



TOWNSHIP OF HOWELL

DEPARTMENT OF COMMUNITY DEVELOPMENT & LAND USE

4567 Route 9 North,
2nd Floor
Howell, NJ 07731

Phone: (732) 938-450 x2300
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TOWNSHIP OF HOWELL ZONING BOARD MEETING MINUTES 1/13/2025 REORGANIZATIONAL & REGULAR MEETING

Board Attorney Andrew Bayer called the meeting to order and the Administrative Officer read the opening statement. Mr. O'Donnell, Mr. Cantor, Mr. Ryan, Mr. Kabourakis & Annemarie Scottson were sworn in by Board Attorney Bayer.

ROLL CALL

Members:

Chairman Richard Mertens	Present	Jose Orozco	Present
Matthew Hughes	Present	Michael Ryan	Present
Glenn Cantor	Present	Annmarie Scottson (alt. 1)	Present
Nicholas Borrillo	Present	John Kabourakis (alt. 2)	Present
Thomas O'Donnell	Present		

Board Professionals:

Andy Bayer, Esq. Board Attorney	Present	Charles Cunliffe, P.E., P.P., CME Board Engineer	Present
Jennifer Beahm, P.P., AICP Board Planner	Present	Shari Spero, LTE Licensed Tree Expert	Present
Eileen Cusa Board Secretary	Present	John Aguiar Code Enforcement Official	Present

PLEDGE OF ALLEGIANCE:

Mr. Bayer announced that the first order of business on the Reorganization Agenda was the Nomination for Chairman.

Mr. Hughes moved the nomination of Richard Mertens for Chairman which motion was seconded by Mr. O'Donnell and carried with Messrs. Borrillo, Cantor, Hughes, Mertens, O'Donnell, Orozco, Ryan, Scottson and Kabourakis voting for the motion.

Mr. Bayer turned the meeting over to Chairman Mertens who asked for a nomination for Vice Chairman. Mr. O'Donnell moved the nomination of Matthew Hughes for Vice Chairman which motion was seconded by Ms. Scottson and carried with Messrs. Borrillo, Cantor, Hughes, Mertens, O'Donnell, Orozco, Ryan, Scottson and Kabourakis voting for the motion.

Chairman Mertens asked for a nomination for Secretary. Mr. O'Donnell nominated Glenn Cantor as Secretary which motion was seconded by Mr. Hughes and carried with Messrs. Borrillo, Cantor, Hughes, Mertens, O'Donnell, Orozco, Ryan, Scottson and Kabourakis voting for the motion.

Chairman Mertens asked for nominations for Consulting Attorney. Mr. Cantor moved that the Board appoint Andrew Bayer, Esquire, from the firm of Pashman, Stein, Walder, Hayden, P. C. for Board Attorney which motion was seconded by Mr. Hughes and carried with Messrs. Borrillo, Cantor, Hughes, Mertens, O'Donnell, Orozco, Ryan, Scottson and Kabourakis voting for the motion.

Chairman Mertens asked for a nomination for Consulting Engineer. Mr. Cantor moved that the Board reappoint Charles Cunliffe P.E., from the firm of T and M Associates which motion was seconded by Mr. Hughes and carried with Messrs. Borrillo, Cantor, Hughes, Mertens, O'Donnell, Orozco, Ryan, Scottson and Kabourakis voting for the motion.

Chairman Mertens asked for a nomination for Consulting Planner. Mr. Cantor moved that the Board reappoint Jennifer Beahm, PP, AICP, from the firm of Leon Avakian Inc. which motion was seconded by Mr. Orozco and carried with Messrs. Borrillo, Cantor, Hughes, Mertens, O'Donnell, Orozco, Ryan, Scottson and Kabourakis voting for the motion.

Chairman Mertens asked for nominations for the Board Licensed Tree Expert. Mr. Cantor moved that the Board reappoint Shari Spero, LTE, from the firm of CME Associates which motion was seconded by Mr. Hughes and carried with Messrs. Borrillo, Cantor, Hughes, Mertens, O'Donnell, Orozco, Ryan, Scottson and Kabourakis voting for the motion.

Chairman Mertens asked for nominations for the Administrative Officer/Recording Secretary. Mr. Cantor moved that the Board nominate Eileen Cusa for Administrative Officer which motion was seconded by Mr. Hughes and carried with Messrs. Borrillo, Cantor, Hughes, Mertens, O'Donnell, Orozco, Ryan, Scottson and Kabourakis voting for the motion.

Chairman Sayah asked if there was a motion to memorialize the resolution for the 2025 meeting dates. Ms. Scottson made a motion to memorialize the resolution for the Meeting Dates for 2025 which motion was seconded by Mr. Borrillo and carried with Messrs. Borrillo, Cantor, Hughes, Mertens, O'Donnell, Orozco, Ryan, Scottson and Kabourakis voting for the motion.

The Board Secretary announced that the official newspapers were determined by the Council and they are The Asbury Park Press and The Star Ledger.

Chairman Mertens announced the Appointments for the Site Review Committee as follows: O'Donnell Chairman; and Borrillo and Ryan as Members.

Chairman Mertens announced the Appointments for the Rules Committee as follows: Richard Mertens Chairman; and Matthew Hughes and Glenn Cantor as Members.

Since there was no other business the Reorganization meeting concluded and the Zoning Board of Adjustment's Regular meeting commenced.

Chairman Richard Mertens called the meeting to order and the Administrative Officer read the opening statement.

Regular Meeting

SWEARING IN OF ZONING BOARD PROFESSIONALS:

Mr. Cunliffe, Ms. Beahm, Ms. Spero, and Mr. Aguiar were sworn in.

APPROVAL OF MINUTES:

No minutes to approve.

VOUCHERS:

There were no vouchers to approve.

CORRESPONDENCE:

No correspondence

RESOLUTIONS: No resolutions

APPLICATIONS:

BA23-06 / Gateway Industrial 175, LLC

Block (s): 49 Lot(s): 30.01, 31.01, 45.02 & 46.01

Address: Lakewood Farmingdale Road

Application Type: Use Variance

See attached transcript

Adjournment -9:05 p.m.

Motion: Hughes

Second: Scottson

All in favor: None opposed.

Eileen Cusa, Recording Secretary

TOWNSHIP OF HOWELL ZONING BOARD OF ADJUSTMENT

COUNTY OF MONMOUTH - STATE OF NEW JERSEY

- - - - -

REGULAR MEETING FOR:

GATEWAY INDUSTRIAL 175, LLC
BLOCK 49, LOTS 30.01, 31.01, 45.02 & 46.01
LAKEWOOD FARMINGDALE ROAD

USE VARIANCE APPROVAL

APPLICATION NO. BA23-06

- - - - -

HOWELL TOWNSHIP MUNICIPAL BUILDING
MAIN MEETING ROOM - 2ND FLOOR
4567 ROUTE 9 NORTH
HOWELL, NEW JERSEY 07731-3382

- - -

MONDAY, JANUARY 13, 2025

7:00 P.M.

- - -

TRANSCRIPT OF PROCEEDINGS

PUBLIC HEARING

- CONTINUED -

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

BOARD MEMBERS PRESENT:

RICHARD MERTENS, CHAIRMAN
NICHOLAS BORRILLO
GLENN CANTOR
MATTHEW HUGHES, III, VICE-CHAIRMAN
JOHN KABOURAKIS
THOMAS O'DONNELL
JOSE OROZCO
MICHAEL RYAN
ANNEMARIE SCOTTSON

BOARD PROFESSIONALS & STAFF PRESENT:

ANDREW BAYER, ESQUIRE, Board Attorney
Pashman Stein Walder Hayden P.C.
CHARLES CUNLIFFE, P.E., Board Engineer
T&M Associates
JENNIFER BEAHM, P.P., AICP, Board Planner
Leon S. Avakian, Inc.
SHARI SPERO, LTE, Licensed Tree Expert
CME Associates
JOHN AGUIAR, Code Enforcement Officer
Township of Howell
EILEEN CUSA, Assistant Zoning Board Administrator
Township of Howell

STENOGRAPHICALLY REPORTED BY:

ANGELA BUONANTUONO, CCR, RPR
License No. 30XI00233100

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

HEILBRUNN PAPE, LLC

BY: KENNETH PAPE, ESQUIRE

516 State Highway 33

Millstone Township, New Jersey 08535

T: (732)-679-8844

F: (732)-679-6554

Email: kpape@hpnjlaw.com

--Counsel for the Applicant

A L S O P R E S E N T:

SCOTT KENNEL

McDonough & Rea

ALLISON COFFIN, P.P., AICP

James W. Higgins Associates

I N D E X

WITNESSESPAGE

LOUIS ZUEGNER, P.E.

20

MidAtlantic Engineering Partners, LLC

MELISSA RUB, R.A.

77

BF Design Studio & Architectural Services, LLC

PUBLIC QUESTIONS OR COMMENTS:

NAME

ADDRESS

PAGE

None.

E X H I B I T S

<u>No.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
A-1	Development application	*
A-2	Application Checklist	*
A-3	Monmouth County Planning Board application, dated 1/3/23	*
A-4	Freehold Soil Conservation District application, dated 12/22/22	*
A-5	Preliminary and Final Major Site Plans consisting of twenty-seven sheets (27) Prepared by MidAtlantic Partners, LLC dated 12/21/22, last revised 6/24/24	*
A-6	Major Subdivision Plan consisting of one (1) sheet prepared by MidAtlantic Partners, LLC dated 12/20/22, last revised 10/16/23	*
A-7	Environmental Impact Statement Aquifer Recharge Statement prepared by MidAtlantic Engineering Partners dated 12/21/22	*
A-8	Stormwater Management Report with Drainage Area Maps for Gateway Business Park prepared by MidAtlantic Engineering Partners dated 12/21/22, last revised 6/24/24	*
A-9	Truck Turning Plans consisting of four (4) sheets prepared by MidAtlantic Engineering Partners dated 12/21/22, last revised 6/24/24	*
A-10	Traffic Impact Analysis prepared by McDonough & Rea Associates, Inc. dated 8/17/22, last revised 7/2/2	*
A-11	Written waiver requests prepared by MidAtlantic Engineering Partners, Dated 2/16/23	*
A-12	Operation and Maintenance Manual prepared by MidAtlantic Engineering	*

<u>NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
A-13	Freshwater Wetlands Letter of Interpretation, Line Verification issued by the NJDEP dated 9/29/22	*
A-14	Outbound and Topographic Survey showing wetlands prepared by Clearpoint Services and approved by NJDEP	*
A-15	Architectural Plans consisting of two (2) sheets prepared by B+F Design Studio and Architectural Services dated 9/1/22, last revised 5/15/24	*
A-16	Groundwater Mounding Report prepared by MidAtlantic Engineering Partners dated 10/12/23, last revised 6/24/24	*
A-17	WB-67 Turning Plan consisting of one sheet prepared by MidAtlantic Engineering Partners, dated 12/21/22	*
A-18	Traffic Control Plan consisting of one sheet prepared by MidAtlantic Engineering Partners, dated 12/21/22	*
A-19	Letter from Attorney Ken Pape with Conditional Use Statement, dated 3/28/23	*
A-20	Response letter to Board Professionals prepared by MidAtlantic Engineering Partners dated 10/16/23	*
A-21	Letter stating persons to testify prepared by Kenneth L. Pape, Esq. of Heilbrunn Pape, dated 3/28/2023	*
A-22	Letters stating required outside agency approvals prepared by Michael V. Weseloski P.E. of MidAtlantic Engineering Partners, LLC, dated 12/21/2022	*
A-23	Manasquan River Regional Sewerage Authority Memorandum, dated June 22, 2023	*

1			
2	<u>NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
3	A-24	New Jersey American Water Service Availability dated 2/14/2024	*
4	A-25	Tree Management Plan consisting of four (4) sheets prepared by MidAtlantic Engineering Partners, dated 2/21/2024, last revised 6/24/24	*
5			
6	A-26	Truck Turning Plan dated 12/21/2022, last revised 6/24/24	*
7			
8	A-27	Plan of Consolidation consisting of one (1) sheet prepared by MidAtlantic Engineering Partners, dated 7/12/24	*
9			
10	A-28	Proof of Service, dated 3/5/2024	*
11	A-29	Architectural Rendering, undated	*
12	A-30	Location Map, dated 3/4/2024	*
13	A-31	Applicant Holdings exhibit dated 11-25-24	*
14			
15	A-32	Site Plan Rendering dated 11-25-24	*
16	A-33	Sewer Service Area exhibit, dated 3/11/2024	*
17	A-34	Existing Conditions Plan consisting of four (4) sheets prepared by MidAtlantic Engineering Partners, dated 2/21/24, last revised 6/24/24	*
18			
19	A-35	Tree Management Plan consisting of four (4) sheets prepared by MidAtlantic Engineering Partners, dated 2/21/24, last revised 6/24/24	*
20			
21			
22	A-36	Rendered Building Elevation	*
23	A-37	Proof of Service dated 12/13/2024	*
24			
25			

