

SAYREVILLE PLANNING BOARD

MINUTES OF August 17, 2022

The regular meeting of the Sayreville Planning Board was called to order by Mr. Davis, Chairman and opened with a salute to the flag. The meeting was being conducted in accordance with the Open Public Meeting Law P.L. 1975, c231, Public Law, 1975.

Members of the Planning Board present were: Mr. Allegre, Mr. Bailey, Mr. Blemur, Mr. Muller, Councilman Onuoha, Ms. Patel, Mr. Sposato and Chairman Davis

Absent Members: Ms. Pawlowski

Also present were: Mr. Cornell, Mr. Alfieri and Mr. Fowler

AT THIS TIME, THE REGULAR MEETING WAS OPENED:

Chairman Davis asked the Planning Board Secretary if the board meeting was being conducted under the Sunshine Law and if all publications were notified, the secretary had stated, yes.

Planning Board secretary, states to help keep the meeting as organized as possible, residents who wish to speak in one of the public portions are to press *9 which will notify us that a person from the public wishes to speak. At that time, you will be asked for your name and address and be limited to a five (5) minute comment period.

MEMORIALIZATION OF RESOLUTION:

none

ACCEPTANCE OF MINUTES:

Mr. Sposato made a motion to accept the minutes from July 15, 2022 Seconded by Mr. Blemur. Motion carried.

SITE PLAN/SUBDIVISION HEARINGS:

**Main Street South I/II, LLC ~ Major Site Plan
Blk 249, Lot 1; Blk 250, Lot 1; Blk 251, Lot
Atty: Mr. Jeffrey Lehrer, Esq.
DiFrancesco, Bateman, Kunzman
Davis, Lehrer & Flaum, PC
15 Mountain Blvd.
Warren, NJ 07059**

Please see attached the full transcription of the applicant's testimony.

Mr. Muller made a motion to approve the application with the noted conditions, Mr. Allegre seconded.

ROLL CALL:

YES: Mr. Allegre, Mr. Bailey, Mr. Blemur, Mr. Muller, Councilman Onuoha, Ms. Patel, Mr. Sposato and Chairman Davis

NO:

ASBSTAIN:

OLD BUSINESS/NEW BUSINESS/ADMINISTRATIVE MATTERS:

Proposal from Michael Fowler, PP to Planning Board with regard to provide a study/report of Blk 446, Lot 2 on Ernston Road if an appropriate area as designation as a redevelopment area per Resolution 2022-124.

Mr. Bailey made a motion to accept the proposal, Mr. Blemur seconded

ROLL CALL:

YES: Mr. Allegre, Mr. Bailey, Mr. Blemur, Mr. Muller, Councilman Onuoha, Ms. Patel, Mr. Sposato and Chairman Davis

NO:

ABSTAIN:

Mr. Allegre made a motion to open to public, Mr. Sposato seconded. Motion carried.

Eric Shemper Jensen Road - spoke regarding the project on Cheesequake Road. He was asking about the road to Jernee Mill Road and feels that the Minisink should be changed to a 4-ton limit. Mr. Cornell states that this was heard last year and during the first phase, they were not required to construct the road out to Jernee Mill until the next phase. They are required to submit applications to the state because there is a lot of wetlands and environmental issues that they have to go through. They will be required to have permits from the DEP. The developer is prohibited to have trucks travel on Minisink Road and

are required to use Cheesequake Road to Bordentown Avenue. He discussed the amount of \$1.8M into the tree bank in addition to planting trees on the property. No application has been submitted for Phase II.

Next meeting on September 7 will be canceled. Mr. Bailey made a motion, seconded by Mr. Blemur. Motion carried.

There being no further business to discuss, Mr. Sposato made a motion to adjourn, seconded by Mr. Blemur.

**Respectfully submitted,
Beth Magnani
Planning Board Secretary**

In The Matter Of:
In Re; Main Street South I/II, LLC

Transcript of Proceedings
August 17, 2022



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Min-U-Script® with Word Index

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1
2 SAYREVILLE PLANNING BOARD
3
4 Wednesday, August 17, 2022
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8 MATTER OF MAIN STREET SOUTH I/II, LLC
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Page 3

1 CLERK MAGNANI: Main Street
2 South I/II, LLC, major site plan block 249, lot
3 one; block 250, lot one; block 251, lot one.
4 Like to put on the record, Ms.
5 Patel has joined the meeting.
6 MR. LEHRER: Good evening, Mr.
7 Chairman and members of the board, members of the
8 professional staff and members of the public. My
9 name is Jeff, L-E-H-R-E-R. I am from the law fir
10 of DiFrancesco Bateman in Warren Township, New
11 Jersey. I am here this evening representing Main
12 Street South I, LLC and Main Street South II,
13 LLC.
14 The property that we are talking
15 about is block 249, lot one; block 250, lot one,
16 block 251, block one; and the site is
17 approximately 156 acres in size. We are seeking
18 preliminary and final site plan approval for
19 three warehouse buildings and associated office
20 space comprised of 1,690,590 square feet of
21 warehouse space and 90,000 square feet of office
22 space, in the aggregate buildings together with
23 ancillary loading and parking spaces for each of
24 the three buildings.
25 This property lies within the WD

Page 2

1 MEMBERS PRESENT:
2
3 ROBERT DAVIS, Chairman
4 JAY CORNELL, Borough Engineering
5 Department
6
7 CHRISTIAN ONUCHA, Councilman
8
9 BARRY MULLER
10 ANTHONY SPOSATO
11 HINA PATEL
12 HERVE BLEMUR
13 JAMES ALLEGRE, JR.
14 BERNIE BAILEY
15 DANTE ALFIERI, ESQ.
16 Board Counsel
17 APPEARANCES:
18
19 DIFRANCESCO, BATEMAN, KUNZMAN,
20 DAVIS, LEHRER & FLAUM, PC
21 15 Mountain Blvd.
22 Warren, N.J. 07059
23 BY: JEFFREY LEHRER, ESQ.
24 Attorney for Applicant Main
25 Street South I/II, LLC

Page 4

1 warehousing and distribution redevelopment zone
2 in which the uses that are being sought this
3 evening are permitted uses.
4 Little bit about the history, if
5 you will indulge me for a moment or two, I'd like
6 to discuss how we got to where we are this
7 evening.
8 This property was the subject of
9 various land use hearings which Mr. Cornell very
10 diligently and appropriately laid out in his memo
11 dating as far as back as 1988. Some were
12 approved, some were not. My client and the
13 Borough were in litigation for approximately ten
14 years after a portion of the property, the
15 easterly portion was rezoned residential to an
16 industrial use. That litigation continued for,
17 as I said, for many years and ultimately it was
18 ruled in favor of my clients that rezoning this
19 property, a portion of -- that portion of the
20 property was not legally appropriate.
21 Rather than appeal, the Borough
22 and my clients entered into a mediation for a
23 number of months which culminated in a consent
24 order on June 8 of 2018 in which the parties
25 agreed to settle the litigation by undertaking a

Page 5

1 series of milestones to have this site declared
 2 ultimately as an area in need of redevelopment.
 3 By resolution in 2018 - 342 the
 4 Borough council designated the subject site as an
 5 area in need of redevelopment after the planning
 6 board had conducted its preliminary
 7 investigation. The parties then embarked upon a
 8 process to adopt a redevelopment plan. That
 9 redevelopment plan was ultimately approved by
 10 ordinance after second reading in June of 2019
 11 and the adopted redevelopment plan was fully
 12 vetted by the council and the board and members
 13 of the public were actually, the second hearing
 14 was a public hearing and the terms of the
 15 redevelopment plan were fully discussed.
 16 The Fultons Landing
 17 redevelopment plan was adopted as I said in June
 18 of 2019 and no appeal was taken by any party to
 19 the adoption of that plan.
 20 My client then proceeded to the
 21 Sayreville economic redevelopment agency
 22 otherwise known as SERA for approval before we
 23 could file any application before this board.
 24 The following actions were taken by SERA just by
 25 way of background. By resolution adopted on July

Page 6

1 9, 2020 SERA conditionally designated my clients
 2 as the redeveloper of the redevelopment area.
 3 That conditional designation was conditioned upon
 4 the signing of a redevelopment agreement which
 5 was ultimately signed in October of 2020.
 6 Several hearings were held
 7 before SERA to review and comment upon the
 8 proposed site plan and architectural plans, again
 9 on March 24, 2022 SERA approved the plans which
 10 enabled my clients to proceed to this board as
 11 the final step to secure preliminary and final
 12 site plan approval for the project.
 13 One last point that I want to
 14 impress upon the board, the professionals and the
 15 public, the plans that are being presented to you
 16 this evening contain no variances whatsoever. It
 17 is a fully conforming application. There is one
 18 minor design waiver which relates to interior
 19 sidewalks which are our engineer will talk about.
 20 So what is before you is a permitted use with no
 21 variances.
 22 Since this is a permitted use
 23 with no variances, no planning testimony is
 24 required or will be presented. As I said, this
 25 project was fully and completely vetted before we

Page 7

1 applied to this board.
 2 I have three witnesses, the
 3 first Greg Omen, a licensed engineer to present
 4 the site plan; the second Scott Daniel, a
 5 licensed architect in New Jersey to present the
 6 architectural plans; and finally Dan Disario, a
 7 licensed traffic engineer to present his traffic
 8 report.
 9 I also have, if you have any
 10 other questions about geo technical, Christopher
 11 Tanzi is here, he's available, but to the extent
 12 that Mr. Oman can address his comments, then that
 13 saves the board and all of us some time.
 14 Dante, I'd like to just confirm
 15 that this board does have jurisdiction to hear
 16 the matter?
 17 MR. ALFIERI: Yes, that's
 18 correct, I reviewed the notice presented and the
 19 board appears to have jurisdiction.
 20 MR. LEHRER: Thank you, I'd like
 21 to proceed with Mr. Oman as my first witness.
 22 MR. ALFIERI: Let's have you
 23 sworn in.
 24 (Whereupon, Greg Oman is duly
 25 sworn by the Notary.)

Page 8

1 MR. OMAN: I do.
 2 MR. ALFIERI: Can you state and
 3 spell your name for the record.
 4 MR. OMAN: O-M-A-N, Gregory.
 5 MR. ALFIERI: Please provide any
 6 qualifications for the board.
 7 MR. OMAN: Certainly. I am
 8 President and owner of Menlo Engineering
 9 Associates. I have been employed by Menlo
 10 Engineering Associates for over 24 years. I am a
 11 Licensed Professional Engineer in the State of
 12 New Jersey for over 20 years now, I have been in
 13 front of numerous boards. The last time I was in
 14 front of his board was almost exactly nine years
 15 ago for the application on the easterly side of
 16 this property for the industrial.
 17 MR. ALFIERI: Does the board
 18 accept his credentials?
 19 MR. MULLER: I'll make a motion
 20 to accept.
 21 MR. ALFIERI: All in favor?
 22 Please proceed.
 23 MR. LEHRER: Thank you.
 24
 25 QUESTIONING BY MR. LEHRER OF MR. OMAN:

Page 9

1
 2 Q. Mr. Oman, I know you have two
 3 exhibits, if you can tell the board first what is
 4 marked as A-1, it's been premarked and sent to
 5 the board secretary, all of the exhibits have
 6 been premarked, that would be A-1. Correct?
 7 A. Sure, A-1 is entitled existing
 8 conditions exhibit with today's date. It's an
 9 aerial photo showing the surrounding properties
 10 and the boundary of our property, bold kind of
 11 jumping up so you can see the limits of the
 12 property.
 13 So this is an application for
 14 156.92 acre parcel identified on the Borough's
 15 tax map as block 249, lot one; block 250, lot
 16 one, and block 251, lot one. The site falls
 17 within the Fultons Landing redevelopment zone in
 18 which warehouse and office component for that
 19 warehouse are permitted uses.
 20 The site is bound by Main Street
 21 to the north multi-family and single family homes
 22 to the north of Main Street. Conrail Railroad to
 23 the south, existing industrial wooded areas and
 24 Burt Creek which is a tributary to the Raritan
 25 River along the easterly property line and then

