

Township of Manalapan

Department of Planning & Zoning

120 Route 522 & Taylors Mills Road

Manalapan, NJ 07726

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Special Meeting of the Planning Board Minutes

December 17, 2018

The meeting was called to order with the reading of the Open Public Meetings Act by Chairwoman Kathryn Kwaak at 7:30 p.m. followed by the salute to the flag.

Roll Call:

Secretary, Barry Jacobson

In attendance at the meeting:

John Castronovo, Todd Brown, Daria D'Agostino, Barry Jacobson, Kathryn Kwaak, Jack McNaboe, David Kane, Richard Hogan, Steven Kastell

Absent from the meeting:

Alan Ginsberg, Barry Fisher

Also present:

Ron Cucchiaro, Board Attorney
Brian Boccanfuso, Board Engineer
Peter Van den Kooy, Board Planner
Lisa Nosseir, Recording Secretary

Mr. Cucchiaro swore in Brian Boccanfuso, Professional Engineer and Peter Van den Kooy, Professional Planner of CME Associates.

Minutes:

A Motion was made by Mr. Jacobson, Seconded by Ms. D'Agostino, to approve the Minutes of November 8, 2018 as written.

Yes: Castronovo, Brown, D'Agostino, Jacobson, Kwaak, McNaboe, Kane, Hogan, Kastell

No: None

Absent: Ginsberg, Fisher

Abstain: None

Not Eligible: None

Application: **PMS1745**
Skeba Tract Warehouse Development
Highway 33 ~ Block 74 / Lot 23.02
Preliminary Major Site Plan
Continued Hearing from November 8, 2018

Mr. Cucchiaro stated that it was brought to his attention that there was a letter that was delivered to the Planning Department on December 12, 2018 signed only by a Concerned Resident regarding their views of the Skeba Warehouse application. Mr. Cucchiaro asked Mr. Pape if he had an objection to this letter being part of the record. Mr. Pape said he has no ability to cross examine the author, therefore he does have an objection to it. He is not aware of the letter, but in any event, an unsigned letter cannot be cross examined.

Mr. Cucchiaro said the law on this is very clear, whether it is an unsigned letter or even a petition submitted by a resident. The Board is required to provide an opportunity for whoever is asserting something to be cross examined. This letter falls within that category. If the Board would like to review it, or not review it, the law simply does not permit us to do so. He would recommend that the anonymous letter be excluded from the record. Chairwoman Kwaak agreed with that.

A Motion to exclude the anonymous letter from the record was made by Mr. Jacobson, Seconded by Chief Hogan.

Yes: Castronovo, Brown, D'Agostino, Jacobson, Kwaak, McNaboe, Kane,
 Hogan, Kastell
No: None
Absent: Ginsberg, Fisher
Abstain: None
Not Eligible: None

Mr. Cucchiaro stated at the last hearing, the applicant had concluded their affirmative case. The meeting was open to the public and we heard extensive testimony from residents as well as the Mayor of Millstone. The public portion was closed at that point. During the public portion, there were several recommendations and requests of the applicant to make certain revisions to the plans so that it would be less burdensome. At the conclusion of the public hearing, the applicant stated that they had taken these statements to heart and wanted an opportunity to revise the plans in some manner. Tonight, we have a limited purpose. The applicant will place on the record the revisions that have been made to the plan since the last hearing. The hearing has to then be reopened to the public, but it is reopened for the purpose of comments and testimony on the changes that had been made from the last hearing to this hearing. It is not a re-do of all the testimony that Board has already heard. Again, tonight's purpose is only to go over the revisions.

Mr. Pape began his presentation.

Please refer to the attached court transcript of the above-mentioned application.

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Chairwoman Kwaak opened the floor to any non-agenda items; seeing none she closed public.

Chairwoman Kwaak reminded the Board that the Planning Board Reorganization Meeting is Thursday, January 10, 2019.

Adjournment

A Motion to adjourn the meeting was made by Chief Hogan and agreed to by all.

Respectfully submitted,



Lisa Urso-Nosseir
Recording Secretary

A recorded CD or DVD of the meeting is available for purchase by contacting the Planning Board

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PLANNING BOARD
TOWNSHIP OF MANALAPAN
COUNTY OF MONMOUTH
STATE OF NEW JERSEY

In the Matter of)
The Application of:) Transcript of
SKEBA TRACT WAREHOUSE) proceedings
DEVELOPMENT)
#PMS1745)
Highway 33)
Block 74, Lot 23.02)

Monday, December 17, 2018
Municipal Building
120 Route 522
Manalapan, New Jersey

PLANNING BOARD

KATHRYN KWAAK, Chairman
BARRY JACOBSON
JOHN CASTRONOVO
DARIA D'AGOSTINO
JACK McNABOE, Mayor
RICHARD HOGAN
STEVEN KASTELL
DAVID KANE
TODD BROWN

LISA NOSSEIR, Recording Secretary
PETER VAN DEN KOOY, Township Planner
BRIAN BOCCANFUSO, Township Engineer

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1 A p p e a r a n c e s :

2 RONALD CUCCHIARO, ESQUIRE,
3 Attorney for the BOARD

4 HEILBRUNN PAPE, LLC,
5 Attorneys for the APPLICANT
6 By: KENNETH L. PAPE, ESQUIRE

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1 THE CHAIRWOMAN: Application PMS1745,
2 Skeba Tract Warehouse Development, Route 33, block
3 74, lot 23.02, preliminary/major subdivision. This
4 was carried from our November meeting.

5 MR. CUCCHIARO: Madam Chair, just a few
6 housekeeping items, but before we do that, Mr. Pape,
7 you can just enter your appearance.

8 MR. PAPE: Yes, Madam Chair, members of
9 the board, board professionals, and public, good
10 evening, Kenneth Pape on behalf of your applicant.

11 MR. CUCCHIARO: As the first matter,
12 Madam Chair, brought to my attention that there was
13 a letter that I guess was delivered to the planning
14 department, received on December 12, 2018, signed
15 only by a concerned resident, in regards to the
16 application.

17 Mr. Pape, do you have an objection to
18 this letter being part of the record?

19 MR. PAPE: I have no ability to
20 cross-examine the author. I do have an objection to
21 it. I'm not aware of the letter. No one's provided
22 a copy, but an unsigned letter that cannot be
23 cross-examined would be objectionable.

24 MR. CUCCHIARO: Madam Chair, the law of
25 this is very clear, whether it's an unsigned letter

1 or even a petition submitted by residents. It's a
2 quasi-judicial hearing, and we're required to
3 provide an opportunity for whoever is asserting
4 something to be cross-examined, and this letter
5 falls within that category so whether the board
6 would like to review it or not review it, would like
7 to be part of the record or not part of the record,
8 the law simply does not permit us to do so. I would
9 recommend, Madam Chair, that the anonymous letter be
10 excluded from the record.

11 THE CHAIRWOMAN: I agree with that.

12 MR. CUCCHIARO: Maybe probably for
13 purposes of the record, motion on that so that
14 it's --

15 THE CHAIRWOMAN: I have a motion to
16 exclude the anonymous letter?

17 MR. JACOBSON: I make that motion.

18 MR. HOGAN: I'll second.

19 THE CHAIRWOMAN: Thank you.

20 MR. JACOBSON: Do we need a vote?

21 THE CHAIRWOMAN: Do we need a vote on
22 that?

23 MR. CUCCHIARO: Yes.

24 THE CHAIRWOMAN: Yes.

25 MR. JACOBSON: Mr. Castronovo.

1 MR. CASTRONOVO: Yes.

2 MR. JACOBSON: Mr. Brown.

3 MR. BROWN: Yes.

4 MR. JACOBSON: Vice Chair D'Agostino.

5 MS. D'AGOSTINO: Yes.

6 MR. JACOBSON: I'm a yes. Chairwoman

7 Kwaak.

8 THE CHAIRWOMAN: Yes.

9 MR. JACOBSON: Mr. McNaboe.

10 MAYOR McNABOE: Yes.

11 MR. JACOBSON: Mr. Kane.

12 MR. KANE: Yes.

13 MR. JACOBSON: Chief Hogan.

14 MR. HOGAN: Yes.

15 MR. JACOBSON: Mr. Kastell.

16 MR. KASTELL: Yes.

17 MR. CUCCHIARO: Okay, and again, that's

18 just what the law requires us. There's not any

19 discretion that this board really had in that

20 matter.

21 Now secondly, I just want to kind to
22 bring us back to where we ended at the last hearing.

23 The applicant had concluded their affirmative case

24 at the last hearing. The meeting was open to the

25 public. We heard extensive testimony from neighbors

1 as well as the mayor of Millstone. The public
2 portion was closed at that point.

3 During the public portion, there were
4 several recommendations, requests of the applicant
5 to make certain revisions to the plan so that it
6 would be less burdensome as opposed to some of the
7 residents. Certainly not all of the residents made
8 requests, but some did, and particularly the mayor
9 of Millstone.

10 At the conclusion of the public hearing,
11 because the board did close the public at that time,
12 the applicant stated that, you know, they had sort
13 of taken these statements and recommendations to
14 heart and wanted an opportunity to revise the plans
15 in some manner to respond. So we have a limited
16 purpose here tonight at the board. The applicant
17 will place on the record the revisions that had been
18 made to the plan since the last hearing. The
19 hearing has to then be reopened to the public, but
20 it's reopened for the purpose of comments and
21 testimony and cross-examination on the changes that
22 have been made from the last hearing to this
23 hearing. It's not a redo of all the testimony. The
24 board has heard it and has certainly taken it to
25 heart and seriously, but tonight's purpose is only

1 to go over the revisions.

2 So with that, Mr. Pape, if you would
3 like to begin your presentation.

4 MR. PAPE: Surely. Madam Chair, members
5 of the board, when we were here in early November,
6 there were comments made by the mayor of Millstone
7 and members of the public asking if the building
8 could be relocated on the property, and there was
9 also considerable direction from the board, the
10 board's professionals, and comments from the public
11 about the driveway system that is on the property.
12 Those are the two items that we're going to discuss
13 this evening.

14 The building that is closest to Woodward
15 Road has been shifted. It has been shifted as far
16 away as we can without affecting the throat of the
17 driveway off of Route 33. You're going to hear that
18 that shifting of the building was responsive to the
19 comments of the mayor of Millstone, and you're going
20 to hear that we trigger a variance.

21 You recall that when we presented this
22 application to you the last two meetings, we did not
23 require any variances. The application was variance
24 free. Being responsive to the comments of the
25 Millstone mayor, we triggered a variance. We

1 would -- we're not offended by the variance, and if
2 you are not, we'll ask that you consider the amended
3 building location. If not, the building can go back
4 to where it was without a variance, and the variance
5 is for the location of the parking. We're now I
6 think 120 feet off of Route 33. We're on the Route
7 33 corridor. The ordinance requires I think it's
8 200 feet so we've moved our parking lot closer to
9 the highway, and there's variance associated with
10 it.

11 The other variance we discussed the last
12 time. There was a request that traffic be directed
13 -- the primary principal entrance be the Highway 33
14 entrance, and we designed -- redesigned it so that
15 it was, but we pointed out to you that if a third
16 sign was allowed -- the ordinance allows two, one on
17 each road, but if a third sign was allowed, the
18 third sign that we propose would be located on 33
19 very close to the intersection, as close as we could
20 be on the intersection, and the sign would be for
21 the sole purposes of directing traffic to the main
22 driveway. So there would be a variance for that
23 third sign, but again, its purpose was for the
24 direction -- directing traffic to the main driveway.
25 If that variance is offensive, it can be removed,

1 and the application returns to the variance-free
2 condition.

3 Those were the revisions that the
4 applicant made in response to the building
5 locations. There was also concerns with regard to
6 the means of egress from the -- from the site onto
7 the county road, onto adjacent county road, and with
8 the assistance of some comments from the town's
9 professionals, who gave a couple of thoughts, we
10 created a new driveway. This is an egress driveway.
11 In addition to the driveways that are there, it's an
12 egress driveway that's designed to bring traffic
13 right up near the intersection of the county road
14 and the state highway near the controlled
15 intersection, and we'll present that to you.

16 That -- those are the revisions to the
17 plan that we will be presenting to you.
18 Mr. Lescavage is the author of the revisions, and he
19 is here to present them, and Mr. Kennel is here for
20 the purpose of sharing with you that he took these
21 revisions to both the county and the DOT to get
22 their feedback. We present these to you, and the
23 board is aware and I think the public is also aware
24 at this point that the one highway is DOT under
25 state jurisdiction, and they have the ultimate

1 decision as to how the driveway system on their road
2 will be designed, and the other is on the county,
3 and they have the ultimate disposition on how the
4 roads will be designed, but we've also shared with
5 you that we have been in contact with them
6 throughout this process and that we -- Mr. Kennel
7 will share with you that he has once again done that
8 and that they have indicated that they have no
9 objection to these redesigns that are responsive to
10 the comments.

