

**MINUTES OF THE TOWNSHIP OF MENDHAM PLANNING BOARD
REGULAR MEETING HELD JUNE 16, 2021
VIA ZOOM**

The remote meeting via zoom was called to order by Chairman Giordano 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, Chairman Giordano

ABSENT:

Others present: Ms. Susan Crawford, Mr. Ryan Conklin, Mr. Dennis Keenan, Mr. Jack Szczepanski, Mr. Edward Buzak

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.

MINUTES

A motion was made to approve the minutes to the March 17, 2021 and April 21, 2021 meetings with a minor correction in each.

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 by saying that this is the third public hearing with regards to the Pinnacle Ventures application and that last month there was testimony from Mr. Robert Moschello, the applicant’s engineer, as well as from Mr. John Muca, who offered testimony regarding the demolition of the mansion and other structures on the site. He stated that he has three further witnesses left to present in the case. Mr. Malman called his next witness Mr. Gary Dean, traffic consultant for the applicant. Ms. Crawford swore in Mr. Dean.

Mr. Gary Dean made an appearance as traffic consultant on behalf of the applicant. As a voir dire, Mr. Dean stated that he is a principle with Dolan and Dean Consulting Engineers in Somerville, New Jersey. He is a graduate of Lehigh University with a Bachelor of Science degree in civil engineering and a former member of the faculty of Lehigh University and Lafayette University having served as an adjunct professor teaching transportation engineering. He went on to say that he has been a licensed professional engineer in the State of New Jersey since 1987 and that he has also been a licensed professional Planner since 1990, although he will not be testifying in the capacity of Planner this evening. Mr. Dean stated that over the last 35 years

or so he has appeared before roughly 400 Planning and Zoning Boards throughout the State of New Jersey having been qualified as an expert in traffic engineering. He also has been qualified in Superior Court in a number of jurisdictions as an expert in traffic engineering and stated that he appeared before this Board on behalf of Auber Resources, the prior applicant, with regards to this particular piece of property in 2015. He stated that his license currently remains in good standing. There were no questions from any of the Board members or public regarding Mr. Dean's qualifications, and he was accepted by the Board as an expert for the applicant.

Mr. Dean began by confirming that he filed a report on behalf of this application in the form of a letter addressed to the Planning Board dated February 12, 2021. He stated that the subject property was previously approved for 53 age-restricted units that consisted of some free-standing units as well as the rehabilitation of the mansion. As part of that application, he prepared an analysis that contrasted traffic impacts associated with age-restricted housing in comparison to the former use of the property, which was the Montgomery School that ceased operations in 2010. This was the benchmark in terms of traffic impact on the roadway system surrounding the site and that in his opinion serves as a reasonable standard by which the impacts of this application and the prior application can be judged. Mr. Dean went on to say that the subject application is one of a variety of other permitted uses in the R-10 zone. These uses include houses of worship, not-for-profit office uses, assistant living, hospice, age-restricted and non-age-restricted residence and child care center, which is a fairly wide spectrum of alternative development scenarios.

Mr. Dean stated that in the February 12, 2021 correspondence, the roadway conditions were identified that serve the sight and the abutting single family homes in Peapack/Gladstone. This road called St. John's Drive has deteriorated since the 2015 approval to a point where improvements are certainly warranted. Mr. Dean stated that one of the important elements to consider is that the operation by the Montgomery School had approximately 65 employees and provided busing for the students and would have generated about 140 peak hour movements of traffic traveling up and down St. John's Drive – 40 of which would have consisted of school bus traffic. This roadway carried a significantly greater volume of traffic than is anticipated with the subject application. He went on to say that there is an agreement pursuant to the request from Mr. Thomas, who is representing Peapack/Gladstone, that St. John's Drive would be improved prior to any demolition or construction on the site and would include clearing, rehabilitation of the base course, improvements to drainage and essentially the reconstruction of the road, except for the final course. He stated that this is a perfectly suitable roadway construction that can safely accommodate traffic before the final course is applied when activity has ceased. For the record, Mr. Malman confirmed that Mr. Moschello did stipulate this in his testimony the last time under questioning from Mr. Thomas and that this is consistent with Mr. Moschello's testimony at that time.

Mr. Dean explained that traffic engineers customarily rely on projections and data that have been compiled by the Institute of Transportation Engineers, which is an international, professional society that consists of traffic engineering professionals and planners. The institute collects traffic data for up to 250 different land uses and that this data becomes published every 6 or 7 years. Consultants like himself routinely submit research data to ITE, which provides consultants with a data base that allows them to formulate forecasts for a given land use. Mr. Dean went on to say that for this particular application with 44 townhouses, the ITE data for multi-family dwellings was studied. In the morning peak hour, the estimated traffic would consist of 5 arriving vehicles (arriving for a variety of reasons) but that the primary flow in the morning would be exiting traffic as residents leave for their places of employment. In the evening, there is the reverse traffic flow with the majority of site traffic consisting of arrival movement, which could expect 18 vehicles driving up St. John's Drive and entering the site with 10 exiting vehicles for a total of 28 trips.

From a traffic engineering perspective, this is a very low frequency of vehicles and not the type of volume or demand that would be considered significant or would lead to any type of traffic congestion.

Mr. Dean discussed how a single-family home development consisting of 44 units compares to this development with regards to the traffic that is generated. In the morning peak hours of a single-family home development, there would be 36 vehicles, and in the evening, there would be 46 vehicles. For general discussion purposes, he opined that this development is somewhere in between those ranges, although the long-term impact of Covid the past fifteen months and the fact that many employees have achieved successful work-from-home relationships make it conceivable that the patterns observed relative to commuting prior to Covid may no longer be the case at least in the near term. The data being used is data relied upon that consisted of traditional commuting patterns and that this will continue to be used; however, he opined that the traffic impacts will continue to be minimal and benign and not lead to any type of congestion or operating problems on the roadway system. He went on to say that obviously this development will generate less traffic than certainly was associated with either the Montgomery School or the school that the Sisters operated prior to the Montgomery School.

Mr. Dean stated that the overall plans prepared by Gladstone Design were reviewed with regards to circulation, roadway width, number of parking stalls etc. since the design of a residential project is governed by the RSIS, which in effect becomes the ordinance pertaining to roadway in-site layout design. He stated that all of the traffic-related conditions are in compliance with RSIS on the site plans with a sufficient number of parking spaces provided and concluded that there is safe and efficient ingress, egress and circulation provided for the typical traffic conditions.

