

**MINUTES OF THE TOWNSHIP OF MENDHAM PLANNING BOARD
REGULAR MEETING HELD MAY 19, 2021
VIA ZOOM**

The remote meeting via zoom was called to order by Vice Chairman D'Emidio at 7:38 p.m. who asked for a roll call. Upon roll call:

ROLL CALL

PRESENT: Mr. Baio, Mr. Monaghan, Mr. D'Emidio, Ms. DeMeo, Mr. Johnson, Mr. Perri, Mr. Mayer, Mr. Maglione
ABSENT: Chairman Giordano
Others present: Mr. Dennis Keenan, Ms. Edward Buzak, Mr. Ryan Conklin, Mr. Jack Szczepanski

SALUTE THE FLAG

ADEQUATE NOTICE of this meeting of the Mendham Township Planning Board was given as follows: Notice was sent to the Daily Record and the Observer Tribune on January 6, 2021 and Notice was filed with the Township Clerk on January 6, 2021

This meeting is a quasi-judicial proceeding. Any questions or comments must be limited to issues that are relevant to what the Board may legally consider in reaching a decision and decorum and civility appropriate to a quasi-judicial hearing will be maintained at all time.

APPLICATION – PB- 21-01 – cont'd

Pinnacle Ventures, LLC
22 Saint John's Drive
Block 100, Lot 17.03

Mr. Malman, attorney for the applicant, began with a brief overview of what transpired at the last two meetings that were heard in March and April, 2021 and that Mr. Moschello, the applicant's engineer, was still being cross examined by the public when the meeting was adjourned for the evening at the April 21, 2021 hearing. He stated that Mr. Moschello will continue to be cross examined at this hearing. As far as some housekeeping matters are concerned, Mr. Malman received the updated report from Princeton Hydro, which will be addressed in due course. Also, he stated that he spoke to Mr. Simon, a partner in the law firm Herold Law, LLC, which is the firm representing the interests of Mr. and Mrs. Menz of 81 Mosle Road and that he is pleased to say that the issues and concerns that the Menz have raised are being worked through and resolved. The Menz attorney, Mr. Daniel Kline, will not be cross examining witnesses at this time but that Mr. and Mrs. Menz would like to reserve the right to do so in the future in the event that the terms are unresolved before the next meeting on June 16, 2021. Mr. Malman communicated this information to Mr. Buzak earlier in the day.

Mr. Roger Thomas continued his cross examination of Mr. Moschello from the last meeting on April 21, 2021. Mr. Moschello confirmed for Mr. Thomas that St. John's Drive will be cleared of debris and that it will have a cartway width of 20 feet. Mr. Thomas went on to say that it is also his understanding that between the April meeting and this current hearing that there has been a

minor but significant change in the plans in terms of the sub base asphalt on St. John's Drive. This will now be 6 ½ inches instead of 6 inches, which either meets or exceeds the RSIS standard for this type of road, if the road was to be considered under the jurisdiction of RSIS.

Mr. Thomas next referred to the issue of the demolition activities and that after discussions over the past month with Mr. Moschello, it is his understanding that the applicant has now agreed, prior to demolition of the buildings, to reconstruct the road in a manner that was discussed and agreed upon with regards to the application of the sub base on St. John's Drive. This will not include the top course, which will not be applied until the construction for the project is completed, which is the normal course of events.

Mr. Thomas next referred to the drainage issues that affect some of the properties that abut the road and that once these drainage issues are identified that the applicant agrees to work with the Township engineer's office to resolve these problems. Mr. Moschello confirmed for Mr. Thomas that St. John's Drive is a private roadway and will continue to be a private roadway under the jurisdiction of the new Homeowner's Association. Also, the Homeowner's Association documents that will be submitted to Mr. Buzak and the Township attorney will include the requirement that there will be ongoing, in perpetuity, maintenance of the roadway along with the drainage improvements that is required to be provided. Mr. Malman clarified for Mr. Thomas that the width of the road is 20 feet; however, there is a small area by the culver that will only be 18 feet. Mr. Thomas confirmed that he is aware of this and that he understands that this has been discussed with the fire chief in Peapack and the appropriate district fire chief in Mendham Township and that he has been advised that this is acceptable to both of these fire departments. Mr. Malman also clarified that a demo permit can be issued but that no work can commence until the roadway is reconstructed in accordance to what has been represented at this meeting.

