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	14 PAUL PANZARELLA, MEMBER (ABSENT)	13	Chad Miller 111 Hampton Drive	128, 134
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	16 RICHARD BROWN, MEMBER	15	87 Hampton Drive Berkeley Heights	
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	CERTIFIED COURT REPORTERS P.O. BOX 505	21	Berkeley Heights	
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	25	23	Berkeley Heights	
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	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
07:34PM 25	none, all in favor of accepting the minutes?	07:36PM 25	MR. TUVEL: Good evening, Mr. Chairman,
07:34PM 24	ACTING CHAIRMAN HUNSINGER: Hearing	07:36PM 24	MR. WARNER: Yes.
07:34PM 23	(No response.)	07:36PM 23	that good? That's good, right?
07:34PM 22	minutes?	07:36PM 22	Do I have to read the rest of it or is
07:34РМ 21	beforehand, are there any changes, deletions to the	07:36PM 21	1375 Plainfield Avenue, Block 710, Lot 9.
07:34РМ 20	The minutes have be distributed	07:36PM 20	BA 21-05 S/K Morris Township Associates, LLC,
07:34РМ 19	ACTING CHAIRMAN HUNSINGER: Excellent.	07:36PM 19	That brings us to the case in point,
12:13PM 18	MR. STIRES: Here.	18	ACTING CHAIRMAN HUNSINGER: All right.
12:13PM 17	MS. SNYDER: David Stires?	17	(No response.)
12:13РМ 16	MR. WARNER: Here as well.	16	Abstentions?
15	MS. SNYDER: Steve Warner?	15	ACTING CHAIRMAN HUNSINGER:
14	MS. WOLFE: Here.	14	(No response.)
13	MS. SNYDER: Amanda Wolfe?	13	ACTING CHAIRMAN HUNSINGER: Opposed?
12	DR. STEINFELD: Here.	12	in the affirmative.)
11	MS. SNYDER: Dr. Steinfeld?	11	(Whereupon, all present members respond
10	MR. HANLON: Here.	10	requested say "Aye."
9	MS. SNYDER: Mr. Hanlon?	07:35PM 9	All in favor of accepting the signs as
8	MR. TARASCHI: Here.	07:35PM 8	ACTING CHAIRMAN HUNSINGER: No?
7	MS. SNYDER: Mr. Taraschi?	07:35PM 7	(No response.)
6	MS. FECHTNER: Here.	07:35PM 6	ACTING CHAIRMAN HUNSINGER: Questions?
5	MS. SNYDER: Ms. Fechtner?	07:35PM 5	(No response.)
12:13PM 4	MR. KITA: Here.	07:35PM 4	discussion?
12:13PM 3	MS. SNYDER: Mr. Kita?	07:35PM 3	All in favor of accepting any
12:13PM 2	MR. BROWN: Here.	07:35PM 2	ACTING CHAIRMAN HUNSINGER: All right.
12:13PM 1	MS. SNYDER: Mr. Brown?	07:35PM 1	MS. SNYDER: Yes.
	6		8
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	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
12:13PM 25	ACTING CHAIRMAN HUNSINGER: Here.	07:35PM 25	so they have to get approval, they know that, right?
12:13PM 24	MS. SNYDER: Mr. Hunsinger?	07:35PM 24	said the corner of a road, that's owned by somebody,
12:13PM 23	Can we call the roll please?	07:35PM 23	ACTING CHAIRMAN HUNSINGER: If they
12:12PM 22	ACTING CHAIRMAN HUNSINGER: Excellent.	07:35PM 22	MS. SNYDER: Right.
12:12PM 21	of the Pledge of Allegiance.)	07:34PM 21	borough.
12:12PM 20	(Whereupon, all rise for a recitation	07:34PM 20	ACTING CHAIRMAN HUNSINGER: Or the
12:12PM 19	the flag.	07:34PM 19	MS. SNYDER: Right.
12:12PM 18	If we all could please stand to salute	07:34PM 18	approval by the property owners in order to do that.
12:12PM 17	Clerk.	07:34PM 17	places they wanted to have them. They have to have
12:12PM 16	Star Ledger. Notice has been filed with the Borough	07:34PM 16	ACTING CHAIRMAN HUNSINGER: They listed
12:12PM 15	been given to The Echo Sentinel, Courier News and The	07:34PM 15	come back to us for the 30-days extension.
12:12PM 14	requirements for emergency meeting protocol and has	07:34PM 14	for several months so they were told to continue to
12:12PM 13	website, at Borough Hall in compliance with the DCA	07:34PM 13	MS. SNYDER: Yeah, it's going to run
12:12PM 12	Notice has been posted in the Borough	07:34PM 12	before.
12:12PM 11	interested parties and members of the public.	07:34PM 11	this is a pretty normal thing, they've done it
12:12PM 10	applicant and the applicant's professionals,	07:34PM 10	ACTING CHAIRMAN HUNSINGER: I think
12:12PM 9	for all board members, board professionals, the	07:34PM 9	MS. SNYDER: Yes.
12:12PM 8	This meeting has been held virtually	07:34PM 8	right?
12:12PM 7	requirements for emergency meeting protocol.	07:34PM 7	request for the PTO, temporary signs for food trucks,
12:12РМ 6	recommended by the CDC and in compliance with the DCA	07:34PM 6	The first thing we have is a sign
12:12PM 5	Governor in order to follow the best practices	07:34РМ 5	ACTING CHAIRMAN HUNSINGER: All right.
12:12PM 4	to comply with the Executive Order signed by the	07:34PM 4	(No response.)
12:11PM 3	Public Meetings Act N.J.S.A. 10:4-6 et seq, in order	07:34PM 3	ACTING CHAIRMAN HUNSINGER: Opposed?
12:11PM 2	this meeting has been given pursuant to the Open	07:34PM 2	in the affirmative.)
12:11PM 1	ACTING CHAIRMAN HUNSINGER: Notice of	07:34PM 1	(Whereupon, all present members respond
	5		7

	9		
07:36PM 1	Members of the Board, Jason Tuvel attorney for the	07:37PM 1	important.
07:36PM 2	applicant.	07:37PM 2	So those are the changes that we made
07:36PM 3	Before we get started, I just wanted to	07:37PM 3	in connection with the application since the last
07:36PM 4	thank the board for having a special meeting for us.	07:37PM 4	meeting.
07:36PM 5	I know everybody's time is very valuable, so and	07:37РМ 5	I have two witnesses, Mr. Chairman,
07:36РМ 6	this is not your normal meeting date, so we thank you	07:37РМ 6	that I plan on calling this evening, although all of
07:36РМ 7	on behalf of the applicant for doing that.	07:37РМ 7	our witnesses are here and available in the event
07:36PM 8	As the board recalls we were here on	07:37РМ 8	that there are any questions.
07:36PM 9	March 10th, we provided testimony from the applicant,	07:37РМ 9	So I have Noah Chrismer, I'm going to
07:36PM 10	from our professional engineer and our traffic	07:37РМ 10	bring him back, who's the applicant's representative.
07:36PM 11	engineer, as well as on this application.	07:38PM 11	He'll go through the changes that we made to the
07:36PM 12	Since then, we had good dialogue at	07:38РМ 12	plans.
07:36РМ 13	that meeting in terms of (Audio Distortion.) Let me	07:38РМ 13	And then I'll have our professional
07:36PM 14	see, close that.	07:38PM 14	planner, Charles Heydt, go through the variance
07:36РМ 15	Okay. I think we had a good dialogue	07:38РМ 15	testimony that's required in connection with this
07:36РМ 16	at that meeting in terms of comments to the plans and	07:38РМ 16	application.
07:36РМ 17	a healthy discussion.	07:38РМ 17	So, again, I think we've made some good
07:36РМ 18	So between the first meeting at this	07:38PM 18	progress based on the comments that were made at the
07:36PM 19	meeting we submitted one revised sheet showing	07:38РМ 19	last meeting and, Mr. Chairman, unless you have any
07:36PM 20	changes that we were willing to make based on,	07:38РМ 20	questions for me, I would ask your permission to call
07:36РМ 21	really, the feedback that we got from the board, from	07:38PM 21	Mr. Chrismer back.
07:36PM 22	the public as well as your professionals during the	07:38PM 22	You're on mute, Mr. Chairman.
07:36PM 23	course of the process. I'll summarize them very briefly and	07:38PM 23	ACTING CHAIRMAN HUNSINGER: One
07:36PM 24	then I'll let the applicant go through them in a	07:38PM 24	comment, I would just ask everyone to mute their microphones while we're while the applicant is
07:36PM 23	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.	07:38PM Z J	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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	10		12
07:36PM 1	little bit more detail.	07:38PM 1	testifying so we don't have any feedback, and that's
07:36PM 2	But first and foremost, we did provide	07:38PM 2	it.
07:36РМ 3	the sidewalk that the board as well as Mr. Stires had	07:38PM 3	Dueses
07:36PM 4			Proceed.
_	indicated was important to Plainfield Avenue in the	07:38РМ 4	MR. TUVEL: Great. Thank you very
07:36РМ 5	indicated was important to Plainfield Avenue in the event that there was a bus stop in the future that	07:38PM 4 07:38PM 5	
07:36РМ 5 07:36РМ 6	•	57.55F III	MR. TUVEL: Great. Thank you very
	event that there was a bus stop in the future that	07:38PM 5	MR. TUVEL: Great. Thank you very much.
07:36РМ 6	event that there was a bus stop in the future that the board of education wanted there for schoolchildren. So that's been on the revised plan that	07:38PM 5	MR. TUVEL: Great. Thank you very much. So I'd like to recall Mr. Chrismer. He was under oath at the last meeting, but if you'd like we could re-swear him in.
07:36PM 6 07:37PM 7 07:37PM 8 07:37PM 9	event that there was a bus stop in the future that the board of education wanted there for schoolchildren. So that's been on the revised plan that you're going to see and that was provided to you as	07:38PM	MR. TUVEL: Great. Thank you very much. So I'd like to recall Mr. Chrismer. He was under oath at the last meeting, but if you'd like we could re-swear him in. Mr. Warner, it's up to you if you'd
07:36PM 6 07:37PM 7 07:37PM 8 07:37PM 9 07:37PM 10	event that there was a bus stop in the future that the board of education wanted there for schoolchildren. So that's been on the revised plan that you're going to see and that was provided to you as SK-5.	07:38PM 5 07:38PM 6 07:38PM 7 07:38PM 8 07:38PM 9 07:38PM 10	MR. TUVEL: Great. Thank you very much. So I'd like to recall Mr. Chrismer. He was under oath at the last meeting, but if you'd like we could re-swear him in. Mr. Warner, it's up to you if you'd like me to do that.
07:36PM 6 07:37PM 7 07:37PM 8 07:37PM 9 07:37PM 10 07:37PM 11	event that there was a bus stop in the future that the board of education wanted there for schoolchildren. So that's been on the revised plan that you're going to see and that was provided to you as SK-5. In addition to that, the driveway,	07:38PM 5 07:38PM 6 07:38PM 7 07:38PM 8 07:38PM 9 07:38PM 10 07:38PM 11	MR. TUVEL: Great. Thank you very much. So I'd like to recall Mr. Chrismer. He was under oath at the last meeting, but if you'd like we could re-swear him in. Mr. Warner, it's up to you if you'd like me to do that. MR. WARNER: No need, as he recognizes
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		1	
	13		15
07:39РМ 1	and the rest of the board, appreciate you again	07:41PM 1	screen mode here, but I think that's the full
07:39РМ 2	having us here.	2	screen mode might be messing it up.
07:39PM 3	As Jason said, you know, last time we	3	Let's just zoom in and we'll close out
07:39PM 4	made it through not just engineering and traffic, but	4	the side bars on the things.
07:39РМ 5	also architecture, and so that sort of lands us here	5	(Whereupon, off the-record discussion
07:39РМ 6	tonight with planning remaining.	6	is held.)
07:39РМ 7	But, as Jason also said, we did	07:41PM 7	THE WITNESS: Is the board seeing the
07:39РМ 8	appreciate many of the board's comments, particularly	07:41PM 8	exhibit?
07:39РМ 9	internal circulation on the site, both pedestrian and	07:41PM 9	ACTING CHAIRMAN HUNSINGER: Yes.
07:39РМ 10	vehicular, and so we went back in the two to three	07:41PM 10	THE WITNESS: Okay, great. Sorry,
07:39PM 11	weeks that we had in the interim and confirmed some	07:41PM 11	everybody, and thank you for your patience.
07:39РМ 12	of the things that we could do with the site. While	07:41PM 12	If we zoom in, please, to Buildings 1
07:39РМ 13	we thought that it worked before and were pretty	07:41PM 13	and 2 and still capture the driveway.
07:39PM 14	confident that it worked before, there were areas	07:41PM 14	MR. TUVEL: Noah, just for the record,
07:39РМ 15	where we could provide even a bit more cushion.	07:41PM 15	this is SK-5
07:39РМ 16	So we just want to walk you through	07:41PM 16	THE WITNESS: SK-5.
07:39PM 17	those real quick because we think they were	07:41PM 17	MR. TUVEL: document prepared by
07:39РМ 18	responsive to a number of board member comments. So	07:41PM 18	PS&S dated 3/17/22. Correct?
07:39РМ 19	we have an exhibit which I think we sent along a day	07:41PM 19	THE WITNESS: Yes. Correct.
07:39РМ 20	or two ago to your staff, but which we're going to	07:41PM 20	(Whereupon, Sheet SK-5 prepared by PS&S
07:40PM 21	bring up here.	07:41PM 21	dated 3/17/22 is marked as Exhibit A-3 for
07:40PM 22	THE WITNESS: And, Jason, I don't know	07:41PM 22	identification.)
07:40PM 23	if we want to mark this as	07:41PM 23	THE WITNESS: Press control plus.
07:40PM 24	MR. TUVEL: Yes, no, we sent it ten	07:41PM 24	There we go, great.
07:40PM 25	days in advance, but, Steve, it's up to you.	07:41PM 25	Thanks.
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	201-641-1812		201-641-1812
		1	
	14		16
07:40PM 1	14 We could mark it if you'd like.	07:41PM 1	16 Okay. So it sort of appears like
07:40PM 1 07:40PM 2		07:41PM 1 07:42PM 2	
	We could mark it if you'd like.	_	Okay. So it sort of appears like
07:40PM 2	We could mark it if you'd like. MR. WARNER: Yes, as you know I prefer	07:42PM 2	Okay. So it sort of appears like you're seeing double vision here, and apologies for
07:40РМ 2 07:40РМ 3	We could mark it if you'd like. MR. WARNER: Yes, as you know I prefer to have it marked and we I think we're up to A-3.	07:42PM 2 07:42PM 3	Okay. So it sort of appears like you're seeing double vision here, and apologies for that, but I'll try to make it clear. And then I'll
07:40PM 2 07:40PM 3 07:40PM 4	We could mark it if you'd like. MR. WARNER: Yes, as you know I prefer to have it marked and we I think we're up to A-3. MR. TUVEL: Correct. That's correct.	07:42PM 2 07:42PM 3 07:42PM 4	Okay. So it sort of appears like you're seeing double vision here, and apologies for that, but I'll try to make it clear. And then I'll try to get the exhibit off of the screen before we
07:40PM 2 07:40PM 3 07:40PM 4 07:40PM 5	We could mark it if you'd like. MR. WARNER: Yes, as you know I prefer to have it marked and we I think we're up to A-3. MR. TUVEL: Correct. That's correct. So we'll mark this as A-3.	07:42PM 2 07:42PM 3 07:42PM 4 07:42PM 5	Okay. So it sort of appears like you're seeing double vision here, and apologies for that, but I'll try to make it clear. And then I'll try to get the exhibit off of the screen before we get seasick.
07:40PM 2 07:40PM 3 07:40PM 4 07:40PM 5 07:40PM 6	We could mark it if you'd like. MR. WARNER: Yes, as you know I prefer to have it marked and we I think we're up to A-3. MR. TUVEL: Correct. That's correct. So we'll mark this as A-3. And, Steve, I have a Court Reporter	07:42PM 2 07:42PM 3 07:42PM 4 07:42PM 5 07:42PM 6	Okay. So it sort of appears like you're seeing double vision here, and apologies for that, but I'll try to make it clear. And then I'll try to get the exhibit off of the screen before we get seasick. So, a couple of things on this exhibit
07:40PM 2 07:40PM 3 07:40PM 4 07:40PM 5 07:40PM 6 07:40PM 7	We could mark it if you'd like. MR. WARNER: Yes, as you know I prefer to have it marked and we I think we're up to A-3. MR. TUVEL: Correct. That's correct. So we'll mark this as A-3. And, Steve, I have a Court Reporter just come on so that way she can keep track of these	07:42PM 2 07:42PM 3 07:42PM 4 07:42PM 5 07:42PM 6 07:42PM 7	Okay. So it sort of appears like you're seeing double vision here, and apologies for that, but I'll try to make it clear. And then I'll try to get the exhibit off of the screen before we get seasick. So, a couple of things on this exhibit here. First off, just to give you a sense, what is
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17 1 that we have a sidewalk infrastructure here 2 (indicating) put in place largely for accessibility 3 and in particular for the affordable units, but that there is a likelihood that some children could live 4 5 at this site, and how would they get down without 6 having to walk in the driveway, how would they get

down to a potential bus stop.

proposed little landing area there.

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8 So we were able to move the building 9 over, we shifted Building 1 to the east, and that allowed us to accommodate a sidewalk down to 10 11 Plainfield, and we have terminated that sidewalk at a

Of course this would have to be coordinated with the school district, but we've confirmed that we have enough room for a sidewalk adjacent to the drive aisle there. We've put a crosswalk in between Buildings 2 and 3, and that would provide access down to, you know, again, the potential of a school bus stop there. So that was the first thing that we did.

And if the board doesn't mind, I will sort of walk through these and then if there are any questions on it, we could take them, as Jason said, we do have Patty here tonight if there's any real technical question that the board has.

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So the sum total of that when you look at these 1 07:45PM

2 courts, there are two courts here (indicating), 19

3 right? 07:45PM

07:45PM

4 There's a court between Building 1 and 07:45PM 5 2 and a court between Building 3 and 4. We've 07·45PM 6 increased each of those courts by a total of 4 feet, 07:45PM 07:45PM 7 which is a pretty significant increase there in the

8 amount of room that one has to maneuver and has to 07·45PM

9 park. So we felt pretty good about that. 07:45PM

And that condition is repeated between 07:45PM 10 07:45PM 11 Buildings 3 and 4 as we're sort of zooming in there as well. So you have that condition, 19 -- 19 plus 07:45PM 12 07:45PM 13 22 in the middle now consistent among the two courts 07:45PM 14 between Building 1 and 2 and between Building 3 and

07:45PM 15

07:46PM 16 I will say that the other little things 07:46PM 17 that are shown on here, I know that Mr. Panzarella 07:46PM 18 had some concern in a severe storm about water going 07:46PM 19 out onto Plainfield. There is currently on the site 07:46PM **20** a certain portion of that driveway that just drains 07:46PM 21 onto Plainfield. We have decreased the amount of the 07:46PM **22** driveway that drains onto Plainfield and, along with 07:46PM 23 Mr. Panzarella's recommendation, we've include a

07:46PM **24** trench drain. 07:46PM **25** And this one, we actually went back and

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So that was the first thing we did, provided a sidewalk for the potential of a bus stop for the children.

Next, we were able to increase, as Jason alluded to, and vou'll see it here, the driveways now for each of the buildings are 19-feet deep.

So we had talked before and you'll remember the testimony from Mr. Staigar that the driveways were 18-feet deep which met the sort of requirement for the largest vehicle on the road today, and I think, if I'm remembering Mr. Staigar's testimony correctly, the average of the top 20 selling cars in the United States is 15-feet deep.

We now are providing 19, 'cause I think there was, again, another legitimate comment that, well, if you do have a number of these large trucks and they don't want to park right to the door of the garage, if they're going to be the second car or a visitor, then maybe an extra foot would be helpful.

So we've provided an extra foot, 19 foot in depth from the face of the garage to the end of the parking space behind the garage. And in addition to that, we've added

07:45PM **24** 07:45PM 25 2 feet to the cartway taking it from 20 feet to 22.

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1 forth on a little bit, making sure that we could get 07:46PM that trench drain at a height that exceeded the 07:46PM

100 foot -- the 100-year flood elevation and tie it 07:46PM

4 into those -- the inlets there that eventually feed 07:46PM 5 into the basin. 07:46PM

6 So it works from an engineering 07:46PM 7 standpoint, and it should even further reduce any 07:46PM 8 potential of stormwater in a severe storm coming out 07:46PM g and just sheet flowing onto Plainfield. 07:46PM

07:46PM 10 So there's a couple other changes that 07:46PM 11 were made in here. You know, we've noted here that 07:47PM 12 the attic spaces will be prewired, but by and large

07:47PM 13 the changes that we made to the layout plan were 07:47PM 14 really focused on internal circulation, again, both

07:47PM 15 pedestrian with the sidewalk and the bus stop, and

07:47PM 16 vehicular with the expansion of the driveways and the

07:47PM 17 cartways.

07:47PM 18 And we just wanted to give the board 07:47PM 19 the benefit of sort of walking through that. And if 07:47PM **20** you have any questions on it, I'm hoping to answer

07:47PM 21 those as well.

07:47PM **22** MALE AUDIENCE MEMBER: There is some 07:47PM **23** big money here.

07:47PM **24** FEMALE AUDIENCE MEMBER: Oh, yeah. 07:47PM **25** Well, they stand to make a lot of money.

> LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

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	21		23
07:47PM 1	MR. TUVEL: Mr. Chairman, that	07:49PM 1	what Building 1 is. Building 1 was moved 4 feet
07:47PM 2	concludes Noah's direct, so if you or the board have	07:49PM 2	towards Drift Road. And what we tried to do was that
07:47РМ 3	any questions, we'd be happy to answer them.	07:49PM 3	in no instance would we exceed the 12 feet from the
07:47PM 4	ACTING CHAIRMAN HUNSINGER: Yes, I'm	07:49PM 4	property line to the edge of the building.
07:47PM 5	just going to ask members of the public to mute	07:49PM 5	So we held what was the sort of
07:47РМ 6	themselves because we are not at the question portion	07:49РМ 6	maximum, I guess deviation you would call it, right?
07:47PM 7	of the thing.	07:50PM 7	We held the maximum deviation at
07:47РМ 8	Whoever is at Jim Galaxy Tab A, if you	07:50PM 8	12 feet. We moved Building 1 4 feet toward Drift
07:47РМ 9	could please mute yourself?	07:50PM 9	Road. That enabled us to get room for the sidewalk.
07:47РМ 10	Thank you.	07:50PM 10	And then as you correctly pointed out,
07:47PM 11	Does anybody have any questions about	07:50PM 11	we moved Building 2, we shifted Building 2, I guess
07:47PM 12	this?	07:50PM 12	south here, down a little bit (indicating), and
07:48РМ 13	MS. FECHTNER: Yes, I guess I do.	07:50PM 13	that's what enabled us to get more room in the
07:48PM 14	First of all, the pathway, I see that	07:50PM 14	driveways and the cartway between Buildings 1 and 2.
07:48РМ 15	you've moved the building in order to give access to	07:50PM 15	MS. FECHTNER: Is that called a court,
07:48РМ 16	the road because of my interest in protecting the	07:50PM 16	what I would call the roadway? You were referring to
07:48PM 17	school kids coming down.	07:50PM 17	something as a court.
07:48РМ 18	THE WITNESS: Yes, ma'am.	07:50PM 18	And I
07:48РМ 19	MS. FECHTNER: If talk to me about	07:50PM 19	THE WITNESS: I sort of made that up,
07:48PM 20	the train right there or running into any problems	07:50PM 20	but, yes, when I when I'll tell you just
07:48PM 21	with the elevations as you've moved it over, have you	07:50PM 21	specifically what I mean. When I say "court," I mean
07:48PM 22	run into engineering problems?	07:50PM 22	the cartway between the townhomes and the drive
07:48РМ 23	I'm looking at this double image and	07:50PM 23	the driveways on both sides of it.
07:48PM 24	it's wow, here's the gray and there's the blue, and	07:50PM 24	So that's kind of what I'm referring to
07:48РМ 25	it doesn't make sense. I would have to really	07:50PM 25	as the court there.
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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4	22		MC EECHTNED Valle and a second and a
07:48PM 1	understand a little more.	07:50PM 1	MS. FECHTNER: You're saying you made
07:48PM 2	understand a little more. But it looks like you moved Building 2	07:50PM 2	MS. FECHTNER: You're saying you made that 2 feet wider now?
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	25		27
07:50DM 1	Building 2 and 3, ma'am.	07:54PM 1	a lot more electric cars and I'm learning a lot about
07:52PM 1	MS. FECHTNER: Okay.		it because my son just bought an electric car, so I'm
	And again, I'm looking at your		paying attention and I'm thinking, okay, in the
	Building 4 which I thought was terribly tight for		garage that gives them access for if they're going
_	parking for the cars. I don't recall I felt there	_	to have a slower electric, not taking up one of the
	was a problem there with your affordable housing. I		outside parking places for that.
_	think even on your plan, I couldn't figure out how	_	THE WITNESS: Certainly.
	people were going to walk in. You seemed to be		And I think, just to go back,
	missing a door, but I felt that was not a problem,		Ms. Fechtner, I'm sorry, to your comment about the
07:52PM 9	your architect will come up with that.	07:54PM 9	parking overall on the site, I think the testimony
07:52PM 10	But my other big concern of this	07:54PM 10	from Patty last time was that we exceeded the RSIS.
07:52PM 11	property is parking. People will either live there	07:54PM 11	And RSIS, I think the testimony, again,
07:52PM 12	and like what you're presenting for them to live in,	07:54PM 12	is meant to meet not only residents but also their
07:52PM 14	but son of a gun, parking there, it has to be right	07:54PM 14	guests, and I think that we exceeded it, if I'm
07:52PM 15	on-site because there is no place you're going to	07:54PM 15	remembering the testimony correctly, and did not take
07:52PM 16	park on Plainfield Avenue or on Drift Road.	07:54PM 16	credit for the reduction in spaces that you're
07:52PM 17	So I shudder over people having	07:54PM 17	allowed by putting the electric car charging stations
07:52PM 18	everyone has a car today. You're going to have	07:54PM 18	in.
07:52PM 19	multiple cars.	07:54PM 19	So I think we're feeling pretty
07:52PM 20	But you tell me you have accomplished	07:54PM 20	confident there. And certainly if we thought we were
07:52PM 21	the legal number of parking places, I worry, too,	07:55PM 21	short, we would have a pretty good concern about that
07:53PM 22	about people who plug into the electric, which and	07:55PM 22	as well because certainly parking is one of the more
07:53PM 23	that electric those stations are not going to be	07:55PM 23	it's one of the things that folks focus in on, you
07:53PM 24	running right away, are they? Or are they?	07:55PM 24	know, when you're marketing a home.
07:53PM 25	THE WITNESS: Oh, no, they'll be up and	07:55PM 25	MR. TUVEL: Yes, and two things on
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	201-641-1812		201-641-1812
	26		28
07:53PM 1	26 running right away.	07:55PM 1	28 that.
07:53РМ 1 07:53РМ 2		07:55РМ 1 07:55РМ 2	
	running right away.		that.
07:53PM 2	running right away. Yes, ma'am.	07:55PM 2	that. So, Steve, we're technically allowed
07:53РМ 2 07:53РМ 3	running right away. Yes, ma'am. MS. FECHTNER: So are they going to be	07:55РМ 2 07:55РМ 3	that. So, Steve, we're technically allowed the charging stations, to count each one as double.
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	29		31
07:56PM 1	MS. FECHTNER: Okay. All right. I	07:58PM 1	DR. STEINFELD: How many visitors does
07:56PM 2	yield my time, as they keep saying in Congress.	07:58PM 2	the state permit?
07:56PM 3	MR. TUVEL: No, thank you very much for	07:58PM 3	MR. TUVEL: Okay.
07:56PM 4	your questions.	07:58PM 4	So I could have Mr. Heydt go into that,
07:56РМ 5	ACTING CHAIRMAN HUNSINGER: I have a	07:58PM 5	but it's usually .5 per unit, which is included in
07:56РМ 6	quick comment.	07:58PM 6	the parking standard.
07:56PM 7	My biggest concern as I left last	07:58PM 7	So as the state standards go for
07:56РМ 8	meeting was the distance between these, and adding	07:58PM 8	visitor and resident parking, the application exceeds
07:56РМ 9	that 4 feet, in my opinion, is really going to make	07:58PM 9	what is required. And we're not taking credit, which
07:56РМ 10	the congestion issues in there a lot better, so I	07:58PM 10	we could, up to ten percent based on the ECB
07:56РМ 11	think it's a great improvement.	07:59PM 11	stations. We're not we're playing it
07:56РМ 12	Any other questions or comments?	07:59PM 12	conservative, as they say.
07:56РМ 13	MR. STIRES: One thing.	07:59PM 13	ACTING CHAIRMAN HUNSINGER: Any other
07:56РМ 14	Noah, do you know what the impervious	07:59PM 14	questions?
07:56РМ 15	coverage changed to?	07:59PM 15	(No response.)
07:56РМ 16	MR. TUVEL: Yeah, I can answer that.	07:59PM 16	ACTING CHAIRMAN HUNSINGER: If not, we
07:56РМ 17	So we ran that calculation, Mr. Stires,	07:59PM 17	can proceed to the next
07:56РМ 18	Steve and I discussed it to make sure we knew what it	07:59PM 18	MS. FECHTNER: I'd like to make a
07:56РМ 19	was if the board were to approve it, that we would	07:59PM 19	comment, if I may?
07:56РМ 20	have the amount.	07:59PM 20	I'm looking at the latest received
07:56РМ 21	It was 64.3 percent when we filed the	07:59PM 21	today and I see that, going back to the one that we
07:57PM 22	application. Per Ms. Ruskan's comments to me, it's	07:59PM 22	approved on they did have impervious coverage of
07:57PM 23	now going to 65.9. So only I'll call it 66 just	07:59PM 23	45. We are I want to note that we're up to 65.
07:57PM 24	to be on the safe side. So it went up 1.7 percent,	07:59PM 24	If you manage to control your water,
07:57PM 25	or 1500 square feet.	07:59PM 25	your snow, where you're going to pile your snow, I
		07.007 111	your snow, where you're going to pile your snow, I
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.	57.557 III 20	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	·	S. 155 III	
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.	0.350 iii 2 0	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
07:57РМ 1	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	07:59РМ 1	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 30		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 32 know we've discussed it and you've said it can be done. I can't remember where you said you'd do your
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08:01PM **24**

