

**PLANNING BOARD**  
**BOROUGH OF WANAQUE**

**MARCH 17, 2022**

**REGULAR MEETING**

**IN PERSON MEETING**

Meeting called to order by Chairman Gilbert Foulon with a salute to the flag at 8:00P.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 27, 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.

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

Member Mary Leonard arrived at 8:07pm and was able to hear testimony on both matters on the Agenda.

**PRESENT: Attorney Steven Veltri and Engineer Michael Cristaldi**

**MINUTES: from the February 17, 2022 Meeting.**

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

**COMMUNICATIONS: None**

**APPLICATION STATUS: No New Applications**

**Application PB2018-05E – MRAN Haskill, LLC (Taco Bell)**

**A. Michael Rubin, 1330 Hamburg Turnpike, Wayne, NJ, Applicant's Attorney**

**Attorney Rubin:** For the record, I am the attorney for the Applicant and this is an application for a two year extension for the original Resolution of Approval. You may ask why I am asking for two years. Back in November 2019 is when we started this and then covid came and those issues and I really thought it was going to take two years by the time we demolished the existing building and built a new building. I would ask for a two year extension of the approvals. We were asked to do what we could to get a demolition permit and our client, who is also here, has done everything he could to get what is called a Demolition Checklist from the Building Department. He has gotten 90% of everything but there is one outstanding issue and we'll put it on the table, its Cable and they are being a little tough to get hold of. When we did get hold of them to have them understand what a demolition permit is and it's going to take some doing.

**Mayor Mahler:** I have to recuse myself, so I am going to leave the room.

**Chairman Foulon:** Yes, go ahead. Let it be noted that the Mayor left the room.

**Councilman Cortellessa:** What is the issue with Cable and the demolition permit?

**Chairman Foulon:** They have to disconnect it.

**Attorney Rubin:** They were unresponsive; that's the issue. We need this letter because it is on the Building Department's Checklist.

**Chairman Foulon:** All utilities have to be disconnected before they can start demolition.

**Councilman Cortellessa:** So we can't get it disconnected is that the issue?

**Attorney Rubin:** We have no idea. The last tenant in the building about three years and that tenant probably had Cable and thus we have to have a line disconnected and that's the issue. Having them responsive to this issue is somewhat difficult. It is not a technical issue, it's not something mechanical or electronic, it's somebody picking up the phone and saying I know you have problem, we'll take care of it. There just not taking care business, that's all.

**Councilman Cortellessa:** Are you talking about disconnecting the service or disconnect the cables. Those are two different issues. One is you can actually physically disconnect the cable or is this just disconnecting the service.

**Attorney Rubin:** I would imagine it's the service. You are talking to someone who has no knowledge what is needed here, all I know it is on the Building Department Checklist. We have supplied all of the other issues that the Building Department has required, but this one is going to take a little longer.

**Councilman Cortellessa:** Another year?

**Attorney Rubin:** No, I would expect it would take a shorter time. It'll take some letter writing and such, but we'll get it.

**Councilman Cortellessa:** You are talking about another year.

**Attorney Rubin:** That is Resolution of Approval; not the demolition. The demolition has to be very shortly because the Building Department won't keep this forever. You can't keep these approvals and all the different utilities forever.

**Councilman Cortellessa:** The place looks pretty ugly right now.

**Attorney Rubin:** That is absolutely correct. That is exactly doing what we've been asked to do. You are right.

**Councilman Cortellessa:** Are you taking care of the property now?

**Attorney Rubin:** Here is the owner right here. Please give your name.

**Rasesh Desai:** Yes, I have a landscaper going every so often to take care of the bushes and stuff like that and keeping up with the landscaping.

**Councilman Cortellessa:** Practically, you don't think you can get this done; you can get the Cable done, but you can't get the demolition done within a year.

**Attorney Rubin:** It will be.

**Chairman Foulon:** Demolition will be done as soon as they straighten things out with Cable they will start the demolition.

**Attorney Rubin:** Yes, Mr. Foulon is correct.

**Chairman Foulon:** I spoke with Mr. Rubin back in November, I believe it was, and said that we wanted the building demolished before we would grant any extensions.

**Attorney Rubin:** Correct. And we've been working on it for quite some time.

**Councilman Cortellessa:** Who in Optimum are you talking too?

**Rasesh Desai:** There is a Demolition Department number that's about it. It is on the Building Department's Checklist.

**Councilman Cortellessa:** May I have that number?

**Attorney Rubin:** Gave the number and commented whatever help you can give us will be appreciated.

**Councilman Cortellessa:** We have a very good contact in Optimum that we might be able to help.

**Attorney Rubin:** That would be terrific.

**Vice Chairman Graceffo:** What is the expected date of construction the client is looking for?

**Rasesh Desai:** As soon as we get the demo done; probably in a couple months, by summer.

**Vice Chairman Graceffo:** So what will be the dates of the actual extension? At what point will it end?

**Chairman Foulon:** We are extending it to January 27, 2023.

**Attorney Rubin:** We can live with that and, most respectfully, we would ask that we can move forward with this. We don't want to come back for this one issue.

**Chairman Foulon:** I am satisfied with that and I'll entertain a Motion that we approve the extension with note that as soon as the Cable is squared away, you will start demolition.

**Attorney Rubin:** Yes sir.

**Attorney Veltri:** Gil, the extension is going to be through January of 2023.

**Chairman Foulon:** Yes.

**MOTION TO EXTEND APPLICATION TO END OF JANUARY 2023:** made by Member Slater, seconded by Member Crilly. Voting yes were Chairman Foulon, Vice Chairman Graceffo, Councilman Cortellessa, Members Platt, Strobel, Slater, Crilly, Jordan, Pasquariello and Leonard (who arrived late, but was able to hear the testimony and was eligible to vote.)

Mayor Mahler recused himself and was not in the room for Roll Call.

Mayor Mahler returned to the dais after the vote on this Application.

**Application PB2022-04 – Wanaque Depo Urban Renewal LLC**

**Chairman:** We are going to set some ground rules before we start the meeting. There will be an 11:00pm curfew tonight and, if we are close to finishing, we'll go a little longer. After each expert testifies, I'm going to open it up to the public to ask of that expert and only on his area of expertise. When the Applicant is finished with his presentation, we will open it to the public for any questions on the application. Do you agree?

**Attorney Lipari:** Absolutely.

**Chairman:** Before we start, I'd like to hear our Planner, Mr. Benecke, I think he has some presentation.

**Planner Benecke:** I am the Redevelopment, Economic Development, and Financial Adviser to the Borough. To my right is Chelsea Gleis, Professional Planner. We were both sworn in on February 17<sup>th</sup> at that meeting and provided testimony. This is Redevelopment Project and a Redevelopment Zone, an RD-2 Zone, which the application has been submitted and deemed complete by the Borough Engineer and Ms. Gleis for the purposes of compliance with our ordinances and with general statutes as well as some of environmental rules. The Redevelopment Plan is dated February 2021 and it includes a Policy Statement, which is required under the NJ Local Redevelopment Housing Law. That Policy Statement is in §1D to provide a mechanism for public private partnerships designed to promote economic development in the redevelopment area to proper arrangement of properties, so on and so forth. Within that is the concept of P3 or 3Ps, it goes back and forth, you'll probably be reading a lot more about that in the coming months and years as public private partnerships grow. The estimated minimum tax that will come out of this property will be approximately \$600,000. Currently, the taxes are approximately \$18,000 so there will be a net improvement of approximately \$600,000 or approximately four tax points. The cost to the Borough of services will be minimal. There are no school age children, there is little impact on Police & Fire because of the sprinkler system, and the circulation plan that was presented at the February 17, 2022 Planning Board Meeting and the testimony thereon as extended tonight of course. In addition, and something that is really important about this project from the 3P perspective, there will be a minimum of 80 employees. We estimate at least 100 employees. It may not be full time equivalence, it'll be different types of employees and the Applicant, through the Borough and the Office of the Mayor & Council, has agreed to do positive recruitment, if this project is approved by the Planning Board, within the Borough of Wanaque to get the first source of labor for any job through the Borough of Wanaque to provide jobs to the residents of Wanaque and the homes of Wanaque. 80 to 100 jobs, even if we get 30% or 40%, is a significant number of homes with good paying, high quality jobs near home. That is another aspect of the Redevelopment Plan that was adopted awhile back. I just wanted to set those rules. There are five (5) variances. Planner Gleis & Engineer Cristaldi went through those the last time and with that, I just turn it back to you and thank you very much.

**Chairman:** Okay, thank you, Mr. Lipari.

**Attorney Lipari:** Good evening, I am Michael Lipari, an attorney with Mandelbaum Barrett and I'm counsel to the Applicant, Wanaque Depo Urban Renewal LLC. We were before you last month via Zoom with our application for Preliminary & Final Major Site Plan and Minor Subdivision approval to create a warehouse redevelopment project that will be known as "The Depo". We heard some of the questions that the Board had asked of our professionals and some of the concerns that were raised and tonight we are going to answer all of those and any of the questions or concerns any members of the public may have. We are going to try and keep it quick because there are a lot of people here tonight, so I'll turn it over to first witness, Mr. Edmund Klimek. Mr. Klimek was sworn in at the prior hearing.

**Attorney Veltri:** Mr. Klimek, you understand you remain under oath tonight.

**Architect Klimek:** I do.

**Chairman:** Correct me if I am wrong but I believe we left it off last month that you were going to give us the difference between a warehouse distribution center and fulfillment center.

**Attorney Lipari:** We were hoping our Planner could through that, or our Traffic Engineer is also a Planner. He is here this evening. We're going to have go third because there probably will be more issues that he could sort of tie together, but we will definitely address that for you. Another issue that came up at the last hearing was the line of sight from the residential area and whether or not the warehouse building would be visible from Greenwood Avenue.

**Chairman:** What I am going to ask you to do then is, in addition to, I would like you to float balloons on the four corners of the building to the maximum height that the building will be so that people can see what they are going to see. This is something we have done before in town.

**Attorney Lipari:** We are happy to do that. That is something we could arrange for, absolutely. The demonstrative that Mr. Klimek is going to show will give a pretty good overview hopefully to the public. I'll let him explain that.

**Architect Klimek:** The question was put before us, if you could tell us if we will see the building and what will we see from Greenwood Avenue. We put together an Exhibit to demonstrate that. Essentially what we did to compute what people would be able to see through a section of the site. We wanted to do it in a location where the building was actually placed for the residents to demonstrate that.

**Attorney Veltri:** Are we going to mark that Mr. Lipari, the new one?

**Attorney Lipari:** Yes.

**Attorney Veltri:** I have A-6 as the next Exhibit. I think we went A-1 through A-5 last time. Could you just mark that A-6 and date it tonight, March 17<sup>th</sup>. What are we calling that?

**Architect Klimek:** We are calling that Site Section Diagram. Again, what we did we took a section through the site at a place where the building was closest to the residences to be able to demonstrate what could be seen or not seen. What you see at the lowest part here, Greenwood Avenue, a residence that is closest to the building, at the elevation that the building is at. What you see is the building that we are proposing so it's obviously at a much higher elevation. What we also demonstrated as part of the section there is a retaining wall that is between the residences and the building itself and obviously there is a tree line that exists between the residences and building. The building right now is 239.7'

at the corner of the building to the property line, there is still a 100' residential buffer as well as the 50' side yard setback. What we've demonstrated through this is that, if you follow a sight line as it happens from the residences, through the trees and, even if we could see through the trees to get to the top of the retaining wall, the sight line is such that it goes well over the top of the building. What this demonstrates is that you cannot see the building from the residences or from Greenwood Avenue. What will be seen from the residents themselves is a tree line. If for some reason you could see through the tree line, what you would see is the face of the retaining wall. What is important is to demonstrate what that retaining wall is. Material that we are making the retaining wall out of is a block that is actually planted, so there is planting materials on top of that block. What you'll be seeing, if you could see through the trees, is an actual planted retaining wall. As you can see from the site, from this diagram, it is a retaining wall that curves around the site. The intention here, and what we are demonstrating first is placement of the building and second is that what you will see, if you could see through the trees, is a retaining wall and that retaining wall is actually a naturally designed retaining wall, vegetative, so it goes with the overall concept that we've been trying to do. This is not a development placed on the site; this is a development that is intergraded into the site. That has been consistent throughout all of our designs.

**Councilman Cortellessa:** When you say that the top of the retaining wall will be planted, **Architect Klimek:** No, the entire wall, itself, will be planted. These are photographs of the type of retaining wall that we are creating. You can see that the way the block is designed actually allows planting to occur in the retaining wall, so the retaining wall, itself, is a green wall.

**Councilman Cortellessa:** And the trees themselves, when they are planted, will be high enough or do they have to grow up to be able to cover the sight line?

**Architect Klimek:** Regardless, even if there were no trees there, you would not be able to see the top of the building. The existing trees that are there are already higher than that and our new trees beyond and in addition will break down the scale of the retaining wall. But regardless, even if there were no trees, you would not see the top.

**Attorney Lipari:** Just for clarification, the trees that are located right here in front, between the wall and the property residential property line, those are existing trees.

**Architect Klimek:** That is correct.

**Engineer Cristaldi:** What is the material of the blocks and how big are the blocks?

**Architect Klimek:** The blocks vary in size and it has a lot to do with the engineering of the overall system, but it is designed in such a way that they are large enough that they can be planted.

**Engineer Cristaldi:** How high is that wall at that location?

**Architect Klimek:** It varies in its height because it basically crawls up as the slope moves up. It becomes shorter in height as it's against the grade that we have around it. It varies in height.

**Engineer Cristaldi:** The only concern I have about that is, you know, water and roots in the block and then it freezes in the winter and after a while it starts to damage the blocks.

**Architect Klimek:** It is designed specifically to handle just that exposure.

**Planner Benecke:** Can you go back to the beginning and just point out the specific distances between the properties on Greenwood and the distance to the building.

**Attorney Lipari:** And we'll make sure that we make it clearer and we'll face it to the public when they have a chance to ask questions and they can refer to it if necessary.

**Architect Klimek:** Again, we wanted to take it at this corner where it is closest to the residences. At that point we are at 239.7' to the property line and, of course, the residences have a backyard to them, but beyond, so 239.7' to the lot line, from that lot line back we have 100' residential buffer, and we also have the 50' side yard setback.

**Planner Benecke:** So structure to structure, what do you think is the closest structure between the residences and the building?

**Attorney Lipari:** I think we estimated it to be about 300' to the closest property and then they get gradually further along as you go north.

**Member Crilly:** 300' to the retaining wall?

**Attorney Lipari:** No, I think from structure to structure.

**Member Crilly:** The measurements are 239' plus 100'.

**Architect Klimek:** No, the 100' is within that.

**Member Crilly:** But what we are saying from structure to structure so it's 239' plus 100' which is 339'.

**Member Strobel:** He used that 100' inside his 239', so it doesn't add it.

**Member Crilly:** 239' is within the 100'.

**Architect Klimek:** We estimated from where that structure is about another 100'.

**Councilman Cortellessa:** What is the block called?

**Attorney Lipari:** Keystone Block.

**Councilman Cortellessa:** It's a block that you are able to implant plants in there and Mike's question was a good question. Water, roots and growth of the plants within a block wall can tend to deteriorate the wall. Why would this block wall not do that? Is that designed in such way that plants growing in it, really?

**Attorney Lipari:** Keystone Block and the photographs at the bottom are photographs of the block that we are intending to use.

**Councilman Cortellessa:** Why would you put that block in there at all? Why would you use that type of block with plants in there? Is there a reason? So it's not visible in a way that's unattractive? If you are doing it because you don't want it to be unattractive, is it because people are going to see it who are on the residential side?

**Architect Klimek:** The whole purpose of this design is to make it work within the environment, to make it fit within the landscape. Just like you want to plant good landscaping to make the site good, the same reason we want to use this block wall.