Mr. D'Emidio inquired whether all the representations that were discussed meets with Mr. Keenan's understanding and approval. Mr. Keenan requested confirmation that the demo trucks will be riding on the newly installed base course of the road with the final course not installed until after construction is completed. Mr. Keenan stated the construction of the road is certainly adequate from a pavement thickness standpoint and what would be expected with a new road for the RSIS standards and that he is satisfied with this approach. He confirmed that he will be making the determinations as to the adequacy of the road construction and drainage issues from an engineering viewpoint as the work progresses.

Mr. Anthony Reitano stated that he lives at 3 Carriage Hill Road. Mr. Reitano stated he requested the ground water data that the applicant is relying upon for the waste water treatment system, and he said that there was a letter on the Mendham Township website from the consulting firm that was involved with the project at the time of the first application. He went on to say that attached to the letter was a copy of the well permits that was required to be filed with DEP; however, he did not see any ground water data or technical data with regards to the wells. Mr. Malman stated that he thought that the request was for the well permits, which was provided. Mr. Reitano stated that he is renewing his request for the technical data to be submitted along with the NJPDES permit, which was also not submitted with the original application.

Mr. Moschello confirmed for Mr. Reitano that a line of site study was not performed. Mr. Reitano stated that it is appropriate for the applicant to prepare this type of study to show what the profile of the property will be after the new project is constructed and the heritage trees are removed. Mr. Malman stated that he will consult with the applicant regarding this issue. Mr. D'Emidio stated that this can be requested; however, he is not sure if the Board is prepared to make this a requirement. There was some further discussion regarding the line of site to Mr. Reitano's property on Carriage Hill Road. Mr. Moschello opined that the proposed structures will not be

seen from Mr. Reitano's vantage point when the project is complete since there will be no removal of the perimeter vegetation that is on the property around the site. This was also true when the application was previously approved. There was some further discussion regarding this issue, and Mr. Moschello referred to Exhibit A23, which depicts the limits of the project and the steep slope disturbance, and he pointed out that the trees toward Mr. Reitano's home site will not be disturbed. Mr. Moschello confirmed that the elevation of the new buildings will be lower than the existing mansion elevation. There was further discussion regarding some of the heritage trees that are planned to be removed, and Mr. Moschello confirmed that these trees being removed will not affect the line of site to Carriage Hill Drive. In response to Mr. Reitano's concerns regarding the layout of the project townhouse site, Mr. Moschello responded that different types of layouts were considered but that the current configuration was chosen since it keeps the development generally within the limits of the sewer service area and that this was already approved by the DEP for placement of sewer generating structures. This development layout fits into this sewer service area and that this was the same layout that fit into the prior development layout. He also stated that this current layout is slightly less in disturbance than what was proposed in the prior application and that the areas of disturbance are the same areas of disturbance that were in the prior application. Mr. Moschello confirmed that if the design layout was reconfigured then the existing DEP approval would need to be amended. Mr. Moschello explained that there are a number of factors as to why this configuration was determined.

Mr. Reitano went on to say that the design of the project is not consistent with the zoning of the area. Mr. Buzak asked Mr. Reitano to limit his questions and not make statements or opinions. Mr. Reitano inquired about whether there are any net fill calculations for the site. Mr. Moschello responded that some preliminary calculations have been done and that the demolition expert will testify regarding this topic.

Mr. Michael Millea of 1 Carriage Hill Drive inquired about the lighting for the project and that it is a possibility that future residents on the proposed site will be adding their own lighting on their property such as a flood light. Mr. Moschello responded that the Homeowner's Association regulates the exterior appearances of the project and the structures and what residents are allowed outside of their homes. Mr. Malman stated that the HOA documents are reviewed for approval by Mr. Buzak before the document is recorded and that these documents would provide what lighting restrictions there may be with regards to the project. Mr. Keenan stated that there are lighting standards within the ordinance that limit the amount of outdoor lighting that is allowed.

