

The meeting was called to order by Chairman Brian Tannenhaus and the opening statement was read by the Administrative Officer.

The Attorney gave the oath of office to the following members: Brian Greenfield as a Class II Member, Councilman Fred Gasior as a Class III Member, Megan Talente as a Class IV Member, Matthew Kyle as Alternate 1 Member and Christopher Mercer as Alternate 2 Member.

ROLL CALL: Showed the following members were present: Paul Boisvert, Brian Greenfield, Nicholas Huszar, Robert Seaman, Megan Talente, Brian Tannenhaus, Councilman Fred Gasior, Matthew Kyle and Christopher Mercer. Joseph Cristiano was excused.

Also in attendance were Ron Cucchiaro, Board Attorney and the Board Secretary, Eileen Rubano

PLEDGE OF ALLEGIANCE:

EXECUTIVE SESSION:

Ms. Talente made a motion for the Board to go into Executive Session to discuss personnel. The motion was seconded by Mr. Boisvert and carried with all members voting for the motion. After the Secretary read the Executive Session Resolution into the record the public was informed that the Board would be back in regular session around 7:30 and if they get kicked off the zoom meeting they can log back in at that time.

The Board reconvened at 7:30 p.m. for the reorganization and regular meeting.

REORGANIZATION:

Chairman Tannenhaus asked for a nomination for Chairman for 2023. Chairman Tannenhaus moved the nomination of Paul Boisvert for Chairman which motion was seconded by Councilman Gasior and carried with all members voting for the motion.

Chairman Boisvert asked for nominations for Vice-Chairman. Mr. Tannenhaus moved the nomination of Nicholas Huszar for Vice Chairman which motion was seconded by Ms. Talente and carried with all members voting for the motion.

Chairman Boisvert asked for a nomination for Secretary and Mr. Tannenhaus made a motion nominating Eileen Rubano for Secretary. The motion was seconded by Mr. Seaman and carried with all members voting for the motion.

Chairman Boisvert asked for a nomination for Consulting Attorney and Mr. Tannenhaus made a motion nominating Ron Cucchiaro from Weiner Law Group. Motion was seconded by Councilman Gasior and carried with all members voting for the motion.

When Chairman Boisvert asked for a nomination for Consulting Engineer, Mr. Tannenhaus made a motion nominating Laura Neumann from CME Associates. Motion was seconded by Ms. Talente and carried with all members voting for the motion.

**HOWELL TOWNSHIP PLANNING BOARD
REORGANIZATION AND REGULAR MEETING**

2

JANUARY 5, 2023

Chairman Boisvert asked for nominations for Consulting Planner and Mr. Tannenhaus made a motion nominating Jennifer Beahm, from Leon S. Avakian. Motion was seconded by Mr. Greenfield and carried with all members voting for the motion.

Chairman Boisvert asked for nominations for Consulting Licensed Tree Expert and Mr. Tannenhaus made a motion nominating Shari Spero from CME Associates. Motion was seconded by Councilman Gasior and carried with all members voting for the motion.

Chairman Boisvert asked for nominations for the Administrative Officer. Mr. Tannenhaus made a motion nominating Eileen Rubano. Motion was seconded by Mr. Seaman and carried with all members voting for the motion.

Chairman Boisvert asked for nominations for Recording Secretary and Mr. Tannenhaus made a motion nominating Eileen Rubano. Motion was seconded by Ms. Talente and carried with all members voting for the motion.

Chairman Boisvert asked for a motion memorializing the resolution adopting the 2023/2024 meeting dates. Motion was made by Mr. Kyle. Motion was seconded by Mr. Tannenhaus and carried with all members voting for the motion.

Chairman Boisvert informed the members of the public that the official newspapers were the Asbury Park Press and the Star Ledger. He also named Mr. Huszar as the Environmental Commission Liaison to the Board.

Chairman Boisvert announced that the Site Review Committee would consist of Mr. Huszar as Chairman and Ms. Talente and Mr. Kyle as members and the Master Plan Subcommittee would consist of Brian Tannenhaus as Chairman and Mr. Cristiano and Mr. Seaman as members.

The Reorganization meeting concluded and the regular portion of the Planning Board meeting commenced.

REGULAR MEETING:

APPROVAL OF MINUTES:

a. Regular Meeting – October 20, 2022

Mr. Tannenhaus made a motion to approve the minutes from the October 20, 2022 Planning Board Meeting. Motion was seconded by Mr. Greenfield and carried with Mr. Greenfield, Mr. Huszar, Mr. Seaman, Ms. Talente and Mr. Tannenhaus voting for the motion.

b. Special Meeting – November 22, 2022

Mr. Tannenhaus made a motion to approve the minutes from the special meeting held on November 22, 2022. Motion was seconded by Ms. Talente and carried with Mr. Greenfield, Ms. Talente and Mr. Tannenhaus voting for the motion.

CORRESPONDENCE: The Board Secretary had a letter from Kenneth Pape, Attorney for AAFRHW Property LLC – Frisa, Case SP-1095, asking that the application be carried to February 2, 2023 with no further notice and he granted an extension of time for the Board to act until February 28, 2023. Board Attorney Cucchiaro made the announcement for members of the public.

The Secretary also had a letter from Ken Pape, Attorney for AAVRHW Property, LLC – Victory Road, Case SP-1105, asking for this application to be carried to March 2, 2023 and he granted the Board an extension of time to act on the application to April 2, 2023. Mr. Cucchiaro, Board Attorney, made the announcement for members of the public.

The Board Secretary said she also had a letter from Attorney Pape regarding Case SP-1102, AASTHW Property, LLC – Stavola, asking for this application to be carried to February 16, 2023 with no further notice and granted an extension of time for the Board to act through March 16, 2023. Board Attorney Cucchiaro made an announcement for members of the public.

The Board Secretary said she had an email from Attorney, Ken Pape, regarding Case Number SP-1098, 90 Industrial Court, LLC asking for that application to be carried to January 19, 2023 with no further notice. Board Attorney Cucchiaro made the announcement for members of the public.

The Secretary said she didn't have any correspondence but the Attorney for Monmouth Commerce was in the meeting and was asking for her application, Case SP-1100, to be carried as well. Meryl Gonchar, Attorney for the Applicant, appeared and asked if the Board would consider a special meeting and gave a few dates that she thought would work. After some discussion it was decided that the Board would hold a special meeting on Monday, January 30, 2023 for SP-1100 Monmouth Commerce Center LLC. Board Attorney Cucchiaro made an announcement for members of the public that the application would be carried to a special meeting on January 30, 2023 with no further notice and it would be a virtual meeting.