**Councilman Cortellessa:** It is a design issue related to the environment.

**Architect Klimek:** Yes.

**Chairman:** Do you know where this block has been used before?

**Architect Klimek:** These are all actual photographs.

**Member Strobel:** The 239', that's to your property line right?

**Architect Klimek:** That's correct.

**Member Strobel:** So it starts at the neighbor's property line?

**Architect Klimek:** That's correct.

**Member Strobel:** So how far until his structure?

**Member Crilly:** It would have to be 60' off the property line.

**Attorney Lipari:** And that is where we estimated it 300', give or take a foot or two because of our measurements, because the property lines go up into the slope.

**Vice Chairman:** Again the high point of the retaining wall and the low point of the retaining wall, what are the two heights you have?

**Engineer Kuyan:** 32' lowest and at the highest about 55'.

**Chairman:** Anyone in the audience with any questions of this expert, please come forward and state your name and address?

**Matt Palmieri, 12 Erie Avenue, Wanaque**

**Mr. Palmieri:** This Keystone Retaining Wall, it is supposed to be green, right? Is there going to be someone on the property maintaining the green or is it just going to be left on its own devices? If it is supposed to stay green, that means someone is going to have to water it, make sure it grows and make sure it doesn't die.

**Engineer Kuyan:** It is actually irrigated. Very low maintenance so there wouldn't have to be someone going there and maintaining it.

**Mr. Palmieri:** But if it is within a forest, it's very damp, mold and fungus are going to kill your plants, so who is going to maintain it?

**Engineer Kuyan:** Again, it's low maintenance.

**Mr. Palmieri:** I've been down Greenwood Avenue many times, a lot of the trees are deciduous and this time, or half the year, there are no leaves on the trees.

**Architect Klimek:** That's why we were trying to demonstrate regardless of the trees you still see the building.

**Mr. Palmieri:** Are there going to be any lights on the building?

**Architect Klimek:** Someone else will talk about that.

**Planner Benecke:** Just so you know there is a lighting plan on file.

**Attorney Lipari:** We'll touch upon the lighting plan when the Engineer testifies.

**Tim McManus, 100 Greenwood Avenue, Haskell**

**Mr. McManus:** My property backs up to this. My Lot is 464/4 at 100 Greenwood Avenue. How far away from my lot is this retaining wall to the border of my property?

**Attorney Lipari:** Can you show us on the map where your property is?

**Mr. McManus:** From the property line to the wall.

**Engineer Kuyan:** Approximately 60' to 65'.

**Mr. McManus:** How long is this room? Is it about 50'? So another 10' to 20' and that's how far away that wall is going to be. How high is that wall going to be at that point?

**Engineer Kuyan:** So we have that 50' undisturbed buffer and then the wall is set back an additional 10' to 20'.

**Member Strobel:** So the wall is going to be right on their property line.

**Mr. McManus:** Understood, I just wanted to figure out how far away it was and kind of give folks a comparison of what that distance is. What's the height at that point?

**Engineer Kuyan:** About 43'

**Mr. McManus:** So I'm going to have a 43' wall 50' away from my house?



**Architect Klimek:** No, from the property line.

**Mr. McManus:** I'm sorry, from the property line, yes, okay. There is a hill behind my house so at what point in that hill does the wall start? Do you know what the height of that is? Or maybe we know what the overall height of the wall is going to be at that point? I'm trying to say there is a hill back there, so the wall has to be built on the hill, it's going to be approximately 50' on top of that, so what's the top height of that wall regardless from the road Greenwood Avenue?

**Engineer Kuyan:** There's a few questions thrown in there. The height of the all, compared to the elevation of Greenwood Avenue?

**Mr. McManus:** Correct. Essentially, if I am standing in my backyard and I'm looking up, how high is the height of that wall?

**Engineer Kuyan:** Elevation is 312 at the top of that wall. I don't know the exact elevation in your backyard.

**Mr. McManus:** It's about 250 with the GPS.

**Engineer Kuyan:** 62'.

**Mr. McManus:** So its 62' high all the way to the top.

**Chairman:** Who is answering the questions? Just for the record.

**Attorney Lipari:** This is our Project Engineer, Arthur Kuyan of Stonefield Engineering. He was sworn in at the last hearing.

**Attorney Veltri:** We just want to know for the record that he is answering the questions, not the witness.

**Attorney Lipari:** That's correct. He is the Civil Site Engineer and he is responding to questions with regard to elevations, retaining wall and the building height.

**Attorney Veltri:** And he is answering under oath since you were sworn in at the last meeting. You understand that.

**Engineer Kuyan:** I do.

**Planner Benecke:** Why don't you take it a little slower and just go through this gentleman's question on the heights and what the wall may look like so he gets a better understanding.

**Chairman:** What's he going to see from his backyard? That's what you want to know.

**Attorney Lipari:** I would redirect that back to Architect Klimek to discuss the site. Maybe if you take a better look if you get a little closer you can maybe see some of the lines of sight that'll be visible from your yard and that's actually from the house that's a little closer.

**Mr. McManus:** That's the view from my yard and that's what I'll look at and I'm trying to get a visual representation of it.

**Attorney Lipari:** That is the line of sight from the residences and from the street. It's a fairly accurate representation.

**Mr. McManus:** It seems backwards because, if I'm looking at this from my property, and I'm looking at this structure, the hill goes up in that direction. Your diagram goes down. I'm I looking at it from the School side where the hill would already be up and then go down. This looks like it is inverted that's why I am having problems getting a visualization on this.

**Architect Klimek:** What was important when doing a diagram when you compute sight lines you take a cross section to understand how a sight line appears; what you are able to

see, so what we did in addition to that is we also took a section of the site further out and the reason why we did that is illustrates the wall itself and what will happen in front of the wall showing the trees, etc. and then what we also tried to illustrate is how the wall itself looks using photographs.

**Planner Benecke:** Where is Greenwood Avenue on that plan?

**Architect Klimek:** Greenwood Avenue is in the section and its right here.

**Member Crilly:** You are looking north.

**Architect Klimek:** Correct.

**Planner Benecke:** Give this gentleman an idea of where his house might be so that the neighbors can understand.

**Architect Klimek:** In this section, your house is approximately here; the wall is here.

**Mr. McManus:** That helps but it is still a very poor representation. The hill goes up. There is no representation as if you are looking the length of Greenwood Avenue, your back is faced east and you are looking west. What does that look like? I look west. This is my view and I'm trying to get a visualization of what goes there.

**Architect Klimek:** The best representation of that is the elevation, which shows the wall and shows grade along the wall. As the hill goes up, the wall is a relatively flat elevation.

**Mr. McManus:** Right, the wall is going to be at the top of the hill behind my house.

**Architect Klimek:** The top of the wall is level so as the hill goes up the actual dimension of the wall gets smaller.

**Mr. McManus:** Again, this is the hill, there is going to be additional amount of about 30' to 40' of wall on top of that over the tree line.

**Attorney Lipari:** I understand the question/concern and I think we answered it to the best that we can answer it. I don't know that we can really give another explanation.

**Mr. McManus:** I want to go back to something that was asked at the last meeting that someone specifically on this Board asked what is the view from Greenwood Avenue and can you do a rendering of that. That was a specific ask and I remember that verbatim.

**Attorney Lipari:** We heard that question, because of the fact that we are showing that you can't see it from Greenwood Avenue all we would show is a picture of a tree and that wouldn't really do much for anybody so that's why we went to the great lengths to provide this cross section so that we could at least understand why, from Greenwood Avenue, you are not going to see the wall or the building and we show it with the lines of sight and the data that we collected in this cross section. We could have just taken a picture of a tree, stood on the street and took a picture of the tree and told you that's what you are going to look at, but instead we thought we'd go a step further and provide the Board and the public with this data in order to try and better explain it to everyone.

**Planner Benecke:** Go back about 10 minutes ago, this gentleman, 65' from his deck is his property line, how many more feet is the hill start and how much does that go up and what is the wall? Is he going to physically look at the mound that he's currently looking at, plus the trees, or is he physically going to be looking at a mound, plus the trees, plus the wall? That is what the gentleman is asking. Very direct; what is he going to be looking at?

**Attorney Lipari:** Let's try again.

**Architect Klimek:** I let Arthur give you the specific elevations, but what you will see is planted in the buffer, the 50' buffer that we have, is a line of trees. That is what you will first see. Behind that line of trees will be a planted wall. I have illustrated here and

provide photographs here. My lines of sight, in theory, you can't see it through the trees. However, in this period of time where there is not a lot of leaves on the trees, you could see through the trees. So you will be able to likely see some of the wall, a vegetative wall that looks like this.

Mr. McManus: Thank you.

**Patricia Rauth, 84 Doty Road, Haskell**

Ms. Rauth: What type of trees are you planting?

Engineer Kuyan: At the bottom of the wall, it actually will remain undisturbed and the vegetation that is there will stay and that'll be in the Redevelopment Plan. At the time, it'll be a mixture of evergreens and deciduous trees. That is just on the eastern portion. There is a variety of landscaping throughout the site as well.

Ms. Rauth: When you say line of trees, so there's just a line of trees going north along Greenwood Avenue? When you say line of trees, are you talking literally a row? Well, it is not going to be a forest unfortunately; actually, it could stay a forest.

Engineer Kuyan: At the top of the wall, may be a line of trees was a little too literal. It is a mixture of trees planted in groups. And, like I said, at the bottom the vegetation is remaining in that 50' undisturbed buffer.

Ms. Rauth: Are these going to be mature trees that are planted?

Engineer Kuyan: Yes.

Ms. Rauth: Yes, are they going to be mature trees?

Engineer Kuyan: Not in the buffer zone.

Ms. Rauth: I'm talking about the trees that these people are talking about planting.

Member Strobel: So there are two questions. So one is basically from that gentleman's property line to wall, are you touching those trees?

Engineer Kuyan: No.

Member Strobel: So the trees that are there now will stay there and be there.

Engineer Kuyan: Yes.

Member Strobel: The second question is the trees that are going to be within the wall, around the building, what type of trees are those going to be?

Engineer Kuyan: Like I said it is going to be a mixture of deciduous and evergreen trees. In terms of those trees being planted mature, I would say they will reach maturity but they wouldn't be planted mature.

Ms. Rauth: Thank you.

**Kim Thomas, 107 Greenwood Avenue, Haskell**

Ms. Thomas: This view point, sure it looks lovely, what I would like to see on this diagram, this rendering, is the lot lines so that the people that live on Greenwood Avenue know exactly what they are going to be looking at. Again, this is a pretty picture, but I have no idea where my house lies in comparison to this wall. So if you could make that change on your rendering that would make a huge difference to the residents of Greenwood Avenue so we know what it is that we are up against.

Architect Klimek: Sure, so the property line is illustrated. The line that you see right here is the property line. We chose the location that was closest and that's at the corner.

Ms. Thomas: No, what I want to see is our lot lines. That's the wall, where do our lot lines come into play as a visual on the wall?

**Attorney Lipari:** We've heard the question but just so we are clear the response by Mr. Klimek was that we chose the lot line closest to.

**Chairman:** The worst case scenario.

**Attorney Lipari:** Absolutely.

**Planner Benecke:** Where is the lot line on that diagram?

**Architect Klimek:** Right here.

**Planner Benecke:** That's the lot line. So if you bring that other board show us the house and answer the young lady's question. It may not give her the total picture, but it at least gives her a sense of placement.

**Ms. Thomas:** Just for the Board's sake, they are showing a house here that does not give a sight line for the houses here. This is where we live and this is what we want to see.

**Anthony Tabi, 101 Greenwood Avenue, Haskell**

**Mr. Tabi:** The rock, the geography is varied along the length of Greenwood Avenue, which is what you guys are talking about how the wall itself will be varied as well. Please, if you could, create a drawing that details along the entire length of that wall, where the grade is relative to the street and at what point the wall starts and how high it is. We would like to see that every single property sees exactly where the wall starts, how high it goes and where it levels off. Thank you.

**Mary Ellen McManus, 100 Greenwood Avenue, Haskell**

**Mrs. McManus:** My husband had brought up different things and I have actually two visual aids. From the information I was given, I took the photograph that my husband took and you can pass it around. This is my backyard from my back door. It's about 100' to my property line.

**Member Crilly:** The tree line is 100'?

**Mrs. McManus:** The end of my property. This is ground level, this right here is 50' from our property line so that's where it is supposed to start. The wall, we were told, in our area is going to be 54' high starting on that range, which is about 75'. So we have 50' up, we have 54' retaining wall, we are already at 105', which is roughly nine/ten stories. Then we have a 48' building, 3' grade change, so 45', put back another 100'.

**Chairman:** Are you going to see the building anywhere on Greenwood Avenue?

**Architect Klimek:** No.

**Mrs. McManus:** So 45', 100' away, I'm not going to be able to see it from my house?

You can guarantee that.

**Attorney Lipari:** I'm not the expert, but I think we all understand that things get further away, the get a little bit more difficult to see and that's why we have this representative.

**Mrs. McManus:** It doesn't help me. If you want photographs of my street, I've done that. This is what my street looks like right now.

**Chairman:** Basically, you are going to see the same thing as your seeing now, correct?

**Attorney Lipari:** Yes.

**Mrs. McManus:** Okay, you can guarantee. This is only 6 out of 9 houses that will be affected by this wall. Another thing I was told LED lights. How tall are the lighting, where are they traced.

**Attorney Lipari:** We'll discuss the lighting again, but it won't be visible from your home.

**Mrs. McManus:** As you can see, it goes down here so how am I not going to see anything different? You can't plant anything in front of it; the slope is too big. If it is that high, has a shadow study been done for any of us? This thing is going to be ten stories high in my backyard, it is going to affect the sun. Was there ever going to be a shadow study done?

**Attorney Lipari:** The question is will she see it?

**Planner Benecke:** What will she see out of her backyard similar to the other gentleman.

**Attorney Lipari:** If you are standing at the very edge of the property line, there's a possibility when the trees are not in full bloom, they might see the top of the wall, but the top of the wall will be green because of the Keystone block. From the street with the pictures and representations that MaryEllen is demonstrating here, it will not be visible from that vantage point. That is the testimony.

**Chairman:** I'm going to ask you to take these pictures and show us what people are going to see.

**Attorney Lipari:** Again, we went through this from last meeting to this meeting, and the problem was that we were just going to show you the same picture because it is not going to be visible from this vantage point and we have data to support that.

**Member Crilly:** Just to clarify something with the expert, the retaining wall itself will be 54' high or will that be from the lowest point on the illustration? You are saying a 54' retaining wall and you are looking at Greenwood Avenue which is the lowest grade, is it 54' up from Greenwood Avenue or from the base of the wall? That's the question. She is correct because it is a ten story building in their backyard.

**Attorney Lipari:** The answer is from the base of the wall.

**Member Crilly:** So elevation up and the base of the wall 54' up.

**Engineer Kuyan:** We are just talking about one specific point.

**Member Strobel:** What is the highest the wall is going to be at some point? Just the wall itself for now along Greenwood Avenue. The only other question is the wall is going to be level on the top you said, right. So if the minimum point is 32' and the maximum point is say 60', but the wall is the same, all we just need to know is the ground level to the top of the wall because the wall is going to be the same all the way across. That's the only thing we need. Understand?

**Councilman Cortellessa:** Unfortunately, I wasn't here at the last meeting and I know you went through a lot, but I did listen to the testimony, etc. From my perspective, I 'm a novice at this, but I read all of this (the entire permit package), this visual is from Union Avenue. Am I correct?

**Attorney Lipari:** Yes, that would be correct.

**Councilman Cortellessa:** It would have been very helpful, from my perspective, if the visual was from the residence area looking up the hill, looking to the building, you would have had a very good opportunity to explain more clearly what the look the residents are going to see when they look at the building, they look at the trees, they look at the next stage which is the wall, and they look at the building itself. They don't necessarily see it but that visual from looking at it from the resident road (Greenwood) would have been a much easier explanation process. That's why you are struggling with it here and your saying what's the height, what's this, what's that. I think that would have been really helpful. That's my point.

