

REGULAR MEETING

ZOOM VIDEO CONFERENCE MEETING

Meeting called to order by Chairman Gilbert Foulon with a salute to the flag at 8:11P.M.

READING: Open Public Meeting Announcement

This is Regular Meeting of the Wanaque Planning Board and adequate notice has been given and it has been duly advertised by the placement of a notice in the Suburban Trends on February 6, 2022, and a notice thereof has been posted on the bulletin board in the Municipal Building in the Borough of Wanaque, on the Borough's website, a copy thereof has been on file with the Borough Clerk and will be posted on the front door of Borough Hall on the day of the meeting.

ROLL CALL: Chairman Gilbert Foulon, Vice Chairman Joseph Graceffo, Mayor Daniel Mahler, Members Kevin Platt, Charles Strobel, David Slater, Jack Crilly, Jack Jordan and Donald Pasquariello

PRESENT: Attorney Steven Veltri and Engineer Michael Cristaldi

ABSENT: Councilman Dominick Cortellessa and Member Mary Leonard

MINUTES: from the January 20, 2022 Meeting.

**MOTION TO APPROVE: made by Mayor Mahler, seconded by Member Strobel. Voting yes were Mayor Mahler, Members Platt, Strobel and Pasquariello
Chairman Foulon, vice Chairman Graceffo, Members Slater, Crilly and Jordan abstained.**

APPLICATION STATUS:

Engineer Cristaldi: This is the only Application I have right now.

Chairman Foulon: What is the status of the Application?

Engineer Cristaldi: It is complete and we should start the hearing if we could tonight.

Chairman Foulon: First, we need a Motion to deem the Application complete.

MOTION TO DEEM APPLICATION PB2022-04 – Wanaque Depo Urban Renewal LLC

COMPLETE: made by Member Crilly, seconded by Member Slater. Voting yes were Chairman Foulon, Mayor Mahler, Members Platt, Strobel, Slater, Crilly, Jordan and Pasquariello

Vice Chairman Graceffo voted no.

Chairman Foulon: Before we start with the Applicant, there will be a 10pm curfew tonight. There will be no public hearing tonight on the application because I doubt that we are going to get through the application in its entirety tonight. We are hoping the March Meeting be live and in person and it would be better for the Public to ask their questions at that time.

Chairman Foulon: Mike Cristaldi, do you want to give your report?

Engineer Cristaldi: Yes, I can do that Gil. I have already submitted the report to the Applicant and they have responded to really almost all of my comments. The main thing that is left, and I don't know that it is really maybe shouldn't be required until they actually get to the point of Final Site Plan Approval is the actual retaining wall designs in detail. For now, they are going to assume that they can fit them in the space that they provided and it is a bit more to have to actually do the complete design. My report is kind of long; it's probably about nine pages long. I don't know if you want me to go through everything or you want to let the Applicant do it. He's got my report and I've listed everything that they agreed or not agreed to do. Do you want me to keep it to the important things, or do you want me to go through they have agreed to?

Chairman Foulon: The key items.

Engineer Cristaldi: One of them was the wall design.

Water service – They are going to extend the 12" water main and connect to that so they don't affect the College's supply.

Sewer – They are going to look into upgrading the electric service to the station because right now it is only running on single-phase and they want to try and get a three-phase there so they can use better pumps so they won't burn out so often.

Steep Slopes – They have done a calculation for steep slopes and it is accurate. I believe they'll be asking for a variance for it.

Tree Removal – They have started the survey on the site. It is 37 acres so we are not going to make them count every individual tree. We took a representative area, counted up the trees and that will be multiply by the number of acres and they have agreed to make a contribution to the town since they are not going to be able to put all the trees back on site. You can plant them other places in town, i.e., parks, etc.

Chairman Foulon: Let me interrupt you for a second. Going back to the slope ordinance, are they going to require a variance or waivers? I believe it is waivers on the slope.

Engineer Cristaldi: Yeah, that might be a waiver on the slopes. I believe that's a waiver.

Vice Chairman Graceffo: What would be the difference, Mike, between a waiver and a variance.

Engineer Cristaldi: A design waiver is a really like a calculation. A variance is something that specifically has a definite dimension given like a setback of ten feet, and you are at five feet, that is a variance. A design waiver is when you are doing a calculation on something and you want to get a waiver on meeting the exact calculation.

Chairman Foulon: Go ahead Mike.

Engineer Cristaldi: The Fire Department has reviewed it and they are okay with it. They have no problems.

Drainage – We've gone through quite a bit with the drainage. I believe we've got that pretty much set. The only thing we don't have, and obviously they can't dig down 40' or 30' in places right now, to do any kind of a test pit on the type soil. We have to use what is available in the way of records and soil conservation records. At some point we will have to address that further, but we can't do that right now.

Walls – Again, the walls that they are going to propose is going to be exposed rock face so there's going to have to be some stability analysis on those faces and whatever is necessary to secure them.

Landscaping – They have some.

Height/Bulk Requirements – The height is 48' and you are allowed to go no more than 10% over that and it's still a bulk. That would mean they could go to 52.8', after which they would need to have a use variance for height. Right now they say the height is 52.62', so they are very close to the 52.8' by an inch or so. They've kept it below to keep the height as a bulk requirement.

Member Strobel: Is the height after they level out the ground or is it from a certain spot that they are going to build on?

Engineer Cristaldi: The way that is calculated is to go around the building. It is a calculation that's done. It's an average; not looking for the highest point.

Engineer Cristaldi: Impervious Coverage – The maximum impervious coverage should be 50% and they are at 56.2%, so they will need a variance for that.

Parking Spaces – The ordinance requires 576 parking spaces and they propose 144. That'll require a variance.

Wall Sign Height – 16' maximum is permitted at the highest point and they've got 40'.

Retaining Walls – Maximum is supposed to be 10' and some of theirs like the rock face walls will be 85' so I believe that'll be a variance as well.

Vice Chairman Graceffo: When you say rock face, are you claiming they are going to be rebuilding a retaining wall.

Engineer Cristaldi: They're going to remove rock. It will be a rock face like you see in the quarry.

Vice Chairman Graceffo: Is that from blasting it or just having it fall? Are they going to be building it up with rock?

Engineer Cristaldi: They're going to cut it out, dig down, blast and remove the rocks. The slopes are very steep there, to level the site you going to come up a hill of rock, so you are going to have to cut that rock down. As you keep removing the rock, the face gets higher and higher and higher as you get lower, lower and lower.

Vice Chairman Graceffo: As they take that rock out, where are they putting it?

Engineer Cristaldi: I had them give me a calculation. They are going to have to remove more than they are going to keep on site. They are going to have some places where they fill, some places where they cut. I think it was about 800 cubic yards of material that would have to ultimately be removed from the site.

Vice Chairman Graceffo: So what will be left will just be a rock face wall that you will be looking at 85' and the building will be basically in front of it or behind it?

Engineer Cristaldi: Down below the high wall. When you are standing outside the building, you will be looking up at the wall. It will be up, but in some places on the side of the building they are going to fill 30'. You have to remember the topography on this site is kind of drastic. It has some big differences in grades so the only way you are going to level an area big enough to put the building on is you are going to have to cut some places and fill others. It's just not a few feet. Some places is 80', some places you are going to fill 30' or 40'.

Chairman Foulon: Okay, but it is not going to be a manmade retaining wall, correct?

Engineer Cristaldi: Some of them will be. The small ones will be especially where they fill; you don't have a rock face to cut into.

Chairman Foulon: Right. But the high ones will be the mountain, not the rock.

Engineer Cristaldi: That's what they are supposed to be, yes. That's what they are assuming they can get.

Vice Chairman Graceffo: As you look at the site Mike at the 85' height, approximately what corner of the area of the site is that height? Is that behind the building?

Engineer Cristaldi: Behind the building; all the way at the back. If you were to start at Union Avenue and go all the way to the back of the building in the center, right there it is 85', and then it gets lower as you go to the right and left.

Vice Chairman Graceffo: Behind that is the Passaic County Community College above it?

Engineer Cristaldi: No. There is another piece of property behind it. I think there is a 50 acre parcel behind it. The College is to the left.

Vice Chairman Graceffo: Isn't that parcel owned by the town, if I'm not mistaken?

Engineer Cristaldi: I don't know who owns it.

Mayor Mahler: The property behind it – some of that is owned by the town. Not all of it.

Vice Chairman Graceffo: So that's a future development possibility?

Mayor Mahler: Yes, and the other part is, what was formerly known as the Specht Tract.

Vice Chairman Graceffo: That cut out rock area, as your looking at the back of the building, is that at the northern part of the site plan. Is that correct Mike?

Engineer Cristaldi: Yes. It would be the northern center of the back of the building.

Vice Chairman Graceffo: The eastern side, looking from Greenwood Avenue, how much of a retaining wall are we going to be seeing there?

Engineer Cristaldi: About 30' to 40'.

Vice Chairman Graceffo: Is that a built wall or will that be just a rock filled in and just hanging there?

Engineer Cristaldi: That will have to be a built wall because you are filling. You are going to start to put the wall in and you are going to fill behind it and just keep coming up.

Vice Chairman Graceffo: Right now the Developer has no design to what that is going to be, is that correct?

Engineer Cristaldi: No specific design. They are usually typical wall building methods. One would be where you cut the rock and you have an exposed face and the other is they are going to use some kind of geo grid, which is a standard type of wall, that is used.

Mayor Mahler: Joe, if you look at the Exhibit C2, it has the elevation lines, so if you look all the way at the back of the property, it looks like there is a peak right at the back of the property. You can see those elevation lines close together and going around in a circle, it looks like a peak there so I'm assuming they are just going to take that peak off. That is where the wall is in that one section. Am I wrong Mike?

Engineer Cristaldi: Yeah, you are looking all the way at the northern part. Joe is asking about the eastern part.

Mayor Mahler: He asked about the 85' wall.

Engineer Cristaldi: The 85', yes, it is all the way

Mayor Mahler: It's in that one section there, it looks like the rock comes straight up. It is very high.

