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MEMORANDUM

TO: Verona Planning Board

DATE: March 15, 2023

RE: BNE Verona - Transcript Review, Engineer & Architect Testimony

1. The August 25, 2022 Hearing

Sean Savage did not provide testimony at the August 25, 2022 hearing.

2. The September 22, 2022 Hearing¹

At the September 22, 2022 hearing, Mr. Savage was introduced, sworn, and offered extensive testimony. Mr. Savage opened with an overview of the engineering aspects of the project. See 1T15:13 to 18:8. During this section, Mr. Savage referenced the existing conditions contained in sheet two of the submitted site plan. See 1T18:10-14. Mr. Savage then offered testimony based on the geometry plan contained in the site plan. See 1T19:8-10. During his affirmative testimony on the site plan, Mr. Savage explained, *inter alia*, the mechanics of the drop-off loop, specifically referencing the setbacks and buffer zone. See 1T19:19 to 25:7.

Mr. Savage also provided testimony regarding the capacity of the proposed sanitary sewers and briefly addressed general delivery vehicle access within the circular drop-off area. See

¹ The transcript of the September 22, 2022 hearing is referred to herein as 1T.

1T27:18 to 46:20. Notably, Mr. Savage provided specific testimony that emergency access to the building would not be feasible all around the building. See 1T49:2 to 52:12. On this point, Mr. Savage stated that “the emergency access would . . . not be able to circulate . . . through around the site given the . . . topography of the site, because there’s sections that are rather steep.” 1T49:7-10. Mr. Savage further clarified that “there is no path around the building.” 1T49:15-16. Councilman Jack McEvoy questioned the extent of service vehicle access around the building, to which Mr. Savage testified, referencing the grading plan, that “along the building, there is a . . . 15-, 20-foot wide area that is graded relatively flat that would allow . . . a maintenance person to get back there[,]” and while “[i]t’s not envisioned that they would drive a service truck back there, . . . there is an area back there where if they need to put a ladder up against the building or things like that, . . . that they would have access back there.” 1T49:17 to 50:7. In response, Vice-Chairman David Freschi sought clarification on the issue of first responder access around the building in the event of an exterior fire on the side of the building, to which Mr. Savage clarified that “if [the first responders] would run a hose . . . through the sprinklers we could certainly put a fire department connection in certain areas.” 1T51:4-16. Mr. Savage correctly noted to the Board that “[p]art of the process is going to be getting comments from the fire department, fire officials,” and addressing whatever concerns they provide. 1T51:17-20. Mr. Inglesino confirmed, and asked Mr. Savage whether, in his experience, “fire departments generally do not want vehicle access all around the building because the close proximity of the building to the cliff[.]” 1T52:5-8. Mr. Savage responded in the affirmative. 1T52:9-12.

During the public comment section of Mr. Savage’s testimony, resident Brian Conroy requested that the applicant provide further details regarding the turning capacity of the roads on the property. See 1T77:5-18. Mayor Alex Roman clarified that such testimony is typically reserved

for the traffic engineer. 1T80:2-25. Mr. Savage responded to several questions posed by members of the public, including questions regarding fencing, blasting, tree planting, impervious coverage, and the lighting plan. See 1T69:23 to 127:18. Mr. Savage provided ample testimony on the proposed lighting plan. See 1T117:15 to 123:20. Specifically, during the public comment portion, Mr. Savage offered that “the lighting for the surface parking and along the entrance drive would be pole-mounted lights” which will be “facing in directions to have cut and they’ll have house shields or cutoffs to help prevent the light spillage from going out . . .” 1T113:11-15. Mr. Savage further specified that the lights will be LED lights and that there will be 3-foot bollards lighting, as well as 15-foot downward-facing, pole-mounted lights. See 1T113:20 to 114:3. Vice-Chairman Freschi followed up, specifying whether the parking garage will be the tallest structure and inquiring as to whether there will be any lights located at the top of the parking garage. 1T116:18-22. Mr. Savage clarified that the parking garage is a covered parking structure, and that no lights will be located on the roof of the structure. 1T116:23-25. Mr. Savage further supplemented his testimony by addressing a question from the public regarding where lights would be located and whether the lights would be fitted with house shields, offering to ensure that the lighting location in Mr. Savage’s plans conforms with the lighting location in the landscaping plans, and agreeing to provide house shields on the exterior lights. See 1T119:9 to 123:11.

Architect Jack Raker also expanded on some of the elements of the engineering plan referenced by Mr. Savage, specifically offering testimony as to the height of the buildings on the property and the lighting plan. Mr. Raker testified that all the buildings comply with the allowable building height of 60 feet. 1T131:14-1. Mr. Raker also clarified Mr. Savage’s earlier testimony regarding access for emergency vehicles around the building, stating that “[n]ot all buildings constructed in the world today have access all around and the building code understands that and

when you don't have access around a building," the building code imposes stricter standards on fire safety. 1T140:16 to 140:2. Mr. Raker also noted that the proposed building complies with such stricter building code standards. 1T141:1-2.

3. The October 27, 2022 Hearing²

At the October 27, 2022 hearing, Mr. Savage opened his testimony with a discussion on the parking deck, and addressed questions which were raised at the prior hearing regarding the capacity of the sewage pipes. See 2T99:1 to 105:13. Specifically, Mr. Savage furnished Chairwoman Jessica Pearson's questions on the location and capacity of the sewage pipes on the project, and connections thereto. See 2T101:16 to 104:4.

Further, Mr. Savage went on to present testimony regarding the turning radius for fire trucks on the property. See 2T105:16 to 107:14. Mr. Savage testified that he had met with Matt Gifford of the Fire Official's office twice, that the Fire Official's office provided the dimensions of its largest firetruck (43'8"), and that the largest firetruck would be unable to turn around completely in the circle on the property. See 2T105:22 to 106:17. Mr. Savage clarified that such a firetruck could enter the circle, but would need to reverse out of the circle at the conclusion of its operations. See 2T106:15-17. Specifically, Mr. Savage reiterated that "the largest truck cannot make the turn all the way around the circle." 2T106:8-9. As a result, under the variance-free plans presented, a "truck would pull in . . . on the entrance drive and then, . . . when the fire is over, they would back out on to the road." 2T106:15-17.

Mr. Savage also explained that the revised circle was 30' from the curb line to the property line, and that, if the circle were enlarged to allow the larger vehicle, the circle would be only 14' from the property line, thus requiring a variance. See 2T106:22 to 107:7. Mr. Inglesino elected to

² The transcript of the October 27, 2022 hearing is referred to herein as 2T.

defer to and accommodate the Planning Board on this issue. See 2T108:13-19. Specifically, Mr. Inglesino clarified the alternative, stating that “[i]f the Board prioritizes the circulation of the fire truck to be important then we have to get a variance” 2T108:14-15. Mr. Inglesino also offered that “[i]f [the Planning Board] would like to provide us a variance to encroach into the setback to accommodate the fire truck we would, obviously, agree to amend the plans to do that.” 2T108:16-18. Mr. Savage also testified as to access for various other vehicles, including UPS trucks, which did not require the same clearance as the larger firetruck. See 2T110:24 to 111:23. In response, Chairwoman Pearson stated that the Planning Board would need to hear from the Fire Department before making a decision; however, the Chairwoman clarified that “[her] preference is to somehow not lose the area where trees could be planted to buffer the building” See 2T114:4-25.

During his testimony, Mr. Raker supplemented Mr. Savage’s ample testimony on the issue of emergency vehicle access to the property. Mr. Raker reiterated that access around the building was governed by the building code, and that, if access to the building is limited, then the architect is required to create a greater level of fire protection and fire safety within the building. See 2T122:9-14. Mr. Raker further added that, per the building code, a fire lane around the building for this project is not required. 2T122:15 to 123:10. On that issue, Mr. Savage clarified that the RSIS does not require fire lanes around the building either. 2T123:16-23.

During the public comment portion, Mr. Savage and Mr. Raker both discussed an alternate proposal from a resident who questioned whether it would be advisable to move the loop into the building rather than pushing it out. 2T131:9 to 132:14. Mr. Raker explained that the fire officials would not endorse driving under a structure that was on fire, and Mr. Savage clarified that the Fire Department had actually suggested the opposite, that the loop be pushed closer to the road. 2T131:17 to 132:14.

4. The February 23, 2023 Hearing

For the September 22, 2022 and October 27, 2022 hearings, Mr. Savage's testimony comprises approximately 165 transcript pages (approximately 116 pages for the September 22, 2022 hearing, and 49 pages for the October 27, 2022 hearing). See 1T14-128; 1T177; 2T58-59; 2T72; 2T97-142.

EXHIBIT A

*September 22, 2022 Hearing Transcript
(Excerpts)*

1 MR. INGLESINO: Thank you, Madam Chair.
2 I offer Mr. Savage as an expert in the area of civil
3 engineering.

4 CHAIRWOMAN PEARSON: Anybody have any
5 questions or objections?

6 (No response.)

7 CHAIRWOMAN PEARSON: Okay. He would be
8 accepted.

9 MR. INGLESINO: Okay. Thank you very
10 much.

11 DIRECT EXAMINATION

12 BY MR. INGLESINO:

13 Q. So, Mr. Savage, can you please outline
14 the engineering aspects of this project consistent
15 with my opening remarks?

16 A. Yes.

17 So as previously mentioned, the site is
18 a combination of about five acres located in Verona,
19 that's Block 301, Lot 4 and there's another
20 approximately 2.9 acres, which is located in
21 Montclair. That's Block 301, Lot 5 and Block 401,
22 Lot 1.

23 The development, building, parking,
24 sidewalks, et cetera, is all located within Verona.
25 There is some minor grading proposed within

1 Montclair.

2 In general, with the site I'll refer to
3 what is the existing condition plan from the
4 submitted set of site plans.

5 This is showing the existing conditions
6 of the site. Obviously has a large multi-story
7 building on it, which utilizes the school.

8 There's a lot of surface parking.
9 There's a playground area, basketball court, ball
10 field in it and then there's some areas located in
11 Verona which still has some trees located on it and
12 then there's a section within Montclair which is down
13 on the bottom, if you can see the pointer, on the
14 western -- on the eastern side, which also has a
15 larger amount of trees that are existing conditions
16 on that side of the property.

17 CHAIRWOMAN PEARSON: You know, sir, I
18 have a suggestion.

19 Maybe that projector can be pulled a
20 little bit closer this way. I don't want the
21 overwhelm --

22 THE WITNESS: You mean, bring the
23 screen forward too?

24 CHAIRWOMAN PEARSON: I would even move
25 the screen forward if it's not a problem.

1 MR. INGLESINO: Yeah, I think she's
2 trying to pull the visual closer to the audience.

3 CHAIRWOMAN PEARSON: I just think it's,
4 you know, hard to see.

5 (Whereupon, a short recess is held.)

6 THE WITNESS: Ready to go again?

7 CHAIRWOMAN PEARSON: Yeah, I mean, as
8 large as you can make it, because once again, the
9 whole point is to benefit everyone in the room, not
10 just the board members who, you know, can't see it
11 either.

12 MR. INGLESINO: And there are
13 additional seats over here if folks want to get
14 closer to it.

15 THE WITNESS: Okay.

16 Should I continue? Okay.

17 So just to continue where I left off,
18 so the -- so to the west is Afterglow up here. We
19 have Sunset, which is to the north and then
20 Bloomfield, which is to the north and the east
21 located down here.

22 In existing conditions, there's --
23 there are two driveway entrances. One is located
24 sort of close to mid-block along Sunset here and
25 there's another one located closer to the

1 intersection of Bloomfield.

2 The -- and, again, as the existing
3 conditions, just briefly going back through it, the
4 majority of the site within Verona is either cleared
5 or there's the large building and, you know, surface
6 parking areas, et cetera, associated with that.

7 And I think that kind of sets the
8 existing conditions. I'll -- I can move onto the --
9 BY MR. INGLESINO:

10 Q. And that's -- that's from the actual
11 plan?

12 A. Yeah, I had mentioned upfront. That
13 was the existing conditions sheet two of the
14 submitted site plan set.

15 Q. So visuals that we're showing from the
16 plan set we're not going to mark as exhibits, we'll
17 only mark exhibits something that's not in the
18 package.

19 CHAIRWOMAN PEARSON: You do not want to
20 mark these exhibits?

21 MR. INGLESINO: No, we don't mark
22 exhibits that are in the plan set, only --

23 CHAIRWOMAN PEARSON: You didn't
24 actually mark your exhibits that you mentioned, A, B
25 and C.

1 MR. INGLESINO: I did.

2 CHAIRWOMAN PEARSON: You did, okay.

3 MR. INGLESINO: I did.

4 I marked them and I gave them to
5 Ashley.

6 CHAIRWOMAN PEARSON: Okay.

7 Thank you.

8 THE WITNESS: So now I'm going to be
9 referring to the geometry plan. This is also a sheet
10 that was included in the site plan set.

11 So this is showing the proposed
12 building here located kind of in the center of the
13 subject property here.

14 So this proposed building is
15 multi-levels. There's based upon the topography of
16 the site, the building kind of steps up in different
17 levels. The architect will get further into that in
18 more detail when he comes up.

19 We are maintaining those two entrances,
20 the existing entrances off of Sunset. The one here
21 about mid block on Sunset, give or take, will be the
22 access to a drop off.

23 It's called a drop-off loop. And the
24 entrance to the garage, which is located here within
25 the building area and so that is a two-level or

1 multi-level garage here located within the building
2 footprint here.

3 The second entrance down her located
4 closer to Bloomfield services for -- would be used
5 for like a loading or drop-off in terms of moving in,
6 things like that.

7 There are -- in this area there's eight
8 surface parking stalls. Within the building there's
9 372, which gets us to 381 spaces total, which is
10 based upon the 200 proposed units is the required
11 amount of parking.

12 VICE-CHAIRMAN FRESCHI: Will that
13 Bloomfield Ave entrance be the entrance for UPS and
14 FedEx?

15 THE WITNESS: The one down here, you
16 know, they're -- both of these we ran like a FedEx
17 size vehicle and an SU-30 through those and they both
18 could come through there.

19 So I mean, there's a potential that
20 maybe a FedEx might come up here. This one down here
21 (indicating) is sort of more envisioned more about
22 loading.

23 The trash room is also located down in
24 this area (indicating). That trash will be -- I'm,
25 kind of, getting ahead of myself, but that trash will

1 be brought out.

2 So it will be more loading, trash,
3 things -- moving in and moving out, things such as
4 that.

5 FedEx could certainly use it too, but,
6 you know, it might be more centrally located to come
7 in off of -- off the front here. That's the main
8 entrance to the building here.

9 So, again, the building here located,
10 this, kind of, cut through the east side of the
11 building --

12 THE COURT REPORTER: I'm sorry, I can't
13 hear. There's talking.

14 I can't hear the witness.

15 THE WITNESS: Just cutting through just
16 to the east of the building here is the township line
17 as you can see.

18 So the entirety of the building,
19 proposed parking areas, et cetera, are within the
20 Verona piece of the property.

21 MALE AUDIENCE MEMBER: Is the
22 impervious coverage requirement based on the entire
23 lot?

24 CHAIRWOMAN PEARSON: Wait, what's going
25 on? We're not asking questions.

1 This is -- when we open public
2 questions, that's when everybody gets to ask
3 questions. I'm sorry to cut you off like that, but
4 thank you.