11 So with that, if we could, I'll
12 remind Mr. -- call Mr. Lescavage. I'll remind Mr.
13 Lescavage that he is under oath, remind all present
14 that his credentials were placed on the record and
15 his expertise was accepted by the board. I'm going
16 to ask if he could begin by identifying the new
17 exhibit that was filed with this board more than 10
18 days ago, and we'll go through the revisions that
19 are shown on that exhibit.

20 Mr. Lescavage.

21

22 M A R K L E S C A V A G E, having been
23 previously sworn, resumed and testified as follows:

24 DIRECT EXAMINATION BY MR. PAPE:

25 THE WITNESS: Yes, so the exhibit in

1 question is dated November 27, 2018. It is a color
2 rendering of the revised site plan.

3 MR. CUCCHIARO: We'll mark this as A-8.

4 (Revised site plan marked A-8 for
5 Identification)

6 Q. And if you would, this exhibit appears
7 to be similar to the exhibit that was presented to
8 the board when we were here the beginning of
9 November, similar.

10 A. That's correct.

11 Q. Similar?

12 A. Similar.

13 Q. And you heard that I made descriptions
14 to the board of revisions that were made to the
15 plan, building relocation and a new driveway being
16 added. Accurate description of the revisions that
17 are on this plan?

18 A. Yes, it is.

19 Q. Would you take us through first the
20 building movement. Which building moved, and where
21 did it move?

22 A. Okay. The building that moved is
23 building A, which is the northernmost proposed
24 building, and the shift, as stated previously, was
25 approximately 180 feet towards Route 33 and a little

1 bit to the east, and the -- what that did was the
2 setback off of Smithburg Road was 194 feet. It is
3 now 235 feet.

4 Q. Just for orientation purposes, could you
5 point on your exhibit to Highway 33. Just identify
6 Highway 33.

7 A. Absolutely. It is the left side of the
8 page, this wide --

9 MR. BOCCANFUSO: Mr. Lescavage, before
10 you move forward, you might be able to shift that
11 back and turn it a bit towards the public.

12 MR. PAPE: Acceptable, board members?

13 THE CHAIRWOMAN: That's fine.

14 Q. So you've identified Highway 33. Could
15 you show the county road. Just identify the county
16 road.

17 A. Absolutely. The county road Smithburg
18 Road is towards the bottom of the page.

19 Q. So one other -- so you heard me describe
20 that there's a variance that was triggered when the
21 building was relocated, and I indicated there was a
22 parking field that was now in need of a variance.
23 Would you point on the plan to that parking field.

24 A. Absolutely. That's on the north side of
25 building A.

1 Q. And that I indicated it was 120 feet
2 from the highway. Did I -- was I accurate?

3 A. It's actually 123 feet at the narrowest
4 location, and it's 186 feet at the widest location
5 off of Route 33 right of way.

6 Q. And that variance is necessitated by the
7 building being relocated.

8 A. That's correct.

9 Q. And earlier I indicated that we moved
10 the building as far as we could. There was a throat
11 on the driveway that was a controlling factor.
12 Would you identify the throat on the driveway and
13 why it's a controlling factor.

14 A. The throat in question is on the Route
15 33 entrance, which is on the northeast end of the
16 site at this location, and the governing factor is
17 the ability for the tractor trailer to traverse into
18 the site and then also be able to make the turn on
19 the north side of the building.

20 Q. So you held that distance to the safe
21 requirements, and then the building was moved to
22 match that.

23 A. That's correct.

24 Q. I also indicated that with some guidance
25 from the township engineer that there is a new

1 driveway that has been added to the plan. If you
2 could identify where that driveway is on the plan,
3 if you could point to it for all, and then describe
4 how it would function and its benefits.

5 A. Absolutely. The driveway, the new
6 driveway, which is strictly an egress driveway,
7 comes off the northwest corner of building A, goes
8 around the infiltration basin, and meets up with
9 Smithburg Road at the northwest extent of the
10 property.

11 Q. So would it be a fair and accurate
12 statement to say that the tractor trailers as well
13 as automobiles on the site would now have the --
14 have a location that they could enter the county
15 roadway that's as close to Route 33 as possible and
16 as far away from the residential community as
17 possible?

18 A. That's correct. It, in fact, as you
19 approach, the northern approach to the Route 33 and
20 Smithburg Road intersection has two lanes, and what
21 we have essentially done is extended that two lanes
22 535 feet to the south so that there is actually two
23 lanes through that entire intersection so it
24 increases the queuing ability to the light and also
25 gives a safe way for the trucks to be able to egress

1 onto the road.

2 Q. And egress is exiting.

3 A. Exiting.

4 Q. Just an exit. There's no entrance
5 there. And if you could -- so a vehicle exiting
6 from the -- this site onto the county road using
7 that driveway would now have a lane to pull right
8 into and go right up to the traffic light.

9 A. That's correct.

10 Q. So there was also a request that there
11 be modifications made to the Route 33 roadway, and
12 we discussed it briefly the last time, but I'm going
13 to ask if you could describe what improvements to
14 Route 33 have been incorporated into this plan.

15 A. Yes, so previously, we had a 500-foot
16 deceleration lane into the property, into the Route
17 33 entrance, and what we propose to do at this
18 point, what's shown on the plan is the extension of
19 that condition all the way to the light so, in fact,
20 what we intend to do is stripe that as a third lane
21 from the jughandle at the intersection of Route 33
22 and Smithburg Road all the way through the -- to the
23 entrance at Route 33 entrance that we propose and
24 then have a taper back into a shoulder further to
25 the east of the property.

1 Q. Those are the only revisions that were
2 made to the plan; is that correct?

3 A. That's correct.

4 MR. PAPE: The applicant has made
5 commitments to work with your staff to accomplish
6 the technical revisions that we addressed in the
7 earlier meeting, which at this point are all pretty
8 minor in nature, and I'm quoting from your
9 professionals.

10 Q. No change in the building sizes.

11 A. That's correct.

12 Q. No change in the number of parking
13 stalls.

14 A. That's correct.

15 Q. No change in the number of loading
16 docks.

17 A. That's correct.

18 Q. And the only variances that your plan
19 requires is the parking field on Route 33 and the
20 third sign. If you could just point on that plan to
21 the general location of that third sign.

22 A. In this location, northwest end of the
23 Route 33 frontage.

24 MR. PAPE: Madam Chair, members of the
25 board, those are the revisions that the applicant

1 has incorporated into the plan. I have very brief
2 comments from Mr. Kennel just for the purpose of him
3 confirming that he presented this to both the county
4 and the state, and then that is the conclusion of
5 our direct presentation in response to the comments.

6 THE CHAIRWOMAN: Okay.

7 MR. PAPE: With your permission, if I
8 could call Mr. Kennel, we can have both of them
9 available for examination.

10 THE CHAIRWOMAN: Thank you. Please do.

11 MR. PAPE: Thank you.

12

13 S C O T T K E N N E L, having been previously
14 sworn, resumed and testified as follows:

15 DIRECT EXAMINATION BY MR. PAPE:

16 THE WITNESS: Good evening.

17 MR. PAPE: I'll remind Mr. Kennel that
18 he is under oath. I'll remind Mr. Kennel and the
19 board and the public that his credentials were
20 placed on the record and his expertise was
21 established.

22 Q. I've asked -- you heard in my opening
23 remarks that you had been in contact with both the
24 county planning board and the Department of
25 Transportation with regard to these revisions. If

1 you could share with all of us what their response
2 was.

3 A. Yes. My first meeting was with the New
4 Jersey Department of Transportation. I met with the
5 Major Access Bureau, and that's the group that
6 handles access applications and applications to make
7 improvements to state intersections. I presented
8 them the proposal to extend the widening as was
9 described by Mr. Lescavage to provide in essence a
10 third lane from the intersection up to the site
11 driveway, and there was no issues with that as far
12 as their initial review of it. Obviously, it's
13 subject to detailed engineering documents have to be
14 submitted, but as on a conceptual basis, they
15 thought it was a -- would be a positive improvement
16 and just asked when we would be submitting. So
17 obviously, that can be done should we get a
18 favorable response tonight, and then we would
19 advance that application and those engineering
20 documents.

21 As of last week, I meet with the Ocean
22 County Planning Board.

23 Q. Monmouth County.

24 A. Yes, Monmouth County Planning Board,
25 including the planners and engineering staff, and

1 again presented the plan that you've been presented
2 tonight, and there were positive feedback from the
3 proposal, specifically providing the second egress
4 lane and the ability to widen the county roadway to
5 provide additional storage and to allow the
6 intersection to operate more efficiently than it
7 does today.

8 Q. Mr. Kennel, you had indicated that the
9 intersection would be improved as a result of
10 changes that the applicant had presented to the DOT.
11 Could you summarize how those improvements would
12 be created.

13 A. Well, it's a combination of things. We
14 -- I had testified that the county road approaches
15 would be restriped, additional signage so that they
16 would have the dedicated left-turn lane, which is
17 the inside lane, and then the outer lane would be
18 striped to permit left turns, through movements, and
19 right turns so that there would be more capacity
20 added for the predominant left-turn movement,
21 specifically in the morning. We're also suggesting
22 additional timing adjustments, and then with the
23 recent improvement or recommendation to widen 527A,
24 that will help ameliorate situation that occurs for
25 approximately an hour to an hour and a half in the

1 morning where there is queuing that occurs in the
2 northbound approach. So with all those
3 improvements, conditions will be better than they
4 are today and subject to any additional comments
5 that the NJDOT would have when we make our formal
6 application.

7 MR. PAPE: So earlier on I pointed out
8 that the township's the board of first review, the
9 board of first jurisdiction, and we are fully aware
10 that any and all approvals granted by this board are
11 conditioned upon us successfully securing the
12 additional approvals from these outside agencies.
13 The reason I ask that Mr. Kennel to share his
14 comments with you is to demonstrate that we didn't
15 just make this up. We've gone to those other
16 agencies to solicit their input to make certain that
17 we're presenting to you is something that we had
18 every reasonable expectation would be approved by
19 the outside agencies. We know that any relief
20 granted would specifically require that we secure
21 those approvals.

22 Madam Chair, I have nothing further on
23 direct from Mr. Lescavage or from Mr. Kennel, and
24 they are available to you and your professionals for
25 examination at this time.

1 THE CHAIRWOMAN: Thank you.

2 Professionals.

3 MR. VAN DEN KOOY: So with regard to
4 building A, the shape of building A under the new
5 proposal is slightly different. Can you just
6 discuss the square footage of the previous iteration
7 versus this one.

8 MR. LESCAVAGE: The square footage is
9 exactly the same. The dimensions have changed just
10 a little bit. Originally, the building had kind of
11 a corner that was jogged, if you will. Now it's
12 more rectangular, but the square footage for
13 building A is still 300,220 square feet.

14 MR. VAN DEN KOOY: And only other
15 question I have with regard to building A and its
16 proximity to Route 33, I see landscaping. Is there
17 any type of berm or other topographic feature
18 proposed there?

19 MR. LESCAVAGE: Yes, we did propose
20 berming along Route 33, and that remains in the
21 plan.

22 MR. VAN DEN KOOY: Thank you.

23 MR. PAPE: And for the record, that
24 berming design was presented to Shari Spero, the
25 arborist and landscape consultant, and was done with

1 her input. Thank you.

2 THE CHAIRWOMAN: Brian.

3 MR. BOCCANFUSO: Thank you, Madam Chair.

4 First of all, I can confirm that the applicant's
5 team has worked with our office, and these
6 modifications, most specifically the egress drive
7 closest to the Route 33 and 527 intersection, was
8 something that was discussed among us, and we
9 believe it is a significant improvement to the
10 proposal. We believe that it will mitigate the
11 impact of truck traffic on Route 527, and I think
12 it's a positive improvement.

13 I'd also point out that while they do
14 need a variance now for the parking area setback
15 from Route 33, they could probably design the site
16 such that they wouldn't need this variance by
17 providing parking along the building frontage that
18 faces Route 527, which would have more of an adverse
19 impact on the nearby residential properties. In
20 addition, they could also put some parking in the
21 green space to the south of building A, eliminating
22 or at least mitigating the variance, but I don't see
23 that as a benefit so I think that the variance
24 that's being requested is appropriate. I don't take
25 any exception to it from an engineering standpoint.

1 Just pointing to our supplemental
2 engineering review number 3 of December 11, 2018,
3 Mr. Pape, Mr. Kennel, Mr. Lescavage, you've all
4 received and reviewed this; is that correct?

5 MR. PAPE: Yes.

6 MR. BOCCANFUSO: Okay. Item 2A we talk
7 about whether tractor trailer traffic will be
8 restricted to the new site access driveway. Is that
9 the intent, to limit the tractor trailer traffic to
10 solely the Route 33 access drive and the new
11 extending 527?