**Engineer Kuyan:** So the question was asked what the elevation is at Greenwood Avenue, it's 232' so at the top of the wall, which is 312', it would be an 80' elevation difference.

**Councilman Cortellessa:** I'm just saying that the visual would have been much easier for people to understand the impact on their properties if they looked at this property from Greenwood Avenue.

**Attorney Lipari:** I'm going to ask Mr. Klimek to respond to your comment.

**Architect Klimek:** The problem with doing a drawing like that it is not accurate and here is why. It is because of distance, because of the way sight line works. If we were to just show it topographically, for example you'd see the building in the background, but it doesn't take into account is how sight works. That is why a section like this demonstrates and calculates what you can see or not see. It is also why, in this particular instance, why we showed that section to calculate what you would be able to see, we also pulled a section back so you could see it in elevation as well.

**Attorney Lipari:** Is this what you are referring to when you say it doesn't work?

**Architect Klimek:** That's correct.

**Attorney Lipari:** And this is the photograph that MaryEllen McManus showed us. Just lines on a sheet of paper would not actually reflect because of the lines of sight and the distances. That's why that's an inaccurate representation. I know it's hard to get there, but that is why we are trying to explain why we didn't do that because you would be looking at the same picture and that's what we didn't want to show you.

**Member Crilly:** I just want to follow up on what Member Strobel had to say. Through the top of that retaining wall, from Greenwood Avenue and up, that's 80' level, correct? For the length of that wall that's 80' level. Is that correct?

**Mrs. McManus:** I just want to say there's a dip in my backyard.

**Member Crilly:** Yes, okay. But from Greenwood Avenue 80' level? Correct?

**Attorney Lipari:** The question is, is the top of the wall 80' level?

**Member Crilly:** The walls have different heights because of the grade, but it is level at the top, correct?

**Engineer Kuyan:** Correct.

**Member Crilly:** 80'?

**Engineer Kuyan:** Yes.

**Member Crilly:** From Greenwood Avenue approximately. So to the woman's point that is an eight story building level going all the way across, correct. So that retaining wall will be 80' from Greenwood Avenue level, correct?

**Engineer Kuyan:** Correct.

**Member Crilly:** So the different heights of the retaining wall just reflect the grade underneath?

**Engineer Kuyan:** Correct.

**Member Crilly:** Okay, so we're looking from Greenwood Avenue and it's essentially an eight story building level going all the way across, correct?

**Engineer Kuyan:** Correct.

**Member Crilly:** Are there 80' trees growing in that 100' buffer?

**Architect Klimek:** In that buffer, remember the grade is also building up so we have not only the elevation of trees, we also have the elevation of the grade that's going up. Between the trees and the grade itself, there is significant amount of up ridge in front of that wall.

**Planner Benecke:** That's not really what you're asking. What he's asking is, when you look at this line, what do you see against that line, is it trees, is it hill going up into it, what is it and how much of the top of the wall do you see?

**Architect Klimek:** You see hill, you see trees, you see planted wall.

**Planner Benecke:** How much of that planted wall do you see, 4', 6'?

**Architect Klimek:** That's difficult. What this line of sight tries to demonstrate is how that works. For example, if you look at the height of the trees themselves they actually look over the top of the wall, but we know that trees sometimes don't have leaves on them. Standing on Greenwood, what you could see through the trees with no leaves on them is the wall itself and what would that wall look like. We've drawn it here in elevation and we provided photographs of what exactly that wall will look like.

**Mrs. McManus:** How are you going to plant trees on a slope of about 75.

**Engineer Kuyan:** It's existing. They are already there.

**Mrs. McManus:** How can you be sure that nothing will happen to these trees because they are old, fragile.

**Attorney Lipari:** We don't have control over the trees that on the individual lots.

**Mrs. McManus:** During construction, they land in my yard, they become my problem.

**Attorney Lipari:** That's not going to happen.

**Mrs. McManus:** There are also boulders with trees and pretty much everything that is holding the land. I spoke to an engineer and spoken to him about it and he said that if did blasting with that I would assume there would be seismic stuff planted in our houses, we'd have our foundations checked, we would have a shadow study done.

**Planner Benecke:** As to shadow studies, this actually is the precursor and the end of a shadow study. The line of sight is always your basic shadow study. So this is actually better than a shadow study from an engineering land use perspective. From your perspective, you may want to see the sun at certain points, but this is actually better from an engineering perspective to get this.

**Mrs. McManus:** I am formally requesting a shadow study for my property because of the amount of shadow that will be cast by a 105' wall.

**Planner Gleis:** I just need some clarification would you say based on that diagram that the top of the building will not be taller than the existing tree line? How high over the existing tree line will they see the wall?

**Architect Klimek:** We don't have specific tree surveying in terms of height. What we did is we estimated the height of the trees based upon what we saw and estimated that they were be somewhere in the neighborhood of 40'.

**Planner Gleis:** Taking that estimate of 40' high trees, how high above the tree line might the wall

**Architect Klimek:** In some cases I think it might be 60'. Some cases the trees will be taller and in other cases it will come above the tree.

**Planner Gleis:** So 32' to 60' you are saying is the range of the height of the trees?

**Architect Klimek:** No, the wall adjacent to grade where the trees are.

**Planner Gleis:** But there is no way to give even a conservative estimate of how much of the wall could be seen above the tree line.

**Engineer Kuyan:** If you were to draw it flat on paper, without taking account for sight distance and views, anywhere up to 10' above the tree lines.

**Planner Gleis:** So approximately 10' above the tree lines. So looking at their existing tree line and their view, we are talking no more than 10' above that is the tree line that they would see wall. So we are not talking about eight, nine stories above an existing tree line. We are talking about 10'?

**Planner Benecke:** You have to get that testimony into the record because that is this gentleman's question that was never answered. That is exactly what he had asked.

**Attorney Lipari:** So if we could maybe settle down, we'll try to answer this question. So if we could just reiterate what we hope is the answer to the question and certainly Ms. Gleis' question. Arthur if you could just repeat what you indicated about flat line height and hopefully we can move on to the next question.

**Engineer Kuyan:** Taking into account the fact that tree heights are approximate; what is out there now is existing. You can see up to 10' in a flat plain above the tree lines to the top of the wall approximately, and worst case scenario.

**Vice Chairman:** You had suggested earlier about flying the balloons at the points. It might be a good suggestion to add several points along the retaining wall and the building height. So you have a setback of the building and the front view of the height of the retaining wall what you can see. The balloons would demonstrate the highest point of the retaining wall as it goes. There are about 8 or 9 properties from the entire site so may 4 balloons of the first property that its impacted to the last property that is impacted. That would give people a more visual effect as to what they are seeing from their backyards; the balloon being at the highest point if possible. At the point where the wall is going to be placed and then where the building is going to be placed.

**Attorney Lipari:** What we are going to have to try and figure out is how we can traverse the grounds in order to come up with that. Right now it is very difficult terrain. I think Mr. Benecke sort of agree with that. There needs to be significant clearing and earth work in order to get up there. We can try and come up with something but we will really have to talk that through. It's going to be difficult.

**Planner Benecke:** Mr. Lipari, the Chairman is right. What Chelsea has done in the past has done line of sight using Google Earth or equivalent with yellow lines are even better than balloon tests. You can actually start with that, meet with the neighbors (8/9 of them), we can mediate and have them flush out what this is going to look like for them because they are concerned about it and we are concerned about it. (a) If you can't get a balloon up there, typically what you do is a Google Earth, I am sure Chuck Lieber can do it and Stonefield and you look at these line of sign ranges but you look at it in real time, on a Google Earth. (b) What you can do is have some sort of fabrication, you can hire a rock climber or two to go up there and, instead of a balloon, fabricate a 100' wall or 65' wall and take pictures of them. Those are two suggestions that you can do to sort of get these folks a little bit more comfortable for at least what they see. From our professional prospective, it's great, but from a layperson, somebody who is really concerned, we probably have to do something a little bit more so they get comfortable.

**Attorney Lipari:** We certainly understand the concern and we thought we would provide the actual data and the representation, but we will have to discuss the most appropriate way and feasible way to accomplish what you are asking for.



**Mrs. McManus:** There is modeling software that you can use to create this thing and you can do the shadow study. I don't understand why I can't have one done.

**Planner Benecke:** Chelsea and Stonefield will do something for you to see if you like it and we'll try to do the best we can.

**Kelly Amaniera – 26 Skyland Avenue, Haskell**

**Ms. Amaniera:** My question, and I apologize because I wasn't at the last meeting, and I'm not on Greenwood, I am actually on the other side of what that looks like, and we are 250' of elevation where the property is, so we actually have a higher view point that would see over this. I am curious what the elevation is of the wall and the building in relation to what we might see. It's on the far side so we have a higher view point and we'd be looking down. It's a little bit different and I don't know if it's related to this.

**Engineer Kuyan:** Right towards the back here, you are at an elevation of 400'.

**Ms. Amaniera:** Okay, so it's higher.

**Barry McCloud – 202 Doty Road, Haskell**

**Mr. McCloud:** Not counting the tree line, what is the nature of the vegetation planned to be planted in those Keystone blocks; within the wall?

**Attorney Lipari:** We'll get back to you with the exact species.

**Mr. McCloud:** For all the plants, the tree line and the wall, have you taken into consideration the spotted lantern fly.

**Attorney Lipari:** I don't know if we've taken that into consideration but we can't take into consideration every type of possibility that a bug or rodent might eat a tree. We can only plant as many as we can plant.

**Mr. McCloud:** This bug eats a lot of things.

**John DiMeglio – 414 Ringwood Avenue, Wanaque**

**Mr. DiMeglio:** How is this going to affect the traffic on Union and Ringwood Avenues?

**Chairman:** That is another expert.

**Mr. DiMeglio:** Tilcon, are there trucks still coming out onto Union Avenue?

**Chairman:** Eventually.

**Attorney Lipari:** We'll address the traffic thoroughly and you can ask those questions at that time. It might answer some of your questions or it might raise some more questions.

**Mr. DiMeglio:** We have enough traffic on Ringwood Avenue.

**Attorney Lipari:** I'd like to call my next witness who you probably all familiar with at this point in time, Mr. Arthur Kuyan, Professional Engineer, Stonefield Engineering. You were sworn in at the February meeting and we reminded you earlier tonight. I think there are only a couple of things we wanted you to touch upon this evening. First, we are doing some improvements to the stormwater and maybe you can touch upon that briefly.

**Engineer Lipari:** Absolutely, I'll just keep it brief from the previous meeting. From a stormwater standpoint, I did testify to the extensive stormwater system, but what I think I failed to mention is the vast improvement that we are actually going to have to those eastern residential properties. Without getting too technical, just from the number standpoint, in the existing condition of the developable area, there is about 231 643 square

feet that currently drain to those eastern residential properties. We are cutting that number down to 7, 442 square feet, nearly a 225,000 reduction. Generally, when you are designing these stormwater systems to meet both the municipal and state regulations, you really do look to match the existing flow patterns. But what instead the Applicant has done is he has invested into a larger and vastly more expensive stormwater system within the site itself to remove the stormwater volume flow into that area.

With that, I'll just keep going since I wanted to touch on the lighting. So the proposed lighting has been oriented to properly illuminate the drive aisles and the parking fields and that's really it. The lights are actually cutoff fixtures to prevent any of the overhead sky low and avoid illumination spill over to those neighboring lots. Just from a number standpoint, the light is 120' away from the property line.

Attorney Lipari: While we are talking about some of the improvements, is it also the case that the Applicant is going to be improving the existing pump station and the water and sewer infrastructure?

Engineer Kuyan: Yes, in coordination between the municipality and the county and the Applicant will work with both to improve the pump station as needed to service the development.

Attorney Lipari: Obviously, we'll open it up to questions limited to that testimony hopefully, but before, I just wanted to announce that we are going to Traffic & Planning testimony afterwards. We are going to address that to the extent that people are concerned and want to hear about that and if they could hold off until we have that testimony.

Member Strobel: Are we going to get construction points? Like when they are starting, how long it is going to take, what it is actually going to encompass to do all of this? I went up there about two weeks and there are some big mountains back there. I live in an area right now where I've been getting pounding for the last three years because somebody's building a few houses. What type of construction is going to be and how long is it going to be?

Chairman: When and if you get approval, will you start construction and how long do you anticipate it to be?

Mr. DePaolera: I can answer that. Nick DePaolera, the Applicant with others. With the groups that we consulted it with which have been some of the top, both site work contractors, subcontractors and general contractors in the state, 12 months for site work itself and then anywhere between 7 and 9 months for the construction of the building.

Member Strobel: How are you going to manage to move all that out?

Mr. DePaolera: The plan is to avoid as much export as possible. We don't have specific details on that.

Member Strobel: But to get that area of the warehouse and parking, you can walk up there and I did it, it is immense and it's rock/shell.

Attorney Lipari: I believe there was some testimony by Mr. Klimek at the last hearing where the goal is to use as much of that rock as part of the site and part of these retaining walls as possible. So there will be a lot of reuse.

Mr. DePaolera: It's a balancing act. A lot of it is going to be used to fill in areas where the larger retaining wall will be and then there is going to be stock piling.

Member Strobel: So when the shovel hits the ground, it'll be 7 to 9 months before you start building the actual building.

**Mr. DePaolera:** 12 months for the site work itself and 7 to 9 months for the construction of the building. That's subject to available materials, etc.

**Mary Ellen McManus – 100 Greenwood Avenue, Haskell**

**Mrs. McManus:** Again, of that construction time, how much will be blasting. Is there any kind of estimate? What are we doing to preserve the foundations of all the houses? We feel Tilcon blasting and that is 2 miles away, so less than 200' from my house it's going to rock my house.

**Mr. DePaolera:** It's above my pay grade, but what I've been told and explained to me is there will be inspections performed beforehand of the foundations of the neighboring residents and after the case.

**Chairman:** This is normal. Blasting is all State controlled.

**Mrs. McManus:** I was told by someone that works in this industry that they provided seismology units for every house that was within a certain area and they were actually put in their basements to measure the booms.

**Planner Benecke:** There is a blasting plan that needs to be filed with the State. That blasting plan will survey the basements and the subterranean effects of those basements. The blasting that Tilcon does at their Riverdale Plant, especially, has larger chargers than will be here; much larger chargers. I just want to make sure you realize that there will be a blasting plan and you will get a copy of it. All those contiguous property owners will receive a copy of it.

**Mrs. McManus:** As to lighting, do we have wattage?

**Engineer Kuyan:** They are usually measured in foot-candle. I would say, not even looking at the property line, at the wall itself, at the bottom of wall is zero.

**Anthony Tabi – 101 Greenwood, Haskell**

**Mr. Tabi:** I'd like to put this lighting issue into perspective.

**Chairman:** You are addressing us, you are not addressing them.

**Attorney Lipari:** We will open it up at the end for all additional comments. I would just like to get the questions out of the way, if possible, in order to move along.

**Mr. Tabi:** It is a question. We are all familiar with the Walmart from 287 it is like a lighthouse. You can see it for miles. What kind of lighting is this going to be which is going to be 100' plus in the air shining down on the properties on Greenwood.

**Chairman:** What is your question?

**Mr. Tabi:** The question is how is it going to affect it? You say it is zero. How could you say it is zero? I really question that because if you could see that type of lighting from miles and miles on other sites, how is this going to be any different?

**Engineer Kuyan:** We are using high intensity LED lights. We do have modeling software that evaluates the foot-candle, then the property and with design it's specifically focused on having no illumination spillover to the nearest properties.