5 THE WITNESS: Just to get back to sort
6 of the layout here.

7 So in addition to the building, there's
8 a number of located -- a number of courtyard areas,
9 outdoor areas open to the sky here located in between
10 wings of the building.

11 There's one located here (indicating),
12 which, you know, concrete walks, planting areas, et
13 cetera.

14 The one in the middle here (indicating)
15 is, you know, sidewalks, but also has a pool located
16 in it.

17 And then there's the third one here
18 (indicating), which, you know, is more of, you know,
19 sidewalks and landscaping and the architect will get
20 into more detail, sort of the intended uses of those
21 areas.

22 The intent -- we can jump over to, as
23 previously mentioned, there's no variances required
24 from required setbacks, lot coverages, building
25 height, et cetera.

1 Just I can briefly jump into lot
2 coverage just to sort of satisfy that one. The
3 requirement or the allowance here is 75 percent of
4 lot coverage. If we were to look at the entirety of
5 the tract, the eight acres, we're proposing about
6 40.6 percent coverage.

7 If we took and looked at that with just
8 the Verona piece of the property, that's the five
9 acres or -- then we're proposing 60 percent coverage.

10 So either way we're well under the
11 allowable lot coverages for the property.

12 So in addition to meeting all the
13 setbacks from the building to the road, we're also
14 providing a 30-foot -- there's a 30-foot required
15 buffer from the property line as well that we're
16 proposing along the road frontage here and then along
17 the residential or basically all of the boundaries of
18 the property.

19 The access roads to the site do come
20 through that buffer, which they are allowed within
21 the ordinance to be able to access the property. I
22 know there's some discussion that we'll have
23 regarding the drop-off area up here.

24 In terms of utilities, other than
25 stormwater management at this point, we're going to

1 be proposing water connections, separate fire and
2 domestic lines.

3 One set will be connecting out to
4 Afterglow and another set will be connecting over to
5 Sunset.

6 Same with gas, we're going to be
7 proposing a gas connection to Sunset and one to
8 Afterglow.

9 The sanitary sewer in terms of the
10 connection, we're proposing to collect sanitary sewer
11 from the building and we're proposing one connection
12 out to Afterglow down close to the intersection of
13 Sunset.

14 As mentioned earlier, we'll get into
15 the questions about the capacity and existing versus
16 proposed flows at the next hearing.

17 So I think, you know, in terms of the
18 internal part of the garage, that will be covered
19 later, but with the surface parking that's down here
20 located closer to Bloomfield, again, mentioned, you
21 know, we're providing, you know, 24-foot drive aisles
22 where there's the perpendicular parking stalls here.

23 There's a handicap stall that's van
24 accessible located down there. And then there's a
25 drop-off area, you can see it's striped off here

1 right at the eastern edge of the parking lot that
2 would be for -- again, it could be -- it could be a
3 FedEx.

4 It could be loading and unloading or
5 people moving in and out. Could be, you know,
6 whatever it may be, but that's an area proposed for
7 that.

8 In this area we're also proposing a
9 small dog area, dog run located right there next to
10 that drop-off area.

11 And in terms of, I think, the site
12 layout, utilities, et cetera, and that pretty much
13 covers everything in terms of the site short of
14 getting into stormwater.

15 MR. INGLESINO: Thank you.

16 CHAIRWOMAN PEARSON: We have a couple
17 of questions.

18 MR. INGLESINO: Yeah, that concludes
19 Mr. Savage's affirmative testimony.

20 So I turn it back to you for questions
21 of the board, board professionals or the public.

22 CHAIRWOMAN PEARSON: You know, I will
23 entertain questions from every member of the board.

24 I just want to -- before I forget, you
25 said that you were going to be getting gas or water

1 from Afterglow. Is there an easement.

2 How are you getting served service --

3 THE WITNESS: There wouldn't be -- you
4 know, there's -- where there's the public gas in the
5 street there would be no easement associated with
6 that. You would be connecting to those lines.
7 There's no easement required for that.

8 CHAIRWOMAN PEARSON: You wouldn't have
9 to dig to put a water line in?

10 THE WITNESS: Of course, yeah, and you
11 would have to get a --

12 CHAIRWOMAN PEARSON: So whose property
13 are you digging on?

14 That's my question.

15 THE WITNESS: It's a typical, you're
16 within a street, you're within a public right-of-way.
17 You would have to submit to the town for a permit to
18 install that. It's just, like, a single-family house
19 putting in a gas line.

20 CHAIRWOMAN PEARSON: Do you guys -- do
21 you guys have direct access to Afterglow?

22 THE WITNESS: Yes.

23 CHAIRWOMAN PEARSON: Beyond the house?
24 That's what I'm -- just on that corner, right.

25 THE WITNESS: Beyond the house?

1 So the site has frontage right here on
2 Afterglow.

3 CHAIRWOMAN PEARSON: Right, just down
4 at the corner, though.

5 THE WITNESS: Well, I mean, you know a
6 couple hundred feet back and then all along this
7 section.

8 CHAIRWOMAN PEARSON: That's Sunset.

9 THE WITNESS: Yeah.

10 So there's direct access.

11 We'll, obviously, have to contact the
12 gas company and, you know, electric companies and all
13 those companies and have them coordinate with exactly
14 there they want that connection, but there would be
15 no easement associated with that.

16 It would be a permit through the
17 township building department.

18 CHAIRWOMAN PEARSON: And on your plans
19 in conjunction with the sanitary sewer line that you
20 say is going straight out to Sunset --

21 THE WITNESS: No, to Afterglow.

22 CHAIRWOMAN PEARSON: I'm sorry.

23 Well, the sanitary sewer is going to
24 Afterglow, but it's going to run onto -- into the
25 Sunset line, correct.

1 THE WITNESS: Yeah, it's going to flow.

2 CHAIRWOMAN PEARSON: Uh-huh.

3 There was something marked on your
4 plans that notated --

5 THE WITNESS: There was a note about
6 the -- I believe the existing -- it was probably a
7 note associated with the existing manhole.

8 I think the survey, I think, couldn't
9 have gotten into it.

10 So I think we just had verification
11 about the, you know, typical sort of a test pit or
12 whatever needs to be done to finalize that location
13 of that sanitary manhole in terms of its depth and
14 stuff.

15 So it's sort of a typical check you
16 would do before you're making that connection.

17 We're going to have to submit,
18 obviously, for sanitary sewer here. We're going to
19 have to go through the various township approvals
20 with, you know, Public Works, et cetera.

21 We'd have to go through the sewage
22 authority and depending on the existing versus
23 proposed flow, we would have to go through the state
24 for that approval.

25 CHAIRWOMAN PEARSON: I mean, is there

1 -- are there tests that you as the applicant perform
2 in terms of the capacity that can be handled by that,
3 because --

4 THE WITNESS: It wouldn't be a test.
5 You would compare the existing versus
6 the proposed sanitary flow and that's your analysis.

7 If when we contact the entity that, you
8 know, controls those lines, then they may -- they may
9 come up and say, you know, there's an issue we want
10 to have looked at there and that's something that we
11 might look at, but basically going through that
12 approval process, if the entity that controls that
13 line, you know, doesn't have an issue with that line,
14 there would be no need to do any tests of --

15 CHAIRWOMAN PEARSON: What if there are
16 preexisting issues with those lines?

17 THE WITNESS: Then we'll have to deal
18 with that.

19 CHAIRWOMAN PEARSON: Okay.

20 I'm making a point here that there are
21 preexisting issues right now, the neighborhood having
22 problems with the sewer line.

23 THE WITNESS: So as we're going through
24 the process and typically we wouldn't submit to those
25 agencies until we get board approval to make that

1 next step, but clearly if they have an issue there,
2 we're going to have to address that issue.

3 We can't connect and have it flowing,
4 you know, we're going to have to deal with that.

5 CHAIRWOMAN PEARSON: I think there
6 should be some discussion before the next meeting
7 about that, you know, in terms of you talking to our
8 engineering department.

9 MR. INGLESINO: Yeah, we will, but
10 candidly it's not an issue for the board.

11 It's an issue that we have to deal with
12 with the construction department.

13 CHAIRWOMAN PEARSON: The board has to
14 approve it, so it's an issue for the board.

15 Thank you, though.

16 MAYOR ROMAN: Madam Chair, if I may?

17 CHAIRWOMAN PEARSON: Sure.

18 MAYOR ROMAN: Bright View Engineering's
19 completeness review of the application specifically
20 calls out under its utilities section all of these
21 issues: A comparison of the existing versus proposed
22 sanitary sewer flow shall be provided; confirmation
23 of the township treatment plant can handle the flow;
24 confirm that only one sewer connection will be
25 required; pipe capacity calculations; capping the

1 existing lateral; existing water demand versus
2 proposed water demand; will serve letters from all
3 the utility companies; and calculations supporting
4 the water demand for the proposed units.

5 So clearly our engineer has identified
6 these as items that should be part of this.

7 THE WITNESS: And we're going to
8 provide those.

9 I mean, those are typically things that
10 you would work out in a resolution compliance stage
11 or be conditions of an approval that if we're so
12 approved and we go there and we have an issue with
13 the sanitary sewer line that we can't connect, well
14 we wouldn't be able to get a CO at that time. It
15 would have to be fixed.

16 So those are typical things that are --
17 those are typical comments I've seen and we deal with
18 those, we deal with those during resolution
19 compliance typically.

20 MAYOR ROMAN: What if a scenario comes
21 up where you aren't able to place your utility
22 laterals where you've shown them on the plan, you may
23 have to cross another section or pick up a line at
24 another location?

25 MR. INGLESINO: Well, then we may,

1 depending upon that we may have to come back for
2 amended approval.

3 THE WITNESS: Yeah, but that -- I mean,
4 it's not -- basically, you know, we -- once we get
5 through a typical board approval, we would make those
6 submissions for the water and sanitary sewer
7 approvals in terms of getting those permits, you
8 know, from the town, the sewage authority, the water
9 company and the DEP.

10 During that process is where that
11 becomes vetted and in those situations if something
12 has to change, if the lateral has to move to Sunset
13 because the town, you know, prefers it coming off of
14 there, then that would be done. It doesn't
15 materially change the submission, though.

16 MAYOR ROMAN: Given the scale of this
17 development and the change -- major change of use
18 here from existing use, I'm curious as to why this is
19 something that has not already been calculated and
20 looked into in your initial engineering, why is it
21 something you would not want to confirm at this stage
22 already?

23 THE WITNESS: I mean, to be honest, we
24 typically don't submit -- we typically would not
25 submit to those agencies at this level.

1 I mean, you know, this is a -- you
2 know, there is a school. There is a -- you know,
3 it's not a single-family house. There is a
4 substantial existing demand or flow from there.

5 MR. INGLESINO: And this was an office
6 building before it was --

7 THE WITNESS: Before that.

8 So, you know, we have to do those
9 comparisons and -- but that's not a typical thing
10 that we would do right up front.

11 I mean, it's -- you know, we would work
12 through that process and if there has to be off-site
13 improvements that are associated with this because
14 we're increasing that flow to that pipe, we'll have
15 to deal with that.

16 MAYOR ROMAN: So in evaluating the
17 feasibility of this project, costing it out, et
18 cetera, you mentioned internal review versus applying
19 to actual agencies, did you do any internal review?

20 THE WITNESS: I'm not the developer,
21 I'm the engineer.

22 So as part of what I do, I'm not -- you
23 know, I know there's been discussions with, I assume
24 early on with, you know, this site was put into a
25 redevelopment zone and was zoned -- was zoned by the

1 town for 200 units.

2 So you would envision that the town,
3 you know, by zoning this for this number of units,
4 you know, is also making some statement regarding the
5 capacity of the utilities.

6 MR. INGLESINO: Yeah, and if I may just
7 interject, that's why I pointed out Section 4 of the
8 settlement agreement, which I'll repeat, it says, the
9 Township of Verona agreed that the property is
10 developable and suitable as those terms are defined
11 under COAH's regulations.

12 So there was some level of review and
13 some level of concurrence that the property, you
14 know, could handle this type of development.

15 CHAIRWOMAN PEARSON: Without the
16 engineering done, though.

17 Let's be fair, Mr. Inglesino, the
18 engineering and the capacity tests have not been done
19 and you would even state that you haven't finished
20 some of the other testing that is ongoing right now.

21 So to be fair, all of that is
22 contingent upon the capability of this property to
23 handle all of the things that are supposed to go on
24 it.

25 MR. INGLESINO: So under the Municipal

1 Land Use Law in the State of New Jersey, those are
2 not issues for the board to determine. The board has
3 --

4 CHAIRWOMAN PEARSON: The board is
5 supposed to determine -- and I am interrupting you,
6 I'm sorry, but stormwater management, it's our
7 responsibility and that's one of the things.

8 MR. MASCERA: This is not stormwater
9 management.

10 MR. INGLESINO: We're discussing the --

11 CHAIRWOMAN PEARSON: Sanitary sewers?

12 MR. INGLESINO: We're discussing the
13 propensity and the potential for the development to
14 afford the utilities and the infrastructure to handle
15 this development. That is a preliminary
16 determination that is made by the township in
17 connection with its zoning, with its planning and in
18 this case, specific representations that were made in
19 a settlement agreement.

20 The actual resolution of those issues
21 are not issues for this board, it's just not. You
22 don't issue those permits. Those permits are issued
23 by other agencies, not by this board.

24 The board's only role legally in my
25 humble opinion is to determine whether or not there

1 is the ability, the potential ability for utilities
2 and the like to be able to accommodate this project
3 and there is no indication that that ability does not
4 exist.

5 In fact, again, I would argue that
6 based upon the affirmative representations made by
7 the township in the settlement agreement that that is
8 more than satisfied for purposes of the board's
9 presentation.

10 CHAIRWOMAN PEARSON: Okay. Well, those
11 determinations weren't tested and that's exactly what
12 you're supposed to provide that --

13 MR. INGLESINO: No, the -- that's not
14 the way it works.

15 I defer to Mr. Mascera.

16 MR. MASCERA: What Mr. Inglesino said
17 is accurate. The sanitary sewer capacity is
18 something that the applicant will have to ensure, but
19 not to this board and not testify to this board that
20 it is satisfactory. There are other departments and
21 other permits.

22 This board is considering the site plan
23 and makes an assumption that everything that is
24 testified to can be accomplished, such as the
25 location of the sanitary sewer line.

1 If it cannot be accomplished, then they
2 come back with an amended site plan, because they say
3 we can't --

4 CHAIRWOMAN PEARSON: Not the location,
5 the capacity.

6 MR. MASCERA: Well, both. The capacity
7 has to do with the location, because of different
8 size diameters of sanitary sewer lines.

9 So they have to make sure that the
10 flow, which will be a mathematical calculation based
11 on the engineer's numbers and, you know, certainly
12 not my numbers, but it is not up to this board to
13 hear testimony as far as the capacity.