12 MR. PAPE: What we had indicated the
13 last time -- and I'll invite Mr. Kennel to go over
14 it -- we indicated that we -- the driveway design,
15 the driveway design on the county road, the original
16 two-way driveway design, was designed with geometry
17 that would accommodate cars and a truck could
18 maneuver. The truck would not get stuck in it, but
19 it was not designed to be the access point for
20 trucks. Under the combination of that geometry and
21 signage that says that there's no truck traffic
22 entering here, we felt that we had done all that we
23 could. Then by adding the signage on the highway
24 that was intended to catch the attention of any
25 truck approaching the site, directing them to the

1 Route 33 entrance, we had added to that.

2 There is one truck movement that I think
3 that we need to address. That is if there is a
4 tractor trailer on the site that intends to come out
5 of the driveway and make a left-hand turn to go
6 towards 537, the driveway is designed it can
7 accommodate that. We don't anticipate that that
8 would be a substantial movement. We expect that the
9 truck traffic is going to be going to the Turnpike
10 primarily and not to Ocean County, but the driveway
11 does accommodate that left turning movement if there
12 was a truck that went up to that intersection.

13 MR. KENNEL: As well as trucks
14 originating from the south making the right turn
15 into the subject property, that is correct. I mean,
16 and our traffic analysis that projected
17 approximately 10 percent of truck traffic would be
18 oriented to the south.

19 MR. BOCCANFUSO: I'm sorry, you said
20 10 percent to the south?

21 MR. KENNEL: To and from the south,
22 correct, towards 537 and towards 195.

23 MR. CUCCHIARO: So the short answer to
24 the question is no.

25 MR. BOCCANFUSO: Sounds like it to me,

1 yes. So in keeping with the intent to direct as
2 much truck traffic as possible to Route 33, you'd be
3 willing to provide signage within the site notifying
4 oversized vehicles of that intent.

5 MR. PAPE: Throughout the site. We'll
6 gladly work with your professionals and your police
7 on that signage that directs the truck traffic to
8 the designated exits.

9 MR. BOCCANFUSO: Okay. With regard to
10 the lane extension along Route 33 eastbound, is the
11 intent to extend that lane only to the site
12 driveway, or is the intent to extend it further?

13 MR. KENNEL: It would terminate --
14 excuse me -- would be along the entire site frontage
15 so basically it would terminate at the exit part of
16 that driveway.

17 MR. PAPE: And it also includes a return
18 taper on the western side of the driveway.

19 MR. BOCCANFUSO: Okay. Is there -- was
20 the possibility of extending it to Park Avenue
21 investigated at all?

22 MR. KENNEL: Well, the intent was -- the
23 way I envisioned this is that this lane would be a
24 through lane through the intersection but then at a
25 certain point would become a dedicated decel and

1 right-turn lane into the site. So basically you
2 would have traffic that would be continuing east on
3 Route 33 would merge into the through lane. You
4 know, again, you could continue this along the
5 corridor. At some point you have to make that
6 conversion where it goes back to the two-lane
7 cross-section.

8 MR. PAPE: We did not make any
9 improvements that benefited the adjacent property or
10 to Park. When that project came before this board,
11 it was a completely very different project. It's
12 more of a flex project and does not carry the same
13 type of traffic as we do, but significantly, we have
14 no impact or -- on how that will function, and seems
15 to be functioning just fine.

16 MR. BOCCANFUSO: Okay, and going
17 forward, you'll keep us in the loop with your
18 conversations, meetings, et cetera, with the DOT and
19 Monmouth County?

20 MR. KENNEL: Well, should we be
21 approved, then the next step would be to prepare
22 those documents, and we would copy your office when
23 we make submissions to the county and to the state.

24 MR. PAPE: And we'd also on the record
25 indicated two things. We'll keep you apprised in

1 real time when we file those applications. We'll
2 advise both the county and the DOT that we would
3 appreciate the township professionals and
4 representatives be invited to any meetings that we
5 have on those issues.

6 MR. BOCCANFUSO: Okay. Madam Chair,
7 that's all I have at this time.

8 THE CHAIRWOMAN: Thank you, Brian.
9 Anyone else on this side of the dais? Rick. David.

10 MR. KANE: Yes, just a few quick things
11 to clarify because I may have gotten a little
12 confused in there. So you can make a right turn out
13 at the new egress, goes to 33. You can still make a
14 right turn out at the old one?

15 MR. KENNEL: That's correct.

16 MR. KANE: Just why is that one still
17 there?

18 MR. KENNEL: Well, you would have it for
19 passenger vehicles and any other service vehicles.
20 It's again, the proper design there is to account
21 for that for the utility of it even though we'll
22 provide signage directing them to the other driveway
23 that is at the northerly end of the property.

24 MR. KANE: And you think that trucks at
25 building B will go all the way to the other exit.

1 MR. KENNEL: Well, again, we're going to
2 provide the signage to indicate that that's the
3 design, and based on the users and the regular use
4 of this, realizing that they're being accessing the
5 527 closer to 33, they'll find -- hopefully they'll
6 find that it's a benefit.

7 MR. PAPE: And there's a dedicated lane
8 for them. They come out, they go into their own
9 lane right there, a lane right to the left.

10 MR. KANE: Okay. Then you can still
11 make the left turn in.

12 MR. KENNEL: Correct.

13 MR. KANE: You guys didn't get rid of
14 that even after what we talked about last time.

15 MR. KENNEL: Correct.

16 MR. KANE: That's all I have.

17 MR. PAPE: Our concern with that was if
18 we took that away, you could have a truck that was
19 going down 527A looking for some place to turn
20 around because he couldn't get onto the site.

21 MR. KENNEL: Or even a passenger
22 vehicle.

23 MAYOR McNABOE: Mr. Pape, you could
24 direct the question to your professionals. The
25 berms will not be affected by this building being

1 shifted closer to Route 33? We'll still have our
2 landscaping?

3 MR. PAPE: The full landscaping that was
4 committed to the board at the last hearing that was
5 responsive to Shari's -- Shari Spero's request is
6 not changed at all.

7 MAYOR McNABOE: Great. If you should be
8 successful tonight, the only thing I would ask is
9 that we get even a more sweeping driveway off Route
10 33 into the property. Right now it's almost a
11 90-degree angle. I'd rather see it broken a truck
12 that long that could start turning. So in other
13 words, you have a lane there. Obviously, where
14 you're showing your sign right now, that would be
15 relocated down or back or whatever or --

16 MR. KENNEL: It would be designed in
17 accordance with the NJDOT standards.

18 MAYOR McNABOE: Okay, but you can follow
19 what I'm saying of getting the trucks off the road.

20 MR. KENNEL: Make it a larger radius.

21 MAYOR McNABOE: At least in my opinion
22 off the road or onto the road.

23 MR. PAPE: We're talking the radius at
24 the Highway 33 driveway.

25 MAYOR McNABOE: Again, I'll just ask you

1 to look at it again. I think more of a sweeping
2 driveway for the main turn into that place would
3 probably be more beneficial.

4 MR. BOCCANFUSO: I think what the
5 Mayor's asking if you can exceed the standard to the
6 maximum extent possible, that would be an
7 improvement.

8 MR. PAPE: Surely we'll look to you for
9 some guidance as to how far we exceed, and when we
10 take it down to the DOT, we'll ask you to join us.

11 MAYOR McNABOE: You can drive the
12 tractor trailer, and if you get it, we all got it.

13 MR. PAPE: I can't drive.

14 MAYOR McNABOE: All right, so let's talk
15 about this property on the corner that's never come
16 up. There's a single-family what appears to be an
17 abandoned home in the corner, and your drive goes
18 around it. Has thought been put in to purchasing
19 that property?

20 MR. PAPE: Mayor, that property -- if I
21 go back 20 years, I actually had the privilege of
22 representing the property owner. He passed away.
23 Property went into foreclosure, and with the --
24 Mr. Skeba we have been trying to find the owner of
25 that property. It went through foreclosure. It was

1 a very long foreclosure -- I'm going to say 5,
2 7 years -- and recently it came out into bank's
3 hands. We actually contacted the bank and the
4 bank's realtors and asked if it was available. It
5 was not available when we contacted them, which was
6 just before the process began. We certainly will
7 continue to try to acquire it. It's kind of a thorn
8 in our side.

9 MAYOR McNABOE: Okay, so again, between
10 -- if you should be successful tonight or if we go
11 to vote tonight and when you come to us for final,
12 you will again look into the property -- into
13 acquiring the property.

14 MR. PAPE: I'll gladly share with you
15 the correspondences that we send, and we'll continue
16 the effort to acquire that property.

17 MR. CUCCHIARO: Mr. Pape, what's the
18 block and lot number of that property?

19 MR. PAPE: I did not bring all three of
20 my files, and my notice portion of the file is not
21 with me.

22 MS. D'AGOSTINO: From the old
23 information you gave us, it looks to be lot 23.03.

24 MR. CUCCHIARO: And what block is that?

25 MS. D'AGOSTINO: Doesn't show the block,

1 but I'm assuming it's the same block.

2 MR. PAPE: It's the same as us. It's
3 74.

4 MR. CUCCHIARO: Okay.

5 MAYOR McNABOE: Mr. Pape, just for
6 housekeeping here, that triangular piece that ended
7 up on the Manalapan ROSI, do you know how that got
8 on there? Was that part of your client's property
9 at any time, or do you have any history for us?

10 MR. PAPE: None. It was not -- during
11 our client's ownership of the property, that was not
12 acquired from him. It's not an out parcel that was
13 dedicated by the Skebas. It was in place when they
14 acquired the farm.

15 MAYOR McNABOE: Okay. As far as the
16 corner sign that you asked for the variance on, I'm
17 in -- you know that I've been the proponent of that.
18 I want to keep this truck traffic on 33 and bring it
19 right into that property so from that standpoint --
20 and I don't think I have an objection to you moving
21 the building in the interests of accommodating our
22 neighbor to the south.

23 Would you also between preliminary and
24 final, if you should be successful, there's a fire
25 hydrant on your property, sits somewhere at that

1 main gate to 527, not the new access or the egress
2 but the main driveway on 527, which puts it on
3 private property. I'm trying to get that out to the
4 public way so if we should have any problem with our
5 wells that we don't have to consult an owner to get
6 the hydrant, whether it kicks in a second one or
7 whether it could be moved, talk to fire prevention
8 between now and then. You have no objection?

9 MR. PAPE: As long as I have the fire
10 chief's blessing and the fire bureau's blessing, you
11 could have that or two, whatever it takes.

12 MAYOR McNABOE: Again, I'm just looking
13 to get it onto the public way is what I'm trying to
14 do should water be needed elsewhere.

15 MR. PAPE: Got it. Not an issue at all.

16 MAYOR McNABOE: And the last thing was
17 we hear a lot -- and there is residential properties
18 both in Manalapan and in Millstone. The four-corner
19 intersection there, two in Manalapan, two in
20 Millstone, the two in Millstone, one has a gas
21 station and one has a small whatever they're
22 buildings now. What is the zoning on that property?

23 MR. PAPE: It's a combination. There's
24 a small area right at the intersection that's
25 highway commercial, and it's surrounded by planned

1 development. That's the commercial development for
2 the Township of Millstone. And it's worth noting --
3 since you raised it, it's worth noting that
4 warehousing is expressly permitted in those zones in
5 Millstone. So the same type of --

6 MAYOR McNABOE: So Manalapan's zoning
7 and Millstone's are similar?

8 MR. PAPE: Similar. Manalapan has water
9 and sewer, and Millstone does not, so the actual
10 design is affected by the -- it's the same type of
11 zoning, same type of zoning, and warehousing is
12 expressly permitted in each.

13 MAYOR McNABOE: Thank you very much.

14 MR. PAPE: You're welcome.

15 THE CHAIRWOMAN: That's it, Jack? I
16 have nothing. Barry.

17 MR. JACOBSON: I have no questions.

18 THE CHAIRWOMAN: Daria?

19 MS. D'AGOSTINO: I have no questions.

20 THE CHAIRWOMAN: Todd.

21 MR. BROWN: You said the signs on site
22 to restrict the access on the -- having all the
23 tractor trailers use the new egress. Would that be
24 similar signage that you'd see like in a shopping
25 center, say a strip shopping center with an anchor

1 of a grocery store that has all the loads coming in
2 on one way and you see -- it would be similar to
3 that or be more restrictions?

4 MR. PAPE: It would certainly be similar
5 to that. The signage would be specifically designed
6 to orient the tractor trailer drivers. The very
7 best answer that I can give you is the best source
8 is to work with the police department. Police
9 department knows the effect of signage. So we would
10 certainly ask our traffic engineer to work with
11 yours, but we'd also ask your police department to
12 join in with the signage.

