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BOROUGH OF WANAQUE PLANNING BOARD
WANAQUE, NEW JERSEY

In Re: : TRANSCRIPT OF
TILCON NEW YORK, INC. : PROCEEDINGS
BP2019-06 :
SITE PLAN FOR CONSTRUCTION
OF ACCESS ROAD PER SUSQUEHANNA:
REDEVELOPMENT AGREEMENT AND
PLAN :

Wanaque Municipal Building
579 Ringwood Avenue
Wanaque, New Jersey
Thursday, September 19, 2019
8:05 p.m.

- B E F O R E:
- GIL FOULON, Chairman
 - DANIEL MAHLER, Mayor
 - DOMINICK CORTELLESSA, Councilman
 - KEVIN PLATT, Member
 - DAVID SLATER, Member
 - JACK CRILLY, Member
 - JACK JORDAN, Member
 - DONALD PASQUARIELLO, Member
 - MARY LEONARD, Member

Reported by:
HELEN DOHOGNE, C.S.R.

1 ALSO PRESENT:

2 STEVEN VELTRI, ESQ., Board Attorney

3 MICHAEL CRISTALDI, P.E., Board Engineer

4 ROBERT BENECKE, Benecke Economics

5 FRED SULJIC, Benecke Economics

6 JENNIFER FIORITO, Board Secretary

7

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

9 FLORIO, PERRUCCI, STEINHARDT & CAPPELLI

235 Frost Avenue

10 Phillipsburg, New Jersey 08865

btipton@floriolaw.com

11 BY: BRIAN TIPTON, ESQ.

SETH TIPTON, ESQ.

12 Attorneys for the applicant Tilcon

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1 CHAIRMAN FOULON: Call the meeting to
2 order with a salute to the flag.

3 (Flag Salute.)

4 CHAIRMAN FOULON: Roll call.

5 SECRETARY FIORITO: Chairman Foulon.

6 CHAIRMAN FOULON: Here.

7 SECRETARY FIORITO: Vice-Chairman
8 Graceffo. Absent with notice.

9 Mayor Mahler.

10 MAYOR MAHLER: Here.

11 SECRETARY FIORITO: Councilman
12 Coretellessa.

13 COUNCILMAN CORTELLESSA: Here.

14 SECRETARY FIORITO: Member Platt.

15 MEMBER PLATT: Here.

16 SECRETARY FIORITO: Member Strobel.
17 Absent with notice.

18 Member Slater.

19 MEMBER SLATER: Here.

20 SECRETARY FIORITO: Member Crilly.

21 MEMBER CRILLY: Here.

22 SECRETARY FIORITO: Member Jordan.

23 MEMBER JORDAN: Here.

24 SECRETARY FIORITO: Member Pasquariello.

25 MEMBER PASQUARIELLO: Here.

1 SECRETARY FIORITO: Member Leonard.

2 MEMBER LEONARD: Here.

3 SECRETARY FIORITO: Attorney Veltri.

4 MR. VELTRI: Here.

5 SECRETARY FIORITO: Engineer Cristaldi.

6 MR. CRISTALDI: Here.

7 CHAIRMAN FOULON: This is the regular
8 meeting of the Wanaque Borough Planning Board, and
9 adequate notice has been given and it has been
10 duly advertised in placement of the notice in the
11 Trends on January 30, 2019, and a notice thereof has
12 been posted on the bulletin board in the municipal
13 building in the Borough of Wanaque and a copy
14 thereof has been on file with the board clerk.

15 I'll entertain motion for approval of the
16 minutes of the May 16th meeting.

17 (The above was motion was approved and
18 seconded.)

19 SECRETARY FIORITO: Chairman Foulon.

20 CHAIRMAN FOULON: Abstain.

21 SECRETARY FIORITO: Mayor Mahler.

22 MAYOR MAHLER: What meeting are you doing?

23 CHAIRMAN FOULON: May 16th.

24 MAYOR MAHLER: May 16th?

25 July 18th.

1 SECRETARY FIORITO: July 18th.

2 CHAIRMAN FOULON: July 18th. Sorry. I
3 got the wrong notice.

4 SECRETARY FIORITO: Okay. Mayor Mahler.

5 MAYOR MAHLER: Yes.

6 SECRETARY FIORITO: Councilman
7 Cortellessa.

8 COUNCILMAN CORTELLESSA: Yes.

9 SECRETARY FIORITO: Member Platt.

10 MEMBER PLATT: Yes.

11 SECRETARY FIORITO: Member Slater.

12 MEMBER SLATER: Yes.

13 SECRETARY FIORITO: Member Crilly.

14 MEMBER CRILLY: Abstain.

15 SECRETARY FIORITO: Member Jordan.

16 MEMBER JORDAN: Yes.

17 SECRETARY FIORITO: Member Pasquariello.

18 MEMBER PASQUARIELLO: Yes.

19 SECRETARY FIORITO: Member Leonard.

20 MEMBER LEONARD: Yes.

21 CHAIRMAN FOULON: Application status.

22 MR. CRISTALDI: All I have is what's on
23 the agenda for tonight.

24 CHAIRMAN FOULON: Gentlemen, you've got
25 the communications. Any question on communications

1 that have been sent to you?

2 Application number BP-2019-06 Tilcon New
3 York Incorporated.

4 MR. BRIAN TIPTON: Thank you,
5 Mr. Chairman. My name is Brian Tipton. I'm here on
6 behalf of Tilcon New York and we are here for a
7 preliminary and final major site plan. This project
8 is called the Pompton Lakes Quarry Road.

9 It involves a construction of an access
10 road from the Pompton Lakes Quarry to Susquehanna
11 Ave. All the taxes are paid. Notices are complete.

12 This project is in the Wanaque
13 Susquehanna Avenue 2019 Redevelopment Plan.

14 The site plan as proposed is fully
15 compliant with that plan. There's no variances or
16 deviations of any significance, and tonight my
17 witnesses are Wayne Ingram from E & LP. He's our
18 civil engineer. And I have John Corak from
19 Stonefield Engineering as our traffic engineer, and
20 those will be the two individuals giving testimony
21 tonight.

22 Do you handle --

23 MR. VELTRI: Yes.

24 MR. BRIAN TIPTON: -- swearing in
25 together?

1 MR. VELTRI: Yes. So you can bring
2 your witnesses up. I'll swear them both in.
3 WAYNE J. INGRAM, P.E., 140 West Main Street,
4 High Bridge, New Jersey, sworn:
5 JOHN R. CORAK, 92 Park Avenue, Rutherford,
6 New Jersey, sworn:

7 MR. VELTRI: Counsel, you can call them
8 individually and we'll get the names. Do the
9 qualifications with each one --

10 MR. VELTRI: Yes.

11 MR. BRIAN TIPTON: Okay. At this
12 time before we get into the testimony, I wanted to
13 just ask just whatever requests for completeness
14 be determined or do you wait until the end for
15 that?

16 MR. VELTRI: No, no, we do it at the
17 beginning. I think, Mike, in your report you made a
18 recommendation.

19 MR. CRISTALDI: I recommended that the
20 application be deemed complete.

21 CHAIRMAN FOULON: I'll entertain a motion
22 to deem the application complete.

23 (The above motion was approved and
24 seconded.)

25 SECRETARY FIORITO: Chairman Foulon.

1 CHAIRMAN FOULON: Yes.

2 SECRETARY FIORITO: Mayor Mahler.

3 MAYOR MAHLER: Yes.

4 SECRETARY FIORITO: Councilman

5 Cortellessa.

6 COUNCILMAN CORTELLESSA: Yes.

7 SECRETARY FIORITO: Member Platt.

8 MEMBER PLATT: Yes.

9 SECRETARY FIORITO: Member Slater.

10 MEMBER SLATER: Yes.

11 SECRETARY FIORITO: Member Crilly.

12 MEMBER CRILLY: Yes.

13 SECRETARY FIORITO: Member Jordan.

14 MEMBER JORDAN: Yea.

15 SECRETARY FIORITO: Member Pasquariello.

16 MEMBER PASQUARIELLO: Yes.

17 SECRETARY FIORITO: Member Leonard.

18 MEMBER LEONARD: Yes.

19 MR. VELTRI: And also just for the

20 record, your Honor, I -- Mr. Chairman and the

21 Board, I've looked at the notice in the paper. It

22 was published at the -- during the right timeframe and

23 I've looked at the notices and they are complete.

24 CHAIRMAN FOULON: Proceed.

25 WAYNE INGRAM, P.E., 140 West Main Street, High

1 Bridge, New Jersey, previously sworn, testifies as
2 follows:

3 EXAMINATION BY MR. TIPTON:

4 Q. Okay. At this time I'd like to call my
5 first witness, Wayne Ingram. And I guess, Wayne, can
6 you provide your qualifications for the board?

7 A. Sure. I'm a licensed engineer and
8 planner in the State of New Jersey. I've been
9 licensed as such for over ten years. I've appeared
10 before over fifty municipalities in those
11 capacities and been accepted in front of all those
12 boards, most locally probably Bloomingdale and Wayne
13 Township.

14 MR. VELTRI: Are you moving him as a
15 professional engineer?

16 MR. BRIAN TIPTON: Yes, sir.

17 MR. VELTRI: Not a planner?

18 THE WITNESS: No, I don't think it would
19 be necessary.

20 MR. VELTRI: Okay.

21 CHAIRMAN FOULON: This is the gentleman
22 we discussed earlier?

23 MR. BRIAN TIPTON: Yes. This is my
24 witness who asked to leave as early as possible
25 because his wife just went to the hospital to

1 potentially have her baby.

2 MR. VELTRI: I'm in a lot of trouble.

3 CHAIRMAN FOULON: What's it going to be,
4 boy or a girl?

5 THE WITNESS: A boy.

6 CHAIRMAN FOULON: Okay. Well, let's see
7 if we can't -- dispose of him quickly, huh?

8 MR. VELTRI: No further questions on
9 qualifications.

10 MR. BRIAN TIPTON: You recognize him as a
11 professional?

12 CHAIRMAN FOULON: Yes. We recognize him
13 as a professional.

14 Q. Thank you. All right. Wayne, I'll let
15 you give your testimony on the existing conditions and
16 on the proposed project.

17 A. Should I label this A-1 as an exhibit?

18 MR. VELTRI: That's fine. Just date it
19 9-19-19.

20 (Aerial of Site Plan is marked as A-1 for
21 identification.)

22 THE WITNESS: So the Exhibit A-1 which
23 I'll be referring to is an aerial exhibit of the site
24 plan that we provided to the board.

25 Just to highlight the existing conditions

1 to start, if you take away the colored areas on the
2 plan you'll see the majority of the site currently is
3 a wooded lot. It's very steeply sloped as well as
4 over a hundred feet of relief across the street.

5 This was what was formerly a residential
6 subdivision that had very few houses constructed on
7 it over the years, a lot of unimproved streets. Most
8 of the lots are vacant and over time Tilcon has
9 acquired all of those residential structures to
10 form the conglomeration of lots that you see here
11 today.

12 On the northern end you'll see Twin
13 Lake and just north of that Union Avenue. Here on the
14 eastern side is Susquehanna Avenue and how that enters
15 the site, there's currently a driveway which serviced
16 all those previously existing homes which have all
17 since been removed, and then it continues up the hill
18 through the Elks Camp which you'll see here in the
19 southeastern corner.

20 So the proposal is to construct this
21 road which is over half a mile in length. The length
22 and design was such that our goal was essentially to
23 keep the slopes to a reasonable degree of five to
24 eight percent, eight percent being the steepest that
25 we considered safe, and because of the steepness we

1 have to make a longer road rather than a direct path
2 into the quarry.

3 The intention here is essentially to
4 create a connection for traffic between Susquehanna
5 and the Tilcon Quarry in the neighboring
6 municipality which you see on the far southern end of
7 the plan.

8 So the intention is to cut this road
9 in and raise grade so that we could enter the quarry
10 which is a substantially higher grade in the back.

11 After we get through our properties we
12 have an easement which goes through the Elks Camp to
13 create that connection to the quarry.

14 We have an existing bridge which is on
15 our property which will be widened to allow us to
16 better pass traffic through the site.

17 Right now it's -- it's ample width for
18 two lanes essentially, but for bringing in the trucks
19 we want to provide the extra buffer so that's more
20 easily maneuverable.

21 We do have all the DEP permits in hand
22 both for the widening of the bridge and also for our
23 discharges of our basins into the wetland area outside
24 of Twin Lake including all of our storm water design
25 having been approved by them.

1 So essentially the road itself is going
2 to be a two-lane twelve-foot wide lanes with three
3 foot shoulders on each side, guide rail provided where
4 necessary for safety purposes.

5 Past that guide rail we're going to have
6 stone swales and catchment areas because what we're
7 doing here as we come into the site is generally
8 pretty close to the existing grade, but once we come
9 around this bend, we're cutting deeply into the
10 slope to make the grades that we're trying to hit on
11 the roadway.

12 So in essence when the trucks are
13 traveling through the -- through this roadway there's
14 going to be thirty or fifty foot walls on either sides
15 of those trucks, so one advantage to that is there's
16 really no visual impacts to this project because the
17 existing vegetation that's much higher is all going to
18 be maintained outside of our fairly narrow limited
19 disturbance, and the trucks, again, will be twenty,
20 thirty feet minimum below the grade that anyone would
21 see across when looking across the site.

22 So, again, as part of that this is
23 not really an issue of -- it's a lot of steep
24 slope disturbance, but I think what's unique about
25 this is there's not really a lot of soil

1 disturbance.

