

**WARREN TOWNSHIP PLANNING BOARD
MEETING MINUTES
7:30 P.M. – Susie B. Boyce Meeting Room – 44 Mountain Boulevard
August 8, 2022
APPROVED**

CALL TO ORDER

FLAG SALUTE AND MOMENT OF SILENCE FOR OUR TROOPS

ROLL CALL

Mayor Sordillo (excused)
Committeeman DiNardo
Mr. Gallic
Mr. Toth
Mr. Lindner
Mr. DiBianca (excused)
Mr. Argiro

Mr. Pasi
Mr. Scuderi (excused)
Mr. Esposito
Mr. Lippitt (excused)

***Statement by Presiding Officer:** Adequate notice of this meeting was posted on January 20, 2022, the Township bulletin board and sent to the Township Clerk, Echo Sentinel, and Star Ledger per the Open Public Meetings Act. All Board members are duly appointed volunteers working for the good and welfare of Warren Township. We plan to adjourn no later than 10:00 p.m.*

■ **APPROVAL OF MINUTES:**

None approved at this meeting.

■ **Reports:**

Mark Peck, Esq.
John T. Chadwick, IV, P.P., Professional Planner
Christian Kastrud, P.E., Professional Engineer
Maryellen Vautin, Clerk

■ **CITIZENS HEARING non-agenda items**

■ **CORRESPONDENCE**

■ **RESOLUTIONS:**

■ **HEARING agenda items**

PB 21-04 Hillcrest Crossing, LLC
Block 205 lots 58, 59, 60 and 61
Preliminary and Final Site Plan

The transcript is attached.

SCHEDULE OF NEXT MEETING

August 22, 2022 (was cancelled)

■ **ADJOURNMENT**

1 testimony, I wanted to put on the record that the
2 applicant is withdrawing its request for a variance
3 to permit encroachments into the 50-foot buffer for
4 patios and decks. There may be some room within our
5 architectural plans to orient the full-sized decks
6 and patios without encroaching into the buffer and if
7 not, we will reduce them as needed to stay out of
8 that buffer area.

9 CHAIRMAN GALLIC: That's great news.
10 Thank you. Appreciate that.

11 MR. COFFEY: My pleasure. Thank you.

12 And additionally, we've been in
13 communication with the board's landscape architect
14 regarding his latest memorandum and outstanding
15 comments.

16 So the applicant has agreed and we
17 propose it would be a condition of approval, if
18 acceptable to the board, that the applicant would
19 substitute the taxus planting that's currently shown
20 on the plans with a deer-tolerant species acceptable
21 to the board's landscape architect. We would also be
22 including screening of evergreen -- screening
23 consisting of evergreen trees, not screening the
24 evergreen trees -- screening consisting of evergreen
25 trees along the top of the proposed retaining wall.

1 And the trees will be species that have been
2 specified by the landscaped architect, namely red
3 cedar fastigiate, white pine and/or green giants.
4 Hopefully I said that right.

5 And then lastly, we'll be adding a note
6 to the plans requiring our contractor to review the
7 locations of existing trees to remain and to be
8 removed prior to construction of the retaining wall
9 and those to be reviewed with the township engineer.
10 And we also discussed submitting a tree-protection
11 plan, which would also be done as a condition of
12 approval if the application were to be approved by
13 the board.

14 With that said, if it's acceptable to
15 the board, we'll have Mr. Kunsman join me and
16 continue his testimony.

17 CHAIRMAN GALLIC: Yeah, he's already
18 sworn in, so you can go for it.

19 MR. COFFEY: Yes, sir.

20 CHAIRMAN GALLIC: The old sworn in to
21 be sworn at.

22 MS. COFFEY: Okay. So while you're
23 getting set up, the board and its professionals have
24 emphasized to the applicant that having a connected
25 internal drive as part of the plan was something that

1 was important to the community. So we've come up
2 with two different methods of connecting the drives
3 and we're going to present both to the board.

4 You'll hear from Mr. Kunsman that one
5 of the proposals complies with the residential site
6 improvement standards, which are New Jersey's
7 universal standards for residential development, and
8 the other does not comply with residential site
9 improvement standards, but does allow for traffic to
10 circulate the site internally, continuously, and in a
11 safe fashion.

12 So our proposal would be to show both
13 options to the board and if the plan that does not
14 comply with RSIS is preferable to the board, what the
15 applicant would propose is that it would seek an
16 exception from the Department of Community Affairs,
17 which it's required to do in order to build a
18 nonRSIS-compliant plan, but that the other plan or
19 the original plans be approved in the alternative,
20 should the DCA reject the request for the exception.

21 So that being said, let's show you the
22 plans so you can see what we're talking about. I
23 think we're up to A-13 in our exhibits.

24 CHAIRMAN GALLIC: Again, just for the
25 members of the public, you've heard me say this, but

1 just to reiterate, if anyone wants to come and see
2 the drawings, just stand up and walk right over.
3 This is not a formal hearing. This is not like a
4 judge's, you know, courtroom or anything, it's just a
5 meeting, you know, so just feel free to walk right up
6 and look at it.

7 DIRECT EXAMINATION

8 BY MS. COFFEY:

9 Q. So, Mr. Kunsman, can you just tell us
10 what the exhibit is that you -- A-13, right?

11 MS. VAUTIN: A-13.

12 (Exhibit A-13, Alternate Roadway
13 Exhibit Prepared by Bohler, 8/4/22, was marked for
14 identification.)

15 BY MS. COFFEY:

16 Q. What we've marked as A-13, please?

17 A. Sure. This is the alternate roadway
18 exhibit prepared by Bohler dated August 4th, 2022.
19 North is the bottom of the page for your reference.

20 So based on feedback that we received
21 from the last meeting, we've proposed a connection
22 between the two roadways on-site to be compliant with
23 the RSIS standards. And by doing so, along the
24 bottom drive aisle on the page, we are proposing a
25 hundred-foot radius along the center line, which

1 connect to a T intersection to the roadway on the top
 2 of the page and it also connects with the emergency
 3 access for the fire trucks for Majors Road. This
 4 intersection will be stop controlled, though, so
 5 there will be stop signs at the intersection.
 6 Q. And, Mr. Kunsman, just to be clear, I
 7 know you mentioned the connection to Majors Road, but
 8 the internal traffic circulating the site will not be
 9 utilizing that emergency connection to Majors Road,
 10 correct, that would only be for emergency vehicles
 11 that have to enter or exit the site?
 12 A. Correct, there will be either a bollard
 13 or a swing gate proposed on that emergency exit.
 14 CHAIRMAN GALLIC: Let the record show
 15 Mr. DiNardo, committeeman, slash mayor, slash all
 16 around good guy just walked in.
 17 BY MS. COFFEY:
 18 Q. So, Mr. Kunsman, vehicles that are
 19 navigating this proposed plan would circulate around
 20 the drive, stop at a stop sign within the site, and
 21 then proceed safely along the loop, correct?
 22 A. Correct, yes, this proposal eliminates
 23 both cul-de-sacs proposed on the original plan and we
 24 have a road that connects both with a stop control
 25 intersection.

1 Q. Thank you. And also on that plan, the
 2 sort of red circle in the middle of the plan, that's
 3 a new tot lot that's been proposed, correct?
 4 A. Yes, so we'll have a similar tot lot
 5 proposed to what's on the opposite side of the site.
 6 CHAIRMAN GALLIC: This is like two for
 7 one, huh?
 8 MS. COFFEY: We're trying.
 9 CHAIRMAN GALLIC: We get rearranged and
 10 we get a little bit more play area.
 11 MR. COFFEY: Yeah.
 12 THE WITNESS: Exactly.
 13 CHAIRMAN GALLIC: Whose idea was this?
 14 This was a good idea.
 15 MR. COFFEY: We try to listen and
 16 improve the plans. Thank you.
 17 MR. TOTH: Was the elevation on top
 18 lower than the bottom raised to make the slope less
 19 steep?
 20 BY MS. COFFEY:
 21 Q. So can you explain what the grade of
 22 that area is going to be, please?
 23 A. Yeah, the maximum grade and the drive
 24 would be 10 percent, but the longer portion of the
 25 road would be roughly 8 and-a-half-percent slope.

1 MR. TOTH: So you lowered the top one
 2 and raised the bottom one?
 3 THE WITNESS: Yes.
 4 MR. TOTH: In other words, to decrease
 5 the slope?
 6 THE WITNESS: Yes.
 7 MR. TOTH: Okay. Could you do more to
 8 make it even a better slope or --
 9 THE WITNESS: I don't believe so.
 10 MR. TOTH: No?
 11 THE WITNESS: Just due to the
 12 topography of the site.
 13 COMMITTEEMAN DINARDO: That's probably
 14 an engineering question that will come from our
 15 engineer.
 16 MR. TOTH: Okay. Two feet raised from
 17 the bottom and 2 feet lower?
 18 CHAIRMAN GALLIC: No, every, like,
 19 they're going two, two, two, so it's pretty even all
 20 the way around. So it's about right.
 21 MR. TOTH: I just didn't want such a
 22 high -- such a big slope, because that's going to be
 23 there walking and biking and sledding if there's no
 24 -- nobody --
 25 COMMITTEEMAN DINARDO: They want a lot

1 of steepness for the sleds.
 2 CHAIRMAN GALLIC: I was going to say,
 3 I'm all for 10 percent plus.
 4 THE WITNESS: Yeah, with the RSIS
 5 standard, 10 percent is an allowable slope.
 6 MR. LINDNER: So I'm looking, and I see
 7 one plan with 9.4-percent slope and one with 8.5.
 8 MR. COFFEY: You're -- that's the --
 9 the other alternative is the 9.4, that's where we're
 10 headed next.
 11 MR. LINDNER: So right now we're
 12 talking about 8.5?
 13 MS. COFFEY: 8.5 to 10 percent, it
 14 ranges on this plan. This is the plan that complies
 15 with the Residential Site Improvement Standards.
 16 MR. LINDNER: I see. So there's a
 17 stop, which you're going to describe to us?
 18 MR. COFFEY: Correct.
 19 MR. CHADWICK: I missed where you said
 20 that stop was.
 21 MS. COFFEY: There's two stops,
 22 Mr. Chadwick.
 23 Mr. Kunsman can you point them out,
 24 please?
 25 THE WITNESS: Sure. The stop control