13 MR. BROWN: And then the last meeting,
14 there was a lot of concerns and comments made about
15 the hill of the county road and coming down and
16 having a now two driveways or egresses on the county
17 road. With the speed of the traffic coming on that
18 road, additional signage would be added giving fair
19 warning of that a truck exit will be coming out
20 there. Is that still --

21 MR. PAPE: Absolutely. That's county.
22 You're talking about signage on the county road
23 direct -- advising -- it's a safety advisory that
24 there's driveways ahead. I think certainly amenable
25 to that. We indicated so. I think really

1 significant is now that the traffic coming out at
2 the northernmost egress driveway, the new driveway
3 going into a dedicated lane, you're going to have a
4 considerable protection between the traffic that's
5 coming down the hill and the traffic coming out of
6 the site.

7 MR. BROWN: Still will have the signage.

8 MR. PAPE: Absolutely have the signage.

9 MR. BOCCANFUSO: Mr. Pape, just for the
10 record, can you have one of your witnesses indicate
11 the approximate separation between the previously
12 proposed and still proposed driveway on 527 and the
13 new egress drive just to give the board and public
14 an idea of what kind of distance we're talking
15 about.

16 MR. PAPE: Sure.

17 MR. LESCAVAGE: I don't have a scale,
18 but it's approximately a thousand feet.

19 MR. BOCCANFUSO: That's what it looks
20 like to me, as well, and I'd be happy to work with
21 the applicant and the county regarding some advance
22 warnings signage for northbound traffic on
23 Smithburg. I think it's a good idea.

24 THE CHAIRWOMAN: You're done, Todd?

25 MR. BROWN: I'm done.

1 THE CHAIRWOMAN: John.

2 MR. CASTRONOVO: When you -- when
3 testimony was provided tonight about the new egress,
4 there was two advantages that was mentioned. One of
5 them was that it would have a dedicated lane, and
6 the other -- I'm not sure if I heard that
7 correctly -- storage? Can someone -- can you
8 explain that, please.

9 MR. KENNEL: Yes, I will, and it is
10 something that's more prevalent during the morning
11 peak hour where you have traffic queuing approaching
12 that intersection, and it's basically a single lane
13 feeding into two lanes at the intersection for
14 approximately a distance of 200 to 250 feet. With
15 the additional widening, you'll have that full two
16 lanes for an excess of 500 feet from the
17 intersection that allows you to store more vehicles
18 and reduce the back of the queue that exists
19 generally from, you know, for an hour, hour and a
20 half in the morning in the peak direction.

21 MR. PAPE: You're using the word store
22 as a term of art in your industry. We're not
23 storing anything on the highway.

24 MR. CASTRONOVO: Now I understand
25 perfectly.

1 MR. KENNEL: Vehicle storage.

2 MR. PAPE: It's stacking, two lanes of
3 stacking instead of one lane of stacking.

4 MR. CASTRONOVO: Understood. Thank you
5 very much.

6 THE CHAIRWOMAN: Steve.

7 MR. KASTELL: Just one quick question.
8 The third sign you're proposing in order to guide
9 traffic, do you have any rough size idea of what
10 you're looking for for the third sign?

11 MR. PAPE: It would be similar to the
12 monument sign. I don't have -- it's not yet
13 designed. It's similar to the monument sign,
14 something in the order of I think it is about
15 50 square feet of face, and it would be in a
16 monument style sign. The purpose -- the signage
17 would say that the main entrance and the truck
18 traffic is directed to the next driveway down.

19 THE CHAIRWOMAN: Anyone else have any
20 follow-up questions? No? At this time, I'd like to
21 open it to the public for any questions, comments,
22 concerns on what was discussed only this evening.

23 MR. CUCCHIARO: As you come up, just
24 grab the microphone and indicate whether you were
25 previously sworn at a prior hearing.

1 THE CHAIRWOMAN: Where's the handheld
2 mic? Sir in the peach, please come forward.

3 MR. LEEDS: This is my first time here
4 so --

5 MR. CUCCHIARO: I need to swear you in.

6
7 C H R I S T O P H E R L E E D S, sworn.

8 MR. CUCCHIARO: Please state and spell
9 your name for the record.

10 MR. LEEDS: My name is Christopher
11 Leeds, C-h-r-i-s-t-o-p-h-e-r, L-e-e-d-s, and I live
12 at 1 Indian Path, Millstone Township.

13 MR. CUCCHIARO: Go ahead.

14 MR. LEEDS: I'm about a half a mile away
15 from that intersection. My concern is what about
16 truck traffic coming from the Route 9 side that
17 wants to get into your site. They are going to have
18 to use the jughandle by the traffic -- by the gas
19 station that was mentioned a little while ago. Are
20 you planning on doing anything to improve that
21 jughandle for any traffic coming from Route 9?

22 MR. KENNEL: There is no geometric
23 improvements proposed, but what we are going to
24 present to NJDOT is to restripe that southbound
25 approach so that left turns can be made from the

1 rightmost lanes so that a truck that utilizes that
2 jughandle to make a U-turn can -- doesn't have to
3 position itself in the leftmost lane. They can use
4 the rightmost lane and then use that to access the
5 widened or third lane along our site frontage.

6 MR. LEEDS: Okay. I have one more
7 question. The traffic coming out of your egress
8 road that's going to head towards Route 33 and
9 ultimately out towards the Turnpike will be in your
10 right lane that you're extending and make a left
11 turn, so do you see that as being a problem?

12 MR. KENNEL: Left turns will be
13 permitted from the right lane, as well. We're going
14 to restripe the northbound approach where you have
15 two lanes. The inside lane will be left turns only.
16 The outside lane will be lefts, throughs, and right
17 turns. So they will not have to merge over to the
18 leftmost lane.

19 MR. LEEDS: All right. Thanks for your
20 time.

21 MR. FERRO: Hello.

22 MR. CUCCHIARO: Were you previously
23 sworn?

24 MR. FERRO: No, I was not.

25

1 A L F E R R O, sworn.

2 MR. CUCCHIARO: Please state and spell
3 your name.

4 MR. FERRO: Al Ferro, F-e-r-r-o
5 Millstone Township.

6 MR. CUCCHIARO: I'm sorry, can you spell
7 it once more.

8 MR. FERRO: Committeeman Al Ferro,
9 F-e-r-r-o, Millstone Township, 473 Stagecoach Road,
10 Millstone Township, New Jersey, 08510.

11 There was mention of a berm on 33 but no
12 mention of a berm on 527A. Has anybody suggested
13 that, because from Timmons Road, which is a
14 residential road, across 527A they have a direct
15 line of sight to the entire facility. Has anybody
16 addressed that?

17 MR. PAPE: We did at the prior hearing
18 extensively. That is a substantially landscaped
19 area. The landscaping was increased in depth. The
20 landscaping materials was quadrupled according to
21 Miss Spero, and berming was incorporated into that,
22 also. We didn't speak to it tonight because it was
23 not a new issue.

24 MR. FERRO: Okay, and the height of that
25 berm?

1 MAYOR McNABOE: And I asked that
2 question because of the building being moved.
3 That's why it brought --

4 MR. FERRO: Right, and it wasn't
5 mentioned. I didn't think it was for that.

6 As far as the traffic study that was
7 done -- I read it from McDonough & Rea, and it
8 assumes certain things based on the traffic flow
9 that's happening today at the times that the traffic
10 flow study was done. Since we don't know the tenant
11 that is going to be, you know, renting that
12 facility, how can we assume that the traffic study
13 is going to be conclusive. And as far as -- as far
14 as the number of trucks being, you know, coming in
15 and out of the facility, how do we know that the
16 number of tractor trailers, box trucks, passenger
17 vehicles that are going to be maybe courier service
18 or courier vans that are going to be coming in and
19 out of that facility? So can anybody answer that.

20 MR. PAPE: The testimony this evening is
21 finite. We agreed when we concluded the last
22 meeting that we had exhausted those issues, and
23 those issues were discussed at length, and I'm not
24 revisiting them this evening following the guidance
25 and the ruling that was laid down by your attorney

1 before we started, but all of that, we discussed
2 that with you in great detail. Just not going there
3 again.

4 MR. FERRO: How do we assume that the
5 tenant is going to be within those guidelines of
6 that traffic?

7 THE CHAIRWOMAN: Everyone please be
8 quiet except for the gentleman that is speaking
9 because of the court reporter, and we are being
10 videoed for TV so you must remain quiet. Thank you.

11 MR. PAPE: We have designed a site that
12 is but for two variances 100 percent consistent with
13 the design standards of your ordinance. The traffic
14 report is a reasonable interpretation of what is
15 anticipated. We indicated to you that we are coming
16 back -- you know this -- for final approval and that
17 all of the details that were not provided at the
18 time of preliminary would be at the time of final.
19 We indicated to you that the uses would be those
20 uses, only those uses, that are consistent with your
21 ordinance. I have no qualms at all about saying the
22 report that was done is consistent with all of that
23 and that we vetted it with you and your
24 professionals at your staff meetings and here.

25 MR. FERRO: Thank you, Mr. Pape. I have

1 another question regarding an impact analysis that
2 was done or not done regarding light and noise that
3 the trucks and any traffic that would be coming into
4 this area, how is this going to affect your town as
5 well as our town regarding the idling of trucks, air
6 brakes. Apparently this is going to be a 24-hour
7 facility. Twenty-four-hour facility is going to
8 have, you know, a lot of trucks during the day, and
9 it's going to have trucks at night. The impact on
10 the decibel noise during the day is higher than at
11 night. Has anybody done any studies regarding that
12 and how the ambient noise is going to travel and as
13 well as the light traveling across Manalapan to your
14 residents and Millstone residents.

15 MR. CUCCHIARO: Mr. Pape, is that part
16 of your prior -- the applicant's prior testimony?

17 MR. PAPE: We did, and, in fact, your
18 board will recall we made a commitment to you that
19 we were fully aware of what the noise criteria was.
20 We pointed out that we knew that there were two
21 separate noise criteria for different times of day.
22 We identified to you on the record that there's no
23 variance relief that can be granted and that the
24 applicant has an obligation to be consistent with
25 that in its operation. That's the complete

1 testimony.

2 MR. CUCCHIARO: I think also there is
3 DEP criteria for idling vehicles.

4 MR. PAPE: Correct.

5 MR. FERRO: That was going to be my next
6 question. If at such time that the tenant has
7 trucks that are idling because of a backup of, you
8 know, personnel or lack of backup of personnel,
9 where are these trucks going to line up? Are they
10 going to line up on 33 or on the facility, itself,
11 and what do we do as far as mitigating those trucks
12 idling for a long period of time?

13 MR. PAPE: Just a lot of conjecture.
14 Not going to go down the what-ifs. The site was
15 designed to accommodate the traffic movements on
16 site. No one anticipates that there's going to be
17 stacking or storage of tractor trailers on either of
18 the roadways. There's plenty of room on site.
19 There's also -- as you'll recall, we modified the
20 site to include considerable additional trailer
21 storage beyond that which the ordinance requires.

22 MR. FERRO: One last request from
23 Millstone. Is there any way that we can request
24 that all traffic, if this should be approved by you,
25 on 527A be limited to passenger vehicles only, and

1 have egress and, you know, entering and exiting off
2 Route 33 for tractor trailer trucks, because that
3 would severely lessen the impact on 527A for our
4 residents as well as yours, and we could just keep
5 that truck traffic to 33, which is a state road that
6 can handle 80,000 pounds of a vehicle, you know,
7 24 hours a day, 7 days a week.

8 MR. PAPE: It's a county road. It's
9 intended to be a main thoroughfare. It's currently
10 a main thoroughfare for a number of industrial
11 activities, including the Millstone mine sites,
12 which are one of the heavier vehicles that are on
13 the road. It's also carrying the heavy vehicles
14 that are going to the Silvi site and the Stavola
15 site, both of which are industrial sites in
16 Millstone, and the answer is no.

17 MR. FERRO: I need to correct Mr. Pape.
18 There is no tractor trailers that allowed in
19 Millstone on any Millstone road, and the Silvi
20 location he's talking about is on the north side of
21 33, as well as the Stavola plant is on the north
22 side.

23 MR. PAPE: Absolutely, and the trucks
24 that travel on county road 527A in a northerly
25 direction to Route 33 include a number of those

1 vehicles.

2 MR. FERRO: Just a request. If we could
3 keep passenger vehicles on 527A and direct all truck
4 traffic to 33, so if they could enter and leave from
5 33 and just make a U-turn if they're going to go to
6 the Turnpike or go straight if they're going to go
7 towards Route 9, keep the beauty of both of our
8 towns.

9 MR. CUCCHIARO: They've heard your
10 question and they've answered.

11 MR. PAPE: The answer is no.

12 MR. FERRO: Thank you.

13 MAYOR McNABOE: Mr. Pape, if I can do a
14 follow-up with that for your traffic. If we put
15 that into effect, the board should be so inclined,
16 if you were to take your new access road and went
17 north towards 33, is there anything that would
18 preclude you from going through the jughandle that's
19 right by the gas station and shooting straight back
20 across the road?

21 MR. KENNEL: There is nothing, no.

22 MAYOR McNABOE: So in reality, all we
23 did is spun that truck around a little bit, it would
24 still be able to make it in the same direction it
25 was going. You always have to think about these

1 type of things when you live in a left-in -- I mean
2 a right-in/right-out only that people will somehow
3 try to correct it to themselves. The idea is we're
4 trying to get these trucks rolling smoothly through
5 there.

