

Township of Hillsborough – PLANNING BOARD

Approved Public Meeting Minutes

May 11, 2023

Chairman Carl Suraci called the Planning Board Regular Public Meeting of May 11, 2023, to order at 7:05 pm. The meeting was held in the Courtroom of The Peter J. Biondi Building. All stood for the flag salute.

NOTICE OF MEETING

Chairman Suraci announced the meeting has been duly advertised according to Section 5 of the Open Public Meetings Act, Chapter 231, Public Law 1975 (“Sunshine Law”). Notice of the 2023 Annual Meeting Schedule has been provided to the officially designated newspapers, the Township Clerk, posted on the Township’s website and available at the Hillsborough Township Municipal Complex.

Application documents have been made available on the Township’s web site <https://hillsboroughnj.civicclerk.com/>. Complete applications files are available in the Planning and Zoning Department for inspection, in accordance with the public meeting notice.

ROLL CALL

Present - Robert Wagner, Jr	Present - Patricia Smith (Alt #2)
Absent - Robert Peason	Present - Committeeman John Ciccarelli
Absent - Frank DelCore	Present - Mayor Shawn Lipani
Present - Ron Skobo	Absent - Neil Julian, Vice Chairman
Absent - Kenneth Hesthag, Secretary	Present - Carl Suraci, Chairman
Absent - Bruce Radowitz (Alt #1)	

Also in attendance: David Kois, PP, AICP, *Township Planning Director*; Eric Bernstein, Esq., *Board Attorney (Eric M. Bernstein & Associates)*; Mark Mayhew, PE, CME, *Board Engineer (Pennoni Associates)*; Michael Lombardozzi, CSR, CCR, *Board Court Reporter.*; Dylan Tollesfson, *Township Videographer (Fuerza Strategy Group)*

CONSIDERATION OF MEETING MINUTES

- None

CONSIDERATION OF RESOLUTIONS

- None

PLANNING BOARD BUSINESS

- None

BUSINESS FROM THE FLOOR (*public comment for matters not on the agenda*)

Chairman Suraci opens comments from the public; asks public to state their name and address, and reminds there is a five-minute limit per person and asks there be no commentary directly or indirectly involving warehouse applications.

- No public comment

CONSIDERATION OF ORDINANCES

- None

APPLICATIONS – PUBLIC HEARING

- **Homestead 279 LLC – File 22-PB-05-(S)/MSPV** (TOD: 06-30-23 w/Ext.) - Block 200.02, Lot 12 (Formerly Block 200.B, Lot 28) – 279 Homestead Road. Applicant seeking ~~minor subdivision approval; preliminary and final major site plan approval; ‘c’ bulk variances; and waivers, to subdivide 17.11 acres into two lots: Proposed Lot A to front on Homestead Road and contain 5.41 acres to retain the existing commercial use and improvement; and Proposed Lot B to contain 11.7 acres and the subject of the major site plan application,~~ to construct a ~~137,413 sf.~~ a second 132,750 SF warehouse building on the subject lot, with internal office space, associated parking, loading spaces, lighting, stormwater, and improvements, on Property in the LI, Light Industrial Zoning District. *Revised plans / reports submitted 08-08-22. REVISED plans/documents dated October 2022 / Further Revised Plans submitted 02-24-23 removes the request for a minor subdivision.* (EC Review: 07-25-22 / Revised packet routed 09-19-22) (PB agendas: 09-01-22; 11-03-22 – adjourned without further notice; 01-12-23 – NO testimony – for scheduling only; 02-09-23; 03-09-23). **Application continued from March 09, 2023, without further notice. APPLICATION TO BE ADJOURNED TO AN AGENDA DATE TO BE DETERMINED BY THE BOARD, AT THE MAY 11, 2023, MEETING.**

Representing the Applicant: Michael O’Grodnick, Esq., Savo, Schalk, Corsini, Warner, Gillespie, O’Grodnick & Fisher, P.A

Representing the Objector: Joseph C. Tauriello, Esq. of The Law Offices of Joseph C. Tauriello, Esq., P.C.

Michael O’Grodnick, the attorney for the applicant, introduces himself and states they are requesting an adjournment. He explains the site engineer and representatives of the applicant are working redesigning some elements of the site plan to address some of the concerns raised by the Board, the Board professionals, and the Objectors.

Mr. Kois suggest June 8, 2023.

Joseph Tauriello, attorney for the Objector, introduces himself and states they accept June 8, 2023.

Mr. Skobo motions to continue this application without further notice to June 8, 2023, seconded by Mayor Lipani.

