are provided
6 on the Shoprite site, this is actually going back to
7 the Quick Check next door. Just to keep it brief,
8 they had a field change where they needed to
9 eliminate a parking space there, so just make sure
10 that gets reflected on this most current plan. But
11 the Shoprite application does have the EV charging.

12 CHAIRWOMAN KWAAK: Okay. Now, I have a
13 question with regards to on 33, we have berms so how
14 is the signage impacting the berms that are on 33?

15 MR. BORDEN: They're not.

16 CHAIRWOMAN KWAAK: The berms are gonna
17 be there, the plantings?

18 MR. BORDEN: Yes.

19 CHAIRWOMAN KWAAK: Like everything
20 else, okay.

21 MR. BORDEN: That's one of the reasons for
22 the variance request for the additional sign on 33 is
23 because the sign is not visible very much from 33 by
24 design, so.

25 CHAIRWOMAN KWAAK: So, on that topic of

1 the signs, so the freestanding pile-on triangle sign
2 that we approved before that is sort of at the
3 circle, you're gonna have the Shoprite emblems on
4 both sides plus you want emblems at the entrances on
5 33?

6 MR. BORDEN: Yes, the proposed signs on
7 the two, the eighth and ninth signs that we're asking
8 for, are only for Shoprite.

9 CHAIRWOMAN KWAAK: And they have to say
10 Shoprite, they can't just say entrance? I'm just
11 asking a question.

12 MR. BORDEN: Yes, they put their logo on
13 everything.

14 MR. ALFIERI: But, the larger sign is
15 not just Shoprite, it's this --

16 MR. BORDEN: Right.

17 CHAIRWOMAN KWAAK: Correct, it's
18 everybody.

19 MR. BORDEN: Shoprite will be on it, but
20 others will be as well.

21 CHAIRWOMAN KWAAK: So, that is not
22 going anywhere, okay. You said no dumpsters, that's
23 fine. And what about, I think that's it for now.
24 And what we were referring to with regards to the EMS
25 and the police, is that everything is able to be

1 received, the repeater system works, I can tell you
2 going to a different Shoprite on my cellphone halfway
3 through the building, I lose the call. So make sure
4 it works please because we've had that situation with
5 other applicants. And that's all I have.

6 MR. RIZZO: Madam Chair, can I just
7 interrupt based on what you said, it does look to me
8 like there is a dumpster or a trash enclosure on the
9 site.

10 MR. ALFIERI: That's what I thought,
11 too.

12 MR. RIZZO: It's by the DSD --

13 MS. BEAHM: Circle.

14 MR. RIZZO: Yeah. So, the compacter is
15 on the other side of the rear building, then you have
16 the trash enclosure by the circle.

17 CHAIRWOMAN KWAAK: Oh, I have one more
18 thing, too.

19 MR. ALFIERI: Yeah, we're gonna look at
20 that because if they don't need the dumpster we'll
21 remove it. So, I made a note with a big question
22 mark because I knew there was a dumpster.

23 MR. RIZZO: Yeah, and the question is
24 it's a pretty small trash enclosure on this side of
25 the building so if you could eliminate your other

1 means or maybe you might need to increase it.

2 MR. ALFIERI: Understood.

3 CHAIRWOMAN KWAAK: And my last
4 question, I'm sorry, the trucks, are you going to
5 have truck only signs in the back so people don't
6 park their cars back there?

7 MR. BORDEN: They're already there, yes.

8 CHAIRWOMAN KWAAK: That's all I have.
9 Mayor?

10 MAYOR NELSON: No questions.

11 CHAIRWOMAN KWAAK: Barry?

12 MR. JACOBSON: Yes, I have a couple of
13 questions. How many employee spots are there because
14 I know you said there is 50 full time and 175, I did
15 a rough count and it looks like there is, it doesn't
16 look like there's 175 spots.