Mr. Michael Millea inquired about the barrier, which would keep everyday traffic from coming through the open space area. Mr. Moschello responded that two bollards on each end of the emergency access road with a chain is being proposed. The chain will have a lock on it and will only be accessible by the HOA and the emergency services personnel. There was some further discussion with regards to the type of barrier at the entrance of the open space area. Mr. Johnson stated that the police department would certainly address any problems that may arise from people using the emergency access road for anything other than emergency purposes since it is not an approved roadway.

Mr. William Donnelley of 11 St. John's Drive inquired whether the applicant is exempt from RSIS with regards to the development. Mr. Moschello responded that the applicant is exempt. Mr. Donnelley stated also that he was not able to find a current NJPDES permit and asked if there is a current permit that is approved. Mr. Moschello responded that there is a current NJPDES permit on the property that is approved. He also raised the issue of the repair of the bridge whereby a fair amount of the footings on that bridge are on his property. Mr. Moschello stated that the work being proposed is pavement work on the road surface and that the bridge itself is serviceable with no plans for any bridge repair.

Mr. D'Emidio closed the public portion of the meeting.

Mr. Malman called his next witness, Mr. John Muca, and Mr. Buzak swore in Mr. Muca as an expert witness. Mr. John Muca, senior project manager for Yannuzzi Group, 135 Kinnelon Road, Kinnelon, NJ 07405 made an appearance as the demolition consultant on behalf of the applicant. He stated that Yannuzzi Group specializes in demolition contracting and has been incorporated for the past 64 years. It is also a third-generation company. Mr. Muca named some of the major projects that his company has been involved with over the years in urban areas and that his company conducted a demolition job of a 6,500 square-foot single family dwelling on Horseshoe Bend Road in Mendham Borough.

Mr. Muca began by stating that the demolition process will begin on the north wing of the school with the asbestos abatement. When the asbestos abatement is completed, then the demolition will begin starting from the east end and moving towards the west, and while the demolition is underway, the Mosle mansion will be abated along with the south wing of the school. Once the demolition is well underway, then a crusher will be mobilized to the courtyard in the center of the horseshoe and will begin crushing material as soon as there is enough of the masonry stockpiled to run the crusher every day. He went on to say that it is approximately a five-month project with the first five weeks involving asbestos abatement and then overlapped by the third or fourth week with demolition commencing. When the demolition of the school building and Mosle mansion is completed, then demolition of Fatima Hall will begin followed by the garage building and then the gym building. All the masonry materials will be crushed and stockpiled onsite for use onsite for the base course on roadways and parking areas and that the steel and wood from the demolition of the buildings will be recycled offsite with any of the non-recyclable materials shipped off to a land fill. Mr. Muca stated that the intention is to minimize activity that would affect the surrounding residents. He stated that with approximately one hundred loads of materials leaving the site over a five-month period that this computes to an average of one load a day leaving the site – one empty truck entering the site and one loaded truck leaving the site. Mr. Muca clarified that this is on an average and can vary from day to day, especially when there is an overlap between the asbestos activity and demolition activity leaving the site. Mr. Muca stated that 88 percent of the demolition materials will remain onsite because the buildings are primarily masonry buildings.

Mr. Muca discussed how the specialized equipment will be utilized and that the method used is the state-of-the-art method used for site demolitions. He went on to say that his company is a licensed asbestos contractor and that they do their own asbestos abatement on 99 percent of the demolition projects that are done. The universal waste (refrigerants from air conditioning units, fluorescent tubes, thermostats etc.) are also handled by his company and that all these items are recycled and receipted for the project owner for their records. Mr. Muca stated that the working hours are from 7:00 am to 3:30 pm Monday through Friday.

Mr. D'Emidio inquired if there is a lead abatement required for this project. Mr. Muca responded that the State of New Jersey does not require lead abatement prior to demolition. The only abatement taking place would be loose chips that would be collected prior to demolition. However, any lead paint that is adhered to structural items on wood etc. can leave the site and be hauled to either a land fill or a steel recycling facility since this facility has catalytic converters permitted by the EPA to handle the lead. Mr. Muca also added that the majority of the equipment onsite does not exceed 68 decibels and the plan is to shield all of the equipment with the piles of masonry debris around the work area that will deflect any noise. The trees will also help shield the noise level.