BOARD EXHIBITS

<u>No.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
B-1	Monmouth County Planning Board Request for Information dated 2/27/23	*
B-2	Freehold Soil Conservation District Initial Application Review dated 2/13/23	*
B-3	Fire Bureau Review dated 4/11/2023	*
B-4	Environmental Review 4/14/2023	*
B-5	Shade Tree Review dated 4/19/2023	*
B-6	Farmers Advisory Review dated 4/27/2023	*
B-7	Monmouth County Board of Health Review dated 5/12/2023	*
B-8	Board Engineer's Incompleteness Review dated 5/23/2023	*
B-9	Board Planner's Review dated 6/1/2023	*
B-10	Board Engineer's Traffic Review dated 6/16/2023	*
B-11	Board Licensed Tree Expert's review letter dated 9/14/23	*
B-12	Freehold Soil Conservation	*
B-13	Farmers Advisory Review dated 10/26/2023	*
B-14	Preliminary Water Service Approval dated 11/3/2023	*
B-15	Preliminary Conceptual Sewer Service Approval dated 11/3/2023	*
B-16	Environmental Review dated 11/8/2023	*
B-17	Shade Tree Review dated 11/15/2023	*
B-18	Fire Bureau Review dated 11/27/2023	*

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<u>NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
B-19	Board Engineers Completeness Review dated 11/28/2023	*
B-20	Monmouth County Board of Health Review dated 12/5/2023	*
B-21	Monmouth County Planning Board Request for Information dated 12/11/2023	*
B-22	Board Planners Review Letter dated 1/11/2024	*
B-23	Licensed Tree Expert Review dated 1/17/2024	*
B-24	Monmouth County Board of Health review, dated 2/28/2024	*
B-25	Board Licensed Tree Expert Review #2, dated 3/6/2024	*
B-26	Board Planners Review dated 3/11/2024	*
B-28	Environmental Review, dated 3/13/2024	*
B-27	Board Engineers Review, dated 3/11/2024	*
B-28	Environmental Review, dated 3/13/2024	*
B-29	Shade Tree Review, dated 3/20/2024	*
B-30	Farmers Advisory Review, dated 3/28/2024	*
B-31	Board Planners Review, dated 9/9/2024	*
B-32	Licensed Tree Expert Review, dated 9/9/2024	*
B-33	Board Engineers Completeness Review, dated 9/9/2024	*
B-34	Environmental Review, dated 9/11/2024	*
B-35	Shade Tree Review, dated 9/18/2024	*

<u>NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
B-36	Farmers Advisory Review dated 9/26/2024	*
B-37	Monmouth County Board of Health Review dated 8/29/2024	*
B-38	Board Engineers Traffic Memo dated 11/25/2024	*

ADMINISTRATOR CUSA: Township of
Howell Zoning Board of Adjustment, Monday,
January 13th, 2025.

I hereby declare this meeting of the
Howell Township Zoning Board to be open. Adequate
notice having been given pursuant to the New Jersey
Open Public Meetings Act in the following manner:

First, on January 2nd, 2025, a copy of
said notice was emailed to the Asbury Park Press and
Star-Ledger;

Second on January 2nd, 2025, a copy
said notice was hand-delivered to the clerk of the
Township of Howell;

Third on January 2nd, 2025, said notice
was posted in the office of the zoning board and in
the bulletin board in the Howell Township Municipal
Building, 4567 Route 9, Howell Township, New Jersey.

In accordance with the Fire Prevention
Code and for your safety, please be advised that
this facility is designed with two emergency exits
at the front and rear of the meeting room.

Furthermore, smoking is not permitted
in the municipal building.

Please take note that this meeting is
being videotaped for possible future broadcast on

1 Howell Township TV-77.

2 Thank you.

3 - - -

4 (Reorganization Session.)

5 - - -

6 (Time noted, 7:15 p.m.)

7 - - -

8 CHAIRMAN MERTENS: Okay, Andy, could
9 we swear in the professionals?

10 ATTORNEY BAYER: Do you swear the
11 testimony you give will be the truth, the whole
12 truth, and nothing but the truth, so help you God?

13 IN UNISON: I do.

14 ATTORNEY BAYER: Please state your
15 names for the record.

16 ENGINEER CUNLIFFE: Charles Cunliffe.

17 PLANNER BEAHM: Jennifer Beahm.

18 CERTIFIED TREE EXPERT SPERO: Shari
19 Spero.

20 ATTORNEY BAYER: Your professionals
21 are sworn, Mr. Chairman.

22 CHAIRMAN MERTENS: Thank you, Andy.

23 - - -

24 (Whereupon, the board continues with
25 the agenda as posted.)

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CHAIRMAN MERTENS: Okay, we have one application before the board, so I will read it at this time.

Case No. BA23-06, Gateway Industrial 175, LLC. Type, it would be a Use Variance. Application of Gateway Industrial 175, LLC as applicant seeking use variance approval to construct a 130,943-square-foot warehouse with associated office space on proposed Lot 30.02.

Associated site improvements include trailer parking, passenger car parking lots, stormwater infrastructure, utility connections, off-site water main extension, lighting and landscaping on the premise known as Block 49, Lots 30.01, Lots 31.01, and 45.02 and 46.01, Lakewood Farmingdale Road.

Expiration is February 28th, 2025.

MEMBER CANTOR: Mr. Chair?

CHAIRMAN MERTENS: Yes.

MEMBER CANTOR: I'm sorry, before you start, I notice that there's a troop of Boy Scouts in here.

Are you here as witnesses or just to watch our proceedings?

1 UNIDENTIFIED SPEAKER: We're from
2 Troop 515 here in Howell. The Scouts in front of
3 you are doing a merit badge called Citizenship in
4 Community. So we're here to see how the zoning
5 board is operating, and we also will do some
6 critiquing.

7 MEMBER CANTOR: Well, I would invite
8 you to ask any questions.

9 Probably about 50 years ago I did the
10 same thing; I'm an Eagle Scout. So I know exactly
11 what you're doing, and that's why I recognize you.
12 But please ask questions if you have any.

13 UNIDENTIFIED SPEAKER: Thank you for
14 that.

15 CHAIRMAN MERTENS: Okay, thanks for
16 coming.

17 MEMBER CANTOR: Sorry.

18 CHAIRMAN MERTENS: No, that's fine.
19 I'm glad you...

20 Okay, Mr. Pape, good to see you.
21 Happy New Year.

22 ATTORNEY PAPE: Happy New Year to you
23 and members of the board. Good evening, Kenneth
24 Pape from Heilbrunn Pape, on behalf of your
25 applicant.

1 This is, as you've read into the
2 record, a request by the applicant, Gateway 175, for
3 this board to consider. It's a D(3) variance, as
4 well as Preliminary and Final Site Plan.

5 We intend to present the witnesses
6 Louis Zuegner, the professional engineer; Melissa
7 Rub, the architect; Scott Kennel, the traffic
8 expert; and Allison Coffin, the professional
9 planner.

10 We did not bifurcate the application
11 per se; it's filed as one application, but we will
12 present all of the proofs for the D(3) variance
13 relief and the associated variance relief. I think
14 that the complexity of the application is such that
15 if the board moves forward with the D(3) relief we
16 can return and complete the site plan presentation.

17 Just thought I would set the stage as
18 to how we intended to proceed.

19 CHAIRMAN MERTENS: Okay. Would you
20 prefer we swear in all of the professionals first,
21 and then when they come up individually we can do
22 their qualifications?

23 ATTORNEY PAPE: That is a real
24 courtesy, and I think that would be fine.

25 CHAIRMAN MERTENS: Okay, thank you.

1 ATTORNEY BAYER: Do you swear the
2 testimony you give will be the truth, the whole
3 truth, nothing but the truth?

4 IN UNISON: I do.

5 ATTORNEY BAYER: Please state your
6 names for the record.

7 LOUIS ZUEGNER: My name is Louis
8 Zuegner, Z-U-E-G-N-E-R.

9 ALLISON COFFIN: Allison Coffin,
10 C-O-F-F-I-N.

11 MELISSA RUB: Melissa Rub, R-U-B.

12 SCOTT KENNEL: Scott Kennel,
13 K-E-N-N-E-L.

14 ATTORNEY BAYER: Professionals are
15 sworn, Mr. Pape.

16 ATTORNEY PAPE: Thank you.

17 CHAIRMAN MERTENS: So Mr. Zuegner is
18 going to be our first. So I just need your
19 qualifications and then we're all set.

20 ATTORNEY PAPE: Before I qualify
21 Mr. Zuegner, if I might just make an opening
22 statement?

23 CHAIRMAN MERTENS: Okay.

24 ATTORNEY PAPE: Our client's property
25 is 49-plus acres. The use that we're requesting, a

1 warehouse use, is a conditionally permitted use; it
2 is not a use that is forbidden in the zone. It's
3 actually in the zone; it's embodied as a
4 conditionally permitted use.

5 The two conditions that we do not meet
6 are we are 49-plus acres and the maximum development
7 is 10 acres.

8 You will hear that the applicant is
9 restricting their development to 10 acres. So all
10 of the controls that are built into the ordinance to
11 make certain that the 30 percent of 10 acres is the
12 maximum impervious, and there's also a maximum
13 building size, all of those are honored.
14 Notwithstanding that our clients have a greater
15 parcel, they're not developing the roughly 39 acres.

16 The second is that the property -- that
17 the warehouse is to be serviced by sanitary sewer.
18 When the ordinance was passed there was a condition
19 that the development of a warehouse required a
20 sanitary sewer facility.

21 We went to the different sewer
22 purveyors. We went to Mr. Nunziato, who is the
23 sanitary sewer engineer in town. We went to the
24 Manasquan River Regional Sewage Authority. There
25 was considerable confusion between them that got

1 resolved, but not in a way that was favorable.

2 This property is outside of the 208
3 area. Although all the other properties around it
4 and the warehouse next door, all the industrial
5 buildings are in the 208 and have sewer, the State
6 of New Jersey did not designate this property as
7 being in the 208.

8 So we're not allowed to have sewer. So
9 we're asking for permission to develop the property
10 with a septic system.

11 Those are the two conditions of the
12 ordinance that the applicant was not -- was unable
13 to address them and can provide proofs this evening
14 on both points.

15 We have been working on this project
16 for -- since 2019. And the plans that are before
17 you are not the plans that we started with; the
18 plans have evolved considerably. The building has
19 been reduced considerably, all towards the goal of
20 making certain that the development that we're
21 asking you to consider favorably is consistent with
22 the restrictions on a 10-acre parcel.

23 The presentations will be initially by
24 Mr. Zuegner. Mr. Zuegner will introduce the
25 property, take us through the design elements, go

1 through some of the staff reports.

2 Ms. Rub, Melissa Rub is the architect
3 who has designed the building. We'll have Ms. Rub's
4 testimony presenting the architecture and the
5 interior layout of the building.

6 Scott Kennel is our traffic expert. He
7 provided the report that the application relies
8 upon. I'm going to ask that he go through that
9 report with us and point out parking, circulation,
10 emergency movement, as well as connections to the
11 adjacent roadway system.

12 And finally the professional planner,
13 Allison Coffin, has the responsibility of bringing
14 it all together.

15 I'm optimistic that we will be able to
16 move through all four witnesses this evening. I
17 will ask for a break for our court reporter at
18 sometime an hour, hour and a half in, with your
19 permission.

20 CHAIRMAN MERTENS: Absolutely. No
21 problem.

22 ATTORNEY PAPE: Thank you.

23 And with that I'm going to ask if,
24 Mr. Zuegner has been sworn, if he could begin by
25 sharing his credentials, and then we'll go right

1 into his exhibits and his substantive presentation.

2 LOUIS ZUEGNER: Great, thank you.

3 Good evening. Again, Louis Zuegner. I am a
4 licensed professional engineer in the State of New
5 Jersey. Graduate of Virginia Tech. I have been
6 practicing in this field for over 25 years. I've
7 testified before numerous planning and zoning boards
8 including this board in the past. I'm a founding
9 principal of the firm MidAtlantic Engineering.

10 And, hopefully, you will find me
11 acceptable.

12 CHAIRMAN MERTENS: Yeah, we accept
13 your credentials. Good to see you again.

14 LOUIS ZUEGNER: You, too.

15 ATTORNEY PAPE: Thank you.

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17 E X A M I N A T I O N

18 - - -

19 ATTORNEY PAPE: Mr. Zuegner, before
20 you begin your substantive presentation if you could
21 identify the exhibits upon which you relied. We'll
22 identify them by exhibit number.

23 There is the exhibit chart, we'll use
24 that. But it's just so that -- just so Mr. Aguiar
25 is able to show...

1 THE WITNESS: Sure. There are four
2 different colored exhibits which I would expect to
3 work with this evening; one is A-30, that's a
4 location map. Another is A-31, that's a property
5 holdings map.

