

**HARDING TOWNSHIP PLANNING BOARD MINUTES
REGULAR ELECTRONIC MEETING
MAY 24, 2021**

CALL TO ORDER AND STATEMENT OF COMPLIANCE

The Planning Board Chair, Mr. Clew called the electronic meeting to order at 7:30 and announced that adequate notice of this meeting had been made to the Daily Record and Observer Tribune. Notice was posted on the Township web page and on the bulletin board in the Township Hall on Blue Mill Road in Harding, New Jersey, and filed with the Township Clerk.

ROLL CALL

On a call of the roll, the following were present:

Mr. Clew	Present	Mr. dePoortere	Present
Ms. Walters	Present	Mr. Yates	Present
Mr. Edgar	Present	Mr. Platt	Present
Mr. Bjorkedal	Present(late)	Mr. Newlin	Present
Mr. Chipperson	Present	Ms. Claytor	Present

Also present were Mr. Hall, PB Attorney, Mr. Fox, Board Engineer, Ms. Mertz, Board Planner, and Ms. Taglairino, Board Secretary.

MINUTES

Mr. Newlin made a motion to approve the April 26, 2021 minutes with amendments. It was seconded by Mr. Platt On a voice vote all eligible members approved the April 26, 2021 minutes.

*Mr. Newlin noted on the record that his comments as portrayed in the minutes regarding the Accessory Dwelling Memo were briefer than what was said at the meeting. Those comments were addressed in a memo and appended to the April 26, 2021 minutes

Mr. Edgar made a note of a typographical error on page 106 of the transcript regarding height.

ADMINISTRATIVE UPDATES

- Mr. Clew reminded the Board to file their Financial Disclosure Forms

OLD BUSINESS

Application PB# 01-21

S/K Mt. Kemble Associates, LLC

350 Mt. Kemble Ave. B23.02/L5 TH-1 Zone

Application for Preliminary Major Site Plan and Final Major Site Plan for inclusionary residential housing development consisting of 96 multi-family units and related site improvements

Presenting:

John Inglesino, Attorney

Brad Bohler, Engineer

Marc Kushner, Architect

David Minno, Architect

Continued testimony for S/K Mt. Kemble Associates.

Mr. Minno was sworn in for testimony.

Mr. Clew made a motion to carry the application until the June 28, 2021 2021 meeting with no further notice. The motion was seconded. On a voice vote all were in favor of carrying the application as noted.

A transcript of the testimony is appended to the minutes.

SUBCOMMITTEE UPDATES

Advisory Review Committee

No Report

Engineering and Environmental Committee

Mr. Newlin noted the following possible topics for future discussion: Deer density management, utility reliability, ongoing education, and cellular technology. Mr. Fox raised possible updates to the lighting ordinance.

Development Review Committee

No Report

LIAISON REPORTS

Board of Adjustment

- Mr. Newlin reported that the Verizon Cell Tower application was moving forward. The Planner testimony and cross-examination is complete. The objecting attorney will now present witnesses. Mr. Newlin noted that some residents requested site inspections from their properties.
- Mr. Newlin reported an approval for an application on 216 Village Road. The applicant reduced the attic area to 2 ½ story compliance.

Environmental Commission

- Mr. Yates reported on the Invasives' Presentation.

HOST

- Mr. Bjorkedal reported that HOST noted that the Township cannot give away the house at 163 Lees Hill Road as per Green Acres so it will be demolished.
- Mr. Bjorkedal encouraged fishing at the fishing hole on site.
- Mr. Bjorkedal noted that HOST is developing a plan to monitor easements.

Historic Preservation Commission

- Mr. dePoortere reported that the HPC started reviewing the Logansville District.
- Mr. dePoortere noted that the June meeting would be an in person discussion of the Pleasantville District and that Mc McCabe will be present for the discussion.

Citizen Park Advisory Committee

- Mr. dePoortere noted that they are preparing Memorial Park for the Memorial Day Celebration.
- Mr. Clew raised the question about cleaning out the invasives at Bayne Park.

Township Committee

- Mr. Yates noted that the TC will be look at some of the ordinances at the June meeting.

OTHER BUSINESS

ADJOURNMENT

There was a motion adjourn the meeting at 9:30.

Lori Taglairino
Lori Taglairino, Planning Board Secretary

In The Matter Of:

In Re: S/K Mt. Kemble Associates

Transcript Of Proceedings

May 24, 2021

Harding Township



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Min-U-Script® with Word Index

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<p>1 TOWNSHIP OF HARDING 2 PLANNING BOARD VIRTUAL MEETING 3 MONDAY, MAY 24, 2021 4 COMMENCING AT 7:43 P.M. 5 6 IN THE MATTER OF : 7 : 8 S/K Mt. Kemble Associates, LLC : 9 350 Mt. Kemble Ave B23.02/L5 TH-1 Zone: : 10 Application for Preliminary Major Site: : 11 Plan and Final Major Site Plan for : 12 Inclusionary residential housing : 13 Development consisting of 96 : 14 Multifamily units and related site : 15 Improvements : 16 17 B E F O R E: 18 THE HARDING TOWNSHIP PLANNING BOARD 19 THERE BEING PRESENT: 20 RICH CLEW, CHAIRMAN 21 DAVID CHIPPERSON, VICE CHAIRMAN 22 NIC PLATT, MAYOR/DESIGNEE 23 CHRIS YATES, TOWNSHIP COMMITTEE 24 THOMAS dePOORTERE, Member 25 NIK BJORKEDAL, MEMBER 26 ROBERT J. EDGAR, MEMBER 27 ALF NEWLIN, MEMBER 28 TRACEY WALTERS, ALTERNATE #1 29 GWENN CLAYTOR, ALTERNATE #2 30 31 RIZMAN RAPPAPORT 32 CERTIFIED COURT REPORTERS 33 66 W. Mt. Pleasant Avenue 34 Livingston, New Jersey 07039 35 T (973)992-7650 F (973)992-0666 36 www.rizmanrappaport.com 37 reporter@rizmanrappaport.com</p>	<p>1 I N D E X 2 W I T N E S S SWORN PAGE 3 DAVID MINNO, AIA 9 4 Direct Examination by Mr. Inglesino 10 5 Board/Professional Questions 15 6 Public Questions 56 7 Donna Silver 56 8 71 Frederick Place 9 10 11 12 13 14 15 E X H I B I T S 16 NO. DESCRIPTION IDENT/EVID 17 A-8 Mutual Cooperation Agreement 18 Entered into between the 19 Applicant and the Township of 20 Morris dated 12/16/20 5 21 22 23 24 25</p>
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<p>1 A P P E A R A N C E S: 2 3 GARY HALL, ESQUIRE 4 Counsel for the Planning Board 5 6 JOHN INGLESINO, ESQUIRE 7 INGLESINO, WEBSTER, WYCISKALA & TAYLOR, LLC 8 600 Parsippany Road, Suite 204 9 Parsippany, New Jersey 07054 10 Counsel for the applicant 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p> <p>1 A L S O P R E S E N T: 2 LORI TAGLAIRINO, Board Secretary 3 PAUL FOX, Board Engineer 4 MCKINLEY MERTZ, Board Planner</p>	<p>1 CHAIRMAN CLEW: Why don't we go on to 2 the PB application, 0121, and turn it over to 3 Mr. Inglesino. 4 MR. INGLESINO: Thank you, 5 Mr. Chairman, Members of the Board, once again, John 6 Inglesino from the law firm of Inglesino Webster, 7 here on behalf of the applicant, S/K Mt. Kemble 8 Associates. 9 Good to see you all again. 10 We were last together on April 26th, 11 and there was a site visit on May 15th. And we are 12 back here this evening. 13 Mr. Chairman, we understand there are 14 questions regarding height, dark sky, et cetera, but 15 what we're going to do tonight is proceed with just 16 architectural testimony and defer those issues and 17 others to the next meeting. 18 We have added Mr. Dave Minno to our 19 architectural team, who is here this evening to 20 testify. I'm going to call him in a moment, but 21 first a little bit of housekeeping. 22 We did reference at the last meeting 23 the mutual cooperation agreement between my client 24 and Morris Township which was sent over to the board, 25 but that was not entered into as an exhibit into the</p>

<p style="text-align: right;">Page 5</p> <p>1 record. I think it probably should be. And we'd 2 like to offer that document into the record as an 3 exhibit. 4 I have it, I guess, as Exhibit A-8 if 5 that comports, Lori, with what you have. But I'll 6 defer to you. 7 And that is the mutual cooperation 8 agreement that was entered into between the applicant 9 and the Township of Morris. The agreement is 10 actually dated November 2020, but it was last 11 executed by former Mayor Wilson of Morris Township on 12 12/16/20, 2020. 13 So without objection, I'd like to just 14 enter that agreement and all of the attachments to it 15 into the record. 16 CHAIRMAN CLEW: Okay. 17 (Whereupon, Mutual Cooperation 18 Agreement entered into between the applicant 19 and the Township of Morris dated 12/16/20 is 20 marked as Exhibit A-8 for identification.) 21 CHAIRMAN CLEW: And, Mr. Inglesino or 22 Lori, can you just help me, would that agreement in 23 our kind of extensive list of documents in the 24 agenda, is that the one titled S/K Mt. Kemble, Morris 25 Township Mutual Agreement?</p>	<p style="text-align: right;">Page 7</p> <p>1 other issues, some referenced, some not, which we 2 know are out there, we will address at the next 3 meeting. 4 SECRETARY TAGLAIRINO: So this is just 5 -- I just pulled this up. I have something from 6 February 12th, 2018, the mutual corporation 7 agreement. 8 MR. INGLESINO: Yes. 9 Mr. Orth had sent over the mutual 10 cooperation agreement. As Gary indicated, there was 11 a lot of exhibits attached to it. It's a rather 12 lengthy document. 13 SECRETARY TAGLAIRANO: Okay. 14 MR. YATES: Could I ask a quick 15 question? Could you describe for us any open 16 approvals you need from Morris Township, whether it's 17 in front of their Board of Adjustment, their Planning 18 Board, whoever -- whatever body it may be over there? 19 MR. INGLESINO: To my knowledge, and 20 some of them are engineering which I will defer to 21 the engineer, but we certainly need Board of 22 Adjustment approval, as we indicated at the last 23 meeting, and we'll be going back for that. 24 We have an application filed which has 25 been conditionally deemed complete, so we will be</p>
<p style="text-align: right;">Page 6</p> <p>1 SECRETARY TAGLAIRINO: Yes. 2 CHAIRMAN CLEW: Okay. And that has a 3 cover letter, I guess, from the 25th of February? 4 MR. HALL: Does the posted agreement 5 have all the exhibits because they're very extensive. 6 CHAIRMAN CLEW: Yes, they are. 7 MR. HALL: Okay, that's fine. 8 CHAIRMAN CLEW: So, Lori, all I see is 9 -- well, yeah, I think all I see is a cover letter 10 under there. 11 SECRETARY TAGLAIRANO: It's not the 12 entire thing? I don't know if I have those files 13 down here. Let me take a look while you carry on. 14 CHAIRMAN CLEW: Okay. So why don't we 15 find them. We'll get them captured in the record. 16 Mr. Inglesino, were the things you 17 wanted to refer us to in that and do you want to 18 share a screen to do that or -- 19 MR. INGLESINO: No, no, that was just, 20 sort of, housekeeping left over from the last 21 meeting. 22 CHAIRMAN CLEW: Okay. 23 MR. INGLESINO: Tonight we'll only have 24 one witness, it will be Mr. Minno who we have added 25 to the architectural team for this project, and the</p>	<p style="text-align: right;">Page 8</p> <p>1 proceeding on parallel paths with them. 2 MR. YATES: Thank you. 3 CHAIRMAN CLEW: And that application is 4 to do what? 5 MR. INGLESINO: This is for the road. 6 Certain improvements that are to be made to the road. 7 CHAIRMAN CLEW: Okay. 8 MR. INGLESINO: Because we, as you 9 know, we're -- how we're accessing the property is 10 down the road through the office complex pursuant to 11 the easement that we received, which is one of the 12 documents attached to the mutual cooperation 13 agreement. 14 CHAIRMAN CLEW: Okay. 15 MR. INGLESINO: Okay? And for 16 technical reasons, we have to go to the Board of 17 Adjustment. 18 CHAIRMAN CLEW: Thank you. 19 SECRETARY TAGLAIRANO: All right. And 20 for the record, Mr. Bjorkedal arrived at 7:44. 21 CHAIRMAN CLEW: All right. Greetings, 22 Nik. 23 Okay. So do you want to -- are there 24 any other kind of housekeeping items you wanted to 25 raise tonight?</p>