2 On this property rock is basically at
3 the surface of the ground, so most of the
4 disturbance that we're doing is going to be creating
5 basically vertical rock cuts and really not
6 disturbing any soil. It's just going to be a straight
7 rock face as we already have within the quarry.

8 So even though it's a lot of steep slope
9 disturbance, we're not really concerned about
10 stability in this instance because we're going to be
11 ensuring that the rock face is stable when we create
12 those benches.

13 It's very similar to how at the quarry
14 is constructed, and, again, we've provided on the
15 sides of the road catchment areas which not only
16 serve to basically collect and bring our storm water
17 down the hill into our two detention basins, but also
18 provides ample room if there were ever, say, a rock
19 that falls off the slopes we've created.

20 These have all been properly designed to
21 meet my standards in terms of their distance off the
22 roadway and their depth so that there's adequate
23 safety measures in place.

24 In terms of the storm water, we're
25 basically proposing swales along the sides of the

1 roadway, and we have some various inlets located
2 throughout the length that will convey some of the
3 water into the smaller detention basin on the
4 southern side of the road, and the rest of it will
5 go into the larger one on the north side.

6 The south side basin will overflow
7 into the north, and we have a discharge structure
8 which leads town to Twin Lake, and, again, we have
9 received DEP approval for that discharge point and
10 for the storm water design.

11 In terms of site safety, we are
12 proposing to fence off the roadway. We think it's
13 important to make sure that if there were any
14 trespassers or any members of the public that were
15 around the facility that there be no way that they
16 would have direct access to looking over this rock
17 face down to the roadway, so all that will be
18 properly fenced off.

19 We're providing some landscaping
20 basically at the perimeter of what we're disturbing
21 at the tops of the hill, basically to just re-vegetate
22 the areas that we need to temporarily disturb for the
23 project.

24 Lighting is accomplished with twenty
25 foot tall poles located alternating fashion along the

1 length of roadway just to provide adequate light
2 levels in the roadway, but, again, I think any
3 impacts of that are really minimized, number one,
4 because for the majority of the road length those
5 lights will be below the level of the surrounding
6 grade and where they're not we do have ample distance
7 of vegetative cover on the site.

8 So I don't really believe there will be
9 any visual impacts. I think noise impacts are
10 minimized, again, by the fact that the trucks will
11 be traveling kind of in this valley in the site.

12 We plan to take all necessary soil
13 erosion measure protections both during and after
14 construction. We make sure that any trucks that
15 leave the facility, they're washed before they
16 leave. We have street sweepers, washing machines
17 that will be going up and down this roadway all day
18 long ensuring that we have no dust traffic or
19 anything leading onto the public roadways, and
20 really all of those trucks when they leave our site,
21 they're not existing immediately onto those
22 roadways.

23 They have this over half mile length of
24 private roadway before they ever hit the public road,
25 so anything that would come off of those vehicles

1 will come off long before it ever reaches the public
2 roadway.

3 That essentially is the extent of the
4 project. I think we -- again, we have most of our
5 other outside agency permits in place with the
6 exception of the county planning board and soil
7 conservation, and I don't believe there were any
8 comments from either the engineering or planning
9 letters which have not been covered, and we have
10 no objections to providing any of the other requested
11 items in those letters.

12 MR. BRIAN TIPTON: At this time we ask if
13 the board has any questions.

14 CHAIRMAN FOULON: Any questions of the
15 engineer from the board?

16 MEMBER JORDAN: How many trucks a day
17 will be coming out?

18 THE WITNESS: I'll probably leave that
19 question for our traffic expert to explain.

20 COUNCILMAN CORTELLESA: There were two
21 letters we received, one on the 10th and a response on
22 the 17th. Has that been involved in terms of the
23 issue --

24 CHAIRMAN FOULON: That doesn't involve
25 the engineer. We'll get to that.

1 COUNCILMAN CORTELLESSA: Okay.

2 CHAIRMAN FOULON: Okay?

3 MR. VELTRI: Is there an application
4 pending before the county planning board?

5 THE WITNESS: No, we have not submitted
6 yet. We have met with the county. We've sat down and
7 took the plans over to meet with the engineering
8 department.

9 They're kind of holding off comment for
10 this meeting essentially, but we're going to come to
11 terms with them and agree to whatever measures they
12 deem necessary for the roadway.

13 MR. VELTRI: So it will be subject to a
14 county planning board approval?

15 THE WITNESS: Yes.

16 MAYOR MAHLER: Susquehanna Avenue, that's
17 going to be widened to three lanes from Union Avenue
18 into the bridge?

19 THE WITNESS: Again, our improvements, I
20 think our traffic expert will cover it, but it's
21 really going to come down to what the county
22 requests are.

23 MAYOR MAHLER: Susquehanna is not the
24 county. Union Avenue will be the county requests.

25 MR. BRIAN TIPTON: Mayor, I believe

1 you're correct, but we're going to have the traffic
2 engineer testify about that.

3 MAYOR MAHLER: Okay. That's fine.

4 MR. CRISTALDI: Is there a steep
5 slope? Was there a variance on the steep slope?

6 THE WITNESS: So we did review the
7 ordinance and, yes, the site is essentially all steep
8 slope, so per your letter, yes, it does exceed what
9 the ordinance would require.

10 Our understanding though is that it isn't
11 necessarily a variance condition because we're in
12 accordance with the redevelopment plan, but it does
13 exceed the steep slopes if you look at the ordinance
14 section.

15 MR. CRISTALDI: I don't think you would
16 have a problem with it because it's not really the
17 type of slopes where you disturb to do a site
18 development. I just wanted to make sure that they
19 covered it.

20 CHAIRMAN FOULON: Okay.

21 MR. BRIAN TIPTON: Our position I guess
22 from the legal perspective is we're fully compliant
23 with the plan. The plan envisioned those slopes,
24 therefore, it's not technically a variance. It is a
25 deviation I would say would be the word I would use

1 but not a variance.

2 CHAIRMAN FOULON: Yes. All right. Any
3 other questions?

4 MEMBER SLATER: What about the gas
5 pipeline that runs through there? Is that going to be
6 relocated? Is that part of the plan?

7 CHAIRMAN FOULON: They're not relocating
8 that.

9 THE WITNESS: I don't believe there's a
10 gas pipeline that's going to be interfered with with
11 this particular project.

12 MEMBER SLATER: It crosses --

13 THE WITNESS: The main gas pipeline
14 crosses over I believe south of the facility.

15 MEMBER SLATER: I think it goes under the
16 highway right about at the radio tower, goes up the
17 hill but just below --

18 THE WITNESS: I think that's south of
19 where this is occurring.

20 MEMBER SLATER: Okay.

21 MAYOR MAHLER: Tilcon is going to
22 maintain the road from the quarry to Union Avenue;
23 correct?

24 THE WITNESS: Correct.

25 CHAIRMAN FOULON: Okay. I'm going to

1 break from protocol a little bit and I'm going to
2 allow the audience to question the engineer at this
3 time instead of when the public hearing opens. I'm
4 going to want a motion to do that.

5 MEMBER JORDAN: I'll make the motion.

6 COUNCILMAN CORTELLESSA: I'll second it.

7 CHAIRMAN FOULON: Roll call.

8 SECRETARY FIORITO: Chairman Foulon.

9 CHAIRMAN FOULON: Yes.

10 SECRETARY FIORITO: Mayor Mahler.

11 MAYOR MAHLER: Yes.

12 SECRETARY FIORITO: Councilman

13 Cortellessa.

14 COUNCILMAN CORTELLESSA: Yes.

15 SECRETARY FIORITO: Member Platt.

16 MEMBER PLATT: Yes.

17 SECRETARY FIORITO: Member Slater.

18 MEMBER SLATER: Yes.

19 SECRETARY FIORITO: Member Crilly.

20 MEMBER CRILLY: Yes.

21 SECRETARY FIORITO: Member Jordan.

22 MEMBER JORDAN: Yes.

23 SECRETARY FIORITO: Member Pasquariello.

24 MEMBER PASQUARIELLO: Yes.

25 SECRETARY FIORITO: Member Leonard.

1 MEMBER LEONARD: Yes.

2 CHAIRMAN FOULON: Okay. At this time
3 anyone in the audience wishing to address the
4 engineer, please step forward. State your name and
5 address.

6 MS. DIFALCO: Bridgette DiFalco.

7 Do I have to come there?

8 CHAIRMAN FOULON: Yes.

9 MS. DIFALCO: I came from a sick bed just
10 to come here. My name is Bridgette --

11 CHAIRMAN FOULON: Speak into the
12 microphone please.

13 MS. DIFALCO: Yes. My name is
14 Bridgette DiFalco. I live on Haskell Ave. and I have
15 issues and people know it. I've spoken at one of the
16 other meetings about the Stop & Shop, so we have
17 issues with traffic and noise and you name it at that
18 intersection, Haskell and Union. When I go to work
19 now, I try to get out onto Union, it's almost
20 impossible. All right.

21 CHAIRMAN FOULON: Okay. Wait a
22 minute. They have a traffic expert that will address
23 that. Right now we're only talking to the engineer
24 who is designing the project.

25 MS. DIFALCO: Okay, but, you know, it's

1 going to be an issue.

2 CHAIRMAN FOULON: Okay. Well, you
3 can come back when I call -- when we call for more
4 public hearing, okay. Right now we're only talking to
5 the engineer.

6 MS. DIFALCO: Well, can I ask a general
7 question?

8 CHAIRMAN FOULON: Yes.

9 MS. DIFALCO: Here it is. Why do they
10 want to put this road there? Is it because Pompton
11 Lakes doesn't want it? They don't want the noise, the
12 dust, the traffic? I gather that's the problem.

13 CHAIRMAN FOULON: Okay. That is not a
14 question for the engineer. That's a question for the
15 owner of the property, okay.

16 MS. DIFALCO: Well, you know, this is
17 for -- we're here in Wanaque --

18 CHAIRMAN FOULON: You can ask that
19 question in a few minutes when get to it.

20 MS. DIFALCO: Okay.

21 CHAIRMAN FOULON: Anyone else wishing
22 to address the engineer and only the engineer on the
23 design of the project?

24 Okay. We'll close this portion of the
25 public hearing and entertain a motion to close this

1 portion of the public hearing.

2 MEMBER CRILLY: So moved.

3 SECRETARY FIORITO: Okay. So we have
4 Member Crilly and then Member Slater.

5 CHAIRMAN FOULON: Okay. Roll call.

6 SECRETARY FIORITO: Chairman Foulon.

7 CHAIRMAN FOULON: Yes.

8 SECRETARY FIORITO: Mayor Mahler.

9 MAYOR MAHLER: Yes.

10 SECRETARY FIORITO: Councilman
11 Cortellessa.

12 COUNCILMAN CORTELLESSA: Yes.

13 SECRETARY FIORITO: Member Platt.

14 MEMBER PLATT: Yes.

15 SECRETARY FIORITO: Member Slater.

16 MEMBER SLATER: Yes.

17 SECRETARY FIORITO: Member Crilly.

18 MEMBER CRILLY: Yes.

19 SECRETARY FIORITO: Member Jordan.

20 MEMBER JORDAN: Yes.

21 SECRETARY FIORITO: Member Pasquariello.

22 MEMBER PASQUARIELLO: Yes.

23 SECRETARY FIORITO: Member Leonard.

24 MEMBER LEONARD: Yes.

25 MR. BRIAN TIPTON: Get going.

1 MR. VELTRI: Good luck.

2 MR. BRIAN TIPTON: I'd like to call
3 our second witness, John Corak, our traffic
4 engineer.

5 CHAIRMAN FOULON: Okay.
6 JOHN CORAK, P.E., 92 Park Avenue, Rutherford,
7 New Jersey, previously sworn, testifies as
8 follows:

9 EXAMINATION BY MR. BRIAN TIPTON: .

10 Q. First let's provide your qualifications
11 for the board.

12 A. Certainly. For the record, my name
13 is John Corak. Last name spelled C-O-R-A-K. I'm
14 a project manager with Stonefield Engineering &
15 Design located at 92 Park Avenue in Rutherford,
16 New Jersey, licensed professional engineer in
17 the State of New Jersey, bachelor of science in
18 civil engineering from the College of New Jersey,
19 expert in the field of traffic transportation
20 engineering.

21 I've prepared over one hundred traffic
22 studies for land use applications and have been
23 accepted as an expert in the field of traffic
24 engineering before numerous boards in the State of
25 New Jersey.

1 CHAIRMAN FOULON: Okay. We accept his
2 qualifications.

3 Q. Okay. Thank you. John, can you
4 provide the board with your testimony on the traffic
5 existing, proposed and any of the issues from which
6 this project arises?

7 A. Certainly. So our office prepared a
8 traffic impact study for the development along with
9 a smaller traffic impact summary which was provided
10 to the board. We first started out by analyzing the
11 surrounding roadway network.

12 Union Avenue that runs east/west along
13 the top portion of the page is a county roadway,
14 generally one lane in each direction although it gets
15 a few more turning lanes at the signalized
16 intersections towards it's easterly terminus.

17 Ringwood Avenue north/south connecting
18 Pompton Lakes, Wanaque, surrounding towns, again, is
19 a county roadway, generally one lane each direction
20 but gets additional turning lanes here in the
21 vicinity of the signalized intersection, and the big
22 piece here is Interstate 287. Exit 55 at 287, ramps
23 with both northbound and southbound, and they're
24 generally longer ramps than some of the other exits
25 that we see in this area, and in particular to the

1 south Exits 53 and 52, they have a pretty tight
2 weave or merge at those on ramps, off ramps.