Vice Chairman Graceffo: What plan is that architectural view?

Mayor Mahler: C-2; the second one.

Engineer Cristaldi: It is the existing conditions on the site.

Mayor Mahler: Right, but if you look all the way to the north, you can see a circle there of lines and it looks to me that's the piece they are going to take down. Their engineer can expand on that later.

Mr. DePaolera: I don't mean to interrupt, but we have our team of professionals. A gain, this is Nick DePaolera, the Applicant. We have our team of professionals if you would like to ask or

Planner Benecke: That's not appropriate; just let the Planning Board continue and we'll go through everything nice and slow.

Vice Chairman Graceffo: I'm having a little issue bringing the plan up on my computer. I don't have the plans with me. I think I have it now.

Member Crilly: Just a question because I didn't this in the report, but in terms of some of these heights that we are talking about, what are the safety provisions that are going to be made, i.e., chain link fencing on the top? In the event kids get back there, what are the safety provisions that are going to be made for some of these drastic cuts and elevations?

Engineer Cristaldi: You have to put a fence on the top and, as far as down below, there is a ditch that is created at the bottom of the wall to keep people away from it should any rock come loose and come down the wall. There's a ditch that the rocks can land in.

Member Crilly: Where is this memorialized in the plan? It is so voluminous, I couldn't necessarily see it.

Engineer Cristaldi: It was in one of the details. Let me see if I can find it.

Planner Benecke: For the benefit of the rest of the Planning Board Members, Mr.

Chairman very close to where you are sitting in Wanaque, if you would go to The Grande at Riverdale, there are large retaining walls in a residential area and rock outcrop. You go to Building 8, which is a residential property with approximately 50 units. Approximately 35' from the entrance to Building 8, there is a rock outcrop that was blown up/demolished and that rock face wall is now about 70' or 80' tall. There are also various retaining walls that were done throughout the property and you'll see the fencing and some of the mechanisms there. It's about a five minute drive to Riverdale right off of Route 23 North and it might be helpful for you to take a look at that.

Engineer Cristaldi: A little closer to home, if you go to the corner of Fourth Avenue and Boulevard, there's the one development in the back there and they probably have 30' high walls. I forget the name of the site on the left as you are coming up Fourth Avenue. Do you remember the name of that Dan?

Mayor Mahler: Parkside

Engineer Cristaldi: That has probably 30' high rock walls in the rear of it.

Member Slater: The highway too. You can get a good idea going up 55 Northbound and then all along through Oakland, where they cut through the mountains there, same thing.
Chairman Foulon: Okay, Mike, continue.

Engineer Cristaldi: Right now that property consists of four lots. There is a house on the property. They are going to combine all four lots into one and then cut the house out to a smaller lot. So when you are done, there will be two lots on this property.

Attorney Veltri: Mike, just to clarify for the Board and the members of the public, we have really a combination type of application in front of us. They are applying for a Minor Subdivision and the end result of that subdivision, if granted, would be what you just said. Then they are also applying for a Preliminary & Final Site Plan. That's what the application in front of us is.

Chairman Foulon: Okay, so Steve, I guess the first thing we have to do then is declare it a Minor Subdivision, correct?

Attorney Veltri: That would make the most sense because then we would be considering the site plan after the subdivision.

Chairman Foulon: Then I'll ask for a Motion to declare this as a Minor Subdivision. Can I have a Motion?

MOTION TO DECLARE A MINOR SUBDIVISION: made by Member Slater, seconded by Member Strobel. Voting yes were Chairman Foulon, Vice Chairman Graceffo, Mayor Mahler, Members Platt, Strobel, Slater, Crilly, Jordan and Pasquariello

Chairman Foulon: Mike, have you pretty much summed up everything?

Attorney Veltri: Gil, I have one other question for Mike just for a clarification and maybe Bob Benecke can also clarify it for us. So in Mike's report, at the top of page 5, he clearly has Highlands as his topic and he says that the parcels that are subject of this application are not in the Highlands Preservation Area. That is pretty clear. The thing I'm questioning is, I did receive a document from the Borough Attorney, and it's a copy of a letter from State of New Jersey, Department of Community Affairs, dated November 8, 2021, and I'm just going to read part of a paragraph of the letter that says: "However, please note that the area determined to be in need of redevelopment (and the Lot and Block is this Lot and Block) is located within the Highlands Planning Area and that any and all redevelopment projects remain subject to the Highlands Water Protection & Planning Act Rules." What I am trying to understand and maybe it's because I'm ignorant on it, do those two statements match up. In other words, what you said the report and what I just read, are they consistent or inconsistent?

Planner Benecke: They are consistent. The reason that they are consistent, as Mr. Cristaldi noted, this is in the Planning Area, which means it is up to local planning control. In addition, this property arguable is included in the Haskell Town Center, which is a separate Highlands and State Planning Designation. Because there is service to the property for both water and sewer, those issues are mooted by the Highlands Preservation Issues and we are now in the Highlands Planning Issues and, therefore, water and sewer are already provided to the site. So that's pretty clear. That letter you indicated, we sent through the Town Clerk's Office so that, pursuant to the statute, we have to notify

whenever there is a Redevelopment Area, the DCA. DCA has thirty days to opine on it and they did so and it is noted that this area is in the Highlands Planning Area, which means it is subject to local planning control, water and sewer service then has to be provided legally through the local municipal utilities authority or another acceptable NJDEP source, which it is.

Attorney Veltri: Okay, good. I just wanted to clarify it for the record in case it came up later.

Chairman Foulon: Bob Benecke, do you have a report?

Planner Benecke: Yes, we do, thank you Mr. Chairman. Mike, are you finished?

Engineer Cristaldi: Yes, I am finished Bob. Go ahead.

Planner Benecke: This project is a redevelopment project and pursuant to the local redevelopment housing law. The date of the Redevelopment Plan is February 9, 2021. The prior designation of the area in need of redevelopment took place approximately one year earlier. The underlying zone allowed for various commercial uses, including a warehouse use. That use was conditioned upon other uses being installed, but it was a conditional prior use. The Redevelopment Plan expanded the use to include warehouse as a principal permitted use and that is why we are here tonight. No use variances are allowed from the Redevelopment Plan. If there was, for example, in Mr. Cristaldi's opening, a height variance or another bulk variance that would require an excess of 10%, then that would have to return to the Borough Council for consideration of amendment of the Plan, so nothing can be referred to the Board of Adjustment. A Redevelopment Agreement, in designation of the Redeveloper, is a condition of the Redevelopment Plan for Final Site Plan Approval. Meaning things like water and sewer service, fencing above a retaining wall, and things like that which aren't typically or traditionally captured by a site plan approval process, would be included in that particular Redevelopment Agreement. Upon some sort of approval, Mr. Chairman, of the Minor Subdivision in of the Site Plan, whether it be preliminary or final, or both, we would then have a subject or condition of the Redevelopment Plan and of the Site Plan Approval, a Redeveloper's Agreement similar to a Developer's Agreement but it would be separate. We provided a Planner's Report. My associate Chelsea, is here and a Professional Planner, and she provided that report and opined on the voracity of the waivers and of the deviations, as it's called in the Redevelopment Law Municipal Land Use Law, terms some variances as the same thing. So, with your permission Mr. Chair, I would just like to have her run through that report real quick.

Chairman Foulon: Yes, go ahead.

Planner Gleis: I'm Chelsea Gleis and I have reviewed the plans, reviewed the transcript of the previous meeting where the Concept Plan was proposed and just to give a little background between the differences between the Concept Plan and the now Site Plan Application. First of all there was a reduction in the overall size of the building from 331,500 square feet to 272,000 square feet with office space increasing from 5,000 square feet to 12,000 square feet. An increase in the number of loading docks from 60 to 82 and a slight increase in the number of parking spaces from 143 to 144. A reduction in the trailer parking spaces from 48 to 37 and a relocation of that parking from the western side of the building to the southwest area of the property. Also, the proposed subdivision of the

property into two lots, Lot A and Lot B, and the addition of a proposed passive park and bio-retention area.

Going back over the variances again. The Applicant is seeking five (5) variances and one (1) design waiver. The first variance is the minimum lot size for Lot B, which would be 3.65 acres where the minimum lot area is 28.5. However, that is specific to the single family home on Lot A where the proposed warehouse does meet that requirement. The second is the maximum impervious coverage for Lot A. The maximum allowable is 50% where as 56.2% is proposed. However, I would just note that when taking into consideration the impervious coverage of the combined Lots A and B it is about 51.3%. Next is the variance for the number of off-street parking spaces where 568 are required and 144 is proposed. This was something that was mentioned in the Traffic Study that the ordinance does not provide parking requirements specifically for warehouse uses, but rather manufacturing and storage as a whole. Using the ITE's parking generation for warehousing, the average parking demand would be .39 vehicles per 1,000 square feet, which gets us to about 107 required spaces for 272,000 square feet. This is background information when considering the parking variance. The last two variances are regarding the signs. The maximum sign height allowable is 16' where as 40' is proposed and the required allowable wall sign height is 20" whereas 6' is proposed. Then we just have the design waiver of the maximum retaining wall height. As we discussed, the maximum permitted is 10' where as the maximum proposed is that 80' section to the north of the property behind the warehouse. Again, the rest of the northern retaining wall runs from about 11' on the western end and increasing to 85' and going back down to 32' by the eastern end. The retaining wall height along the eastern side of the property is around 42' at the northern portion and also about 42' at the southern end. Along the west side 25' and in the southern portion of the warehouse 32'.

My only planning comments were that the Applicant should provide testimony regarding the heights of the various retaining walls and what benefits those would bring to the subject property. The Applicant should also provide testimony as to any negative effect the retaining wall heights on neighboring properties, visual or other, particularly the single family homes to the east along Greenwood Avenue. We recommend the Applicant testify regarding the height of the proposed signage and what sight characteristics would make the granting of that variance beneficial and not harmful to the zoning or surrounding area. Finally, the Applicant testify regarding the location of solid waste storage and pick-up. That was something I did not see on the site plan and wanted to ask about. Regarding the general ordinances of Wanaque, the Applicant should testify regarding meeting the parking lot landscaping requirements of 20 square feet per parking space provided. That's our summary and I'd be happy to answer any of your questions.