08:01PM **25**

during his testimony.

the development and our planner will go through that

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

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07:58PM **24**

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state requires.

all inclusive. We meet the requirement that the

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

	33		35
08:01PM 1	MS. FECHTNER: Your surrounding	08:02PM 1	the underlying residential zone from permits office
08:01PM 2	property is advantageous, too, because you do have a	08:02PM 2	use.
08:01PM 3	cemetery there, so right there you have greenery, and	08:02PM 3	And and the really, you know,
08:01PM 4	then on the other side, Drift Road, you've got quite	08:03PM 4	honestly with Marc's work on the architecture we hope
08:01PM 5	a wide expanse of greenery there, too, so	08:03РМ 5	is going to provide a really attractive solution both
08:01PM 6	MR. TUVEL: You're making my arguments	08:03РМ 6	to the reuse of the site and to the provision of
08:01PM 7	for me.	08:03PM 7	inclusionary housing.
08:01PM 8	MS. FECHTNER: I'm recognizing what is	08:03РМ 8	So with that, I'm happy to turn it back
08:01PM 9	a positive for the people who are going to be living	08:03РМ 9	and look forward to Charles' planning testimony and
08:01PM 10	there.	08:03PM 10	appreciated the questions and hope that some of what
08:01PM 11	MR. TUVEL: No doubt.	08:03PM 11	we've shown you here tonight with the widening of the
12	MS. FECHTNER: Real living, breathing	08:03PM 12	driveways and stuff has been responsive to your
13	people.	08:03PM 13	comments from the last hearing.
14	MR. TUVEL: No doubt.	08:03PM 14	ACTING CHAIRMAN HUNSINGER: Excellent.
15	Thank you.	08:03PM 15	So we'll move on to the planner then.
16	THE WITNESS: I think, Ms. Fechtner,	08:03PM 16	MR. WARNER: I'm sorry, Mr. Chairman,
08:01PM 17	there are a couple of unique things with this site	08:03PM 17	did you want to have members of the public ask each
08:01PM 18 08:01PM 19	included in that 30-plus foot, you know, right where	08:03PM 18 08:03PM 19	witness questions since we only have two this evening or did you want to wait until the planner was done?
08:01PM 19	the DOT actually owns, right, whereas in the standard, you know, sort of like on Plainfield, for	08:03PM 19 08:03PM 20	The discretion of the chair, of course.
08:01PM 20	us it's a variable right-of-way of, you know,	08:03PM 20	ACTING CHAIRMAN HUNSINGER: It doesn't
08:01PM 21	anywhere between 5 to 10 feet would be more normal,	08:03PM 21	matter to me. I mean, we can see so the questions
08:01PM 23	right?	08:03PM 23	would only be on the changes because we've already
08:01PM 24	And then I think there's a couple other	08:03PM 24	questioned this witness, so if anybody from the
08:01PM 25	things with the project on Mountain Boulevard that	08:03PM 25	public has any questions of on these changes only,
			, , , , , , , , , , , , , , , , , , , ,
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
08:01PM 1	201-641-1812	08:03РМ 1	201-641-1812
08:01PM 1 08:01PM 2	201-641-1812 34	08:03PM 1 08:03PM 2	201-641-1812 36
00:01:11	201-641-1812 34 are also unique, including the inclusion of a		201-641-1812 36 we'll have a period of time for each of the other
08:01PM 2	are also unique, including the inclusion of a single-family home lot both in its lot area and its impervious coverage calculations which, if removed, and Charles will you know, could testify to this	08:03PM 2	201-641-1812 36 we'll have a period of time for each of the other witnesses and we'll also have a time for comments at the end of this application as well. So, is there anyone from the public
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LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

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08:04PM **25**

MR. HEYDT: I do.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

	37		39
08:04PM 1	CHARLES HEYDT, PP,	08:06PM 1	Mr. Chairman, I would ask that the
08:05PM 2	1 Evertrust Plaza in Jersey City, New Jersey,	08:06PM 2	board accept Mr. Heydt as an expert in the field of
08:04PM 3	having been duly sworn, testifies as follows:	08:06PM 3	professional planning.
08:04PM 4	MR. WARNER: Thank you.	08:06PM 4	ACTING CHAIRMAN HUNSINGER: I think we
08:04PM 5	Name and address, business address is	08:06PM 5	can definitely do that, no objections. MR. TUVEL: Great.
08:04PM 6	fine, for the record, and I'm sure Mr. Tuvel will	08:06PM 6	
08:05PM 7	voir dire you and elicit your qualifications. MR. HEYDT: Yes.		Thank you so much. DIRECT EXAMINATION
	Hi, good evening, everyone. My name is		BY MR. TUVEL:
08:05PM 9	Charles Heydt, last name is spelled H-E-Y-D-T.	08:06PM 9	Q. So, Charles, just the typical
08:05PM 10	I am a professional planner with the	08:06PM 10	foundational questions for you before you get into
08:05PM 12	firm of Dresdner Robin.	08:06PM 12	the substance.
08:05PM 13	We have our headquarters at 1 Evertrust	08:06PM 13	You visited the site and the
08:05PM 14	Plaza in Jersey City, New Jersey, as well as an	08:06PM 14	surrounding area?
08:05PM 15	office in Fairfield at 55 Lane Road, Fairfield, New	08:06PM 15	A. Yes.
08:05PM 16	Jersey.	08:06PM 16	Q . Okay.
08:05PM 17	VOIR DIRE EXAMINATION	08:06PM 17	You've reviewed the Master Plan for the
08:05PM 18	BY MR. TUVEL:	08:07PM 18	municipality, as well as the Zoning Ordinance?
08:05PM 19	Q. All right. Charles, if you could just	08:07PM 19	A. Yes, I have.
08:05PM 20	give the board the benefit of your educational	08:07PM 20	Q. You've reviewed all the application
08:05PM 21	background, licenses held and experience testifying	08:07РМ 21	materials, plans, reports, and have heard all the
08:05PM 22	as a professional planner before land use boards in	08:07PM 22	testimony and viewed all of the exhibits that have
08:05PM 23	the State of New Jersey?	08:07PM 23	been part of the application?
08:05PM 24	A. Yes.	08:07PM 24	A. Yes, I have.
08:05PM 25	I have an undergraduate degree in	08:07PM 25	Q . Great.
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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	38		40
08:05PM 1	economics from The College of New Jersey. I also am	08:07PM 1	So why don't we just jump right into
08:05PM 2	benefitted of a master's degree in city and regional	08:07PM 2	it, and why don't we have several variances that
08:05PM 3	planning from Rutgers University.	08:07PM 3	we have to speak about, so why don't we just start, I
08:05PM 4	I should point out, Rutgers is actually	08:07PM 4	guess, with the D-1 variance.
08:05PM 5	the third-ranked city planning school. Harvard is	08:07PM 5	A. Yeah, I do appreciate that.
08:05PM 6	sixth.	08:07PM 6	We do have a couple of site photos just
08:05PM 7	MR. WARNER: Wait a minute. If I	08:07PM 7	to reorient the board of the existing conditions of
08:05PM 8	understand correctly, was it Mr. Kushner who went to	08:07PM 8	the property. In terms of the variances, we do seek
08:05PM 9 08:06PM 10	Harvard? THE WITNESS: Yes.	08:07PM 9 08:07PM 10	to what we call D variances as they're listed in the Municipal Land Use Law; one for a use not permitted
08:06PM 10	MR. WARNER: United we stand.	08:07PM 10	within a zone, and then a building height variance
08:06PM 12	Anyway	08:07PM 11	with respect to exceeding a 10 percent or 10 feet
08:06PM 13	THE WITNESS: It's a testament to the	08:07PM 12	threshold, so those are the D variances, and they're
08:06PM 14	program. I am a staunch alumni.	08:07PM 14	related to the intensity and use of the property so I
08:06РМ 15	And I also, in terms of professional	08:07PM 15	will be focusing on them.
08:06РМ 16	qualifications, I do hold my professional planner's	08:08PM 16	We do have additionally six bulk
08:06PM 17	license in the State of New Jersey.	08:08PM 17	variances. They range from different issues from
08:06РМ 18	I also am a member of the American	08:08PM 18	setback to coverage to signage, so I will get into
08:06РМ 19	Institute of Certified Planners. That was a national	08:08PM 19	those details as they relate to various aspects of
08:06РМ 20	certification program.	08:08PM 20	the testimony.
08:06РМ 21	And I like to say this is my full-time	08:08PM 21	And then, lastly, there are the three
08:06РМ 22	night job. I routinely appear before boards	08:08PM 22	design waivers, mostly related with the parking and
08:06РМ 23	throughout the state on a wide range of development	08:08PM 23	circulation, so I will briefly touch on those at the
08:06РМ 24	and multifamily housing.	08:08PM 24	end in terms of the variances.
08:06РМ 25	MR. TUVEL: Thank you, Charles.	08:08PM 25	So as we start, I just wanted to share
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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	41		43
08:08PM 1	with the board these photos. These were taken ahead	08:11PM 1	to the right (indicating).
08:08PM 2	of the previous buildings.	08:11PM 2	And it's viewing north, so this is
08:08PM 3	MR. TUVEL: Just counsel, just so	08:11PM 3	capturing some of the vegetation along Plainfield
08:08PM 4	you're aware, these were part of the original 32	08:11PM 4	Avenue which is in the foreground. The homes beyond
08:08PM 5	slides on A-1, we just didn't get to them the last	08:11PM 5	the vegetation do front onto Hampton Drive, so I
08:08РМ 6	time because Charles did not testify.	08:11PM 6	think that we had some residents from that
08:08PM 7	BY MR. TUVEL:	08:11PM 7	neighborhood attend the prior hearing. I am sure
08:08PM 8	Q. So, Charles, if you could just identify	08:11PM 8	they're here.
08:08PM 9	them as, you know, taken by your office and	08:11PM 9	But this just gives you a perspective.
08:08PM 10	representative of the existing conditions.	08:11PM 10	These homes obviously that's the rear yard. The
08:08PM 11	A. Yes, these are photos taken I think the	08:11PM 11	homes front further north onto Hampton Drive, which
08:08PM 12	two days before the last hearing by myself on one of	08:11PM 12	is north of Plainfield Avenue.
08:09РМ 13	my site visits. They are a set of four photos.	08:11PM 13	And then this final photo is of the
08:09PM 14	So if we could just jump back quickly,	08:11PM 14	Stonegate development, which is just east of the
08:09РМ 15	this photo is from Plainfield Avenue, it shows the	08:11PM 15	subject property across Drift Road.
08:09РМ 16	main driveway entrance as well as the existing	08:11PM 16	Again, it is a single-family
08:09PM 17	two-story office structure. There is a vacant office	08:12PM 17	townhouse-style development that's kind of a little
08:09PM 18	structure. I believe you've heard testimony as to	08:12PM 18	unique because it's integrated into the existing
08:09PM 19	the history and status of the office use at this	08:12PM 19	topography of the property whereas, you could see
08:09PM 20	location.	08:12PM 20	from the initial two photos, the subject property
08:09PM 21	The second photo is from Drift Road,	08:12PM 21	that we're here presenting on tonight has already
08:09PM 22	which is in the foreground, and the main façade along	08:12PM 22	been previously approved, is relatively flat in
08:09PM 23	Drift Road.	08:12PM 23	slope, and and has basically an office building in
08:09PM 24	It's helpful with this photo to really	08:12PM 24	the center of it with surrounding parking areas, so
08:09РМ 25	grasp the distance of this, what we call buffer area	08:12PM 25	there is not much existing landscaping on the subject
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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4	42		44
08:09PM 1	along Drift Road. So there's a marginal slope in this area, but it is a substantially pervious area	08:12PM 1	property tonight, but here's a photo of a similar multifamily home as well within the area.
_	that will be maintained, I think that's one of the	08:12PM 2 08:12PM 3	•
	· · · · · · · · · · · · · · · · · · ·		I think that's it for the photos.
08:09PM 4	critical aspects of this development, and it is within the right-of-way along Drift Road.	08:12PM 4 08:12PM 5	So with respect to the variances you can stop sharing, I think. The board is aware that
08:10PM 6	So, we can move on to the second, third	08:12PM 6	D-1 use variances are really derived in terms of the
08:10PM 7	and fourth photos. This third photo is of the	08:12PM 7	burden of proof the <u>Medici</u> case, there are subsequent
08:10PM 8	adjacent cemetery, St. Mary's Cemetery.	08:13PM 8	cases after that, but that case really established
08:10PM 9	Again, it's a very passive use. This	08:13PM 9	the language and the test that use variances must
08:10PM 10	is the only adjacent use to the property. So from a	08:13PM 10	meet in the State of New Jersey.
08:10PM 11	physical standpoint, we have one adjacent cemetery	08:13PM 11	And for the most part, the framework is
08:10PM 12	use and two frontages in terms of characteristics.	08:13PM 12	the particular suitability test. And what I mean by
08:10PM 13	The fourth photo and I believe I	08:13PM 13	that is, are there particular and unique aspects of
08:10PM 14	said four, there is actually five photos. This is a	08:13PM 14	the specific property in question that would lend
08:10PM 15	photo of the Berkeley Square multifamily development	08:13PM 15	itself to be utilized for the proposed use.
08:10PM 16	which is just due west of the cemetery, so it's	08:13PM 16	And I will go through that, there are
08:10PM 17	within close proximity.	08:13PM 17	several factors where I think that this property and
08:10PM 18	The unique aspect of this property is	08:13PM 18	application do meet that threshold.

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08:10PM 19

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08:11PM **24**

08:11PM **25**

actually that it's bisected by the municipal boundary

many photos we had. This is a photo from the subject

property (indicating). The main driveway is just off

The last photo -- I'm forgetting how

between Watchung and Berkeley Square, but it is a

very consistent multifamily development within

200 feet of the property -- or within 300 feet.

08:13PM **19**

08:13PM **20**

08:13PM **21**

08:13PM **22**

08:13PM **23**

08:13PM **24**

08:13PM **25**

I also, in this test, want to touch on

and I will touch on a few issues. I'll speak to

will also speak to the building height. We are

requesting a D-6 building height variance where

RR District, the Single-Family Rural Residential

two-and-a-half stories, 35 feet are permitted in the

density because it is a multifamily development. I

	45		47
08:13PM 1	District, and three stories is proposed with one of	08:16PM 1	to a density of approximately 12 units per acre, so
08:14PM 2	the buildings having a maximum height of 40 feet	08:16PM 2	that's the 27 total units over the well, what
08:14PM 3	8 inches.	08:16PM 3	would be approximately 2.1 acres.
08:14PM 4	The last one that I think is really	08:16PM 4	That really is a product of the type of
08:14PM 5	related to the use is a bulk variance with respect to	08:16PM 5	design and development. We're talking about
08:14PM 6	net habitable floor area. When you review this	08:16PM 6	townhouse-styled units. They're primarily efficient
08:14PM 7	requirement as it relates to single-family homes it	08:16PM 7	because each unit is a vertical construction.
08:14PM 8	makes sense. The minimum requirement is 2,000 square	08:16PM 8	The ground floor provides for all of
08:14PM 9	feet of net habitable floor area.	08:17PM 9	the market-rate units, the parking space and some
08:14PM 10	For a townhouse development that is not	08:17PM 10	auxiliary storage and hallway space to get up to the
08:14PM 11	necessarily appropriate. That would be a very large	08:17PM 11	staircase space to get up to the upper floors.
08:14PM 12	townhouse development in terms of net habitable floor	08:17PM 12	The second and third floors are for the living and
08:14PM 13	area.	08:17PM 13	bedrooms.
08:14PM 14	What we're proposing with this design	08:17PM 14	The types of units are also comfortable
08:14PM 15	and use is when you calculate it out is 669 square	08:17PM 15	in terms of they afford the three-bedroom units, so I
08:14PM 16	feet. So the variance is being requested, but	08:17PM 16	think that's an important element in terms of
08:14PM 17	obviously it's related to the type of development.	08:17PM 17	establishing that these aren't small in terms of
08:14PM 18	So I think that gives the board a	08:17PM 18	market units, in terms of size, as well as
08:14PM 19	general framework for the use variance. I will run	08:17PM 19	appropriate area and bedrooms.
08:14PM 20	through the positive criteria at first, touch on some	08:17PM 20	MR. TUVEL: And, Charles, just to
08:14PM 21	of the bulk requirements, bulk variances, as they	08:17PM 21	confirm there are six stacked flats as well?
08:14PM 22	relate to the application, and then finish up with	08:17PM 22	THE WITNESS: Yes.
08:15PM 23	the negative criteria.	08:17PM 23	And the six stacked flats are the
08:15PM 24	A few of the elements in terms of the	08:17PM 24	special aspect to this property because and
08:15PM 25	particular suitability relate to lot characteristics,	08:17PM 25	project because they are able to be accommodated in a
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	201-641-1812		201-641-1812
	10		
	46		48
08:15PM 1	consistency with existing land use pattens, and then	08:17PM 1	48 multifamily use and we are creating them as
08:15PM 2	consistency with existing land use pattens, and then the adequacy of the site plan and site design as it	08:17PM 2	multifamily use and we are creating them as setting them up to be the affordable component with
	consistency with existing land use pattens, and then	_	multifamily use and we are creating them as setting them up to be the affordable component with the overall development.
08:15PM 2	consistency with existing land use pattens, and then the adequacy of the site plan and site design as it relates to the size of the property, so in this instance I want to hone in on the parking and	08:17PM 2	multifamily use and we are creating them as setting them up to be the affordable component with the overall development. And I will get into some of the
08:15PM 2 08:15PM 3 08:15PM 4 08:15PM 5	consistency with existing land use pattens, and then the adequacy of the site plan and site design as it relates to the size of the property, so in this instance I want to hone in on the parking and circulation and then also the landscaping and	08:17PM 2 08:17PM 3 08:17PM 4 08:17PM 5	multifamily use and we are creating them as setting them up to be the affordable component with the overall development. And I will get into some of the affordable issues as it relates to the town's
08:15PM 2 08:15PM 3 08:15PM 4 08:15PM 5 08:15PM 6	consistency with existing land use pattens, and then the adequacy of the site plan and site design as it relates to the size of the property, so in this instance I want to hone in on the parking and circulation and then also the landscaping and screening.	08:17PM 2 08:17PM 3 08:17PM 4 08:17PM 5 08:17PM 6	multifamily use and we are creating them as setting them up to be the affordable component with the overall development. And I will get into some of the affordable issues as it relates to the town's ordinances and objectives in the Master Plan later.
08:15PM 2 08:15PM 3 08:15PM 4 08:15PM 5 08:15PM 6 08:15PM 7	consistency with existing land use pattens, and then the adequacy of the site plan and site design as it relates to the size of the property, so in this instance I want to hone in on the parking and circulation and then also the landscaping and screening. With respect to lot characteristics, we	08:17PM 2 08:17PM 3 08:17PM 4 08:17PM 5 08:17PM 6 08:18PM 7	multifamily use and we are creating them as setting them up to be the affordable component with the overall development. And I will get into some of the affordable issues as it relates to the town's ordinances and objectives in the Master Plan later. One of the other aspects in terms of
08:15PM 2 08:15PM 3 08:15PM 4 08:15PM 5 08:15PM 6 08:15PM 7 08:15PM 8	consistency with existing land use pattens, and then the adequacy of the site plan and site design as it relates to the size of the property, so in this instance I want to hone in on the parking and circulation and then also the landscaping and screening. With respect to lot characteristics, we have a substantially large property. It's	08:17PM 2 08:17PM 3 08:17PM 4 08:17PM 5 08:17PM 6 08:18PM 7 08:18PM 8	multifamily use and we are creating them as setting them up to be the affordable component with the overall development. And I will get into some of the affordable issues as it relates to the town's ordinances and objectives in the Master Plan later. One of the other aspects in terms of the particular suitability that I also referenced was
08:15PM 2 08:15PM 3 08:15PM 4 08:15PM 5 08:15PM 6 08:15PM 7 08:15PM 8 08:15PM 9	consistency with existing land use pattens, and then the adequacy of the site plan and site design as it relates to the size of the property, so in this instance I want to hone in on the parking and circulation and then also the landscaping and screening. With respect to lot characteristics, we have a substantially large property. It's approximately 91,670 square feet. The minimum in the	08:17PM 2 08:17PM 3 08:17PM 4 08:17PM 5 08:17PM 6 08:18PM 7 08:18PM 8 08:18PM 9	multifamily use and we are creating them as setting them up to be the affordable component with the overall development. And I will get into some of the affordable issues as it relates to the town's ordinances and objectives in the Master Plan later. One of the other aspects in terms of the particular suitability that I also referenced was consistency with the existing land use pattern. This
08:15PM 2 08:15PM 3 08:15PM 4 08:15PM 5 08:15PM 6 08:15PM 7 08:15PM 8 08:15PM 9 08:15PM 10	consistency with existing land use pattens, and then the adequacy of the site plan and site design as it relates to the size of the property, so in this instance I want to hone in on the parking and circulation and then also the landscaping and screening. With respect to lot characteristics, we have a substantially large property. It's approximately 91,670 square feet. The minimum in the requirements is 60,000 square feet, so we do exceed	08:17PM 2 08:17PM 3 08:17PM 4 08:17PM 5 08:17PM 6 08:18PM 7 08:18PM 8 08:18PM 9 08:18PM 10	multifamily use and we are creating them as setting them up to be the affordable component with the overall development. And I will get into some of the affordable issues as it relates to the town's ordinances and objectives in the Master Plan later. One of the other aspects in terms of the particular suitability that I also referenced was consistency with the existing land use pattern. This property is actually a very unique property.
08:15PM 2 08:15PM 3 08:15PM 4 08:15PM 5 08:15PM 6 08:15PM 7 08:15PM 8 08:15PM 9 08:15PM 10 08:15PM 11	consistency with existing land use pattens, and then the adequacy of the site plan and site design as it relates to the size of the property, so in this instance I want to hone in on the parking and circulation and then also the landscaping and screening. With respect to lot characteristics, we have a substantially large property. It's approximately 91,670 square feet. The minimum in the requirements is 60,000 square feet, so we do exceed that comfortably. And, again, the zoning anticipates	08:17PM 2 08:17PM 3 08:17PM 4 08:17PM 5 08:17PM 6 08:18PM 7 08:18PM 8 08:18PM 9 08:18PM 10 08:18PM 11	multifamily use and we are creating them as setting them up to be the affordable component with the overall development. And I will get into some of the affordable issues as it relates to the town's ordinances and objectives in the Master Plan later. One of the other aspects in terms of the particular suitability that I also referenced was consistency with the existing land use pattern. This property is actually a very unique property. Its only adjacent use, as I mentioned
08:15PM 2 08:15PM 3 08:15PM 4 08:15PM 5 08:15PM 6 08:15PM 7 08:15PM 8 08:15PM 9 08:15PM 10 08:15PM 11 08:15PM 12	consistency with existing land use pattens, and then the adequacy of the site plan and site design as it relates to the size of the property, so in this instance I want to hone in on the parking and circulation and then also the landscaping and screening. With respect to lot characteristics, we have a substantially large property. It's approximately 91,670 square feet. The minimum in the requirements is 60,000 square feet, so we do exceed that comfortably. And, again, the zoning anticipates one home on 60,000 square feet, a very low density	08:17PM 2 08:17PM 3 08:17PM 4 08:17PM 5 08:17PM 6 08:18PM 7 08:18PM 8 08:18PM 9 08:18PM 10 08:18PM 11 08:18PM 12	multifamily use and we are creating them as setting them up to be the affordable component with the overall development. And I will get into some of the affordable issues as it relates to the town's ordinances and objectives in the Master Plan later. One of the other aspects in terms of the particular suitability that I also referenced was consistency with the existing land use pattern. This property is actually a very unique property. Its only adjacent use, as I mentioned earlier in the review of existing conditions, is the
08:15PM 2 08:15PM 3 08:15PM 4 08:15PM 5 08:15PM 6 08:15PM 7 08:15PM 8 08:15PM 9 08:15PM 10 08:15PM 11 08:15PM 12 08:15PM 13	consistency with existing land use pattens, and then the adequacy of the site plan and site design as it relates to the size of the property, so in this instance I want to hone in on the parking and circulation and then also the landscaping and screening. With respect to lot characteristics, we have a substantially large property. It's approximately 91,670 square feet. The minimum in the requirements is 60,000 square feet, so we do exceed that comfortably. And, again, the zoning anticipates one home on 60,000 square feet, a very low density manner.	08:17PM 2 08:17PM 3 08:17PM 4 08:17PM 5 08:17PM 6 08:18PM 7 08:18PM 8 08:18PM 10 08:18PM 11 08:18PM 12 08:18PM 13	multifamily use and we are creating them as setting them up to be the affordable component with the overall development. And I will get into some of the affordable issues as it relates to the town's ordinances and objectives in the Master Plan later. One of the other aspects in terms of the particular suitability that I also referenced was consistency with the existing land use pattern. This property is actually a very unique property. Its only adjacent use, as I mentioned earlier in the review of existing conditions, is the cemetery.
08:15PM 2 08:15PM 3 08:15PM 4 08:15PM 5 08:15PM 6 08:15PM 7 08:15PM 8 08:15PM 9 08:15PM 10 08:15PM 11 08:15PM 12 08:15PM 13 08:15PM 13	consistency with existing land use pattens, and then the adequacy of the site plan and site design as it relates to the size of the property, so in this instance I want to hone in on the parking and circulation and then also the landscaping and screening. With respect to lot characteristics, we have a substantially large property. It's approximately 91,670 square feet. The minimum in the requirements is 60,000 square feet, so we do exceed that comfortably. And, again, the zoning anticipates one home on 60,000 square feet, a very low density manner. I would first say that a single-family	08:17PM 2 08:17PM 3 08:17PM 4 08:17PM 5 08:17PM 6 08:18PM 7 08:18PM 8 08:18PM 10 08:18PM 11 08:18PM 12 08:18PM 13 08:18PM 13	multifamily use and we are creating them as setting them up to be the affordable component with the overall development. And I will get into some of the affordable issues as it relates to the town's ordinances and objectives in the Master Plan later. One of the other aspects in terms of the particular suitability that I also referenced was consistency with the existing land use pattern. This property is actually a very unique property. Its only adjacent use, as I mentioned earlier in the review of existing conditions, is the cemetery. Within adjacent properties beyond Drift
08:15PM 2 08:15PM 3 08:15PM 4 08:15PM 5 08:15PM 6 08:15PM 7 08:15PM 8 08:15PM 10 08:15PM 11 08:15PM 12 08:15PM 13 08:15PM 13	consistency with existing land use pattens, and then the adequacy of the site plan and site design as it relates to the size of the property, so in this instance I want to hone in on the parking and circulation and then also the landscaping and screening. With respect to lot characteristics, we have a substantially large property. It's approximately 91,670 square feet. The minimum in the requirements is 60,000 square feet, so we do exceed that comfortably. And, again, the zoning anticipates one home on 60,000 square feet, a very low density manner. I would first say that a single-family home in this location would probably not be an	08:17PM 2 08:17PM 3 08:17PM 4 08:17PM 5 08:17PM 6 08:18PM 7 08:18PM 8 08:18PM 10 08:18PM 11 08:18PM 12 08:18PM 13 08:18PM 13	multifamily use and we are creating them as setting them up to be the affordable component with the overall development. And I will get into some of the affordable issues as it relates to the town's ordinances and objectives in the Master Plan later. One of the other aspects in terms of the particular suitability that I also referenced was consistency with the existing land use pattern. This property is actually a very unique property. Its only adjacent use, as I mentioned earlier in the review of existing conditions, is the cemetery. Within adjacent properties beyond Drift Road and further west are two multifamily homes,
08:15PM 2 08:15PM 3 08:15PM 4 08:15PM 5 08:15PM 6 08:15PM 7 08:15PM 8 08:15PM 9 08:15PM 10 08:15PM 11 08:15PM 12 08:15PM 13 08:15PM 14 08:15PM 15 08:15PM 15	consistency with existing land use pattens, and then the adequacy of the site plan and site design as it relates to the size of the property, so in this instance I want to hone in on the parking and circulation and then also the landscaping and screening. With respect to lot characteristics, we have a substantially large property. It's approximately 91,670 square feet. The minimum in the requirements is 60,000 square feet, so we do exceed that comfortably. And, again, the zoning anticipates one home on 60,000 square feet, a very low density manner. I would first say that a single-family home in this location would probably not be an appropriate use given the isolated nature of it and	08:17PM 2 08:17PM 3 08:17PM 4 08:17PM 5 08:17PM 6 08:18PM 7 08:18PM 8 08:18PM 10 08:18PM 11 08:18PM 12 08:18PM 13 08:18PM 14 08:18PM 15 08:18PM 15	multifamily use and we are creating them as setting them up to be the affordable component with the overall development. And I will get into some of the affordable issues as it relates to the town's ordinances and objectives in the Master Plan later. One of the other aspects in terms of the particular suitability that I also referenced was consistency with the existing land use pattern. This property is actually a very unique property. Its only adjacent use, as I mentioned earlier in the review of existing conditions, is the cemetery. Within adjacent properties beyond Drift Road and further west are two multifamily homes, multifamily home developments. Those the
08:15PM 2 08:15PM 3 08:15PM 4 08:15PM 5 08:15PM 6 08:15PM 7 08:15PM 8 08:15PM 10 08:15PM 11 08:15PM 12 08:15PM 13 08:15PM 14 08:15PM 15 08:15PM 15 08:15PM 15	consistency with existing land use pattens, and then the adequacy of the site plan and site design as it relates to the size of the property, so in this instance I want to hone in on the parking and circulation and then also the landscaping and screening. With respect to lot characteristics, we have a substantially large property. It's approximately 91,670 square feet. The minimum in the requirements is 60,000 square feet, so we do exceed that comfortably. And, again, the zoning anticipates one home on 60,000 square feet, a very low density manner. I would first say that a single-family home in this location would probably not be an appropriate use given the isolated nature of it and the frontage on two main roads. We also have	08:17PM 2 08:17PM 3 08:17PM 4 08:17PM 5 08:17PM 6 08:18PM 7 08:18PM 8 08:18PM 10 08:18PM 11 08:18PM 12 08:18PM 13 08:18PM 14 08:18PM 15 08:18PM 15 08:18PM 15	multifamily use and we are creating them as setting them up to be the affordable component with the overall development. And I will get into some of the affordable issues as it relates to the town's ordinances and objectives in the Master Plan later. One of the other aspects in terms of the particular suitability that I also referenced was consistency with the existing land use pattern. This property is actually a very unique property. Its only adjacent use, as I mentioned earlier in the review of existing conditions, is the cemetery. Within adjacent properties beyond Drift Road and further west are two multifamily homes, multifamily home developments. Those the development at Stonegate is comprised of 41
08:15PM 2 08:15PM 3 08:15PM 4 08:15PM 5 08:15PM 6 08:15PM 7 08:15PM 8 08:15PM 10 08:15PM 11 08:15PM 12 08:15PM 13 08:15PM 14 08:15PM 15 08:15PM 16 08:15PM 16 08:15PM 17	consistency with existing land use pattens, and then the adequacy of the site plan and site design as it relates to the size of the property, so in this instance I want to hone in on the parking and circulation and then also the landscaping and screening. With respect to lot characteristics, we have a substantially large property. It's approximately 91,670 square feet. The minimum in the requirements is 60,000 square feet, so we do exceed that comfortably. And, again, the zoning anticipates one home on 60,000 square feet, a very low density manner. I would first say that a single-family home in this location would probably not be an appropriate use given the isolated nature of it and the frontage on two main roads. We also have substantial frontage, so we're able to accommodate a	08:17PM 2 08:17PM 3 08:17PM 4 08:17PM 5 08:17PM 6 08:18PM 7 08:18PM 8 08:18PM 10 08:18PM 11 08:18PM 12 08:18PM 13 08:18PM 14 08:18PM 15 08:18PM 15 08:18PM 16 08:18PM 17 08:18PM 17	multifamily use and we are creating them as setting them up to be the affordable component with the overall development. And I will get into some of the affordable issues as it relates to the town's ordinances and objectives in the Master Plan later. One of the other aspects in terms of the particular suitability that I also referenced was consistency with the existing land use pattern. This property is actually a very unique property. Its only adjacent use, as I mentioned earlier in the review of existing conditions, is the cemetery. Within adjacent properties beyond Drift Road and further west are two multifamily homes, multifamily home developments. Those the development at Stonegate is comprised of 41 townhouses.
08:15PM 2 08:15PM 3 08:15PM 4 08:15PM 5 08:15PM 6 08:15PM 7 08:15PM 8 08:15PM 10 08:15PM 11 08:15PM 12 08:15PM 13 08:15PM 14 08:15PM 15 08:15PM 16 08:15PM 17 08:15PM 17	consistency with existing land use pattens, and then the adequacy of the site plan and site design as it relates to the size of the property, so in this instance I want to hone in on the parking and circulation and then also the landscaping and screening. With respect to lot characteristics, we have a substantially large property. It's approximately 91,670 square feet. The minimum in the requirements is 60,000 square feet, so we do exceed that comfortably. And, again, the zoning anticipates one home on 60,000 square feet, a very low density manner. I would first say that a single-family home in this location would probably not be an appropriate use given the isolated nature of it and the frontage on two main roads. We also have substantial frontage, so we're able to accommodate a driveway, basically reutilize the existing main	08:17PM 2 08:17PM 3 08:17PM 4 08:17PM 5 08:17PM 6 08:18PM 7 08:18PM 8 08:18PM 10 08:18PM 11 08:18PM 12 08:18PM 13 08:18PM 14 08:18PM 15 08:18PM 15 08:18PM 16 08:18PM 17 08:18PM 17	multifamily use and we are creating them as setting them up to be the affordable component with the overall development. And I will get into some of the affordable issues as it relates to the town's ordinances and objectives in the Master Plan later. One of the other aspects in terms of the particular suitability that I also referenced was consistency with the existing land use pattern. This property is actually a very unique property. Its only adjacent use, as I mentioned earlier in the review of existing conditions, is the cemetery. Within adjacent properties beyond Drift Road and further west are two multifamily homes, multifamily home developments. Those the development at Stonegate is comprised of 41 townhouses. The development at Berkeley Square,
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08:15PM 2 08:15PM 3 08:15PM 4 08:15PM 5 08:15PM 6 08:15PM 7 08:15PM 8 08:15PM 10 08:15PM 11 08:15PM 12 08:15PM 12 08:15PM 14 08:15PM 15 08:15PM 16 08:15PM 17 08:15PM 18 08:16PM 19 08:16PM 20 08:16PM 21 08:16PM 21	consistency with existing land use pattens, and then the adequacy of the site plan and site design as it relates to the size of the property, so in this instance I want to hone in on the parking and circulation and then also the landscaping and screening. With respect to lot characteristics, we have a substantially large property. It's approximately 91,670 square feet. The minimum in the requirements is 60,000 square feet, so we do exceed that comfortably. And, again, the zoning anticipates one home on 60,000 square feet, a very low density manner. I would first say that a single-family home in this location would probably not be an appropriate use given the isolated nature of it and the frontage on two main roads. We also have substantial frontage, so we're able to accommodate a driveway, basically reutilize the existing main driveway for a two-way driveway entrance, as well as the circulation, internal circulation road. The overall property size when you look at it from a density standpoint, and I know this was referenced in the board engineer and planner's recent memo. When you do calculate it, you do calculate out	08:17PM 2 08:17PM 3 08:17PM 4 08:17PM 5 08:17PM 6 08:18PM 7 08:18PM 8 08:18PM 10 08:18PM 11 08:18PM 12 08:18PM 13 08:18PM 14 08:18PM 15 08:18PM 16 08:18PM 17 08:18PM 17 08:18PM 19 08:18PM 20 08:18PM 21 08:18PM 21	multifamily use and we are creating them as setting them up to be the affordable component with the overall development. And I will get into some of the affordable issues as it relates to the town's ordinances and objectives in the Master Plan later. One of the other aspects in terms of the particular suitability that I also referenced was consistency with the existing land use pattern. This property is actually a very unique property. Its only adjacent use, as I mentioned earlier in the review of existing conditions, is the cemetery. Within adjacent properties beyond Drift Road and further west are two multifamily homes, multifamily home developments. Those the development at Stonegate is comprised of 41 townhouses. The development at Berkeley Square, which is partially in Berkeley Heights, partially in Watchung, is a total of 37 townhouses. So in terms of total unit count, we're actually pretty consistent if not less with the proposed 27 units on this property. And I say that because I think it's part of a scale and overall
08:15PM 2 08:15PM 3 08:15PM 4 08:15PM 5 08:15PM 6 08:15PM 7 08:15PM 8 08:15PM 10 08:15PM 11 08:15PM 12 08:15PM 13 08:15PM 14 08:15PM 15 08:15PM 16 08:15PM 17 08:15PM 18 08:16PM 20 08:16PM 20 08:16PM 21 08:16PM 22 08:16PM 23 08:16PM 24	consistency with existing land use pattens, and then the adequacy of the site plan and site design as it relates to the size of the property, so in this instance I want to hone in on the parking and circulation and then also the landscaping and screening. With respect to lot characteristics, we have a substantially large property. It's approximately 91,670 square feet. The minimum in the requirements is 60,000 square feet, so we do exceed that comfortably. And, again, the zoning anticipates one home on 60,000 square feet, a very low density manner. I would first say that a single-family home in this location would probably not be an appropriate use given the isolated nature of it and the frontage on two main roads. We also have substantial frontage, so we're able to accommodate a driveway, basically reutilize the existing main driveway for a two-way driveway entrance, as well as the circulation, internal circulation road. The overall property size when you look at it from a density standpoint, and I know this was referenced in the board engineer and planner's recent	08:17PM 2 08:17PM 3 08:17PM 4 08:17PM 5 08:17PM 6 08:18PM 7 08:18PM 9 08:18PM 10 08:18PM 11 08:18PM 12 08:18PM 14 08:18PM 15 08:18PM 15 08:18PM 16 08:18PM 17 08:18PM 18 08:18PM 20 08:18PM 20 08:18PM 21 08:18PM 21 08:18PM 22 08:18PM 23 08:18PM 24	multifamily use and we are creating them as setting them up to be the affordable component with the overall development. And I will get into some of the affordable issues as it relates to the town's ordinances and objectives in the Master Plan later. One of the other aspects in terms of the particular suitability that I also referenced was consistency with the existing land use pattern. This property is actually a very unique property. Its only adjacent use, as I mentioned earlier in the review of existing conditions, is the cemetery. Within adjacent properties beyond Drift Road and further west are two multifamily homes, multifamily home developments. Those the development at Stonegate is comprised of 41 townhouses. The development at Berkeley Square, which is partially in Berkeley Heights, partially in Watchung, is a total of 37 townhouses. So in terms of total unit count, we're actually pretty consistent if not less with the proposed 27 units on this property. And I say that