<p style="text-align: right;">Page 9</p> <p>1 MR. INGLESINO: No, Mr. Chairman. 2 Whenever you're ready, I am ready to 3 proceed with Mr. Minno. 4 CHAIRMAN CLEW: All right. Terrific. 5 Mr. Minno, welcome. I don't recall 6 whether you have testified before this committee 7 previously. 8 MR. MINNO: Most recently on the 9 Herstmont (phonetic) issue. 10 CHAIRMAN CLEW: Okay. 11 Gary, should we swear Mr. Minno in? 12 MR. HALL: Yes, I'll swear Dave in. 13 Dave, could you raise your right hand, 14 please? Do you solemnly swear the testimony you are 15 about to give will be the truth? 16 MR. MINNO: I do. 17 D A V I D M I N N O, AIA, 18 80 Lambert Lane, Suite 105, Lambertville, New 19 Jersey, having been duly sworn, testifies as 20 follows: 21 MR. HALL: Thank you. 22 And you're a licensed architect. 23 Is that correct? 24 MR. MINNO: I am. 25 MR. HALL: Okay. You're a planner,</p>	<p style="text-align: right;">Page 11</p> <p>1 architectural team for KRE on this project, along 2 with Major Architects who you heard from last time. 3 And our firm originally prepared the -- 4 I believe the elevation that was included in the 5 settlement agreement which was a very, I would call 6 it, traditional, almost colonial look on the 7 exterior. And I think what you saw last time with 8 Major was a more contemporary interpretation. 9 And I think tonight what you're going 10 to see from my firm is that architecture that we 11 think meets in the middle a little bit, but is still 12 really based in a historical style. And that style 13 I'll talk about tonight as sort of an American 14 farmhouse-type style. 15 And it's a popular style today. And 16 there many, many homes, farms, barns in Harding that 17 exhibit many of the elements that you see here. And 18 as you look at interpretations of historic 19 architecture that lean toward the traditional, this 20 style is really catching on not only in this area, 21 but around the country. 22 So let me bring some exhibits up and 23 that will make it a little bit clearer. Is it okay 24 if I share my screen, Mr. Chairman? 25 CHAIRMAN CLEW: Yes, please go ahead.</p>
<p style="text-align: right;">Page 10</p> <p>1 too, or no? 2 MR. MINNO: I am a planner, yes. 3 MR. HALL: Okay. 4 CHAIRMAN CLEW: Okay. 5 Mr. Minno, welcome. 6 Thank you for coming to see us tonight. 7 One of the, I guess, key things that we 8 started to talk about last time, and I am hoping 9 you'll be able to touch on, is kind of the 10 relationship of this plan to the concept plans that 11 were previously agreed with the township as part of 12 the settlement agreement and the concept site plan as 13 well that was previously agreed to. 14 I will let you proceed, but hope that 15 you can cover those two items at least. 16 THE WITNESS: Yes, I can. 17 CHAIRMAN CLEW: Thank you. 18 DIRECT EXAMINATION 19 BY MR. INGLESINO: 20 Q. All right. Mr. Minno, please describe 21 the architectural aspects of the project. I will 22 give you an open-ended question. 23 A. Okay. 24 Well, good evening. I am pleased to be 25 here tonight. And I have joined into the</p>	<p style="text-align: right;">Page 12</p> <p>1 THE WITNESS: I am not sure if you all 2 received this packet of new exhibits prior to, but 3 this is what we've prepared. 4 MR. HALL: I believe they were all 5 submitted on Friday; weren't they, Lori? 6 Where'd she go? 7 SECRETARY TAGLAIRINO: Yes, they were 8 submitted on Friday and they are -- 9 MR. HALL: Posted, I believe. 10 SECRETARY TAGLAIRANO: -- the agenda, 11 yes. 12 MR. HALL: Actually while we're on, 13 Mr. Minno, why don't we just make sure we all have 14 the same thing. They're dated 5/20/21. 15 Is that correct? 16 THE WITNESS: That's correct. 17 MR. HALL: And it looks like the first 18 one -- oh, there's a cover sheet and then sheets A-1 19 through A-15. 20 Is that correct also? 21 THE WITNESS: That's correct. 22 MR. HALL: Okay. So hopefully everyone 23 has the same pieces of paper. 24 THE WITNESS: So to be a little bit 25 expedient, what I would like to do, the first sheets</p>

<p style="text-align: right;">Page 13</p> <p>1 in the set are floor plans which you have seen, and 2 we are quite happy with the floor plans and the way 3 they are laid out, not only for the market-rate 4 units, but also for the affordable units. 5 So I'm going to move through those 6 because you've seen them before, and if we need to 7 come back as reference we can. But what I'd like to 8 do is start with, I think, some of the most 9 compelling drawings which would be these perspective 10 views starting at Sheet A-12. 11 What we've -- I'm sorry? 12 CHAIRMAN CLEW: Carry on. 13 THE WITNESS: I thought there was a 14 question. 15 So what we've shown here is what we've 16 interpreted as a new American farmhouse style. It's 17 characterized by two-over-two windows which is more 18 of a Victorian type of period that was used. 19 We've used some board-and-batten siding 20 which you found on barns and even some portions of 21 residential buildings. We've got bracketed soffits 22 which are part of that Victorian era where the 23 Italianate soffiting came into the farmhouse look. 24 And we have tried to keep very 25 traditional elements, including dormers which you'll</p>	<p style="text-align: right;">Page 15</p> <p>1 in places at -- mostly at the entryways. 2 And one of the changes in the entryways 3 is that in the last go-around you saw arched entries 4 that were actually recessed in a bit in shadow, and 5 you will see from some of our other drawings here, 6 this is Sheet A-13, that we have pulled those front 7 doors out to the building line where they should be 8 in a more traditional format. 9 So here you see the full-on elevation. 10 We have the shed dormer at the top in the middle and 11 you'll see some more dormers on the rear elevations 12 (indicating). 13 But this has a good -- yes. 14 CHAIRMAN CLEW: Can you indicate which 15 ones of these are the affordable units? 16 THE WITNESS: Yes. 17 I believe the ones on the right side, 18 units on the right side here. The two units on the 19 right side. You'll see that clearly from the rear 20 because the -- the deck portion of it changes. 21 So as we move to the rear elevation, 22 the two affordable modules in this, this represents 23 four units on the left-hand side because they're 24 stacked. They're located here (indicating). 25 And then the market-rate units on the</p>
<p style="text-align: right;">Page 14</p> <p>1 see more clearly in some of the other views. 2 But it's -- it's a contemporary 3 interpretation of this new American farmhouse look. 4 And we think it captures quality materials and puts 5 them in a scheme that has a great deal of movement to 6 it, both vertically, horizontally, in both plan and 7 elevation. 8 So we get a lot of shadow back and 9 forth on these elevations and we have used materials 10 that we think are going to be very, very strong and 11 lasting. 12 Just to talk about those materials, we 13 have a thin-set stone siding that you see in the 14 foreground here (indicating). 15 We have a bit of a wood siding. This 16 is actually Hardie type cementitious board that has a 17 wood look to it, so it's a long-lasting wood look 18 siding. 19 We have -- in the front elevation we 20 have horizontal Hardie siding, cementitious siding. 21 And then we have the vertical board and 22 batten in the center. 23 The garage doors have a wood look with 24 the divided lights in the doors themselves. 25 We have some standing-seam metal roofs</p>	<p style="text-align: right;">Page 16</p> <p>1 right-hand side with their decks and stairways down 2 to the ground are located on the right (indicating). 3 As you see the dormers up on the roof 4 to give relief there, and a continuation of the two 5 over two window pattern. 6 CHAIRMAN CLEW: Are the dormers at the 7 top connected in any way to the dwellings or are they 8 just decorative? 9 THE WITNESS: No, they're letting light 10 down into those rooms at the top, the bedrooms. 11 MS. WALTERS: What product is used on 12 the back of the building? 13 THE WITNESS: This is a heavyweight 14 vinyl siding and we're going to supply samples of 15 this. It's actually -- many people who have used it 16 believe that it's much longer lasting even than the 17 Hardie siding which we're using on the front. There 18 is some economy to it, but there's a real lasting 19 value to it. 20 And if you actually have a piece of 21 that siding in your hand, you'll be very impressed 22 with its heavy millage. 23 And it's not the type of siding that 24 you see that bends with sunlight, it fades, it warps 25 and shows the seams.</p>