17 MR. ALFIERI: That's total employees,
18 not all onsite at the same time.

19 MR. JACOBSON: I understand, just, and
20 also on the right-out, you know with the berm, with
21 the visibility because there is still gonna be a berm
22 on either side of that right-in/right-out and if
23 there is a, pedestrians are walking, if there is a
24 sidewalk there, how is that gonna -- the berm and the
25 cars coming out, there is visibility with pedestrians

1 coming on to 33 because it's, they're not gonna see
2 the cars, I don't know how high the berm is gonna be,
3 but it could be put into consideration that with a
4 berm and pedestrians and it's gonna be a nightmare.
5 And also, will there be a sidewalk to lead them in
6 with the cars coming out, it's just going to be
7 curbing, there is not going to be any pedestrian
8 access to walk in that way?

9 MR. ALFIERI: You're -- I'm not sure --

10 MR. JACOBSON: By the jughandle, I see a
11 little right out, a little right arrow, and if
12 pedestrians are walking along 33, they might want to
13 walk where that right-out is to the side and get to
14 the parking lot and go to the Shoprite.

15 MR. RIZZO: There was a sidewalk added
16 into your site, you added that on one of --

17 MR. BORDEN: Yes.

18 MR. RIZZO: It's not by the exit, it's
19 just a little bit further east, it's by the jughandle
20 though, and it might be hard to see but there is a
21 small sidewalk there.

22 MR. BORDEN: Right.

23 MR. JACOBSON: Okay, so that's my
24 question, thank you.

25 CHAIRWOMAN KWAAK: John?

1 MR. CASTRONOVO: Just to continue on the
2 conversation with the number of parking spaces, how
3 many parking spaces are allocated for Shoprite in
4 total?

5 MR. BORDEN: Well, it's not how we
6 calculate them, the whole site is shared parking.

7 MR. CASTRONOVO: But, realistically, when
8 people go to Shoprite, they're parking near Shoprite.

9 MR. BORDEN: I understand, and that is
10 something obviously that Saker looked at very
11 carefully in the site design. And that's the reason,
12 in fact, in part that please recall that we're
13 reducing the square footage of the building as a
14 result of this amendment.

15 MR. ALFIERI: But we could --

16 MR. BORDEN: The amount of parking we
17 require is 822 spaces, we have 969, we have 170 extra
18 spaces.

19 MR. ALFIERI: For the entire site.

20 MR. BORDEN: That's the entire site. But,
21 nearly all of those extra spaces are within the
22 Shoprite area.

23 MR. CUCCHIARO: What is the requirement
24 in the ordinance in terms of parking? Is Shoprite
25 required to have parking that is dedicated

1 exclusively to it's own use or is the ordinance
2 permit parking on all of these lots?

3 MR. BORDEN: It's five per thousand
4 collectively for the entire commercial lot.

5 MR. CUCCHIARO: So, the answer here is
6 that there are no spots that are Shoprite only spots,
7 though the ordinance permits all of these spots to be
8 counted for all users?

9 MR. BORDEN: Yes.

10 MR. ALFIERI: But, we can give you, not
11 this second, but a number of what's immediately
12 surrounding Shaker Shoprite so you're comfortable
13 that there's balance.

14 MR. CASTRONOVO: Right, only because with
15 including the stalls for the shopping carts, I mean,
16 I don't think Shoprite is gonna want to have their
17 employees reclaim carts all the way by building A or
18 near the residential houses.

19 MR. ALFIERI: We'll give you that
20 number.

21 MR. CASTRONOVO: Okay, so with the
22 directional signs I'm a little confused as to where
23 they would be placed and why would there be a need
24 for a directional sign when it's pretty obvious when
25 you're driving in, where the Shoprite is. So, you

1 mentioned that there were two additional directional
2 signs.

3 MR. BORDEN: The enter and exit at the
4 driveway on Crossing Lane as well as out to Route 33.

5 MR. CASTRONOVO: So, there would be the 33
6 sign and then two additional ones?

7 MR. BORDEN: Yes, inside the site to
8 direct people out the right turn out to Route 33.

9 MR. CASTRONOVO: Okay. And why would the,
10 it be required to be a little bigger than what our
11 town ordinance says, only because of the Shoprite
12 logo?