Page 10

1 along the west there is a 40 foot wide lot owned
 2 by Dupont Specialty Products. With that, that 40
 3 foot property are overhead wires that extend from
 4 Main Street south all the way down to Washington
 5 Road and directly to the west of that lot again
 6 are additional residential single-family and
 7 multi-family units.
 8 The site today the
 9 undevelopment, previously mined for sand and
 10 gravel. The shore trees along Main Street and
 11 pockets of isolated wetlands along the southeast
 12 and northeast corners of the property. It drains
 13 from a west to east direction with the grades
 14 approximately 60 to 65 along the westerly
 15 property lines down to approximately ten to 15
 16 down on the easterly side along Burt Creek.
 17 There are three manmade ditches
 18 that create runoff from the property to Burt
 19 Creek and it conveyed out under Main Street and
 20 culvers out to the Raritan River.
 21 There is one access point to the
 22 site today approximately 550 feet east of the
 23 intersection of Kimball Drive East and Main
 24 Street which provides access to the site today
 25 and throughout the site there are many gravel

Page 11

1 trails and pathways that basically provide access
 2 to limited areas on site.
 3 My second exhibit which is
 4 marked A-2, entitled overall plan exhibit again
 5 with today's date, it's a colorized rendering of
 6 the site plan, again overlay on top of the aerial
 7 photo showing surrounding properties.
 8 We are proposing three warehouse
 9 buildings here, buildings A and B which are the
 10 westerly and center buildings, one in a north
 11 south direction with building C which is the
 12 easterly most building that runs in a west to
 13 east direction.
 14 Starting with building A which
 15 is the westerly building, we are proposing a
 16 total of 852,650 square feet and that building is
 17 broken down as follows, 816,650 square feet of
 18 the building is designated as warehouse, 36,000
 19 square feet of that being office. The office is
 20 broken up into a four components, 9,000 square
 21 foot chunks located at each of the four corners
 22 of that building.
 23 This building is a double loaded
 24 building meaning it has loading docks on both the
 25 westerly and easterly sides. We are proposing a

Page 12

1 total of 159 loading docks for building A, 79 of
 2 those located on the westerly side, 80 of those
 3 being located on the easterly side. Loading
 4 docks measure 14 feet in width by 60 feet in
 5 depth.
 6 We are proposing a total of 221
 7 trailer storage spaces for the trucks, 106 of
 8 those are located on the westerly side of the
 9 building, 115 are located on the easterly side of
 10 the buildings. Those measure 12 feet in width by
 11 60 feet in depth. There is parking being
 12 proposed on both the northerly and southerly side
 13 of the building, a total of 224 parking stalls.
 14 Those measure nine feet in width by 18 feet in
 15 depth with 24 foot drive aisles, along with 16 of
 16 those are ADA compliant parking stalls and they
 17 are located nearest the four office spaces.
 18 We are also showing some land
 19 bank parking along southerly parking field in the
 20 event in the future a tenant needs additional
 21 parking, if a tenant feels the site is under need
 22 for more parking, in total with the additional
 23 land bank parking, we are proposing 273 parking
 24 stalls for building A.
 25 Building B which is the center

Page 13

1 building is a total of 687,940 square feet,
 2 that's broken down into 651,940 square feet of
 3 warehouse and 36,000 square feet of office.
 4 Again, the office is broken up into 9,000 square
 5 foot chunks located at each of the four corners.
 6 It is just like building A, a double loaded
 7 building with a total of 122 loading docks. 57
 8 are located on the westerly side, 65 located on
 9 the easterly side. We are proposing 193 trailer
 10 storage spaces, 103 are located on the west, with
 11 90 located on the easterly side of the building.
 12 And then again parking on the northerly and
 13 southerly side of the building, 210 parking
 14 stalls total, again, nine feet in width by 18
 15 feet in depth with 68 ADA parking stalls again
 16 located closest to the office space.
 17 We are showing again for
 18 building B some additional land bank parking not
 19 on the northerly side but the southerly side, if
 20 you include the land bank parking, for building B
 21 alone, we are including 385 parking stalls total
 22 including the land bank parking.
 23 Lastly we have building C, it's
 24 the easterly most building, it's a total of 240
 25 square feet, that's broken down into 222,000

Page 14

1 square feet of warehouse and 18,000 square feet
 2 of office, and the office is located at the
 3 southwest and southeast corners of the building.
 4 This is the single loaded
 5 building, loading docks on the northerly side, 41
 6 of those, and 31 trailer storage spaces directly
 7 across the docks, from those loading docks. On
 8 the southerly side of the building we are
 9 proposing 156 parking stalls with eight of those
 10 being ADA compliant.
 11 So in total we are proposing
 12 1,780,590 square feet of total warehouse/office
 13 for this particular application.
 14 Now, we were showing 322 loading
 15 docks based across all three of those, our
 16 interpretation of the redevelopment ordinance for
 17 the number of trailer storage spaces we assumed
 18 was based on truck spaces, not only trailer
 19 storage but also the loading docks. The board
 20 engineer corrected us and noted that we don't
 21 have enough trailer storage spaces on site, so
 22 instead of adding more trailer storage spaces to
 23 increase the square footage, we are actually
 24 going to reduce the overall loading docks from
 25 200 /THED 22 to 200 '96, therefore we comply and

Page 15

1 322 to 296, therefore we comply, we do not
 2 request a variance of that ordinance.
 3 So in total we require 518
 4 parking stalls and we are proposing 590 to be
 5 constructed, but if you include the land bank
 6 parking it could be up to 814.
 7 There is two means of access
 8 being proposed, the first is the easterly access
 9 directly across from Kimball Drive East in which
 10 we are constructing a proposed signal. As part
 11 of that improvement, we are also going to widen
 12 Main Street approximately ten to twelve feet to
 13 provide ample turning lanes, shoulders and
 14 throughways to meet the Middlesex County
 15 requirements.
 16 We are proposing a five foot
 17 wide sidewalk along the entire frontage along
 18 Main Street along with crosswalks and ADA ramps
 19 at each of the driveways. The westerly driveway
 20 directly across from Kimball Drive West as
 21 submitted shows that a proposed traffic signal is
 22 going to be installed there. Recently Middlesex
 23 County has come back and said that based on the
 24 trip generations and there tabulation they are
 25 showing that a traffic signal is not warranted at

Page 16

1 that intersection.
 2 What the applicant is going to
 3 do, the applicant is going to install all
 4 necessary improvements at that intersection, all
 5 conduit and ramps and bond for that signal in the
 6 event that in the future if and when the county
 7 decides and feels that that signal is necessary,
 8 it can be constructed in a means that is not
 9 disruptive to that intersection.
 10 Circulation is allowed and
 11 permitted on all four sides of these buildings to
 12 help promote safety for fire protection if
 13 needed. We are proposing compactors located at
 14 the end of each of the truck docks along with
 15 some masonry dumpster enclosure outside in case
 16 the tenant needs additional space. All of this
 17 will be collected by a private hauler and they
 18 dictate based on the tenants' needs how often
 19 they must come to the site to remove the garbage
 20 and recycling.
 21 We are also providing pedestrian
 22 access for the entire development off of Main
 23 Street. There is not one office space being
 24 proposed that you cannot access by walking from
 25 either of the entrance ways off of Main Street.

Page 17

1 The two existent bus stops that are located on
 2 Main Street across from Kimball Drive West and
 3 east are also going to be relocated back, they
 4 will be maintained but because of the widening
 5 they will be relocated back further.
 6 As the applicant's attorney
 7 indicated, this is a variance free application
 8 but we are requesting one waiver and the waiver
 9 is to provide sidewalks along aisles and
 10 driveways and where we are not providing that are
 11 on the outer most parking runs for both buildings
 12 A and B, and the reason being is if I was to park
 13 in the last spot across from the building, in
 14 order to comply, I would have to add a sidewalk
 15 away from the building, to walk away from the
 16 building, walk down a sidewalk and then across to
 17 the building.
 18 I know everyone is going to get
 19 out of the car and walk across the 24 foot drive
 20 aisle and into the building. So instead of
 21 adding that sidewalk on the perimeter of the
 22 loading docks and parking stalls for building A
 23 and B, we are requesting a waiver because we feel
 24 it's unnecessary for this particular development.
 25 We are phasing this into three

Page 18

1 separate phases as provided by the redevelopment
 2 ordinance. Phase one is the largest of the three
 3 phases, it includes the construction of building
 4 A which is the westerly building, the
 5 construction with the signal at Kimball Drive
 6 East, the improvements along Main Street
 7 including the sidewalk and the widening, the loop
 8 road that circles around buildings A and B, and
 9 the constructed wetlands basin being located up
 10 at the northeast corner which I'll talk about
 11 briefly.
 12 It also so includes a water main
 13 extension that I am also going to talk about
 14 shortly that is going to expend underneath
 15 Conrail and connect with Lakeview Drive. Phase
 16 two includes construction of building B which is
 17 the center building and also the westerly most
 18 driveway opposite Kimball Drive West, and finally
 19 Phase three is the construction of building C and
 20 the loading and parking associated with that.
 21 The applicant had an acoustical
 22 engineer review the property for sound. And he
 23 set up three days in which he did testing and his
 24 initial testing was locating a monitor along Main
 25 Street, one along the railroad and then two, kind

Page 19

1 of a third of the way down and two-thirds of the
 2 way down along the westerly property line and he
 3 wanted to get some testing to figure out what the
 4 ambient sound was around the property. And what
 5 he found was that at all four locations they all
 6 exceeded the state noise regulations.
 7 Now, Main Street was the worst,
 8 there wasn't one hour in that three day in which
 9 the state noise regulations were met. And the
 10 regulations are between the hours of seven a.m.
 11 and ten p.m., you are allowed a limit of 65
 12 decibels between ten p.m. and seven a.m., it
 13 drops down to 50 decibels.
 14 Now my testimony, I don't think
 15 I am talking that loud, I am probably talking
 16 around 70 decibels. 60 is if you were in a
 17 living room with a TV on and 50 decibels which is
 18 what the requirement is at nighttime at the
 19 property line is a quiet office, no one talking,
 20 just a quiet office, just to give you a gauge of
 21 what those levels are.
 22 So regardless of what the
 23 existing levels are, the state requires that the
 24 property itself, regardless of surrounding sounds
 25 meet the new recent sound requirements. And what

Page 20

1 his model showed was that a sound barrier was
 2 required along the westerly access road and along
 3 the northerly access road. These are going to be
 4 18 foot tall sound walls, they were submitted as
 5 a product called a fly wall which is kind of a
 6 post and plank panel in which we have utilized on
 7 many warehouse applications but based on the
 8 recommendations from the board's engineer, we are
 9 going to change that to a concrete panel type
 10 system, which will approximately five inches
 11 thick each of those panels but the same height,
 12 same length, the westerly sound wall is 2,340
 13 linear feet with the northerly wall at just over
 14 1,500 linear.
 15 Q. Can you just point out on the
 16 board where that would be?
 17 A. Yes, I can. So the westerly
 18 sound barrier starts at the southwest corner of
 19 the property, extends parallel to the westerly
 20 most access road and then kind of heads off in a
 21 northeast corner direction up towards the
 22 entrance off of Main Street. The northerly
 23 starts approximately in the middle of building A
 24 and runs in an easterly direction towards the
 25 access point off of Kimball Drive East and wraps