14 CHAIRWOMAN PEARSON: I was actually
15 trying to be more general.

16 We are here to hear the entire site
17 plan and not, you know, block out certain sections
18 that we're not supposed to know about, you know, so
19 I'm just saying --

20 MR. MASCERA: In fairness, it's not
21 that we're not supposed to know about it.

22 CHAIRWOMAN PEARSON: Well, we're not
23 supposed to hear testimony on --

24 MR. MASCERA: No, it's not that you're
25 not supposed to hear it, but they don't have to prove

1 it. So the testimony is, we believe that --

2 CHAIRWOMAN PEARSON: I don't agree with
3 that.

4 MR. MASCERA: -- we believe that it will
5 meet the sanitary -- the capacity of the existing --
6 of the existing Verona system --

7 CHAIRWOMAN PEARSON: Then I'd like to
8 hear our engineer's thoughts on that. You know, so
9 that at least --

10 MR. MASCERA: Well, the calculations
11 haven't been done, because they don't have to be done
12 at this juncture.

13 That's not a proof with the site plan
14 application. The -- go ahead, Mike.

15 MR. DECARLO: This isn't about this
16 application, but with the Pearl development -- with
17 the Pearl development that was recently approved and
18 it's going to be under construction, we ran into the
19 same situation where they wanted to -- they had a
20 proposed water connection for their building.

21 We made them do pressure tests when
22 they came back with their TWA permits, they weren't
23 satisfactory to meet the height of the building.

24 Now they have to install booster pumps.
25 So that's on them, not on us.

1 MR. MASCERA: But the key is they got
2 site plan approval --

3 MR. DECARLO: Yes.

4 MR. MASCERA: -- without submitting any
5 of those calculations.

6 MR. DECARLO: Yes.

7 MR. MASCERA: And then afterward they
8 submit the calculations and the burden is on them to
9 show that there's capacity.

10 MR. DECARLO: Yes.

11 They came to us after they got their --
12 after they got the state approvals and then we made
13 them do the pressure test and then --

14 MR. MASCERA: But we didn't require it
15 in Pearl.

16 It was never discussed in Pearl.

17 CHAIRWOMAN PEARSON: I don't believe
18 that neighborhood is having as much of an issue.

19 MR. MASCERA: Well, that's -- you know,
20 I mean, that's an issue that has to be addressed, but
21 it's not for right now.

22 CHAIRWOMAN PEARSON: It will be
23 addressed at some point I hope.

24 MR. MASCERA: I'm sure it will be.

25 CHAIRWOMAN PEARSON: There will be a

1 discussion on it.

2 MR. MASCERA: We have the best
3 professionals and it will be addressed.

4 CHAIRWOMAN PEARSON: We do, but, you
5 know, site plan review, it also entails stormwater,
6 which I know that you agree with, at least I think
7 you agree with that.

8 MR. INGLESINO: Of course, we indicated
9 we would be providing stormwater testimony, just not
10 tonight.

11 CHAIRWOMAN PEARSON: Does anybody else
12 on the board have any questions for Mr. Seckler
13 [sic]?

14 MR. INGLESINO: Savage.

15 CHAIRWOMAN PEARSON: Say that again?

16 MR. INGLESINO: Mr. Savage.

17 Mr. Seckler is our traffic engineer.

18 CHAIRWOMAN PEARSON: Oh, Savage, sorry.

19 THE WITNESS: Seckler is a nice name.

20 (Laughter.)

21 MR. INGLESINO: Seckler, Savage, it
22 sounds very similar.

23 CHAIRWOMAN PEARSON: Yes, go ahead.

24 MR. DEOLD: Yes.

25 In the past, one of the past meetings,

1 from Sunset Avenue coming into -- an entry coming
2 into the site, the -- the buffer zone was -- the
3 roadway encroached on the buffer zone.

4 Has that been corrected?

5 THE WITNESS: The site entrances, you
6 know, obviously to access the site, you have to
7 traverse the buffer.

8 So those entrances do cross through the
9 landscape buffer, which is permitted. You have to
10 have access to a property and those are existing --

11 MR. DEOLD: Not just the access, but
12 like the shape, the loop that came in, this was from
13 a past meeting.

14 And it's very difficult to look at
15 this, even when I've got it right in front of me to
16 see exactly where it is, but it was, like, part of
17 that loop went into the buffer zone.

18 THE WITNESS: Well, we corrected that
19 aspect.

20 So this --

21 MR. DEOLD: Oh, that's what I wanted to
22 know.

23 THE WITNESS: This loop, what you're
24 looking at is the loop road here (indicating).

25 If you can see, it's, kind of, got an

1 odd-long shape. It was previously a circular.

2 What we did is the dashed line here
3 (indicating), if you, kind of, look at your -- you
4 won't be able to see it here, but on your plan it
5 runs right along where we -- where we, kind of, you
6 know, compressed that circle. That was to keep that
7 outside that buffer.

8 So that part was adjusted.

9 MR. INGLESINO: And Mr. Deold, you're
10 exactly correct.

11 The previous iteration of the plan,
12 your exactly correct, and during the consistency
13 review with the council, that issue was identified
14 and corrected.

15 MR. DEOLD: Okay. Thank you.

16 MR. HYNDMAN: Internal circulation is
17 going to be dealt with by the traffic engineer?

18 THE WITNESS: Yeah.

19 With respect to within the building or
20 on-site.

21 MR. HYNDMAN: On-site with --

22 THE WITNESS: I can go through it
23 again.

24 I briefly, kind of, went through it.
25 The access here and, again, both of these are

1 existing access points.

2 (Laughter.)

3 MALE AUDIENCE MEMBER: The scale is
4 helpful.

5 So one inch is --

6 THE WITNESS: Well, not when you're on
7 the screen, but, yeah, it's drawn to scale, which is
8 the important part, yeah.

9 So this access drive located, let's
10 call it mid block Sunset is coming up to a drop-off
11 loop road or loop driveway and then the entrance to
12 the internal garage.

13 So this is right here (indicating) at
14 the end of this -- the south end of that loop is the
15 entrance to the garage which is within the building.

16 The lower parking area here
17 (indicating) closer to Bloomfield is what is
18 envisioned.

19 There's eight surface parking stalls
20 there for, you know, some people to use, but it's
21 more envisioned as -- and there's a loading area here
22 (indicating).

23 So that's envisioned as, you know,
24 people moving in and out, maybe a FedEx truck, you
25 know, there's the trash room, the trash will be

1 collected and then moved out on trash day, that type
2 of activity would occur in that lower parking area.

3 In terms of the internal movements
4 around the garage, that will be covered with the
5 architect.

6 BY MR. INGLESINO:

7 Q. Let's take a movement of a vehicle that
8 comes in, you know, say, they park and they go out,
9 so we can track the vehicular movement.

10 A. Yeah, I mean, a car -- you know, let's
11 take it -- because there -- a car would come in on
12 this one.

13 They can enter on this side of the
14 driveway here (indicating). They would come up.

15 They could either loop around this
16 (indicating) and drop someone off or they can pull
17 into the garage and then they're going to come out
18 here and they're going to pull out and get back onto
19 Sunset to leave the site (indicating).

20 The lower parking would be the same
21 thing. I mean, it's just creating a loop where
22 someone can come in off of Sunset, leave back to
23 Sunset.

24 MR. HYNDMAN: So I understand all of
25 that, but just in terms of daily movements,

1 especially during peak --

2 THE WITNESS: Oh, that will be traffic
3 engineering, that will be a question for Mr. Seckler.

4 MR. HYNDMAN: Okay.

5 Then I'll hold that question.

6 VICE-CHAIRMAN FRESCHI: I'm still a
7 little hung up on the FedEx, UPS, because for a
8 building like this, there's going to be a lot of
9 those deliveries.

10 THE WITNESS: I think I'd probably,
11 kind of, push that to maybe Jack or the owner/the
12 applicant in terms of how they envision what their --
13 you know, a lot of these buildings will have, you
14 know, a specific room where a package will come in.

15 VICE-CHAIRMAN FRESCHI: Right.

16 That's what I want to understand, where
17 that is.

18 THE WITNESS: That's sort of internal
19 to the building, so I would defer on that part of it.

20 In terms of a truck movement, like a
21 truck being able to circulate those areas, the truck
22 can do that.

23 In terms of where they want those
24 packages to be delivered, I would defer that part of
25 it.

1 MR. KATZEFF: I would expand on that
2 and say the applicant should certainly testify as to
3 how that's going to work, because you have the
4 service area, but you also have this pretty long
5 quarter to get to the mailroom. So how are you going
6 to enforce that? Delivery workers --

7 THE WITNESS: That will be addressed.

8 MR. KATZEFF: -- are just going to take
9 the path of least resistance and then clog up the
10 circle to peak times where you have not just a
11 package delivery, but food delivery and anything else
12 that's going on. Again, given the move to hybrid
13 work environments and, you know, the peak times have
14 shifted, so I am also kind of concerned looking at
15 this that there will be congestion issues
16 specifically on the main route as well.

17 THE WITNESS: And I think a combination
18 of the architect and even the traffic engineer in
19 terms of traffic movements can address those
20 comments, those concerns.

21 MAYOR ROMAN: Madam Chair, may I ask a
22 question?

23 CHAIRWOMAN PEARSON: Sure.

24 MAYOR ROMAN: Mr. Inglesino, will this
25 witness or another witness be testifying as to the

1 question.

2 You were talking about the second
3 entrance closer to Bloomfield Avenue and I'm just
4 curious to know is there any type of access from that
5 area around the back of the building for, say,
6 emergency services or anything like that.

7 THE WITNESS: No, the -- no, the
8 emergency access would -- would not be able to
9 circulate, you know, through around the site given
10 the -- you know, the topography of the site, because
11 there's sections that are rather steep.

12 This building, you know, is going to be
13 sprinklered. And we do have, you know, frontage
14 access on two sides, plus the access roads, you know,
15 off of Sunset. So there is no circum -- there is no
16 path around the building.

17 COUNCILMAN McEVOY: I'm thinking also
18 in terms of landscaping, you have a pool back there,
19 service to the pool, things like that that are going
20 to need --

21 THE WITNESS: There is -- I don't know
22 if we can switch to the grading plan. There is --
23 you know, the area back here (indicating) along the
24 building, there is a, you know, 15-, 20-foot wide
25 area that is graded relatively flat that would allow,

1 you know, a maintenance person to get back there.

2 It's not envisioned that they would
3 drive a service truck back there, things like that,
4 but there is an area back there where if they need to
5 put a ladder up against the building or things like
6 that or, you know, that they would have access back
7 there.

8 More of a -- you know, a person, you
9 know, maybe a lawn mower, things like that, but not a
10 vehicle.

11 COUNCILMAN McEVOY: Do they plan on
12 putting any fencing or anything back there because of
13 the steep slope?

14 THE WITNESS: There is a section of,
15 you know -- it's kind of hard to see, but along this
16 area here (indicating), there's existing fence, which
17 is at the -- basically at the point where the steep
18 slope really kicks in.

19 So a lot of that fence is going to
20 remain. And then there's some pockets of it, like,
21 right here (indicating) where we had to do a little
22 bit of grading, we were messing with the existing
23 fence that there's going to be sections of proposed
24 fence.

25 So this area along that steep slope

1 area here will have a fence, combination of existing
2 and proposed.

3 COUNCILMAN McEVOY: Okay.

4 VICE-CHAIRMAN FRESCHI: So to follow
5 along from Councilman McEvoy's comments, so that
6 entire side will be inaccessible to -- except for on
7 foot to emergency first responders. So even though
8 there's a sprinkler system, if there was an exterior
9 fire on that side of the building, what's -- what
10 would be the plan or what's the proposal to address
11 that?

12 THE WITNESS: I mean, there's not going
13 to be the access for vehicles back there.

14 So I mean, if they would run a hose or
15 through the sprinklers we could certainly put a fire
16 department connection in certain areas.

17 Part of this process is going to be
18 getting comments from the fire department, fire
19 officials and, again, we're going to have to address
20 what they come up with.

21 So if they come back and say they want,
22 you know, fire department connections around the back
23 or they want something else, we're going to have to
24 comply with them.

25 So, you know, it's something we haven't

1 gotten those comments yet, but we're going to have --
2 we're going to have to address them.

3 BY MR. INGLESINO:

4 Q. Yeah, we'll address comments from the
5 fire department and, Mr. Savage, in your experience,
6 isn't it true that fire departments generally do not
7 want vehicle access all around the building because
8 the close proximity of the building to the cliff?

9 A. Yeah, there's -- with the cliff and
10 also the proximity, you're right.

11 I mean, they would have to have that
12 vehicle pretty close to the building, which --

13 Q. To the extend they want standpipes and
14 things of that nature, we'll accommodate that.

15 CHAIRWOMAN PEARSON: You guys are being
16 very kind calling that cliff a steep slope.

17 That's a cliff.

18 So, and there's a fence for that
19 reason. And you're keeping that fence?

20 THE WITNESS: We're keeping a majority
21 of it and then where we're -- where we have to remove
22 sections of it for the development, we're replacing
23 that with in-kind fencing.

24 CHAIRWOMAN PEARSON: Well, one thing I
25 just want to confirm, you mentioned that you're going

1 professionals have any further questions at this
2 time?

3 MAYOR ROMAN: I have just a general
4 question for procedure while this witness is up here.

5 Mr. Inglesino, you mentioned the
6 comments and questions from the township's
7 professionals and boards and commissions.

8 Are there any of those that this
9 witness should address or is this something where you
10 are going to agree to comply or are there any of
11 these that you wish to flag at this time that you
12 disagree with.

13 MR. INGLESINO: We're going to come
14 back and address those, because that -- a lot of
15 those comments is what has facilitated the additional
16 testing that we're doing now.

17 So we'll deal with those in a
18 comprehensive way, rather than piecemeal fashion.

19 MAYOR ROMAN: Okay.

20 Thank you.

21 CHAIRWOMAN PEARSON: Anyone else?

22 (No response.)

23 CHAIRWOMAN PEARSON: Okay. So at this
24 time, and let's try to keep this in mind, we're
25 supposed to ask questions pertaining to Mr. Savage's

1 testimony and the questions that Mr. Inglesino and he
2 discussed, but I will open to the public, any
3 questions that you may have for Mr. Savage.

4 So please come to the lectern, the mic,
5 rather, and state your name and address for the
6 record.

7 MS. DAVILA: I don't know if this is
8 working?

9 Erica Davila, 32 Sunset Avenue.

10 Just a question, and maybe this is for
11 our own attorney.

12 THE COURT REPORTER: Please spell your
13 last name.

14 MS. DAVILA: D-A-V-I-L-A.

15 THE COURT REPORTER: Thank you.

16 MS. DAVILA: I just want to make sure I
17 understand.

18 The planning board's authority right
19 now is to determine consistency with the
20 redevelopment plan? No.

21 MR. MASCERA: No.

22 MS. DAVILA: Is it to determine whether
23 the site plan is consistent?

24 MR. MASCERA: This is -- the
25 application is site plan pursuant to the

1 redevelopment -- site plan pursuant to the
2 redevelopment plan.

3 So it's not a consistency
4 determination. It's an application for site plan
5 approval.

6 MS. DAVILA: Okay.

7 So in the redevelopment plan when it
8 said that things like sewer, the capacity and
9 everything needed to be determined and presented,
10 that -- where does that come into play.

11 MR. MASCERA: That would come as part
12 of the process, but not --

13 MS. DAVILA: As a part of what process?

14 MR. MASCERA: Well, the process for
15 getting building permits eventually. I don't know
16 what particular part of the redevelopment plan you're
17 talking about, but the process, as Mr. Inglesino laid
18 out, it comes in stages. We have the site plan now.
19 Okay?