13 MR. BORDEN: The general sign is, that's a
14 big, that's a substantial part of the reason, that's
15 not the only reason. They just like to have a larger
16 sign. I don't know how else to answer your question
17 other than honestly.

18 MS. BEAHM: It's probably something you
19 guys should look at between now and the next meeting.

20 MR. CASTRONOVO: And at any one point in
21 time, this is I guess part of operations, how many
22 employees would be in the, at the supermarket at the
23 peak time?

24 MR. BORDEN: He said 175.

25 MR. CASTRONOVO: Okay, so the employees

1 alone would take 175 spots, just them alone. That's
2 why I'm asking about the number of spots that aren't
3 reasonable walking distance to the store.

4 MR. BORDEN: I understand.

5 MR. ALFIERI: Understood.

6 MR. CASTRONOVO: That's all I have, thank
7 you.

8 CHAIRWOMAN KWAAK: Todd?

9 MR. BROWN: Just listening to the
10 operations testimony, there is dumpsters located back
11 by the DSD parking area. The generator, operations
12 also gave testimony that there is a wall to be around
13 the generator, I'm not seeing that on the plan. Can
14 you point that out on the plan for me?

15 MR. BORDEN: I can. Yes, looking at this
16 exhibit, I realized, you can see the cursor here, can
17 you see that?

18 MR. BROWN: Yep.

19 MR. BORDEN: So the wall is right, the
20 wall is between the generator and the jughandle and
21 between the back of the generator and the parking,
22 so.

23 MR. RIZZO: Is that in addition to the
24 fence?

25 MR. BORDEN: Yes, yes.

1 MR. BROWN: In addition to the fence?

2 MR. BORDEN: I think the fence would be --

3 MR. BROWN: Because I only see a fence
4 and --

5 MR. BORDEN: I think you're right, I think
6 it's just, you see a solid line at the back, but I
7 think it's just a drafting, but the fence would tie
8 into the wall. It would meet the wall.

9 MR. BROWN: On sheet 4 of your site plan
10 set, it is called out that it is to be a 10 foot high
11 vinyl fence.

12 MR. BORDEN: Yes.

13 MR. BROWN: That is what you are planning
14 to be a wall?

15 MR. BORDEN: No, no, the wall is
16 immediately adjacent to the generator and then a
17 fence would tie into the wall.

18 MS. BEAHM: Maybe a detail of that area
19 would be a good idea.

20 MR. BORDEN: We'll specify that.

21 MR. RIZZO: I think you would need an
22 architectural plan, too. I mean, the line is there
23 and maybe just label it and explain what that is.

24 MR. BORDEN: Exactly.

25 MR. ALFIERI: We'll show a detail next

1 meeting.

2 MR. BROWN: A comment was made earlier by
3 a board member that the building is really close to
4 the circle. The covered walk which is gonna have
5 your outdoor display area is also somewhere close to
6 that circle. What would prevent from a shopping cart
7 that tend to have a mind of their own and wants to
8 run into the side of your car, to prevent that from
9 going into the circle as that is a major access for
10 the residential and all the remaining commercial
11 buildings on this site?

12 MR. BORDEN: I'm trying to show the
13 landscaping, it's heavily landscaped between that
14 area and the road.

15 MR. BROWN: But, there's a large wide 10
16 foot concrete ramp with handrails. What prevents a
17 cart from going down this ramp into the circle?

18 MR. BORDEN: Into Crossing Lane?

19 MR. BROWN: Into that main, Crossing
20 Lane?

21 MR. BORDEN: I understand.

22 MR. ALFIERI: We'll look at that.

23 MR. BROWN: Okay, thank you, Sal.

24 MR. ALFIERI: You're welcome.

25 MR. BROWN: Additionally, the pile-on

1 sign that's near the jughandle, I apologize, Jordan
2 if this is covered in your review letter, but it
3 looks like it's on top of the six foot height vinyl
4 fence.

5 MR. ALFIERI: Which sign is that, Todd?

6 MR. BROWN: So, the freestanding sign
7 against the jughandle, I think it's the bottom hand
8 corner of the white box in the middle of the screen.