<p style="text-align: right;">Page 17</p> <p>1 So this is a real heavyweight siding.</p> <p>2 And we'll be providing full sample boards of all the</p> <p>3 materials to the Planning Board before the next</p> <p>4 hearing.</p> <p>5 MR. HALL: One item that always gets</p> <p>6 lost in elevations are the PVC vent piping, the</p> <p>7 mechanical piping up to the roof and/or the side of</p> <p>8 the building.</p> <p>9 I know that that's what we want to see.</p> <p>10 Have you made a conscious effort even to get it to</p> <p>11 the rear of the building or out so it's not on --</p> <p>12 'cause like I said, they look great, but when we</p> <p>13 finish out and run mechanicals, you know, venting, it</p> <p>14 usually punches through those roofs, so I just want</p> <p>15 to --</p> <p>16 THE WITNESS: We believe we can get</p> <p>17 that venting to be on the backside of the roof.</p> <p>18 MR. HALL: Okay. And then all the</p> <p>19 mechanicals, any of the indirect -- there's no</p> <p>20 chimneys and with the very efficient mechanical units</p> <p>21 these days, you'll go out the side of the walls with</p> <p>22 those?</p> <p>23 THE WITNESS: Yes.</p> <p>24 MR. HALL: Okay.</p> <p>25 CHAIRMAN CLEW: And what -- I guess in</p>	<p style="text-align: right;">Page 19</p> <p>1 MR. HALL: I have a question,</p> <p>2 Mr. Minno. This is Building 9, right?</p> <p>3 THE WITNESS: It is.</p> <p>4 MR. HALL: Isn't -- aren't the</p> <p>5 affordables at the wrong end from this view.</p> <p>6 THE WITNESS: I'm sorry, this -- in my</p> <p>7 mind this is --</p> <p>8 MR. HALL: Isn't that Building 10?</p> <p>9 It's really -- I'm looking at the floor, the site</p> <p>10 plan here. Or Building 1, is that Building 1 really?</p> <p>11 I mean --</p> <p>12 THE WITNESS: No, Building 1 does not</p> <p>13 have affordable units in it. It would be more like</p> <p>14 --</p> <p>15 CHAIRMAN CLEW: Building 11, I think.</p> <p>16 THE WITNESS: Yes, Building 11. Yeah.</p> <p>17 MR. HALL: Oh, yeah, 11, yeah.</p> <p>18 THE WITNESS: Building 11 has two</p> <p>19 affordable units on the right-hand side.</p> <p>20 MR. HALL: Right, because that end of</p> <p>21 the property, of the building is opposite the</p> <p>22 highway. And the other elevation showed another</p> <p>23 building than what the highway really is.</p> <p>24 THE WITNESS: That's correct.</p> <p>25 MR. HALL: Okay. So it's transposed.</p>
<p style="text-align: right;">Page 18</p> <p>1 this view and in -- I don't know what -- some of the</p> <p>2 other views on the A-10 I see. What is the -- what</p> <p>3 is the blacked out window in the center?</p> <p>4 THE WITNESS: Well, that's a -- a</p> <p>5 shutter area. And that is a place in the floor plan</p> <p>6 where we have a closet, I believe. That's a</p> <p>7 shuttered area. And we have -- if you look at the</p> <p>8 end elevation, we have a couple of various that we're</p> <p>9 trying to keep the pattern of the windows intact, but</p> <p>10 we're using a closed shutter look in those areas.</p> <p>11 So this is a device that we have used</p> <p>12 in traditional architecture.</p> <p>13 MR. PLATT: David, it's Nic Platt.</p> <p>14 As we did in Herstmont, would we be</p> <p>15 able to see samples of the stone veneer, the thin-set</p> <p>16 stone veneer so, you know, as you might remember, we</p> <p>17 banned the use of putting stone, that purple stone,</p> <p>18 because it's not the look that we wanted. So how</p> <p>19 many -- do you have a favorite veneer that you're</p> <p>20 suggesting? Is this it?</p> <p>21 THE WITNESS: This is close. It's hard</p> <p>22 in digital form to do it. That's why we want,</p> <p>23 Mr. Plat, to bring you a actual physical sample of it</p> <p>24 so that you can see it more clearly.</p> <p>25 MR. PLATT: Okay, good.</p>	<p style="text-align: right;">Page 20</p> <p>1 Okay.</p> <p>2 THE WITNESS: Yes, I'll correct the</p> <p>3 labeling of the building.</p> <p>4 MR. HALL: No, that's fine. I just</p> <p>5 want to make sure I can orient it. Okay.</p> <p>6 VICE CHAIRMAN CHIPPERSON: Mr. Minno,</p> <p>7 Dave Chipperson here.</p> <p>8 Are there any considerations in the</p> <p>9 design or the construction related to the highway</p> <p>10 noise for any of the buildings?</p> <p>11 THE WITNESS: Yes, that's a great</p> <p>12 question, David.</p> <p>13 We have developed residential</p> <p>14 multifamily units in several locations in New Jersey</p> <p>15 where we've had either highways like 287, we have</p> <p>16 projects on the New Jersey Turnpike, actually a</p> <p>17 senior project. We have a project, affordable</p> <p>18 housing project that's near the Morristown airport.</p> <p>19 So we've done a lot of work and</p> <p>20 research into sound transmission in residential</p> <p>21 buildings.</p> <p>22 And the key area is that the windows</p> <p>23 that are facing the highway should be triple glazed</p> <p>24 and that's our biggest element. We use extra</p> <p>25 insulation in the stud bays of the wood framing. And</p>

<p style="text-align: right;">Page 21</p> <p>1 one other device that we use is that the soffit 2 vents, we have a baffle there that keeps the sound 3 from going through the soffit vents up into the roof 4 truss area and translating down into the upper floor 5 of the unit. 6 So we've got a baffle system that we 7 use in the soffit vents near high-noise situations, 8 so we -- we feel good about it. We've had, 9 especially the senior housing project near the 10 Turnpike, we've had some testing done post-occupancy 11 and we have a very good decibel rating there, so we 12 feel like these three items, the windows, the extra 13 insulation in the walls and the baffles at the roof 14 are a great help to reducing sound. 15 VICE CHAIRMAN CHIPPERSON: Can you 16 share some of the details of that, of that testing 17 and those results and -- at some point, not tonight, 18 but -- and show us how that's going to be applied 19 here? 20 THE WITNESS: Yes, I think so. 21 It's been a number of years and I'll 22 try to dig those up, but in that case I know that we 23 had to certify a certain decibel level 24 post-occupancy, so we were very careful with the 25 details.</p>	<p style="text-align: right;">Page 23</p> <p>1 impacted by the mitigation measures you described, 2 so... 3 THE WITNESS: That's correct. 4 MR. HALL: I think everyone agrees that 5 outdoor living, people want that these days, so I 6 throw that out. 7 CHAIRMAN CLEW: In the previous 8 rendition of the plans that we saw there were 9 mechanical, I don't even know what -- but windows 10 that were supporting venting for mechanicals. 11 Are those still there on the sides? 12 THE WITNESS: I don't believe so. I 13 think we're going to have rather traditional systems 14 in this building. There will be some outdoor 15 condensing units for the air conditioners, but the 16 heating units will be self-contained inside the unit. 17 CHAIRMAN CLEW: Okay. And is that -- 18 so did the design -- did the interior design of the 19 affordable units change then in this version as well. 20 THE WITNESS: They did not. 21 Maybe they would have to. I wasn't 22 really focused on that. 23 MR. INGLESINO: Dave, is it fair to say 24 that the floor plans and the location of the 25 affordable units has not changed?</p>
<p style="text-align: right;">Page 22</p> <p>1 MR. HALL: Can you -- 2 MR. PLATT: Excuse me a second, Gary. 3 When we were out there, we were talking 4 about the highway barrier. You know, there -- are 5 you recommending to the developer that they look into 6 an application with the DOT to get a highway barrier 7 up? 8 THE WITNESS: Is that a question to me, 9 Mr. Platt? 10 MR. PLATT: Yes, it is. 11 THE WITNESS: Oh, I'm sorry, I thought 12 you were -- okay. 13 That would have to be answered by my 14 client and the civil engineer on the site whether 15 that is, in fact, possible. I don't know the 16 permitting process for that, so that's -- that's a 17 question beyond my pay grade. 18 MR. INGLESINO: And that question did 19 come up the last time and we will have an answer. 20 MR. HALL: Yeah, so my question to 21 Mr. Minno related to that, because when he described 22 the inside noise and you have elevated decks and 23 backyards that would -- 24 THE WITNESS: Sure. 25 MR. HALL: -- that would not be</p>	<p style="text-align: right;">Page 24</p> <p>1 THE WITNESS: It's not changed and I 2 don't see a reason why we could not do similar 3 systems as the straight up townhouses, as the 4 market-rate townhouses. 5 MR. HALL: Speaking of that, the 6 market-rate townhouses, where -- would they have 7 outside AC units? I'm wondering where they would go, 8 looking at the -- 9 THE WITNESS: Yeah, they would go 10 possibly on the ground at the end of the building 11 here. Wherever we would do that, we would landscape 12 that. We can gang -- you know, they're small air 13 conditioning units, we could gang them along the side 14 of the unit here. 15 MR. HALL: We'd have a row of four or 16 five units or whatever, six. 17 THE WITNESS: There would be -- well, 18 there would be four for the affordable units. 19 MR. HALL: Yeah, I'm talking about the 20 market units. I mean, there's even more of those. 21 THE WITNESS: Right. 22 We have some places underneath the 23 stairways in the back of the units where we can 24 locate the condensing units and then landscape in 25 front of those areas.</p>

<p style="text-align: right;">Page 25</p> <p>1 MR. HALL: Okay.</p> <p>2 THE WITNESS: So the COAH units could</p> <p>3 be somewhere on this back corner, and the market-rate</p> <p>4 units could be under the stairways.</p> <p>5 MR. HALL: Okay.</p> <p>6 MR. BJORKEDAL: Do any of the changes</p> <p>7 have an impact on the environmental life, et cetera?</p> <p>8 THE WITNESS: Do they have an impact on</p> <p>9 what? I'm sorry.</p> <p>10 MR. BJORKEDAL: I'm sorry. The</p> <p>11 wildlife or the environmental impacts of the</p> <p>12 building?</p> <p>13 THE WITNESS: Not that I know of.</p> <p>14 I mean, the project, by its nature, has</p> <p>15 some impact on the wildlife that exists there, but</p> <p>16 not in particular these designs of units over any</p> <p>17 other that would be in their place.</p> <p>18 VICE CHAIRMAN CHIPPERSON: I don't see</p> <p>19 any and I assume there's not, but there will be no</p> <p>20 option for wood burning fireplaces or stoves?</p> <p>21 THE WITNESS: There will not.</p> <p>22 VICE CHAIRMAN CHIPPERSON: In any of</p> <p>23 the units? Okay.</p> <p>24 THE WITNESS: No.</p> <p>25 MR. dePOORTERE: I'd just like also to</p>	<p style="text-align: right;">Page 27</p> <p>1 But both systems meet all New Jersey</p> <p>2 applicable building codes.</p> <p>3 MR. YATES: What's the point of having</p> <p>4 different systems in the affordable and the market</p> <p>5 rate? Is it economics or --</p> <p>6 THE WITNESS: It's just the fact that</p> <p>7 the code considers and designates for the stacked</p> <p>8 units, they consider that a multifamily unit, and</p> <p>9 they look at the other units as straight up</p> <p>10 townhouses. So when you review the codes, they</p> <p>11 specify slightly different sprinkler systems.</p> <p>12 MR. INGLESINO: But, Dave, the</p> <p>13 sprinkler system is -- fits the unit type; is it fair</p> <p>14 to say the sprinkler system fits the unit type, not</p> <p>15 whether or not it's an affordable unit or a</p> <p>16 market-rate unit.</p> <p>17 Is that correct?</p> <p>18 THE WITNESS: That's correct. It has</p> <p>19 to do with the configuration of the units, not the</p> <p>20 cost or anything else. It has to do with the</p> <p>21 configuration.</p> <p>22 MR. dePOORTERE: People living on top</p> <p>23 of each other instead of side by side.</p> <p>24 THE WITNESS: That's correct.</p> <p>25 MR. YATES: So one follow-up on that.</p>
<p style="text-align: right;">Page 26</p> <p>1 ask, 'cause I didn't see when it was in last</p> <p>2 meeting's transcript, is there any chance that these</p> <p>3 buildings will have a 13R residential sprinkler</p> <p>4 system in it?</p> <p>5 THE WITNESS: Yes.</p> <p>6 I think what we're planning on at this</p> <p>7 point and we've reviewed the code on this and we also</p> <p>8 reviewed the New Burnham Volunteer Fire Department</p> <p>9 memo. We believe that the market-rate townhouses</p> <p>10 would have a 13D system, which is a residential</p> <p>11 sprinkler system, and the market -- and the flats,</p> <p>12 which are the affordable units, would have a 13R</p> <p>13 system.</p> <p>14 MR. dePOORTERE: Okay. That's huge in</p> <p>15 helping the fire department knock stuff down before</p> <p>16 they get there.</p> <p>17 THE WITNESS: They're very safe, modern</p> <p>18 buildings.</p> <p>19 MR. dePOORTERE: Absolutely.</p> <p>20 CHAIRMAN CLEW: For the benefit of the</p> <p>21 uninitiated, 13D versus 13R.</p> <p>22 THE WITNESS: It's actually very, very</p> <p>23 similar. The only differences are pipe sizes and</p> <p>24 where the heads are located, the amount of coverage</p> <p>25 in the heads.</p>	<p style="text-align: right;">Page 28</p> <p>1 So does the presence of the sprinkler system mean</p> <p>2 that the fire company does not need a ladder truck</p> <p>3 that will reach all the way to the top?</p> <p>4 THE WITNESS: I mean, that's really a</p> <p>5 call from your own fire department, but technically,</p> <p>6 in terms of life safety, the people are really --</p> <p>7 it's meant to protect the people for an hour or</p> <p>8 better so that they have time to get out.</p> <p>9 When it has an approved sprinkler</p> <p>10 system like this, they don't typically require in the</p> <p>11 building codes what is called an egress window. Some</p> <p>12 projects that are not sprinklered require an egress</p> <p>13 window where a fireman can get up on a ladder with</p> <p>14 his oxygen pack and take a person out of a window</p> <p>15 down the ladder.</p> <p>16 This project, because it's sprinklered,</p> <p>17 would not require that.</p> <p>18 So it's a very safe building. The</p> <p>19 codes recognize that. And it just gives the fire</p> <p>20 department a lot more piece of mind about everything,</p> <p>21 you know, in particular the life safety issue.</p> <p>22 A lot of townhouse projects that you</p> <p>23 see are not sprinklered, so you can build the</p> <p>24 townhouses, the straight up townhouses, the</p> <p>25 market-rate units, without a sprinkler system by</p>