20 The site plan deals with whatever was
21 in the redevelopment plan, the number of units, the
22 stories, the buffer, the ingress and egress and
23 things like that.

24 MS. DAVILA: Okay.

25 So for the public, because I think that

1 the vast majority of the public's concerns are around
2 sewer and water runoff.

3 MR. MASCERA: Sure.

4 MS. DAVILA: So my question is: Did --
5 I'm not getting clarity and it didn't seem like we
6 had clarity on who do we go to for that?

7 MR. MASCERA: Water runoff is this
8 board certainly, but there's a distinction between
9 sanitary sewer and stormwater.

10 MS. DAVILA: I fully understand that.

11 MR. MASCERA: Stormwater, our engineers
12 have asked questions of the applicant for
13 clarification and specificity.

14 The applicant has said we need more
15 time to do those studies.

16 MS. DAVILA: I understand that, that
17 part. The sewer, what about the sewer?

18 MR. MASCERA: No, no, that's
19 stormwater. That's the stormwater where they will
20 come back with stormwater testimony based upon new
21 calculations and further investigation.

22 MS. DAVILA: I understand stormwater
23 runoff is different than sewer.

24 MR. MASCERA: Right.

25 MS. DAVILA: My question is: The sewer

1 part, where does that come into play?

2 Who can the public go to to ask
3 questions about the sewer capacity and where do they
4 need to go to to provide information.

5 MR. MASCERA: The construction code
6 office.

7 MS. DAVILA: The construction code
8 office?

9 MR. MASCERA: Exactly, the construction
10 official.

11 MR. DECARLO: The sanitary sewer.

12 MS. DAVILA: The sanitary sewer, thank
13 you.

14 MR. DECARLO: You can call my office.

15 MS. DAVILA: Call your office?

16 MR. MASCERA: Because there will be --

17 MS. DAVILA: You might be getting a lot
18 of phone calls.

19 MR. MASCERA: There will be
20 calculations done based on the number, the
21 perspective tenants and then there will be a
22 difference, as Mr. Savage has said before, there is
23 some history there because it was an office building
24 and now it is a school.

25 So they will do math that is beyond me

1 that will calculate the necessary capacity and --

2 MS. DAVILA: Yeah, I just read the
3 statute.

4 I just wanted to know where it was
5 going and when that was happening.

6 It sounds like after this process is
7 complete, then it's going to you.

8 MR. MASCERA: Eric [sic] had asked the
9 question earlier where he had asked whether they
10 would provide supplemental information, not something
11 that they would be seeking approval of, but
12 supplemental information just for people's knowledge
13 of what the general calculations are and the
14 applicant said, yes, we would do that.

15 MS. DAVILA: Got it.

16 MR. MASCERA: So prior to them
17 submitting it to Mike for final approval, Eric and
18 this board will have some idea of whether -- of
19 whether there is capacity of the sanitary sewer.

20 MS. DAVILA: Okay. Thank you.

21 I appreciate the clarification.

22 MR. CONROY: Hi, I'm Brian Conroy.

23 I live at 24 Sunset Avenue.

24 I'm a professional engineer in three
25 states. And my background is in land development.

1 Question regarding the TWA application.
2 In accordance with N.J.S.A. 7:14A22.4, anything over
3 8,000 gallons per day, a TWA application will need to
4 be submitted.

5 My question to the board is: The
6 applicant should investigate the sewer, the size of
7 the sewer.

8 MR. MASCERA: These are -- excuse me,
9 these are questions of the applicant, not of the
10 board.

11 MR. CONROY: Of the --

12 MR. MASCERA: Only questions to the
13 applicant.

14 MR. CONROY: Questions to the
15 applicant, yes.

16 MR. INGLESINO: Based on the testimony
17 that was provided.

18 MR. CONROY: Based on the testimony
19 provided.

20 The sewer should be evaluated, because
21 there's going to be approximately 38,000 gallons per
22 day increase and I think one of the letters did
23 recommend, does the town sewer have the ability to
24 handle that capacity, but the system could be in bad
25 shape, so TV video should be done, especially since

1 they couldn't open the manhole to evaluate the
2 condition of the sewer as it goes downhill.

3 There's been a lot of flooding that
4 could be in the condition.

5 If the conditions can't be met, there
6 are pump stations and other things where you could
7 reroute the sewer, but if the road gets dug up, I
8 would request that the board look into -- I don't
9 know if there's a moratorium on the road, the paving
10 of the road, but they would have to re-pave the road
11 and repair the extent of the sewer accordingly.

12 As a condition of approval, that's
13 something to look into.

14 Regarding the stormwater analysis --

15 CHAIRWOMAN PEARSON: I just want to say
16 that he did not give testimony really on stormwater.
17 When he does and when they resubmit the stormwater, I
18 think that's when --

19 MR. CONROY: We can talk about
20 stormwater.

21 CHAIRWOMAN PEARSON: Yeah.

22 I think that we really should stick to
23 the testimony that Mr. Savage gave this evening, even
24 though it was very broad brushstroke of the
25 application, because otherwise you're going to get

1 into things that he didn't testify on.

2 MR. CONROY: Okay.

3 MR. INGLESINO: And questions as
4 opposed to statements would be appreciated as well.

5 MR. CONROY: My second question then
6 discussed about sewer and drop-off of, you know,
7 packages.

8 Can the applicant provide an AutoTURN
9 movement of the plan to show that a trash truck can
10 properly pick up?

11 I mean, currently right now the trash
12 truck always backs up, can't quite get into the trash
13 facility and it's a lot smaller where you said the
14 trash pickup is and is very close to the
15 intersection.

16 So I think that should be taken into
17 consideration as far as drop-off, an AutoTURN
18 movement for the --

19 THE WITNESS: We do have the plan
20 already.

21 CHAIRWOMAN PEARSON: You have the
22 turning radius?

23 THE WITNESS: Yup.

24 CHAIRWOMAN PEARSON: Was it submitted
25 to us?

1 THE WITNESS: I think it was prepared
2 right after so that it can be submitted. I'm just
3 saying we have one.

4 CHAIRWOMAN PEARSON: I understand.

5 THE WITNESS: And so in terms of the
6 trash, just this is going to be a private hauler.

7 So the frequency and size of that
8 vehicle is, you know, would be subject to the
9 approval of the developer.

10 So, you know, if it has to be a smaller
11 vehicle to make circulation, then it would be. We
12 have run 30-foot -- we've ran a trash truck, an
13 SU-30, SU-40 through that drop-off area and they all
14 can circulate through there.

15 We'll make that submission.

16 MR. CONROY: Yeah, I think just for the
17 public's -- you know, because every day the trash
18 gets picked up for the school, what would the
19 frequency be of the pickup from a private hauler and
20 the size of the unit would be to maneuver within that
21 space in a close proximity to the intersection.

22 MR. INGLESINO: So we'll commit to make
23 that submission as part of our next submission.

24 MR. MASCERA: Can I ask a question just
25 for clarification, because I have to memorialize

1 this.

2 Are you suggesting that there is a
3 large enough radius or there is not?

4 And I think the question is, and
5 suggestion is, that it would be better for all
6 concerned that there be a -- that there be a
7 significant radius.

8 MR. CONROY: I would say if he submits
9 an AutoTURN movement showing whether it's a K-turn or
10 that it can do a radius within the said area, I think
11 the concern is that the proximity, you know, to the
12 intersection and the cars queuing, getting into the
13 traffic study, which I'm not going to talk about
14 since we're not talking about traffic.

15 MR. INGLESINO: Yeah, we will submit an
16 AutoTURN radius plan as part of our next submission,
17 which we will address the questions that were raised.

18 MR. MASCERA: And Mr. Inglesino, would
19 the applicant consent or would the applicant agree
20 that there would have to be -- it would have to be
21 capable of an AutoTURN?

22 MR. CONROY: Well, there's a program.

23 MR. INGLESINO: Yeah, there's a
24 program, we'll submit one.

25 MR. MASCERA: Well, that has to be

1 capable of somehow a K-turn or --

2 MAYOR ROMAN: May I clarify the
3 language a little bit?

4 So first off, I will typically say that
5 we almost always see AutoTURN drawings in site plan
6 submissions testified to generally by the traffic
7 engineer and they get the length of the township'
8 longest fire truck and show its ability to traverse
9 all of the roadways within the site.

10 That's something we see in almost every
11 application of this scale and I would say that that
12 is a reasonable expectation of this board that we
13 would see that and that that would be testified to by
14 the applicant's traffic engineer.

15 Applicants typically also always
16 provide specific testimony as to their garage pickup
17 plans, including the route that a trash pickup truck
18 would take, the locations and sizes of storage
19 containers and the frequency of pickup.

20 So I would say that this at a minimum
21 should be part of either your architectural testimony
22 for discussion of the garbage potentially and as part
23 of your traffic engineering testimony showing the
24 vehicles including the specifics of the township's
25 ladder truck.

1 MR. INGLESINO: Yeah, and we will
2 provide operations testimony as well.

3 MAYOR ROMAN: Okay.

4 MR. INGLESINO: That will include --

5 MAYOR ROMAN: That will include those
6 AutoTURN drawings and the garbage discussions?

7 MR. INGLESINO: Yeah.

8 MAYOR ROMAN: Thank you.

9 MR. CONROY: I think you answered my
10 second question regarding the upper loop.

11 Typically 24-foot wide is a two-way
12 access. You have one-way. I'm just wondering why
13 it's so wide.

14 I know you did move it back, I guess,
15 the last application to be 30 feet off the property
16 line, but it's within that landscape buffer and,
17 again, you know --

18 THE WITNESS: Well, for vehicle
19 circulation.

20 MR. CONROY: It's a one-way drive.

21 THE WITNESS: Yeah, but you're getting,
22 you know, FedEx trucks, an SU-30 through there. So
23 it's not just a car.

24 MR. CONROY: You anticipate parked cars
25 within that lane, because typically 24 is for a

1 two-way drive aisle?

2 THE WITNESS: That's not necessarily
3 the case. I mean, if it's -- you know, if you have a
4 drive aisle around a business or anything, I mean,
5 30 foot is something I use a lot on commercial sites
6 or any other site.

7 So, you know, 24, if you have
8 perpendicular parking, you're correct, that is an
9 RSIS requirement. We have a wider drive aisle there,
10 it is one way, but we're circulating vehicles through
11 there, so you need a wider drive to do that.

12 MR. CONROY: I'm just asking that the
13 buffer be increased through the front of the
14 property, because it's very close, you know, to the
15 roadway.

16 THE WITNESS: We can look at it. We do
17 meet the buffer requirement. We are outside of the
18 buffer.

19 MR. MASCERA: If I may ask a question,
20 Mr. Savage, what would the minimum -- what would a
21 minimum aisle width be that would be acceptable to
22 you? I mean, know you designed --

23 THE WITNESS: Well, I mean, it depends.
24 We would have to look at the truck circulation.

25 So in the one-way, you know, you can go

1 down to 20, which is generally the minimum a fire
2 department would want.

3 However, if you're trying to circulate
4 a certain size vehicle through that area because of
5 the turning maneuvers of the vehicle, you may need
6 wider than 20.

7 So we can look at those truck
8 circulation plans again and see if we can reduce it a
9 little bit, but, you know, we needed that width
10 because of the turning of the vehicles up there.

11 MR. MASCERA: Okay.

12 Thank you.

13 COUNCILMAN McEVOY: Can I just add
14 something to that? I know there was discussion about
15 the width of this also for vehicles dropping off like
16 Uber Eats, Uber pickups and things like that.

17 So that's why we talked about keeping
18 it wider, so that stayed on site, rather than jumping
19 off-site.

20 MR. CONROY: Yeah, and that's why I'm
21 asking, because there could be a painted area of no
22 parking if there's cars intended to be parked while
23 they're going inside for drop-off or other cars
24 parked in front in close proximity to Sunset and the
25 properties across the street. It would be to the

1 benefit to clearly indicate that on the plans that
2 it's a no parking area or a drop-off zone and since
3 the specific drop-off zone you mentioned was the
4 lower parking lot, that should be used in lieu of
5 parking on top for deliveries.

6 MAYOR RAMON: If I may, I would suggest
7 that this is -- this is something that would be for
8 an applicant's traffic engineer and the traffic
9 engineer would be able to and should indicate where
10 it would be marked no standing, no parking where they
11 would expect staging areas for such delivery
12 vehicles, as well as the township's ability to
13 enforce any signage on the off-site premise, but that
14 would come for -- that would be not from this
15 witness, I think.

16 MR. CONROY: Yes, agreed.

17 Other item we talked about, circulation
18 around the property and the slopes of the property,
19 it appears that there are a lot of regrading areas
20 that would provide swales. You would have areas of
21 erosion. I don't know if you've done erosion
22 analysis on the slope of the swale going to some of
23 the -- again, this is to drainage, but you were
24 talking about grading around the site.

25 THE WITNESS: Yeah, I mean, the swales

1 there, we would typically run North American Green
2 through there to look at stability, which, you know,
3 which we've done and just a remainder, this is going
4 through soil erosion approval, so that's who has --
5 you know, that's one of their main focus is to look
6 at soil erosion.

7 So we do have swales. You know, the
8 slopes on some of the swales looks a lot worse at
9 that scale than some of those areas are. The areas
10 that are steeper, we can provide calculations if need
11 be for stability.

12 MR. CONROY: Thank you.

13 CHAIRWOMAN PEARSON: Please come back
14 to the next meeting.

15 MR. CONROY: Yes.

16 MR. BLITZ: Robert Blitz, 12 Stonewood
17 Parkway.

18 Two questions. One for Mr. Savage and
19 one for -- not sure if I have the name right,
20 Mr. Edseno or Endensino [sic].

21 THE COURT REPORTER: Sir, can you
22 please spell your last name?

23 MR. BLITZ: Blitz, B-L-I-T-Z.

24 Mr. Savage, this is for the approval of
25 a site plan, I believe.

1 So a site plan, I would believe, shows
2 what goes on the site specifically.

3 When you were talking about the area
4 where you said something with the word "believe" or
5 "presume," it was something of that sort where trucks
6 would come in, circle around.

7 I know the word, I think "envision" is
8 the word that you used, that probably envisioning
9 using that for trucks to come in. You used some sort
10 of word of that sort.

11 So here's my question, though: Should
12 a site plan have specifically the spot designated for
13 what that area is versus saying that probably would
14 be used or that would be envisioned to be used?

15 THE WITNESS: I think the point I was
16 making is that there are two driveway areas there,
17 both of which could be utilized for their purposes.

18 The architect will be coming up, you
19 know, talking about the operation or the mailroom and
20 things like that, which would dictate where certain
21 activities would occur.

22 MR. BLITZ: I understood what you said,
23 but I'll ask the question for the attorney now.

24 In the site plan, itself, at this stage
25 of submitting the site plan for approval, is it your

1 legal opinion that that area needs to be designated?

2 Now, I understand that testimony will
3 take place later, but shouldn't the site plan show
4 for each area of the site how it is going to be used
5 on the site or that's -- meaning you have an
6 incomplete plan if you don't dictate where that area
7 is?