Page 21

1 around towards Main Street.
2 So with the addition of those
3 two sound barriers, this property acting alone
4 meets the sound requirements per the state for
5 these actions.
6 These plans were developed prior
7 to the beginning of the year and in January of
8 this year, there was a requirement adopted that
9 make ready electric charging stations be required
10 for both residential developments and also
11 commercial, and based on the 518 parking stalls
12 that are required for this property, there are 21
13 required charging stations, two will have to be
14 ADA compatible and the applicant will do those.
15 The biggest challenge that my
16 office had for this property was the storm water
17 management. Back on March 2 of 2021 the DEP
18 released new storm water management regulations
19 in which a standard site just doesn't have a
20 single detention basin and pipes running to it
21 anymore. They limited the amount of drainage
22 area to the -- to these type of basins to two and
23 a half acres and they require green
24 infrastructure and they want a lot of
25 disconnected impervious. Meaning, they don't

Page 22

1 want to have an inlet and water running through
2 it, they want it to run through grass, it slows
3 the water down, allows it to percolate into the
4 ground and basically helps to reduce the rate of
5 runoff from the site.
6 So because we are increasing the
7 impervious coverage by over a quarter of an acre,
8 and we are disturbing over an acre of property,
9 we are classified as a major development for
10 storm water management. And when you are
11 classified as a major development, there is three
12 criteria you must meet, rate of runoff which is
13 how quickly the water leaves the site, water
14 quality, TSS removal or total suspended solids
15 removal rate and lastly is ground water recharge
16 meaning the volume of water that percolates into
17 the ground today on the site must met or exceeded
18 in the future.
19 So we utilized the combination
20 of bioretention swales, porous pavement,
21 manufactured treatment devices around the entire
22 property, in between each of the two buildings,
23 building A and B on the perimeter in which these
24 allow water to percolate down, picked up by an
25 underdrain, eventually make it's way through a

Page 23

1 system and into constructed wetlands being
2 maintained up at the northeast corner. Now, the
3 combination of all of these infrastructures and
4 the techniques we are utilizing between the
5 buildings along with the constructed wetlands,
6 that provides us to reduce the rate of runoff for
7 up to and including the 100 year storm and also
8 allows us to provide a 90 percent TSS removal
9 rate for water quality where 80 percent is
10 required by regulation. So we are exceeding what
11 is required for water quality.
12 In terms of the ground water
13 recharge, based off the geo tech soil testing,
14 there was virtually no recharge occurring on site
15 today. All of the tests showed that the ground
16 was very impermeable with very little recharge
17 with the exception of just to the north of
18 building A. So we concentrated a couple of these
19 green infrastructure techniques to the north of
20 building A to allow a little bit of recharge to
21 meet that requirement based on the borough,
22 county and state requirements.
23 Since I mentioned the geo
24 technical testing, I just want to put on the
25 record, they is going to be no dynamic compaction

Page 24

1 for construction, not for the buildings, not for
2 the roads, et cetera. Just want to make sure
3 that is put on the record.
4 For the utilities, sewer, water,
5 telephone and gas are all located within Main
6 Street to provide service to this facility. We
7 are proposing gravity lines from each of the
8 office components out to existing 12" sewer main
9 on Main Street and the 12' water main on Main
10 Street is going to be tapped at both of the two
11 intersections, it's going to loop around the two
12 center buildings by fire service to all three
13 buildings and also going to run an extension
14 underneath the railroad and I'll point to that on
15 the exhibit, to the south, underneath the
16 railroad and interconnect with the system located
17 on Lakeview Drive. That's going to provide
18 adequate and safe fire protection not only for
19 this but increase pressure, volumes surrounding
20 areas and connect both of those systems that
21 don't connect today.
22 We are proposing LED lights
23 throughout the entire development, we have 99
24 free-standing lights, they are mounted at 33 feet
25 high. They are downward pointing fixtures, 226

Page 25

1 want fixtures and along with those we are also
 2 proposing 50 building mounted fixtures, they are
 3 mounted at 29 feet high, again, 226 watt
 4 fixtures. This provides a 200 foot candle
 5 minimum throughout the development which allowed
 6 for safe pedestrian access throughout the entire
 7 site.
 8 We are proposing zero foot
 9 candle light level at all of the property lines
 10 with the exception of the two driveways that need
 11 to be lit up for safety.
 12 We are meeting the redevelopment
 13 ordinance in terms of landscaping requirements
 14 including a 150 foot wide landscape buffer along
 15 the westerly property line and a 100 foot wide
 16 landscape buffer along the northerly access road.
 17 The westerly buffer is going to be made up of a
 18 triple row of evergreen plantings, tree heights
 19 of eight to ten feet at planting, along with a
 20 mix of deciduous and shrubs for some of the under
 21 canopy area.
 22 Along the north we are going to
 23 do a double row of evergreen plantings, they will
 24 be directly behind the existing vegetation that
 25 exists on site on Main Street. The existing

Page 26

1 trees along Main Street will remain with the
 2 exception of anything that needs to be removed
 3 for the entrance, two entrance and any minimal
 4 widening for the sidewalk along Main Street. The
 5 rest of the trees etc along Main Street are all
 6 going to remain.
 7 Within the development, it's a
 8 pretty standard landscaping plan, two shade trees
 9 at each of the islands, jazzed up the entrances
 10 off of Main Street, fountain grasses to give it a
 11 little more color and look to it. In total we
 12 are proposing 2,043 trees, 3,777 shrubs and 2,882
 13 ground cover which is like switch grass and found
 14 taken grass on site. This also includes the
 15 street trees located along Main Street that are
 16 being planted at 40 feet on center along that
 17 five foot sidewalk.
 18 The plans didn't indicate as any
 19 signage to be proposed but the applicant is going
 20 to meet the redevelopment ordinance in terms of
 21 having one monument sign located at each of the
 22 two driveways, these signs will be no more than
 23 ten feet high and no more than 50 square feet max
 24 to meet the requirement and set back minimum of
 25 15 feet off of the right-of-way.

Page 27

1 In terms of outside agency
 2 approvals, we required Middlesex County planning
 3 board, we require any Borough departments
 4 including fire, police and soil erosion from the
 5 Borough because we are disturbing over 5,000
 6 square feet. We will require a Conrail utility
 7 crossing permit for the water line extension and
 8 lastly we require DEP approvals including flood
 9 hazard and visual permit due to the widening and
 10 extension of the culvert, a wetlands general
 11 permits for a couple of the isolated wetlands
 12 that exist on site, a treatment works approval
 13 which is a sanitary sewer extension based on the
 14 flow from these three buildings and lastly a
 15 water expenses permit from the DEP again for the
 16 length of piping that we are proposing.
 17 Lastly, I have had an
 18 opportunity to review the comments and
 19 recommendations made by the boards'
 20 professionals, the August 17, 2022 CME letter and
 21 the August 12, 2022 letter from Michael Fowler &
 22 Associates and based on the site plan and my
 23 testimony, we have a traffic engineer that can
 24 address the comments in the simulators for
 25 traffic but the applicant is willing to make and

Page 28

1 agree to all of those comments in both of those
 2 letters.
 3 Q. So let me just repeat that, for
 4 other than for section G1 under the technical
 5 comments, dealing with the design waiver for the
 6 internal sidewalks and section H which Mr.
 7 Disario will discuss, the applicant will comply
 8 with all of the technical requirements set forth
 9 in Mr. Cornell's review letter?
 10 A. Correct, and also Michael
 11 Fowler, correct, correct. That concludes my
 12 testimony.
 13 CHAIRMAN DAVIS: Thank you.
 14 Anyone have any questions? No questions?
 15 Anything?
 16 MR. CORNELL: It's good to hear
 17 the applicant's engineer is going to comply. The
 18 report is very lengthy. There are a lot of
 19 technical issues we need to go through and have
 20 addressed. With regard to the storm drainage,
 21 conceptually we agree with what is proposed, we
 22 just need more information to meet the standards,
 23 a lot of the conditions that we talked about,
 24 changing the sound barriers from a wood material
 25 to a concrete material, he's agreed to, there is

Page 29

1 comments in here about vibration studies during
2 the work to make sure there is no impacts on the
3 off site residents, he's agreed to go through and
4 take care of that.
5 There is comments in here about
6 verifying the downstream capacity for the system,
7 the high flow for the water system, he's agreed
8 to go through and take care of those items, and
9 also the -- our report talks about the tree
10 replacement ordinance. There is calculations
11 that we have some questions about how they were
12 done, but he's agreeing to comply with our
13 recommendations and meet all the requirements of
14 the tree preservation ordinance.
15 So it's good to hear that all
16 the items we have, even though it's a lengthy
17 report, those are the major issues and he's
18 agreed to address those, and agreeable to those.
19 MR. FOWLER: How about some
20 testimony given by all the professionals that
21 some of my comments that you will address,
22 sometimes I have a question that has a little bit
23 of an answer to be given.
24 A. Thank you.
25 CHAIRMAN DAVIS: Let's call your

Page 30

1 next witness.
2 MR. LEHRER: Mr. Alfieri, I am
3 not sure if you want me to proceed with the next
4 witness?
5 MR. ALFIERI: We will hold the
6 public portion at the end.
7 MR. LEHRER: Mr. Daniel?
8 MR. ALFIERI: Swear you in.
9 (Whereupon, Mr. Daniel is duly
10 sworn.)
11 MR. DANIEL: I do.
12 MR. ALFIERI: State and spell
13 your name for the record.
14 A. First name is Scott, S-C-O-T-T,
15 last name is Daniel, D-A-N-I-E-L.
16 MR. ALFIERI: If you wouldn't
17 mind please provide your qualifications for the
18 board.
19 MR. DANIEL: Sure, I am a
20 registered architect in the State of New Jersey.
21 I am the Director of Architecture for Ware
22 Malcolm. 35 years experience in the profession
23 as an architect, Bachelor's of Architectures from
24 NJIT and again, I am a licensed architect in New
25 Jersey, New York, Maryland and Pennsylvania.

Page 31

1 MR. BAILEY: I'll make a motion
2 to accept him?
3 MR. ALLEGRE: Second.
4 MR. ALFIERI: Please proceed.
5
6 QUESTIONING BY MR. LEHRER OF MR. DANIEL:
7
8 A. What I'd like to start with is a
9 rendering of building A, that was previously
10 marked as A-14. Correct?
11 Q. Yes.
12 A. Exhibit A-14 and what this
13 depicts is the configuration of the building at
14 the entrance, building A, the large building
15 which is 842,650 square feet. As discussed
16 earlier, this is the cross dock configuration and
17 as far as the materials go with the building, we
18 will be utilizing a precast concrete panel fully
19 insulated.
20 We will also be utilizing a
21 placing system that is double placed, low E for
22 energy conservation. With this we will utilize
23 the store front framing system, some metal panels
24 to accentuate the entrance and a canopy to also
25 so bring you a greater entry into the building.

Page 32

1 The architecture of the building
2 is inherently monolithic for this type of
3 building so to counteract that we use a
4 combination of colors, we are using gray colors,
5 as you can see, it's a white, medium color gray
6 and a darker gray to give you some dynamic in the
7 elevation. We also utilized vertical members in
8 the panels to express more of the breaking up of
9 the monolithic vision.
10 What we tried to do here and our
11 aim was not to -- not so much make it look like
12 an industrial building but an office space. We
13 have three buildings on the piece of property so
14 we wanted it to be more of a campus type of feel
15 and you can see that in the site plan that Mr.
16 Oman showed to you earlier.
17 So each of the buildings will be
18 configured using the concrete panels, also it
19 will be a concrete slab on grade and the interior
20 structure will be steel columns, steel girders,
21 open web joists, ceiling panels, fully insulated
22 on top with a single ply membrane.
23 The structure itself will be
24 designed so that in the effect that the tenant or
25 the owner decides they want to utilize solar

Page 33

1 panels on the roof, it will be able to carry that
 2 weight also.
 3 Each three of the buildings will
 4 be configured this way and they will also have
 5 the same look to keep that campus type of feel so
 6 that it kind of becomes part of the environment
 7 within the campus itself.
 8 As far as energy, we will
 9 utilize LED lighting on the inside, we also had a
 10 series of clear story windows to let in as much
 11 light as possible in between the racking that you
 12 can see. Again, it will be fully insulated and
 13 it will meet and exceed the energy code for New
 14 Jersey.
 15 Q. You also provided some
 16 elevations and floor plans. Correct?
 17 A. Yeah, what I'll do now is I'd
 18 like to bring up Exhibit 4 which is the large
 19 building, building A.
 20 Q. So you have Exhibits A- through
 21 A-13?
 22 A. Yes.
 23 MR. ALFIERI: Make sure you
 24 testify into the microphone, we have a portable
 25 one there.