3 On my drive up here I entered 287 coming
4 from Exit 52 and then had to pretty quickly get over
5 so as to avoid getting off at Exit 53, and it's the
6 same thing if you're headed southbound which is what
7 a lot of the Tilcon trucks do today.

8 Our office has conducted several
9 turning movement counts at these intersections over
10 the course of about three years that we've been
11 working with the Tilcon on this project to determine
12 not only the background of the existing traffic
13 volumes but what those volumes also looked like in
14 the summer months when the truck traffic is higher,
15 so there's comparison for you in 2017 when we did
16 our counts, we did them in March and we also did
17 them in August.

18 What we found is that the traffic
19 volumes generally stay the same but the rate of trucks
20 in the area is increased, so we adjusted our traffic
21 study accordingly.

22 Similarly when we did counts again in
23 2019 to figure out what sort of growth we're
24 experiencing in the area, we did see an uptick in
25 growth compared to the DOT's background growth rate

1 during the morning, and it was actually lower than
2 the DOT's rate during the evening, so what we did was
3 applied the higher rate in the morning and the DOT's
4 rate in the evening so as to provide a conservative
5 analysis.

6 The big piece of the picture here is
7 what is the Tilcon truck impact associated with the
8 new roadway and the access out to Susquehanna
9 Avenue, and the big thing that the board should
10 understand with this project is that the Tilcon truck
11 traffic is very much at a different peak than the
12 commuter traffic.

13 Tilcon is not sending out their trucks
14 during -- they're not sending out the bulk of their
15 truck traffic during the commuter rush hours.
16 Typically it's during the morning before the commuter
17 rush hour between four a.m. and six a.m., so that
18 traffic is entering the roadway network and easily
19 accessing the two ramps while really there's not much
20 commuting traffic out on the roadway.

21 That being said, we want to provide a
22 conservative analysis. What we did is we took the
23 Tilcon traffic that we expect in the peak hour of
24 Tilcon so sometime between that four and six range
25 and we analyzed that traffic added onto the commuting

1 peak hour, and what our study showed is that the
2 levels of service at these signalized intersections
3 would not be significantly impacted.

4 There's really no negative impact
5 associated with this development, and part of that is
6 really not the fact that the trucks and the turning
7 movements that they're making don't really overlap
8 with some of the heavier movements to this area.

9 We know it does get a bit tight with
10 the Stop & Shop and the ramp and the trucks coming
11 from Susquehanna Avenue are doing a bit different
12 movements than some of the other cars are, so the
13 bulk or the summary of the study is that the traffic
14 impacts associated with Tilcon really are not going
15 to have a significant impact on this roadway
16 network.

17 As part of the improvement Susquehanna
18 Avenue is going to remain one lane in each direction.
19 That's built into the redevelopment plan, and, again,
20 it will be maintained by Tilcon all the way from the
21 quarry up to Susquehanna Avenue.

22 CHAIRMAN FOULON: Any questions,
23 gentlemen?

24 MR. CRISTALDI: So you're talking about
25 the truck movements and the truck traffic. I'll just

1 tell you what my concern is.

2 THE WITNESS: Sure.

3 MEMBER CRILLY: From what I understand
4 with this project, it's largely to give access to
5 this truck traffic going southbound on 287, and even
6 if it is beyond peak the nature of these trucks and
7 the load that they're carrying, they're going to be in
8 very low gear, and my concern is their acceleration
9 during rush hour on a entrance ramp and then entering
10 into the right lane on 287 southbound with Camp Moore
11 right above you and the risk of people just darting
12 out into the traffic because of just the lack of speed
13 of the truck and just the nature of people being
14 impatient during rush hour. Have you analyzed that
15 impact at all?

16 THE WITNESS: So we've compared the
17 ramps here at Exit 55 to the ramps down at 53 which
18 they're currently using to go southbound, and the
19 ramps at Exit 55 are much longer than the ramps down
20 at Exit 53, so there's a better opportunity for the
21 truck traffic to accelerate while they're carrying
22 that load and getting into the flow of traffic on
23 287.

24 MEMBER CRILLY: Even at an inline in low
25 gear, because that is on an incline going up into --

1 I don't know the engineering of trucks, I'm not a
2 truck driver, nor do I have any experience in it, but
3 I just would want to get an idea as they enter onto
4 287 what speed that truck would be going by because I
5 just find that slow traffic might create a risk in
6 terms of people darting out into the faster moving
7 traffic.

8 THE WITNESS: Sure. So the trucks will
9 be traveling -- likely be traveling at a speed that is
10 slower than your typical passenger vehicle, I think we
11 can all accept that, but, again, it goes to the
12 length of the on ramp here. It gives them a much
13 better opportunity to accelerate.

14 MEMBER CRILLY: Any idea of that
15 speed? Can you give an estimate, or was that not
16 studied?

17 THE WITNESS: As far as an estimate of
18 speed, we didn't do -- we didn't do a physical study
19 of what those cars are currently doing, what the
20 trucks are currently doing. I mean, I would estimate
21 somewhere in the 45 mile an hour range might be able
22 to get up to.

23 MEMBER CRILLY: That the truck would get
24 to that speed by the top of that ramp when --

25 THE WITNESS: Right.

1 MEMBER CRILLY: -- they're getting onto
2 the highway. Okay, thank you.

3 CHAIRMAN FOULON: Any other questions?

4 MEMBER JORDAN: Yes. The trucks are only
5 going to be there from four to six in the morning?

6 THE WITNESS: That's the peak of the
7 truck traffic.

8 MEMBER JORDAN: But there's going to more
9 trucks during the course of the day.

10 THE WITNESS: Right, there are trucks
11 throughout the day, but, again, the bulk of the truck
12 traffic where you're really going to see the Tilcon
13 trucks maneuvering out of the site and onto the
14 roadway network is between four to six.

15 MEMBER JORDAN: How many trucks a day are
16 we talking about?

17 THE WITNESS: It's probably at high
18 estimate 200 to 300 trucks per day.

19 MEMBER JORDAN: So unless you get them
20 out between four to six you're going to have a lot of
21 trucks all day long.

22 THE WITNESS: Four to six is going to be
23 I would say the majority of that.

24 MEMBER JORDAN: You're going to get most
25 of your trucks out in two hours?

1 THE WITNESS: I think so, yeah.

2 MEMBER JORDAN: Okay.

3 MS. DIFALCO: That's 24/7.

4 THE WITNESS: The peak -- the operation
5 really has a peak in the morning so that way the
6 trucks can get out before the commuter traffic and get
7 to the sites.

8 MEMBER JORDAN: How do they get home?

9 THE WITNESS: With the same 287 ramps.

10 MEMBER JORDAN: And when are they going
11 to be coming back then?

12 THE WITNESS: It's the same 200 trucks.

13 MEMBER JORDAN: Where are they going to
14 though?

15 THE WITNESS: Back through the
16 Susquehanna access point.

17 MEMBER JORDAN: So they're going to be
18 coming back through Wanaque again.

19 THE WITNESS: Right. So the bulk of the
20 traffic is going to be utilizing not only ramps to get
21 onto 287 south but then likely the ramps to get off of
22 287 north to come back to Susquehanna.

23 MEMBER JORDAN: But when are they coming
24 back? Not four to six in the morning.

25 MR. VELTRI: The times, that's what

1 he's --

2 MR. BRIAN TIPTON: If I could, I'd like
3 to have one of my Tilcon reps answer some of these
4 operational questions because I think they can give
5 you some better information on that, but once we
6 finish with Mr. Corak.

7 COUNCILMAN CORTELLESSA: Let me ask him a
8 different question.

9 Right now when I go down to Ringwood
10 Avenue and I look at Broad Street, the majority of
11 trucks are coming out of Broad Street right now, most
12 of them are making right-hand turns, going down to
13 Hamburg Turnpike and getting onto 287 that way to go
14 south.

15 A lot of them still come up Ringwood
16 Avenue. I'm not sure where they're going, but I see
17 them come out and go up Ringwood Avenue. Some go down
18 to Hamburg Turnpike and make left turns versus right
19 turns.

20 All of that traffic, my perception is
21 that it's going to come up 287 and get off at 55 to
22 get into the quarry. So now we're going to have a
23 significant higher amount of truck traffic coming off
24 of Exit 55.

25 That has not been really discussed or

1 debated at all and I see all of that traffic then
2 coming off of 55 onto Union Avenue trying to make the
3 left-hand turn to get into the quarry.

4 That to me is a significant amount of
5 traffic that we seem to not be really addressing at
6 all.

7 The same issue is -- excuse my voice,
8 it's a little bit of an allergy -- when you look at
9 the traffic, I'm not in line with this four to six and
10 when there's no traffic on Ringwood Avenue from
11 residents.

12 I go down there frequently and there's
13 significant traffic on Ringwood Avenue trying to get
14 onto Union to get onto 287 south, and traffic still
15 going north on Ringwood to get on 287 north.

16 I think we're missing the point that
17 there's a lot of trucks that are going to be coming up
18 and getting off of 55 and that traffic is going to be
19 impacted pretty significantly.

20 Can you try to clarify that for me?

21 THE WITNESS: Sure. So our traffic study
22 again tried to do as conservative an analysis as
23 possible.

24 The traffic study assumed that any of the
25 trucks leaving the site would actually still return

1 in that hour. Now, whether or not they actually do so
2 depends on really how far those trucks have to travel,
3 so when we're talking about the trucks leaving the
4 site the study also includes in that same hour of
5 analysis those trucks returning.

6 So, again, what we routed was eighty
7 percent of the traffic headed south on 287, that same
8 eighty percent would come back north and go through
9 the ramp system to Ringwood to Union, and with that
10 in our traffic study our level of service analysis
11 still showed no significant impact to the roadway
12 network.

13 We know that in our observations we have
14 seen the queues back up on Ringwood Avenue coming
15 south to get on Union and to go down to 287, but
16 that's not where the truck traffic for the development
17 is really going.

18 We expect a significant majority to enter
19 and exit onto 287, most of it headed south and the
20 rest of it headed north.

21 COUNCILMAN CORTELLESA: But you're
22 still going to have all that traffic coming off 287
23 on 55 and they will have to go onto Union Avenue to
24 get into the quarry.

25 That truck traffic today is coming off of

1 287 at 52 and 53 and then going into the quarry, so
2 that complete change is going to occur.

3 Also, my concern in line with some of the
4 other planning board members, when you go down
5 Ringwood Avenue and you're near Broad Street and the
6 truck comes out, the amount of time it takes for that
7 truck to accelerate, and I know there's a speed limit
8 there so it's not that you're trying to get up to 45
9 or 60 miles an hour, is quite long. It's from Broad
10 Street all the way to Hamburg Turnpike.

11 Those trucks are not up to speed, even
12 the speed limit there, so I think we need to be a
13 little sensitive and concerned about the amount of
14 traffic that is really going to be occurring here,
15 and if you visually live here and you are here and
16 you go down Ringwood Avenue and Union Avenue, the
17 amount of traffic is significant almost every morning
18 from six on and every afternoon. It's all day long
19 the traffic is very extensive there.

20 So I'm a little concerned about the
21 traffic. I'm concerned about the safety component
22 of it because I know that 287 south there is a ramp
23 and it is a fair amount of distance once you get up
24 the hill to go down to get onto 287.

25 I've seen too many times people trying

1 to get around those trucks and get onto 287, and I'm
2 concerned about the safety issue.

3 I'm also concerned about the truck
4 traffic from a quality of life issue, people being
5 stuck behind trucks, people being impacted by that
6 and the safety issues associated with that as
7 well.

8 I'm not sure -- I see a number of
9 trucks coming out of the quarry and up Ringwood
10 Avenue, they continue to go north. We seem to
11 discount that a lot, that we don't see trucks going
12 north, and I think those trucks are going to continue
13 to be -- I have a problem with those trucks coming
14 out of Susquehanna and make a left onto Ringwood
15 Avenue, and I think we need to be more sensitive to
16 the amount of truck traffic that we're really going
17 to see in these areas and the safety issues
18 associated with that.

19 Can you comment on -- and I've read the
20 studies. I met personally with Tilcon
21 representatives and discussed this. I've tried to
22 take a more optimistic look as to what's going on, and
23 I'm not there yet, and I'm concerned about this
24 particular traffic issue and safety issue.

25 THE WITNESS: Certainly. I would

1 highlight again the conservative nature of the report,
2 however, we're using the peak traffic from the
3 non-commuting hour, the Tilcon peak, and applying that
4 to the commuting hour and then conducting our level of
5 service capacity analysis, if you will.

6 Now, I understand the concern with when
7 you're the car that's behind the truck it's -- it can
8 be slow moving at times. The trucks naturally need a
9 little bit more time to come up to speed. It's
10 something that's happening to the south, and one of
11 the benefits here is the ability to get them -- get
12 them onto 287 and out of the picture as quickly as
13 possible.

14 Any traffic that's continuing onto
15 Ringwood today, I mean, it would still do that,
16 but, again, it's a minor amount of truck traffic.

17 COUNCILMAN CORTELLESSA: You have to be
18 here every day to see what's going on. I think it's
19 not a minor amount overall, and I think the traffic is
20 more significant than you estimate.

21 CHAIRMAN FOULON: I'm more concerned with
22 incoming than I am with outgoing, okay.

23 Your incoming trucks, they're coming up
24 Route 287 from the south. They get off and have to
25 get onto Ringwood Avenue, cross over two lanes of

1 traffic to get into the left turn lane.

2 What kind of impact is that going to be?
3 How far backed up are these trucks going to be waiting
4 to make a left turn onto Union Avenue coming back to
5 the quarry?