RESOLUTIONS:

- a. **Review of Ordinance O-22-73**

Mr. Tannenhaus made a motion to memorialize the resolution reviewing Ordinance O-22-73 finding the ordinance substantially consistent with the master plan. The motion was seconded by Ms. Talente and carried with Mr. Greenfield, Mr. Huszar, Mr. Seaman, Ms. Talente, Mr. Tannenhaus and Chairman Boisvert voting for the motion.

SUBMISSION WAIVERS BEFORE THE BOARD: There were no submission waivers.

APPLICATIONS BEFORE THE BOARD:

- a. **Case No. SD-3006 / Benzion Yungreis**

SEE ATTACHED TRANSCRIPT

b. Case No. SD-3004 / Erdni Nemgirov

Alex Pavliv, Attorney for the Applicant, appeared and said they were seeking Minor Subdivision approval to subdivide the approximately 1 acre lot into three new lots, all fully conforming.

Stu Challoner, PE, was duly sworn, gave his credentials to the Board, and was accepted as an expert. Mr. Challoner testified on the size of the proposed lots and said they all exceed the zone requirements for size. He also said they were requesting a waiver for curbs and sidewalks as there are none in the area and the streets were recently paved. Mr. Challoner said when they builder wants to construct homes on the two vacant lots they will comply with RSIS Standards. He confirmed that the subdivision will be filed by plat and they are compliant with street trees.

Mr. Rizzo went through his engineering review and Ms. Beahm said they addressed all of her concerns but said the curbs and sidewalks did not create a hazard. Mr. Rizzo confirmed that they are exempt from contributing to the sidewalk fund.

Chairman Boisvert opened the hearing up to the members of the public but since no one appeared the public portion was closed.

Mr. Pavliv respectfully requested that the Board approve this application for minor subdivision approval.

Mr. Tannenhaus made a motion to approve the application for Erdni Nemgirov for minor subdivision approval. Motion was seconded by Mr. Seaman and carried with Mr. Greenfield, Mr. Huszar, Mr. Seaman, Ms. Talente, Mr. Tannenhaus, Councilman Gasior, Mr. Kyle, Mr. Mercer and Chairman Boisvert voting for the motion.

MASTER PLAN STATUS REPORT: Ms. Beahm gave an update saying she should have the Farmland Preservation Element ready for the Board within three months and most of the other elements have been updated recently so she wasn't sure what the committee was planning to do next.

Since there was no other business, Mr. Tannenhaus made a motion to adjourn. Motion was seconded by Mr. Seaman and carried. Meeting adjourned at 9:14 p.m.

Respectfully submitted,



Eileen Rubano
Recording Secretary

NOTE: A CD or DVD of this meeting is available on request.

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

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IN THE MATTER OF:

BENZION YUNGREIS
BLOCK 24, LOT 11.06
392 ALEXANDER AVENUE

APPLICATION NO. SD-3006

THURSDAY, JANUARY 5, 2023

7:00 P.M.

REORGANIZATION
AND
REGULAR MEETING

TRANSCRIPT OF PROCEEDINGS

REMOTE PUBLIC HEARING

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

1 BOARD MEMBERS PRESENT:

2 PAUL BOISVERT, Chairman

3 FRED GASIOR, Councilman

4 BRIAN GREENFIELD

5 NICK HUSZAR, Vice-Chairman

6 MATTHEW KYLE

7 CHRISTOPHER MERCER

8 ROBERT SEAMAN

9 MEGAN TALENTE

10 BRIAN TANNENHAUS

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14 BOARD PROFESSIONALS AND STAFF PRESENT:

15 RONALD CUCCHIARO, ESQUIRE, BOARD ATTORNEY
WEINER LAW GROUP

16 JORDAN RIZZO, P.E., Acting Board Engineer
CME Associates

17 JENNIFER BEAHM, P.P., Board Planner
Leon S. Avakian, Inc.

18 SHARI SPERO, LTE, Certified Tree Expert
CME Associates

20

21 EILEEN RUBANO, Planning Board Secretary

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STENOGRAPHICALLY REPORTED BY:

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

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

HEILBRUNN PAPE, LLC
BY: JARED M. PAPE, ESQUIRE
516 State Highway 33
Millstone Township, New Jersey 08535
T: (732)-679-8844
F: (732)-679-6554
Email: jpape@hpnjlaw.com

--Counsel for the Applicant

ALSO PRESENT:

MR. YUNGREIS, Applicant

I N D E X

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WITNESS

PAGE

PETER STRONG, P.E., P.P.	12
Crest Engineering Associates, Inc.	

PUBLIC COMMENT:

NAME

ADDRESS

PAGE

Lu Wang	2 Statesboro Road	33
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APPLICANT'S EXHIBITS

<u>NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
A-1	Development application	*
A-2	Application checklist	*
A-3	Preliminary and Final Major Subdivision Plans, consisting of five sheets prepared by Crest Engineering Associates, Inc., dated 5/25/22	*
A-4	Natural Resource Inventory Report, prepared by Crest Engineering Associates, Inc., dated 4/29/22	*
A-5	Stormwater Management Report, prepared by Crest Engineering Associates, Inc., dated May 2021	*
A-6	Cursory Wetlands Investigation Report, prepared by Crest Engineering Associates, Inc., dated 1/14/22	*
A-7	Boundary and Topographic Survey, consisting of one sheet prepared by Crest Engineering Associates, Inc., dated 12/29/21	*
A-8	Prior Resolution granting minor subdivision approval for SD-942, dated 9/6/73	*
A-9	Prior Resolution granting preliminary and final major subdivision approval for SD-2637, dated 8/16/90	*
A-10	Waiver Requests prepared by Crest Engineering Associates, Inc., dated 7/7/22	*

(*) Exhibit marked prior to commencement.

BOARD'S EXHIBITS

<u>NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
B-1	Preliminary Conceptual Sewer Service approval, dated 7/8/22	*
B-2	Preliminary Water Service approval, dated 7/8/22	*
B-3	Monmouth County Planning Board exemption letter, dated 6/27/22	*
B-4	Environmental Commission Site Plan review, dated 7/13/22	*
B-5	Fire Bureau site plan review, dated 7/13/22	*
B-6	Freehold Soil Conservation District Initial Application Review, dated 7/19/22	*
B-7	Farmers Advisory site plan review, dated 7/28/22	*
B-8	Monmouth County Board of Health site plan review, dated 8/18/22	*
B-9	Board Engineer's review letter, dated 9/19/22	*
B-10	Freehold Soil Conservation District Certification letter, dated 8/31/22	*
B-11	Board Engineer's Completeness memo, dated 9/16/22	*
B-12	Monmouth County Board of Health review, dated 12/5/22	*
B-13	Environmental Commission site plan, review dated 12/14/22	*

(*) Exhibit marked prior to commencement.