Page 34

1 Q. You have exhibits, premarked A-3
 2 through A-13 which are floor plans and
 3 elevations. Correct?
 4 A. That's correct.
 5 Q. But you are only going to
 6 provide a typical elevation and floor plans
 7 because the board can, rather than go through all
 8 of the exhibits which are relatively the same,
 9 would you agree?
 10 A. Yeah, what I'd like to do is I'd
 11 like to go through the larger building and just
 12 to let you know, the other buildings are
 13 configured with the same materials, same type of
 14 construction, they are just a little bit smaller.
 15 Okay?
 16 Building A which is the larger
 17 building which is over 800,000 square feet is
 18 actually, the dimensions of the building are
 19 1,550 linear feet on the long side and 550 feet
 20 on the short side. What we utilize is a bay
 21 system that goes with a typical racking system
 22 and on the north to south access, that way, those
 23 bays are 50 feet on the inside, this is a cross
 24 dock configuration, so each of where the docks
 25 are, that's called a speed bay and those are 60

Page 35

1 feet.
 2 From the east to west, we are
 3 utilizing a 60 foot bay system and what that does
 4 is it provides aisles for the forklifts to go up
 5 and down with grade efficiency. As discussed
 6 earlier, we have shown that we can break this
 7 building up into multi tenants. We show here
 8 where we would say the best location for the
 9 offices are on the corners, that's typically how
 10 these buildings are structured and as you saw in
 11 the rendering, each of those will have a feature
 12 on the corner for an entrance.
 13 Q. So A-4 if I'm not mistaken, A-4
 14 is the floor plan for the larger building?
 15 A. That's correct.
 16 Q. And if you can show us. A-3
 17 which I think the elevation?
 18 A. A five.
 19 Q. Well, we have A-3. A-4 --
 20 A. Just one second.
 21 Q. A-3 is the same site plan that
 22 Mr. Oman presented. So. A-4 and then A-5 would
 23 be the elevations for building A. Correct?
 24 A. That's correct.
 25 Q. And then would it be fair to say

Page 36

1 that the other exhibits are typical, those as
 2 well, we are going to make them part of the
 3 record and they are part of the record, but you
 4 would agree that they are fairly typical of what
 5 you are talking about with respect to building A?
 6 A. Yes, they are almost identical.
 7 And as I said earlier, are they are just smaller
 8 in size, less volume.
 9 So what we are looking at here
 10 is the top is the east elevation which shows just
 11 the entire elevation, the length of it, how it's
 12 broken up, each end has a -- the office space
 13 which is a different color, different texture,
 14 utilize the metal panel at the corners. The
 15 placing wall store front and the entrance canopy
 16 for the entrance for the employees.
 17 We utilize a darker color on the
 18 bottom to give it more of a pedestal and the
 19 lighter color on top so it accentuates the
 20 vertical of the building.
 21 The elevation on the bottom
 22 where it says A-5, that is the east west
 23 elevation so as you can see, we also play with
 24 the height of the building to give it a little
 25 more character, break it up a little bit, and add

Page 37

1 to the architecture of the building. This also
 2 takes into account the slope of the roof and the
 3 drainage of the water which drains through each
 4 of the long sides of the building.
 5 Q. In terms of signage, you heard
 6 Mr. Oman talk about the fact that we would fully
 7 comply with the redevelopment plans sign
 8 requirements. Correct?
 9 A. Correct.
 10 Q. And they will be internally
 11 illuminated signs?
 12 A. They will be internally
 13 illuminated signs, yes.
 14 MR. LEHRER: That's all I have.
 15 Is there an A-6 that -- with respect to building
 16 A?
 17 A. Yes, there is an A-6. A-6 is
 18 pretty identical to A-5, it's just the other side
 19 of the building and that is the south side of the
 20 building also, so it's an identical -- it's
 21 identical to the other exhibits.
 22 MR. LEHRER: I have nothing
 23 further for Mr. Daniel.
 24 CHAIRMAN DAVIS: Anybody have
 25 any questions?

Page 38

1 MR. CORNELL: No questions.
 2 MR. LEHRER: My last witness is
 3 Dan Disario, the traffic consultant.
 4 MR. ALFIERI: Let's swear you
 5 in.
 6 MR. DISARIO: Yes, I do.
 7 MR. ALFIERI: State your name
 8 and spell it for the record.
 9 MR. DISARIO: Dan, last name is
 10 Disario, D-I-S-A-R-I-O.
 11 MR. ALFIERI: Will you please
 12 provide your qualifications to the board?
 13 MR. DISARIO: Certainly
 14 Bachelor's of Science and Civil Engineering from
 15 Tufts University, Masters of Science and
 16 Transportation Engineering from NJIT. Licensed
 17 Professional Engineer in the State of New Jersey,
 18 I have been accepted as an expert in traffic
 19 engineering for hundreds of boards throughout New
 20 Jersey.
 21 A VOICE: Mr. Chairman, I'd like
 22 to make a motion to accept the credentials?
 23 MR. SPOSATO: Second.
 24 A. Thank you. I appreciate that.
 25 I was going to add that I grew up in Perth Amboy,

Page 39

1 one block away from a warehouse. I currently
 2 live in South Brunswick, near Exit 8A directly
 3 across from Coca-Cola and Loreal warehouse, and I
 4 have worked on close to a billion square feet of
 5 warehousing throughout North America in the last
 6 ten years.
 7 With that, respectfully as the
 8 board is aware, we submitted a traffic study
 9 dated August 4, 2022. I'd be happy to discuss
 10 any details of that study, but as our attorney
 11 has respectfully submitted to you, really at this
 12 stage in terms of a site plan review, the board
 13 should be interested in understanding that safe
 14 and efficient site access is being provided as
 15 part of this project. I can tell you that is
 16 indeed the case.
 17 You heard from the site engineer
 18 that as part of this development which again
 19 complies with the redevelopment plan, access will
 20 consist of two driveways along Main Street on the
 21 south side directly opposite of Kimball Drive
 22 West and Kimball Drive East.
 23 As part of those two access
 24 points, the applicant is also providing
 25 improvements to Main Street. The applicant will

Page 40

1 be widening Main Street to provide left turn
 2 lanes in both directions at Kimball Drive East
 3 intersection as well as the Kimball Drive West
 4 intersection. There will be left turn lanes
 5 where none exist today so that the residents that
 6 live along Kimball Drive West and east will have
 7 a left turn lane when they are proceeding in the
 8 westbound direction to turn into their
 9 development and westbound left turn lanes at both
 10 of the site driveways, again opposite Kimball
 11 Drive West and east to serve traffic turning into
 12 this proposed development.
 13 In addition Main Street between
 14 Kimball Drive East and west will be widened to
 15 provide 15 foot wide travels lanes and 11 foot
 16 wide shoulders. The Kimball Drive East
 17 intersection, where our site driveway is coming
 18 in, we will also have an acceleration lane so
 19 that traffic that's turning out of this site and
 20 heading east on Main Street will have an
 21 acceleration lane in order to do that.
 22 In addition, the applicant is
 23 proposing to install a traffic signal at the
 24 Kimball Drive East intersection. That signal
 25 will not only serve Kimball Drive East but also

Page 41

1 the easterly site driveway as part of this
2 development.
3 The redevelopment plan does call
4 for a traffic signal at the Kimball Drive West in
5 our westerly site driveway intersection. We have
6 coordinated with the county and the county has
7 made a determination that a traffic signal is not
8 warranted at the present time for that
9 intersection. Quite frankly traffic signal
10 warrants are largely driven, no pun intended, by
11 the amount of traffic coming out of the minor
12 streets. There is not enough traffic right now
13 coming out of Kimball Drive West to warrant that
14 signal.
15 In addition, there is not enough
16 traffic projected coming out of our westerly
17 driveway in the future to warrant a traffic
18 signal. So what the applicant is proposing and
19 what the site engineer had testified to is as
20 part of this development, all the underground
21 equipment that a traffic signal requires, so
22 junction boxes, underground conduit that would
23 cross over Main Street would be installed by this
24 application as part of this development.
25 If and when such time volumes

Page 42

1 reach a level that a signal is warranted in the
2 future, the applicant would install that signal
3 at Kimball Drive West in our westerly site
4 driveway.
5 Now, we have had discussions
6 with your engineer, one of the comments in his
7 review letter is that a request to post a
8 performance bond for that traffic signal at
9 Kimball Drive West and the applicant is agreeable
10 to that, in addition, the request by Mr. Cornell
11 was to provide an updated analysis after building
12 number two is occupied and operating to determine
13 if at that time the additional traffic would
14 reach a level where a traffic signal would be
15 warranted at the Kimball Drive West intersection,
16 and the applicant is agreeable to that request.
17 There is also a request by Mr.
18 Cornell to do another analysis after building
19 three is occupied and operating to determine if
20 at that time a traffic signal is warranted at
21 Kimball Drive West and if it is, the applicant
22 will put it in. If it's not, the applicant will
23 post a performance bond, the applicants
24 respectfully requesting that that bond and ten
25 years after the CO for the last building is

Page 43

1 issued so during those ten years, there will be
2 opportunities to again evaluate whether that
3 traffic signal is warranted based on the future
4 volumes that exist.
5 So again, we would update a
6 study after building two is occupied, if you
7 don't get the warrants then, we will do another
8 study after building three is occupied and if you
9 don't warrant a traffic signal then, the
10 applicant will post a bond that will run ten
11 years after the CO is issued for building three.
12 I will respectfully submit to
13 the board the applicant desires to put both
14 signals in now. It's to their advantage to
15 basically have two traffic signals at their front
16 door serving the site, but the county rightly so
17 wants the warrants to be met in order to
18 authorize installation of a traffic signal and we
19 are just not there for Kimball Drive West. We
20 are there for Kimball Drive East but we are not
21 there for Kimball Drive West. As soon as we are,
22 hopefully the applicant will put that signal in
23 or you have the performance bond running for ten
24 years after building three.
25 With respect to on site

Page 44

1 circulation, you heard from the site engineer,
2 completely compliant with the development plan as
3 amended for the reduction of the dock doors as it
4 relates to trailer parking space as submitted by
5 him earlier this evening. All of trailer
6 parking, all of the truck courts, all of the car
7 parking have been designed in accordance with
8 current standards and will require safe and
9 efficient circulation throughout the site.
10 The proposed parking, some of it
11 is proposed to be banked, some of it is proposed
12 to be constructed at the time that each of the
13 building are constructed. The parking complies
14 with the redevelopment plan, quite frankly it's
15 in excess of what the redevelopment plan
16 requires, that's why the applicant is proposing
17 some of the parking to be banked and if a
18 specific tenant needs that additional parking,
19 then the applicant would construct it.
20 So in conclusion, we have a
21 completely conforming plan that relates to the
22 use, the traffic as detailed in the traffic study
23 submitted to this board concludes that the access
24 is adequate, we are proposing the improvements
25 along Main Street as well as the traffic signal