Roll Call:

Yes - Mr. Wagner

Abstained - Committeeman Ciccarelli

Yes - Mr. Skobo

Yes - Mayor Lipani

Yes - Ms. Smith (*Alt #2*)

Yes - Chairman Suraci

Motion carries

- **Weston RD, LLC (Guastella) – File 22-PB-03-MSPV** (TOD: 06-30-23) - Block 185, Lot 1 – Weston Road. Applicant seeking preliminary and final major site plan approval; ‘c’ bulk variances; and waivers, to construct a 135,000 square foot warehouse building with stormwater, parking, and associated improvements, on Property located in the I-1, Light Industrial District and in the Airport Hazard Zone Area Overlay District. (*EC Review: 10-24-22*) (*Mtg. history: 11-10-*

22; 01-12-23 – NO testimony – for scheduling only; 02-02-23; 03-23-23; 05-04-23). Revised plans/reports/documents submitted 03-10-23; further revised plans/reports/documents received 04-21-23. **Application continued from May 04, 2023, without further notice.**

Participating for the Applicant: Michael O’Grodnick, Esq. of Savo, Schalk, Corsini, Warner, Gillespie, O’Grodnick & Fisher, P.A.; Jeffrey Chang, Esq. of Fox Rothschild LLP; Michael K. Ford, PE of Van Cleef Engineering Associates; Steve Radosti, AIA of Perez & Radosti Architecture; Thomas Auffenorde, PE of EcolScience; Peter Downham, LSRP of Roux Associates; Gary Dean, PE, PP, of Dolan & Dean Consulting Engineers, LLC; Keenan Hughes, PP, of Philips Preiss LLC; and Ahad Arif, Owner of Miracle Brands (prospective tenant).

Participating for the Objector: Michael Sinkevich, Esq. of Lieberman, Blecher & Sinkevich, PC (Land Use matters), and Jordan Asch, Esq. of Riker Danzig, LLP (Environmental matters), representing Hearthstone at Hillsborough; Clay Emerson, PhD, PE, CFM, of Princeton Hydro; Paul Gleitz of L&G Planning, LLC; Hal Simoff, PE of Simoff Engineering Associates Inc.; Pamela Grigas, Richard Couzzi, and James Vonderhorts of Member representatives of Hearthstone at Hillsborough.

Chairman Suraci states they are continuing from the public questioning portion of witness, Ahad Arif, testimony on Operations.

Ahad Arif is sworn in.

Chairman Suraci asks if anything has changed in Mr. Arif’s standing of the operations since last week.

Mr. Arif states no.

There is a motion to open the meeting to public questions; seconded. All were in favor, none opposed. The motion carries.

Chairman Suraci opens the meeting to public questions and reminds only members of the public not represented by Objectors Council may come forward.

Mr. Bernstein announces Certifications by absent Board member Examination of Record Eligibility to Vote for Mr. Skobo regarding the May 4, 2023, hearing and Mr. Ciccarelli regarding the March 23, 2023, hearing. They are both eligible to participate in tonight’s meeting.

Bob Harris – 13 Hunt Club Road

- Mr. Harris states he is not represented by anyone present.
- Mr. Harris asks Mr. Arif if he can assure the residents of Hearthstone that tractor trailers will not be a problem after hours.

Mr. Arif states he believes they won’t pose an issue to neighbors, and he thinks traffic can attest to that further.

- Mr. Harris asks if they will permit the loading of trucks 24 hours a day like the Mask Operation at Port Elizabeth.

Mr. Arif states with the trucking companies they use they do not do them after hours as it is not beneficial for them and extremely expensive.

- Mr. Harris would like further clarification on the number of employees in Florida and asks if the marketing, ops, customer service, management and content creation employees are 3PL employees.

Mr. Arif states they are not.

- Mr. Harris reviews the number of employees at the Florida location Mr. Arif stated earlier and asks if they would be utilizing $\frac{1}{4}$ of the 3PL employees which comes to only 15 people.

Mr. Arif states that is the current operations but he cannot guarantee the numbers, nor does he know the numbers Mr. Harris is stating. He explains they are a growing company.

- Mr. Harris reads an exchange from the transcript of the previous hearing regarding the number of employees at the Franklin Park location. He states he is confused about administrative employees, warehouse employees vs. remote employees and asks for clarification.

Mr. Arif states he believes there is confusion around the number of employees that are part of the 3PL, which are not under his company, and the number of employees he has.

- Mr. Harris asks who the employees are he has and are any of them in Florida.

Mr. Arif states he doesn't have any employees in Florida. Everyone in Florida is part of their 3PL service.

- Mr. Harris asks if a breakroom is included in the 5,300 sq. ft. office shown in the architectural plans.

Mr. Arif states he defers to the architect to answer that.

- Mr. Harris asks if he is planning on how many people go to lunch, which is an operational question that drives traffic since every person that goes to lunch is another two cars in and out of the facility each day.

Mr. Arif states he defers to traffic.

- Mr. Harris asks if he will provide restroom facilities for truck drivers.

Mr. Arif states he doesn't know.