9 MR. RIZZO: I think, is it a pile-on
10 sign, or I think it goes over the fence.

11 MR. BORDEN: It goes over the fence, the
12 bottom of the sign is like 20 feet in the air.

13 MR. BROWN: It's a sign that has two
14 posts, or is it a wall sign?

15 MR. BORDEN: Yes, yes, two posts.

16 MR. BROWN: So, it's gonna straddle --

17 MR. BORDEN: Yes, and the bottom of the
18 sign, that was one of the comments that I previously
19 discussed with Jordan in CME is they questioned the
20 sidewalk goes through the sign, it goes under the
21 sign because there's a 20 foot height to the bottom
22 of the sign. Same thing with the fence.

23 MR. BROWN: Any reason you can't move it
24 into the grassed area in between the parking spaces,
25 not straddle them? Because it's six foot high, it's

1 not like you're gonna lose any view of this large
2 pile-on sign.

3 MR. RIZZO: Are you trying to keep it
4 outside of the Shoprite lot and the common lot?
5 That's where it is right now, it's on the edge of the
6 common lot.

7 MR. BORDEN: Are you trying to move the
8 fence or the sign?

9 MR. BROWN: Sign.

10 MR. BORDEN: Well --

11 MR. BROWN: Can you look into that?

12 MR. BORDEN: I will.

13 MR. RIZZO: And are you putting it there
14 to keep it outside of Shoprite's lot?

15 MR. BORDEN: Yes. The sign is a common
16 element for the whole project, it's not a Shoprite
17 sign. The sign is in the same location, it's always
18 been approved at, we haven't changed that.

19 MS. BEAHM: Right, but you're changing
20 the development around the sign, so I understand that
21 and I respect the fact that a lot of these things
22 were vetted out previously, but what it ended up
23 being vetted out for, has now changed. So, I think
24 it's perfectly legitimate for some of these questions
25 to come up and shift, you know, you're here to amend

1 this, right, so if you're gonna amend it and there's
2 a better alternative to what you're proposing just
3 because it was there before, this is the time to do
4 it, I agree. I think it's cumbersome to straddle a
5 fence, I think it's weird to have people walking
6 underneath it, especially if it's gonna be
7 landscaped, I think you guys need to do a little due
8 diligence and find a better location for that sign.

9 MR. BROWN: Like Jen said. Jen does a
10 very good job of paraphrasing and making a point for
11 me. And then I think -- I enjoyed reviewing your
12 circulation plan and how a truck will be able to do a
13 hairpin turn and come all the way around, I think
14 that is gonna be a nightmare for the rest of us, so
15 maybe I don't know, is there any wiggle room for more
16 room back there so that your trucks aren't crashing
17 into each other? Not like you're gonna be parking
18 any tractor trailers back there, that's been clear.

19 MR. ALFIERI: We'll look at that.

20 MR. BROWN: And that's all I have at this
21 time.

22 CHAIRWOMAN KWAAK: Thank you. Barry?

23 MR. FISHER: I probably won't make the
24 next meeting, but I do have several questions. The
25 testing of the generator, I know it's gonna have a --

1 let me start all over again. The testing of the
2 generator, even though it's gonna have a barricade
3 around it, that size generator generates a certain
4 amount of noise. When will that be tested? What
5 hours? You have any idea?

6 MR. ALFIERI: No idea.

7 MR. BORDEN: I would certainly recommend
8 it would be during the daylight hours, not during the
9 evening hours. I certainly think that would be wise.

10 MR. ALFIERI: The rep from Saker said
11 during the daylight hours, daytime hours.

12 MR. FISHER: Not too early in the morning.

13 MR. BORDEN: Exactly.

14 MR. FISHER: The no idling signs, they're
15 gonna be placed around the building. I would like to
16 have the ordinance and the penalty posted on those
17 signs, even though it's gonna be hard to monitor it,
18 we'll give them a little something to think about
19 when they decide to just sit there and wait for their
20 spouses to get out of there.