Chairman Foulon: Thank you Chelsea. Any questions?

Vice Chairman Graceffo: In reference to the parking variance that is being requested, the request obviously is for 144 by the developer and there was a Traffic Plan & Design submitted by Alaimo Engineering that more or less noted that, based on that kind of structure, that the parking would be more in the area of 300 parking spaces. It also pointed out that the trucks for that kind of building that's being proposed they are saying a need for about 68 parking spaces, not 30. We have a little bit of a conflict in terms of

different perspectives of what people are looking at. That is a concern. I think we need to be a little more careful in terms of what we are granting.

Chairman Foulon: We aren't granting anything.

Vice Chairman Graceffo: I know, but eventually it will either be denied or granted. It will be one way or the other and we need to know the information.

Chairman Foulon: I think Bob Benecke could probably fill us in on that portion.

Planner Benecke: In terms of granting, Mr. Chairman or in terms of the traffic study parking?

Engineer Cristaldi: The information came from our Traffic Engineer. What he is saying is that the general demand would be about 30 parked trucks and they have 37. It is possible that, depending on the way they propose to operate this place, you could be all the way up to 68 trucks. What he is saying in the report that they should give some testimony to justify the 37 spaces. There is always a range for what you need depending on how the business is going to operate. He is only pointing that out and telling you that you ought to get some testimony regarding the actual demand for trucks at this site.

Chairman Foulon: Okay, so that is something that the Applicant has to answer.

Engineer Cristaldi: Yes. He should provide testimony regarding that. It is in the report that I gave you from our Traffic Engineer.

Attorney Veltri: While we are on traffic, are we getting input from the County in terms of their perspective on the traffic controls on Union Avenue? I haven't seen anything from the County, but maybe I missed that.

Planner Benecke: We anticipate receiving that after the application. We do have the approvals from the County on the Susquehanna feeder road, if you will. In addition, the same engineers on this project were on that project so they fill you in on that status. We have had discussions with the Count, but cursory State.

Attorney Veltri: Okay, I'll wait for the Applicant to present testimony.

Mayor Mahler: Mike, I have a question on the truck trailer parking spaces. They say 37, but that doesn't include the 82 loading docks, that are outside of the loading docks, correct?

Engineer Cristaldi: Correct. You have 37 trailer parking spaces; places for them to park.

Mayor Mahler: Plus the 82 loading docks so you really could have 109 trailers parking there.

Engineer Cristaldi: Yes. If every bay were filled, you'd have another 37 spaces for trucks to wait while other trucks loaded or unloaded and left.

Mayor Mahler: Would that take up your overflow of the 68?

Engineer Cristaldi: No. What they're saying is you may, depending on the operation the average that's required is 30. So it could be lower than 30; that's the average number. At the high end, if everything was really backed up, you could get to 68. Like I said, that is the high end, and they didn't give you a low end. They just gave you the average and the average comes from high to low.

Chairman Foulon: I think the only one that can answer that is the Applicant.

Mr. Benecke: Chairman, just note for the record, that the underlying zoning does not have a warehouse on-site parking requirement. We are extrapolating the non-residential parking requirements from the underlying ordinances. As Chelsea noted, and I believe the

Applicant's traffic and parking analysis notes that the Institute of Traffic Engineering amount and requirements are far less than are non-residential requirements, but they'll get to those proofs as we go through the application.

Chairman Foulon: Is the Applicant online or a representative of the Applicant?

Attorney Lipari: We are online and prepared to either give a presentation or respond to any questions. I am the Applicant's counsel, Michael Lipari, Esq.

Chairman Foulon: Do you want to start your presentation now or wait until our next meeting and do it live and in person?

Attorney Lipari: We are ready to proceed. We heard some of the concerns so I think we have a few professionals that are ready to testify. I think now would be a good time to get at least everything started, we can give a good overview and it'll give some time for the Board, its professionals and the members of the public that are on board a chance to see what we are presenting and we could probably get more into the technical aspects of it at the next hearing, if we don't get to it tonight.

Chairman Foulon: Okay, sounds good.

Attorney Veltri: Before Michael starts, I just want to place on the record that I have reviewed the notices and the advertisement and they are in order. I indicated to the public that was the case at our January meeting and we did give them a notice that it would be heard tonight. I think from a legal point of view we are ready to proceed. Mr. Lipari I will leave it to you to give an opening, if you wish, and then present your witnesses.

Chairman Foulon: Steve, my only question is I don't think at this time we know all the variances that are required. How can notices be correct if we don't even know what variances are required yet?

Attorney Veltri: He has listed in his notice the variance that were set forth in the reports and then he indicated that "and any other variances that may be required".

Chairman Foulon: And that's sufficient?

Attorney Veltri: It is. We've always allowed that flexibility.

Chairman Foulon: Okay, let's proceed.

Attorney Lipari: Attorney Veltri could you assist me. The subdivision was satisfied so I don't need to provide any testimony on that. We are okay on the subdivision, am I correct?

Attorney Veltri: No, just for clarification. What I heard was that the Chairman just classified the subdivision as a minor. The Board didn't approve it, so we would want to hear testimony concerning the lots and the adjustments on the lots that you are attempting to make.

Attorney Lipari: Will do, thank you for that clarification.

Attorney Lipari: Again, thank you everyone for allowing us to appear this. My name is Michael Lipari and I'm an attorney with the law firm Mandelbaum Barrett. I am counsel for the Applicant, Wanaque Depo Urban Renewal, LLC. We are here tonight before you, as you now know from hearing from your professionals, seeking Preliminary & Final Major Site Plan and Minor Subdivision Approval for the Redevelopment Project that will be known as "The Depo". The property consists of largely vacant land on a 34-1/2 acre site located in the Redevelopment District 2 Zone and within the Wanaque 2021 Union Avenue

Redevelopment Plan Area. The RD-2 Zone was established to provide and promote suitable corporate development opportunities that could take advantage of its strategic location right to I287. The Redevelopment Plan came in and was adopted to allow warehouses as a permitted use with certain conditions. The Applicant is seeking to transform this site in accordance with the Redevelopment Plan by creating a two (2) lot development with Lot A consisting of a 30 acre warehouse campus with approximately 272,000 square foot building which would contain a warehouse use and 12,000 square feet of office, relating parking, trailer parking, infrastructure and utilities. Lot B, as was described earlier, will consist of a 3.65 acre that will remain for the residential use. The Applicant is seeking a couple of deviations from the Redevelopment Plan that were outlined by Engineer Cristaldi and Planner Benecke with Planner Gleis as well, so I won't get into all of those and rehash what they had said. But we are also seeking a couple of waivers. We think that due to the large scale of the project, the issues that we have with topography, the lot size, the lot width and some environmental constraints that these are all very minor, in scale, of deviations that were requested. They are very minor in scale when you compare them to the entire site. We'll address each one as we get through it. With me on the Zoom Call this evening, I have (a) Nicholas DePaolera, who is the Managing Member of Wanaque Depo Urban Renewal; (b) Ed Klimek who is an architect with KSS Architects; (c) Arthur Kuyan, Professional Engineer with Stonefield Engineering & Design and (d) Charles Olivo, who is a Professional Engineer and a Professional Planner with Stonefield Engineering & Design. I am going to first call Mr. DePaolera to give a little bit of an introduction about the project and then after that I'll have our professionals provide an overview of the site details and help demonstrate how this plan meets the goals and objectives of the Redevelopment Plan and has little to no detrimental effects, at all, on any of the surrounding properties. First Mr. DePaolera and I know he is on the call if he could identify himself to be sworn in as a witness.

Attorney Sworn in Nicholas DePaolera (Nick DePaolera is his Zoom screen name).

Attorney Lipari: Mr. DePaolera, could you please provide the Board with a little bit about the Applicant and then maybe a brief overview about what you envision for this project.

Chairman Foulon: First I'd like to hear the Applicant's qualifications.

Attorney Lipari: Okay, we could provide a little bit of his background. He is not professional and he's not an expert. He is the Applicant, the owner of the project. He is the man in charge of the project.

Chairman Foulon: I'm sorry I thought it was expert testimony.

Attorney Lipari: That's okay. I apologize for not being clear. Mr. DePaolera, if you would proceed please.

Mr. DePaolera: Nick DePaolera, nice to see all of you again. Our company, D4 Properties, is a family owned company local to the community based in Bloomingdale and grew up and family is still in Kinnelon so very familiar with the area. We are proposing a 272,000 square foot warehouse building, 12,000 square feet of which will be office space and pretty consistent with what most would consider a Class A Warehouse with 40' clear ceiling heights, LED lighting, ESFR sprinkler system, cross dock loading, which there are 82 being proposed today with four (4) drive-ins. The goal and intention of today is to really have an

open dialogue in presenting what we think is a great opportunity for the town to get, not only a very large ratable, but an employment opportunity within the community and we are excited and we think have the correct team in professionals that have done a lot due diligence on this site. For those of you familiar with the topography, the wetlands, etc., there is a lot of challenges and hurdles that I think, through the combination of our efforts, we really utilized and turned those into strengths, those challenges. I think the Borough along with the neighboring residents are going to be pleasantly surprised with what we have to present today and we are excited to have an open conversation.

Attorney Lipari: Thank you Mr. DePaolera. If we can, we'll move along and we'll call our first expert.

Attorney Veltri: Mike, before we do that, I just want to ask Mr. DePaolera a couple of questions. So you are a member of the Depo, who is the Applicant.

Mr. DePaolera: Wanaque Depo of Urban Renewal, LLC is under the D4 Properties Company.

Attorney Veltri: And you are the contract purchaser of this property?

Mr. DePaolera: Yes.

Attorney Veltri: If the subdivision is granted, will you be the owner of all the properties or just Lots 11, 12 and 13?

Mr. DePaolera: Just Lots 11, 12 and 13. The seller will be retaining the residential lot, which is a rental property/investment property for him.