1 SECRETARY RUBANO: Howell Township
2 Planning Board Regular and Reorganization meeting,
3 January 5, 2023.

4 I hereby declare this meeting of the
5 Howell Township Planning Board to be open, adequate
6 notice having been given pursuant to the New Jersey
7 Open Public Meetings Act in the following manner:

8 First, on January 7th, 2022, a copy of
9 said notice was mailed to the Asbury Park Press and
10 the Tri-Town News. Second, on January 7th, 2022, a
11 copy of said notice was hand-delivered to the clerk
12 of the Township of Howell. Third, on January 7th,
13 2022, said notice was posted in the office of the
14 planning board and on the bulletin board in the
15 Howell Township Municipal Building, 4567 Route 9,
16 Howell Township, New Jersey.

17 Members of the public will have a
18 chance to ask questions and comment on applications
19 once the Chairman opens the hearing up to members of
20 the public. If you wish to ask questions or comment
21 on the application, you will need to use the Raise
22 Your Hand feature and we will bring you into the
23 meeting one at a time. You will need to have audio
24 and video capability. You will be sworn in and you
25 will be required to provide your name and address.

1 For anyone calling in you can press *9 to raise or
2 lower your hand and *6 to mute or unmute yourself.

3 This meeting is being videotaped for
4 possible future broadcast on Howell Township TV-77.

5 Thank you.

6

7 (The board continues with agenda.)

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9 (Proceedings commence at 8:05 p.m.)

10

11 CHAIRMAN BOISVERT: First up is case
12 SD-3006, Benzion -- I'm not even going to try to
13 pronounce that last name. But that's a preliminary
14 and final major subdivision with ancillary variance
15 and design waiver relief.

16 SECRETARY RUBANO: That is Jared
17 Pape's case.

18 ATTORNEY PAPE: Good evening.

19 SECRETARY RUBANO: Good evening.

20 ATTORNEY PAPE: May I proceed?

21 BOARD SECRETARY: Mr. Pape, before you
22 do, who else do you need brought into the hearing?
23 I have Mr. Strong and I have the applicant.

24 Do you need anyone else?

25 ATTORNEY PAPE: That is it.

1 BOARD SECRETARY: Okay, perfect.

2 ATTORNEY PAPE: Good evening,
3 Mr. Chair, board members, board professionals. My
4 name is Jared Pape. I am an attorney with the law
5 firm of Heilbrunn Pape, and our office represents
6 your applicant, Mr. Yungreis.

7 Before we begin I would like to confirm
8 with Ms. Rubano that the notices that we provided
9 were adequate to provide this board with
10 jurisdiction to hear this application.

11 BOARD SECRETARY: They were. The
12 proofs were received and are in order.

13 ATTORNEY PAPE: Thank you.

14 SECRETARY RUBANO: You're welcome.

15 ATTORNEY PAPE: Also we have the
16 ability to share exhibits; would that be acceptable
17 if we share it on our end?

18 BOARD SECRETARY: Yes.

19 ATTORNEY PAPE: Great. By way of an
20 outline this is an application for preliminary and
21 final major subdivision of Block 24, Lot 11.06,
22 located on Alexander Avenue. The lot is just shy of
23 one acre. And the proposed subdivision divides the
24 existing lot into two lots. One lot would contain
25 the existing single-family house that is there now.

1 The second lot would initially be vacant but the
2 intention is to build a new single-family residence.

3 I thought it would be worth noting the
4 approval history of this property for the board's
5 reference. The subject lot was part of a minor
6 subdivision in 1973, and a preliminary and final
7 subdivision in 1990 that were both adopted, approved
8 by this board. And due to the approval history of
9 the property, Howell's ordinance classifies this
10 application as a major subdivision rather than a
11 minor subdivision. I thought that was just worth
12 clarifying at the outset.

13 Another thing I would like to note at
14 the outset is we know that there is a requirement to
15 install sidewalk. And pursuant to our discussions
16 with the board's professionals, the applicant is
17 withdrawing their request for a waiver from this
18 requirement. The applicant is agreeable to install
19 sidewalks pursuant to the ordinance section, it's
20 Section 188-132, rather than request a waiver and
21 contribute to the township's sidewalk trust fund.

22 We'll ultimately defer to the board on
23 that point, but I just wanted to make it clear at
24 beginning that the applicant is willing to install
25 the sidewalks pursuant to the ordinance.

1 BOARD PLANNER: Mr. Chair, if I could
2 just interject for two seconds about the sidewalk?

3 CHAIRMAN BOISVERT: Yes.

4 BOARD PLANNER: I think it's a good
5 idea for them to install sidewalk. I think, as I
6 said in other applications, you have to start
7 somewhere. And there's a large population down in
8 this section of town that is walking consistently,
9 and I think a sidewalk network is important.

10 So I appreciate the applicant's
11 willingness to put in the sidewalk.

12 CHAIRMAN BOISVERT: Fair enough.

13 ATTORNEY PAPE: Thank you.

14 MEMBER TANNENHAUS: Mr. Chairman?

15 CHAIRMAN BOISVERT: Yes.

16 MEMBER TANNENHAUS: I recommend our
17 professionals get sworn in.

18 CHAIRMAN BOISVERT: Good call.

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

23 BOARD PLANNER: I do.

24 BOARD TREE EXPERT: I do.

25 BOARD ENGINEER: I do.

1 ATTORNEY PAPE: We have one witness
2 that we intend to call. Peter Strong is the
3 applicant's professional engineer and professional
4 planner. The applicant, Mr. Yungreis, is on the
5 call as well. I do not intend to call him for
6 testimony, but he is available in case there are any
7 questions of him.

8 So with that, if acceptable, I would
9 like to have Mr. Strong sworn in.

10 ATTORNEY CUCCHIARO: Do you swear or
11 affirm the testimony you are about to give this
12 board is the truth, the whole truth, and nothing but
13 the truth?

14 PETER STRONG: I do.

15 ATTORNEY CUCCHIARO: Please state and
16 spell your name for the record.

17 PETER STRONG: Peter W. Strong,
18 S-T-R-O-N-G, with Crest Engineering, at 100 Rike
19 Drive in Millstone, New Jersey.

20 ATTORNEY PAPE: As I mentioned,
21 Mr. Strong will be testifying as an engineer and
22 planner.

23

24

E X A M I N A T I O N

25

1 BY ATTORNEY PAPE:

2 Q. Mr. Strong, could you provide your
3 educational and professional background for the
4 board?

5 A. Yes. I'm a graduate of New Jersey
6 Institute of Technology, with a bachelor of science
7 degree in civil engineering. I also have a master's
8 in management from NJIT.