Mr. Dean addressed the improvements to St. John's Drive and stated that the overall improvements are consistent with the approval that the Board previously granted in 2015. The roadway will be rehabilitated to a 20-foot cartway width with one small section at 18 feet and that this unquestionably is an improvement over the current condition. This will have a benefit not only in serving as appropriate access to the site but also to the abutting neighbors that continue to use St. John Drive and will benefit from an improved and properly maintained roadway. Mr. Dean stated that all of the other design aspects of this application are consistent with the prior approval except for the agreement that was discussed earlier to enhance the pavement thickness for additional structural integrity. This was done at the request of Mr. Thomas on behalf of Peapack/Gladstone Borough. He stated that the improvements will be done so that the residents will have an immediate benefit and improvement for the use of St. John's Drive prior to any work being conducted on the site. Mr. Dean went on to say that he would hope that the residents would be supportive of the project in light of the alternative of continuing to let the property languish and St. John's Drive deteriorate. This concluded Mr. Dean's testimony.

Mr. Mayer inquired as to the speed limit on Mosle Road, and Mr. Keenan stated that it is 35 miles/hour. He also inquired whether it can be determined what speeds the cars are going on these roads, and Mr. Dean explained that there are electronic devices that police departments often implement and explained how these devices are used. A radar study can also be implemented. Mr. Mayer inquired about the site distance at the point where St. John's Drive intersects with Mosle Road. Mr. Dean responded that he is aware that there is a fair amount of vegetation at the northeast corner where St. John's Drive intersects with Mosle Road. This is an issue between the abutting property owner of Peapack/Gladstone in terms of site triangle easements etc. He stated that clearing of this vegetation would help mitigate or improve the site distance.

Chairman Giordano inquired about a statement by Mr. Dean who said earlier that the residents will benefit from the subject road's improvement much sooner. He stated that he was confused over the fact that a road is being paved prior to when all construction ceases. Mr. Dean clarified that the agreement between the applicant and Peapack/Gladstone is that the road would be improved, except for the final course prior to demolition of the buildings. Mr. Malman confirmed this and stated that in response to Mr. Thomas' concerns that the applicant agreed that the road will be reconstructed before the demolition commences except for the final top coat. There was some further discussion as to how this would be accomplished and what was agreed upon with Peapack/Gladstone. Ms. Crawford wished for confirmation that it is her understanding that the applicant has agreed prior to the issuance of any demolition permit that the roadway will be improved up to the base course as agreed upon by the applicant and Mr. Thomas on behalf of Peapack/Gladstone. Mr. Malman confirmed this for Ms. Crawford.

Mr. D'Emidio inquired about the traffic at peak hours in the morning, and Mr. Dean clarified that there are 5 vehicles entering the site in the morning and 17 vehicles exiting the site in the morning on average. Mr. Dean discussed further the peak hours in the morning (generally between 7:15 am and 8:15 am), which is not clearly defined but that the volume is consistent. Mr. Dean again confirmed the evening peak traffic as 18 vehicles entering and 10 vehicles exiting.

Mr. Monaghan referred to the traffic average and that the comparison between single family homes and this townhouse development was raised. He inquired as to why this difference would exist. Mr. Dean responded that it exists principally because the market in townhouses is either young families before children are of school age, empty nesters, people who are downsizing but wish to remain in the community or people who simply do not have children. He went on to say that a single-family home is generally a greater number of bedrooms, big backyards, and higher traffic volume with transporting children to activities and school. Statistically, the single-family houses show a higher traffic count than for townhouses. Since these proposed townhouses are 4-bedroom townhouses, Mr. Dean opined that it was appropriate to show the comparison in overall traffic generations and stated that the actual traffic in this proposed community is probably somewhere between the two types of developments – lower than a traditional single-family home subdivision but a little higher than a normal townhouse development.

Mr. Monaghan inquired about the margin of error with regards to this traffic study, and Mr. Dean addressed the margin of error along with the statistical accuracy of the data. He went to explain (and is appended to his report) that in traffic engineering standards, above .8 is a value that is considered to be statistically accurate in terms of the standard deviation. The statistics shown for residential uses indicate very good values of .86, .9, .92, and .89 with very low standard deviations. Mr. Dean went on to say that statistically he finds this to be very accurate. He confirmed that .8 is the standard for statistic accuracy and that the data that is appended to his report indicates 86% - 92% accuracy with regards to these projections.

Ms. DeMeo inquired about a comment regarding St. John's Drive that would have a 20-foot cartway with 18 feet in a couple of areas. She read on Page 4, the second paragraph under Site Access and Circulation of Mr. Dean's report dated February 12, 2021 and asked whether this paragraph was referring to St. John's Drive as well as the other roads in the development. Mr. Dean responded that St. John's Drive is technically a different sight with a separate block and lot in a neighboring municipality and is not part of the improvements that are the subject of this application before the Board. His comments refer to the site plans prepared by Gladstone Design and, therefore, pertains to the circulation of the townhouse community itself that is served by St. John's Drive that is located in a different municipality on a different piece of property. Ms. DeMeo referred to the paragraph above the paragraph she read and asked whether Proposed Road A as well as the emergency grass paver access, and the emergency access Road B will be 25-foot

width cartways. Mr. Dean referred to Sheet 4 of 28, (previously submitted to the Board so not marked) of the plans prepared by Gladstone Design, dated February 12, 2021, which shows the roads to be used by traffic within the community that consists of St. John's Drive as it extends into the subject property from Peapack/Gladstone along with Road A, which extends to both east and west and each terminating in a cul-de-sac. Those roads that serve traffic to this community are governed by the RSIS and will be a width of 24 feet at a minimum. He stated that Road B is a proposed emergency-only access road that leads through the Mendham municipal recreational fields to the north and ultimately out to Carriage Hill Drive. This has been proposed as a width suitable for emergency vehicle access but that they are not governed by the standards contained within RSIS as they are not intended to carry regular traffic. Ms. DeMeo asked whether this also pertains to the road on the northern and southern side of the property behind the townhouses and whether these will be for emergency access only as well. Mr. Dean referred to Sheet 5 of 28 and stated that this emergency access appears to be between 18 -20 feet, which is suitable for this type of emergency traffic.