- Mr. Harris asks if pallets will be stored indoors or outdoors.

Mr. Arif states everything will be stored indoors.

Brian Tarantino – 235 Fairfield Lane

- Mr. Tarantino asks if they have plans to store any wastes, waster materials, waste soils, at the site since it seems they will have a lot of extra space.

Mr. Arif states no.

- Mr. Tarantino asks if they would be willing to accept a condition of approval that says they will not store wastes at the facility.

Mr. O'Grodnick asks Mr. Tarantino to define waste.

- Mr. Tarantino states it would be something under the NJDEP Regulations as a non-hazardous waste. He goes on to state Mr. Arif would not be able to store reco-hazardous waste at the facility without a special permit.

Mr. O'Grodnick states his client already answered questions about the products he plans to store at the facility and states no they will not agree to the condition.

- Mr. Tarantino asks if it is possible in the future that they would store waste materials there.

Mr. O'Grodnick states it is not anticipated currently.

- Mr. Tarantino asks if they have a plan to store compressed gases at the site.

Mr. Arif states it is not anticipated currently and reminds them they are a bedsheets company.

- Mr. Tarantino expresses concern over the projected free space at the facility and asks if it is possible, as the co-owner, he may have a tenant who will be bringing in gas cylinders.

Mr. Arif states he does not anticipate storing any of that stuff for his company.

- Mr. Tarantino states he has a long list of materials which would be dangerous and a real concern to residents and asks if Mr. Arif would be willing to have some limitation on the kinds of facilities stored at the facility to alleviate the concerns of neighbors about storage of dangerous materials.

Mr. Arif states he is willing to work on that but cannot say yes or no without knowing what the conditions are.

Judy Haas – 2 Titus court

- Ms. Haas asks what his current relationship with Mr. Guastela, who is listed as the owner of the property, and what is his role in this application.

Mr. O'Grodnick states this is a legal question and states they are contract purchasers which means if the approvals are granted then they will purchase the property.

- Ms. Haas asks when that contract goes back to.

Mr. O'Grodnick states that is not relevant to a land use application and is confidential.

- Ms. Haas states it is a public document.

Mr. O'Grodnick disagrees.

- Ms. Haas states the existence of the document goes back to February 2021 and is listed in the Township Clerk's office and asks why Mr. Guastela signed as the landowner in December 2021.

Mr. O'Grodnick states he does not know.

- Ms. Haas states she is concerned about standing because there is conflicting information.

Mr. O'Grodnick states Mr. Guastela is the property owner and explains how this is common practice in contract purchases.

- Ms. Haas asks if the other two owners of Weston LLC will be testifying.

Mr. O'Grodnick states no.

- Ms. Haas asks Mr. Arif if he is 33% owner, and the other two owners are also 33% owners.

Mr. Arif states that is correct.

- Ms. Haas asks if the people who own the building are the entire tenant or if Mr. Arif personally is the tenant or if other people with ownership are part of the tenant group.

Mr. O'Grodnick objects to the question stating it is confidential.

- Ms. Haas states in the previous meeting Mr. Arif's other business were mentioned and asks if he is related to an Adnan Arif either professionally or personally.

Mr. Arif states yes.

- Ms. Haas states Adnan Arif is the Senior Managing Partner of Indus Developers, which owns Lot 7, and is also the President and CEO of Cotton Valley Home Inc in Somerset NJ from November 2007 to present, which is a bedding & kitchen linens retails with many big box clients, and Ahad Arif is listed as Managing Partner of Cotton Valley from Nov. 2007 – present. Ms. Haas asks if Mr. Arif can explain the relationship between the companies and the principles.

Mr. O'Grodnick objects by stating the question is irrelevant.

- Ms. Haas states there are three kinds of warehouse, a break-bulk, a fulfillment, and a last-mile and asks if he agrees break-bulk would be the most intense of the three kinds.

Mr. Arif states he will let traffic or James Scott answer.

- Ms. Haas expresses concern about the proposed size of this warehouse, especially in proximity to a Seniors Development. She asks if the warehouse in Florida is also a break-bulk facility.

Mr. Arif states they receive goods from overseas in containers then break them down and ship via UPS, FedEx, and DHL.

- Ms. Haas asks where trucks will go before the hours of opening seeing as the roads in the area are narrow and do not offer space for a truck to pull over to wait.

Mr. Arif states he defers that question to traffic.

Susan Gulliford - 7 Hunt Club Road

- Ms. Gulliford asks if a fire were to happen at the facility, would special equipment be required by local fire companies to deal with the silver or anything else in their products or is there special equipment installed in the building.

Mr. Arif states the building is a sprinkler building.

- Ms. Haas asks if it will also have whatever equipment is necessary to deal with the fumes from these types of fires.

Mr. Arif states yes.

There are no more questions for this witness.