6 The main one will be A-32, and I think
7 you have seen me use before, a colored rendering of
8 the site, which is really an amalgam of all the plan
9 elements and color for ease of following.

10 And then I also have with me this
11 evening A-33, which is the sewer service area. It
12 refers to what Mr. Pape had discussed earlier about
13 the sewer service area.

14 CHAIRMAN MERTENS: Do we need any
15 marked from our secretary?

16 ATTORNEY PAPE: These are all exhibits
17 that are in your exhibit chart.

18 CHAIRMAN MERTENS: Okay.

19 ATTORNEY PAPE: If you would, and I
20 think it would be prudent to just begin with an
21 overview, locate the property for the board, talk
22 about existing conditions, and then we'll do an
23 overview of the proposed development.

24 THE WITNESS: That would be great.

25 And perhaps we could start with Exhibit

1 A-30, the location map. That's it. Thank you.

2 So this exhibit, this is obviously an
3 aerial image of the region. It helps us locate
4 where we are. You can see in a purple color this is
5 the extent of all of the existing properties which
6 are the focus of the application. They will be
7 merged as part of this application into one.

8 This site sits at what we'll call it
9 the southern end of Central Avenue Business Park.
10 And you can see numerous larger buildings,
11 industrial buildings just above this property.

12 Running up and down along the
13 right-hand side this is Lakewood Farmingdale Road.
14 It continues out ultimately to 195 and 195 at Exit
15 31. That's about a -- thank you, sir. We'll see
16 how I do.

17 ATTORNEY PAPE: Board members be
18 warned, that's a laser.

19 BOARD MEMBER: I don't need a haircut.

20 THE WITNESS: Yeah, so up and down the
21 plan. So I was talking about this is Lakewood
22 Farmingdale Road. It's about a mile and a half out
23 to 195. That entire length, which I'm sure you're
24 familiar with, is mostly commercial or industrial
25 uses. Not entirely, but mostly.

1 Across from us, across the street, just
2 about close to 1,000 feet of property mostly owned
3 as NJDEP lands before it gets to the golf course, so
4 this is preserved land at some level.

5 And then you can see there's some
6 extensive woods to the rear of our property.

7 As we get into it what we will start to
8 focus on is our developable area, an area we're
9 looking at this application is towards the road, or
10 towards the front of this site just south of the
11 other commercial buildings.

12 The entirety of that purple area is
13 just under 50 acres. So a framework of reference.
14 There are wetlands on the site. We have been to
15 DEP, we have a Letter of Interpretation, and the
16 uplands developable portion of this property is
17 approximately 16 acres.

18 And we'll get into how this zone is a
19 10-acre zone and what our application looks like
20 within that.

21 It might be worthwhile if we just
22 wanted to look at, I could show other property
23 holdings.

24 ATTORNEY PAPE: Just before we do I
25 want to share something.

1 I know this is the third time in the
2 last, I would say 10 years, that I had the
3 opportunity to present a building in this industrial
4 park to either the planning board or the zoning
5 board.

6 And the very first time we did an OPRA
7 to see if we could find the original approvals and
8 we were surprised, there are no original approvals.
9 There were no approvals for these buildings. These
10 buildings appear to have been built by government a
11 very long time ago. And when we did an OPRA looking
12 for the approvals, we came up that there were none.

13 So the buildings that are in this
14 industrial park are there. Two of them we have
15 presented to the board and modified the uses so that
16 they do now have a history, but the property that
17 we're presenting to you is part of that original
18 parcel of property that was government-owned that
19 our clients acquired.

20 THE WITNESS: Thank you.

21 ATTORNEY PAPE: You're welcome.

22 THE WITNESS: If we might just briefly
23 look at Exhibit A-31. Again beginning to bring us
24 into, and you start to see, where on the property in
25 question, in purple, where we will be proposing

1 development.

2 And then through notes and other
3 reference starts to show -- it's a lighter blue
4 color so it's a little hard to follow, but a number
5 of those, most of those surrounding commercial
6 buildings there is some contiguous continuity
7 between ownership and operation in this area.

8 So it is functioning as a commercial
9 segment with different properties, and we are
10 proposing to be part of that overall commercial
11 development and commercial use.

12 Just thought it was worth briefly
13 seeing that there is some continuation of ownership.
14 It doesn't necessarily affect our parcel or our
15 application in front of you, just that it's not
16 entirely a stand-alone.

17 And then if we could go to Exhibit A-30
18 -- sorry, not A-30, A-32.

19 So now we're looking into specifically
20 a portion of what we had seen is that overall parcel
21 development area right along Lakewood Farmingdale
22 Road which you can see on the right-hand side.

23 And this is sort of an overview to this
24 application. We are in the SED-1, Special Economic
25 Development District. Mr. Pape had talked to you

1 about how we are a conditional use.

2 There is not public sewer available
3 because we are not in the sewer service area, not
4 that it's that far away. We are working with
5 New Jersey American to bring water to this site, and
6 I will go into that a little bit. So we would have
7 water but we would not have public sewer, we would
8 be on a septic system.

9 You can see in this clearly we are a
10 single building. It would be a multi-tenant
11 building. And I can talk about how there would be
12 three offices, or up to three offices in that
13 configuration. The single building, and it was
14 talked about in the opening, 130,943 square feet.

15 Throughout this process of design this
16 has been significantly reduced, but that's what is
17 before you now.

18 Office space would be around 7,500,
19 7,541 square feet. We will have an architect who
20 can talk to the details of the building itself, but
21 multi-tenant, up to three offices.

22 We would have county roadway access.
23 So Lakewood Farmingdale is a county road at this
24 point. We have spent a fair amount of time with the
25 county on access for this. And you can see there's

1 obviously two points of access in this plan. The
2 lower, or bottom one, is exit only.

3 PLANNER BEAHM: Can we stop you for a
4 second?

5 ENGINEER CUNLIFFE: Yeah. Lou, is
6 that the most current rendering of the building
7 footprint? Because I think what we have is more
8 square in shape.

9 PLANNER BEAHM: It's square.

10 ENGINEER CUNLIFFE: That looks more
11 rectangular.

12 VICE-CHAIRMAN HUGHES: Can you repeat
13 the square footage again, sir.

14 THE WITNESS: Square footage is
15 130,943.

16 ENGINEER CUNLIFFE: Yeah, Ken, do you
17 know when you last revised this? Because this is
18 March of last year.

19 THE WITNESS: Well we sent one in in
20 November and I would have it on my...

21 PLANNER BEAHM: Do you want to take a
22 second and just make sure?

23 THE WITNESS: Yeah, that's a good...

24 ENFORCEMENT OFFICER AGUILAR: Is it
25 this one?

1 ENGINEER CUNLIFFE: Yeah, November
2 24th.

3 ATTORNEY BAYER: What exhibit is it,
4 John?

5 ENFORCEMENT OFFICER AGUILAR: A-32.
6 There's two of them in here.

7 ATTORNEY PAPE: Thank you.

8 ENFORCEMENT OFFICER AGUILAR: No
9 problem.

10 THE WITNESS: Thank you for catching
11 that.

12 ENGINEER CUNLIFFE: And before we move
13 on from that too, so it's kind of not shown on the
14 top of the page here, but there's a parking area to
15 the north of the proposed building, correct, a
16 proposed parking area?

17 THE WITNESS: Correct.

18 ENGINEER CUNLIFFE: And is that going
19 to service the proposed warehouse site or is that
20 servicing the existing complex that is already
21 there?

22 ATTORNEY PAPE: It does not service
23 the existing -- it does not service the proposed
24 building. It's not in any way related to the
25 proposed building. It is existing and it is an

1 overflow lot for the building owned by our clients
2 that is above.

3 ENGINEER CUNLIFFE: So the reason I
4 bring it up, and I will defer to our planner, is
5 typically parking is an accessory to a principal use
6 and structure; that is an accessory use that is not
7 servicing the principal use that is being proposed
8 with this application.

9 So I know they're presenting it as just
10 being a D(3) but, you know, in my eyes that would be
11 a separate D(1) for that because it doesn't have a
12 -- it's not serviced by the principal use and
13 structure that is being proposed with this
14 application.

15 CHAIRMAN MERTENS: Anything to add,
16 Jennifer, on that?

17 PLANNER BEAHM: I mean, I agree with
18 Charlie wholeheartedly. I guess we're going to punt
19 it to Andy, but generally we don't allow multiple
20 principal uses on a single lot.

21 But this is not even a principal use;
22 this is an accessory use that's servicing a
23 principal use on a different lot. So I think you
24 could argue that we don't allow that, but also it's
25 almost introducing that second principal use which

1 is off-site onto this property, because they're
2 using the parking lot for that.

3 So I would agree, but, I mean, I would
4 defer to Andy really.

5 ATTORNEY BAYER: I think you're right.
6 I agree.

7 ATTORNEY BAYER: Which lot are we
8 speaking of; can you point to it?

9 ATTORNEY PAPE: Sure.

10 THE WITNESS: I can. And if we went
11 back at this point too we could see more, but this
12 is a portion of that paved parking area. And you
13 could see in the very top right-hand corner this is
14 actually a building -- existing commercial building
15 on another property, and by pavement that is
16 connected to this ancillary parking area.

17 ENGINEER CUNLIFFE: You could bring up
18 the location map. A-30. Is that better?

19 THE WITNESS: If we went back to A-30
20 or A-31 we would be able to zoom in and see that.

21 You could see that the existing purple
22 line is here.

23 ATTORNEY PAPE: There is more than one
24 way that we can address that, and before we conclude
25 the presentation we'll speak to it.

4 ATTORNEY PAPE: It's not through
5 our -- it's not in any way associated with this
6 project.

13 PLANNER BEAHM: Ken, can you ask for
14 five minutes so we could figure this out?

16 CHAIRMAN MERTENS: I think that's a
17 good idea.

19 CHAIRMAN MERTENS: Eileen, we'll take
20 a five-minute break.

24

25 (A recess is taken at 7:38 p.m.)

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(Time noted, 7:53 p.m.)

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ADMINISTRATOR CUSA: The meeting will
now reconvene.

MEMBER CANTOR: Mr. Pape, you thrilled
the Boy Scouts.

CHAIRMAN MERTENS: Okay, Mr. Pape, do
you want to go first and then I'll give you our...

ATTORNEY PAPE: Sure, sure.

If I might, Mr. Chair, speaking with
your professionals and deferring, of course, to you
and the board, we are prepared to present the
testimony of Mr. Zuegner this evening, and also the
testimony of Melissa Rub, the architect, and then we
would stop.

The issue with regard to the use of
this parking lot, the intensity of the use, and the
necessity of it is something that we would like to
further explore with your professionals. And if
necessary, when we return with Scott Kennel and
Allison's testimony, if it's deemed necessary we'll
modify our notice to include any additional relief
that your professionals direct us to include.

CHAIRMAN MERTENS: Okay, I concur.

1 The members, we all concur on that.

2 ATTORNEY PAPE: Thank you.

3 CHAIRMAN MERTENS: The only thing that
4 I would like to ask at the end of your two witnesses
5 if anybody on the board has any questions, so that
6 way you can take them home with you and let us know
7 at the next meeting.

8 ATTORNEY PAPE: Mr. Chair, as you know
9 it's a process. We appreciate when you provide us
10 with your questions and guidance. We think that we
11 will probably have both of these witnesses concluded
12 in less than an hour's time and that provides
13 adequate opportunity for that examination.

14 CHAIRMAN MERTENS: Okay, that sounds
15 good to me.

16 ATTORNEY PAPE: Thank you.

17 CHAIRMAN MERTENS: So continue.

18 ATTORNEY PAPE: So, Mr. Zuegner, we're
19 still in the background presentation of the
20 property.

21 Anything further before we start going
22 into the details of the proposed development?

23 THE WITNESS: Just, yeah, sort of
24 finished up my overview. A couple of quick comments
25 about what we're proposing with this particular

1 single building.

2 Ken, I think we're back here on A-32,
3 the site rendering?

4 ATTORNEY PAPE: Yep.

5 THE WITNESS: I talked about the
6 single building, the three offices, the three
7 potential tenants.

8 We just started in on Lakewood
9 Farmingdale Road at this point is a county road. We
10 do have two points of access for the road proposed,
11 and I have discussed that with the county. The
12 lower of those two would be exit only. This is a
13 good setup for this site.

14 There are trailer bays. You could see
15 in the darker color access to three sides but not
16 the front of this building. That's important.
17 There is trailer staging places, and you can see
18 that in the back end of this site. Those trailer
19 staging spaces, we talked about it at some point a
20 little bit, they function to make the flow of the
21 building work better. So those are sort of part of
22 the process of the building.

23 Then we've created vehicle parking at
24 three different locations based on the potential for
25 three tenants, and you could see the front and then

1 below and above those are separated vehicle parking
2 spaces separate from the truck access areas.
3 There's a total of 128 vehicle parking spaces in all
4 of that.