Mr. Maglione opined that it is not in the best interest of Mendham Township that demolition cannot proceed until St. John's Drive has been improved and that this has been negotiated because of Peapack/Gladstone. He opined that the demolition of the building should have nothing to do with the improvement of the road and that from a safety aspect, it should be razed immediately. Mr. Maglione then stated that in previous testimony it was indicated that the townhouse units will be four-bedroom units and that some units will have walk-out basements. Therefore, an additional bedroom in these walk-out units can be legally constructed in the basement with egress. He opined that these units are more like a single-family house as opposed to a traditional townhouse where there are only 2 -3-bedroom units. He expressed his concerns about parking and whether there is enough appropriate parking for this particular site. Mr. Dean responded that under RSIS a certain amount of parking spaces is not only required for different unit types but that RSIS allows certain spaces to be counted as parking. He continued to say that the paradox is, as an example, that a 3-bedroom single-family home only requires two spaces per unit while a 3-bedroom townhouse requires 2.4 spaces per unit and that the townhouses all require more parking irrespective of the bedroom count under RSIS. The rationale is that, in general, the unit sizes are smaller than single-family houses and very often seasonal gear, sports equipment etc. get stored in the garage and that this has long been an issue within townhouse projects. The Department of Community Affairs and the RSIS subcommittee recognize that townhouses need more parking. He went on to say that under RSIS this community requires 106 spaces but that the applicant is providing 176 parking spaces, so this is in excess of RSIS requirements, which also includes a built-in factor for visitors and guests. There is an intentional effort to oversupply parking in this particular community just because of this concern. Also, under RSIS a two-car garage and two-car driveway can only be counted as 3 ½ spaces.

Mr. Maglione inquired as to whether parking with the 24-foot roadway is limited to one side of the road or allowed on both sides of the road. Mr. Dean responded that parking is not allowed on either side of the road, except for the pocket parking, which are perpendicular to the cartway as opposed to parallel. He opined that he does not envision that on-street parking will be an issue in this community simply because of the amount of parking available. Mr. Maglione suggested perhaps eliminating the side walk in order to increase the cartway to incorporate the side walk. He inquired whether this would have any beneficial effect as far as parking is concerned. Mr. Dean responded that the downside of widening the road is that it negatively increases impervious coverage to no meaningful advantage and also that if the road is widened that this would lead to speeding on a regular basis. He stated that he is not an advocate of unnecessarily widening roads and that in rural areas, he strongly urges communities to decrease the cartway width since it would preserve more natural green space and has a traffic-calming benefit.

Mr. Maglione raised the fact that this property is quite a distance from the schools in Mendham Township and that perhaps only school buses could be allowed to utilize the emergency access road to shorten the trip for the school children. Mr. Malman stated that the easement that takes use of that property specifies that it could only be used for emergency access purposes, regardless of whether it's for school buses or for general use. Chairman Giordano confirmed this since it was purchased with Green Acre funds and that there are significant restrictions placed on ingress and egress.

Chairman Giordano opened the meeting to the public. A motion was made, and it was seconded. All agreed.

Mr. Willard Brown of 103 Mosle Road inquired as to the rationale for the egress numbers with respect to this property. Mr. Dean responded that not everyone leaves the site all at once and that there are those people who don't work, people who work modified hours and people who travel for business and are not home during the week. When types of units are considered for a project along with their bedroom count, the statistics that were discussed earlier dictate the egress number of vehicles. These statistics are relevant and appropriate and will continue to represent accuracy in terms of considering the impacts. When traffic engineers present numbers such as these that were shared at this hearing, there is a 60-minute peak period that is studied. He discussed this peak period further.

Mr. Nicholas Kraus of 10 Carriage Hill Drive asked that circumstantial comments be removed from Mr. Dean's testimony with regards to the data of the last nine months with people working from home and the impacts on traffic going forward. Chairman Giordano responded that Mr. Dean has been acknowledged as an expert in the subject of traffic matters and that his opinions are actually worthy of consideration. He stated that Mr. Kraus' request to strike his comments is not granted. Mr. Kraus stated that he will hold his comments to Facebook where he can actually have a voice. Chairman Giordano stated that the record should reflect that Mr. Krause would rather deal with this in the public eye as opposed to at a hearing.

Ms. Valerie Zoller of 20 St. John's Drive inquired as to whether the traffic projections account for the non-residential traffic that will be travelling the road. Mr. Dean responded that the projections include all traffic associated with the community, which include maintenance vehicles, service and delivery vehicles etc. Ms. Zoller inquired whether this accounts for the fact that the traffic would be for two Counties and therefore doubled. Mr. Dean stated that the projections he provided are specific for this townhouse development only and there is no measurement as to what is currently occurring on St. John's Drive. The study is merely the additional traffic above and beyond what is currently being experienced.

Ms. Zoller inquired about what the speed limit is on St. John's Drive, and Mr. Malman responded that it is currently posted for 15 miles per hour and that his client is willing to maintain this speed limit for St. John's Drive. She then inquired as to what can inherently be done to the road in order to keep people from speeding. Mr. Dean explained that when the road is improved with a final course and widened at the margins where it has eroded, drivers' speed will increase because it can be driven more safely, which is the paradox of improving it. Other than enforcement, the roadway itself features a meandering alignment and is not a straight road so people do need to drive with an extra degree of caution and prudence and driven in a manner that is consistent with a residential setting. Beyond that, Peapack/Gladstone Borough reserves the right to consider remedies such as traffic-calming devices.

Mr. Keith Holmes of 62 Mosle Road stated that he resides at the bottom of St. John's Drive and expressed his concerns over more traffic on St. John's Drive, which is currently a quiet road.

There was some further discussion regarding the number of egress vehicles leaving the site in a given period.

Ms. Marcella Holmes of 62 Mosle Road stated that Mr. Dean's testimony did not take Peapack/Gladstone into consideration in light of the fact that St. John's Drive is experiencing all of the added traffic. Mr. Dean responded that this site has a history of far more intensive traffic use than with the use that is currently being proposed. He stated that there will be an increase in traffic as a result of the proposed development and that this is a very unique situation since the road comes down into an adjacent municipality. He pointed out that nothing is changing other than adding the volume of traffic that has been shared in his testimony. Ms. Holmes asked if there is any way that the traffic can be split between the two municipalities. Mr. Dean responded that there are no legal rights-of-way that provide access to a Mendham road.

Chairman Giordano entertained a motion to close the meeting to the public. A motion was made, and it was seconded. All agreed.