	49		51
08:19PM 1	civil design for the layout.	08:21PM 1	townhomes are were originally designed at 20 feet
08:19PM 2	But I do find that it's consistent with	08:21PM 2	in width and have been now been increased to
08:19РМ 3	the appropriate the adjacent uses within this	08:22PM 3	22 feet, as well as the increase in the overall depth
08:19PM 4	location.	08:22PM 4	of those parking spaces, and that was borne out of
08:19РМ 5	The other two aspects in terms of	08:22PM 5	conversation and questions from the board in terms of
08:19РМ 6	particular suitability relate to the site design.	08:22PM 6	adequacy, so we were able to make those adjustments.
08:19РМ 7	And I know the board had some serious	08:22PM 7	And I think it just, again, in relating
08:19PM 8	concerns. We have made amendments to the overall	08:22PM 8	it to the planning testimony for the particular
08:19PM 9	circulation and and parking.	08:22PM 9	suitability of this property, I think it's a further
08:19PM 10	First and foremost, I want to reiterate	08:22PM 10	testament as to why it is particularly suitable
08:19PM 11	that we do meet the minimum requirement for parking	08:22PM 11	because we are able to accommodate those changes for
08:19PM 12	that's set forth in the RSIS standards. We are	08:22PM 12	better circulation.
08:19РМ 13	providing 67 spaces in total for the development	08:22PM 13	Lastly, I would want to discuss the
08:19РМ 14	where 64 are required.	08:22PM 14	adequate screening.
08:19РМ 15	And just to be clear to break that	08:22PM 15	So first and foremost, we are an
08:19РМ 16	down, in terms of residential visitor spaces, 14 are	08:22PM 16	isolated property. There is vegetation across
08:19PM 17	required where we're proposing 25. Some will be	08:22PM 17	Plainfield Avenue that you saw in the existing
08:19РМ 18	general visitors. Some of those surface spaces will	08:22PM 18	photos. So from the single-family homes there is
08:20PM 19	be used for the stacked COAH flats as well.	08:22PM 19	already some existing screening. We are proposing a
08:20PM 20	And we are also including 21 spaces	08:22PM 20	substantial amount of increase in landscaping on the
08:20PM 21	dedicated in each garage for townhomes, as well as 21	08:22PM 21	property. It is a wide range from shade trees,
08:20PM 22	parking spaces in the driveways.	08:22PM 22	evergreen trees, as well as ornamental trees and
08:20PM 23	So each townhome essentially has	08:22PM 23	bushes and even perennial grasses, perennials and
08:20PM 24	dedicated two parking spaces for the further tenants.	08:22PM 24	grasses.
08:20PM 24 08:20PM 25	We also mentioned that we are providing	08:22PM 24 08:23PM 25	Just to be specific, along Plainfield
	We also mentioned that we are providing LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		Just to be specific, along Plainfield LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	We also mentioned that we are providing LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812		Just to be specific, along Plainfield LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
	We also mentioned that we are providing LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	08:23PM 25	Just to be specific, along Plainfield LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 52
08:20PM 25	We also mentioned that we are providing LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 50 the 11 spaces for electric vehicles which is part of	08:23PM 25	Just to be specific, along Plainfield LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 52 Avenue we are proposing five red maple trees, and
08:20PM 25 08:20PM 1 08:20PM 2	We also mentioned that we are providing LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 50 the 11 spaces for electric vehicles which is part of the new legislation to encourage energy-efficient	08:23PM 25 08:23PM 1 08:23PM 2	Just to be specific, along Plainfield LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 52 Avenue we are proposing five red maple trees, and these will be some of the taller trees on the
08:20PM 25 08:20PM 1 08:20PM 2 08:20PM 3	We also mentioned that we are providing LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 50 the 11 spaces for electric vehicles which is part of the new legislation to encourage energy-efficient automobile purchases and provision of charging	08:23PM 25 08:23PM 1 08:23PM 2 08:23PM 3	Just to be specific, along Plainfield LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 52 Avenue we are proposing five red maple trees, and these will be some of the taller trees on the property that will end up growing substantially
08:20PM 25 08:20PM 1 08:20PM 2 08:20PM 3 08:20PM 4	We also mentioned that we are providing LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 50 the 11 spaces for electric vehicles which is part of the new legislation to encourage energy-efficient automobile purchases and provision of charging equipment throughout the state.	08:23PM 25 08:23PM 1 08:23PM 2 08:23PM 3 08:23PM 4	Just to be specific, along Plainfield LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 52 Avenue we are proposing five red maple trees, and these will be some of the taller trees on the property that will end up growing substantially taller than any of the other landscaping and will
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08:20PM 1 08:20PM 2 08:20PM 3 08:20PM 4 08:20PM 5 08:20PM 6	We also mentioned that we are providing LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 50 the 11 spaces for electric vehicles which is part of the new legislation to encourage energy-efficient automobile purchases and provision of charging equipment throughout the state. This is, in terms of planning, one of the more cutting edge recent actions that the state	08:23PM 25 08:23PM 1 08:23PM 2 08:23PM 3 08:23PM 5 08:23PM 6	Just to be specific, along Plainfield LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 52 Avenue we are proposing five red maple trees, and these will be some of the taller trees on the property that will end up growing substantially taller than any of the other landscaping and will help provide that visual screen from the buildings and to help set it in place for a very nice
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08:20PM 1 08:20PM 2 08:20PM 3 08:20PM 4 08:20PM 5 08:20PM 6 08:20PM 7 08:20PM 8 08:20PM 9 08:20PM 10 08:21PM 11	We also mentioned that we are providing LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 50 the 11 spaces for electric vehicles which is part of the new legislation to encourage energy-efficient automobile purchases and provision of charging equipment throughout the state. This is, in terms of planning, one of the more cutting edge recent actions that the state legislature has taken to help guide us to a more sustainable future. We just heard additional testimony that we would also be able to go above and beyond that and provide for the make-ready provisions for electrical	08:23PM 25 08:23PM 1 08:23PM 2 08:23PM 3 08:23PM 5 08:23PM 6 08:23PM 7 08:23PM 8 08:23PM 9 08:23PM 10 08:23PM 11	Just to be specific, along Plainfield LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 52 Avenue we are proposing five red maple trees, and these will be some of the taller trees on the property that will end up growing substantially taller than any of the other landscaping and will help provide that visual screen from the buildings and to help set it in place for a very nice aesthetically pleasing residential character. In addition to the five red maples, there are 30 other street shade trees, deciduous trees throughout the property. Along the eastern property line that it runs along Drift Road and
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future tenants.

test in an effort to situate these proposed

structures in a nice aesthetic residential landscape

design, and that will be appropriate landscaping not

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201-641-1812

If we could, I think there was the --

only for adjacent -- adjacent uses, but also for

I'll just review them again quickly. The main drive

aisle along the western boundary adjacent to the

cemetery is combined at 24 feet. That's the main

earlier, the roadways and parking areas between the

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The courts that were referenced

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two-way access.

	53		55
08:24PM 1	one of the renderings that we had provided in the	08:26PM 1	I wanted to remind the board that a
08:24PM 2	exhibit, we'll bring it up now, but it does a good	08:26PM 2	two-and-a-half story 35-foot requirement was really
08:24PM 3	job of illustrating some of the trees. Yeah, you	08:26PM 3	intended to regulate a single-family home, and that's
08:24PM 4	just had it.	08:26PM 4	common throughout the state, those dimensions, both
_	MR. TUVEL: Now you pay the architect a	08:26PM 5	in storage and feet.
08:24PM 5 08:24PM 6	compliment.	08:26PM 6	For townhouses, even within the borough
08:24PM 7	THE WITNESS: Yes, yes.	08:26PM 7	it's within the borough of Watchung it's actually
08:24PM 8	The one thing I wanted to call out is	08:26PM 8	regulated a little bit higher and more conservatively
08:24PM 9	that it's often in these renderings that we show	08:26PM 9	at three stories is permitted.
08:24PM 10	street trees at planting height, but we did confirm	08:26PM 10	So in this design we are proposing
08:24PM 11	with the landscape architect the deciduous trees,	08:26PM 11	three stories. We have a set of architectural
08:24PM 12	certainly the red maples along Plainfield Avenue and	08:26PM 12	elements just to help break up and harmonize the
08:25PM 13	other trees, will grow taller than what's illustrated	08:26PM 13	overall massings, have it more relatable to the
08:25PM 14	here (indicating).	08:27PM 14	specific townhouse units, so we have some vertical
08:25PM 15	The intent in this photo is to really	08:27PM 15	elements of the brick and the various materials.
08:25PM 16	highlight the buildings, not necessarily the	08:27PM 16	We also have, if you can note on the
08:25PM 17	landscaping, although they both work together very	08:27PM 17	where you see the parking, parked vehicle in the
08:25PM 18	well (indicating). So I just wanted to call that	08:27PM 18	garage parking space, there is a course of gray brick
08:25PM 19	out.	08:27PM 19	at the base that helps break up the vertical element
08:25PM 20	I think we can leave this photo up	08:27PM 20	and feel for these townhomes as well.
08:25PM 21	because I do want to shift into the building height,	08:27PM 21	So in short, I think there's a really
08:25PM 22	the D-6 building height variance.	08:27PM 22	sensitive touch to the design of these homes to help
08:25PM 23	So, again	08:27PM 23	relate it more to a low scale, lower density overall
08:25PM 24	MR. WARNER: Before you do, if I may,	08:27PM 24	development and all the buildings there is not
08:25PM 25	Mr. Chairman, was this part of the architect's	08:27PM 25	necessarily one prototype for each building, so it's
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	201-641-1812		201-641-1812
	54		56
08:25PM 1	54 exhibits or part or Exhibit A-1?	08:27PM 1	56 not the same design over and over again, but they
08:25PM 1 08:25PM 2		08:27PM 1 08:27PM 2	
	exhibits or part or Exhibit A-1?	_	not the same design over and over again, but they
08:25PM 2	exhibits or part or Exhibit A-1? MR. TUVEL: Yes, Steve, this was all part of A-1, nothing's new. We just the planner just wanted to	08:27PM 2	not the same design over and over again, but they have been hand crafted to have some variety, which again, I think breaks up the overall visual aesthetics here, so I think that helps mitigate the
08:25PM 2 08:25PM 3	exhibits or part or Exhibit A-1? MR. TUVEL: Yes, Steve, this was all part of A-1, nothing's new.	08:27PM 2 08:27PM 3	not the same design over and over again, but they have been hand crafted to have some variety, which again, I think breaks up the overall visual
08:25PM 2 08:25PM 3 08:25PM 4	exhibits or part or Exhibit A-1? MR. TUVEL: Yes, Steve, this was all part of A-1, nothing's new. We just the planner just wanted to refer back to some of the prior exhibits. That's all.	08:27PM 2 08:27PM 3 08:28PM 4	not the same design over and over again, but they have been hand crafted to have some variety, which again, I think breaks up the overall visual aesthetics here, so I think that helps mitigate the
08:25PM 2 08:25PM 3 08:25PM 4 08:25PM 5	exhibits or part or Exhibit A-1? MR. TUVEL: Yes, Steve, this was all part of A-1, nothing's new. We just the planner just wanted to refer back to some of the prior exhibits. That's all. MR. WARNER: That's what I thought, I	08:27PM 2 08:27PM 3 08:28PM 4 08:28PM 5	not the same design over and over again, but they have been hand crafted to have some variety, which again, I think breaks up the overall visual aesthetics here, so I think that helps mitigate the three stories and 40 feet. In terms of the specific feet, as you recall from last meeting, the overall maximum
08:25PM 2 08:25PM 3 08:25PM 4 08:25PM 5 08:25PM 6	exhibits or part or Exhibit A-1? MR. TUVEL: Yes, Steve, this was all part of A-1, nothing's new. We just the planner just wanted to refer back to some of the prior exhibits. That's all. MR. WARNER: That's what I thought, I just wanted to make sure we had that on the record.	08:27PM 2 08:27PM 3 08:28PM 4 08:28PM 5 08:28PM 6	not the same design over and over again, but they have been hand crafted to have some variety, which again, I think breaks up the overall visual aesthetics here, so I think that helps mitigate the three stories and 40 feet. In terms of the specific feet, as you recall from last meeting, the overall maximum building height that we're requesting a variance for
08:25PM 2 08:25PM 3 08:25PM 4 08:25PM 5 08:25PM 6 08:25PM 7 08:25PM 8 08:25PM 9	exhibits or part or Exhibit A-1? MR. TUVEL: Yes, Steve, this was all part of A-1, nothing's new. We just the planner just wanted to refer back to some of the prior exhibits. That's all. MR. WARNER: That's what I thought, I just wanted to make sure we had that on the record. And it has a tab on it, A-12, but I guess that's an	08:27PM 2 08:27PM 3 08:28PM 4 08:28PM 5 08:28PM 6 08:28PM 7 08:28PM 8 08:28PM 9	not the same design over and over again, but they have been hand crafted to have some variety, which again, I think breaks up the overall visual aesthetics here, so I think that helps mitigate the three stories and 40 feet. In terms of the specific feet, as you recall from last meeting, the overall maximum building height that we're requesting a variance for is for 40 feet 8 inches. That occurs in Building 3
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	57		59
08:29PM 1	correct?	08:31PM 1	Exhibit A-4 for identification.)
08:29PM 2	A. Correct, yes.	08:31PM 2	MR. WARNER: Sorry, just describe the
08:29PM 3	Substantial distance to help mitigate	08:31PM 3	exhibit and who prepared it first.
08:29PM 4	as well.	08:31PM 4	THE WITNESS: Yes.
08:29PM 5	So in totality, I think the main impact	08:31PM 5	So this is a property comparison
08:29PM 6	here is aesthetics. And as we've all discussed and I	08:31PM 6	analysis prepared by myself. It's utilizing the New
08:29PM 7	reiterated tonight, between the landscaping and the	08:31PM 7	Jersey State DEP GIS program where we have recent
08:29PM 8	design of the structures, I think we've mitigated the	08:31PM 8	aerials overlaying with the digital tax parcel file.
08:29PM 9	impacts of the requested building height variance.	08:31PM 9	So you can see on the right the recency
08:29PM 10	The element of density, as I mentioned	08:31PM 10	of the photos of the aerials with the what I'll
08:29PM 11	before, 12 units, I know there was some comparisons	08:31PM 11	refer to as 708 Mountain Boulevard development under
08:29PM 11 08:29PM 12	made with respect to other developments in town.	08:31PM 11 08:31PM 12	construction.
08:29PM 12 08:29PM 13	Again, the board should be aware that	08:31PM 12	So, in comparison, again, we're dealing
08:29PM 13 08:29PM 14	every use variance application needs to be related to	08:31PM 13	with different settings. On the right there,
08:29PM 14 08:29PM 15	the particular suitability of that property. There	08:31PM 14	Mountain Boulevard, you're adjacent to some
08:29PM 15 08:29PM 16	really is no comparisons to other property that needs	08:31PM 15	commercial uses along Mountain Boulevard
08:29PM 10 08:29PM 17	to be made in terms of establishing the case and	08:32PM 10 08:32PM 17	(indicating).
08:29PM 17 08:29PM 18	proof of burden, but we did do a bit of an analysis	08:32PM 17 08:32PM 18	To the rear you have single-family
08:29PM 10 08:29PM 19	there.	08:32PM 10 08:32PM 19	homes. That was probably the most unique aspect in
08:29PM 19 08:29PM 20		08:32PM 19	my opinion as a planner as to why the densities are
08:29PM 20	This is a density as calculated at	08:32PM 20	different.
08:30PM 21	12 units per acre. The other zone that permits	08:32PM 21	In 708 Mountain Boulevard there are
08:30PM 22	multifamily does have a maximum of six units per acre. That was referenced in the memo.	08:32PM 22	three existing homes that are related to that
08:30PM 23		08:32PM 23	development, and the approval rested on providing
08:30PM 24	And there was another development that	08:32PM 24	access through the townhouse development into the
08:30PM ZJ	was recently approved and under construction on	08:32PM ZJ	- · · · · · · · · · · · · · · · · · · ·
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	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
	201-641-1812 58		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 60
08:30PM 1	201-641-1812	08:32PM 1	201-641-1812
08:30PM 1	201-641-1812 58	08:32PM 1	201-641-1812 60 cul de sac and then continuing on to each of those
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Analysis prepared by Mr. Heydt is marked as

