

**HOWELL TOWNSHIP PLANNING BOARD
REGULAR MEETING**

**1
May 18, 2023**

The meeting was called to order by the Board Attorney and the opening statement was read by the Board Secretary.

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

Also in attendance were Ron Cucchiaro, Board Attorney, Laura Neumann, Board Engineer, Jennifer Beahm, Board Planner, Shari Spero, Board Licensed Tree Expert and Eileen Rubano, Board Secretary.

In the absence of both the Chairman and Vice-Chairman, the Board Attorney asked for a motion for a Chairman. Mr. Seaman made a motion that Brian Tannenhaus be the Chairman for this meeting. Motion was seconded by Mr. Leggio and carried with Mr. Leggio, Mr. Seaman, Ms. Talente, Mr. Tannenhaus, Councilman Gasior and Mr. Mercer voting for the motion.

Mr. Tannenhaus took over the meeting.

PLEDGE OF ALLEGIANCE:

APPROVAL OF MINUTES: Mr. Mercer made a motion to approve the minutes from the March 16, 2023 meeting. Motion was seconded by Mr. Seaman and carried with Mr. Seaman, Ms. Talente and Mr. Mercer voting for the motion.

Ms. Talente made a motion to approve the minutes from the April 13, 2023 meeting. Motion was seconded by Mr. Mercer and carried with Ms. Talente and Mr. Mercer voting for the motion.

Councilman Gasior made a motion to approve the minutes from the April 20, 2023 meeting. Motion was seconded by Mr. Seaman and carried with Mr. Leggio, Mr. Seaman, Ms. Talente, Mr. Tannenhaus, Councilman Gasior and Mr. Mercer voting to approve.

VOUCHERS: None

CORRESPONDENCE: The Board Secretary said the application for Case SP-1113 271 Adelphia LLC was scheduled for a submission waiver hearing tonight but the attorney said they are going to revise the plans and would hold off on the waivers for now.

The Board Secretary also had a letter from Attorney Todd Cohen regarding Case No. SD-3007, Avet Brothers, LLC asking to carry their application to June 15, 2023 with no further notice. Board Attorney Cucchiaro made the announcement for the members of the public that the application would be carried to June 15, 2023 and that would be a live meeting at town hall in the main meeting room with no further notice required.

Ms. Rubano also had a letter from Attorney, Rob Simon asking that the application for AAVRHW Property LLC – Victory Road, Case No. SP-1105 be carried to June 15, 2023 with an extension of

**HOWELL TOWNSHIP PLANNING BOARD
REGULAR MEETING**

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May 18, 2023

time through July 30, 2023. He also said he would notice for that hearing. Board Attorney Cucchiaro made an announcement for members of the public.

The Board Secretary also had a letter from Adam Faiella, Co-Counsel for Case No. SP-1100 Monmouth Commerce Center, LLC asking that their application be adjourned to the July 20, 2023 meeting and he granted the Board an extension of time through July 21, 2023. Mr. Cucchiaro, Board Attorney, made an announcement for members of the public that the application would be carried to July 20, 2023 with no further notice.

Mr. Cucchiaro, Board Attorney, said he was speaking with the Attorney for Case No. SD-2998 Wadsworth Development LLC – Ramtown Estates and they would like to be carried to June 15, 2023 with no further notice, so he made that announcement as well.

RESOLUTIONS: There were no resolutions to memorialize.

SUBMISSION WAIVERS BEFORE THE BOARD:

a. **Case No. SD-2997A / Larrabee Realty, LLC**

Ken Pape, Attorney for the Applicant, appeared and stated that this is an application for a two lot subdivision that was granted Preliminary and Final Major Subdivision approval by this Board in 2021. They need relief for one of the conditions of the prior approval and have filed an amended application seeking relief on the time to demolish the existing structures. They are asking that it be extended to January 2024.

Ms. Neumann, was duly sworn, and said the submission waivers were listed in her April 17, 2023 review letter and there are a number of waivers but since this is just an application for relief from one of the conditions of the approval, she took no exception to the granting of the waivers for the purposes of deeming the application complete.

APPLICATIONS BEFORE THE BOARD:

a. **Case No. SP-1104 / 96 Industrial Court LLC**

SEE ATTACHED TRANSCRIPT

MASTER PLAN STATUS REPORT: There was no report, but the Secretary informed the Board that there will be a Public Hearing on the Farmland Preservation Plan at the June 15, 2023 meeting.

Mr. Leggio made a motion to adjourn. Motion was seconded by Ms. Talente and the meeting adjourned at 8:33 p.m.

Respectfully submitted,



Eileen Rubano
Recording Secretary

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

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

REGULAR MEETING FOR:

96 INDUSTRIAL COURT
BLOCK 168, LOTS 36.06 AND 36.07 (f/k/a Lots 6 & 7)
7-9 INDUSTRIAL COURT (f/k/a 96 Industrial Court)

PRELIMINARY MAJOR SITE PLAN

APPLICATION NO. SP-1104

THURSDAY, MAY 18, 2023

7:00 P.M.

TRANSCRIPT OF PROCEEDINGS

REMOTE PUBLIC HEARING

- CONTINUED -

AB COURT REPORTING, LLC
CERTIFIED COURT REPORTERS
26 ALGONQUIN TERRACE
MILLSTONE TOWNSHIP, NEW JERSEY 08535
TEL: (732)882-3590
angelabuonocsr@gmail.com

1 BOARD MEMBERS PRESENT:

2 BRIAN TANNENHAUS, Acting Board Chairman

3 FRED GASIOR, Councilman

4 JOHN LEGGIO

5 CHRISTOPHER MERCER

6 ROBERT SEAMAN

7 MEGAN TALENTE

8

9

10 BOARD CONSULTANTS AND STAFF PRESENT:

11 RONALD CUCCHIARO, ESQUIRE, Board Attorney
12 - Weiner Law Group, LLP

13 JENNIFER BEAHM, P.P., AICP, Board Planner
14 - Leon S. Avakian, Inc.

15 LAURA NEUMANN, P.E., Board Engineer
16 - CME Associates

17 KEVIN CHEN, P.E., Board Traffic Engineer
18 - CME Associates

19 SHARI SPERO, LTE, Board Certified Tree Expert
20 - CME Associates

21 EILEEN RUBANO, Administrative Officer, Planning/Zoning
22 - Township of Howell

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24

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26 STENOGRAPHICALLY REPORTED BY:

27 ANGELA BUONANTUONO, CCR, RPR, License No. 30XI00233100
28 -AB Court Reporting, LLC

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I N D E X

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WITNESSES

PAGE

PETER W. STRONG, P.E.

STEPHEN RADOSTI, AIA

PUBLIC COMMENT:

NAME

ADDRESS

PAGE

None.

E X H I B I T S

NO.

DESCRIPTION

PAGE

NONE.

1 SECRETARY RUBANO: Howell Township
2 Planning Board meeting, Thursday, May 18th, 2023.

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

7 First, on January 6th, 2023, a copy of
8 said notice was mailed to the Asbury Park Press and
9 The Star Ledger.

10 Second, on January 6th, 2023, a copy of
11 said notice was hand-delivered to the clerk of the
12 Township of Howell. Third on January 6th, 2023,
13 said notice was posted in the office of the Planning
14 Board and on the bulletin board in the Howell
15 Township Municipal Building, 4567 Route 9, Howell
16 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.

21 If you wish to ask questions or comment
22 on an application you will need to use the Raise
23 Your Hand feature and we will bring you into the
24 meeting one at a time. You will need to have audio
25 and video capability. You will be sworn in and you

1 will need to provide your name and address. For
2 anyone calling in you can press *9 to raise or lower
3 your hand and *6 to mute or unmute yourself.

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

6 Thank you.

7 Roll-call. Mr. Cristiano has been
8 excused. Mr. Greenfield has been excused.

9 Mr. Huszar has been excused.

10 Mr. Leggio?

11 MEMBER LEGGIO: Here.

12 SECRETARY RUBANO: Mr. Seaman?

13 MEMBER SEAMAN: Here.

14 SECRETARY RUBANO: Ms. Talente?

15 MEMBER TALENTE: Here.

16 SECRETARY RUBANO: Mr. Tannenhaus?

17 BRIAN TANNENHAUS: Here.

18 SECRETARY RUBANO: Councilman Gasior?

19 COUNCILMAN GASIOR: Here.

20 SECRETARY RUBANO: Mr. Kyle has been
21 excused. Mr. Mercer?

22 MEMBER MERCER: Here.

23 SECRETARY RUBANO: And Chairman

24 Boisvert has been excused.

25 You have a quorum.

1 ATTORNEY CUCCHIARO: Okay. So our
2 Chairman and Vice-Chairman are not here tonight so
3 we need to elect a temporary chairperson. That
4 would come from our Class 4 members.

5 So, Eileen, I think it's Mr. Seaman,
6 Ms. Talente and Mr. Tannenhaus?

7 SECRETARY RUBANO: Correct.

8 ATTORNEY CUCCHIARO: Okay. So if we
9 could get a nomination for one of those three for
10 Acting Chairman for tonight?

11 MEMBER SEAMAN: Given the nature of
12 tonight's agenda, I would like to nominate Brian and
13 defer to his experience in the role.