8 MR. INGLESINO: My legal opinion is
9 that the site plan needs to comply with the
10 redevelopment plan, which is the ordinance that
11 governs this application.

12 So, so long as the site plan complies
13 with the redevelopment plan, then it's -- then that's
14 sufficient.

15 MR. BLITZ: Am I allowed to ask the
16 question of the board or no?

17 MR. MASCERA: Not at this time.

18 MR. BLITZ: Okay. I have a second
19 question. Do you understand, Mr. Inglesino, the
20 difference between the words "opinion" and "fact"?

21 So I have a question for you. Earlier
22 on you testified something along the lines --

23 MR. MASCERA: Mr. Blitz, excuse me,
24 this is an opportunity to question witnesses and not
25 to cross examine the applicant's attorney. So --

1 MR. BLITZ: You're presuming that I'm
2 cross examining, sir. I'd appreciate you let me
3 finish the question and then you tell me whether it's
4 inappropriate.

5 MR. MASCERA: Mr. Blitz, it is
6 inappropriate to ask the attorney a question.

7 Now, the witness, Mr. Savage --

8 MR. BLITZ: That's all I needed to
9 know, if I can ask him a question.

10 That's all I need to know. I thought I
11 was allowed to do both.

12 MR. MASCERA: No, that's how I started,
13 no.

14 MR. BLITZ: Okay, that's fine.

15 I appreciate that. That's all I have
16 for right now.

17 MS. SQUILANTI: Hi, Maria Squilanti,
18 S-Q-U-I-L-A-N-T-I. 6 Belleclaire.

19 My question is regarding the fence.
20 Will the fence surround the entire property?

21 THE WITNESS: The fence? It doesn't
22 extend the entirety of the property. The existing
23 fence and area I was referring to is down here along
24 that cliff.

25 So the entire property is not fenced.

1 MR. SQUILANTI: And the fence, you
2 mentioned, it would be that there is an existing
3 fence, you would leave that fence there or you would,
4 I guess, replenish the fence with more of the same
5 fence?

6 THE WITNESS: So there's a couple of
7 sections along that side of the site where based upon
8 the development, the path of that existing fence had
9 to be regraded or some such change there.

10 So there are sections along that side
11 where we're replacing the fence with new fence of the
12 same kind and type, et cetera, of what's out there
13 now.

14 MS. SQUILANTI: And what's the purpose
15 of that fence?

16 THE WITNESS: There's -- as mentioned,
17 there's a very steep slope on that --

18 MS. SQUILANTI: So the fence will keep
19 the land from eroding?

20 THE WITNESS: No, no. A fence has
21 nothing to do with erosion.

22 MS. SQUILANTI: So --

23 THE WITNESS: It's a safety --

24 MS. SQUILANTI: And what does the fence
25 look like now?

1 THE WITNESS: I mean, there's a -- it's
2 a chain-link fence. You know, varying conditions,
3 but the chain-link fence is not a privacy fence.

4 MS. SQUILANTI: Okay. Because when I
5 look at that fence from Rock Ledge, it looks like
6 sticks with wires across, kind of, like, what you
7 would keep outside of a very primitive rustic farm.

8 So I'm wondering if that's the type of
9 fence that you're going to have facing outward.

10 THE WITNESS: I can look at that
11 particular area, but the fence that I'm referring to
12 is, you know, a 6-foot or higher chain-link fence
13 that runs along, you know, the area down in here.

14 Can I look at that that area, but, you
15 know, I think if there's fence that's not in a good
16 condition there, we could replace it, but there's no
17 intent to put up a new fence in those areas.

18 CHAIRWOMAN PEARSON: Mrs. Squilanti,
19 one sec. Mr. -- I'm sorry to interrupt you.

20 Mr. Savage, the fence that runs behind
21 the proposed site that basically keeps people from
22 falling off the cliff, also follows around along
23 Bloomfield Avenue, because there's a very -- there's
24 a cliff there too.

25 All along Bloomfield Avenue there's

1 basically a rock, split rock wall that goes up to the
2 property and there's a really rusty horrific looking
3 fence.

4 I'm just letting you know it's a
5 chain-link fence that looks like it's been there for
6 80 years.

7 THE WITNESS: I mean, if there's
8 sections of that fence that's in poor condition, then
9 the applicant would need to replace those sections.

10 CHAIRWOMAN PEARSON: It's a safety
11 issue, really, more than anything else. So this is
12 not -- you know, we're not looking -- I'm not
13 screaming about aesthetics, although Ms. Squilanti
14 may very well be.

15 I'm just talking about the fence is in
16 very poor condition and I would definitely agree with
17 the person who's asking the questions.

18 THE WITNESS: And we did, we agreed.

19 CHAIRWOMAN PEARSON: You would agree to
20 replace the fence?

21 THE WITNESS: Replace the fence that's
22 in poor condition, yes.

23 CHAIRWOMAN PEARSON: Okay.

24 MS. SQUILANTI: Would we have pictures
25 of that?

1 Would that be part of the site plan or
2 is that --

3 THE WITNESS: We -- typically wouldn't
4 be part of the submission. I assume you know that
5 fence and we can --

6 MR. MASCERA: That can be part of --
7 the board can request that that be part of the site
8 plan, absolutely.

9 The type of the fence, the size of the
10 fence, the board can certainly request that as part
11 of the application.

12 THE WITNESS: I guess that can be
13 requested. You know, a lot of that existing fence,
14 you know, is located within Montclair, large portions
15 of it, but certainly can make a suggestion towards
16 the fence. I mean, it's -- you know, whether it's
17 chain-link or something else.

18 MR. MASCERA: That's not up to me, it's
19 up to the board. It certainly can be in the site
20 plan.

21 CHAIRWOMAN PEARSON: I think it's a
22 safety issue.

23 I'm not talking about the aesthetics.
24 The residents of your building are going to see it
25 more than I will.

1 MR. INGLESINO: Madam Chair, we'll
2 agree that there will be a safe fence that will be --
3 if it's not there now safe, it will be installed.

4 It will be installed to be a safe fence
5 in the same areas that there is fencing now.

6 CHAIRWOMAN PEARSON: So which -- who
7 should I listen to, you or Mr. Savage?

8 THE WITNESS: I said the same thing.

9 MR. INGLESINO: I'm representing as the
10 attorney for the applicant that we will agree to that
11 as a condition of approval.

12 CHAIRWOMAN PEARSON: You're agreeing to
13 what as a condition of approval that you will propose
14 to replace portions of the fence or --

15 MR. INGLESINO: We will ensure that the
16 fence is safe and those areas of the fence that are
17 not safe we'll replace.

18 CHAIRWOMAN PEARSON: What do you want
19 to say?

20 MR. MASCERA: Mr. Inglesino, I can't
21 recommend that the board accept that, because that's
22 entirely subjective.

23 MR. INGLESINO: We will do that in
24 consultation with the board engineer.

25 MR. MASCERA: Right.

1 Now, the board generally in past
2 applications has asked for a depiction, a rendering
3 of the fence so that the board can approve it,
4 because that certainly is site plan.

5 So I think, you know, in representing
6 this board, I think the board would like to see a
7 rendering of size, where on the property --

8 MR. INGLESINO: I think the testimony
9 is the fence was in Montclair. So the board is going
10 to have limited jurisdiction in terms of what --

11 MR. MASCERA: Well, it's not all in
12 Montclair.

13 MAYOR RAMON: And also, could we not
14 require a new fence within town limits on the back
15 side of the property if we so chose?

16 THE WITNESS: Just to be clear, on the
17 site plan, the detail of that fence, that chain-link
18 fence is provided.

19 MR. MASCERA: It's chain-link.

20 THE WITNESS: The sections that we're
21 going to be replacing are chain-link. If there's
22 other sections that need to be replaced that are
23 different material, we can replace them --

24 MR. MASCERA: Well, I think it needs to
25 be presented for the board's approval.

1 It certainly is within the board's
2 jurisdiction.

3 THE WITNESS: It's on the site plan.

4 MR. MASCERA: Okay.

5 MS. SQUILANTI: And I think the reason
6 I brought it up, not just for the aesthetic value, is
7 also because it seems that the site looks very nice
8 for the people who are living inside it, but the
9 people who are surrounding that site are going to get
10 the raw end of the deal and that's why we're here.

11 The other question I had was regarding
12 the ball field that was up there and the basketball
13 court that you mentioned. You mentioned a basketball
14 court and a ball field.

15 Is that a basketball court with two
16 courts?

17 THE WITNESS: That is a basketball
18 court that's going to be removed.

19 MS. SQUILANTI: Does it currently have
20 two courts? Is it a full basketball court?

21 THE WITNESS: I think that's a half
22 court.

23 MS. SQUILANTI: So it's a half court.
24 And what about the field, the ball field that you
25 mentioned, is that a football field, a baseball

1 field, a soccer field --

2 THE WITNESS: It's not --

3 MS. SQUILANTI: I'm not done with my
4 question. You mentioned a ball field.

5 So I'm just wondering how large is the
6 ball field, because the property is so steep.

7 You're talking about a property, like
8 you're going to build this building and it's all
9 there ready for you to built on, but it's not, it's
10 all so -- we all know, we walk our dogs there, we
11 walk around, it's so slopy. There is no field. What
12 does this field look like, please tell me?

13 THE WITNESS: There's an existing field
14 on site if you go --

15 MS. SQUILANTI: Is it -- what is it, a
16 soccer field?

17 THE WITNESS: It's just a field for
18 little kids to play in. So it's not -- I don't
19 believe it's a --

20 MS. SQUILANTI: Is it, like, a grassy
21 knoll?

22 THE WITNESS: It's a grass field.

23 MS. SQUILANTI: Like how many feet is
24 it? Give me an idea, I don't know.

25 THE WITNESS: It's on the --

1 MR. INGLESINO: Hold on.

2 I'm not sure what the relevance of the
3 question is.

4 MS. SQUILANTI: I just want to know how
5 big this field is that you're talking about. Just
6 like the fence is not as nice as you're describing
7 it. It's just like sticks with wire around it like a
8 chicken coop and you're talking about a football
9 field that's on the top of this -- on the top of this
10 site, but tell me how big this field is and I will go
11 away.

12 THE WITNESS: If you look at the plans
13 there, that area is down in here, right here is that
14 area where the field is and it's -- dimensionally
15 it's not -- it's not marked out as a little league
16 softball field or a football field, it's just a
17 field.

18 MS. SQUILANTI: So like a very small
19 field.

20 THE WITNESS: I mean --

21 MS. SQUILANTI: For small people.

22 MR. INGLESINO: We don't know what the
23 dimensions are of the field.

24 MS. SQUILANTI: You don't know the
25 dimensions, okay.

1 THE WITNESS: We're not -- it's really
2 -- that area is being left as it is.

3 So it's really -- it doesn't -- it's
4 not a concern of this development. It's not
5 something being utilized.

6 So that area is right in this area is
7 that field. The vast majority of that is being left
8 as it is in existing condition.

9 MAYOR ROMAN: With regards to the
10 fence, I just want to follow up on that so we know
11 exactly what we're going to get.

12 In my opinion it would not be unduly
13 burdensome to ask of the applicant between now and
14 the next meeting to be able to indicate where it
15 intends to leave existing fence or replace existing
16 fence and specifically what type of fence it proposes
17 to install.

18 MR. KATZEFF: Just for the absent of
19 the doubt, can we just make the consideration you
20 just replace the whole fence?

21 MR. INGLESINO: We just discussed that
22 and the answer is yes, we will agree to replace the
23 whole fence.

24 MR. KATZEFF: Okay.

25 Thank you.

1 CHAIRWOMAN PEARSON: I can't believe
2 that there was that much consternation over really a
3 simple issue that most of these applications deal --
4 you know, deal with a little bit more easily from my
5 perspective.

6 So at the next meeting you'll bring a
7 rendering of what fencing you're proposing.

8 Thank you. That would be great.

9 MR. INGLESINO: We'll replace the
10 entire fence with the fence that's on the plan now,
11 that is our proposal.

12 CHAIRWOMAN PEARSON: So then bring a
13 picture of a chain-link fence.

14 (Laughter.)

15 THE WITNESS: The plans contain a
16 detail of that fence already. It's already on the
17 plans.

18 CHAIRWOMAN PEARSON: Don't mean to make
19 light of it, but you're being just -- just please.

20 MAYOR RAMON: I will say that when we
21 specify chain-link fences, we typically specify
22 whether they're a vinyl-coated fence or at what --

23 THE COURT REPORTER: Mayor, I can't
24 hear you.

25 MAYOR RAMON: I'm sorry.

1 When we typically discuss chain-link
2 fences at this board, we get more specific as to the
3 material of the chain-link fence as to whether it's a
4 standard galvanized fence or whether it's a
5 vinyl-coated wire and if so, what color it would be.

6 THE WITNESS: That's provided on the
7 plan.

8 MAYOR ROMAN: That is currently
9 provided on this current plan set?

10 All right. Thank you.

11 CHAIRWOMAN PEARSON: Is there anybody
12 else from the public that has a question?

13 MS. FARRELL: I'm Natalie Farrell. I'm
14 at 43 Afterglow. I'm a new resident.

15 Farrell, two Rs, two Ls.

16 Where was the proposed area for a dog
17 park.

18 And, secondly, is that exclusive to
19 residents? Is that open to the public?

20 THE WITNESS: That dog park is down
21 here (indicating) near that lower parking area and
22 that will be for residents of the development.

23 MR. FOSTER: Tim Foster, 10 Afterglow.

24 Do you have any perspectives,
25 renderings of the frontal view?

1 MR. MASCERA: It's questions of the
2 applicant.

3 MR. FOSTER: Are there renderings of --

4 MR. INGLESINO: Yes, the architect will
5 be showing you those.

6 MR. FOSTER: He will?

7 MR. INGLESINO: Yes.

8 MR. FOSTER: What is the elevation of
9 the garage relative to the existing elevation?

10 THE WITNESS: As mentioned, those plans
11 will be coming up with the architect.

12 MR. FOSTER: Oh, okay.

13 THE WITNESS: The elevations.

14 MR. FOSTER: Never mind, that's good.

15 CHAIRWOMAN PEARSON: Are there any
16 other questions for this professional?

17 Thank you.

18 MR. HATFIELD: Hi, William Hatfield,
19 14 Afterglow, H-A-T-F-I-E-L-D.

20 Mr. Savage, you had talked about the
21 coverage on the property. What's the current
22 impermeable [sic] coverage before the proposed
23 development?

24 MR. INGLESINO: I'm sorry, you said --
25 you mean impervious? You said impermeable.

1 MR. HATFIELD: Impervious.

2 MR. INGLESINO: Impervious.

3 MR. HATFIELD: And if you can identify
4 for each lot and block what that is for the present
5 condition of the property, not on the proposed
6 development.

7 THE WITNESS: So the -- so the existing
8 lot coverage on the full site we have is 27, just shy
9 of 28 percent where 75 percent is allowed and we're
10 proposing 40.6.

11 CHAIRWOMAN PEARSON: But you're
12 counting all eight acres even though it's in
13 Montclair in that particular calculation.