<p style="text-align: right;">Page 29</p> <p>1 doing extra sheetrocking and things like that, but 2 our client has chosen to sprinkler those buildings. 3 That's one of the options the code gives you. 4 MR. dePOORTERE: While we're in the 5 sprinkler weeds, I gather the attic space on the 6 pitch of the roof and stuff like that -- I know that 7 anyone who was in it remembers Avalon. Will the 8 attics have a dry system? It's not required, I'm 9 just curious. 10 THE WITNESS: No, they won't. 11 MR. dePOORTERE: So that would be -- 12 THE WITNESS: You're correct, it's not 13 required. 14 MR. dePOORTERE: It's not required. It 15 would be the only reason that a ladder truck may come 16 into play if anything happens up on the roof. 17 MR. PLATT: David, is there a 18 requirement that -- I am just looking at the 19 overhangs and the fact that the doors seem to have 20 the ability to have soffit lighting versus wall 21 sconces. 22 Is it required to have lights over 23 garage doors as well? 24 THE WITNESS: It's not. It's not a 25 requirement by code or anything. We typically would</p>	<p style="text-align: right;">Page 31</p> <p>1 Why is it necessary to have a full 2 bathroom? 3 THE WITNESS: On the affordable units? 4 MR. EDGAR: No, no, on the townhouse 5 units. The lower level has a full bathroom, right? 6 THE WITNESS: Well, there is a family 7 room area here. That area, if somebody was outside 8 and working in their garden or whatever, they want to 9 come in and take a shower, there is a family room 10 down in that lower level. It's just a convenience 11 thing. Or if you have a pet and you want to do a dog 12 wash, it's a very convenient place to do that. 13 MR. EDGAR: I just think it, you know, 14 kind of makes it feasible for somebody to be, you 15 know, using that family room as a bedroom since 16 they're going to have a full bathroom there. 17 THE WITNESS: We're just really trying 18 to make them fully convenient homes. That's all. 19 We have two full baths upstairs, powder 20 room on the living level, and then the bathroom down 21 in the lower level. If you had a guest over with a 22 pull-out couch in your family room, it would be a 23 convenience for that as well. 24 MR. EDGAR: Okay, thank you. 25 CHAIRMAN CLEW: Can you talk to the</p>
<p style="text-align: right;">Page 30</p> <p>1 do it, just for convenience for people backing in or 2 heading in or out of the garage. 3 MR. PLATT: Right. 4 Because at the last meeting we did talk 5 about the dark sky and I know John Inglesino said we 6 were going to talk about it next time, but I'm just 7 looking at your drawings and I would see that there 8 would be great opportunity to put your outdoor 9 lighting and soffits so we wouldn't even have to 10 argue about whether you have a shielded light source. 11 THE WITNESS: Yes, we certainly would 12 explore that. That's a great option here. 13 If not, we would use a shielded fixture 14 if it was a wall mount, so -- and focus the light 15 more toward the ground plan. 16 MR. PLATT: Right. And we're talking 17 about 2700 Kelvins, just to put in your specs. 18 THE WITNESS: Yes, okay. That's a very 19 good comment. And these covered entryways do offer 20 that, so we'll certainly take a look at that. 21 MR. PLATT: Great. 22 MR. EDGAR: I have a comment regarding 23 the townhouses. They call for, on the lower level, 24 the family room and then having a full bathroom down 25 there.</p>	<p style="text-align: right;">Page 32</p> <p>1 type of windows that are being considered here, or -- 2 are they all sash windows at this point or -- and do 3 they all open? 4 THE WITNESS: They all open, except for 5 the dormer windows up at the very top because they're 6 too high to reach. But they all do open. 7 In terms of manufacturer, we haven't 8 chosen yet. But we'll try to discuss that before we 9 bring the sample boards in before the next hearing. 10 The color of the windows, as you can 11 see, is black. So we've definitely decided on that. 12 VICE CHAIRMAN CHIPPERSON: So what is 13 the plan for garbage? Are the common areas dumpsters 14 or individual pickup at each unit with cans sort of? 15 THE WITNESS: Individual pickup at each 16 unit with cans because people have the ability to 17 store in their garages. 18 CHAIRMAN CLEW: What about the 19 affordable units? 20 VICE CHAIRMAN CHIPPERSON: Yes, they 21 don't have garages, right? 22 THE WITNESS: I think, if I go back to 23 that -- let me see some pictures here. 24 MR. BJORKEDAL: Rich, while we're on 25 this, could I ask, in an extension of George's</p>

<p style="text-align: right;">Page 33</p> <p>1 question, could the density be extended because of 2 the bathrooms downstairs? 3 THE WITNESS: Density be extended? I'm 4 not sure... 5 CHAIRMAN CLEW: I don't understand the 6 question. 7 Are you asking could those units 8 accommodate more bedrooms; is that -- 9 MR. BJORKEDAL: Well, there is a 10 density per unit, right? And if you have a bathroom 11 downstairs, could you have more people inhabit? 12 THE WITNESS: I don't think the 13 ordinance talks about density of number of people per 14 unit. 15 Let me try to answer that first 16 question on the trash storage area. In the 17 affordable units we do have these pantry closets 18 which the bottom portion of the pantry was intended 19 for trash and recycling storage and then above would 20 be pantry storage, so we have that ability there. 21 And we have an additional mechanical closet in the 22 unit for the heating unit. 23 VICE CHAIRMAN CHIPPERSON: That's not 24 an exterior garbage can storage, right, that's just 25 -- you're not going to walk through the living room.</p>	<p style="text-align: right;">Page 35</p> <p>1 MR. NEWLIN: Nobody is going to store 2 their garbage indoors. 3 THE WITNESS: I think we'll get back to 4 you on that question at the next hearing, but that's 5 a good, good comment. 6 CHAIRMAN CLEW: Okay. 7 And apologies, I think I missed -- I 8 didn't record the answer on windows, so they are all, 9 what did you say, they are all sash windows, they all 10 open. 11 THE WITNESS: Yes. 12 CHAIRMAN CLEW: And are they Juliet 13 balconies, are those French doors or -- 14 THE WITNESS: Those are French doors. 15 So you can open the door and come to the balcony 16 edge. The balconies are only about -- they're not 17 sitting balconies, they're only about 1-foot wide. 18 We typically try not to do sitting balconies on the 19 street side of units, just because people can leave a 20 dead plant there or, you know, a beat up chair or 21 something like that and we want to keep the front of 22 the project in particular clean from that. 23 But it gives the opportunity for 24 somebody to enjoy the fresh air on the small balcony. 25 MR. PLATT: I have a question on the</p>
<p style="text-align: right;">Page 34</p> <p>1 THE WITNESS: No, that would have to be 2 brought to the curb on trash day, yeah. I mean, 3 everybody has to get their -- wherever we live, we 4 have to get our trash from the kitchen either to the 5 garage or out the front door to a dumpster. So we do 6 have some internal area of trash, that's inevitable 7 in any home. 8 CHAIRMAN CLEW: Right, but we don't 9 typically -- in most homes they don't typically store 10 all their garbage in the kitchen until trash day, do 11 they? 12 THE WITNESS: Typically not, no. 13 CHAIRMAN CLEW: Okay. So is there some 14 accommodation necessary here then for the units that 15 do not have a garage? 16 THE WITNESS: We could talk about 17 either -- we can talk to our client either about an 18 outdoor shed on the side of the affordable units or a 19 freestanding shed that can be closed and, you know, 20 protected from animals. 21 MR. NEWLIN: And Mr. Minno, I think 22 that seems pretty important to do because otherwise 23 there's going to be, as everybody noted, trash cans 24 outside all the time. 25 THE WITNESS: I would agree.</p>	<p style="text-align: right;">Page 36</p> <p>1 garbage storage is also where would a affordable 2 housing folk but a bicycle? And wouldn't we want to 3 make that storage facility big enough to accommodate 4 some bikes? 5 THE WITNESS: That's a good point. We 6 do want to encourage that. 7 So, again, we will get back to you on 8 the trash storage and bike storage for affordable 9 units. 10 MR. NEWLIN: You know, Nic, and the 11 farm, one of the things one sees as you drive by is a 12 lot of stuff stored outside. 13 MR. PLATT: Yes. 14 MR. NEWLIN: So one wonders how that 15 could be addressed. Mr. Minno, you could easily 16 drive by the farm in Harding which is an affordable 17 development. It seems like those units really don't 18 have any storage, so there's lots of stuff outside. 19 THE WITNESS: Yes. 20 MR. BJORKEDAL: Especially when there 21 are children, toys and those sort of things. 22 MS. WALTERS: Can I just ask a question 23 with respect to the stacked units? I think there's a 24 total of eight of them throughout the project, and it 25 looks like six are along the 287 corridor border.</p>

<p style="text-align: right;">Page 37</p> <p>1 And are we considering that to be 2 enough of a distribution throughout the project? 3 THE WITNESS: I think there are four 4 units that are directly toward the eastern edge of 5 the site or the southeastern edge of the site. 6 MS. WALTERS: I think six of the eight 7 on page C801 of the site plans are along 287. 8 CHAIRMAN CLEW: Yes, there are four 9 that face the road and then right next to those, 10 there are, I think, two -- 11 THE WITNESS: There are four that face 12 the road. 13 CHAIRMAN CLEW: Yes. 14 So, Tracey, is your question whether 15 the affordable units could be distributed more 16 equitably across the site. 17 MS. WALTERS: Well, I'd like to 18 understand if they are distributed across the site, 19 and is -- how they're currently laid out, is that 20 considered to be distributed. 21 MR. INGLESINO: Mr. Minno, is the 22 distribution in accordance with the concept plan? 23 THE WITNESS: Yes. 24 MR. INGLESINO: Okay. Because I think 25 that -- is it fair to say that those questions are</p>	<p style="text-align: right;">Page 39</p> <p>1 MS. MERTZ: Lori, I have it right here. 2 Do you just want me to share it? 3 SECRETARY TAGLAIRINO: Yes, if you can 4 pop it up, that will be great. 5 Thank you. 6 MS. MERTZ: It's a little hard to 7 see -- 8 CHAIRMAN CLEW: Can you zoom in a 9 little bit possibly? 10 MS. MERTZ: Uh-huh. We've got one on 11 the side, one right here, two sets here, here, and up 12 at the top here. This is just, for everyone's 13 orientation, this is turned from the site plan that 14 was submitted. 15 MS. WALTERS: McKinley, isn't the dog 16 park and the fitness center in a different spot now, 17 though? 18 MS. MERTZ: Right, this was something 19 we had asked for them to discuss in terms of 20 consistency 'cause both of these have been shifted to 21 other parts of the site. And the tot lot as well, I 22 believe. 23 MS. WALTERS: But I think in terms of 24 affordable units, that does look -- that is where 25 they are.</p>
<p style="text-align: right;">Page 38</p> <p>1 addressed in the concept plan and that your plans are 2 consistent with the concept plans? 3 THE WITNESS: They are. Where I'm 4 putting the purple marks are where the affordable 5 units are. 6 CHAIRMAN CLEW: So -- and this is not 7 the concept plan that you're showing us, right, this 8 is -- 9 THE WITNESS: No, this is a copy of the 10 landscape -- colored version of the landscape plan 11 from Bohler Engineering. 12 CHAIRMAN CLEW: Would you be willing to 13 pull up or able to pull up the concept plan. 14 THE WITNESS: You know I don't have 15 that at my fingertips, I apologize. 16 VICE CHAIRMAN CHIPPERSON: It's on the 17 agenda if you look at documents from 5/12. It's the 18 last one, if you have that, Rich. 19 SECRETARY TAGLAIRINO: You want me to 20 pull that up? 21 CHAIRMAN CLEW: Yes, if you can, Lori, 22 that would be terrific. 23 SECRETARY TAGLAIRANO: Okay, give me a 24 moment here. I'm not as fast as Mr. Minno is at 25 working this.</p>	<p style="text-align: right;">Page 40</p> <p>1 MS. MERTZ: Yes, they have placed the 2 affordable units in really just about the same 3 location as this concept plan. 4 THE WITNESS: There are actually five 5 in this plan that directly face the highway, whereas 6 in our plan we have four now. 7 CHAIRMAN CLEW: Is this an appropriate 8 time for you to just take us through sort of the -- 9 what's changed between the concept plan that was in 10 the settlement agreement and now? It looks like 11 there are a lot more buildings and -- at least in 12 plan view, a lot more variability in terms of the way 13 the facades were stacked up. 14 THE WITNESS: Yes, I am not sure how 15 the last hearing's testimony went on that issue when 16 the site plan was -- 17 CHAIRMAN CLEW: I don't recall 18 discussing it in detail at the last hearing, but if 19 -- Mr. Inglesino, if you want to refresh our memory. 20 MR. INGLESINO: Sure. 21 Well, I mean, I guess I'll defer to the 22 record on that, but certainly -- I am not sure that 23 that is architectural testimony, it really seems to 24 me to relate to site plan design which would be 25 Mr. Bohler, Mr. Bohler's area of testimony. He did</p>