6 MR. BRIAN TIPTON: If I may, I'd like
7 to have actually Mr. Gallo testify to that operational
8 issue --

9 CHAIRMAN FOULON: Okay.

10 MR. BRIAN TIPTON: -- because I think
11 that that's something that everyone has touched on. I
12 think he actually has some more specific --

13 CHAIRMAN FOULON: Okay, but I want to
14 have you study the return.

15 THE WITNESS: Definitely, and that's
16 one piece that I was I guess attempting to highlight
17 earlier is that the forecast of trucks that we have
18 leaving is a number, and we assume that they all
19 would come back in that hour, so we have amplified
20 the realistic return of trucks coming to the
21 network, and, yes, we have routed them through that
22 exit ramp, Exit 55 on 287, making that right turn,
23 making that left turn onto Union Avenue.

24 That's all included within the traffic
25 study. It's all included within that level of service

1 and access.

2 CHAIRMAN FOULON: Okay.

3 MEMBER JORDAN: You're telling me 200
4 trucks are going to go out and come back in two
5 hours?

6 THE WITNESS: No. That's over -- that
7 was like a full day.

8 MEMBER JORDAN: So they're going to be
9 coming back all day long.

10 THE WITNESS: That's spread across many
11 hours.

12 CHAIRMAN FOULON: Again I think --

13 MR. CRILLY: More concentrated, fifty
14 percent of the volume would be four to six --

15 CHAIRMAN FOULON: Again, I think it's an
16 operational --

17 MEMBER JORDAN: You've got to be awful
18 close to get back within two hours with a dump
19 truck.

20 MEMBER CRILLY: No, no, that's just an
21 assumption.

22 MEMBER JORDAN: I know it's an assumption
23 but it's not a good assumption.

24 CHAIRMAN FOULON: All right. Let's talk
25 to the -- I think that's a question for the operations

1 guy.

2 MEMBER SLATER: Let somebody that drives
3 one actually talk about it, all right.

4 We're all guessing.

5 MR. BRIAN TIPTON: I don't want to call
6 him off the stand yet. We'll leave him up.

7 I'd like to call Vince Gallo to testify
8 as to some of the questions that have arisen. Of
9 course he has to be sworn in, so, Mr. Gallo.

10 COUNCILMAN CORTELLESSA: One more
11 question, before you do that, can I ask one more
12 question --

13 MR. BRIAN TIPTON: Certainly.

14 COUNCILMAN CORTELLESSA: -- a traffic
15 question.

16 MR. BRIAN TIPTON: Sure.

17 COUNCILMAN CORTELLESSA: The study that I
18 saw was 75 entering and exiting for a total of 150,
19 okay, not the 200. So the study says 150. You
20 mentioned 200.

21 THE WITNESS: Sure. So the 200 is the
22 number of trucks, so that's the 75 trucks, essentially
23 it's in connection with 75 with the 200.

24 COUNCILMAN CORTELLESSA: So that's the
25 number of trucks that are coming in and out, to answer

1 the question, on a regular basis there's going to be
2 200 going in and out regularly.

3 THE WITNESS: So I would say 200 trucks,
4 400 trips or a trip is either an in or an out
5 movement.

6 COUNCILMAN CORTELLESSA: So you have 400
7 trips.

8 THE WITNESS: Over the course of a full
9 day.

10 COUNCILMAN CORTELLESSA: I understand
11 that, but you have 150 during the four to six a.m.
12 time period. At least that's how I'm interpreting
13 this study.

14 It says, Tilcon morning peak hours
15 between four and six, trucks entering 75" in this
16 study, trucks exiting 75 for a total of 150.

17 THE WITNESS: Right. And those volumes
18 that we applied for the trip generation were
19 increased volumes over peak conditions that Tilcon
20 is currently experiencing, so it's meant to be as
21 conservative as possible.

22 MAYOR MAHLER: Is that per hour or is
23 that during the two hours?

24 THE WITNESS: It's the per hour.

25 MAYOR MAHLER: So four to six is two

1 hours so two times those numbers.

2 COUNCILMAN CORTELLESSA: So it's a
3 significant number of trucks coming in and out.

4 MAYOR MAHLER: Actually I have one more
5 question for the traffic expert.

6 In reading through your report you don't
7 seem to make any kind of recommendation to widen Union
8 Avenue.

9 THE WITNESS: I don't think it's
10 necessary --

11 MAYOR MAHLER: I certainly think it's
12 necessary --

13 THE WITNESS: -- is the reason why we
14 didn't make that recommendation.

15 MAYOR MAHLER: Well, Councilman
16 Cortellessa mentioned that the trucks were moving
17 very slowly coming out of Broad Street.

18 So if the trucks are coming out of
19 Susquehanna wouldn't it be in the best interest of
20 the quarry to have another -- a separate lane that
21 they could turn right on Susquehanna and go right
22 onto the highway instead of interfering with
23 traffic that's coming along Union?

24 And the other thing is I believe we
25 need a left-hand lane off of Union into Susquehanna

1 because if trucks are backed up waiting to turn, you
2 get two or three trucks, next thing you know you're
3 blocking the intersection coming off the highway.

4 So I think it's critical that there's a
5 left-hand turn lane and there's actually a free
6 flowing lane going east. I was curious why you didn't
7 put that in the report.

8 THE WITNESS: Well, based on the capacity
9 analysis that we conducted we did not feel it was
10 necessary; however, this is a county roadway. It's
11 under the county's jurisdiction. If they say they
12 want the widening, we'll do the widening.

13 MR. VELTRI: Well, that's if you get an
14 approval here.

15 MR. BRIAN TIPTON: Correct.

16 THE WITNESS: Passaic County is very
17 stringent in their --

18 MAYOR MAHLER: That's 75 trucks an
19 hour --

20 MR. VELTRI: But to get there you've got
21 to satisfy us here first.

22 MAYOR MAHLER: 75 trucks an hour,
23 that's a lot of trucks on that line without a widened
24 road.

25 CHAIRMAN FOULON: So what you're saying

1 you will allow or you will widen the road per our
2 request if the county approves it?

3 MR. BRIAN TIPTON: That's correct. And
4 I agree with you, because we don't -- we don't have
5 the jurisdiction over them --

6 MR. VELTRI: Understood. We
7 understand, but we want to have an understanding here
8 before you go to the county and an opportunity to be
9 at the county meeting, so one of the things that
10 we're going to require is that when you do have a
11 county meeting you notify the borough in writing so
12 that we could have a representative at that county
13 meeting because this is a critical aspect of the plan
14 in a lot of the members' mind. That's what I'm
15 hearing.

16 MR. BRIAN TIPTON: Absolutely.

17 COUNCILMAN CORTELLESA: I clearly
18 understand that it's a county issue, but I was
19 surprised that you didn't recommend it with the
20 caveat saying that we would need to go to the county
21 to get that approved. That's what I think the mayor
22 is asking.

23 CHAIRMAN FOULON: And that's what we're
24 looking for.

25 COUNCILMAN CORTELLESA: And that's what

1 we're looking for, so I'm surprised that that wasn't
2 suggested.

3 It was discussed in previous
4 conversations that we had related to traffic and
5 related to this plan. Also, extending the additional
6 roadway out to Ringwood Avenue, so I'm surprised it
7 wasn't suggested.

8 MR. BENECKE: Mr. Chairman, may I?
9 Bob Benecke. They are required to widen
10 the road from Susquehanna to Route 287 via the
11 redevelopment plan and ordinance that was adopted by
12 the county.

13 CHAIRMAN FOULON: So it's been addressed.

14 MR. BRIAN TIPTON: It's two lanes though,
15 correct? It's the widening of --

16 MR. BENECKE: I'll read it directly.
17 It's Section four of the redevelopment plan. My name
18 is Bob Benecke representing the Council. Behind me is
19 Fred Suljic, my partner, the planner.

20 Section four says that, "The
21 redeveloper," that's the designated redeveloper before
22 you tonight, "shall widen Union Avenue from
23 Susquehanna Avenue eastbound to the I-287
24 interchange ramp so that there will be four lanes on
25 Union Avenue, two proceeding westerly and two

1 proceeding easterly. The distance is estimated
2 approximately 500 feet. This will permit truck
3 traffic from making a right from Susquehanna onto
4 Union Avenue to queue in the right lane and allow
5 passenger vehicle traffic to bypass.

6 "While this is subject to county planning
7 board approval this ordinance will be provided to the
8 county and they will have to comply with this unless
9 there's proof showing that it's irrelevant," and they
10 will have to comply with that.

11 They made a request that it would be
12 subject only to county planning board approval, but
13 we haven't changed the ordinance and we don't intend
14 to.

15 MR. BRIAN TIPTON: And that was merely
16 my point before is that what the county says we're
17 going to do. If that's something --

18 CHAIRMAN FOULON: No, it's not what
19 the county says. It's what we say with county
20 approval.

21 MR. BRIAN TIPTON: I'm sorry. If the
22 county approves it.

23 MR. VELTRI: But I've been to the county
24 too many times so you're going to amend your plan to
25 widen the road so that they will have that plan in

1 front of them and react to that plan rather than some
2 plan that is not in front of them?

3 MR. BRIAN TIPTON: That I'd have to
4 talk to my client about. I thought we were
5 originally just going to have -- I think often you
6 have meetings with them ahead of time and they will
7 tell you what they want, and then you amend your plans
8 accordingly, but I assumed that --

9 MR. VELTRI: But what the mayor said and
10 certainly what Mr. Benecke said, I think the plan
11 should conform to the language that Mr. Benecke just
12 wrote.

13 MR. BENECKE: That's in the ordinance.
14 That's not actually in the plan. It's in the plan
15 but it's imbedded in the ordinance, so the planning
16 board can't deviate from that. In other words, you
17 cannot provide a deviation to that provision of the
18 plan.

19 MR. VELTRI: That's not in front of us
20 tonight is what we're saying.

21 MR. BENECKE: Well, what's in front of
22 you tonight is that they would require a deviation
23 to the redevelopment plan, and that's not in front of
24 you.

25 They are required under the ordinance

1 to provide for four lanes of traffic on Union
2 Avenue.

3 If the county planning board said it's
4 irrelevant, it's a different story, but we don't
5 believe they're going to say that.

6 Now, that would then require the mayor
7 and council to modify the redevelopment ordinance
8 and I don't believe -- I won't speak for the
9 councilman who is here tonight and the mayor, I
10 don't think they're going to do that.

11 CHAIRMAN FOULON: I think that should be
12 on their plan now.

13 MR. VELTRI: What I'm saying is the plan
14 itself, the plan that is in front of the board if we
15 vote on that plan tonight, I think the plan should be
16 revised in accordance with the language you wrote and
17 then go to the county for their approval or rejection.
18 Then we know what we're dealing with.

19 MR. BENECKE: That's right.

20 MR. BRIAN TIPTON: I guess we have a
21 concern on whether it's structured in a way, some of
22 the physical characteristics, so what we just talked
23 about and what I would like to propose is could we
24 agree to have the informal meeting with the county
25 with you present --

1 MR. VELTRI: Absolutely.

2 MR. BRIAN TIPTON: -- and we show them a
3 plan that shows that and whatever complications that
4 are there, and, therefore, if at that time they agree
5 that's the right -- you're going to have a chance to
6 voice your opinions. If there's complications we'll
7 raise those and we'll see --

8 MR. VELTRI: Do you have want to have
9 that informal meeting before we vote on a
10 resolution because any resolution is going to
11 include that condition.

12 So, again, we can go to the county
13 together outline it with them, they'll know exactly
14 what they're telling both of us and then come back and
15 have a very clean resolution or --

16 MR. BRIAN TIPTON: Yeah, I understand
17 what you're saying but the way -- when we -- we had
18 numerous meetings regarding the plan and the
19 ordinance and the way we had left it as a group
20 getting to this point was that we all agreed it's up
21 to the county, and obviously we know the borough wants
22 it.

23 We're willing to sit down and talk
24 about with the county if the county agrees to it, but
25 we'd rather have an approval and leave it to the

1 decision of the county because we'd like to go forward
2 with the project. We don't want that issue to be the
3 project killer I guess.

4 MR. VELTRI: But, Brian, what I'm saying
5 and what I think -- I could be misreading what I'm
6 hearing from the board, if we approve, it's going to
7 be subject to that modification.

8 If the county rejects it, you have to
9 come back here. You're not going to have an
10 approval.

11 MR. BENECKE: No, if the county rejects
12 it the governing body has to amend the ordinance. You
13 can't approve it without amending the ordinance, so
14 your approval tonight would be moot as to that point
15 so to speak; right?

16 MR. VELTRI: Correct, correct. And I
17 agree with that, Bob, and we don't know what the
18 county is going to do. They may modify it in a
19 way that neither one of us are thinking about.

20 MR. BENECKE: Right. And Brian's point,
21 that's why we want to work with them, if there is
22 something the county says it's irrelevant we want
23 to know if it makes sense then the Mayor and
24 Councilman Cortellessa and Councilman Leonard and
25 others will deliver that message, but right now the

1 ordinance requires a widening of Union Avenue to the
2 accommodate truck traffic, and that's not before the
3 planning board tonight.

4 MR. BRIAN TIPTON: My partner just
5 informed me that the redevelopment agreement that we
6 had agreed to actually says that we agree to present
7 the four lanes, so we're going to present it with the
8 four lanes, and so it's not a -- it won't even be a
9 debate meeting like I just talked about.

10 MR. VELTRI: Right. I think what got us
11 off track is the traffic engineer's report says you
12 don't need to do it, so we were looking at that
13 language saying that doesn't sound right to us.

