

**Township of Manalapan**  
120 Route 522 & Taylors Mills Road  
Manalapan, NJ 07726

**Planning Board Minutes**

**February 23, 2023**

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.

Ms. D'Agostino read the TV Disclosure Statement and took the Roll Call of the Board.

In attendance at the meeting: Daria D'Agostino, Todd Brown, John Castronovo, Kathryn Kwaak, Jack McNaboe, Barry Jacobson, Steve Kastell, Richard Hogan, Brian Shorr, Nunzio Pollifrone

Absent from meeting: Barry Fisher

Also present: Ronald Cucchiaro, Planning Board Attorney  
Brian Boccanfuso, Planning Board Engineer  
Jennifer Beahm, Planning Board Planner  
Lisa Urso-Nosseir, Recording Secretary

Mr. Cucchiaro swore in Brian Boccanfuso, Professional Engineer and Jennifer Beahm, Professional Planner.

**Minutes:**

A Motion was made by Chief Hogan, Seconded by Mr. Brown to approve the Minutes of February 9, 2023 as written.

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

**Resolutions:**

PPM2104 ~ Stavola Asphalt Company  
Stavola Woodward Road - Medical Office  
Woodward Road and Route 33  
Block 7232 / Lots 1.04, 1.06 and 2.04  
Bifurcated Preliminary and Final Major Site Plan; and

PPM2104 ~ Stavola Asphalt Company  
Stavola Woodward Road - Retail Portion  
Woodward Road and Route 33  
Block 7232 / Lots 1.04, 1.06 and 2.04  
Bifurcated Preliminary and Final Major Site Plan

Mr. Cucchiaro spoke of the two bi-furcated resolutions for Stavola Asphalt Company consisting of the medical portion and the retail area. The applicant has asked for two more weeks, although he's not entirely sure why. Some of the questions that have asked him actually involve language that they wrote that he accepted, but they are now questioning. Out of an abundance of due process, we'll give them two more weeks, but this is not something that they are going to appear again for. There are no more arguments to be made. Mr. Cucchiaro is satisfied that the resolutions capture the discussions from the last meeting that the Board had. He is willing to listen to them over the next two weeks. He finds it difficult to believe that he is going to be persuaded to do anything other than what he has already done. He believes this is the last time and at the next meeting, we will just vote. There are no presentations to be made, certainly if there are questions from the Board, that is fine. He thinks this has to be the last time that this is indulged. Chairwoman Kwaak agreed that the Board will be voting on the resolutions at the next meeting.

**Applications:**

PAS2222 ~ CMP of Manalapan Realty, LLC  
363 HWY 33 ~ Block 74/ Lot 13.02  
Amended Final Site Plan

Chairwoman Kwaak announced that the applicant has asked to be carried to the April 27, 2023 Planning Board meeting. Mr. Cucchiaro stated that application PAS2222 will be carried to the Board's April 27, 2023 meeting. All documents associated with the application are in file in the office of the Planning Board. There will be no further notice to property owners.

PPM2255 ~ LPG Capital, LLC  
Kinney Road and Sweetmans Lane  
Block 79 / Lots 21.01 and 21.02  
Preliminary and Final Major Site Plan  
Carried from February 9, 2023



Rick Brodsky, Esq. of Ansell, Grimm & Aaron represented the applicant, LPG Capital, LLC this evening. This is a continued hearing on the application seeking Preliminary and Final Site Plan approval for a flex space building located at Kinney Road and Sweetmans Lane. Mr. Brodsky said the Board will recall that no variances are associated with respect to the application. Our engineer and architect are both present this evening. There were comments in regard to the design of the building, the site design, there were loading questions, some signage issues that we discussed. Despite the short turn-around time, there was a lot of thought process that went into addressing those concerns. The Board will hear as we go through the testimony and you'll see the proposed revisions that were made both to the building as well as to the site. This is a spec building and we don't yet have tenants.

Mr. Cucchiaro reminded the engineer, Thomas Muller, that he is under oath. Mr. Muller displayed Exhibit A6 – a parking modification exhibit prepared by Dynamic Engineering dated February 13, 2023. This one page exhibit shows a number of changes that we made to the site plan layout to address the comments that we received at the last meeting. One of the big things that we talked about at the last hearing is that we have a loading area on the north side of the building. There was some concern with the number of loading docks. Therefore, we reduced the number of loading docks by five. We previously proposed 18 loading docks, but now we are proposing only 13 loading docks. Based on the comments that we heard from the Board, we are comfortable reducing those number of loading docks. We also added 25 land-banked parking stalls on the south side of the building. Those are green banked parking spaces that are 10' x 20'. The reason we are green banking them is basically to give the municipality, as well as the operator, the most flexibility to have parking in the future if they need it for the user. The green banked spaces still comply with the stormwater requirements of grading and landscaping. The spaces will not be built on day one – they'll just be planted as landscape areas. As the users come online, they will submit their zoning and building permits. If the zoning officer determines that parking is needed there, then those parking spaces would be constructed. Mr. Cucchiaro asked how many spaces will be created and Mr. Muller said there will be 25. Mr. Cucchiaro asked if the 25 spaces are being relied upon by the applicant in satisfaction of the parking requirement, or do they satisfy the parking whether or not these are built or not? Mr. Muller said the ordinance lists a number of different users and a number of different parking ratios that are required for different users. For example, if you take the most conservative parking requirement that the ordinance requires, it would be a manufacturing use. If the entire building was manufacturing, it would require 81 parking spaces, which is what we provide if those green banked parking spaces are constructed. Mr. Boccanfuso said the original design did not account for these 25 additional parking spaces, correct? Mr. Muller said that is correct, but we removed a number



of loading docks and we off-set that amount of impervious coverage with these parking spaces. The overall stormwater management system will work for these parking spaces. We did not increase impervious coverage. Mr. Boccanfuso said if there is no net increase in impervious coverage, there would be no net impact on the stormwater management system. Mr. Cucchiaro said they are not asking for relief from the parking ordinance.

Mr. Muller spoke about the hours of operation as to whether this would be a 24/7 operation. We have determined that this will completely comply with the ordinance requirements of preventing any public users from coming to the site between 11:00 pm - 6:00 am. The users in the actual space of the building can be used by the employees of the facility 24/7, however the property will be restricted from allowing customers from the public of access to the site between 11:00 pm and 6:00 am, which is exactly what the ordinance restricts. The project will be completely compliant with the hours of operation ordinance. We are also taking it a step further and we're preventing any tractor trailer deliveries or overnight parking of tractor trailers in this loading area. The tenants of this use will be required to only accept deliveries in those operating hours that the ordinance allows, which would be between 6:00 am and 11:00 pm.