<p style="text-align: right;">Page 41</p> <p>1 give detailed testimony, he will be back, so he could 2 certainly address those questions, but I think those 3 are questions more appropriately asked of Mr. Bohler 4 rather than Mr. Minno because they deal with the site 5 plan layout. 6 CHAIRMAN CLEW: Okay. 7 So, Mr. Minno, the site plan and the 8 building facades that were presented in the -- as 9 part of the concept plan, can you comment on the 10 architectural details and in particular, the 11 differences in the way the facades are kind of 12 staggered in this version versus in what's been 13 presented to us? 14 THE WITNESS: Well, there's just as 15 much -- in particular on the front elevations, 16 there's just as much staggering, if not more. It may 17 look like more, but when you take apart our plan and 18 look at our perspectives, there's a great deal of 19 staggering in the front elevations itself. I'd say 20 they're relatively the same. The backs are a little 21 more lined up in the current scheme and on this one. 22 The civil engineering plans don't 23 really show exactly the back and forth movement in 24 the current architectural that I showed you tonight, 25 and there's a bit more staggering than it looks like</p>	<p style="text-align: right;">Page 43</p> <p>1 But in our case we're really interested 2 in the rich architecture that can occur by 3 staggering, and we have shown that both in the floor 4 plans and the elevations through the offsets in the 5 buildings. 6 And you can see it in terms of how 7 we've modified the roof lines, staggered the heights 8 of the plates and the turning gables. All of that 9 adds for a rich -- 10 CHAIRMAN CLEW: McKinley, maybe we 11 should let Mr. Minno re-share and he can kind of 12 point some of those details out maybe a little bit 13 more easily. 14 THE WITNESS: Sure. 15 I just have to get these pictures out 16 of the way, okay. So what I'm talking about is -- 17 actually this one's -- we have these overhanging 18 offsets in the building as you can see them 19 projecting out all the way down the line. We have 20 changes in the facia line up at the top of the roof 21 that creates a varied approach to the roof. 22 We have introduced the turned gables. 23 We have the overhangs of the front doors. 24 But even more than that, going back to 25 the plans, you see our elevations are staggering</p>
<p style="text-align: right;">Page 42</p> <p>1 in the site plan. 2 CHAIRMAN CLEW: I'm sorry, there is a 3 bit more staggering where? 4 THE WITNESS: In -- than it looks like 5 in the current site plan. 6 In other words, if you look at Bohler's 7 site plan which I just brought up, the fronts appear 8 very flat, and there's actually a bit of staggering 9 in those elements that I showed you on the 10 perspective renderings. 11 So, yeah, here in this site plan from 12 Bohler the front facades appear to be straight, and 13 when you look at what I showed you there is -- in the 14 front elevations in particular, there is a great deal 15 of staggering. 16 CHAIRMAN CLEW: Okay. So -- and 17 apologies for being dense here, but can you show us 18 how you managed to do that? 19 THE WITNESS: Yes. It's just in the 20 way the actual floor plans are designed. I think the 21 way a civil -- when they begin to lay out their site 22 plan, they're sort of looking at the boundaries of 23 the building; in other words, the furthest 24 projections potentially of the building, so they're 25 calculating site setbacks and the like.</p>	<p style="text-align: right;">Page 44</p> <p>1 along the front. 2 CHAIRMAN CLEW: How deep is that 3 stagger about? 4 THE WITNESS: It's about 2 feet. 5 CHAIRMAN CLEW: Okay. 6 THE WITNESS: So I hope that answers 7 your question. 8 CHAIRMAN CLEW: Are there other 9 questions from the board. 10 MR. NEWLIN: I have a question, I think 11 it's for Mr. Minno, but with regard to using the 12 outdoor portion, you mentioned something that 13 residents coming from their garden, they could use 14 the downstairs shower. What actually can they do 15 outside? 16 Can they have a garden, any kind of 17 landscaping, or is that really not permitted? 18 THE WITNESS: I think around their 19 patio area they're permitted to do some specific 20 planting. 21 MR. INGLESINO: Mr. Minno, is the 22 architect -- is it my understanding you're really 23 more of the person to testify as to the insides, 24 right? 25 THE WITNESS: That's correct.</p>

<p style="text-align: right;">Page 45</p> <p>1 MR. NEWLIN: My apologies.</p> <p>2 MR. HALL: If he testified they're</p> <p>3 coming in from the garden, you can't have it both</p> <p>4 ways.</p> <p>5 MR. NEWLIN: I am happy to wait if you</p> <p>6 prefer.</p> <p>7 MR. INGLESINO: Okay. We will address</p> <p>8 that at the next meeting.</p> <p>9 MR. NEWLIN: Sure.</p> <p>10 VICE CHAIRMAN CHIPPERSON: Can I ask</p> <p>11 Mr. Minno -- we don't have a drawing, I don't</p> <p>12 believe, of the pool house. What aspects from this</p> <p>13 elevation do you think are going to be the look for</p> <p>14 the pool house?</p> <p>15 THE WITNESS: They'll be in the same</p> <p>16 genre, the style, same window pattern, same materials</p> <p>17 around the entire building.</p> <p>18 VICE CHAIRMAN CHIPPERSON: I mean, is</p> <p>19 it going to be varied or stone versus siding or one</p> <p>20 or the other?</p> <p>21 THE WITNESS: I think it will include</p> <p>22 stone. I think it will --</p> <p>23 VICE CHAIRMAN CHIPPERSON: You do.</p> <p>24 THE WITNESS: -- it will include</p> <p>25 horizontal siding and some of the board and batten,</p>	<p style="text-align: right;">Page 47</p> <p>1 Are these windows going to be tinted at</p> <p>2 all or are they just going to be clear glass.</p> <p>3 THE WITNESS: They're going to be</p> <p>4 what's called low-E glass, which is generally clear</p> <p>5 looking, but it's meant to be -- you know, it's meant</p> <p>6 to reduce the heat gain within the unit and it's</p> <p>7 meant to reduce facing of interior elements; carpets,</p> <p>8 furniture, those types of thing.</p> <p>9 CHAIRMAN CLEW: That will be low-E</p> <p>10 throughout?</p> <p>11 THE WITNESS: Yes.</p> <p>12 CHAIRMAN CLEW: Okay.</p> <p>13 MS. CLAYTOR: So how visible are, say,</p> <p>14 window treatments through a low-E pane?</p> <p>15 THE WITNESS: Well, you would see it.</p> <p>16 I mean, especially at night you would see the window</p> <p>17 treatment because the units would be lit up and, you</p> <p>18 know, it's just like a nighttime window, but --</p> <p>19 MS. CLAYTOR: Right. They're just very</p> <p>20 large windows. They're very large.</p> <p>21 THE WITNESS: That's a great thing for</p> <p>22 the residents.</p> <p>23 MS. CLAYTOR: Right, yeah.</p> <p>24 CHAIRMAN CLEW: Okay. Are there other</p> <p>25 questions from the board?</p>
<p style="text-align: right;">Page 46</p> <p>1 and it'll include the black window, the two over two</p> <p>2 black windows. It will be very much in the same feel</p> <p>3 and style.</p> <p>4 VICE CHAIRMAN CHIPPERSON: Thank you.</p> <p>5 MR. dePOORTERE: Recently to -- just to</p> <p>6 Alf's question, a lot of areas have been turned over</p> <p>7 now to actually like small community gardens, the</p> <p>8 most smallest areas where they give them a small</p> <p>9 parcel of 6-feet-by-6-feet, so that would be just</p> <p>10 something that would -- I'd like to get an answer on</p> <p>11 also now that it came up.</p> <p>12 CHAIRMAN CLEW: Okay.</p> <p>13 So, Mr. Inglesino, can we come back to</p> <p>14 that and will you -- at what point should we come</p> <p>15 back to that.</p> <p>16 MR. INGLESINO: We'll address that at</p> <p>17 the next hearing with Mr. Bohler.</p> <p>18 CHAIRMAN CLEW: Okay, terrific.</p> <p>19 Thank you.</p> <p>20 MR. NEWLIN: The whole section on the</p> <p>21 community spaces, if we could deal with all that at</p> <p>22 once, it would be great.</p> <p>23 MR. INGLESINO: Okay.</p> <p>24 MS. CLAYTOR: I have a question. This</p> <p>25 is Gwenn Claytor.</p>	<p style="text-align: right;">Page 48</p> <p>1 MR. YATES: One final question. The --</p> <p>2 between the affordable and the market-rate units</p> <p>3 there's no change of construction technique,</p> <p>4 material, quality or anything.</p> <p>5 THE WITNESS: No.</p> <p>6 MR. YATES: Other than their size and</p> <p>7 configuration, they're identical to the other -- to</p> <p>8 the market-rate units?</p> <p>9 THE WITNESS: They are.</p> <p>10 MR. YATES: Thank you.</p> <p>11 THE WITNESS: The only difference I</p> <p>12 mentioned was the type of sprinkler system, but</p> <p>13 that's more a code issue.</p> <p>14 CHAIRMAN CLEW: I guess given their</p> <p>15 location and proximity to Route 287, does that -- do</p> <p>16 you also include then the enhanced techniques for</p> <p>17 soundproofing?</p> <p>18 THE WITNESS: Oh, sure. Yes. Those</p> <p>19 units that are affordable that face the highway would</p> <p>20 receive the same treatment.</p> <p>21 CHAIRMAN CLEW: Okay.</p> <p>22 MS. WALTERS: I'm not sure if this is</p> <p>23 your question or not, but with respect to signage for</p> <p>24 the overall project, or is that a next meeting</p> <p>25 Mr. Bohler question?</p>