6 MR. KENNEL: Correct, and we're trying
7 to encourage as much use of the Route 33 access as
8 possible. There are occasions where you may -- a
9 truck will still use 527, but that's not the intent
10 of this application is to promote as much usage of
11 Route 33. Again, we have access on a 500 series
12 roadway, that being Monmouth County's, and then on
13 Route 33, which are common for industrial type
14 trucks.

15 MAYOR McNABOE: Mr. Pape, when you come
16 back for final, will you be bringing all your
17 professionals again?

18 MR. PAPE: The full professional team
19 will be here when we present final.

20 MAYOR McNABOE: Thank you.

21 THE CHAIRWOMAN: Anyone else from the
22 public? Ma'am. I think the handheld mic is up here
23 on the chair up here. Come up front, ma'am.

24 MR. CUCCHIARO: Ma'am, were you
25 previously sworn?

1 MS. FONT: Yes, I was.

2 MR. CUCCHIARO: Remind you, you remain
3 under oath. Just state your name.

4 MS. FONT: Maria Font, F-o-n-t.

5 MR. CUCCHIARO: And your address again.

6 MS. FONT: Three one four Smithburg
7 Road.

8 MR. CUCCHIARO: Okay. Go ahead.

9 MS. FONT: I know all the question
10 should be from what was stated --

11 THE CHAIRWOMAN: That's correct.

12 MS. FONT: -- tonight, but we have
13 questions from the last time that wasn't answered.
14 One is what is being done about our water, our well
15 water?

16 MR. CUCCHIARO: That was addressed. You
17 may not have liked the answer, but they addressed
18 it.

19 MS. FONT: What was? I didn't hear the
20 answer. I'm sorry. I don't know if everyone else
21 did. I didn't hear.

22 MR. PAPE: You're talking about your
23 wells?

24 MS. FONT: Yes, sir.

25 MR. PAPE: So what we would do is we

1 would do a -- first, before any construction, there
2 would be an examination of all of the surrounding
3 properties and all of the surrounding wells so that
4 there would be a benchmark for them, and then we
5 indicated that -- we went through the manner in
6 which the storm water was to be taken care of on our
7 site, and testimony was that it was -- based on
8 every bit of information that was generated by our
9 professional staff that there would be no impact on
10 your adjacent properties. That was the response.

11 MS. FONT: The response was that would
12 not be impacted our water.

13 MR. PAPE: Correct. That is correct.

14 MR. CUCCHIARO: Wait a second. Only the
15 person who has the microphone can speak.

16 MS. FONT: Okay, and how they can
17 guarantee that? Do they know exact what kind of
18 chemicals is getting into our water? Is that how
19 they made the decision that is not going to hurt our
20 water?

21 MR. PAPE: There's a storm water -- just
22 revisiting the testimony, and then -- but we did go
23 through this in detail. There are storm water
24 management systems incorporated into this plan. The
25 storm water management systems have to be designed

1 and consistent with Manalapan Township and the DEP's
2 regulations. We indicated on the record that they
3 were fully -- they were designed fully to be
4 compliant with both. Included in that is not only
5 the volume of storm water management but managing
6 the quality of the water that is leaving the site,
7 and we indicated that all of those elements were
8 incorporated to the plan, and the engineer for the
9 board acknowledged that they had been and that the
10 plans that we had submitted were acceptable. So we
11 had designed it correctly.

12 MS. FONT: Okay. Thank you.

13 MR. PAPE: You're welcome.

14 MS. FONT: The other thing is was stated
15 that on 527A or Smithburg Road, there is no
16 intention of a lot of traffic of trucks going there
17 and making right turns and left turns; is that
18 correct? Did I understand correct?

19 MR. PAPE: I didn't understand the
20 question. I'm very sorry.

21 MS. FONT: Okay. The inlet and outlet
22 from Smithburg Road, the intention is not for a lot
23 of truck to go in and out. The intention is for
24 just small vehicles, correct?

25 MR. PAPE: Not just small vehicles.

1 It's intended that the primary driveway system begin
2 on Highway 33 and that it's designed to be the
3 primary system, and the signage is designed to
4 direct people to it, but we indicated that the
5 driveway that is on the county road would be able to
6 accommodate a tractor trailer if one went there
7 because it seemed that it was a better result to get
8 it off the highway and into our site than to have it
9 out on the highway looking for someplace to make a
10 U-turn and come back. It's not prohibited. Signage
11 will indicate that all traffic is directed to the
12 main driveway, and the signage will be on site
13 directing them out similarly, but the design would
14 not frustrate a vehicle that tried to turn in. It
15 will allow it in.

16 MS. FONT: Okay. If the intention is
17 not for those vehicles to be going there, why is
18 that driveway being designed to make that happen?

19 MR. PAPE: I just answered that.

20 MS. FONT: You just answered it.

21 MR. PAPE: I did.

22 MS. FONT: Well, not really. I didn't
23 really understand. When I have intention of going
24 straight, I don't go to the right, I go straight.
25 If the intention is not for the trucks to be turning

1 left and right, why is the driveway being designed
2 for that if that's not the intention?

3 MR. PAPE: I just answered that
4 question.

5 MS. FONT: You just answered. Okay.
6 Now, if traffic is not going to be to a point of
7 trucks can't be anywhere, why are you concerned that
8 you need to have in case a place for the truck to
9 run from the road?

10 MR. PAPE: I just answered it. It's
11 designed to accommodate a vehicle. There's a
12 possibility of there being truck traffic on the
13 county road seeking ingress so it's designed to
14 accommodate it, but the signage is directing them to
15 the main entrance.

16 MS. FONT: My request again, save the
17 people that are in Manalapan, in Millstone. This
18 thing is coming to disturb all of us, our safety.
19 This week alone, just this week, Smithburg Road was
20 closed twice due to flood. How life is going to be
21 when we have a flooded road and 300 trucks? How are
22 we going to survive all this? How? Was addressed
23 our kids that are going to be standing on that road
24 with all those trucks. I didn't hear that being
25 addressed.

1 MR. PAPE: There's no further testimony
2 on it. The county road system is designed to handle
3 these types of vehicles. We acknowledge that we
4 have a responsibility of securing from the county
5 their approval of the full design.

6 MS. FONT: Is it fully approved? Are we
7 here just for value of our homes? Are decisions
8 made already? Are we just ironing out details?

9 MR. CUCCHIARO: No, there is no decision
10 that's made. They are proceeding pursuant to the
11 requirement of the Municipal Land Use Law. They
12 revised the application. We reopened it to the
13 public. No decision has been made, and this board
14 is not even the final decision. There are other
15 agencies that also require approvals that are not
16 yet granted.

17 MS. FONT: If we can't provide this
18 warehouse to come from our neighborhood, can we
19 please at least don't have those trucks going down
20 527. I been there 16 years. I have seen it
21 16 years, 365 days every year. They didn't. They
22 don't live there. Look at the people. Everyone is
23 terrified.

24 MR. CUCCHIARO: Madam Chair, I just have
25 to repeat. The law requires us to keep a verbatim

1 recording and also to have the transcript. So it's
2 important that the person speaking not be cut off by
3 anyone speaking in the audience, clapping, or
4 anything else. We're required to have this verbatim
5 on the record. Continue.

6 MS. FONT: I only ask the board consider
7 the people, consider the people, not just money. I
8 know the putting a lot of money into this, but what
9 about the lives? Please, please, I'm begging you.
10 Thank you.

11 THE CHAIRWOMAN: Anyone else from the
12 public? Ma'am.

13 MR. CUCCHIARO: Were you previously
14 sworn?

15 MS. REA: No, I've never been here
16 before.

17
18 G I N A R E A, sworn.

19 MR. CUCCHIARO: Please state and spell
20 your name for the record.

21 MS. REA: Gina, G-i-n-a; last name Rea,
22 R-e-a.

23 MR. CUCCHIARO: And your address?

24 MS. REA: Eight Brandywine Court,
25 Manalapan.

1 MR. CUCCHIARO: Go ahead.

2 MS. REA: So 527, I'm not sure if you've
3 ever driven down 527, but it is a narrow road.
4 There is a recreation center. Our children walk.
5 They cross 527 to get to the recreation center.
6 You've got children standing on corners waiting for
7 school buses. They drive their bicycles on 527.
8 I'm not -- like what -- I get that it's about the
9 money, but what about the families? It's our
10 neighborhood. Would you want a tractor trailer
11 driving down your side street where your children
12 are riding on bicycles? Like it just doesn't make
13 sense. I don't know why we would want this in our
14 town.

15 People move to Manalapan because they
16 have good schools. We have a great recreation
17 center. It's a great town to live in. We moved
18 here because we didn't want to live in an industrial
19 town. Why? Why -- I just don't understand why
20 something like this would ever be approved for our
21 families, for our children, for the neighborhood. I
22 don't understand, and I'm just going to say this and
23 she's right. Five twenty-seven has been closed
24 twice because of there's a little pond, I mean, a
25 little puddle and the road gets closed. You have to

1 go like 10 miles an hour to make that one little
2 turn. There's a little church. Don't know exactly
3 what it's called. I can understand. You keep
4 saying this. It's a county road. Cars are lucky
5 they can make that turn. I don't understand. I
6 don't know if there's been studies done, but to have
7 a tractor trailer be able to make that turn, it's
8 mind boggling to me that that's accurate.

9 So just for the record, it's our
10 neighborhood. Think about the people.

11 THE CHAIRWOMAN: Thank you. Anyone else
12 from the public?

13 MR. LEITINGER: Yes, I've been sworn in
14 last time.

15 THE CHAIRWOMAN: You need the
16 microphone, sir.

17 MR. CUCCHIARO: Please state and spell
18 your name for the record.

19 MR. LEITINGER: Tim Leitinger,
20 L-e-i-t-i-n-g-e-r. Since we're having some
21 discussion --

22 MR. CUCCHIARO: Your address.

23 MR. LEITINGER: 296 Smithburg Road,
24 Manalapan. So there's one thing that we didn't
25 bring up last meeting, and it's elevation. I don't

1 know if there's any rules, regulations to elevation
2 changes that need to be made. If we look at this
3 map here on the most southern border of this plan,
4 that's like a ravine area there. It's very low.
5 This elevation here at warehouse B at the northern
6 part here, which is behind Park Avenue, that's
7 probably I'm going to guess just from being around
8 the neighborhood so long, it might be about 20 feet
9 in elevation rise here. So to slap this on a flat
10 piece of paper looks great, but there's got to be
11 some major elevation changes here, and the reason I
12 bring that up is because my house is right here off
13 the paper. This is a ravine. I invite anyone that
14 wants to to come to my back bedroom window, either
15 inside the house or outside, and look through the
16 trees, and what do you see. You see this field here
17 through the ravine. So what I'm looking at is
18 hearing beep, beep, beep 24/7, 3 o'clock in the
19 morning from the trucks here and actually being able
20 to see all of this right from my windows. That's a
21 concern. I don't know what the laws and regulations
22 are as far as changing elevation goes, but this
23 warehouse B especially, if the elevation is left the
24 same, it's going to be quite high. This being very
25 low, my house being here higher, meaning I got a

1 clear shot right in their windows. So any talk
2 about elevation changes?

3 MR. PAPE: We did considerably.
4 Mr. Lescavage went through the entire site and went
5 through the leveling that was required for the
6 buildings and the grading plan, and through that --
7 all part of the record, was all presented, all was
8 reviewed by the board, public, and the board's
9 professionals at the last two meetings.

10 MR. LEITINGER: So DEP and geology
11 people -- I don't know -- laws in effect are not an
12 issue here so this can be done by just changing
13 elevations.

14 MR. PAPE: Everything that is shown on
15 the plan requires approval by the township, the
16 county, and where the DEP has jurisdiction, the DEP.
17 It's not that we just willy-nilly do it. It's all
18 consistent with those regulations.

19 MR. LEITINGER: Okay. Well, I just want
20 to bring that up. Thank you.

21 THE CHAIRWOMAN: Thank you. Sir. Wait.
22 There was a gentleman behind -- sitting behind him.
23 You want to come forward, sir.

24 MR. CUCCHIARO: Sir, were you previously
25 sworn?

1 MR. VOLNEY: No, sir.

2 THE CHAIRWOMAN: The mic is over here on
3 the corner.

4 MR. CUCCHIARO: You said no, right?

5 MR. VOLNEY: No.

6

7 R O C K V O L N E Y, sworn.

8 MR. CUCCHIARO: Please state and spell
9 your name for the record.

10 MR. VOLNEY: Rock Volney, R-o-c-k,
11 Volney, V-o-l-n-e-y.

12 MR. CUCCHIARO: And what's your address?

13 MR. VOLNEY: Number 10 Timmons Hill
14 Drive. I just want to go on the record as a
15 resident of Millstone Township for 20 years. My
16 wife and I, we raise three children, and what
17 brought us to Millstone Township was the beauty, the
18 quietness, the tranquility. To be able to do that
19 working in New York City but you have a gem where
20 you live. You can walk in the morning and have your
21 meditation and your prayer with no hindrances.