Attorney Veltri: Thank you. I just wanted to clarify that.

Attorney Lipari: Thank you, I appreciate that. We weren't clear on that issue. My next witness is Mr. Ed Klimek and he is an Architect with KSS Architects.

Attorney Veltri sworn in Ed Klimek (Zoom lists it as KSS Architects)

Architect Klimek: My full name is Edmund Klimek and I'm a partner at KSS Architects.

Attorney Lipari: Mr. Klimek, can you please provide the Board with your educational background and your professional qualifications.

Architect Klimek: I received a Bachelor of Architecture from University of Detroit in 1986. I've been a partner at KSS Architects for the past 20 years and a Registered Architect for over 30 years. I've provided extensive testimony in Planning Boards throughout the State and am generally known as an expert in design of warehouse buildings.

Attorney Veltri: Are you presenting him as a Professional Architect?

Attorney Lipari: Yes.

Attorney Veltri: No a Planner or Engineer?

Attorney Lipari: He is our Architect.

Attorney Veltri: Very good. Mr. Chairman, I don't know if that is enough for you to recognize him as an expert, but I'll leave it to you.

Chairman Foulon: Yes, we recognize him as an expert Architect. Go ahead Mr. Klimek.

Architect Klimek: The first image I am showing on the screen is actually the Site Plan, which the Civil Engineer will be giving extensive testimony about shortly. Why I wanted bring to bring the site up first and why I'm giving testimony rather than the Civil Engineer is to understand that we've taken a particular approach to the design of the building and

the design of the site together. This is a very challenging site as you've heard. It has a lot of topography, it is very low towards the road, and very high as you get to the back of the site. Well, we wanted to meet that challenge and rather than place a building on the site, us and the Civil Engineer, who we worked very closely together, created a design that integrates itself with the environment. So what you'll see as we go through the site testimony, but also as I go through the building design, is that they are one and the same idea. Rather than fight the topography that we have, we actually wanted to work with it. The site has been designed in such a way that, from the street, you actually begin to climb up and into the site and rather than create a single plateau from which we drop a building, we actually designed to tier the site to make it work as a succession of tiers as works up to the very top of the building. Instead of encountering one giant cliff and wall, you encounter a series of walls and hills as it happens up the site. As you enter up the site, we were purposeful in making these roads as long as we could so we could make them gradually climb the site. You encounter our first plateau, which you'll see in a minute, is a green space and then it moves up to another plateau which eventually becomes the parking, and then yet to another plateau that becomes the entrance to the building and another plateau that becomes the building itself. We actually took the time to make sure we didn't entrances in the usual places, but rather moved them to the back so again we don't fight the topography on the site, but integrate the building with it. This became an important concept in the overall design that we really want to get across. This is a project about integrating to the site not fighting the site. This is a perspective view of the building as it happens on that site. What I'm hoping is apparent is that what you have here is not a site that has been leveled out and a building is dropped upon it. But rather what we've done is created these series of tiers that work their way up and then what we attempted to do is to expose the stonewall and the stone walls, as they make their way up, so the space that is in front of us now, in the foreground of this rendering, is actually the first green space that you encounter and itself has a lower wall in front of it. You encounter a green space and that green space buffers the wall that is behind it, and that wall, in turn, becomes the parking lot. Above that, is the tier that enters into the building. Please note that what we tried to do is to make the building, itself, read as if it is a part of the site. So the stone walls that you see are actually integrated into the building. While the base building itself is a concrete building, what we've done is taken the some of the stone we removed from the site and actually used that as a stone veneer. The idea is the building reads as part of the site. By the way that we integrate the landscaping around it, it becomes a part of the environment. What you are seeing here in this front view is the site walls, the space in front of it and the building as it includes these stone walls. Also what you are seeing are the large entrance ways. They are proportioned to a building of this scale so that it really does give it a sense of scale. Integrated into that building are areas of glass, metal panels and, again, we are working with natural colors to really integrate it back into the site. You'll see that the stone walls that we've applied to the building aren't just on the building itself, they form the terrace of the plazas that get you into it. The form the edge of the handicapped ramp that gets you into. Those stone walls also happen at the very edge of the building and are used to screen, for example, the areas of the loading dock. You'll see the area that is over to the left here, we take much of the stone and we create a screen wall so that all the loading docks that are behind it are screened from the front of the building. The purpose here is to create architecture and a site that integrates rather than fights the site in its

natural environment. You can see here where the roadway naturally curves its way around and up into the site, and what we are really trying to do is to create something that works with the natural environment.

Let me speak to a couple of technical issues that were also raised. First, as you heard, it's a 272,000 square foot building. We have allocation for 12,000 square feet of office space. I want to talk first to the issue of the height of the building. The height of the building is technically 52.62', but the building is actually 48' from its finished floor. Why is it that we are seeking this level of variance? It has to do with the idea of the building. Rather than completely leveling out the site, what we wanted to do was to tier it up and because technically you take the average grade around the front of the building to calculate that height. Since we've tiered it rather than flatten it out, technical speaking its 52.62' and that's why we've done it. We think it is a benefit to the environment to tier it in this way rather than to take out more of the site. It is beneficial to the site, rather than detrimental to the site and it goes to why we are seeking that particular variance.

The other area that we are looking for is signage. What you are seeing here on the rendering is the area that we are allocating for the sign. Technically to meet the requirements of the ordinance, we have a sign of 24" tall by 15% of the overall building length, which would give us a sign of 24" tall by 60' long. That, on this building, moreover would only be 16' tall. We are actually putting this sign, which is 6' high by 30' long at a place that makes a lot more sense. Why are we doing it? I think you can see by the elevation it is much more proportionate to the elevation of the building. 24" sign that long at only 16' would never be seen as you approach the building and from the site particularly the way that we have tiered it. The sign is much more proportionate to this building and that's why we did it. This, by the way, is very typical in the kinds of way we deal with signage on this scale of a project.

I do want to point to a couple of other things that are important to the design of the building and that is we have also incorporated large areas of glass. These are very purposeful. These are the areas where most people work in a warehouse. We are very conscience of bringing daylight into the space. Moreover, these additional pieces add to the interest of the building. Our idea here is really to create, what we hope to be, a beautiful building that integrates itself into the environment.

The building is also being designed in complete conformance of the New Jersey Uniform Construction Code as well as the American Disabilities Act. As you already heard, it meets all the state of the art requirements of a modern warehouse.

I'll stop there and be delighted to answer any questions.

Planner Benecke: Ed, could you just go through the impact on the neighborhood to the east, which is Greenwood Avenue, where we require 100' buffer. Please do that.

Architect Klimek: I would be delighted to but I think the Civil Engineer may be more qualified to talk about that with respect to the actual site plan. But what I will pull up again is the rendering, which I think is what maybe your question is. What we have done here, we actually created a topographical model of the whole site to create this building. What you'll see is, and I'm sure that you'll hear this in the civil testimony, that the retaining wall that acts along the side has also a landscape buffer that goes around it. The idea is between the landscape and retaining wall all produce a natural edge that also shields views of the building and any loading docks and anything that would be immediately

adjacent to it, so all of that acts to provide a natural edge to the adjacent properties that are to the east. But again, when we get to the civil testimony, I'm sure that they go through the setbacks and exactly how all that works.

Vice Chairman Graceffo: In reference to that rendering, as you look to the back of the building, is that accurate in showing the elevation of those trees or is that just particularly placed there?

Architect Klimek: We did create a model of the building in order to do it and, of course, we do use artistic license to create the trees etc., so I would not say that this is an engineer drawing but I would say it is an accurate rendering.

Vice Chairman Graceffo: Indicating that the level behind the building is higher?

Architect Klimek: It is higher; that is correct. You'll see that when the Civil Engineer shows you where those retaining walls are.

Attorney Veltri: Did you have anything to do with the lighting plan on the site?

Architect Klimek: The site lighting itself was also designed by the Civil Engineer and I'm sure he'll go through that too.

Chairman Foulon: Thank you Mr. Klimek. Your next witness.

Attorney Veltri: Gil, can I just interject for one moment? I assume the engineering testimony is going to be extensive so, before we do that, I didn't know if you wanted to give the public an opportunity to have questions for the Owner or the Architect. They may not be present at the next meeting. Is that correct Mr. Lipari? Do you intend to bring Mr. Klimek back?

Attorney Lipari: It is probably our intention to bring him back. I would anticipate based upon the size of the project. Although, I am sure he is happy to answer any questions of the public as well at this point and so would Mr. DePaolera.

Planner Benecke: Steve, we are going to require to have the Architect return, whether Mr. DePaolera does or not. We only forty minutes left or so, we may want to move on so the public can gather their questions and then present them all at the next meeting, which would be in person.

Attorney Veltri: Fine with me.

Chairman Foulon: I agree with that too. Let's continue. I think it is better Steve to have the public live, in the audience, to ask questions.

Attorney Veltri: That's fine as long as the witnesses are available.

Attorney Lipari: I will make sure to see that the witnesses will all be available for the next hearing to answer any questions.

Attorney Lipari: My next witness is Arthur Kuyan of Stonefield Engineering & Design. If you are on, can you please identify yourself so that you can be sworn?

Engineer Kuyan: Yes I am here.

Attorney Veltri: Sworn in Arthur Kuyan (Name is correct on screen).

Attorney Lipari: Mr. Kuyan, can you please provide the Board with your educational background and professional qualifications?

Engineer Kuyan: I am Project Manager at Stonefield Engineering & Design located at 92 Park Avenue, Rutherford, NJ. I received my Bachelor of Science from Rensselaer Polytechnic Institute I am a Licensed Professional and Certified Municipal Engineer in the State of New Jersey and testifying and being accepted as an expert witness across various Board of New Jersey specializing in warehouse developments such as the application we have before you this evening.

Chairman Foulon: We accept your qualifications.

Engineer Kuyan: Thank You. Can everyone see my screen?

Attorney Lipari: Arthur, if I could just interpret, and I apologize. Counsel, I'm keeping track on my end of the Exhibits that we are putting up.