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<p>1 THE WITNESS: That's a Bohler question. 2 MS. WALTERS: Okay, thank you. I'll 3 wait. 4 MS. MERTZ: Dave, can you also confirm 5 now or at the next meeting, 'cause I know you didn't 6 do -- the floor plans weren't yours, but that the 7 COAH units will have in-house washer/dryer units, 8 whether that be stacked or side by side? 9 THE WITNESS: I can say that they will. 10 MS. MERTZ: Okay, great. Thank you. 11 CHAIRMAN CLEW: Okay. Anybody else on 12 the board? 13 (No response.) 14 CHAIRMAN CLEW: Okay. If not, I will -- 15 I would like to open it up to the public for 16 questions. 17 Lori is going to help us do that, but 18 what I would ask is if people who are on Zoom, if you 19 can raise your hand first and then introduce 20 yourselves, tell us your name and where you live, and 21 we will get through the list of folks as we go, or as 22 you raise your hands rather. 23 SECRETARY TAGLAIRANO: I am looking. I 24 don't see any -- I don't see anybody with a raised 25 hand at the moment. Okay.</p>	<p>1 CHAIRMAN CLEW: Maybe we can do that in 2 context with the questions earlier around storing 3 stuff outside and -- 4 THE WITNESS: Yes, those were all 5 really good questions. And I really appreciate the 6 board's interest in fairness to the affordable units. 7 I don't usually see that concern from the Planning 8 Boards, so I want to compliment you on being fair to 9 your affordable neighbors. So that's great. 10 CHAIRMAN CLEW: Okay. Are there any 11 remaining questions that folks from the board or from 12 the public have on this portion of the application? 13 Oh, sorry, I do see a raised hand now. 14 Cathy Wilson. Can you tell us -- I assume that's who 15 you are. Tell us who you are and where you live and 16 -- 17 SECRETARY TAGLAIRANO: You have to 18 unmute, Ms. Wilson. 19 MS. WILSON: Okay. 20 CHAIRMAN CLEW: We can hear you now, 21 Cathy. 22 MS. WILSON: There we are, 20 Beechwood 23 Drive, Morris Township. 24 So I just wanted to confirm on the 25 questions about sound from 287. Can you clarify for</p>
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<p>1 CHAIRMAN CLEW: Okay. Is there anybody 2 who was not able to raise their hand but would like 3 to jump in now and ask a question? 4 VICE CHAIRMAN CHIPPERSON: I have one 5 more question, Dave here. 6 CHAIRMAN CLEW: Go ahead. 7 VICE CHAIRMAN CHIPPERSON: Is there any 8 provision for partitions on the back side between the 9 patio areas; you know, fencing or anything like that? 10 Is that going to be an option for these people? 11 THE WITNESS: It may be part of the 12 landscape plan, I am not sure. 13 VICE CHAIRMAN CHIPPERSON: Okay. 14 THE WITNESS: You mean privacy between 15 the patios? 16 VICE CHAIRMAN CHIPPERSON: Yeah, yeah. 17 You know, lattice or fence or something. 18 THE WITNESS: We will try to address 19 that question next time. 20 MR. PLATT: Yes, it should be more than 21 the landscape plan. It should probably be an actual 22 physical manmade barrier. 23 THE WITNESS: We'll address that, 24 Mr. Platt, at the next hearing. 25 Thank you.</p>	<p>1 me what the -- what your testimony was on the sound 2 barrier? Is that coming -- further information about 3 that is coming at the next meeting? 4 THE WITNESS: Yeah, I am not testifying 5 at all about a sound barrier along the highway. My 6 only testimony had to do with the buildings 7 themselves and the steps we're taking in the 8 architecture to reduce sound. 9 But in terms of applying for a sound 10 barrier from the State, that's not my area of 11 expertise. 12 MS. WILSON: How does that get 13 addressed as part of this application? 14 MR. HALL: I believe they said they'd 15 consider it and get back to everyone next meeting. 16 MS. WILSON: Okay. 17 MR. HALL: They didn't commit to do it, 18 they said they'd consider it, and we can talk about 19 it further next time. 20 MS. WILSON: Okay, great. Thank you. 21 CHAIRMAN CLEW: Okay. 22 Thank you, Ms. Wilson. 23 Okay. Are there any other questions on 24 the architectural testimony tonight? Okay. 25 Mr. Minno, thank you very much.</p>

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<p>1 Appreciate your time tonight.</p> <p>2 THE WITNESS: Thank you.</p> <p>3 CHAIRMAN CLEW: Mr. Inglesino, before</p> <p>4 we wrap up tonight, we did have sort of a bit of a</p> <p>5 site inspection which was a fascinating and</p> <p>6 interesting experience for all of us that made it out</p> <p>7 there. I think it's probably important for us to be</p> <p>8 able to see -- get a better sense of the site. And</p> <p>9 to do that I think we need some better access into</p> <p>10 the site so that it's less of an orienteering</p> <p>11 exercise if possible.</p> <p>12 Is that something that we could make</p> <p>13 arrangements to do at some point in the future?</p> <p>14 MR. INGLESINO: I will speak to my</p> <p>15 client.</p> <p>16 Are you talking about another site</p> <p>17 visit?</p> <p>18 CHAIRMAN CLEW: Yes. I mean, so just</p> <p>19 for context, we were able to see sort of very limited</p> <p>20 portions of the site, find a few individual stakes,</p> <p>21 and we kind of made our way I think largely to the</p> <p>22 middle of the site and then to the east.</p> <p>23 But it's -- you know, a lot of the</p> <p>24 undergrowth makes it very difficult to see. I don't</p> <p>25 want to wait until the site's been clearcut, but I</p>	<p>1 they have to do is bring some hedge shears and clear</p> <p>2 a path so we can get there and that was not done.</p> <p>3 MR. INGLESINO: Okay. As I say, I'll</p> <p>4 -- I'll confer with my client and Mr. Hall and get</p> <p>5 back to you.</p> <p>6 MR. NEWLIN: Can I you make a</p> <p>7 suggestion that our engineer is also part of that</p> <p>8 discussion, because I think he knows what it is we</p> <p>9 want to see.</p> <p>10 MR. INGLESINO: Sure.</p> <p>11 MR. NEWLIN: Gary, could you make sure</p> <p>12 that Paul is involved in whatever discussion you</p> <p>13 have?</p> <p>14 MR. HALL: I think it's more important</p> <p>15 for Paul to talk to their engineer, frankly, but</p> <p>16 that's fine, I will join in as well.</p> <p>17 MR. NEWLIN: I think if Paul's happy</p> <p>18 we're going to be happy.</p> <p>19 MR. HALL: Yes, I agree.</p> <p>20 CHAIRMAN CLEW: And to be clear, we're</p> <p>21 not looking for a wide, well-blazed path, but some</p> <p>22 way of navigating through the property, and a</p> <p>23 reasonable attempt at that would be appropriate.</p> <p>24 So I just saw on Zoom a note from a</p> <p>25 resident of 71 Frederick. Would you -- can you take</p>
Page 54	Page 56
<p>1 think for, you know, some reasonable level of access</p> <p>2 that doesn't involve climbing over and under trees</p> <p>3 and climbing through multiple rose patches would</p> <p>4 allow for a more complete review of the site.</p> <p>5 MR. INGLESINO: Let me talk to my</p> <p>6 client.</p> <p>7 MR. FOX: I think just to be clear,</p> <p>8 when we made the request to have all those points</p> <p>9 marked out in the field, it was our intent to be able</p> <p>10 to go look at all those points, and based on the</p> <p>11 condition of the site that clearly wasn't possible.</p> <p>12 MR. INGLESINO: Yeah, let me speak to</p> <p>13 my client and speak to -- and Mr. Hall. It is out of</p> <p>14 the norm, shall we say, to request an applicant to do</p> <p>15 extensive site clearing or undertake site clearing</p> <p>16 operations or -- or, you know, tasks in connection</p> <p>17 with a site plan application. But I'll speak with my</p> <p>18 client and circle back with Mr. Hall.</p> <p>19 MR. HALL: Mr. Inglesino, I don't think</p> <p>20 that's unreasonable at all.</p> <p>21 MR. PLATT: No, it was almost</p> <p>22 impossible for them to have laid out those ribbons</p> <p>23 and sprayed some of those lines without actually</p> <p>24 having to lift some of the (Audio Distortion)</p> <p>25 branches and tuck under them. It was -- they -- all</p>	<p>1 yourself off mute and if you have a question, ask.</p> <p>2 Mr. Silver or Mrs. Silver?</p> <p>3 MS. SILVER: Apologies.</p> <p>4 This is Donna Silver at 71 Frederick</p> <p>5 Place.</p> <p>6 Are you guys able to hear us now?</p> <p>7 CHAIRMAN CLEW: Yes, we can hear you.</p> <p>8 MS. SILVER: Excellent, thank you.</p> <p>9 Access to that property is very</p> <p>10 difficult from the Morris Township side of the</p> <p>11 property through the corporate complex. Being the</p> <p>12 closest resident that adjoins this development at 71</p> <p>13 Frederick, we certainly are amenable to the party</p> <p>14 cutting through our property to access this</p> <p>15 particular perimeter for a better site visit.</p> <p>16 We, too, would appreciate from the</p> <p>17 developer a much better understanding of the</p> <p>18 orientation of the building, as this residence is the</p> <p>19 closest residence in proximity to the proposed</p> <p>20 development.</p> <p>21 So there's two things there: One, an</p> <p>22 offer to access that site through our property,</p> <p>23 walking, as a visual guide to what the development</p> <p>24 looks like; and then two, a better understanding of</p> <p>25 what this closest building to us looks like.</p>


<p style="text-align: right;">Page 57</p> <p>1 The second piece is a question, and 2 that is in the latest concept that was just pulled up 3 with the reorientation of certain elements of the 4 site plan, we were -- I am trying to understand if 5 the closest building to us actually has on the end 6 closest to this residency border affordable housing 7 or market rate housing unit. 8 I think there's a bit of a concern if 9 it's affordable housing being that they don't have a 10 garage and it would be extra outdoor storage required 11 for these individuals to have the same type of 12 garbage and bicycle considerations. 13 MR. HALL: I think you're looking at 14 the original concept plan, not the current one, I 15 believe. 16 MS. SILVER: Perfect, yeah. It was a 17 little confusing as to which one was up on the screen 18 at the meeting today. 19 MR. HALL: Yes, the one with the dog 20 park and the fitness center next to the highway was 21 the old one, and that -- 22 MS. SILVER: Thank you for that. 23 MR. HALL: It had the most -- the 24 closest end unit was -- had affordables. Current 25 one, the current plan, I think it's quite a ways</p>	<p style="text-align: right;">Page 59</p> <p>1 actually, sorry -- 2 MS. WALTERS: Quick interrupt, so 3 sorry. 4 Will the samples be available before 5 next meeting for materials used? Will the samples 6 for materials used on the building be available to us 7 before our next meeting. 8 MR. INGLESINO: I would defer to 9 Mr. Minno on that. 10 THE WITNESS: Yes, sample boards can be 11 -- I guess because we're in a Zoom environment, we 12 could deliver the sample boards to the Township and 13 they would be available there. 14 CHAIRMAN CLEW: I am hoping that for 15 our next meeting we are all going to be in person, or 16 as many of us that can be in person are in person. 17 We're working out those details. 18 But my expectation is that we will have 19 the meeting in person next month. 20 And, Lori, I don't know if you can tell 21 us, will we continue to support a Zoom option for 22 those unable to come in person or do we know all -- 23 do we know all the answers yet or are we still 24 working all the questions? 25 SECRETARY TAGLAIRINO: We do not. This</p>
<p style="text-align: right;">Page 58</p> <p>1 away. It's the next building over. It's not the 2 closest one. 3 MS. SILVER: And our offer still stands 4 if you would like to walk through this property to 5 try and access the perimeter of the property. 6 I can't say that it's certainly easy 7 access on this side either, but I do feel it's 8 somewhat easier to navigate than the original walking 9 point at the original site visit. 10 CHAIRMAN CLEW: Okay. Thank you very 11 much. 12 Okay. Mr. Inglesino, we will wait to 13 hear back from you on the potential for a more 14 comprehensive site visit that would allow us to see 15 -- allow us to find the stakes that we were told were 16 put in place. 17 MR. INGLESINO: Okay. So again, I have 18 to confer with my client and then we'll get back you. 19 CHAIRMAN CLEW: Okay. Thank you. All 20 right. 21 Are there any other questions for the 22 applicant this evening from anyone? 23 (No response.) 24 CHAIRMAN CLEW: Okay. 25 Shall we close the hearing for -- or</p>	<p style="text-align: right;">Page 60</p> <p>1 is all happening in realtime. We have pieces of 2 information, but we don't have what it all means. 3 CHAIRMAN CLEW: Okay. 4 SECRETARY TAGLAIRINO: So I... 5 MR. HALL: And part of that puzzle may 6 be state regulations as to what you can and can't do, 7 because what we're doing now, the remote meetings, 8 there are state regulations that apply. So it's not 9 just what we think is good, but what the state thinks 10 is good, so... 11 CHAIRMAN CLEW: All right. 12 Mr. Minno, if we could ask you to make 13 arrangements for, kind of, those sample boards to be 14 delivered to the township building, that would be 15 terrific. We will work out the details of how people 16 could actually see them while we progress through the 17 next few weeks. 18 THE WITNESS: Certainly. 19 CHAIRMAN CLEW: Okay, terrific. 20 Thank you. 21 MR. INGLESINO: I guess, Mr. Chairman, 22 in that regard, I guess it's really an issue for 23 Mr. Hall, I would think that since we're going to 24 have to carry the meeting, we're going to have to 25 carry it via Zoom because it would involve renotece,</p>