Mr. Muca went on to say that the asbestos abatement activity, which takes place during the first five weeks of the project, will have as many as 25 – 30 men onsite. These men generally car-pool at four men to a car and that the demolition activity that follows this has 10 -12 men onsite with three pickup trucks involved, each carrying four men. He confirmed that the larger equipment will be coming up St. John's Drive in the beginning of the project and that each piece of equipment will be discharged from the site when it is no longer needed for the project. He clarified that these larger pieces of equipment would only come in one time during the project and go out one time.

Mr. Monaghan inquired about the asbestos removal and how it is packaged, and Mr. Muca explained the asbestos removal process in detail. He said that during the course of the asbestos abatement, the material must be wetted with amended water (water treated with a surfactant) and that this material is then bagged when wet and put into regulation required bags with labels placed on the bags that state "Dangerous Asbestos" along with the address of the facility, the address of the owner of the facility, and the contact numbers for the demolition company. The bags are put into an enclosed van tractor trailer for transport. In the case of windows or roofing, this is put into an open trailer that is lined with two layers of polyethylene and then closed up like a big burrito and transported to a landfill in this manner. Mr. Monaghan also inquired about the noise activity from the demolition crusher and what the nearest resident might hear. Mr. Muca responded that the noise would not be any more than normal traffic noise going down the street.

Mr. Johnson inquired about designating hours for trucks coming and leaving the site, and Mr. Muca clarified that the project traffic activity accommodates the school traffic with trucks arriving onsite before the school buses run and leave before the school buses run in the afternoon. However, every school has different schedules and therefore accommodating all their schedules is not possible all the time.

Mr. Mayer inquired about the handling of glass from the windows, and Mr. Muca responded that the windows have asbestos glazing or caulk on them and that they would be removed in their entirety with the proper asbestos state-of-the-art procedures in place that was discussed earlier.

Mr. Keenan inquired about the crushed concrete materials and where on the site these materials would be used. Mr. Muca responded that the intended use of the crushed masonry material would be used as a sub base course for the interior roads and parking areas. He described how this material would be crushed in order to be recycled onsite. Mr. Keenan requested that documentation be provided for what gradations the materials will be crushed down to and the specific locations where the materials will be utilized. Mr. Moschello clarified that this documentation would certainly be provided to Mr. Keenan.

Mr. Buzak inquired about the crushing process, and Mr. Muca explained that the material is squeezed to minus 12 inches so it can be put into the crusher. He also stated that there will be some hammering on the foundations to help extract anything that cannot be pulled with the gravel.

Mr. D'Emidio entertained a motion to open the meeting to the public for cross examination of Mr. Muca's testimony. A motion was made, and it was seconded. All agreed.

Mr. Thomson Ross from 20 St. John's Drive inquired about the noise that will be created as a result of the demolition and that it was stated that some of the trees will help block the noise. Mr. Muca responded that the trees are one of factors in deflecting any noise associated with the demolition along with the piles of debris that will be the primary means for reducing noise from the equipment. The soft surfaces of the trees will absorb the sound. Mr. Ross inquired further about the noise produced from the equipment and whether the decibels take into account truck

noise, noise from dumpsters being delivered, etc. Mr. Muca responded that the intention is not use dumpsters but to haul the materials offsite using tractor trailers.

Mr. Anthony Reitano of 3 Carriage Hill Drive inquired about the lead paint that was discussed earlier, and Mr. Muca clarified that the state of New Jersey only requires the collection of loose lead paint and that anything that is adhered firmly to the demolition debris is allowed to be carried off site. He stated that the site where this material is taken is licensed to accept this material. Mr. Reitano asked if the concrete or brick with the lead adhered to it would be crushed and used on the site. Mr. Muca explained that the majority of masonry would not have lead paint on it; however, the inside of the basement may have lead paint on the walls but that the loose lead paint would be collected with the remaining material sent to a licensed land fill. Mr. Reitano inquired if the buildings could have asbestos on the outside below the soil line, and Mr. Muca responded that this is very possible. Mr. Muca explained that if the lead is on cinder block, then the lead removes very easily but if it is on rock, then it cannot be removed as easily. It is a case-by-case situation. Mr. Reitano opined that the Board should consider who will be supervising this portion of the demolition with respect to the asbestos in order that it be done correctly. Mr. Muca stated that Yanuzzi Group is presently in negotiations as a possible contractor for the demolition. Mr. Reitano asked whether the procedures followed by Yanuzzi are clearly outlined and documented, and Mr. Muca stated that there are outlined procedures. Mr. Reitano opined that these procedures should be submitted to the Board for public review, and Mr. Buzak responded that the Board can consider this but it is not necessarily the Board's burden to seek the methods of demolition and means of demolition. Mr. Muca clarified that attending notification must be given to the New Jersey Department of Labor and EPA prior to any of this activity commencing and that inspectors from these entities are sent out about 2 or 3 times a week (and sometimes everyday), who perhaps spend a half to full day onsite. He said that they were not making inspections during the pandemic but that they are now conducting inspections. Mr. Keenan added that he would also be present for periodic inspections but that he will not be inspecting the asbestos operations, lead paint etc.