Mr. Muller wanted to clarify the fact that there is no outdoor storage proposed of materials or equipment on this project. You may be familiar with the Millhurst Mills site immediately across the street which has a lot of outdoor storage and equipment. Our project will not be that - this is completely contained within the building there is no outdoor storage of material or equipment permitted. There was a concern that if a contractor had a space here, they would be allowed to store their company vehicles on site overnight. Based on our review of the ordinance, there is nothing that prohibits that, so there is a chance that we do have contractors that would have their company vehicles parked overnight in the parking stalls. Ms. Beahm said this is a change from what you said last time. Mr. Muller said there will be outdoor storage of company vehicles only. No tractor trailers overnight, and none in the loading docks either. Mr. Muller said there were some requests for additional landscaping calculations regarding the 10% parking area requirement. The ordinance requires that we have 10% of the parking area landscaped throughout the site. The parking area itself, including the land banked parking, is 23,500 sq ft in size. Mr. Muller also added the loading area as well into the calculation. The loading area is roughly 64,000 sq ft in size, which is a total 87,500 sq ft of parking and loading areas; 10% of that is 8,750 sq ft. Onsite we are replanting 20% of the site, which is 1.95 acres and then we're maintaining 2.75 acres of the wooded areas which is 28% of the site. We well exceed the 10% requirement.

Mr. Muller said we also added a monument sign to the truck driveway on Sweetmans Lane. There will be no generators on site. If a tenant does need a generator in the future, obviously they will have to submit for zoning and building



permits at that time. We also reduced the height the of the building and the architect will go into detail on that. We are also improving Kinney Road to meet the Township ROW standards and our traffic engineer will go through that. We are also making improvements to the intersection of Sweetmans Lane and Kinney Road as requested by the Board.

Mr. Boccanfuso asked about the exhibit for the revised plan, he can see where the loading areas appear to have been eliminated, but it looks like the loading doors are still shown in a couple of those areas. Is that a drafting error? Mr. Muller said it is a minor error there and those will not be loading docks; there will be a total of 13 loading docks.

Ms. Beahm said that flex space in her experience is more for contractors. Do you know a lot of contractors that need an elevated load dock? How can they pull their vehicle in the building when the loading dock is elevated? Mr. Muller said we are keeping this as flexible as possible so that they have drive-in doors and loading docks. A plumber can get a delivery by tractor trailer with plumbing materials, or a carpenter with wood materials and building materials. Ms. Beahm said she would respectfully disagree, she doesn't see those materials coming by tractor trailer and she is concerned that the way this is looking, you can call it flex, but when you have elevated loading docks that are anticipating tractor trailers, it screams warehouse. Ms. Beahm said the applicant is going to have to revisit how you meet the definition of flex vs. warehouse under the guise of flex. Warehouse is not permitted here; flex is. We're expecting contractors to go into a building to use the space to store their materials; an electrician; a siding contractor, a plumber - those kind of people don't need elevated loading docks that are anticipating tractor trailers. Mr. Brodsky said we are abiding by the definition of flex. Our mission is that we are trying to abide by the definition of flex in the ordinance. There is nothing in the ordinance that talks about loading docks or anything not being permitted. We know that any tenant that comes in down the road is going to have to comply strictly to the definition of flex.

Mr. Boccanfuso said he wanted to go back to the parking. He can confirm that the use that Mr. Muller referenced, the industrial use, the requirement would be 81 spaces; however the definition of flex space does permit in addition to the uses that are specifically detailed, it also says other uses that are permitted in the zone and in this zone other uses that would have a higher parking requirement would include restaurants, or a fitness or health club. The applicant confirmed that they are not interested in a restaurant or a fitness club. Mr. Cucchiaro said if there is a 81 space parking requirement and they're not providing 81 physical spaces, banking to him, may be an argument in favor or relief. He doesn't think you call a grass area parking. Mr. Brodsky said the testimony was there are various permitted uses in the zone with different parking requirements, so that depending on the ultimate tenant makeup, the parking requirement would be less than the 81. Mr. Cucchiaro said we have to be able to understand tonight, whether



or not some point in the future post approval, you may need relief. Mr. Brodsky said he agrees, but he believes that the testimony was that there are various permitted uses in the zone with different parking requirements. Depending on the ultimate tenant makeup, the parking demand or requirement would be less than the 81. Mr. Cucchiaro said but we have to be able to understand tonight that you may need relief. Mr. Muller said if we do have tenants that come in and the total number of parking spaces that are needed are 81, those additional parking spaces will be constructed. We do green banked parking on many applications of this nature. Ms. Beahm said are you basing it on user, or use? User is irrelevant to her, it is use. Our parking requirements are based on use, not user. You need to figure out what uses you are proposing based upon the parking you are showing - what uses will get you to 56 spaces. Ms. Beahm said what uses will get you to 56 spaces? If you are beyond the 56 spaces, you need relief, or provide the uses and deal the parking as it is. Mr. Muller said the maximum parking ratio that would required would be one parking space per 800 sq ft, which would require the 81 parking spaces. We can remove the green banked component of those parking spaces and simply construct those 81 parking spaces.

Ms. Beahm said that the applicant is saying because you're eliminating these loading docks that you're going to put in grass in between the loading docks? Is that your plan? Mr. Muller said it will be landscaped areas including shrubs, shade trees, etc. Ms. Beahm asked again - in between the loading docks? Ms. Beahm said you will have to post a long-term maintenance bond to make sure those landscaped areas last more than 15 minutes? She's been doing this a long time and in her experience is that landscaping between the loading docks do not last and wind up getting paved in time. Ms. D'Agostino asked Mr. Muller to point out the areas he was speaking about on the exhibit. Ms. Beahm said it's these slivers in between the loading bays.

Chief Hogan asked Mr. Muller if there was a change with regard to the public being invited onto the property? At the first meeting he recalls there being no public. Mr. Muller said correct, after discussions with the applicant, if there is a use that needs the public to come in, yes they would be allowed to come on to site. Chief Hogan asked about the time frame and Mr. Muller said between 6:00 am - 11:00 pm would be the customer time. Mr. Cucchiaro said we need to define public - if you are receiving a tractor trailer from an entity that is not the tenant, what are they considered? Mr. Muller said we are completely restricting those deliveries between the hours of 11:00 pm - 6:00 am.

Mr. McNaboe said we just took the land bank off the table. There has never been a great explanation on how we build them later though. Mr. Muller confirmed there will be no land bank. Mr. McNaboe asked about the customers. If every one of these uses had customers coming in, do we have enough parking and Mr. Muller said yes, there is enough.



Chairwoman Kwaak asked about the garage doors and loading docks. Mr. Muller explained there will be a drive up garage door, as well as standard loading dock for each tenant space to give flexibility. She stated she has a problem with deliveries coming in until 11:00 pm. She'd like to see the time changed to about 8:00 pm. Chairwoman Kwaak asked about the access for emergency vehicles. Chief Hogan said it was his understanding that they were going to comply with the Fire Bureau's recommendations. Mr. Muller said yes and he'd be happy to meet with the Fire Prevention Bureau to lay out the plans and figure out the best solution.

Mr. Jacobson is in agreement with the tractor trailers coming in at 11:00 pm - there are residences near by and this needs to be reconsidered.

Mr. Castronovo said along the same lines of the 11:00 pm tractor trailer deliveries - 6:00 am is also too early for deliveries. Mr. Castronovo asked how do we protect the workers in the building from trucks that are idling or running for any reason? Mr. Muller said he'd defer to the architect for the proper answer.