5 Again looking at this, and I know we
6 mentioned it sort of in the opening, while we are 49
7 total acres, the intent was intensity-wise to
8 propose a building and parking coverage that you see
9 here based on what would fit into 10 acres. So
10 30 percent building coverage was the target for the
11 building footprint. And then the impervious
12 coverage was targeted based on the 10 acres.

13 There might be some I know when we go
14 through the review letters some minor de minimis
15 elements there we need to adjust and make sure we
16 meet those criteria.

17 ATTORNEY PAPE: Before you go into the
18 substantive presentation, I would like you to spend
19 a little more time on sewer and water. I had said
20 we're not in the 208 area; you said we're outside of
21 the service area.

22 If you could explain to the board for
23 the record what a 208 area is, how it comes into
24 existence and who regulates, what entity actually
25 regulates where sanitary sewer service is permitted?

1 THE WITNESS: The utility authority
2 and the county in Monmouth produce a future sewer
3 service area map. And it identifies those areas
4 where a utility authority is permitted to provide or
5 collect sewer.

6 And how the collection system and some
7 of the collection elements are within your municipal
8 building and your engineering office, they're
9 overseen by township, but it's the sewerage
10 authority which collects the sewerage and it's the
11 county that establishes and submits the sewer
12 service area plan to State of New Jersey NJDEP.

13 There are means and methods for
14 amending this and changing those extension limits,
15 but this is, you know, we now have up here Exhibit
16 A-33. And what that is showing is the areas that
17 are colored, they're all within the mapped sewer
18 service area. And our parcel, which is a little box
19 in it at the bottom center, is almost like a hole in
20 the doughnut.

21 So there's our issue or concern here is
22 not the ability to get a sewer line physically to
23 the site, it's that we're not mapped with DEP in the
24 sewer service area. Therefore, the utility
25 authority/sewer authority is not permitted to

1 provide sewer service.

2 ENGINEER CUNLIFFE: So just to clarify
3 that, Lou. So are you saying that none of the site
4 is currently mapped in the sewer service area?

5 There are portions of this site that
6 are mapped in the sewer service area, correct?

7 THE WITNESS: That's correct.
8 Actually, if you look right along Lakewood
9 Farmingdale Road there is sort of an irregular green
10 shape. That is actually part of this parcel, but
11 the building itself would sit within that white area
12 outside the sewer service area.

13 ENGINEER CUNLIFFE: Okay. So the part
14 that is subject to the development is not in the
15 mapped sewer service area, right?

16 And you said there is a process where
17 if a property owner desires to become part of the
18 sewer service area they can seek a site-specific
19 amendment through the water quality management plan
20 or wastewater management plan through the county and
21 DEP to get an amendment to be in the sewer service
22 area, correct?

23 THE WITNESS: That is correct. It
24 needs municipal and utility authority and
25 endorsement from others.

1 ENGINEER CUNLIFFE: Okay. And as part
2 of the process of, you know, your due diligence for
3 this application did you explore the availability of
4 sanitary sewer infrastructure in the vicinity of
5 this property were the property owner to go the
6 route of trying to get a site-specific amendment to
7 get into the sewer service area?

8 THE WITNESS: Yes, we spent a
9 significant amount of time investigating both this
10 mapping and the physical infrastructure for this
11 site.

12 And, like I said, our impediments is
13 the sewer service area and that this is not mapped
14 within the sewer service area.

15 ENGINEER CUNLIFFE: So I would just
16 submit to the board, right, so one of the
17 conditional use requirements for this use in the
18 zone is that they be serviced by public sewer.

19 I get that they're not in the sewer
20 service area right now, but if the board were
21 inclined to act favorably on this application it's
22 certainly within your ability to request a condition
23 that the applicant seek a site-specific amendment to
24 the sewer service area to hook up to public sewer.

25 You know, I have spoke with the

1 engineering department and there is, to my
2 understanding, there is some private sanitary sewer
3 infrastructure in the existing business park to the
4 north of this property, and there is sanitary sewer
5 infrastructure to the south of this property on 524
6 in the vicinity of Mulligan's.

7 There is an immersive trunk line that
8 runs along the rear of the property.

9 PLANNER BEAHM: They cannot tie into
10 that; they already tried.

11 ENGINEER CUNLIFFE: It is in a heavily
12 regulated area, c(1) buffers and things like that,
13 but there are other means to connect into sewer
14 systems.

15 So I don't, you know, I don't want it
16 to come across as, oh, we have no ability to hook up
17 to sewer because we're not in the sewer service
18 area. There is a means for property owners to seek
19 amendment to get into the sewer service area to hook
20 up to public sewer.

21 So that's perfectly within your ability
22 as a board to request that of an applicant should
23 you deem it appropriate.

24 PLANNER BEAHM: I also want to just
25 piggyback on that. This was a condition that was

1 recently added to specifically this land use type to
2 target the location of these land use types in
3 specific areas of the town. The fact that this site
4 is not within the sewer service area, I mean it
5 wasn't gone -- that condition was not added to this
6 lightly. It was done intentionally, to make sure
7 that these types of uses are in areas of the town
8 that they felt were most appropriate.

9 So I don't disagree that there are
10 methodologies available to amend the 208 plan and
11 add properties, but I just want to be very clear
12 that this was not an oversight; like this was an
13 intentional condition that was put in there to
14 regulate the location of these types of uses.

15 ATTORNEY PAPE: If I might, the
16 ordinance, I am certain that the requirement was not
17 an oversight. But when we started working with the
18 various sewerage agencies, and the Manasquan River
19 Regional Sewerage Authority, everybody initially
20 opined that we were in the 208 area. And it was
21 only after drilling down that they realized, oh, no,
22 you're not, there's a hole there and you're not.

23 So exploring whether we can get sewer
24 -- we would love to have sewer. The steps typically
25 are that the governing body has to acknowledge that

1 sewer is being sought and to endorse that
2 application. And then you go to the solid waste
3 management at the county. And then you go to the --
4 not the Freeholders, the commissioners. And then
5 you go to the DEP. Those are the steps for bringing
6 sewer.

7 So we acknowledge that that procedure
8 is there. We acknowledge that the ordinance was
9 specific that they wanted sewer. The mistake, and
10 it seemed very clear as we were working on it, it
11 was thought that this property was in the 208 area
12 just like everything else was, but it was not.

13 CHAIRMAN MERTENS: Mr. Pape, my
14 feeling, and I'm sure my fellow board members agree,
15 we would like to explore doing public.

16 MEMBER SCOTTSON: Absolutely.

17 CHAIRMAN MERTENS: We can debate how
18 the 208 for this site came about, whether it was
19 intentional. It doesn't matter at this point. I
20 think as long as we have the ability to have that
21 part of the conditional use with this property, I
22 think that's where we all want to go.

23 ATTORNEY PAPE: Thank you for the
24 comment, Mr. Chair, duly noted. Duly noted.

25 Would you also speak to the water

1 supply and what commitment that our client is making
2 with regard to the water supply and why that
3 commitment is necessary.

4 THE WITNESS: So there is New Jersey
5 American Water, although not all that close to the
6 site.

7 We spent quite a bit of time with
8 New Jersey American on how we would get public water
9 to the property. There are a couple of different
10 potential routes and means, and it would be a fairly
11 long extension, but it would bring public water
12 potentially not just to this building but to the
13 other surrounding buildings. It's key to this
14 building, in my mind, because this needs to be a
15 suppressed building.

16 And so the public waterline that would
17 be brought in would have the flow and pressure to
18 provide for the fire protection in the proposed
19 building, and that is part of this application to
20 bring that public water to this site.

21 ATTORNEY PAPE: Could you share with
22 the board the estimated linear distance of the
23 waterline?

24 THE WITNESS: There are a couple of
25 different potential routes depending on the line

1 from New Jersey American, but the closest is about
2 2,500 feet away. And there's another larger, more
3 powerful line, that is about 6,000 feet away.

4 ATTORNEY PAPE: We're talking about
5 bringing what type of a waterline?

6 THE WITNESS: This would be a
7 potentially 12-inch waterline to the site.

8 ATTORNEY PAPE: Our client has a
9 commitment to extend water and approximately a half
10 a mile with a major trunk line to service this area
11 out of necessity because we need to have a building
12 that is fire suppressed.

13 If you would begin taking us through
14 the details of the design?

15 THE WITNESS: Sure. Maybe we could go
16 back to A-32. And again, I'll work through a little
17 bit more in the design element of this, how this
18 site would work.

19 From a grading perspective the existing
20 site generally slopes west, away from the county
21 road. That direction of flow is generally
22 maintained in this. You can see a number of
23 stormwater basins to the left or the back of the
24 site.

25 The site does require fill, so dirt

1 would need to be brought into this site in order to
2 maintain that drainage pattern and to get all of the
3 stormwater components to work properly. The new
4 building would be slightly raised from existing
5 grade.

6 Drainage for this site would be fully
7 compliant with the newest rules for stormwater.
8 Again as I'm sure you're beginning to see most of
9 these sites now it's in a multitude of basins, not
10 just one big basin, and it's the same here as you
11 see here.

12 There are the three surface basins that
13 you can see there -- there are four, I'm sorry,
14 three at the back and there's one at the front.
15 These are all I want to refer to as small-scale
16 infiltration basins, so they're putting water back
17 into the ground.

18 There are also four, call it sort of
19 the four sides of the building, underground elements
20 that are collecting water from the roof of the
21 building. So there's a total of eight different
22 elements to the stormwater management system here,
23 all of which would be privately owned.

24 And as you heard me say in the past
25 there is a requirement that there is a developed

1 schedule for maintenance and a maintenance manual
2 that gets filed with the property deed.

3 There actually already is an approval
4 from Soil Conservation District based on this
5 design. I'm sure at some point we'll get through
6 the review letter. We have worked with
7 Mr. Cunliffe. I believe there is still work to be
8 done to get to 100 percent on his approval, but we
9 are confident that we will be able to satisfy that,
10 and that we're close.

11 Circulation for this site is very good.
12 I mean this is a site that I think you can see from
13 the plan itself we have full circulation around the
14 building, we have two great points of access to a
15 county road. Internally it's two-way circulation,
16 the only one-way element is the southern exit out to
17 the county road.

18 The main aisles in this, as you see
19 circulating the building, those are 30-foot main
20 aisles for the truck circulation. The aisles within
21 the vehicle only, those three parking spaces, those
22 are 25-foot aisles. Again, as I mentioned in the
23 opening we separate those parking lots to keep them
24 out of the main flow of truck traffic.

25 All of the sort of turning and turning

1 elements function well for trucks. This site is set
2 up for larger vehicles. And, of course, we would
3 also include emergency and fire vehicles.

4 Just as a quick sort of general element
5 on dimensions, the loading bays, those are 60-foot
6 loading bays. And then the maneuvering area outside
7 of those loading bays is 72 feet. These are
8 dimensions we've used on numerous similar sites and
9 work well. The trailer staging spaces, those are
10 55-foot deep.

11 You can see as a reference the darker
12 shaded colors there, those are actual -- that's
13 actual concrete as opposed to a black asphalt. That
14 is used in the loading bays themselves for
15 durability. And then in the truck staging spaces
16 there's a four-foot strip so that if a trailer sits
17 there, the landing gear sits on concrete as well.

18 ATTORNEY PAPE: I think that it's --
19 we have met with on two separate occasions Fire
20 Chief Prochnow to go through this plan and in the
21 packet of reports is he has no further issues with
22 the design. And that is because we have modified
23 the dimensions of the driveways to his satisfaction.

24 THE WITNESS: I know Mr. Kennel likely
25 won't be speaking tonight, but he'll, I'm sure, talk

1 more about the county road.

2 We are proposing improvements along the
3 frontage on the county road. This would again widen
4 towards our site and create, you can see, striped in
5 on the county road, there would be a dedicated turn
6 lane for access into this site to be part of the
7 improvements that we come to an agreement with the
8 county.

9 ENGINEER CUNLIFFE: Lou, can you give
10 us an update on where you are; so has the applicant
11 filed an application with the Monmouth County
12 Planning Board?

13 THE WITNESS: We have met and
14 presented plans to them, but there is not an active
15 application with the County.

16 ENGINEER CUNLIFFE: So they haven't
17 actually seen any of the improvements on 524 that
18 you're proposing in a formal -- in a formal
19 application?

20 ATTORNEY PAPE: Not in a formal.
21 We've presented multiple plans -- and Scott, who
22 won't testify, can go through that -- to get their
23 feedback, what they're showing is what they told us
24 they want to see out there.

25 ENGINEER CUNLIFFE: I would say any

1 potential approval from the board is conditional on
2 Monmouth County Planning Board. So that is approval
3 they would have to get.