14 MR. BRIAN TIPTON: And I believe that
15 report was before we had some of our meetings and
16 what I will say is what he's saying from a
17 professional traffic engineering perspective he
18 doesn't believe it warrants it, but I understand
19 what this board wants and what the borough wants,
20 we've agreed to it in the redeveloper's agreement, so
21 if we could do it that way.

22 MR. VELTRI: That makes sense.

23 MR. BRIAN TIPTON: The condition would be
24 that we make the submission with the four lanes and
25 then we all have to live with that decision. That's

1 fair.

2 COUNCILMAN CORTELLESSA: Do we have any
3 sensing of what building four lanes will do to traffic
4 on Ringwood Avenue?

5 CHAIRMAN FOULON: I believe we have a
6 member who needs a break, so we will take a
7 ten-minute -- maximum ten-minute break.

8 MR. BRIAN TIPTON: Okay. Thank you.

9 (A recess is taken.)

10 CHAIRMAN FOULON: The full board is back
11 so we'll reconvene the meeting.

12 MR. BRIAN TIPTON: Before we get to
13 Mr. Gallo, I want to introduce my brother and partner,
14 Seth Tipton. He was actually the lead drafter on
15 the redeveloper agreement and the plan with
16 Mr. Benecke.

17 I just want to have him clarify one
18 thing we were talking about at the end just to make
19 sure we're on the same page.

20 MR. VELTRI: Does he want to testify or
21 just give guidance?

22 MR. BRIAN TIPTON: Guidance on the
23 issue of the county approval so that -- it kind of
24 went back and forth.

25 MR. SETH TIPTON: So this issue we

1 heard -- we met with the town a number of times on the
2 issue of Union Avenue, and several of the board
3 members made reference to that, so I just want to
4 clarify.

5 As a result of the concerns that were
6 all raised here the redevelopment agreement
7 provides that as soon as we are ready to go to the
8 county meeting, once we have the local approvals, we
9 will apply meaning Tilcon will apply to make Union
10 Avenue four lanes. We are required to do that under
11 our agreement.

12 Once the county has that application in
13 hand they can either approve it or deny it.

14 In the event they approve it, great.
15 Tilcon has agreed to do those improvements at its
16 cost. If they deny it we're going to be deemed to
17 have satisfied the requirement that we applied to do
18 it. We can't control what the county does, but that
19 is right now our contractual obligation to apply
20 for four lanes on Union from Susquehanna to
21 Ringwood.

22 CHAIRMAN FOULON: But why wasn't it shown
23 on any of the plans?

24 MR. SETH TIPTON: The plans that we're
25 going to apply with the county would show that.

1 CHAIRMAN FOULON: But it should have been
2 shown on our plans, too.

3 MR. SETH TIPTON: I guess all I can say
4 on that point is that we have a contractual
5 obligation --

6 CHAIRMAN FOULON: Right.

7 MR. SETH TIPTON: -- to apply to the
8 county for four lanes.

9 MR. BRIAN TIPTON: I would answer to that
10 that it was an oversight. We didn't think of it. We
11 probably should have --

12 CHAIRMAN FOULON: That's fine.

13 MR. BRIAN TIPTON: -- but it will be
14 there for the county's sake and you will be at any
15 meetings we have with them.

16 MAYOR MAHLER: Actually from Ringwood
17 Avenue to the intersection is already four lanes.
18 It's really from the intersection to Susquehanna.

19 CHAIRMAN FOULON: Susquehanna, right.

20 MAYOR MAHLER: There's already four
21 there.

22 MEMBER CRILLY: I have a question for
23 the traffic then that's relevant to this.

24 So when you make the right-hand turn, so
25 you're leaving the road and you're on Susquehanna and

1 you're making the right-hand turn to take 287 south --

2 MR. CORAK: Yes.

3 MR. CRILLY: And if you do widen to four
4 lanes at that part, the right lane, who's got right of
5 way? Like, how -- you've got cars and trucks now
6 competing for the same right turn.

7 THE WITNESS: So the right of way would
8 be given towards Union Avenue traffic to continue and
9 make their choice of either be in the through lane or
10 the right-turn lane.

11 The trucks coming off Susquehanna would
12 have to wait for a gap essentially to turn.

13 CHAIRMAN FOULON: There will be a stop
14 sign there?

15 MR. CORAK: Yes, exactly. A stop sign,
16 stop bar, normal rules of the road.

17 MR. BRIAN TIPTON: So at this time to
18 answer a bunch of the other questions I'd like to call
19 Vince Gallo, representative of Tilcon. I think he
20 needs to be sworn in first.

21 MR. VELTRI: Sure.

22 VINCENT GALLO, Tilcon Company, sworn:

23 EXAMINATION BY MR. BRIAN TIPTON:

24 Q. Vince, could you come up here and
25 give some testimony about your background, history in

1 the business, history of the site and about
2 operations?

3 A. I've been in this area a long time as
4 most of you know. My family started the Pompton
5 Lakes Quarry back in 1955. My grandfather started
6 it. My father ran the operation for a while in 1978.
7 I came into the business full-time. I worked in the
8 business during my college years, my high school
9 years, so I've been around probably in the business
10 since the late sixties, early seventies.

11 My father passed away in '92. I took
12 full control of the operations in 2004. That's when
13 Tilcon came in and was interested in acquiring the
14 business from me.

15 I've since stayed on. I'm currently the
16 executive vice-president of Tilcon, so I've been very
17 involved with the business throughout its history,
18 very involved with the towns, Wanaque, Bloomingdale
19 Pompton Lakes for many, many years.

20 I tried to be a good member of the
21 communities. I think I was. The town recognized all
22 my efforts and I'm proud to say I think Tilcon has
23 done an excellent job following what I tried to
24 establish, trying to be a good neighbor to the
25 communities.

1 CHAIRMAN FOULON: Okay. My question, and
2 I believe it was asked earlier by one of our
3 residents, why are you doing this?

4 THE WITNESS: Why are we doing this
5 roadway?

6 CHAIRMAN FOULON: Yes.

7 THE WITNESS: It's going back probably
8 since I talked to Kenny Afferton who was the
9 commissioner of transportation way back in the
10 eighties when 287 was going to be built.

11 He really wanted to see the trucks get
12 onto the roadway as quick as possible. That's
13 probably the reason why that approach lane or entrance
14 lane exists on 287 the way it does. That was
15 initially designed to handle truck traffic.

16 It's been the request of Passaic County.
17 They know the trucks are going to be there. The
18 quarry needs to service our state, and we really want
19 to get the trucks off the local roadways as much as we
20 can.

21 Most of our truck traffic, probably 90 to
22 95 percent, goes south, south and east, and by putting
23 it on 287 we're getting our trucks off the local
24 roadways as quickly as possible, so that's really the
25 intent of this.

1 I'm trying to disturb the local
2 neighborhoods the least we can because otherwise
3 we're on Ringwood Avenue to get to 287, whether it's
4 in Wanaque or Riverdale, and the quicker we can get
5 onto 287 has been everybody's request for many years,
6 and fortunately Tilcon is willing to spend a lot of
7 dollars to make this happen.

8 MEMBER CRILLY: Question: How many other
9 entrances and exits from the quarry do you have
10 besides this proposed --

11 THE WITNESS: This would be the second
12 exit. The other exit would be on Broad Street which
13 is also a county road.

14 MR. CRISTALDI: And what will happen --
15 what will happen? Will that stay active?

16 THE WITNESS: It will stay as an active
17 entrance but it won't serve as the truck entrance.

18 In emergencies I guess we would use it as
19 an entrance, but the goal of everyone is to get the
20 truck traffic off of the local roadways and onto the
21 highways as quickly as possible.

22 MEMBER CRILLY: So that will be for
23 regular automobile traffic for employees --

24 THE WITNESS: Correct.

25 MEMBER CRILLY: -- and truck traffic will

1 all run through there in its entirety then.

2 THE WITNESS: Unless it's an emergency,
3 unforeseen that I don't know, yeah, but that's
4 currently the only entrance to the quarry.

5 MEMBER CRILLY: And does the traffic
6 study address current traffic or do you expect to do
7 the -- for your business to improve logistics an
8 increase in traffic?

9 THE WITNESS: I think it will be an
10 increase in traffic, but over a much longer time
11 period, so the traffic flow will be much improved.

12 We basically have a double workday, if I
13 could term it that way. And the one workday probably
14 runs from seven a.m. in the morning where our
15 customers are taking deliveries -- I'm saying our
16 customers, the job sites, and that probably finishes
17 between three and four p.m. in the afternoon.

18 So those trucks would be the trucks that
19 are leaving four to six depending on where their
20 destination is, and probably making the last load out
21 of the quarry at two o'clock in the afternoon not to
22 return. They're going to go home at that point, not
23 to return to the quarry.

24 The second shift which would be primarily
25 DOT jobs would be starting at nine p.m. at night and

1 those jobs for the most part have to finish, the
2 contractor has to be off the road by four a.m. so the
3 roads could be back open for the public.

4 So those trucks, the last load they would
5 be making is possibly two o'clock to 2:30 in the
6 morning starting at nine o'clock at night so that
7 would be the --

8 MEMBER CRILLY: I'm not understanding
9 this four to six period. What you just said
10 doesn't sync up with that. Am I misunderstanding
11 something?

12 THE WITNESS: There's two shifts. The
13 day shift where the customers are receiving materials
14 starting at the seven a.m. in the morning.

15 MEMBER CRILLY: Seven a.m.?

16 THE WITNESS: Seven a.m. in the morning.

17 MEMBER CRILLY: That's after four to six.

18 THE WITNESS: At the job site.

19 MEMBER CRILLY: At the job site, okay.

20 Thank you.

21 THE WITNESS: I apologize. The job site
22 is from seven to three to four and the second job
23 sites run from nine p.m. to four a.m. in the morning.

24 MEMBER CRILLY: Got it.

25 THE WITNESS: But our trucks would

1 probably be last loads two a.m. to 2:30 because the
2 contractors need to be off the road by four a.m. to
3 get the roads open for the following day.

4 So would we have a little bit more
5 volume, yes, but much more spread out. Right now
6 we're limited to leaving by six o'clock in the
7 morning in Pompton Lakes, so we're flooding Broad
8 Street right at rush hour and Ringwood Avenue, so
9 we're backing up. The impact is much more severe
10 putting the trucks out there, whether it's through
11 Riverdale and making a left --

12 MEMBER CRILLY: So the returning trucks
13 this is to Congressman -- I gave you a promotion to
14 congressman.

15 COUNCILMAN CORTELLESSA: No, don't insult
16 me, please.

17 MEMBER CRILLY: Councilman Cortellessa.
18 So currently the returning trucks then,
19 they are coming up through the exit, the Riverdale
20 exit?

21 THE WITNESS: They're coming both ways
22 presently. Some trucks come off of the Riverdale exit
23 and some come off the Wanaque. It just depends where
24 the trucks --

25 MEMBER CRILLY: You don't know the volume

1 between the two?

2 THE WITNESS: I would say presently
3 probably sixty percent Riverdale and forty percent
4 Wanaque, but it's through the course of the day
5 when -- they're coming back 9:30, ten o'clock in the
6 morning and at the end of the day they're not seen
7 because they're not coming back. They're going
8 home.

9 CHAIRMAN FOULON: That's a big thing. I
10 don't think we realize that the later trucks are not
11 coming back.

12 THE WITNESS: No, they're tired, and
13 there's DOT regulations, they can't be driving
14 anymore anyway. They can only drive for so many hours
15 a day, so they're going home at that point. The
16 quarry is a very quiet place come 3:30, four o'clock.
17 It's very desolate.

18 MR. BRIAN TIPTON: Could you give some
19 testimony on the -- what you anticipate going down
20 Ringwood Avenue because there was a question about?

21 THE WITNESS: You mean on the local
22 street?

23 MR. BRIAN TIPTON: Yes.

24 THE WITNESS: The only truck traffic
25 that's going down to Ringwood Avenue is either going

1 to go to Wanaque or Ringwood for local deliveries if
2 there's a project going on.

3 CHAIRMAN FOULON: Which are the same
4 trucks that go there now.

5 THE WITNESS: Right, but that's only if
6 we're paving the street from Wanaque or paving the
7 street for Ringwood. Ringwood doesn't take us
8 anyplace. There's no place a truck would go up
9 Ringwood Avenue unless it's going to a local
10 delivery.

11 CHAIRMAN FOULON: Or up to West Milford
12 or wouldn't go that way.

13 THE WITNESS: West Milford they'd
14 probably go up Route 23. It's too hard on trucks
15 going on those roads.

16 CHAIRMAN FOULON: You're not going to
17 increase the truck traffic on Ringwood Avenue other
18 than what it is now.

19 THE WITNESS: Unless you come out with
20 a super big paving program or something crazy, no.

21 Ringwood -- in all honesty, Ringwood
22 Avenue does not bring our trucks anyplace except
23 locally.

24 CHAIRMAN FOULON: Any other questions?

25 COUNCILMAN CORTELLESA: I do have one

1 question.

2 THE WITNESS: You're struggling with your
3 voice. I'm struggling with my ear with the sinuses,
4 so we're really having a rough time tonight. I
5 haven't heard anything you said, so I apologize right
6 upfront. That's why I'm leaning with my right ear, so
7 go right ahead.

8 COUNCILMAN CORTELLESSA: Mr. Mayor, it's
9 not necessary to say that. He said my wife says the
10 same thing. I hope you didn't write that down. No,
11 okay.