9 I have been a licensed professional
10 engineer in the State of New Jersey since 1975 and a
11 licensed professional planner since 1978. I have
12 been a principal with Crest Engineering Associates
13 from 1981 until 2017. And I continue to practice
14 the professional engineering and planning
15 professions. My licenses are current.

16 CHAIRMAN BOISVERT: Okay. We'll
17 accept your credentials.

18 THE WITNESS: Thank you.

19 BY MR. PAPE:

20 Q. Mr. Strong, as we begin, would you be
21 able to pull up, I think the first exhibit would be
22 an aerial display which is A-12 on the exhibit list.

23 Are you able to pull that up?

24 A. Yes. There we go.

25 Can you see that?

1 Q. We can, yes.

2 A. This is an aerial view of the site.
3 Alexander Road runs down through the middle. And
4 west of it the property in question, which is Lot
5 11.06 in Block 24, is outlined in yellow. Just
6 under one acre of land with an existing dwelling on
7 the property. The white area is a 500-foot radius
8 around the site.

9 The address of the property is 392
10 Alexander Avenue.

11 Q. Can you explain the surrounding
12 neighborhood outside of this lot?

13 A. Yes. The surrounding neighborhood is
14 potentially single-family residential in the entire
15 area within the 500-foot radius. You can also see
16 Larrabee Boulevard to the south and Calloway Street
17 also to the south.

18 But the area is largely single-family
19 residential with some vacant land.

20 Q. And could you describe the proposed
21 subdivision? And I think it would be helpful to
22 pull up the final plat major subdivision exhibit.

23 A. Yes. Let me get the right plan here.
24 Okay.

25 So this is the property itself. The

1 area which I'm outlining now is the one -- slightly
2 under one-acre site, Lot 11.06. The proposed
3 subdivision line runs down sort of in the middle of
4 the property and jogs around the four -- sorry, five
5 different courses that are necessary to meet the
6 ordinance criteria for lot frontage, lot area,
7 et cetera, and setbacks within the R-2 Zone.

8 Q. And just to confirm, so the proposed
9 plan shown here conforms with lot area requirements,
10 setback requirements, and all --

11 A. Frontage and lot width, yes, all that.

12 ATTORNEY PAPE: I want to note that
13 there was a requirement for a 50-foot perimeter
14 buffer around the property and that requirement was
15 imposed as a result of the property -- as a result
16 of the application being classified as a major
17 subdivision --

18 THE WITNESS: Yes.

19 ATTORNEY PAPE: -- and it's virtually
20 impossible to comply with that buffer requirement
21 due to the existing improvements on-site.

22 But several months ago we did have an
23 opportunity to walk the site with Shari Spero and
24 following her guidance Crest prepared a Woodlands
25 Management and Street Landscaping Plan that --

1 Peter, I will ask if you can pull that up next --
2 and you will see in that plan that a 15-foot
3 perimeter buffer is provided. Along the rear of the
4 property specifically, invasive species will be
5 replaced with native trees to restore the woodland.
6 And we note that in Ms. Spero's report she found
7 that the plan created an adequate buffer and
8 improved the overall habitat quality and aesthetics
9 of the property.

10 So although we cannot meet the 50-foot
11 requirement we think what is being proposed here
12 meets the intent of the ordinance in terms of
13 providing that buffer and screening.

14 BY ATTORNEY PAPE:

15 Q. And, Peter, if you could touch on,
16 perhaps, some of the specifics?

17 A. Sure. Yes, the lot currently has what
18 they call tree of Heaven and bamboo along the rear
19 line, mostly in the shaded area that is on the plan,
20 as well as a maple tree that is not -- not
21 particularly desirable at this point in time.

22 And we've committed to removing those
23 Tree of Heaven and bamboo plants, as well as the
24 maple tree and supplementing whatever other
25 landscaping is worthwhile with additional

1 landscaping along the three sides of the property as
2 well as some in the frontage of the site. But we
3 will provide a viable usable buffer along the three
4 sides of the property, the east, west and south
5 sides of the property in accordance with Ms. Spero's
6 recommendations to establish a buffer around the
7 perimeter of the subdivision.

8 Q. Thank you. And I also just wanted to
9 note that the property has an existing U-shaped
10 driveway that you could see on this plan and the
11 intent is for that driveway to remain, although a
12 portion of the driveway would be on the new proposed
13 lot to the right as shown on this plan, and that
14 would be covered by a driveway easement.

15 In Ms. Beahm's report, dated
16 January 3rd, 2023, noted that there is a problem
17 that the applicant should provide testimony as to
18 whether there was consideration given to creating a
19 straight or a boundary line between the two proposed
20 lots. And we did submit the alternative plan that
21 we would like to -- if the board so desires, we
22 could show that plan for your consideration.

23 The intent there is that, as noted in
24 Ms. Beahm's report, it creates more regular lot
25 shape, although it would require some bulk variance

1 relief?

2 It might be a better planning
3 alternative overall but it would, like I said, it
4 would require bulk variance relief specifically for
5 a side setback and the minimum lot size.

6 So I'll defer to perhaps the board
7 professionals and board members as to whether we
8 should show that exhibit.

9 BOARD PLANNER: I think you should
10 show it. So basically, with the exception of the
11 buffer, this plan that you see before you is a
12 compliant plan and the only relief that you would be
13 needing would be the 50-foot buffer. Correct?

14 ATTORNEY PAPE: That's correct.

15 THE WITNESS: That's correct.

16 BOARD PLANNER: So the issue is is
17 that weird jog in the lot, which could become, you
18 know, problematic if someone wants to put up a fence
19 or whatever. So I do think, Jared, you should show
20 the other plan. I do agree that that would require
21 additional variance relief for a side yard setback
22 and the lot area, but the lot lines are a little bit
23 more consistent with what you're typically seeing.

24 I would submit -- it's totally up to
25 you, whatever you guys want to do. The buffer

1 relief is going to be required regardless of which
2 plan you're proposing, correct?

3 THE WITNESS: That's correct.

4 BOARD PLANNER: So it's just the two
5 additional variances for the sideyard setback, which
6 is the corner of the existing house, which is --
7 what is that dimension, Jared? I can't see it.

8 THE WITNESS: 12 feet.

9 BOARD PLANNER: So instead of the 20
10 foot required it's 12 feet. And the lot area would
11 be?

12 THE WITNESS: The new lot would be
13 19,500 square feet approximately, and the other lot
14 would be 23 -- 23,000 and change. So it would be
15 500 feet short.