Attorney Veltri: If you are going to be referring to them and using them in a summation, I think we should mark them.

Attorney Lipari: I can go through them briefly to put on the record:

- Exhibit A-1** Color Site Plan Overlay / Dated 2/14/22
Stonefield Engineering & Design, LLC
- Exhibit A-2** Architectural Rendering / Dated 1/25/22
KSS Architects
- Exhibit A-3** Aerial Site Exhibit / Dated 1/10/22
Stonefield Engineering & Design, LLC

Planner Benecke: Before you go on, just be aware of my prior question to pay attention to the properties along Greenwood Avenue and the 100' setback because that it required in the Redevelopment Plan.

Engineer Kuyan: Absolutely, I appreciate that.

Engineer Kuyan: By way of quick intro, we are here seeking Preliminary & Final Major Site Plan Approval and Minor Subdivision Approval to redevelop a 34.53 acre lot. The application before you tonight is really a culmination of years' worth of planning and design to incorporate the unique warehouse development in line with the Redevelopment Plan prepared for the site. To best understand how the proposed development came to be, I just want to first focus on the existing characteristics of the property so the reasoning can be a little clearer for the proposed layout vision.

As I mentioned, the project site is 34.53 acre lot located in the RD-2 Redevelopment Zone and consistent of a majority of undevelopment woods with a single, two-story dwelling and driveway. The site is bounded to the north by a large wooded parcel with a single family house; to the east by residential properties; to the south by a Holiday Inn Express and Burger King; and to the west by Passaic County Community College. The lots combined to form somewhat of a rectangular shape, but with the existing dwelling on site to remain and to be subdivided. The property really encourages development to occur in the rear. Union Avenue, a two lane Passaic County Route, fronts the property and services the primary means of vehicle access. The site topography generally ranges from 210 to 410 and that's travelling south to north with pockets of bedrock and rock outcrop existing throughout the site which is typical for this area. Three separate pockets of wetlands exist on site. The site was designed with safe and adequate circulation in mind and adhering to the unique

characteristics that the Architect highlighted during his testimony of the site, including the topography, the wetland and buffer locations, the existing dwelling to remain and the focus on maintaining a healthy, natural buffer along those residential properties to the east. All of these perimeters lead to the design within the application before you tonight.

With that, I would like to go to the Site Plan Rendering, which is essentially just the colorized rendition of the previously submitted Site Plan (Exhibit A-1). As previously mentioned the 272,000 square foot warehouse is proposed inclusive of 12,000 square foot of office area, with a total of 82 loading docks on either side of the warehouse. Employees will be able to utilize 144 parking spaces on site and the 34 trailer parking stalls on site. Access to the warehouse and loading dock will be via a full movement driveway coming off of Union Avenue with circulation provided on all sides of the building. The pedestrian parking is located just southwest of the building and a freestanding pole sign is proposed at the entrance of the site near the driveway.

The circulation for this site was really designed with feedback from both the Fire Department and the Traffic Engineer to ensure that the drive aisles were size appropriately for efficient movability. I think it is important to also note that we do also have approval from the Fire Department for this project.

We took the opportunity to utilize one of the stormwater basin areas and proposed a naturalized walking trail with native plants and seed mixes near the parking area, which I'll get into a little bit more in detail when I talk about the landscaping.

I know there was a comment from the Planning Office about the trash. We do have a trash enclosure proposed in the northwest corner of the building for trash pick-up. Typically, with warehouse developments of this nature, once a specific tenant is chosen, they'll have a trash and cardboard compactor in one or two of the loading docks for the trash.

A Subdivision is proposed for this project to consolidated the lots and then ultimately to split it up into two lots which will essentially function to separate that existing dwelling on site from the proposed development. Lot A, the larger lot, or the proposed Lot 13.02, will be approximately 30.9 acres and Lot B, proposed Lot 13.01, will be approximately 3.6 acres.

When you are looking at some of the retaining walls, rock cut walls, the wall, guardrails and fall protections were provided throughout the site to account for that change of grade that was previously mentioned and to really restrict the disturbances to the allowable areas, keeping in mind, both the necessary residential and wetland buffers. To that point that Mr. Benecke brought up, we are maintaining a 50' natural, undisturbed buffer from the residential side and we aren't placing anything but drive aisles and landscaping within 100' of that buffer, which is consistent with the Redevelopment Plan.

Instead of viewing the bedrock and topography on site as a restricting factor, we really looked to use it to our advantage. This design integrates the natural features and changes in the topography within the site design and promoting somewhat of a synergy between the two with a focus of having the development fit within the landscape of the site instead of the other way around.

In order to provide that safe circulation within the site, while counting for that topography, a variety of retaining walls are proposed in the site. Extensive investigation and due diligence and site visits were performed with the GeoTechnical Engineer to evaluate the need and the design of the retaining walls themselves. There will be three (3) types of "walls and rock cuts" utilized for this development and for retaining soil. It will be smaller

landscape walls somewhat in the grade changes from 1' to 3'; segmental block retaining walls; and actual naturalized stabilized rock cuts. I'd like to help the Board visualize the different locations of those walls by presenting:

Exhibit A-4 Conceptual Retaining Wall Evaluation / Dated 2/4/22

SSEI Consulting Engineers (GeoTech Engineers)

This Exhibit provides a breakdown of the various walls onsite and color coating it for the Board's visual representation. The green represents the landscape style walls, like I mentioned for the grade changes 3' and less. In blue you'll see the segmental block wall. In purple/magenta you'll see the actual rock cuts within the site. These stabilized rock cuts and retaining walls are not atypical to the Borough of Wanaque. I think it was previously mentioned a few developments that had retaining walls and rock cuts to this scale, even something as close as the Passaic County Community College. What I would like to highlight is we are seeking a design waiver for the retaining wall height of 85', that's more so located at the stabilized rock cut, and not the true retaining wall height. The tallest retaining wall height on site will actually be more approximately 54'. All the walls that are above 10' and all the stabilized rock that's above 10' will have fencing and netting of the rock face and the catchment area will be proposed for that stabilization. Again, we have worked with the GeoTechnical Engineer to really examine the rock cuts and the walls for this property, the space that we are allocating for them and it is our professional opinion that the walls can be constructed in the area shown without an impact to the site design.

With that, I'd like to move back to the Site Plan Rendering. An illumination design has been provided to allow for safe vehicular and pedestrian operations with no significant impacts on surrounding properties. We are proposing a mixture of decorative lights and LED light poles to properly illuminate the site.

In looking at the stormwater for the project, proposed drainage patterns and ultimate discharge points will be maintained. We provided a design that complies with both Local and State Stormwater Regulations for quantity reductions, for quality treatment and groundwater recharge. In terms of quantity, we are reducing the pre-construction runoff rates for the 210 and 100 year storm events by 50%, 25% and 20% respectively. To really achieve these requirements, we are proposing a state-of-the-art extensive stormwater management system comprised of six (6) underground infiltration basins and three (3) above-ground bio-retention basins that are interconnected before ultimately conveying to Union Avenue. To account for the water quality and comply with the 80% TSS Removal Regulations, twenty-two (22) water quality units and three (3) bio-retention basins are proposed to properly treat the runoff from the vehicular travel surfaces complying with the Groundwater Recharge Requirements with the underground infiltration basins that meet the Local and State Standards for groundwater recharge. As such, the project is not anticipated to have any adverse impacts on the neighboring properties, downstream water courses, or conveyance systems within this watershed.

We have retained Will Serve Letters from the relevant Utility Authorities and we will work those said utility agencies to ensure that there is no negative impact from our development and those services.

You can see here that the proposed landscaping design and its main goals were really to enhance and preserve the wetland areas by enhancing the bio-diversity of these plant

species. We propose a diverse mix of native trees, flowering shrubs, ground cover and seed mixes in all of the available open space green areas that we have.

I'd just like to highlight what I really think is one of the selling points of the project and one of the unique aspects of what we are proposing from both a site design and a landscaping design and what we are providing the future tenant and some of the employees of the site. We look to utilize the bio-retention basin, which is generally used for stormwater treatment and more so for stormwater management technique, that is proposed towards the center of the site and we are using it to not only assist in the processing of the stormwater and it's not only planted with native grasses, trees and shrubs, but a proposed naturalized walking trail with seating, mulch paths, lighting and safety fencing incorporated for the employees of the warehouse, and we insure that the parking lot is designed for those employees to safely walk, go down the stairs and access this passive park and bio-retention area. We are really giving and kind of utilizing stormwater technique and mixing it together with, what I think, is a very cool landscaping feature and almost like an amenity for the employees of this building.

The parking lot and foundation plantings are proposed to compliment the architectural features. Native grasses and flowering shrubs provide a naturalize feel against the building, which I believe you get a good idea from the rendering that the Architect shared. I think I mentioned this before, but the 50' residential buffer to the east remains undisturbed and in its natural state. The existing mature trees along the property line and within the buffer itself are to remain.

The slope leading up to the front parking lot is stabilized with a mixture of trees, shrubs and stabilization seed mixes.

The proposed landscaping specifically along the frontage of the site was designed in a way to provide a visual enhancement for vehicles traveling on Union Avenue, from what exists there currently today.

Besides the Local Municipal Code and the Redevelopment Plan, we look for the design to follow the Guidance of the Highlands Ordinance by limiting disturbance at the maximum extent feasible while still providing a safe and viable development. In addition, we look to comply with some of the low impact developments that are provided within that Ordinance by implementing stormwater management features that maintain the pre-existing natural drainage patterns on site, the use of natural features within the design itself, the use of the bio-retention basins to control the stormwater and to provide environmental benefits and lastly the integration of the stormwater management feature with the public spaces.

We do have an application pending under review with the Passaic County after multiple pre-application meetings.

A Soil Conservation District Application will need to be submitted as well as an Application to the DEP for the general permits needed for this development.

We had an opportunity to discuss the latest Engineering Review in depth with Mr. Cristaldi and feel comfortable that we can address all of his remaining comments as a conditional of approval shall the Board look favorably upon this application.