Mr. O'Grodnick calls his next witness.

Mayor Lipani asks the public to keep the commentary out of the questioning so to allow the testimony to move freely and the record to be clean. Comments can be made at the end of the hearing.

Gary Dean is sworn in and states his qualifications and professional licenses.

The Board accepts him as a witness.

Mr. Dean states per their client's request they submitted a traffic impact analysis entitle 'For Terrace Industrial Park' dated July 22, 2022, which was submitted to the township for review. In response to the letters generated by township professionals, they submitted a supplemental analysis in the form of a letter addressed to the Board on December 30, 2022, and February 28, 2023. Mr. Dean states when the traffic study was prepared it was for the larger building prior to the reduction in the scale of the building and explains how the change in size can impact the results of a study.

Mr. Dean reviews each of the letters.

Mr. Mayhew asks Mr. Dean to address a portion comment number one on the Township response letter dated May 1, 2023, which ask testimony to be provided regarding the

anticipated operation in the site including utilization of provided trailer parking and loading docks.

Mr. Dean states there is no means to account for the given number of loading docks in a given building and its traffic. He states there are 139 parking spaces proposed, 28 trailer parking spaces and 20 loading docks which allow a truck to leave a trailer. He points out this is a single loading design building meaning all loading docks are on one side of the building.

Mr. Mayhew asks how their traffic report correlates with the anticipated usage of the loading docks; what's the turnover time on a dock.

Mr. Dean states he cannot answer the turnover time but explains their traffic study looks at the area when traffic is at its most constrained, at its busiest.

Mr. Mayhew asks if Mr. Dean helped identify the number of loading docks required to service this building.

Mr. Dean states he did not.

Mr. Mayhew asks if he has an opinion on whether 20 loading docks is sufficient to handle the anticipated traffic or if it is more than needed.

Mr. Dean states he has no opinion on that and explains he looks at the impact on the roadway system.

Mr. Mayhew asks if he was involved in the decision as to the number of trailer parking spaces to be provided on site.

Mr. Dean states no.

Mr. O'Grodnick states they will be introducing a witness that's an expert in warehouse operations and will be able to address these questions.

Mayor Lipani asks if the ITE studies give an indication of the total anticipated numbers are for a building of that size.

Mr. Dean states yes but needs a moment to search for the information.

Mayor Lipani asks when the trucks are dropping off is it his opinion that the trucks are then leaving empty or are they picking up an empty trailer to take with them.

Mr. Dean states there is some of that activity as well; it takes time to unload a trailer and having the truck wait there does not make sense, so trucks do leave with an empty trailer. This creates a constant rotation of full and empty tractor trailers.

Mr. Dean addresses Mayor Lipani's previous question stating at study for a site which is 550,000 sq ft generates 160 trucks per day and if he uses that calculation for this site it results in 38 truck trips per day.

Mayor Lipani asks if that is 38 in and 38 out.

Mr. Dean confirms.

Chairman Suraci asks regarding the number of the inbound trucks (est. 52) coming from the west, meaning down hwy 206 to Camplain Road, did they anticipate the widening of hwy 206 and the addition of the Jersey barrier which will hinder a tractor trailers ability to make the left turn on to Camplain Rd. This would force them to go down to Triangle Rd for the jughandle which can be difficult for tractor trailers. Did they do a back-up analysis for Triangle Road?

Mr. Dean states he cannot forecast that with any degree of accuracy.

Chairman Suraci states it will eventually increase traffic going down Falcon Rd.

Mr. Dean states correct.

Chairman Suraci expresses concern about alternate routes being taken.

Mr. Dean addresses his concern.

Chairman Suraci asks how goods would be moved to the big box stores, tractor trailers vs FedEx, did they do an analysis for that.

Mr. Dean states no and explains all the traffic projections and trucks are for a warehouse use site. They do not look at the use for one specific user but rather the traffic generation for any warehouse of 130,000 sq. ft.

There is discussion about the number of tractor trailers estimated and peak traffic.

Chairman Suraci states the Peak Analysis said there was absolutely no traffic coming in or out of Hearthstone so he is curious to see the analysis of peak traffic for Hearthstone to see how it will be impacted.

Mr. Dean states it is included, it is Boyd Blvd, and the effect shows zero change in level of service. All traffic counts were included in their study.

There is further discussion of the analysis.

Committeeman Ciccarelli asks what kind of outbound trucks they are projecting going to the FedEx Terminal etc.

Mr. Dean states those are full-sized tractor trailers they are projecting which would be filled over time on once full a pick-up would be arranged by the commercial shipper. He believes there may be some smaller parcel vans used for residential delivery, but they have been focused on the tractor trailers.

Committeeman Ciccarelli asks how he determined the inbound route from Port Elizabeth.

Mr. Dean states they used Google maps and did review the route options and time constraints.