16 BOARD PLANNER: Right. And the
17 requirement is 20,000 square feet, correct.

18 THE WITNESS: Correct.

19 BOARD PLANNER: So it's totally up to
20 you. I just think that this is a lot configuration
21 that you're more used to seeing and probably would
22 be easier for the homeowners in terms of fencing,
23 et cetera. But either way -- and I don't mean to
24 speak for you, Jared, but you're good either way,
25 right?

1 ATTORNEY PAPE: We're good, yeah,
2 either way we're good. We do think the alternative
3 plan here may make a little more sense for the
4 reasons that you listed, you know specifically if
5 someone wants to put a fence in it might be a little
6 easier to do it on this shape of a lot, but, of
7 course, there's variance relief associated with it
8 so, yeah...

9 THE WITNESS: And we would also not
10 have to jog the line in front of the existing
11 dwelling and, therefore, the driveway could be moved
12 over and we would no longer have the easement along
13 the existing driveway, we would have a new driveway.

14 BOARD PLANNER: So I mean again, I
15 think personally from a planning perspective I think
16 this is a kind of a preferred layout, but it's
17 100 percent up to you guys whether or not you want
18 to grant the relief that would be necessary for this
19 configuration versus what is, you know, the original
20 proposal.

21 MEMBER TANNENHAUS: Ms. Beahm?

22 BOARD PLANNER: Yes.

23 MEMBER TANNENHAUS: Do they still have
24 to provide all that additional shrubbery that
25 they're proposing around the property line?

1 BOARD PLANNER: Yes. Yes. This
2 really, they show the 15-foot buffer, you know, you
3 can see this is more of a hand sketch, but they have
4 committed to comply with the landscaping, consistent
5 with their coordination with Shari.

6 MEMBER TANNENHAUS: And it looks like
7 the existing U-shaped driveway goes away as well?

8 BOARD PLANNER: Correct.

9 THE WITNESS: That would be
10 eliminated, yes.

11 BOARD PLANNER: Which I think, you
12 know it's one less curb cut, which I think is a
13 better alternative as well.

14 MEMBER TANNENHAUS: I don't know how
15 anybody else on the board feels, but I'm okay with
16 taking our professional's suggestion; it's up to the
17 applicant.

18 BOARD ENGINEER: Mr. Chairman, if I
19 can jump in real quick, first I just want to say for
20 those board members that don't know me, I'm Jordan
21 Rizzo from CME, and I'm in tonight for Laura
22 Neumann, the board's engineer.

23 Mr. Pape, this exhibit hasn't actually
24 been formally submitted yet, correct, this is just
25 an exhibit? And we're assuming that the relief on

1 this exhibit is probably just a sideyard setback and
2 a lot area, but there may be additional relief
3 required, such as driveway setback, I can't see what
4 that dimension is, but there may be other smaller
5 items as well, correct?

6 ATTORNEY PAPE: This exhibit was
7 submitted -- Peter, I believe it was Friday? It was
8 submitted late last week and --

9 BOARD SECRETARY: I believe I sent it
10 to the professionals.

11 BOARD PLANNER: Yeah, I think you sent
12 it Tuesday.

13 ATTORNEY PAPE: I'll defer to
14 Mr. Strong as to if he had done any calculation with
15 regard to the driveway, and do you know if any
16 driveway relief would be required?

17 I know in CME's initial report we had a
18 new driveway closer to five feet from the property
19 line; is that what you were referring to, Mr. Rizzo?

20 BOARD ENGINEER: Yes, that's correct.
21 It looks like it would probably be really close to
22 five feet.

23 MEMBER TANNENHAUS: It sounds like
24 Mr. Strong could make the driveway move over so that
25 it is not in conflict or need a variance; is that a

1 fair statement, Mr. Strong?

2 THE WITNESS: Yes, we knew that the
3 requirement was five feet and we have set it at five
4 feet at this point in time so --

5 BOARD ENGINEER: All right, thank you.

6 THE WITNESS: -- so we shouldn't need
7 any other variances with regards to -- or waivers
8 with regards to the driveway location.

9 BOARD ENGINEER: For the board's
10 consideration this plan also wouldn't require the
11 easement for the driveway whereas the other one the
12 driveway is -- the other property requires the
13 driveway easement.

14 THE WITNESS: That's true.

15 ATTORNEY CUCCHIARO: Mr. Strong, I
16 just want to make sure I understand. Are you saying
17 that the relief is no longer necessary for the
18 location of the driveway or the relief remains the
19 same as it was previously?

20 THE WITNESS: The original submitted
21 plan required a driveway easement across the new lot
22 for the existing driveway. The new plan would
23 be -- you would be able to move the driveway over
24 and meet the setback requirement to the nearest
25 property line of five feet for the driveway on the

1 existing house.

2 ATTORNEY CUCCHIARO: So the answer is
3 it would be compliant?

4 THE WITNESS: It will comply.

5 ATTORNEY CUCCHIARO: Okay.

6 THE WITNESS: The new plan would
7 comply.

8 ATTORNEY PAPE: So the applicant's
9 commitment is that everything shown on the woodland
10 management and street landscape plan would remain
11 with this alternate plan. It's our understanding
12 that there's only the two variances that would be
13 required, the sideyard setback and the minimum lot
14 size.

15 The applicant would submit to the board
16 that this is the plan, the alternate plan is the
17 preferred plan. We're again open to -- from what
18 we're hearing it sounds like this may be the
19 preferred plan for the board as well, so we would
20 ask that the board consider this for approval.

21 ATTORNEY CUCCHIARO: Mr. Pape, also
22 just go through the variances that you would need
23 again under the revised plan.

24 ATTORNEY PAPE: Sure. Perhaps, Peter,
25 if you can identify them, those variances?

1 THE WITNESS: Yes, the lot area for
2 the new lot would be approximately 500 square feet
3 short of the 20,000 square feet required by the
4 ordinance. And the setback, minimum setback would
5 be 12 feet instead of 20 feet.

6 Q. That's on the lot with the existing
7 dwelling?

8 A. For the existing dwelling, right in
9 there.

10 ATTORNEY CUCCHIARO: And you would
11 still require the buffer relief?

12 ATTORNEY PAPE: Correct.

13 THE WITNESS: Yes, we can't get a
14 50-foot buffer but we would still provide the same
15 buffer that we had agreed to do with Ms. Spero.

16 ATTORNEY CUCCHIARO: Okay. Thank you.

17 MEMBER TANNENHAUS: What mechanisms go
18 in place, Mr. Cucchiaro, to make sure that that
19 buffer is maintained, that the trees, you know, I
20 know, in like a commercial lot, you know, if the
21 tree dies they have to replace them and all that
22 good stuff. Is this the same type of scenario, once
23 they put those trees in the buffer it's up to them
24 to continue to maintain them in perpetuity?