4 ATTORNEY PAPE: Absolutely.

5 ENGINEER CUNLIFFE: I just want to
6 backtrack and ask a clarifying question. So you
7 talked about bringing public water to the site. So
8 you said there was two different routes, one was,
9 you know, 2,500 feet, and one was over 5,000 feet or
10 something like that.

11 THE WITNESS: Right.

12 ENGINEER CUNLIFFE: So the plan that
13 is currently was last submitted to us that's showing
14 you going southbound to 524 in that intersection
15 with the connection which -- which length is that;
16 is that the 2,500, is that 5,000?

17 THE WITNESS: I would have to pull and
18 get you the specific information we worked with
19 New Jersey American on. I believe that that's the
20 shorter length down to the intersection.

21 ENGINEER CUNLIFFE: Okay. Is there
22 any routing -- so, obviously, there is the associate
23 business -- sorry, yeah, the business park, I'm
24 mixing names. There's the business park existing to
25 the north of the site that -- does that have public

1 water that it could be connected to, or does this
2 applicant have the right to run sewer through there?

3 ATTORNEY PAPE: Sewer or water?

4 ENGINEER CUNLIFFE: Water. I
5 apologize.

6 THE WITNESS: I guess what I would say
7 is part of the exploration that we have done with
8 New Jersey American and why I have said there's two
9 possible routes is we're trying to see if there's a
10 way we can run this waterline to provide water to
11 the other buildings so that they would all have the
12 potential for water.

13 ENGINEER CUNLIFFE: And the reason
14 that I asked that is a public water main in a public
15 right-of-way has a potential to service other public
16 properties and serve the benefit of other public
17 users.

18 ATTORNEY PAPE: And private users.

19 ENGINEER CUNLIFFE: Through a private
20 access easement through a private business park
21 that, you know, only private entities in that
22 business park could potentially benefit from I think
23 is a little different context on where the main is
24 routing and who benefits from it.

25 You know, we have had applications

1 where, you know, people have run miles of sewer or a
2 mile of sewer and it all has the benefit of other
3 property owners along that public right-of-way to
4 connect into it.

5 If it's being run through a private
6 property, through a private access easement that
7 only those private property owners benefit from and
8 I guess the question is does this applicant have any
9 common ownership with those -- does this applicant
10 have any common ownership with the business park to
11 the north?

12 THE WITNESS: Yes.

13 ATTORNEY PAPE: Yes.

14 ENGINEER CUNLIFFE: Okay. So they own
15 the business park to the north?

16 ATTORNEY PAPE: Yes.

17 THE WITNESS: Yes.

18 ENGINEER CUNLIFFE: Okay. All right,
19 I think we just want to know where the routing is.
20 Because it going through a public right-of-way
21 versus it going through a private property, and who
22 it services, is some context that the board should
23 know definitively.

24 MEMBER RYAN: Mr. Chairman, is it
25 possible to have Mr. Zuegner point out on the map

1 where the connection is going to run to?

2 THE WITNESS: I guess what I might
3 like to say is, since I know that we're going to
4 come back, if it's something that I can work on and
5 bring back to you what that route would be and how
6 accessible it would be to others and what the
7 potential additional flow would be, it would be
8 better to come back with all that information to
9 share with you than what I have in hand.

10 CHAIRMAN MERTENS: Yeah, let's do that.

11 ATTORNEY PAPE: We make a commitment
12 to do so.

13 CHAIRMAN MERTENS: That would make
14 sense.

15 ATTORNEY PAPE: So the water route and
16 identification of third parties who could benefit.

17 ENGINEER CUNLIFFE: And you're going
18 to talk about the parking, Ken; they haven't gotten
19 there yet, right?

20 ATTORNEY PAPE: We are going to do a
21 bit of a discussion on the parking, but the portion
22 that Scott Kennel would do will be at the next
23 meeting. So we'll go through it.

24 ENGINEER CUNLIFFE: We'll talk about
25 that, and then I'll ask a question and then if you

1 can answer it, or if it's more appropriate for
2 Mr. Kennel he can answer it.

3 ATTORNEY PAPE: Sure. I think we're
4 just about...

5 THE WITNESS: Yes.

6 ATTORNEY PAPE: We are at parking.

7 THE WITNESS: So I have essentially
8 for the parking some specific numbers. I'm not sure
9 if this will satisfy your question or not, but the
10 total of the trailer loading bays, which I had
11 referenced before is 33. There's six additional
12 ones that are at-grade.

13 So from the plan, you sort of see them
14 at the end. And this would differentiate between
15 the loading bay where you would be four feet lower
16 and the truck would back in, versus one that's on a
17 bit of a ramp and comes in at grade. This allows
18 for one of the -- in this case six of the loading
19 bays to be usable for say a UPS truck or something
20 that would come in and not meet that back-in
21 four-foot loading bay.

22 The trailer staging spaces at the far
23 left, there are 15 of those. The vehicle parking in
24 the three locations as I had mentioned, there's 128
25 vehicle parking spaces. This exceeds the

1 requirement for this building.

2 MEMBER BORRILLO: By a lot.

3 THE WITNESS: By a lot.

4 MEMBER BORRILLO: What's the reason
5 for that; are we going to get into that?

6 ATTORNEY PAPE: We can get into it,
7 but I can tell you that the client's building is the
8 one next door, and what we did is we monitored the
9 parking that's associated with that building and
10 then we mirrored the same parking intensity for this
11 building because it's the same.

12 ENGINEER CUNLIFFE: That's exactly
13 where my question was going, is because our
14 ordinance has requirements for office and warehouse
15 space which is considerably lower than what they're
16 proposing.

17 And the reason we ask that question is,
18 nine tenant spaces with a lot of passenger vehicle
19 parking spaces, is this more -- is this going to be
20 more so a flex space with fleet vehicles? Like
21 what's the need for -- I want to say like what's the
22 right number -- 78 spaces more than what is required
23 for warehousing and office space?

24 ATTORNEY PAPE: The testimony will
25 come from Scott, but what I would invite is -- and

7 CHAIRMAN MERTENS: Well that might be
8 true now, but the tenants that go in here might
9 dictate a change in that; am I correct?

11 CHAIRMAN MERTENS: Yeah, potentially
12 it could.

17 ENGINEER CUNLIFFE: So just to add
18 onto that, right, so, and the reason we're asking
19 the question is, you know, flex space in other
20 municipalities where there is a prescribed standard
21 based off the gross floor area, the parking
22 requirement might be one per thousand, one per
23 800 square feet, whereas warehouse traditionally is,
24 especially in Howell, is one per 5,000 square feet.

25 | And the reason we ask that question is

1 because I think the zone does have separate
2 conditional use requirements and standards for flex
3 space, which have different maximum gross floor area
4 requirements, I believe, compared to warehousing in
5 the zone.

6 So is it just a warehouse with office
7 space, or are we going to be getting, you know,
8 people coming in operating, you know, with fleet
9 vehicles and it's flex space and we're getting a
10 flex space under the guise of it being a warehouse?

11 And I think that's just the skepticism
12 coming from my end. You know, we have a certain
13 requirement and we're getting -- it's not very often
14 that we're seeing people provide so much in excess
15 of what's required; usually they're either right at
16 it or asking for relief from it or around it, you
17 know. This is significantly higher than what our
18 requirement is, so that's where our line of
19 questioning is coming from.

20 PLANNER BEAHM: And I think part of it
21 too is the size of the building, so one of the
22 conditions for flex is that the building can't be
23 more than 75,000 square feet, so this is like twice
24 that.

25 So there has to be a determination

1 whether or not it's flex or not just because there's
2 a distinction in the conditions between the two use
3 types.

4 MEMBER BORRILLO: Also, can we
5 clarify, I know Mr. Pape mentioned three tenants and
6 I see --

7 ATTORNEY PAPE: Three offices.

8 MEMBER BORRILLO: And how many
9 tenants?

10 ATTORNEY PAPE: Maximum of nine.

11 MEMBER BORRILLO: So each tenant won't
12 have their own office space?

13 ATTORNEY PAPE: That's correct.

14 MEMBER HUGHES: Nine, how is that not
15 flex?

16 MEMBER BORRILLO: Yeah, that would be
17 flex, right, if you have nine -- if you have nine
18 tenants?

19 PLANNER BEAHM: So I would suggest
20 that we put a pin in this conversation about flex
21 versus warehouse. I know Allison is here but she's
22 probably is not going to testify tonight, and as
23 part of her testimony when she comes back to address
24 any of the conditional use standards plus the
25 multiple principal uses, we could ask for a

1 distinction on how this site is going to operate as
2 a warehouse versus flex space or whatever, and give
3 them a minute to figure out how to adequately
4 address that concern.

5 It is a concern, Mr. Pape, so I just
6 want to be clear but --

7 ATTORNEY PAPE: Got it.

8 PLANNER BEAHM: -- but I think it's
9 something that we can put a pin in for tonight and
10 then come back and revisit it at the next meeting.

11 CHAIRMAN MERTENS: I agree. So let's
12 do that.

13 MEMBER BORRILLO: And if I could just
14 mention one other thing, the architectural plans do
15 have an office space for each space; each of the
16 nine tenant spaces there's an office space for each
17 one on the architect's plans that I could see.

18 PLANNER BEAHM: She would need to
19 reconcile between both plans.

20 MEMBER BORRILLO: Okay.

21 CHAIRMAN MERTENS: Okay, we'll save
22 that for the architect.

23 ATTORNEY PAPE: So let's continue.

24 THE WITNESS: A few more sort of
25 technical items, if I could keep going.

1 Lighting for the site. Again, we're
2 starting with a new site so it's a new modern, LED
3 lighting. What is proposed is 3,000 Kelvin at the
4 lower end of the temperature scale. Modest
5 intensity.

6 There is a waiver requested on -- we
7 meet the minimum, but we miss the overall average.
8 What I found often in the way we have done these
9 warehouses is we tend to miss low and we miss low
10 intentionally. There's, you know, a big travel
11 operational path for trucks. We try not to over
12 light that. One, it's hard to light because it's a
13 big area, and it's big lights. But it's also not
14 necessary to light all of that paved area.

15 20 poles, they're 22 feet high. And
16 there are building-mounted lights as well.

17 Landscaping. I know we spent some time
18 with Ms. Spero before the last hearing in November.
19 She has a number of comments which we agree to meet
20 all of those.

21 I believe there's a little bit of work
22 still to be done on identifying and making sure all
23 of the buffers are planned properly.

24 We have four masonry trash enclosures
25 around the building, they're split, you know, in

1 different spots around the building. Those are done
2 in split block. We have a reinforced gate on the
3 front.

4 There is one proposed monument sign,
5 one new monument sign. That will be at the
6 northerly entrance.

7 And I believe we have addressed
8 utilities pretty thoroughly.

9 ATTORNEY PAPE: Just a few. So status
10 of outside agencies, you indicated that the Freehold
11 Soil Conservation District has issued a permit for
12 this plan.

13 THE WITNESS: It has been issued for
14 this plan. It might obviously need some reissue or
15 update at some point.

16 We've met with New Jersey American.

17 We've met with the county but we have
18 not submitted those applications yet.

19 We do have a Letter of Interpretation
20 on the wetlands from NJDEP.

21 And we still need to obtain ultimately
22 general permits and transition area waiver from DEP.

23 ATTORNEY PAPE: Those applications are
24 filed?

25 THE WITNESS: They have been filed.

1 ATTORNEY PAPE: They're filed.

2 That is the direct presentation that
3 Mr. Zuegner prepared. We're prepared to address
4 questions from your professionals and from the board
5 at this time or after the architect.

6 I defer to you.

7 CHAIRMAN MERTENS: I think we'll do it
8 now. Charlie?

9 ENGINEER CUNLIFFE: Yes, Mr. Chair.
10 So you said you have your LOI. And then could you
11 just enumerate the various applications you have
12 before the DEP for freshwater wetlands?

13 And is there any flood hazard area
14 verification or application required?

15 THE WITNESS: There's no flood hazard
16 application, no. But there are general permits,
17 there are a couple of general permits. And there is
18 a transition area waiver buffer averaging.

19 ENGINEER CUNLIFFE: Okay. So it's for
20 the outfall of the GP-11 or whatever it is for the
21 outfall?

22 THE WITNESS: We have an outfall. We
23 have a minor roadway crossing for the one drive
24 aisle.

25 ENGINEER CUNLIFFE: Okay. That's the

1 southerly site driveway, there's like a wetlands in
2 the front of the site there?

3 THE WITNESS: Correct.

4 ENGINEER CUNLIFFE: All right. And it
5 has been in my letter and I believe it might be in
6 your EIS, but one of the properties in the subject
7 application and then also on the survey that was
8 submitted with the application there is a number of
9 monitoring wells on the site. And one of the lots
10 in the subject application is listed as an active
11 site remediation with DEP.

12 Can you provide some information on
13 what the status of that is, and whether that's being
14 closed with this application? Whether there's been
15 any Phase Is or Phase IIs for that?