Generally, as an overall, we sought to consider all these environmental conditions as discussed and proposed a development that fits within the nature of this area by considering the Redevelopment Plan, the Local Ordinance and the feedback from the Borough and its Professionals.

With that, I'd be happy to answer any questions.

Member Strobel: How high, from the street level to the top of the building, will be it be? From both street levels and the Passaic County College.

Engineer Kuyan: From the street level, you are looking at about elevation ranging from 210 to 220 and the building's finished floor, I believe, is about 320.

Member Strobel: And your wall structure height you said was going to be 54'?

Engineer Kuyan: That was just a specific at the highest point of the retaining wall. The wall heights vary anywhere from 1' to 54' for the retaining wall and the exposed rock cut as high as 85'.

Member Crilly: When I look at the driveway that is heading out onto Union Avenue, and I understand that there is terracing or some minimal slope, but in terms of safety and going on Union Avenue with these trucks that might be going down there, what would the grade be? I'm thinking mostly let's say, bad weather, with the type of traffic that would be going down there; icing and such things as that. What would that slope be at the very bottom of going into Union Avenue?

Engineer Kuyan: I will say that safety was a big reason the driveway location is in its location that it is right now specifically, and I'll let the Traffic Engineer testify a little bit more about this, but sight distance ensuring safe maneuverability. In terms of grades, Passaic County specifically requires 2% for the first 50' of the driveway; and from there we transition to 7% where the driveway actually straight; and at the intersection there we lessen that slope to allow for the trucks to make the necessary maneuvers and then it climbs back up to 7%. Nowhere on the site does it get higher than 7%.

Member Crilly: At the beginning of the driveway it looks like that's a median of some type. Is that a concrete median, or what is that exactly? Coming off Union Avenue in the middle of the driveway there's that divider.

Engineer Kuyan: Yes, it is just a striped area that we obviously have to enlarge.

Member Crilly: So there is no barrier there whatsoever?

Engineer Kuyan: No.

Member Crilly: Okay, great. The request, and as Mr. Strobel had mentioned about the height coming off of Union Avenue and Greenwood Avenue is about the same so, if I'm hearing this correctly from Union Avenue to the top of the building approximately 320', I think that we need rendering of what it would like from Greenwood Avenue. Meaning that if you are a resident living on Greenwood Avenue and you are looking to the west with a 320' building, and in terms of natural growth and just looking up, what it be blocked, would it be visible? I think that would be a key rendering for the community.

Engineer Kuyan: I would just like to clarify that the 320' is the elevation, but it is not 320' higher than the road or Greenwood Avenue.

Member Crilly: So that's at sea level that 320', right?

Engineer Kuyan: Right.

Member Crilly: I thought the question asked by Mr. Strobel was from Union Avenue to the top. We are trying to understand scales so I'm not so concerned about the optics off of Union Avenue. That's a thoroughfare driving by but I am concerned about the residents and what that will look like from Greenwood Avenue looking up to the facility, so I think an artist's rendering would be good for the Board to have.

Engineer Kuyan: Sure, absolutely. It is about 90' to 100' difference; not 320'.

Member Crilly: Okay, good, and that's from sea level the 320', right? It sounded a little high to me.

Engineer Kuyan: Right.

Planner Benecke: Just remember one point is that's why we set back the side yard property by 100' because the underlying zoning would allow, again it would be a smaller building, but 50,000 square feet or better encroaching up to 10.5' on Greenwood Avenue properties. So they would be looking at the same wall, but it would 75' closer to their property line.

Member Crilly: But there is a question about what their view is going to be. You can have low growth and a design that, even though its 100', you can still see the building. So I think it is only fair, information wise, what is it going to look like from Greenwood Avenue.

Planner Benecke: Of course.

Chairman Foulon: What are the residents of Greenwood Avenue going to see from their backyard?

Attorney Veltri: That was the request from Commissioner Crilly; is the Applicant going to be providing that rendering at the next meeting? I just want to be clear in my own notes.

Member Crilly: If it's going to be a public hearing, that's critical information.

Attorney Veltri: Right, that's your request. I just want to be sure that they agree to provide it, hopefully by the next meeting.

Attorney Lipari: We will certainly do our best to have it at the next meeting, yes. I'll work with the professionals. I'm assuming it is something that could be accomplished. I know there is a lot of difficulty with the grading and access, but we do understand the request.

Attorney Veltri: Very good, thank you.

Chairman Foulon: I think the residents along Greenwood Avenue are entitled to know what they are going to see outside their back window.

Member Strobel: Just to restate, if I'm on either one of those streets, the top of the building is only going to be 100' above that street level, correct?

Engineer Kuyan: That is the finished floor of the building. The building is then 48' higher than that.

Member Strobel: So it's about 150' to maybe 170'?

Engineer Kuyan: Yes.

Member Strobel: Okay, that's fine.

Member Crilly: If you have some old growth and if you visually look up the angle could block it, right. That's what I think we need to understand. From that grade 150' maybe nothing is exposed and maybe 20' I don't quite know what the trigonometry could be of that if you know what I mean.

Engineer Kuyan: We'll certainly do our best to prepare a rendering that helps or at least clarify that view. I would just like to say that, even with that setback, the closest point of the building is to that property line is 239', so set well back from that property line.

Member Crilly: I image the way the retaining walls are going they are going to sloped and eventually it's not going to be a drastic straight wall.

Engineer Kuyan: There are multiple options that you can choose. It'll be tiered and there are even options with some plantings involved that make it more visually appealing. I think there are plenty of options to really make it visually appealing when you are looking at the wall.

Planner Benecke: A critical point Mr. Crilly is that if you move that building, the beige area to the right, and add the pre-existing buffer, it would actually encroach more into the tree line area. We wanted to make sure in the Redevelopment Plan that the tree line area was the 50'. They had another 50', a total of 100', of blank space so that the building would be pushed even further to the west so that the homeowners

Member Crilly: Mr. Benecke, I understand that. I think it is critical information to give them the information of what that would look like.

Chairman Foulon: Next witness.

Attorney Lipari: Our next witness that we have is Charles Olivo, a Professional Engineer and a Professional Planner with Stonefield Engineering & Design. Mr. Olivo, if you are on the call, could raise your hand and we'll have you sworn in

Mr. Olivo: I am here.

Attorney Veltri sworn in Charles Olivo (Name is correct on screen).

Attorney Lipari: Mr. Olivo, can you please provide the Board with your educational background and some of your professional credentials.

Engineer Olivo: Good evening, and for the record I work for Stonefield Engineering & Design located at 92 Park Avenue, Rutherford, NJ. I have a Bachelor of Science in the field of Civil Engineering from the University of Notre Dame. I am a Licensed Professional Engineer in the State of New Jersey. I am a Certified Professional Traffic Operations Engineer certified by the Institute of Transportation Engineers. I am also a Licensed Planner in the State of New Jersey. I have provided testimony and been accepted as an expert for over 250 municipalities including this municipality, this Borough, on a previous application on the Tilcon Site.

Chairman Foulon: We accept your qualifications.

Attorney Lipari: For clarification, I am offering Mr. Olivo as both a Professional Engineer with regard to Traffic and also a Professional Planner.

Attorney Veltri: Very good, thank you.

Attorney Lipari: Mr. Olivo, I think it will be helpful for the Board if we just start with some of the traffic concerns with the site. I know that a report was previously prepared and if you could take us through the report and some of the traffic patterns and displays on site.

Engineer Olivo: Yes, we prepared an extensive Impact Traffic Study that has been submitted to the Borough and the Borough's Experts for review. We've been studying this roadway network for the better part of five (5) years. We conducted counts back in 2017 for the Tilcon Site and all throughout that time we've been working with Passaic County, as well as professionals here, and Members of the Board, as part of that application along this very similar stretch of roadway. This project is located just west of that Susquehanna Avenue intersection with Union Avenue, located along Union Avenue, which is a Passaic County roadway. As Mr. Kuyan mentioned, we have engaged Passaic County, we've made a submission Passaic County recently and we are awaiting that review letter. We have also had the opportunity to have two (2) pre-application meetings or development review meetings with Passaic County to discuss the site. In terms of the access management of the

site and where the driveways are located has been driven by some of those initial conversations that we've had with Passaic County.

As part of the baseline of the Traffic Impact Study, we conducted counts during the existing conditions, during your busiest peak hours on a typical weekday. Those busiest peak hours are between 7am and 9am and also between 4pm and 7pm during a typical weekday of Tuesday, Wednesday or Thursday. As I mentioned we've been studying this area for quite some time. I think we all know the challenges, but then also the flow patterns that exist within the nearby intersection of Union Avenue and Ringwood Avenue, but also the excellent mobility of the site. We are right here located at confluence of I-287 with this roadway network which provides great mobility throughout this area and which is one of the reasons why a site like this, a modern warehouse use, is such an excellent land use to have located within this area because it is in close proximity to those I-287 ramps, which then allows mobility throughout the area.

This type of warehouse use, as we know, is permitted within this redevelopment area. It has been contemplated specifically within the underlying zoning as Mr. Benecke mentioned as a conditional use and is certainly appropriate to be on this site within this area. When we look at whether or not the roadway network is able to accommodate the traffic associated with a project like this, we take a look at those peak hour conditions during the existing times and then what we also set out to do is understand the estimated trip generation or the amount of traffic that could be generated by 272,000 warehouse constructed on this site.

What our traffic indicates is the amount of traffic that could be coming in and out of the subject property, should it be developed in the manner that we show here on the site plans. In addition to that, we take a look at any of the activity and any of the developments within the area, inclusive of Tilcon Project. We provided very specific details of the expected trip generations of that Tilcon Project, we've looked at background growth in the area, and then what we do is we add to that the traffic associated with the project that we have before the Board this evening. When we take all of that traffic volume and we weave it through the roadway network, the large majority of the traffic coming in and out of this site we would expect to come to and from the east where I-287 connects with the roadway network and where we have some of our busier roadways that are carrying more traffic through the roadway network, and so that is how we studied the roadway network system and the intersections. We've taken all of that traffic and weaved it through these intersections and what we found is that the traffic associated with this project, a permitted use within this redevelopment area, would not be expected to significantly alter the travel patterns throughout this area and through the nearby intersections.