**Chairman:** You are not lighting a parking lot like Walmart?

**Engineer Kuyan:** No.

**Planner Benecke:** Just for the Walmart record, I live 300' from Walmart and I can't see one light.

**Kerrigan Palmieri – 12 Erie Avenue, Wanaque**

**Mrs. Palmieri:** I have a question specific to the water change. So with the reduced water flow as you have mentioned, all these trees that we kept relying on to cover the wall, so now with this reduced water flow coming down to those eastern properties, what happens when all those trees die from the reduced water flow? What's going to cover the wall then?

**Engineer Kuyan:** They will still receive rainwater. It is not as if we are taking down the rainwater that comes onto the property.

**Chairman:** That will remain the same.

**Mrs. Palmieri:** That will remain the same, and if all the trees die because of the reduced rainwater, can the residents come back?

**Chairman:** From the pictures I've seen, there are a lot of dead trees now. It's a natural thing in an area like that where trees die and trees grown.

**Mrs. Palmieri:** So the wall will be less covered then. That's all.

**Attorney Veltri:** I have one question for the Engineer. It looks like you were copied on the Passaic County Planning Board letter.

**Attorney Lipari:** Yes.

**Attorney Veltri:** There are some requests for more documentation. How long will it take you to supply that information?

**Engineer Kuyan:** You are correct. We were heard before the Passaic County Planning Board. They had some comments. A lot of it came from them not having our preliminary wall exhibits, which we are going to submit to them and set-up a technical meeting with their professionals and we feel comfortable that we can comply with all their comments.

**Attorney Veltri:** What is the timeframe in your mind that you can comply and meet with them?

**Engineer Kuyan:** I would say within the next week we will get them all the documentation and set-up a meeting within the next two to three weeks based on their availability.

**Attorney Veltri:** Thank you.

**Member Crilly:** I do not know if this is appropriate, it may be more for traffic, but in terms of Point 5 of the County Letter that is being referred to, they talk about the driveway slope saying it is unacceptable at 6.7% grade. Will there be modifications? I think that was a significant question in terms of traffic and the slope going onto Union Avenue at the last meeting.

**Engineer Kuyan:** Absolutely, we are going to revise the driveway to meet the Passaic County Standards at the 2% within 50' and then slope back up to that 7%.

**Engineer Cristaldi:** Wouldn't that make the slope in the remaining section even steeper?

**Engineer Kuyan:** No, we'll still maintain the same 7% slope in the drive aisles.

**Engineer Cristaldi:** Once you go back 50' off of Union, at a lower slope than what you have designed now, when you get to that 50' you are going to be lower than you are now in your plans so you are going to have to get steeper to catch that grade, right?

**Engineer Kuyan:** No. What I am saying is we are going to maintain that 7% maximum slope and it'll just affect the finished floor of the building itself.

**Engineer Cristaldi:** Okay.

**Kim Thomas – 107 Greenwood Avenue, Haskell**

**Ms. Thomas:** I do have a couple of questions with regards to the stormwater that you referred to you in your plan. Looking at the plans that you submitted C-11, in the corner of the property is shown an outlet with riprap at the corner of the retaining wall where that water flows over stones and eventually out onto the land. There is a concern there with stormwater runoff coming from that corner of the property where everything is going to flow in and come out this outlet and go across the land.

**Engineer Kuyan:** Do you mind showing me on the exhibit? Sure, that's going to follow a path to the existing levels on site where the stormwater currently goes.

**Ms. Thomas:** My other concern is with the stormwater runoff eventually going down the mountain, hitting Union Avenue where there is one storm drain. It is a flat storm drain and it's currently covered by debris, so we now have all this additional water funneling through this to come down the mountain and it's going to hit that storm drain and if that's covered in the winter, which is now, what's going to prevent the road from being flooded, the road from being frozen and any additional runoff crossing that road and contaminating the lake that is across the street?

**Engineer Kuyan:** So there won't be any stormwater from our site that flows onto Union Avenue. Where it is actually going to go is to the existing wetlands on site where it currently goes today. Per State regulations, we actually have to reduce that peak flow so what we are doing is installing stormwater systems that retain the flow and slowing discharge it at a rate that's required by the municipality and State.

**Ms. Thomas:** Can you guarantee that none of that flow is going to go down the property into the neighborhood on Greenwood Avenue? If you travel on Greenwood Avenue right now, during a regular storm, that road gets flooded. One of the neighbors actually has sand bags in front of his house to prevent the water coming into his property. Now you are going to have water coming down the mountain from the back of the property, can you guarantee that we're not going to get flooded out?

**Engineer Kuyan:** That's specifically why where you see at the edge of the wall, we're going to be capturing all of that stormwater and maintaining it within our system. There will still be stormwater flowing over to Greenwood, that's just going to be in the undisturbed vegetative section that exists today vastly improving the situation from the stormwater flow to those residential properties.

**Ms. Thomas:** With regard to the lighting, you did mention that it's going to be at the top of the mountain, it's high intensity LED lighting, are these dark sky compliant? I moved into this neighborhood a year and half ago and my daughter was thrilled to death at how dark it was and she could actually see stars and she got a telescope for Christmas. Building this thing with a beacon at the top of the hill and the lights aren't dark sky compliant, we will never see the stars again.

**Engineer Kuyan:** Yes, the lights will be dark sky compliant. They are designed to focus down to avoid any illumination in the sky.

**Ms. Thomas:** The lights will be shielded?

**Engineer Kuyan:** Shielded in the sense that they will be pointed down.

**Planner Benecke:** They are dark sky compliant. That will be a condition of the site plan.

**Attorney Veltri:** I see your site plan is 40 some odd sheets, do you have a subdivision sheet in your package?

**Engineer Kuyan:** We do, but it wasn't prepared by our office. It was prepared by DMC. As part of our site plan, we do depict the proposed lot line and the varying lot areas as well as the zoning associated with the subdivision.

**Attorney Veltri:** I saw something on Sheet 7, but I didn't see what I normally look at for subdivision.

**Engineer Cristaldi:** I requested that in my original letter Steve and they did submit a subdivision plan.

**Attorney Lipari:** It wasn't in the initial submission, it was a supplemental submission in response to the letter, but it was submitted to the Board. If needed, I'll provide you with another one.

**Board Secretary:** Was that in the e-mail?

**Engineer Kuyan:** Yes, it was included in the electronic link.

**Attorney Veltri:** Could you send me a copy that would be great?

**Attorney Lipari:** Sometimes it is easier to have the sheet, and I'll send you the sheet.

**Attorney Veltri:** Thank you.

**Mayor:** It looks like you have a 10,000 square foot retention basin under the parking lot. How deep is that?

**Engineer Kuyan:** There are various detention systems. That one is about 9' to the top of it. The bottom of the basin is another 5'.

**Barry McCloud – 202 Doty Road, Haskell**

**Mr. McCloud:** The retention basins you just pointed to, should those retention basins overflow, where will they discharge?

**Engineer Kuyan:** The way that we analyze stormwater, we look at a 100 year storm event, which is a storm event that could happen once every 100 years, there are basins themselves that the flow goes into them from volume standpoint, they are sized to handle 100 year storm event. In the case that they will discharge, they'll continue into a series of both above ground and below ground basins that will hold and discharge into the existing wetlands on site.

**Mr. McCloud:** So you are adding 17 acres of impermeable surface and NOAA acknowledges that the 100 hundred storm calculations are wrong today. Are you planning for the future?

**Engineer Kuyan:** I would say that from a DEP standpoint, we are actually reducing the peak flows from the existing conditions with our proposed stormwater design. Again, it's even greater than that because of the added volume that we are putting into these systems that previously went through the residential properties.

**Mr. McCloud:** And my original question, should they overflow where will they discharge?

**Engineer Kuyan:** To the existing wetlands on site.

**Kelly Amaniera, 26 Skyland Avenue, Haskell**

**Ms. Amaniera:** Is there any information about the ecological impacts of the water drainage system? We have a private well system that taps into the water table that will be adjacent to your property. If you are changing the drainage of where the water is, is that going to affect our well and do we have to dig a new well pump?

**Engineer Kuyan:** What I will say, in addition to the environmental impact statement that was prepared that obviously analyzed the ecological impacts of the site itself, there is a water quality aspect of the stormwater that is necessary for us to meet. With the above ground basin it would provide some natural, there is also natural water quality, there is also 22 water quality units that have been installed in various parts of the site that treats the water before it goes into the systems.

**Ms. Amaniera:** It will treat the water for like all the fuel runoff from the trucks, the oil, everything that is going to drip from all of these big trucks coming in and out of the area?

**Engineer Kuyan:** It will comply with the State standards. Everything that flows within the stormwater system will be treated with these water quality units.

**Ms. Amaniera:** But will it affect the height of the water table?

**Planner Benecke:** Will they run out of water because you are putting the building in?

**Attorney Lipari:** We are complying with the DEP standards that allow for that.

**Vice Chairman:** Are you north of the property?

**Ms. Amaniera:** Yes, our water is going to be directly impacted if anything happens.

**Member Platt:** She lives in the bird sanctuary on Skyland.

**John Ostuni, 26 Skyland Avenue, Haskell**

**Mr. Ostuni:** Like was said, you have about 17 acres of asphalt and it's going to go right to the drainage systems. How much of that water are you taking out from the water table? It is going into a drainage system out into the sewer.

**Engineer Kuyan:** It is not going out to the sewer. The stormwater systems itself, there are various above ground and below ground systems; they are infiltration systems so besides actually retaining the water, there is stone built above, the side and below these systems. The water will infiltrate into the ground and excess water that is not able to infiltrate to the ground, and then be conveyed to additional stormwater systems that ultimately will discharge to the existing wetlands on site.

**Mr. Ostuni:** How much water do you expect to be diverted away a property north of us? So how much water do you expect to be not put into the water table essentially?

**Engineer Kuyan:** The basis of stormwater design, from the municipal ordinance and State ordinance, is to match the existing point of interest of where that water currently goes.

**Mr. Ostuni:** It is going where?

**Engineer Kuyan:** To the existing wetlands on site.

**Mr. Ostuni:** And that's below our property line.

**Chairman:** Is it going to affect their well?

**Mr. Ostuni:** All your drainage system is going down, right? So the all the drainage that was naturally going the other way, is going down now?

**Engineer Kuyan:** No.

**Chairman:** I believe this question was answered when your wife asked it. It is not going to affect the water table.

**Mr. Ostuni:** I don't believe that.

**Mary Ellen McManus, 100 Greenwood Avenue, Haskell**

**Mrs. McManus:** You said that it'll drain into the wetlands. Do you have an amount or an idea or an estimate of how much water naturally flows to the wetlands because, if you are diverting it, how much more and is there plan if it does get overwhelmed? What effects environmentally?

**Engineer Kuyan:** Currently is about 450,000 square feet and after the proposed development it will be about 981,000 square feet. A majority of that comes from the moving stormwater flow that goes to the eastern residential properties. To answer your question, we are going to comply and going to meet the seep permits with the DEP that analyze the wetlands and the impacts of all of our development from the construction, site design and stormwater standpoint.

**Mrs. McManus:** Those are not done yet?

**Engineer McManus:** We've had extensive pre-application meetings with them and we are preparing the application to them.

**Attorney Lipari:** And we agree it will be a condition of our approval.

**Mrs. McManus:** Why wasn't there ever a model done of the entire site plan? It can be done and I've actually worked on some.

**Attorney Lipari:** We didn't prepare one in anticipation of this application and we are not going to. I think we've provided sufficient drawings and computations.

**Mrs. McManus:** I don't agree and there are so many software programs that can do it for you; it doesn't have to be a physical model.

**Chairman:** Our Engineer has not required it and that satisfies us. Thank you.

**Mr. DePaolera:** Just one comment; we actually were working with a 3-D Model Company based in Texas, one of the most renowned and commonly used for these types of developments, and we went through the process and the due diligence of implementing a 3-D rendering being portrayed from Greenwood Avenue, and when they implemented it, it wouldn't be visual so literally you were looking at the existing trees and topography and rock. Literally, you would be building up the wall and the image didn't tell any sort of story.

**Chairman:** Like the gentleman said, it wouldn't show anything different than what you are seeing now.

**Attorney Lipari:** That's what we have been trying to express.

**Attorney Lipari:** My next witness is Charles Olivo. He is both a Professional Engineer and a Professional Planner. We are going to start with some traffic testimony. You were sworn at the last hearing and you continue to be under oath. Mr. Olivo, you heard some of the concerns at the last hearing and I know you did some additional research, maybe you can explain that for us.

**Engineer Olivo:** Good evening, and for the record Charles Olivo of Stonefield Engineering & Design. At the last hearing I did provide testimony with regard to the traffic related trip generation of the site and traffic on the roadway network. As I mentioned to the Board, we've been working within this general roadway network for about the last 4 or 5 years as Traffic Engineer for the Tilcon Project as well as traffic analysis going back to 2017. So we are very familiar with the intersections, the roadway systems and everything that we have



here. I believe the way we left off the last hearing was some discussion about this land use study. Is a warehouse the same thing as a fulfillment center, how much traffic does one versus the other generate and how would that potentially alter the findings of the study. I believe Mr. Graceffo and I had some back and forth and we talked about it with the Board Planner as well. As you are all aware, in 2022, industrial tech uses are becoming much more prolific throughout the State and throughout the region. What is also starting to happen is we are calling them more than just industrial buildings or warehouse buildings. You hear many different names and one of the names is an operation type that I mentioned at the last hearing was a fulfillment center., and there are other names to these types of operations as well. Sometimes they are called citation centers, sometimes they are called delivery centers or delivery stations, distribution centers; all within this “industrial” land use type or warehousing land use study. As a result of that, there are some differences in the way that the traffic moves in and out of these other types of operators of a warehouse or other industrial building. We looked at the full spectrum. We looked at the high que trans load facility, we looked at the delivery station, we looked at the parcel fulfillment center, all of these different types of operators. Now the fulfillment center, which is also called a high queue fulfillment center sortable, is the type of operation where, when we are looking at the trip generation, would actually generate less traffic then what we propose. The difference is that type of fulfillment center typically takes a building that is 800,000 square feet or more and, in most cases, over a 1,000,000 square feet.

I just want to remind the Board that what we are proposing and what we are seeking approval for is 272,000 square foot building with 144 parking stalls, and when you add everything else in, the truck parking and the loading areas, you end up with about 260 positions on the site; lines, parking stalls, loading areas. An 800,000 square foot fulfillment center is obviously something that would not fit on this site and that’s not what we are proposing. If we proposed 100 square feet more, or 10 parking stalls more, we are coming back to you for a different type of approval. If we are proposing different circulation aisles or different van loading areas, we are coming back to you for a different type of approval. With that being said, we studied all of these different types of operators within this warehousing industrial use and to Mr. Graceffo’s question at the end of the last hearing, “Well what if Mr. Olivo it does generate more traffic with 144 parking stalls and all these other truck loading areas?” and we ran those numbers. We ran the numbers up to about 3 to 4 times the traffic that we would expect for this type of warehouse use and, even with that, Ringwood Avenue and Union Avenue would operate at generally the same level of service that it does today; the same for Susquehanna, the same for Greenwood and the same for Union Court. Why is that? Because if we take a look at the site plan for this site, we are about 850’ away, that’s about a 40 car queue away from Greenwood. It’s another 450’ before you come to I287. I287 carries about 100,000 vehicle trips on a daily basis. The large majority of our traffic volume, say about 70% to 80%, is expected to come to and from I287 and that is why we don’t see significant impacts on the surrounding roadway network. We are located here before of the excellent mobility and connection to I287. We ran those traffic numbers through these various intersections. In the morning, outside of covid, obviously we’ve had a strange couple of years with covid and traffic volumes, and enjoyable during certain period of times because there wasn’t much traffic, but we are kind of back to the levels that we were seeing in 2019 and before that. We’ve looked at the traffic volume and we’ve analyzed the traffic volume as it flows through the network

looking at normal levels of traffic and then growing it even further to understand whether or not there would be impacts.