16 And the reason that I ask the question
17 is obviously I get from the stormwater rules through
18 DEP and through our ordinances, you know, their
19 green infrastructure which promote infiltration and
20 everything like that. You know, it would be
21 counterintuitive to, on a site with potential site
22 remediation issues, to now introduce all the
23 stormwater management that promotes recharge and,
24 you know, the flow of groundwater and things like
25 that.

1 I would think that the board would want
2 to make sure that that site remediation activity is
3 resolved as part of any potential board approval on
4 this type of application for this property.

5 ATTORNEY PAPE: Charlie, you had some
6 information that those were active?

7 ENGINEER CUNLIFFE: This is just from
8 NJDEP Data Monitor, and I believe it was for Lot
9 31.01, 900 Central Avenue. And that's, I think that
10 has been in my letter from May of '23.

11 ATTORNEY PAPE: We'll make certain
12 that we find out from the DEP if that's an active --
13 not to our knowledge.

14 ENGINEER CUNLIFFE: Yeah, I mean I
15 think something written from an environmental
16 professional as to the status of that would be
17 helpful for the board's consideration with this
18 application.

19 And then the last thing I will just
20 add, and it's actually timely for this application.
21 I think as part of our Rules Committee meeting we
22 had talked about sites that are being constructed in
23 town, especially when there's multiple users and
24 tenant spaces, about the trash refuse areas not
25 always necessarily being commensurate with the

1 amount of refuse that's generated by those type of
2 activities.

3 So you said there's four refuse
4 enclosures for the site?

5 THE WITNESS: Yes. There are four
6 proposed.

7 ENGINEER CUNLIFFE: Is there any
8 internal, like, compactor systems for cardboard and
9 recyclables, or how is that handled?

10 THE WITNESS: So that hasn't been
11 proposed as part of this building. That has with
12 some other buildings that we have done before where
13 we have had internal collection or collection system
14 in one of the loading bays right outside of the
15 door.

16 ENGINEER CUNLIFFE: So, you know, it
17 sounds like we're going to have another night on
18 this. I would just look into that. It has been
19 something that is becoming an eyesore for the
20 township and the engineer department.

21 I'm not saying that is going to be what
22 you're proposing, but with multiple users and the
23 spaces strewn across the building, you know, people
24 don't always tend to run their garbage and trash,
25 you know, they kind of put it right next to the

1 loading docks and things like that.

2 So, you know, maybe more refuse
3 enclosures and larger spaces would be something
4 positive for this application.

5 PLANNER BEAHM: Have you thought about
6 using compactors?

7 ATTORNEY PAPE: Charlie just mentioned
8 it. I'm going to go over it with the client.

9 PLANNER BEAHM: I think that's a good
10 idea.

11 ENGINEER CUNLIFFE: That's all I have
12 for Mr. Zuegner right now.

13 CHAIRMAN MERTENS: Okay.

14 Jennifer, do you have anything to add
15 to that?

16 PLANNER BEAHM: Not beyond what I have
17 already said.

18 CHAIRMAN MERTENS: Okay.

19 Shari, do you have any comments on the
20 landscaping, with the...

21 CERTIFIED TREE EXPERT SPERO: So they
22 have buffer plantings along the main road and most
23 of the trees there are in good condition, which is
24 why we had them save it.

25 But there is an area that is full of

1 invasive species so, you know, we had spoken about
2 we're going to beef up that area a little bit more
3 because those trees are going to come out. And, you
4 know, they have said that they would agree to my
5 letter.

6 They still need to complete their tree
7 replacement calculations. So that has to be
8 finalized.

9 ATTORNEY PAPE: We have been out there
10 with Shari. We have the ticks to prove it. But we
11 have walked that property together, including the
12 area that Shari is describing. It's really
13 invasive, not healthy trees, which we understand
14 should be ripped out and redone.

15 CHAIRMAN MERTENS: Okay.

16 Board members? Nick, Mike, Jose, was
17 there anything?

18 Yeah, go ahead, Mike.

19 MEMBER RYAN: Mr. Zuegner, is there a
20 plan for backup power generation on this building?

21 THE WITNESS: There is no plan at the
22 moment. And I think that might be also something
23 that the architect might be able to speak to, but
24 there's no proposed generator or backup power on the
25 site at the moment.

1 MEMBER RYAN: So is the building going
2 to be all electric or is it going to be bringing
3 natural gas in as well?

4 THE WITNESS: I would defer that
5 question to the architect.

6 MEMBER RYAN: Okay.

7 And I guess my other question will go
8 to the architect as well, whether there is going to
9 be a conveyor system on the inside or not.

10 CHAIRMAN MERTENS: Okay. Jose, do you
11 have anything?

12 Nick?

13 MEMBER BORRILLO: Yeah. Just looking
14 at the Howell Township Fire Bureau Site Plan Review
15 and they made mention on something that the building
16 may require an emergency responder radio system once
17 completed. And Charlie also had it in his report.

18 Where are we with that?

19 ATTORNEY PAPE: Chief Prochnow said it
20 might. It depends. When the building is up he'll
21 determine whether or not --

22 MEMBER BORRILLO: He'll make that
23 determination, right?

24 ATTORNEY PAPE: Yeah, he makes the
25 determination, and we told him we would comply.

1 MEMBER BORRILLO: So you have had a
2 conversation with him about that already?

3 ATTORNEY PAPE: We have.

4 MEMBER BORRILLO: Okay.

5 Mr. Zuegner, what is the length of that
6 turning lane going on the northbound side of 524
7 going into the driveway; what is that, the length of
8 that turning lane?

9 THE WITNESS: You mean the stacking,
10 like the available stacking?

11 MEMBER BORRILLO: Yeah, like the
12 available, yeah, I guess is that what they call it,
13 stacking?

14 THE WITNESS: Right, how many cars you
15 could fit into it. I could get that for you in a
16 moment.

17 MEMBER BORRILLO: Yeah. I'm more
18 concerned about how many trucks.

19 THE WITNESS: It might take me a
20 second, but I'll come back to you.

21 MEMBER BORRILLO: Okay. That's the
22 only two I had for now.

23 ATTORNEY PAPE: Can you give a
24 dimension?

25 THE WITNESS: Yes.

1 ATTORNEY PAPE: He's working on coming
2 up with that dimension.

3 CHAIRMAN MERTENS: Okay.

4 ATTORNEY PAPE: If you wanted to move
5 on to another board member for questions, we'll come
6 back and answer Mr. Borrillo's question.

7 CHAIRMAN MERTENS: Okay.

8 MEMBER CANTOR: Mr. Chair, my only
9 note was the one that Ms. Spero pointed out is the
10 tree replacement plan, just knowing what is going to
11 be coming out and what is going to be going back in.

12 CHAIRMAN MERTENS: Okay.

13 Matt?

14 VICE-CHAIRMAN HUGHES: Yeah, I just
15 want to piggyback on something that Charlie brought
16 up that kind of leaped out at me too, but I know
17 we're trying to figure out this warehouse versus
18 flex and all that, but the trash enclosures it might
19 be a little bit light I think with four if you have
20 nine different tenants. Something to look at.

21 CHAIRMAN MERTENS: Annmarie?

22 MEMBER SCOTTSON: I'm still
23 processing, but right now I have no questions.

24 CHAIRMAN MERTENS: John?

25 MEMBER KABOURAKIS: One question

1 regarding the site plan.

2 On the main road, Lakewood Farmingdale
3 Road, you see a retention basin right there, just to
4 the south of that retention basin there's a light
5 green shaded area, it's like a light green.

6 THE WITNESS: That's the area right
7 now that is proposed for the septic field for the
8 building.

9 MEMBER KABOURAKIS: Thank you.

10 CHAIRMAN MERTENS: So that may not
11 even be in the equation coming back as far as our
12 concern about the septic.

13 THE WITNESS: I'm not going to answer
14 that one way or the other.

15 CHAIRMAN MERTENS: Yeah, okay. We'll
16 wait on that.

17 THE WITNESS: Correct.

18 CHAIRMAN MERTENS: Tom?

19 MEMBER O'DONNELL: I've got a couple
20 of questions.

21 You say there is three offices. Are
22 the offices like for general health, secretaries and
23 clerical, or are you going to rent it to an actual,
24 you know, accountant or something like that?

25 I don't understand it.

1 ATTORNEY PAPE: Best -- there's two
2 parts to that, operations testimony, which our
3 client can put on, but we'll put it on at the next
4 meeting, and the architect who designed the
5 building, and she'll be ready to answer that
6 question.

7 MEMBER O'DONNELL: Okay. And you are
8 going to have nine tenants in there with a variety
9 of different businesses?

10 And also I'll be able to find out about
11 the bathrooms, how many bathrooms and where they're
12 going to be?

13 And also, did you mention that you own
14 an adjoining property?

15 ATTORNEY PAPE: Our clients own the
16 adjoining properties, yes.

17 MEMBER O'DONNELL: You weren't
18 planning on using any of that current property for
19 this particular case as parking for your other
20 property, right?

21 ATTORNEY PAPE: No.

22 MEMBER O'DONNELL: I was wondering why
23 you need 128 spaces.

24 I know you're -- that's over the
25 requirement now. And you want that many additional,

1 is that just for the future?

2 You're not going to, like, flow any
3 traffic from somewhere else in there, right?

4 ATTORNEY PAPE: No.

5 Our clients asked that we measure the
6 parking that they have for the adjacent building and
7 to have the same ratio of parking that they have on
8 that building as this one.

9 And I go back one more time, the
10 building that is next door, everything about it has
11 no history --

12 MEMBER O'DONNELL: It's separate from
13 this site.

14 ATTORNEY PAPE: -- it just got built.

15 MEMBER O'DONNELL: Okay.

16 ATTORNEY PAPE: And the parking that is
17 there is working for them so they wanted to
18 replicate it.

19 MEMBER O'DONNELL: And I take it
20 you're going to have large tractor-trailers there,
21 not just box trucks?

22 ATTORNEY PAPE: At this site?

23 MEMBER O'DONNELL: Yes.

24 ATTORNEY PAPE: Yes.

25 MEMBER O'DONNELL: And I will also get

1 the hours, and make sure no trucks are running
2 before the hours of operation?

3 You know, we're not going to allow them
4 to park on the property and the trucks running
5 before the place is open.

6 ATTORNEY PAPE: The adjacent facility
7 runs -- its hours of operation are 24/7. There is
8 one tenant that is currently more than one shift,
9 but they are permitted to go 24/7.

10 MEMBER O'DONNELL: You're going to do
11 that at this location?

12 ATTORNEY PAPE: That is the request.

13 And there is no overnight vehicles.

14 We could come up with that language that says you
15 can't have any vehicles on premises with their
16 motors running.

17 MEMBER O'DONNELL: That's all I have.

18 THE WITNESS: For Mr. Borrillo, the
19 greatest length, so from the center of our driveway
20 to the end of the taper, is 265 feet.

21 MEMBER BORRILLO: From the center of
22 your driveway?

23 THE WITNESS: So like if you were to
24 split the -- if you were to be at the point where
25 you would turn left into the driveway, the midpoint,

1 back to the beginning of where the striped taper is
2 is 265 feet.

3 MEMBER BORRILLO: 265?

4 THE WITNESS: Yes.

5 MEMBER BORRILLO: Thank you.

6 CHAIRMAN MERTENS: Okay. Matt?

7 MEMBER HUGHES: Yeah, I just wanted to
8 clarify. Mr. Pape, you said the next time you come
9 you will have operations testimony?

10 ATTORNEY PAPE: Yes.

11 VICE-CHAIRMAN HUGHES: Okay,
12 wonderful. Thank you.

13 CHAIRMAN MERTENS: Only thing I had
14 was you said there was one monument sign at the
15 north entrance?

16 THE WITNESS: Correct.

17 CHAIRMAN MERTENS: Okay. Is that
18 going to be designated as the main entrance?

19 THE WITNESS: Correct.

20 So that is an in/out at the moment, the
21 way it's designed. At the southerly entrance it's
22 just an exit, so you would come in and leave from
23 the southerly exit.

24 So that's why the monument is at the
25 northerly entrance, that's the one entrance.

1 CHAIRMAN MERTENS: Okay. But that
2 means you would have a Do Not Enter sign at the
3 southern entrance?

4 THE WITNESS: Correct.

5 CHAIRMAN MERTENS: All right. That's
6 all I have.

7 So I guess we're -- we can listen to
8 your architect.

9 ENGINEER CUNLIFFE: Can I just -- I
10 want to add a follow-up question because
11 Mr. Borrillo asked about the fire.

12 So obviously any approval is subject to
13 the outside agency and addressing comments from the
14 fire bureau and the like.

15 And this came up on another warehouse
16 application that has come before this board but --
17 where American Water actually said that they
18 wouldn't allow fire suppression through the public
19 water main, and they had to put a -- you might
20 actually be the engineer on that one -- where they
21 had to put a pump station in after the fact, a pump
22 house in after the fact, and then an underground
23 storage tank for fire suppression.