In addition to that, looking at that future condition on the roadway network outside of the site, we then look at what is happening inside the site. Our Project Architect, Mr. Kuyan, did an excellent job of taking us through what is being proposed, how this driveway extends off of Union Avenue and then gradually climbs into the site at safe and efficient driveway configurations with good maneuverability throughout the site. Ed did a great job talking about how gradually climbing into the site and how that provides a nice easy slope for any of the vehicles, passenger cars or trucks, to be able to enter parking areas, to be able to enter loading areas and to do so safely and effectively.

We've taken a lot of care in the way that we've designed the interior of the project itself. We have 144 parking stalls proposed. I think the Board Professionals, Bob, Chelsea, Mike,

everybody did a great job talking about the parking and how the underlying ordinance and the Redevelopment Plan doesn't necessarily contemplate what is happening in land use throughout New Jersey, which is that these warehouse type uses are becoming very, very popular in virtually every community throughout New Jersey. Quite frankly, the live the way that we live now, in this day and age, we need more warehouse uses like this. This is not a manufacturing use. This is not a manufacturing building. The parking requirement that is closest to this type of building is really akin to something like a manufacturing facility where you have many more people coming in and out and parking as employees and workers and staff of a building like this. A warehouse building is very different than that.

Our firm is working on somewhere between 15 and 20 warehouse/industrial type of uses throughout New Jersey and New York. We have the benefit of working on projects similar to this and similar in size and scale and we also have the benefit of looking at what the Institute of Transportation Engineers has provided in a more updated fashion about the parking that is really needed to support a site like this. It is certainly the case that we wouldn't be coming before the Board with an application that we believe, that Nick believes, that the team believes is viable from a warehouse perspective unless we're parking it appropriately. As you can image potential users wouldn't be interested in an approved site if it's not parking appropriately. What we have here is 144 parking stalls at a ratio of just around .5 per 1,000 square feet and, as we heard from Chelsea earlier, the ITE is putting forth standards for this type of warehouse use on average of somewhere about 30 stalls less or so of what we're proposing. I know some of the Board Members and experts were doing some of the math as well. If you take the 144 parking stalls, and then you look at the number of truck parking at 34, and also take a look at the amount of loading bays we have at 82, now you are at a number of approximately 260 vehicle positions where you can potentially be parking different size vehicles. As Mike talked about earlier, you have this range that is being provided on the site for the purpose of your employees and for the number of trucks that are coming onto the site. Also I'll note that in, I believe the letter provided by Mike's firm, Alaimo Engineering, you will see that there is a discussion, or maybe TPD's Traffic Engineer Review letter, that speaks about a condition that if this site is generating more truck parking or truck traffic, that there is a condition of approval that it be further studied as part of the operations of the site. That is a condition that the Applicant is willing to agree to and I understand where it comes from in terms of the Traffic Engineering Review, but as part of studying many different types of operational sites throughout the State, and working on a number of projects throughout the State, the site is adequately parked to accommodate the expected demands that we would see on this type of land use development site.

From the outside perspective in terms of what happens when vehicles leave the site, the truck traffic, the employee traffic would not be expected to significantly impact the roadway conditions, the intersections and we are parking and we have developed this site in a way that would adequately accommodate the demand and that would allow for the safe maneuverability of vehicles to and from the subject property. We understand that any action of this Board would be conditioned on the action of the County. As I mentioned we fully engaged the County and would expect to have a review letter from them shortly. Hopefully, the pre-application meeting, as an indication of what the County as looking for, will help us further expedite that along as we enter that part of the process.

Planner Benecke: Charles, just one quick question. Can you address the impact of the adjacent property owners, especially to the east, which is Greenwood?

Engineer Olivo: From a traffic perspective, there is virtually no impact. If you think about how this site will operate. What I'll do is pull up and share my screen so we are reviewing Exhibit A-1. We are looking again at the colorized rendering and you will notice, to the east, or the right-hand side of the Exhibit, that is where Greenwood is indicated, just off to the easterly side of the subject property. The traffic volume coming in and out of the site, as I spoke about, is generally coming from I-287, Ringwood Avenue, Union Avenue proper to the east and travelling into the site via the driveway. I'll draw where, generally speaking, we would expect the traffic to be coming from and also where that traffic would be returning to.

We are about 850' from Greenwood and then we are another 450' to the I-287S on ramp. Very close proximity to the interstate roadway.

Planner Benecke: Charles, could you just print that and put the 850' markers on there for the Board and have Mr. Veltri and your attorney mark that into evidence that would be great?

Attorney Veltri: We will mark this revised version of A-1 as Exhibit A-5.

Chairman Foulon: What is your line of sight exiting to the west?

Engineer Olivo: That is a great comment and that is a question that was raised by the County. The County had some concerns regarding the line of sight given the curvature of the roadway. As a result of that, what we found is that it was important to understand exactly how we could see what was happening within the roadway network at the driveway itself. What we have confirmed is that we are providing the adequate sight distance looking in both directions. Essentially, we have to be able to provide adequate sight distance looking to the right and then also looking to the left. Mr. Chairman, I can't provide you with what exactly those numbers are, but I do know that we meet the County requirement in those areas.

Attorney Veltri: Charles, has the County agreed to the location of the driveway in your meetings, verbally anyway?

Engineer Olivo: Yes, as long as it meets those sight distance requirements. Since we do meet those sight distance requirements, we believe that we have located that driveway in the area where it should be. But we will confirm that, of course, as part of this most recent formal application that we've made.

Planner Benecke: Charles, can you address the issue of adequate parking on site?

Engineer Olivo: I can, absolutely. When we were looking at parking this appropriately, as I mentioned earlier, it is about getting the right amount of parking for the proposed land use itself. This is a warehouse facility, it's not a manufacturing facility, it's not a fulfillment center, and as a result of that, we would expect to see generally speaking parking demands in a range of about .3 per 1,000 to about .5, and we are parking just above that .5, the higher end of the range.

Planner Benecke: And that's your expert testimony, correct?

Engineer Olivo: It is, yes.

Vice Chairman Graceffo: What if the facility becomes a fulfillment, rather than a warehouse? Would that change the number of employees? Do you have any guarantees that it's not going to be a fulfillment center?

Engineer Olivo: I think that would have to be something that an approval would be conditioned on and also I would say that, within the comment letters, your Traffic Engineer has very carefully stated that, should the amount of traffic exceed the levels that we are projecting as part of the Traffic Impact Study, then we would have to further study that and provide those findings to the Board.

Vice Chairman Graceffo: But at that point everything is complete. The building is done and the problem is there. It becomes a more difficult situation to resolve.

Planner Benecke: That's a condition of the Redevelopment Agreement. That's why the redevelopment perfects, not just other issues financially, but also perfects the fact that we can call back on site plan issues such as a fulfillment center, etc. We can actually put that into the Redevelopment Agreement and that's one of the reasons why we are here.

Vice Chairman Graceffo: Are you saying it would be restricted from becoming a fulfillment center?

Planner Benecke: No, what we can do is restrict it, or have a return or a call back should Mr. Olivo's projections be exceeded.

Vice Chairman Graceffo: Bob, I understand that. Here we have this understanding that, if we have a problem, we'll call them back in to study it. The question is how do you remedy the problem after you have all this engineering complete and you're going on a projection on what this building is going to be versus what it may turn out to be. You say you have recourse, but you don't have recourse.

Planner Benecke: No, you actually do. There are two (2) recourses. One, is if there is any future financial consideration, and two is the Certificate of Occupancy. No one wants to have a lease agreement where there is a problem with a town, city or borough. We would just defer and, as long as the traffic is consistent with Mr. Olivo's study, everything will be copasetic. However, if it is a fulfillment center, and all of the sudden we have, 500 trucks coming through, it would stop and then your C.O. or your financial agreement will be placed into jeopardy because there would be a default.

Chairman Foulon: You still haven't answered the question. What is the remedy?

Planner Benecke: The C.O. would be pulled or the default under the financial agreement. The Certificate of Occupancy would be placed in jeopardy.

Vice Chairman Graceffo: What, the property would be vacated and then become an abandoned building because they don't have the traffic solution?

Planner Benecke: No, they would then have to adjust their marketing analysis to have the fulfillment center turned into a warehouse as they are presenting tonight.

Attorney Veltri: Bob, let me interrupt just for a second because I want to clarify this for the record. Does the Applicant stipulate and agree that one of the remedies the municipality could impose is to pull the C.O.? Because, if so, I'm going to put it right into the Resolution.

Planner Benecke: No, of course not, because your Resolution is not enforceable. It would be in the Redevelopment Agreement.

Attorney Veltri: Normally, Mr. Fiorello takes our Resolution and uses our Resolution as an Exhibit to his Redevelopment Agreement.

Planner Benecke: Of course, except for paragraph 7, which is non-enforceable.

Attorney Veltri: Well Bob I would like to hear from the Applicant on what their philosophy is on this.

Planner Benecke: Sure, of course.

Attorney Lipari: I am understanding it the way Mr. Benecke has explained in that this will be addressed at that appropriate time. I think the most important factor is that the Applicant is willing to come back with the additional studies and to provide that to the Board to make sure. Again, as Mr. Olivo had alluded to, and again I think he was wearing a bit of his Planner hat even though he was testifying as an engineer, the market is what it is and the Applicant has designed this so that it would be a successful project for itself as well as its tenants. If he can't accommodate what their looking for, it'll really have an impact on the tenants. We are all in with complying with the traffic counts and the studies. We will provide those to the town, we will work with the township and its professionals and the Board's professionals to ensure that we meet the requirements.

Planner Benecke: Steve, don't get me wrong, what Mr. Lipari said is correct. It is a collaborative process. We want to make sure that the blue lines and the red lines work out and we want to make sure everything is copasetic, but if somebody put the sign up for fulfillment center, and there is 20% less traffic ten years from now, that is okay. We just want to make sure that this site works properly for everyone.