14 THE WITNESS: Understood.

15 CHAIRWOMAN PEARSON: And I think you
16 should really just focus upon Verona.

17 THE WITNESS: We can provide that. You
18 know, it's --

19 MR. HATFIELD: My question was per lot
20 and block, not --

21 THE WITNESS: Yeah, we would have to
22 provide that for the -- you're talking about for each
23 lot, three lots?

24 MR. HATFIELD: Yeah.

25 THE WITNESS: Yeah, we would have to do

1 those counts for the three lots, but we're well
2 under.

3 You know, even with just as I mentioned
4 early on with just the lot within Verona, we're at
5 60 percent coverage where we're allowed 75.

6 MR. HATFIELD: And you're talking about
7 that's just the building coverage, but not the
8 hardscape, the paved areas?

9 THE WITNESS: No, that's lot coverage.
10 So that's more than just -- that's not building
11 coverage.

12 MR. HATFIELD: Okay. What's the
13 building coverage of the current building coverage of
14 the Verona lot versus what the proposed --

15 THE WITNESS: I mean, it's not -- we
16 can calculate. It's not a requirement of the zoning
17 to --

18 MR. HATFIELD: I'm just trying to
19 understand what the --

20 THE WITNESS: I would have to calculate
21 it.

22 MR. HATFIELD: -- current property is
23 and what your proposing, which we're entitled to as
24 part of the site plan.

25 THE WITNESS: Yes.

1 Which is what, again, per the zoning,
2 the requirement is lot coverage that I just provided
3 you, it's not building coverage, it's not a
4 requirement of the zoning. I can provide that. It's
5 just not something we need --

6 MR. HATFIELD: What's the percentage of
7 the proposed coverage for building cover versus all
8 hardscape for just the Verona lot?

9 THE WITNESS: I would have to break
10 that down.

11 Again, the zoning for this lot does not
12 have a distinction for building versus lot coverage.

13 MR. HATFIELD: But I'm entitled as I'm
14 one of the closest -- hold on, let me just ask my
15 question.

16 Thank you, Mr. Savage. I'm one of the
17 closest properties to the south side on Afterglow.
18 One of the three closest properties.

19 I'm entitled to understand what the
20 change is before it's approved by the board and you
21 should have that information as the expert testifying
22 today available to us so we have an understanding
23 about what the change in the property will be and
24 you're not --

25 THE WITNESS: I just provided that to

1 you a couple of times and what I'll do is I'll
2 provide the calculation for --

3 MR. INGLESINO: Hold on.

4 We will provide you with the answer
5 that you are seeking at the next meeting.

6 We do not have that information readily
7 available now. We will provide it to you because
8 you've asked and you're a neighbor and you're a
9 resident and we'll provide it to you. We're not
10 obligated to provide it to you. We're obligated to
11 comply with the requirements of the redevelopment
12 plan and the testimony has been very definitive that
13 we do comply in that regard.

14 Not by a little, but by a lot, but we
15 will provide you with an answer to your question
16 because you're here and we want to provide you with
17 an answer to your question. We just can't do it at
18 this particular moment.

19 MR. HATFIELD: I appreciate that.

20 I have a question also on the steep
21 slope or the cliffs. So you testified a little bit
22 about the existing conditions, but I didn't really
23 hear about your testimony about how the existing
24 conditions will change with respect to the slope.

25 And I'm particularly interested on the

1 Afterglow Avenue side.

2 You've talked a lot about the steep
3 cliff and that nothing is going to change in the
4 proposed development on the Montclair side.

5 We talked a lot about the fence, but
6 you haven't talked about how the steep -- the current
7 slope on the south side, which is the -- I believe
8 it's the Verona Avenue side -- I'm sorry -- the
9 Afterglow Avenue side would change and you also
10 talked about tree coverage and there are a number of
11 old growth trees on the Afterglow side also around
12 Sunset and I didn't really hear whether or not
13 whether they were all going to be removed.

14 I see a lot of yellow tags on those
15 trees. I'm assuming that means all of those trees
16 are going to be removed.

17 THE WITNESS: No, those tags were when
18 the person was doing the tree inventory, that's just
19 how they keep track of things. That's not an
20 indication of keeping it or removing it. It's just a
21 method of --

22 MR. HATFIELD: So on the plan is the
23 slope on the Afterglow Avenue side going to change?

24 And I know my neighbor asked a question
25 about the height of the garage. I'm trying to

1 understand, because I'll be looking right at that
2 structure, how that looks with respect to the height
3 of the current trees and how that structure is
4 actually going to be, let's just say, built into the
5 existing slope.

6 I know you said you have the setbacks,
7 but actually how far is that off of the sidewalk
8 there on Afterglow Avenue, because there's a sidewalk
9 that runs on that that side of the property.

10 THE WITNESS: The building setback on
11 the Afterglow side is right around 62 foot where the
12 building setback requirement is 50, so we're 12 feet
13 further back.

14 MR. HATFIELD: And what's the current
15 building that's sitting on the property now, how far
16 is that setback from Afterglow?

17 MALE AUDIENCE MEMBER: It's actually
18 the driveway --

19 MR. MASCERA: Sir.

20 THE WITNESS: The existing is further.
21 I mean, the existing is from that side, the building
22 itself is 247.

23 MR. HATFIELD: You know what could be
24 really helpful maybe before we get -- I know you're
25 going to be altering the plan. It would be helpful

1 to have an overlay of the old property on top of what
2 your current property is.

3 And I've seen the overlays are pretty
4 easily done so that the public and the board can get
5 an understanding about how this actual property is
6 going to significantly change as part of this
7 development, I ask that you can provide that figure
8 to us along with the calculations.

9 THE WITNESS: We can provide it.

10 MR. HATFIELD: Thank you.

11 MR. REILLY: Chris Reilly, R-E-I-L-L-Y.

12 THE COURT REPORTER: Your address,
13 please?

14 MR. REILLY: 60 Sunset Avenue.

15 Since Mr. Savage brought up garbage,
16 I'll ask him the question here. What about
17 recyclables and what about furniture that residents
18 leave behind when they move out?

19 THE WITNESS: You know, that's actually
20 internal. The trash will be collected inside the
21 building before it's going to be moved out for
22 pickup.

23 So there -- to answer the probably one
24 question, there's not an external trash enclosure.
25 It's any of the trash will be collected inside the

1 building and then moved out on collection day.

2 MR. INGLESINO: And we'll provide you
3 with an answer in regards to bulk items and
4 recyclables.

5 MR. REILLY: Okay. I'm not sure if
6 this is a question for this witness or somebody else,
7 but what about snow removal, what are you going to do
8 with the snow when it snows 20 inches, where are you
9 going to put it?

10 Thank you.

11 MALE AUDIENCE MEMBER: On the football
12 field.

13 CHAIRWOMAN PEARSON: Do you plan on
14 having an answer for that or is that going to be your
15 traffic engineer?

16 MR. INGLESINO: Well, we can address
17 snow removal as part of --

18 CHAIRWOMAN PEARSON: Which engineer --
19 which professional will be addressing that?

20 MR. INGLESINO: We will provide
21 testimony with regard to snow removal in connection
22 with operations.

23 There's a few questions here that we're
24 getting that are sort of under the guise of
25 operations and management of the property and so we

1 may ask, you know, the owner to address some of those
2 questions at a later date.

3 I'm compiling a list of the questions.

4 MR. STUART: Greg Stuart, 45 Afterglow.

5 Mr. Savage, I know the ship has already
6 sailed and this is just the conformed with the agreed
7 to plan already, but just you're saying 70 percent
8 coverage is what's allowed here?

9 THE WITNESS: Seventy-five.

10 MR. STUART: Seventy-five.

11 What is it for the properties that
12 surround it, the rest of the neighbors, what is the
13 --

14 MR. INGLESINO: If you don't know, you
15 don't know.

16 THE WITNESS: Yeah, I don't know off
17 the top of my head. I was focused on the zoning for
18 this property.

19 MR. STUART: It's much different than
20 this, right, this is a high level of coverage?

21 THE WITNESS: It's a different zone.

22 I mean, you got to remember this site
23 was rezoned for this specific development --

24 MR. INGLESINO: I think the answer was
25 he doesn't know what the lot coverage is in other

1 zones. He just knows what it is for --

2 CHAIRWOMAN PEARSON: R100 property --
3 for the R100 zone, 35 percent.

4 MR. STUART: Thirty-five percent, so
5 more than double.

6 Thank you.

7 MR. CALLAHAN: Dan Callahan,
8 15 Afterglow Avenue.

9 As we're talking about the site plan
10 and certainly the coverage here, I know aesthetics
11 has come up, which expert witness would be the right
12 person to discuss the landscaping, the buffers to
13 blend in the new building and the coverage with the
14 setbacks?

15 MR. INGLESINO: Well, as we indicated,
16 we have a landscape architect, Ms. Raker [sic].

17 And she will be testifying, you know,
18 either the same night or with the -- or with the
19 testimony with regard to stormwater management and
20 green infrastructure since there's a strong nexus
21 between landscape architecture and green
22 infrastructure, so...

23 MR. CALLAHAN: Future date?

24 MR. INGLESINO: Yeah, that will be a
25 future date.

1 MR. CALLAHAN: I've been looking at a
2 lot of these over the last couple years.

3 I can't help, but feel it continues to
4 get bigger.

5 Would love to see the evolution of this
6 from the original proposal to where we are now with
7 the dog run and the pool.

8 So I liked my neighbor's point of the
9 existing building, it would be great to have four or
10 five different iterations and versions.

11 Tonight was the first night that I
12 heard we're actually going to have a sprinkler house
13 down on Afterglow Avenue. I think that's a new
14 iteration.

15 MR. INGLESINO: What do you mean by a
16 sprinkler house?

17 MR. CALLAHAN: I believe Mr. Savage
18 referred to the building structure, here you said
19 there's a sprinkler building?

20 MR. INGLESINO: I think he said the
21 buildings would be sprinklered?

22 MR. CALLAHAN: Sprinklered, fire
23 sprinklered, got it. I thought you were talking
24 about an irrigation.

25 MR. INGLESINO: No, no, no, no.

1 Thank you.

2 MR. CALLAHAN: And as far as the
3 driveways that have come up quite a bit, can we talk
4 about lighting and how those driveways are going to
5 be lit and the direction of those light bulbs to make
6 sure they don't cascade off into the surrounding
7 neighborhood's houses and driveways?

8 I would love to know how we plan to --

9 THE WITNESS: Yeah, I mean, we -- the
10 lighting plan was submitted as part of the set.

11 So the lighting for the surface parking
12 and along the entrance drive would be pole-mounted
13 lights. They're going to be facing in directions to
14 have cut and they'll have house shields or cutoffs to
15 help prevent the light spillage from going out
16 towards --

17 MR. CALLAHAN: So the light goes down
18 and not out?

19 THE WITNESS: Well, down and out.

20 But not -- you know, they can have
21 cutoffs from the rear more so now with the LED lights
22 and then there's the bollards located in certain
23 areas more so in the amenity spaces, there will be
24 3-foot bollards lighting, but the ones you'd be more
25 concerned about would be, you know, for the parking

1 areas and drive aisles would be 15-foot.

2 They're mounted at 15-foot poles,
3 downward facing lights.

4 MR. CALLAHAN: Okay. And we're working
5 on a date for that future -- with the landscaping and
6 stuff like that, that's TBD for November it sounds
7 like?

8 MR. INGLESINO: Yeah, we'll discuss
9 when the next date is, but I just want to not create
10 a false expectation.

11 We're not going to have five iterations
12 of plans that we're going to be showing. I mean,
13 we're going to try to show as best we can existing
14 versus proposed and that's candidly so that the
15 neighborhood can get a better sense as to what this
16 is going to be understanding that what is proposed
17 conforms with the redevelopment plan.

18 So the proposed has already been
19 determined to be as-of-right under Verona's
20 ordinance, but we are -- we want to be sensitive to
21 the neighborhood in terms of providing you with what
22 you've asked for with some distinctions between
23 current and future.

24 MR. CALLAHAN: Mr. Savage, in your
25 experience and history looking at projects like this,

1 how often do you see them of this size in that R100
2 area?

3 I can't help but notice apartment
4 complexes now when I drive around everywhere.

5 THE WITNESS: Yeah, I mean, I --

6 MR. CALLAHAN: He's the professional,
7 he's testifying to --

8 MR. INGLESINO: Well, he didn't testify
9 as to planning and that's a planning question. What
10 he has testified to is that the project conforms with
11 the redevelopment plan.

12 MR. CALLAHAN: Is there someone I can
13 direct that question to?

14 MR. INGLESINO: No.

15 We don't have a planner here, because
16 we're not seeking variances.

17 MR. CALLAHAN: Got it.

18 So it feels like we play a lot with
19 just, like, SimCity models and iterations and
20 setbacks.

21 MR. INGLESINO: No, there is --

22 MR. CALLAHAN: Pipes and --

23 MR. INGLESINO: There's a tremendous --
24 and, again, it's hard.

25 There was a very involved and long

1 process that extended over years, which I know the
2 Mayor and Councilman McEvoy are aware of because they
3 were a part of it, that in which this project was
4 designed and conceptualized with the utilization of
5 professional planners at that stage of the game to
6 really, you know, plan this out.

7 You, unfortunately, don't have the
8 benefit of what occurred to get to where we are.

9 MR. CALLAHAN: No, it's changed
10 extensively.

11 MR. INGLESINO: Suffice it to say,
12 there was an extensive process among professional
13 planners, among the current owner, the applicant and
14 the municipality in terms of getting to a point where
15 a redevelopment plan was adopted and this is a
16 reflection of that redevelopment plan.

17 MR. CALLAHAN: Thank you.

18 VICE-CHAIRMAN FRESCHI: I just wanted
19 to follow up on the lighting question. So the
20 parking garage will be the tallest structure,
21 correct, and then will there be any lights at the top
22 of that structure or anything illuminating that --

23 THE WITNESS: That's a covered parking.
24 There's no -- there's not lights on the roof of that
25 parking structure, it's a covered building.

1 VICE-CHAIRMAN FRESCHI: Right.

2 And the exterior, there's nothing that
3 would --

4 THE WITNESS: I mean, there will be --
5 the architect can cover what I refer to as
6 architectural lighting. You know, like a small light
7 next to a door, things like that that aren't covered
8 in my lighting, but my lighting is, you know, the
9 sidewalk, the --

10 MR. INGLESINO: Streets.

11 THE WITNESS: -- streets and things like
12 that and the internal parking deck would obviously
13 have lights inside of it in the ceiling, which are
14 part of the building plans.

15 MR. CONROY: Is it possible to ask a
16 follow-up question that wasn't asked earlier, but it
17 was asked in a specific question recently? You said
18 lighting --

19 THE COURT REPORTER: What's your name,
20 again, sir?

21 MR. CONROY: Sure.

22 Brian Conroy.

23 THE COURT REPORTER: Thank you.

24 MR. CONROY: So the question was about
25 lighting. I know you have a lighting plan that shows

1 the lighting photometrics.

2 On the lighting plan you have a model
3 of a light that does not show a house shield. You
4 mentioned that the lights would have a house shield.
5 These are down lights.

6 Is this the light you're intending to
7 put within the driveway that's on your plans?

8 THE WITNESS: Yeah, I mean, those are
9 downward lights with -- in terms of the directions of
10 those, I mean, are you looking for, like, a shield?