Mr. Brown said the conditions that you agreed upon from your first meeting to this meeting have changed. Do we have to go through all the conditions again? How many E.V. stations are you providing? Mr. Muller said we would comply with the new legislation. Mr. Brown said your initial plans said two EV spots, but now I'm counting three. Since the spots are considered double, is that taken into consideration for the parking count? Mr. Muller said we did not take credit for those E.V. parking spaces which in order to be conservative, we did not take credit for them. Mr. Brown appreciates the additional monument sign for the truck entrance. Where is going to be location though? Mr. Muller said it would be located immediately adjacent to the driveway. The architect has a rendering with these details.

Mr. Shorr said he is concerned with the hours and said 6:00 am is too early for a tractor trailer and would like the applicant to address that.

Mr. Pollifrone asked if anyone from the applicant's team is prepared to talk about sound attenuation. He's asking again since he brought it up at the first meeting. He believes there are some challenges here - even before you invite any tenants. The fact that you have that many loading docks means you're going to have tractor trailers. As soon as that tractor trailer goes in reverse, there is going to be an impulsive sound. Those sounds are over 110 decibels and the distance from that sound emanating to the property probably would not preclude being able to meet the sound ordinance limits. Someone from the team needs to look at that. There are elevation differences so it can become more of a complex calculation and you'll need a sound engineer to look at this. This is something you may want to share with the Board to convince us that there are no issues there that the residents close by will not be hampered by this constant impulsive sound. Mr. Muller said most of the concern last time came with overnight tractor trailer



deliveries, so we are restricting the overnight deliveries and we will talk to the applicant about reducing that even further. Mr. Muller said we are not providing the overnight tractor trailer deliveries, so that eliminates the noise concern overnight. To take it a step further, we have 15' high retaining walls along the entirety of that loading area. We are at the lower side of that, so it acts as a natural sound barrier. We all drive up and down the State highways in New Jersey and see the sound barriers located along the highway system. This is identical to that, but even taking it a step further, there is complete earth behind that the sound wall. There is over 108' of planted area and natural soil behind that retaining wall, so it will significantly reduce the amount of noise that is emanated to the north and to the east of this site. We are also immediately adjacent to Route 33 and Sweetman's Lane. Ms. Beahm interrupted Mr. Muller and said the site is not immediately adjacent to Route 33 - let's call a spade a spade. You are significantly off of Route 33. There are a number of lots, a firehouse, a church, other properties - you're not immediately adjacent to Route 33. We asked for sound information, I actually clarified it and asked you to break it down into everyday vernacular - like is it a vacuum, is it this or that. So, do you have an expert - Mr. Muller you're a PE, not a sound expert, correct? Mr. Muller said correct. Ms. Beahm asked if he had a sound expert with you? Mr. Muller said no, he doesn't think one is necessary. Ms. Beahm said well you don't think so, but the Board asked for it, so I'm just asking - you didn't bring a sound expert with you? Mr. Cucchiaro said well whether you have a sound expert or not, an acoustics expert - it doesn't even sound like there's even an answer. You have chosen to determine that the inquiry was limited to a certain time frame - that is not my recollection or my notes. So even if you didn't have an acoustics expert with you, is there an answer in the way that it was asked with regard to equivalency of the sound - is it similar to a vacuum cleaner; is it like a garbage truck, etc. Mr. Cucchiaro said he doesn't know whether you are the expert who wants to testify to that, or someone else. Whoever it is, we would just need to hear some of their experience and why it is they have come to conclusion they have come to. Mr. Pollifrone said to Mr. Muller that he would like to see the calculations to demonstrate that even during daytime hours, it needs to meet 65 decibels, which is the ordinance. Mr. Muller said we will comply with the ordinance. Mr. Pollifrone said if it weren't for the change in elevation, he believes they would severely challenged to meet that. You want to take advantage of that elevation difference - show us in the calculations that it is being so that the residents are not bothered by this sound.

Mr. Pollifrone had another question for Mr. Muller. He brought up the fact that he asked at the last meeting about the Phase 1 Environmental Assessment if there were any underground storage tanks to which you replied no, there were none. Mr. Pollifrone said that in the report under environmental issues that require further discussion, it states since the subject property was formally improved with a residence, there is a potential for abandoned tanks, wells and/or septic systems to be buried at the property. So you did say that there weren't any, so can you share



with the Board what additional discussion took place to lead you to believe that there are no USTs on the property? Mr. Muller said he believes his testimony was that they did not observe any during the Phase 1, but as you mentioned, there is always the potential if there was a previous residential use. As you noticed in the letter, they didn't observe any, but that caveated that on the fact that there could be one that they simply just didn't observe. Mr. Pollifrone said share with me how they would observe an underground tank? Mr. Muller said there would be vents or evidence that surface level of underground tanks when you walk a site, you can see an underground tank based on those pieces of evidence and based on their report, to his knowledge they did not see any of those tanks. During construction if the site is cleared and they do encounter a tank, obviously there is local and state regulations that would have to be followed to remove that tank. Ms. Beahm asked if they did ground penetrating radar? That would tell you if there is something under there, right? Mr. Pollifrone said when he read the report, it indicated that no one actually inspected the property because it was overgrown and they couldn't walk the property. How did they look for vents? Mr. Brodsky said if no tank was observed, but if during construction, or when the site is being cleared, a tank is located, it could be removed at that point. Mr. Pollifrone said it certainly could, however there is a responsibility you have. If in fact you know of a tank in advance, there are certain authorities you have to call, and you also have to remediate that problem. Mr. Brodsky said yes, of course. Mr. Pollifrone said if there was an old oil tank, you don't know it's there, because you choose not to know what was there, and then during the demolition, that is ruptured, now you have a spill. Now it's a more serious problem - one that you could have taken care of before the tank was compromised. That is why these environmental requirements are in place. Mr. Pollifrone said it was curious when he read though the report that the owner of the property was never spoke to and that interviews with past owners/occupants was not conducted since the information regarding the potential for contamination at the property was obtained from other sources. Certainly, and I'm not telling you how to run your environmental assessment, but if there is a question that requires further discussion regarding the potential for abandoned tanks, wells or septic systems buried at the property, why not interview the past owners who might have first hand knowledge of whether or not there was something there? If there was a residence there, apparently since 1940, how did they heat their home? With wood? With oil? So in his mind there is a potential that something exists there that he would suggest they look into. Mr. Brodsky said and the concern is that there is a tank there, that it could be filled with oil and no one would notice it and it would rupture? Mr. Cucchiario said that bringing it back to what is within the Board's jurisdiction, it could impact the siting of structures and improvements on the property if there is an area that needs to be remediated and it could implicate the way that stormwater management is designed, or where the improvements are located. Mr. Cucchiario asked if anyone did any research to see if there were any open DEP files on the property? Mr. Brodsky said he does not recall the content of the Phase 1. Mr. Muller said the Phase 1 Environmental Site Assessment was prepared in