Page 45

1 at Kimball Drive East.
 2 CHAIRMAN DAVIS: Can you touch
 3 on any restriction of the truck turning?
 4 A. Yes, the applicant right now is
 5 not pursuing any truck turning prohibition as it
 6 relates to the proposed driveways. I will tell
 7 you and we have had these discussions, my
 8 understanding is trucks are prohibited for both
 9 Kimball Drive East and Kimball Drive West right
 10 now talking with your engineer. We can
 11 supplement the plan to reinforce that truck
 12 prohibition so that no trucks can go straight
 13 across from either driveway onto Kimball Drive
 14 East or Kimball Drive West.
 15 We don't have any issue with
 16 that. We can add striping and signage to that
 17 effect. I will tell you that I envision that the
 18 tenants that are likely to occupy these buildings
 19 will probably have port related businesses and
 20 will rely on Port Newark, Port Elizabeth for a
 21 lot of their truck activity if not all their
 22 truck activity, so I would envision and we
 23 anticipate that the majority if not all the
 24 trucks would be oriented to and from the north
 25 and as it relates to this specific site in this

Page 46

1 development, the trucks would rely on Main Street
 2 extension to get from the Route 9 and Route 35
 3 corridors to travel between those corridors and
 4 the site both coming and going.
 5 I know there was a lot of
 6 discussion during the redevelopment plan process,
 7 I know the public had concerns particularly with
 8 respect to Ernston Road, I can tell you, this was
 9 a comment in Mr. Cornell's letter, we do not need
 10 to rely on Ernston Road at all for our trucks.
 11 If the Borough were inclined to pursue a truck
 12 prohibition along Ernston Road, this applicant
 13 would support that.
 14 I can tell you though, there is
 15 a process that has to be followed with respect to
 16 prohibiting trucks on a public road, DOT has a
 17 process that you have to follow that basically
 18 requires -- there to be an existing truck issue
 19 or problem with a specific road. Now I am not
 20 aware of any issues with respect to Ernston Road
 21 and having a truck issue other than the fact that
 22 yes, people live along Ernston Road, they don't
 23 want to see any trucks, I understand that, but
 24 Ernston Road itself, as everyone knows, very wide
 25 road, can easily accommodate trucks, not that

Page 47

1 they are desirous because of the residential
 2 nature of quite a bit of Ernston Road, but
 3 nonetheless I am not aware of any problem today
 4 with respect to trucks on Ernston Road but if the
 5 Borough were to pursue trying to prohibit trucks
 6 along Ernston Road, this applicant would support
 7 that and have no issue on that. Again this
 8 development is going to rely on Main Street
 9 extension as the truck route to get trucks to and
 10 from the port from the site.
 11 Q. I have some conclusions that I
 12 would like you to confirm. You have read the
 13 redevelopment plan, have you not?
 14 A. Yes.
 15 Q. And in terms of circulation
 16 improvements, I am just going to read them and
 17 you just confirm that our plan either complies or
 18 doesn't. Main Street shall be widened along the
 19 property frontage to provide dedicated turning
 20 lanes at each proposed intersection/driveway?
 21 A. Complies.
 22 Q. Signalized intersections shall
 23 be provided to create full movement intersections
 24 at driveways proposed opposite Kimball Drive West
 25 and Kimball Drive East?

Page 48

1 A. We comply with Kimball Drive
 2 East and we will comply with Kimball Drive West
 3 if and when a signal is warranted in the future.
 4 Q. Truck traffic shall not be
 5 permitted access to the site from the west or
 6 exit this site allowing traveling -- or exit the
 7 site traveling west on Main Street towards
 8 downtown Sayreville, all truck traffic shall
 9 enter the site from the east and exit the site to
 10 the east towards Main Street, expenses Route 9
 11 and Route 35 turning movements shall be
 12 restricted in a manner acceptable to the board
 13 engineer?
 14 A. We will comply with that. I am
 15 not sure if the site plan shows signage and
 16 striping to that effect, but we can supplement
 17 the plans to implement that prohibition such that
 18 all trucks would come to and from the east.
 19 Q. And you have had an opportunity
 20 to review Mr. Cornell's section H under his
 21 technical review comments entitled traffic?
 22 A. Yes.
 23 Q. And we can comply with all of
 24 the items one through nine in that report.
 25 Correct?

Page 49

1 A. Yes.
 2 Q. And with respect to the shuttle
 3 service, we will do, we will make good faith
 4 efforts to do that, it's not a mandate, but we
 5 will make good faith efforts to do that?
 6 A. Yes, and the applicant's
 7 position with respect to the shuttle service, is
 8 that they will work with the future tenants of
 9 the development, and if there is a need or a
 10 demand for shuttle service, the applicant will
 11 work with the tenants as well as the Borough to
 12 craft a specific service that addresses those
 13 needs.
 14 Q. You have been a traffic engineer
 15 for how long?
 16 A. I started working in September
 17 '92 at now defunct, you know, Shore DiPalma.
 18 Q. And so you are aware of the
 19 general rules with respect to traffic generation
 20 on a permitted use with no variances. Correct?
 21 A. Yes.
 22 Q. As a matter of law, this board
 23 is really can't deny a site plan based upon
 24 traffic generation on the roadway system as long
 25 as the site is permitted because that's an issue

Page 50

1 for the governing body through a redevelopment
 2 plan. Correct?
 3 A. Yes.
 4 Q. The board does have jurisdiction
 5 over whether exits and entrances are safe and
 6 efficient and you have opined that they are.
 7 Correct?
 8 A. Yes.
 9 Q. And you have also opined that
 10 the applicant has agreed to certain off tract
 11 improvements which is also allowed under the PRV
 12 enterprise case. Correct?
 13 A. Yes.
 14 MR. LEHRER: I have nothing
 15 further. Thank you.
 16 CHAIRMAN DAVIS: Any questions?
 17 MR. BAILEY: I have a question
 18 on the left-hand turning lane coming from the
 19 Main Street extension. Looking from the plan
 20 seems to be about 100 feet long or in that
 21 vicinity?
 22 A. Yes.
 23 MR. BAILEY: What I am concerned
 24 with tractors trailers like you said, coming from
 25 the port from the Main Street extension and then

Page 51

1 you are only going to fit three tractor trailers
 2 in there trying to make this left-hand turn which
 3 in turn would cause a problem with traffic backed
 4 up on Main Street. Is there -- I don't know the
 5 protocol or how you determine the length of a --
 6 the length of a turning lane, so we would have
 7 that problem. If you can educate me on that --
 8 A. Certainly it's based on the
 9 traffic analysis, so we run an analysis of that
 10 intersection and you calculate how long the cue
 11 would be for that left-turn lane and we are
 12 working with the county to fine tune that design.
 13 If that left-turn lane needs to be extended, we
 14 can take a look at that, but I am confident the
 15 left-turn lane that's shown on the site plan will
 16 accommodate.
 17 MR. BAILEY: The reason I ask
 18 that question, the intersection of Bordentown
 19 Avenue and Ernston Road years ago, you know, in
 20 my opinion turning lanes are too short because
 21 the problem still exists after all the money
 22 spent.
 23 A. (Witness nodded).
 24 MR. BAILEY: Thank you.
 25 A. You're welcome.

Page 52

1 CHAIRMAN DAVIS: Anybody else.
 2 MR. MULLER: Is this complex
 3 going to be open 24/7, trucks are going to be
 4 coming down that road all hours of the night?
 5 A. So the applicant is seeking 24
 6 hour seven operation. Now having said that, I
 7 can tell you the likelihood that you get a tenant
 8 in here that runs 24/7 is extremely low. Most of
 9 the warehouse tenants that have occupied most of
 10 the warehousing in the last ten, fifteen years in
 11 our state do not run 24/7.
 12 I have a lot of developers with
 13 several buildings in their portfolios and I have
 14 asked that same question of them, one in
 15 particular they are called MRP, they haven't done
 16 anything in Sayreville, they are more Burlington
 17 County, and they have hundred buildings in
 18 portfolio, one of there tenants runs 24/7.
 19 MR. MULLER: How many employees
 20 do you think would be working at the complex in
 21 that 24 hour period?
 22 A. It's going to be really tenant
 23 specific and dependent. When I am asked that
 24 question, I really with all due respect and
 25 respectfully submit to you, the amount of

Page 53

1 employees that can work at this development are
 2 -- or in any of these individual buildings is
 3 really going to be limited by the amount of car
 4 parking that is being provided. So I think the
 5 board can take some comfort in knowing that the
 6 maximum number of employees on the site at any
 7 given time is only going to equate to the amount
 8 of car parking that's provided.
 9 These modern warehouse buildings
 10 have so much technology and mechanization inside
 11 of them, you would be surprised, it doesn't take
 12 a large head count in order to run these modern
 13 warehouses.
 14 I will tell you and full
 15 disclosure, I have done a ton of work with Amazon
 16 all over the country, so Amazon is a separate
 17 operator than 99 percent of the other types of
 18 tenants that would come into this kind of
 19 development.
 20 MR. MULLER: Is there any plan
 21 to have security at the complex?
 22 A. I can't answer that.
 23 MR. MULLER: How about the
 24 lighting issues from the complex if it's running
 25 24/7, is it going to create any issues for the

Page 54

1 housing across the street?
 2 A. I would have to defer to the
 3 site engineer but the testimony he had given was
 4 the lighting is compliant with the requirements
 5 of the Borough. There will be some higher
 6 lighting levels at the two driveway intersection
 7 with Kimball Drive East and west but that is
 8 needed because of the intersections.
 9 MR. MULLER: Thank you.
 10 A. You're welcome.
 11 CHAIRMAN DAVIS: Thank you.
 12 Anyone else have any questions?
 13 MR. SPOSATO: I have questions.
 14 MR. SPOSATO: Thank you, sir. I
 15 know there was a back and forth that you folks
 16 had with some of the residents who were
 17 concerned, I know some folks are here this
 18 evening as well. I just wanted to confirm some
 19 of the things you guys had agreed to in
 20 conversation with residents just to make sure
 21 that is transparent.
 22 The approved plans call for
 23 exits opposite Kimball Drive East and west, all
 24 traffic both car and truck from the complex
 25 should be prohibited from using Kimball Drive

Page 55

1 east or west which are residential streets, your
 2 team said you agreed with and supported that
 3 request. Is that correct?
 4 A. Yes.
 5 MR. SPOSATO: Perfect. Would
 6 you agree to make that a condition of approval?
 7 A. Yes.
 8 MR. SPOSATO: Then we also
 9 discussed that your leases would require tenants
 10 to enforce preferred routes, right, and
 11 prohibitions to keep trucks off of local roads,
 12 you also agree to that recommendations?
 13 A. Yes, and I meant to say that in
 14 my direct testimony, so yes.
 15 MR. SPOSATO: You would be
 16 willing to make that a condition of approval as
 17 well?
 18 A. Yes.
 19 MR. SPOSATO: Okay. Let's see,
 20 also addressed was turning left onto Main Street,
 21 right, that's a big concern, I know residents
 22 have, so trucks should be prohibited from turning
 23 left, the response that was given was that Main
 24 Street is a county road and thus the Borough
 25 developer could not make such a commitment.