11 MR. CONROY: So, typically, because of
12 the residential and the proximity, you would have a
13 house shield which would block the light because of
14 the -- your property is higher than the roadway, so,
15 you know, the light is projecting out of the
16 photometrics --

17 THE WITNESS: A lot of that's done with
18 the LED lights is having to do with the light diodes
19 or whatever you want to call them, not metal shield
20 --

21 MR. CONROY: Typically there's a metal
22 shield, it's called a house shield and you can look
23 up any model.

24 THE WITNESS: We can look into that.

25 MR. MASCERA: Mr. Conroy, what are you

1 holding up just for the record, what you're showing
2 the witness?

3 MR. CONROY: This is from one of the
4 plans. I believe it was on the civil plans. It
5 shows the lighting that's intended to be on their
6 plans. That's intended to be per the lighting
7 photometrics that are shown on this lighting
8 photometric plan with the footcandles.

9 And a follow-up question to that, and I
10 know it's not your plan, it was on the landscaping
11 plan, but the landscaping plan shows lighting on
12 Sunset Avenue.

13 That's not consistent with the lighting
14 shown on your plan as I've highlighted in yellow
15 below.

16 THE WITNESS: Can you describe, like
17 you mean a light pole or are you referring to a light
18 --

19 MR. CONROY: I've highlighted all the
20 lights. They're not in the same position as your
21 lights and there's one, two, three, four lights
22 called "decorative street lighting," called out
23 specifically on the landscape plan.

24 THE WITNESS: Those -- yeah, the
25 lighting plan I prepared is the one that's the

1 lighting that's required for this.

2 So we'll -- I'll talk with our -- the
3 landscape architect to coordinate our plans.

4 MR. CONROY: I guess for the
5 resubmission, could it clearly be identified the type
6 of lighting, the bollard lighting, the lights you're
7 going to provide and provide house shields?

8 THE WITNESS: We can provide the house
9 shields. The plans have the specs of the lights,
10 but, you know, if we need to revise it to indicate
11 the house shield of some sort, we'll add that to it.

12 MR. CONROY: And I can provide
13 photographs from my residence currently looking at
14 the school and, you know, the full time of the light,
15 you can clearly see it, it's very, you know,
16 irritating at nighttime and I would hope that that
17 would be resolved with this application.

18 One more question, if I could.

19 CHAIRWOMAN PEARSON: Yes.

20 MR. CONROY: Talked about cross
21 sections or geo-technical, I think, and maybe it's a
22 geo-technical engineer and you are providing more
23 borings, I believe, and cross sections, but there is
24 some rock that you will have to excavate and so I
25 guess one of my follow-up concerns, is there going to

1 be a vibration monitoring plan or an environmental
2 report, environmental assessment for that rock, the
3 vibration?

4 Typically there's a PPV, particle per
5 velocity standards that you have to follow and, you
6 know, if there's damage to my property because of
7 vibration of rock excavation, I think that should be
8 documented.

9 THE WITNESS: I think it was mentioned
10 earlier, you know, that whatever, whether it's a
11 blasting or hammering out the rock, whatever that may
12 be is going to be subject to codes of the state and
13 whatever those requirements are, if that includes
14 some sort of a pre-blasting of that have to be done.

15 MR. CONROY: I guess I'm requesting is
16 there a plan that could describe whether there's -- I
17 don't know, is blasting allowed in the town?

18 THE WITNESS: We haven't gotten to the
19 point of that, the method of how the excavation on
20 the site is going to be done yet, but it will be in
21 compliance with all the applicable regulations,
22 whether it's the township or state.

23 MR. CONROY: I guess, specifically,
24 what I'm getting at is disturbance or damage to
25 associated properties due to blasting or excavation,

1 you know, some type of plan to monitor, to show that
2 you're monitoring and if there's damage to
3 properties, that there's something that can, you
4 know, be resolved.

5 CHAIRWOMAN PEARSON: We have a blasting
6 ordinance. Our ordinance, I think it's 156, Chapter
7 156. I'm not sure.

8 That might have been what we proposed,
9 whatever the -- whatever the case, I would like to
10 know if I'm right.

11 It sets certain hours. It sets pre-
12 and post-blast surveys within a certain square
13 footage of the site and I can't recall exactly what
14 the square footage is, but it mandates the applicant
15 to offer that to residents and there's also
16 notification, PSE&G notification and no blast --
17 blasting hours of operation.

18 MR. INGLESINO: I just want to
19 underscore something that the chairwoman said,
20 because she worded it exactly correctly and that is
21 that the survey be offered.

22 If folks do not permit the survey,
23 then, you know --

24 CHAIRWOMAN PEARSON: Well, certain
25 residents may not want a bunch of strangers in their

1 house regardless.

2 MR. INGLESINO: But if folks -- it will
3 be offered.

4 If folks choose not to permit the
5 survey, then it's going to be harder for them to
6 claim some sort of damage if they don't have a survey
7 ahead time.

8 MAYOR RAMON: And, sir, the township
9 code is linked off of the township's website or I can
10 show you that particular ordinance, you can read it.
11 That will be -- it's intended to be fairly strict and
12 protective to residents.

13 So, hopefully, it will be satisfactory,
14 but if you'd like to review it, we have it available.

15 MR. CONROY: Great.

16 Thank you very much.

17 COUNCILMAN McEVOY: Mr. Conroy, there's
18 also state regulations that they have to follow as
19 well.

20 MR. CONROY: Yes, I understand.

21 That's why I was asking about the --

22 CHAIRWOMAN PEARSON: Written in
23 1960-something.

24 Why don't we take a break at this
25 point?

1 Why don't we take a 10-minute break. I
2 want to talk to two people. Okay, everybody.

3 (Whereupon, a brief recess is held.)

4 MR. INGLESINO: Thank you, Madam Chair.
5 Are we back on the record?

6 CHAIRWOMAN PEARSON: Mr. Inglesino,
7 please proceed.

8 MR. INGLESINO: Okay. At this point in
9 the evening I would like to introduce Mr. -- well, I
10 guess has the public finished with questions of the
11 engineer?

12 I think that's where we left off.

13 CHAIRWOMAN PEARSON: I think the
14 public, we well as the board are going to get a lot
15 of questions answered by the architect who's going to
16 address some of them, but --

17 MS. BRENNEIS: Can I just ask --

18 CHAIRWOMAN PEARSON: Sure, please come
19 up.

20 MS. BRENNEIS: Nora Brenneis,
21 47 Afterglow Way.

22 THE COURT REPORTER: Please spell your
23 last name.

24 MS. BRENNEIS: B-R-E-N-N-E-I-S.

25 Again, it's a -- again, a question sort

1 of about the blasting and, again, I don't know if
2 this is part of your domain, Mr. Savage, or again
3 somewhere else, a lot of the houses in the
4 neighborhood are historic homes.

5 My house is 120 years old. I'm not
6 exactly right next door, but I'm close enough.

7 Again, with the blasting, what's -- I
8 know there might be a survey. Is this going to be,
9 like, every house in the area or is this only going
10 to be just the surrounding homes that they might do a
11 survey of the houses?

12 THE WITNESS: You know, as mentioned
13 before with the town ordinance related to blasting or
14 rock removal, there is a set, sort of parameter that
15 you would have to do the testing within, that
16 pre-testing, let's say, or inspection.

17 So whatever blasting or any rock
18 removal, again, it hasn't been determined yet if it's
19 blasting or some other drilling it out.

20 I mean, that hasn't been determined
21 yet, but it would have to be in compliance with the
22 township ordinance related to that type of work and
23 the state regulations.

24 MS. BRENNEIS: Okay.

25 And one other quick question and this

1 is trees and I know that might be landscaping, but,
2 again, just having lived in the neighborhood for 30
3 years, we had a situation with a house being built on
4 Belleclaire where a lot of trees were taken down and
5 it changed the whole water situation of my own yard
6 with getting water in the basement.

7 So I'm wondering when they take down
8 some of these trees, are trees going to be replanted
9 and is that aspect going to be looked at again?
10 Because I lived through it, I had a dry basement and
11 I did not not have a dry basement after that
12 happened.

13 Again, I don't know if this is your
14 domain, but...

15 MR. INGLESINO: Well, we have
16 submitted, I think, a tree removal plan, correct?

17 THE WITNESS: We have.

18 MR. INGLESINO: And is there a Tree
19 Removal Ordinance?

20 THE WITNESS: Yes.

21 MR. INGLESINO: And we will comply with
22 the Tree Removal Ordinance in accordance with our
23 tree removal plan.

24 CHAIRWOMAN PEARSON: I will say this:
25 That they submitted an architect -- a landscape

1 architect submitted a plan for tree planting, et
2 cetera, and Mr. Savage came up with his own
3 independent plan that doesn't match hers.

4 So that his something that we did ask
5 for the numbers to be brought together and to jive.

6 MR. INGLESINO: We understand.
7 We'll reconcile those.

8 CHAIRWOMAN PEARSON: Yeah.

9 So -- but they do have a plan to plant
10 a number of trees.

11 MS. BRENNEIS: Okay.

12 Thank you.

13 MAYOR RAMON: And also if I may, I
14 pulled up the township's ordinance on blasting. The
15 radius for the pre-blast survey is 400 feet of the
16 exterior lot or boundary line of the property on
17 which the blasting activity shall be conducted and a
18 post-blast survey is also required.

19 MR. INGLESINO: Should we proceed with
20 the architect, Madam Chair?

21 CHAIRWOMAN PEARSON: Yes.

22 MR. INGLESINO: Okay.

23 At this time, Madam Chair, Members of
24 the Board, I'd like to call Mr. Jack Raker, who is
25 the project architect of Minno and Wasko.

1 know, we don't want to just flatten the site, create
2 a big, giant retaining wall and then put a building
3 on top of it.

4 There's a massive amount of disturbance
5 with that type of construction.

6 So we took great care to take these
7 buildings and step them up the slope. There is one
8 building that does have some subsurface.

9 The garage does go from the lowest
10 grade up to one of the middle grades.

11 So it does have some basement, as you
12 would call it, and I'll describe that as I go through
13 the plans.

14 The plans sort of show how the building
15 steps up the hill and I'll walk you through that.

16 All of our buildings comply with the
17 allowable building height. We're under the allowable
18 60 feet.

19 What you're looking at here is the
20 first level of the plan.

21 This is the -- this level is the level
22 that fronts our entry drive, the entry drive that
23 you're seeing -- excuse me, I'm sorry, I hit the
24 wrong button there.

25 CHAIRWOMAN PEARSON: We don't have

1 single-family home. It's a smaller one, because
2 we're not powering the whole house. We're heating
3 and cooling a small apartment. So it's a small,
4 like, 42-inch -- 3 by 18-inch condenser unit and
5 they're stacked up on the roof. They're sort of
6 grouped together and then the line sets will run down
7 through the walls and into the various apartments.
8 So you're looking at that roof of the building below.

9 And then these are the units that
10 continue up. Again, these courtyards now are below
11 this level, these levels of units. You can see the
12 stairwells. The building is fully sprinklered.

13 All the means of egress. I remember
14 there was a question before about fire access around
15 the building.

16 Not all buildings constructed in the
17 word today have access all around and the building
18 code understands that and when you don't have access
19 around a building, the building code makes you
20 create -- they restrict you with their fire
21 separation.

22 So there's greater restrictions on this
23 building because I don't have the access around to
24 make the building more safe inside, whether it's more
25 fire areas, more stairwells and that's handled

1 through the building code. And this building
2 complies.

3 And, again, you can see the garage -- I
4 believe this is the last level of this garage, but
5 I'm going to wait to the next -- yeah. No, this is
6 the top level of the garage (indicating) and the
7 additional units that are around here.

8 I'm going to continue on, the next
9 slide is going to look almost identical, except we
10 just grey out the background a little bit more.

11 This is additional levels of that upper
12 building and then the roof plan of the upper
13 building, which looks very similar to the roof plan
14 below.

15 We've grouped all of our mechanicals.
16 They will not be seen. They will not be viewed.
17 Parapet hides all of that from view. And if there
18 are any other mechanicals that I -- close for
19 whatever, we will screen them with a -- with a
20 screening.

21 Move on to the next slide. These are
22 some typical unit plans that we have on the project.
23 The open floor plans all well amenitized. Hard
24 surface floors. All, you know, either granite or a
25 solid stone countertops, stainless steel appliances.

EXHIBIT B

*October 27, 2022 Hearing Transcript
(Excerpts)*

1 So right here obviously is the existing building
2 located underneath and all the existing parking areas,
3 loop road, et cetera.

4 What is the, kind of the dark lines and kind of
5 faded in here on the top is the proposed building, how
6 that sits on the site and they're zoomed over.

7 CHAIRWOMAN PEARSON: What is the red line?

8 THE WITNESS: Property line.

9 CHAIRWOMAN PEARSON: Thank you.

10 THE WITNESS: To make that pop.

11 A So just to zoom out a little more -- so
12 now we get into the -- here is the parking deck which
13 you have seen on other plans and here is the building
14 portion that's closest to Afterglow now.

15 When you look at this existing building, the
16 existing setback from this point of view, which would
17 be the closest, is approximately, this again would be
18 to the red line here which is the red property line
19 which is approximately 247 feet.

20 In the proposed conditions the closest point of
21 that building towards the Afterglow property line is
22 right around 60 foot. The allowable setback is 50.
23 So we are seeking the allowable setback to Afterglow.

24 So I think part of what Jack has explained
25 earlier when you're looking from that view, is that

1 you know this building, as you can see, the proposed
2 building is down that slope a fair amount. And so
3 that kind of takes away some of that hill that you
4 would be seeing in that, in the existing conditions.

5 So I think that that kind of, that building is
6 sort of coming down slope, the difference between 247
7 and, about 60.

8 So you'll see the Afterglow property line along
9 Afterglow. So I think that that kind of gives a
10 perspective when you're looking at that view from,
11 you're getting rid of, you know, all this right here
12 underneath the building screening area, before the
13 parking lot, was part of that slope that you have seen
14 before.

15 Q Now you're not going to see the slope
16 which is why it appears flat?

17 A Yeah. I think that and a combination of
18 the height of the view kind of tends to flatten a site
19 in terms of that view.

20 But Jack went through very thoroughly in terms
21 of how this building, you know, when you look at
22 grades along here, you know, the face of the building
23 is generally close to what the existing grade is and
24 it kind of steps up into the hill. As he mentioned
25 and we can, we've been requesting and we'll provide

1 separate covers to indicate where the most, most cut
2 is, as you mentioned sort of in the middle of that
3 site here is where the largest amount of cut would be.

4 Q A couple of other issues that came up at
5 the last meeting, one was sewer capacity.

6 A Yes.

7 Q Does the water sewer treatment facility
8 have the capacity to provide sewage gallongage to this
9 site?

10 A Yes. We had meetings and coordination
11 emails with Mike DeCarlo concerning the treatment
12 plant and the treatment plant right now is running at
13 about 64 percent of its capacity.

14 CHAIRWOMAN PEARSON: That wasn't the
15 question that was asked about.

16 The question that was asked was the capacity of
17 the pipes that are in the ground around those streets
18 that will carry the sewer which, the sewerage through
19 the neighborhood the capacity of the area to handle
20 that new sewer not the capacity of our sewage
21 facility.