1 intersections kind of by the interconnection of the
 2 Majors Lane cul-de-sac, so it's where I'm pointing
 3 right now. I don't know if you can see that.
 4 MR. CHADWICK: Why would you have a
 5 stop sign in an emergency driveway?
 6 THE WITNESS: In order to comply with
 7 the RSIS standards and having the radius, the center
 8 line radius comply with the hundred foot minimum.
 9 MR. CHADWICK: Yes.
 10 THE WITNESS: There isn't enough room
 11 across the site, the lot width, to allow for a
 12 continuous hundred-foot loop. So we are controlling
 13 that with a T intersection with stop control.
 14 MR. CHADWICK: Okay. You said you
 15 would have to go to the board, RSIS board, I think
 16 they're called --
 17 CHAIRMAN GALLIC: DCA.
 18 MR. CHADWICK: -- in order to get some
 19 relief. You don't think these are de minimis?
 20 MR. COFFEY: So --
 21 THE WITNESS: This plan here would be
 22 compliant.
 23 MR. COFFEY: Right. So this first plan
 24 that we're showing, A-13, complies with the
 25 Residential Site Improvement Standards and so would

1 not require an exception from the Department of
 2 Community Affairs. The plan that we're about to show
 3 you does not comply with the Residential Site
 4 Improvement Standards, namely because it does not
 5 have those stops that we're talking about right now.
 6 And so for that one, we would be required to go to
 7 the Department of Community Affairs and seek an
 8 exception.
 9 MR. CHADWICK: And the question was we
 10 don't -- we think these are significant enough
 11 departures that you don't have to go to DCA?
 12 MR. COFFEY: Mr. Chadwick, my
 13 understanding is that the DCA typically views these
 14 departures as not being eligible for a de minimis
 15 exception unfortunately. If someone knows otherwise,
 16 I'm sure we'd be happy to hear it, but as far as I
 17 know, it's required.
 18 CHAIRMAN GALLIC: So just to make it
 19 clear, the stop signs are making this compliant with
 20 the RSIS?
 21 THE WITNESS: Yes.
 22 CHAIRMAN GALLIC: If you didn't have
 23 stop signs, it wouldn't comply?
 24 MR. KASTRUD: That's a little
 25 misleading. It's the arch of the road, it's not

1 necessarily the stop signs --
 2 CHAIRMAN GALLIC: The arch is too
 3 extreme?
 4 MR. KASTRUD: -- it's the arch of the
 5 road. The minimum center line radius that RSIS
 6 dictates is a hundred feet. And what they're saying
 7 is that they can add one cul-de-sac center line
 8 driveway aisle in front of the apartments in the
 9 center line driveway aisle in front of the townhomes,
 10 there's -- physically there's not enough separation
 11 distance to get a 100-foot radius to connect those
 12 two. It's 84 something.
 13 MR. LINDNER: So you're tweaking the
 14 radius at the top?
 15 MR. KASTRUD: So what they've done in
 16 this instance is they've put from these townhomes a
 17 hundred foot radius in and then just a tangent
 18 straight piece out to a straight line emergency
 19 access.
 20 CHAIRMAN GALLIC: No, I know, but does
 21 that precipitate requirements of stops.
 22 MR. KASTRUD: Yes. I mean, at a T
 23 intersection, you should have shop signs. Do you
 24 need it in this instance? Probably not.
 25 MR. CHADWICK: It's not an

1 intersection.
 2 MR. KASTRUD: It is an intersection.
 3 MR. PECK: You don't want to not have
 4 them there. Something bad goes wrong.
 5 COMMITTEEMAN DINARDO: Safety, you
 6 don't want to --
 7 CHAIRMAN GALLIC: Except there's no
 8 oncoming traffic.
 9 MR. KASTRUD: From the right there's
 10 not, from the left there may be, but they would be
 11 going into a gate.
 12 CHAIRMAN GALLIC: Yeah, so there's no
 13 oncoming traffic unless the guy is drunk off the
 14 wall.
 15 You can put up your useless stop signs.
 16 MR. COFFEY: Okay. So this is going to
 17 be A-14 and this is the alternative that does not
 18 comply with the Residential Site Improvement
 19 Standards, but does eliminate the stop signs.
 20 And, Mr. Kunsman, can you just give us
 21 the name of this exhibit, please?
 22 THE WITNESS: Sure, this is the roadway
 23 exhibit prepared by Bohler and it's last revised
 24 August 4th, 2022.
 25 (Exhibit A-14, Roadway Exhibit Prepared

1 by Bohler, Last Revised 8/4/22, was marked for
 2 identification.)
 3 THE WITNESS: So this exhibit is, you
 4 know, very similar to the one I presented last time.
 5 However, the difference is we tweaked the curb line
 6 between the two curbs in the road. So we are
 7 tapering the width in the center between two curbs to
 8 30-foot width where previously it was 24. And that's
 9 to allow for a delivery truck or a box truck or a
 10 trash truck to be able to circulate the site width at
 11 a similar type of vehicle going the opposite
 12 direction. So we just made it wider to accommodate a
 13 larger vehicle.
 14 But this layout does require a waiver
 15 from the RSIS standards because of the center line
 16 curvature being less than a hundred feet.
 17 CHAIRMAN GALLIC: Let's just take the
 18 temperature of the board.
 19 Does anyone like this plan better than
 20 the other plan?
 21 MR. TOTH: No.
 22 CHAIRMAN GALLIC: Okay.
 23 COMMITTEEMAN DINARDO: But you realize
 24 it is giving you a wider road.
 25 MR. TOTH: Less area for the --

1 COMMITTEEMAN DINARDO: And it gives you
 2 the ability to bring this up even more, but --
 3 CHAIRMAN GALLIC: No, but that's just
 4 better. It's either this or this. This looks
 5 better.
 6 COMMITTEEMAN DINARDO: I'd like to ask
 7 our engineer.
 8 In your opinion, what's the positives
 9 and negatives that you see on either of these two
 10 scenarios that they have just presented to us now?
 11 MR. KASTRUD: The positives and
 12 negatives. From a traffic flow standpoint, even
 13 though the second presented option, the nonalternate,
 14 requires an exception or a waiver from the RSIS, I
 15 think it has a better traffic flow. It keeps people
 16 within the neighborhood without thinking that there's
 17 any possibility of going straight down the emergency
 18 access. Honestly, I don't know how much --
 19 COMMITTEEMAN DINARDO: The only thing
 20 you can speak about, is that a significant challenge
 21 if this seemed to be a better -- I mean, if this
 22 seemed to be a better solution or a better proposed
 23 component, is that a big hurdle to get this waiver?
 24 MR. COFFEY: We would hope that we
 25 would be able to submit it and that it would be

1 approved. I think that, you know, we recognize that
 2 having the ability to have continuous safe flow of
 3 traffic is desirable, but again, because I don't know
 4 that anyone can really predict what the DCA would do,
 5 we would ask that an alternative would be approved if
 6 we're not able to get the exception for some reason.
 7 COMMITTEEMAN DINARDO: I just think
 8 it's much better from the project for you, you know.
 9 MR. HILLER: I think either way it
 10 works. I think I would prefer a compliant plan right
 11 away.
 12 CHAIRMAN GALLIC: We need to get
 13 someone sworn in here.
 14 MR. HILLER: You want me to be sworn
 15 in?
 16 MS. COFFEY: Let's make you official.
 17 MR. HILLER: Yeah, Anatol Hiller. I am
 18 principal --
 19 MR. PECK: Could you raise your right
 20 hand, please? Do you swear or affirm that the
 21 testimony you're going to give in connection with
 22 this hearing will be the truth and nothing but the
 23 truth?
 24 MR. HILLER: Yes, I do.
 25 MR. PECK: Okay. Now could you state

1 and spell your name for the record, please?
 2 MR. HILLER: Anatol Hiller.
 3 A-N-A-T-O-L, H-I-L-L-E-R.
 4 CHAIRMAN GALLIC: Okay. Now you can
 5 say your two cents.
 6 MR. HILLER: I think my preference is
 7 to do a compliant plan, the RSIS compliant plan. And
 8 in a very unlikely event, if somebody decides to go
 9 straight into the emergency entrance, we're gonna
 10 have a gate, we're gonna have a bar, you know,
 11 everything is possible, but I think for the
 12 protection of the township and everything else, you
 13 never know what the future will hold, we should have
 14 a compliant plan with RSIS and not open us up to any
 15 lawsuits. That's my --
 16 COMMITTEEMAN DINARDO: Well, I
 17 appreciate that.
 18 MR. HILLER: That's my opinion. Thank
 19 you.
 20 MR. KASTRUD: And if the board is so
 21 inclined, there's no issue with this plan as they --
 22 COMMITTEEMAN DINARDO: Right. I just
 23 was curious to see why you'd present it. I was
 24 curious to see what was...
 25 CHAIRMAN GALLIC: Anyone else have any

1 comments at this point? No? Okay.
 2 MR. PECK: So the A-13 plan is the
 3 preferred plan, just so the record is clear?
 4 MR. TOTH: The alternate one.
 5 MR. COFFEY: The first one that one --
 6 MR. LINDNER: A-13 with the stops.
 7 MR. COFFEY: A-13 with the stops.
 8 Thank you.
 9 MR. KASTRUD: No waiver from the RSIS.
 10 COMMITTEEMAN DINARDO: No waiver.
 11 MR. COFFEY: Got it.
 12 And then we'll go to our next exhibit.
 13 We had a request at the last hearing to show a
 14 depiction of what we expected the entrance of the
 15 community to look like, so we have that as well.
 16 This will be A-15.
 17 CHAIRMAN GALLIC: Any members of the
 18 public want to take my copy and just pass it around,
 19 feel free.
 20 MR. COFFEY: Mr. Kunsman would you mind
 21 marking this as A-15, please?
 22 THE WITNESS: Sure.
 23 (Exhibit A-15, Entrance Driveway
 24 Rendering Exhibit Prepared by Bohler, 8/4/22, was
 25 marked for identification.)