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08:33PM **25**

approximately .43, we would have an adjusted density

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201-641-1812

08:31PM **25**

	61		63
08:33РМ 1	of approximately 10 units per acre.	08:36PM 1	setback along Drift Road is being proposed at
08:33PM 2	And that's not even considering that	08:36PM 2	12 feet. What is required is 50 feet.
08:33РМ 3	the adjacent property is a cemetery.	08:36PM 3	Again, 50 feet is intended to regulate
08:34PM 4	When we move over to 708, there's	08:36PM 4	a single-family home. In this case we have a 12-foot
08:34PM 5	the single-family home in the rear of Lot 32.01	08:36PM 5	setback to the property line. Along Drift Road it's
08:34PM 6	that's approximately sitting on an acre of land	08:36PM 6	approximately it varies from either 30 to 40 feet,
08:34PM 7	that's more or less contributing to that	08:36PM 7	but there is an additional 30 to 40 feet of yard that
08:34PM 8	single-family home, you can see in the construction	08:36PM 8	is within the right-of-way to the curb line, so that
08:34PM 9	the earthwork there and whatnot. When you net out	08:36PM 9	further helps mitigate that front yard setback
08:34PM 10	the single-family home in that acre, you're actually	08:36PM 10	variances because it does exist.
08:34PM 11	calculating an adjusted density for that development	08:36PM 11	And we are providing an appropriate
08:34PM 12	of nine approximately nine units per acre.	08:36PM 12	setback. As was discussed, there are no impacts to
08:34PM 13	So in an effort to make a real	08:37PM 13	sight triangles for anyone stopped at the light on
08:34PM 14	apples-to-apples comparison between these two, we're	08:37PM 14	Plainfield Avenue traveling east. We're not
08:34PM 15	speaking between nine units and ten units an acre,	08:37PM 15	encroaching and impacting any safe vehicle traveling
08:34PM 16	and in my planning experience that's an equivalent	08:37PM 16	along Plainfield Avenue.
08:34PM 17	density.	08:37PM 17	Q. So, Charles, so visually from a setback
08:34PM 18	It's not the same, but it's in the	08:37PM 18	standpoint, I know Ms. Ruskan testified about this
08:34PM 19	equivalent neighborhood of level of intensity for the	08:37PM 19	earlier, it will look between 40 and 50 the homes
08:34PM 20	uses.	08:37PM 20	will look between 40 and 50 feet away from the street
08:34PM 21	So with that, we just want to touch on	08:37PM 21	if you were a traveling motorist, correct?
08:34PM 22	the density aspect.	08:37PM 22	A. Correct.
08:34PM 23	BY MR. TUVEL:	08:37PM 23	With respect to the signage, the
08:35PM 24	Q. So before you get further into the	08:37PM 24	required setback is 25 feet. We're proposing the
08:35PM 25	testimony on the positive and negative criteria, on	08:37PM 25	sign at a setback of 5 feet, and the sign is located
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	201-641-1812		201-641-1812
_	62		64
08:35PM 1	the D-5 and the D-6, the <u>Grubs</u> case focusing on a	08:37PM 1	along Plainfield Avenue.
08:35PM 2	D-5, the <u>Grasso</u> case focusing on the D-6, it's your	08:37PM 2	And again, even in that location, there
08:35PM 3	opinion that the site can accommodate the density	08:37PM 3	is an additional between eight and 10 feet of
08:35PM 4	under the D-5 test based on parking, circulation,	08:37PM 4	additional yard from the property line to the curb
08:35PM 5	traffic, and same with the <u>Grasso</u> test for the	08:37PM 5	line of Plainfield Avenue. That will be maintained
08:35PM 6	height, the site can accommodate the additional	08:38PM 6	and there will be sufficient visibility of the sign,
08:35PM / 08:35PM 8	several feet of height based on the fact that	08:38PM 7	I think that was our most critical aspect in locating
	compliance with parking, compliance with stormwater,	08:38PM 8 08:38PM 9	the sign, to provide for appropriate visual identify
08:35PM 9	minimal traffic impacts; would you say that that's correct?	08:38PM 9	for vehicles traveling along Plainfield Avenue to know the know the property and locate it near the
08:35PM 10 08:35PM 11	A. Yes, that's essentially the test. When	08:38PM 10	main driveway entrance.
08:35PM 11 08:35PM 12	you look at density and building height, the site	08:38PM 11	Q. Same thing, Charles, with the sign; no
08:35PM 12 08:35PM 13	accommodation test.	08:38PM 12	sight distance issues, no obstructions, it's
08:35PM 13		08:38PM 13	perfectly and safely within an appropriate location
08:35PM 14 08:35PM 15	Q. All right, please continue.A. Okay.	08:38PM 14	for motorists to be able to leave the site or come
08:35PM 15	So that's really the guts of the D-1	08:38PM 13	into the site, correct?
08:35PM 17	use variance obviously referencing density and	08:38PM 17	A. Correct.
	building height.	08:38PM 17	
08:35PM 18	nullaina nelani	U8-38DM	And lastly, with the sign, the size,

08:38PM **19** I will move to some of the other bulk again, one square foot is permitted for a variances. We are requesting setback variances, one 08:38PM **20** single-family home. What's being proposed is for front yard setback, as well as signage setback 08:38PM **21** 20 square feet. We actually took lead from other and signage square footage. I think they're all kind 08:38PM **22** townhouse developments which do propose a of related because they deal with the appropriate 08:38PM **23** 20-square-foot sign, so we scaled it in comparison to 08:38PM **24** buffering and distances from the main roads. those townhouse requirements. 08:38PM **25** The board is aware that the minimum And you feel that that is a sufficient

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08:35PM **19**

08:35PM **20** 08:36PM **21**

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	65		67
08:38PM 1	amount for motorists who see it to be able to	08:41PM 1	the positive criteria relates to Municipal Land Use
08:38PM 2	identify the site and know where to turn?	08:41PM 2	Law. There are special reasons that you need to
08:38PM 3	A. Correct, correct.	08:41PM 3	address in terms of why this proposed project
08:39PM 4	And we did, we did present sign	08:41PM 4	advances the Municipal Land Use Law.
08:39РМ 5	details, so the sign will be designed to be	08:41PM 5	I will run through a few as I see them
08:39РМ 6	consistent with the overall architecture of the	08:41PM 6	from a planning standpoint. First off, Purpose A, to
08:39РМ 7	property and also have some base landscaping.	08:41PM 7	guide appropriate development in the State of New
08:39РМ 8	The other two bulk variances that I	08:41PM 8	Jersey. The action by this board in reviewing this
08:39РМ 9	wanted to address would be related to maximum	08:41PM 9	application is definitely aimed at identifying an
08:39РМ 10	building coverage and maximum lot coverage. The	08:42PM 10	appropriate location for an appropriate use.
08:39PM 11	maximum building coverage in the rural residential	08:42PM 11	So if this board were to approve the
08:39PM 12	district is 15 percent.	08:42PM 12	application, it would be furthering Purpose A.
08:39PM 13	Again, that's for a single-family home.	08:42PM 13	I also believe we're furthering
08:39PM 14	The maximum lot coverage is 25 percent. So	08:42PM 14	Purpose C, to provide for adequate light, air and
08:39PM 15	naturally, these are types of variances that I would	08:42PM 15	open space to surrounding properties consistent in
08:39PM 16	say are subsumed and directly related to the type of	08:42PM 16	the State of New Jersey given the context.
08:39PM 17	use.	08:42PM 17	So in this setting, we are maintaining
08:39PM 18	With respect to that, we are proposing	08:42PM 18	safe distances between buildings, as was mentioned
08:39PM 19	a building coverage of 24 percent of the overall	08:42PM 19	earlier and in the architect's testimony. We are
08:39PM 20 08:39PM 21	property and a lot coverage of what was previously	08:42PM 20 08:42PM 21	also providing substantial setbacks from the curb
08:39PM 21	64 percent and now has been increased to 66 percent. Those are all related to the fact that we have	08:42PM 21	line, as was mentioned, in term of the front yard setback variances.
08:40PM 22	multiple structures on the property. This is a	08:42PM 22	And in terms of impact on any massing
08:40PM 24	townhouse cluster development where we have clusters	08:42PM 24	to adjacent properties, again, we have two main roads
08:40PM 25	of townhomes, groupings, and four total buildings.	08:42PM 25	and a cemetery so there's, in my opinion, very little
00.401 W		00.421 W	
	LAURA A. CARUCCI. C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI. C.S.R., R.P.R., L.L.C.
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
08:40PM 1	201-641-1812	08:42PM 1	201-641-1812
08:40PM 1 08:40PM 2	201-641-1812 66	08:42PM 1 08:42PM 2	201-641-1812 68
	201-641-1812 66 We also have appropriate driveway		201-641-1812 68 impact from the massing of the structures.
08:40PM 2	201-641-1812 66 We also have appropriate driveway aisles and courts, as we referenced, as well as	08:42PM 2	201-641-1812 68 impact from the massing of the structures. So we don't have we are providing
08:40PM 2 08:40PM 3	201-641-1812 66 We also have appropriate driveway aisles and courts, as we referenced, as well as surface parking to provide for the necessary parking	08:42PM 2 08:42PM 3	201-641-1812 68 impact from the massing of the structures. So we don't have we are providing adequate light and air in the surrounding context.
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08:40PM 2 08:40PM 3 08:40PM 4 08:40PM 5 08:40PM 6 08:40PM 7 08:40PM 8 08:40PM 10 08:40PM 11 08:40PM 12 08:40PM 13 08:40PM 14 08:40PM 15 08:40PM 15 08:40PM 16 08:41PM 17 08:41PM 18 08:41PM 19 08:41PM 20 08:41PM 21 08:41PM 21	We also have appropriate driveway aisles and courts, as we referenced, as well as surface parking to provide for the necessary parking to be accommodated on the site. So that all amounts to the need for an increase in building coverage and an increase in lot coverage beyond what's permitted in the zone. Q. And, again, the coverages would be a lot less if we included the right-of-way area in our calculations, but we are not. A. Correct. No, we are we are required to request that maximum based on the property size. I should also point out that with respect to building coverage, we are decreasing the building coverage compared to existing conditions. So currently the existing conditions on the property is approximately 70 percent. With the reduction of four percent we're proposing a 66 percent building coverage. So, again, that's an improvement in and of itself.	08:42PM 2 08:42PM 4 08:42PM 5 08:42PM 6 08:42PM 6 08:43PM 7 08:43PM 9 08:43PM 10 08:43PM 11 08:43PM 12 08:43PM 15 08:43PM 15 08:43PM 16 08:43PM 16 08:43PM 17 08:43PM 18 08:43PM 19 08:43PM 20 08:43PM 20 08:43PM 21 08:43PM 22	impact from the massing of the structures. So we don't have we are providing adequate light and air in the surrounding context. Another aspect is Purpose E, which is the establishment of appropriate densities I do believe that this is an appropriate scale development that's being proposed. I do have a little bit of information as it relates to other aspects of establishing appropriate populations and densities as it relates to the Master Plan and the Zone Plan, so I'll get into that in a little bit. Lastly, Purpose I is to promote a desirable visual environment through creating design techniques. It's been a pleasure working with this project team. I can stand firm in saying that we have designed a desirable environment that does promote high quality aesthetics in the overall area, given the mix of materials, the arrangement of the material for the buildings, as well as the landscaping that's being provided on this development. I think we're going to bring up the

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08:45PM 17 will meet the current stormwater rules in the State 08:45PM 18 of New Jersev. 08:45PM 19 With respect to traffic -- and, again, 08:46PM **20** I understand the building is vacant so there is no 08:46PM **21** traffic generated today, but in operation, 08:46PM **22** comparatively, the proposed trips from a residential 08:46PM **23** use are far less than what would be generated by a 08:46PM **24** fully operational office building or any of the other 08:46PM **25** -- well, I think we can just keep it at a fully

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08:48PM 17 with respect to off-street parking. 00:40 DM 18 As it relates to trips, I just wanted 08:48PM 19 to reiterate that we are estimating a total maximum 08:48PM **20** peak hour trips of 14. That's the p.m. peak hour. 08:48PM **21** In the a.m., the peak would be 11 total trips. And 08:48PM **22** that was borne out of calculations done by the 08:48PM **23** project's traffic engineer, Mr. Staigar. 08:48PM **24** With respect to aesthetics, I think we 08:48PM **25** were pretty thorough in establishing that we are

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08:48PM 1	reducing aesthetic impacts with respect to	08:51PM 1	The Master Plan recommended considering impervious
08:48PM 2	landscaping, the design of the buildings and whatnot.	08:51PM 2	coverage requirements in residential districts. That
08:48PM 3	Lastly, we're going one step beyond in	08:51PM 3	obviously has been implemented with this project.
08:48PM 4	terms of promoting the general welfare by providing	08:51PM 4	We're meeting the state stormwater rules by providing
08:49РМ 5	new housing opportunities, and this is in two forms.	08:51PM 5	the upgraded biosystem. We're also decreasing
08:49РМ 6	It's with single-family townhouses that are more	08:51PM 6	impervious coverage and increasing overall
08:49PM 7	affordable than single-family detached homes.	08:51PM 7	landscaping on the property which helps absorb the
08:49РМ 8	I usually reference these, and I see it	08:51PM 8	surface stormwater runoff.
08:49РМ 9	often, that people who enjoy the borough, who enjoy	08:51PM 9	Another aspect of the Master Plan
08:49РМ 10	the overall area, are able to move in. They may not	08:51PM 10	touched on population, and this is really what
08:49PM 11	have kids, they might be working professionals, and	08:51PM 11	generated some of the discussion on household size.
08:49PM 12	then they're able to understand the neighborhoods,	08:51PM 12	There is a fact from the Master Plan that the
08:49РМ 13	what homes they might want to buy in the further; so	08:51PM 13	population in Watchung is aging faster than both
08:49PM 14	it's really a stepping path for future homes.	08:52PM 14	Somerset County and the state.
08:49РМ 15	So smaller households will be able to	08:52PM 15	So what that means is that households
08:49РМ 16	enjoy being residents of Watchung.	08:52PM 16	overall in terms of populations are, their average
08:49РМ 17	Also, you do have empty-nesters who are	08:52PM 17	ages are older rather than younger.
08:49РМ 18	looking to downsize, that's a common trend, and still	08:52PM 18	It's clear that in a setting like this,
08:49РМ 19	stay within the state, not necessarily have to move	08:52PM 19	in a suburban setting, that most younger households,
08:49РМ 20	out because of increasing housing costs and all of	08:52PM 20	younger people are looking to move out. Likely one
08:49PM 21	that.	08:52PM 21	of those factors is the available provision of
08:49PM 22	And, lastly, the affordable aspect. I	08:52PM 22	affordable housing and more efficient housing, so
08:50PM 23	think this, this project does not serve as a	08:52PM 23	this opportunity with this project does aim at
08:50PM 24	detriment ut also as a benefit to the general welfare	08:52PM 24	addressing the aging population.
08:50PM 25	by providing the affordable housing.	08:52PM 25	Two-fold because, as I mentioned
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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-	74		76
08:50PM 1	The last topic, so it's always nice	08:52PM 1	earlier, any older individuals who are looking to
08:50PM 2	when I get to say the last topic, is the substantial	08:52PM 2	downsize, who don't need the space of a single-family

08:52PM

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when I get to say the last topic, is the substantial 08:50PM 3 impairment of the Zone Plan and Zoning Ordinance. 08:50PM So there's an enhanced burden with use 08:50PN variances and we just want to be clear that we did 08:50PM 6 take time to review the Master Plan and the Zoning 08:50PM Ordinance as it relates to this project. 08:50PM 7 First and foremost, it's a residential 08:50PM use. It's generally a low-intensity use. That is 9 08:50PM 10 consistent with the residential use that rural 08:50PM 11 residential district permits. 08:50PM 08:50PM 12 Obviously we're talking single-family homes and multifamily homes, so the intensity is 13 08:50PM 14 more, but the use category residential is 08:50PM 08:50PM 15 appropriate. We're not contemplating an industrial 16 property, we're not contemplating self-storage or any 08:50PM 08:50PM **17** other more intense commercial property with this 08:51PM 18 application. 08:51PM 19 So I think we are consistent with the 08:51PM **20** overall use for this zone. 08:51PM **21** In reviewing the Master Plan there 08:51PM **22** aren't any specific references to this property, but 08:51PM **23** I did want to relate a few elements.

08:51PM **24**

08:51PM **25**

coverage was discussed for residential properties.

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First and foremost, impervious surface

earlier, any older individuals who are looking to
 downsize, who don't need the space of a single-family
 detached house, now have an opportunity to rent -- to
 live in one of these townhouses.

The last two elements of the Master
 Plan speak to affordable housing, and that's really
 what I wanted to hone in on, on the no substantial impairment to the zone plans.

108.53PM
10 use analysis and that kind of sets up what the borough has to offer in terms of development opportunities to provide affordable housing.
And I will quote from the Master Plan

And I will quote from the Master Plan from that inventory.

"Most of the vacant lots are affected
 by one or more significant development
 constraints such as a lack of sanitary sewers,
 lack of road frontage and/or presence of steep
 slopes, floodplains or wetlands."

So in this instance, we have an opportunity with this property that wasn't included in vacant land because it was improved with the office building to accommodate housing and affordable housing on a property that does have sewer and water infrastructure, has appropriate frontage, has -- does

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08:54PM 1	not have presence of steep slopes, so we're not in	08:56PM 1	still with me. I hope members of the public
08:54PM 2	any sort of environmentally-challenged property, or	08:56PM 2	understood my testimony and I'd be happy to answer
08:54PM 3	floodplains or wetlands.	08:56PM 3	any questions.
08:54PM 4	So I think this is a testament to	08:56PM 4	Q. Just a few things, Charles.
08:54PM 5	another opportunity aimed at transitioning vacant	08:56PM 5	So just from a big picture standpoint,
08:54PM 6	property, underutilized property, to appropriate	08:56PM 6	your testimony is geared towards this property in
08:54PM /	development.	08:56PM 7	terms of its unique characteristics, correct?
08:54PM 8	And, lastly, I think it's an important	08:56PM 8	A. Yes.
08:54PM 9	aspect to reiterate, with respect to the affordable	08:56PM 9	Q. Like this property, in your
08:54PM 10 08:54PM 11	housing, in 2019 the borough did prepare its	08:56PM 10	professional opinion as a planner, has very neat and
08:54PM 11 08:54PM 12	Affordable Housing Element and Fair Share Plan. That	08:56PM 11 08:56PM 12	distinct characteristics over other properties that
08:54PM 12 08:54PM 13	plan referenced the borough ordinance, it's called the borough set-aside, which does require a certain	08:56PM 12 08:56PM 13	it lends itself to meet the particular suitability standard?
08:54PM 13	percentage of overall units in an instance of a use	08:56PM 14	A. I do, yes. I think I have highlighted
08:54PM 15	variance application to be provided as affordable	08:56PM 15	a number of different characteristics of the
08:54PM 16	units.	08:56PM 16	property, consistency with the surrounding properties
08:54PM 17	We're meeting that requirement with	08:57PM 17	as well as the site accommodation.
08:54PM 18	this application, and thus, not for not	08:57PM 18	Q. And the site, in your professional
08:54PM 19	establishing a project as impairment of the Zone Plan	08:57PM 19	opinion, can accommodate the height deviation based
08:55PM 20	but in reverse, we're actually implementing the	08:57PM 20	on the <u>Grasso</u> test, based on parking, stormwater,
08:55PM 21	intent of the Zoning Ordinance.	08:57PM 21	traffic; all the things that you mentioned during
08:55PM 22	That's the direct testimony related to	08:57PM 22	your testimony?
08:55PM 23	the variances. I should note we do have three design	08:57PM 23	A. Correct, I do.
08:55PM 24	waivers. Ms. Ruskan covered these in her initial	08:57PM 24	Q. Okay. And then in terms of the
08:55PM 25	testimony. These are four, just to reiterate,	08:57PM 25	negative criteria, the project as proposed with
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
			LAURA A. GARUGGI, G.S.R., R.P.R., L.L.G.
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	201-641-1812 78	4	201-641-1812 80
08:55PM 1	201-641-1812 78 minimum drive aisle width, minimum access to side and	08:57PM 1	201-641-1812 80 respect to the use and the bulk standards and the
08:55PM 2	201-641-1812 78 minimum drive aisle width, minimum access to side and rear lot lines with respect to circulation, and then	08:57PM 2	201-641-1812 80 respect to the use and the bulk standards and the bulk variances won't have any negative impacts on
08:55PM 2 08:55PM 3	201-641-1812 78 minimum drive aisle width, minimum access to side and rear lot lines with respect to circulation, and then minimum parking setback to building.	08:57PM 2 08:57PM 3	201-641-1812 80 respect to the use and the bulk standards and the bulk variances won't have any negative impacts on stormwater management in your opinion?
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LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

	81		83
	1 a traditionally impassive use, and I don't see any	09:00PM 1	Q. Okay. Thank you very much.
	2 impacts on this proposed development on that	09:00PM 2	MR. TUVEL: Thank you, Mr. Chairman and
	3 property.	09:00PM 3	Members of the Board, for your patience.
00.001 111	4 Q. In terms of the second prong of the	09:00PM 4	We just had to get a lot on the record
	negative criteria, substantial impairment to the Zone	09:00PM 5	with the planning testimony. I think it's important
	6 Plan and Zoning Ordinance, I won't make you reiterate	09:00PM 6	for the board to hear.
	your testimony.	09:00PM 7	ACTING CHAIRMAN HUNSINGER: Thank you.
	Based on all the testimony that you	09:00РМ 8	Real quick, I had some housekeeping for
	provided, you believe that we do meet that standard	09:00PM 9	Mr. Warner. There was a letter from the fire
08:58PM 1		09:00РМ 10	department, there was a letter from the Environmental
08:58PM 1		09:00PM 11	Commission and there was a memo from Mr. Stires.
08:58PM 1	_	09:00РМ 12	That's all a part of the record; is
08:58РМ 1		09:00PM 13	that correct, Mr. Warner?
08:58PM 1		09:00PM 14	MR. WARNER: That's correct.
	, ,		ACTING CHAIRMAN HUNSINGER: Okay. And
08:58PM 1	3	09:00РМ 16	then last
08:58PM 1		09:00PM 17	MR. WARNER: It's also my understanding
08:58PM 1	·	09:00РМ 18	that the applicant, and maybe the applicant can
08:58PM 1		09:00РМ 19	confirm, that the applicant is stipulating, as
08:58PM 2	, , ,	09:00РМ 20	conditions of approval should the board approve the
08:59PM 2		09:00РМ 21	application, to the items listed in the
08:59PM 2	_	09:00РМ 22	aforementioned memos.
08:59PM 2		09:00РМ 23	MR. TUVEL: I believe we stipulated to
		09:01PM 24	work with the fire official to get his or her
08:59РМ 2		09:01РМ 25	sign-off.
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	201-641-1812		201-641-1812
	82		84
	proposing a full design for the site, but also as I	09:01PM 1	That's correct.
08:59PM	proposing a full design for the site, but also as I mentioned earlier and I echoed throughout, all the	09:01PM 2	That's correct. ACTING CHAIRMAN HUNSINGER: And one
08:59PM	proposing a full design for the site, but also as I mentioned earlier and I echoed throughout, all the bulk variances are really related to the fact that	09:01PM 2 09:01PM 3	That's correct. ACTING CHAIRMAN HUNSINGER: And one more question, Mr. Warner. Should we put it on the
08:59PM 08:59PM 08:59PM	proposing a full design for the site, but also as I mentioned earlier and I echoed throughout, all the bulk variances are really related to the fact that this is a use variance application. The requirements	09:01PM 2 09:01PM 3 09:01PM 4	That's correct. ACTING CHAIRMAN HUNSINGER: And one more question, Mr. Warner. Should we put it on the record that Dr. Steinfeld has listened to the tapes,
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		1	
	85		87
09:01PM 1	this witness.	09:04РМ 1	when we're done with Mr. Heydt I could have him
09:01PM 2	DR. STEINFELD: Yes, I have some	09:04РМ 2	answer that question if you'd me to.
09:02PM 3	questions I'd like to ask.	09:04PM 3	MS. FECHTNER: May I correct, it's not
09:02PM 4	Could you please clarify the path for	09:04PM 4	Diamond Hill Road, it's Plainfield Avenue.
09:02PM 5	vehicles entering and then leaving the property?	09:04PM 5	DR. STEINFELD: Right, right.
09:02РМ 6	It's my understanding that all traffic	09:04PM 6	Absolutely. I am sorry.
09:02PM 7	will enter and exit off of Plainfield Avenue.	09:04PM 7	Okay. But the other thing is even
09:02РМ 8	THE WITNESS: Correct, yes.	09:04PM 8	though there's little coming in and out onto the
09:02PM 9	That is the main driveway. It's a	09:04PM 9	property, if there is a lot of traffic, one car
09:02РМ 10	two-way driveway, two-way directional drive aisle,	09:04PM 10	waiting to make a left turn coming up Plainfield
09:02PM 11	driveway curb cut.	09:04PM 11	Avenue can set off a major well, more than a minor traffic
09:02PM 12 09:02PM 13	There is also an emergency access that	09:04PM 12 09:04PM 13	
09:02PM 13	was coordinated with the DOT and the Borough to Drift Road.	09:04PM 13	THE WITNESS: I can respond generally from a planning standpoint. One of the beneficial
09:02PM 14 09:02PM 15	But, again, that's only in emergency	09:04PM 14 09:04PM 15	attributes of this property is that we are close to a
09:02PM 13	and it's a engineered lawn grid that will also be	09:04PM 13	signalized intersection, so by virtue of that signal,
09:02PM 17	pervious.	09:05PM 17	it will regulate travel flows and there will be
09:02PM 18	DR. STEINFELD: Okay.	09:05PM 18	breaks in the traffic at all hours of the day so a
09:02PM 19	So now when a vehicle exits the	09:05PM 19	vehicle who is looking to make a left will benefit
09:02PM 20	property and wants to make a left turn, they have to	09:05РМ 20	from vehicles who are either stopped waiting for the
09:02PM 21	be concerned with traffic coming down and up Diamond	09:05PM 21	light to turn green so they can proceed east on
09:02PM 22	Hill Road.	09:05PM 22	Plainfield Avenue and that would naturally give a
09:02PM 23	Is that correct?	09:05РМ 23	vehicle with a turning signal an appropriate
09:02PM 24	MR. TUVEL: That was dealt with in the	09:05РМ 24	opportunity to make a left into the building.
09:03PM 25	traffic testimony, and I believe Mr. Staigar	09:05РМ 25	That's an existing condition today.
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	201-641-1812		
	201-041-1012		201-641-1812
	86		201-641-1812 88
09:03РМ 1		09:05РМ 1	
09:03PM 1	86 indicated that in the peak hours the trips were so minimal that there would be no negative impacts and	09:05PM 1	The office building operated with that left-turn movement into the driveway. We are just going to be
09:03PM 2	indicated that in the peak hours the trips were so minimal that there would be no negative impacts and that all the Levels of Service at the driveways would	09:05PM 2 09:05PM 3	The office building operated with that left-turn movement into the driveway. We are just going to be experiencing a reduced number of those movements now.
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09:06РМ 1	county roadways.	09:08PM 1	off on the project.
09:06РМ 2	MR. WARNER: Okay.	09:08PM 2	That's correct.
09:06РМ 3	But Dr. Steinfeld is, to at least an	09:08PM 3	MR. WARNER: And everything in all
09:06РМ 4	extent, asking about ingress/egress, correct?	09:08PM 4	the comments and requirements set forth in the
09:06РМ 5	DR. STEINFELD: Exactly.	09:09РМ 5	February 2, 2022 fire official site plan review
09:06РМ 6	MR. WARNER: Well, thank you, Doctor.	09:09РМ 6	letter, correct?
09:06РМ 7	I was actually positing it to applicant's counsel and	09:09РМ 7	MR. TUVEL: Yes, they will be
09:06РМ 8	the witness.	09:09РМ 8	addressed. That's correct. To his satisfaction,
09:06РМ 9	But, yes, I think it was a rhetorical	09:09РМ 9	you're correct.
09:07РМ 10	question. So I'll leave it at that. Just wanted to	09:09PM 10	MR. WARNER: Okay. Thank you.
09:07РМ 11	get some clarity to the context of the questions and	09:09PM 11	I'm sorry, Dr. Steinfeld.
09:07РМ 12	what may and may not be the parameters of the board's	09:09РМ 12	DR. STEINFELD: Okay.
09:07PM 13	authority with regard to same.	09:09PM 13	MR. WARNER: I want to get him on the
09:07PM 14	MR. TUVEL: Yes.	09:09PM 14	record for that one.
09:07PM 15	And I'll ask Mr. Heydt just also as	09:09РМ 15	Please go ahead.
09:07РМ 16	if this site is going to be redeveloped, this is	09:09РМ 16	DR. STEINFELD: All right. But like
09:07PM 17	probably, from a traffic standpoint, the least	09:09PM 17	he's saying is that nobody has really determined what
09:07PM 18	intense use that it could be redeveloped with,	09:09РМ 18	the maximum number of emergency vehicles would be in
09:07РМ 19	correct?	09:09РМ 19	case there was some catastrophe occurring on that
09:07РМ 20	THE WITNESS: Certainly.	09:09РМ 20	site.
09:07PM 21	Residential uses are of a less intense	09:09PM 21	MR. TUVEL: I mean, all I could say is
09:07PM 22	than the overall uses that could be discussed for the	09:09PM 22	that our professionals, and I know that the
09:07РМ 23	property, and certainly any other commercial use.	09:09РМ 23	application materials are given to all the
09:07РМ 24	MR. TUVEL: Okay.	09:09РМ 24	appropriate emergency services.
09:07РМ 25	DR. STEINFELD: Also I understand that	09:09РМ 25	We've met with the fire official, which
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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09:07РМ 1	in a previous meeting you addressed the availability	09:09РМ 1	is typical, but as a condition if the board feels
09:07PM 2	in a previous meeting you addressed the availability of emergency vehicles on the site, and has anybody	09:09РМ 2	is typical, but as a condition if the board feels and we'd be happy to do it, met with police and EMT
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09:07PM 2 09:07PM 3 09:07PM 4	in a previous meeting you addressed the availability of emergency vehicles on the site, and has anybody calculated how many emergency vehicles, you know, the size of, say, a fire engine would be able to function	09:09PM 2 09:09PM 3 09:09PM 4	is typical, but as a condition if the board feels and we'd be happy to do it, met with police and EMT and fire, we're happy to do that. But we're comfortable that the site is
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	93		95
09:10PM 1	providers' requirements, as well as the RSIS	09:12PM 1	blast.
09:10PM 2	requirements.	09:12PM 2	MS. FECHTNER: Well, let me see if I
09:10РМ 3	What else is there?	09:12PM 3	can get closer to my
09:10PM 4	MR. TUVEL: Right.	09:12PM 4	MR. TUVEL: We can hear you now.
09:10PM 5	No, that's all we can do, Counsel.	09:12PM 5	MS. FECHTNER: Is this better for you?
09:10PM 6	DR. STEINFELD: Okay. I have one final	09:12PM 6	MR. TUVEL: Much better, much better.
09:10PM 7	question.	09:12PM 7	MS. FECHTNER: Okay. These are not
09:10PM 8	MR. TUVEL: Sure.	09:12PM 8	major things, but I'm very pleased about the electric
09:10PM 9	DR. STEINFELD: And that is, what is	09:12PM 9	charging stations being built in. I'm trying to be a
09:10PM 10	the total number of parking spaces available for	09:12PM 10	future-focused person.
09:10PM 11	guests on the entire property?	09:12PM 11	Now, that was number one.
09:10PM 12	THE WITNESS: So yes, we have that.	09:12PM 12	Number two, I saw your very attractive
09:11PM 13	The requirements is .5, so the total, it would be 14,	09:13PM 13	pictures of a woman pushing a baby carriage, somebody
09:11PM 14	but we are providing a total of 25 surface spaces	09:13PM 14	else on the sidewalk. Having had a lot of experience
09:11PM 15	that will be utilized that could be utilized for	09:13PM 15	with our, we call them pathways in Watchung, as I
09:11PM 16	guests.	09:13PM 16	said I'm on the committee, we talked about
09:11PM 17	DR. STEINFELD: Okay, 25.	09:13PM 17	maintaining them.
09:11PM 18	MR. TUVEL: Yes, so we have more than	09:13PM 18	And there was a resolution there in how
09:11PM 19	the required guest parking that is required under	09:13PM 19	they were going to be maintained that didn't happen
09:11PM 20	RSIS.	09:13PM 20	at all.
09:11PM 21	DR. STEINFELD: Okay. Thank you.	09:13PM 21	Is there a way of putting into the
09:11PM 22	ACTING CHAIRMAN HUNSINGER: Looks to me	09:13PM 22	community maintenance plan that when these things
09:11PM 23	like Dr. Steinfeld's frozen for a second.	09:13PM 23	break down, I see you're putting that Belgian curbing
09:11PM 24	Okay, there we go.	09:13PM 24	on the side, so the concrete is going to wear and
09:11PM 25	DR. STEINFELD: I'm finished.	09:13PM 25	it's going to crack in winter.
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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09:14PM 1	97 ACTING CHAIRMAN HUNSINGER: Absolutely,	1	99 know how wide the entrance is on Plainfield?
09:14PM 2	please.	2	MS. FECHTNER: Yeah, it doesn't flare
09:14PM 3	MR. TUVEL: Go ahead, Noah.	3	open right there, does it?
09:14PM 4	MR. CHRISMER: Thanks, Jason.	4	THE WITNESS: It's a normal design
09:14PM 5	And, Ms. Fechtner, we do this routinely	5	where like the drive aisle would be 24 feet, but then
09:14PM 6	and we're very happy to do it here. We're happy to	6	it is flared out to the curb for appropriate
09:14PM 7	enter into a developer agreement that would and to	7	circulation and turning radius.
09:14PM 8	make covenant that will operate the property wholly	8	MS. FECHTNER: Okay.
09:14PM 9	as a Class A property. That would include	09:16PM 9	Where I'm going with that again is the
09:14PM 10	maintenance of all of the driveways, of the	09:16РМ 10	clearance and we have eight, ten children a lot of
09:14PM 11	sidewalks.	09:16PM 11	three-bedroom apartments and I predict we will have
09:14PM 12	But in addition, the stormwater	09:16РМ 12	children there, I want to make sure they're not as
09:14PM 13	management facilities and the landscaping.	09:16РМ 13	people are getting impatient to get to work. Because
09:14PM 14	So we're happy to do that. We have	09:16PM 14	people going out of the property will also have to
09:14PM 15	that same interest as you.	09:16РМ 15	cut into traffic if they're going towards Berkeley
09:14PM 16	MS. FECHTNER: I know you have it. And	09:16РМ 16	Heights, so they get a little impatient, you know, we
09:14PM 17	where I'm coming from with this application is	09:16РМ 17	kind of gun it when we see there's a break.
09:14PM 18	thinking of people living there.	09:16РМ 18	So if you're flaring and then kids have
09:15РМ 19	And, yes, I do have the concern of	09:16РМ 19	a place to not stand right in the middle of the
09:15PM 20	people coming up Springfield Avenue and making that	09:16РМ 20	street but be safer.
09:15PM 21	left turn. We've done it before. They have to do it	09:17PM 21	THE WITNESS: Yes, I understand the
09:15PM 22	into Stonegate. It is a problem. We can't make that	09:17PM 22	question and the concern. I think the future
09:15PM 23	nice wide road with a dedicated turning route, I know	09:17PM 23	location of any bus stop will be off to the side, not
09:15PM 24	that, so I am not even questioning that.	09:17PM 24	near this drive aisle or driveway and curb cut.
09:15PM 25	But the other thing, I know you're	09:17PM 25	MS. FECHTNER: I'm sure I'm not
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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	98		100
09:15PM 1			
00.101 W	going to do but you need your outside water supply to	09:17PM 1	sure, I'm not on the board anymore so I don't know
09:15PM 2	water those lovely plants and green grass.	09:17PM 1 09:17PM 2	what the bus, but yes, these are things that \boldsymbol{I}
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	101		103
1	board members have questions for this witness?	09:20PM 1	THE WITNESS: Yes, sir.
2	DR. STEINFELD: Yes, I do.	09:20PM 2	MR. TUVEL: Yes, Steve.
3	Has any decision been made on whether	09:20PM 3	ACTING CHAIRMAN HUNSINGER: How high is
4	or not these properties are going to be rentals or	09:20PM 4	that sign, the one that we need the variance for?
5	they will be for sale, and if not, when do you	09:20PM 5	MR. TUVEL: I believe that complies.
6	anticipate announcing that?	09:20РМ 6	There was no standard, but so the architect is
7	MR. TUVEL: Okay, I'll let Mr. Chrismer	09:20PM 7	saying that it's a 3-foot sign on a 1-foot masonry
8	answer that again as the applicant. I think he's the	09:20PM 8	base. So it's 4 feet in total off the ground.
9	best person to answer that question.	09:20PM 9	MR. WARNER: The height's not the
10	MR. CHRISMER: Doctor, we have not yet	09:20PM 10	problem, but the square footage of the sign is
11	made that decision and that decision, I think, would	09:20PM 11	because a single-family dwelling sign is a lot
09:19PM 12	come likely, you know, these homes, when they're	09:20PM 12	smaller.
13	build out I'm just going to give you an estimate	09:20PM 13	MR. TUVEL: Correct, correct, correct.
14	here as Charles has mentioned, the site's already	09:20PM 14	That's right.
15	improved.	09:20PM 15	ACTING CHAIRMAN HUNSINGER: I was
16	I would estimate the build-out of these	09:20PM 16	asking because since we are giving variance for the
17	homes would start to finish will take no longer than	09:20PM 17	square footage, I'd like to know how high it was and
18	two years, sir.	09:21PM 18	okay.
19	And a decision would be made sometime	09:21PM 19	You gave testimony that Stonegate was
20	during that timeframe. Marketing for these, whether	09:21PM 20	41 units, I was shocked, I didn't realize it was that
21	as for sale or rental, would likely start to occur as	09:21PM 21	big. And then the other unit, Berkeley Square, is
22	if for sale, when the first sort of block of homes	09:21PM 22	37.
23	came available and we were able to have adequate and	09:21PM 23	I pass this property pretty much every
24	safe access there.	09:21PM 24	day, I have almost never seen anyone coming out of
25	And for rental units, some you know,	09:21PM 25	Stonegate, and I don't see a traffic issue there.
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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201-641-1812