22 I just want to go on record that if this
23 were to go to be approved, our lives will be changed
24 drastically forever. Millstone Township on that
25 side will no longer be the same. To have sight that

1 I'm used to, to have small children biking, and
2 understanding that there was no hindrance right now
3 with tractor trailers or if there's a backup up the
4 road. So my concern is that safety, safety, safety,
5 safety. And our lives will never be the same should
6 this be approved.

7 THE CHAIRWOMAN: Anyone else in the
8 public? Sir, all the way in the back.

9 MR. CUCCHIARO: Were you previously
10 sworn?

11 MR. VALIA: No.

12

13 M A T T H E W V A L I A, sworn.

14 MR. CUCCHIARO: Please state and spell
15 your name.

16 MR. VALIA: My name is Matthew Valia,
17 V-a-l-i-a. Live at 262 Smithburg Road. Just moved
18 into town in August. So my question is really for
19 the board. Let's --

20 MR. CUCCHIARO: The board is like a
21 jury. It doesn't answer questions.

22 MR. VALIA: So my question is what
23 recourse to us do we have as a public if traffic
24 studies are wrong, if all the approvals go through
25 but things don't turn out the way, you know, they

1 were intended, if traffic does build up every single
2 day, if there are increased accidents. What can we
3 do as a public to help correct these things when
4 they were done, you know, with the intention of, you
5 know, providing a safe as best as we can within the,
6 you know, the zoning guidelines.

7 MR. CUCCHIARO: Well, the law for a
8 permitted use is that you can't really deny an
9 application based upon increased traffic. Also,
10 from the board's limited role, we're limited by the
11 Municipal Land Use Law and what we can do and what
12 we can't do. They have provided testimony and they
13 have provided the statistics from the ITE, and
14 that's all that we can do here as the board is
15 listen to that, determine whether it is persuasive,
16 and if there's an approval, this board doesn't have
17 anymore jurisdiction beyond the approval.

18 MR. VALIA: So then as a public then, do
19 we write petitions? Like what do we do if things
20 don't work out the way they were intended, if the
21 traffic study was wrong, if, you know, all the cars
22 and the trucks end up do coming on 527 instead of
23 33, you know, despite all the signs that we have up
24 there, what recourse would we have?

25 MR. CUCCHIARO: You have no recourse

1 here, which is all that I can tell you. I mean, you
2 can seek to have changes, you know, whether it be
3 signalization or rules and regulations, but they're
4 not even from this municipality. They're from
5 either the state or the county because there's -- no
6 correct me if I'm wrong, Mr. Kennel, there's no
7 local road that this site fronts on.

8 MR. KENNEL: That's correct. So again,
9 the two governing authorities would be the county as
10 well as NJDOT.

11 MR. CUCCHIARO: And understand that this
12 isn't the only board that looks at the traffic also.
13 The county -- as they stated earlier, the county
14 planning board and the Department of Transportation
15 also review it.

16 MR. VALIA: Okay. So are there any
17 studies done -- so you'll review their studies,
18 studies that were done on behalf of the applicant.
19 Do we have any independent studies that go on in
20 addition to this?

21 MR. CUCCHIARO: The board's
22 professionals review it.

23 MR. VALIA: Do we have a timeline?
24 Let's say everything does go through, normal delays,
25 normal procedures, of when construction would start

1 and how long construction would take?

2 MR. CUCCHIARO: Well, they're only
3 getting preliminary approval tonight so we don't
4 know when they're coming back. They can't start
5 until they come back for final approval so really
6 there's no clock to start on that until they come
7 back here another time. They still have to go to
8 DOT and they still have to go to the county, and
9 then they're going to have to come back here.

10 MR. VALIA: So if things do get
11 approved, how long would construction take?

12 MR. PAPE: I do not know. I'm not an
13 expert on construction. I would anticipate because
14 of what I do for a living is work on these
15 approvals, I would anticipate that we have a good
16 solid year ahead of us working on all of the outside
17 agencies to assemble all of the outside approvals
18 and permits. We have to finalize the local water
19 and sewer. We have to finalize the state water and
20 sewer. We have the DOT approvals to complete, the
21 county approvals to complete and Freehold Soil
22 Conservation District approvals to complete. I
23 anticipate -- it's conjecture, but it's based on
24 experience -- of approximately a year, and I would
25 anticipate that within that year we would be

1 returning to this board with the outcome of those
2 outside agencies and proceeding with an application
3 for final.

4 As the board is aware and I'll share
5 with the public, when approval is granted, a
6 preliminary approval is granted, it has a life of
7 3 years. So you have 3 years before you must return
8 to the planning board for final. We don't think
9 that it would be that long. We think it would be
10 closer to the 1 year. And I do not have any
11 knowledge on the timeline to build warehouses. It's
12 not my expertise.

13 MR. VALIA: Thank you.

14 THE CHAIRWOMAN: You're welcome. Anyone
15 else from the public? I'm going behind you. I'm
16 working my way front. Sorry, sir.

17 MR. CUCCHIARO: Sir, were you previously
18 sworn?

19 MR. TESTON: I was.

20 MR. CUCCHIARO: Remind you, you remain
21 under oath. Please state and spell your name for
22 the record.

23 MR. TESTON: Joseph Teston, T-e-s-t-o-n,
24 17 Timmons Hill Drive in Millstone Township.

25 Laws, case law, zoning, ordinances,

1 they're all implemented because of what's reasonable
2 or not reasonable, and this is unreasonable. So
3 maybe tonight we can make some new case law and say
4 that this is unreasonable and maybe bring it back to
5 zoning. We've said in the previous meetings that
6 this is zoned for this type of building and that
7 we're pretty much only here for signage, et cetera.
8 Let's change the zoning because this was zoned and
9 approved for this type of building in the 70's and
10 the 80's and the 90's, and our homes were built in
11 1997. So maybe the founding fathers that approved
12 this zoning for this land on 33 would have a change
13 of heart if they were here after 1997 and 2018 that
14 we're in now, all right. This was all approved
15 before the neighborhood was built, before there was
16 kids riding their bikes down the street, all right.
17 This is unreasonable.

18 I go to a case law update -- it's not
19 this case law. It's criminal case law -- every
20 6 months because it changes because what we thought
21 was reasonable last year, now we've come to our
22 senses and we realized that it's now unreasonable.
23 Just came from a case law update class. Pena-Flores
24 that, you know, the right to search a car, you had
25 to get all kinds of approvals and wake judges up in

1 the middle of the night. Now they say that's
2 unreasonable, which it is unreasonable. Now we're
3 back to 80's case of case versus -- State versus
4 Witt, that says that would be unreasonable, let's
5 just -- it's the middle of the night, let's search
6 this car because we have probable cause to search
7 the car.

8 Point is what's unreasonable 6 months
9 ago is now reasonable now, all right. What was
10 reasonable in the 70's and 80's and 90's to zone
11 this for warehouses is completely unreasonable now.
12 That there's a neighborhood across the street, that
13 my kids' play set is in your picture right here near
14 the main driveway. It's unreasonable and crazy, and
15 you guys do have a decision in this, all right.
16 You're the first step to this. You could end this
17 now, all right. You could take this back to zoning
18 and rezone it for something else.

19 This is unreasonable so it should
20 change. Make some new case law tonight. Stop
21 bullying the people here, and change it now. This
22 is unreasonable and crazy, and not one person up
23 here, including the attorney, thinks this is
24 acceptable in their head, all right. This is a
25 business right now. Change it. It's unreasonable

1 now. Time for new case law. Change it. You have a
2 decision, and you have a say. So turning these
3 people away and saying that we can't discuss this
4 because it's not the new stuff with the changes, the
5 ridiculous, unreasonable changes that were presented
6 here today, it's sick. If this goes forward after
7 tonight, it's sick. You should be ashamed if it
8 does go forward.

9 MR. CUCCHIARO: Madam Chair.

10 THE CHAIRWOMAN: Yes.

11 MR. CUCCHIARO: I can assure you that we
12 do keep track of all the recent case law. In fact,
13 there's a 2018 New Jersey Supreme Court case, Dunbar
14 Homes v. Franklin Township, which interpreted a new
15 revision or amendment to the Municipal Land Use Law,
16 that says that once you have filed an application
17 and it has been deemed complete, a subsequent zoning
18 change does not change anything. You are vested in
19 the zoning that exists when you file and are
20 declared complete. So even if the township council
21 did change the zoning, they would not have a legal
22 impact on this application, and that's a 2018 New
23 Jersey Supreme Court decision.

24 THE CHAIRWOMAN: Thank you. Sir, come
25 forward.

1 MR. CUCCHIARO: Sir, were you previously
2 sworn?

3 MR. LEVY: No.

4
5 B E N J A M I N L E V Y, sworn.

6 MR. CUCCHIARO: Please state and spell
7 your name.

8 MR. LEVY: My name is Benjamin Levy,
9 L-e-v-y, 32 La Valley Drive in Manalapan. So thanks
10 for the update on the case law. That actually was
11 kind of informing. But with that said, I would
12 challenge the board, I would challenge also the
13 applicant to tell me how any of this is superior to
14 a pumpkin patch because at the end of the day,
15 pumpkin patch doesn't have jiggled brakes, pumpkin
16 patch doesn't have light pollution, pumpkin patch
17 isn't going to run over our kids when we go to
18 Wagner Farm Park, okay. So you do have school buses
19 all around that entire area. On one end you've got
20 a park, okay. On the other end you've got this tiny
21 little -- you've got a gas station and you've got a
22 little shack that's a vape shop or something, you
23 know. So those things, okay, they're small and
24 they're reasonable. I get that. You're talking
25 about hundreds of thousands of square feet of

1 pavement. It's like pave the world and the rest
2 will follow. It just doesn't make any sense to me
3 at all. It does not fit with the character of
4 either Manalapan or Millstone, and you're hearing
5 from folks from both townships that I think
6 universally -- I mean, I haven't heard anybody here
7 tonight that has said, you know what, this sounds
8 like a really great idea, let's have a ton of
9 tractor trailers go right through a residential
10 community. What you hear is people are genuinely
11 scared, and they're trying to find little
12 technicalities to get out of the bigger picture
13 here. Well, maybe because this tractor trailer
14 isn't going to be able to turn this way or maybe a
15 second addition to a driveway will allay somebody
16 else's fears, but at the end of the day, the reason
17 why you have someone even from Millstone here today
18 saying these little things about this is because at
19 the end of -- we're all in our heads saying, oh, my
20 God, what is happening to our township. I mean, not
21 for nothing, Manalapan, go on your web site. It's
22 an old Lenape term that means the land of good
23 bread. Where's the bread? It's all asphalt. It's
24 all going to be all asphalt.

25 I bring my kids to Red Wagon Farm. I've

1 lived here since 2014, and when I told them both
2 that this is what's happening, my 3-year-old started
3 to cry and my 8-year-old started to scream, and it's
4 easier to deal with the 8-year-old, okay, but I
5 don't want to have to tell them that I came here
6 tonight and I missed their bedtimes and it was all
7 for naught.

8 THE CHAIRWOMAN: Anyone else from the
9 public?

10 MR. CUCCHIARO: Were you previously
11 sworn, sir?

12 MR. SCHLEGEL: Yes, sir.

13

14 R O N S C H L E G E L, sworn.

15 MR. CUCCHIARO: Just state and spell
16 your name for the record again.

17 MR. SCHLEGEL: My name is Ron Schlegel,
18 S-c-h-l-e-g-e-l.

19 MR. CUCCHIARO: Your address again?

20 MR. SCHLEGEL: Fourteen Timmons Hill
21 Drive.

22 MR. CUCCHIARO: Go ahead.

23 MR. SCHLEGEL: So one of the previous
24 things that we did talk about that was brought up
25 last time was the amount the berms and on 527A, and

1 I didn't -- we had a little bit of discussion about
2 that tonight, but can we talk about, you know, what
3 is being done.

4 MR. PAPE: Didn't come prepared on that
5 topic this evening because we had put it to bed. We
6 had done over -- we had indicated that there was a
7 landscape plan that Shari Spero had asked that we
8 redo, that the volume of materials had quadrupled,
9 that there was understory where there wasn't, and
10 there was multiple types of trees, and there would
11 be undulating berming that ran through that area.
12 Did not prep for it this evening, but all of the
13 commitments that were made on the record remain.

14 MR. SCHLEGEL: What we talked about last
15 time was, again, the buildings are 40 feet high.
16 The berms that you guys propose plus the trees were
17 20 feet high.

18 MR. PAPE: That's correct.

19 MR. SCHLEGEL: So we said how can we
20 increase that berm and increase those trees so that
21 we don't see this monstrosity on our -- from our
22 property from across the street.