21 The charging stations, how many EVs are
22 you going to have there?

23 MR. BORDEN: We have 37.

24 MR. FISHER: 37.

25 MR. RIZZO: Is that total or for

1 Shoprite?

2 MR. BORDEN: I'm sorry?

3 MS. BEAHM: Is that a total or just for
4 Shoprite?

5 MR. BORDEN: That's total.

6 MR. RIZZO: Is that the question, total?

7 MR. FISHER: The question is for the
8 accessibility for people to go into Shoprite to have
9 the charging stations, how many would you have in
10 that vicinity?

11 MR. BORDEN: I would have to get back in
12 order to answer that.

13 MR. ALFIERI: You want to see where?

14 MR. BORDEN: How many are within the
15 Shoprite.

16 MR. ALFIERI: We'll find out.

17 MR. FISHER: When people are going into
18 shopping, and charging their cars, but if the
19 charging stations are way away from there --

20 MR. RIZZO: There are 16 shown on the
21 Shoprite lot and they're in the northwest corner.

22 COMMITTEEMAN MCNABOE: Mr. Borden,
23 sheet 1 has it right here, 16 and 1 in the ADA spots.

24 MR. RIZZO: 16 and 1 in the --

25 MR. FISHER: As time goes on, presumably

1 there will be more electric cars, no one knows, but I
2 just figured that, there is another issue with the
3 parking spaces, how many are for handicap just for
4 Shoprite, just for Shoprite? Are there against the
5 building, how many?

6 MR. BORDEN: I'd have to, they're not
7 summarized separately on the plan.

8 MR. FISHER: That's gonna be the point, I
9 won't be here, but that's gonna be something to
10 answer. Our Route 33, if you notice a lot of over 55
11 residents, okay, several of them have been approved,
12 several subdivisions have been approved so our
13 average age isn't going to be 30s and 40s, it's gonna
14 be 55 and over. I have seen people, I've seen other
15 centers where handicap people with walkers had to go
16 from the back of the lot all the way through to get
17 to the building. I would love to, and again, I won't
18 be here, but if you can address how many handicap and
19 how close they're gonna be to the store.

20 MR. ALFIERI: We have it on the screen
21 so you'll see the spaces to the left of the building
22 that are --

23 MR. BORDEN: These are the handicap up
24 here and there's 16 of them directly in front of the
25 Shoprite store.

1 MR. FISHER: I don't know how you would
2 feel --

3 CHAIRWOMAN KWAAK: Can we add another
4 four and make it 20? Because he's right, he is right
5 and it's not just only the people living in the adult
6 communities, but you are gonna have other people who
7 are gonna be coming to this location that are
8 handicap.

9 MR. ALFIERI: Okay.

10 MR. FISHER: You'll address --

11 MR. BORDEN: We'll add those four.

12 MR. FISHER: There's a large roof on this
13 building, and I know we asked you this at the
14 environmental commissions meeting, that would be
15 ideal and that would save you a fortune.

16 MR. ALFIERI: For solar. I don't know,
17 we'll talk to the Saker people, I'm not sure. It's
18 their call.

19 MR. FISHER: Just think about how much
20 you'll save and how good it would be for the
21 environment. You guys can tweak that a little bit.
22 The plantings that you're gonna put in, I'm sure
23 they're gonna be nice plants and we did ask for
24 something that are deer resistant. I have seen those
25 Green Giants and they really do block a lot. Is

1 there any chance of some of those Green Giants being
2 placed especially towards houses? If they can be on
3 that, not to block the building, I'm sure the
4 building is nice, but those Green Giants are a lot
5 nicer.

6 MR. ALFIERI: We'll look at that. You
7 can look at that?

8 MR. BORDEN: Yes.

9 MR. FISHER: I appreciate that. And they
10 are deer resistant, so we don't have to worry about
11 that. The plantings around the basins and
12 everything, we did discuss they were going to be
13 natural, native plants that was in the plan also.