1 that was right on the edge of the drainage ditch and
 2 the drainage ditch didn't have any trees in or it
 3 they were immature, so I just wanted to make it
 4 clear.
 5 COMMITTEEMAN DINARDO: So this part is
 6 gone.
 7 CHAIRMAN GALLIC: So that's clear to
 8 the houses.
 9 COMMITTEEMAN DINARDO: But the rest
 10 is --
 11 CHAIRMAN GALLIC: I mean, I would love
 12 that tree to be there, but it doesn't, not in our
 13 lifetime.
 14 MR. CHADWICK: I think the pavement is
 15 a little offset and there are trees up in that
 16 corner.
 17 CHAIRMAN GALLIC: I don't think so. I
 18 mean that's not what Gary Dean's testimony was.
 19 They're literally on the property line. The property
 20 line starts at the drainage ditch.
 21 MR. CHADWICK: But the pavement
 22 doesn't.
 23 CHAIRMAN GALLIC: I think it does. We
 24 could look at it.
 25 COMMITTEEMAN DINARDO: But the rest are

1 CHAIRMAN GALLIC: You can pass that
 2 around.
 3 BY MR. COFFEY:
 4 Q. And, Mr. Kunsman, can you just give us
 5 the title of the exhibit for the record, please?
 6 A. Sure. This is entrance driveway
 7 rendering exhibit prepared by Bohler dated
 8 August 4th, 2022. This is a view of the site if you
 9 were on Hillcrest Road looking east into the site,
 10 you would see the monument sign, the --
 11 MR. HILLER: Flowers.
 12 THE WITNESS: Yeah, the flowers,
 13 landscaping, the townhomes, apartments, the clubhouse
 14 area.
 15 COMMITTEEMAN DINARDO: So you're
 16 planning to do a lot of landscaping that we see in
 17 this picture?
 18 MR. HILLER: Yes.
 19 CHAIRMAN GALLIC: Just so that we're
 20 really accurate, the tree on the right doesn't exist
 21 and can't exist, or certainly not going to exist for
 22 50 years.
 23 THE WITNESS: This one right over here?
 24 CHAIRMAN GALLIC: Yeah. Just to make
 25 -- I mean, your testimony from Gary Dean was that

1 to the left or to the southerly side. I don't know
 2 if I -- a lot of landscaping.
 3 CHAIRMAN GALLIC: Yeah, yeah, I -- it
 4 looks -- actually, I mean, it looks nice.
 5 MR. CHADWICK: And the building in the
 6 background is the apartment building, correct?
 7 THE WITNESS: There is some
 8 landscaping.
 9 MR. COFFEY: I'm sorry, Mr. Chadwick?
 10 MR. CHADWICK: The building in the
 11 background is the apartment building?
 12 MR. COFFEY: It's right in the center,
 13 yes.
 14 Mr. Chairman, do you need a copy?
 15 CHAIRMAN GALLIC: No, no, I was
 16 actually looking for the drawings that you presented
 17 previously that --
 18 MR. LINDNER: The engineer has it.
 19 CHAIRMAN GALLIC: Yeah, not the
 20 landscaping, just the roadway.
 21 MR. HILLER: Can I say something since
 22 I'm sworn in?
 23 CHAIRMAN GALLIC: Not yet. Hold on.
 24 Does anyone have those drawings, the
 25 drawing of the entire site that shows how many feet

1 it's off?
 2 MR. CHADWICK: You're right, the
 3 pavement is right at the corner.
 4 CHAIRMAN GALLIC: It's right on the
 5 corner.
 6 MR. CHADWICK: So when you get to the
 7 right of way, the pavement and the property boundary
 8 are together.
 9 CHAIRMAN GALLIC: Right, right.
 10 MR. CHADWICK: But there are some trees
 11 between the detention basin and --
 12 CHAIRMAN GALLIC: I don't think there
 13 are. I think they're depicted on this, but I don't
 14 think they are.
 15 MR. CHADWICK: Okay. We're going to
 16 get a tree protection plan.
 17 CHAIRMAN GALLIC: Yeah, no, there was
 18 --
 19 COMMITTEEMAN DINARDO: We were just
 20 curious to see.
 21 CHAIRMAN GALLIC: -- it has to get
 22 planted from somewhere else. Thank you.
 23 THE WITNESS: There is a tree line on
 24 the adjacent property.
 25 CHAIRMAN GALLIC: No, there isn't. No,

1 there isn't. No, there isn't. There's no tree line
 2 there. It's right to the drainage ditch. It is what
 3 it is, just, you know.
 4 COMMITTEEMAN DINARDO: No problem. I'm
 5 just trying to figure it --
 6 MR. COFFEY: Okay. So I think those
 7 are the open items that we wanted to report back on
 8 and we do appreciate the input that we've had from
 9 the board and its professionals. We think that
 10 you've helped us improve our plans, so thank you.
 11 And I think you said, Mr. Kunsman, but
 12 just for the record, both of the tot lots are
 13 proposed to have bollards around them when they're
 14 facing the drives or parking areas?
 15 THE WITNESS: Yes.
 16 CHAIRMAN GALLIC: Great.
 17 And just, you're still putting a
 18 retaining wall in between the two?
 19 THE WITNESS: We would evaluate --
 20 CHAIRMAN GALLIC: Well, the only reason
 21 I say that is if you're going to flatten out the top,
 22 you're gonna flatten out the bottom, is that a chance
 23 for two areas? They don't need to necessarily both
 24 need to be tot lots, per say, but they could be
 25 exercise equipment and whatever, you know, just

1 outside general open space that's nice and flat.
 2 Okay.
 3 MR. COFFEY: So at this point, we're
 4 happy to have Mr. Kunsman answer any questions that
 5 the board or its professionals may have.
 6 MR. PASI: The entrance to this
 7 development, is the roadway going to have two lane,
 8 two lanes on it? Is there gonna be -- it appears the
 9 way the car is depicted that there could be another
 10 line of traffic.
 11 THE WITNESS: There's an ingress and
 12 egress have one.
 13 MR. PASI: No, no, no, not into. As
 14 you're coming on, I guess that's Hillcrest Road.
 15 CHAIRMAN GALLIC: Hillcrest Road.
 16 MR. PASI: You're coming up Hillcrest
 17 Road to make the right into the development.
 18 CHAIRMAN GALLIC: Oh, that's a really
 19 good point.
 20 MR. PASI: Right. Is that just a
 21 one-lane road or have you guys widened that road?
 22 THE WITNESS: Yeah, it's part of the --
 23 all the improvements, but we're not proposing --
 24 CHAIRMAN GALLIC: Any --
 25 THE WITNESS: Any additional lanes

1 right in front of it.
 2 MR. PASI: And where's the traffic
 3 light? Didn't somebody talk about a traffic light
 4 too?
 5 COMMITTEEMAN DINARDO: That's on
 6 Emerson, isn't it?
 7 MR. COFFEY: Well, Mr. Kunsman, do you
 8 have the exhibit that shows the traffic lights?
 9 MR. CHADWICK: Mr. Chairman, there was
 10 a Zoom meeting today with, in attendance, half a
 11 dozen people from DOT, Gary Deny, Anatol Hiller,
 12 Chris Kastrud, John Chadwick, Jeff Lehrer, and three
 13 people from the County all having to do with this
 14 combined project with the signal at Emerson, a signal
 15 at the driveway to this project, and a signal at the
 16 ramp connections from 78 onto Hillcrest.
 17 And the -- how the lanes line up is
 18 still a debate amongst the traffic people, primarily
 19 at the state in terms of deceleration lanes as you're
 20 coming north as well as the left-turn lane to this
 21 project with all the signals tied together with
 22 GPSes.
 23 CHAIRMAN GALLIC: Is that a significant
 24 effect on this application, the decision from DOT?
 25 MR. CHADWICK: They have some

1 jurisdiction.
 2 So the signals that have been discussed
 3 in the course of this application, if DOT doesn't
 4 approve them, that would be significant.
 5 CHAIRMAN GALLIC: In your opinion,
 6 those uncertainties, are they large enough to not
 7 move forward on this plan right now?
 8 MR. CHADWICK: No.
 9 CHAIRMAN GALLIC: Okay.
 10 MR. PASI: So, John, in that proposal
 11 at the intersection of the development, is there --
 12 were they going to have a left turn?
 13 MR. CHADWICK: Let me make sure what
 14 you're talking about.
 15 MR. PASI: Are they going to have a
 16 signal here?
 17 MR. CHADWICK: They'll be a signal at
 18 that driveway.
 19 MR. PASI: And it will allow people to
 20 go left and right?
 21 MR. CHADWICK: And that signal is going
 22 to be tied in --
 23 CHAIRMAN GALLIC: Yeah, actually it is
 24 showing on this plan from -- this is landscaped plan
 25 C-701, let's see what the date is.

1 it should have had a light on it.
 2 THE WITNESS: Understood.
 3 MR. CHADWICK: We don't know whether
 4 they'll be a control box at this intersection or not,
 5 because the light at the driveway to the project and
 6 the light at the 78 ramps will operate as a single
 7 signal.
 8 CHAIRMAN GALLIC: Sure.
 9 MR. CHADWICK: We even got in
 10 discussion of hardwire versus GPS, I mean, beyond my
 11 --
 12 MR. TOTH: There's no pressure sensors
 13 in the --
 14 MR. CHADWICK: I'm sorry?
 15 CHAIRMAN GALLIC: Well, they would use
 16 motion-sensing cameras.
 17 MR. CHADWICK: Yeah, they don't put the
 18 wires anymore.
 19 MR. LINDNER: What corner do you
 20 anticipate the light post to be on?
 21 MR. CHADWICK: I'm sorry?
 22 MR. LINDNER: What corner do you
 23 anticipate the light post to be on, where the sign
 24 is, where the Hillcrest sign is on this drawing?
 25 MR. CHADWICK: It would show up in that

1 COMMITTEEMAN DINARDO: Yeah, it does
 2 show a traffic light.
 3 CHAIRMAN GALLIC: But it doesn't show
 4 it on the -- and I'm looking for a date on this
 5 thing. Oh, here it is, 5/1/22. So that shows a
 6 light. So you're not showing a light there. Is
 7 there a reason why you're not showing the light?
 8 THE WITNESS: It just --
 9 MR. CHADWICK: The light came about
 10 from the county planning board; when, I'm not
 11 certain, but it's been in some kind of discussion for
 12 months.
 13 CHAIRMAN GALLIC: Yeah, I mean, this is
 14 from May, so --
 15 THE WITNESS: One thing. I mean, I
 16 don't know where all the equipment is going to be
 17 housed, where the equipment is going to be on the
 18 plan.
 19 CHAIRMAN GALLIC: So you'll just, like,
 20 remove it all instead of guessing? I mean, I've got
 21 a problem with that. I mean, it should have been
 22 shown.
 23 THE WITNESS: Sure.
 24 CHAIRMAN GALLIC: I mean, the whole
 25 idea was to see this as it was supposed to be seen,