Page 56

1 Insofar as you are able to striping, painting,
 2 encourage all of your tenants to turn right and
 3 not left, I know that that the traffic study that
 4 I read and the response you have given here says
 5 the amount of projected traffic going west is
 6 minimal, I would like to hear a little bit more
 7 of an assurance that traffic will be directed to
 8 only travel right and not left.
 9 A. I think what we stipulated to
 10 earlier is that all the trucks from this
 11 development would be prohibited from making a
 12 left turn onto Main Street. However car traffic
 13 we are not stipulating to that same prohibition.
 14 Our opinion is cars should be allowed to make
 15 both lefts and rights out of this development.
 16 There was a request to not allow
 17 cars and trucks to proceed across to Kimball
 18 Drive East or Kimball Drive West and we stipulate
 19 that we will have that prohibition. But in terms
 20 of car traffic, cars will be allowed to make both
 21 left turns and right turns into and out of this
 22 development.
 23 MR. SPOSATO: But trucks will
 24 not be, as a condition of approval, trucks will
 25 be prohibited from turning left out of your

Page 57

1 complex?
2 A. Yes.
3 MR. CORNELL: That is consistent
4 with what the redevelopment plan says, there is
5 no prohibition for cars making lefts, trucks will
6 be directed to the Main Street extension.
7 MR. SPOSATO: I think it's
8 important to be said out loud here.
9 MR. CORNELL: The plans do show
10 that, there are signs on the plans saying left
11 turns, cars only. There are things incorporated
12 into the plan to reinforce that.
13 MR. SPOSATO: Okay, so as a
14 condition of approval then, trucks are prohibited
15 from turning left?
16 A. Yes.
17 MR. SPOSATO: Okay. Those are
18 the questions I have.
19 MR. MULLER: I just have a
20 follow-up question. We talked about Ernston
21 Road, is there going to be any prohibition in the
22 leases or the truckers going on Ernston Road
23 because Ernston Road is issue and especially with
24 the transportation depot, the Borough is going to
25 be building, if you are ever on Ernston Road

Page 58

1 around three o'clock on a school day, it's
2 impossible, and now we are going to have more bus
3 traffic on Ernston Road. Is there a way to make
4 sure that the truck drivers don't use Ernston
5 Road to get on Route 9 or 35 and they take the
6 accesses to Main Street?
7 A. So what the applicant is
8 respectfully submitting, they will have
9 provisions in each of the leases with each of the
10 tenants directing them to direct their trucks to
11 use Main Street extension to come to and from the
12 site.
13 I know one of the residents who
14 has been very vocal, he's in the audience today
15 or tonight, pointed out that there is a
16 limitation, a height limitation with the bridge
17 that comes over Main Street, just east of Main
18 Street extension, that's 13 foot 2 inches.
19 Trucks are legally allowed a maximum height of
20 13-6 in New Jersey so I think just by virtue of
21 that bridge, that overhead or overpass will limit
22 trucks but yes, the applicant will work with the
23 leases for the tenants to direct them that Main
24 Street extension is the truck route for this
25 development.

Page 59

1 MR. MULLER: Is that going to be
2 a condition of approval?
3 A. Yes.
4 MR. MULLER: Thank you.
5 A. You're welcome.
6 CHAIRMAN DAVIS: Anybody else?
7 Questions?
8 MS. PATEL: I have a question
9 about the wall, not traffic but how tall are
10 they, would that help in anyway with lighting for
11 the residents?
12 MR. OMAN: The sound walls are
13 18 feet in height but the light cap show there is
14 zero foot candles at all of the property lines
15 with the exception of the two driveways.
16 CHAIRMAN DAVIS: Thank you.
17 MR. OMAN: Thank you.
18 MR. LEHRER: Mr. Chairman, I
19 have no further witnesses.
20 CHAIRMAN DAVIS: Okay.
21 MR. FOWLER: Mr. Chairman, Mr.
22 Muller had touched a little bit on I guess my
23 comment, G1, just dealing with hours of
24 operation, number of employees, I know the
25 tenants may not be chosen at this point, but can

Page 60

1 you look at G1 and see if you can enlighten any
2 of those issues?
3 MR. LEHRER: From your report?
4 MR. FOWLER: Sure.
5 MR. LEHRER: Dan, if you can
6 come up again.
7 MR. DISARIO: So I don't have
8 any report in front of me, Mr. Fowler. Are you
9 talking about typical operations and tenants?
10 MR. FOWLER: Yes.
11 MR. DISARIO: So the applicant
12 has no deals with any tenants right now, so to
13 give you specifics, we can't do that. But what I
14 can tell you just generally speaking with all the
15 warehouse work I have done if the board is
16 familiar with the warehouses around 8A or down in
17 Cranbury, what is likely going to be the types of
18 tenants and I'll give you two that come to mind
19 because we have done research counts at these two
20 warehouses as part of a big warehouse development
21 I was involved in in Cranbury, on Station Road in
22 Cranbury, there is a Home Depot warehouse and
23 there is an Audi VW warehouse. The Audi VW
24 warehouse supplies auto parts to dealerships and
25 repair shops, the Home Depot warehouse basically

Page 61

1 warehouses goods that end up at Home Depot stores
 2 in the general area.
 3 Those warehouses are quite
 4 large, they are on the order of the large
 5 building that's on this plan. They relatively
 6 speaking, generate very little traffic, they run
 7 very low head counts, even though they are large
 8 buildings. Typically these types of tenants that
 9 would come to this kind of development, most are
 10 going to run one shift, probably starts around
 11 six, six-thirty in the morning and ends around
 12 three, three-thirty in the afternoon, some of
 13 them will go with a second shift that start up
 14 around they three-thirty maybe four, and run to
 15 about ten or ten-thirty at night. Very little if
 16 any of the tenants will run 24/7 and that's not
 17 to say that can't happen but the likelihood is
 18 very low based on my experience working on tons
 19 of warehousing projects all over the state.
 20 MR. FOWLER: Terms of the
 21 merchandise that he also had said, we are
 22 prohibited under the terms of the redevelopment
 23 plan from storing hazardous substances,
 24 explosives, things like that. Correct?
 25 MR. DISARIO: Yes.

Page 62

1 MR. FOWLER: So there will be,
 2 if you want to put that as a condition, there
 3 will be no hazardous substances, it's in the
 4 plan, we won't, none of the space will be used
 5 for that purpose. Correct?
 6 MR. DISARIO: Correct. And
 7 frankly speaking this applicant is not interested
 8 in a tenant or tenants that would want to store
 9 hazardous materials at this site.
 10 MR. ALFIERI: These aren't being
 11 proposed as fulfillment centers, are they?
 12 MR. DISARIO: Not at this time,
 13 no.
 14 MR. MULLER: Is there typically
 15 security for these 24/7 hour operations, I am
 16 concerned that you are putting a pretty big
 17 complex, it's going to be open all night, kids
 18 might go there. Is that ever part of the
 19 equation?
 20 MR. DISARIO: My experience
 21 working with developers and tenants is that yes,
 22 there is security at the buildings. The building
 23 may not be open and functioning, but there is
 24 usually security at these buildings all the time.
 25 Because of the inventory and the value of what is

Page 63

1 inside the buildings, they do have security.
 2 MR. LEHRER: Is it a fair
 3 statement, Mr. Disario, that the tenants
 4 themselves will have their own security?
 5 MR. DISARIO: Yes, and that's
 6 what I was alluding to with the question, the
 7 tenants will provide their own security inside
 8 the building.
 9 MR. LEHRER: Based upon your
 10 experience, there is very little likelihood,
 11 although it's not impossible, we can't put it as
 12 a condition, but there is very little likelihood
 13 that an Amazon type operation would come here
 14 because of the parking. Correct?
 15 MR. DISARIO: Yes, and it was
 16 asked whether it's going to be a fulfillment
 17 center or not, and I can tell you when people ask
 18 that question, it always hardens back to Amazon,
 19 everyone thinks about Amazon, I worked on the one
 20 in Robbinsville, full disclosure, I know that had
 21 issues when it first opened for a whole host of
 22 reasons that we corrected, but I can tell the
 23 board and the public, I do not foresee Amazon
 24 coming to this development and doing a deal here
 25 because the parking is not sufficient.

Page 64

1 If Amazon were to want to come
 2 here, it's a high likelihood that the applicant
 3 or Amazon would be back before this board seeking
 4 amended site plan approval to change the
 5 buildings, add more car parking, add more trailer
 6 parking.
 7 So this applicant is bound and
 8 the board is aware, Main Street is a county road,
 9 so the county also has oversight and review and
 10 approval of this development. We are going to be
 11 bound by the county to the traffic study that has
 12 been submitted to you as well as the county. If
 13 a tenant wants to generate more traffic than what
 14 is shown in the traffic study, the county is
 15 going to bring us back before them to do updated
 16 evaluations and studies for the higher traffic
 17 counts.
 18 And quite frankly if a tenant
 19 does come in here and want to generate more
 20 traffic, that would be a good thing because it
 21 would help justify and hopefully warrant the
 22 signal at Kimball Drive West.
 23 MR. SPOSATO: I have a question.
 24 Part of integrating I think successfully into the
 25 community is appreciating its history, talking

Page 65

1 about potentially needing to remove trees in
 2 front where the entrances are. Would those trees
 3 be relocated to another place on campus or taken
 4 out? I ask that, I am sitting on the planning
 5 board as part of the Sayreville Environmental
 6 Commission so I am bound to ask these questions
 7 as well.
 8 MR. DISARIO: You know, I grew
 9 up Perth Amboy, so it was always Sayreville and
 10 Perth Amboy on Thanksgiving day, so, yes, I know
 11 the history of Sayreville.
 12 MR. OMAN: It's highly unlikely
 13 that those trees will be replanted. New trees
 14 will be planted on site in place of those areas.
 15 MR. SPOSATO: You do the tree
 16 bank ordinance, right, is two for one, so for
 17 every two parking spots you have on site, you
 18 need to replant a tree?
 19 MR. OMAN: Correct.
 20 MR. SPOSATO: And you far exceed
 21 that, right, the plan is to have over 2,000
 22 trees. Correct?
 23 MR. OMAN: Yes, we are going to
 24 work with CME office, if we don't have enough
 25 trees on site, we are going to add more trees or

Page 66

1 contribute to the tree fund.
 2 MR. CORNELL: Let me clarify, in
 3 addition to replacing the trees that come down,
 4 there is formulas on top of that, it's two per
 5 one per parking, so there is a requirement plus
 6 the other combined together and he's going to
 7 comply with that.
 8 MR. SPOSATO: Perfect.
 9 CHAIRMAN DAVIS: Anybody else
 10 have any questions?
 11 MS. PATEL: I heard that
 12 three-thirty shift change and kind of got
 13 concerned because as it is from school my kids
 14 come home an hour late, I feel like Sayreville
 15 shuts down during school dismissal. I don't know
 16 what can be done about it, but I just -- that
 17 three-thirty shift change was like wait what,
 18 especially because you said as many parking spots
 19 as they are, that's how many employees there will
 20 be?
 21 MR. DISARIO: That would limit
 22 how many employees there could be. Typically
 23 there is give or take 500 spaces that are going
 24 to be constructed and another few hundred that
 25 would be banked.

Page 67

1 Typically the parking lots are
 2 set up for tenants that do have two shifts so
 3 that you can have only have half the amount of
 4 employees as the number of parking spaces because
 5 you want to have enough to accommodate that
 6 shift.
 7 I can tell you in my personal
 8 experience a lot of times when tenants come to a
 9 new area like what we are talking about this
 10 evening, if they find that yeah, it is very
 11 difficult for our employees to get here at
 12 three-thirty if we are running a second shift,
 13 more often than not, they will change their
 14 operations to move that shift change outside of
 15 say a school peak that's creating some issues for
 16 their employees to get to the site on time.
 17 CHAIRMAN DAVIS: Okay. Anybody
 18 else?
 19 MR. DISARIO: Thank you.
 20 CHAIRMAN DAVIS: I'll entertain
 21 a motion to open to the public?
 22 MR. MULLER: Motion.
 23 MR. SPOSATO: Second.
 24 CLERK MAGNANI: All in favor?
 25 VOICES: Aye.