24 Have you had any discussions with them
25 on that and whether that could be a possibility of

1 being needed for this?

2 THE WITNESS: I will specifically have
3 that conversation.

4 ENGINEER CUNLIFFE: Yeah.

5 THE WITNESS: My understanding so far
6 has been that, no, this would be a main extension
7 and we would have two taps to it, one for fire and
8 one for potable water.

9 ENGINEER CUNLIFFE: Yeah. And the
10 only reason I asked it, on the other one there was
11 -- we were able to -- there was space for it to not
12 have to come back before the board, you know, as an
13 administrative approval.

14 This site is a little bit tighter so if
15 there is any possibility of that happening, you
16 know, it would behoove the applicant to present that
17 to the board as part of the application so.

18 THE WITNESS: I will investigate that.
19 I would assume this site will need a hot box.

20 ENGINEER CUNLIFFE: Yeah, yeah. And
21 that's in my letter. That's a requirement of the
22 water company as far as connection for backflow
23 prevention, it has to be within a certain proximity
24 of the right-of-way. And that's something that we
25 have granted on commercial uses based off American

1 Water.

2 I'm more so talking about for fire
3 suppression purposes if the flow from the public
4 main either can't be sized appropriately or American
5 Water doesn't want to provide that flow to such a
6 site, they would have to provide, you know, their
7 own means of fire suppression by underground tanks
8 either, you know, using the public water system and
9 storing it on the site for if there is a fire having
10 the fire suppression or, you know, by a well or
11 something to supplement that.

12 So if there's any kind of structure or
13 above-ground tanks needed for that, just let the
14 board see it so that way it's part of the
15 application and we're not, you know, having to come
16 back two or three times with an application.

17 THE WITNESS: Understood.

18 CHAIRMAN MERTENS: Okay, thank you.

19 THE WITNESS: Thank you.

20 CHAIRMAN MERTENS: Anybody need to
21 take a break, or move on?

22 Okay, ready?

23

24 M E L I S S A R U B, AIA, previously sworn,

25 testifies as follows:

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E X A M I N A T I O N

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ATTORNEY PAPE: Good evening, Ms. Rub.

THE WITNESS: Good evening.

ATTORNEY PAPE: You're sworn. Perhaps we could begin with you sharing your professional and educational background with the board.

THE WITNESS: Absolutely. Good evening, members of the board. My name is Melissa Rub. I am a graduate of the City College of New York, School of Architecture. I'm licensed in the State of New Jersey. I have appeared -- I have appeared before this and other municipal boards throughout the state.

CHAIRMAN MERTENS: We accept your qualifications. Thank you.

THE WITNESS: Thank you very much.

ATTORNEY PAPE: If you could give the board the background -- your background with this project, identify the exhibits upon which you intend to rely. If you would like, I could give these for handout purposes.

THE WITNESS: Oh, yes, please. Thank you.

1 ATTORNEY PAPE: You could begin.

2 THE WITNESS: Thank you. So tonight I
3 will be walking the board through our architectural
4 proposal. To provide a structure for my testimony
5 first I will outline the buildings's floor plan,
6 and, then describe its elevations and architectural
7 features.

8 We are proposing a single-story,
9 130,943-square-foot building. Approximately
10 123,402 square feet of which is used for warehousing
11 and 7,504 square feet allocated for accessory office
12 space. The building dimensions are 384 feet --

13 MEMBER CANTOR: I'm sorry.

14 THE WITNESS: Sure.

15 MEMBER CANTOR: 7,500 total office
16 space or 7,000 each office space?

17 THE WITNESS: No, total for the entire
18 building.

19 MEMBER CANTOR: Okay, thank you.

20 THE WITNESS: Sure. The building
21 dimensions are 384' 5" wide by 340 feet deep with a
22 height of 42' 6" to the top of the standard parapet
23 and 45' 6" to the top of the raised areas at the
24 entrances and corners of the building.

25 The building is designed to accommodate

1 up to nine tenants. Though units may be combined to
2 meet a tenant -- a larger tenant's needs.

3 Each tenant is equipped with a
4 dedicated entrance located at either the front or
5 either one of the building sides. A small office
6 space for administrative use, and loading docks or
7 drive-through garage doors for operations.

8 On some of the deeper units we have
9 also incorporated a small receiving office at the
10 rear to facilitate communication operations within
11 each tenant suite.

12 So if I could trouble you to pull up
13 Exhibit 6, A-6 I believe it is. That's the floor
14 plan.

15 ATTORNEY PAPE: So while you're doing
16 that I'm going to take this opportunity, so my
17 statements that I made from my original notes three
18 offices, you're correcting that there --

19 THE WITNESS: So I think that the
20 miss, you know, to clarify it's three groups of
21 offices, but each group has three sub offices that
22 are adjacent to each tenant.

23 So in this, this is one grouping. A
24 second grouping in the front, and a third grouping
25 on the side, each of them adjacent to their

1 respective warehouse space.

2 So again, nine tenant spaces, nine
3 potential tenants, nine offices, but the offices are
4 grouped together in three different -- three
5 distinct areas on the building.

6 ATTORNEY PAPE: Thank you.

7 PLANNER BEAHM: So the office for a
8 particular tenant space is not in the tenant space?

9 THE WITNESS: It is, it's adjacent.
10 That's exactly why we group them --

11 PLANNER BEAHM: Well, it's not really
12 adjacent, where is the office space on the bottom?

13 THE WITNESS: Over here? Sorry, okay,
14 so let's go through one by one.

15 So this is Unit 1 and its office space
16 is right here, where the red dot is.

17 Unit 2 is this L-shaped. And again it
18 has an office that is attached to it.

19 Unit 3 right here with that office.

20 At the front we have Unit 4 and its
21 office space can be found in the front of the
22 building.

23 Unit 5 actually goes front, you know,
24 the full length of the building. And that's why we
25 incorporated a second receiving office in the back

1 so, you know, somebody could be there with the phone
2 to talk to the front.

3 And then the exact configuration is
4 mirrored on the other side.

5 PLANNER BEAHM: Can you just go back
6 to the height for me just quickly?

7 THE WITNESS: Absolutely, sure.

8 PLANNER BEAHM: Because you went
9 through it really quickly so.

10 THE WITNESS: Yeah, sure.

11 PLANNER BEAHM: It's what, 40 feet
12 five and a half to the steel?

13 THE WITNESS: Yes. So we have, we
14 measured it from average grade to the top of the
15 parapet.

16 PLANNER BEAHM: Right.

17 THE WITNESS: So the standard
18 parapet -- sorry, let me grab my notes again -- at
19 the standard parapet -- can I trouble you actually
20 for the next exhibit, Exhibit 7, please. That will
21 make things a little clearer. Thank you very much,
22 yeah.

23 The standard building height, which I
24 called, you know, at these areas, from average grade
25 to parapet is 45'6" -- sorry, 42'6". At the raised

1 areas in the corners and around the entry we're at
2 45'6" because they just pop up.

3 PLANNER BEAHM: And that's the
4 top-top, right; 45'5 is the top-top?

5 THE WITNESS: 45'5 is the top, yeah.

6 PLANNER BEAHM: Okay, thank you.

7 THE WITNESS: Yeah, absolutely.

8 ENGINEER CUNLIFFE: So I just want to
9 give some clarity on that as well because I think in
10 my letter the calculation is a little bit more.

11 So from on your architectural plans the
12 45'5 that's from the finished floor to the top of
13 that parapet, right, the 45'5?

14 THE WITNESS: Yeah, I have that right
15 from elevation 71.5.

16 ENGINEER CUNLIFFE: So that's the
17 finished first floor, not the average grade, then.

18 THE WITNESS: Okay. Thank you for
19 that clarification.

20 ENGINEER CUNLIFFE: Yeah. So I think
21 I have in my letter it's 46 and change I want to
22 say, and that's because you take the average grade
23 five feet off the foundation.

24 There is at-grade parking in the front,
25 and then you have at the rear and the sides there's

1 like, you know, a drop loading gate for like a
2 tractor-trailer. So when you do all that math the
3 height is actually greater.

4 Granted from the public right-of-way
5 you're going to be seeing it from the finished floor
6 at 45'5", but it still would be a height variance, a
7 "C" variance, because we're maximum 45, right, in
8 the zone?

9 PLANNER BEAHM: Yeah.

10 THE WITNESS: Our client would be
11 amenable to adjusting the height, you know, that
12 little bit so that we're back, you know, within the
13 allowed.

14 ATTORNEY PAPE: The goal was to be
15 compliant.

16 THE WITNESS: Yes.

17 ATTORNEY PAPE: The goal is to be
18 compliant.

19 PLANNER BEAHM: So you're going to
20 adjust it down to 45 flat?

21 THE WITNESS: Yes.

22 PLANNER BEAHM: Okay.

23 THE WITNESS: And again that measured,
24 as Mr. Cunliffe said, from five feet around the
25 building.

1 The building will be constructed of
2 tilt-up concrete panels designed with score lines
3 and a painted finish to add color and variation.

4 In my talks with Ms. Beahm we have also
5 agreed to add a water table treatment at the base of
6 the building with some texture to it. So with
7 tilt-up you can stamp the panel so that it has a
8 stone look or a brick look, and that again will add
9 texture and break up the width of the building.

10 We're also proposing these frames
11 around each of the entrance areas to again add
12 architectural interest and wayfinding to the site.

13 Adjacent to the office spaces are
14 these windows that you see here in the front. And
15 each entrance is equipped with a canopy.

16 PLANNER BEAHM: The water table you're
17 referring to is just in between the bump-outs,
18 right?

19 THE WITNESS: Correct.

20 PLANNER BEAHM: It's not the entirety
21 of the wall?

22 THE WITNESS: That is correct, in the
23 lower areas, yeah.

24 PLANNER BEAHM: That is what we
25 discussed.

1 THE WITNESS: Thank you.

2 We are also proposing some wall-mounted
3 sconces and lighting for architectural interest and
4 function. As well as a sign for each tenant space,
5 to identify each tenant space. And an address sign
6 at the corner of the building.

7 The address sign is approximately
8 15 square feet and within the ordinance.

9 That concludes my direct testimony. I
10 would be happy to answer any questions.

11 CHAIRMAN MERTENS: Okay. Jennifer?

12 PLANNER BEAHM: I will say that the --
13 that she has worked with my office on coming up with
14 this design. She has done a great job. Every
15 single thing I have asked for she has agreed to
16 incorporate.

17 The last little piece is the water
18 table. But in fairness, we only spoke at the very
19 end of last week so she probably didn't have time to
20 put it together for tonight. As always, if the
21 board were to act in the affirmative we would be
22 happy to work with the office to make sure that it's
23 done the way I know you guys want it, but I have no
24 doubt. It was a very easy collaboration.

25 THE WITNESS: Appreciate it.

1 CHAIRMAN MERTENS: Yeah. From what I
2 see I agree. I don't see too many issues with it.
3 Charlie?

4 ENGINEER CUNLIFFE: The only comment
5 that I have and Jen can say if I'm off base, but I
6 don't know if I saw this rendering before, but
7 obviously we knew there was a monument sign at the
8 one site driveway, and we asked a question in our
9 letter about any building-mounted facade signs.

10 So I think the number of signs, if
11 there's one for each tenant plus the monument sign,
12 they would probably need relief for the number of
13 signs being proposed.

14 PLANNER BEAHM: Plus the number in the
15 front.

16 ENGINEER CUNLIFFE: Plus, yeah, the
17 number of tenants and also you have the building
18 address, the 175. So I guess it's 11 signs total,
19 one monument and ten facade -- wall facade-mounted
20 signs, so 11 total.

21 Is that accurate?

22 THE WITNESS: Yeah. I mean, right, if
23 the monument sign identifies a tenant space, we just
24 want, you know...

25 PLANNER BEAHM: Well I don't think

1 he's saying that there's a problem with the number
2 of signs.

3 THE WITNESS: Okay, yeah. Sure.

4 PLANNER BEAHM: I think he's just
5 suggesting that --

6 ENGINEER CUNLIFFE: Get the relief.

7 THE WITNESS: Yeah, absolutely.

8 PLANNER BEAHM: I don't take exception
9 to it. I think it was done very tastefully, you
10 know, it's kind of built into the facade. But they
11 do technically need the relief.

12 THE WITNESS: Absolutely.

13 PLANNER BEAHM: I would suggest, Ken,
14 when you come back with just a little snippet.

15 ATTORNEY PAPE: With the sign.

16 PLANNER BEAHM: I'm not worried about
17 that, but you know that the facade signs are based
18 on area, right, like a percentage of the linear?
19 You're going to be way, way under.

20 So if you could just when you come
21 back, I don't know that you need to have the
22 architect testify again, but just to understand
23 maybe Allison can incorporate it into her outline to
24 say, yes, we're seeking the relief, but we're way
25 under on the area, which I think is going to be the

1 case.