Committeeman Ciccarelli asks if he knows what time the school on Sunnymead Road opens.

Mr. Dean states he does not but estimates 8:15 am based on it being an elementary school. He is aware of the sensitivity to Sunnymead Rd.

Committeeman Ciccarelli asks regarding the ITE is it for a spec warehouse.

Mr. Dean states the data is developed by counting the traffic to and from an occupied warehouse so there is no such thing as spec in ITE, it is a given land use.

Committeeman Ciccarelli asks if there is a known tenant, they can use a more accurate projection of truck traffic ins and outs rather than ITE.

Mr. Dean states he is almost compelled to and explains site specific testimony and projections.

Committeeman Ciccarelli asks if they ever did studies on the weekend.

Mr. Dean states no.

Chairman Suraci calls for a short recess.

Chairman Suraci calls the meeting to order.

Michael Sinkevich, co-attorney for Hearthstone at Hillsborough, introduces himself.

Mr. Sinkevich asks Mr. Dean to explain how the level of service analysis works, specifically the traffic counts and ITE interplay.

Mr. Dean explains that level of service is a descriptive term that gives a sense of how congested or poorly a road operates vs how freely or comfortably it does and goes into further detail. He summarizes by saying the busier the road is the, generally, the worse the level of service.

Mr. Sinkevich asks if the busy-ness of the road is done by actual field counts conducted by his office and if they did one set of traffic counts in October 2021.

Mr. Dean states correct.

Mr. Sinkevich asks what intersection they were done at.

Mr. Dean states they were done at Boyd and Weston Roads principally, Waterman didn't generate any traffic. In November of 2022 they were on Weston and looked at Sunnymead and Falcon Roads.

Mr. Sinkevich asks if October 2021 was during Covid.

Mr. Dean is not sure when Covid was over but states when they went back out in November of 2022 schools were back in session and "normal conditions" had resumed. He states there is no material difference in the counts.

Mr. Sinkevich asks if he thinks the October 2021 count was accurate at the Boyd and Weston Roads intersection considering it was during Covid and it is a Seniors Development.

Mr. Dean states he can't see how it would be dramatically different considering it was done at 7:30/8:00 am and goes into the level of service details.

Mr. Sinkevich asks how the ITE data is generated.

Mr. Dean states traffic consultants go out and study, put machines down and visually observe, prepare counts at a site driveway for a variety of land uses and that data is evaluated and sent to ITE. This is done voluntarily. ITE then compiles it in a publication called Trip Generation of which the 11th Edition is the most recent published in 2021. The data is appended to their July 22, 2022, report which shows the data points for studies conducted.

Mr. Sinkevich asks if "Professional Judgement" is required as part of either an ITE analysis or part of the professional requirement.

Mr. Dean explains how professional judgement is utilized.

Mr. Sinkevich asks if they utilized the ITE 150 Warehouse Classification and if it is a rather broad classification when compared to multi-family housing or a shopping center.

Mr. Dean states they did utilize it but does not agree. He explains his opinion.

Mr. Sinkevich asks if it would be possible to do a worse-case scenario analysis of traffic projection if the facility were at full build out.

Mr. Dean states what he did, it was the Sensitivity Analysis, and explains how it resulted in a Level of Service E leaving the site which would make it the limit of capacity.

Mr. Sinkevich asks if this study was just for cars.

Mr. Dean states it included all traffic.

Mr. Sinkevich asks if the ITE manual provides an analysis for recommended parking.

Mr. Dean states it provides statistics as to parking demands for a given land use.

Mr. Sinkevich asks what the recommended parking spaces are for a 130 square foot warehouse.

Mr. Dean states it is not a recommendation, ITE is data, and it is up to the reviews to access what that data means.

Mr. Sinkevich asks if there is a correlation between those numbers and the trip generation numbers.

Mr. Dean states no.

Mr. Sinkevich asks if ITE does an analysis of parking for trucks.

Mr. Dean states no.

Mr. Sinkevich asks if there was a traffic safety analysis done on Weston Road or any of the nearby roads.

Mr. Dean states no, not at his office.

Mr. Sinkevich asks if they analyzed any of the school bus stops on any of the nearby roads.

Mr. Dean states no.

Mr. Sinkevich asks if they factored in the use of the roads by bicyclists, possibly traveling to or from work and pedestrians.

Mr. Dean states yes, they were identified in the traffic counts and included in the background information.

Mr. Sinkevich asks if they did an analysis of the road width and how it would factor in with truck traffic.

Mr. Dean states when the governing body made this a permitted use the presumption is that was a consideration when they decided what would be appropriate to be developed and explains what they look at when making their decisions.

Mr. Sinkevich asks if he knows the width of Weston Road.

Mr. Dean does not recall but knows the applicant is asking to widen it.

Mr. Sinkevich asks if it would surprise him to know they are looking at approximately an 8-foot increase for each lane.