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	405		107
4	huilding and surface parking. We are	4	107
09:22PM 1	building and surface parking. We are	09:24PM 1	will be reviewed and approved by borough attorney as
09:22PM 2	ACTING CHAIRMAN HUNSINGER: Because	09:24PM 2	well, but it's up to it's really it's not
09:22PM 3	you're going to take some down, but you're going to	09:24PM 3	required. The type of ownership, you know, whether
09:22PM 4	be putting a bunch up, correct?	09:24PM 4	it's for sale or rental, it's not a factor for the
09:22PM 5	THE WITNESS: Correct.	09:24PM 5	board to consider, I just wanted to make sure from a
09:22РМ 6	ACTING CHAIRMAN HUNSINGER: Okay. And	09:24PM 6	timing standpoint the borough is okay with it, so
09:22PM 7	I think you gave testimony, I just want to verify,	09:24PM 7	you're the representative I'm asking.
09:22PM 8	that the landscaping, as part of your covenant, will	09:24PM 8	MR. STIRES: Yes, I would think either
09:22PM 9	be maintained so that those trees and all of that	09:24PM 9	way, it doesn't really change the timing.
09:22PM 10	will not die and	09:24PM 10	MR. WARNER: Okay. The Mr. Heydt,
09:22PM 11	MR. TUVEL: That's correct,	09:24PM 11	on the positive criteria for the D-1 use variance
09:22PM 12	Mr. Chairman.	09:24PM 12	when you were talking about the particular site
09:22РМ 13	ACTING CHAIRMAN HUNSINGER: Excellent.	09:25PM 13	suitability, just to be clear for the members of the
09:23PM 14	That's the questions I had. Does	09:25PM 14	board, particular site suitability does not, not
09:23PM 15	anybody else have any questions?	09:25PM 15	require a site to be uniquely suitable for a
09:23РМ 16	(No response.)	09:25PM 16	particular use: i.e., it doesn't have to be the only
09:23PM 17	ACTING CHAIRMAN HUNSINGER: Hearing no	09:25PM 17	one, it just has to be particularly suitable for
09:23РМ 18	one	09:25PM 18	sufficient reasons.
09:23РМ 19	MR. WARNER: Mr. Chairman, I have a few	09:25PM 19	Is that correct?
20	if none of the board members	09:25PM 20	THE WITNESS: That's correct.
21	ACTING CHAIRMAN HUNSINGER: All right.	09:25PM 21	I would also venture to say that this
22	MR. WARNER: Once all the board members	09:25PM 22	property is probably particular and unique. You
23	are	09:25PM 23	don't find very many properties like this in the
24	ACTING CHAIRMAN HUNSINGER: You want to	09:25PM 24	context here.
09:23PM 25	do the public first or you want to go first? You can	09:25PM 25	MR. WARNER: Now, you referenced the
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	201-641-1812		201-641-1812
	106		108
09:23PM 1	go first.	09:25РМ 1	108 rendering that was part of A-1, the architect's
09:23PM 1 09:23PM 2		09:25PM 1 09:25PM 2	
•	go first.		rendering that was part of A-1, the architect's
09:23PM 2	go first. MR. WARNER: Well, thank you,	09:25PM 2	rendering that was part of A-1, the architect's rendering, and with the various materials, colors fenestration, articulation of the buildings, et cetera.
09:23PM 2 09:23PM 3	go first. MR. WARNER: Well, thank you, Mr. Chairman.	09:25PM 2 09:25PM 3	rendering that was part of A-1, the architect's rendering, and with the various materials, colors fenestration, articulation of the buildings, et cetera. Is the applicant stipulating as a
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09:26PM 1	suitability for the positive criteria, correct?	09:29PM 1	calculated, maybe even a little closer to 13 perhaps,
09:27PM 2	THE WITNESS: Correct.	09:29PM 2	Mr. Heydt, but the but it what's that?
09:27PM 3	I do think it adds to the element of	09:29PM 3	THE WITNESS: It's 12.8, Mr. Warner.
09:27PM 4	positive attributes which I did discuss, but I think	09:29PM 4	MR. WARNER: You even do a little math
09:27PM 5	more importantly it's a factor in the negative	09:29PM 5	every now and again.
09:27PM 6	criteria with respect to showing no impairment of the	09:29РМ 6	But the the but, there is no
09:27PM 7	Zoning Ordinance. I think we're implementing the	09:29PM 7	since it's a single-family dwelling zone, there's no
09:27PM 8	Zoning Ordinance as intended.	09:29PM 8	density per se because single-family dwellings are
09:27PM 9	MR. WARNER: And I just wanted to	09:29PM 9	not subject to density requirements, so, therefore,
09:27PM 10	confirm the variance relief as I had it very quickly,	09:29PM 10	there is no such requirement for this zone; hence,
09:27PM 11	'cause the board is going to need to know what it's	09:29PM 11	the D-1 subsumed.
09:27PM 12	deciding, whether it's a yes or a no. They're going	09:29РМ 12	But if there were one, it would be
09:27PM 13	to need to know what to say yes or no to.	09:29РМ 13	basically one per every what, 65,000 square feet
09:27PM 14	So formally you are requesting a D-1	09:29PM 14	roughly.
09:27PM 15	use variance for multifamily residential use not	09:29PM 15	THE WITNESS: I refer to that as the
09:27PM 16	permitted in a zone where single-family residential	09:30РМ 16	implicit density. You'd have to manufacture the use
09:27PM 17	is permitted, correct?	09:30РМ 17	and the lot area, but, yes.
09:27PM 18	THE WITNESS: Yes.	09:30РМ 18	MR. WARNER: All right. Okay.
09:27PM 19	MR. WARNER: And a D-6 height variance	09:30РМ 19	So, well hopefully that doesn't make it
09:27PM 20	for a 40.8 foot at its highest building three, if I	09:30PM 20	more complicated for the board. It might even make
09:28PM 21	recall correctly?	09:30PM 21	it more understandable, I would hope.
09:28PM 22	THE WITNESS: Yes.	09:30PM 22	So those are the three D variances.
09:28PM 23	MR. WARNER: Versus 35 feet permitted	09:30PM 23	The bulk variances are C variances, side yard
09:28PM 24	because it's a single-family zone and 35 is always	09:30PM 24	setback, 12 feet versus 15 feet from Drift Road,
09:28PM 25	the height maximum permitted for just about for	09:30РМ 25	now
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	201-641-1812		201-641-1812
	110		112
10-28РМ	single-family dwellings, correct?	10-30PM 1	112 THE WITNESS: Twelve feet versus 50
09:28PM 1	single-family dwellings, correct?	09:30PM 1	THE WITNESS: Twelve feet versus 50
09:28PM 2	single-family dwellings, correct? THE WITNESS: Correct, yes.	09:30PM 2	THE WITNESS: Twelve feet versus 50 MR. WARNER: I'm sorry, 12 feet versus
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	113		115
09:31PM 1	MR. TUVEL: Correct.	09:33PM 1	on either side.
09:31PM 2	MR. WARNER: It's the height in feet,	09:33PM 2	MR. TUVEL: Yes.
09:31PM 3	linear feet that	09:33PM 3	No, I'm just looking here to make sure
09:31PM 4	MR. TUVEL: I'm so glad you said that	09:33PM 4	there is nothing in Mr. Stires' testimony that we may
09:31PM 5	because so many people don't understand that, so	09:33PM 5	have overlooked, but it looks like we hit everything.
09:31PM 6	MR. WARNER: I have gotten my boards	09:33РМ 6	MR. WARNER: And street trees, is that
09:31PM 7	always understand it. But I can't do that with a D-6	09:33PM 7	also a
09:31PM 8	on stories, but it's only on linear feet.	09:33РМ 8	MR. TUVEL: Yes, design waiver,
09:31PM 9	MR. TUVEL: Correct, correct.	09:33РМ 9	correct.
09:31PM 10	MR. WARNER: Sign setback, 5 feet	09:33PM 10	MR. WARNER: Design waiver, not
09:31PM 11	proposed versus 25 feet required.	09:33PM 11	proposed along Drift Road.
09:31PM 12	And sign size, 1-square-foot sign area	09:33PM 12	What about buffer width, 20 feet
09:31PM 13	versus 20 I'm sorry 20-square-foot sign area	09:33РМ 13	required along Drift Road?
09:31PM 14	versus 1-square-foot maximum, I guess.	09:33РМ 14	Technically that's not there because of
09:31PM 15	Again, all those bulk regulations being	09:33PM 15	the right-of-way situation.
09:32РМ 16	tied to the fact that it's a single-family zone, not	09:33PM 16	MR. TUVEL: Yes, I would just I
09:32PM 17	a multifamily townhouse zone.	09:33PM 17	would say yes, just to be on the safe side.
09:32РМ 18	MR. TUVEL: Right, yes.	09:33PM 18	MR. WARNER: Okay. And Mr. Stires is
09:32РМ 19	MR. WARNER: Are those all the	09:33РМ 19	listening, too, so he could weigh in.
09:32PM 20	variances?	09:33PM 20	Vegetation within the buffer area, I
09:32РМ 21	MR. TUVEL: Yes.	09:33PM 21	guess that's the same issue, Dave?
09:32PM 22	And there were some design waivers	09:33PM 22	MR. STIRES: Yeah.
09:32РМ 23	as	09:33PM 23	MR. WARNER: Okay. And then the tree
09:32PM 24	MR. WARNER: Design waivers I have are	09:33PM 24	removal, more than 50 percent of the existing trees
09:32РМ 25	drive aisle width, it's now 22 feet versus 24 feet.	09:33РМ 25	proposed to be removed, but you mentioned it
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	201-641-1812		201-641-1812
	114		116
09:32PM 1	Notwithstanding the fact that the	09:33PM 1	MR. TUVEL: We're putting way more
09:32PM 2	Notwithstanding the fact that the driveways are a little longer, Mr. Heydt and	09:33PM 2	MR. TUVEL: We're putting way more back.
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	117		119
09:34PM 1	MR. WARNER: Okay.	09:36РМ 1	ACTING CHAIRMAN HUNSINGER: Thank you
09:34PM 2	MR. STIRES: You'd have to work with	09:36РМ 2	for dotting Is and crossing our Ts, I always
09:34PM 3	the tax assessor and get the lots	09:36РМ 3	appreciate it.
09:34PM 4	MR. TUVEL: Yes, no, that's completely	09:36PM 4	MR. WARNER: My pleasure.
09:35PM 5	understood, they would not be divided into separate	09:36РМ 5	ACTING CHAIRMAN HUNSINGER: If no one
09:35РМ 6	lots.	09:36РМ 6	else on the board has any questions, I will open it
09:35PM 7	That's correct.	09:36РМ 7	up to the public.
09:35PM 8	MR. WARNER: And in the event there is	09:37РМ 8	So let's do that. Let's open this up
09:35PM 9	a homeowners' association, the affordable housing	09:37PM 9	to the public for questions for this witness.
09:35РМ 10	units would have an equal representation, at least	09:37PM 10	Anybody in the public want to come
09:35PM 11	proportionately to the market-rate units as required	09:37РМ 11	forward with any questions for this witness?
09:35PM 12	under UHAC, correct?	09:37PM 12	This is just a time for questions, not
09:35РМ 13	MR. TUVEL: Of course, yes.	09:37РМ 13	a time for comments, we'll have that after we're
09:35PM 14	And as you indicated to me earlier	09:37РМ 14	done we'll have a time for comments.
09:35РМ 15	today, Mr. Warner, we would comply with all the	09:37РМ 15	If you do want to come up, please just
09:35РМ 16	applicable UHAC regulations for the property.	09:37РМ 16	state your name and address.
09:35РМ 17	MR. WARNER: Right.	09:37РМ 17	DR. STEINFELD: Mr. Chairman, before we
09:35РМ 18	For the recollection of the board, that	09:37PM 18	open it up to the public, I don't want to beat a dead
09:35РМ 19	includes certain bedroom distributions which appear	09:37РМ 19	horse, but I'm concerned about the fact that there is
09:35РМ 20	to be satisfied for the number of one-bedroom,	09:37РМ 20	no off-site parking available.
09:35РМ 21	two-bedroom and three-bedroom affordable units, as	09:37РМ 21	And what does the applicant propose as
09:35PM 22	well as the phasing requirement, affordable units	09:37PM 22	a solution if, on New Year's Eve, five or six
09:35РМ 23	would have to be built	09:37РМ 23	residences decide to have large parties which will
09:35PM 24	MR. TUVEL: Yes.	09:37PM 24	exceed the 25 guest parking spaces? Where are these
09:35PM 25	MR. WARNER: there's a requirement	09:37РМ 25	people going to go?
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	201-641-1812		201-641-1812
	201-641-1812 118		120
09:35PM 1	118 basically that means while you could start your	09:37PM 1	120 MR. TUVEL: So as I would I would
09:35PM 2	basically that means while you could start your market rates a little early, you have to finish all	09:38PM 2	MR. TUVEL: So as I would I would defer to your Counsel, but that's why we have the
09:35PM 2 09:35PM 3	basically that means while you could start your market rates a little early, you have to finish all your affordables before you finish your market rates	09:38PM 2	MR. TUVEL: So as I would I would defer to your Counsel, but that's why we have the RSIS standard, because the RSIS standard contemplates
09:35PM 2 09:35PM 3 09:35PM 4	basically that means while you could start your market rates a little early, you have to finish all your affordables before you finish your market rates so as to avoid someone finishing the market rates and	09:38PM 2 09:38PM 3 09:38PM 4	MR. TUVEL: So as I would I would defer to your Counsel, but that's why we have the RSIS standard, because the RSIS standard contemplates the way that residential complexes operate, right?
09:35PM 2 09:35PM 3 09:35PM 4 09:35PM 5	basically that means while you could start your market rates a little early, you have to finish all your affordables before you finish your market rates so as to avoid someone finishing the market rates and not finishing the affordables, if you get my drift,	09:38PM 2 09:38PM 3 09:38PM 4 09:38PM 5	MR. TUVEL: So as I would I would defer to your Counsel, but that's why we have the RSIS standard, because the RSIS standard contemplates the way that residential complexes operate, right? So and we exceed that.
09:35PM 2 09:35PM 3 09:35PM 4 09:35PM 5 09:36PM 6	basically that means while you could start your market rates a little early, you have to finish all your affordables before you finish your market rates so as to avoid someone finishing the market rates and not finishing the affordables, if you get my drift, road.	09:38PM 2 09:38PM 3 09:38PM 4 09:38PM 5 09:38PM 6	MR. TUVEL: So as I would I would defer to your Counsel, but that's why we have the RSIS standard, because the RSIS standard contemplates the way that residential complexes operate, right? So and we exceed that. So I think we'll be fine. I will also
09:35PM 2 09:35PM 3 09:35PM 4 09:35PM 5 09:36PM 6 09:36PM 7	basically that means while you could start your market rates a little early, you have to finish all your affordables before you finish your market rates so as to avoid someone finishing the market rates and not finishing the affordables, if you get my drift, road. The unit tenure will be 30 foot on the	09:38PM 2 09:38PM 3 09:38PM 4 09:38PM 5 09:38PM 6 09:38PM 7	MR. TUVEL: So as I would I would defer to your Counsel, but that's why we have the RSIS standard, because the RSIS standard contemplates the way that residential complexes operate, right? So and we exceed that. So I think we'll be fine. I will also use the comment that I hear from a lot of traffic
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	121		123
09:39РМ 1	required.	09:41PM 1	application.
09:39PM 2	MR. TUVEL: For visitor parking, that's	09:41PM 2	So let's we opened it up to the
09:39PM 3	correct.	09:41PM 2	public, so anyone in the public who wants to ask a
09:39PM 4	MR. WARNER: And, Mr. Chairman, to the	09:41PM 4	question, please just state your name and address and
09:39PM 5	extent it was raised, you know, from a legal	09:41PM 5	ask your question.
09:39РМ 6	perspective, I cannot I don't want to say I do not	09:41PM 6	Anyone from the public want to ask a
09:39PM 7	I cannot dispute, from a legal perspective, what	09:41PM 7	question?
09:39PM 8	was represented.	09:41PM 8	MS. SNYDER: Phil is raising his hand.
09:39PM 9	It may be appropriate, although I'm	09:41PM 9	111: Yeah, I didn't I wasn't sure
09:39PM 10	staring at a beautiful bay window, for Mr. Stires to	09:41PM 10	how it worked exactly so I did the hand up, I figured
09:39PM 11	weigh in if he has any comment with respect to the	09:41PM 11	that was the way to go here.
09:39PM 12	parking requirement as he is our board engineer,	09:41PM 12	MR. WARNER: Yeah, Theresa, maybe after
09:39РМ 13	although right now I guess the focus is on	09:41PM 13	Mr. Linder, with the Chair's permission, asks his
09:39РМ 14	landscaping when I look at his box there.	09:41PM 14	question, maybe you can give a little bit of a
09:39РМ 15	ACTING CHAIRMAN HUNSINGER: We can come	09:41PM 15	tutorial to ensure that every member of the public
09:39РМ 16	back to Mr. Stires after we hear from the public.	09:42PM 16	who wishes to ask a question or make a comment has an
09:39РМ 17	MR. WARNER: Maybe we can come back to	09:42PM 17	opportunity to do so.
09:39РМ 18	him.	09:42PM 18	111: Sorry about that.
09:39РМ 19	ACTING CHAIRMAN HUNSINGER: There he	09:42PM 19	MR. WARNER: Explain to them what to
09:39РМ 20	is.	09:42PM 20	do.
09:39РМ 21	MR. WARNER: Oh, David. How are you?	09:42PM 21	MS. SNYDER: Okay.
09:39РМ 22	The I don't know if it might have	09:42PM 22	111: So, my name is Phil Linder.
09:39РМ 23	been a good time when you left, perhaps, but did	09:42PM 23	I live on Hampton Drive, 125 Hampton
09:39РМ 24	ACTING CHAIRMAN HUNSINGER: Did you	09:42PM 24	Drive. I'm the first house in off of Horseshoe.
09:40РМ 25	hear the question? There's some concern about	09:42PM 25	There is this is sort of,
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	201-641-1812		201-641-1812
	122		124
09:40PM 1	parking requirements and particularly the ones the	09:42PM 1	124 Mr. Steinfeld, I believe it is. My question's
09:40PM 1		09:42PM 1	
	parking requirements and particularly the ones the	_	Mr. Steinfeld, I believe it is. My question's
09:40PM 2	parking requirements and particularly the ones the extra parking for guests.	09:42PM 2	Mr. Steinfeld, I believe it is. My question's hand-in-hand with yours. There is no off-site
09:40PM 2 09:40PM 3	parking requirements and particularly the ones the extra parking for guests. MR. WARNER: Yes.	09:42PM 2 09:42PM 3	Mr. Steinfeld, I believe it is. My question's hand-in-hand with yours. There is no off-site parking on Plainfield, correct?
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	105	1	407
09:43PM 1	125	09:45PM 1	111. That was just to clarify
	can. 111: Gotcha.	•	111: That was just to clarify.
			The second thing was that the first
	Are we going to put a crosswalk from	09:45PM 3	building so when the variance was applied for, for
09:43PM 4	Horseshoe Drive from Hampton Drive across to	09:45PM 4	the height of the buildings, the reference was to the
09:43PM 5	Plainfield?	09:45PM 5	middle building being the tallest, correct?
09:43PM 6	MR. TUVEL: That would be completely a	09:45PM 6	THE WITNESS: Correct.
09:43PM 7	county issue.	09:45PM 7	That's the maximum.
09:43PM 8	If they felt it was necessary, the	09:46PM 8	111: Is the variance the current
09:43PM 9	county would require that. In working on these	09:46PM 9	regulation is 35 feet?
09:43PM 10	projects, and Mr. Stires can weigh in, usually mid	09:46PM 10	Is the first building above 35 feet
09:43PM 11	block crossings are discouraged.	09:46PM 11	also, but shorter than the front building above
09:44PM 12	So but that would be a county issue	09:46PM 12	35 feet but shorter than the middle building.
09:44PM 13	completely. Just like, just like on a DOT road, it	09:46PM 13	THE WITNESS: It is.
09:44PM 14	would be a DOT comment.	09:46PM 14	So to just confirm, the front,
09:44PM 15	So and then I'll let Charles answer	09:46PM 15	Building 1, would be 38 feet.
09:44PM 16	your question, but, look, from a legal perspective	09:46РМ 16	111: Okay. And there is a variance
09:44PM 17	these standards, RSIS, they were implemented by the	09:46PM 17	you're applying for, for all three for all the
09:44PM 18	state decades ago to cover all these situations on	09:46PM 18	buildings?
09:44PM 19	how properties function like this, so that's why the	09:46PM 19	THE WITNESS: Correct.
09:44PM 20	applicant wanted to make sure that they not only met	09:46PM 20	When we cite variances we often require
09:44PM 21	but exceeded the state standard here.	09:46PM 21	the maximum relief requested, but to clarify, that
09:44PM 22	So from a parking perspective, we are	09:46PM 22	first building is 38 feet.
09:44PM 23	abiding and going a little bit above and beyond what	09:46PM 23	111: Thank you.
09:44PM 24	the letter of the law requires.	09:46PM 24	ACTING CHAIRMAN HUNSINGER: So real
09:44PM 25	And, Charles, you want to just weigh in	09:46PM 25	quick, before we go on to other questions, if you do
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	201-641-1812		201-641-1812
09:44PM 1	there? I mean	1	have a question and you have trouble, you can use
	THE WITNESS: Yeah, just to reiterate	09:46PM 1	have a question and you have trouble, you can use on the bottom of the screen there is a button called
09:44PM 2	with respect to the parking provision, the RSIS	09:46PM 2 09:46PM 3	reactions, and in that, if you hover over that, there
09:44PM 4	standard requires for visitor spaces a half space per	09:46PM 4	is a raise your hand.
09:44PM 5	unit.	09:46PM 5	So if you want to press that, we'll
09:44PM 6	And that how can you propose a half	09:46PM 6	know that you want to ask a question.
09:44PM 7	space, right? So the intent there is that on	09:46PM 7	And I think, Mr. Miller, I think you
09:44PM 8	average, the overall development, the demand for	09:47PM 8	were ready to ask a question, correct?
09:44PM 9	visitor parking is at that rate of a half space per	09:47PM 9	MR. MILLER: Sure, thank you.
09:45PM 10	unit.	09:47PM 10	This ties into Mr. Linder's question
09:45PM 11	So, overall, a requirement for this	09:47PM 11	whether or not
09:45PM 12	development to meet the standard that is calculated	09:47PM 12	ACTING CHAIRMAN HUNSINGER: If you
09:45PM 13	and implemented in the Residential Site Improvement	09:47PM 13	could just state your name and address.
09:45PM 14	Standard in the State of New Jersey is 14 visitor	09:47PM 14	MR. MILLER: Sorry.
09:45PM 15	parking spaces.	09:47PM 15	Chad Miller, 111 Hampton Drive,
09:45PM 16	We understand the concern. Part of	09:47PM 16	Berkeley Heights.
Ī		1	· -
09:45PM 17	this design increases the available surface parking	09:47PM 17	To tag onto Mr. Linder's question, I'm
09:45PM 17 09:45PM 18	this design increases the available surface parking spaces to all visitors 25 spaces.	09:47PM 17 09:47PM 18	To tag onto Mr. Linder's question, I'm curious as to whether or not Somerset County or Union
	this design increases the available surface parking spaces to all visitors 25 spaces. So I hope that's clear in terms of		To tag onto Mr. Linder's question, I'm curious as to whether or not Somerset County or Union County have been consulted in relation to this
09:45PM 18	spaces to all visitors 25 spaces.	09:47PM 18	curious as to whether or not Somerset County or Union
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09:45PM 18 09:45PM 19 09:45PM 20 09:45PM 21 09:45PM 22 09:45PM 23 09:45PM 24	spaces to all visitors 25 spaces. So I hope that's clear in terms of adequacy for on site parking for visitors. 111: It is. There are some standards you're applying for variance on; yes. THE WITNESS: Parking is not one of	09:47PM 18 09:47PM 19 09:47PM 20 09:47PM 21 09:47PM 22 09:47PM 23 09:47PM 24	curious as to whether or not Somerset County or Union County have been consulted in relation to this project, given the implications to traffic and parking and those sorts of thing? Have they been consulted at all? THE WITNESS: They both have seen the application, yes.