14 ATTORNEY CUCCHIARO: Okay. Is there a
15 second?

16 MEMBER LEGGIO: I second.

17 MEMBER TALENTE: I second.

18 ATTORNEY CUCCHIARO: Okay. Eileen,
19 could you take the roll?

20 BRIAN TANNENHAUS: Before you go too
21 far on that, I appreciate everybody with that vote
22 of confidence, I just want to point out that if get
23 to the Avet Brothers application --

24 ATTORNEY CUCCHIARO: They've asked to
25 be carried.

1 SECRETARY RUBANO: Yeah.

2 ACTING CHAIRMAN TANNENHAUS: Okay, I
3 have no conflict then.

4 BOARD SECRETARY: Perfect.

5 ATTORNEY CUCCHIARO: Perfect.

6 SECRETARY RUBANO: Mr. Leggio?

7 MEMBER LEGGIO: Yes.

8 SECRETARY RUBANO: Mr. Seaman?

9 MEMBER SEAMAN: Yes.

10 SECRETARY RUBANO: Ms. Talente?

11 MEMBER TALENTE: Yes.

12 SECRETARY RUBANO: Councilman Gasior?

13 COUNCILMAN GASIOR: Yes.

14 SECRETARY RUBANO: Mr. Mercer?

15 MEMBER MERCER: Yes.

16 SECRETARY RUBANO: And Chairman

17 Tannenhaus?

18 ACTING CHAIRMAN TANNENHAUS: Sure.

19 SECRETARY RUBANO: Motion carries.

20 Thank you.

21 ATTORNEY CUCCHIARO: Okay,
22 Chairman Tannenhaus, I turn it over to you.

23 ACTING CHAIRMAN TANNENHAUS: All
24 right. Could everybody please rise for the Pledge
25 of Allegiance and a moment of silence for all of our

1 First Responders and those both serving here and
2 abroad.

3 (Pledge of Allegiance.)

4 ACTING CHAIRMAN TANNENHAUS: Thank
5 you.

6
7 (Whereupon, the board continues with
8 the posted agenda.)

9 - - -

10 (Application commences at 7:16 P.M.)

11

12 ACTING CHAIRMAN TANNENHAUS: Next, the
13 one and only application tonight, is 96 Industrial
14 Court, Case Number SP-110.

15 ATTORNEY PAPE: My name is Kenneth
16 Pape of the firm Heilbrunn Pape, and I have the
17 responsibility of representing your applicant,
18 96 Industrial Court.

19 Before we begin our substantive
20 presentation, if either Ms. Rubano or Mr. Cucchiaro
21 could confirm receipt and adequacy of our notices
22 for the board to have jurisdiction?

23 SECRETARY RUBANO: The notice was in
24 service -- it was fine.

25 ATTORNEY PAPE: Okay, thank you,

1 Eileen.

2 SECRETARY RUBANO: Thank you.

3 ATTORNEY PAPE: Thank you.

4 Mr. Chair, this is an application
5 requesting a Preliminary, only preliminary, Site
6 Plan approval of a warehouse building in the
7 industrial park that this board and the applicant
8 worked to create two and a half years ago.

9 One of the questions that was raised
10 early in reports was the status of that industrial
11 park subdivision, and I'm pleased to report the
12 subdivision has been perfected, maps are filed with
13 the county clerk. The bonds and inspection fees are
14 all posted with the township.

15 There are two lots that our
16 client -- our clients own all of the lots. There
17 are two lots that our clients are looking to merge
18 into a single lot and then to develop it with a
19 94,526 square foot building. Of that 90,350 square
20 feet is the warehouse and 4,176 square feet is the
21 office.

22 The plans as submitted were intended to
23 be, and I think they came out to be, variance-free.
24 There is some waiver relief that we'll ask this
25 board to consider during the presentation.

1 There are three professionals who are
2 here to assist in the presentation of the
3 application to the board. Peter Strong, with Crest
4 Engineering, is responsible for the plans that were
5 submitted and he'll present those plans to the
6 board. He'll be the first witness. He'll introduce
7 the exhibits, and we'll go through the staff
8 reports.

9 Mr. Steve Radosti is the architect
10 responsible for designing the building and he's here
11 this evening, he will present the building.

12 And the third professional witness is
13 Scott Kennel, who is our traffic expert.

14 With permission, Mr. Chair, we would
15 like to present Peter Strong and Steve Radosti to
16 you this evening.

17 We received from Kevin Chen, your
18 traffic expert, a report -- we received it yesterday
19 and it's a 24-point report, we do not want to shoot
20 from the hip, we want to be responsive to those
21 points. And our request would be that we present
22 Mr. Strong and Mr. Radosti, and then we would ask to
23 be continued to the first available hearing and we
24 would ask for permission for Scott Kennel to meet
25 with Mr. Chen to go over his report so that we can

1 be prepared to respond to those points when we
2 return.

3 And I did talk to Mrs. Rubano earlier
4 and I do think that there's some room on your
5 June 1st agenda. And if all of this is acceptable
6 and permitted by the board, we're ready to proceed
7 with Peter and Steve tonight and we would love to
8 come back on the first to finish with Mr. Kennel.

9 Is that procedure acceptable?

10 ACTING CHAIRMAN TANNENHAUS: I see no
11 issue with that Mr. Pape, please proceed.

12 ATTORNEY PAPE: Thank you very much.
13 And Mr. Strong, if we could have Peter Strong sworn,
14 we'll present to you his credentials, and we'll
15 begin the presentation.

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

20 PETER STRONG: I do.

21 ATTORNEY CUCCHIARO: Please state and
22 spell your name for the record.

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

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E X A M I N A T I O N

ATTORNEY PAPE: And, Mr. Strong, if you would take a brief moment to share with us education and professional background.

PETER STRONG: Yes. I have a bachelor of science degree from Newark College of Engineering, now known as New Jersey Institute of Technology, 1971.

I have been a licensed professional engineer in the State of New Jersey since 1975, having testified before numerous planning and zoning boards throughout the state, mostly in Middlesex and Monmouth and Ocean Counties.

I was also a principal in the firm of Crest Engineering, having started that firm in 1981.

ACTING CHAIRMAN TANNENHAUS: We'll accept your credentials, Mr. Strong.

PETER STRONG: Thank you.

ATTORNEY PAPE: Mr. Strong, if you could just confirm your license is current and in good standing?

PETER STRONG: It is.

ATTORNEY PAPE: Thank you.

1 If you could identify the exhibits that
2 you would like to have available.

3 And, Mrs. Rubano, are we screen-sharing
4 or are you running -- we are?

5 SECRETARY RUBANO: No, you are.

6 ATTORNEY PAPE: Okay. Peter --

7 PETER STRONG: I can do that, yes.

8 ATTORNEY PAPE: Very good.

9 So if you could identify the exhibits
10 from which you are working, and then I'll ask if you
11 could give us an overview of the property and an
12 executive summary of the plan before we go through
13 the details.

14 PETER STRONG: Yes. Let's see, so the
15 first display is called an aerial layout display,
16 which was submitted earlier to Mrs. Rubano.

17 ATTORNEY CUCCHIARO: Eileen, this has
18 been premarked?

19 SECRETARY RUBANO: Yes. That's A-19.

20 ATTORNEY CUCCHIARO: Go ahead, that is
21 correct.

22 PETER STRONG: This aerial shows the
23 vicinity of the project, including the two lots that
24 are the subject of the application, Lots 36.06 and
25 36.07 in Block 168 outlined in yellow.

1 It also shows a 500-foot radius around
2 that particular site and the existing conditions
3 that are around it, including other industrial
4 buildings that have been in existence for a while to
5 the north/west of the site, The railroad along the
6 back line --

7 ACTING CHAIRMAN TANNENHAUS: I'm
8 sorry, I don't mean to stop you so early in your
9 testimony. One of the comments we had from the
10 Farmers Advisory was about a 500-foot covenant.

11 What is the importance of a 500-foot
12 buffer; could you, please, educate me on that?

13 PETER STRONG: For the agricultural
14 land you're talking about?

15 ACTING CHAIRMAN TANNENHAUS: Well,
16 you're showing a 500-foot buffer around the --

17 THE WITNESS: It's not a 500-foot
18 buffer, it's 500-foot radius around the site, just
19 showing where 500 feet from the property lines will
20 fall, not a buffer.

21 ATTORNEY PAPE: Mr. Chair, it's an
22 election of the applicant to identify what's within
23 500 feet of the property.

24 PETER STRONG: That's correct.

25 ACTING CHAIRMAN TANNENHAUS: Okay.

1 Thank you.

2 PETER STRONG: That's correct.

3 So the property is currently
4 unimproved. It's mostly wooded. Industrial Court,
5 as this board has previously approved, to be
6 extended along the frontage and then turn and go
7 back towards Vanderveer Road, which is to the bottom
8 of the map.

9 The property itself would be improved,
10 as shown in the orange and white, which includes the
11 90,000-square foot warehouse; the 4,000-some-odd
12 square feet office space that would be in the second
13 floor area of the warehouse building; three
14 stormwater detention basins, south, east and west
15 basins; and two -- well, car parking areas would be
16 in the north end of the building, the west end of
17 the building, 11 -- sorry, 35 parking spaces in that
18 area; there are 11 loading docks to the south end of
19 the building along with the driveway to accommodate
20 that; and there are an additional ten parking spaces
21 to the southwest of the building itself.

22 So that is the proposed site
23 configuration of the line, and showing that on top
24 of the existing aerial map of the site.

25 ATTORNEY PAPE: Peter, that 500-foot

1 radius includes a number of the lots that were
2 created by the industrial park that was just filed;
3 is that correct?

4 PETER STRONG: Yes. Across the street
5 on the northerly end of that is a lot that was
6 subject of an application along with Lot 2 which is
7 this building, the Janico building, 88 Industrial
8 Court. Those two properties were approved by this
9 board a month or two ago for improvement as an
10 additional warehouse building on that site with a
11 shared driveway that comes out to Industrial Court.
12 There is an additional two -- three additional
13 vacant lots that would be created -- that were
14 created when the map was filed and would be in place
15 when the roadway is actually extended. And then
16 there is to the south an open space lot that extends
17 all the way from the railroad to Vanderveer Road
18 where the existing wooded area is shown on the site
19 map.