25 Did we lose you?

1 ATTORNEY CUCCHIARO: Mr. Pape, did you
2 hear the question?

3 ATTORNEY PAPE: I did. I thought the
4 question was directed at you.

5 MEMBER TANNENHAUS: It was directed to
6 you, Mr. Cucchiaro.

7 ATTORNEY CUCCHIARO: Oh. The answer
8 is that they're showing, you know, they're making
9 representations about what is going to be in the
10 buffer, so that has to be what's in the buffer and
11 that would get memorialized, you know, through
12 a -- through a deed or some other instrument that
13 would have requirements for the maintenance. But we
14 are approving the plan that they're representing to
15 us, so it has to remain in that form.

16 MEMBER TANNENHAUS: Got it. So it's
17 something that we just record with the deed, type of
18 scenario?

19 ATTORNEY CUCCHIARO: Yes.

20 ATTORNEY PAPE: Since there is
21 variance relief associated with this plan, Peter,
22 perhaps it would be appropriate to provide some
23 testimony to justify those bulk variance reliefs.

24 Could you place that on the record?

25 THE WITNESS: Yes, the straightening

1 of the lot line, despite the fact that there is a
2 minimal shortage of lot area for the new lot and a
3 variance with the existing dwelling created, I
4 believe that the relief could be granted because the
5 purposes of planning in the Land Use Act are
6 advanced by providing adequate light, air and open
7 space as Item C on the list of land use goals, and
8 for Item I, it would promote a desirable visual
9 environment with regards to the straightening of the
10 lines instead of having a line that jogs five times
11 across the side yard between the two dwellings. And
12 as was mentioned at some point in time, if a fence
13 or whatever was going to be established by either
14 one of the property owners, it would create a
15 better -- much better visual environment than having
16 a fence that jogged five different times across the
17 area.

18 And I believe that there is no negative
19 impacts on this subdivision by having the lot being
20 slightly short of the required area. It's not
21 something that anyone in the neighborhood or driving
22 by or whatever would ever notice that there was a
23 slight shortage in the area and there's no change of
24 use or density that would occur because of the
25 adjustment of the lot line and the area itself.

1 So I think that both the negative and
2 the positive criteria would be met and the grant of
3 variances for those purposes to enable this plan to
4 go forward would be -- would be met.

5 ATTORNEY PAPE: Thank you, Mr. Strong.

6 Mr. Chair, that's the applicant's
7 direct presentation. Mr. Strong remains available
8 if there's any questions from the board. And as I
9 mentioned in the beginning the applicant is also
10 available in case there are any additional questions
11 that he can address.

12 CHAIRMAN BOISVERT: Okay. Do any of
13 the board members have any questions for the
14 applicant?

15 MEMBER SEAMAN: Just one quick
16 question, Mr. Chair. And I may just be looking at
17 the planning correctly. The new lot where the
18 driveway comes through, who owns the property in the
19 front? Does that impact the potential development
20 at all?

21 THE WITNESS: Sorry, I'm not quite
22 sure. You're talking about this area here?

23 MEMBER SEAMAN: Correct, the area
24 between the driveway and Alexander Avenue.

25 THE WITNESS: Yeah, that's part of the

1 existing right-of-way. This particular property,
2 I'm not sure how the right-of-way line for Alexander
3 Avenue got established. As it is, it comes from
4 the -- from the east, comes up this way and then
5 goes around and then back.

6 It is much farther from the centerline
7 of the roadway to the right-of-way in this
8 particular vicinity than it is anywhere else along
9 this stretch of Alexander Avenue. How it got that
10 way I don't know, but the township owns this
11 property as part of the Alexander Avenue
12 right-of-way and that would not be changed; visually
13 it would look just like it's part of the new lot
14 that's going to be created. But the fact is that it
15 belongs to the township.

16 MEMBER SEAMAN: It just looked weird
17 so I was wondering.

18 THE WITNESS: It is.

19 MEMBER SEAMAN: Thank you.

20 THE WITNESS: I never seen something
21 like that.

22 BOARD ENGINEER: Mr. Strong, to
23 further Mr. Seaman's question there, have you looked
24 at the parking from RSIS? I guess specifically for
25 the new dwelling, have you considered the number of

1 bedrooms?

2 And then all of your on-site parking,
3 do you have sufficient parking behind the property
4 line and not to account for any parking within
5 that -- that neck of the driveway that is within the
6 right-of-way?

7 THE WITNESS: Yeah, parking --
8 parking, we have looked at that, and it's not an
9 issue. The existing dwelling has five bedrooms and
10 require three parking spaces and we have shown that.
11 The new dwelling, obviously we don't have final
12 floor plans or whatever for that; we were expecting
13 it would be a four-bedroom house. It would have a
14 two-car garage and it would have three other open
15 spaces, two in front of the garage and one in the
16 area where I'm pointing here in front of the house,
17 so that would actually have as many as five parking
18 spaces. So for a four or five-bedroom dwelling, we
19 exceed the RSIS requirement.

20 BOARD ENGINEER: Okay. Thank you.

21 CHAIRMAN BOISVERT: Anybody else on
22 the board have any questions?

23 BOARD ENGINEER: Mr. Strong, I just
24 have some, a few more from my letter, if no one else
25 on the board has any questions.

1 There's an abandoned propane tank noted
2 on the plan; is that to be removed?

3 THE WITNESS: I'm not certain if the --

4 BOARD ENGINEER: I think it falls, in
5 this exhibit, I think it falls just about in the
6 middle of the property line. It might not even...

7 THE WITNESS: It definitely could
8 remain where it is. I'm not sure if Mr. Yungreis
9 had indicated at one point in time that he might
10 have use of that and he would have to move it onto
11 his property.

12 ATTORNEY PAPE: Just to confirm that
13 tank will be removed.

14 BOARD ENGINEER: Okay.

15 Are you proposing any stormwater with
16 proposed Lot 11.10 as it relates to the new roof
17 area for the dwelling?

18 THE WITNESS: Yes. We had done soil
19 logs in the back and we had proposed a dry well
20 system that would take the roof drainage from the
21 new roof and recharge it back into the ground in
22 sufficient quantity to mitigate the increase in the
23 impervious surface.

24 BOARD ENGINEER: Okay, thank you.

25 And last question is we had several

1 technical comments mostly as it relates to the plat.
2 You agree to comply with all of the comments in our
3 letter.