1 drawing, the physical signal itself, someplace.
 2 MR. LINDNER: Where the sign is, not on
 3 the property line.
 4 CHAIRMAN GALLIC: No, it's too wide.
 5 MR. LINDNER: Oh, is it too wide?
 6 CHAIRMAN GALLIC: Way too wide.
 7 MR. LINDNER: It would be on the
 8 neighbor's property.
 9 CHAIRMAN GALLIC: That's the widest
 10 point because they've got the onramp. They've got
 11 the onramp and off-ramp.
 12 COMMITTEEMAN DINARDO: Right, right.
 13 CHAIRMAN GALLIC: Remember this is
 14 right before the onramp, like, literally a foot.
 15 COMMITTEEMAN DINARDO: Now I remember,
 16 yes.
 17 MR. CHADWICK: There's a left-turning
 18 lane on Hillcrest northbound to go into this project
 19 and it's not right there at the -- remember they were
 20 fooling around with that ramp and they're getting the
 21 traffic separated, but with stop signs if you're
 22 trying to go north as you exit 78.
 23 MR. LINDNER: It would have been nice
 24 to have Mr. Dean here tonight.
 25 MR. TOTH: Instead of widening out

1 right at the entrance to this, it widens out to the
 2 left for the ramp onto Route 78.
 3 MR. CHADWICK: Your problem is you've
 4 got about half a dozen -- no, almost a dozen traffic
 5 engineers all examining this plan. And in DOT's
 6 process, they have a person in charge of signals,
 7 striping, what was the other thing, Chris? There
 8 were four that were the --
 9 MR. KASTRUD: Jurisdiction.
 10 MR. CHADWICK: Jurisdiction. And each
 11 one has its own rules, Appendix I, Appendix F.
 12 In any case, to answer your question, I
 13 didn't.
 14 CHAIRMAN GALLIC: Okay. Anything else
 15 on this one for right now?
 16 MR. COFFEY: Not from us.
 17 CHAIRMAN GALLIC: Okay. I'm going to
 18 open up to the members of the public because I want
 19 to hear -- okay. So this is how we're gonna do it
 20 tonight, we're just gonna open up for comment by the
 21 public on just what we just heard here and then we're
 22 gonna finish that and then we're gonna have a
 23 discussion about the whole plan and then I'm gonna
 24 open up to the public again.
 25 So this is your chance to just kind of

1 talk to the engineer about this particular situation
 2 here, this one and the turnaround and the roadway
 3 redo. Okay?
 4 So anyone wishing to come forward, come
 5 on. Yeah, you're gonna state your name and your
 6 address, come on right up to the thing, and then if
 7 you're gonna give testimony, we're gonna have you
 8 sworn in.
 9 MR. THURSFIELD: David Thursfield. We
 10 live in Warren.
 11 CHAIRMAN GALLIC: Okay. And your
 12 address?
 13 MR. THURSFIELD: 6 Wells Lane.
 14 CHAIRMAN GALLIC: Very good.
 15 MR. THURSFIELD: So we have a very
 16 simple question, because we keep hearing comments
 17 about Majors Road.
 18 CHAIRMAN GALLIC: Yeah, sure.
 19 MR. THURSFIELD: That is literally
 20 around the corner to us.
 21 CHAIRMAN GALLIC: Sure it is.
 22 MR. THURSFIELD: But is this
 23 development north or south of 78?
 24 CHAIRMAN GALLIC: It is north of 78.
 25 And to answer your question, it will not connect to

1 Majors Road, it will only connect for an emergency
 2 vehicle with a gate, so there's going to be no
 3 through road.
 4 COMMITTEEMAN DINARDO: Like a fire
 5 truck.
 6 MR. THURSFIELD: Okay. So north and
 7 then we've got the Hovnanian development.
 8 CHAIRMAN GALLIC: Yeah, K. Hov's across
 9 the street.
 10 MR. THURSFIELD: Just literally across
 11 the street.
 12 CHAIRMAN GALLIC: Literally across the
 13 street.
 14 MR. THURSFIELD: So we've got a ton
 15 of --
 16 CHAIRMAN GALLIC: Traffic.
 17 MR. THURSFIELD: Traffic all coming
 18 into one spot.
 19 CHAIRMAN GALLIC: We do.
 20 MR. THURSFIELD: That's gonna be fun.
 21 I mean, certainly for the guys going down to Watchung
 22 Circle, that's horrible in rush hour and now we've
 23 got a whole bunch --
 24 COMMITTEEMAN DINARDO: Maybe it might
 25 force people to take an alternative route.

1 MR. THURSFIELD: We never go down the
 2 hill.
 3 CHAIRMAN GALLIC: So every time I've
 4 ever heard a traffic engineer for any applicant, it's
 5 always gonna be fine and that's what the applicant
 6 did say, it's gonna be fine, so.
 7 MR. THURSFIELD: Very good. Thank you.
 8 CHAIRMAN GALLIC: That was a slash
 9 framework under sarcasm, but it's all right.
 10 Anyone else?
 11 MR. HEFFERNAN: Good evening. My
 12 name's William Heffernan.
 13 THE COURT REPORTER: How do I spell
 14 that, sir?
 15 CHAIRMAN GALLIC: You want to spell
 16 that, William?
 17 MR. HEFFERNAN: H-E-F-F-E-R-N, as in
 18 Nancy, A-N.
 19 CHAIRMAN GALLIC: And you've actually
 20 been sworn in and been talking.
 21 MR. HEFFERNAN: Yes.
 22 CHAIRMAN GALLIC: So you're good to go.
 23 MR. HEFFERNAN: First of all, excuse my
 24 phone, who is Mr. Hiller? He said who he -- he said
 25 his name, but he didn't say who he was or how he's

1 connected.

2 CHAIRMAN GALLIC: Counselor, would you

3 like to define or explain who Mr. Hiller is?

4 MR. COFFEY: Sure. Mr. Hiller is a

5 representative of the applicant.

6 MR. HEFFERNAN: Okay. I mean, it

7 wasn't -- he didn't say.

8 CHAIRMAN GALLIC: It's okay. It's a

9 good question.

10 MR. HEFFERNAN: My first question, and

11 it's more to the board than it is to the applicant's

12 people, why are the cul-de-sacs being removed from

13 the plan? What's the objection to that, I guess? I

14 mean, I looked at the plan, I had kind of an

15 understanding of housing developments. I don't know

16 why the board objected to that, to have the two

17 alternatives presented tonight.

18 CHAIRMAN GALLIC: Well, I objected

19 personally, and I think I was joined with some of the

20 members.

21 MR. HEFFERNAN: No, I realize that, but

22 I don't understand the reasoning.

23 CHAIRMAN GALLIC: The reason was was

24 because there was a better plan. And the better plan

25 that we saw not only handles the traffic in a better

1 place.

2 CHAIRMAN GALLIC: Yeah. I've never met

3 a cul-de-sac that a bunch of young people in cars

4 didn't love to sit around. So in the case of having

5 two cul-de-sacs at the end of a heavily dense

6 project, I just, you know, would stick by my

7 assessment.

8 COMMITTEEMAN DINARDO: I think there

9 was also a comment back at that time that with these

10 cul-de-sacs, it's not as user friendly for fire

11 departments to try to turn a big ladder truck around

12 and then make that radius turn was more of the memo

13 from the fire department that would be tough to meet

14 certain standard with a certain size fire trucks than

15 to have a road that just went all the way across. So

16 it's also fire safety.

17 MR. LINDNER: Lastly, just so it turns

18 out the help your question a little bit, the

19 preferred plan, A-13, with the two stops, left and

20 right, won't make it a continuous race track. So we

21 kind of didn't like those stops when we heard this,

22 but maybe it does stop higher speed traffic from

23 going around in a circle, so it actually works out a

24 bit.

25 COMMITTEEMAN DINARDO: You're probably

1 flow, but also gives us free and open space for tot

2 lots and exercise places in terms of green lot.

3 So it's less impervious surface,

4 there's less drainage, it probably helps their

5 drainage calculations out too.

6 MR. TOTH: And it improves the quality

7 of life for the tenants also. A place to go run,

8 walk, ride bikes.

9 CHAIRMAN GALLIC: Which is a little

10 wanting on this application, so we'll squeak out

11 everything we can.

12 MR. HEFFERNAN: I disagree with the

13 board on that.

14 CHAIRMAN GALLIC: Okay.

15 MR. HEFFERNAN: I think what happens is

16 it becomes a runway around there for the 320 odd cars

17 that are going to be part of that development. So I

18 think the more times you stop the residents from

19 being able to circle the development --

20 MR. TOTH: They'll be activities during

21 off-peak hours, probably. If you were living there,

22 you wouldn't want a place for your children to ride

23 their bikes and walk and run and play?

24 CHAIRMAN GALLIC: And quite honestly --

25 MR. HEFFERNAN: And it's quite a sleep

1 correct.

2 CHAIRMAN GALLIC: And if you stick in

3 Title 49, you can write some tickets and actually

4 make people stop, which will happen on this

5 application, so.

6 MR. HEFFERNAN: And if we go with the

7 acceptable plan that won't have to go back through

8 the community --

9 MR. COFFEY: Department of Community

10 Affairs.

11 MR. HEFFERNAN: Right. If you go with

12 that, will you have speed bumps?

13 CHAIRMAN GALLIC: No, I don't think any

14 are being proposed.

15 MR. COFFEY: No, none are being

16 proposed.

17 MR. TOTH: Nobody is going to go more

18 than five miles an hour.

19 MR. LINDNER: No speed bumps, but it

20 will have the two stops.

21 MR. HEFFERNAN: But it's 300 and some

22 odd cars, so you're saying that you're not -- well,

23 I'll leave that.

24 CHAIRMAN GALLIC: Yeah, there was no

25 speed bumps in the cul-de-sacs either.