Typically in the morning where you see your longest queues is vehicles coming just off to the right-hand side, down Ringwood in a southbound direction, making the right turn and then where are those vehicles queue back, the westbound left to get onto I287. If you back through the left turn lane then it goes back up Greenwood Avenue generally in the morning because you have a big flow that is moving in a southbound direction. Our vehicles are coming from I287, most likely, and coming straight through pass that queue, just to the right of that queue. We are not traveling on to I287 in the morning where you'd see those existing constraints. They are coming into this facility. They make the right turn in, they park and then they do their business throughout the course of day. We studied during the morning peak hour and the evening peak hour. We looked at these higher levels of traffic associated with the delivery station or fulfillment center or parcel hub and in all of those cases, the driveway would operate at an acceptable levels of condition levels of service acceptable conditions and the same for the intersections themselves. With this Board, I believe the Planner and the Engineer effectively required is that, if the traffic levels are significant, or even not even if they are significant beyond what we analyzed in our study, we have to conduct counts after this use is open and operating if the Board is inclined to approve it. We have to study, we have to understand how many trips it generates compared to what we projected and we have to study the intersections themselves to see if they continue to operate at the levels of service that we anticipated and that we expected. There is somewhat of that safety valve at the end of this to say, if it generates more traffic, we want you to study it and then tell us how to mitigate it. Mr. Graceffo asked the question, and I think Mr. Benecke did as well, "how would you mitigate it; what would you do?" We have to rise to a level of about 5 to 6 times or more of the traffic that we predicted as part of this development to rise to a level where potentially we would be looking at signalizing Greenwood along with Susquehanna. We all know the discussion about the signalization of Susquehanna, and the County is weighing in on that and Tilcon's position on that as well as the impact contribution that will be made by Tilcon in that case. If the traffic volume levels increase so much on Union that we saw a level of service constraints, in other words, long queuing, delays, difficulty in getting from Greenwood onto Union, that the mitigation at that level would likely be signalizing Greenwood so you'd be provided with gaps in traffic at a green light so that you could then travel onto Union then travel onto I287 or Ringwood. The one thing that I'll say is, when you look at the highest generators of traffic in this warehousing sphere, they have somewhere around 3 to 4 times the amount of parking we have because that's where the traffic is coming from. If you have a parking lot and just taking the rough numbers of 100 cars, versus 500 cars, which one is going to generate more traffic; the one that is parking 500 cars. The limitations that we have are the size of the building and the amount of parking stalls that we have on site. From a traffic engineering perspective, the findings that we have now with even growing the numbers 2, 3, 4 levels higher than what we've shown in the initial study, you would still continue to operate at generally acceptable conditions during the peak hours.

If there are any questions, I'd be happy to answer them.

**Engineer Cristaldi:** Chuck, I just want to clear one thing up. The values that you come up with that you use in your estimation of what the traffic is. You get them from ITE so they are based on numbers that are actually measured on existing facilities to give them some realistic accounting of what to expect.

**Engineer Olivo:** Actually measured at existing facilities that is correct.

**Engineer Cristaldi:** I just want to make sure you explain that to everyone that you are not making up these numbers that they start from realistic true values.

**Engineer Olivo:** That is correct.

**Councilman Cortellessa:** You have 43 trips in now; that's what I am seeing based on what the County is talking about. The County doesn't agree with the volume based on the 43 trips that you say are coming in and out. The County is also saying that you have 82 docking stations and with those 82 docking stations you are only going to have 43 trips coming in and out. Are you planning to grow the business there at all, or are you planning to stay at only 43 trips in and out? You are also talking about adding, which is a good thing, 80 people from Wanaque to work there. There is a lot of car traffic that is going to be in and out. The traffic on Union Avenue today, with the number of trucks coming off of I287 whether they are coming southbound or northbound, it's quite heavy. So I'm trying to understand when you talk about, and you make it sound very well run by the way, but I don't by the traffic levels that you talked about. We've had that issue before where we talked about the number of trucks coming into the community, and you're going to have trailers here and there may be some vans also that you have, but you have 82 loading docks. 82 loading docks and you are telling me only 43 ins and outs that you are going to have into that facility. That's what the County is saying. Item 3 in the County correspondence talks about traffic study shows trip generation figures from a generic warehouse use these results in only 40 trips entering and 43 trips leaving.

**Engineer Olivo:** In one (1) hour.

**Councilman Cortellessa:** Right, in one (1) hour. So you've got 82 and you are going to have 43 trailers/trucks/whatever coming in and out every hour. You said within one (1) hour.

**Engineer Olivo:** In the peak in the highest peak hour, yes.

**Councilman Cortellessa:** You need to finalize the answer to the County because they have a question here that you have to answer.

**Engineer Olivo:** What the County is asking is very similar to what Mr. Graceffo asked for which is, if you get a different type of user other than a generic warehouse, how much traffic would it generate? What we are talking about, that figure that you mentioned, the 43 vehicle trips coming in, that is during the peak hour of the roadway network. You have 24 hours in a day; your busiest hour is typically between 7am and 9am in the morning and between 4pm and 7pm in the evening. Those are the rush commuter periods. 7am to 9am is a two hour window; 4pm to 7pm is a three hour window. What we look at in the traffic engineering industry is we look at the highest hour during those times because those are the toughest times to travel upon the roadway. During the midday period 11am and 11pm at night, we don't study those hours because the traffic from our site in the evening, there would be none, and traffic on the roadways is very low as well. So what we are looking at is the highest peak hour during the course of the day that then overlays on top of the highest hour on Union and Ringwood; that's what we study. We have to go back to the

County, you are absolutely right, and we will take the same analysis that I spoke about this evening to the County to describe and show to them that, no matter what type of operator comes into this 272,000 square foot building with 144 parking stalls and when you add up all of those truck loading areas to get to about 260, that we would not be significantly impacting or delaying the queuing on the roadway and then the County will make that decision themselves.

**Councilman Cortellessa:** It is difficult to by that and I'll tell you why. You talk about peak hours and I understand that. You have 82 spots, you have a fairly large facility, you want to grow the business and you're telling you are only going to have trucks going in and out of there in peak hours. We live with Union Avenue and Ringwood Avenue traffic. The reality of it is during the day when everybody says that the traffic really dissipates with the amount of traffic that comes down still has a significant impact regarding this people in this community. When you talk about 82 loading docks and a facility of that size, I can't believe that you're not going to try to grow the business a little bit more to utilize more than 43 ins and outs at any high peak hour. Why would you do that? Why would you have 82 docks that you would not be utilizing during high peak hours?

**Engineer Olivo:** Traffic would move in and out throughout the course of the hours of operation. This building opens at 7am and closes at 7pm and you'll have vehicles moving in and out throughout the course of the entire day. That's why we are looking at all of the parking stalls, all of the loading areas being activated but we take certain pieces of time, the busiest pieces of time and then we analyze whether or not those time periods would work in the highest and busiest hours.

**Councilman Cortellessa:** Like you said, vehicles are going to be moving in and out all day long.

**Engineer Olivo:** During the hours of operation.

**Councilman Cortellessa:** If they are going to be moving in and out all day long, then the volume of traffic on Union Avenue and Ringwood Avenue is going to be affected by that moving in and out during the twelve hours of the work environment. We run into this situation all the time and I'm looking for a solution. I'm not looking for somebody to say well it's really not going to happen. We've had traffic studies done here where they show I287 with no traffic on it at all and that's a lot of bologna; there's always traffic on I287. There are always trucks coming on and off I287 into Union Avenue or into Ringwood Avenue. We need to make sure that the traffic impact that we have as a result of this facility coming in place, plus Tilcon and plus Taco Bell is acceptable to this community and to this Planning Board because of the potential impact on safety to our residents. That's the real issue here and you're talking about trailers and trucks that are fairly large. Tilcon is doing the same thing so I want to make sure that when we talk about traffic studies and we have these overhead visuals of traffic flowing in and out, that it is realistic, okay. We can look at all the numbers and the statistics and the approaches that people take to determine traffic studies and I don't by it all the time because the reality of it is, we look at the traffic study and we look at what really happens, traffic is much more significant than what the traffic study says. You need to answer the County.

**Attorney Lipari:** Yes, we are absolutely going to answer the County and also, I think it is significant that we've already agreed, and we've reiterated this a couple of times, that we are going to do these after-the-fact studies so that you guys will be confident, if you were generous enough to give us an approval, that we weren't trying to pull a fast one over on

you because we are going to come back and you're going to have an opportunity to see what's actually occurring on the site and Mr. Olivo had referenced that earlier.

**Councilman Cortellessa:** One other item related to that, we are talking about trailers and vans coming in and out. We are talking about Tilcon coming in and out. Union Avenue is not that big and there's been some discussion about widening the road on Union Avenue. When I look at trailers coming in and out of that facility on Union Avenue to get onto I287 going either south or north and a significant amount of large trucks coming down Union Avenue, that's a concern of mine and I don't think we talk about that in a realistic way. To say it's not going to have a real impact on traffic, I believe it will, and we have Tilcon with large trucks too. We have a very, very narrow road called Union Avenue where you are going to be coming into and out of and that's a significant issue that you need to figure out how do you make it safe for residents in this community; our community. This is our community as well.

**Member Crilly:** I am looking at your number of loading docks proposed of 82. Typically, let's say you have a semi, and I now there are going to be delivery vans and other types of vehicles, but what is the average length of stay of a trailer in a facility such as this?

**Engineer Olivo:** It depends on the operator. They could drop and be there for some time or they could drop and go during the course of a typical day. It really depends on the operator. There is no rule of thumb, there's no actual number and it's all on the operator.

**Member Crilly:** I want to clarify the 43 trips entering the site would that be employees and/or delivery vans, all types of vehicles?

**Engineer Olivo:** If a delivery van is coming to the site in the morning, it certainly could be during that time period. We are looking a mix of vehicles coming. What we are looking at when we see the various types of operators working out of a warehouse use, that the total trips is about 50 in the morning, about 59 in the evening with about 10% of those being a truck or van vehicles about 5 or 6. So it could be a mix, yes absolutely.

**Member Crilly:** We have 82 docks so if we expand the business that would mean more trips only, right, because we have a physical constraint. That's why I'm just wondering what the timing is on average of you park a trailer, they unload and then you fill it up with something else or whatever. I'd like to know the average length of time that something would stay docked in those 82 slips to get an understanding of what sort of truck traffic.

**Engineer Olivo:** It doesn't necessarily change the trip generation. That's why we've run so many different ways now. In terms of growing the business, I think that may be a little bit of a misconception. When a user takes the 272, 000 square foot building, what we are anticipating is that they would look over the number of loading bays, they'd look over the number of parking and say this works for us; we can make this work. Then they would park as many trucks or vehicles that they need on a typical day based upon that 82 truck loading area and 144 parking stalls. What if it is three to four times more and that effectively works at the intersections as well?

**Member Crilly:** My point is to grow the business, if you have 82 loading docks, you have to increase the volume of trips and there is a going to be a constraint in terms of how long that vehicle has to stay in that dock. So that would be your maximum constraint, your maximum traffic. If you would maybe use that logic to address Mr. Cortellessa's concerns maybe that would be helpful.

**Chairman:** Let me just say something to the Board. I've been here longer than any of you. Many years ago, we had a potential application on that property for 1,200 housing units to be built. We were able to dodge that bullet back in the 80s because of economic conditions and what have you. I think 1,200 units would certainly generate a heck of a lot more traffic than what this warehouse would. It is our job and our duty to plan what is best for the town. I think we should really take a look at that, what's best for the community in its entirety, then looking at building two schools and 1,200 cars or 2,400 cars coming in and out during rush hour.

**Councilman Cortellessa:** I don't disagree with you. We are talking about different issues. Whether we decide to build or allow housing to go there or not is one issue; whether or not we decide to have a warehouse built is a separate issue. Right now, I'm thrilled that this might generate \$600,000 in taxes and I'm thrilled that it might add 80 jobs to our residents. Those are positive things, but all we are asking is address the issues that give us concerns like we did with Tilcon. Right now I am not comfortable with the traffic answers at this point in time.

**Attorney Lipari:** The reason we are here tonight with a warehouse is because that's what this area has been deemed the appropriate use for this area. So we come before you, and I'm sure the whole Board is aware that there is a Redevelopment Plan in place that permits a warehouse of this size in this location. So that's why we are here with the warehouse application. We think it's a great plan, we think it's the most appropriate location with its proximity to I287 and that's why we are here and we are happy to address all these traffic concerns. I want to quickly touch base upon the question growing the business to 82 docks and the difference between the 43 trips because I think there is a little bit of a disconnect here. I am going to ask Mr. Olivo to try to say it a little different, but the intent is to use the 82 docks. It's not to use just 43. They want to grow the business to full capacity and those are the trips that he has identified at full capacity based upon the ITE trip generation manuals. We are expecting max growth that the building can accommodate and those are the trip generation levels that we've explained to you. We've then gone back because there were some concerns and said, what if we underestimated it by one, two, three, four times because you don't believe or are skeptical of some of the data that we are presenting. So even if we were off by three, four, five times the traffic that the manuals and the actual studies have indicated would be the appropriate level for this service, we still think, well we know that it would actually still have the same level of service on the trucks by the way traffic actually works. If Mr. Olivo wants to touch upon it a little bit more if it's still not clear, I'm sure we can try to get you to a place where it's at least understandable what we are presenting. I understand your concerns, but I want to make sure that you understand at least that we are giving you the information and data that you are asking for.

**Councilman Cortellessa:** I understand. But you have to answer the questions at the County.

**Attorney Lipari:** We have to.

**Chairman:** They've testified that should it come three, four, five times the estimation, you will be responsible for remediation of that problem, correct?

**Engineer Olivo:** There will be remediation required and the County may require, to one of the points that was made, that Applicant or others in the area look at widening Union. It is their road, they operate jurisdiction over the road so we absolutely do need to satisfy their questions and concerns and that may be a method of mitigation that they look to employ.

Attorney Veltri: Charles, I have a question for you. There was a report that was generated from Traffic Planning & Design Inc. dated February 16<sup>th</sup>. Do you have that report?

Engineer Olivo: I do.

Attorney Veltri: There's a couple of points on Page 2 on the Traffic Impact Study Comments that I would like you to address. Paragraph 2, and I think you answered this tonight, but I just want to clarify it, it says: "2. The Applicant should provide testimony on the intended use and anticipated operation of the proposed warehouse. If a parcel hub or fulfillment center use is contemplated, user-supplied traffic information, such as shift information and seasonal variation, should be used for traffic projections." From what I understood your testimony to be, you've done that and it doesn't matter. Is that correct?

Engineer Olivo: That's what we did. It does add more volume to the network, but it doesn't trip what I would call "levels of degradation" in terms of deteriorating the flow that Passaic County or other counties of municipalities would deem significantly impact or require mitigation solutions.

Attorney Veltri: In paragraph 3 in the same Report says: "3. The submitted Traffic Impact Study was revised to address technical comments outlined in our January 18, 2022 traffic engineering review memorandum. The traffic analysis at the site driveway indicates significant delays for the site driveway exiting movement (LOS E) during the weekday PM peak hour. Testimony should be provided on mitigation options to alleviate such delay conditions." Have you addressed that?

Engineer Olivo: I believe I addressed that in testimony, but I can address it now. Just to be clear, this is about our driveway so essentially vehicles coming south on our driveway making a left turn out onto Union. We've looked at that level of service and we've looked at the sight distance as well. The County asked us to determine is the sight distance effective in both directions. We do have the requirement of 360' in each direction of clear sight lines and that's what is required by the County. In my opinion as a Traffic Engineer, there is no need for mitigation at this driveway. We gave them a queue fully with those vehicles within the driveway with no impact to Union. The weight is on our site, not on Union. They can then progress out of the site once there's a gap in drop.