Page 68

1 MR. ALFIERI: Okay. If there is
 2 anybody from the public in person that would like
 3 to make comments or questions, please come up to
 4 the mic. We are going to have anybody on the
 5 Zoom provide requests once the in person is done.
 6 And depending on the number of
 7 individuals, we want to give everybody a chance
 8 to speak, so we would like to limit the time for
 9 questions or comments to five minutes per person
 10 so we have enough time because we have an eleven
 11 o'clock ending time.
 12 MR. ALFIERI: Can you please
 13 state your name.
 14 MR. RITTENHOUSE: Arti
 15 Rittenhouse, R-I-T-T-E-N-H-O-U-S-E, Chairman,
 16 Sayreville Shade Tree Commission. I am also
 17 going to be talking as a resident of Main Street
 18 townhomes.
 19 First, just to address your
 20 comment, I believe if I read the plans, there are
 21 approximately 700 trees that will be removed?
 22 Was that in the plans, did I read that correctly?
 23 MR. CORNELL: I just want to
 24 clarify, we had a number of comments in our
 25 report about how the calculations were done, so I

Page 69

1 don't want to say the number on the plan is
 2 correct. They will have to comply with the
 3 ordinance requirements, we have got to work
 4 through that.
 5 MR. RITTENHOUSE: I would like
 6 as a condition of approval that the number of
 7 trees that you determine that they pay the
 8 appropriate fine and don't go back or the
 9 appropriate amount to the tree bank but if they
 10 don't and we have to fine them, that they don't
 11 go back and appeal as they did the last time when
 12 they illegally took down the trees and the
 13 \$95,000 fine was reduced to \$25,000.
 14 I would like an assurance that
 15 they are going to comply with the tree ordinance,
 16 comply with putting money into the tree bank such
 17 as the new development and arsenal putting money
 18 up ahead.
 19 MR. CORNELL: Mr. Chairman. I
 20 might answer. I think we have two issues. There
 21 was an issue that had to do with the removal of
 22 trees prior to a planning board approval. My
 23 understanding is that went to the court and
 24 somehow it was settled. I don't know the
 25 specifics of it. That's not part of this

Page 70

1 application.
 2 What is shown on the plans
 3 submitted this evening, they are going to have to
 4 comply with the tree ordinance, whether it be
 5 planting on site to compensate or go through
 6 making a contribution to the tree bank or a
 7 combination of both, so I think --
 8 MR. RITTENHOUSE: I just want to
 9 make sure it doesn't happen again.
 10 MR. CORNELL: I can't speak to
 11 the violation issue, but as far as the plan goes,
 12 that will be a specific condition of approval
 13 that they have to comply with the ordinance
 14 requirement to the development of this property.
 15 MR. RITTENHOUSE: Thank you.
 16 Okay. As a resident, on the plan, from what I
 17 heard tonight, three tributaries coming into Burt
 18 Creek. Now Burt Creek floods with just above
 19 normal rain so you are now going to have three
 20 tributaries flowing into Burt Creek and that can
 21 endanger a minimum of 30 homes in Main Street
 22 townhomes, the ones that are along the Kimball
 23 Drive East side, so I think something has to be
 24 done, and the ground where this is going to be
 25 built is solid ground so it doesn't -- it's not

Page 71

1 very porous, so yes, the part with running
 2 through grass, that will slow down the water but
 3 you got those houses to consider that you have a
 4 possibility that with three tributaries that are
 5 going to be man-made coming in are going to flood
 6 out these houses on Main Street townhomes.
 7 So that's something that I think
 8 needs to be looked at.
 9 MR. CORNELL: Mr. Chairman, I
 10 will defer to the applicant's engineer, I don't
 11 know that the three tributaries is correct, but
 12 the applicant is bound by the state regulations
 13 or the Borough regulations concerning storm water
 14 management. They are not permitted to or allowed
 15 to increase the runoff from the site. They have
 16 to go through and provide retention on the site
 17 to retain that so they are not impacting the
 18 town's system and that's what is being proposed.
 19 I'll let Mr. Oman clarify that
 20 further for you.
 21 MR. OMAN: Mr. Cornell summed it
 22 up perfectly. Just to clarify, the three
 23 tributaries exist today. We are eliminating
 24 three tributaries from the main trunk, from the
 25 easterly access road to Burt Creek is remaining.

Page 72

1 MR. CORNELL: The amount of
 2 runoff that exists currently, you are not
 3 increasing?
 4 MR. OMAN: We are reducing up to
 5 a 100 year storm as required by the Borough
 6 requirements, county requirements and state
 7 requirements.
 8 MR. RITTENHOUSE: On the
 9 traffic, the last time that this was proposed
 10 several years ago, the traffic study went from a
 11 C minus to an F. I remember that. As far as --
 12 I am very glad that they are going to propose,
 13 that they want to put the light in at Kimball
 14 Drive West, however, I think that the governing
 15 body should petition the county to put that light
 16 in.
 17 The majority of the people
 18 living in the Main Street townhouses go out west,
 19 they don't go out Kimball Drive East, and if they
 20 do start to, you are going to create a traffic
 21 jam within the development. You have Tunney
 22 Circle and you have the bulk of the houses, the
 23 Main Street townhouses on the Kimball Drive West
 24 side and also the other question, in phase one,
 25 is Kimball Drive West coming from the development

Page 73

1 going to be open at the same time phase one is
 2 completed?
 3 MR. OMAN: The construction of
 4 the westerly driveway is part of phase two.
 5 MR. RITTENHOUSE: Okay. So they
 6 are only going to be coming out of Kimball Drive
 7 East?
 8 MR. OMAN: For phase one.
 9 MR. CORNELL: Mr. Oman, let me
 10 clarify about Kimball Drive West. Because we
 11 agree with you, Mr. Rittenhouse. We have been on
 12 phone calls with the applicant and the county
 13 trying to get them to agree to install the
 14 traffic signal on Kimball Drive West.
 15 You heard a lot of conditions
 16 recommended in our report concerning that, we
 17 have asked for warrant studies not just now but
 18 after a couple of buildings are in operation to
 19 see if it justifies that signal. We have asked
 20 for warranted studies over ten years after the
 21 third building is occupied to try to justify
 22 getting that signal installed at the applicant's
 23 expense. We have intended to do that already, we
 24 are going to continued to intend to do that, and
 25 we have got the applicant responsible for putting

Page 74

1 that signal in as soon as it is warranted up to
 2 ten years after that last building is occupied.
 3 MR. RITTENHOUSE: I mean as far
 4 as the traffic from the west, I can't see how a
 5 person in one of those units can tell the trucks
 6 that they can't come through Sayreville from the
 7 west and that's what was said tonight. I know I
 8 also can't see a truck driver coming out to that
 9 traffic light, watching the Woodbridge township
 10 trucks, watching the steel company trucks,
 11 watching all the tractor trailers heading west,
 12 and he's sitting there saying, I can't turn?
 13 What do you mean I can't turn and when he does,
 14 if he has to go to Plainsboro or down south to
 15 get to the Turnpike, where is he going to go, he
 16 has go got to go all the way up and out and
 17 around and get on Exhibit 10 instead of Exit 9 or
 18 8.
 19 So I think that's something that
 20 -- it's going to be tough to enforce with that.
 21 MR. CORNELL: I don't know that
 22 the Borough can tell you for sure that that
 23 potentially is not going to happen, what we can
 24 say the redevelopment plan calls for all the
 25 trucks to be heading in the easterly direction.

Page 75

1 The access out of the site has a
 2 separate turn lane for trucks and an acceleration
 3 lane to get onto Main Street heading in the
 4 easterly direction. There is signage throughout
 5 the site telling trucks that they can't go
 6 through and make a left turn onto Main Street,
 7 and there is going to be lease agreements that
 8 direct the tenants to have their drivers go in
 9 that direction.
 10 MR. RITTENHOUSE: Right, I am
 11 just talking about reality. Okay. Thank you,
 12 Mr. Lehrer, and your group for their
 13 presentation.
 14 CHAIRMAN DAVIS: Thank you.
 15 Anyone else from the public in person? Seeing
 16 none.
 17 MR. ALFIERI: We can open it to
 18 the Zoom public.
 19 CLERK MAGNANI: To help keep the
 20 meeting as organized as possible, residents who
 21 wish to speak in one of the public portions are
 22 to press star nine to notify you us you wish to
 23 speak. At that time we ask you for your name and
 24 address and be limited to a five minute comment
 25 period. We do have one so far. The phone number

Page 76

1 965.
 2 VOICE: Yes, can you hear me?
 3 CLERK MAGNI NI: We can hear
 4 you.
 5 VOICE: Yes, that was me on the
 6 phone. My name is Alan --
 7 MR. ALFIERI: We can't hear you.
 8 Can you please state your name again?
 9 MR. DE TAINO: My name is Alan
 10 DeTaino (ph), I am an attorney with Brick &
 11 Alexander. We represent Main Street Homeowners
 12 Association who is the next door across the
 13 street neighbor. From this and I believe Mr.
 14 Rittenhouse is a resident you just heard from.
 15 They had a few concerns that we
 16 would like to address today or at least make
 17 heard and be a part of the record.
 18 I understand there was a lot
 19 discussed and I will try to keep my comments
 20 poignant. I heard a lot about approval from the
 21 county, can, is there any status as to what or
 22 where the county is in approving this and I only
 23 say that because the main concern with Main
 24 Street as to the traffic light seems to be tied
 25 in with approval for development of the rest of

Page 77

1 the stretch of that Main Street there, and it
2 seems that the construction is going to begin for
3 before that light is fully in place, so that
4 timing doesn't seem to be entirely clear and even
5 from the documents that have been presented the
6 light is going to be constructed, it's being
7 proposed, it's being considered which we
8 understand and approval and discuss and Mr.
9 Rittenhouse addressed as well, and the expert,
10 traffic expert has definitely addressed and we
11 duly appreciate all of those explanation, but is
12 there any clarification as to the timeframe of
13 that approval?
14 MR. CORNELL: Let me clarify in
15 the redevelopment agreement it indicates that the
16 signal has to be installed and operational before
17 the first CO is issued for any of the buildings
18 in the complex, so hopefully that will answer
19 your question.
20 MR. DE TAINO: So no trucks will
21 be going in and out before the light is
22 constructed?
23 MR. CORNELL: There will not be
24 a CO issued for any building until the Kimball
25 Drive East signal is operational.

Page 78

1 MR. DE TAINO: Okay. I do
2 appreciate that clarity as to the direction of
3 the trucks, that was also a main concern for Main
4 Street, the homeowners association, I know they
5 have a lot of concerns about obviously their
6 community and how it develops in the future.
7 The only other thing that I
8 think I would reiterate quickly is just the --
9 the picture that was presented does present the
10 barriers are blurred, and when you take away the
11 blurred barriers, you see how close those homes
12 are to that northeast corner which is where the
13 flood and water control mechanisms will go and we
14 just encourage you to consider that, the
15 proximity to that and that this large space will
16 be going down to that one area, so that flooding
17 is a definite real concern for that creek which I
18 understand has a very high water table so as soon
19 as that water, occurs any water, it obviously
20 raises quickly which I am sure you know.
21 As to another factor, has the
22 length of the time that the lights will run be
23 considered as to permit the trucks more than one
24 or two to navigate the intersection?
25 MR. DISARIO: The final

Page 79

1 operation of this traffic signal hasn't been
2 complete yet, but obviously we will take that
3 into account when we do the final design.
4 MR. DE TAINO: Is there any
5 intent, given the intensity of this trucking
6 operation, is there a general timeframe, is it a
7 minute, 10 seconds, two minutes, something that
8 would permit five or ten trucks to run through?
9 MR. ALFIERI: Just slow down
10 when you are speaking, we are trying to capture
11 everything on the record. Please repeat your
12 question.
13 MR. DE TAINO: Certainly, I was
14 simply asking if there was a standard for this
15 type of operation with this kind of intensity, is
16 it a 60 minute, 60 second to 90 second, what is
17 usually applicable to permit the trucks to
18 navigate this kind of intersection other than one
19 or two at a time when it's only a five or ten
20 second one?
21 MR. DISARIO: Well there will be
22 accommodations of a green arrow, because that's a
23 requirement by Middlesex County, so both
24 eastbound and westbound left turns will have a
25 green arrow and then that green arrow will come

Page 80

1 off and then trucks and/or cars can then make
2 permitted left turns, so there will be sufficient
3 time for trucks and cars to turn into this site
4 at the easterly drive at the new signal.
5 MR. DE TAINO: I was asking more
6 about the length of the time of those lights?
7 MR. DISARIO: Yeah, that hasn't
8 been finalized in terms of the cycle length and
9 the specific green time apportioned to all of the
10 movements, that hasn't been finalized yet.
11 MR. DE TAINO: But the intensity
12 of the intersection will be taken into
13 consideration when that's factored in, is that
14 accurate?
15 MR. DISARIO: Absolutely.
16 MR. ALFIERI: Do you have
17 anything further?
18 MR. DE TAINO: I don't believe
19 so. I appreciate the board's time. I am just
20 reviewing my notes. I didn't want to be
21 redundant. I appreciate it.
22 CLERK MAGNANI: Okay, next
23 resident, A-Z?
24 A VOICE: Hello, I am a resident
25 of Main Street Homeowners Association.