12 I know you've been in the business a very
13 long time, very knowledgeable. We met numerous times
14 and I have a lot of respect for your business savvy.

15 I got to believe that Tilcon is spending
16 a lot of money here to really grow this business
17 significantly.

18 My interest if I was -- I'm not a quarry
19 person, ,but if I was running it, I would really want
20 to continue to grow and grow it to the maximum extent
21 possible.

22 Sometimes I think that the traffic
23 studies, even though they increase fifty percent, I
24 really think that it's going to be much more of a
25 business growth there within that quarry business

1 for Tilcon, and that's where I get concerned about
2 growing traffic over time.

3 I don't view this as a one time shot, you
4 know, we approve something like this and over the next
5 two or three years it gets done and there's -- traffic
6 is not that great.

7 I'm looking at the future of Wanaque.
8 I'm looking at what happens to our neighborhood and
9 our quality of life over time as Tilcon continues to
10 help to grow that business beyond the fifty percent
11 rate.

12 That's my concern, Vince, and, you know,
13 if I'm running a business I'm certainly going to
14 spend the money and I'm going to say, okay,
15 initially maybe the profitability is fifty percent.
16 Maybe that satisfies the demand and the requirement,
17 but I'm going to look to continue to grow that and
18 grow that until that quarry is completely
19 finished.

20 CHAIRMAN FOULON: Well, are you at full
21 capacity now? In other words, are you moving all the
22 goods out that you can produce --

23 THE WITNESS: We are at the demand of the
24 market.

25 CHAIRMAN FOULON: That's correct.

1 THE WITNESS: And we're not a business
2 that can really market our business by making it
3 pretty, making it more attractive.

4 We strictly rely on the demand of the
5 economy, primarily the New Jersey DOT. They're our
6 biggest customer, so we can only grow to the market
7 demand.

8 The good thing --

9 CHAIRMAN FOULON: Okay, but my question
10 is your production, okay. You run the quarry and
11 you've got all subcontractors who are doing the
12 trucking.

13 Are you now filling as many trucks as
14 you possibly can with the production that you can
15 produce?

16 THE WITNESS: We're probably about 80
17 percent of our capacity presently.

18 CHAIRMAN FOULON: So the most you could
19 grow is 20 percent to be at a hundred percent
20 capacity, plant capacity?

21 THE WITNESS: But we can only -- we're
22 going to grow balanced. Fortunately, Tilcon has
23 multiple quarries throughout New Jersey.

24 The growth isn't going to come from one
25 particular area. If there's going growth, it's going

1 to be balanced between all our quarries, so we're not
2 going to be pushing the volume out of just one
3 individual quarry.

4 CHAIRMAN FOULON: You're going to be
5 expanding the operation of the quarry.

6 THE WITNESS: Presently there's no
7 intention.

8 MAYOR MAHLER: As I understand it, Vince,
9 the expansion of the business is really going to take
10 place more in the night hours.

11 THE WITNESS: That's correct.

12 MAYOR MAHLER: Right now they cannot --
13 there's a time limit on Broad Street, so you cannot,
14 if I'm wrong, you cannot leave past a certain time.

15 THE WITNESS: We're limited from seven
16 a.m. in the morning or six a.m., I forget, I
17 apologize, it is either six or seven to five o'clock
18 in the afternoon.

19 MAYOR MAHLER: So that --

20 CHAIRMAN FOULON: You can't bring the
21 trucks out at two o'clock in the morning.

22 THE WITNESS: No.

23 MAYOR MAHLER: So this project would
24 allow you to expand to really use --

25 (There is a discussion off the record.)

1 MAYOR MAHLER: The expansion will be
2 through night paving.

3 THE WITNESS: And I'll further that, Dan.
4 If there is expansion, it will be at night because
5 that's when DOT is going to be pushing for these
6 projects to get done.

7 There's more and more of a push for our
8 work to be done at nights in New Jersey for traffic
9 considerations, and that's the primary driver, aside
10 from getting the trucks off the local roads is the
11 night operations. Those are the two drivers of this
12 project.

13 CHAIRMAN FOULON: Okay. Thank you.
14 Any others?

15 MEMBER CRILLY: Just a safety question,
16 and this may not be a question for you. This may be
17 the actual constructing contractor, but the close
18 proximity of the natural gas pipeline and the
19 blasting that's going to go on to cut that road, what
20 measures are going to be put in place to secure the
21 safety of the natural gas pipeline?

22 THE WITNESS: The good thing or the bad
23 thing is we're very, very experienced. We're much
24 closer to the natural gas pipeline running through the
25 quarry with the present the shots than we will be

1 with this.

2 MEMBER CRILLY: The roads.

3 THE WITNESS: The roads are going to be
4 very, very small explosive shots. We're going to
5 using very small diameter holes, very small
6 blasting.

7 It's going to be a different type shot,
8 so we always have to comply. It will be full
9 monitoring in place, but we're at a significant
10 distance actually from the gas pipeline compared to
11 our other blasting that we have been doing in the
12 quarry with this project.

13 CHAIRMAN FOULON: Thank you.

14 MAYOR MAHLER: Doesn't the pipeline run
15 through the quarry at a certain point?

16 THE WITNESS: Correct. No, the entire
17 quarry. It runs --

18 MAYOR MAHLER: But it's much further
19 south.

20 THE WITNESS: Yes.

21 CHAIRMAN FOULON: Than this project.

22 MAYOR MAHLER: Much further south.

23 THE WITNESS: The pipeline turns for a
24 reference where the radio tower is.

25 MAYOR MAHLER: Then it turns south.

1 THE WITNESS: And they modified that when
2 287 came in because the pipeline had to cross at a 90
3 degree when it was crossing at a 45 degree, so when
4 287 came through, that rock cut that you see when
5 you're passing on 287, that was put in for the new
6 gas line location because by law gas lines have to
7 cross an interstate at 90 degrees.

8 So that actually put it further back
9 from what people may be thinking from where this
10 driveway is.

11 CHAIRMAN FOULON: Okay. Any other
12 questions?

13 MEMBER SLATER: Two questions.

14 THE WITNESS: Sure.

15 MEMBER SLATER: We mentioned the pipeline
16 before. I have a friend in the industry and he told
17 me that that pipeline is deteriorating to the point
18 that it needs to be replaced. Is that part of the
19 program that you know of?

20 THE WITNESS: We would be thrilled if
21 that was the case because we're working on the
22 pipeline to actually --

23 MEMBER SLATER: He works for -- he's with
24 Williams and that's what they're doing.

25 THE WITNESS: -- possibly relocate it but

1 that's -- we're talking twenty years down the road.

2 MEMBER SLATER: They're talking sooner
3 than that.

4 THE WITNESS: Our meetings with the
5 pipeline, because we are working with them to possibly
6 relocate the pipeline. It's almost like 287, they
7 came through where we actually cleared for 287, so
8 we realigned the roadway and made it tighter for us
9 to operate the quarry that came through where we
10 cleared.

11 The pipeline is actually looking and
12 working with us to see where we can excavate to make
13 it much easier to relocate the pipeline down the
14 road, but it's quite a ways down the road from our
15 discussions.

16 MEMBER SLATER: Yeah, the bridge is too
17 low to get big trucks under it.

18 I grew up -- I learned to drive a big
19 truck in the mid sixties which Ford was the big truck
20 with twenty speed trans and gas engine and the
21 trucks of today are different from that. Then we
22 ran 70,000 at 30 miles an hour load and forty empty.
23 Now they --

24 CHAIRMAN FOULON: Let's stick with the
25 agenda here.

1 MEMBER SLATER: I wanted to enlarge some
2 of your fears on this truck. Today's truck is running
3 four axles. Most of them run an engine retarder and
4 most of them are running 450 or more horsepower, and
5 they're not dogs going up the exit ramps or entrances
6 ramps. They keep pace with the traffic. Sometimes
7 they run over the traffic.

8 But one concern is noise on the
9 nightshifts coming down that -- I didn't look at the
10 grade but regarding the engine braking coming out of
11 there, that's going to be your biggest complaint I
12 think.

13 THE WITNESS: With the walls that we
14 built, they're basically going to be sound walls and
15 very contained.

16 I couldn't agree with you more. I grew
17 up driving a B model Mack. The old sound of the milk
18 crate that was ridged.

19 The trucks today are of a totally
20 different standard. They're much safer. The engines
21 back then you were lucky if you got 237 horsepower.
22 If you drove a truck you remember that. You probably
23 drove the LA 500 Ford; correct?

24 MEMBER SLATER: Correct.

25 THE WITNESS: You were lucky if you had

1 180 horsepower in it.

2 These trucks today are close to 600
3 horsepower with much better braking systems, much
4 better safety systems. They can almost keep up with
5 a car.

6 MEMBER SLATER: Well, we sell Volvo.

7 CHAIRMAN FOULON: Okay. All right.

8 COUNCILMAN CORTELLESSA: Just a question
9 for Vince for understanding purposes.

10 Getting trucks off the roads, off the
11 local roads is great. I agree.

12 THE WITNESS: I'm sorry. Can I come
13 closer to you? I can't hear you.

14 COUNCILMAN CORTELLESSA: Come on up.

15 Getting the trucks off the local roads is
16 one of your key objectives; right?

17 THE WITNESS: That's the primary
18 objective, to get them on 287 as quickly as possible.

19 COUNCILMAN CORTELLESSA: The other thing
20 I heard you say, and I could be wrong, is that you're
21 at 80 percent capacity now.

22 THE WITNESS: Correct.

23 COUNCILMAN CORTELLESSA: So your
24 business plan says that doing this will help you to
25 get to a hundred percent capacity which is another 20

1 percent.

2 From a business planning perspective 20
3 percent growth is a little bit different than the
4 amount of volume that they're talking about here, and
5 I'm just wondering if I heard you correctly that
6 you're looking for 20 percent growth.

7 THE WITNESS: The number that they
8 projected here are probably 100 percent of what
9 we're doing presently. Those are very high numbers
10 that we use to estimate the truck traffic. That's
11 not our present numbers. That factor is more than
12 built in.

13 COUNCILMAN CORTELLESSA: But you're
14 looking for 20 percent growth.

15 THE WITNESS: We're --

16 COUNCILMAN CORTELLESSA: You're at 80
17 percent capacity now, so you're going to grow another
18 20 percent. That would be the maximum --

19 THE WITNESS: We hope, and that's --

20 CHAIRMAN FOULON: They hope. Depends on
21 the NJDOT.

22 COUNCILMAN CORTELLESSA: I understand
23 that.

24 THE WITNESS: And that's for the night
25 operations. That's where we're looking for the

1 growth.

2 COUNCILMAN CORTELLESSA: In the night
3 operations.

4 THE WITNESS: We're not looking to pick
5 the growth up through the day. We're hoping to get
6 that growth through the nighttime operations.

7 COUNCILMAN CORTELLESSA: The nighttime
8 operation, what's the impact, if anything, on the
9 hotel?

10 THE WITNESS: I can't imagine -- our
11 trucks are going to be much quieter than the trucks on
12 287 going by at 70 or 80 miles an hour. They're
13 certainly not going to hear the plant.

14 COUNCILMAN CORTELLESSA: No, I know. You
15 don't hear it now.

16 THE WITNESS: You don't hear it now. You
17 won't hear it then, so I don't think there's going to
18 be any impact on the hotel.

19 MAYOR MAHLER: I want to confirm a couple
20 of things for the record.

21 This road will be a private road.

22 THE WITNESS: Correct.

23 MAYOR MAHLER: It will be truck traffic
24 only.

25 THE WITNESS: Correct.

1 MAYOR MAHLER: The employees will enter
2 through Pompton Lakes.

3 THE WITNESS: That's correct.

4 MAYOR MAHLER: There will be no passenger
5 vehicles that will be entering that road.

6 THE WITNESS: No.

7 MAYOR MAHLER: And it will be maintained
8 by Tilcon from Union Avenue to the quarry.

9 THE WITNESS: That's correct.

10 MAYOR MAHLER: So they'll fix the
11 potholes and repair it, plow the snow, do whatever
12 they have to do.

13 THE WITNESS: That's correct, and
14 including the bridge.

15 MAYOR MAHLER: Including the bridge.
16 Tilcon owns the bridge.

17 THE WITNESS: We own the bridge.

18 MAYOR MAHLER: I just wanted to get it on
19 the record.

20 CHAIRMAN FOULON: Anything else,
21 Councilman?

22 COUNCILMAN CORTELLESSA: No.

23 MR. BRIAN TIPTON: That concludes our
24 testimony for the board, and we'll turn it over for
25 the public.

1 CHAIRMAN FOULON: I would like to hear
2 from our planner at this time.

3 MR. SULJIC: I think everything that we
4 discussed, Mr. Chairman, is in the report especially
5 with regard to the eight percent slope because all
6 the cutting that they had to do is mostly rock instead
7 of loose gravel which the board engineer has said in
8 his report.

9 The only other thing that I would ask
10 him is that there was an issue about the environmental
11 impact statement on the threatened and endangered
12 species and it didn't give a number of what was found
13 on the site.

14 Can he indicate what the DEP has asked
15 them to do about that in terms of the threatened
16 endangered species, the box turtle and some other
17 items. Did you guys get a response from the DEP?

18 MR. BRIAN TIPTON: Unfortunately, the
19 engineer who worked on that left, Mr. Ingram, but I
20 do know we have -- everything we submitted to the DEP
21 has been approved, so we satisfied their concerns,
22 but, no, I can't give you specifics without him
23 present.