1 MR. HEFFERNAN: No, well, they're dead
 2 ends, whereas the set up isn't.
 3 Then you also spoke to the trees that
 4 are being replaced. What I was going to say, excuse
 5 me, before I get to the trees, you said that you're
 6 going to eliminate -- you're not going to be 31 feet,
 7 we're going to get a whole 50-foot buffer; is that
 8 correct? With the patios being reduced, the decks;
 9 is that what I understood?
 10 MR. COFFEY: So we said that the
 11 applicant is withdrawing its request for a variance.
 12 I'm sure you'll recall, some of the patios and decks
 13 were shown to be encroaching 2 feet into the buffer
 14 and so we've removed -- we are withdrawing the
 15 request for a variance to permit those patios and
 16 decks to encroach the 2 feet.
 17 MR. HEFFERNAN: As I look at that plan,
 18 I think they said it was 31 feet was the buffer
 19 you're offering, and it's 50 that's required; is that
 20 --
 21 MR. CHADWICK: It is 50, but for where
 22 the driveway connects to Hillcrest road next to the
 23 detention basin.
 24 MR. HEFFERNAN: Right.
 25 MR. CHADWICK: That's a variance that

1 remains.
 2 MR. HEFFERNAN: Okay. So we end up
 3 with 50 feet?
 4 MR. CHADWICK: You have 50 feet all the
 5 way up until it makes that curve. If you look to the
 6 photograph, you can almost see where it is.
 7 MR. HEFFERNAN: And I would say to the
 8 board, and I think you already know this, that that
 9 board is gonna be -- that buffer is gonna be
 10 disrupted because of the retaining wall that they're
 11 gonna build.
 12 CHAIRMAN GALLIC: Yup.
 13 MR. HEFFERNAN: So you're gonna lose
 14 those trees. And those trees that you're gonna
 15 replace it with are, you said white pines and cedar,
 16 which are not the toughest type of trees that are out
 17 there right now, because I live right down the
 18 street. There's hickory, there's oak, there's tulip
 19 trees, ash.
 20 At any rate, I think it's a poor choice
 21 in what they're putting in there and I'd like the
 22 board to understand that we're not getting -- we're
 23 stripping that whole area. There's not gonna be --
 24 we're gonna look like Wayne or we're gonna look like,
 25 what is it? Randolph when you're on Route 10, you'll

1 see all those houses, but that's what we're getting
 2 with this development.
 3 Finally there was one suggestion I had
 4 made and it's related to the driveway, and it is
 5 confusing to deal with the New Jersey DOT and the
 6 county DOT and what the town requires, but I do
 7 believe that you should reduce that drive from a
 8 50-foot wide drive to a 25-foot drive and put
 9 signalized lights to make a signalized one-way
 10 street, like you'd have a bridge that has a load
 11 limit where you only want one car on it at a time and
 12 signalize them with the Emerson, the ramp, and the
 13 driveway lights. That's what my suggestion is.
 14 MR. CHADWICK: The three signals will
 15 be coordinated, that's part of the plan. There is
 16 not a 50-foot wide pavement, it's a 50-foot wide
 17 strip in which there are lanes. I don't know exactly
 18 what they are, the engineer may know.
 19 MR. HEFFERNAN: What's the normal
 20 street width?
 21 MR. CHADWICK: Normal street width now
 22 is 28 feet.
 23 MR. HEFFERNAN: For a residential
 24 street, you're saying that?
 25 MR. CHADWICK: Yeah. Where you live

1 they're probably more in the -- do you have curbs?
 2 No, you don't have any curbs.
 3 MR. HEFFERNAN: No, I'm on Valley View.
 4 CHAIRMAN GALLIC: Yeah, Valley View is
 5 24 feet wide.
 6 COMMITTEEMAN DINARDO: It's 24 feet
 7 going on Valley View except to the intersection when
 8 you go up to the intersection --
 9 MR. HEFFERNAN: Well, if we then --
 10 saying that, are you going to crowd the driveway to
 11 the right side to the pavement, limit the pavement to
 12 only 24 feet so that you still have a buffer there?
 13 Because based on the plan, it shows no buffer at the
 14 entrance.
 15 CHAIRMAN GALLIC: There's no buffer at
 16 the entrance, that is correct. Is it 50 feet wide or
 17 25?
 18 MR. HILLER: 20-foot pavement.
 19 CHAIRMAN GALLIC: Either side?
 20 MR. HILLER: No, total.
 21 MR. COFFEY: Total.
 22 MR. HEFFERNAN: And you crowd them over
 23 to the north --
 24 MR. KASTRUD: To keep them away from
 25 the ramp.

1 CHAIRMAN GALLIC: Right, there's no
 2 choice, that's use just the way it has to be
 3 according to the applicant.
 4 MR. HEFFERNAN: I say cut it down to a
 5 single lane. Make it a 12 foot --
 6 MR. KASTRUD: The county has dictated
 7 where that's going and --
 8 MR. HEFFERNAN: And you can argue with
 9 the county and you can argue with the DOT.
 10 CHAIRMAN GALLIC: Sure. Sounds like
 11 they're arguing with each other.
 12 MR. HEFFERNAN: I mean, we're looking
 13 -- I'm looking that you save that buffer as much as
 14 you can, otherwise it's unbuildable, I understand
 15 that.
 16 MR. KASTRUD: I can almost guarantee
 17 the DOT will not allow queuing to stack and back up
 18 on Hillcrest or the ramp in order to wait for a
 19 single lane leaving an entrance. That's not gonna
 20 happen.
 21 MR. HEFFERNAN: You can make the
 22 argument.
 23 MR. KASTRUD: No, I won't support it.
 24 CHAIRMAN GALLIC: Okay. Appreciate it.
 25 MR. HEFFERNAN: But we're -- this is

1 the people.
 2 CHAIRMAN GALLIC: Right. And you made
 3 this --
 4 MR. HEFFERNAN: He's only an employee.
 5 CHAIRMAN GALLIC: No, you made this
 6 idea, I want to say two meeting ago and I mean.
 7 MR. HEFFERNAN: Whenever we had the
 8 traffic engineer.
 9 CHAIRMAN GALLIC: Yeah, yeah. We
 10 talked about it. I mean, I don't think it's a great
 11 idea, but, you know, we can agree to disagree on
 12 whether a particular idea is a good idea.
 13 MR. HEFFERNAN: Yeah, and I don't think
 14 the rendering, by the way, I don't think it shows the
 15 ramp. Is the ramp there?
 16 CHAIRMAN GALLIC: Yeah, so it would be
 17 -- yeah, it would be right past --
 18 MR. HEFFERNAN: Right past the sign.
 19 CHAIRMAN GALLIC: Right past the sign.
 20 MR. HEFFERNAN: Getting on 78.
 21 CHAIRMAN GALLIC: Like that -- well --
 22 MR. HEFFERNAN: Thank you.
 23 CHAIRMAN GALLIC: Any other members of
 24 the public wishing to talk about -- now I guess we're
 25 talking about everything about the application, so

1 just if you want to say anything about the
 2 application, go right ahead.
 3 Yeah, come on. We welcome one and all.
 4 MR. MARTINO: My name is Pete Martino.
 5 I live at 15 Sunbright Road in Watchung, okay, I'm
 6 here as a neighbor. I'm not here to sit in judgment
 7 on any -- no, listen, I'm not there for that.
 8 First off, listen, every time I stand
 9 in front of these bodies, I want to thank you guys
 10 for what you do. All right? Love of the community
 11 and you're doing a service, so that's understood.
 12 CHAIRMAN GALLIC: Appreciate it.
 13 MR. MARTINO: I'm not here to comment
 14 on affordable housing, this is a state issue that
 15 needs to be addressed. Okay? Although I do believe
 16 we should approach this regionally since our
 17 neighboring communities handle affordable housing, it
 18 directly impacts all of our qualities of life. Maybe
 19 a regional coalition could give us a greater voice in
 20 the future, so an olive branch.
 21 I'm also not here to speak about
 22 Municipal Land Use Law, that again is established on
 23 a state level. I feel a larger group of voices may
 24 result in changes in the future that, again, will
 25 increase our quality of life.

1 I really want to just comment on public
 2 safety. As a professional and volunteer public
 3 safety servant for over 40 years, I feel this topic
 4 should always be at the top of the discussion list.
 5 We must consider the impact these types of
 6 high-density development thrust upon our small
 7 communities, and we are small communities.
 8 A high-density complex like this, which
 9 is a total of 348 bedrooms could bring a maximum
 10 occupancy of 696 residents, that's 4.5 percent of
 11 your current Warren Township population and
 12 11.5 percent of the Borough of Watchung population,
 13 just to make it proportional and to look at it that
 14 way.
 15 I know this isn't the extreme, I know
 16 it's the far end, but when it comes to public safety,
 17 we should always work in the extreme numbers in my
 18 opinion. And let's not forget, this is only one
 19 development, many more have already been built and
 20 there are many more in the planning stage.
 21 So how does this development affect
 22 public safety? First off, let's talk about traffic
 23 safety. As you all know, Hillcrest Road is already
 24 overburdened with vehicles and is one of Somerset
 25 County's most dangerous roads. Over 10,000 vehicles

1 travel that road twice a day. Steep grades, poor
 2 lines of site produce many accidents annually and not
 3 to mention the issues we have with overweight
 4 vehicles. Okay? Adding more vehicles to this road
 5 will only increase the safety hazard.
 6 As a long time first responder, I've
 7 been to way too many accidents on this roadway, not
 8 to mention heavy vehicle recoveries when I worked for
 9 a local towing company. We mention no names.
 10 All right. Next is the high-density
 11 occupancy and the combustible lightweight
 12 construction in which these complexes are built.
 13 Highly combustible building materials and relatively
 14 quick collapse potential with these types of
 15 buildings puts residents at a high life hazard risk
 16 in addition to our firefighters.
 17 We must remember our firefighters, who
 18 are volunteers, are usually arriving on the scene as
 19 these structures are susceptible to collapse. Some
 20 will say these occupancies are equipped with fire
 21 sprinklers, but if it's a NFPA-13 system, okay,
 22 that's basically a light system with -- just to get
 23 the residents out of the building. Okay? I always
 24 recommend the full NFPA-13 system as our commercial
 25 establishment is installed. This type of system is