accordance with industry standards and practices and their conclusions of this assessment, they recommend no further investigation of the subject property at this time. Mr. Cucchiaro said he understands the conclusion, but his question about reaching the conclusion is, how do you reach a conclusion if you didn't visit the site and you didn't look at the DEP records to see if there is an open file and you didn't talk to any prior owners and you didn't do a ground penetrating radar? Is that the conclusion because there is no information that was derived at all? Mr. Muller said he believes they followed the ASTM practices that are required and their conclusion as the environmental professional for this site is that no further analysis is required. If they failed to follow some of the protocols that you are noting, they can't make that conclusion, they have to follow the protocols that are established. Mr. Cucchiaro said wouldn't that be in the report? Mr. Muller said the site assessment include a site reconnaissance as well as research and interviews; it's written word for word in the Phase 1 that was submitted. Mr. Cucchiaro asked what does site reconnaissance mean? Mr. Brodsky said the report was prepared in conjunction with the acquisition of the property. Mr. Cucchiaro said in order to prepare a Phase 1, you have to do A, B, C & D, and they would go through the results. Mr. Cucchiaro said if you want to take some time to re-review it and maybe if you need to recall someone after the architect.

Mr. Cucchiaro reminded David Collins, Architect, that he is under oath. Mr. Collins marked in Exhibit A7 - Revised Architectural Drawing, dated February 12, 2023. Mr. Collins said since the last meeting, we've done our best to try and address some of the comments from Board. Sheet A1.00 is up on the screen. The top shows what we previously submitted, and on the bottom shows what we are currently proposing as a revised design. Mr. Collins discussed the building height. We recalculated our grade plane. We calculated within the areas of the depressed docks, the percentage of areas that are lower which ultimately pushed our grade plan down by just over one foot. If you're thinking of the maximum permissible building height in terms of what is above grade now, it's just about 34' instead of 35' because we have to start our dimensions one foot lower than the grade in the front of the building. Ms. Beahm said that's measuring to the top of the parapet, right? Because the parapet is counted. Mr. Collins said he has some testimony on that as well. Some of things they tried to do to physically lower the building and lower the appearance of the building are that we actually figured out a way to change the roof form from a single sloped roof to a gable roof. That essential cuts the roof run in half. The way were going to achieve is that all of the roof that is going to shed to the back of the loading dock - we're going to bring that water down the face of the building through roof leaders and then repipe it under the building under the slab back towards the front. It will keep the water outside of the building and it allows us to catch the pitch we need to catch to get water from the roof into the basins. That allowed us to lower the building one foot. Mr. Collins said we have eliminated the parapet in a lot of locations. What we're proposing to do now is instead of having a parapet on almost all of the building, we're proposing to have a gutter and leader system. That allows us to bring the



profile of the building as low as we can bring it without impacting the interior clear space. Before the parapet was 5' higher than this gutter line is, so that substantially brings down the profile of the building, either facing Kinney or Sweetmans.

Mr. Brodsky asked Mr. Collins to explain building profile. Mr. Collins said if you think about zoning envelopes – that's the area that can visually impact the environment, so it's restricted on floor area, length, width and height. The reason that those are typically done is to try to manage how big these buildings appear. Building height for definition varies from town to town, but what is visually there is concrete. We are not changing the height of the building by 5', but we are changing the appearance from the original design by 5'. A wall that used to look 36' tall is now 31' tall. That gutter line is lower than our building height. We felt that the parapet was not part of that, but Ms. Beahm disagrees with us. We thought it was a nice way to mark these office elements so we think have that a little higher is beneficial to the design.

Mr. Collins continued and said the office entrances were projected forward from the building, but now we have recessed them into the building. Although we did keep that parapet, we pushed it back into the building so there is about 2' where it recesses in both directions. We also widened the area that we recessed in the center double office areas and the net result of that is the portion that is in the middle feels a lot smaller than it did in the old design. We also created a darker band across the bottom to strengthen the horizontal to try to make this building feel more horizontal. We tried to bring in some traditional elements into the building design so we've completely changed the cantilever canopy design that was much more modern to a traditional form. We have introduced new window patterns to make them look a little more traditional in the office window.

Mr. Cucchiaro said he heard the number 34, then other numbers being thrown at there. What is the actual height? Mr. Collins said 34'. Ms. Beahm said to the highest point. Mr. Collins said if we are counting the equipment screens, it's 38', if we're not counting the equipment screens, it 35'. Mr. Cucchiaro said with the screens, you would need a C variance for height, without the screen, the testimony is that you comply. Mr. Collins stated that 95-7.12, 'no structure shall extend higher than the limits provided in each zone for building height; the height limitations of the chapter shall not apply to church spires, cupolas and domes not used for human occupancy nor chimneys or ventilators or skylights or similar. Such features however shall not be erected to such height as is necessary to accomplish the purpose they serve'. Mr. Cucchiaro said under the interpretation, as Ms. Beahm has stated, it would be 38' and you would need a C variance under Ms. Beahm's interpretation. Mr. Cucchiaro said without the screen, you would be compliant at the 35'. Mr. Collins agreed with this. Mr. Cucchiaro said you were seeking design waiver relief from Section 958.6b1, which was the historic structure requirement. Is this still the applicant's position? Mr. Collins said yes it



is. Mr. Cucchiaro asked if Mr. Collins feels there is an inter-relationship between the permitted height and what the structure is required to look like? Because the section he just mentioned talks about what the structure is required to look like? Mr. Collins said this type of use would be incredibly challenging to match historic style. Mr. Cucchiaro said that might be true, but wasn't that rejected by the Governing Body when they drafted the ordinance? What makes it challenging to meet this requirement? Mr. Collins said probably the two closest type buildings that you could reference in Manalapan would be churches. Material types that would have been in traditional buildings from a long time ago would not be appropriate for a building of this size in terms of the building code. A lot of those structures were wood structures that wouldn't pass code.

Mr. Collins referred to Sheet A2.01, first it's a diagram to confirm our grade plane was calculated properly. It also shows section cuts that we did through the site and he said these are important to talk about. There are two lines that you see coming through the building; one directly parallel to the main length access to the building, and one on a diagonal. What we wanted to look at was the relationship of our project to our closest neighbors. The horizontal line reaches out to the neighbor directly to the side of us. The diagonal line reaches out to the residential neighbor that is caddy corner to the site. Mr. Collins showed where the neighbor directly adjacent to us and the change in topography and the relative building height from the neighbors prospective towards our building. We drew a horizontal line from the grade at the driveway and measured that up to the top of our parapet wall. A little less than half of this building is shielded by the topography. Remember, we're leaving a lot of these woods, plus the proposed landscaping as well. The diagonal section gives us a good look what the site looks like towards the back on the loading dock side of the building. The retaining wall is much taller and from the grade in the yard to the highest point of our roof is just under 13' being exposed directly above that line. He believes these are helpful drawings so you can get an understanding of how much we are built down into the hill and how much lower we are to the adjacent properties.