Attorney Veltri: I understand that and what I think I'm hearing the Board Member say is, once you have a building up of this size, nobody's taking it down. We are going to have to work within the confines of that building and it becomes very frustrating for a Planning Board to have people come back to us and now say, well the numbers are wrong, what's the solution? We are renting it out and we're going to keep renting it out.

Planner Benecke: The solution is not the size Steve. The solution is the use; fulfillment center versus a warehouse. It is not the size. The box stays there, walls stay there, driveway stays there; the solution is how much traffic do you get in and out because you changed the use, and that's what we'll monitor.

Attorney Veltri: Bob, correct me if I'm wrong. So I'm looking at the Traffic Report that issued was today, obviously if it is not a permitted use, they are not going to get a C.O. for any use that isn't permitted. That's a given. But with this condition says, on page 2, is it says look if the counts are wrong, they are going to come back to the Board. At that point, if it is a permitted use, but the counts are wrong, what do we do?

Planner Benecke: There are two (2) remedies. First remedy is that, what's the percentage? The counts are wrong by what. The second is that you go back and amend the Redevelopment Plan. It is out of the Board's hands.

Attorney Veltri: Okay. When I read this condition, my reaction was similar to Joe's and Gil's because it says it is recommended the Board reserve the right to make additional comments/requests to require the Applicant to appear in front of the Board if passenger vehicle and/or heavy truck volumes significantly exceed the projections from the TIS.

Planner Benecke: What are your reading from Steve?

Attorney Veltri: I'm reading a report that was issued yesterday, February 16th, from Traffic Planning & Design Inc., page 2, #5.

Planner Benecke: On behalf of who?

Attorney Veltri: That was written, and I think Mr. Olivo mentioned before he had seen the report from that, that's why I'm reading it.

Engineer Cristaldi: That's our Traffic Engineer.

Planner Benecke: So then our Redevelopment Plan would be amended, or not, based upon that. It's not the Planning Board; it's the Redevelopment Plan that would control.

Attorney Veltri: The reason I am mentioning it is Mr. Olivo correctly said that was a condition in report and he agreed with it.

Planner Benecke: We all agree.

Attorney Veltri: Right, but our Board is not an Enforcement Board so having that in the report isn't going to do anybody any good.

Vice Chairman Graceffo: We have no enforcement. Once this is approved, that particular comment, in that report, has no enforcement whatsoever.

Planner Benecke: Yes it does.

Vice Chairman Graceffo: They're putting something done on paper that has not enforcement.

Planner Benecke: Joe, it does; it absolutely does. It is in the Redevelopment Agreement.

Vice Chairman Graceffo: You can say that Robert, but believe me, you can't put a quart into a pint and that's what it is going to be.

Planner Benecke: No, but you can put a pint into a quart and the quart is the Borough, not the Planning Board, and that's why you can enforce it.

Engineer Olivo: And I will say Bob that we have had conditions of approval for projects where we've had to come back with studies, post occupancy, and provide them. If mitigation is require, we have to provide mitigation in order to solve challenges created by traffic.

Attorney Veltri: Charles, I'm asking what the solution would be if the Counsel had to?

Vice Chairman Graceffo: What would be the mitigation of a problem where we have twice as many trucks going in and out versus what is projected right now? What would be the mitigation for that property to get that resolved?

Planner Benecke: They've defaulted on a Redevelopment Agreement and that Redevelopment Agreement dovetails into other issues and that's not the issue before us. The issue before us is the Site Plan. However, we will condition it upon these specific conditions on the Redevelopment Plan and that's up to the Governing Body.

Attorney Veltri: Tony Fiorello, you are on the line, do you have any comments on this?

Attorney Fiorello: I think what Bob is saying is that once you approve this and put in your Resolution the language that you have suggested, we then proceed to the Redevelopment Plan and then in the Redevelopment Plan there can be a provision that indicates that, if there is a restudy and if it is unacceptable, then under the Redevelopment Plan the Borough would have the option to pull the C.O. or to take action under the Financial Agreement. Bob, are my thoughts correct?

Planner Benecke: That's perfect, thank you.

Vice Chairman Graceffo: What options would be under the Financial Agreement and that would end up being a loss to the community would it not?

Planner Benecke: It would be a loss to the property owner, Joe, if property would be vacant. This is conjecture. This is all speculation, but we want to make sure it is enforceable.

Chairman Foulon: Let me ask this. What is the difference between the warehouse and the fulfillment center?

Attorney Fiorello: Numbers of employees and numbers of trucks coming in and going out.

Planner Benecke: Charles, what's your definition? You brought it up so what's your definition?

Chairman Foulon: Numerically what is the difference?

Engineer Olivo: We can run the numbers to look at what that range might be. I don't happen to know it off the top of my head, Mr. Chairman.

Chairman Foulon: We need that information. It might be so minuscule that it really doesn't matter and we are beating a dead horse, or it might a major objection.

Engineer Olivo: Understood.

Planner Benecke: I don't know of any fulfillment center and maybe you do Charles that is less than 400,000 square feet, maybe 500,000 square feet.

Engineer Olivo: I don't know of one and we are working on a fair amount of them.

Chairman Foulon: Okay.

Member Slater: I think too when you get into fulfillment center, you are going to be talking about much of the product going out of it in a sprinter sized vehicle. The three of them equal one tractor trailer. You are not going to have the distribution by tractor trailer, it is going to be by a parcel delivery van, and much more manageable from a traffic standpoint.

Engineer Olivo: That is absolutely true and this is happening really before our eyes. Over the last three to five years we are seeing a whole host of different types of industrial uses but what we have studied here is one that is appropriate to a 272,000 square foot building with the amount of parking and the number of loading bays, and that's how we generated the traffic and parking associated with it.

Chairman Foulon: We also want you to give us the data on a fulfillment center.

Engineer Olivo: We can do that Mr. Chairman.

Chairman Foulon: Thank You. Any other questions? Okay, I think we exceeded our time limit. I think it's probably a good point to stop and see you guys in March. Do you have anything else?

Attorney Lipari: Thank you very much for the time this evening. I don't know if we have a date schedule in March. If we could provide one that way we wouldn't have to re-notice the application we would appreciate that courtesy as well.

Board Secretary: The next Board Meeting would be Thursday, March 17, 2022 at 8pm and, if I'm correct, it sounds like it is going to be in person at Borough Hall at 579 Ringwood Avenue in Wanaque.

Chairman Foulon: Steve, they don't have to re-notify do they?

Attorney Veltri: No, but again, we should announce to the public and anyone who is here that the meeting will be rescheduled on March 17, 2022 at 8pm and it will be in person. If you are interested in the application, or you would like to comment on it, please come to the Borough Hall at that time and you will be heard.

Chairman Foulon: All right, this concludes the hearing on this application. There is no application and at this time I would like to open the meeting to the public. Is there anyone in the public that would like to discuss any Planning Board matter, except for this application, please step forward, click in, and state your name and address.

MaryEllen McManus, 100 Greenwood Avenue, Haskell

Ms. McManus: I am one of those people on Greenwood Avenue who have it in my backyard.

Chairman Foulon: Okay, but we are not going to discuss this application right now.

Ms. McManus: I just had one question.

Chairman Foulon: Go ahead. Maybe we can answer it, or maybe we can't.

Ms. McManus: As they were going over the site review, no one mentioned, I mean the lighting was given about ten seconds, and that's a particular question I would like to ask.

Chairman Foulon: We will make sure that their lighting expert is at the next meeting to answer that question. There is nobody on this Board that is qualified to answer that question, but we'll make sure that someone from Applicant is here to address that.

Ms. McManus: I appreciate it, thank you.

Chairman Foulon: Anyone else? Let the record show no one else came forward.

VOUCHERS: submitted by Alaimo Engineering for the Application on 30 Union Avenue in the amount \$1,950; and submitted Steven J. Veltri, Esq. for the Huber Minor Subdivision Application in the amount of \$825 and for attendance at the February 27, 2022 Meeting in the amount of \$400.

MOTION TO APPROVE VOUCHER: made by Member Crilly, seconded by Member Strobel. Voting yes were Chairman Foulon, Vice Chairman Graceffo, Mayor Mahler, Members Platt, Strobel, Slater, Crilly, Jordan and Pasquariello

Chairman Foulon: Steve, do you have any Resolutions?

Attorney Veltri: I have one Resolution. Mr. Chairman, I see a lot of people here from the other application, are they free to leave if they wish to leave and come back in March?

Chairman Foulon: Yes.

Attorney Veltri: I mean they can stay, but I just wanted to put a period at the end of the sentence on that application.

RESOLUTION: PB2022-01 – Huber, Charles & Jacqueline

Attorney Veltri: I do have one Resolution for Charles & Jacqueline Huber, Block 240 Lots 33 and 34. It was a minor subdivision lot line alteration application. The proposal was they were taking approximately 13,392 feet from Lot 34 and transferring it to Lot 33 in accordance with the site plan. As a result, Lot 33 would have a total lot area of 110,685 square feet and Lot 34 would have a Lot area of 22,445. There would be a shared driveway between those two lots and also a third lot which was behind. There were no new variances, but there were two pre-existing variances that the Board approved based upon a Flexible C Analysis and we granted that subdivision based upon all the Applicants' representations and stipulations being true and accurate, approvals from any court, state or local board that was required and in compliance with the Board Engineer's January 6, 2022 Report. It was approved at the January Meeting by a 6-0 vote.

MOTION TO APPROVE RESOLUTION: made by Member Pasquariello, seconded by Member Strobel. Voting yes were Chairman Foulon, Mayor Mahler, Members Platt, Strobel and Pasquariello

Vice Chairman Graceffo, Members Slater, Crilly and Jordan abstained.

MOTION TO ADJOURN AT 10:25 P.M.: Motion made by Member Slater, seconded by Member Pasquariello, and carried by a voice vote.

Jennifer A. Fiorito, Planning Board Secretary