23 MR. PAPE: The berms and the landscaping
24 are as committed. The obligation is not to
25 completely screen. The obligation is to create a

1 landscape separation but not to completely screen
2 the buildings. That's not part of the requirement
3 of the ordinance, and it wasn't part of the
4 requirement of the landscape buffer elements of the
5 ordinance.

6 MR. SCHLEGEL: Well, I think that has to
7 be reconsidered. Again, we're all living right
8 there. I mean, something has to be done for the
9 neighborhood, and certainly, we don't see anything
10 you're doing that's going to help us.

11 The other thing is this Smithburg Road.
12 Again, you have to please go up and drive on that
13 road. The blind hill that you come over on the top
14 right next to the property is going to cause an
15 unbelievable amount of accidents. It already has.
16 We've already had numerous accidents from people
17 coming over that hill. When you have now two exits
18 onto that road -- I just can't believe that we're
19 even going this way. I mean, trying to get the exit
20 off the road is really what we've got to get
21 towards. We've got to get this -- all this traffic
22 has to go up on 33. I mean, if we can't just get
23 rid of it, then you got to get that traffic off of
24 that road. I mean, people are going to get killed,
25 really.

1 And the other thing, your sign your new
2 little picture here doesn't show. It doesn't show
3 all the for-sale signs because if you haven't
4 noticed, there's a whole bunch of for-sale signs.
5 So the people of Manalapan have spoken. They're
6 telling you this is not a good idea, and there's now
7 four to five houses right down here that are all for
8 sale within the last couple of weeks, okay, and we
9 also know there's houses for sale, also.

10 So, I mean, it's pretty clear again.
11 The people of Manalapan are telling you this is not
12 a good idea. You guys, you represent Manalapan. I
13 said I really think that you got to rethink
14 something like this. This does not belong in our
15 neighborhood. Please. Thank you.

16 THE CHAIRWOMAN: Anyone else from the
17 public? Ma'am.

18 MR. CUCCHIARO: Ma'am, are you
19 previously sworn?

20 MS. SCHLEGEL: Yes, I have been.

21 MR. CUCCHIARO: Just state and spell
22 your name.

23 MS. SCHLEGEL: Virginia Schlegel,
24 S-c-h-l-e-g-e-l, 14 Timmons Hill Drive, Millstone
25 Township.

1 MR. CUCCHIARO: Go ahead.

2 MS. SCHLEGEL: Just for the record, I
3 respectfully would like to ask the Skeba family to
4 reconsider other options for the development of
5 their farm. The warehouse project poses the most
6 detrimental option for our neighborhood and
7 community. The very community that has supported
8 your business over the years will now forever be
9 negatively impacted by your proposed warehouse plan.

10 At the September meeting, it was noted
11 that Mr. Skeba was hoping to keep the farm stand on
12 the property. Mr. Pape explained to us that would
13 not be a feasible option with the warehouse
14 proposal. I ask why can't the option be that
15 Mr. Skeba retain his farm stand and perhaps develop
16 a smaller portion of the land that might pose a less
17 negative affect on our community. Our Monmouth
18 County Freeholder Gerry Scharfenberger has stated
19 that the Green Acres program is a viable option as
20 they would give Mr. Skeba the fullest value of his
21 farm. So I keep the Skeba family, the board, and
22 our community in my prayers that we can all reach a
23 decision that we will all benefit from. Thank you.

24 THE CHAIRWOMAN: Anyone else from the
25 public? Come forward, ma'am.

1 MR. CUCCHIARO: Were you previously
2 sworn?

3 MS. MASTROPOLO: I wasn't.

4
5 L I A M A S T R O P O L O, sworn.

6 MR. CUCCHIARO: Please state and spell
7 your name for the record.

8 MS. MASTROPOLO: My name is Lia
9 Mastropolo, L-i-a --

10 THE CHAIRWOMAN: Please use the
11 microphone, ma'am.

12 MS. MASTROPOLO: Sorry. L-i-a,
13 M-a-s-t-r-o-p-o-l-o, and I'm representing the
14 Watershed Institute at Titus Mill Road in
15 Pennington.

16 MR. CUCCHIARO: Can you just explain
17 what say again your organization.

18 MS. MASTROPOLO: The Watershed
19 Institute.

20 MR. CUCCHIARO: Watershed Institute.

21 MS. MASTROPOLO: So I have a couple
22 comments about water quality.

23 MR. CUCCHIARO: Just before that, Mr.
24 Pape, do you have any objections?

25 MR. PAPE: I don't. I point out that

1 there's no approvals or permits from the Watershed
2 Institute. Not familiar with the --

3 MR. CUCCHIARO: Just before you get
4 started, I don't know if everyone understands what
5 the Watershed Institute is or what its goals or
6 functions are, so maybe just begin by explaining
7 what the organization is and its goals and
8 objectives.

9 MS. MASTROPOLO: We're a nonprofit
10 science and advocacy organization. We used to be
11 the Stony Brook Millstone Watershed Association.
12 We've been in the area for a long time. Recently
13 changed the name, but that's us, and so we're not a
14 regulatory agency at all.

15 I understand -- I've reviewed the storm
16 water plans. I understand that this project is in
17 full compliance with the ordinance and the specific
18 storm water regulations; however, we as an
19 organization have some concerns with the effect on
20 water quality and more broadly specifically with
21 regard to TMDL's on the two streams.

22 So if you look at the property right
23 here, this piece of the property drains to the
24 Millstone River, which has total maximum daily load
25 for total suspended sediment and also for

1 phosphorus, which are pollutants which are related
2 to development and truck traffic and things like
3 that. This piece of the property drains to a
4 tributary to Manalapan Lake, which also has a total
5 maximum daily load for phosphorus.

6 And so I understand that the storm water
7 plans are going to reduce TSS in the left piece of
8 the property by about 80 percent with the
9 infiltration basin there; however, according to that
10 TMDL, the overall reduction for that piece of the
11 watershed needs to be closer to 84 percent, which is
12 an increase, and that's for all development in that
13 area, and so that would indicate that 80 percent for
14 just this specific project is insufficient.

15 Now, personally I think that there are
16 things that could be done with this development that
17 wouldn't require a complete redo of the site plan to
18 increase the pollution removal for some of these
19 practices. Some of the things could be integrating
20 smaller scale green infrastructure practices in the
21 parking areas and some of the landscaping pieces of
22 the property, adding pretreatment to the inlets,
23 things like inlet filters, separators. Things like
24 that could also help limit some of the sediment.

25 Those are just sort of broadly my

1 comments about the storm water project. Generally,
2 though, we definitely appreciate the project limits
3 the encroachment to the stream buffers and that it
4 is reducing storm water volumes generally. We just
5 think you could do better.

6 MR. PAPE: I am familiar with the Stony
7 Brook Watershed, worked with them for many years.
8 Didn't know -- did not know the name change. Always
9 found that their research was valuable and their
10 guidance was valuable, and I would, notwithstanding
11 the fact that we have worked as indicated by -- we
12 have a fully conforming storm water design, I would
13 welcome the opportunity to take the research that
14 was done and to sit with our engineer and with your
15 engineer to see if there are any of these additional
16 elements that could be incorporated into the plan.
17 Not on the plan or maybe not clear to this person is
18 that working with the Environmental Commission,
19 there were recommendations for Best Management
20 Practices to be incorporated into the site, and a
21 number of those recommendations that were just
22 shared with you as suggestions were worked into the
23 plan previously, but I think always felt that the
24 Watershed advisory board was valuable and continue
25 to do so. So gladly offer to meet with them and to

1 take their recommendations to your engineer.

2 MS. MASTROPOLO: Thank you. We'd
3 welcome that.

4 MR. PAPE: Thank you.

5 THE CHAIRWOMAN: Thank you.

6 MR. CUCCHIARO: Madam Chair.

7 THE CHAIRWOMAN: Yes.

8 MR. CUCCHIARO: Just before we go on.

9 Mr. Pape, I just want to see if your court reporter
10 needed a break.

11 MR. PAPE: Debbie. Thank you very much.

12 THE CHAIRWOMAN: Anyone else from the
13 public? Do you have something, ma'am?

14 FROM THE FLOOR: Yes, but somebody else
15 wants to come.

16 THE CHAIRWOMAN: Sir, do you have a
17 comment for the public?

18 MR. CUCCHIARO: Sir, were you previously
19 sworn?

20 MR. BUONO: No, I wasn't.

21

22 A N T H O N Y B U O N O, sworn.

23 MR. CUCCHIARO: Please state and spell
24 your name for the record.

25 MR. BUONO: Anthony Buono, B-u-o-n-o, 11

1 Timmons Hill Drive in Millstone.

2 Mayor, I sent you a letter November 13,
3 and I was wondering why I never got a response.

4 MAYOR McNABOE: Is that the one that's
5 not signed?

6 MR. BUONO: I had my name on it. I
7 think I signed it.

8 MAYOR McNABOE: I don't -- was it
9 dropped off?

10 MR. BUONO: No, I sent it through the
11 mail, and it said it was delivered. I didn't have
12 it signed for because I didn't think it was
13 necessary.

14 MAYOR McNABOE: No. I'm at a loss for
15 words. Many of the e-mails that come in, I answered
16 them. Right here on this dais I've had to explain
17 to the attorney why I answered every e-mail that
18 comes in to us. The written one I'm not aware of.

19 MR. BUONO: So can you make a copy of it
20 and maybe next time comment on it?

21 MAYOR McNABOE: Sure. If you would give
22 it to Lisa there, she'll take care of it for you.

23 MR. BUONO: Now, I know at last meeting
24 the attorney mentioned about the case law about the
25 traffic. Now, have any of you ever read the case

1 law pertaining to that? You should. And the case
2 law was decided in 30 years ago but in reference to
3 something from 1976, and part of it says a planning
4 board should consider off-site traffic flow and
5 safety in reviewing proposals for vehicle ingress to
6 and egress from the site. Now, how can you possibly
7 say that, you know, there's not going to be an
8 accident in that area? And especially you have a
9 school 1.5 miles away, and you have buses, 24 buses
10 in the morning, 24 in the afternoon, taking 453
11 students home using those roadways. So I would just
12 ask that, you know, each one of you, you know, make
13 a copy of this and read it, and then you could see
14 how, you know, you'll be able to stop this, and, you
15 know, because the worst thing that could happen is
16 you have a school bus and a tractor trailer in an
17 accident with injuries or deaths. So I don't think
18 anybody wants that. Thank you.

19 THE CHAIRWOMAN: Ma'am.

20 MR. CUCCHIARO: Were you previously
21 sworn?

22 MS. UK: Yes.

23 MR. CUCCHIARO: Just state and spell
24 your name again for the record.

25 MS. UK: Emma Uk. Last name is U-k.

1 MR. CUCCHIARO: And your address?

2 MS. UK: Fourteen David Court, Millstone
3 Township. Okay. So I don't live far from the this
4 whole development. It's like I'm right behind this
5 house right over here so I'm like cut off a little
6 bit, and I'm wondering -- you have an
7 environmentalist, correct, on your board or that
8 looked into this area?

9 MR. PAPE: The township has an
10 environmental --

11 MR. CUCCHIARO: The application was
12 reviewed by the Environmental Commission for the
13 town.

14 MR. PAPE: Thank you.

15 MS. UK: Okay. And as part like the
16 community, are you supposed to take like the
17 wildlife into consideration? You know, along with
18 impacts on the people, impact on the wildlife, as
19 well.

20 MR. CUCCHIARO: That's under state
21 jurisdiction. They have records of where there are
22 the areas that threatened or endangered species
23 exist, but it's under their jurisdiction to enforce
24 that.

25 Mr. Pape, is there any review of the DEP

1 records to determine the existence of any threatened
2 or endangered species.

3 MR. PAPE: Sure, in conjunction with the
4 DEP application for wetland delineation, they go
5 through all of that in determining the
6 characteristics of the wetlands. It's all been
7 done.