1 more effective and assists firefighters in
 2 suppression.
 3 Firefighting is important to me as a
 4 Watchung resident since the Watchung firehouse is
 5 actually closer to this establishment than all the
 6 Warren Township firehouses.
 7 CHAIRMAN GALLIC: That's true.
 8 MR. MARTINO: Okay. And we would be
 9 second due to any fire at this location and we have
 10 always had a very close relationship with Warren
 11 Township. And we commend Warren Township for helping
 12 us and we're always there for you guys too.
 13 CHAIRMAN GALLIC: Thank you.
 14 MR. MARTINO: So we greatly appreciate
 15 it.
 16 So these complexes also put additional
 17 burden on our police and emergency medical services
 18 also. So I just wanted to get all of that out of the
 19 way, public safe number one for me.
 20 I understand the pressures put on
 21 municipalities by our state and the affordable
 22 housing laws. I understand how ignoring these laws
 23 could lead to lawsuits and possibly even more
 24 density. And I've always been a proponent of what I
 25 call pocket housing, which is smaller clusters of

1 units spread out around our communities. I hope our
 2 public officials could come up with incentives to
 3 make this concept more a reality in the future.
 4 I really appreciate the time you guys
 5 gave me tonight. Thank you. Good neighbors got to
 6 work together. So good luck. Good seeing you too.
 7 MS. COFFEY: Take care.
 8 COMMITTEEMAN DINARDO: Thank you,
 9 Councilman.
 10 MR. MARTINO: Thank you, ex-boss.
 11 CHAIRMAN GALLIC: Mayor, whatever.
 12 MR. MARTINO: That's from the towing
 13 comments.
 14 COMMITTEEMAN DINARDO: He came to me
 15 when he was 16.
 16 CHAIRMAN GALLIC: God, you're old.
 17 MR. MARTINO: Hey, what does that make
 18 me?
 19 CHAIRMAN GALLIC: Exactly.
 20 Okay. Any other members of the public
 21 wishing to come forward and give an opinion, ask
 22 questions, state a comment?
 23 Okay. Yeah, come on, yup. It's kind
 24 of endless at this point as long as you don't repeat
 25 yourself.

1 THE COURT REPORTER: Sir, just state
 2 your name one more time. I didn't quite --
 3 MR. THURSFIELD: David Thursfield.
 4 THE COURT REPORTER: How do I spell
 5 that?
 6 MR. THURSFIELD: Like Thursday, but
 7 Thursfield.
 8 THE COURT REPORTER: Got it. Thank
 9 you.
 10 MR. THURSFIELD: Just going back to
 11 this, we've got two major developments across the
 12 street from each other.
 13 CHAIRMAN GALLIC: Yes.
 14 MR. THURSFIELD: Why is this? Why
 15 can't -- I mean there's a way of spreading the, you
 16 know, around a little bit.
 17 CHAIRMAN GALLIC: So what I can do is
 18 answer your question in more of a broad way than this
 19 particular applicant. So my comments right now have
 20 nothing to do with this particular applicant.
 21 There's a -- to your point, it would be
 22 nice to have a different type of plan, but Warren is
 23 Warren and Warren was developed with acre and-a-half
 24 zoning, it was then developed into three-acre zoning
 25 in the large portion of it.

1 So what you have is acre and a half,
 2 acre and a half, acre and a half, thousands.
 3 Literally, I think about 3800 acre and a halves.
 4 Then you have, like, maybe 603 -- not even. Probably
 5 153 acres or so and then you have small pockets of
 6 half acre.
 7 What it doesn't have is the ability to
 8 put a thousand new units required by the state in it
 9 in any form without engaging hundreds or thousands of
 10 residents at one time.
 11 So in order to satisfy affordable
 12 housing, the court mandates that if a large or a
 13 property owner of X amount of acreage can come in
 14 front of the judge and say, "Hey, the town didn't do
 15 their job. Not only didn't the town do their job,
 16 but I'm gonna do the town's job."
 17 And when the Court says "Okay, you do
 18 the town's job," they get them extra units. And the
 19 extra units is to pay for the affordable housing.
 20 I mean, that's really in general what's
 21 happening. So we are -- Warren doesn't have a lot of
 22 open space that isn't already open space or --
 23 COMMITTEEMAN DINARDO: We buy as much
 24 as we can.
 25 CHAIRMAN GALLIC: There is not much

1 left.
 2 MR. THURSFIELD: I know, I mean look at
 3 the development at Exit 36.
 4 CHAIRMAN GALLIC: Yes.
 5 COMMITTEEMAN DINARDO: We try to buy
 6 it.
 7 MR. THURSFIELD: I mean, it's massive.
 8 Have we got any affordable housing in there?
 9 CHAIRMAN GALLIC: Oh, yeah, there's a
 10 large amount of affordable housing.
 11 MR. LINDNER: That's why it happened.
 12 CHAIRMAN GALLIC: So that property,
 13 which is an interesting thing because sometimes we
 14 get lost in the idea that there's 333 units in that
 15 particular place and now there's a parking deck going
 16 up and everyone is kind of realizing what's
 17 happening.
 18 That property was actually zoned
 19 office, residential -- office and research. So that
 20 would have been or could have been large office
 21 buildings, slash hotels, slash kind of like a
 22 commercial interest.
 23 MR. THURSFIELD: But you've got those
 24 across the street there.
 25 CHAIRMAN GALLIC: Right. That whole

1 section was zoned that way for about 50 years, so
 2 that hasn't changed.
 3 So what's happened is instead of being
 4 office and research, it is now going to be affordable
 5 housing for the same scenario that I just explained.
 6 You can juxtapose that with the
 7 property, the K. Hov property, which is not part of
 8 any lawsuits at this point, that a commercial
 9 developer came in with an idea, but that was not an
 10 idea that went over very well with the neighborhood.
 11 So now that property then becomes the
 12 largest open space property that kind of begs for a
 13 lawsuit, for a COAH lawsuit. Thankfully, they can't
 14 do it for this round, they can do it for the next
 15 round. And at that point, we're going to try to deal
 16 with it before we get to that part.
 17 But what happens is you get into these
 18 situations where you just don't, you know, the Court
 19 mandates that the affordable housing has to be built
 20 and this is how it has to be built. And then these
 21 boards, we look at things and we work with an
 22 applicant to make it as best we can and that's what
 23 this whole conversation is and then we vote.
 24 MR. THURSFIELD: No, I understand the
 25 rationale as to why we have to do it.

1 COMMITTEEMAN DINARDO: And we have
 2 tried in the past and we have --
 3 MR. THURSFIELD: But putting two of
 4 them next to each other on an already busy road.
 5 CHAIRMAN GALLIC: Again, there's just
 6 not a lot of open space here for anything.
 7 MR. THURSFIELD: I find that hard to
 8 believe.
 9 CHAIRMAN GALLIC: Well, okay, I've been
 10 here for 23 years on this board.
 11 MR. THURSFIELD: We've been here
 12 longer.
 13 CHAIRMAN GALLIC: No, I mean on the
 14 board I've been, on the board here. I've farmed
 15 thousand of acres in Warren before that as a kid. I
 16 actually worked -- well, anyway.
 17 The point is I probably could tell you
 18 every lot and block in this town, every cul-de-sac,
 19 every open space, every place. I actually sit on the
 20 County open space board also, so we are actively
 21 buying property in Warren all the time.
 22 MR. THURSFIELD: Which I applaud you
 23 for.
 24 CHAIRMAN GALLIC: I know every lot in
 25 this place, every single one.

1 COMMITTEEMAN DINARDO: 23 acres, King
 2 George and --
 3 CHAIRMAN GALLIC: And we're about to --
 4 well, we're already under contract to buy another I
 5 think 30, 30 acres at the end of Sterling, at the end
 6 of Hillcrest.
 7 COMMITTEEMAN DINARDO: We've really
 8 been very aggressive in buying as much as we could.
 9 MR. THURSFIELD: And full support
 10 there.
 11 COMMITTEEMAN DINARDO: And prior to the
 12 big developments that came in, we did have affordable
 13 housing in small pockets. Most people didn't even
 14 know that we have affordable housing, but we have
 15 them nestled in small areas.
 16 MR. THURSFIELD: One across from
 17 Sterling Road and across from the high school.
 18 CHAIRMAN GALLIC: Yeah, yeah, exactly.
 19 MR. CHADWICK: Do you realize there's
 20 150 houses across the street?
 21 CHAIRMAN GALLIC: That's affordable
 22 housing.
 23 MR. CHADWICK: They contributed
 24 substantial amounts of money for what is known as
 25 RCA, regional contribution agreements. That's not

1 allowed anymore, but the township took advantage of
 2 it twice.
 3 We're in the third round. This has
 4 been going on for 25 years, we've been in litigation
 5 just about that entire stretch.
 6 MR. THURSFIELD: I've read that and I,
 7 you know, I fully understand that. It's just --
 8 COMMITTEEMAN DINARDO: It just so
 9 happened --
 10 MR. THURSFIELD: -- do we really need
 11 two on top of each other? That's all my point.
 12 CHAIRMAN GALLIC: Yeah. Oh, by the
 13 way, I live on Hillcrest.
 14 MR. THURSFIELD: Which side?
 15 CHAIRMAN GALLIC: The Warren side, not
 16 the Watchung side. So let's --
 17 MR. THURSFIELD: Then I'm going to be
 18 quiet, because if you live there --
 19 CHAIRMAN GALLIC: So this is the --
 20 trust me -- well, anyway, I'm not going to get into
 21 it. Anecdotally I may have some comments later on
 22 about Hillcrest, et cetera, but we'll leave them off
 23 right now.
 24 The key here is that the township has
 25 really tried to do affordable housing as correct as

1 possible. This is really, if I -- it probably would
 2 take about a half hour to explain the political
 3 nature of why affordable housing happened the way it
 4 did in this round, but you heard talk about a
 5 redesign of the downtown at the beginning of this.
 6 That effort is specifically designed not only to make
 7 our downtown look nicer, but also to address the
 8 future round of affordable housing that we're
 9 required to have so that we don't get into a lawsuit
 10 scramble to make the -- to fit these affordable
 11 housing units again.
 12 So we are as a township and as this
 13 board and the township committee very actively and
 14 aggressively going after different solutions on round
 15 four, which is estimated to be 2025. So literally we
 16 could have another thousand required of us in three
 17 years for now.
 18 MR. THURSFIELD: Put it to the posh end
 19 of Warren, you know, Exit 33.
 20 CHAIRMAN GALLIC: Well, I'm not gonna
 21 say that.
 22 MR. THURSFIELD: I'll sit down before I
 23 get into trouble.
 24 CHAIRMAN GALLIC: Yeah, I was going to
 25 say, you might have some pitchforks out for that one.