Attorney Veltri: Okay. I want to jump then to the County Report that was issued on March 16<sup>th</sup>, Paragraph 4 says: "4. Separate right and left turn lanes to exit the site driveway are not permitted unless a traffic signal is present. A traffic signal is not justified based on the submitted traffic study, but this is subject to change." Can you just develop that a little bit for us on where you are at with the Applicant and how are you going to address that with the County?

Engineer Olivo: Sometimes when you come to a Stop sign and a Stop bar, you'll see a separate right turn lane with the marking and a left turn lane with vehicles queuing side-by-side. Passaic County doesn't typically approve that because, you probably know from driving at those intersections that, what you do, is jockey for position for the driver's eye and you end up blocking the sight line going in either direction. The County prefers that you have shared left/right and that's what we have at the driveway. Now, if at some later time this generated significant levels of traffic more than anticipated and we complete the study requirement and a traffic signal has to go up, then at that time the County would say split that shared lane into a right.

Attorney Veltri: And that would be part of your mitigation plan in the future?

**Engineer Olivo:** It could be, yes. Thank you.

**Planner Benecke:** Mr. Chairman, those questions which are great questions and answers by Mr. Olivo get at Councilman Cortellessa's question as to realistic trip generation. The 43 is peak cars or peak trips in and out.

**Engineer Olivo:** There are 43 in and 13 out.

**Planner Benecke:** Just go over the daily pattern of that 12 hour service, 7am to 7pm, how many vehicles go in and how many vehicles come out and the realistic pattern. How vehicles are going to queue at Greenwood? How many vehicles are going to queue at the Stop & Shop light? Just go over the realistic patterns so Councilman Cortellessa and the public can get a better understanding how the flow goes in your mind.

**Engineer Olivo:** As you go in and out of this site, and you move to the east, you'll come to Greenwood. As I mentioned, it's about 40 car lengths to the east of where this driveway is located. Now during some of the peak conditions, these highest peak hours, you'll see vehicle queues at the signals at I287, Ringwood and Union. They might be 6, 8, 10 cars deep depending on whether or not you have the red light, depending on whether or not it's the busiest time of day. So if we took this 12 hour window from 7am to 7pm when the queuing is the most, we'll call it 8 to 12 vehicles at the approaches of these intersections, from 7am to 9am and 4pm to 7pm and that means the queuing at Greenwood is the most at those time periods. That is when it is the toughest to get out of Greenwood. It's when you have the most amount of traffic on Union. As you hit 10am, 11am, 12pm, those traffic levels begin to dissipate. It's the peaks and valleys that you see every day in the roadway conditions. It peaks high 7am to 9am, then it starts to drop and then it hits it low, and then as you get to around 2pm and 3pm, school is letting out, 4pm and 5pm commuter rush starts and now you are starting to elevate back to those higher levels of traffic. All the meanwhile, if our site was built, you would have maybe 10 vehicles coming in, 10 vehicles going out, 20 vehicles going in, 20 going vehicles going out throughout the course of the 12 hour period, with the highest being the ones that I've mentioned. It is about 56 and 59 in the morning and in the evening.

**Planner Benecke:** The elephant in the room then is what is going to be the impact of that on the current traffic conditions?

**Engineer Olivo:** If we think about those numbers, in layman terms, we are talking 1 vehicle a minute traversing through the roadway network in or out. What that equates to is about 1 or 2 vehicles on the back of the queue that I just mentioned; that 10, 11 or 12 car queue has now maybe 1 new vehicle behind you within the queue looking forward into a future condition. That's the difference we anticipate and that's why I say, yes there is new traffic, I'm not stating that there's not new traffic coming to the roadway network as part of this project, but the impact is something that a driver doesn't feel with 1 or 2 cars behind them stacked in line.

**Councilman Cortellessa:** Part of the issue that I have with this is that, because you proposed and presented earlier, you going to have vehicles, trailers coming off of I287, and that's the reason why you are going there since there's access to I287 either coming on or going off. When you look coming off of I287, onto Union Avenue at Exit 55, and you are talking about trailers coming down, we are not talking about simply cars, we are talking about trailers coming as well, if you talk the peak period of time, 7am to 9am, let's use that as an example, you've got trailers coming off, stopping down at the light there, making that



left-hand turn, that is not a simple turn to make with trailer trucks and if you have multiple trailer trucks lined up, that becomes an issue. If they are going to go down Union Avenue to your entrance, that becomes an issue for me. The same thing is true if they have to come off of Ringwood Avenue and then make a left-hand turn onto Union Avenue to get to your facility. When I hear you talk about maybe another vehicle behind, maybe something else behind, you are talking about trailer trucks; you are not talking about cars. That's really the concern and I just would to see how you would mitigate. The other thing is, when you talked about coming out of your facility, how often are you going to be making a right-hand turn versus making a left-hand turn to get to I287? I doubt very much. Tell me if I'm wrong, you are not going to be making too many right-hand turns to go down into Bloomingdale; you are going to making those turns to get onto I287 because that's what your proposal is all about and that's why it is a great site. It is a great site so you need to understand from a resident's perspective what is the implication in terms of traffic, safety and those issues when you are talking about trailers? You are not talking simply about cars. The same issue concerns we have about large dump trucks coming onto the facility at approximately the same times as you are talking about in terms of peak hours. Those just need to be addressed. I think the idea, and I'll say it again, \$600,000 in taxes, jobs for residents, is a great thing and the options versus your type of facility versus putting in place 200 homes which impact the schools and impacts traffic of cars coming in and out, is a separate issue as well. Those are the things we address as a Planning Board and those are the things we need to feel comfortable with when we turn around and vote and say yes we agree with this. I want to make sure that the residents know that we've done our due diligence, we've done all the rights things and we are making the right decision, as Gil mentioned, which is in the benefit of this community. Safety and traffic has been and continues to be an issue here.

**Planner Benecke:** So can you address the impeded question, what is the safety impact of the traffic and what is the traffic impact in terms of the community flow, if you will, of their traffic?

**Engineer Olivo:** So taking personal safety, that is why we go to the County, these are the questions that the County asks us as well. We take it step by step. We start with the driveway. Is the driveway designed safely? Can a vehicle most likely, as Councilman pointed out, make the left turn safely that requires a gap to the right and to the left? Yes it can. There is adequate sight distance, there is adequate markings, Stop signs, and the controls that you were typically look for. At the driveway, we look the amount of traffic that would be coming out and the amount of traffic that would be crossing in front of that driveway and by all industry standards in determining whether or not it is safe, it can be deemed safe, and it can be deemed effective. Now we start to move off site and one thing that I'll say is a Planner this use is contemplated now within this area. It has been accepted by the Governing Body and the Planning Board in the Redevelopment Plan, which means that the traffic associated with it is effectively approved offsite. We have to prove safety at the driveway and safety, in my opinion practicing about 20 years, is without a doubt the safety has been designed into this driveway. As we go east and we think about the concerns of the community, we still are looking at whether or not the traffic associated with this project will rise to a certain level where it is impacting the quality of life, the flow of traffic, all of these things. Can traffic signals, can I287, can Ringwood, can Union handle the traffic associated with this type of land use? That is why we did the initial study, that's

why we've done another study, and that's why we'll provide all the information to the County that I mentioned, and we are happy to provide it to this Board as well, because there is capacity within the network to accommodate the traffic. Those are the two pieces being proved; the driveway operates safely – absolutely; and can the road accommodate the volume and it can.

**Councilman Cortellessa:** It was also mentioned that the County may turn around and say you need to expand the road.

**Chairman:** Yes, as well. I think we really can't act until they meet with the County.

**Planner Benecke:** That's not true. All these site plans are conditioned upon County approval. So you can act, but it's conditioned upon County approval, DEP approval, etc.

**Attorney Lipari:** Right. All the outside agencies that have input on this project, we know we need to, have to and will comply with them.

**Councilman Cortellessa:** I just need you all to understand that, let's say the County does say we need to expand the road, we need to think about the construction on Union Avenue while you try to expand this road from your entrance to I287 and think about traffic issues at that point in time. Just think about those things when you sit down with the County. I hope you can come across and say we really don't need to do that because we got this great traffic study that says there are no issues and we can approve that. When you start to build and reconstruct Union Avenue, it is going to take time to do that and, if you are going to do that, that's going to have a totally different traffic impact on Union Avenue and Ringwood Avenue.

**Planner Benecke:** There is no indication right now that they are going to require that.

**Councilman Cortellessa:** I'm not saying there is, but I'm just saying that if they made the comment that as a mitigation issue we could expand, we know that because we talked about this with Tilcon as well. We just need to understand what the implications are.

**Attorney Lipari:** Absolutely, and we'll make sure everybody is apprised of our ongoing discussions with the County.

**Councilman Cortellessa:** I want you to understand one other thing, I'm not necessarily against this, what I'm interested in is making sure we get everything answered for the residents of this community and me personally since I'm on that road all the time. I just want to make sure we are covering all the issues, traffic issues, sight line issues, lighting issues, noise issues, all the things that are relevant to this community.

**Attorney Lipari:** That is your duty as a Board Member and we respect that.

**Planner Gleis:** Charles, you mentioned that the capacity of the roadways exceeds the estimated peaks trips by 3, 4, 5 times, or the like. Can you give us a better idea of what the 56 or 59 peak trips hourly, what does it look like when it gets significant, when it leads to degradation of traffic conditions? It is 200, is it 250, what is that?

**Engineer Olivo:** We ran the numbers and just as I mentioned we took the 56 and 59 and multiplied it by 4 and 5. We call it a sensitivity analysis. We're basically stress testing the roadway whether or not it can handle the traffic. When you do that you are adding, if you think about using 50 multiply it by 5, somewhere adding 200 more cars to the roadway during the morning peak hours and the during the evening peak hours. It would take another multiple, possibly 6 times the amount of what we looked at initially, to really get to a level now where you have a significant amount of demand that can't be processed through these intersections. What I also mentioned, and I don't want leave this point

unsaid, is that a fulfillment center or a high queue parcel hub cannot operate with 144 parking stalls, 82 trailers and 272, 000 square feet.

Planner Benecke: It wouldn't go in there.

Engineer Olivo: It wouldn't go in there and this building, this rectangle and what we have proposed cannot generate 250/300 trips in and out; it can't.

Planner Gleis: The 144 spaces and the 82 loading docks, in your opinion, if those were used in maximum capacity, would those be able to anywhere near those significant levels?

Engineer Olivo: No. For a delivery station, which could be of similar square footage by the way, a delivery station could be even less square footage than this, would probably have about 4 per 1,000 van parking stalls. What that means is there would be about 800 or 900 van parking stalls on site so now you are generating 250/300 trips in a peak hour, but not with 144 parking stalls and 272,000 square foot building. You can't do it; you can't take a Walmart and put it in a 7/11 and generate the same amount of traffic. I think its fine to go through the hypothetical but I just think sometimes we have to really look at it realistically and say, what will a building like this with a parking field like this generate and it's what we've included in this traffic study.

Vice Chairman: Obviously, you're justifying my question from the last meeting about whether or not this would be a fulfillment center or a distribution center and you are basing it on the fact that this building is only going to be 272,000 square feet, meaning it would not ever come up to the level of need for an operator to put in a fulfillment center. That's what I'm assuming.

Engineer Olivo: Here is what I'll say. Again, we are using a name "fulfillment center". Typically, right now in 2022, a fulfillment center is on average about 800,000 to 1,000,000 square feet. I'm not saying in a year someone could come up with the technology and say that "fulfillment center" might operate here.

Vice Chairman: You are saying physically it cannot accommodate that kind of a warehousing.

Engineer Olivo: No.

Vice Chairman: We're leaving it up to the fact of the physical size of the building as to what is going to dictate the traffic flow. That's what you are saying basically.

Engineer Olivo: That's exactly right. And you do the same thing when you look at a 5,000 square foot building with 20 parking stalls.

Vice Chairman: I can understand that. Part of the problem which the general public has a sense of question about is that you refer to it as an acceptable level of congestion or traffic. From a residents perspective, they don't feel it is acceptable as of right now under the present day conditions. It's congested, it provides delays so we are now talking about adding during the peak anywhere 43 to 53 additional trips. That's the concern that the public have to be concerned about and the Board has to be concerned about as Dominick just mentioned. The other point I have, in your analysis did you take into consideration the Tilcon expansion of their roadway, the right turn, that's all part of this?

Engineer Olivo: Yes.

Vice Chairman: In other words, you are assuming that's going to be completed and that'll be the way this traffic will be somewhat dealt with.

Engineer Olivo: Yes. Let me just say this, and you raise a point that comes up in every traffic hearing that I've ever dealt with in the last ten years, is that the traffic conditions,

the delay, may be acceptable to me but not be acceptable to you. My point is this that we have to take the psychological, the way I feel about traffic, out of it and understand does it work from a safety perspective and an efficiency of flow. I will never get 100% of the people to agree that this delay is acceptable versus that delay. But the truth is we look at the County standards, and to a certain extent we look at the municipal and DOT standards to say is this something acceptable to hopefully generally most of the people. That's how we analyze traffic. I can't just be about one opinion or two opinions or hundred opinions; it has to be about whether or not these intersections and driveways can operate safely.

**Planner Benecke:** The 8 or 9 homes that we spoke about early, what are they going to experience?

**Engineer Olivo:** They will experience, as I talked about it, about a vehicle a minute crossing, one vehicle every sixty seconds crossing the interface of Greenwood and Union and that's at the peak hour.

**Jeanette Olshasky – 41 Mullen Avenue, Wanaque**

**Ms. Olshasky:** My mother lives at 39 Haskell Avenue and I'm here because of that. When was your most recent traffic study? The reason why I'm asking is prior to covid there was always lots of traffic, during covid not so much. Now you are speaking about this facility but you're not taking into consideration the Community College with the amount of traffic. On top of that, when there is an accident on I287, or when Skyline Drive closes, Ringwood Avenue literally is the only way in and out of this whole area. I'd like to know how you are going to accommodate for that, or was that taken into consideration or can you do a new assessment of the traffic now that people are actually really starting to go back to work?

**Engineer Olivo:** We conducted counts in 2017 then we came back to this Board in 2019 and we had some drone video that we actually flew of the peak hour conditions to show the Board. We conducted those counts and then what we did is we grew all of that volume by 1% to 2021. Traffic didn't grow in 2020 and it certainly didn't grow in 2021. So what we did was another worst case scenario. 2017-2019 normal traffic flow, the County school and all schools in session and we just grew those numbers. What we've been finding across the State doing hundreds of traffic studies is that, and I know it feels differently, the levels of traffic are still not quite where they were in 2019, 2018 or 2017. Now they are getting there, they are starting to return back, we have hundreds of studies that we conducted.

**Ms. Olshasky:** You know what it is when you have just one way in and out. I live in Wanaque and I'm literally on an island the minute Skyline Drive closes and everybody has to go down Ringwood Avenue. Haskell School is on Ringwood Avenue so that backs up traffic even more so by the time you get down to I287, and then if you got all this extra traffic now for your facility during the peak rush hour in the morning or peak rush hour in the afternoon, or god forbid a snow storm happens, it's going to be a fiasco.

**Planner Benecke:** Chuck what happens is that unfortunately, even during the pandemic, there's been, and if you go up I287 you see these flashing signs that say "high crash area", there was literally one fatal accident every two weeks for about eighteen months. I live right here and my daughter lives in town so it's just a nightmare for these folks. They feel the frustration of having more people in front of them, or one car behind them, and that's their frustration.