14 MR. BORDEN: Yes.

15 CHAIRWOMAN KWAAK: And Shari Spero has
16 seen these planting suggestions, correct?

17 MR. ALFIERI: I assume so.

18 MR. RIZZO: That's correct, and she'll
19 see it all the way until the end.

20 MR. FISHER: Believe it or not, that's all
21 folks.

22 MR. POLLIFRONE: Sure, I have a couple of
23 questions. It wouldn't be complete without another
24 question or comment about the parking lot. So, just
25 to add on to some of these other comments, if you

1 wouldn't mind, could you include on your drawing the
2 locations and the number of these shopping cart
3 corrals?

4 And one of the things I did do was, I
5 took a look at how many parking spots, I think John
6 mentioned this, were within functional proximity,
7 where you would expect someone could get to the
8 shopping center without having a crossroads, things
9 like that, without utilizing parking spaces from
10 adjacent buildings, and I counted 407 and that's
11 before you take up spaces for the corrals. So, I
12 think again from a functional perspective, you
13 probably want to look at that because you don't want
14 your customers parking so far away that they're
15 taking their carts across internal roadways. From a
16 safety perspective and a functional perspective, I
17 would suggest you look at that as several of the
18 other board members mentioned.

19 I heard, I think it was Mr. MacFarlane,
20 and in a prior meeting Mr. Rea mentioned that they
21 didn't see any problem with the internal circulation
22 of traffic. What I would like to know is how did
23 they come to that determination? Is it simply an
24 opinion or did they actually perform some sort of
25 study, look at the estimated number of trips, things

1 like supermarkets and Quick Checks, there are a lot
2 of turnover, traffic, people in and out, I'm just
3 concerned as to whether we've really taken a proper
4 look at this to ensure that there will be very smooth
5 transition circulation of traffic.

6 MR. ALFIERI: Okay.

7 MR. POLLIFRONE: There was some
8 discussion of the trucks in the back and I understand
9 that there could be some deliveries at night, maybe
10 two to four, I would just suggest very strongly that
11 you consider the impact of the backup horns on those
12 trucks in the middle of the night when they're
13 backing up and offloading, the impact noise-wise, and
14 just ensure that you would be able to meet that 50
15 decibel ordinance limit that exists at night.

16 MR. ALFIERI: Okay.

17 MR. POLLIFRONE: So something you want to
18 look at.

19 When I look at the site line diagram and
20 that would be A-9 that you provided in an earlier
21 meeting, I'm not sure I understand whether we've
22 really, we're really addressing the visual barriers
23 that you're intending to. At least from the drawing
24 that I'm looking at it, it appears that residents
25 would be able to see the Shoprite. And it's not

1 clear to me either, whether these trees would still
2 bare leaves in the wintertime, in which case the
3 residents would definitely be able to see the
4 Shoprite. So, if the intent is to provide a visual
5 barrier, I'm gonna suggest that you go back and look
6 at this again because it doesn't seem that it does.

7 MR. FISHER: I don't believe those Green
8 Giants will disappear in the winter, I believe they
9 will stay green all year, but it's something to look
10 into.

11 MR. POLLIFRONE: And I guess I should have
12 mentioned this earlier, as part of that internal
13 flow, if you could include in that the Crossing Lane
14 and because I'm anticipating quite a bit of traffic,
15 and again, just a concern about residents being able
16 to get out of this from Amaryllis Drive on to that
17 Crossing Lane and will there be delays, will there be
18 backups? It's just not clear because I haven't seen
19 any data as similar to the data that was presented
20 for the traffic study, which that was about an inch
21 thick, but I haven't seen anything having to do with
22 Crossing Lane or the internal flow.

23 MR. ALFIERI: Okay.

24 MR. POLLIFRONE: And that was it.

25 CHAIRWOMAN KWAAK: Sal, did we discuss

1 lighting at all?