24 MR. SULJIC: I see you did get a drainage
25 plan approved by the DEP --

1 MR. BRIAN TIPTON: That's correct.

2 MR. SULJIC: -- with regard to what's
3 happening on the slope.

4 MR. BRIAN TIPTON: That's correct.

5 MR. SULJIC: Okay. All right. That's
6 all I have, Mr. Chairman.

7 CHAIRMAN FOULON: Mr. Benecke, do you
8 want to give us a little synopsis of what the town --
9 as to what is the benefit to the town for this
10 project.

11 MR. BENECKE: Sure. The governing body
12 once again adopted a redevelopment plan in March of
13 2019 after review by the planning board.

14 The basis for the plan was to take a
15 dormant area of the town and generate commerce.

16 The plan purpose is stipulated in
17 section two of the plan. It's on page five, and it's
18 a public document. Again, it was enabled by an
19 ordinance.

20 It establishes the standards for the
21 street and roadway improvements to be made in the
22 redevelopment area so as to provide for commerce
23 through the Susquehanna Avenue area which is now
24 dormant.

25 There were two or three homes and

1 residences that were in a state of disrepair that
2 were purchased by Tilcon and have and will be
3 removed.

4 The redevelopment plan requires then
5 for a private road and extension from Susquehanna
6 at or about the -- and not disturbing the entrance
7 to the Burger King or other establishments over the
8 Twin Lakes bridge, as I call it, and then into the
9 plant.

10 The requirement, therefore, is that
11 the redeveloper construct a roadway, a private
12 roadway. That's the requirement. That's why we
13 believe that there's no deviation required for a
14 steep slope, and I'll get into that in a second.

15 The specifics standards under the
16 redevelopment plan were for 96-2, 96-3, 96-4 of the
17 borough ordinances relating to streets and roadways
18 be complied with, so they're making and constructing a
19 private roadway to the specifications of a public
20 roadway so that these properties that were landlocked,
21 mostly nontax paying and many borough properties
22 would be coalesced into one cohesive unit and have a
23 roadway built through them and tap into, if you will,
24 the quarry.

25 The properties then would become

1 taxable and a development fee then would be applicable
2 to the -- to the developer to be paid to the borough
3 annually, and it's quite a significant fee.

4 So we have a coalescing of these
5 properties, a removal of paper streets. The paper
6 streets include names like Algonquin, Pocahontas,
7 Dakota and others that will now be removed off the
8 rolls, and one cohesive street, private roadway be
9 built untapping, if you will, or tapping the value of
10 the property and having it now generate an economic
11 benefit to the town.

12 That economic benefit includes new tax
13 payments and includes a development or some other
14 fee. We call it development -- a redevelopment fee
15 right now.

16 The redeveloper has to comply with the
17 terms and conditions of the redevelopment agreement
18 that's been negotiated over the last year and the
19 ordinance and the redevelopment plan that's dated
20 March 12, 2019. The first draft of that plan is
21 dated February 11, 2019, so it's mostly a commerce
22 economic development issue in terms of the
23 benefit.

24 In addition, the proofs are there for
25 Tilcon to have improved traffic circulation if the

1 theory is that we're going to have bad traffic
2 circulation because in the future as various exit and
3 entrance points to the quarries are eliminated, added
4 and subtracted or otherwise moved around, this would
5 provide for one access point on Union Avenue with easy
6 access to Route 287 at least southbound, so that was
7 that theory or concept.

8 You heard testimony from Tilcon, from
9 Vince. That's been their position for the last two
10 years, and I think that, you know, it's credible.
11 Whether or not it's true or not only the future knows
12 because it is a theory.

13 But, again, the benefit is economic and
14 untapping this landlocked property and removing some
15 very deleterious structures from that steep slope
16 area.

17 CHAIRMAN FOULON: Okay. I also
18 understand that they're going to maintain the lake
19 now?

20 MR. BENECKE: Yeah, the lake, the dam
21 and the bridge will all be theirs to maintain. They
22 also have to go to construction, comply with the
23 non-disturbance in terms of dust-free environments,
24 in terms of noise-free environments, and also making
25 reports to Mr. Cristaldi on a regular basis as to

1 the roadway improvements so that there's no
2 inappropriate activity.

3 We don't believe there will be because
4 we've worked pretty closely with them over the last
5 year or two, but the bottom line is we have those
6 conditions in the redevelopment plan.

7 CHAIRMAN FOULON: Okay. Thank you.
8 Anything else, gentlemen?

9 COUNCILMAN CORTELLESSA: What about the
10 two letters that --

11 CHAIRMAN FOULON: Mike.

12 MR. VELTRI: Any comments, Mike? I know
13 you wrote a report as well.

14 MR. CRISTALDI: That would be what I have
15 to cover tonight.

16 COUNCILMAN CORTELLESSA: We received two
17 letters that talked about the ownership of the
18 properties there.

19 CHAIRMAN FOULON: Yes.

20 COUNCILMAN CORTELLESSA: Steve, maybe you
21 can answer this. Does the response satisfy that
22 issue?

23 CHAIRMAN FOULON: We received two letters
24 and the only legal opinion I'm going to count on is
25 what Steve gives us here.

1 MR. VELTRI: If the property owners in
2 the audience would address that issue.

3 MR. MUND: Hi. Eric Mund, 300 Union
4 Avenue. I currently own the land underneath the
5 Burger King.

6 I have no objection to Mr. Gallo
7 proceeding on his project. He's a man of integrity.
8 I've known him for 45 or six years. I don't have
9 enough fingers or toes.

10 I just want to make sure that going
11 forward that they continue the maintenance
12 obligation on Union Avenue. That's really the only
13 thing that really matters to me.

14 There was some conflicting testimony
15 between the engineer and the traffic consultant. One
16 said the obligation was going to stop at the bridge.
17 The other one said the obligation was going to stop
18 at the intersection of Union Avenue and
19 Susquehanna.

20 I just want to make sure that's baked
21 into the resolution that the maintenance obligation --

22 CHAIRMAN FOULON: Goes all the way to
23 Union Avenue.

24 MR. MUND: Exactly. And I'm quite
25 comfortable with having Mr. Gallo as a neighbor.

1 MR. VELTRI: With regard to your
2 September 10th letter, that issue has been cleared up.

3 MR. MUND: Yes. And I also -- last
4 thing, please maintain my left into the Burger King
5 off Union Avenue. That's all. Thank you very much.

6 CHAIRMAN FOULON: Anything else? Okay.
7 I'll entertain a motion.

8 MEMBER CRILLY: I just --

9 CHAIRMAN FOULON: I'm sorry. Go ahead.

10 MEMBER CRILLY: In monetary terms,
11 quantify or an estimate of the annual benefit in terms
12 of revenue to the town.

13 MR. BENECKE: \$350,000 a year.

14 MEMBER CRILLY: Thank you.

15 CHAIRMAN FOULON: I'll entertain a motion
16 to open -- yes --

17 COUNCILMAN CORTELLESSA: You said 350,000
18 a year?

19 MR. BENECKE: 350. Taxes are \$100,000.

20 COUNCILMAN CORTELLESSA: You're talking
21 about taxes, not the --

22 MR. BENECKE: Right, the taxes and
23 development fee combined, and that excludes
24 escalators and excludes the value of our property
25 being bought by Tilcon which is a one time

1 transaction.

2 CHAIRMAN FOULON: I'll entertain a
3 motion to open the public hearing portion of the
4 meeting.

5 MEMBER SLATER: I move.

6 MEMBER CRILLY: Second.

7 SECRETARY FIORITO: Motion by Member
8 Slater and second by Member Crilly.

9 CHAIRMAN FOULON: Roll call.

10 SECRETARY FIORITO: Chairman Foulon.

11 CHAIRMAN FOULON: Yes.

12 SECRETARY FIORITO: Mayor Mahler.

13 MAYOR MAHLER: Yes.

14 SECRETARY FIORITO: Councilman

15 Cortellessa.

16 COUNCILMAN CORTELLESSA: Yes.

17 SECRETARY FIORITO: Member Platt.

18 MEMBER PLATT: Yes.

19 SECRETARY FIORITO: Member Slater.

20 MEMBER SLATER: Yes.

21 SECRETARY FIORITO: Member Crilly.

22 MEMBER CRILLY: Yes.

23 SECRETARY FIORITO: Member Jordan.

24 MEMBER JORDAN: Yes.

25 SECRETARY FIORITO: Member Pasquariello.

1 MEMBER PASQUARIELLO: Yes.

2 SECRETARY FIORITO: Member Leonard.

3 MEMBER LEONARD: Yes.

4 CHAIRMAN FOULON: Okay. At this point
5 anyone in the audience wishing to address the board
6 or the applicant on any matter regarding this
7 application and only this application, please step
8 forward and state your name and address.

9 MS. LAWSON: Good evening. Sandy Lawson,
10 28 Haskell Avenue.

11 I live on Haskell Avenue. We have a lot
12 traffic that cuts through to avoid the light or to go
13 to the Stop & Shop. In the mornings it's really
14 difficult to make a left-hand turn now as it is.

15 What is going to be put in place to help
16 that situation so that we can safely turn out of
17 Haskell Avenue and not have to jump out there?
18 Is there anything going to be put in place for
19 that?

20 CHAIRMAN FOULON: Turning which way from
21 Haskell Avenue?

22 MS. LAWSON: Left. Right is not so much
23 a problem.

24 CHAIRMAN FOULON: Turning left trying to
25 get onto --

1 MS. LAWSON: To the ramp.

2 CHAIRMAN FOULON: I don't believe so. I
3 don't think there's any change in that matter, not
4 that I recall.

5 MS. LAWSON: Is it something that
6 should be addressed at the county planning board
7 perhaps?

8 CHAIRMAN FOULON: I guess so because
9 you're turning onto a county road. There's not much
10 things that we could do to resolve that.

11 MS. LAWSON: No, but you can certainly
12 put in a word and help with that situation because
13 since we have another new business allegedly opening
14 up on the next street over on Greenwood Avenue and
15 that traffic coming out of there, there's a lot of
16 traffic coming out of there also in the mornings, so
17 that's something that I think has to be taken into
18 consideration.

19 CHAIRMAN FOULON: I also think, and I
20 meant to bring this up earlier, it's up to the town to
21 not allow truck traffic on Greenwood Avenue.

22 MAYOR MAHLER: There is no truck traffic
23 allowed unless it's a local delivery.

24 MS. LAWSON: Also, we were talking, one
25 of my neighbors and I, we have the 102 inch water main

1 that runs behind -- in between Haskell Avenue and
2 Greenwood Avenue.

3 Has there been any input from North
4 Jersey on this?

5 CHAIRMAN FOULON: Have you addressed this
6 with North Jersey? I don't think it affects this
7 application at all.

8 MR. BRIAN TIPTON: It's not really part
9 of our -- it's not in our application footprint, so we
10 haven't addressed it and considered it. I don't know
11 we could.

12 CHAIRMAN FOULON: I believe the pipeline
13 goes east of the entrance to 287.

14 MS. LAWSON: It goes under the road.

15 MAYOR MAHLER: There's one pipeline under
16 the railroad which crosses between Union and
17 Susquehanna and then there's another one that goes to
18 the Stop & Shop that crosses --

19 MS. LAWSON: That's the first water
20 pipeline.

21 MAYOR MAHLER: -- east of -- east of the
22 entrance to 287.

23 MS. LAWSON: So I just think that that
24 probably should be taken into consideration, too,
25 because I know that they're concerned about having

1 traffic over their water pipeline.

2 CHAIRMAN FOULON: Have they been
3 noticed?

4 MR. BRIAN TIPTON: Yes. We noticed all
5 the utilities that are required to for the borough.

6 CHAIRMAN FOULON: So the North Jersey
7 Water District Commission has been noticed?

8 MR. BRIAN TIPTON: Yes.

9 CHAIRMAN FOULON: They have not objected
10 or appeared, so we can only assume that everything is
11 good with them.

12 MAYOR MAHLER: The pipe is on a county
13 road now which trucks can drive on.

14 MS. LAWSON: Is it okay if I take a photo
15 of the plan?

16 CHAIRMAN FOULON: Sure.

17 MS. LAWSON: Thank you.

18 CHAIRMAN FOULON: Okay. Thank you.

19 Anyone else?

20 MS. DIFALCO: I'll come back.

21 CHAIRMAN FOULON: Now you can come up.

22 MS. DIFALCO: Now I can come back.

23 Again, my name is Bridgette DiFalco. I
24 live at 56 Haskell Avenue which I've talked to you
25 before and I live right across from the loading dock

1 at Stop & Shop, and not that I like the store
2 because they run over the property, we have a sign
3 that says "No Parking" which it's going to hit the
4 fence because nobody does anything, but, anyway,
5 how are those tractor trailers going to get in
6 there with all this traffic that's going to be backed
7 up? Because they come -- they're not supposed to
8 come before seven in the morning. They're there
9 before that, and 11 o'clock or 11:30 on Tuesday
10 night I was out there yelling at a truck driver who
11 ran into the driveway, and nobody stops them,
12 whatever, but these trucks are coming all day
13 long, tractor trailers, big ones, which they
14 shouldn't -- the engineer allowed it, but they
15 really can't without running over my property, and
16 I've had it fixed umpteenth times.

17 But aside from that, and I'm with Sandy,
18 trying to make a left turn from Haskell onto Union is
19 impossible as it is to get over to another lane so I
20 can get to Ringwood to make a right.

21 Now you're going to have more trucks?
22 That's going to be impossible. There's going to be a
23 big accident there.

24 And the other thing is if the Town of
25 Pompton Lakes doesn't allow them to work after five

1 o'clock in the evening and the people in Wanaque have
2 to deal with that? That's not fair. As it is the bar
3 is going to open up. There's going to be noise from
4 that. I get it from the Stop & Shop. They're putting
5 that walkway behind us. You're going to put maybe a
6 Taco Bell. You've got the Burger King and I'm going
7 to hear trucks all night long.