**Engineer Olivo:** And it is understood and I grew up in Wayne and am very familiar with this corridor and there are limitations on how you get in and out of the different regions

here and it's basically one County road or State road to get to where you need to go to. So when a road does close for an accident, or something like that, it pushes traffic through the rest of the network and I understand that. What we have to do as Traffic Engineers, we have to look at it under what we call "a typical week day conditions in a worst case scenario type of analysis" and that's what we've done here. Typically, we wouldn't study this many intersections for a permitted use, of the right size, in the right location as part of an area in need of redevelopment. I think it's our sensitivity to the neighborhood in making sure that we really understand what happens, as I mentioned we are 850' away, or a 40 car queue away, from Greenwood, and we don't expect to alter that flow of traffic with what we have coming in and out of the site.

**Matt Palmieri – 12 Erie Avenue, Wanaque**

**Mr. Palmieri:** First of all something you said really struck with me. When you all changed the zoning of this land, you agreed to have this here.

**Planner Benecke:** Let me interrupt you. This zone was actually permitted prior to that.

**Mr. Palmieri:** I understand that but it was originally zoned for woods.

**Planner Benecke:** No it wasn't; it was never zoned for woods.

**Mr. Palmieri:** Never in this town's history?

**Planner Benecke:** Going back to 1776 maybe. Zoning for 40 years included the use.

**Mr. Palmieri:** Okay so then when you approved Tilcon and Councilman Cortellessa said something that also struck with me, you knew traffic studies are a little bogus, no offense, and before you even have construction on Taco Bell or Tilcon and all of these things, we're going to say let's put a warehouse here too before we even know the real definition of what traffic is going to be like on Ringwood Avenue. Now that being said, with all these tractor trailers, and you say vehicles, when you do the traffic study are you taking account of tractor trailer vehicles or vans or mixture?

**Engineer Olivo:** Mixed.

**Mr. Palmieri:** Are you counting them going north or just south; how are you counting them going?

**Engineer Olivo:** North, south, east and west. As you're coming out of the site and then you look at the patterns of traffic as you move east and west and then you route them in that way.

**Mr. Palmieri:** So the vehicles coming from I287 north that has to cross three lights to get to your facility. So the length of between Ringwood Avenue and Union Avenue, that light between there and the Stop & Shop you maybe can fit two tractor trailers in.

**Engineer Olivo:** No, 550'.

**Mr. Palmieri:** How many tractor trailers is 550'?

**Member Slater:** They are 85' long.

**Mr. Palmieri:** How many tractor trailers do you see fitting in that light from Ringwood Avenue to Stop & Shop?

**Engineer Olivo:** There could be 10 tractor trailers, 15.

**Mr. Palmieri:** I don't think you understand the place.

**Chairman:** What is the distance between the Ringwood Avenue light and the Stop & Shop light?

**Engineer Olivo:** The distance between the Ringwood Avenue/Union Avenue T Intersection and the next signal to the west is about 550'.

**Member Slater:** 80' to 85'.

**Mr. Palmieri:** So you are estimating you can fit 10 in there or 5. So with your one or two extra vehicles, you are now blocking up traffic a lot more than just a couple of minutes here and there. Those tractor trailers got to go and stop and then go again and it's going to really congest things I think a lot more than your study is showing.

**Engineer Olivo:** I disagree but certainly understanding your opinion.

**Councilman Cortellessa:** I want to say one thing. I didn't say that the study was bogus. There are questions related to it that need to be answer, not that the study was bogus. Even if was inaccurate or incorrect, I just want to understand what my answers to the questions that I may have about safety issues, not that what you did was bogus.

**Engineer Olivo:** I didn't take it that way. I assure you that the study is accurate and not bogus.

**Mayor Mahler:** What is your estimate of the number of trucks that would be on the queue you were talking about on Union Avenue at one time?

**Engineer Olivo:** We would expect in a peak hour is about 10% of the totals so about 5 or 6 during the peak hours. So that means one truck about every 12 minutes.

**Mayor Mahler:** You'd have one truck sitting there at the light and the next one is in the queue. You maybe have two at one time, but it'd be rare.

**Engineer Olivo:** It would be rare to have two at one time. It is a different operation than a Tilcon where you have 10 trucks and things like that.

#### **Sandy Lawson – 28 Haskell Avenue, Haskell**

**Mrs. Lawson:** I live on Haskell Avenue and have to turn left out there now. When Tilcon comes on and the Taco Bell and everything, I think that the traffic is going to be a lot worse and I hope that there'll be some way to mitigate that for Greenwood Avenue, in particular, because a lot of people use Greenwood Avenue to get to Union Avenue to go as a walk around from Ringwood Avenue. I am having a hard time not seeing a light or some kind of traffic signal or something to help with that from the side streets. I have the luxury of being able to go through the Stop & Shop parking lot and I can use that light, but the people on Greenwood Avenue it is a lot more difficult. I've heard some Members mention a housing development on that property for up to 200 units.

**Chairman:** It was a lot more than that.

**Mrs. Lawson:** Was there every zoning for that? Or is that just something that the State might come in and recommend?

**Chairman:** Years ago it was called the Specht Tract. We had a developer wanting to come in and build 1200 condominiums here.

**Mrs. Lawson:** Was it zoned for that?

**Chairman:** No.

**Mrs. Lawson:** Okay, so it wasn't zoned for that so it would have before the Board of Adjustment.

**Planner Benecke:** No it wouldn't ma'am. I would be under the Fair Housing Act and we're not going to get into that because it is litigation, but it would not go before the Board of Adjustment.

**Mrs. Lawson:** Okay, so a property doesn't have to be zoned.

**Planner Benecke:** No, it actually does not.

**Chairman:** A very large percentage of that housing was going to be low income.

**Mrs. Lawson:** Low income has such a kind of negative connotation. A lot of people need that.

**Chairman:** That was back in the 80s.

**Attorney Lipari:** Do you have any questions for Traffic Engineer?

**Mrs. Lawson:** No, I don't have any questions for the Traffic Engineer. I hear your report, I don't agree with it. I would just like to know what kind of approvals, traffic approvals, you have from the County. What approvals do you have?

**Chairman:** No, they do not.

**Attorney Veltri:** It is pending.

**Engineer Olivo:** Typically, if a Board like this were to act and approve, they would say that the approval of the Borough is conditioned on the approval of the County so we just couldn't start construction, we couldn't do anything without the County also approving.

**Planner Benecke:** It is also important to realize that the County can't review a site plan without the site plan being submitted to the Municipal Planning Board.

**Mrs. Lawson:** It has been.

**Planner Benecke:** It has been, but they wouldn't act on it until it is finalized because they don't want to approve something that the locals haven't approved. So that's why, as Mr. Olivo said, it will be conditioned upon that.

**Mrs. Lawson:** That's a little confusing because if they are conditioning their approval based on the municipal approval, and we're going to condition our approval.

**Planner Gleis:** It's not conditioned. It's just that they won't start their process of finalizing and making a decision until the municipality has approved.

**Mrs. Lawson:** It doesn't make sense.

**Chairman:** Let me just say this too. This is to everybody here. Everybody is sitting out there is their own little expert, but we can't take that. We have to hire experts. It's the only job they have is to study traffic. Right or wrong, this is what we have to rely on. I don't agree with it, but I have to rely on because, like I said, this person is an expert and that's the only job he has is to study traffic. So, we as a Board, have to rely on our experts' testimony in order to make a decision. Yes, I know all of you say that's a lot of bogus, that's not right, and I sit in the same traffic you all do, and I would like to see some kind of solution to this traffic but, like I said, we have to rely on the experts because they are experts.

**Member Slater:** No tenant has been decided yet, right. Theoretically, somebody's going to come in there that is going to bring tractor trailers in from wherever in this county and then break down into perhaps vans or straight trucks for local delivery. It's not going to be bringing trailers in and stuff another trailer, right.

**Engineer Olivo:** It could be, but I didn't understand your last comment.

**Member Slater:** You are not going to be swapping loads between trailers. If its distribution, it is going to be bulk loads, let's say grocery stuff from Kraft Foods, and then they are going to break it down into smaller loads into box trucks or that type of thing.

**Engineer Olivo:** It could be all those things.

**Member Slater:** Most of the traffic is going to be either from southbound or northbound I287 so you are going to be 100 yards of Ringwood Avenue at best and then at Union

Avenue and my guess is that those that come in Union Avenue to avoid going down through Bloomingdale, if they are going to hit traffic, they are going to go on down to the turnpike to catch I287 in Riverdale so you are going to lose a percentage of vehicle traffic there.

Member Slater: What are the hours of operation? Are we setting hours?

Engineer Olivo: We haven't set any hours of operation, but we have to work within whatever the Borough allows?

Planner Benecke: Right now we don't have any. It's just that overnight is limited.

Member Slater: Most of your truckers that are coming from a distance are on an appointment, they are not going to be 12 or 14 of them hitting the place at the same time. I looked at some of the new plans and what you've done with the driveways and that have made it work better. Is the building going to be post and beam or are you going to slab?

Engineer Olivo: That's has been determined. Prices are varying pretty wildly.

Member Slater: That is not a big one. I was in one in Belleville today that is 164 bays. The road going in there, Main Street or River Road, is not a whole lot better than Union Avenue.

Attorney Lipari: We have some more testimony with our Planner. Are we ready to go with that?

Chairman: Yes.

**Anthony Tabi, 101 Greenwood Avenue, Haskell**

Mr. Tabi: There are two main issues I'd like to ask about. One particularly about how you plan on mitigating the current problem of blocking the box both at the T intersection and in front of the Stop & Shop? If you'd like me to clarify the current left-turn lane is completely inadequate as we all experience. We don't need a traffic study to tell us this. The backup that creates particularly when you are coming down to hit Ringwood, you are making a right, you have a certain set distance, do you know what that distance is after you make a right off of I287 ramp onto Ringwood Avenue and before you hit the left-turn lane to get onto Union Avenue?

Engineer Olivo: 550'.

Mr. Tabi: Do you know the length of that left-turn lane?

Engineer Olivo: Probably 125' to 150'.

Mr. Tabi: Sounds about right. When you make that left, there are people coming down Ringwood Avenue in the opposite direction and they are making right to again go onto I287 and that same traffic pattern merges over there. I've seen it on more than one occasion motorists will be playing chicken with oncoming traffic to try and get around people because the right turn is blocked, you have a green light to make a left, cars will pile up and the box is blocked. This happens over hours, not minutes, this goes on for hours during peak time and that's now, not with your facility or Tilcon or anything else. My question is how do you plan on mitigating that issue of blocking the box? That's very dangerous as it stands.

Engineer Olivo: We are not adding traffic to that left turn movement. Our vehicles are traveling west past that left-turn lane and then they come down Union into the site. We are not competing with that left turn. If we were, then we would likely have to mitigate exactly what you are speaking of.



**Mr. Tabi:** Wait, you said that traffic will be going to and from north and south I287, so I'm talking about going on and off I287. When you make the right and you go under the overpass of I287, those trucks will be traveling that route. They'll be making a right, going under the overpass and making a left, waiting again at the light at the Stop & Shop.

**Engineer Olivo:** They are coming through the light at Stop & Shop.

**Mr. Tabi:** That turns red sometimes, so as a result, the people wanting to make a left in front of the Stop & Shop to get onto I287 are so backed up that traffic is just sitting at the T intersection. If you add semis into that mix, there could be two or three lights that go by and there never going to make that left. I know because I've had to sit at that light currently and wait. So my question is how do you mitigate that?

**Engineer Olivo:** Let me explain that is happening and I said that a half hour ago. It's exactly what I said was happening coming southbound on Ringwood Avenue, you make a right turn, you go under the overpass and you wait to make the left. That is the busiest and highest queue that you get all day long within this roadway network. But what I also explained is, that our vehicles are not making a left at that light to go onto I287. Our vehicles leaving the site go through and make a right. They don't even act with that left turn. So yes they may be coming down Ringwood Avenue and making a right, but there ultimate destination is not I287 at that point. If they are coming from the north and going south and making the right, they may sit at the red light for the through movement, which is to the right of the left turn, which is not blocked. To answer your question, we don't have to mitigate, but if we did, that is a whole other discussion with the County, and if you are asking me to just like spitfire as a Traffic Engineer for 20 years, I can come up with a bunch of ideas but that's not what we are here to do. We are here to talk about this project and this driveway, which doesn't impact that problem.

**Mr. Tabi:** If you are going to travel through that traffic, I don't see how it doesn't. Was there any consideration regarding the noise along the warehouse parallel to Greenwood Avenue? I understand the trucks are not going to be traveling Greenwood Avenue itself, but as we know, there in the picture you have trucks going up and down grade as they travel to get to their bays, going around the building, etc., and while you could certainly mitigate the lighting issues discussed earlier, but noise travels differently than light. Noise bounces, goes up and goes down, bounces off the building itself and it gets reflected to the residents of Greenwood Avenue. So what ends up happening is you have truck brakes, acceleration up the grade.

**Chairman:** What's the question?

**Mr. Tabi:** What's the question, how are you going to mitigate the noise?

**Member Slater:** That's a police function.

**Attorney Lipari:** There are certain sound levels and it's going to comply. I'm not an Acoustical Engineer but I've dealt with enough of them and we've consulted them preliminarily. The sound doesn't actually leave the site for the most part. You won't even notice it. I won't get into it because it's not my testimony, but it shouldn't be an issue and your assumptions are little bit incorrect. I don't know if he wants to answer; it's really not his job to make a determination. We will comply with all the sound regulations that we are required to do.

**Mr. Tabi:** Thank you for listing to my questions.

**Barry McCloud – 202 Doty Road, Haskell**

**Mr. McCloud:** I've heard a lot of discussion about the traffic in and out of the facility to I287 south, but precious little discussion about traffic from the facility on and off I287 north. Can you address that? I haven't heard any real discussion about it.

**Engineer Olivo:** I believe I discussed it when we talked about vehicles traveling east of the site. They don't have to go south to your point. And we looked at them going both north and south and that's how we've analyzed the roadway network understanding whether or not it can operate effectively both at those southbound lights, the ramps as it comes on, and also the northbound. We've analyzed both and they can operate effectively, there is capacity there.

**Mr. McCloud:** I'm just picturing that left-hand turn lane getting onto I287 north. It holds one truck.

**Timothy McManus - 100 Greenwood Avenue**

**Mr. McManus:** There is no mention of Taco Bell, Burger King, Celtic Knot, Laundromat or the proposed development of the site across from the Laundromat on the traffic study. Was the volume of traffic to those establishments not part of the study? I just don't understand why they weren't identified because you have other sites that were individually identified. You had the Stop & Shop, some other places, and there was even a proposed smoke shop. I wasn't even aware of there was a smoke shop going in but it is in the report.

**Engineer Olivo:** Typically what we do is call Borough Hall and we ask if there are any applications that have been made, submitted.

**Chairman:** What kind of shop are you talking about?

**Mr. McManus:** It was like a smoke shop that was mentioned?

**Chairman:** We have no knowledge of it. There is no applications or indications of any applications in that area.

**Engineer Olivo:** That's what we were told by the Borough Administrator or Clerk and we included that within the study. So what we do is grow the traffic in addition to that. We look at typical background roadways, if there are sites specific projects that we believe need to be included we certainly add that traffic. Again, I'll just go back to the fact that we've now grown 2017-2018 levels, four years, added other developments and then we used a 4 or 5 multiplier on the trip generation. I really feel like at this point we've conducted an extremely conservative traffic analysis.

**Mr. McManus:** I was just wondering why they weren't identified.

**Engineer Olivo:** At the time of the traffic study preparation we may not have had information about them.

**Mr. McManus:** You may not know this off the top of your head, but in your study, did you calculate the time it takes to make a left turn from Greenwood Avenue onto Union Avenue during the proposed peak hours of traffic?

**Engineer Olivo:** Greenwood to Union on average anywhere from about 20-22 seconds to make the left.

**Mr. McManus:** Interesting. I've lived there for 23 years and feel differently.

**Engineer Olivo:** If it feels a lot different, and that's why I recommend sometimes that communities and drivers get a stopwatch and see how long it takes. It is an average for every vehicle that arrives. The person in front of you may have hit it in 5 seconds, it might

take you 35 seconds, it might take the person after you 45 seconds, and it might take the next three 2 seconds, 3seconds and 4 seconds. It is an aggregate of all the vehicles.