Chairman Giordano asked Mr. Dean to describe a permitted utilization of this property per the ordinance that Mendham Township could have chosen that would have been greatly in excess of the traffic that is generally seen on a 24-hour basis coming from 44 townhouses. Mr. Dean responded that if he refers to RSIS standards that there are some values as to the number of traffic movements per unit type and that for a townhouse it is roughly 6 per day, which would be 264 total trips per day. Other allowable uses in this R-10 zone site such as an assistant living facility or even a regular child-care center would exceed the daily traffic volume of this use as townhouses in just the two peak hours alone. Mr. Dean added that it is a little difficult to come up with a direct correlation but would submit that contrasted with the other permitted uses, the assisted living or nursing facility (although these are run on medical shifts) would be closest to what this community development traffic volume is producing with perhaps 300 trips per day, which is still a more intensive use than the proposed use of 264 trips per day. Mr. Dean stated that this particular proposal is lower than or at least equivalent to the other permissible uses in the R-10 zone.

Mr. Malman presented his next witness, Mr. Joseph DeLucia, architect on behalf of the applicant, and Ms. Crawford swore in Mr. DeLucia. Mr. DeLucia made an appearance on behalf of the applicant. As a voir dire, he stated that he graduated from NJIT with a Bachelors of Architecture in 2002 and that he has been at his firm, CPL Partnership, since 2004 and has been licensed since 2014 in the State of New Jersey. While he has been at CPL Partnership, he has designed thousands of multi-family and townhouse units and that he has been a partner in his firm for three years. Mr. DeLucia confirmed that his license is current and that this is the first time that he has been before the Mendham Township Planning Board. There were no questions from any of the Board members or public regarding Mr. DeLucia's qualifications, and he was accepted by the Board as an expert for the applicant.

Mr. DeLucia screen shared the architectural plans, which were marked as Exhibit A-25 with today's date, and a revision date of June 3, 2021 and that the plans were filed about two weeks ago with the Board. It was clarified that all of the sheets in Mr. DeLucia's plans will be marked as Exhibit A-25. Mr. DeLucia began by explaining the recent revisions to the architectural plans and referred to Sheet 1 of 5. He stated that the primary revision for the proposed townhouses is the location of the master suite on the first floor as opposed to the second floor with all of the other bedrooms. Also, all of the units previously had four bedrooms; however, one unit-type is now a 3-bedroom unit with a home office. Mr. DeLucia stated that the square footages are within a couple of hundred feet from the original plans and that the roof-deck option of the second floor has been removed. These models are a little narrower than the original models, which were about

36 feet wide. The revised models are now about 32 feet wide. Mr. DeLucia referred to Sheet 2 of 5 and pointed out the owner suite, which is located at the back right corner on the sheet and that the interior configuration of the units have changed as well based upon past client requests, market research etc. He pointed out the other unit type on this sheet with again the owner suite located in the back corner of the main level and that this particular unit is the interior unit with the home office on the second floor. He stated that this unit has a large cathedral ceiling area for both the owner suite and the great room on the main level. Mr. DeLucia went on to say that the general layout of the townhouses on the site has not changed from the original site plan. He referred to Sheet 3 of 5 and pointed out a 3-unit string townhouse building and a 4-unit string townhouse building and on Sheet 4 of 5 he pointed a 5-unit string townhouse building and a 6-unit string townhouse building. Mr. DeLucia referred to Sheet 5 of 5, which indicates the vertical elevations and that these elevations describe the exterior finish, character and materials used, which is carried around the entire building. He added that these particular townhouses will have an upscale feel since the materials are of a higher quality than an average typical townhouse development. These finishes have been noted on the elevations. Mr. DeLucia displayed a color rendering of Sheet 5, which was marked A-26, with today's date and named Color Rendering. This shows a typical rendering of a front elevation and that this color rendering shows the materials being used such as metal roofs over the entries and garage doors, cultured stone, architectural shingles, high quality horizontal siding etc. He stated that the finish is the same as the previous submission.

Mr. Malman inquired as to whether these buildings will comply with the building height requirements of 35 feet, and Mr. DeLucia confirmed that this will comply with the requirement of 35 feet as measured from average grade. Mr. Malman stated that should the Board approve the application that the revised plans will confirm this and that the site plans at this point have not yet been revised to reflect this new layout. Mr. DeLucia also confirmed that there is no variance requirement for lot coverage and height and that there is also no change from the original plans with regards to steep slope disturbance.

Mr. DeLucia referred back to Sheet 4 of 5, which indicates a typical building string. He stated that some of the end units have side entrances, which is another revision. Mr. Malman confirmed that the unit count of 44 units is the same as in the original plans, and Mr. DeLucia stated that every unit will have a 2-car garage and that some of the 3 and 4-bedroom units will have walk-out basements. There will still be 2.5 to 3.5 bathrooms and that the square footages are generally in the same range and are arranged in 3, 4, 5-unit building strings.

Mr. Baio inquired about the siding on the buildings, and Mr. DeLucia stated that the siding is intended to be high quality horizontal vinyl siding. He explained that vinyl siding has come a long way in quality over the years and that it would be difficult to see the difference between today's high quality horizontal vinyl siding and a hardy plank material. Mr. DeLucia stated that he cannot indicate the brand of window at this time and at this level of the project; however, a quality window would be installed with a high-quality product such as this. Mr. Baio inquired about the type of garage doors, and Mr. DeLucia stated that again it is a question that he cannot answer at this time but that the intent is for quality garage doors as well. He opined that it would mostly likely be of a fiberglass material. Mr. Baio stated that his inquiries speak to the high-quality nature of the development.

Mr. DeMeo referred to Mr. DeLucia's testimony indicating that the new units will be 32 feet in width as opposed to the original plan of 36 feet and inquired as to whether the entire building will have a smaller footprint. Mr. DeLucia responded that this could be true; however, he is not ultimately familiar with the total footage lengths of the original buildings. Mr. Malman added that

the buildings will be within the coverage limitations of the ordinance but cannot comment on the smaller footprint inquiry by Ms. DeMeo.

Mr. Monaghan inquired as to whether further changes to the plans can be expected as the process continues. Mr. Malman responded that should the Board approve this, then the site plans would be modified to reflect this design and that what is being represented will not require any variances in terms of height, setbacks, or coverage but will have very minor changes to the plan before the Board.

Mr. D'Emidio inquired as to whether the depth of the buildings is increased in order to make up for the decrease in the width of the buildings. Mr. DeLucia responded that the depth is almost exactly the same; however, the old design had the garage pushed up front with a void where one would enter the building. He explained that most of the square footage was made up in this void where it was reclaimed and he pointed this out on his display, which shows an added half-bath, entry foyer and closet along with the space above on the second floor reclaimed as well. Mr. DeLucia confirmed that that he is not sure whether the garage square footage is included in the overall square footage of the unit and stated that however the square footage was calculated on the previous design is how the square footage was calculated on the revised design.