	129		131
09:47PM 1	application I think Mr. Staigar, Mr. Miller,	09:50PM 1	five of our seven board members to vote yes. That's
09:47PM 2	testified to this, but if he didn't, I'll address it.	09:50PM 2	under the Municipal Land Use Law requirements.
09:47PM 3	We applied to Union/Somerset County Planning Boards,	09:50PM 3	MR. MILLER: Okay. And there will be a
09:47PM 4	as well as the DOT on this application.	09:50PM 4	time for comments as well in addition to just
09:47PM 5	MR. MILLER: Okay. Follow-up question	09:50PM 5	questions.
09:47PM 6	then.	09:50PM 6	Is that accurate?
09:47PM 7	With relation to the traffic study or	09:50PM 7	ACTING CHAIRMAN HUNSINGER: That is
09:48PM 8	traffic data that was produced, what year was that	09:50PM 8	correct.
09:48PM 9	data procured from out of curiosity?	09:50PM 9	MR. WARNER: Under oath.
09:48PM 10	I guess for Mr. Staigar.	09:50PM 10	And I suspect this it's going to be
09:48PM 11	MR. TUVEL: Yes, Mr. Staigar testified	09:50PM 11	very shortly; correct, Mr. Chairman.
09:48PM 11 09:48PM 12	to all that last time. I leave it to the Chair, but	09:50PM 11	ACTING CHAIRMAN HUNSINGER: Correct.
09:48PM 13	Steve, this all these questions were that	09:50PM 12	MR. MILLER: Thank you.
09:48PM 14	question was already asked. I don't want to revisit	09:50PM 14	ACTING CHAIRMAN HUNSINGER: Thank you.
09:48PM 15	what was discussed, but I leave it up to the Chair on	09:50PM 15	Mr. Foster, we have to have you unmute
09:48PM 16	that.	09:50PM 16	yourself, please.
09:48PM 17	MR. WARNER: Well, Mr. Chairman, my	09:50PM 17	MR. FOSTER: Okay.
09:48PM 18	advice would be that if they have that information,	09:50PM 18	John Foster, 87 Hampton Drive, Berkeley
09:48PM 19	in fairness to everyone, they can reiterate what	09:50PM 19	Heights.
09:48PM 20	Mr. Staigar testified to and we could make sure what	09:50PM 20	I have two questions. The first one
09:48PM 21	they're reiterating is accurate.	09:50PM 21	is, I guess it would have to be to the traffic study
09:48PM 22	I don't want Mr. Miller or anyone else	09:51PM 22	again also. Has there ever been a motor vehicle
09:48PM 23	to not have it available to them.	09:51PM 23	accident study done at the corner Drift Road and
09:48PM 24	MR. TUVEL: That's fine.	09:51PM 24	Plainfield Avenue?
09:48PM 25	We did 2000 we did 2017 counts,	09:51PM 25	ACTING CHAIRMAN HUNSINGER: So just to
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	201-641-1812		201-641-1812
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1 1	ne COVID is order and sounts but we relied on	4	
09:48PM	pre-COVID, in order not counts, but we relied on	09:51PM 1	be clear, these questions are supposed to be for the
09:48PM 2	data in the area, I believe that was Mr. Staigar's	09:51PM 1 09:51PM 2	be clear, these questions are supposed to be for the witness who just testified.
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	133		135
09:52PM 1	Then my next question would go to, as	09:54PM 1	related to a single-family dwelling in the zoning
09:52PM 2	the property gets further down the road and if these	09:54PM 2	area.
09:52PM 3	houses have more than two people in them and then get	09:54PM 3	Does Watchung have any regulations
09:52PM 4	another vehicle, will that be allotted into allowing	09:54PM 4	around multifamily condo developments?
09:52PM 5	them to park in the visitor spots or now they have	09:54PM 5	ACTING CHAIRMAN HUNSINGER: Mr. Warner?
09:52PM 6	three cars, what is their what is the option or	09:54PM 6	MR. WARNER: Yes.
09:52PM 7	the plan on that?	09:54PM 7	Well, Mr. Stires provided a report, our
09:52PM 8	Are you going to be limiting are you	09:55PM 8	engineer, in this case referencing the RMLV, if I
09:52PM 9	going to be limiting the people that move into the	09:55PM 9	recall correctly, zone.
09:52PM 10	place to have two cars only?	09:55PM 10	MR. STIRES: Yes.
09:52PM 11	THE WITNESS: Yeah, I don't think	09:55PM 11	MR. WARNER: He said, and please
09:52PM 12	there's a proposed indication on number of vehicles.	09:55PM 12	correct me if I'm mis-paraphrasing you, David, might
09:53PM 13	Could someone own three vehicles? Yes.	09:55PM 13	be somewhat comparable as a you know, for
09:53PM 14	Could someone own four, five, six?	09:55PM 14	multifamily residential, and then he also referenced
09:53PM 15	Yes.	09:55PM 15	a particular recent multifamily development that you
09:53PM 16	But likely when you increase the	09:55PM 16	heard the applicant's planner do a, sort of,
09:53PM 17	personal demand for vehicles, a townhouse is not your	09:55PM 17	distinction, comparison of that Mountain Boulevard
09:53PM 18	preferred home, so that would likely be a decision	09:55PM 18	one, if I recall correctly, versus this one.
09:53PM 19	factor for anyone living here, if they owned three,	09:55PM 19	So short answer is yes, we do, and it's
09:53PM 20	four vehicles, they likely would not purchase or rent	09:55PM 20	part of the record.
09:53PM 21	a townhouse.	09:55PM 21	MR. MILLER: Okay, thank you.
09:53PM 22	MR. TUVEL: Yeah, and that's why the	09:55PM 22	ACTING CHAIRMAN HUNSINGER: Anyone else
09:53PM 23	RSIS has it sounds weird, Mr. Foster, but it has,	09:55PM 23	from the public have any questions for this witness?
09:53PM 24	for example, 1.8. Who has 1.8 cars? Nobody has 1.8	09:55PM 24	(No response.)
09:53PM 25	cars.	09:55PM 25	ACTING CHAIRMAN HUNSINGER: Again, if
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	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812		
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09:56PM **25**

09:56PM **24** are around -- how do I ask this?

If all of the current regulations and

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

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09:54PM **24**

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developments, multifamily developments like as being

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proposed here, because all of these variances are

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	137	_	139
09:56PM 1	the variances being sought for are related to a	09:59PM 1	the tree the Watchung Tree Ordinance which
09:56PM 2	single-family dwelling, is there some sort of re	09:59PM 2	requires a one-to-one replacement of for I'm
09:57PM 3	some sort of change that needs to happen in order to	09:59PM 3	sorry, for each live tree removed, a live tree has to
09:57PM 4	rezone this for a multifamily condo development?	09:59PM 4	be sorry, 2-and-a-half-inch caliper tree has to be
	ACTING CHAIRMAN HUNSINGER: I think	09:59PM 5	planted, and the ratio has to be, according to the ordinance, 75 percent deciduous to 25 percent
_	that's what we do is, as a board of adjustment is we take a property that's zoned that is not zoned for	_	conifer?
09:57PM /	that's why they're that's why they're here.	09:59PM / 09:59PM 8	MR. TUVEL: Mr. Warner, or,
09:57PM 9	Because it's not zoned for that.	09:59PM 9	Mr. Chairman, could I answer that question?
09:57PM 10	Am I right, Mr. Warner?	09:59PM 10	Is that okay?
09:57PM 11	MR. WARNER: Yeah.	09:59PM 11	ACTING CHAIRMAN HUNSINGER: Sure.
09:57PM 12	I mean, the bottom line, Mr. Miller,	09:59PM 12	MR. TUVEL: Okay. So the answer is,
09:57PM 13	and everyone, is that every zone has its regulations	09:59PM 13	thanks for the question, it was a good question, we
09:57PM 14	and when someone seeks a D-1 use variance for a use	09:59PM 14	are and maybe you didn't hear Ms. Ruskan's
09:57РМ 15	that is not a permitted use in that zone, you know,	09:59PM 15	testimony the last time where we went over this, but
09:57PM 16	the bulk regulations, setbacks, heights, et cetera,	10:00РМ 16	we are complying with the ordinance in full, the
09:57PM 17	may not be tailored for something very similar to	10:00PM 17	Watchung Tree Removal Ordinance.
09:57PM 18	what that use is.	10:00РМ 18	We are removing the trees you
09:57РМ 19	That's why they need the D-1 use	10:00РМ 19	indicated, 56 trees; however, we are replanting
09:57PM 20	variance, which is the hardest, so to speak, to get.	10:00PM 20	95 trees. And we are replanting them in the
09:58PM 21	That why you kept hearing the word "subsumed."	10:00РМ 21	percentage distribution that you indicated complies
09:58PM 22	Everything being subsumed within the D-1 use	10:00PM 22	with the ordinance.
09:58PM 23	variance.	10:00PM 23	So 56 come out and 95 go in, with an
09:58PM 24	So the short answer is the regulations	10:00PM 24	additional 214 shrubs that will be in addition to the
09:58PM 25	are what they are. They're generally often tied to	10:00PM 25	trees.
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	201-641-1812		201-641-1812
	138	_	140
09:58РМ 1	an anticipated use or set of uses for that zone, but	10:00РМ 1	I won't go into the grasses, grass,
09:58PM 2	an anticipated use or set of uses for that zone, but that those are the requirements that any applicant	10:00PM 2	I won't go into the grasses, grass, perennials, ground cover, but there's also that as
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	141	_	143
10:01PM 1	wrong, but are you the official who is that would	1	MS. SNYDER: I don't see anyone.
10:01PM 2	have to be subject to your review and approval as	2	ACTING CHAIRMAN HUNSINGER: I see no
10:01PM 3	being compliant?	3	one.
10:01PM 4	MR. STIRES: Yeah, I'll take a look at	4	So, seeing no one come forward, we'll
10:01PM 5	that. I'm not sure arborvitaes are considered trees,	10:03PM 5	close that public portion of the meeting.
10:01PM 6	so that might be an issue.	10:03РМ 6	Are there any more witnesses?
10:01PM 7	MS. FUNCHEON: Well, they there is	10:03PM 7	MR. WARNER: Mr. Tuvel, no more
10:01PM 8	some debate, but they are generally considered trees,	10:03РМ 8	witnesses?
10:01PM 9	to be trees, and there are many, many of them, and	10:03PM 9	You're on mute.
10:01PM 10	most of them are live.	10:03PM 10	MR. TUVEL: I'm sorry, I was I muted
10:01PM 11	MR. WARNER: Well, Ms. Funcheon, before	10:03PM 11	it so that you could go to the public if you had to.
10:01PM 12	you give expert testimony, qualified or not, I better	10:03PM 12	No, that concludes our case,
10:01PM 13	swear you in, even for fact testimony, but	10:03PM 13	Mr. Chairman, Members of the Board, I reserve the
10:02PM 14	MS. FUNCHEON: I'm not looking to give	10:04PM 14	right to give a summation, if that's okay, after
10:02PM 15	expert testimony, I'm just saying that there are a	10:04PM 15	public comment, and also to the extent we have to
10:02PM 16	lot of arborvitae there. I was just curious how I	10:04PM 16	respond to any public comment or questions from the
10:02PM 17	heard last week the numbers that you said, the 95	10:04PM 17	board, I would just ask that we be able to do that if
10:02PM 18	trees, and I was interested in, you know, the number	18 19	it's necessary.
10:02PM 19	of I know there's a lot of mature trees that are	_	That's all.
10:02PM 20	coming down, and I heard, you know, why, because I	20 21	ACTING CHAIRMAN HUNSINGER: Thank you
10:02PM 21	guess the engineer said during construction that there would be too much it would be impossible to	22	very much. MR. WARNER: That's also the
10:02PM 22	protect them during construction.	10:04PM 23	recommended procedure, as the Chair knows.
10:02PM 23	Do you have a list of those trees	10:04PM 23	MR. TUVEL: Thank you.
10:02PM 25	somewhere? The 56 trees?	10:04PM 25	ACTING CHAIRMAN HUNSINGER: So I will
10.02PW 20	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.	10.04PW 20	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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10:02PM 1		10:04PM 1	
10:02PM 1	MR. TUVEL: Yes, there was a plan submitted with the set.	10:04PM 1	go back to the board one more time. Does anyone have any questions? And I
	MR. TUVEL: Yes, there was a plan		go back to the board one more time.
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	145		147
10:05PM 1	I think Mr. Linder has his hand up.	10:07PM 1	There are no sidewalks on Hampton Drive. There's no
10:05PM 2	MR. WARNER: And I will have to swear	10:07PM 2	sidewalks in our little community that I will
10:05PM 3	everyone in for this part because it is testimony,	10:07РМ 3	reference in a second.
10:05PM 4	has the full weight of fact testimony in the case.	10:07PM 4	And adding cars to our traffic flow is
10:05PM 5	So, Mr. Linder	10:07РМ 5	going to be a non-negligible factor, whether we want
10:05PM 6	ACTING CHAIRMAN HUNSINGER: You have to	10:07РМ 6	to admit it or not.
10:05PM 7	also, yeah, unmute yourself. Good.	10:07PM 7	I have several safety concerns about
10:05PM 8	All right.	10:07РМ 8	that. On one hand, the developer has brought up that
10:05PM 9	MR. WARNER: Please raise your right	10:08РМ 9	if this building were developed fully, there could be
10:05PM 10	hand.	10:08РМ 10	60 cars at peak doing trips in and out, right?
11	Do you swear to God or affirm that the	10:08PM 11	On the same but at the same time
12	testimony you're about to give is the truth, the	10:08PM 12	they're like, well, this is only going to be 14 at
13	whole truth and nothing but the truth?	10:08РМ 13	peak, so it's a 46 trip drop-off.
14	MR. LINDER: Yes.	10:08PM 14	But the reality is, is I've lived here
15	PHIL LINDER,	10:08РМ 15	for several years, that building has been empty. It
16	125 Hampton Drive, Berkeley Heights, New Jersey,	10:08РМ 16	is not a 60-trip, it's zero trips right now.
17	having been duly sworn, testifies as follows:	10:08PM 17	And you also brought up that early on
18	MR. WARNER: Thank you. And one more	10:08PM 18	you couldn't pay people to stay there or the first
10:05PM 19	time, please, for the record, name and address.	10:08PM 19	statement was we tried to rent out the units and
10:05PM 20	MR. LINDER: My name is Phil Linder.	10:08PM 20	nobody wanted them, so we know that it's zero and
10:05PM 21	I live at 125 Hampton Drive in Berkeley	10:08PM 21	it's going to be zero and if somebody came in to
10:05PM 22	Heights.	10:08PM 22	develop it, that would be a separate session like
10:05PM 23	MR. WARNER: Please proceed.	10:08PM 23	this one, I believe.
10:06PM 24	MR. LINDER: I have a couple comments.	10:08PM 24	Obviously this false equivalency is an
10:06PM 25	I've been here with you guys for the whole time,	10:08PM 25	issue. I think there's a lot of comparisons that
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
			LAUNA A. OANGOOI, C.C.N., N.I. IN., L.E.O.
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LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

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201-641-1812

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	149		151
10:09PM 1	backed up waiting to make a dangerous turn onto the	1	testimony you're about to give is the truth, the
10:09PM 2	street.	2	whole truth and nothing but the truth?
10:09PM 3	If we're adding more cars to this part	3	MR. FOSTER: I do.
10:09PM 4	of our community, there will be more than nine cars	4	JOHN FOSTER,
10:09PM 5	there, which will do a couple things. One, there	5	87 Hampton Drive, Berkeley Heights, New Jersey,
10:09РМ 6	will be more dangerous turns onto Plainfield, and	6	having been duly sworn, testifies as follows:
10:09PM 7	two, people will cut through Horseshoe Hampton.	7	MR. WARNER: Thank you.
10:09PM 8	Hampton has no sidewalks. Not only do we have no	10:11PM 8	I would have believed you anyway when
10:09PM 9	sidewalks, but in the community of Hampton, Regent	10:11PM 9	you gave your name and address even if I didn't swear
10:09PM 10	and Sutton, and those blocks alone there are and	10:11PM 10	you in first, but thank you.
10:09PM 11	this is no joke 27 children under the age of 14.	10:11PM 11	MR. FOSTER: Okay.
10:09PM 12	I know this because we have a block party, you're all	10:11PM 12	I want to thank the board for doing
10:09PM 13	invited to come, in the summer.	10:11PM 13	their due diligence here. I want to thank the people
10:09PM 14	There are a lot of children that are	10:11PM 14	that are doing the construction and want to put this
10:09PM 15	going to be in the street and are in the street all	10:11PM 15	property in there. They're doing their due diligence
10:09PM 16	the time. There will be cars cutting through. If we	10:11PM 16	also.
10:09PM 17	do nothing to mitigate that issue, then this could be	10:11PM 17	I just want to let the board know that
10:10PM 18	a tragic result as well, and I want it to be on the	10:11PM 18	as a police officer for 28 years I've seen
10:10PM 19	record that I put it out here right now.	10:11PM 19	communities change over 28 years, and change to the
10:10PM 20	We need speed bumps, we need stop	10:11PM 20	point of exactly what Mr. Linder was talking about.
10:10PM 21	signs, we need traffic lights. If this is going to	10:11PM 21	Change where there's kids in that neighborhood and
10:10PM 22	happen, it is going to add cars to our neighborhood	10:11PM 22	there's nothing gets changed as far as the ingress
10:10PM 23	and it is going to be dangerous. So, yes, I appreciate the aesthetics.	10:11PM 23	and egress into the properties or anything changed about accidents.
10:10PM 24	I hear the issues of the school bus. That's a	10:11PM 24	You know, we as the police department
10:10PM 23	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.	10:TIPM 23	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	201-641-1812		201-641-1812
	150		152
10:10PM 1	separate thing. But without any of those things, not	10:12PM 1	try to do that, but we're only one leg of a
10:10PM 2	adding speed humps, not adding stop lights, not	10:12PM 2	multifaceted government operation. You all people
10:10PM 3	adding crosswalks, all of those things are dangerous	10:12PM 3	have the power to do what you need to do to either
10:10PM 4	and will be dangerous in our community.	10:12PM 4	make this happen or make it go away.
10:10PM 5	I love the idea that we're bringing new	10:12PM 5	And I have to agree with Mr. Linder
10:10PM 6	people in. We have a great community, everybody	10:12PM 6	that if it happens it's going to create more
10:10PM 7	should come and join it.	10:12PM 7	problems. And like I said, I've seen it over 28
10:10PM 8	But I do think that we are missing some	10:12PM 8	years being on the police department of handling
10:10PM 9	of the danger because we're comparing it to a	10:12PM 9	accidents, of handling first-aid calls, of handling
10:10PM 10	fully-developed office building that hasn't been	10:12PM 10	neighborhoods that are inundated by cars backed up
10:10PM 11	fully developed in several years.	10:12PM 11	and people can't get out of their own driveways and
10:10PM 12	Thank you.	10:12PM 12	not even being able to get to work.
10:10PM 13	ACTING CHAIRMAN HUNSINGER: Thank you,	10:12PM 13	It's just it just makes things a
10:10PM 14	Mr. Linder.	10:12PM 14	little more difficult. So I appreciate your time and
10:10PM 15	Anyone else want to make a comment for	10:12PM 15	I appreciate you allowing me to make the statement
10:10PM 16	or against the application?	10:12PM 16	here and good luck.
10:10PM 17	Mr. Foster?	10:12PM 17	MR. WARNER: Mr. Foster, 87 Hampton
10:10PM 18	MR. FOSTER: Yes, John Foster.	10:12PM 18	Drive, correct?

MR. FOSTER: Yes, John Foster. Drive, correct? 10:10PM **18** 10:12PM **18** 10:10PM **19** 10:12PM **19** MR. WARNER: Raise your right hand. MR. FOSTER: Yes. 10:10PM **20** MR. FOSTER: Sorry. 10:12PM **20** MR. WARNER: Thank you. 10:11PM **21** ACTING CHAIRMAN HUNSINGER: He needs to 10:12PM **21** ACTING CHAIRMAN HUNSINGER: Thank you, 10:11PM **22** 10:12PM **22** swear you in. Mr. Foster. 10:11PM **23** 10:13PM **23** MR. FOSTER: Thank you. Anyone else from the public want to 10:11PM **24** 10:13PM **24** make a comment for or against the application? MR. WARNER: Thank you. 25 Do you swear to God or affirm that the 10:13PM **25** (No response.) LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 201-641-1812

	153		155
10:13PM 1	ACTING CHAIRMAN HUNSINGER: I'm	10:14PM 1	from an aesthetic and a stormwater perspective.
10:13PM 2	checking, Theresa, are you seeing anyone else come	10:14PM 2	So in this situation we have site
10:13PM 3	forward.	10:14PM 3	characteristics that are very interesting. The
10:13PM 4	MS. SNYDER: I don't see anyone, no.	10:14PM 4	property only abuts a cemetery. The property has
10:13PM 5	ACTING CHAIRMAN HUNSINGER: All right.	10:15PM 5	frontage on three sides. The property is irregularly
10:13PM 6	Seeing no one else come forward again, I have to	10:15PM 6	shaped. The property only can have access or primary
10:13PM 7	be sensitive that it is technology, so I am giving a	10:15PM 7	access in one location.
10:13PM 8	little extra time.	10:15PM 8	So we have a very, very unique
10:13PM 9	Seeing no one come forward, we will	10:15PM 9	property. And it's very, very rare that I get to say
10:13PM 10	close the public portion of the meeting.	10:15PM 10	that. Normally I'm before a board, we have a
10:13PM 11	Do you want do you have a closing	10:15PM 11	rectangle as a lot, we have a square as a lot. It's
10:13PM 12	statement that you want to give?	10:15PM 12	very rare that you have circumstances like this.
10:13PM 13	MR. TUVEL: Yes, Mr. Chairman. I'll	10:15PM 13	Which is why I think our planner spent so much time
10:13PM 14	try to be brief because I know it's late, but thank	10:15PM 14	on the particular suitability argument.
10:13PM 15	you.	10:15PM 15	So what are we doing here? We're doing
10:13PM 16	I want to thank the board again for	10:15PM 16	a significant amount of improvements, and I think
10:13PM 17	having a special meeting and also for all the time	10:15PM 17	everyone could agree that aesthetics is one of them,
10:13PM 18	and attention that the board has given us during the	10:15PM 18	so I'll start with that. The buildings here that are
10:13PM 19	course of these proceedings.	10:15PM 19	being proposed are going to enhance the community and
10:13PM 20	ACTING CHAIRMAN HUNSINGER: I'm sorry,	10:15PM 20	this corner tremendously. We are increasing or
10:13PM 21	could I interrupt you for one second. I'm sorry.	10:15PM 21	bettering the stormwater management at this location.
10:13PM 22	MR. TUVEL: Yes, go ahead.	10:15PM 22	As indicated earlier based on some of
10:13PM 23	ACTING CHAIRMAN HUNSINGER: Should we	10:15PM 23	the questions, although we are removing 56 trees, we
10:13PM 24	Mr. Warner, should we should the board be	10:15PM 24	are going to be adding 95 and 214 shrubs to further
10:13PM 25	making comments first before he does his closing	10:15PM 25	better the property.
	-		
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	_	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
10:13PM 1	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 154 or	10:16PM 1	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 156 We are adding affordable housing to the
10:13PM 2	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 154 or MR. WARNER: No, you should let him	10:16PM 2	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 156 We are adding affordable housing to the community that will go to the Borough's Affordable
10:13PM 2 10:14PM 3	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 154 or MR. WARNER: No, you should let him make his summation because, again, when the board	10:16PM 2 10:16PM 3	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 156 We are adding affordable housing to the community that will go to the Borough's Affordable Housing Credit, and also provide families in need
10:13PM 2 10:14PM 3 10:14PM 4	or MR. WARNER: No, you should let him make his summation because, again, when the board comments should be in the way of deliberations.	10:16PM 2 10:16PM 3 10:16PM 4	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 156 We are adding affordable housing to the community that will go to the Borough's Affordable Housing Credit, and also provide families in need with the opportunity to have affordable housing in
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10:17PM **24**

10:17PM **25**

The board had a concern regarding the

drive aisle widths, we improved those. The board had

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

10:14PM **24**

10:14PM **25**

you have an existing office building that's vacant

and a site that's in dire need of redevelopment both LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

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project.

We also installed a trench drain that was requested to even further enhance stormwater management. We are complying with the new regulations, both from the borough and from the state, and by doing that we also added another aspect to the project.

Also, again, on some of the variance relief, the project -- the site is interesting in a way that, although visually the right-of-way looks to be a part of the property, the property line cuts through the right-of-way.

10:17PM **20** So we are somewhat penalized by the 10:18PM **21** unique or the interesting aspect of where the 10:18PM **22** property line is located, but from an overall 10:18PM **23** perspective, it will look like it's in conformance 10:18PM **24** with most if not all of the bulk regulations with 10:18PM **25** respect to setbacks.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

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10:20PM

10:19PM

It's also, I think, very, very important here that we comply from a parking standpoint. RSIS is a very universal standard and a very conservative standard.

In fact, in most municipalities for projects like this, they're going under RSIS with respect to parking requirements; going to 1.5 per unit, 1.75.

Here we're complying with RSIS, so we're at the 1.8 for the one-bedroom, and over two for some of the other units that are two-bedrooms and three-bedrooms, and we meet the visitor parking. And we're not providing any tandem spaces, anything like that. They're all -- all the parking on the surface outside will be visitor spaces that are completely unobstructed.

And I agree, you know, with counsel and with the board engineer that the state standard put this in place just for situations like this, and we account for both parking for the residents as well as parking for the visitors.

10:19PM **22** A lot was brought up on traffic. This 10:19PM **23** site is going to be redeveloped, in one way or the 10:19PM **24** other. Either the office would be re-tenanted, which 10:19PM **25** the applicant tried to do, you heard that from

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Mr. Chrismer, and was unsuccessful doing. It will 1 2 either be that or it will be something else.

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3 In this specific situation you heard 10:19PM from our traffic engineer and the testimony was 4 10:19PM 5 unrebutted that this is probably the lowest 10·19PM

10:19PM 6 trip-generating use of anything that could go at this 10:19PM 7 location. A single-family home is not going to go

8 here. I think we could all understand that. Nobody 10·19PM

9 is going to put one house on this island project. 10:19PM But if you're going to put something, 10:19PM 10

10:19PM 11 and I think everyone would agree that it's in dire 10:19PM **12** need of redevelopment, this type of project has one 10:19PM 13 of the lowest trip-generating numbers of any use that 10:19PM 14 can go here.

10:19PM 15 An office building would generate more, 10:19PM 16 retail would generate more. I mean, I don't even 10:20PM 17 think light industrial would be proposed here, but if 10:20PM **18** you did something like that, that would be more 10:20PM 19 traffic.