Mr. Collins showed an enlarged version of the signs. The tenant signs will be box signs and it does not have any lighting within the sign. There is a small, thin 1 ½" tube LED light that shines down and back to the building to light that sign. These are all externally illuminated, they are not emitting light out directly from them. Each one of the tenants will have this sign. We added a small truck entrance sign on Sweetmans and it shows the address and identification and 'trucks only' and it is 5' x 5' with landscaping at the base. Mr. Brodsky asked Mr. Collins about the proposed location for the monument sign. Mr. Collins said the sign would be on the south side of the entrance.

Mr. Boccanfuso said early in your testimony you described some changes that were made to the roof, specifically you indicated that now a gable roof is proposed so that roughly half the roof would drain towards the front, the other



half towards the back. Has that design been reviewed with the site engineer to ensure that the drainage system will work? Mr. Collins said yes. Mr. Boccanfuso asked if that was depicted on the revised site plan? Mr. Muller said it will be depicted on an updated grading and drainage plan that we will submit to you for review. Mr. Boccanfuso said you indicated that you can run the drainage pipe beneath the foundation of the building, is that correct? Mr. Collins said yes. Mr. Boccanfuso said as an architect, are you sure that is permitted by the codes? Mr. Collins said yes, it would be no different that internal leaders running under the building. Mr. Boccanfuso confirmed with the zoning officer that the height is measured to the top of the parapet, she does include parapets. We did not get into the specifics of the screening, but in his view, it is not unlike the parapets, so he believes that the zoning officer's determination would be consistent with what Ms. Beahm indicated and that is that the height would be measured to the top of that screen. Therefore, Mr. Cucchiario's statement that relief would be required is correct. Mr. Collins said or we would have to eliminate the screens and put the condensing units in a landscaped area. Mr. Boccanfuso said yes, of course that is an option. Mr. Collins said we are going to eliminate the screens.

Chief Hogan said you depicted a sign 'trucks only' with the address of 5 Kinney Road, however that would actually be Sweetmans Lane, not Kinney. Mr. Collins said the sign should match the address of the building, whatever that is determined to be. Ms. Beahm said your testimony said the trucks are only entering on Sweetmans Lane, they are not allowed on Kinney, so giving them address on Kinney Road is not what we would recommend. Ms. Beahm said if this actually flex space and not a warehouse and these people that are getting deliveries from their routine delivery people, they'll know where to go. If this is a warehouse, which there are still kind of question marks out there, and you're bringing unknown delivery drivers here, that could be problematic. Mr. Brodsky said but that's why we didn't propose a sign there initially, we were just responding to the Board's comment. Ms. Beahm said the proposed address is what is causing the reaction from. Mr. Cucchiario said he heard what the recommendation is and obviously the Board does not assign the address, but if you could take that into account when obtaining the address from the proper entity with jurisdiction. Mr. Collins said so you are suggesting requesting a Sweetmans address, and not a Kinney address.

Mr. McNaboe said he held out great hope for this when he heard you were going to adjust the height, but now that we're still talking about the screening, which shouldn't be a consideration when you chop 10' off the top of this building.

Chairwoman Kwaak said she agrees, she was hoping when she heard the height was being adjusted that it was coming down substantially.

Mr. Jacobson also thought it would be coming down substantially because with that window midway up, it does not look like a flex space, it gives an appearance of a warehouse with that window space up there. He doesn't know why they would



need a window all the way up there unless you had a second floor there. Mr. Brodsky said there is no second floor. Mr. Jacobson said it gives the appearance of a second floor. Mr. Collins said if the Board would prefer, we could eliminate the window.

Ms. D'Agostino said when you first mentioned the height, you did say 34'. Is the foot lowered to 35', or 34'? Mr. Collins said his testimony was before the discussion about whether the parapet counted or not. We did lower the roof, but when we count the raised parapet, it brings it back to the compliant 35'. The 35' is in these areas only where you see these parapets here. Ms. D'Agostino asked about the ceiling height. Mr. Collins said it is 28'.

Mr. Castronovo asked about the testimony from two weeks ago, what was the interior height? Mr. Collins said we made the gable to help us reduce that height on the outside and we're trying to maintain our clear height. Again, our testimony was that we want to be flexible, we want to make sure that if tenants have equipment, it can be conflict free and we've done everything that we can do to try to preserve our client's need to have the clear height inside, and lower the building as much as we could on the outside. Mr. Castronovo questioned why a flex space tenant would need 28' worth of ceiling height, and it wasn't necessarily visual, although visual is an aspect of what the local residents can visualize from their property lines. However, he doesn't see how anything was reduced based on the testimony. To him, it still feels like a warehouse. Ms. D'Agostino said typically, the inside ceiling height isn't more than 24'. Mr. Collins said he doesn't know that to be true. Mr. Brodsky said there will be some testimony regarding what is contemplated, which is there are certain types of flex users that have equipment that actually needs that interior height. We are burdened with not knowing who the tenants will be. Mr. Castronovo asked if a tenant brings their plumbing truck into the building, how is the air handled in that situation not to effect the workers? Mr. Collins said trucks should not be in the building with their engine running. We do have ventilators in the building, but they are designed to bring the code required fresh air into the building and turn the air over. Mr. Castronovo said if a tenant were to bring in their fleet for whatever reason, how many vehicles can a tenant space accommodate? Mr. Collins said we didn't contemplate tenants fixing their cars inside the building. The idea of the drive in door is if someone needs to bring stuff into the building, they can back the van in and turn the car off and unload their vehicle.

Mr. Brown said he is puzzled. The revised rendering that you are producing, the office entrance is recessed into the building? Mr. Collins said yes. Mr. Brown said but some of the plans show otherwise, especially on your revised architectural plans. Mr. Collins said Mr. Brown is right, it wasn't corrected on the diagram and we will clean it up. Mr. Brown asked what is the sq ft of this building. Mr. Collins said we are going to match the sq ft that we proposed and we will clean up the plans to make sure all the numbers match. Mr. Collins said the building is 64,680



sq ft. Mr. Brown said that is what is shown on the site plan, but you are reducing the parapets, technically you are recessing the parapet and the office entrances, so you lose sq ft on that; there's no second floor or mezzanine, correct? Mr. Collins said that is correct. Mr. Brown said how are you maintaining the same sq ft when the parapets and entrances extruded out of the front of the building. Mr. Collins said we are going to slightly adjust it by adding 10" along the back and that will balance out that sq ft. Mr. Brown so the building will grow in depth? Mr. Collins said yes, in the back. Mr. Brown said will that compromise the loading areas, as well as the width of the driveway for the trucks? Mr. Collins said Mr. Muller and he went through this and we know we can make it work. Mr. Brown said a conversation was had that, 'it is a challenge to meet our ordinance for architectural design'. Mr. Collins said the challenge is with the historic portion of the architectural design. Mr. Brown said how is the lighting for the façade sign a challenge when it can easily be resolved with goose neck lighting? Mr. Collins said we can do this. Mr. Brown said he would rather have this meeting carried to a future date so the Board doesn't find these inconsistencies.

Mr. Shorr stated that from experience, he had loading docks and drive in spaces and we tried to accommodate the residents the best we could. How do you intend to stop a van coming in after 11:00 pm, open up the doors and start working inside? Mr. Muller will address this matter shortly as Mr. Collins isn't the proper witness.