1 COMMITTEEMAN DINARDO: Thank you.
 2 CHAIRMAN GALLIC: Any other members of
 3 the public? Yeah, we know who you are at this point.
 4 You can say your name just for the record.
 5 MR. HEFFERNAN: It's Bill Heffernan.
 6 I just had a question about has it
 7 always been -- to provide affordable housing, has it
 8 always been new housing? Does it have to be new
 9 housing?
 10 COMMITTEEMAN DINARDO: No. We have
 11 more than just regular housing. We have cerebral
 12 palsy --
 13 MR. CHADWICK: There's a number of
 14 different types of construction that can meet the
 15 affordable standard. Assisted living can meet it,
 16 generally those are new facilities. We have a
 17 project in the center of town that's a retrofit of
 18 our second floor office space into apartments.
 19 But at this juncture, the township does
 20 not have any buildings that are really appropriate
 21 for repurposing into housing. You can't, for
 22 instance, the CHUD (phonetic) building, impossible to
 23 make that into --
 24 MR. HEFFERNAN: That's not where I'm
 25 heading with the question. It occurs to me that the

1 town has the ability to set the taxes, I believe they
 2 do. I don't think it's the county or the state that
 3 determines our tax rates.
 4 COMMITTEEMAN DINARDO: The tax rate is
 5 based on --
 6 CHAIRMAN GALLIC: Well, there's lots of
 7 tax rates. There's a school tax rate, there's a
 8 county tax rate, and then there's the municipal tax
 9 rate and then there's elementary school.
 10 MR. HEFFERNAN: But in that they have
 11 an ability to offer waivers to people on their taxes
 12 or --
 13 CHAIRMAN GALLIC: No.
 14 MR. HEFFERNAN: Well, let me explain.
 15 CHAIRMAN GALLIC: Okay. But no, the
 16 answer is no.
 17 MR. HEFFERNAN: That if they offer
 18 portions of their property to affordable housings in
 19 their own house, it would seem to me you could meet
 20 the 44 --
 21 CHAIRMAN GALLIC: Yeah, that's not a
 22 lot.
 23 MR. CHADWICK: You've been reading
 24 articles, it's been published either the ECHO Housing
 25 where you bring a little small cottage onto your

1 property or you cut some of the -- on a big house,
 2 small family, you cut the house up into an apartment.
 3 The township has not utilized that.
 4 COMMITTEEMAN DINARDO: Just move into
 5 my house, I'll move into the garage, that sounds like
 6 that's what I'm hearing.
 7 MR. HEFFERNAN: But it's not --
 8 everybody is not like that. It's not like that.
 9 MR. CHADWICK: Well, the town did --
 10 MR. HEFFERNAN: I'm just asking a
 11 question.
 12 MR. CHADWICK: Well, the town did --
 13 MR. HEFFERNAN: I'm just asking a
 14 question.
 15 MR. CHADWICK: This question was asked
 16 in a survey.
 17 MR. HEFFERNAN: Can -- because --
 18 MR. CHADWICK: Let me finish.
 19 MR. HEFFERNAN: Okay.
 20 MR. CHADWICK: Was asked in a survey
 21 ten years ago, I don't think the population in terms
 22 of their attitude has changed that much in ten years.
 23 It was an absolute no in terms of breaking up big
 24 houses into apartments.
 25 MR. HEFFERNAN: Okay.

1 MR. CHADWICK: They had no problem with
 2 townhouses coming into town, no problem with
 3 condominiums. It was eye opening from that kind of a
 4 response.
 5 CHAIRMAN GALLIC: I want to clarify
 6 something. As I understand it, correct me if I'm
 7 wrong, actually Mark or Counselor, correct me if I'm
 8 wrong, there's no way to specifically reduce a
 9 person's property tax because of what they do except
 10 for a veteran.
 11 MR. PECK: Or, you know, an agriculture
 12 exemption or --
 13 CHAIRMAN GALLIC: But there's no -- we
 14 can't say someone is a great fireman, give him free
 15 taxes.
 16 MR. PECK: No, that's one of the
 17 foundational principles of taxation is that you have
 18 to be taxed equally across the same properties. So
 19 all residential properties are taxed at the same
 20 rate, all industrial properties have to be taxed at
 21 the same rate.
 22 MR. HEFFERNAN: So it's never been
 23 explored?
 24 CHAIRMAN GALLIC: No, it's illegal,
 25 it's not allowed.

1 MR. PECK: It's not something that
 2 could be done at this level.
 3 MR. HEFFERNAN: Here's my point if I
 4 could, gentlemen.
 5 CHAIRMAN GALLIC: Yeah.
 6 MR. HEFFERNAN: In this particular
 7 unit, this particular development --
 8 CHAIRMAN GALLIC: Sure.
 9 MR. HEFFERNAN: -- it's 176 units.
 10 We're getting 128 new homes at market price or new
 11 rentals at market price for 44 that are affordable.
 12 What I'm saying is can't we get 44
 13 people to rent their homes at affordable prices to
 14 avoid giving us a hundred and --
 15 MR. CHADWICK: No. That's the answer.
 16 CHAIRMAN GALLIC: Partly --
 17 MR. HEFFERNAN: But you guys have never
 18 --
 19 MR. CHADWICK: The COAH rules are such
 20 --
 21 MR. HEFFERNAN: You've already decided
 22 you're never gonna fight the state on this, you're
 23 just gonna go along with it, and I say fight the
 24 state.
 25 CHAIRMAN GALLIC: Right, I understand.

1 COMMITTEEMAN DINARDO: You're right,
 2 you would have to fight the state.
 3 CHAIRMAN GALLIC: In the meantime --
 4 MR. CHADWICK: You don't get it.
 5 CHAIRMAN GALLIC: -- the Court would
 6 just issue a thousand new homes and you'd --
 7 MR. HEFFERNAN: And we continue to
 8 fight.
 9 MR. CHADWICK: The answer is the
 10 town --
 11 MR. HEFFERNAN: 128 new homes are --
 12 COMMITTEEMAN DINARDO: Go ahead,
 13 Mr. Chadwick.
 14 MR. CHADWICK: Are you finished?
 15 MR. HEFFERNAN: Yes. Well --
 16 MR. CHADWICK: I don't want to
 17 interrupt you.
 18 COMMITTEEMAN DINARDO: He's venting.
 19 MR. CHADWICK: I do not want to
 20 interrupt you.
 21 MR. HEFFERNAN: My point is 128 new
 22 homes are gonna be a burden on the town and on the
 23 school system and on our taxes. So why not use that
 24 money to fight the state? Go right at them. I'm
 25 sure that Watchung might want to join us.

1 development for the community and we can ask for a
 2 lot of things that they're willing to give to us.
 3 If we lost a lawsuit, that developer
 4 comes here and doesn't even have to come to this
 5 planning board, he'll just build whatever he wants,
 6 we have no input from any of our residents. So we
 7 try to find a happy medium that they'll work with us.
 8 And almost every applicant that we work with
 9 affordable housing, we got 25 percent affordable
 10 housing.
 11 Now, this attorney will tell you, and
 12 so will most attorneys here, the state only mandated
 13 15 percent, but we were able to get an additional 10
 14 percent because we were able to say, you know, if you
 15 want to work with us, give us an extra 10 to meet our
 16 affordable housing obligations, and most of these
 17 applicants were willing to do that.
 18 So it's better sometimes to negotiate
 19 than it is to fight a battle the state mandates on
 20 us. So I hear what you're saying. And it did cost
 21 us hundreds and hundreds of thousands of dollars of
 22 taxpayer dollars to fight a lot of affordable
 23 housing. Thank you.
 24 CHAIRMAN GALLIC: Any other --
 25 MR. TOTH: Towns that did fight lost

1 The councilman made a good point that
 2 maybe we need to change our zoning laws to do the
 3 pocket zoning, which most planners say is the way to
 4 get around affordable housing.
 5 CHAIRMAN GALLIC: Well, I'm a planner
 6 and I definitely don't --
 7 COMMITTEEMAN DINARDO: We have pocket
 8 zoning. Well, not pocket zoning, but we have it
 9 spread throughout the town and we've done as much as
 10 we could.
 11 MR. CHADWICK: We have a number --
 12 MR. HEFFERNAN: So what the state
 13 proposes to us is ridiculous to put a thousand new
 14 homes in a 14,000 population.
 15 CHAIRMAN GALLIC: See, I neither can
 16 agree or disagree with that statement because we have
 17 an application in front of us.
 18 MR. HEFFERNAN: Sure. Anyway, thank
 19 you.
 20 COMMITTEEMAN DINARDO: You're welcome.
 21 And, you know, the one thing to think
 22 of that, the thought, you know, we could fight them
 23 all the time, but if we get an applicant who's
 24 willing to come in to us and negotiate with us and
 25 work with us, then we can build a better, hopefully,

1 and they came in with eminent domain and put in a big
 2 skyscraper right in the middle of town, eminent
 3 domain.
 4 COMMITTEEMAN DINARDO: I understand his
 5 frustration, I get it.
 6 Okay, Mr. Chair.
 7 CHAIRMAN GALLIC: Any other comments?
 8 Any other members of the public wishing to comment
 9 further? You're welcome to.
 10 Okay. I'm going to close this portion
 11 of the meeting and that's the final public comment
 12 period for this hearing.
 13 Open up to the board for comments,
 14 cares, concerns, anything you want to ask.
 15 MR. LINDNER: Yeah. We need to
 16 straighten out the traffic situation a little bit to
 17 at least understand. It's a big question mark, in my
 18 opinion.
 19 I know that the county and the state
 20 and jurisdiction are all being worked over now. I
 21 know it will be the best it can be. Do we go with
 22 that?
 23 COMMITTEEMAN DINARDO: Yeah.
 24 MR. LINDNER: We have to approve this
 25 application or not.