Mr. Dean states he believes it is more than that and a 20-foot increase is likely.

Mr. Sinkevich asks if they have reviewed the road shoulders.

Mr. Dean explains they have.

Mr. Sinkevich asks if his office conducted interviews with local residents to understand how they have been impacted by existing truck traffic.

Mr. Dean states no, that is not something they evaluate. He states when they are considering a permitted use it is the assumption that has been assumed to be an acceptable consequence of building in accordance with zoning.

Mr. Sinkevich asks if there has been analysis for turning radius for near-by intersections.

Mr. Dean states not off track but they have done the radius analysis for the site driveways to ensure the trucks can be accommodated. He reminds me there currently are trucks using these roads for other industrial users in the area.

Mr. Sinkevich asks if they did any analysis of the roads on the route from the port.

Mr. Dean states given the fact this site is immediately adjacent to another industrial use, another down Sunnymead Road, Camplain Road and throughout the township its far from his responsibility to evaluate every intersection in a community to accommodate traffic that is already using those roads and intersections.

Mr. Sinkevich asks what the protections are to ensure all parking associated with the warehouse happens on site.

Mr. Dean states the intent of what the applicant proposed is to ensure parking in areas outside the warehouse property does not happen. He states they have an abundant parking supply that meets the needs of the use and over slightly to account for a shift change.

Mr. Sinkevich asks if there will be any protections to ensure trucks will not turn into the Hearthstone Community.

Mr. Dean states he cannot see why they would but explains why posting 'no trucks' signs are problematic since trucks do need to come into the Hearthstone community for residential reasons. He suggests it could become a private gated or Hearthstone can post signage they feel is necessary but cannot fathom why a trucker destined for the warehouse would pull into Hearthstone.

Mr. Sinkevich states it is part of the concern because it has happened before.

Mr. Sinkevich asks if he is familiar with the NJ State Planning Commission Office of Planning Advocacies Distribution Warehouse in Goods Movement Guidelines.

Mr. Dean states he is vaguely familiar with that recommended practice which was issued last year.

Mr. Sinkevich asks if he utilized it for part of his analysis of the traffic.

Mr. Dean states no, this application was submitted well before that and defers to the host community in terms of what they've established as appropriate zoning.

Mr. Sinkevich asks if they did an on-site Circulation Analysis.

Mr. Dean states he reviewed the plans Mr. Ford's office prepared but he did not design it.

There is a discussion about the Circulation Analysis report, traffic flow for tractor trailers and space needed to navigate.

Mr. Dean states they are not designing for trucks to break down in the middle of the parking lot.

Mr. Sinkevich asks if he can confirm the stipulation that a parcel warehouse would not be developed.

Mr. Dean states the design does not permit it but defers to the applicant.

Mr. Sinkevich asks if there was analysis for emergency access into Hearthstone by ambulances and firetrucks in terms of the new intersection.

Mr. Dean does not understand the question but states they have proposed a driveway that is located about 200 feet to the west of the Hearthstone entrance. He reminds in an emergency situation all vehicles must yield to emergency vehicles so response time to Hearthstone would be unaffected by the development of the site.

Mr. Sinkevich asks if he believes response time will be unaffected with a narrow road and large tractor trailers on Weston Road.

Mr. Dean states tractor trailers currently use Weston Road, and he assumes Hearthstone has not experienced any problems associated with the current activity. He states he believes one truck every half-hour or so is not going to affect response time.

Mr. Sinkevich has no further questions.

There is a motion to open to the public, all were in favor. Motion carries.

Chairman Suraci opens to public question for this witness.

Meryl Bisberg - 4 Hickory Hill Rd.

- Ms. Bisberg asks if bikes and pedestrians were visible when they did their traffic count.

Mr. Dean states he does not know, would have to look at the raw count data for that information. In quickly looking at the raw data Mr. Dean states the observed one bike traveling eastbound and one traveling westbound on Weston Road, no pedestrians.

- Ms. Bisberg asks if he believes trucks will be able to maintain the four-foot clearance, which NJ law requires, on the narrow roads.

Mr. Dean reminds this is a road that already carries truck traffic and states there are 32 trucks an hour using Weston Road.

- Ms. Bisberg asks if any real-life turning radius tests have been done with actual tractor trailers. She states she is specifically concerned with the scenario of trucks coming in and out at the same time from the driveway and asks if one would have to wait.

Mr. Dean states in reviewing the templates prepared by the engineer, he has provided exceptionally large radii to accommodate those trucks. He gives examples to explain what this means.

- Ms. Bisberg asks if this applies to a truck coming out of the driveway wanting to make a left and if one is coming in.

Mr. Dean states yes and explains how the exiting truck would not be able to see around the

other truck.