Mr. Pollifrone said he understands they dropped the floor elevation by one foot. Mr. Collins said we calculated the grade plane to include the lower level loading docks which pushed our grade plan down by just over one foot. Mr. Pollifrone said there must be reasons why you couldn't push it down further? Mr. Collins said the grade plan is established by the ordinance, it's not something he can control; unless we graded the site totally differently. It's not really in the control of the architecture. All we can control is when that line is figured out and established, that is where we start measuring when we measure for building height. Our starting point for measuring build height - if you were to walk in the office door, it would be just over one foot in the ground. That is taking into account where a large portion of the building, all the way around, is basically at the level of the finished floor, but the areas where the trucks back into the loading docks is lower. When you start to average those numbers, that line is lower. Mr. Pollifrone spoke about air quality. Typically what he has witnessed is that during cold weather months, tractor trailers when they back in, they keep their engines running. That exhaust continues to come out and the prevailing wind direction is west to east, so it would carry towards the building and if there are any open bays, there is a good chance that the air quality could be impacted. It is just something you need to look at when you have these trailers backing up and they are running and if it takes an hour to unload, that's an hour that the diesel exhaust is coming off the truck and is heading right towards your building. Mr. Collins said there are DEP regulations when the idling time is more than three minutes. What we have done



in the past is one, require that those regulations be referenced in all lease agreements, but also that there be signage placed in the bay area very visible to the truck drivers.

Chairwoman Kwaak said the Board is taking a ten minute recess at 9:20. The Board returned to the dais at 9:32.

Mr. Cucchiaro swore in Andrew Jafolla, Traffic Engineer from Dynamic Engineering. Mr. Jafolla prepared two documents and submitted the Traffic Impact Study dated August 26, 2022 and a Supplemental Trip Generation Assessment dated January 30, 2023. Mr. Jafolla said when we perform traffic impact analysis, we look at the existing conditions on the surrounding roadways. When he did the studies, it was questionable whether the pandemic was impacting traffic conditions, and in his opinion, it really wasn't, but there is some differing opinions out there. What we did was compare the traffic counts on Sweetmans Lane from our count period to counts done in 2019, pre-pandemic. We actually increased those traffic volumes that we counted by 10% to match the traffic conditions that were found in 2019. They also counted for existing development in the area, including Manalapan Crossing, the Stavola project, etc. We included that traffic as well in the background conditions. We did perform capacity analysis at the intersection of Sweetmans Lane and Kinney Road as well as the two driveways. Based on that analysis, the level of service for all three of those locations would be unchanged with this project with a level of service C. Through the analysis, it is really just confirming what we would expect given the low trip generation for the site in that there is not going to be change in traffic conditions. Mr. Jafolla spoke about the intersection of Sweetmans Lane and Route 33. As part of the Manalapan Crossing project, there are significant improvements that are being proposed there. Major widening along Millhurst Road, Sweetmans Lane north and south to Kinney Road along our project frontage.

Mr. Jafolla said the parking for the site was increased to a total of 81 spaces and he agreed that is the right number for this site. He spoke about the access driveways. The northerly drive along Sweetmans Lane is proposed to accommodate the truck traffic associated with this site. This driveway was purposely designed to accommodate simultaneous movements. Mr. Jafolla spoke about the frontage improvements. Mr. Jafolla introduced Exhibit A8 - Roadway Improvement Exhibit, dated February 23, 2023. Sweetmans Lane is running across the sheet from left to right and Kinney Road running top to bottom. We are showing the proposed left turn lane in yellow. There is also an aerial background showing existing conditions, but we are also depicting the future improvements associated with Manalapan Crossing. There will be a dedicated left turn lane that is proposed as part of this project. We are accommodating this dedicated left turn lane by widening along our frontage and creating more of a cross hatch marking within the median to accommodate this left turn lane. The widening along Kinney Road was requested by the Board engineer. This depicts a 36' wide cartway along



Kinney Road, which would widen it by approximately 14' beyond the existing 22' wide Kinney Road, the amount of widening that is already proposed with the project. He wants the Board to see the amount of widening that is already proposed with this project and the operational benefits associate with this. Kinney Road is approximately 22' wide. It is at a slight angle with Sweetmans Lane and there really is no formal radius there. It is a tight intersection, and from a traffic volume perspective, if this intersection is designed properly, there is no reason to expect any kind of issues at this intersection. There is going to be a slight realignment of Kinney Road to bring this into a right angle to Sweetmans Lane so we'll get rid of that angle between the two intersections. The most important benefit to this intersection will be the left turn. Today if you make a left turn from Sweetmans Lane to Kinney Road, you have to very carefully make that left turn movement if there is someone on Kinney Road waiting to make the left turn to go to Sweetmans southbound. This is going to increase the receding lane from what is today about 12' on Kinney Road, to anywhere from 25' - 30' depending on the final design. That allows that left turn movement from Sweetmans Lane to make that turn movement much easier. They don't have to contend with someone who is waiting to make their move off of Kinney Road onto Sweetmans Lane. The other benefit here is through the widening of Kinney Road there will be an opportunity to provide two lanes off of Kinney Road, we can provide a dedicated left turn lane and a dedicated right turn lane. This is a benefit of the widening that is proposed that is really to address an existing condition at the intersection and to address the geometric concern. This is a positive benefit with this improvement.

Mr. Jafolla addressed Mr. McNaboe's comment about extending the gore striping down to Kinney Road and create that left turn lane. The reason we can't do that is because we would need ROW on the southside of Kinney Road - there's just no space to do it.

Mr. Boccanfuso asked for some clarification of Mr. Jafolla's testimony. He stated that the Board is very versed in traffic, but the members of the public may need some explanation. When you were talking about the analysis of the existing conditions and background growth rates as well as the off-site traffic impacts associated with approved projects in the area, he believes that Mr. Jafolla indicated that he used a 10% growth rate based upon the 2019 counts, correct? Mr. Jafolla said that is correct. Mr. Boccanfuso said Mr. Jafolla indicated that you applied an annual growth rate based upon Monmouth County or DOT recommendations. Were those done independently, or was it the growth rate on top of the 10%? Mr. Jafolla said it is the DOT growth rate on top of the 10%. Mr. Boccanfuso said what that does is allows you to provide a no-build condition, correct? Mr. Jafolla said correct. Mr. Boccanfuso said basically what you are doing is you have the existing conditions, you analyze the intersections and roadways based upon the existing conditions, you develop this no-build condition based upon the growth rates with the 10% that you added, the annual growth rates as well as the additional traffic associated with the new developments and then it is



expected that there would be some increase in traffic and some perhaps degradation of levels of services as a result of just the background growth, correct? Mr. Jafolla said that is correct. Mr. Boccanfuso said and then you add in the site generated traffic. When you were talking about the site generated traffic, you indicated that it was conservative. From a traffic standpoint, conservative actually means more intense. A supplemental analysis which was included in your submission was based upon a meeting that you had with our office where we talked about the different ITE use groups and how, while we didn't disagree with the way you analyzed it initially, we thought that it would be more conservative, i.e., more traffic generation if you looked at some of those other use groups. Of the four that you looked at, which were closest to the use that is proposed, you took the highest trip generation i.e., most conservative.