8 That's not fair, and you don't have to
9 deal with it because I don't assume any of you live
10 there, but it was quiet when we moved there some 25
11 years ago, and now it's -- it's so noisy. It's --
12 it's -- it's disgusting.

13 I don't know how many times I have to go
14 out there and clean it, but the noise level, the
15 trucks, the mess. How many times when I'm getting
16 onto 287 at 55 there, I'm going northbound, I see
17 rocks all over the ground because trucks drop their
18 load as they make the turn because they don't want to
19 take it slowly. It's not fair.

20 So when there's an accident I hope you
21 people will be available for somebody to come talk to
22 you. It's just not right. I know you want the
23 money and I get that, but the problem is you have
24 no -- you have no concern for the people that live
25 there.

1 Like I said, they're doing all these
2 things at our end now of the town. It's just not
3 fair. We'll be like living in downtown Paterson or
4 New York City with all the noise and the traffic.

5 CHAIRMAN FOULON: Thank you. Anyone
6 else?

7 Entertain a motion to close the public
8 hearing.

9 MEMBER SLATER: I move.

10 SECRETARY FIORITO: Mr. Slater. I need a
11 second.

12 MEMBER CRILLY: Second.

13 CHAIRMAN FOULON: Roll call.

14 SECRETARY FIORITO: Chairman Foulon.

15 CHAIRMAN FOULON: Yes.

16 SECRETARY FIORITO: Mayor Mahler.

17 MAYOR MAHLER: Yes.

18 SECRETARY FIORITO: Councilman

19 Cortellessa.

20 COUNCILMAN CORTELLESSA: Yes.

21 SECRETARY FIORITO: Member Platt.

22 MEMBER PLATT: Yes.

23 SECRETARY FIORITO: Member Slater.

24 MEMBER SLATER: Yes.

25 SECRETARY FIORITO: Member Crilly.

1 MEMBER CRILLY: Yes.

2 SECRETARY FIORITO: Member Jordan.

3 MEMBER JORDAN: Yeah.

4 SECRETARY FIORITO: Member Pasquariello.

5 MEMBER PASQUARIELLO: Yes.

6 SECRETARY FIORITO: Member Leonard.

7 MEMBER LEONARD: Yes.

8 CHAIRMAN FOULON: Okay. Final comments.

9 MR. BRIAN TIPTON: Just I believe we
10 have satisfied all the requirements from your
11 professional planners, your engineers regarding the
12 significant testimony on traffic operations, and I
13 feel it's a fully compliant plan with the
14 redevelopment plan.

15 CHAIRMAN FOULON: Okay. Gentlemen, any
16 more questions, comments?

17 MEMBER JORDAN: I have one.

18 This seems like it's going to benefit
19 Pompton, Bloomingdale and Riverdale. We're getting
20 money. That's the only benefit we're getting out of
21 this; right?

22 Our standard of living is going down with
23 it no matter what you say. The truck traffic is not
24 going to help us. We're going to get money. That's
25 the only plus.

1 CHAIRMAN FOULON: I can't answer that.
2 Mr. Benecke.

3 MR. BENECKE: Well, again, assuming
4 that their theory of coalescing or combining the
5 traffic circulation of Wanaque onto this stretch of
6 Union Avenue to Route 287 is correct, it will also
7 have a better traffic pattern.

8 If it's not correct, time will tell, and
9 if we didn't do this we would have trucks presumably
10 wandering over Ringwood Avenue and other sections of
11 Wanaque. That's the theory.

12 Whether it's true or not we can't
13 posit that right now, but that will be an additional
14 benefit, keeping in mind, too, that we do have this
15 area as a landlocked area, untapped. We have six or
16 seven paper streets, Hickory Pocahontas, Dakota that
17 will also be combined and have a better property
18 condition. Those are the benefits.

19 COUNCILMAN CORTELLESA: You mentioned
20 the cost, the revenue implications. You mention it
21 from two perspectives.

22 MR. BENECKE: Right. A tax perspective
23 about \$100,000 a year, maybe a little bit less to
24 start, but certainly getting there, maybe 98,000 or
25 so, and then we'll have the redevelopment or

1 developer's fee, and then we'll have some other
2 traffic improvement fees keeping the property sale
3 transaction separate, keeping the traffic improvements
4 separate.

5 They also may be paving some areas of
6 town at their cost, meaning Tilcon's cost. That would
7 be separate. The annual benefit will be 250,000 plus
8 \$100,000.

9 COUNCILMAN CORTELLESSA: Where did you
10 get the 250?

11 MR. BENECKE: That's their redevelopment
12 fee.

13 COUNCILMAN CORTELLESSA: For how long is
14 that for?

15 MR. BENECKE: It burns off partially,
16 that's for four or five years, and after that it goes
17 down.

18 COUNCILMAN CORTELLESSA: So the first
19 four years are 250.

20 MR. BENECKE: The taxes go up.

21 COUNCILMAN CORTELLESSA: The taxes are
22 going to go up. I just want everyone to be clear what
23 the members are --

24 MR. BENECKE: Still the 150,000 or
25 whatever the exact amount is of the developer's fee,

1 that will be the floor going forward.

2 CHAIRMAN FOULON: Anyone else?

3 MEMBER SLATER: I don't think we're
4 going to see an increase in the northbound Ringwood
5 Avenue traffic. Most of the traffic problem is
6 going to be at the intersection for the highway at
7 Exit 55.

8 Anything that Tilcon runs out of
9 New York State they're going to run out of
10 Haverstraw or what have you. They're not going to
11 pay for a truck to go all the way up there from
12 Pompton Lakes, and anything beyond West Milford is
13 going to go out by Ringwood.

14 So I think we're worrying about
15 something that isn't going to happen and I live on
16 Ringwood Avenue, so I'm going to be more concerned
17 than anybody else about that traffic. That's it.

18 CHAIRMAN FOULON: I'll entertain a
19 motion to approve the application on the preliminary
20 and final site plan subject to the conditions of
21 Mr. Veltri.

22 MR. VELTRI: Okay. I'll outline the
23 motion, and certainly anybody can add or subtract to
24 it.

25 This is a preliminary and final site

1 plan application. The applicant is seeking to
2 construct an access road to connect their quarry
3 in Pompton Lakes from the Wanaque border down to
4 the intersection of Lake Ave. and Susquehanna Avenue
5 which leads to Union Avenue.

6 The applicant is also proposing to widen
7 the Susquehanna Avenue culvert bridge where it
8 crosses over the stream that discharges from the North
9 Twin Lake. The access will be a private road for the
10 exclusive use by the quarry. It shall be -- the
11 entire access road shall be maintained solely by the
12 applicant, and that includes maintenance and
13 snowplowing from Union Avenue.

14 They also -- the applicant will maintain
15 the lake, the dam, and the bridge.

16 CHAIRMAN FOULON: And clean up the lake.

17 MR. VELTRI: And clean up the lake.

18 The conditions of approval will be
19 that all of the stipulations and representations of
20 the applicant have to be true and accurate or the
21 approval is subject to revocation.

22 It is subject to and contingent upon
23 the redevelopment agreement between the applicant
24 and the town and all those conditions must be abided
25 by.

1 This is in a Highlands preservation area
2 and all the conditions -- all the Highlands conditions
3 and requirements and NJDEP requirements must be
4 satisfied, subject to compliance with all of the
5 conditions in the borough engineer's report that is
6 dated September 16th and the borough planner's
7 report dated September 17th that have been alluded
8 to and the applicant has copies of.

9 It's subject to the road widening
10 requirements in section four of the ordinance. The
11 board is requesting that the roadways be widened in
12 accordance with the terms of the ordinance and that
13 that plan be submitted to the county planning board
14 for approval.

15 The board is also requiring that the
16 municipality be notified of the county planning
17 board meeting, that that notification be in writing
18 and that they have the right to attend that
19 meeting, and that we get at least one week notice
20 before that meeting occurs, and subject to all of
21 the other approvals, NJDEP, Hudson, Essex, Passaic
22 Soil Conservation approvals and any other Wanaque
23 ordinances that may apply.

24 That's all I have, Mr. Chairman.

25 CHAIRMAN FOULON: Could I have a motion.

1 MEMBER SLATER: Motion.

2 CHAIRMAN FOULON: Mr. Slater.

3 MEMBER CRILLY: Second.

4 CHAIRMAN FOULON: Is there a second?

5 MEMBER CRILLY: I'll second.

6 MR. BENECKE: Mr. Chairman, one technical
7 issue Mr. Veltri discussed. Mr. Cristaldi's report
8 which was very thorough talked about the variance
9 from the redevelopment plan ordinance for the maximum
10 allowable disturbance area.

11 MR. VELTRI: He did, yes.

12 MR. BENECKE: We believe that the --
13 well, first off, there is no variance allowed. It's
14 a deviation. It's a distinction with a difference.

15 We believe that because the redevelopment
16 plan requires the roadway that there's no variance or
17 deviation required.

18 MR. VELTRI: Why don't we do it this
19 way, Bob, and I understand where you're going. Why
20 don't we say if there is a deviation from the
21 ordinance that the board has looked at the steep
22 slope disturbance, and since it is mostly rock and
23 not a soil disturbance, they are granting that
24 deviation.

25 MR. BENECKE: That's one way of handling

1 it. That maybe the easiest. I was going to go a
2 harder way, but that's great.

3 MR. VELTRI: We'll add that to the
4 motion. I think that was the rationale given by the
5 experts and by Fred.

6 CHAIRMAN FOULON: Roll call.

7 SECRETARY FIORITO: Chairman Foulon.

8 CHAIRMAN FOULON: Yes.

9 SECRETARY FIORITO: Mayor Mahler.

10 MAYOR MAHLER: Yes.

11 SECRETARY FIORITO: Councilman

12 Cortellessa.

13 COUNCILMAN CORTELLESSA: No.

14 SECRETARY FIORITO: Member Platt.

15 MEMBER PLATT: No.

16 SECRETARY FIORITO: Member Slater.

17 MEMBER SLATER: Yes.

18 SECRETARY FIORITO: Member Crilly.

19 MEMBER CRILLY: No.

20 SECRETARY FIORITO: Member Jordan.

21 MEMBER JORDAN: No.

22 SECRETARY FIORITO: Member Pasquariello.

23 MEMBER PASQUARIELLO: No.

24 SECRETARY FIORITO: Member Leonard.

25 MEMBER LEONARD: Yes.

1 SECRETARY FIORITO: One, two, three, four
2 yeses. One, two, three, four, five nos.

3 CHAIRMAN FOULON: The application is
4 denied.

5 Anyone in the audience wishing to address
6 the board on any planning board matter, please step
7 forward and state your name and address.

8 MR. VELTRI: Just so the record is
9 complete, maybe the Commissioners who voted no can
10 state for the record what their objections are so I
11 have something more for the resolution.

12 CHAIRMAN FOULON: Okay.
13 Mr. Cortellessa.

14 COUNCILMAN CORTELLESSA: My objection
15 is the traffic issues and safety issues that I tried
16 to articulate during my discussions in this meeting
17 and previously.

18 I believe the traffic issue will be
19 serious on Union Avenue. I believe it will have
20 impacts on Ringwood Avenue as backup occurs, and I'm
21 just concerned about the quality of life and the
22 issues that we will have regarding traffic growing
23 in the environment that we currently have which is
24 a high traffic environment as it is.

25 MR. VELTRI: Traffic and safety are

1 the --

2 COUNCILMAN CORTELLESSA: Of our
3 residents.

4 MR. VELTRI: Right.

5 CHAIRMAN FOULON: Kevin.

6 MEMBER PLATT: I agree with Dominic. I
7 think traffic concern is the big thing. I think it's
8 going to back traffic up Ringwood Avenue and make it
9 unbearable.

10 MEMBER CRILLY: I agree, and what
11 I'll add to that as well, I'm just concerned about
12 the logistics of southbound 287 and the impatience of
13 a morning commuter behind those trucks.

14 CHAIRMAN FOULON: Member Jordan.

15 MEMBER JORDAN: I just agree with
16 everything they all said.

17 SECRETARY FIORITO: And then Member
18 Pasquiareello.

19 MEMBER PASQUARIELLO: Exactly what
20 they said. Traffic, safety and quality of life in
21 town.

22 CHAIRMAN FOULON: Okay. Anything to
23 add?

24 MR. VELTRI: No. I think they clarified
25 their position.

1 CHAIRMAN FOULON: Okay. Thank you for
2 your presentation, gentlemen.

3 MAYOR MAHLER: Now what?

4 MR. BENECKE: Now what, Mr. Mayor? Did
5 you say "now what?"

6 If you turn it into a municipal project
7 you get the road anyway. It's unfortunate.

8 (There is a discussion off the record.)

9 (The proceedings conclude at 10:00 p.m.)

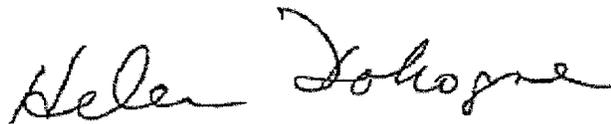
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C E R T I F I C A T I O N

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I, HELEN DOHOGNE, a Certified Shorthand Reporter and Notary Public of the State of New Jersey, do hereby certify that the foregoing is a true and accurate transcript of the proceedings as taken stenographically by and before me at the time, place and on the date hereinbefore set forth.

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



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