8 MS. UK: Okay, because besides that, you
9 know, you're supposed to take endangered species
10 into consideration and things like that, but that
11 doesn't mean that you should just not care about all
12 of these other animals that live in this area, and
13 it's easy to live in this picture and just see
14 houses and just trees, but there's more than people
15 that live here. There are lots of animals. My
16 neighbor had a bear in his tree, and his back yard,
17 you know, like it goes back to Smithburg Road. They
18 had to come relocate the bear. My brother has seen
19 a bear walking down our street at night. We have so
20 many different kinds of birds on our property, and,
21 I mean, I don't know about my neighbors, but, I
22 mean, birds travel around so if it's on our
23 property, it's probably all around here, and I've
24 seen birds -- I don't even know what they are. I've
25 seen birds that are almost all yellow. I've seen

1 birds that are almost all green. I have no idea
2 what they are. It's more than just robin redbreast
3 anymore. We have so many different kinds,
4 hummingbirds. We have different kinds of owls. I
5 mean, I like to keep my window open at night,
6 especially during the summer because I like fresh
7 air, and you can hear the different kinds of owls at
8 night. There was this one owl that made like this
9 cooing noise, and I had no idea what it was. I was
10 like what bird is up at this time of night. It
11 makes no sense. So I looked into it, and I finally
12 found it, and it was an eastern screech owl, I don't
13 know why they call it a screech owl. It doesn't
14 screech. It makes a really beautiful noise. So,
15 you know, and when you go outside, you hear them on
16 different parts of the property along with other
17 owls. We have different kinds of like predatory
18 birds, like, you know, you have your traditional
19 hawk, but we've seen hawks that are like -- I don't
20 know if it's a hawk or a falcon, but almost all
21 white, and then we've seen an even a bigger bird
22 that was like white and had like all around it like
23 on its stomach. It was huge. I mean, I have no
24 idea what these birds are, but it seems like it's
25 almost a hot spot for these birds. We actually have

1 some bird watcher. I mean, I don't even know what
2 he was doing in our neighborhood because he actually
3 came to our door just to tell us that he's never
4 seen so many different kinds of birds on somebody's
5 property before.

6 So keeping that in mind and what kind of
7 neighborhood we're in, noise pollution and light
8 pollution impacts bird populations, and this is --
9 it's been proven, especially on roadways, and you
10 have a roadway here, but it's quiet at night. I
11 just said when I keep my window open at night, I can
12 hear things outside. I can hear the foxes making
13 their weird bark calls. I can -- my sister and I
14 have actually heard a bear outside. We didn't see
15 him, but we heard him. So with increased noise
16 pollution, it will impact the bird population. It
17 impacts diversity of birds and will also, you know,
18 just bring the population down, and I don't think
19 that's very fair, you know, because this is just a
20 beautiful area. It's teeming with life, and it will
21 just go downhill if you build this warehouse. It's
22 more than just people that would be impacted by this
23 warehouse. You know, if we're not enough, maybe you
24 can take them into consideration, these animals, and
25 I know for a fact that animals come from the Skeba

1 property. I've seen foxes cross the road. I have
2 no idea where all these animals live. I have no
3 idea where these bears come from, but I know for a
4 fact that foxes come from this property, you know,
5 all the time. I've seen them cross the road.

6 So I'm just asking you to please, you
7 know, just keep the environment in mind and all
8 these animals and the people. Like don't forget
9 about all of that. Thank you.

10 THE CHAIRWOMAN: Anyone else from the
11 public? Come forward, sir.

12 MR. CUCCHIARO: Were you previously
13 sworn?

14 MR. BRACHFELD: I was not.

15
16 D A V I D B R A C H F E L D, sworn.

17 MR. CUCCHIARO: Please state and spell
18 your name for the record.

19 MR. BRACHFELD: My name is David
20 Brachfeld, B-r-a-c-h-f-e-l-d. I'm in Manalapan, 48
21 La Valley Drive, which is right across 33. I grew
22 up in Manalapan.

23 THE CHAIRWOMAN: Use the mic, sir.

24 MR. BRACHFELD: I grew up in Manalapan.
25 When I bought my first house, it was in Freehold,

1 and when my wife was pregnant with our twins, we
2 moved back to Manalapan for this environment. We
3 moved to La Valley Drive because it was a rural
4 residential zone that was very quiet, peaceful, out
5 in the woods, something that not other places had to
6 offer.

7 If you guys remember a couple years ago,
8 we were here in this room discussing the Boy Scouts
9 and the laser tag. For that issue, if anyone isn't
10 aware, the Boy Scouts had a for-profit business come
11 onto their property and had laser tag out in the
12 woods, which was fine. Nobody really cared until it
13 generated a tremendous amount of traffic. I did not
14 realize what was happening until the babies were
15 born. Our plan was walk the babies up and down La
16 Valley Drive. It's a dead end road. Should not be
17 an issue. Well, as the business grew and grew and
18 grew, we had buses and a tremendous amount of
19 vehicular traffic up and down the street to the
20 point where we could not walk the children down the
21 street in a stroller. It was unsafe. This went on
22 multiple meetings, and eventually, due to a variance
23 issue, they had to vacate the property, and La
24 Valley -- once again we could walk up and down the
25 street.

1 I urge you guys, please take the traffic
2 studies that are provided with a grain of salt. The
3 traffic that they're projecting most likely will not
4 reflect the volume of traffic that a facility like
5 this is going to provide. I mean, these are what --
6 what do you have, a hundred thousand square feet?
7 How big is this one?

8 FROM THE FLOOR: Three hundred and 600
9 thousand.

10 MR. BRACHFELD: Three hundred and 600.

11 FROM THE FLOOR: Six hundred.

12 MR. BRACHFELD: Six hundred thousand.

13 THE CHAIRWOMAN: Sir, sir, stop. You
14 can't testify. Only the applicant can answer those
15 questions.

16 MR. BRACHFELD: So it's a million square
17 feet here.

18 THE CHAIRWOMAN: Mr. Pape.

19 MR. BRACHFELD: Is that correct?

20 MR. PAPE: The building sizes were
21 testified to earlier. One building is slightly
22 above 300,000 square feet, and the other one is
23 about 630,000 square feet.

24 MR. BRACHFELD: How many tractor
25 trailers do you anticipate coming in and out of here

1 in a 24-hour period?

2 MR. PAPE: Not revisiting any of that.

3 THE CHAIRWOMAN: Sir, we're only asking
4 questions with regard to tonight's testimony.

5 MR. BRACHFELD: Well, it's relevant
6 because they have -- I wasn't at the previous
7 meeting, but I can see that the changes that they've
8 created a driveway over here, which will -- trucks
9 will come up Route 33. They're going to turn into
10 the facility, and they're going to exit here on this
11 narrow road that is not -- yes, it's a state
12 highway, but it's a county road, but this little
13 road is not equipped to facilitate the traffic that
14 U.S. 33 is. Tractor trailers go on Route 33. We're
15 accustomed to it. Not the volume of traffic that
16 these two buildings are going to introduce to our
17 town and our residential community around here.

18 So I urge you to revisit the traffic
19 study. I think you should look into the exits to
20 this county road, 527A. This road does not -- will
21 not support adequately the volume of traffic that
22 this facility is going to provide. If they want to
23 bring that volume of trucks into this area, the only
24 safe way to do it is on and off of Route 33, and the
25 only way around should be the U-turn that's upstream

1 so that there is no trucks here where there's a
2 park, there are schools, there are residential
3 communities. It's absurd. So please look deeply
4 into this. It's going to affect everybody in this
5 room. The Boy Scout issue with the laser tag
6 affected me because the traffic studies they said,
7 oh, well, it's not going to generate that much
8 traffic, it shouldn't be an issue. It was an issue.
9 I couldn't walk my kids down my own street, and I
10 don't want that to happen here to these people that
11 live on this street. It's not right. That's not
12 why we moved to New Jersey. It's not why we stay in
13 New Jersey and Manalapan and Millstone.

14 THE CHAIRWOMAN: Anyone else from the
15 public? Seeing none, I close public.

16 Anyone else have any further questions
17 from the board for this applicant? Can I have a
18 motion with regard to the --

19 MR. CUCCHIARO: Just prior to that, Mr.
20 Pape, do you have any closing comments?

21 MR. PAPE: Very briefly, Madam Chair,
22 board members, the Township of Manalapan has very
23 clear, very modern zoning ordinances for the Route
24 33 corridor. The designation of portions of the
25 Route 33 corridor as special development and

1 warehouse zones does, in fact, date back some
2 50 years, but those ordinances and the standards
3 have been revisited time and time again, as recently
4 as the last couple of years. Your ordinances are
5 modern, and they're up-to-date.

6 Your applicant has followed your
7 ordinances. Not exceeded them. Has not pushed and
8 sought to overdevelopment. Your applicant, Joseph
9 Skeba, has a warehouse plan that is 100 percent
10 consistent with your ordinance requirements but for
11 the two variances that were created as a result of
12 accommodating requests that were made. If those
13 variances are offensive, we'll certainly withdraw
14 them and go back to the plan exactly as it was
15 before we created the need for them.

16 I think it's important for the board to
17 be reminded that before we came to this board, we
18 went to your Environmental Commission. We collected
19 their comments. We brought them to you, and on the
20 record, we indicated that we would abide by them.
21 Similarly, we went to your shade tree experts and
22 your arborists. We asked -- we went directly to
23 them and asked for their guidance and comments and
24 incorporated into the plan. We spent considerable
25 time working with the fire officials. I think that

1 I indicated that I went to three meetings of the
2 fire borough, and it was at the third meeting that
3 we achieved their recommendation. We went to the
4 fire commissioners, and we worked with them on their
5 comments. All of the requests that were made to the
6 applicant by those agencies were incorporated. We
7 also shared with you that we went to each and every
8 outside agency before we came here. We went to
9 Freehold Soil. We went to the DEP. We went to the
10 county, and we went to the Department of
11 Transportation to make certain that what we were
12 bringing was not just consistent with the ordinance
13 but was consistent with what we expected their
14 requirements will be.

15 The road designation as a county road
16 and the road designation as a state highway
17 intersected and controlled by a controlled
18 intersection is about as ideal a location as you can
19 have for this type of facility.

20 All of the residential development that
21 is being discussed, all follow -- with the exception
22 of some of the older homes on 527A -- all followed
23 after the zone that is in place was in place. This
24 zone, as we indicated to you, for this property far,
25 far predated, I think by about 25 years, the 1996

1 approval that the Millstone Township Planning Board
2 granted for the Timmons Hills community.

3 For all of those reasons and also
4 because your applicant has made a pledge to continue
5 to work with you and to work with your professionals
6 as we go from preliminary to final, I ask the board
7 to consider favorably the application that is before
8 you this evening, which is for preliminary site plan
9 of warehouses that are consistent with your SDW-20
10 zone. Thank you.

11 THE CHAIRWOMAN: Thank you.

12 MR. CUCCHIARO: Madam Chair, does the
13 board have any questions of me from a legal
14 perspective before you vote?

15 THE CHAIRWOMAN: Anyone, questions?

16 MR. JACOBSON: The revised application
17 is three variances?

18 MR. PAPE: Two.

19 MR. JACOBSON: Two? I thought one for
20 the sign, one for the egress, and then one for the
21 parking lot.

22 MR. PAPE: One for the sign and one for
23 the parking lot. The egress does not create a
24 variance.

25 MR. JACOBSON: Okay.

1 MR. CUCCHIARO: That's correct.

2 MR. BOCCANFUSO: There were also design
3 waivers for the disturbance of steep slopes and the
4 nonprovision of dry wells for roof leaders.

5 MR. PAPE: Which we have gone through
6 when we were with you the last time.

7 MR. BOCCANFUSO: That's correct.

8 THE CHAIRWOMAN: Does anyone have any
9 questions for Ron? No. Thank you, though, Ron.
10 May I have a motion with regard to this
11 application for the Skeba Tract.

12 MR. JACOBSON: I'll make the motion for
13 the one with the two variances, favorable motion.

14 MR. CUCCHIARO: Subject to all the
15 conditions that are placed on the record.

16 MR. JACOBSON: Yes, all the conditions.

17 THE CHAIRWOMAN: Can I have a second on
18 the motion? Or does somebody have a negative?

19 MR. CUCCHIARO: We have to -- motion has
20 been made. Have to see if there's a second.

21 MS. D'AGOSTINO: I'll second.

22 MR. JACOBSON: Mr. Castronovo.

23 MR. CASTRONOVO: Yes.

24 MR. JACOBSON: Mr. Brown.

25 MR. BROWN: Yes.

1 MR. JACOBSON: Vice Chair D'Agostino.

2 MS. D'AGOSTINO: Yes.

3 MR. JACOBSON: I'm a yes. Chairwoman

4 Kwaak.

5 THE CHAIRWOMAN: Yes.

6 MR. JACOBSON: Mr. McNaboe.

7 MAYOR McNABOE: Yes.

8 MR. JACOBSON: Mr. Kane.

9 MR. KANE: No.

10 MR. JACOBSON: Chief Hogan.

11 MR. HOGAN: Yes.

12 MR. JACOBSON: Mr. Kastell.

13 MR. KASTELL: Yes.

14 MR. PAPE: Madam Chair, members of the
15 board, board professionals, thank you all. Good
16 night.

17 THE CHAIRWOMAN: Thank you.

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PLANNING BOARD
TOWNSHIP OF MANALAPAN
COUNTY OF MONMOUTH
STATE OF NEW JERSEY

In the Matter of)	
The Application of:)	Transcript of
SKEBA TRACT WAREHOUSE)	proceedings
DEVELOPMENT)	
#PMS1745)	
Highway 33)	
Block 74, Lot 23.02)	
-----)	

I, DEBORAH A. MASTERTON, a Certified Court Reporter and Notary Public of the State of New Jersey, certify that the foregoing is a true and accurate transcript of the proceedings in the above entitled matter at the time and place aforesaid.

DATE: December 27, 2018

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