Mr. Jafolla said the general light industrial category would be 48 trips in the morning peak hour, and 42 in the afternoon. An industrial park would be 22 trips in the morning peak hour, and 22 in the afternoon. Manufacturing, which is the use that we are using, would be 49 in the morning peak hour, and 48 in the afternoon. Ms. Beahm asked what exactly are the peak hours? Mr. Jafolla said the morning peak hour is 7:30-8:30, the afternoon would be 4:30-5:30. Mr. Boccanfuso said now you take those trips and you distribute them to the roadway. How do you determine how those trip generations get distributed to the roadway? Mr. Jafolla said the trucks we distributed all from Sweetmans Lane, the northerly driveway, to Route 33 because that is how we are orienting that driveway. For the passenger vehicles, we did that based on the existing traffic counts and what we felt was appropriate. We have Route 33 to the north of us and that is where we place the bulk of the traffic. Mr. Jafolla said they did meet with the County prior to making their application and we specifically walked them through this improvement with the dedicated left turn lane and they were in favor of it. They did ask us to look at the intersection of Kinney Road and Sweetmans Lane, which is part of the reason why that was studied and included as an analysis within the traffic study. That all happened prior to us making a submission which has generated the latest comment letter from the County. Within that comment letter, there were no major red flags with regard to that intersection. While we do need to go back to them to share this latest concept, we have no reason to believe there would be any issues with it.

Mr. Boccanfuso said from the rear parking area, the egress movement is right out only, correct? Mr. Jafolla said correct and left turn would be prohibited and appropriate signage would be provided. Mr. Boccanfuso asked about the Route 33 and Sweetmans intersection. Your office prepared the traffic analysis and intersection design for Manalapan Crossing. He asked for the impact on this project on that intersection and what you looked at to determine and conclude that this project won't have a significant or any adverse impact on the function of that intersection. Mr. Jafolla said similar to what we just went through on the traffic study, we took a look at the traffic counts that were prepared as part of the



Manalapan Crossing application. We grew those traffic volumes from that time frame to current conditions and then we took the traffic volumes that are associated with this site that end up be distributed to that intersection and we loaded them into the intersection to create the build conditions. Similar to how we looked at Kinney Road and Sweetmans Lane, we generated the no build conditions which for Sweetmans Lane and Route 33 would consist of the traffic volumes from that traffic impact study. We grew those traffic volumes to current year conditions and then we analyze them in the no build conditions. Mr. Jafolla said the levels of service generally remain the same on the north bound approach. There was one change in level of service, the delay increased by approximately eight seconds, but that was the limit of the change. In his mind, that was not a significant change to the level of service. It is something that is to be expected within the amount of traffic. It doesn't rise to a level where the general public is going to feel that on an average condition. The level increased from an E to F level. This is considered an off-site intersection. Mr. Cucchiario said an as of right application is one that does not require relief; this is an application is for a permitted use, but it requires relief. Mr. Jafolla clarified that and stated that the use proposed here is permitted in the zone so we are not proposing a use that would create a more intensive traffic use than what was already contemplated. Mr. Cucchiario said the reduction in the level of service to an F at that location - does that have an impact on the egress and ingress to the subject property? Mr. Jafolla said no, the queues would not extend to the subject property. The queues would be contained within the dedicated turn lanes that are proposed.

Mr. Boccanfuso asked about the horizontal taper, basically a road widening as you approach the intersection and that's to allow first for two lanes and then as you get really close to the intersection for three lanes to allow for the turning movements. The taper basically starts at the property line. Was there any consideration to extending that taper further to the west, thereby widening the road and extending the length of that section with two lanes on Sweetmans on the north bound direction? Mr. Jafolla said he didn't feel it was necessary just based on the operations, so no, we really looked to just find out what is the width that is needed in front of the driveway and then continue that in a tangent parallel to the baseline of the road until it met the curb line that would have been constructed. We didn't see a reason to try to extend that, there is no traffic reason to do that so we didn't look at it specifically. Mr. Boccanfuso said so when you were talking about Kinney Road, you indicated that there is an operational benefit of widening. So are you saying that is not the case on north bound Kinney, that there wouldn't be that same operational benefit by providing a wider road and extending the section where there are two lanes north bound? Mr. Jafolla said there is an operational benefit because the width that is there today is so small. This is meeting an improvement that has been fully designed to meet the current NJ DOT roadway design manual. We're not talking about a situation where we are widening adjacent to an existing condition where maybe there are smaller receiving lanes and there should be, or there is a skew in the intersection. This is



really an entirely different situation where we are meeting a fully compliant situation. Mr. Boccanfuso asked him how far back does the queue extend based upon the analysis of the intersection? Mr. Jafolla said about a little over 300' in the morning peak hour. We are trying to minimize the impact in front of the adjacent property. Mr. Boccanfuso asked about the Kinney Road intersection and how Mr. Jafolla spoke about there being a very minimal impact in the level of service. Can you talk about the increase in delays that you are seeing as a result of the project going from the build to the no build conditions. Mr. Jafolla said the level of service C would remain the same and the increase and delay would be in the morning from 16 seconds to 17 seconds, and then the afternoon from 20 seconds to 22 seconds. That is the average delay per vehicle and that is associated with the Kinney Road approach. Mr. Boccanfuso said as far as the improvements on Sweetmans, is curbing proposed along your site frontage? Mr. Jafolla said he believes that was requested through Mr. Muller and he believes the answer was yes.

Chief Hogan said Kinney and Sweetmans are at a level C, what would it take to bring it up to a higher level? Mr. Jafolla said we really didn't look at that explicitly because a level of service C is a fairly good operation, especially for a road like this. We didn't feel the need to look at alternative types of improvements. Typically you are looking at adding additional turn lanes, signalization and other types of traffic control. Ms. Beahm said what's the upper level B service, in terms of seconds. Mr. Jafolla said a level B would be 15 seconds.

Mr. McNaboe asked why don't we extend that second north bound lane right down to Kinney? Across the street we may see that applicant, but when you get down to the old mill, that is where the road cannot be widened so that becomes an issue. Why not improve on there? The applicant didn't seem willing to do so. Why are we tapering in? Mr. Jafolla said when we looked at the analysis, it just wasn't necessary so that's why we didn't take a look at it. Mr. McNaboe would like to see the improvements on their side since the old mill is on the other side.

Chairwoman Kwaak asked if they are going to be coordinating the road improvements with the Cardinale project? Mr. Boccanfuso said this design has been laid out to interface with, and transition to, the Manalapan Crossing improvements. Mr. Jafolla said that is correct. She requested that Mr. Jafolla keep Mr. Boccanfuso in the loop with the responses from the County. How many trucks are able to queue up before it backs down and possibly blocks the firehouse? Mr. Jafolla said the dedicated left turn lane is 150', the County minimum would be 75', so it would be two tractor trailers. We do not expect to ever have two tractor trailers entering the site at the exact same time.