Mr. Muca stated that the assessments for asbestos and lead paint was based upon a report from Detail Associates from a survey that they performed of the site. There was some discussion with regards to the presence of PCV and whether there has been testing for PCV. Mr. Muca clarified that asbestos and universal waste removal would first be completed before demolition can commence and that certification would be required with the submission of the building permit for demolition. Also, rodent control is necessary and required by the State (DCA) on any demolition application that is submitted. Extermination must be conducted within ten days of beginning the demolition so this would not begin before the asbestos abatement. Mr. Muca clarified that in project order, the internal and exterior asbestos abatement would be performed first, followed by the rodent control and then finally the application for the demolition permit. Mr. Reitano expressed his concern regarding a thriving rodent population in and around the building that will seek out another location when the asbestos removal process begins. He inquired how the rodent population would be controlled in a very rural setting such as this. Mr. Muca explained the extermination process and that a third-party contractor conducts this extermination process.

Mr. Reitano inquired whether perimeter monitoring stations are setup during the asbestos abatement process in order to assess air control around the demolition area. Mr. Muca explained the process that is used during the interior and exterior abatement and that it is the intention to use engineering controls at all times to ensure that no fibers have been released from the work areas.

Mr. Buzak reminded Mr. Reitano that he must express his issues and concerns at the appropriate time at the end of the proceedings when it is open to the public for any public comment with regards to the application.

Mr. Steve Kinsey who lives at 8 Mosle Road in Gladstone inquired about the debris from the project that is to be recycled onsite and used as landfill. Mr. Muca reiterated that the debris is not being used as land fill but used primarily underneath roadway and parking areas as sub base course. Mr. Kinsey inquired as to the likelihood of this material being hazardous and leached into well water. Mr. Muca responded that it would not be hazardous to his knowledge. Mr. Moschello responded that the crushed debris is being put underneath the road surfaces, which is covered by asphalt pavement and therefore limiting the amount of ground water that will seep into that material underneath the road and then into the underlying soils in terms of water interaction. Mr. Keenan inquired whether at some point a technician goes through these buildings in order to make a determination what is considered contaminated and what is not contaminated. Mr. Moschello responded that it is his understanding that asbestos experts have examined the building and identified the items that are contaminated and need to be removed. Mr. Muca confirmed that the contaminated debris will be hauled offsite and that what is left onsite is not hazardous. He stated that the environmental report that was performed by Detail Associates does not identify any hazardous material in the masonry on the buildings. Mr. Kinsey inquired whether the applicant can guarantee that no harmful substances will remain and be in contact with the soil and available to reach the ground water. Mr. Malman responded that proper protocol will be followed.

Mr. Kinsey stated that the transportation related to the project will be on Peapack/Gladstone roads and inquired as to how it can be guaranteed that dust, debris etc. are prevented from falling or blowing off the truck or falling on the Peapack/Gladstone streets and yards. Mr. Muca again explained the procedures for removal of the hazardous materials from the site whereby everything is contained.