2 ATTORNEY PAPE: Got it. Thank you.

3 CHAIRMAN MERTENS: Okay. Mike, you
4 had a question, I thought you needed to...

5 MEMBER RYAN: Yeah, just to follow up.
6 But before that, the color picture that's
7 represented up there, that would be the Elevation A,
8 on the third sheet, with the three bump-outs.

9 THE WITNESS: That's correct, yes,
10 Elevation A.

11 MEMBER RYAN: Okay. So for the other
12 bump-outs, I'd say Elevation B, is there going to be
13 three separate because the doors are all close
14 together, or is it just going to be one big one?

15 THE WITNESS: That's the one big one,
16 yeah. We thought that it was going to get too
17 clustered, you know.

18 MEMBER RYAN: And then the same with
19 Elevation D, right?

20 THE WITNESS: That is correct, D and B
21 are mirrors of each other.

22 MEMBER RYAN: So there's only five
23 bump-outs that are required?

24 THE WITNESS: That is correct.

25 MEMBER RYAN: And the ones with the

1 three, are they going to have individual signage or
2 just one sign?

3 THE WITNESS: Sure. So we have a sign
4 on either side of the frame. You can see that on
5 either elevation B, they're called out, so two on
6 those, that's what we have, not three.

7 MEMBER RYAN: So seven, the number,
8 and then the outside sign?

9 THE WITNESS: Right.

10 MEMBER RYAN: Okay. So I asked
11 Mr. Zuegner earlier and the question was redirected
12 your way, about whether or not you we would have
13 backup power generation.

14 THE WITNESS: We would leave that to
15 each tenant to decide if they wanted to incorporate
16 a generator into their space. It's not something
17 that we have designed at the moment.

18 PLANNER BEAHM: I would suggest that,
19 Lou, you look on the site plan -- I know you're
20 going to come back for site plan if this gets
21 approved as a use variance, but I would maybe just
22 show like some proposed location on where those
23 generators can be so that it can maybe get
24 incorporated into the site plan. And that way a
25 tenant doesn't have to come back here to get

1 additional approval at that point in time.

2 LOUIS ZUEGNER: Like a graded proposed
3 pad location?

4 PLANNER BEAHM: Just like, yeah, a
5 prospective location or whatever.

6 ENGINEER CUNLIFFE: We just had a
7 medical office come in, and they had a generator on
8 the top that they moved it at grade, and they put it
9 in like a masonry, for sound purposes.

10 And I just want to point out for the
11 board too, because it is one of the conditional use
12 requirements, that the rooftops would be made
13 solar-ready.

14 The applicant is proposing solar on,
15 like, 50 percent of the roof area, correct?

16 THE WITNESS: Yes, that is correct.

17 CHAIRMAN MERTENS: Okay, anybody else?

18 MEMBER RYAN: You do have the electric
19 room designated on your drawings, but there wouldn't
20 be sufficient room for power generation and exhaust
21 there so.

22 THE WITNESS: I'm sorry?

23 MEMBER RYAN: You have an electric
24 room located.

25 THE WITNESS: Yes.

1 MEMBER RYAN: So having power
2 generation with exhaust wouldn't be feasible there
3 because that's one of your bump-out doorways. So
4 you would have to find another location for it?

5 THE WITNESS: So we have that
6 incorporated as a single door on the front of the --
7 on elevation A.

8 MEMBER RYAN: Right.

9 THE WITNESS: Yeah.

10 MEMBER RYAN: But that's just for
11 service purposes.

12 THE WITNESS: Right.

13 MEMBER RYAN: That's not for backup
14 generation?

15 THE WITNESS: No. Yes, correct, for
16 service purposes. Yes.

17 MEMBER RYAN: So that couldn't be a
18 central location unless you modified the plans?

19 THE WITNESS: Correct.

20 MEMBER RYAN: Thank you.

21 THE WITNESS: Sure.

22 CHAIRMAN MERTENS: Anybody else?

23 MEMBER BORRILLO: Yes.

24 CHAIRMAN MERTENS: Jose?

25 MEMBER BORRILLO: I have a question,

1 Chairman. Okay, you're going down the line?

2 CHAIRMAN MERTENS: Yeah.

3 MEMBER BORRILLO: Okay. So the six
4 drive-in loading ramps, these are ramps where the
5 truck can actually go into the building?

6 THE WITNESS: Yes.

7 MEMBER BORRILLO: Yes?

8 THE WITNESS: Yes.

9 MEMBER BORRILLO: So how are we -- if
10 the truck is running while it's in the building, how
11 are we getting rid of the emissions?

12 THE WITNESS: Sure. So I mean the
13 idea is for the truck not to run continuously
14 through the building --

15 MEMBER BORRILLO: Well...

16 THE WITNESS: -- but it is for smaller
17 box trucks, you know, if that's the preferred method
18 to unload the truck, like Mr. Zuegner said, a UPS
19 truck, something like that.

20 MEMBER BORRILLO: But is there a fan
21 that is going to be taking out, is there something
22 that's hooked up to the exhaust of that truck to
23 take out the emissions?

24 THE WITNESS: Yes. We absolutely will
25 have fans in the building and, you know, we'll

1 consult with our -- I mean the engineer with
2 whatever exhaust, you know, with whatever exhaust
3 they would require, with the understanding that
4 trucks will be driving in the building.

5 MEMBER BORRILLO: All right. I mean
6 because we -- I know we all like to think that the
7 drivers will shut their trucks off, but we can't
8 depend on that, and we don't need a situation where
9 people are going to be overcome by fumes.

10 THE WITNESS: Absolutely, yeah.

11 MEMBER BORRILLO: So we need proper
12 evacuation of ventilation to pull out...

13 THE WITNESS: Absolutely.

14 BOARD MEMBER: If it's refrigerated it
15 can't be shut off.

16 MEMBER BORRILLO: If it was
17 refrigerated it can't be shut off; that's a good
18 point, too.

19 CHAIRMAN MERTENS: Yeah.

20 MEMBER BORRILLO: Oh, and just out of
21 curiosity, there is five receiving. So what is a
22 receiving area; what is that used for?

23 THE WITNESS: So it's a secondary
24 office. If the main office is, you know, not in
25 proximity to the loading docks, it's just so

1 somebody -- an employee, could be stationed back
2 there to receive deliveries, things like that, and
3 then also be able to speak with the main office in
4 the front of the building.

5 So for example, Unit 5, right, if a
6 truck pulls in in the back it's quite a long walk to
7 those docks. So it's just a place to station
8 another employee back there.

9 MEMBER BORRILLO: But not each unit
10 has a receiving?

11 THE WITNESS: So it depends on its
12 proximity to its loading docks. So for Unit 3 and
13 Unit 8 the loading docks are quite near the main
14 office; we didn't think it necessary.

15 MEMBER BORRILLO: Okay. I was just
16 wondering what it was.

17 THE WITNESS: All right, sure.

18 MEMBER BORRILLO: Thank you.

19 CHAIRMAN MERTENS: Glenn, are you
20 good?

21 MEMBER CANTOR: I'm good. Thank you.

22 CHAIRMAN MERTENS: Okay. Matt?

23 VICE-CHAIRMAN HUGHES: I'm good.

24 CHAIRMAN MERTENS: John? Okay.

25 Tom?

1 MEMBER O'DONNELL: Just for
2 clarification, when I first started taking my notes
3 for some reason I wrote it was three offices and it
4 was 22,500 square feet. When I look on the
5 blueprint I see nine offices around 7,500 square
6 feet for all nine --

7 THE WITNESS: That's right.

8 MEMBER O'DONNELL: -- is that correct?

9 THE WITNESS: Yes.

10 MEMBER O'DONNELL: And there's nine
11 tenants?

12 THE WITNESS: That is correct.

13 MEMBER O'DONNELL: There's nine
14 offices, nine tenants?

15 THE WITNESS: Correct, nine offices
16 for the nine tenants, at a total of 7,541 square
17 feet.

18 MEMBER O'DONNELL: And inside each
19 office, those little things, are those bathrooms?

20 THE WITNESS: Yes.

21 MEMBER O'DONNELL: Okay, that's good.

22 THE WITNESS: Bathrooms and a janitor's
23 closet.

24 MEMBER O'DONNELL: I'd like to say
25 it's really a gorgeous-looking building. Very, very

1 nice.

2 THE WITNESS: Thank you.

3 MEMBER O'DONNELL: That's it for me.

4 CHAIRMAN MERTENS: Okay, unless
5 there's any other questions, thank you.

6 THE WITNESS: Thank you very much.

7 ATTORNEY PAPE: I was looking to see
8 if there was any public that we should ask to see if
9 they...

10 CHAIRMAN MERTENS: Yeah, that would be
11 a good idea because I just feel that we have --

12 MEMBER HUGHES: Make a motion,
13 Mr. Chair.

14 CHAIRMAN MERTENS: Do we have a
15 second?

16 MEMBER CANTOR: Second.

17 CHAIRMAN MERTENS: All in favor?

18 MEMBERS IN UNISON: Aye.

19 CHAIRMAN MERTENS: Eileen...

20 ADMINISTRATOR CUSA: The board will now
21 be open to the public. If you would like to come
22 up, raise your hand and come up and state your
23 address and your name.

24 MEMBER CANTOR: Motion to close to the
25 public.

1 CHAIRMAN MERTENS: Can I have a
2 second?

3 VICE-CHAIRMAN HUGHES: I'll second
4 that, sir.

5 CHAIRMAN MERTENS: Okay. All in
6 favor?

7 BOARD MEMBERS IN UNISON: Aye.

8 CHAIRMAN MERTENS: Okay, we're closed
9 to the public. Mr. Pape?

10 ATTORNEY PAPE: Mr. Chair --

11 MEMBER HUGHES: I assume Mr. Zuegner
12 and the architect will come back next time?

13 ATTORNEY PAPE: I intend to ask both
14 Mr. Zuegner and the architect to return.

15 I think the architect's testimony, as
16 Ms. Beahm --

17 CHAIRMAN MERTENS: Yeah.

18 ATTORNEY PAPE: -- are probably going
19 to be minimum but...

20 CHAIRMAN MERTENS: In case we do have
21 public, I mean there might be a question. But I
22 don't know who would question this because this is
23 really a nice plan. So anyway, but that would be
24 good to have her come back.

25 ATTORNEY PAPE: Where is there room at

1 the inn?

2 CHAIRMAN MERTENS: Yeah. Anybody else
3 have a question before we set a date?

4 MEMBER O'DONNELL: Do we need an
5 extension on this?

6 CHAIRMAN MERTENS: Yeah, we have to
7 get the date from Eileen so we know before we do
8 that.

9 MEMBER O'DONNELL: Okay.

10 CHAIRMAN MERTENS: Mr. Pape, so you
11 will have somebody will be here testifying on the
12 use of the building --

13 ATTORNEY PAPE: Yes.

14 CHAIRMAN MERTENS: -- is that correct?

15 ATTORNEY PAPE: Yes, sir.

16 CHAIRMAN MERTENS: Okay. Because I
17 think we do have some questions on that.

18 Other than that I think we're good to
19 set a date. Eileen?

20 ADMINISTRATOR CUSA: On March 10th I
21 have two applications on. March 24th I have
22 nothing. April 7th I have nothing.

23 ATTORNEY PAPE: If I could just confer
24 with the team. [Pause.]

25 Mr. Chair, March 24th is a date that

1 works for the whole team, and the fact that we're at
2 the top of the agenda, I think that's --

3 CHAIRMAN MERTENS: Yeah, you'll be at
4 the top.

5 Do we need -- we need to get an
6 expiration, new date for that?

7 ATTORNEY PAPE: To make certain that
8 the board has adequate opportunity, I will on the
9 record grant an extension of time through
10 April 30th, 2025. I will follow it with a letter to
11 Eileen tomorrow.

12 CHAIRMAN MERTENS: Do we need to send
13 out further notice on this, public notice?

14 ATTORNEY PAPE: I would ask unless the
15 relief that we're requesting is modified and I don't
16 think that it will be, unless it's modified we ask
17 that you carry it without re-notice or
18 republication.

19 CHAIRMAN MERTENS: Okay. Everybody is
20 good with that? Okay.

21 ATTORNEY PAPE: Thank you all. I'll
22 see you...

23 CHAIRMAN MERTENS: So put it on the
24 record this case, Case Number BA23-06, Gateway
25 Industrial 175, LLC, is being carried to March 24th,

1 with no further notice.

2 ATTORNEY PAPE: Thank you.

3 CHAIRMAN MERTENS: Mr. Pape, good night.

4 ATTORNEY PAPE: Thank you. Good night.

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6 (Whereupon, the application is
7 adjourned at 9:02 p.m.)

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C E R T I F I C A T E

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

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

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



Angela C. Buonantuono, CCR, RPR, CLR
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