<p style="text-align: right;">Page 81</p> <p>1 MR. ALFIERI: Please state your 2 name for the record and address. 3 VOICE: My name is Alina, I 4 don't want to disclose my address. 5 CLERK MAGNANI: Alina, can we 6 please have your last name and spell it. 7 MS. ZYL: It's Z-Y-L. 8 CLERK MAGNANI: A-Z-Y-L? 9 MS. ZYL: Z-Y-L. 10 MR. ALFIERI: Thank you, you can 11 proceed. 12 MS. ZYL: How is it going to be 13 related because whatever now manufacturers we 14 have on site are not compliant with the noise? 15 MR. LEHRER: As my client, Mr. 16 Oman indicated, the ambient noise from Main 17 Street is already -- already exceeds the 18 limitations but this site will not add to or 19 contribute any further because of the mitigation 20 that's being proposed with the sound attenuation 21 walls, so this site will meet state and local 22 requirements with respect to noise or sound 23 because of the attenuation walls. 24 MS. ZYL: I have a second 25 question, will the property tax rate be revised</p>	<p style="text-align: right;">Page 83</p> <p>1 VOICE: Hi, yes, my name is 2 Susan Mansmann. I don't want to disclose my 3 address. 4 CLERK MAGNANI: Can you spell 5 the last name? 6 MS. MANSMANN: Sure, 7 M-A-N-S-M-A-N-N. My question is regarding the 8 traffic going down towards lower Main Street. 9 And more so with the amount of employees that are 10 going to be engaged at the warehouse as well as 11 during the construction time, anyone coming in 12 from say the Route 18, you know, is going to be 13 coming up through lower Main Street and coming 14 through the developments which we do not have any 15 lights past the one that is currently at the 16 senior citizen center, so how are we going to 17 maintain for those individuals who either have to 18 turn left or right out of the developments or out 19 of just the local neighborhoods based on the 20 influx of transportation due to individuals who 21 are working at this location? 22 MR. DISARIO: Consistent with 23 the study that we did as part of the 24 redevelopment plan/process that established this 25 site as being appropriate for warehousing</p>
<p style="text-align: right;">Page 82</p> <p>1 because of the inconvenience of daily 2 construction will cause to the residents of the 3 association? 4 MR. LEHRER: I didn't hear that, 5 I don't understand what the beginning of the 6 question was. 7 CLERK MAGNANI: Can you repeat 8 the question? 9 MS. ZYL: Yes. Will the 10 property tax rate be revised because of the 11 inconvenience the construction will cause? 12 MR. LEHRER: Is the question 13 will the property tax rate? 14 MR. SPOSATO: I think property 15 tax rate would not be before this board. That's 16 not something we would speak to. 17 MR. ALFIERI: That's correct, 18 property taxes are not something that is part of 19 the planning board's jurisdiction. That would be 20 something that you would raise with town's 21 council or the tax assessor and tax collector. 22 MS. ZYL: Okay. 23 CLERK MAGNANI: Any further 24 questions? 25 Susan?</p>	<p style="text-align: right;">Page 84</p> <p>1 development, we anticipate about 20 percent of 2 the cars would be to and from the west along Main 3 Street and that was based on what is called a 4 gravity model. 5 Looking at the people that work 6 in the Borough and where they originate from in 7 terms of their places of residents based on the 8 census. So the overwhelming majority of car 9 traffic from this development will be oriented to 10 the Route 9 corridor and 20 percent of the 11 traffic in terms of the cars would be oriented to 12 the west so to and from the west and Main Street 13 and the Route 18 corridor. 14 MR. MANSMANN: And will there be 15 any additional evaluation once fully occupied to 16 potentially take a look at adding additional 17 traffic signals along the lower Main Street area? 18 MR. DISARIO: Not by this 19 applicant, no. 20 CLERK MAGNANI: Any further 21 questions? 22 MS. MANSMANN: No, thank you. 23 MR. ALFIERI: Thank you. 24 CLERK MAGNANI: Anybody else 25 from the Zoom, please hit star nine. Seeing that</p>

Page 85

1 we have no further --
 2 MR. ALFIERI: Just give it one
 3 more minute.
 4 VOICE: I am on Zoom but not on
 5 the phone so I can't hit star nine. May I be
 6 heard?
 7 CLERK MAGNANI: Please state
 8 your name and address?
 9 MR. ROBERTSON: Glen Robertson,
 10 100 Park Square in Parlin.
 11 I sent an email to the board, to
 12 the engineer and to the applicant and the
 13 applicant responded to most of my concerns. The
 14 one he said he did not agree with in his response
 15 was no left turn but my understanding from
 16 hearing what is going on tonight, it's a left
 17 turn for trucks, left turn onto Main Street for
 18 trucks will be prohibited. That's correct?
 19 MR. LEHRER: Correct.
 20 MR. ROBERTSON: I appreciate
 21 that the leases will direct traffic to the Mani
 22 Street extension which what Mr. Macco (ph)
 23 responded to me in his email, and I appreciate
 24 that's going to take place.
 25 I just want to comment on, I

Page 86

1 want to clarify something, the concern about
 2 Ernston Road certainly was for the benefit of the
 3 folks that live on Ernston Road but also keeping
 4 trucks off Ernston Road to get to Washington
 5 Road. That should be noted.
 6 You know, I do have, one of the
 7 things that was not addressed previously either
 8 tonight or in the email was the trees on Main
 9 Street that will be removed. How wide area of
 10 the trees will be removed for the turning lanes?
 11 MR. OMAN: The dedication varies
 12 between ten and 12 feet along the southerly side
 13 of Main Street. It doesn't mean that ten to
 14 twelve feet of trees are being removed, but
 15 that's the width we are expanding the
 16 improvements.
 17 Once we determined what that is,
 18 we will do a tree count and that will be included
 19 in the review by the board engineer to make sure
 20 the applicant is meeting the tree replacement for
 21 this application.
 22 MR. ROBERTSON: Okay. Thank you
 23 very much. I appreciate that almost all of my
 24 concerns have been addressed.
 25 MR. ALFIERI: Anything further?

Page 87

1 CLERK MAGNANI: Any other public
 2 from the Zoom? Please hit star nine.
 3 CHAIRMAN DAVIS: Motion to close
 4 to the public?
 5 MR. SPOSATO: Move to close.
 6 MR. BAILEY: Second.
 7 CHAIRMAN DAVIS: All in favor?
 8 VOICES: Aye.
 9 MR. LEHRER: If I could just say
 10 a few closing words and I'll leave it to the
 11 board. I thank you for your patience, members of
 12 the public, members of your professional staff
 13 and for you for coming out and asking such
 14 appropriate and diligent and good questions.
 15 I don't want to repeat myself,
 16 but I will end this by saying we have spent quite
 17 a bit of time over the last few years working
 18 with your professional staff, working with the
 19 board, working with SERA, working with the
 20 governing body to come up with a plan. We comply
 21 with all of the requirements, we need no variance
 22 relief, we need a minor interior design waiver
 23 which I believe Mr. Cornell actually supports.
 24 But other than that, we are a
 25 compliant, fully compliant application and we

Page 88

1 respectfully request your approval. Thank you.
 2 CHAIRMAN DAVIS: Thank you.
 3 MR. ALFIERI: I would like to
 4 just go through before the board makes a motion
 5 to approve or deny, just some of the conditions
 6 that were stated.
 7 So the board, the board
 8 professional reports, we have testified that all
 9 of the comments and concerns will be addressed.
 10 Any outside agency approvals would be addressed,
 11 there would be traffic studies at certain
 12 demarcating points that would be provided,
 13 potentially the installation of a traffic light.
 14 There was also a condition that
 15 no trucks or cars onto Kimball, there is also no
 16 trucks making a left-hand turns onto Main Street.
 17 The leases for the proposed tenants and tenants
 18 in the future will contain a preferred route for
 19 the trucks and prohibition onto Ernston Road.
 20 There will be no hazardous
 21 substances stored on the site and that's all of
 22 the conditions that I have.
 23 MR. MULLER: I think one
 24 clarification, I think we are talking about
 25 Ernston Road, can we include North Ernston Road

1 too? Because I know that Mr. Robinson made a
2 comment, I think he's right, if you are going on
3 North Ernston, you are potentially making a right
4 or left onto Washington you can make a right to
5 the high school at the peak of that traffic
6 issue, so my request would be to include North
7 Ernston too.
8 MR. ALFIERI: Does the applicant
9 agree to that?
10 MR. LEHRER: That's fine.
11 MR. MULLER: Thank you.
12 MR. ALFIERI: So with that, does
13 the board have a motion?
14 MR. MULLER: Motion to approve
15 with the conditions.
16 CLERK MAGNANI: Can I get a
17 second?
18 MR. BLEMUR: Second.
19 CLERK MAGNANI: Roll call vote
20 will be Mr. Allegre?
21 MR. ALLEGRE: Yes.
22 CLERK MAGNANI: Mr. Bailey?
23 MR. BAILEY: Yes.
24 CLERK MAGNANI: Mr. Blemur?
25 MR. BLEMUR: Yes.

1 CLERK MAGNANI: Mr. Muller?
2 MR. MULLER: Yes.
3 CLERK MAGNANI: Councilman
4 Onucha?
5 COUNCILMAN ONUCHA: Yes.
6 CLERK MAGNANI: Ms. Patel?
7 MS. PATEL: Yes.
8 CLERK MAGNANI: Mr. Sposato?
9 MR. SPOSATO: It is a yes, it's
10 not about the things that we like or don't like,
11 it's you have checked every box that you are
12 required to check so it is a yes.
13 CLERK MAGNANI: Chairman Davis?
14 CHAIRMAN DAVIS: Yes.
15 CLERK MAGNANI: Application
16 approved.
17 CHAIRMAN DAVIS: Thank you
18 members of the board, thank you members of the
19 public.
20 (Whereupon, the planning board
21 matter is concluded at 9:22 p.m.)
22
23
24
25

1 CERTIFICATE OF OFFICER
2
3 I CERTIFY that the foregoing is
4 a true and accurate transcript of the testimony
5 and proceedings as reported stenographically by
6 me at the time, place and on the date as
7 hereinbefore set forth.
8 I DO FURTHER CERTIFY that I am
9 neither a relative nor employee nor attorney nor
10 counsel of any of the parties to this action, and
11 that I am neither a relative nor employee of such
12 attorney or counsel, and that I am not
13 financially interested in the action.
14
15
16
17
18
19 STEPHANIE LYN RAHN
20 License No. 975352
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22 State of New Jersey
23 My Commission Expires
24 April 18, 2027
25