Ms. Michael Harvey of 12 St. John's Drive inquired about the noise from running the equipment and how long this would continue. Mr. Muca stated that it would be 3 -5 weeks of using the crusher machine. Mr. Harvey directed his next question to Mr. Moschello since he stated that he was unable to access zoom during Mr. Moschello's cross examination at the April hearing. He inquired whether Mr. Moschello will be dealing directly with the town of Peapack/Gladstone and whether he will also be consulting with the residents on St. John's Drive. Mr. Moschello responded that he knows that there are some drainage issues along the frontage of some of the residents' homes and that he will work with the engineer for Mendham Township and the residents to address those drainage issues. Mr. Harvey asked if these issues are part of the plan for St. John's Drive that is to be approved by the Planning Board. Mr. Moschello responded that it would be and that the grading and road maintenance issues have been identified. The subtleties to some of the grading changes in front of the homes affecting drainage would also have to be identified. This would be a condition to a Board approval, and Mr. Malman stated that the Township engineer would be the one who will make the determination of what needs to be done, not the residents. Mr. Harvey inquired about the property surrounding the road and whether there will be remedies for the existing conditions that exist such as power lines down and tree stumps scattered from the hurricane. Mr. Moschello stated that these issues are separate from the engineering plans where the focus is related to the road, the drainage and the paving. He stated that the edges of the road will be cleaned out; however, there are no plans to remove the existing trees or cleanup stumps etc. that exist within the 50-foot right-of-way. Mr. Malman stated that he will discuss with his client the issue of remediating the area within the 50-foot right-of-way.

Mr. Harvey inquired as to why the top coat will not be done during construction. Mr. Moschello responded that when the base course is put down first and then driven on by construction equipment, then it can be easily repaired by cutting out any damaged sections that could occur during the course of the project construction. Then after construction is complete, the top coat is applied for a smooth, clean road with no repairs in it. This is what is normally done in every residential development in New Jersey during initial construction. Mr. Keenan and Mr. D'Emidio agreed with this process, and Mr. Malman stated that the top coat will not be applied until after construction is completed. Mr. Keenan stated that there will be a performance bond to ensure that the road will be paved at the end of construction.

Ms. Mary Millea of 1 Carriage Hill Drive inquired as to how thick the crushed demolition debris will be underneath the parking lots as a sub base. Mr. Moschello responded that typically there are six inches of dga base or stone base under the road. Ms. Millea inquired about the potential environmental hazardous impact on the residents with regards to the crushed debris and who will be monitoring the site to ensure that there will not be residual impacts on water etc. Mr. Malman responded that he is not aware of any monitoring protocol after the project is complete and that this is not typically done and will not be done with this project. She inquired as to how some sort of monitoring by Mendham Township or third party can be accomplished in order to be protected from any potential hazards that may arise after the project is completed. Mr. Buzak responded that there is an assumption that the underlying material being utilized on the road and parking lot is contaminated and that all the public questions are based on this premise. He went on to say that it was the testimony that monitoring is done and that the contaminated aspects of the buildings are identified and handled as outlined earlier. What is left is material that is not contaminated. The intention is that the crushed material that will be utilized as a sub base for the road and parking area will be "clean" material. If it is not clean, and if subsequently a problem arises caused by the demolition or something else that there are remedies that perhaps can be relied upon in order to correct the problem. He opined that he not aware of any protocol that Mendham Township follows to monitor contamination anywhere in the municipality. Ms. Millea inquired whether the developer can hire a third-party person who would very carefully monitor the demolition of the contaminated material to ensure that it is being done correctly. Mr. Buzak responded and explained that the developer of this site will ultimately have responsibility for the actions that the developer takes. Mr. Buzak went on to say that he would assume that the developer would undertake steps to protect themselves and satisfy the fact that they are not creating a contamination situation, which would only create for the developer their own liability. Secondly, Mr. Buzak stated that when the soils are monitored, not every load of material is tested and sampled. Mr. Keenan confirmed that when material is being sampled that there is certain state-defined protocol for testing and that it is based upon the volume of material through state guidelines. There are specialists who do this type of removal and have licenses for asbestos removal and that a licensed contractor for asbestos removal has conducted an assessment of the buildings on this site.

Mr. Thompson Ross of 20 St. John's Drive inquired whether there will be asbestos monitoring after the initial abatement and also during the entire demolition process. Mr. Muca responded that this does usually occur because if all the identified materials have been removed, then there is no need to continue with monitoring; however, if any suspect material is identified, demolition must then cease and be tested and the extent of it identified before the demolition can continue.