4 THE WITNESS: We will, absolutely. No
5 problem.

6 BOARD ENGINEER: That's all I have,
7 Mr. Chairman. Thank you.

8 CHAIRMAN BOISVERT: Cool. Anybody
9 else from the board? I guess we can open it up to
10 the public then.

11 SECRETARY RUBANO: Peter, can you stop
12 sharing this screen?

13 THE WITNESS: Absolutely.

14 SECRETARY RUBANO: Thank you.

15 CHAIRMAN BOISVERT: All righty, there
16 we go.

17 SECRETARY RUBANO: I'll make the
18 announcement for the open to public?

19 CHAIRMAN BOISVERT: Please.

20 SECRETARY RUBANO: Why don't I have
21 anybody on here. For those members of the public
22 that have any questions or comments on this
23 application please use the Raise Your Hand feature;
24 I'll bring you into the meeting one at a time. You
25 will need to be sworn, give your name and address.

1 If you have -- if you are calling in
2 please use *9 to raise or lower your hand and *6 to
3 mute or unmute yourself.

4 CHAIRMAN BOISVERT: I guess nobody,
5 Eileen?

6 SECRETARY RUBANO: I have no one
7 raising their hand up on this application. Oh, I
8 have one, one second.

9 I have Lu Wang.

10 ATTORNEY CUCCHIARO: Okay, you just
11 need to unmute yourself.

12 LU WANG: Okay. Hi there.

13 ATTORNEY CUCCHIARO: I just need to
14 swear you in, first. Do you swear or affirm the
15 testimony you are about to give this board is the
16 truth, the whole truth, and nothing but the truth?

17 LU WANG: Yes, I do.

18 ATTORNEY CUCCHIARO: Okay, please
19 state and spell your name for the record and give us
20 your address.

21 LU WANG: Okay. My first name is Lu,
22 L-U, last name Wang, W-A-N-G. I'm living in Number
23 2 Statesboro Road.

24 I think we had a warehouse just built
25 on Fairfield Road, it's almost finished. And during

1 the construction there's -- they put some pipelines
2 or cable or I don't know what that is, they
3 construct -- they did some construction on this
4 road, on the Fairfield Road. And after that -- I
5 mean during the construction our house, because I'm
6 living on the other side of the Fairfield Road --

7 SECRETARY RUBANO: This doesn't have
8 anything to do with this application.

9 BOARD PLANNER: This is on Alexander
10 Road. It's a different road all together.

11 CHAIRMAN BOISVERT: Yeah, do you have
12 questions for this particular applicant about what
13 is in front of us right now?

14 LU WANG: Okay, I have comments on the
15 application on the Fairfield Road.

16 BOARD PLANNER: That's not what we're
17 talking about right now.

18 ATTORNEY CUCCHIARO: Hold on,
19 everybody.

20 MEMBER TANNENHAUS: Let the
21 Chairman...

22 ATTORNEY CUCCHIARO: One at a time.

23 Mr. Wang, the only thing that we can
24 discuss is this application. However, if you have
25 questions regarding construction on Fairfield Road

1 you can call the township's construction department --

2 LU WANG: Okay.

3 ATTORNEY CUCCHIARO: -- and you can
4 let them know. And they would have a better
5 understanding of what is being done there and the
6 permits that have been issued.

7 LU WANG: Okay. Yeah, what I'm trying
8 to tell everybody where -- I have a lot of neighbors
9 here. We're trying to stop the construction on the
10 Fairfield Road, especially for the warehouses. As I
11 know we're going to build a lot of them, we're going
12 to be --

13 ATTORNEY CUCCHIARO: That's not this
14 application though.

15 LU WANG: I understand, okay.

16 ATTORNEY CUCCHIARO: I mean we have
17 other warehouse applications and you're more than
18 free to come and testify during those applications,
19 but the law only allows us to talk about this
20 application right now.

21 LU WANG: Okay. I understand that.
22 Yeah, because I thought the township -- I mean that
23 this meeting will talk about everything on this, in
24 the township. Okay, I understand now.

25 ATTORNEY CUCCHIARO: No, no.

1 LU WANG: Okay.

2 ATTORNEY CUCCHIARO: Okay?

3 LU WANG: Yes.

4 ATTORNEY CUCCHIARO: Definitely you
5 can come to those other applications.

6 LU WANG: Sure, I will, yeah.
7 Definitely I will participate in those meetings,
8 yeah.

9 ATTORNEY CUCCHIARO: Okay. Thank you,
10 Mr. Wang.

11 LU WANG: Thank you.

12 CHAIRMAN BOISVERT: Thank you.

13 Anybody else from the public?

14 SECRETARY RUBANO: I have no other
15 hands raised at this time.

16 CHAIRMAN BOISVERT: Okay. We can
17 close the public portion.

18 MEMBER TANNENHAUS: Mr. Chairman?

19 CHAIRMAN BOISVERT: Yes.

20 MEMBER TANNENHAUS: Before we get to
21 summarization can I just get some clarification so I
22 understand what I'm voting on --

23 CHAIRMAN BOISVERT: Of course.

24 MEMBER TANNENHAUS: -- or going to look
25 to vote on or provide?

1 CHAIRMAN BOISVERT: Yeah.

2 ATTORNEY CUCCHIARO: So I think, Mr.
3 Chairman and Brian, you have some choices as to what
4 you want to vote on.

5 MEMBER TANNENHAUS: Thank you.

6 ATTORNEY CUCCHIARO: What the
7 applicant has said is they can do Option A or Option
8 B. The board may not like either option, I don't
9 know. Yeah, you could deny and say, look, we're not
10 going to give you the variance relief, but if the
11 board is amenable to one of the options you would
12 say I make a motion to approve Option A along with
13 the ancillary variance relief, or I move to approve
14 option B with that variance relief.

15 And Option B also, you know, if you
16 remember, they eliminated the design waiver relief
17 associated with that application, that it was three
18 variances.

19 So the first one is the variance relief
20 for the -- for the buffer as well as some design
21 waiver relief. The second one was the three
22 variances; the new lot size, the side setback for
23 the existing home and the -- the 50-foot buffer.
24 They eliminated with that the - the sidewalk is
25 eliminated in both, but they weren't able to

1 eliminate the driveway design waiver in Option B.

2 So it's either a denial of both or an
3 approval of Option A or approval of Option B,
4 Preliminary and Final Site Plan -- major
5 subdivision.

6 MEMBER TANNENHAUS: I don't know how
7 the rest of the board feels but I like Option B, the
8 lot line being straighter between the two
9 properties.

10 My only question is we don't see -- we
11 don't have a plan that we see how the new driveway
12 is going to align. We heard testimony that the
13 driveway will be moved over in order to eliminate
14 the present variance requirement, but is that
15 something that our professionals could handle?