20 ATTORNEY PAPE: So this is an interior
21 lot in that industrial park.

22 PETER STRONG: Yes. It is totally
23 interior to the industrial park as far as the access
24 and frontage goes.

25 There's property to the east that is

1 under industrial property on the other side of the
2 railroad, that was within the industrial park that
3 was created recently.

4 ATTORNEY PAPE: If you could take us
5 to your rendered exhibit, your rendered site plan
6 exhibit.

7 SECRETARY RUBANO: This is A-22.

8 ATTORNEY PAPE: Thank you.

9 PETER STRONG: It takes a minute to
10 load up because it's a big drawing. There you go.

11 ATTORNEY PAPE: Thank you.

12 PETER STRONG: So this is a better view
13 of the proposed site development, again the
14 90,000 square foot warehouse building, with the
15 second floor office, the 35 parking spaces on the
16 north end of the property -- the building, and there
17 are three detention basins.

18 As I said, this is we're calling the
19 west stormwater basin, the east stormwater basin and
20 the south stormwater basin. The loading docks along
21 the southern side of the building and with a
22 secondary access out to Industrial Court, and the
23 small car parking area that we would expect to be
24 used for the trucking operations that would operate
25 out of the south end of the building, so they have

1 someplace to park close to the building.

2 ATTORNEY PAPE: Mr. Strong, I'm going
3 to ask that you go through site plan elements with
4 the board.

5 Before we do, board members, we have
6 been to the Environmental Commission on two
7 occasions, most recently about a week ago.

8 We have met with Fire Chief Lewis I'm
9 going to say three times on this, last time was
10 approximately two weeks ago, and we have made
11 modifications that were responsive to Mr. -- Fire
12 Chief Lewis' suggestions, and that will come up as
13 we move on.

14 One point I want, the Environmental
15 Commission asked that we provide, some time ago, a
16 Phase I. Not only did we provide the Phase I but we
17 provided the Phase 2 and the Response Action Outcome
18 letter which confirms that all of the environmental
19 conditions are now cleaned up on this entire site.
20 And that was provided to the commission as well as
21 to this board. And I note that they have been
22 entered as A-16, it's part of the record.

23 So, Mr. Strong, I'm going to ask if we
24 could begin with a simple identification of the
25 grading of the site to accommodate the building that

1 you're showing.

2 PETER STRONG: Yes, the site basically
3 divides a bit of -- probably one-third of the site
4 to the left side of the drawing which is basically
5 the north side of the site, drains in that
6 particular direction and the remaining portion
7 drains to the south or to the right side of the
8 drawing as you're looking at it.

9 And we have set up the building and the
10 grading so that the area that is -- that has got the
11 loading docks is working with the existing contours
12 as much as possible to send the drainage in that
13 direction without excessively draining the site,
14 trying to work with the natural contours of the land
15 that are out there at the present time.

16 So that's how the grading is set up
17 with the northern infiltration basin would drain to
18 the Industrial Court stormwater system at a reduced
19 flow from the existing conditions as is required by
20 the current stormwater regulations and the area to
21 the south would drain to the two -- to the east and
22 south infiltration basins and would then discharge
23 to the wetlands area without actually encroaching
24 into the wetlands area in the, again, working with
25 the contour of the land and the stormwater

1 management requirements of reducing the flows.

2 ATTORNEY PAPE: Are these basins
3 sandy-bottom infiltration basins?

4 PETER STRONG: Yes, they are.

5 ATTORNEY PAPE: And it's for that
6 reason that your landscaping plan that is shown does
7 not move into the basin, the sandy bottom basins are
8 not intended to be planted; is that true?

9 PETER STRONG: That is absolutely
10 correct, yes. You're not allowed to plant things
11 inside the sand-bottom infiltration basins.

12 ATTORNEY PAPE: And the wetlands that
13 you made reference to that are out in the -- is it
14 the northeast corner, those wetlands have been --

15 PETER STRONG: The southwest corner.

16 ATTORNEY PAPE: -- the southwest
17 corner --

18 PETER STRONG: -- southeast corner.

19 ATTORNEY PAPE: Southeast corner; the
20 wetlands in the southeast corner, those are
21 delineated wetlands for which the --

22 PETER STRONG: Right, the site was
23 delineated when the major subdivision for the
24 industrial park was prepared, it remains in effect,
25 approved by the DEP with a 50-foot buffer. And that

1 was all included and shown on the final plat that
2 was recently recorded. So that's set in stone at
3 this point.

4 ATTORNEY PAPE: And, Mr. Strong, the
5 stormwater basins, important representations, there
6 are New Jersey Department of Environmental
7 Protection regulations for stormwater basins. Have
8 you designed these basins to be compliant with those
9 regulations.

10 PETER STRONG: We have. They take care
11 of the water quality, water quantity and groundwater
12 recharge as required by the DEP regulations, yes.

13 ATTORNEY PAPE: Similarly, Howell
14 Township has ordinances that control stormwater
15 design. Are you in compliance with Howell
16 Township's requirements?

17 PETER STRONG: Yes. Basically those
18 regulations mirror the DEP regulations, so, yes, we
19 do.

20 ATTORNEY PAPE: And all of these
21 basins are -- if you could confirm that these would
22 be privately owned, they would be maintained by the
23 property owner, that your office prepared the
24 Operations and Maintenance Manual that will be
25 recorded as a declaration on the property, creating

1 a permanent responsibility of the property owner and
2 no responsibility to the township; is all that
3 correct?

4 PETER STRONG: That is correct. And,
5 yes, the Operations and Maintenance Manual, as I
6 understand it, is now required to be recorded
7 against the deed of the property so that it's -- the
8 property owner is on notice and it's required to be
9 maintained in perpetuity.

10 ATTORNEY PAPE: Before we leave
11 drainage, in the technical report attachment to
12 CME's report, their May 2023 report, in the
13 technical report there are a number of technical
14 requirements for stormwater I'm going to call it
15 collections.

16 Have you gone over those and can you
17 represent to the board that you can and will address
18 them?

19 PETER STRONG: I have gone over those,
20 yes. There are some inconsistencies between plans
21 and profiles and the actual drainage reports, so
22 there's some minor inconsistencies but we will
23 absolutely make sure that everything is up to snuff
24 and everything jibes together so that there are no
25 inconsistencies.

1 ATTORNEY PAPE: That's grading and
2 drainage. If you would, let's talk about lighting.

3 ACTING CHAIRMAN TANNENHAUS: Mr. Pape?

4 ATTORNEY PAPE: Yes.

5 ACTING CHAIRMAN TANNENHAUS: I'm
6 having a tough time bringing up the PDF. I can't
7 recall what the slopes were for the infiltration and
8 drainage. Do you have a plan you could show what
9 the slopes are looking like, please?

10 PETER STRONG: The slopes for where?
11 I'm sorry.

12 ACTING CHAIRMAN TANNENHAUS: All three
13 of the infiltration basins. I would like to know
14 how steep they are.

15 PETER STRONG: The basins themselves,
16 the bottoms are level and there are basically walls
17 around them on all four sides. So there's a
18 vertical drop from the top of the wall down to the
19 sand bottom and the bottom itself is level
20 throughout the entire basin, so that the water gets
21 spread out evenly across the basin floor and is then
22 infiltrated back into the ground throughout the
23 entire area of the basin.

24 BOARD ENGINEER: Mr. Strong, I think
25 the question is what is the depth.

1 ACTING CHAIRMAN TANNENHAUS: Thank
2 you, Laura.

3 THE WITNESS: Okay.

4 ACTING CHAIRMAN TANNENHAUS: I'll tell
5 you what my concern is, usually we bring it up all
6 the time with basins, as you know. If you are going
7 to have vertical drops, how are you making sure
8 people don't get into that basin that may get in and
9 can't get out?

10 PETER STRONG: Well in general the
11 basins themselves are, on the average, about four
12 feet deep. They may be a little deeper in the lower
13 end of the basin on the south side, but the basins
14 would be -- have fences around the top of the walls
15 with -- basically we're putting in a four-foot tall
16 post-and-rail fence with a screen mesh on those
17 fences to keep people out, especially children. Not
18 that there should be many children or any children
19 in this area, but if there are, these fences would
20 keep those children out, but yet at the same time
21 the fence is only four feet high so if somebody did
22 get in there someone on the outside could actually
23 get in there without too much difficulty to assist
24 them.

25 BOARD PLANNER: Mr. Strong, is the

1 mesh on the outside or the inside of the split-rail
2 fence.

3 ACTING CHAIRMAN TANNENHAUS: Hold on,
4 let's get -- Mr. Cucchiaro, could you please swear
5 in our professionals.

6 ATTORNEY CUCCHIARO: Do you swear or
7 affirm the testimony you are about to give this
8 board is the truth, the whole truth, and nothing but
9 the truth?

10 JENNIFER BEAHM: I do.

11 LAURA NEUMANN: I do.

12 ACTING CHAIRMAN TANNENHAUS: Ms. Beahm.
13 you or Laura, if we're having vertical walls with
14 these fences and so forth, typically when we're in
15 these situations we like to have the vegetation that
16 prohibits people from coming through, something
17 thorny of some sort; is this a situation for that?