- Ms. Bisberg asks if their traffic study was done before or after the traffic light was installed at the Falcon / Sunnymead Roads intersection.

Mr. Dean states they did their traffic counts when the Board engineer instructed, they did so, which was after that light was installed. He states they know traffic backs up which is a consequence of putting in a light, it was deliberated for several meetings with the Board, but it was desired in this portion of the township to help move traffic in a safer manner at that intersection.

- Ms. Bisberg offers the start times for Sunnymead School then asks if any turning radius study has been done between Falcon and Sunnymead Roads.

Mr. Dean states he has not done that, it was not part of the installation of the traffic signal. He states currently there is no restriction for trucks to use Sunnymead Road so if the governing body were to implement that restriction it would affect all of the truck traffic using Weston Road currently.

- Ms. Bisberg asks for a better understanding of the term “use runs with land” when it comes to traffic.

Mr. Dean states it’s a blueprint for the development of land and a community and this applicant is following that blueprint, once this Board decides, assuming it is favorable, that becomes an approval for the Use of that building on that land that continues and exceeds any given owner or user of the building.

- Ms. Bisberg asks if he is saying it is incumbent upon the approving body to ensure that the roads are also going to be appropriate for the Use for that warehouse. Ms. Bisberg goes on to express she is concerned about how this is going to work.

Mr. Dean states when the Use was determined to be permitted that blueprint was drawn, and this applicant has a right to relay on that blueprint when proposing a Land Development application. He states they are just fulfilling that blueprint.

- Ms. Bisberg asks if tractor trailer parking spaces are identified specifically in light industrial.

Mr. Dean states he does not know the answer to that.

- Ms. Bisberg asks if the empty tractor trailers would be picked up directly from the parking lot.

Mr. Dean clarifies from the truck parking spaces, not the parking lot.

- Ms. Bisberg asks if there is room in the truck parking lot to maneuver to pluck the containers from the parking area, if it has been figured into the engineering.

Mr. Dean states absolutely, they want to make sure trucks can get in and out.

- Ms. Bisberg asks if they know what percentage of cases an empty container might be picked up from the building vs the truck parking.

Mr. Dean states generally at the parking areas while ones being loaded or unloaded would be at the docks.

David Brook - 7 Winding Way

- Mr. Brook asks if he is correct in understanding nothing, they are designing whether in or around the building has to do with the surrounding area.

Mr. Dean states he does not understand the question and asks if he has a question about his testimony.

- Mr. Brook asks if they have done any studies regarding how the trucks get to the facility.

Mr. Dean states yes that is what his testimony covered, truck and employee traffic by way of studies of Sunnymeade at Weston and Sunnymeade at Falcon.

- Mr. Brook asks if he has coordinated with the applicant on how it will operate and how many truck trips it will take or was it based on the ITE data.

Mr. Dean states assuming Mr. Brook heard the testimony from the applicant to him it is less traffic than he assumed in his study; his study is conservative overstating the projected traffic impacts and projected truck impacts and considered for the development of a 130,000+ square foot warehouse building.

- Mr. Brook asks if his ITE came up with more than what the applicant said.

Mr. Dean states correct.

- Mr. Brook asks if he has gone to a comparable dock to see if his ITE data is accurate.

Mr. Dean states he has not done it for a 130,000 square foot building with 20 docks but what he has indicated is their office as well as other consultants have gone to 500,000 sq. ft., 600,000 sq. ft., 206,000 sq. ft. warehouses, in NJ, and in all cases, they generate less traffic than ITE so it is inherently conservative given the nature of this process. He states they tend to err on the side of overstating traffic impacts for a thorough vetting that the system will work without having negative traffic impacts.

- Mr. Brook asks if he has ever gone to Weston Road where the site is being proposed to watch traffic and trucks himself.

Mr. Dean states yes.

- Mr. Brook asks if he saw 53-foot tractor trailers on the road there.

Mr. Dean states yes.

- Mr. Brook asks if he recalls which direction, they were going in.

Mr. Dean states both.

- Mr. Brook asks if while he was there, he had visited the curve on Sunnymead Road just before the traffic light.

Mr. Dean states yes.

- Mr. Brook asks if any of the tractor trailers making those turns where he was there.

Mr. Dean states yes.

- Mr. Brook asks if they were doing these turns quickly or slowly.

Mr. Dean states he doesn't have an opinion on that, he observes trucks he does not measure their speed.

- Mr. Brook asks if he saw any 53-foot trucks making their turn at the traffic light.

Mr. Dean states yes.

- Mr. Brook asks if they were able to stay in their lanes.

Mr. Dean states sometimes they drive over the curb.

- Mr. Brook asks if he was able to see if any 53-foot tractor trailers were able to make the turn when they got down to Main Street or River Road to go under the railroad tracks, in Manville.

Mr. Dean states no.

- Mr. Brook asks if any of his traffic studies calculated flooding into the routes these trucks would be taking.