Mr. Monaghan inquired as to whether the original design had an optional elevator space, and Mr. DeLucia responded that he does believe that the old design did have an optional elevator; however, these designs do not include an elevator option.

Chairman Giordano entertained a motion to open the meeting to the public. A motion was made, and it was seconded. All agreed.

Ms. Valerie Zoller of 20 St. John's Drive inquired about the height of the buildings and whether 35 feet is the average height of the buildings or whether it is the tallest peak of the tallest building. Mr. Malman responded that the ordinance specifies that this is calculated by the average grade around the building.

Ms. Marcello Holmes of 52 Mosle Road inquired as to what type of market was targeted in terms of design. Mr. DeLucia responded that he does not have a designated market type; however, traditionally a townhouse such as this would usually be geared toward an older individual because of the master bedroom on the ground floor. Ms. Holmes stated that the end user is always considered when designing a product in order to sell and that it appears to her that these units are designed for families since there are 3 -4 bedrooms with some having offices. Chairman Giordano clarified Ms. Holmes' inquiry and asked if Mr. DeLucia foresees the end user of these units being more for a couple in the later stages of their life or a young family. Mr. DeLucia responded that he can see both of those end users and that it is not designed for a specific end user but meant to be very flexible. He stated that the current trend in home size in 55 and older communities is no longer smaller homes. Mr. Malman stated for the record that there is no age restriction on these units and that this is not in the ordinance since it was removed some years ago. Ms. Holmes opined that the units contain a lot of space and not necessary, especially when calculating traffic and other issues.

Mr. John Kraus of 10 Carriage Hill Drive inquired about the market value of the homes. Mr. DeLucia responded that this has not been determined at this time. Mr. Kraus opined that this should be a consideration when building 44 homes and whether it is viable for the market. He also asked Mr. DeLucia his consideration as an architect with regards to the design and the architectural detail of the townhouses. Mr. DeLucia responded that it is designed for what the client sees as a vision of expectation and that traditional townhouse architecture is used and

enhanced to create a product that will be viable to sell in the intended market. Mr. Malman interjected that the market value of the townhouses is not the architect's purview and not a proper question for Mr. DeLucia. Mr. Kraus argued that this is a relevant question. Chairman Giordano stated that it is a fair question for Mr. Kraus to ask Mr. DeLucia in terms of his experience with regards to the average listing price of these types of townhouses in this type of location with the stated specifications. Mr. DeLucia opined that these would sell around \$700,000. Mr. DeLucia clarified that he and his partners in his firm worked together to design the townhouses, and he added that this is the appropriate product that fits in with the character of the neighborhood and also appropriate for the market.

Mr. Reitano of 3 Carriage Hill Drive inquired as to whether Mr. DeLucia did the calculations to determine the average height of the buildings. Mr. DeLucia stated that those calculations have not been finalized but that even his rough calculations indicate that the average height of the buildings will be 35 feet as allowed by ordinance. He stated that should the approval move forward that these calculations will be provided, and Mr. Malman confirmed this. Chairman Giordano clarified that Mr. Keenan, the Township engineer, will monitor the height requirement as the project precedes through the development phase to ensure that the average building height of the townhouses does not exceed the 35 feet, particularly since there was no variance requested by the applicant. Mr. Reitano went on to say that in the recent H2M letter the height calculations are still pending submission to the Board. Mr. Malman clarified that the calculation has not yet been provided but when it is provided that it will comply with the 35-foot requirement by ordinance so this will not be an issue. Mr. Reitano suggested that this calculation be submitted as part of this application according to the H2M report.

Mr. Reitano requested that Mr. DeLucia display again the vertical elevation and stated that there are two sets of 3-story buildings. Mr. DeLucia clarified that the buildings have two stories, not three stories, plus a basement and that some units will have a walk-out basement and some units will not have a walk-out basement. Mr. DeLucia confirmed that the site plan does indicate which units have a walk-out basement and which units do not have a walk-out basement. Mr. Reitano asked Mr. DeLucia to refer to the site plan in order to see which units have the walk-out basements and which units do not have walk-out basements. Mr. DeLucia displayed the exhibit and stated that the units circled in red have walk-out basements. Chairman Giordano asked that this sheet be marked Exhibit A-27 with today's date and named Walk-Out Basement Diagram Plan. Mr. Reitano asked that this document be posted on the website, and Chairman Giordano asked Mr. DeLucia to send Exhibit A-27 to Ms. Foley so she can post it on the website.

Mr. Reitano asked Mr. DeLucia if he has conducted a "line of site" study for the proposed buildings and the surrounding communities from the north and to the south. Mr. DeLucia stated that he has not conducted such a study. Mr. Malman responded that there will be no "line of site" exhibit submitted.

Ms. Marcello Holmes of 52 Mosle Road inquired as to whether the traffic report reflects accurately the design as far as the occupancy rates are concerned. Mr. DeLucia responded that he cannot speak to the traffic report. Mr. Malman stated that Mr. Dean testified that these are 3 – 4-bedroom units, which is what they are.

Mr. Brown of 103 Mosle Road inquired about the exposed basement and how this becomes incorporated into the 35-foot height restriction. Mr. DeLucia responded that the grade is calculated on an average so that with the grade being high in front of the building, low in the rear of the building and sloped on the sides that this is taking into consideration the height. Mr. DeLucia also explained that once the final drawings are prepared, the grade is calculated and adjusted to comply with the 35-foot requirement. He stated that the plans do not depict final

construction documents and that once final construction documents are prepared that they are considerably more detailed.

Mr. Brown inquired about the windows on the interior units with no natural light coming in. Mr. DeLucia responded that the natural light and ventilation is taken into consideration when the building is designed. He went on to say that there are only one or two rooms that may or may not have a window and that every bedroom and every main living space will have natural light and ventilation.

Chairman Giordano entertained a motion to close the meeting to the public. A motion was made, and it is was seconded. All agreed.

Mr. Mayer commented that there have been in Mendham Township developments that have been approved and left undeveloped. He asked Mr. DeLucia what would make these townhouse units unique enough for people to want to buy and live in a side-by-side townhouse community such as this. He opined that he is uncertain if there is enough attraction with these townhouses for people to be interested in purchasing. Mr. DeLucia responded that this is a difficult question to answer because the design is driven by requests from the client from their marketing research. He added that these are higher quality townhouses, and he opined that they will be marketable. Mr. Mayer opined that the townhouses are aesthetically not what one might expect for Mendham Township and again asked Mr. DeLucia what would make these unique enough for people to want to purchase. Mr. DeLucia responded that the size would be a draw for people who want space because they are larger than a typical townhouse. He can see this as a selling point along with the cathedral ceilings in the one unit, the walk-out basements (most townhouse developments do not have walk-out basements), and the ample size of the garages.