18 Mrs. Neumann, when I start hearing
19 about vertical walls and four feet depths I start to
20 get a little nervous.

21 ACTING CHAIRMAN TANNENHAUS: I think
22 what they're doing in lieu of that is providing a
23 fence to the top. So because the fence is at the
24 top of the wall, you would actually have to hop the
25 fence then fall into the basin.

1 PETER STRONG: Right. That's correct.

2 BOARD ENGINEER: So that's the whole
3 reason why they have a fence; the fence is
4 encircling the barrier.

5 I would actually have a concern with
6 the hostile vegetation, that if you did get through
7 it you would directly fall. Whereas at least with
8 the fence you have a vertical barrier at the top of
9 the wall, so you would actually have to climb that,
10 whereas if you ran through the vegetation, you would
11 actually fall right down.

12 ACTING CHAIRMAN TANNENHAUS: No, no. I
13 meant to still have a fence, but to have the
14 vegetation to keep them from climbing the fence.

15 BOARD ENGINEER: I mean that's
16 certainly something the board could ask for.

17 ACTING CHAIRMAN TANNENHAUS: Okay.

18 BOARD PLANNER: I would just submit, I
19 totally understand your concern, this is an
20 industrial complex, we are not talking -- this is
21 not a basin in a residential zone.

22 ACTING CHAIRMAN TANNENHAUS: I'm not
23 going to -- I'm not even going to start that. You
24 know, we've had plenty of basins, I've been on this
25 board a long time, whenever we've had a basin with a

1 steep slope of some sort we get hostile vegetation
2 to go around it to keep small children.

3 I know it's an industrial area but
4 it's around a bunch of farmland and so forth. It's
5 not --

6 BOARD PLANNER: So, again, it's up to
7 you. I just don't see the --

8 ACTING CHAIRMAN TANNENHAUS: Well, I
9 don't want to stop Mr. Pape --

10 BOARD PLANNER: -- but it's up to you
11 guys.

12 ACTING CHAIRMAN TANNENHAUS: I don't
13 want to stop Mr. Pape from his presentation. Please
14 continue.

15 ATTORNEY PAPE: Mr. Chair, we'll defer
16 to the collective wisdom of the board and the
17 board's professionals. We have done that type of
18 planting, I think Peter and I have done a number of
19 times, using a red privet, a thorny privet.

20 PETER STRONG: A barberry.

21 ATTORNEY PAPE: Something like that.

22 PETER STRONG: Yes.

23 BOARD TREE EXPERT: However, we don't
24 want to use barberry. A lot of those thorny shrubs
25 are invasive and we don't plant them anymore. But

1 there are some that we can use but definitely not
2 barberry.

3 ATTORNEY PAPE: Okay. We'll defer to
4 your collective guidance.

5 THE WITNESS: Defer to your wisdom on
6 that.

7 ATTORNEY PAPE: Yeah. And, Peter, if
8 requested I trust that there's room around the
9 basins that you could get in a row of that type of
10 hedge?

11 PETER STRONG: I believe so, yes.

12 ATTORNEY PAPE: Okay. With
13 permission, Mr. Chair, may we continue?

14 ACTING CHAIRMAN TANNENHAUS: Thank
15 you, Mr. Pape. Appreciate it.

16 ATTORNEY PAPE: Surely.

17 So we're going to move to lighting.
18 There is, I'm going to say, this becomes something
19 of a repeat request for a waiver of the lighting
20 intensity that Mr. Strong will present to you.

21 But before we do the waiver element,
22 Peter, could we go through the actual lighting
23 design; what type of lights, what height?

24 How did you design this?

25 PETER STRONG: The lights themselves

1 would be LED, downward facing. You can see the type
2 of fixture that we're proposing on the plan. It
3 will be mounted at a height of 25 feet, again
4 downward facing to minimize spillage out of the
5 site. And when I talk about doing the areas that
6 encompass the truck loading and car parking areas so
7 that we're not lighting any of the areas around the
8 building itself.

9 And the lighting is proposed to have a
10 minimum of 0.5-foot-candles for the intensity of the
11 lighting within the area, it's intended to be
12 lighted and it has an average of 2.66. Your
13 ordinance requires a minimum of .3. We're slightly
14 higher than that because we're trying to meet the
15 IES standards, which this does, the 0.5.

16 ATTORNEY PAPE: So these LED lighting
17 fixtures, are they dimmable?

18 PETER STRONG: I believe they are, yes.

19 ATTORNEY PAPE: So we would offer that
20 the lighting would be dimmed during the non-peak
21 hours, for the dusk-to-dawn hours all of the
22 lighting would be dimmed.

23 And we would look to your professionals
24 and your police for guidance on how far we were to
25 dim, whether we went to 50 percent or 25 percent.

1 We would work with their guidance.

2 PETER STRONG: Or we could even turn
3 off certain lights, like those on the outside of the
4 truck loading area or the car parking area and just
5 keep the ones that are closer to the -- or mounted on
6 the buildings themselves, if it was felt that that was
7 the way to go as far as keeping the intensity down from
8 dusk-to-dawn periods or something along those lines.

9 ATTORNEY PAPE: And if we could,
10 Peter, go to landscaping. If you could bring that
11 landscaping plan up, there is quite a bit to talk
12 about.

13 PETER STRONG: Do you want this one or
14 do you want to look at the site colored rendering?

15 ATTORNEY PAPE: I would like to see it
16 in color. And then I would ask if you could just
17 share with us the scheme, the landscaping scheme,
18 and then quantify the materials that are being
19 planted.

20 PETER STRONG: Okay. Well, there's a
21 variety of plantings that are proposed on the
22 perimeter of the proposed development, including the
23 front of the building, screening some of the truck
24 loading areas, providing shade trees around the
25 parking lot areas and filling in some of the areas

1 along the rear of the building up against the
2 railroad.

3 There's also a row of landscaping that
4 is provided at the base of the truck loading dock
5 areas to comply with the ordinance that says there
6 has to be landscaping on all four sides of the
7 building.

8 There are shrubs that are proposed
9 along the -- certain areas of the parking lots as
10 well as ornamental and shade trees, including the
11 turnaround island that is in front of the office
12 space in the area of most of the car parking spaces.

13 ATTORNEY PAPE: Peter, deciduous
14 evergreen mix throughout?

15 PETER STRONG: Yes. You can see the
16 landscaping plan itself shows the variety of trees
17 that are being used as far as ornamental and
18 evergreen and shade trees, as well as numerous
19 shrubs that are proposed and ground covers and
20 ornamental grasses in certain areas where they're
21 appropriate and that we have a good -- a good mix of
22 various of landscaping materials that would provide
23 interest and as well as shade and beautification of
24 the site.

25 ATTORNEY PAPE: There is some comments

1 in the CME report of one of the materials I think
2 was invasive, and suggestions that certain changes
3 be made to the plantings. I trust that you can and
4 will comply fully with the recommendations of
5 Ms. Spero?

6 PETER STRONG: Yes. I recall one of
7 the comments was that the butterfly bush was not
8 something that Ms. Spero wanted to see on the site
9 and we would be happy to change that to something
10 that meets with her approval, as well as any others
11 there are issues with. That is not a problem.

12 ATTORNEY PAPE: There is also a
13 request in one of the staff reports that a hedge
14 along the parking lots to deflect car headlamps be
15 installed. And I think that if you can just point
16 out where you do have that type of planting and
17 where we could add it to address that comment.

18 PETER STRONG: Yeah. We do have some
19 of that in like this area here where the ten parking
20 spaces are nearest the truck loading area. And we
21 have, obviously, various types of landscaping to,
22 again, screen the truck loading.

23 We have some that we could be adding to
24 the perimeter of the site adjacent to the adjoining
25 industrial site. We have more than are already

1 proposed along the northerly portion of the 35-car
2 parking area and around the existing building and
3 parking closest to Industrial Court. But we can,
4 like I said, we could add, add more to that.

5 And if we need to put other types of
6 shrubbery, as we were just discussing adjacent to
7 the fence to kind of discourage people from going
8 near the infiltration basins, we can do that as
9 well.

10 ATTORNEY PAPE: And the ordinance
11 requirement for installing landscaping immediately
12 against the building on the side with the loading
13 docks takes up approximately four feet of the area
14 closest to the building; is that correct, Peter?

15 PETER STRONG: It is, yes.

16 ATTORNEY PAPE: Okay. And we're
17 prepared to install it, but we would respectfully
18 request if we could remove that material from that
19 location and find a home for it somewhere else on
20 the property, supplementing other places on the
21 property where that planting would have gone.

22 It would allow the extension of the
23 loading docks an additional four feet. And one of
24 Mr. Chen's comments was that we had 56-foot loading
25 docks and it's because we have a four-foot landscape

1 bed between the building and the dock.

2 So we would ask the board to consider
3 allowing that material to be planted elsewhere where
4 it could be -- could have a better effect and also
5 would allow the full 60-foot paved loading dock.

6 BOARD ENGINEER: Mr. Chairman, just on
7 that point before we go away, we dealt with this on
8 other applications, and I know it's my opinion that
9 this area is going to be very difficult to maintain,
10 it's going to be difficult to keep landscaping alive
11 in that area. So I would support the request for
12 the waiver relief and would prefer that the 60-foot
13 loading dock being provided, which would comply.

14 ACTING CHAIRMAN TANNENHAUS: Unless
15 someone else on the board has a, comment, I would
16 agree.

17 ATTORNEY PAPE: Very good. We are not
18 looking to avoid planting the material, we'll find a
19 place for all of that on the site.

20 And there is a comment also that we
21 have removed more trees than we are replacing and
22 that there is -- in the comment it indicates that it
23 appears that there is no additional locations on the
24 site to plant and there is a calculation of the
25 funding into the tree fund.