1 COMMITTEEMAN DINARDO: It's gonna be
 2 based on --
 3 MR. CHADWICK: You have a concept plan
 4 that's been explained to you by their traffic
 5 consultant and reviewed by your traffic consultant.
 6 So if you move to, you would make it subject to,
 7 obviously, the approvals of the various
 8 jurisdictions. It appears that that will be
 9 yourself, the county, the state and the federal
 10 government.
 11 MR. LINDNER: Right. So we certainly
 12 have a say and we can make it the best it can be for
 13 Warren. We just don't know what that is now, so it
 14 has to be a condition.
 15 MR. CHADWICK: It's not like you don't
 16 know, we don't know all the particulars.
 17 MR. LINDNER: We know all the details.
 18 CHAIRMAN GALLIC: Yeah, I'm a little
 19 uncertain of the traffic patterns.
 20 COMMITTEEMAN DINARDO: Well, we all
 21 are, but, you know what, it's in the hands of
 22 supposedly people that do this for a living, they're
 23 gonna dictate to them, to the DOT, to the state, the
 24 federal and the county level that they're going -- at
 25 some point in time, they're going to give you

1 direction on what you're going to have to do and
 2 they're going to have to do it or the project won't
 3 go forward.
 4 CHAIRMAN GALLIC: I mean, truth be
 5 told, that we have no say.
 6 MR. KASTRUD: What we learned this
 7 morning was that Somerset County had made an
 8 application to the DOT to restripe and resignal --
 9 not signal, but basically just restripe and relane
 10 Hillcrest Road running from, you know, down by
 11 Watchung coming up over Route 78 and just north of
 12 it.
 13 The DOT didn't accept their striping
 14 plan and said we're going to design it. So the DOT
 15 took that plan and has now been sitting on it for X
 16 number of months without doing anything with the
 17 excuse of oh, we were waiting for these applications
 18 both Premier and K. Hov to submit.
 19 COMMITTEEMAN DINARDO: It may be.
 20 MR. KASTRUD: So there will be
 21 coordination between Somerset County, the DOT, the
 22 applicant's engineers and our traffic engineer.
 23 COMMITTEEMAN DINARDO: It's not in our
 24 jurisdiction anyway.
 25 MS. COFFEY: Right, it's in --

1 CHAIRMAN GALLIC: Well, traffic is.
 2 MR. CHADWICK: But you do have on
 3 record a concept plan. So if that is to be the
 4 baseline and all of a sudden it starts changing, we're
 5 going to be back here again.
 6 COMMITTEEMAN DINARDO: I agree.
 7 MR. COFFEY: Just to sort of refine
 8 what Mr. Kastrud was referring to was a Somerset
 9 County plan that was separate and apart from this
 10 application and the other application that's come
 11 before this board and it's news to all of us.
 12 But to Mr. Chadwick's point, the
 13 applicant is proposing a plan with the signals that
 14 you've seen and we intend to continue to work
 15 diligently to get the approvals necessary for that
 16 plan, which would include, as we said, the county
 17 because it's their jurisdiction based on the
 18 jurisdictional maps, which we don't expect to change,
 19 but then also the DOT and potentially federal
 20 government as well.
 21 If for some reason the plan that's
 22 before you were to be rejected, then we would have to
 23 return to this board and show you what the
 24 alternative was going to be to address the traffic.
 25 So at this point, what we're asking the

1 board the approve would be the signals that we've
 2 shown on the plan.
 3 CHAIRMAN GALLIC: So if they say no
 4 light, you're back here?
 5 MR. COFFEY: We'd have to be, yeah.
 6 MR. KASTRUD: The plan, as presented
 7 from the applicant, includes a light at their
 8 entrance drive.
 9 MR. HILLER: Yup.
 10 COMMITTEEMAN DINARDO: I understand.
 11 It makes total sense to me. Very fair to me.
 12 CHAIRMAN GALLIC: Do I hear any other
 13 comments, cares?
 14 And professionals, you have anything?
 15 MR. CHADWICK: The one question you may
 16 ask in terms of the K. Hov, we limited them to, I
 17 think, 30 percent until the signal was operational.
 18 We limited them to a certain number, a percentage,
 19 and I don't know precisely. I think it's to
 20 30 percent. And at that point, there would be no
 21 more COs until the signal was operational.
 22 COMMITTEEMAN DINARDO: Okay. That
 23 makes sense.
 24 MR. CHADWICK: In this particular case,
 25 I don't think you can have any COs until you got the

1 light at the driveway.
 2 CHAIRMAN GALLIC: Is it right in, right
 3 out?
 4 MR. HILLER: No, full movement.
 5 MR. COFFEY: No, it's full movement,
 6 but I think the condition that Mr. Chadwick --
 7 MR. CHADWICK: That's why the signal is
 8 there.
 9 MR. COFFEY: But the --
 10 CHAIRMAN GALLIC: The traffic light
 11 that wasn't on.
 12 MR. CHADWICK: No, they started with
 13 right in, right outs and some controls. The county
 14 said you have to have a signal there, which then
 15 makes that not an issue.
 16 CHAIRMAN GALLIC: Yeah.
 17 MR. COFFEY: But the condition, just
 18 for the record, the condition Mr. Chadwick just
 19 proposed of having certificates of occupancy
 20 conditioned upon the light is acceptable to the
 21 applicant.
 22 CHAIRMAN GALLIC: Right, because
 23 nothing is going to happen without the DOT anyway.
 24 MR. CHADWICK: Well, I just wanted --
 25 because it's different.

1 I had that Majors Road is not to be
 2 used for parking or accessed during construction.
 3 And then there may be other conditions I have there,
 4 but I'll review those with the professionals.
 5 CHAIRMAN GALLIC: I think there was,
 6 just to clarify on Majors Road, I think there was an
 7 exception made for the installation of the utility
 8 for sewer.
 9 MR. CHADWICK: Right.
 10 CHAIRMAN GALLIC: If I remember right.
 11 MR. KASTRUD: And water.
 12 MR. PECK: Except for utility install.
 13 MS. COFFEY: Yeah.
 14 CHAIRMAN GALLIC: And that was to be
 15 monitored by the township professionals, so that had
 16 a minimal effect.
 17 COMMITTEEMAN DINARDO: Impact.
 18 CHAIRMAN GALLIC: Yeah, we don't want
 19 workers parking on Majors for other reasons.
 20 MR. CHADWICK: If you act on this, you
 21 might want to act on it as the direct resolution to
 22 be in the affirmative with the conditions as outlined
 23 by Mark, as well as any other conditions that are
 24 contained within the transcript, which gives --
 25 CHAIRMAN GALLIC: Which Mark mentioned.

1 COMMITTEEMAN DINARDO: All right,
 2 Mr. Chair.
 3 CHAIRMAN GALLIC: Any other comments
 4 from the professionals?
 5 Mark, would you go over any conditions?
 6 MR. PECK: Yeah, I have -- well,
 7 obviously conditions of record.
 8 CHAIRMAN GALLIC: Yes.
 9 MR. PECK: I can't guarantee I picked
 10 the conditions up that were discussed in the May
 11 hearings, because I wasn't there. I'd have to go
 12 through the transcript.
 13 But I do have as proposed conditions,
 14 of course their standard conditions that the board
 15 imposes on every --
 16 CHAIRMAN GALLIC: Sure.
 17 MR. PECK: And those will go, you know,
 18 keeping the escrow, paying your taxes and --
 19 CHAIRMAN GALLIC: Outside authority
 20 approvals.
 21 MR. PECK: Exactly, you know,
 22 compliance with all testimony that's given. But
 23 there's requirement for a tree protection plan. I
 24 have all landscaping subject to review and reasonable
 25 satisfaction of the board's landscape architect.

1 Is there any further clarifications
 2 of --
 3 MR. COFFEY: I think we have all of --
 4 I'm just going through my note, give me one second.
 5 We updated architectural plans already,
 6 consistent with the stipulations we've made
 7 previously, so those are covered.
 8 And then just going back to the Majors
 9 Road, we had the exception for the install of water
 10 and sewer and we also had said we would carve out, if
 11 we need to, if we can't be on Hillcrest for the
 12 installation of the traffic signal, we may have to
 13 approach from Majors while we're working on
 14 Hillcrest, but that would be the only other
 15 exception.
 16 CHAIRMAN GALLIC: Any other comments
 17 from the board?
 18 Okay. I'll entertain either a motion
 19 to approve or disapprove this application.
 20 MR. TOTH: I'll make a motion to
 21 approve.
 22 CHAIRMAN GALLIC: Do I hear a second?
 23 MR. ESPOSITO: Second.
 24 MR. PASI: I second it.
 25 MS. VAUTIN: I think Mr. Esposito was

1 second.
 2 CHAIRMAN GALLIC: Who can vote on this?
 3 MS. VAUTIN: I have everybody can vote
 4 on this.
 5 CHAIRMAN GALLIC: Really? Okay.
 6 MS. VAUTIN: So roll call.
 7 Mr. Toth.
 8 MR. TOTH: Yes.
 9 MS. VAUTIN: Mr. Argiro.
 10 MR. ARGIRO: Yes.
 11 MS. VAUTIN: Mr. Pasi.
 12 MR. PASI: Yes.
 13 MS. VAUTIN: Mr. Esposito.
 14 MR. ESPOSITO: Yes.
 15 MS. VAUTIN: Committeeman DiNardo.
 16 COMMITTEEMAN DINARDO: Yes.
 17 MS. VAUTIN: Mr. Lindner.
 18 MR. LINDNER: Yes.
 19 MS. VAUTIN: Mr. Gallic.
 20 CHAIRMAN GALLIC: I'll just say this:
 21 I'm actually going to vote no on this. I would
 22 really like the traffic to be settled and I'd like to
 23 know what the flow is, so I'm voting no.
 24 MR. TOTH: If they don't settle it
 25 properly, then they'll change it.

1 CHAIRMAN GALLIC: I know. I just --
 2 any -- so you have your approval.
 3 MR. COFFEY: Thank you very much. We
 4 appreciate all of your time, especially over the
 5 summer. Thank you.
 6 MR. TOTH: Thank you.
 7 (Matter adjourned at 8:47 p.m.)
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1 C E R T I F I C A T E
 2
 3 I, PATRICIA A. PUCCIARELLO, a shorthand
 4 reporter and Notary Public of the State of New
 5 Jersey, do hereby certify that the foregoing is a
 6 true and accurate transcript of the testimony as
 7 taken stenographically by and before me at the time,
 8 place and on the date hereinbefore set forth, to the
 9 best of my ability.
 10 I DO FURTHER CERTIFY that I am neither
 11 a relative nor employee nor attorney nor counsel of
 12 any of the parties to this action, and that I am
 13 neither a relative nor employee of such attorney or
 14 counsel, and that I am not financially interested in
 15 this action.
 16
 17
 18
 19
 20
 21
 22 -----
 23 Notary Public of the State of New Jersey
 24 My commission expires April 7, 2024
 25 License No. 2383485

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