**Mr. McManus:** You mentioned a metric of 43 trips in and out, which is about 90 seconds, and that would be an increase in volume during peak hours. The model that you used was that normalized or did you do clustering during it?

**Engineer Olivo:** It was normalized. The trip generation, we normalized that data with a high R2 value and then estimated the amount of traffic.

**Mr. McManus:** Full disclosure, I teach data analytics at Fordham University. Did you do extremes on that so you normalized the data out there saying it's going to be every 90 seconds, the flow looked this way, but as we all know, tractor trailers accelerate at a different rate than passenger vehicles, so when they are at a light and they need to move through the light, the flow of traffic can be interrupted because of that. Or, as you said before, 43 is normalized, that's every 90 seconds, you may have a cluster occur, you may have 5 of those vehicles possibly two tractor trailers and a van that are there at one point in time, I'd just be interested to know if your model took those extremes into consideration and what those impacts look like?

**Engineer Olivo:** I don't want to go too far, I only have a few statisticians.

**Mr. McManus:** If I have to come back and talk to him, I would love to. This fascinates me.

**Engineer Olivo:** It's generally a percentage distribution in terms of the arrival and departure patterns as in terms when they arrive and when they depart the site. That's typical what we use. We then factor in a vehicle percentage to account for increase deceleration and acceleration time.

**Mr. McManus:** My last question is your traffic study does not take into consideration wear and tear on the road. Is that out of scope?

**Engineer Olivo:** Typically it is. But when during construction activities or also after certain amount of time, let's say a warehouse user were to be a tenant here for some quite time, it is not uncommon that you kind of have to do your share, or your part, those tenants, those users engage in the community or the County and they may have to replace certain things on the roadway, especially beating up the road during construction.

**Mr. McManus:** I understand the construction piece, it's that an 18 wheeler does about 5,000 passenger vehicles worth of wear on the road, that's just a metric. I was concerned about that if it is out of scope of your study for what is the wear and tear on the road for the normal use of it, then so be it.

**Planner Benecke:** That's actually within the scope of the County because it is County road so ask them.

**Attorney Lipari:** My last witness is also Mr. Charles Olivo and I believe he was qualified last time as both an Engineer and Planner.

**Chairman:** We accepted his qualifications.

**Attorney Veltri:** I believe we did and he has testified here before.

**Attorney Lipari:** Mr. Olivo, I know you have some planning testimony. We are trying to speed it along so rather than me ask you some questions, I'll let you dive right in.

**Planner Olivo:** We've heard extensive testimony architecturally, civil engineering, traffic engineering as well and the Board's Planner has given us a great sense from an RD-2 planning perspective. We've actually talked about the fact that the underlying zone here previously also contemplated this type of industrial warehouse use. Brining that full circle to where we are now, we have an approved Redevelopment Plan that allows for a lot area of this size, a building of this size and the type of user and operator that we are proposing here. We are within the RD-2 Redevelopment Zone along Union Avenue.

What we are proposing is to take four (4) parcels and make them two (2); Lot A and Lot B. Lot A being the principal piece and Lot B having the existing single-family residential home on it and the existing non-conforming use that affectively comes with that as well as a technical variance on the lot area.

From an overall planning perspective, this is a project that is in keeping with the spirit of your Redevelopment Plan and your overarching Master Plan. We've talked about the benefits of building a project like this here. You've also heard the way that the project has been shaped to mimic the land patterns. We have extreme topography, we have extreme slopes across the property and it would be difficult for any user to develop this site making it almost ideal for this type of industrial user in this day and age to use this property in the way that it is being contemplated. The Architect gave you a great sense of how we're stepping in this property very gradually to ride the grades, lower an area out to be at grade, build a building that is generally in keeping with your requirement. You are looking at a 48' height requirement; we are just at 52.62' so we are above that requirement but falling within a category that it would generally classify as a C-2. This is called a Flexible Standard in the MLUL and the way that we go about attempting to prove that standard is to prove the positives outweigh the negatives. Do the benefits outweigh the burdens of granting these variances? In addition to that, Mr. Kuyan took you through the way that we are balancing the site from a pervious or permeable layer, the green layer, the green banding around and throughout the site, and how we are matching that up with the impervious coverage and also our seeking a variance from the pervious coverage. Mr. Kuyan talked about how you generally have uncontrolled runoff from a certain point at the slope to the east, to the neighbor's property. We are creating a flat area, a big, think about it as a bathtub, underneath the ground, or that part of the sheet flows down the slope today into the backyards uncontrolled, taking sediment and other things with it, is now being controlled, contained and then slowly released and there are great benefits to that as a result of modern stormwater management techniques.

In addition to that, we talked about parking. We have a total of 260 positions on the site, including the 82 loading areas as well as the 144 passenger cars stalls. Your requirement is quite high, and we are seeking a variance from that. We are at a ratio if you look at the 144 at .5 per 1,000, while the ITE and other industrial standard manuals promote somewhere around .3 to .4 per 1,000. And as I spoke about an operator's going to have to come in here and say, we approve of the amount of parking for our operation. If they need more parking, we have to come back. If they need more staging, we have to come back to you. So what we are proposing here is in keeping with general industry standards as it relates to parking.

We are seeking a variance as it relates to wall sign and wall height. That is related to having a taller building with a sign carved out in the upper left-hand side of that western portion of the south elevation and the height of that. It's not like a retain building. The

size and scale of the building certainly that sign, you saw a dash area previously as part of the hearing process, that is what we are seeking for the signage, which is certainly in scale with the project that is being proposed in terms of the amount of the side length that you have and depth in terms of where the site is located from Union Avenue all the way back where we climbing somewhere around 100' to get to that finished floor. We want this to be visible so people know where they are walking into to identify the entryway located in that southwest corner of the building.

In addition to that, we are seeking waivers from the maximum retaining wall height. We talked about the nature of this site. I would even at some extent argue to see one criteria for hardship. This is an extremely challenging site as it relates to the natural topography and the steep slopes on the site today. Those things make it very, very difficult; virtually impossible for the strict regulation and adherence of the bulk standards set within this Redevelopment Plan. Quite frankly, it is very difficult to walk this site, see this site and be able to assess whether or not the steep slope requirements and retaining wall requirements could be made without doing this type of full depth study. From the perspective of looking at a design waiver, we believe that those design waivers related to the steep slopes and the maximum retaining wall height can be granted as a result of what is being proposed.

Lot B has a residence on the site today that is an existing non-conformity. The minimum lot area is something new that we are seeking a variance for.

So when we look at the benefits versus the burdens, there are a number of excellent benefits. We talked about tax ratable, how this is different from other land use types that might be required to be built in this day and age, some back and forth happening with affordable housing and things like that, but this site can be accommodated on the property. It can be constructed with safe driveway, effective access points that allow for traffic to ebb and flow on the site and do so safely and effectively in terms of the roadway network.

You've heard about the significant buffer and I would argue both horizontal and vertical. It is not always that our buffering is, we are talking about the 4 1 4 numbers mentioned, 800' or 80' down horizontally and then you keep going to the wall, to the landscaping, to the parking area, to the building. From the property line, the building is about 237' away. The redevelopment requirement is about 100' of buffer from that property line to the parking area. We are at 200'; we are doubling that requirement and you've seen various perspectives of that. From a visual perspective, from using the land efficiently, and building the building in an effective way where it is located centrally in this rear portion of the site, we certainly maximize that to the extent practical.

When I look at the purposes of the Municipal Land Use Law and the furthering of those purposes, I would look at "Purpose g. appropriate development in locations that can accommodate it." This is an appropriate place for an industrial building of this size to be built and its contemplated in the underlying zone and its contemplated in the Redevelopment Plan as well. "Purpose h. which is to encourage the safe the free flow of traffic throughout the area." This driveway is located 850' from the nearest public roadway with a safe and effective travel pattern. "Purpose i. which is related to creating a desirable visual environment." With the spacing and buffering continuing to maximize and keep that 50' area of already existing mature vegetation. Then we get to the wall and on top of the wall we have a mix of deciduous and evergreen trees. Then we get deeper into the site. I certainly think in terms of the patterns of design being used here by the Architect's office and by our Civil Engineer, we've worked with the land to the extent

possible to try and balance out what we're building with what we've been given which is a harsh, very steep and very challenging site. Lastly, I would say is "Purpose n. which is the efficient use of land." We've balanced landscaping, pervious areas, stormwater underground, lighting with these closed off shielded fixtures that are directed downwards well and great distance from the residential neighbors to the east.

As it relates to the second prong of the negative criteria, there is nothing about this project that would substantially impair your underlying zone plan, your redevelopment guidelines and your Master Plan. In fact, it is exactly in keeping with what you are looking for here. From that perspective, benefits outweigh any detriment that would be created by granting of these variances and I'd submit that to the Board.

**Chairman:** Thank You. Mr. Lipari?

**Attorney Lipari:** I don't have any further witnesses. I believe Mr. Olivo summarized the testimony pretty succinctly and I just wanted to state that I think that this Board understands the amount of effort and time that this Applicant has put into this project and its evident through the presentation and the volumes of plans that have been submitted. They put together a phenomenal team which extends far beyond the people you are looking at here. We've had numerous consultants. This is a very difficult project as you know, with numerous constraints on the property. We believe that we really presented a plan that, if anyone else came up here with the same idea, I don't know that they would come up as great as a plan that this team put together.

**Chairman:** Dominick, do you want to just hold up the package that we got to look at so that the people can see what we've had to study?

**Attorney Lipari:** And that is just the final product; that doesn't include all the stuff that went into it behind the scenes.

**Chairman:** There's more coming.

**Attorney Lipari:** Exactly, so I don't want take any more of your time. We thank you for the opportunity to present to this Board. We truly believe that this project will be a real benefit and a boom to Wanaque and we ask for your support and approval on the project.

**Chairman:** At this time, I don't think we are ready to grant anything because you have agreed to float some balloons, you've agreed to meet with the neighbors on Greenwood Avenue, and I think within the next ten days to two weeks you should be able to do that. I think at the next meeting we'll be able to bring it to a vote. If you are granted any approval, it will only be preliminary. Also, you must meet with the County and get that squared away by the next meeting.

**Member Strobel:** When this does come to a vote, what exactly are we voting on?

**Chairman:** We are going to vote to approve or not approve the site plan.

**Attorney Veltri:** And a minor subdivision.

**Chairman:** We already voted and declared a minor subdivision.

**Attorney Veltri:** Right, but we have to vote on the subdivision itself.

**Attorney Lipari:** I understand you want us to meet with the neighbors. I would ask, and I haven't even consulted with the Applicant, that maybe we ask the Board or its Professionals to help facilitate that so that we can actually have a constructive meeting and not just us trying to gather everybody. I would ask that we add some structure maybe Mr.

Benecke can be the guy to lead that one. If that's what the Board wants us to do, we're happy to do it but we ask maybe Mr. Benecke could help facilitate that so that there is a liaison between the two parties so that we can come together and make it smooth process. Maybe we can meet at Borough Hall or a place that is convenient for all parties.  
Planner Benecke: Borough Hall is good.

Attorney Veltri: Mike, I just want to get a couple things on the record so that we're hopefully on the same page. We are not going to vote tonight, we are going to move this to the next meeting. We still should be within the statutory guidelines; however, if there is a problem and we can't meet, I want the Applicant's consent to extend the statutory timelines for us to vote. In the interim, you are going to supply the Board with the information that we requested tonight, hopefully meet with the County so that'll be cleared up and then we'll hear any other testimony at the next meeting and bring it to a vote.

Attorney Lipari: We consent to the extension of time. We are on the same page.

Planner Benecke: The County's not going to vote on this until you are done.

Attorney Veltri: But we need to get more information.

Attorney Lipari: We're going to meet with them and have some consultation with them.

Attorney Veltri: Hopefully, we'll get a supplemental report after you meet with them.

Attorney Lipari: They are not going to take a vote.

Chairman: We want to get to a point we can approve, subject to.

Attorney Lipari: We have one more meeting set up with them. We expect it to be a smooth and productive meeting. We'll report back on whatever and I'm sure they might issue another letter. We can't condition it upon their approval because we are not going to get that until you guys approve.

Attorney Veltri: Yes, it'll be a condition in our Resolution.

Attorney Lipari: Absolutely, we understand that completely.

Chairman: Thank you very much.

Member Strobel: Can any kind of resolution on exactly how you are going to do this? I asked a question before about are you dynamiting for a year.

Attorney Lipari: The construction methods.

Mr. DePaolera: We have to worry about getting approved first but it will be provided at a later date.

Attorney Lipari: We know it is not two years because we are talking all site work is done on a year and there's a lot more that goes into after the blasting so we can try and maybe get a little better of an estimate. We'll see what we can get you on a ballpark.

Board Secretary: Next Meeting is Thursday, April 21, 2022, at 8pm.

Kim Thomas – 107 Greenwood Avenue, Haskell

Ms. Thomas: I appreciate the extra time. My question to the project people, according to this map and according to the Highlands Planning Act this warehouse is built on the non-sewer area. Has the town, or has this project team, received approval from the Wanaque Valley Regional Sewer Authority to build this project if you are not allowed to connect to the sewer under the Highlands Planning Act?

**Engineer Kuyan:** We have been in communication with that said Sewerage Authority. We do have a Will Serve Letter from them saying that they are comfortable with supplying the sewer service to our property conditioned on the fact that we work together with them to improve the pump station to service the site.

**Planner Benecke:** The sewer service area connection is outside the Highlands Restricted Area per SSA. The connection is actually in the SSA. So while the property and the majority is outside, the connection point is inside. That's way they got the Will Serve Letter, as I understand it.

**Engineer Kuyan:** That's correct.

**Ms. Thomas:** According to the DEP, you need to get additional approvals and I'm assuming that's what you are referring to. The Water Quality Management said that they have not received any kind application. Highlands Planning Act has not received any kind of application.

**Engineer Kuyan:** There are two separate thoughts there quickly. For the DEP, we will certainly have to obtain all the permits. Because this area is in the Highlands Planning, the municipality governs the ultimate approval from the Highlands standpoint.

**Ms. Thomas:** Thank you for your time. Thank you Board and appreciate your support.

**Chairman:** They will be here again next month. Actually, we have more business to do. People please we still have business to conduct. Please be quiet. We'll take a five minute break.

**Chairman:** We'll call the meeting back to order at 11:35pm.

**ROLL CALL:** Chairman Foulon, Vice Chairman Graceffo, Mayor Mahler, Councilman Cortellessa, Members Platt, Strobel, Slater, Crilly, Jordan, Pasquariello and Leonard

**PUBLIC DISCUSSION:** Anyone in the audience wishing to address the Planning Board on any Planning Board matter, but not the Application we just heard, please step forward and state your name and address?

**Mrs. McManus:** In the codes that I've read, as far as I can understand, a wall is not a structure or is it a structure?

**Chairman:** I don't believe it is but, unfortunately our Engineer has left and I would rather have him answer this.

**Mrs. McManus:** In the municipal code there is a difference between a 50' setback and a 100' setback whether something is considered a wall or a structure. I would like to know the points between.

**Chairman:** Anyone else? No.



**VOUCHERS:** submitted by Steven J. Veltri, Esq. for the Wanaque Depo Urban Renewal Application in the amount of \$1,035 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, Councilman Cortellessa, Members Platt, Strobel, Slater, Crilly, Jordan, Pasquariello and Leonard

**RESOLUTION:** None

**MOTION TO ADJOURN AT 11:40 P.M.:** Motion made by Member Slater, seconded by Member Pasquariello, and carried by a voice vote.

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Jennifer A. Fiorito, Planning Board Secretary