1 We're fully -- we request the right to
2 place funds in the tree fund account, but I talked
3 to Peter and I think if we try it one more time we
4 might get another 10 or 12 trees on this site. We
5 would like to do that, try one more time before we
6 go into the funding, to maximize the landscaping of
7 the site.

8 BOARD ENGINEER: Mr. Chairman, what I
9 would recommend is that if that is not resolved
10 prior to the applicant returning, that perhaps since
11 they are only seeking Preliminary tonight, we hold
12 off on the granting of that relief until Final, when
13 they have had time to review the landscaping plan,
14 provide the additional trees and we finalize it at
15 that time.

16 ACTING CHAIRMAN TANNENHAUS: That
17 sounds reasonable.

18 ATTORNEY PAPE: Okay. Thank you,
19 Ms. Neumann.

20 So grading and drainage, lighting and
21 landscaping.

22 Peter, let's -- circulation and
23 parking. More will come from Mr. Kennel when he
24 testifies at the next meeting, but as the person who
25 is responsible for the design, if you could take us

1 through the loading areas, the parking areas and the
2 driveways on site.

3 PETER STRONG: Yes. So, again, this is
4 the site with most of the other items removed. This
5 is the barebones; the warehouse building, the three
6 detention basins.

7 And the northerly driveway off
8 Industrial Court that services the office area of
9 the site, and we show how a fire truck can access
10 the site itself without any problems or issues.

11 On the southern end we show a WB-62
12 truck that would come off of Industrial Court,
13 proceed to the end. We provided a turnaround area
14 for trucks so they could utilize that and then back
15 into the loading dock spaces that are provided in
16 the southern end of the building site.

17 So I think we show that the intended or
18 expected vehicles that would utilize the site can
19 actually traverse the site itself without any
20 issues.

21 BOARD ENGINEER: Mr. Chairman, I
22 respectfully disagree. And I think we need to wait
23 to hear from the traffic engineer. I mean it's
24 apparent just in looking at this exhibit that the
25 truck is going to enter opposing traffic to get into

1 this site.

2 So, again, we heard that we're going to
3 hear from the traffic engineer. The traffic
4 engineer from my office, Kevin, has a pointed
5 letter. I would just, respectfully, ask that
6 everything related to on-site circulation, traffic,
7 as it was indicated by the applicant in the opening,
8 they're going to take some time to look at it, they
9 don't want to throw it out there.

10 Just in looking at this I know Kevin
11 had issues with it, they are in his report, I would
12 just respectfully ask that this wait for the traffic
13 engineer.

14 ACTING CHAIRMAN TANNENHAUS: I would
15 agree.

16 ATTORNEY PAPE: No problem. Done.

17 ACTING CHAIRMAN TANNENHAUS: Also, if
18 I could just add to that, I know that, Mr. Pape, you
19 said you had discussed it with Chief Lewis --

20 ATTORNEY PAPE: Yes.

21 ACTING CHAIRMAN TANNENHAUS: -- I am
22 looking at a letter here that is dated May 9th, and
23 he had some concerns about fire truck turnaround and
24 the driveways and so forth and, I believe, also that
25 roundabout area in front of the building.

1 Does this just happen to be an old
2 letter or maybe a letter you may not have gotten,
3 but he does have some comments on the application.

4 ATTORNEY PAPE: Mr. Chair, I will
5 review it and be prepared when we return with the
6 traffic.

7 I have an appointment with him tomorrow
8 morning which I understand is his last day of
9 employ, and I will bring it up with him when I'm
10 there.

11 ACTING CHAIRMAN TANNENHAUS: Okay,
12 thank you.

13 ATTORNEY PAPE: Thank you.

14 Mr. Strong, if we could maybe signage
15 and trash, last two technical items of site plan
16 before we go into the reports.

17 PETER STRONG: Well trash is, if we
18 use this display, we have three trash enclosures
19 grouped together or ganged together in the rear of
20 the site, the far end of the truck loading area that
21 would be utilized by the tenants of the building to
22 store their trash and recyclables for removal.

23 And what was the other thing?

24 ATTORNEY PAPE: The monument sign
25 location.

1 PETER STRONG: Oh the sign, yes.

2 BOARD PLANNER: Before we go can you
3 describe the trash enclosure?

4 PETER STRONG: Yeah, what about it?

5 BOARD PLANNER: Describe it.

6 PETER STRONG: The trash enclosure
7 would be constructed of masonry with a concrete
8 bottom. It will be six feet tall. It would have
9 gates, obviously, in the front.

10 It would be big enough to hold at least
11 the six-yard dumpster as well as other smaller
12 dumpsters for either trash or recycling materials
13 within there. Inside they're 15-by-10 each, so that
14 there's plenty of room for storage of materials
15 within those enclosures.

16 BOARD PLANNER: Thank you.

17 ATTORNEY PAPE: And the masonry would
18 be compatibility with the building?

19 PETER STRONG: Yeah, we would match the
20 or make it compatibility with the building finish so
21 that it would blend in with the site, yes.

22 ACTING CHAIRMAN TANNENHAUS: What's
23 the proposed material for the doors? I see the
24 details, it looks like it's a board-on-board type of
25 construction, but it doesn't identify it on the

1 plans.

2 Would you provide some testimony on
3 that, please?

4 PETER STRONG: Yeah, the fence, the
5 fences would be board-on-board wooden fences there
6 on the fronts but the rest of it would be masonry
7 construction.

8 ACTING CHAIRMAN TANNENHAUS: Thank
9 you.

10 ATTORNEY PAPE: Peter, in the staff
11 report, CME's memo --

12 PETER STRONG: You want to talk about
13 the sign?

14 ATTORNEY PAPE: Yes.

15 PETER STRONG: Sorry, I didn't mean
16 to...

17 ATTORNEY PAPE: No, please do.

18 PETER STRONG: So we have a -- we have
19 a sign, a project sign which is in front of the
20 building off of the northeast -- northwest corner of
21 the building between the building itself and
22 Industrial Court, and that is the only proposed
23 monument sign.

24 I believe that the detail for that is
25 part of Mr. Radosti's plans, if I'm not mistaken.

1 ATTORNEY PAPE: It is. Would you
2 confirm the sign's location is a location that is
3 consistent with the ordinance requirements for
4 separation from the right-of-way.

5 PETER STRONG: It is.

6 ATTORNEY PAPE: Then we'll do the
7 design with Mr. Radosti.

8 In the report that was provided to us
9 by CME there were design waivers brought to our
10 attention. And there were also some items that
11 think I'll call cleanup.

12 We spoke to the request of the light
13 intensity design waiver.

14 The driveways that are shown here we
15 won't go into it in depth, but you have 30-foot
16 driveways. Technically 30-foot driveways require a
17 waiver. Is that correct; is that how they were
18 designed?

19 PETER STRONG: They are 30 feet and
20 there are different sections of the ordinance that
21 will specify what the width needs to be, some places
22 it says 30, some places it says 24.

23 If we need a waiver then so be it, but
24 we have, like, 30 feet for each driveway on the
25 site.

1 ATTORNEY PAPE: And it should be
2 pointed out, Mr. Chair, that that part of Chief
3 Lewis' report he approved the width of the
4 driveways.

5 There is also a waiver for the trees
6 which Ms. Neumann has spoken to that we'll discuss
7 further when we return.

8 There is when you get to Section
9 188-225.G(1), sidewalks throughout the site, we look
10 to the board. One night when we were here with 90
11 Industrial Court we were advised not to do sidewalks
12 and to make a contribution.

13 Again, we're prepared and we have room
14 for sidewalks, if requested, or we could make a
15 contribution. We defer to the board's collective
16 wisdom on that point.

17 ACTING CHAIRMAN TANNENHAUS: Thank
18 you. Does anybody on the board have any comment
19 about that?

20 Otherwise, I don't see any purpose in
21 having a sidewalk, unless our professionals feel
22 differently.

23 BOARD PLANNER: Not in this area I
24 don't.

25 ACTING CHAIRMAN TANNENHAUS: Okay,

1 thank you.

2 ATTORNEY PAPE: Thank you.

3 There are a couple of points, I'll go
4 in sequence, but the next points are architecture so
5 we can jump over those.

6 Peter, 188-106.C it says that periodic
7 ramps from the street to the sidewalk shall be no
8 less frequently than 65 feet. Can you amend the
9 plan to comply?

10 PETER STRONG: Yes. Yes we can and we
11 will. That would be in this area here where the
12 parking lot is closest to the building and the
13 parking spaces are nearby, we will provide the ramps
14 at 65-foot intervals, yes.

15 ATTORNEY PAPE: In your design of
16 vehicle and -- vehicle parking areas and the loading
17 or staging areas, you have used a porous pavement.
18 If you could identify where those areas are, confirm
19 that they're the low-intensity uses and then
20 describe just what it is that you have designed so
21 that we can frame the waiver request for the board's
22 consideration.

23 PETER STRONG: Yes. The parking spaces
24 themselves in the north end of the building, which
25 I'm tracing out now, those 35 spaces, just the

1 parking spaces themselves, would be a porous
2 pavement, which would -- is part of the Stormwater
3 Management Plan to control the runoff from the site
4 and provide for the required recharge and water
5 quality so that the driveway itself would be of the
6 standard pavement section as required by the
7 ordinance, not the stormwater ordinance but the
8 regular ordinance.