Mr. Maglione referred to Exhibit 27, Walk-Out Basement Diagram Plan and asked if the site plan reflects the revised design in terms of the configuration of the units and footprint and any impact it will now have as a result of the revisions. Mr. Malman clarified that the limit of disturbance is not changing and confirmed that the footprints shown on Exhibit A-27 is the current design and that this design will not trigger any additional retaining walls or items such as that.

Mr. Malman presented his next witness, Mr. Paul Phillips, and Ms. Crawford swore in Mr. Phillips. Mr. Phillips made an appearance as Planner on behalf of the applicant. As a voir dire, Mr. Phillips stated that he is a principle in the firm of Phillips Price and has been practicing in the State of New Jersey for approximately 40 years. He is also a member of the American Institute of Certified Planners and holds a Master's degree in Urban Planning from Hunter College. He went on to say that he has been accepted as an expert in over 250 municipalities in New Jersey and that his firm advises several dozen municipalities in the State of New Jersey on Planning and Zoning, including four municipalities in Morris County. Mr. Phillips stated that he has been accepted on numerous occasions in the Superior Court of New Jersey and that his license is current. There were no questions from any of the Board members or public regarding Mr. Phillips' qualifications, and he was accepted by the Board as an expert for the applicant.

Mr. Phillips confirmed that he is aware that the application requires some variances and waivers. He stated that he did visit the sight and reviewed the zoning ordinance and Master Plan documentation for the Township. He also reviewed the plans and supporting materials that were part of the application along with the reports of the Board professionals and prior resolution of approval for this site, which dates back to 2015. In terms of the zoning compliance and the relief sought, Mr. Phillips stated that he would characterize this application as a clean application since the proposal complies with the overlay zoning standards for this site. The only variance relief sought is for setbacks associated with two smaller accessory structures – one accommodating

the water pump house and the other the sewer plant. He added that the setback variance for these structures were previously granted by the Board as part of the 2015 approval and that the setbacks proposed in this application are exactly the same as the setbacks that were proposed and approved by this Board in 2015 for these two accessory structures. Mr. Phillips went on to say that the applicant is also seeking a number of design exceptions, most of which are engineering-related that Mr. Moschello has previously addressed. A design exception is being sought for steep slope disturbance also, which he would like to comment on as well.

Mr. Phillips asked Mr. Moschello to display the site plan rendering, which was marked previously as Exhibit A-19 and entitled Site Plan Rendering. Chairman Giordano reminded Mr. Moschello for purposes of the record that he is still under oath in terms of any statements made during the course of this proceeding. Mr. Phillips addressed the setback for the sewer structure first, which is at the easterly end of the sight and stated that the ordinance requires an 80-foot setback for accessory structures. As proposed, this structure is 26.5 feet from the adjacent property line and the drive for this variance is the desire to locate the sewer facility at the lowest elevation on the site, which is exactly in the same location as the prior approval. The rationale for the relief is basically the same as the prior application and what was articulated in the prior resolution of approval. The variance was justified based on C-1 criteria recognizing the particular topographic conditions, which would be uniquely affecting this site. Mr. Phillips added that the dimensions of the footprint of this building is about 20 feet by 17 feet and is a single-story structure. There are evergreen plantings around the area, which are intended to screen, in part at least, this sewer facility and that the key adjoining lands are parklands with vegetation so that there will be virtually no detrimental impact, if the variance relief is granted. Mr. Phillips also stated that he does not see any undermining conditions with regards to the zone plan and zoning ordinance.

Mr. Phillips next addressed the water pump house, which is at the westerly end of the site and that the drive for this variance is the desire to locate this facility as close as possible to the existing water main that will serve the development. The structure is at a distance of about 39.3 feet from the nearest adjacent property line with the standard setback requirement of 80 feet. Again, this is sited in the exact same location as it was in the prior approval and for the record was also indicated as being a C-1-type variance. This single-story structure is small – about 30 feet by 12 feet with vegetation around the area and that he sees no substantial detriment to the public good or any substantial impairment of the zone plan.

Mr. Phillips lastly addressed the design exception for slope disturbance and wished to add to Mr. Moschello's testimony. He stated that he visited the site with Mr. Moschello and observed the areas where the applicant is exceeding the limits of the slope disturbance per the Township's ordinance. Mr. Phillips pointed out that as part of the prior approval, the Board did grant similar relief and recognized that the slopes to be disturbed were man-made slopes as opposed to being natural or previously undisturbed slopes. Secondly, the area of steep slopes that would be disturbed in the current application are actually slightly less than under the prior application and particularly in the most severe slope category, which is the over 25% category. Chairman Giordano interjected that what was approved in the prior application does not hold any precedential value with respect to this application. The application is viewed on its own merits and that the Board is under no duty to follow whatever was approved in the past and must abide by the laws that currently exist. He would like Mr. Phillips to speak to the application as it presently exists. Mr. Phillips acknowledged this and continued with his testimony. He went on to say that with regards to the steep slopes on the sight, it became clear that the areas that are proposed to be impacted as part of this application are areas that have been regraded historically to accommodate development that had taken place on the property over various time frames and probably dating back to the earlier part of the last century. This would be for buildings, walls, and the travel ways on the site and that while there is an awareness of the underlying benefits

associated with preserving natural slopes to help prevent erosion, changes to natural drainage patterns and preserve natural vegetation and forest that again these are areas that have been previously disturbed. Mr. Phillips went on to say that from a land use and zoning policy perspective, it is apparent to him that the overlay zoning that was put in place clearly envisioned this property as a redevelopment site. He opined that the permitted use and development standards for the overlay zone corroborate this as does the expressed allowance for building demolition in the overlay zone along with the provisions for building a new product, essentially being the townhouses. As the Board is aware, the generic steep slope limitations that apply to development Township-wide does not differentiate between natural and man-made slopes and that in his experience it is not unusual to grant variance relief for man-made slopes. Mr. Phillips opined that per the MLUL requirements for the granting of a design exception, that the request is reasonable and within the general intent of the ordinance. The literal enforcement of the slope regulation would be impractical because of the particular conditions on this site as well as the particular zoning that was put in place to encourage the redevelopment of the site.