10:20PM **20** So I think Mr. Staigar's testimony in 10:20PM 21 that regard was very compelling. Yes, are there 10:20PM **22** going to be car coming in and out of this driveway? 10:20PM 23 Of course. But in the peak hour, the trips are so 10:20PM **24** minimal at 10 to 14 trips in the a.m. and the p.m., 10:20PM **25** any other use, whether it be a re-tenanting of the

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1 building or something else, would likely be

2 substantially higher, as Mr. Staigar testified. 10:20PM

3 Not only that, besides for Mr. Stires 10:20PM 4 reviewing the traffic analysis and the board hearing 10:20PM

5 the traffic analysis, the county is going to hear --10:20PM 6 is going to get our traffic report and study the 10:20PM

intersection and study the driveways. If they feel 7 10:20PM

8 that adjustments need to be made, it's within their 10:20PM

9 jurisdiction and they'll make them, and also the DOT 10·20PM 10:20PM 10 with respect to the ramp.

10:20PM 11 So we have many levels of review with 10:20PM **12** respect to traffic, especially a low trip generator 10:20PM 13 here. So I have no doubt, from the applicant's 10:20PM 14 perspective, that the traffic here has been vetted 10:20PM 15 and that from a traffic perspective, this is the best 10:20PM 16 possible use that could go in this location.

10:21PM 17 In terms of the Zone Plan and Zoning 10:21PM 18 Ordinance, I think Mr. Heydt's testimony was right on 10:21PM 19 the money. He cited to many excerpts from the Master

10:21PM **20** Plan regarding affordable housing and other aspects 10:21PM **21** of it that I think show that we meet our burden with

10:21PM 22 the negative criteria with respect to substantial 10:21PM **23** detriment to the Zone Plan or Zoning Ordinance.

10:21PM **24** With respect to substantial detriment

10:21PM **25** to the public good, which is really a term for the LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

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10:21PM 1	effect of the surrounding properties, the same reason	10:23PM 1	very much.
10:21PM 2	that the positive criteria is met, I think, is the	10:23PM 2	So that brings it back to us, the
10:21PM 3	same reasons that the negative criteria is met.	10:23PM 3	board, for any comments or questions that we are
10:21PM 4	We're improving the site from a	10:23PM 4	still remaining.
10:21PM 5	stormwater standpoint, not only by the infrastructure	10:23PM 5	I do have one comment myself, thinking
10:21PM 6	that Ms. Ruskan testified to, that it was low impact,	10:23PM 6	about this left-hand turn, thinking about the
10:21PM 7	has the new sustainable features that the new DEP and	10:23PM 7	neighborhood across the street and, you know, you are
10:21PM 8	borough regs require, but also going above and beyond	10:24PM 8	our neighbors and your concerns are important to us.
10:21PM 9	that with some of the other items that we're doing,	10:24PM 9	If we were to if the applicant or
10:22PM 10	and decreasing the impervious coverage from what	10:24PM 10	somebody were to make no left turn here, can you
10:22PM 11	exists today.	10:24PM 11	people would go right. And if they're going to go
10:22PM 12	So I think that's one positive that	10:24PM 12	right, they're going to take a left up Horseshoe and
10:22PM 13	also affects the negative criteria which is, would	10:24PM 13	they're going to go right through your neighborhood
10:22PM 14	there be any substantial detriment from a stormwater	10:24PM 14	to take that left turn.
10:22PM 15	standpoint, and the answer is no, it's actually being	10:24PM 15	And I think it would exacerbate the
10:22PM 16	improved.	10:24PM 16	traffic in your neighborhood.
10:22PM 17	Same thing with respect to lighting.	10:24PM 17	It seems like you guys do have a number
10:22PM 18	You have older lighting fixtures on the property.	10:24PM 18	of people that cut through and that's an issue that
10:22PM 19	We're putting in new LED fixtures that won't only be	10:24PM 19	exists today. And I think making a no left turn
10:22PM 20	good for the environment, but won't spill light the	10:24PM 20	coming out of there might make it worse.
10:22PM 21	why that the older fixtures do.	10:24PM 21	I mean, if I lived there and I'm coming
10:22PM 22	And, again, not to just reiterate the	10:24PM 22	out, if I can't take a left I'm going to take a
10:22PM 23	traffic, but the traffic is so minimal, based on the	10:24PM 23	right, I'm going to take a left up Horseshoe, I'm
10:22PM 24	testimony given, the studies done and the various	10:24PM 24	going to go right through your neighborhood to go to
10:22PM 25	levels of review that both counties in this regard	10:24PM 25	Berkeley Heights, or I'm going to go up Horseshoe,
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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10:22PM 1	might have, as well as your municipal engineer and	10:24PM 1	one or the other.
10:22PM 2	the police department that will also review this	10:24PM 2	So I just don't see a fix to that
10:22PM 3	application.	10:24PM 3	particular issue and I think making no left turn
10:22PM 4	We comply with the parking standards, I	10:24PM 4	would make it worse. Just, I grew up on Valley Road,
10:22PM 5	said that, I think I beat that one to death, in terms	10:24PM 5	I drive this road every single day and so that's sort
10:22PM 6	of RSIS from a legal perspective.	10:25PM 6	of how I see that situation.
10:22PM /	So, again, it's very rare that I can	10:25PM /	That's my one comment for now.
10:22PM 8	come to a board and say yes, particular suitability is met. This was the reason why that standard was	10:25PM 8	Anybody else on the board have any
	•		questions or comments?
10:22PM 10 10:23PM 11	put into effect by the statute and the case law, because of the unique shape of this property, the	10:25PM 10 10:25PM 11	MR. TARASCHI: I do real quick.
10:23PM 1 1 10:23PM 12		10:25PM 1 1 10:25PM 12	My comment is overall I was just very
10:23PM 12 10:23PM 13	unique the particular traits of this property, and the fact that the current zoning for the property is	10:25PM 12 10:25PM 13	impressed with the applicant's cooperation here. Aside from having a solid, you know, first draft,
10:23PM 13	not really applicable or functional.	10:25PM 13	I'll say, which I'm sure wasn't first draft to them
10:23PM I +	not reany applicable of fullcholidi.	10:25PM I 4	in say, which in sure wash thist draft to them

10:25PM **15**

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10:26PM **21**

10:26PM **22**

credit for that.

10:23PM **15** So, Mr. Chairman and Members of the 10:23PM **16** Board, there were various conditions that I believe 10:23PM **17** Mr. Warner will likely go over so I'll let him do 10:23PM **18** that, but I would respectfully respect that the board 10:23PM **19** grant the application for preliminary and final major 10:23PM **20** site plan with the variances and waivers requested, 10:23PM **21** with the stipulations and conditions that the 10:23PM **22** applicant put forth on the record. 10:23PM **23** So, again, thank you, and I'm happy to 10:23PM **24** answer any questions that the board may have. 10:23PM **25** ACTING CHAIRMAN HUNSINGER: Thank you LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

10:26PM **23** I also take into serious consideration 10:26PM **24** the Berkeley Heights residents, our neighbors, and 10:26PM **25** their concerns with the traffic. And I have a couple

but to us it was, their willingness to take last

meeting's concerns into account and quite quickly try

to solve some of these problems put in what is in my

view very clearly and some costly improvements to

address our concerns and meet every criteria that

we've requested and that the borough professionals

have, is somewhat remarkable and I want to give them

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165 167 1 of thoughts on that and will probably end with a 1 know, very -- well, very little open space, but you 10:26PM 10:29PM question to Steve in the end. 2 2 have to consider it as certainly what it could be as 10:26PM 3 But right now it's an abandoned 3 of right, and, you know, which could be a 10:26PM 10:29PM 4 building. It's allowed to be an abandoned building 4 continuation of a preexisting, not -- a previously 10:29PM 10:26PM 5 and it's allowed to be a non-abandoned building that 5 approved, excuse me, office building which could be 10:26PM 10:29PM 6 will have a significant number of people in it. 10:29PM 6 fully occupied. 10:26PM 7 They could potentially find renters, 10:29PM 7 Hope that answers from the legal 10:26PM 8 which I don't think anybody has disagreed with, would 8 10:29PM perspective. 10:26PM 9 cause significantly more traffic and cars going in 9 MR. TARASCHI: It did. 10:29PM 10:26PM and out at peak hours than a townhome development. 10 10:29PM 10 So given that, and given the fact that 10:26PM 11 We certainly can't keep it as an 10:29PM 11 the owner could, at any moment, occupy this building 10:27PM 12 abandoned building with no cars going in and out, nor 10:29PM 12 by just lowering the rent if it's disapproved and 10:27PM 13 would that be the right decision of us to do. If we 10:29PM 13 potentially occupying it or, you know -- it seems to 10:27PM 14 had that power. 10:29PM 14 me that the reality is, is that this will be less 10:27PM 10:27PM 15 I guess my questions is, should we be 10:30PM 15 intrusive traffic wise on the neighbors if it's built 10:27PM 16 looking at this as if it were a single-family home 10:30PM 16 than it would be if this was reoccupied, which they 10:30PM 17 17 only zoning or should we really be looking -- and the have every right to do. 10:27PM 10:27PM **18** 10:30PM 18 impact compared to that, or should we be looking at And having an abandoned building 10:27PM 19 10:30PM 19 the reality here, which is it's not a single-family dilapidate over the years doesn't seem to be in any 10:27PM **20** home, it's a building, an office building, that could 10:30PM **20** community's best interest or highest investments in 10:27PM **21** be an office building again with renters in there, 10:30PM 21 any way, so that's my comment on it. 10:27PM **22** and that's what we should be considering. 10:30PM **22** But I do seriously consider the 10:27PM **23** 10:30PM 23 residents' concerns about safety and whatnot because Because, you know, where's the bar 10:27PM **24** here, I guess, in terms of our consideration, and 10:30PM **24** we do have to take their thoughts and concerns into 10:27PM **25** 10:30PM **25** account, as we should, as I would hope their that's my question. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 201-641-1812 168 1 MR. WARNER: Before I answer that 1 community would for us, so that's it. 10:30PM 10:27PM 2 ACTING CHAIRMAN HUNSINGER: Well said. 2 question, Board Member Fechtner, I know you stepped 10:27PM 10:30PM 3 out a moment there, I want to repeat the question, Anyone else on the board have any 10:30PM 10:27PM 4 and please, I do have to ask the board members, 4 comments, questions? 10:28PM 10:30PM 5 although it's draconian, we have to listen to 5 (No response.) 10:30PM 10.28PM 6 6 everything or -- in order to be qualified to vote. ACTING CHAIRMAN HUNSINGER: So I'll 10:31PM 10:28PM 7 So unless and until there's breaks, we all kind of 7 make my comments. 10:28PM 10:31PM 8 need to stay in the camera. 8 You know, I came -- anybody who knows 10:31PM 10.28PM 9 But the question of Board Member 9 me knows that I have never been a fan of this type of 10:31PM 10.28PM 10 Taraschi essentially was do we consider this simply 10:31PM 10 a development. I've been on the board for, I think 10:28PM 11 as it's vacant now so everything is zero, or do we 10:31PM 11 it's coming on my 25th year, but the world's 10.28PM 10:28PM **12** consider is as, well, it can only be, by permitted 10:31PM **12** changing, and this type of housing is what people are 13 use, be a single-family dwelling, so consider the 10:31PM 13 looking for, and it's a nice development. I think 10:28PM 10:28PM **14** difference between this and what's proposed in a 10:31PM 14 it's a particularly good use for this property. I do like your question, Mitch, and I'm

10:28PM 10:31PM 15 15 single-family dwelling, or can we consider all the 16 various possibilities including the fact that as of 10:31PM **16** glad you asked it. I do think it is a less intensive 10:28PM 10:31PM **17** 10:28PM **17** right, this could continue to be an office building use than what is currently there. 10:28PM 18 and a fully occupied one, or something else perhaps. 10:31PM 18 I do take the consideration of the 10:28PM 19 10:31PM 19 neighbors into account. I think they have some And the answer is legally, and I'm not 10:31PM **20** 20 -- I'll leave the professional planning to the traffic issues that I think need to be addressed and 10:28PM 10:28PM **21** testimony you already heard from Mr. Heydt and 10:31PM **21** I think they exist today and I don't feel this is 10:29PM **22** Mr. Stires can weigh in as well, but legally you have 10:31PM 22 going to exacerbate them. 10:32PM **23** 10:29PM **23** to consider the reality, as you put it. You cannot And, you know, looking at the other 10:29PM **24** 10:32PM **24** say to yourself, well, it's an empty building right property that we approved on Mountain Boulevard, and 10:29PM **25** now, it's got zero everything, so including, you 10:32PM **25** one doesn't always go to the other, but that had some

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	_	169	_	171
	10:32PM 1	slope issues, that had some other issues, and it was	10:34PM 1	accomplish, I like the looks of your building, but I
	10:32PM 2	a little bit different for development.	10:35PM 2	see it as just being too dense for, you know, it's
	10:32PM 3	I think this is, you know, the height	10:35PM 3	we need to have it opened up. We need more space in
	10:32PM 4	was one thing that concerned me and the fact that it	10:35PM 4	there. At least that's my feeling. It was from
	10:32PM 5	is staggered and the bigger building is further back	10:35PM 5	early on when we first started looking at this, that
	10:32PM 6	is important because I think that from a neighbor	10:35РМ 6	it was just too dense.
	10:32PM 7	looking at it, it's going to have less of an effect.	10:35PM 7	And we've been down this road with a
	10:32PM 8	I do think that the two roads, the	10:35PM 8	number of developments and we've been able to work
	10:32PM 9	Drift Road and Plainfield Avenue are, you know, not a	10:35PM 9	with groups like yours and come up with something
	10:32PM 10	good place for a single-family home. I don't think	10:35PM 10	like's acceptable to both the town and to the
	10:32PM 11	that would ever go here. I don't think anyone would	10:35PM 11	developers. So might be wise to give that some
	10:32PM 12	ever do that.	10:35PM 12	thought.
	10:32PM 13	I think if we didn't approve this,	10:35РМ 13	That's all I have to say.
	10:32PM 14	someone would try to repurpose it as a commercial	10:35PM 14	I'm done.
	10:32PM 15	building.	10:35PM 15	ACTING CHAIRMAN HUNSINGER: So my
	10:32PM 16	And to Mr. Taraschi's comments, this is	10:35РМ 16	question for you, Rich, is it's what, I think it's
	10:32PM 17	a less intensive use. And I remember when Stonegate	10:35PM 17	74 percent now and they're going to 66. Is that I
	10:32PM 18	went in, very concerned about traffic. Having	10:35PM 18	mean, they're reducing the number.
	10:33PM 19	traveled this road, as I said, daily, I don't see	10:35РМ 19	MR. BROWN: It was 70,000 originally,
	10:33PM 20	that causing a great deal of traffic. I don't see	10:35PM 20	right? It was 70 percent, I thought, originally, and
	10:33PM 21	Berkeley Square causing a great deal of traffic as	10:35PM 21	then it went down to 64. I mean, those were the
	10:33PM 22	well.	10:35PM 22	original numbers, I think. Maybe I'm wrong and
	10:33PM 23	Again, the left-hand turn, I don't	10:35PM 23	correct me if I'm wrong.
	10:33PM 24	think I think not having a left-hand turn will	10:36PM 24	MR. STIRES: That's right.
	10:33PM 25	cause more trouble for the surrounding neighborhood	10:36РМ 25	Then it went up to 66.
		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
L		201-641-1812		201-641-1812
-		201-641-1812 170		172
-	10:33PM 1	170 than allowing a left-hand turn. I do think the light	10:36РМ 1	MR. BROWN: Then it went up to 66,
_	10:33PM 2	than allowing a left-hand turn. I do think the light helps exacerbate that to get out. And if you ever	10:36РМ 1	MR. BROWN: Then it went up to 66, right. And I understand why it went up. I mean,
	•	than allowing a left-hand turn. I do think the light helps exacerbate that to get out. And if you ever sat at that light during rush hour, the majority of	_	MR. BROWN: Then it went up to 66, right. And I understand why it went up. I mean, you're trying to accommodate expanding the you
	10:33PM 2 10:33PM 3 10:33PM 4	than allowing a left-hand turn. I do think the light helps exacerbate that to get out. And if you ever sat at that light during rush hour, the majority of traffic is coming from Route 78. And that light	10:36PM 2	MR. BROWN: Then it went up to 66, right. And I understand why it went up. I mean, you're trying to accommodate expanding the you know, the depth of the roads and access to the
	10:33PM 2 10:33PM 3 10:33PM 4 10:33PM 5	than allowing a left-hand turn. I do think the light helps exacerbate that to get out. And if you ever sat at that light during rush hour, the majority of traffic is coming from Route 78. And that light changes pretty often.	10:36РМ 2	MR. BROWN: Then it went up to 66, right. And I understand why it went up. I mean, you're trying to accommodate expanding the you know, the depth of the roads and access to the facilities, but I think there's a way to get to where
	10:33PM 2 10:33PM 3 10:33PM 4 10:33PM 5 10:33PM 6	than allowing a left-hand turn. I do think the light helps exacerbate that to get out. And if you ever sat at that light during rush hour, the majority of traffic is coming from Route 78. And that light changes pretty often. So, you know, it as much as nothing	10:36PM 2 10:36PM 3 10:36PM 4 10:36PM 5 10:36PM 6	MR. BROWN: Then it went up to 66, right. And I understand why it went up. I mean, you're trying to accommodate expanding the you know, the depth of the roads and access to the facilities, but I think there's a way to get to where we want to be with this, it's just it's too much.
	10:33PM 2 10:33PM 3 10:33PM 4 10:33PM 5 10:33PM 6 10:33PM 7	than allowing a left-hand turn. I do think the light helps exacerbate that to get out. And if you ever sat at that light during rush hour, the majority of traffic is coming from Route 78. And that light changes pretty often. So, you know, it as much as nothing is always perfect, I do think this is probably the	10:36PM 2 10:36PM 3 10:36PM 4 10:36PM 5 10:36PM 6 10:36PM 7	MR. BROWN: Then it went up to 66, right. And I understand why it went up. I mean, you're trying to accommodate expanding the you know, the depth of the roads and access to the facilities, but I think there's a way to get to where we want to be with this, it's just it's too much. For me it's too much. Been you know, I've been
	10:33PM 2 10:33PM 3 10:33PM 4 10:33PM 5 10:33PM 6 10:33PM 7 10:33PM 8	than allowing a left-hand turn. I do think the light helps exacerbate that to get out. And if you ever sat at that light during rush hour, the majority of traffic is coming from Route 78. And that light changes pretty often. So, you know, it as much as nothing is always perfect, I do think this is probably the best use for this property.	10:36PM 2 10:36PM 3 10:36PM 4 10:36PM 5 10:36PM 6 10:36PM 7 10:36PM 8	MR. BROWN: Then it went up to 66, right. And I understand why it went up. I mean, you're trying to accommodate expanding the you know, the depth of the roads and access to the facilities, but I think there's a way to get to where we want to be with this, it's just it's too much. For me it's too much. Been you know, I've been down this road a couple of times.
	10:33PM 2 10:33PM 3 10:33PM 5 10:33PM 5 10:33PM 7 10:33PM 7 10:33PM 8 10:33PM 9	than allowing a left-hand turn. I do think the light helps exacerbate that to get out. And if you ever sat at that light during rush hour, the majority of traffic is coming from Route 78. And that light changes pretty often. So, you know, it as much as nothing is always perfect, I do think this is probably the best use for this property. That's my two cents.	10:36PM 2 10:36PM 3 10:36PM 4 10:36PM 5 10:36PM 6 10:36PM 7 10:36PM 8 10:36PM 9	MR. BROWN: Then it went up to 66, right. And I understand why it went up. I mean, you're trying to accommodate expanding the you know, the depth of the roads and access to the facilities, but I think there's a way to get to where we want to be with this, it's just it's too much. For me it's too much. Been you know, I've been down this road a couple of times. ACTING CHAIRMAN HUNSINGER: Mr. Kita,
	10:33PM 2 10:33PM 3 10:33PM 4 10:33PM 5 10:33PM 6 10:33PM 7 10:33PM 8 10:33PM 9 10:33PM 10	than allowing a left-hand turn. I do think the light helps exacerbate that to get out. And if you ever sat at that light during rush hour, the majority of traffic is coming from Route 78. And that light changes pretty often. So, you know, it as much as nothing is always perfect, I do think this is probably the best use for this property. That's my two cents. Mr. Brown?	10:36PM 2 10:36PM 3 10:36PM 4 10:36PM 5 10:36PM 6 10:36PM 7 10:36PM 8 10:36PM 9 10:36PM 10	MR. BROWN: Then it went up to 66, right. And I understand why it went up. I mean, you're trying to accommodate expanding the you know, the depth of the roads and access to the facilities, but I think there's a way to get to where we want to be with this, it's just it's too much. For me it's too much. Been you know, I've been down this road a couple of times. ACTING CHAIRMAN HUNSINGER: Mr. Kita, did you have a comment?
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10:37PM 1	think, in terms of the viability of the project, its	10:40PM 1	developers want to develop it, that's not I'm not
10:37PM 2	benefit to the community. I think it's going to be	10:40PM 2	relating to that and that's not what I'm judging and
10:37РМ 3	much better than having that office building there,	10:40PM 3	I'm just judging on will it serve the community.
10:38PM 4	and especially as Mitch was saying, an office	10:40PM 4	Yes, there will be more traffic, but
10:38PM 5	building that might be in use, and I think at some	10:40РМ 5	every time we build there's more traffic and we're
10:38РМ 6	point there was some testimony that there might be	10:40РМ 6	unhappy with it. I don't know how to do away with
10:38PM 7	like 60 trips generated during those rush hours going	10:40PM 7	the that issue of it.
10:38РМ 8	in and out of that property which would make it, you	10:40PM 8	Safety, I think, yes, we can work on
10:38PM 9	know, far worse than what this project purports to be	10:40PM 9	safety. Look, we've just done that on Valley Road.
10:38РМ 10	with the traffic coming in and out.	10:40РМ 10	We lowered the speed limit.
10:38PM 11	So with that said, you know, I'm	10:40PM 11	And people have to be careful with
10:38PM 12	inclined to vote favorably on the project at this	10:41PM 12	people being more gentlemanly and someone is trying
10:38PM 13	point.	10:41PM 13	to make a turn, give them a break. I've run into
10:38PM 14	ACTING CHAIRMAN HUNSINGER: Okay.	10:41PM 14	that very often, people give you headlights on, up
10:38РМ 15	Mr. Hanlon, do you have any comments?	10:41PM 15	and down, give you the signal that they're going to
10:38РМ 16	(No response.)	10:41PM 16	let me make my left turn to get into my street.
10:38РМ 17	ACTING CHAIRMAN HUNSINGER:	10:41PM 17	So is it ideal? I think any
10:38РМ 18	Mrs. Fechtner.	10:41PM 18	development we do that increases the number of
10:38РМ 19	MS. FECHTNER: I'm saying what I have	10:41PM 19	people, traffic, we humans do create problems. So
10:38PM 20	compromised in my head, too.	10:41PM 20	I'm looking at this and thinking it's going to serve
10:38PM 21	I would certainly love to see less	10:41PM 21	27 families who are looking for a place, nice place
10:38PM 22	density. I don't think it would change the quality	10:41PM 22	to live in a nice town, and hopefully it will be a
10:38РМ 23	of life of the people who are living there, which is	10:41PM 23	safe place for them.
10:38PM 24	the way I'm measuring this.	10:41PM 24	So I'm now leaning, after much
10:38РМ 25	I know there is a need for more parking	10:41PM 25	trepidation at the beginning, I have many, many notes
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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10:39PM 1	more living opportunities for people. I think	10:41PM 1	of why oh no, no, no, but I I think it's for
10:39РМ 2	more living opportunities for people. I think this will serve not the kind of people who want the	10:41PM 2	of why oh no, no, no, but I I think it's for me, it's probably the right thing to do. So I am
10:39PM 2 10:39PM 3	more living opportunities for people. I think this will serve not the kind of people who want the acre-and-a-half house, this will serve a different	10:41PM 2 10:41PM 3	of why oh no, no, no, but I I think it's for me, it's probably the right thing to do. So I am going that route.
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10:39PM 2 10:39PM 4 10:39PM 5 10:39PM 6 10:39PM 7 10:39PM 10 10:39PM 11 10:39PM 12 10:39PM 14 10:39PM 15 10:39PM 15 10:39PM 16 10:39PM 17 10:39PM 16 10:39PM 17 10:39PM 18 10:39PM 19 10:40PM 20 10:40PM 21 10:40PM 22 10:40PM 23 10:40PM 23	more living opportunities for people. I think this will serve not the kind of people who want the acre-and-a-half house, this will serve a different public. And maybe people are changing and don't want the maintenance of a big house, and I'm not referring to necessarily seniors because I look at the plan and let them do whatever they feel they want to do, and I look at all the steps in those apartments, condos, and think that's not where empty-nesters are going to go. However, I see this place for families with two working parents who don't want the maintenance of a big property. So I think it will serve a purpose of housing for people in this area. There is such a shortage of housing all over, I've been told, by younger couples who are looking to buy their first house or whatever they're looking to live into. So I'm looking at that. Yes, I would love to see more open space because that's Watchung to me. Watchung is open space. That's gone and behind. We're no longer keep Watchung rural, we're not very much a community. So I have had a lot of concerns, mostly	10:41PM 2 10:42PM 4 10:42PM 5 10:42PM 6 10:42PM 7 10:42PM 8 10:42PM 10 10:42PM 11 10:42PM 12 10:42PM 13 10:42PM 15 10:42PM 15 10:42PM 16 10:42PM 17 10:42PM 18 10:42PM 18 10:42PM 20 10:42PM 20 10:42PM 21 10:42PM 21 10:42PM 22 10:43PM 23 10:43PM 23	of why oh no, no, no, but I I think it's for me, it's probably the right thing to do. So I am going that route. And I do agree with the density. It would have been nice maybe ten less houses, maybe 17, but today people do things for business reasons, and you can't tell them you should make your profits on these things by opening it up because it would be nicer. That's their piece of property. Either I accept it as they're presenting it or I say uh-uh. So right now I'm saying I would accept it. ACTING CHAIRMAN HUNSINGER: Thank you. Mr. Hanlon, you unmuted yourself. MR. HANLON: Yeah, I just wanted to say I listened to this obviously for the past two sessions. I think the applicant has done a great job in presenting. I think they are putting together something that looks aesthetically pleasing. My only objection, and I mirror Rich's concerns, is the density. I think if there was a way that this could come in with a few fewer units, that would alleviate a lot of the concerns that we've

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	177		179
10:43PM 1	the parking issues, but the ability for vehicles to	10:45PM 1	as high at one point as 40.8 feet, some others less
10:43PM 2	maneuver through the facility; the setbacks, et	10:46PM 2	so, and but that one at least is more than
10:43PM 3	cetera, would be alleviated by coming in with fewer	10:46PM 3	10 percent above the 35-foot maximum permitted
10:43PM 4	units and having less density.	10:46PM 4	height, so that's a D-6 height variance.
10:43PM 5	Other than that, I thought the	10:46РМ 5	Those two D variances. And then it's
10:43PM 6	presentation was fantastic. I think the vision is a	10:46PM 6	arguable whether a density variance, D-5, is actually
10:43PM 7	good one.	10:46PM 7	needed or not, because there may not be an exact
10:43PM 8	It's just a matter of fine-tuning it.	10:46PM 8	standard for it in the single-family zone.
10:43PM 9	ACTING CHAIRMAN HUNSINGER: Thank you.	10:46PM 9	But we heard 12.8 units to the acre is
10:43PM 10	Dr. Steinfeld, you have a comment?	10:46РМ 10	what it would come out to as proposed if there was a
10:43PM 11	DR. STEINFELD: Yes, I do.	10:46PM 11	standard for this zone.
10:43PM 12	I certainly agree with the comments	10:46PM 12	Then bulk variances, front yard
10:43PM 13	that people have made about the density. I had the	10:46РМ 13	setback, 12 feet versus 50 feet from Drift Road, at
10:43PM 14	feeling early on that it looked like they were trying	10:46PM 14	least technically only 12 feet. Building coverage,
10:43PM 15	to shoehorn in as many units as they possibly could	10:46PM 15	24 percent. Impervious coverage, 66 percent versus
10:44PM 16	into this relatively small space.	10:46РМ 16	25. Net habitable floor area, 669 square feet for
10:44PM 17	But the thing that suddenly occurred to	10:46PM 17	the smallest unit versus 2,000 square foot minimum
10:44PM 18	me as I listened to the comments is that people are	10:46PM 18	required. Three stories versus 2.5 stories, and sign
10:44PM 19	referring to the occupants of these buildings as	10:46PM 19	setback, 5 feet setback versus 25 feet required, and
10:44PM 20	being young families with young or middle-aged	10:47PM 20	sign size, 20-square-foot sign versus 1-square-foot.
10:44PM 21	certainly school children, and it just occurred to	10:47PM 21	Again, with all those variances, the
10:44PM 22	me, I didn't really see an area where those children	10:47PM 22	fact that there's at least one D variance means that
10:44PM 23	can play safely, and that the areas that are	10:47PM 23	for approval of this proposal, in toto, at least five
10:44PM 24	available to them are streets or cul de sacs or	10:47PM 24	board members out of the seven would have to vote
10:44PM 25	something like that where cars are probably going to	10:47PM 25	yes.
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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	178		180
10:44PM 1	be traveling, and I think that as they're playing,	10:47PM 1	And again, there were those six design
10:44PM 2	they're going to be having one eye on the ball and	10:47PM 2	waivers which are something, quote/unquote, a little
10:44PM 3	one eye down the street to see if there's a car	10:47PM 3	less than a variance, if you will.
10:44PM 4	coming and they have to get out of the way.	10:47PM 4	And those were basically a couple of