9 BOARD ENGINEER: Mr. Chairman, if I
10 can, I'm just going to chime in.

11 So this is an issue that in order to
12 comply with the green infrastructure requirements
13 there is essentially a conflict in our code. It is
14 a private site. I would acknowledge that the porous
15 pavement is in keeping with the regulations for
16 green infrastructure from a stormwater perspective,
17 and I take no exception to the waiver as requested.

18 PETER STRONG: Thank you.

19 ATTORNEY PAPE: Thank you.

20 ACTING CHAIRMAN TANNENHAUS: Thank
21 you.

22 ATTORNEY PAPE: The next one points
23 out that a hedge --

24 ACTING CHAIRMAN TANNENHAUS: Before we
25 jump off of that topic, Ms. Neumann, if we're going

1 to have porous pavement, you know, there's
2 maintenance that is associated with that. Does that
3 then get put into the storm regulation -- storm
4 regulation manual, maintenance manual?

5 BOARD ENGINEER: It absolutely does.
6 It has to be deed restricted, yes.

7 ACTING CHAIRMAN TANNENHAUS: Okay.

8 PETER STRONG: Yes, it goes into the
9 O&M manual and it is part of the deed restrictions
10 that are recorded against the property, yes.

11 ACTING CHAIRMAN TANNENHAUS: Okay,
12 fantastic. Thank you.

13 ATTORNEY PAPE: Thank you.

14 The next one it points out that a
15 minimum of the three-foot high four-season hedge
16 around the parking lots that we spoke of just a
17 moment ago, wherever you don't have that hedge you
18 will add it to the landscape plan?

19 PETER STRONG: Yes.

20 ATTORNEY PAPE: Thank you.

21 Let's see, the next one is all
22 off-street parking, off-street loading, service
23 areas and outdoor dining and seating areas shall be
24 separated from walkways, sidewalks, streets and
25 alleys.

1 Bollards. Mr. Strong, bollards will be
2 installed to be in compliance with that section of
3 the ordinance?

4 PETER STRONG: Yes, I think the area
5 that we're talking about is these eight parking
6 spaces here that are perpendicular to the building
7 and we would provide bollards in that location.

8 ATTORNEY PAPE: And there's no EV
9 charging stations yet in your design. Will you
10 indicate you will comply and bring -- I think we
11 need one, a stalk with two, we will have a stalk
12 with two EV shown on the plan?

13 PETER STRONG: Yes, we will provide EV
14 charging, yes.

15 ATTORNEY PAPE: There's one thing that
16 we wanted to ask the board for some direction. We
17 have 40-foot parking stalls and the ordinance
18 requires this project to have 32 parking stalls.

19 There are a couple of parking stalls
20 that are within the 50-foot setback of Industrial
21 Court. Mr. Strong advises me that on the right
22 there's five of the parking stalls that are in the
23 50-foot setback and on the left there are seven.

24 So those parking stalls, 12 of them, if
25 removed would still leave us with the requisite

1 number of parking stalls. We would like to keep
2 them, we see a benefit of having a couple extra
3 stalls. But if their location is not something that
4 the board is comfortable with, Mr. Strong, if you
5 could confirm those could be removed and the
6 integrity of the plan would not be damaged?

7 PETER STRONG: That is correct.

8 ATTORNEY PAPE: Just wanted to focus
9 on those 12 stalls so that the boards knows we look
10 to you whether they stay or go.

11 ACTING CHAIRMAN TANNENHAUS: Anyone
12 wants to comment now; do you want to pause and go to
13 comments, or deal with it at the end?

14 ATTORNEY PAPE: Mr. Chair, I'm just
15 about finished with Mr. Strong. I would very much
16 like to hear from the board comments on that and
17 anything else that we have presented so far.

18 ACTING CHAIRMAN TANNENHAUS: So I'll
19 defer to our professionals to weigh in on that; does
20 it make a difference?

21 BOARD PLANNER: It needs a variance.
22 And before Mr. Strong is done we're going to need to
23 discuss the location of the septic system as well,
24 which also needs a variance.

25 ATTORNEY PAPE: Sure.

1 BOARD PLANNER: So it's up to the
2 board if you want the additional parking spaces.

3 And I would, I guess, push it back to
4 Mr. Pape, do you need them? Like, you know...

5 ATTORNEY PAPE: This building, as you
6 will hear from Mr. Radosti, as warehouses go it's
7 one of the smaller ones; it's intended to be a one-
8 or two-tenant building. We think that the ordinance
9 allocates adequate parking, but it's 12 stalls.

10 ACTING CHAIRMAN TANNENHAUS: Then I
11 would say, Jen, it sounds like we're getting to the
12 point of recommending they just become compliant?

13 BOARD PLANNER: I mean, it's up to
14 you. If they don't need them then, you know, they
15 need variance relief. So if there's not a necessity
16 I don't see the point of having them.

17 ATTORNEY PAPE: Okay.

18 BOARD PLANNER: I do also want
19 information about the septic because that also needs
20 relief.

21 ATTORNEY PAPE: So Peter and I were
22 looking at that earlier. There's two elements to
23 the septic system; there's the field and the tank.
24 It's our understanding that tanks are permitted in
25 the setback but the fields are not.

1 And Peter has found a location where
2 the field could be just slightly moved to get out of
3 that front yard. And, Peter, could you identify
4 that to the board?

5 PETER STRONG: Yeah, I think right now
6 we're showing septic system potentially being in
7 this location here, between the building and
8 Industrial Court. And I think that you could
9 probably fit it into the area, I'm tracing my
10 pointer, between the parking spaces and the building
11 on the north end of the site.

12 It would mean moving some of the
13 landscaping out, but I think that we could comply
14 with the space requirements and move it out of the
15 courtyard if septic beds are not allowed even though
16 septic tanks are.

17 ATTORNEY PAPE: So that's the offer,
18 Mr. Chair.

19 ACTING CHAIRMAN TANNENHAUS: And does
20 that sound reasonable?

21 BOARD ENGINEER: To Jen's point, I
22 think we have to see it designed. So, again, we know
23 that they're not going to be completing it tonight,
24 I would -- again, it's a variance, as Jen indicated.

25 So if the variance relief can be

1 abated, I think it should be abated.

2 ACTING CHAIRMAN TANNENHAUS: And
3 update the plans before the next time they come,
4 correct?

5 BOARD ENGINEER: Correct.

6 ACTING CHAIRMAN TANNENHAUS: Okay.

7 BOARD ENGINEER: In addition, I know
8 Jen stated it, but just my opinion is that this
9 should be parked to the required number of parking
10 stalls and not with additional parking stalls that
11 require relief.

12 ATTORNEY PAPE: Done.

13 ACTING CHAIRMAN TANNENHAUS: I think
14 you have your direction.

15 ATTORNEY PAPE: Thank you very much.

16 That is, Peter, I think -- Peter and I
17 went over this in depth -- I think we have come to
18 the conclusion of your direct presentation; am I
19 correct?

20 PETER STRONG: Yes. Yes, it is.

21 ATTORNEY PAPE: Thank you.

22 Mr. Chair, that concludes Mr. Strong's
23 direct for tonight.

24 ACTING CHAIRMAN TANNENHAUS: Before he
25 jumps off, I'm sorry, I don't mean to go back to the

1 basin --

2 ATTORNEY PAPE: Sure.

3 ACTING CHAIRMAN TANNENHAUS: -- but my
4 computer is finally cooperating. If you look at the
5 topography in the upper left-hand corner, let's go
6 to the north --

7 PETER STRONG: Up here?

8 ACTING CHAIRMAN TANNENHAUS: Yeah. If
9 you could just zoom in on that, Mr. Strong, please.

10 Per your drawings it looks like the
11 top of sand elevation is 118, but the perimeter on
12 one side of it is 124, the other side is 125. It's
13 the same similar type of scenario on the other two.

14 If you wouldn't mind, I think if you
15 could cut a section through those basins for the
16 next time we meet so I could see what the depths of
17 that stuff looks like and where the top of the fence
18 ends up being. And I don't know if, I will leave it
19 up to our professionals, but I'm wondering if maybe
20 this may warrant a no climb fence type of structure
21 as well?

22 It looks like in some instances it
23 could be -- 7, 7, 8 feet, then you have four-foot of
24 fence on top of that; it could be 11-foot drop.

25 BOARD PLANNER: I mean I'm going to

1 defer to the board on what they want. If you want
2 no climb, then that is totally fine. I'm not -- I
3 understand your concern. In this particular
4 location I'm not as concerned about people/kids
5 coming into this basin, you're in an industrial
6 park.

7 So if that's a concern and that is what
8 you would like, then I'm perfectly fine supporting
9 that request.

10 ACTING CHAIRMAN TANNENHAUS: Thank
11 you.

12 PETER STRONG: So just looking at the
13 Grading and Utility Plan the wall along this area is
14 5.3 feet and it drops down to 4.8 feet on this side.
15 So that's what the actual proposed elevations are.

16 ACTING CHAIRMAN TANNENHAUS: And in my
17 understanding of the plan you have a 4-foot fence on
18 top of that?

19 PETER STRONG: Yes. 4-foot above the
20 top of wall elevation of 124, yes.

21 ACTING CHAIRMAN TANNENHAUS: I think
22 we're going to want to do something creative that
23 keeps people from climbing that fence, for one
24 reason or another.

25 PETER STRONG: Okay. No problem.

1 ACTING CHAIRMAN TANNENHAUS: Whether
2 it's vegetation, thorny vegetation, or it's an
3 actual no climb type of structure.

4 PETER STRONG: Okay.

5 ATTORNEY PAPE: Peter, while we're
6 looking at the basin, if you could describe, and I'm
7 going to say it looks like a ladder but I know that
8 it's not, where it says 119, 120, 121, 122.