Mr. Phillips went on to say that one other minor variance was sighted in the Board's professional report, which was a design exception for one parking space along the easterly cul-de-sac, which is in violation of the 80-foot setback standard. This has an 11.6-foot encroachment but that again this is very minor and that he does not see any detriment if this relief is granted.

Mr. Malman stated that there were a couple of other minor technical waivers that Mr. Moschello testified to with regards to roof drains and the side-hill angle of the curb and the reasons why these were being proposed.

Mr. Baio inquired as to whether Mr. Phillips believes that this project is an improvement over the existing conditions on this site and for the neighborhood. Mr. Phillips responded that there is an older building that is in a state of disrepair and that this was probably taken into account when the Township decided to provide the overlay zoning on the site. He opined that the Township's intent from a policy standpoint was to encourage the redevelopment of this particular property and for this reason alone, along with a proposed development that is largely in compliance with this overlay zoning, that it would be a significant improvement over the existing conditions. In his professional opinion there is absolutely nothing inherently incompatible between townhouses and single-family development and that these uses are compatible. From this aspect, he does not see this project as having any negative consequences, particularly given the fact that it is largely zoning compliant with the surrounding neighborhood. Presumably, those issues would have been vetted at the time the overlay zoning allowing townhouses was put in place.

Mr. Mayer referred to the site plans with the number of trees proposed to be removed along with 58% of the site being disturbed and opined that he does not see this as an improvement in terms of the character of Mendham Township that should be maintained. He went on to say that what is demonstrated with this plan is a lot of clearing and removing of what were historic buildings and being replaced with structures that are very average. He asked whether this was the best plan for a site such as this, which claim beautiful views on top of a mountain and that he is not sure if this was good planning. Mr. Phillips responded that in terms of the overlay zoning and despite the concerns of slope disturbance and removal of vegetation, he views this as the balancing of the equities. In his view, the Township made the policy decision to basically provide for the demolition of the structure and allow for the uses provided in the ordinance.

Mr. Phillips went on to discuss the three categories of slopes that are affected and stated that in order to design a project that makes sense such as this project almost inevitably there will be some level of disturbance to these slope categories over and above of what is in place. From his perspective it is critical to understand that the bulk of this bulk disturbance is in areas that were

previously disturbed and not the original topography. He went on to say that when he weighs all of these considerations in light of improving this site, which is blighted and in disrepair, that the proposed townhouses are a reasonable development proposal, which is practically variance-free other than the accessory structures' setback request. Mr. Mayer opined that the previous man-made slope disturbance has had vegetation growing in these areas for 50 years plus so these man-made slopes have grown into the new natural slopes over the many years. The slopes were man-made a long time ago but became very natural slopes with the maturing of the trees and root system etc. He opined that he does not consider this as disturbing man-made slopes but that it disturbs the natural terrain that it has become. He opined that the amount of created disturbance to this whole area should not be minimized. Mr. Phillips opined that he would not refer to these areas as new natural slopes and that they are slopes that are part of areas that were previously disturbed and that it may be that he and Mr. Mayer may have to agree to disagree on this point. Mr. Mayer inquired about some of the neighbors' concerns as far as what the visual effects would be to their homes and their quality of life and whether Mr. Phillips believes that this will look considerably different from the current scape. Mr. Phillips responded that it is obviously a different prototype and different use and that it will be a different look and view point; however, again this is something that the overlay zoning would have envisioned and would have presumably taken into account when the provision for building demolition and construction of new townhouses was put into place.

Ms. DeMeo stated that she wished to echo Mr. Mayer's comments and that Mr. Phillips indicated that the slopes were man-made in the last century, which would make them not 50 years old but over 100 years old. She agrees that what was once man-made can no longer be considered man-made and that there is a request for more than 25% of the steep slopes to be disturbed where only 5% is allowable. The waiver for 28.3% is more than five times the allowable limit. Ms. DeMeo also stated that she has a concern that many of these steep slopes border the Mendham Conservation easements on the northern and southern borders of the property. She stated that these are her two concerns with regard to the steep slope waiver. Mr. Phillips stated that he respects her concerns and is aware of the level of disturbance that is being proposed in excess of the standards; however, from a planning standpoint he offered the basis, reasons and rational why the relief is being sought, which he has done in his direct testimony and in answer to the previous set of questions from Mr. Mayer.

Mr. Malman asked Mr. Moschello to display the slope plans since the slopes where the conservation easements are located will not be disturbed. Mr. Moschello displayed Exhibit A-23 of the overall grading plan, which shows the various slope categories shaded in green with the lighter the green shade, the lesser the slope and the darker the green shade, the steeper the slope. He explained the areas of disturbance on the exhibit and that the conservation easements are around the perimeter of the site with no slope disturbance proposed around these conservation easements. There was some further discussion with regards to the proposed project and steep slope disturbance.

Mr. Mayer inquired about the square footage of each of the units and the differences between each type of unit. Mr. DeLucia responded that the square footage ranges from 2,650 square feet to 3,770 square feet. Mr. Mayer opined that there may not be a big market for townhouse units of this size and that Mendham Township needs younger families moving in and that older families will be moving out of their big houses and downsizing to other units. He opined that younger families would not be able to afford these particular townhouses and that they would be too large for older people who do not want something that big to maintain. Mr. Mayer inquired if Mr. Phillips participated in the market analysis of what would be a viable market. Mr. Phillips responded that he did not but that in his own experience in terms of what he sees both on the municipal level and having represented developers in this area that there has been a tremendous market and demand

for age-targeted housing. An example of this is the master bedroom on the first floor, which is meant for that age-target market and that it is mostly for empty-nesters or even pre-retirees and people within these demographics who want maintenance-free living. They don't want a large single-family house on a lot that they would have to maintain both economically and physically and that the reason for the large units is that they want to continue to have amenities such as a work-out room, home office, and guest bedrooms for their children to visit. His sense is that this is the market that his client is targeting with an explosion in this market the last several years in northern New Jersey and Morris County, in particular.

Chairman Giordano reminded the Board that the limit of the Boards involvement is to follow the law and make decisions based upon whether or not the development complies with the ordinance. The Board has no right to comment on architecture or anything with respect to the actual construction of the building other than that it complies with the Township ordinances.