<p style="text-align: right;">Page 61</p> <p>1 I think, if we were going to hold an in-person 2 meeting, 'cause we're just making an announcement to 3 carry it to a time, a date and place certain. 4 So I just would like the board to be 5 cognizant of that and raise that issue with Mr. Hall, 6 'cause -- 7 MR. HALL: Yes, I tend to agree that we 8 need to tell people now. We can change it, but when 9 you change it you've got to let people know of the 10 change, I think. As of now it's the 22nd of June, 11 according to my calendar, will be the next meeting. 12 MR. INGLESINO: Yes, my opinion is that 13 it would have to be a Zoom, but at that meeting, if 14 there were a need for another meeting, and you could 15 do it in person, then you could make an announcement 16 to carry it for an in-person meeting after that. 17 MR. HALL: Or if we determine in 18 advance that it can be in the meeting room, we can -- 19 that can be noticed as well. 20 CHAIRMAN CLEW: Okay. Well, we have 21 the option currently because we've got a couple of 22 people in the room, so we are doing -- thank you, 23 Mr. dePoortere, for holding down the fort there with 24 Lori. 25 We have the option of continuing to do</p>	<p style="text-align: right;">Page 63</p> <p>1 I'm not sure that you know at this particular point 2 in time whether you can have an in-person meeting in 3 June or not. 4 MR. HALL: Well, I think we can carry 5 it to in-person with the caveat that it may be Zoom. 6 I mean, I got a notice from the court today and it 7 said that it's going to be held in chambers unless, 8 you know, we still have to have it remote. 9 MR. INGLESINO: Yes, I understand. I'm 10 -- you know, I'm one who's very conservative about 11 notice under the Municipal Land Use Law, you know, so 12 I'm one who doesn't like to deviate from what I know 13 is going to be upheld, and I know that if this is 14 carried via Zoom, that that's a proper and 15 appropriate thing to do. 16 I get a little concerned if it's 17 carried to in-person and you can't have in-person, 18 then what does that mean relative to Zoom. 19 So I just think that as we transition 20 out of sort of COVID protocol to so-called normal, 21 we're going to encounter some of these issues. And I 22 would just express the opinion that I would, you 23 know, we would like to proceed in a conservative 24 manner so that we don't raise, you know, issues. 25 MR. HALL: I think it's up to the</p>
<p style="text-align: right;">Page 62</p> <p>1 this in a hybrid mode, just it may mean that next 2 month we have more people physically in the room. 3 Gary, is that consistent with our 4 noticing requirements or do we need to do more? 5 MR. HALL: I don't think the state 6 likes hybrid meetings, frankly, but, I mean, we make 7 an exception for Mr. dePoortere. But I think if we 8 go too far there may be some issues. 9 CHAIRMAN CLEW: Okay. 10 MR. INGLESINO: My concern is really 11 more with the notice that was given by the applicant 12 of the hearing. 13 CHAIRMAN CLEW: Yes. 14 MR. HALL: We can sort it all out. 15 CHAIRMAN CLEW: Okay. 16 MR. PLATT: I think, based on guidance 17 that was issued by DCA today, we would anticipate 18 in-person meetings beginning in June. 19 MR. NEWLIN: That's what Harding is 20 planning for. 21 MR. INGLESINO: But again, my concern 22 is, is that when we gave our notice for the meeting, 23 it was a Zoom. I mean, the board could carry the 24 meeting to June to an in-person meeting, but, you 25 know, then you'd have to have an in-person meeting.</p>	<p style="text-align: right;">Page 64</p> <p>1 board. They can have it both ways. I mean, I'm 2 aware of your -- I understand your concern and that 3 will be looked at, but for now I think the board 4 wants to carry it with the option to go either way. 5 Unless I'm mishearing something. 6 CHAIRMAN CLEW: So I think we're going 7 to -- and we haven't polled the board on the board's 8 ability to fully appear in person yet either, but I 9 think we are looking forward to getting back to 10 something where we can do our meetings in person and 11 see people face-to-face rather than box to box. 12 But I understand that some of those 13 details are yet to be worked out. And Gary will work 14 with you and with the town administration to ensure 15 that we do that in the proper fashion. 16 So, Gary, do we need a motion to carry 17 this application forward to the next meeting? 18 MR. HALL: No, it's carried to the 22nd 19 either live or by Zoom. 20 MR. INGLESINO: Correct. 21 MR. HALL: Whatever is permitted. 22 CHAIRMAN CLEW: Okay. 23 SECRETARY TAGLAIRINO: Wait, it's not 24 the 22nd. 25 MR. HALL: Well, now, it's -- did I get</p>

<p style="text-align: right;">Page 65</p> <p>1 it wrong? I looked at my calendar. 2 SECRETARY TAGLAIRANO: 28th. 3 MR. HALL: That's the fifth Monday, 4 isn't it. 5 CHAIRMAN CLEW: No, that's the fourth 6 Monday in -- 7 MR. HALL: Okay, I miscounted, I'm 8 sorry. 9 CHAIRMAN CLEW: The 31st of being -- 10 the week before. 11 SECRETARY TAGLAIRANO: So carried to 12 June 28th. 13 MR. HALL: Okay. That gives us another 14 week. That's even better. 15 CHAIRMAN CLEW: June 28th at 7:30, 16 yeah. 17 SECRETARY TAGLAIRANO: And for now 18 we're going for public? 19 MR. HALL: Right. If it's permitted 20 and allowed, subject to whatever the applicable 21 regulations are, which we're not sure at the moment. 22 Because it cuts both ways. There may 23 be public in the public who don't want to go to a 24 public meeting, you know. There are competing 25 concerns here that we'll have to see how that -- the</p>	<p style="text-align: right;">Page 67</p> <p>1 MR. HALL: I don't know what you want 2 to discuss. I mean, if it's something -- information 3 that's relevant and important that your consultants 4 Paul or McKinley can't provide, then you can consider 5 retaining someone who can. But it's -- 6 MR. NEWLIN: Right. Doesn't that have 7 to be done with the applicant? 8 MR. HALL: Yeah, I think the applicant 9 should -- 10 MR. NEWLIN: Okay. So, Rich, I think 11 it is appropriate to do that. 12 CHAIRMAN CLEW: Yes. You want to go 13 ahead? 14 MR. NEWLIN: Yes, may I? 15 So the subject is, and I did bring it 16 up last time, is consideration of hiring an ecologist 17 to help us with this application, so I wanted to 18 quickly give the considerations for that. 19 So this is a very intensive 20 development. It's probably the highest density in 21 Harding in a couple decades with 90 units on 22 15-and-a-half acres approximately. Right now it's 23 all habitat. Most of that is going away. 24 But -- and actually the site -- I did a 25 site visit, for the record, myself. I went through,</p>
<p style="text-align: right;">Page 66</p> <p>1 state and the regulation. 2 CHAIRMAN CLEW: Yes, I mean, I would -- 3 my preference would be to continue to offer kind of 4 this Zoom access in June for folks that do not feel 5 comfortable or have the ability to attend in person. 6 MR. INGLESINO: We appreciate that, 7 Mr. Chairman, and I concur with that recommendation. 8 CHAIRMAN CLEW: Okay. All right. 9 So this portion of the meeting and this 10 hearing is carried to the next meeting. 11 And Mr. Inglesino and company, thank 12 you very much. 13 MR. INGLESINO: Thank you. 14 MR. NEWLIN: Mr. Chair -- 15 CHAIRMAN CLEW: Wait, sorry. I'm 16 sorry. I heard Alf shout, but I can't find him. 17 There he is. 18 MR. NEWLIN: Yes, have we discussed 19 having retained consultants on the ecology side? I 20 think that the applicant would want to hear that. 21 CHAIRMAN CLEW: Yes. Do you want to 22 talk about that? 23 MR. NEWLIN: Yes. 24 Gary, is that correct, that if we 25 discuss retaining --</p>	<p style="text-align: right;">Page 68</p> <p>1 and certainly has lots of invasives. It also has a 2 lot of pretty, pretty mature specimen trees, you 3 know, hickory and red maple and oak, at least as far 4 as I could see. 5 And most of the woodlands will be 6 removed for the developed property, but a significant 7 portion of the property will be in conservation. 8 Looks like, you know, roughly a third. I don't think 9 that's accurate, but it looks like something like 10 that. So that's pretty significant. 11 And in our recent Master Plan 12 Re-Examination Report we did say that it is a high 13 priority for us to see what we can do to promote 14 wildlife habitat in both public and private lands. 15 I'm quoting from the report. And also try to use -- 16 employ scientific expertise when we make some of 17 these efforts. 18 And I do think the board does care 19 about this. I don't think the board has the 20 expertise specifically in conservation. So I think 21 this is at least important consideration. I am 22 pushing it now because if we actually did it, it 23 takes time to actually retain that consultant. 24 And to try to make it more practical, 25 what -- what would the scope of work be and what</p>