Mr. Jacobson said when the improvements from Manalapan Crossing were considered, that intersection was considered a level F. He agrees that beginning the tapering a little further back by your property to avoid queuing issues.



Mr. Castronovo asked how many feet is Sweetmans being widened? Mr. Jafolla said it varies just because of the way it is designed, but rounding off it would be approximately 8' at its widest on Sweetmans, and narrows down to 3'. Mr. Castronovo asked what is the plan for the width increase on Kinney Road? Mr. Jafolla said along the whole frontage it would be about 14' minimum, that needs to be finalized. It gets wider closer to the intersection with Sweetmans to make room for the wider receiving lane.

Mr. Brown asked where would a typical FedEx/UPS truck go for an average daily delivery? Mr. Jafolla said they are going to go to the front passenger because that is where the main entrance is. Mr. Brown asked where would they park when they are doing the delivery, is there a loading area, or are they just quick in and out? Mr. Jafolla said they would be quick in and out. This can be further coordinated with the project itself. Mr. Brown said trucks will not be able to turn left onto Sweetmans Lane. Would there be a sign to indicate that to the trucks? Mr. Jafolla said yes there will be a sign.

Mr. Kastell said the turn lane off of Sweetmans into the facility is 150', are you worried at all that once that 150' gets taken up, Sweetmans will be blocked? Mr. Jafolla wanted to summarize this. For that driveway, the number of left turn movements in the highest peak hour is three. Just to put that into perspective, the County would typically only require a left turn lane if you have 25 left turning vehicles. If we only have three in the highest hour, it is extremely unlikely that you're ever going to have any kind of stacking. This lane is really going to be used more for someone who is making a left just to have the ability to slow down outside of the actual main line on Sweetmans so you've not slowing people down behind you. Mr. Kastell asked if he anticipates the FedEx trucks coming in that way, or coming in through the entrance on Kinney. Mr. Jafolla said through the traffic analysis it is anticipated to come on Kinney, but even if there was a few coming in on that driveway, it would make no difference to this analysis; it a very minor change. We are realigning Kinney as well which will be an improvement.

Mr. Shorr said there is a tremendous amount of illegal left turns being made now and numerous accidents. He added you are going to have to look at that and figure out a better way of stopping those left turns - they're going to happen.

Mr. Pollifrone asked about the 49 trips per hour - is that what you assumed would be taking place for this project, an additional 49 trips per hour? Mr. Jafolla said yes. Mr. Pollifrone said how were those 49 trips distributed in your assumptions? Mr. Jafolla said the way traffic analysis works, is that you end up analyzing the highest 15 minute period, essentially there is a lot of background that goes into it, but you end up looking at the highest 15 minute period. We apply standard factors to that hourly volume to come up with the highest 15 minute period. This is all buried in the appendix of the report, very highly technical documents, but what he can say is that it follows the manual which is published by the Feds and



that is part of that analysis that you are essentially looking at the highest 15 minute period within that highest hour. Mr. Pollifrone said he's trying to relate that to the 81 parking spaces and the lessor didn't indicate they would restrict the number of those spaces that could be used. If there are six tenants, they each get about 13.5 spaces which they could use. If those tenants were to have an 8:00-4:30 operation, then within ten minutes of starting time, you're going to have 81 people arrive, 81 potential vehicles, and at 4:30 within five minutes they are going to exit. Isn't there an instantaneous balloon of traffic that takes place in that scenario? Mr. Jafolla said if you have a single tenant, you have to worry about that a little bit more because there would be a higher concentration of employees leaving in a shorter time period. In this case, you have six tenants, they are all scattered throughout and we really don't know what their shifts are. Although you have 81 spaces, that doesn't directly equate to the number of trips during the highest hour because those 81 spaces are filling over the three-four hours across the morning and unfilling in the afternoon. Mr. Pollifrone said the lessor wouldn't place any restrictions with regard to that. In other words if six potential tenants came forward and said we're open 8:00-4:30, would the lessor say sorry, the first three I'll accept, but the next three you're going to have to change your hours in order to be able to lease these buildings because it is going to impact the traffic? Mr. Jafolla said that is not typically a restriction that is placed on a site. These numbers are reasonable assumptions and we don't run to these issues. If you did run into these issues, we would start to see those restrictions happening out of necessity and that is not something he has observed. Mr. Pollifrone's opinion is there is a more likely scenario that there will be instantaneous traffic entrances and exits, rather than it being spread. Unless the lessor insists that this doesn't happen, that could take place. If it did take place, the queue would get a lot longer, especially at quitting time. Mr. Jafolla said he wanted to be clear - this is not his assumption that he is making. These are numbers that are coming out strictly related to the size of the facility, +/- 65,000 sq ft flex space and the user trip generation rate associated with that facility. This is not an assumption that he is making that they are going to be spread out - that is simply a presentation of the facts and findings of looking at other flex spaces. Mr. Brodsky said just to be clear, you are using numbers that have been studied and generated - these are not your personal findings. Mr. Jafolla said that is correct and the reason why he said that is that he used to having these conversations with various Boards, and as you've heard from professionals, the warehouses are something that are happening in New Jersey and he's been testifying a lot to that; it is not specific to this site, this is common conversation that is happening in New Jersey.

Chairwoman Kwaak stated she would like to carry the application of LPG Capital, LLC to April 13, 2023. All documents are on file in the office of the Planning Board and there will be no further notice to property owners.

Chairwoman Kwaak opened the floor to the public for any non-agenda questions or comments.

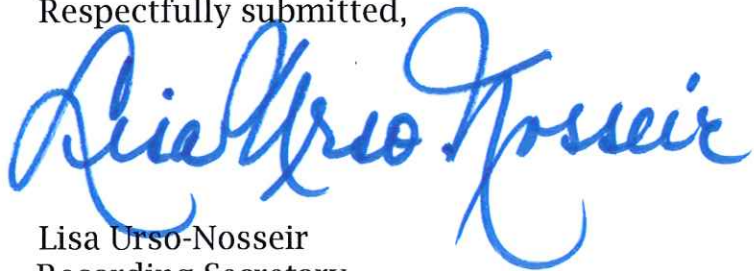


Deborah Smarth, 144 Sweetmans Lane wanted to add that Route 33 in Manalapan is a disaster, we've seen nothing but warehouses. Cardinale Enterprises is monstrosity. She requested the Planning Board to look into Open Space Preservation and making sure that we don't pave over Manalapan. Please look at the Master Plan and start doing something different because New Jersey is being bombarded with warehouses and overdevelopment and higher tax rates.

Chairwoman Kwaak stated that the next Planning Board meeting is Thursday, March 9, 2023 at 7:30 in the courtroom.

Chief Hogan made a Motion to end the meeting at 10:45 pm and it was agreed to by all.

Respectfully submitted,

A handwritten signature in blue ink, reading "Lisa Urso-Nosseir". The signature is written in a cursive, flowing style with a large, decorative flourish at the end.

Lisa Urso-Nosseir  
Recording Secretary