Mr. Maglione stated that he agreed with Mr. Mayer and Ms. DeMeo regarding the man-made slopes and that they should not be viewed as man-made after 100 years. He inquired about the pump house and the noise it could potentially generate and whether this could be moved 30 – 40 feet so that it can comply with the setback. Mr. Phillips responded that it is his understanding (though he is not the engineer) that the location of the pump house is basically driven by the need to be as close as possible to the existing water main. This is the reason for siting it at its current location on the plan. Also, having been involved in applications where similar facilities have been proposed and approved that it is his understanding that the pump house is not noisy and that the only time it makes noise is when there is a power outage and the generator is initiated.

Mr. Moschello explained that the location of the pump house has to do with the tie-in point to the water main, which is basically right at the municipal and County boundary line in Peapack/Gladstone Borough and that it must be a certain distance from that main. It will be located on the edge of the emergency access road and thus a variance is needed for this location because of the distance requirement from the tie-in point to the main. In addressing the noise issue, he stated that it is an enclosed and insulated building and the only exterior sound-generating component is the emergency generator, which would be used during a power outage. His earlier testimony indicated that there will be no noise impact to the nearest neighbor, who is at least 200 feet away. There was some further discussion with regards to moving it elsewhere, which would increase slope disturbance if this was done.

Chairman Giordano entertained a motion to open the meeting to the public. A motion was made, and it was seconded. All agreed.

Mr. Nicholas Kraus of 10 Carriage Hill Drive inquired about the impact on the natural environment with the removal of the 199 trees, which includes 17 heritage trees. Mr. Moschello responded that from a site perspective that even though 199 trees are being removed, over 200 are being replanted as part of the project and that unfortunately, clearing is part of the disturbance, which is required to develop the site. This was also addressed in the Environmental Impact Statement that was prepared for the property in terms of the tree clearing, and it was noted in the EIS that it was not an overall detriment to the environment. Mr. Kraus stated that Mr. Phillips repeatedly stated an analogy of townhouses to single-family homes, which he questioned. He asked whether Mr. Phillips considered green space and how this development potentially looks in comparison to the larger lots surrounding it when planning this space. Mr. Phillips responded that all of the surrounding development consists of single-family homes on relatively large lots; however, as he indicated earlier there is nothing in his professional opinion that makes townhouses inherently incompatible with single-family development as long as there are appropriate safe-guards in terms of setback, coverage etc. Secondly, and perhaps even more importantly, as a matter of land use

policy in Mendham Township, the decision was made to allow for the overlay zoning for the redevelopment of this site, which contemplated demolition of the buildings and construction of new townhouses. This development, except for the minor variances for the accessory-structure setbacks, complies with this overlay zoning, which was the intent and vision of Mendham Township for this site. Mr. Kraus further argued his point regarding a more architectural pleasing, more marketable set of townhouses that have better green space and don't require any variances. Chairman Giordano explained that the ordinance that is being referred to by Mr. Phillips is an ordinance approved by the Township Committee. The Planning Board only has the ability to effectuate ordinances and that the Planning Board is in a position where it can deny the requested variances; however, if this property is not granted any variances, then there is no ability to do anything further.

Mr. Anthony Reitano of 3 Carriage Hill Drive asked Mr. Phillips if he was involved in the development of the overlay zone, and Mr. Phillips stated that he was not involved in the development of the overlay zone. Mr. Reitano stated that a lot of testimony was given by Mr. Phillips as to why the Township Committee developed this overlay zone and that perhaps this was speculation on Mr. Phillips' part. Mr. Phillips responded that this was not speculation in terms of his reading and interpretation of what is permitted in the overlay zone, and he repeated what he discussed earlier regarding his reasons for this. Mr. Reitano referred to the grading plan, Exhibit A23, and stated that the property can be developed consistent with the overlay zone without seeking a number of variances and also avoid the extensive steep slope disturbance that is being requested. Mr. Phillips responded that there is probably some way to minimize further the slope disturbance; however, there will basically be left with not much area to develop on the site without being able to encroach somewhat within those areas of disturbance in excess of what the ordinance provides for. He expounded on this and there was further discussion with regards to steep slope disturbance. Mr. Phillips stated that from a zoning perspective, the project is compliant other than the accessory structure setbacks. He opined that it is going to be necessary to exceed the permitted levels of slope disturbance in areas where there are previously disturbed slopes.

Mr. Reitano asked Mr. Phillips whether he is familiar with the surrounding zoning and the lot requirements to the west and to the south. Mr. Phillips responded that he is familiar generally speaking and that there are single-family homes on relatively large lots but that he does not know what the provisions are for lot sizes. Mr. Reitano asked whether it is his testimony that this development is consistent with the surrounding land use. Mr. Phillips responded that this development is consistent with the overlay zoning that was put in place that envisioned townhouses as well as other uses and that he does not see anything incompatible between townhouses and single-family developments.

Mr. Thompson Ross from 20 St. John's Drive inquired about the noise from the pump house when the power goes out. Mr. Phillips responded that these types of facilities are basically not noisy with some level of sound attenuation; however, if there is a power outage, the generator makes noise.

Mr. Michael Millea of 1 Carriage Hill Drive asked how many trees are proposed to be removed from the site. Mr. Moschello responded that in the site plan set, the grading plans, which are Sheet 8, 9 & 10 of this set, show the existing trees with "X"s on the trees that are being removed. This is all documented on the previously submitted drawings. He went on to say that on the landscaping plans, it was noted how many trees were actually being removed, which is 199 trees and that 264 trees will be replanted.

Chairman Giordano entertained a motion to close the meeting to the public. A motion was made, and it was seconded. All agreed.

Chairman Giordano asked Mr. Malman where the application stands moving forward. Mr. Malman stated that he has no further witnesses and that this concludes the case. He reserves the right to call upon witnesses, if needed, depending upon what the public may wish to put on the record and that he expects comments from the public at the next meeting in July.

Chairman Giordano noticed verbally that the application will be carried to the next regular meeting on July 21, 2021 at 7:30 pm via zoom without further notice by the applicant. Mr. Malman granted the Board an extension to after this date. Chairman Giordano asked that Mr. Malman have his experts available at this time. Mr. Malman added that his client may submit a revised grading plan that would confirm the new coverage and height numbers in order to address these raised issues.

Chairman Giordano opened the meeting to the public.

Mr. Reitano stated that based upon what has been heard that Eco Sciences should be testifying on behalf of the applicant since there are many questions about environmental concerns and that Eco Sciences has a very lengthy report.

Seeing no further hands, Chairman Giordano entertained a motion to adjourn the meeting. A motion was made, and it was seconded. All agreed.

The meeting adjourned at 11:07 pm.

Respectively Submitted,

Beth Foley
Planning Board Secretary