Ms. Kathleen Campbell of 12 St. John's Drive inquired about a burial ground on the property. Mr. Johnson explained that the burial ground for the Sisters was located where the existing parking lot for the Mosle fields is located. It was exhumed many years ago and moved to a different burial site and was documented by the religious authorities who owned the property. Ms. Campbell inquired whether documentation can be provided as to whether the site has been deconsecrated

and whether there is a requirement to provide this documentation as part of the project. Mr. Buzak responded that since the burial site was not on this property proposed for development but on the portion that is Green Acres and now the public fields, that this is then outside of the jurisdiction of the Planning Board. Ms. Campbell inquired about producing documentation with regards then to the chapel on the site and whether it has been deconsecrated. Mr. Malman responded that there is no such requirement and that the Sisters sold the property for development purposes. Mr. Buzak explained that this is a question for the religious organization who owned the property and not an issue for the Planning Board, and Mr. Mayer added that Ms. Campbell's concern is worthy of some attention by the developer. Mr. Baio clarified that if something is discovered while digging on the project site, then it would certainly be addressed and that he has experienced this himself as an architect on many projects in the past. He explained that the project is halted, the remains are investigated and construction continues after they are exhumed.

Ms. Nicole Brown of 103 Mosle Road inquired that if any demolition were to move forward whether a permit would need to be obtained from Peapack/Gladstone or Mendham Township. Mr. D'Emidio responded that a demolition permit would be obtained from Mendham Township. She inquired whether Mr. Muca has ever participated in demolition where one municipality owns the property yet the burden falls into another municipality. Mr. Muca responded that this occurs on about 30 projects a year and that a demolition permit is obtained only from the municipality where the land is located; however, the traffic plan submitted to the local police department in this municipality is generally coordinated with other police departments in other nearby municipalities in order to ensure that these nearby municipality guidelines and jurisdictions are satisfied. Mr. Muca stated that when he has testified at other Planning Board meetings that he is usually under contract with the developer as opposed to being a consultant when testifying. There was some further discussion regarding this topic, and Mr. Buzak confirmed for Mr. D'Emidio that what Mr. Muca testified in other municipalities is not relevant to his testimony in this hearing.

Ms. Brown inquired if Mr. Muca has assessed St. John's Drive, and Mr. Muca stated that it will not be a problem driving the trucks on this road. Mr. Malman added that St. John's Drive will be repaired before the project begins, which was testimony already supplied.

Mr. Dominique Lorenzo of 65 Mosle Road inquired that if there is no ongoing monitoring after the initial abatement, the testimony was that demolition would cease upon discovery of any asbestos. Mr. Muca responded that if any suspect materials is uncovered in the course of the demolition, then demolition ceases and that this is standard procedure in the State of New Jersey. There are licensed asbestos handlers on the demolition crew who can identify suspect material.

Mr. Peter Catone of 74 Mosle Road in Peapack/Gladstone inquired about traffic. Mr. D'Emidio stated that he will have an opportunity to cross examine the traffic expert after he testifies at the next meeting.

Mr. D'Emidio entertained a motion to close the meeting to the public. A motion was made, and it was seconded. All agreed.

Ms. DeMeo stated that there was testimony regarding eliminating the rodent population before demolition commences. However, in a report submitted from EcoSciences it states that there is a potential for wildlife habitat (specifically bats) mentioned. She inquired as to what would be done to remove these creatures before the demolition. Mr. Malman responded that the environmental consultant will advise on this topic.

Mr. Malman asked to adjourn the meeting and that at the next meeting on June 16, 2012 the traffic consultant will begin his testimony. Mr. Buzak stated that this application will be carried to June

16, 2021 at 7:30 pm. and that it will again be a remote hearing. If this changes to an in-house meeting, it will be placed on Mendham Township's website and that there will not be any individual noticing. There was some discussion with regards to how the Township Committee is conducting their meetings.

Mr. D'Emidio entertained a motion to open the meeting to the public for general comment not related to this application. A motion was made, and it was seconded. All agreed.

After seeing no hands raised by Ms. Parrinello, Mr. D'Emidio entertained a motion to close the public portion of the meeting. A motion was made, and it was seconded. All agreed.

Mr. Buzak discussed how submitted applications coming before the Planning Board can be handled as far as scheduling is concerned and that Special Meetings may need to be considered in order to hear these applications.

Mr. D'Emidio entertained a motion to adjourn the meeting. A motion was made, and it was seconded. All agreed.

The meeting adjourned at 10:33 pm.

Respectively Submitted,

Beth Foley
Planning Board Secretary