9 PETER STRONG: Yes.

10 ATTORNEY PAPE: If you could describe
11 it?

12 PETER STRONG: That's the access to --
13 into the basin for maintenance purposes for
14 construction vehicles or whatever they need to do to
15 maintain the basin in working condition, breaking up
16 any vegetation that happens to grow and loosening
17 the sand up on occasion to make sure that it
18 continues to percolate as it's supposed to, but this
19 will be a stone driveway, basically a 10 percent
20 grade from the parking lot down into the basin
21 itself.

22 ATTORNEY PAPE: And, Peter, there's a
23 ramp just like that associated with each of your
24 three basins?

25 PETER STRONG: Yes.

1 ATTORNEY PAPE: So each of these
2 basins, although it has the steep walls and it has
3 the fences proposed and it has a sandy bottom, each
4 of them does have a ramp that is a way out for
5 someone who could walk out?

6 PETER STRONG: Yes, absolutely.

7 MEMBER LEGGIO: Mr. Pape?

8 ATTORNEY PAPE: Yes, sir.

9 MEMBER LEGGIO: In the deed the
10 maintenance of these retention ponds will be, you
11 know, specified for whoever owns the building?

12 ATTORNEY PAPE: The way the statute
13 was rewritten the Operations and Maintenance Manual
14 is to be drafted by the designer, Peter Strong,
15 reviewed by the board's engineer, Laura Neumann.
16 And if she finds it to be acceptable then it is to
17 be attached to a Declaration and it's to be recorded
18 with the county clerk to run with the land in
19 perpetuity. That is the full answer, sir.

20 So the answer is yes.

21 MEMBER LEGGIO: Okay. And as far as
22 tenants, there is nothing so far?

23 ATTORNEY PAPE: No, our client does
24 not have tenants. Not presumptuous, our clients own
25 all of the property in this industrial park and

1 their goal is to own and maintain the industrial
2 park. Mr. Saul Siegman, who is Janico, is in the
3 park and has been for quite some time, bought the
4 land around him and is looking to create a tenant
5 for the industrial park.

6 MEMBER LEGGIO: So there is no
7 intention of building this and then selling it?

8 ATTORNEY PAPE: Well, look, you never
9 say never.

10 MEMBER LEGGIO: Okay.

11 ATTORNEY PAPE: But they are -- our
12 client, this is their goal, to have this industrial
13 park and to be the landlords.

14 MEMBER LEGGIO: All right.

15 ATTORNEY PAPE: They're smaller
16 buildings and they lend themselves well.

17 ACTING CHAIRMAN TANNENHAUS: Does
18 anybody else from the board have any questions for
19 this witness? Okay.

20 Mr. Pape.

21 ATTORNEY PAPE: Yes, Mr. Chairman.
22 We'll be responsive to the comments that came up.
23 Thank you.

24 And the second witness is -- thank you,
25 Mr. Strong.

1 PETER STRONG: I'm going stop sharing
2 now.

3 SECRETARY RUBANO: Yes, please.

4 ATTORNEY PAPE: Our second witness is
5 Steven Radosti. Mr. Radosti is the architect.

6 ATTORNEY CUCCHIARO: Is he on?

7 ATTORNEY PAPE: He's on.

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

12 STEPHEN RADOSTI: I do.

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

15 STEPHEN RADOSTI: My name is Stephen
16 Radosti, R-A-D-O-S-T-I. And I'm a registered
17 architect in the State of New Jersey.

18

19 E X A M I N A T I O N.

20

21 ATTORNEY PAPE: Mr. Radosti, please
22 take a few moments to share your credentials with
23 the board, their professionals and the public.

24 STEPHEN RADOSTI: Yes. So I'm a
25 registered architect in good standing. I graduated

1 from New Jersey Institute of Technology in 1992 with
2 a bachelor of architecture degree. I became
3 licensed in the state of New Jersey in 1996.

4 I'm a principal at Perez + Radosti
5 Associates, which is an architectural firm located
6 in Cranbury, New Jersey. I've presented in front of
7 dozens of boards throughout New Jersey including
8 this board.

9 ATTORNEY PAPE: Acceptable, Mr. Chair?

10 ACTING CHAIRMAN TANNENHAUS: Yes.

11 ATTORNEY PAPE: So the testimony this
12 evening then will be from Mr. Radosti as an
13 architect. Mr. Radosti, are you prepared to screen
14 share your building?

15 STEPHEN RADOSTI: Yes, I am.

16 ATTORNEY PAPE: I'm ongoing to ask if
17 you could do so. Identify the plan and advise the
18 board whether it's from the plan set or it needs to
19 be identified as a separate exhibit.

20 STEPHEN RADOSTI: So I have on the
21 screen, I'm sharing Sheet SK2, Proposed Elevation,
22 dated 3/31/23. And this is -- this is one of the
23 drawings, one of the two drawings that I submitted
24 in the original application.

25 SECRETARY RUBANO: It's Exhibit A-4.

1 STEPHEN RADOSTI: A-4. Thank you very
2 much.

3 ATTORNEY PAPE: Thank you.

4 And, Mr. Chair and board members,
5 Mr. Radosti has worked in Howell now for a couple of
6 years and knows the importance of exchanging his
7 ideas with Ms. Beahm. So any time Ms. Beahm wants
8 to step in and share her comments we would invite
9 such an interruption.

10 But, Mr. Radosti, if you could,
11 describe to the board the design of the building,
12 the height of the building, the materials and colors
13 that you are proposing.

14 STEPHEN RADOSTI: Sure, Mr. Pape.

15 So the proposed building is a one-story
16 precast or tilt-up concrete building which will be
17 45 feet tall. It is 278 feet wide by 325 feet in
18 length.

19 The building was designed so that it
20 could be used for one tenant or split into two
21 individual tenant spaces. There is a total of
22 90,350 square feet of warehouse space and
23 4,176 square feet of office space for a total of
24 94,526 square feet.

25 The building will be a non-combustible

1 construction and will be fully fire sprinklered.

2 I did work with the board's planner,
3 Jennifer Beahm, extensively on the design as far as
4 the esthetics of the building facades. I designed
5 the building elevations to be visually interesting.
6 The main focal point is the main office area at the
7 center of the west elevation. This is the main
8 building facade and this facade is totally
9 symmetrical in design.

10 The office area has a glass storefront
11 with a cantilevered metal roof that accentuates the
12 front entrance. And we also accentuate this
13 entrance with a darker color and then we have this
14 horizontal canopy that adds some visual interest and
15 breaks up that glass, the glass area.

16 Near the entry area is a series of
17 large windows that include metal sunshades that help
18 reduce the solar heat gain of the offices.

19 And the concrete sandwich panels are
20 painted three variant shades of gray with horizontal
21 and vertical patterns to visually break up the
22 building's mass.

23 In addition, I added cutouts in the
24 parapet, some of these locations here, to break up
25 the roofline and I also added decorative pilasters

1 throughout the building.

2 And I also inset the doors. So the
3 doors are inset three or four feet, and the
4 pilasters come out three feet as well to add some
5 shadow lines to the elevation and to break up the
6 facade with some more vertical elements.

7 At the -- excuse me one second here.

8 ATTORNEY PAPE: Steve, we're all
9 looking at it but if you would confirm, you created
10 this as a four-sided building and the treatments
11 that you just described are on all four sides of the
12 building?

13 STEPHEN RADOSTI: That is correct. We
14 have the same materials, colors, finishes on all
15 four elevations. So they wrap around the facades.
16 We have this medium color at the bottom.

17 BOARD PLANNER: Steve, could I just
18 interject?

19 STEPHEN RADOSTI: Yes.

20 BOARD PLANNER: I appreciate the
21 testimony that you're providing.

22 I can submit, Mr. Chair, that
23 Mr. Radosti has worked very closely with my office
24 and we take no exception to the design of the
25 building.

1 ACTING CHAIRMAN TANNENHAUS: Okay,
2 thank you.

3 ATTORNEY PAPE: Thank you.

4 ACTING CHAIRMAN TANNENHAUS: Could I
5 just ask a couple of questions then?

6 ATTORNEY PAPE: We do have to give you
7 the green portion and the HVAC portion of the
8 testimony but, of course, Mr. Radosti is available
9 to you.

10 ACTING CHAIRMAN TANNENHAUS: Since
11 we're on facades I just wanted to know how we are
12 planning on draining the roof.

13 STEPHEN RADOSTI: The roof would be a
14 low-pitched roof, either a TPO or EPDM roof. And it
15 would be pitched at a quarter-inch per foot and then
16 there would be roof drains that would go down and
17 tie into the storm system.

18 ACTING CHAIRMAN TANNENHAUS: And so
19 there would be exterior scuppers that are going to
20 pick up and you're going to have a gutter coming
21 down the drain?

22 STEPHEN RADOSTI: They're going to be
23 either exterior or interior, yes.

24 ACTING CHAIRMAN TANNENHAUS: Well, the
25 reason I ask is if they are going to be exterior I

1 exterior I would appreciate seeing them on an
2 elevation as part of the application. If they're
3 going to be interior then we don't need to see them.

4 STEPHEN RADOSTI: Okay. Yes, the
5 intent was for them to be interior so you wouldn't
6 see them on the elevations.

7 ACTING CHAIRMAN TANNENHAUS: Okay.

8 ATTORNEY PAPE: Mr. Radosti, let's
9 talk about the HVAC system, talk about those
10 elements and how they're screened from view. And
11 what portions of the building are fully heated and
12 air conditioned and what are not air conditioned.