Mr. Dean states he does traffic studies, he does not look at flooding.

- Mr. Brook asks if he checked into Manville regarding any restrictions for these 53-foot tractor trailers.

Mr. Dean states no.

- Mr. Brook asks if everything in his study, other than the counts, is based on ITE data and statistical information.

Mr. Dean states no.

- Mr. Brook asks if he can tell him what wasn't ITE data.

Mr. Dean states as indicated they visited the site, looked at the roadway conditions, lighting, the speed limit, traffic counts were conducted by their staff, and they use procedures published by the Transportation Research Board for calculating levels of service pursuant to the procedures outlined in the highway capacity manual. ITE is one small component of this comprehensive traffic analysis.

- Mr. Brook asks if they did speed calculations on the roads.

Mr. Dean states they did not.

Brian Tarantino – 235 Fairfield Lane

- Mr. Tarantino asks if the 32 trucks in the morning and 18 trucks in the evening he testified to be all tractor trailers (18-wheeler, 53-footers).

Mr. Dean states they were not.

- Mr. Tarantino asks how many of them were tractor trailers.

Mr. Dean states he needs a moment to find the answer to this question.

- Mr. Tarantino asks if he considered other approved developments when he assessed the impact traffic.

Mr. Dean states if they were near the site and would have an impact yes, but he doesn't recall there being any, so they didn't take any into consideration.

- Mr. Tarantino asks if they considered the golf course development.

Mr. Dean states no.

- Mr. Tarantino asks if he thinks it would be appropriate since it is a mile away.

Mr. Dean states he does not know anything about that project and so does not have an opinion on it.

- Mr. Tarantino summarizes Mr. Arif's previous testimony regarding the number of trucks coming in and out of the facility and asks Mr. Dean if it accounts for the 40 trips for the 10 incoming trucks.

Mr. Dean states he does not agree with that estimation, it is contrary to the testimony, in his opinion, and does not have any further response.

- Mr. Tarantino begins to a question based on assuming Mr. Dean is correct.

Mr. O'Grodnick objects for speculation.

- Mr. Tarantino explains why he disagrees and how was told at the previous meeting he had to wait till this meeting to ask these questions.

Chairman Suraci asks Mr. Dean to restate the truck trip traffic his study was based on.

Mr. Dean states his analysis is based on ITE data which is double what the applicant projected. His team estimated for the morning peak hour one truck entering and two leaving and in the evening two entering and two leaving. He states his expectation is that those would be fully loaded trucks with trailers.

There is discussion about the number of empty trailers, how they are handled and taken out of the facility and the number of trips this generates.

- Mr. Tarantino asks if the ITE counts are averages or maximums.

Mr. Dean states they are neither they are counts and explains how the counts are conducted.

- Mr. Tarantino asks if it is possible there is a peak time or season that did not get caught by those counts.

Mr. Dean states he has no idea, the data is submitted for a variety of uses for typical day-to-day regular activity. They don't collect counts on a holiday, it would not be valuable data.

- Mr. Tarantino asks if they would have to study across multiple days if they wanted to understand maximum rates.

Mr. Dean states that is why the ITE data is compiled across a number of different sites, so as to get that spectrum of highs and lows.

There is further discussion about the extent of projected truck activity.

Chairman Suraci announces a 2-minute warning to 10:00 pm.

Discussion continues over a graph in Mr. Dean's report.

Chairman Suraci ends Mr. Tarantino's time at 10:00 pm

Mr. Bernstein asks how many tractor trailers were found when they did the studies in 21 and 22 that were in that count.

Mr. Dean states he will have that answer at the next hearing.

Mr. Skobo motions to carry this application to June 1, 2023 without further notice, seconded by Committeeman Ciccarelli. All were in favor, none opposed.

Mr. Bernstein states regarding the "donut hole" property and it's impact on this application, councils and the Board should be in receipt of his opinion which indicates it does not impact

on the standing issue in terms of this application going forward but there are issues which need to be addressed by the applicant as to the impact of its application on the property itself.

Mr. O'Grodnick states he spoke with the council handling this matter, the court has set an order setting time which will require the defendants and heirs July 5' 2023, to redeem; it is then 30-60 days before the court enters a final judgement which can be recorded as a deed. He states once title is gained the issue will be moot.

Mr. Bernstein requests regarding the issue of Quiet Title, if Mr. O'Grodnick has information from the Foreclosure Unit that it be provided to his office to counsel for the Objector and to Mr. Kois so it may be posted to Civic Clerk issue of quiet title.

ADJOURNMENT

A motion to adjourn was made by Mr. Skobo, seconded by Mayor Lipani. Motion carries unanimously.

At approximately 10:08 pm the meeting is adjourned.

*Submitted by Robyn Bittle-Abramo
Recording Secretary*