16 ATTORNEY CUCCHIARO: Well, it's up to
17 you. The thing I always say is if you grant
18 preliminary and final subject to driveway compliance
19 just be aware you won't see it again. The board's
20 professionals can certainly ensure that the driveway
21 complies, but you will not see that again.

22 The other option is to grant
23 preliminarily, they may, you know, there were some
24 some minor modifications, and they come back for
25 final.

1 MEMBER TANNENHAUS: Let me ask
2 Ms. Beahm what she thinks.

3 Do you think that you could work with
4 the applicant to align the driveway appropriately?

5 BOARD PLANNER: I think between
6 myself, Jordan and Laura, we would have no problem
7 making sure that the driveway alignment would comply
8 with the separation requirements.

9 MEMBER TANNENHAUS: Okay, fair enough.

10 BOARD ENGINEER: Mr. Tannenhaus, it
11 might actually already comply the way it's drawn, it
12 just wasn't dimensioned. That's the only reason I
13 brought it up.

14 MEMBER TANNENHAUS: Okay, fair enough.
15 And then how would I appropriately, Mr. Cucchiaro,
16 how would I appropriately indicate in my -- in my
17 request for approval to make sure that the part
18 about the buffer gets recorded in the deed so that
19 it's always -- the resolution is always there?

20 ATTORNEY CUCCHIARO: I would say that
21 it's a motion to approve Option B for preliminary
22 and final major subdivision with the conditions that
23 were placed on the record, which include the buffer
24 requirements being memorialized in a deed.

25 MEMBER TANNENHAUS: Thank you.

1 ATTORNEY CUCCHIARO: Being recorded in
2 the deed.

3 MEMBER TANNENHAUS: Okay, thank you.
4 Mr. Chairman, those are my questions.

5 CHAIRMAN BOISVERT: Cool. Any other
6 questions, guys?

7 MEMBER SEAMAN: I would kind of like
8 to know just what everyone's thoughts are. I think
9 Ms. Beahm makes a good point about the sidewalk and,
10 you know, it does kind of have to start somewhere.
11 I might be inclined to say putting it in now, it's
12 just a headache down the road.

13 MEMBER TALENTE: I completely agree
14 with you, Rob.

15 BOARD PLANNER: So you agree that you
16 don't want it to go in now?

17 MEMBER SEAMAN: No, I would like to
18 see it in now.

19 MEMBER TANNENHAUS: I want to see it
20 go in now.

21 MEMBER SEAMAN: I want it. Yeah.

22 BOARD PLANNER: Okay.

23 CHAIRMAN BOISVERT: So if there's no
24 other questions, I'll entertain a motion.

25 MEMBER TANNENHAUS: Well does Mr. Pape

1 want to summarize?

2 CHAIRMAN BOISVERT: Oh, you know what --

3 ATTORNEY PAPE: Sure, just a couple
4 brief comments.

5 CHAIRMAN BOISVERT: -- sorry.

6 MEMBER TANNENHAUS: You'll get there,
7 Mr. Boisvert.

8 CHAIRMAN BOISVERT: It's been a while.

9 ATTORNEY PAPE: Just to reiterate, in
10 either scenario the applicant is willing to install
11 the sidewalk. And in either scenario the applicant
12 is committing to the landscape plan that was shown
13 on the Woodland Management Plan provided by Crest.
14 So I wanted to reiterate that point.

15 We do think the alternate plan with the
16 straighter lot line is overall a better planning
17 option, and for that reason that is -- that's our
18 preference, but we are deferring to the board.

19 MEMBER TANNENHAUS: And you have no
20 objection to recording all that in your deed
21 appropriately?

22 ATTORNEY PAPE: None. I think it's a
23 good suggestion.

24 CHAIRMAN BOISVERT: Okay. Well, with
25 that being said I'll entertain a motion.

1 MEMBER TANNENHAUS: I'll entertain a
2 motion of approving Option B with the straighter lot
3 line, with the added sidewalk to be installed, and
4 as Mr. Cucchiaro just stated, that everything gets
5 recorded with the deed so that there's no confusion
6 about the buffer and/or buffer maintenance
7 requirements for now and anybody else in the future
8 that purchases the property.

9 VICE-CHAIRMAN HUSZAR: I'll second.

10 SECRETARY RUBANO: We have a motion by
11 Mr. Tannenhaus, a second by Mr. Huszar.

12 Mr. Greenfield?

13 MEMBER GREENFIELD: Yes.

14 SECRETARY RUBANO: I'm sorry, I missed
15 that. Mr. Greenfield?

16 MEMBER GREENFIELD: Yes.

17 BOARD PLANNER: He said yes.

18 SECRETARY RUBANO: Okay, thank you.

19 SECRETARY RUBANO: Mr. Seaman?

20 MEMBER SEAMAN: Yes.

21 SECRETARY RUBANO: Ms. Talente?

22 MEMBER TALENTE: Yes.

23 SECRETARY RUBANO: Mr. Tannenhaus?

24 MEMBER TANNENHAUS: Yes.

25 SECRETARY RUBANO: Councilman Gasior?

1 COUNCILMAN GASIOR: Yes.

2 SECRETARY RUBANO: I'm sorry, I'm
3 freezing and I'm missing half.

4 CHAIRMAN BOISVERT: He said yes.

5 SECRETARY RUBANO: Thank you.

6 Mr. Kyle?

7 MEMBER KYLE: Yes.

8 SECRETARY RUBANO: And Mr. Mercer?

9 MEMBER MERCER: Yes.

10 SECRETARY RUBANO: And Chairman

11 Boisvert?

12 CHAIRMAN BOISVERT: Yes.

13 VICE-CHAIRMAN HUSZAR: I'm a yes, too.

14 SECRETARY RUBANO: Motion carries.

15 Thank you.

16 ATTORNEY PAPE: Thank you all and we
17 appreciate the comments of the board members.

18 Thank you very much.

19 MEMBER TANNENHAUS: Happy New Year.

20 CHAIRMAN BOISVERT: Thank you very
21 much. Have a good night.

22 ATTORNEY PAPE: You, too.

23 - - -

24

25 (Application concluded at 8:50 p.m.)

C E R T I F I C A T E

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

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

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



Angela C. Buonantuono, CCR, RPR, CLR
NJ State Board of Court Reporting
License No. 30XI00233100

Dated: January 18, 2023

0	50-foot [5] - 15:13, 16:10, 18:13, 25:14, 37:23	absolutely [2] - 32:4, 32:13	44:3	2:19, 4:4, 5:7, 5:9, 5:11, 5:13, 5:15, 5:21, 13:12
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