<p style="text-align: right;">Page 69</p> <p>1 could the benefits be? You know, first of all, the 2 applicant has given an environmental impact statement 3 and I did look at some of the sections on the 4 wildlife habitat aspect and it's very thin and it's 5 very boilerplate. 6 And I'm sure the board is going to have 7 questions about it, and it's going to be very 8 difficult probably for lay people, at least like me 9 anyway, to ask good questions to see what is 10 possible. And I do think that EIS is going to take 11 scrutiny. 12 And actually if you look at the site 13 plan that Mr. Minno brought up, you notice that the 14 landscape plan, I think it was, which he didn't do, I 15 think, it was the engineer, you know, all the focus 16 is on the developed property and everything else is 17 in gray. Does that mean they won't do anything? 18 Will it be a maintenance plan for that area or just 19 completely ignored? 20 You go around Harding to certain places 21 where you have land that is ignored and it just gets 22 choked with invasive vines and things like that. So 23 I don't know what's possibly here, I don't know 24 what's commercially feasible or reasonable here. I 25 don't know what the applicant thinks about it.</p>	<p style="text-align: right;">Page 71</p> <p>1 think we should, but it's not my call. 2 That's it, Rich. 3 CHAIRMAN CLEW: Okay. 4 I know we also have some open questions 5 on the list just around the -- kind of the trees that 6 are being removed and the trees that are being 7 replaced. 8 Broadly, I think this is an area that 9 does merit focus from the Planning Board. 10 I guess, Mr. Inglesino, do you have any 11 issues or concerns with that proposal? 12 MR. PLATT: Before John mentions -- 13 answers that, I just want to support what Alf's 14 suggestion is. I'm totally on board that we have to 15 study this and get an expert in there to guide us to 16 make the right decisions because that is critical 17 habitat. 18 MR. HALL: All right, John. 19 Let me jump in, one problem is it's 20 zoned for this development, the ordinance says, 21 consistent with the site plan. 22 So I'm concerned that you're trying to 23 back-door something that the township committee has 24 chosen to rezone for affordable housing. I mean -- 25 CHAIRMAN CLEW: I'm sorry, Gary. I</p>
<p style="text-align: right;">Page 70</p> <p>1 But I do think we could use some 2 advice. And that would be, you know, hiring somebody 3 that looks at the site, gives us an settlement of, 4 you know, how -- what's the quality of this site to 5 begin with. And that's not very easy to see. And it 6 may be very good, it may be very poor or somewhere in 7 between. And then give us some suggestions, if 8 anything, with regard to the native -- well, with 9 regard to the conserved areas, but also even possibly 10 on using native plants and the landscape plan. 11 I do think there is some low lying 12 fruit here, and I do think it would be cost 13 effective. And I don't really have anything -- you 14 know, I have no guess as to what will come out of it, 15 but I think it's absolutely worth it for us to do it. 16 And there's a lot of support in our Master Plan for 17 being more proactive about conserved property. 18 The last thing I want to say is that I 19 did speak with Julia Somers the other day. I don't 20 have specific experience with anybody in this area, 21 but she did give a name that was recommended. And 22 Julia said, I think she has a pretty good reputation, 23 not knowing expertise in this area. So we could -- 24 we do have somebody we could follow up with if we 25 wanted to. If the board wanted to pursue it. I</p>	<p style="text-align: right;">Page 72</p> <p>1 don't think we're -- we would be coming close to 2 suggesting that we change the zoning. 3 MR. NEWLIN: Yeah, what -- what do you 4 mean, Gary? 5 MR. HALL: Well, I'm just saying -- 6 MR. NEWLIN: What's the concern? 7 MR. HALL: -- my concern is if -- I get 8 the idea you're saying, well, if you can't cut down 9 trees, I mean, this plan is premised on clear cutting 10 half the property. 11 MR. NEWLIN: Gary, can I -- can I 12 correct you right off the bat -- 13 MR. NEWLIN: Sure. 14 MR. NEWLIN: -- because I think you're 15 off. 16 MR. HALL: Okay. 17 MR. NEWLIN: At least what I'm 18 referring to is the conserved portion of the 19 property, which is about a third, roughly a third of 20 the property is significant. 21 MR. HALL: Sure. 22 MR. NEWLIN: And that's what I am -- 23 and also there's a second little piece on the 24 southeast also that's going to be conserved as small 25 wetlands piece.</p>

<p style="text-align: right;">Page 73</p> <p>1 And, lastly, if, you know, the</p> <p>2 applicant themselves seem pretty open on changing the</p> <p>3 landscape plan. Within reason, of course --</p> <p>4 MR. HALL: Yes, that's fine. I mean --</p> <p>5 MR. NEWLIN: -- to support native</p> <p>6 stuff, so we're -- we're not talking about anything</p> <p>7 earth shattering.</p> <p>8 We're talking about expertise, ideas</p> <p>9 and suggestions, and in no way we're talking about</p> <p>10 changing any of the agreement or any of the zoning or</p> <p>11 -- at least in my mind, interfering with -- with the</p> <p>12 building plan per se.</p> <p>13 MR. PLATT: And going along with Alf --</p> <p>14 MR. NEWLIN: It's much more low key.</p> <p>15 MR. PLATT: Going along with what Alf</p> <p>16 is saying is that, you know, there were some -- there</p> <p>17 were some nice pin oaks back there and such.</p> <p>18 But, you know, being original tree</p> <p>19 hugger, I could see that the elevation and -- or the</p> <p>20 grading is going to be such that it would be</p> <p>21 impossible to save any of those trees.</p> <p>22 So, again, this is saving what we can</p> <p>23 and rather than us turning the open conserved area</p> <p>24 into a wasteland, actually having it so that it can</p> <p>25 be a contributing factor to everyone and the</p>	<p style="text-align: right;">Page 75</p> <p>1 There's lots of things you can do, I'm</p> <p>2 pretty certain, so...</p> <p>3 MR. HALL: Yes, and I was just --</p> <p>4 MR. YATES: We need -- we need</p> <p>5 specifics.</p> <p>6 MR. HALL: Right.</p> <p>7 MR. YATES: And I -- I think Alf is</p> <p>8 right and I would expand a little bit on what he</p> <p>9 said.</p> <p>10 Yes, we know, you know, the engineer is</p> <p>11 going to present a plan that he says has net zero</p> <p>12 runoff, but there are a variety of ways to accomplish</p> <p>13 that.</p> <p>14 And I think, you know, some advice on</p> <p>15 how we can use the landscape plan to help support</p> <p>16 those, you know, you know, the stormwater management</p> <p>17 and things like that, that's not something that we</p> <p>18 have the expertise for, but I think we have the</p> <p>19 interest in doing that.</p> <p>20 And as Alf said, you know, this is sort</p> <p>21 of a unique development for Harding, and how we</p> <p>22 accomplish those goals I think is very relevant.</p> <p>23 And we'd like to do it in a way that</p> <p>24 our Master Plan tells us to do, which is to support</p> <p>25 the natural landscape to the extent we can versus,</p>
<p style="text-align: right;">Page 74</p> <p>1 development as a whole.</p> <p>2 MR. HALL: No, that's fine, and it's</p> <p>3 all regulated by DEP, but I -- I've said what I said.</p> <p>4 I'm just saying as long as you proceed</p> <p>5 in a reasonable manner you can do that. I'm just</p> <p>6 concerned that it not be viewed as obstructing the</p> <p>7 development that's --</p> <p>8 MR. NEWLIN: I didn't say a thing that</p> <p>9 would be like that, nor do I -- I'm fully aware that</p> <p>10 --</p> <p>11 MR. HALL: Okay, that's fine then. I</p> <p>12 misconstrued.</p> <p>13 MR. NEWLIN: -- you know, some of the</p> <p>14 maps. I'm not playing anything like that.</p> <p>15 But, Gary, I'm just going to call you,</p> <p>16 you know, this -- this property on the conserved</p> <p>17 piece, I think a very fair question is what will the</p> <p>18 landscaping plan be for that conserved piece?</p> <p>19 If you have no plan at all, we're just</p> <p>20 going to leave it alone, that's a landscape plan -- I</p> <p>21 mean that's a maintenance plan.</p> <p>22 So it's a fair question, what are they</p> <p>23 going to do? And DEP doesn't tell you that you can't</p> <p>24 -- you can't improve, you know, conservation</p> <p>25 easements, you know.</p>	<p style="text-align: right;">Page 76</p> <p>1 you know, just a big swale or something like that.</p> <p>2 MR. dePOORTERE: I agree that no matter</p> <p>3 what, we should look at it.</p> <p>4 I gather I'm going to go a different</p> <p>5 road.</p> <p>6 Maybe Paul Fox knows one or two</p> <p>7 environmental engineers that have either been a</p> <p>8 nemesis or whatever, but that have been fair, and he</p> <p>9 may be able to give us a suggestion or two names.</p> <p>10 And like I said, it just should be</p> <p>11 looked at and, you know, something -- but it also</p> <p>12 should move, so it's not something that, you know,</p> <p>13 when someone becomes available a year from now, so --</p> <p>14 but we really should look at it.</p> <p>15 MR. HALL: That's fine. I just said be</p> <p>16 careful how you do it. That's all.</p> <p>17 MR. INGLESINO: If I may, Mr. Chairman,</p> <p>18 may I be recognized?</p> <p>19 CHAIRMAN CLEW: Yes, go ahead,</p> <p>20 Mr. Inglesino.</p> <p>21 MR. INGLESINO: Thank you.</p> <p>22 I just -- before any of my client's</p> <p>23 money is committed to this endeavor out of the</p> <p>24 escrow, I'd really like to see to precise scope of</p> <p>25 work. I do share the concerns that Mr. Hall has</p>

<p style="text-align: right;">Page 77</p> <p>1 raised relative to encroaching on areas that are not 2 within the statutory purview of review by this board. 3 For example, habitat is not something 4 that this board has any jurisdiction under the 5 Municipal Land Use Law to review or regulate. 6 Stormwater management is, you know, we have to comply 7 with the regulations, and as long as we comply with 8 the regulations that's what we have to do. 9 So I, you know, I really would like to 10 see what the actual scope of review is, of work is, 11 before, you know, my client could agree to go down 12 this path. Because I think that some of the things I 13 was hearing were of concern because they involve 14 matters that are not within the purview of the board 15 statutorily. 16 That's not to say that we couldn't work 17 something out. We want to be cooperative with you, 18 of course. We want to do that and we want this 19 project to be the best project that it can be. But I 20 think we really need to see the details of what the 21 scope of work is before we would, you know, agree to 22 go down this road. 23 MR. PLATT: That's what we were 24 proposing is putting together a plan. 25 MR. INGLESINO: Yes, I am fine with</p>	<p style="text-align: right;">Page 79</p> <p>1 Appreciate you all coming tonight. 2 MR. INGLESINO: Okay. Thank you, 3 Mr. Chairman. 4 Thank you, Members of the Board. 5 (Whereupon, this matter is continuing 6 at a future date. Time noted: 9:10 p.m.) 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>
<p style="text-align: right;">Page 78</p> <p>1 that, Nic. I mean, yeah, to see a scope of work, we 2 would like to see that before agreeing to move 3 forward. 4 MR. HALL: Seems reasonable to me. 5 CHAIRMAN CLEW: That's a very 6 reasonable request. So why don't we -- we will work 7 on that and review that with you. 8 MR. INGLESINO: Great. 9 Okay. So, Mr. Chairman, just so I am 10 clear, and I think it's important that the record be 11 clear on this point, that we would be carried to June 12 28th at 7:30 on the same Zoom -- it would be covered 13 by Zoom, but there is a chance that it may also be 14 open for in-person meeting, but in any event, if any 15 member of the public wanted to access the meeting, 16 they could do so via the Zoom link. 17 CHAIRMAN CLEW: That is my 18 understanding and my intention. 19 MR. INGLESINO: Okay, great. And we 20 would be okay with that if that's the pleasure of the 21 board to carry on that basis, I think that works. 22 CHAIRMAN CLEW: Okay. Thank you. 23 MR. INGLESINO: Thank you all. We'll 24 see you then on June 28th. 25 CHAIRMAN CLEW: Thank you very much.</p>	<p style="text-align: right;">Page 80</p> <p style="text-align: center;">C E R T I F I C A T E</p> <p>1 2 3 4 I, LAURA A. CARUCCI, C.C.R., R.P.R., a Notary 5 Public of the State of New Jersey, Notary ID. 6 #50094914, Certified Court Reporter of the State of 7 New Jersey, and a Registered Professional Reporter, 8 hereby certify that the foregoing is a verbatim 9 record of the testimony provided under oath before 10 any court, referee, board, commission or other body 11 created by statute of the State of New Jersey. 12 I am not related to the parties 13 involved in this action; I have no financial 14 interest, nor am I related to an agent of or employed 15 by anyone with a financial interest in the outcome of 16 this action. 17 This transcript complies with 18 regulation 13:43-5.9 of the New Jersey Administrative 19 Code. 20 21 22 23 24 25</p> <p style="text-align: center;"></p> <p style="text-align: center;">LAURA A. CARUCCI, C.C.R., R.P.R. License #XI02050, and Notary Public of New Jersey #50094914, Notary Expiration Date December 3, 2023</p> <p>17 Dated: 18 19 20 21 22 23 24 25</p>

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