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10:44PM	1	be traveling, and I think that as they're playing,
10:44PM	2	they're going to be having one eye on the ball and
10:44PM	3	one eye down the street to see if there's a car
10:44PM	4	coming and they have to get out of the way.
10:44PM	5	And I think that in line with the
10:44PM	6	density issue, I think if they had subtracted maybe
10:44PM	7	three or four units and converted that into a common
10:45PM	8	area for play, I think that the property would have
10:45PM	9	been better put to use.
10:45PM	10	ACTING CHAIRMAN HUNSINGER: All right.
10:45PM	11	Any more questions or comments from the board?
10:45PM	12	MR. WARNER: Mr. Chairman, would it
10:45PM	13	I know we've done it a couple of times, but would it
10:45PM	14	help to just give a quick rundown on the variances
10:45PM	15	again, because I think the board is about to vote.
10:45PM	16	ACTING CHAIRMAN HUNSINGER: That would
10:45PM	17	be very helpful.
10:45PM	18	Thank you, sir.
10:45PM	19	MR. WARNER: Okay.
10:45PM	20	Again, there's at least two D variances
10:45PM	21	at issue; one the D-1 use variance for multifamily
10:45PM	22	residential use, whereas single family is permitted,
10:45PM	23	and office, as we know, was previously approved.
10:45PM	24	Building height, at least one of the

buildings, third building if I recall correctly, gets

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And those were basically a couple of feet on the drive aisle width and the access setbacks and parking setbacks to building and buffer widths 6 10:47PM and the like. 7 10:47PM And tree removal and street tree 10:47PM issues, although you did hear that the tree 10:47PM 10:47PM 10 replacement was going to be in excess of the 10:47PM **11** requirement. 10:47PM **12** So the board's deliberated, the board's 10:47PM 13 heard all the evidence from the applicant, all of the 10:47PM **14** applicant's witnesses, from the members of the public, gotten a reiteration for the third time of 10:48PM 15 10:48PM 16 what all the variances are and a reminder, five or 10:48PM 17 more yeses mean passage, less than five yeses means a 10:48PM **18** denial. 10:48PM 19 And I'm not going to go through the 10:48PM **20** laundry list of conditions, at least not yet, 'cause 10:48PM **21** candidly I'm not sure where the board is going 10:48PM **22** vis-a-vis five or more yes votes or not, so... 10:48PM **23** MR. TUVEL: Steve, I know that we're at 10:48PM **24** a point towards the end, but could we take a

two-minute break so I could confer with my client

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	181		183
10:48PM 1	after hearing the comments of the board?	11:01PM 1	allow us to have a lot more flexibility on the
10:48PM 2	Would that be acceptable?	11:01PM 2	property with respect to parking, the ratio would
10:48PM 3	MR. WARNER: I suspect the Chair is	11:02PM 3	increase, it would be something that some members
10:48PM 4	going to give you that accommodation.	11:02PM 4	have brought up, even though we did comply with RSIS,
_	ACTING CHAIRMAN HUNSINGER: I could use	_	the number would increase.
	a bathroom break, so that would be great.		
_	,	_	Our building coverage, our lot
	MR. TUVEL: Thank you.	11:02PM 7	coverage, they would all go down. And the variances
10:48PM 8	ACTING CHAIRMAN HUNSINGER: It is	11:02PM 8	would either most of the variances would decrease.
10:48PM 9	10:48.	11:02PM 9	We wouldn't exacerbate any of them. We'd have more
10:48PM 10	Listen, all the board members have to	11:02PM 10	open space on the property.
10:48PM 11	come back because we cannot vote if we don't all come	11:02PM 11	Again, the project has to be viable
10:48PM 12	back.	11:02PM 12	from a financial standpoint
10:49РМ 13	So it's 10:49 now, so we'll come back	11:02PM 13	ACTING CHAIRMAN HUNSINGER: Of course.
10:49PM 14	as 10:54?	11:02PM 14	MR. TUVEL: which I think the board
15	Does that sound good?	11:02PM 15	acknowledges. So we really did our best, which is
16	MR. TUVEL: Yeah, sounds good.	11:02PM 16	why we took a little bit of time to talk about it,
17	ACTING CHAIRMAN HUNSINGER: Okay.	11:02PM 17	you know, in terms of the best way to accommodate, I
18	(Whereupon, a brief recess was taken.)	11:02PM 18	think, what the board's sentiment was during its
19	MS. SNYDER: Do you want me to do	11:02PM 19	deliberation, and we appreciate the candor.
20	attendance?	11:02PM 20	I'll let Noah address it briefly, and
21	MR. WARNER: Yeah, why don't you do a	11:02PM 21	then we can see how the board wants to go from there.
22	real quick roll call, Theresa.	11:02PM 22	So, go ahead, Noah.
23	MS. SNYDER: Okay. Mr. Hunsinger?	11:02PM 23	MR. CHRISMER: Thanks, Jason.
24	ACTING CHAIRMAN HUNSINGER: Here.	11:03PM 24	Yeah, so I think we'll let the board,
25	MS. SNYDER: Mr. Brown?	11:03PM 25	you know, and its counsel decide where you want to go
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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	182		184
1	182 MR. BROWN: Here.	11:03PM 1	from here. I think that the posture that you've
1 2		11:03PM 1 11:03PM 2	
	MR. BROWN: Here.	_	from here. I think that the posture that you've
2	MR. BROWN: Here. MS. SNYDER: Mr. Kita?	11:03PM 2	from here. I think that the posture that you've heard from us and that you expressed in your
2	MR. BROWN: Here. MS. SNYDER: Mr. Kita? MR. KITA: Here.	11:03PM 2 11:03PM 3	from here. I think that the posture that you've heard from us and that you expressed in your comments, we very much appreciate those kind words.
2 3 4	MR. BROWN: Here. MS. SNYDER: Mr. Kita? MR. KITA: Here. MS. SNYDER: Ms. Fechtner?	11:03PM 2 11:03PM 3 11:03PM 4	from here. I think that the posture that you've heard from us and that you expressed in your comments, we very much appreciate those kind words. And they're real.
2 3 4 5	MR. BROWN: Here. MS. SNYDER: Mr. Kita? MR. KITA: Here. MS. SNYDER: Ms. Fechtner? MS. FECHTNER: Here.	11:03PM 2 11:03PM 3 11:03PM 4 11:03PM 5	from here. I think that the posture that you've heard from us and that you expressed in your comments, we very much appreciate those kind words. And they're real. If the thought of a number of the board
2 3 4 5 6	MR. BROWN: Here. MS. SNYDER: Mr. Kita? MR. KITA: Here. MS. SNYDER: Ms. Fechtner? MS. FECHTNER: Here. MS. SNYDER: Mr. Taraschi?	11:03PM 2 11:03PM 3 11:03PM 4 11:03PM 5 11:03PM 6	from here. I think that the posture that you've heard from us and that you expressed in your comments, we very much appreciate those kind words. And they're real. If the thought of a number of the board members here is that this job is slightly too dense,
2 3 4 5 6 7	MR. BROWN: Here. MS. SNYDER: Mr. Kita? MR. KITA: Here. MS. SNYDER: Ms. Fechtner? MS. FECHTNER: Here. MS. SNYDER: Mr. Taraschi? MR. TARASCHI: Here.	11:03PM 2 11:03PM 3 11:03PM 4 11:03PM 5 11:03PM 6 11:03PM 7	from here. I think that the posture that you've heard from us and that you expressed in your comments, we very much appreciate those kind words. And they're real. If the thought of a number of the board members here is that this job is slightly too dense, then that is something that we are willing, within
2 3 4 5 6 7 8	MR. BROWN: Here. MS. SNYDER: Mr. Kita? MR. KITA: Here. MS. SNYDER: Ms. Fechtner? MS. FECHTNER: Here. MS. SNYDER: Mr. Taraschi? MR. TARASCHI: Here. MS. SNYDER: Mr. Hanlon?	11:03PM 2 11:03PM 3 11:03PM 4 11:03PM 5 11:03PM 6 11:03PM 7 11:03PM 8	from here. I think that the posture that you've heard from us and that you expressed in your comments, we very much appreciate those kind words. And they're real. If the thought of a number of the board members here is that this job is slightly too dense, then that is something that we are willing, within reason of course, to work with you on.
2 3 4 5 6 7 8 9	MR. BROWN: Here. MS. SNYDER: Mr. Kita? MR. KITA: Here. MS. SNYDER: Ms. Fechtner? MS. FECHTNER: Here. MS. SNYDER: Mr. Taraschi? MR. TARASCHI: Here. MS. SNYDER: Mr. Hanlon? MR. HANLON: Here.	11:03PM 2 11:03PM 3 11:03PM 4 11:03PM 5 11:03PM 6 11:03PM 7 11:03PM 8 11:03PM 9	from here. I think that the posture that you've heard from us and that you expressed in your comments, we very much appreciate those kind words. And they're real. If the thought of a number of the board members here is that this job is slightly too dense, then that is something that we are willing, within reason of course, to work with you on. As Jason said, this does need to be a
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2 3 4 5 6 7 8 9 10 11 12 13 14 10:49PM 15 10:49PM 16 11:01PM 17 11:01PM 18 11:01PM 20 11:01PM 21 11:01PM 22 11:01PM 23 11:01PM 24	MR. BROWN: Here. MS. SNYDER: Mr. Kita? MR. KITA: Here. MS. SNYDER: Ms. Fechtner? MS. FECHTNER: Here. MS. SNYDER: Mr. Taraschi? MR. TARASCHI: Here. MS. SNYDER: Mr. Hanlon? MR. HANLON: Here. MS. SNYDER: Dr. Steinfeld? DR. STEINFELD: Here. MR. TUVEL: So we're ready, Mr. Chairman? ACTING CHAIRMAN HUNSINGER: Yes, please. MR. TUVEL: Okay. So what I'd like to do, Mr. Chrismer and I would like to address the board. We heard the concerns that there may be a little too much density on the site for some of the board members. What we would like to propose, and I'll let Noah get into it in a little bit more detail, is we can remove, I guess it's Building No. 4. And we	11:03PM 2 11:03PM 4 11:03PM 5 11:03PM 6 11:03PM 7 11:03PM 8 11:03PM 10 11:03PM 12 11:03PM 13 11:03PM 14 11:03PM 15 11:03PM 15 11:03PM 16 11:03PM 17 11:03PM 17 11:03PM 19 11:03PM 20 11:03PM 21 11:04PM 23 11:04PM 24	from here. I think that the posture that you've heard from us and that you expressed in your comments, we very much appreciate those kind words. And they're real. If the thought of a number of the board members here is that this job is slightly too dense, then that is something that we are willing, within reason of course, to work with you on. As Jason said, this does need to be a financially viable project. There is a building there which, itself, could be viable in the future if it were fixed up. It's going to need to be demolished. That said, as Jason indicated, there are maybe a few units here, and I think it was either Rich or Dr. Rich who mentioned, you know, a few units. That, to me, in the spirit of how these hearings have gone and in the spirit of the reaction that we have gotten here, and I think in the spirit of the work that our professionals have put in here, could get us to a position, you know, a position that further makes you all feel comfortable with what's going to happen on this site, but that doesn't go too far and make this a project that's not viable for us.

	185		187
11:04PM 1	I think what Jason has outlined, and	11:06PM 1	elimination of that building, the preliminary site
11:04PM 2	Jason and Counsel Warner can talk about it. I'll put	11:06РМ 2	plan approval, with would then require us legally to
11:04PM 3	it this way, what I'd like is the for this board	11:06РМ 3	come back to the board and show you what the ultimate
11:04PM 4	to take some action, whether it just be on a	11:06PM 4	plan would be on a final, and we would work that out
11:04PM 5	preliminary basis, to confirm the variance relief	11:06РМ 5	with Mr. Stires, and we have the benefit of the
11:04PM 6	that has been sought here. We have been through a	11:06РМ 6	transcript, we have everybody's comments here, to try
11:04PM 7	lot and we very much appreciate you all hanging on	11:06PM 7	to implement the additional open space and some of
11:04PM 8	here, especially for this five machine break we've	11:06РМ 8	the other items that the board that the board, you
11:04PM 9	taken at 11 o'clock at night, so please, like, we	11:06РМ 9	know, indicated was something that they were looking
11:04PM 10	appreciate that very much.	11:06РМ 10	for.
11:04PM 11	But all of that said and all of the	11:06PM 11	So that's we would ask the board, and
11:04PM 12	work that both this board and we have gone through,	11:06РМ 12	I'll leave it to the Chairman and the board members
11:04PM 13	we would like some action to be taken. It seemed	11:07PM 13	and Steve to opine that.
11:04PM 14	that there was a willingness on the board as it	11:07PM 14	MR. CHRISMER: And I just want to make
11:04PM 15	deliberated, and I don't mean to presume how you	11:07PM 15	one quick clarification for the board, so because we
11:05PM 16	would vote on this so please don't take it like that,	11:07PM 16	want to continue to provide the 20 percent at least
17	but there is a willingness to move forward with it,	11:07PM 17	of the affordable units in relation to the
18	with the use variance here, with the D-1, with	11:07PM 18	market-rate units, eliminating the entirety of
19	perhaps on the part of a couple board members, some	11:07РМ 19	Building 4 loses four units, but it loses two COAH
20	slight changes to the density here of a few units.	20	units.
21	And so we would appreciate the board	21	And so we're while that building, I
22	taking a step, even if only on a preliminary basis,	22	think, can be eliminated and the buildings reworked,
23	where we would then come back to you with that final	23	we are going to have to find a home for that one COAH
11:05PM 24	plan that would more fully flesh out what Jason has	24	unit.
11:05PM 25	described with Building 4 there.	11:07PM 25	So just to be clear, I think the unit
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	201-641-1812		201-641-1812
	186		188
11:05PM 1	So that would be what we would be	11:07PM 1	count that we're talking about here is going from 27
11:05PM 2	asking of you all. Again, I would leave it to Jason	11:07PM 2	to 24 in that scenario.
11:05PM 3	and to your Counsel on that.	11:07PM 3	ACTING CHAIRMAN HUNSINGER: And then
11:05PM 4	And, of course, to your discretion as	11:07PM 4	the affordable would go from six to five?
11:05PM 5	to how you'd like to do that, but we appreciate the	11:07PM 5	MR. CHRISMER: Yes, sir.
11:05PM 6	comments. We really appreciate the kind comments.	11:07PM 6	ACTING CHAIRMAN HUNSINGER: Okay.
11:05PM 7	That makes us happy because we're long-term owners	11:07PM 7	Mr. Warner?
11:05PM 8	here of a family-owned company. The way we want to	11:07РМ 8	MR. WARNER: Well, that was the first
11:05PM 9	do business is to do business well at the front end,	11:07PM 9	question I had.
11:05PM 10	in the middle and at the back end.	11:07PM 10	So if it's going to be 24 units with
11:05PM 11	And so this is the front end of it and	11:07PM 11	five affordables, you're going to make another
11:05PM 12	I am here to say like, this is the posture and the	11:07PM 12	where are you going to find that stacked flat? They
11:05PM 13	position that we would like to take with this board	11:07PM 13	come in twos, don't they? Two, four, six.
11:05PM 14	and with the borough, because we plan on being	11:08PM 14	MR. CHRISMER: They do.
11:06PM 15	partners with you all, as we have been with this	11:08PM 15	MR. WARNER: See, the board is going to
11:06PM 16	building, for many years to come.	11:08PM 16	have to have some certainty on what they're voting
11:06PM 17	MR. TUVEL: Yes.	11:08PM 17 11:08PM 18	on. If it's 24 units with five affordables, which
11:06PM 18	And thanks, Noah. And what I would	11:08PM 10	would be likely in excess of 20 percent, where are those five affordables if you eliminate the fourth
11:06PM 13	suggest, and it's up to the board obviously, is if we	11:08PM 13	those live altoruables if you eliminate the fourth

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11:08PM **20**

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11:08PM **25**

housings?

Building 4 and slide the other three back a bit?

MR. TUVEL: Okay.

just to make sure that we have the five affordables

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

MR. TUVEL: So, Steve, your question is

MR. WARNER: Yes, where's the fifth?

agree to eliminate that building in the rear, which

is Building No. 4, and move the units, we get our

relief that we're seeking.

variance. I'd ask the board to vote on the variance

than what we asked for, but based on 24 units and the LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

It would obviously not be anything more

11:06PM **20**

11:06PM **21**

11:06PM **22**

11:06PM **23**

11:06PM **24**

11:06PM **25**

	189		191
11:08PM 1	MR. WARNER: I'm assuming Building 1	11:11PM 1	viability of those scenarios is in the order that I
11:08PM 2	has two and Building 2 has two, and they're just	11:11PM 2	gave them; most viable coming back another night,
11:08PM 3	sliding back a bit.	11:11PM 3	less viable but still viable, a bifurcation asking
11:08PM 4	And then building where is that	11:11PM 4	for the D variance relief at this time to get a gauge
11:08PM 5	extra unit? You designed these as stacked flats,	11:11PM 5	for purposes of coming back with a more detailed
_	they come in twos, the COAHs. MR. TUVEL: All I could say is we'll	11:11PM 6	engineered site plan and properly calculated bulk variances and waivers another night, but having the
	agree to provide the five.	11:11PM 7	benefit of knowing that you at least approved the D
•	It will be up to us before final to	11:11PM 8	if you do. The least preferable, if at all viable
11:08PM 9	figure out where it goes.	11:12PM 9	option, is the one that I think the applicant has
11:09PM 11	MR. CHRISMER: And if we need to have a	11:12PM 10	proposed, which is give me preliminary and all the
11:09РМ 12	stacked flat in which one of them is a affordable	11:12PM 11	variance relief, I'll come back for final and that's
11:09PM 13	unit and one of them is a market-rate unit and that's	11:12PM 13	when we'll ultimately see what exactly it is.
11:09РМ 14	the way that it ends up, then that's what we'll do.	11:12PM 14	MR. CHRISMER: We appreciate that.
11:09РМ 15	I don't think that's our preference, I think we'll be	11:12PM 15	We appreciate that.
11:09РМ 16	able to work out better than that, but we will find a	11:12PM 16	Jason, I don't know what
11:09РМ 17	place for that fifth affordable unit.	11:12PM 17	MR. TUVEL: Yes, Steve, I think you
11:09РМ 18	MR. WARNER: The let me ask the	11:12PM 18	know, listen, we put a lot of time into this as you
19	applicant well, there's a couple of options for	11:12PM 19	could tell.
20	the applicant and the board. One is for the	11:12PM 20	So I think, from the applicant's
21	applicant to come back with a modified plan and seek	11:12PM 21	standpoint and I understand your point regarding
22	the preliminary/final and all of the same relief,	11:12PM 22	the options that you laid out. I think we would like
23	albeit to a lesser extent in a relatively short	11:12PM 23	to get a vote on the bifurcation and then we would
24	period of time after this evening.	11:12PM 24	come back with a subsequent site plan with these
25	Another option might be for the	11:12PM 25	details laid out.
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	201-641-1812		201-641-1812
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	190		192
1	applicant to amend its application to seek bifurcated	11:12PM 1	192 So the vote on the bifurcation would be
2	applicant to amend its application to seek bifurcated relief under section 70(b) and to ask for the	11:12PM 1 11:12PM 2	So the vote on the bifurcation would be on the 24 units, five affordable, with the when we
2 3	applicant to amend its application to seek bifurcated relief under section 70(b) and to ask for the D variance relief at this stage, which really isn't	_	So the vote on the bifurcation would be on the 24 units, five affordable, with the when we would come back under the site plan that we could
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	400		405
1	193	1	195
•	what the density would be if indeed it's required, because now we have less units?	11:15PM 1	a question. What is so we're approving this all these variances, but there was something about
	MR. TUVEL: Could you figure that out?	11:15PM 2	the street being 22 feet versus 24
11:13PM 3	MR. WARNER: I think the planner might	11:15PM 4	MR. WARNER: No, this is all I'm
11:13PM 5	be right now, it might be more like 12 and 13, but	11:15PM 5	sorry, D.J this is Mr. Chairman, this is only
11:13PM 6	ACTING CHAIRMAN HUNSINGER: My only	11:15PM 6	the D variances, the three D variances that they're
11:13PM 7	question is if you're going to move them back will	11:15PM 7	asking for.
11:13PM 8	you need the other one to be higher or no? It	11:15PM 8	ACTING CHAIRMAN HUNSINGER: All right.
11:13PM 9	doesn't matter.	11:15PM 9	MR. TUVEL: Right.
11:13PM 10	MR. TUVEL: No, no. And it would be	11:15PM 10	MR. WARNER: Multifamily versus single
11:13PM 11	it's 11.43.	11:15PM 11	family, 40.8 feet versus 35 feet max, and 11.43
11:13PM 12	MR. WARNER: Would be the density?	11:16PM 12	dwelling units per acre versus one and change.
11:13PM 13	MR. TUVEL: Yes.	11:16РМ 13	MR. TUVEL: And the reason we're not
11:13PM 14	MR. WARNER: Okay.	11:16PM 14	doing the others is because they're either most
11:13PM 15	ACTING CHAIRMAN HUNSINGER: I'm talking	11:16РМ 15	likely going to stay the same or improve, and you'll
11:13PM 16	about	11:16РМ 16	see that on the site plan when it's revised.
11:14PM 17	MR. WARNER: It's ultimately for the	11:16PM 17	So you'll probably see an improvement
11:14PM 18	board to decide, but right now the applicant has	11:16РМ 18	on the other variances that were discussed during
11:14PM 19	amended and they do have the legal authority, in my	11:16РМ 19	this evening.
11:14PM 20	opinion, under section 70(b) to ask for the	11:16РМ 20	MR. WARNER: I would feel much more
11:14PM 21	D variance relief only at this point and to come	11:16PM 21	comfortable if you would only vote, if there's an
11:14PM 22	back, assuming it's approved, for the balance, at	11:16РМ 22	approval on the Ds, on the bulk variances and the
11:14PM 23	which time the plans would engineered plans, et	11:16PM 23	site plan when you see the revised site plan.
11:14PM 24	cetera, would be properly before the board in my	11:16РМ 24	ACTING CHAIRMAN HUNSINGER: And I would
11:14PM 25	opinion.	11:16РМ 25	always take counsel's advice, especially on something
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	201-641-1812		201-641-1812
	194		196
11:14PM 1	And so the three variances, D-1 use	11:16PM 1	this complicated because we want it to be right.
11:14PM 2	variance, multifamily residential, in particular 24	11:16PM 2	this complicated because we want it to be right. I'll just ask the applicant real quick,
11:14PM 2 11:14PM 3	variance, multifamily residential, in particular 24 total units, five affordable, for the D-1	11:16PM 2 11:16PM 3	this complicated because we want it to be right. I'll just ask the applicant real quick, are you sure this is what you guys want to do? I
11:14PM 2 11:14PM 3 11:14PM 4	variance, multifamily residential, in particular 24 total units, five affordable, for the D-1 non-permitted use; building height D-6, 40.8 feet at	11:16PM 2 11:16PM 3 11:16PM 4	this complicated because we want it to be right. I'll just ask the applicant real quick, are you sure this is what you guys want to do? I mean, is there some way where you want to make this
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11:14PM 2 11:14PM 3 11:14PM 4 11:14PM 5 11:14PM 6	variance, multifamily residential, in particular 24 total units, five affordable, for the D-1 non-permitted use; building height D-6, 40.8 feet at its highest point versus 35 max permitted; and a density, if necessary, for the D-5 density variance	11:16PM 2 11:16PM 3 11:16PM 4 11:16PM 5 11:16PM 6	this complicated because we want it to be right. I'll just ask the applicant real quick, are you sure this is what you guys want to do? I mean, is there some way where you want to make this 25 and take some time and do it or MR. CHRISMER: No, I think that this
11:14PM 2 11:14PM 3 11:14PM 4 11:14PM 5 11:14PM 6 11:14PM 7	variance, multifamily residential, in particular 24 total units, five affordable, for the D-1 non-permitted use; building height D-6, 40.8 feet at its highest point versus 35 max permitted; and a density, if necessary, for the D-5 density variance of 11.43 to the acre as opposed to somewhere a little	11:16PM 2 11:16PM 3 11:16PM 4 11:16PM 5 11:16PM 6 11:16PM 7	this complicated because we want it to be right. I'll just ask the applicant real quick, are you sure this is what you guys want to do? I mean, is there some way where you want to make this 25 and take some time and do it or MR. CHRISMER: No, I think that this feels reasonable, this feels like it respects the
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	407		400
1	of this application when it proceeds to you		199
11:17PM 1	of this application when it proceeds to you.	11:19PM 1	moved and seconded; Mr. Taraschi, seconded by
	This is a bifurcated application, it's		Mr. Brown.
11:17PM 3	provided for under the MLUL, the D variances first	11:19PM 3	Any other discussion?
11:17PM 4	before the board the applicant goes to the trouble	_	(No response.)
11:17PM 5	of engineering plans fully and asking for the balance	11:19PM 5	ACTING CHAIRMAN HUNSINGER: Hearing
11:17РМ 6	of the relief.	11:19PM 6	none, can we call the roll.
11:17PM 7	DR. STEINFELD: Okay.	11:19PM 7	MS. SNYDER: Mr. Hunsinger?
11:17PM 8	MR. WARNER: So you could say yes or no	11:19PM 8	ACTING CHAIRMAN HUNSINGER: Yes.
11:18PM 9	when they come back for the rest.	11:19PM 9	MS. SNYDER: Mr. Brown?
11:18PM 10	DR. STEINFELD: Right, okay.	11:19PM 10	MR. BROWN: Yes.
11:18PM 11	MR. WARNER: But you are granting, if	11:19PM 11	MS. SNYDER: Mr. Kita?
11:18PM 12	you grant it, the three that are before you, the D-1	11:19PM 12	MR. KITA: Yes.
11:18PM 13	use, the D-6 height and the D-5 density.	11:19PM 13	MS. SNYDER: Ms. Fechtner?
11:18PM 14	ACTING CHAIRMAN HUNSINGER: So we're	11:19PM 14	MS. FECHTNER: Yes.
11:18PM 15	pretty much approving 24 units, it's just what they	11:19PM 15	MS. SNYDER: Mr. Taraschi?
11:18PM 16	look like that we're not approving right now. Right?	11:19PM 16	MR. TARASCHI: Yes.
11:18PM 17	MR. TUVEL: You're approving the	11:20PM 17	MS. SNYDER: Mr. Hanlon?
11:18PM 18	D variance relief; however, as Richard, Dr. Richard	11:20PM 18	MR. HANLON: Yes.
11:18PM 19	indicated, if you don't like the site plan for	11:20PM 19	MS. SNYDER: Dr. Steinfeld?
11:18PM 20	whatever reason, you're not compelled, as Steven	11:20PM 20	DR. STEINFELD: Yes.
11:18PM 21	said, to vote yes on the site plan if it doesn't	11:20PM 21	ACTING CHAIRMAN HUNSINGER: All right.
11:18PM 22	address your concern.	11:20PM 22	So, the next meeting will be are we
11:18PM 23	MR. WARNER: Or any or all of the bulk	11:20PM 23	going to have our regular
11:18PM 24	variances and design waivers.	11:20PM 24	MS. SNYDER: No, the next meeting they
11:18PM 25	MR. TUVEL: That's correct.	11:20PM 25	were not available.
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	201-641-1812		201-641-1812
	198		200
11:18PM 1	198 MR. WARNER: You have a right to say	11:20PM 1	200 That was April 14.
11:18PM 2	MR. WARNER: You have a right to say yes or no at that point.	11:20PM 2	200 That was April 14. MR. TUVEL: Yes.
11:18PM 2 11:18PM 3	MR. WARNER: You have a right to say yes or no at that point. MR. TUVEL: Yes.	11:20PM 2 11:20PM 3	That was April 14. MR. TUVEL: Yes. And we're going to also need time,
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201-641-1812

201-641-1812

I, LAURA A. CARUCCI, C.C.R., R.P.R., a Notary
Public of the State of New Jersey, Notary ID.
#50094914, Certified Court Reporter of the State of
New Jersey, and a Registered Professional Reporter,
hereby certify that the foregoing is a verbatim
record of the testimony provided under oath before
any court, referee, board, commission or other body

any court, referee, board, commission or other body created by statute of the State of New Jersey. I am not related to the parties

8 involved in this action; I have no financial interest, nor am I related to an agent of or employed
 9 by anyone with a financial interest in the outcome of this action.

This transcript complies with regulation 13:43-5.9 of the New Jersey AdministrativeCode.

12 13 14

LAURA A. CARUCCI, C.C.R., R.P.R. License #XI02050, and Notary Public of New Jersey #50094914, Notary Expiration Date December 3, 2023

17 Dated: April 20, 2022

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16

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LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

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