22 We're talking about the -- you understand what
23 the question was.

24 THE WITNESS: And in those meetings and in
25 coordination with him we did discuss conveyance. He

1 didn't know of any conveyance issues in this area. We
2 have, in discussions with him, agreed to inspect the
3 lines that he mentioned which were along Afterglow and
4 then Afterglow Way, I believe it's called down here.

5 So we would be looking at, you know, televising
6 those or doing inspection or see if there's any issues
7 in those pipes.

8 CHAIRWOMAN PEARSON: Were some of the
9 pipes that you're connecting into as well along
10 Afterglow -- I'm sorry.

11 THE WITNESS: Yes. Our connection is on
12 Afterglow.

13 CHAIRWOMAN PEARSON: Nothing on Sunset?

14 THE WITNESS: No because you're --

15 CHAIRWOMAN PEARSON: Because you flow
16 downward to Sunset, you would have to? Wouldn't
17 you --

18 THE WITNESS: No. No.

19 CHAIRWOMAN PEARSON: Where is --

20 THE WITNESS: Uphill.

21 No. What happens is -- it's a joke. Sorry.

22 The sanitary that's in Afterglow comes out into
23 the intersection of Sunset and it goes left and so we
24 were given the sanitary sewer maps for the town. That
25 area is collected and goes the other way.

1 Obviously, some of the homes on Sunset will go
2 the other way but this -- this connection point here,
3 the pipe comes out, hits here and goes that way. So
4 that's --

5 CHAIRWOMAN PEARSON: Are you going to do a
6 scope of the lines?

7 THE WITNESS: He, he had suggested we do
8 Afterglow. I think it's maybe two runs, the manhole,
9 manhole and then one Afterglow Way, go up Afterglow
10 Way to where the upstream manhole on that road was so
11 it's those networks that we would investigate.

12 CHAIRWOMAN PEARSON: So you are going to
13 scope the lines?

14 THE WITNESS: Yeah. We have agreed to do
15 that. We're coordinating with the two things.

16 CHAIRWOMAN PEARSON: And you think the
17 capacity is, of those existing lines, are ample enough
18 to handle the flow from off of the new site?

19 THE WITNESS: Yeah. We believe that those
20 pipes have the adequate capacity there and also
21 discussions with him that they seem to be no known
22 sort of conveyance issues. That line, I believe, is
23 an 8 inch and all that would be confirmed. We could
24 confirm slopes and things like that, condition of the
25 pipes when we do the inspection and we can, if we need

1 to provide some sort of calculations, we could do
2 that.

3 But the inspection would kind of help finalize
4 that, firm that up.

5 MR. SCHRAGER: I appreciate the
6 preliminary discussion. The basis of that is what
7 type of sewage would be generated and we still have
8 not seen that formally. We still want to see the
9 calculations for what this will generate and better
10 explain if those can accommodate it.

11 THE WITNESS: And we can provide that. We
12 wanted to make that submission with our next
13 submission, will be the sanitary sewer flows, you know
14 based on the calculations we have done, the proposed
15 flow would be approximately 38,000 gallons per day
16 would be the flow out of the site.

17 But we'll firm those calculations up and make a
18 normal submission for everyone to review.

19 MAYOR ROMAN: Do you have a Will Serve
20 letter from PSE&G?

21 THE WITNESS: We had sent out requests, to
22 be honest, a lot of times we don't get responses back
23 from them. It's a, it's a, they view them a lot of
24 times as form letters and then it's over -- until they
25 know a project is real then they start talking to you

1 a lot of times.

2 We don't.

3 MAYOR ROMAN: Quite a reaction. Why the
4 reaction?

5 MR. INGLESINO: Because Will Serve --

6 MR. MASCERA: If you get a Will Serve
7 letter he's going to hire you.

8 MAYOR ROMAN: We'll talk.

9 THE WITNESS: We do get them once in a
10 while.

11 But there are no known impediments to receiving
12 gas and electric service. There are no known
13 impediments.

14 Okay. Thank you.

15 CONTINUED REDIRECT BY MR. INGLESINO:

16 Q Okay. Mr. Savage, also you prepared an
17 exhibit --

18 You have testimony regarding the radius for the
19 fire trucks?

20 A Yes. So we, we had met with --

21 Q Go ahead.

22 A We had met with Matt Gifford of the fire
23 officials office actually twice and he gave us the,
24 the dimensions of his large fire truck which the outer
25 dimension is 43 foot 8 inch and then we were able to

1 run that through our truck turning circulation.

2 During that discussion there, there was some
3 discussion about that largest truck and the current
4 circle that, that truck having certainly could pull in
5 here and then back out. That largest truck with the
6 circulation of the circle, there is difficulty of it
7 being able to make that.

8 Q So the largest truck cannot make the turn
9 all the way around the circle.

10 Correct?

11 A Correct.

12 Q So if a fire truck couldn't make the turn
13 and they were going, that particular truck was going
14 to fight a fight over there what would they do?

15 A The truck would pull in here on the
16 entrance drive and then, and then, when the fire is
17 over, they would back out on to the road.

18 Q If we approach the circle due to the
19 buffer, how far would we have to approach the circle
20 into the buffer to, in order for the truck to be able
21 to circulate around?

22 A Right now we have revised the circle that
23 we now have right at 30 foot from this curb line here
24 to the property line. If we enlarge that circle back
25 to closer to what we had originally we would be right

1 at about 14 foot from the property line and then we
2 would be able to move that larger vehicle through
3 there.

4 Q That would require a variance.

5 Correct?

6 A Yes. That would put us about half of the
7 way into that landscape buffer.

8 MR. INGLESINO: So we leave it to the
9 Board. I mean, look, we're right now presenting a
10 variance free application. The testimony from the
11 engineer is that we comply with Residential Site
12 Improvement Standards.

13 So there is no leave legally for the fire truck
14 to be able to circulate around the circle.

15 CHAIRWOMAN PEARSON: Can they go around
16 the other driveway? What if the fire happens in the
17 electrical portion?

18 THE WITNESS: No. It would be the same
19 scenario. Hold on a second.

20 CHAIRWOMAN PEARSON: I don't know. There
21 we go.

22 THE WITNESS: So in this scenario, and
23 this has always been this way, you know, the couple
24 times we met with the fire official. They're only
25 sort of -- I guess they had no kind of problems about

1 getting the truck around this, getting the same thing
2 as a pull in, back out.

3 You know, had this not had a drop off and just
4 went directly to the garage, they would have had to
5 have just parked and backed out because there would
6 not have been -- there is no requirement to provide
7 that on, on a driveway entrance.

8 So, you know, again the building has access to
9 Afterglow, Sunset and is fully sprinklered. And so
10 this could have just as easily been a straight shot
11 into the garage and there would have been from the
12 get-go no, no ability to turn around.

13 MR. INGLESINO: So we defer to the Board.
14 If the Board prioritizes the circulation of the fire
15 truck to be important then we have to get a variance,
16 that's what we'd like. If you would like to provide
17 us a variance to encroach into the setback to
18 accommodate the fire truck we would, obviously, agree
19 to amend the plans to do that.

20 CHAIRWOMAN PEARSON: Did Mr. Gifford give
21 you a report of any sort, any written anything? Does
22 Mr. Gifford give you anything in writing?

23 THE WITNESS: We do have -- I believe
24 there was an email. We met with him just actually the
25 most recent meeting was just Tuesday, I believe it was

1 and we got the response on Wednesday, via email.

2 CHAIRWOMAN PEARSON: Why don't we contact
3 him and ask him what his concerns are? We can ask our
4 Board Secretary, Miss Neale, to get in touch with him.

5 VICE CHAIRMAN FRESCHI: He should make a
6 decision.

7 MR. INGLESINO: Well, the Board has to
8 make the decision but if -- the fire department can
9 certainly make a recommendation.

10 CHAIRWOMAN PEARSON: That's what we're
11 doing, we're reaching out.

12 MR. INGLESINO: Right. So what we're
13 saying is that noticing his recommendation would be
14 would he like his fire truck to be able to get around
15 the circle, in order for us to accommodate that we
16 would have to encroach into the setback area which
17 would require a variance. We would be willing to make
18 that plan amendment. You would have to give us a
19 variance.

20 On the other hand, you could say, no, we want to
21 prioritize the setback area as not being violated in
22 which case the fire trucks will have to back out.

23 MR. MASCERA: I think the Board has to see
24 how important it is to Mr. Gifford.

25 MR. INGLESINO: Right. All I'm saying,

1 you tell us which way you want to go and we'll
2 accommodate you.

3 MAYOR ROMAN: Are you sprinkling the
4 Building 13.

5 MR. JAHR: 13.

6 MAYOR ROMAN: The difference being,
7 correct me if I'm wrong, NFPA 13R is the less
8 restrictive standard for fire sprinklers that doesn't
9 require you to put the sprinkler void spaces where as
10 NFPA 13 does require sprinkler void spaces.

11 MR. RAKER: That's correct. 13R is what
12 the Code requires.

13 My client by standard practice for sprinklers
14 13R. He's over and above what the Code calls intra
15 spacial space are required to be protected.

16 MR. KATZEFF: Can you present some
17 testimony what is the maximum length a vehicle can
18 make that turn?

19 THE WITNESS: We had -- the previous time
20 we had submitted to, as you went through, I believe
21 the engineer, I don't think it made it to the Board
22 but we had done the plan -- let's see if I have it
23 here.

24 THE WITNESS: So basically we had
25 originally done a plan that had a fire truck which was

1 just over 40 foot long so...

2 CHAIRWOMAN PEARSON: Do you have -- did
3 you do a schematic of the turning?

4 THE WITNESS: What's here is the one
5 that's --

6 MR. KATZEFF: Can a 26 foot box truck make
7 that turn?

8 THE WITNESS: Yes. Yes. This down
9 here -- so here, this is the UPS truck and that
10 dimension --

11 MR. KATZEFF: 25 feet.

12 THE WITNESS: 25 feet. But, yes, and,
13 again, we also ran through that, that configuration
14 there, we ran a fire truck that is just over, I think
15 it was 40.8 and the new one is 43.8 but it was, a 40
16 foot fire truck can make that, that circle.

17 MR. KATZEFF: Can they make it in service?

18 THE WITNESS: No. We have never had -- we
19 have never proposed fire access to this.

20 MR. KATZEFF: What about delivery trucks
21 someone bringing in furniture, a 26 foot box truck?

22 THE WITNESS: We ran the smaller box truck
23 through that lower area.

24 MAYOR ROMAN: Do you where the location of
25 the sprinkler FTC location is going to be -- sorry.

1 according to --

2 MR. INGLESINO: We defer to the Board.

3 CHAIRWOMAN PEARSON: I'm sorry.

4 MR. INGLESINO: We defer to the Board.

5 CHAIRWOMAN PEARSON: Well, we need to hear
6 what our Fire Department says.

7 MR. INGLESINO: Understood.

8 MAYOR ROMAN: Madame Chair, the original
9 set of plans actually did show that circle encroaching
10 into the buffer area.

11 CHAIRWOMAN PEARSON: I know.

12 MAYOR ROMAN: And the Counsel specifically
13 was not interested in that which is why it got
14 altered. I agree, we do need to see some sort of
15 recommendation from the Fire Chief.

16 CHAIRWOMAN PEARSON: We obviously need to
17 see that and speak to him.

18 MR. INGLESINO: We understand. You tell
19 us -- we understand you need to speak with the Fire
20 Chief.

21 CHAIRWOMAN PEARSON: My preference is to
22 somehow not lose the area where trees could be planted
23 to buffer the building from the street, the
24 neighboring properties, their second story windows,
25 etc.

1 RSIS --

2 CHAIRWOMAN PEARSON: Four story, five
3 story, nothing?

4 I'm just asking because that doesn't sound
5 right. There are fire lanes outside of a lot of
6 residential buildings.

7 MR. INGLESINO: Let me bring in our
8 expert.

9 MR. RAKER: I can speak to that. Access
10 around the building is regulated by the building code.
11 And the building code, if, if access is limited around
12 the building, I'm required to create a greater level
13 of fire protection and fire safety within the
14 building.

15 So, you know, there are many buildings,
16 especially in town, that don't have -- they only have
17 a very small amount of frontage. If their design is a
18 very small amount of frontage on the street and they
19 don't have further, because they're adjacent to two
20 other buildings on the side or rear yard, they're
21 required to provide more fire protection in the
22 building. And that's how the building code handles
23 that.

24 They understand access around all sides of the
25 building is not realistic and it's accommodating the

1 building code. But we --

2 CHAIRWOMAN PEARSON: A fire lane is not
3 required?

4 Is that what you're saying?

5 MR. RAKER: It's not required around the
6 building.

7 CHAIRWOMAN PEARSON: Around your building
8 it's not required.

9 MR. RAKER: Around this particular
10 building it's not required.

11 MR. MASCERA: Residential, it doesn't
12 matter. It's the way this building is designed
13 because you have the other equipment in place.

14 MR. RAKER: Correct.

15 MR. INGLESINO: Mr. Savage, the
16 Residential Site Improvements regulations do not
17 require fire lanes either.

18 MR. SAVAGE: They're -- they do discuss
19 the sizes of the fire lanes if it's provide to 20 foot
20 wide or 18 foot wide.

21 MR. INGLESINO: My question was whether or
22 not it's required under RSIS.

23 THE WITNESS: Yeah. No.

24 MR. INGLESINO: The applicant must provide
25 or must obtain permits from Verona, Essex County Soil,

1 fire truck along the front of the property. There is
2 a tree there and I know your landscape here, I believe
3 that tree is staying.

4 Correct?

5 So if you encroach further into Sunset Avenue,
6 that tree would have to be removed?

7 THE WITNESS: There are existing trees
8 that would be impacted by that change, yes.

9 MR. CONROY: So to accommodate the fire
10 truck, I'm sure the architect could come up with some
11 better alternative to push this donut shaped driveway
12 into the building, under the building, a covering or
13 something and reconfigure some of the units would be
14 more appropriate for the residences instead of trying
15 to push it out.

16 And I hesitate, the conditions require --

17 MR. RAKER: I can tell you that there is
18 no fire pan that would ever drive a truck in or under
19 a building that is on fire. So there's no way to
20 take, even if I provide the turning radius under the
21 building, they wouldn't do it, they would just back
22 out.

23 MR. CONROY: Is there any consideration to
24 move that driveway further and create that condition
25 where you're further away. That tree, I guess the

1 question I'm asking, roots, generally the roots, the
2 canopy of the tree are relatively close to that tree,
3 I'm just wondering how you're going to construct your
4 wall without damaging existing vegetation now that
5 you're trying to get closer to the roadway.

6 I feel like you need to show --

7 THE WITNESS: The suggestion to get closer
8 to the road was from the Fire Department not our
9 proposal.

10 As we mentioned before, the Board is going to
11 speak to him and we'll take direction from the Board
12 regarding that. We have it where it's located which
13 is a required setback and that's where we prefer to
14 keep it.

15 MR. CONROY: You don't have a document
16 from the Fire Official where he said to move it?

17 MR. INGLESINO: As we said before, just a
18 couple of days ago, I think there was testimony that
19 there may have been an email or something that
20 confirmed what the Fire Chief was asking for. But as
21 was indicated, the Board will take up that
22 conversation with him and will tell us what they want
23 to do.

24 MR. CONROY: Has that been provided to the
25 Board?