13 STEPHEN RADOSTI: So in general the
14 warehouse would be heated only with interior radiant
15 heaters suspended from the ceiling. That's the
16 majority, majority of the building. However the
17 offices will be heated and air conditioned. The
18 offices are centrally located and the intent was
19 that any air-conditioning unit would be located on
20 the roof and it would be concealed behind the
21 building parapet.

22 ATTORNEY PAPE: If you could confirm
23 the green methods that you have incorporated into
24 your design.

25 STEPHEN RADOSTI: So we included many

1 different green principles, and some of these for
2 this particular building are that the exterior walls
3 of the building would be constructed of precast or
4 tilt-up concrete which produces less material waste
5 than conventional construction, such as CMU walls.

6 The exterior walls will be constructed
7 with concrete sandwich panels. The panels include
8 an inner core of continuous insulation, which has
9 little to no thermal bridging common in installation
10 of other building construction types. And that
11 creates more energy-efficient building envelope.

12 The building will utilize some
13 construction materials that are produced within a
14 500-mile radius from the building. Some recycled
15 materials will be utilized in its construction. And
16 we will have Low-E thermally broken glazing, which
17 will be utilized to reduce heat gain and energy
18 loss.

19 We plan on having energy-efficient HVAC
20 units. Energy-efficient LED lighting. And there
21 will be occupancy sensors utilized to control the
22 interior lighting.

23 We also plan on having higher R-value
24 insulated doors. And we will have seals provided at
25 the loading dock doors to reduce loss of condition

1 there.

2 ATTORNEY PAPE: How about
3 strengthening the roof to be solar panel ready?

4 STEPHEN RADOSTI: Yes, exactly, we
5 would -- thank you. Thank you, Mr. Pape. The roof
6 would be designed to support the load of future
7 solar panels.

8 ACTING CHAIRMAN TANNENHAUS: What is
9 the proposed color of the roof, if you don't mind me
10 asking, please?

11 STEPHEN RADOSTI: I was thinking of a
12 white, a white solar roof for the building.
13 Probably TPO, possibly EPS.

14 ACTING CHAIRMAN TANNENHAUS: Color was
15 fine. So it would be a white roof?

16 STEPHEN RADOSTI: Yes.

17 ACTING CHAIRMAN TANNENHAUS: Thank
18 you.

19 COUNCILMAN GASIOR: Excuse me,
20 Chairman, I had one quick question when you brought
21 up color.

22 ACTING CHAIRMAN TANNENHAUS: Sure, Mr.
23 Councilman.

24 COUNCILMAN GASIOR: I heard you testify
25 about gray, light gray, dark gray; do we have an

1 actual rendering of all this, colored rendering of
2 this.

3 STEPHEN RADOSTI: Actually, this is a
4 colored rendering. And I have on the drawings the
5 Sherwin-Williams numbers for the various colors.

6 So we have Sherwin welcomes peppercorn,
7 with the color number SW7674. We have nebulous
8 white with the corresponding number and we also have
9 pantsuit gray with also the number there.

10 So we have three different colors and
11 we use Sherman Williams color number on the
12 drawings.

13 CHAIRMAN GASIOR: So this shading on
14 your design here, does this accurately show what is
15 going to be done?

16 BOARD PLANNER: It's pretty accurate
17 to what we're going to see.

18 STEPHEN RADOSTI: They are pretty
19 accurate. We drew this in AutoCAD and we used the
20 red, green, blue numbers, which give you a pretty
21 accurate look at the colors.

22 The difference is it varies slightly
23 from monitor to monitor. So it's different if it's
24 printed out versus if it's on your monitor or my
25 monitor, it might appear different.

1 COUNCILMAN GASIOR: Okay. That's all
2 I had.

3 STEPHEN RADOSTI: Thank you.

4 ATTORNEY PAPE: And, Mr. Radosti, just
5 -- Peter described the sign's location. If you
6 could describe the sign, the monument sign that you
7 designed. And also if you could confirm that the
8 building is designed not to have facade signs, just
9 numerals.

10 STEPHEN RADOSTI: Yes, the building
11 has no monument sign -- excuse me, no wall-mounted
12 sign except for the numeral in the upper left-hand
13 corner of the west elevation. That is a
14 30-inch-high address numeral.

15 And then other than that we have the
16 monument sign. So the monument sign would have
17 matching colors and materials of the building.
18 There would be a 2'8" by 6'8" section of the sign
19 that would be an internally illuminated two-sided
20 LED sign box.

21 There would be a two-foot base and the
22 portion above that is three feet. So the sign
23 itself would be five-foot in height and 12-foot in
24 length, but the two-foot base is not calculated
25 towards that. So that gives you 36 square foot per

1 base.

2 And then on the upper portion we have
3 8-inch high street address numerals, and they would
4 be non-internally illuminated.

5 ATTORNEY PAPE: Mr. Chair, board
6 members, that concludes the direct examination of
7 Mr. Radosti and he is available to you and your
8 professionals.

9 ACTING CHAIRMAN TANNENHAUS: Thank
10 you. The only other question I have is in regards
11 to the glass.

12 STEPHEN RADOSTI: Yes.

13 ACTING CHAIRMAN TANNENHAUS: Typically
14 with these type of buildings you end up with glass
15 that ends up above the ceilings and we have had
16 conversations about making sure that that glass is
17 properly blacked out so that no one can see the
18 mechanicals from the exterior view.

19 Is that something that the applicant
20 would be willing to --

21 STEPHEN RADOSTI: Yes. Actually, I
22 have here Note Number 5 for the glass storefront, it
23 says anodized aluminum, Low-E, fixed two-inch frame,
24 provide frosted or opaque glass where above
25 ceilings.

1 ACTING CHAIRMAN TANNENHAUS: Fantastic.

2 STEPHEN RADOSTI: So we have that.

3 And then also anywhere where it says two-story line
4 and structure passes in front of it, it would also
5 be okay for any structure that passes in front of
6 the glass.

7 ACTING CHAIRMAN TANNENHAUS: Can you
8 add that to that note about the structure?

9 STEPHEN RADOSTI: Yes, sure, I can make
10 that note.

11 ACTING CHAIRMAN TANNENHAUS: Thank you.
12 Do any of our professionals have any
13 comments?

14 BOARD PLANNER: No, I don't have any.

15 ACTING CHAIRMAN TANNENHAUS: Okay.

16 BOARD ENGINEER: Nothing either,
17 Mr. Chairman.

18 ACTING CHAIRMAN TANNENHAUS: Thank
19 you. Anybody else from the board wish to make any
20 statement?

21 MEMBER LEGGIO: Yeah, Brian, just one
22 to Mr. Cucchiaro. As far as voting on Preliminary
23 for tonight --

24 ATTORNEY PAPE: We're not asking for
25 Preliminary.

1 ATTORNEY CUCCHIARO: Well, they're
2 not. They're going to be coming back to provide
3 traffic testimony, so there's no vote tonight.

4 MEMBER LEGGIO: Oh, nothing at all?
5 Okay.

6 ATTORNEY CUCCHIARO: Nothing at all,
7 no.

8 MEMBER LEGGIO: All right. And
9 there's a list, as far as the traffic, our traffic
10 professional has been in contact with them with
11 certain things, like the weight restrictions on
12 Howell Road?

13 ATTORNEY CUCCHIARO: Yeah. So our
14 traffic engineer has put out a separate report. The
15 applicant is in the process of going through that.
16 They're going to be having a meeting with the
17 traffic -- at least the traffic professional, maybe
18 several of us to go over point by point, and also to
19 discuss the impact of any weight limits with regard
20 to, you know, their traffic report and whether, you
21 know, it would impact the traffic report.

22 So that's why they're not asking for a
23 vote tonight because all of that is going to happen
24 prior to the next meeting that they come back to.

25 ATTORNEY PAPE: Thank you. And if the

1 examination of these two witnesses by the board and
2 professionals is complete for this evening then
3 procedurally, first, we would ask for express
4 permission to meet with Mr. Chen for the purposes of
5 going through his report.

6 And second, we would ask that the
7 application be carried without the requirement for
8 notice or publication. I'm hopeful that the room on
9 June 1st remains, and if that is acceptable we would
10 be prepared to return, complete the presentation by
11 all three witnesses and then we would ask that you
12 open it to the public.

13 ATTORNEY CUCCHIARO: Okay. So,
14 Mr. Chairman, if it's okay with you I can make that
15 announcement.

16 ACTING CHAIRMAN TANNENHAUS: Yes, please
17 do.

18 ATTORNEY CUCCHIARO: Okay. So the
19 application of 96 Industrial Court, Case Number
20 SP-1104, will be carried to the board's June 1st, 2023
21 meeting. That will be a live meeting beginning at
22 7 o'clock in the main meeting room at town hall.
23 All documents associated with the application will
24 be on file in the office of the board secretary,
25 available for review and inspection during normal

1 business hours, and there will be no further notice
2 to the public.

3 So this is important, anyone who is
4 here tonight for this application, you're not going
5 to receive another notice.

6 And the next meeting is live, it is not
7 virtual, you will have to come to town hall at
8 7 o'clock on June the 1st.

9 Again, no further public notice. And
10 June 1st is a live meeting.

11 ATTORNEY PAPE: Mr. Chairman, all board
12 members and professionals, I thank you all. We'll meet
13 with your staff and be prepared to return on June 1st.

14 ACTING CHAIRMAN TANNENHAUS: Okay,
15 thank you.

16 ATTORNEY PAPE: Thank you and good
17 night.

18 SECRETARY RUBANO: Thank you, Mr. Pape.

19 ATTORNEY PAPE: Bye all.

20

21 (Application adjourned at 8:32 p.m.)

22

23

24

25