2 MR. ALFIERI: I think you did.

3 MR. BORDEN: I thought I did.

4 MR. ALFIERI: The site lighting?

5 CHAIRWOMAN KWAAK: And I'm not
6 remembering it?

7 MR. BORDEN: We'll make a note of it to.

8 MR. ALFIERI: The parking lot site
9 lighting? The site lighting for the parking lot?

10 CHAIRWOMAN KWAAK: Yes.

11 MR. ALFIERI: Yes, but we can get into
12 that again if you'd like. You're looking, you just
13 want a general description of it?

14 CHAIRWOMAN KWAAK: I just want to know
15 what type of lighting we're talking about because
16 around town I'm seeing that people are doing LED
17 lighting in commercial properties, and it's very
18 bright at night when you're driving. So, I didn't
19 know especially because this is so close to
20 residences, if they are going to be kept on at night
21 and if they'll be on timers and so forth. But, I
22 understand that there is employees there 24/7, but
23 the lighting situation.

24 MR. RIZZO: Madam Chair, we had made
25 comments to reduce lighting in general and they

1 agreed to comply with that tonight.

2 CHAIRWOMAN KWAAK: But do we know what
3 type of, I'm gonna say lamp posts, I don't know what
4 else to call them.

5 MR. CUCCHIARO: Fixtures.

6 CHAIRWOMAN RIZZO: Fixtures. Do we
7 know what they're gonna look like?

8 MS. BEAHM: It's detailed on the plan.

9 MR. ALFIERI: There's a detail, but
10 we'll show it to the full board next week.

11 CHAIRWOMAN KWAAK: Okay.

12 MS. BEAHM: Madam Chair, I just have one
13 more thing. Sal, there's a provision in the
14 ordinance requiring at least ten percent of the
15 interior parking lot to be landscaped, and I know you
16 have the ends of those long runs, and I'm not an
17 advocate of putting diamonds or anything like that in
18 big parking lots, I think the plows hate them and it
19 becomes a tripping hazard. If you could just provide
20 me with a calculation that shows that you comply with
21 that requirement because if not, it would wind up
22 being a variance.

23 MR. ALFIERI: Okay.

24 MR. CASTRONOVO: Madam Chair, just one
25 followup. Operationally, the shopping carts, the

1 wagons, being that this project is part of a
2 residential development, I foresee that residents are
3 gonna be taking your shopping carts right to their
4 house. Is there any plan to preclude that from
5 happening so that these wagons can be rather
6 expensive for you and you only pass the costs on to
7 the residents, to the consumer. Is there any
8 consideration to putting the wheel locks that will
9 lock it so that it doesn't exceed a certain distance
10 from the store itself? Something to consider, I
11 think it's for your benefit and also for the
12 aesthetics of the community at large. You don't want
13 your employees chasing down their carts all day long.

14 MR. ALFIERI: We'll find out.

15 CHAIRWOMAN KWAAK: Okay. So you have
16 your homework to do, gentlemen.

17 MR. ALFIERI: Yes.

18 CHAIRWOMAN KWAAK: So, Mr. Cucchiaro,
19 I'm gonna.

20 MR. CUCCHIARO: So, we would be looking
21 to move this to our next meeting which I believe is
22 February 13th, is that correct?

23 CHAIRWOMAN KWAAK: February 13?

24 MR. CUCCHIARO: Yes. So the application
25 of Cardinale and Manalapan Crossing Associates,

1 PMS1931A/PMS1931TS be carried to the board's February
2 13, 2025 meeting and it is a live meeting which
3 begins 7:30 here in the main meeting room in town
4 hall. There will be no further notice to property
5 owners.

6 MR. ALFIERI: Thank you everyone,
7 goodnight.

8

9 (Hearing was adjourned at 9:06 p.m.)

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C E R T I F I C A T E

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I, Deanna Wizbicki, a Court Reporter of the State of New Jersey, certify that the foregoing is a true and accurate verbatim transcript of the testimony provided under oath before any court, referee, board, commission or other body created by statute of the State of New Jersey, on the date and place hereinbefore set forth.

I FURTHER CERTIFY that I am neither attorney, nor counsel for, nor related to or employed by, any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed in this action, nor am I financially interested in this case.

Deanna Wizbicki
Notary ID No: 2330518

DATED 01/27/2025