

1 1 TOWNSHIP OF ROCHELLE PARK PLANNING BOARD THURSDAY, OCTOBER 28, 2021 COMMENCING AT 7:00 P.M. 2 3 IN THE MATTER OF: : TRANSCRIPT 4 TFJ 120 Passaic Urban Renewal, LLC: OF 5 120 W. Passaic Street : PROCEEDINGS 6 Block 93.01 : Lots 1.01, 1.02, 1.03 & 1.04 : Building & Land Use Applications : 7 B E F O R E: 8 TOWNSHIP OF ROCHELLE PARK PLANNING BOARD THERE BEING PRESENT: 9 ED KANIEWSKI, CHAIRMAN 10 GAIL ARTOLA, MAYOR 11 SUSAN IACOBUCCI, COMMITTEEWOMAN 12 CHARLES GRECO, MEMBER (ABSENT) 13 JOHN MILLER, MEMBER 14 ALFONSO SANTIAGO, MEMBER 15 CHRISTINE MUELLER, MEMBER 16 SCOTT ZOTOLLO, MEMBER 17 WALTER HOUGHTON, MAYOR'S DESIGNEE (ABSENT) 18 JOHN SCHMUNK, ALTERNATE #1 MEMBER (ABSENT) 19 MELLESSA ANGLIN, ALTERNATE #2 MEMBER (ABSENT) 20 21 22 23 LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. CERTIFIED COURT REPORTERS P.O. BOX 505 SADDLE BROOK, NEW JERSEY 07663 (201) 641-1812 LauraACarucciLLC@gmail.com 24 25 LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 INDEX WITNESSES SWORN PAGE JAMES KINOSIAN, P.E. 9 Voir Dire Examination by Ms. Gonchar 10 Direct Examination by Ms. Gonchar 13, 32, 63, 68, 75 Board/Professional Questions 21, 33, 64, 70, 173 Public Questions William Coleman 164 58 Schlosser Drive. EXHIBITS NO. DESCRIPTION IDENT. EVID A-9 Colorized Site Plan Rendering Exhibit prepared by Stonefield Engineering and Design, Dated 9/25/21 18 A-10 Preliminary and Final Major Site Plan prepared by Stonefield Engineering, Dated 6/25/20 111 LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 APPEARANCES: LINA P. CORRISTON, ESQUIRE HARWOOD LLOYD, LLC 130 Main Street Hackensack, New Jersey 07601 Counsel to the Board MERYL GONCHAR, ESQUIRE COREY KLEIN, ESQUIRE SILLS CUMMIS & GROSS, PC One Riverfront Plaza Newark, New Jersey 07102 Attorneys for the applicant ALSO PRESENT: ANNEMARIE WELLS, Board Secretary MONICA MIANECKI, Board Floodplain Manager JOHN MAYO, P.E., Board Engineer LEIGH FLEMING, P.P., Board Planner LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 CHAIRMAN KANIEWSKI: I'd like to call to order the Rochelle Park Planning Board for October 28, 2021. May I have the roll call, please? MS. WELLS: Mayor Artola? MAYOR ARTOLA: Here. MS. WELLS: Committeewoman Iacobucci? COMMITTEEWOMAN IACOBUCCI: Here. MS. WELLS: Chairman Kaniewski? CHAIRMAN KANIEWSKI: Here. MS. WELLS: Mr. Greco? (No Response.) MS. WELLS: Mr. Miller? MR. MILLER: Here. MS. WELLS: Mr. Santiago? MR. SANTIAGO: Here. MS. WELLS: Ms. Mueller? MS. MUELLER: Here. MS. WELLS: Mr. Zotollo? MR. ZOTOLLO: Here. MS. WELLS: Mr. Houghton? (No Response.) MS. WELLS: Mr. Schmunk? (No response.) MS. WELLS: And, Ms. Anglin? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

5 07:10PM 1 (No response.) 07:10PM 2 CHAIRMAN KANIEWSKI: I'd like to start 07:10PM 3 this evening with the Pledge of Allegiance. 07:10PM 4 (Whereupon, everyone stands for a 07:10PM 5 recitation of the Pledge of Allegiance.) 07:10PM 6 CHAIRMAN KANIEWSKI: Prior to beginning 07:10PM 7 this evening, I would like to announce that the 07:10PM 8 meeting has been posted and published in accordance 07:10PM 9 with applicable law. 07:10PM 10 I would also ask if you are going to be 07:10PM 11 making a presentation and if you have a business card 07:10PM 12 to provide that to the secretary and to the court 07:10PM 13 reporter so they'll be able to record you. 07:11PM 14 Prior to beginning, just a couple of 07:11PM 15 introductory remarks, the proceedings this evening 07:11PM 16 are similar to a judicial proceeding or a court-type 07:11PM 17 hearing in that we sit as a judge and jury as the 07:11PM 18 Planning Board and that there will be cases presented 07:11PM 19 and the cases will have witnesses and testimony. 07:11PM 20 As citizens, you will have the 07:11PM 21 opportunity to question each witness at the 07:11PM 22 conclusion of their testimony, with regard to their 07:11PM 23 testimony. And also at the conclusion of the case 07:11PM 24 you may make an additional statement of whatever it 07:11PM 25 is that you choose on the case. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	7 Thank you. (Whereupon, Public Members depart from Council Chambers.) CHAIRMAN KANIEWSKI: Next item of business this evening, TFJ 120 Passaic Street Urban Renewal, LLC, continued hearing, 120 West Passaic Street. 07:12PM Do we have a representative of the 07:12PM applicant present? 07:12PM MS. GONCHAR: Meryl Gonchar, Sills, 07:12PM Cummis and Gross, representing the applicant. 07:12PM And Corey Klein, also Sills, Cummis and 07:12PM Gross. 07:12PM I think we need to get our easel set up 07:12PM again. 07:12PM (Brief Pause.) 07:12PM MS. GONCHAR: Good evening. Ready? I 08:02PM didn't know if everybody was getting ready. 08:02PM MR. ZOTOLLO: Ready. 08:02PM MS. GONCHAR: Good to go? I am, all 08:02PM right. 08:02PM Good evening, Meryl Gonchar. This is 08:02PM the continued hearing on behalf of the applicant, TFJ 08:02PM 120 Passaic Urban Renewal, L.L.C. 08:02PM We had moved through two of our LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
6 07:11PM 1 Prior to also beginning I just want to 07:11PM 2 give you an idea of some of our personnel. Annemarie 07:11PM 3 Wells is our Board Secretary. She's an 07:11PM 4 administrative officer. The board members are on the 07:11PM 5 dais. Lina Corriston is our Board Attorney. 07:11PM 6 And our board professionals are 07:11PM 7 Ms. Fleming, John Mayo and Monica Miannecki our 07:11PM 8 floodplain expert who will be arriving a bit later. 07:11PM 9 (Board Agenda Items. Public Hearing 07:11PM 10 continues at 8:12 p.m.) 08:00PM 11 CHAIRMAN KANIEWSKI: Next item of 07:12PM 12 business is TFJ 120 Passaic Street Urban Renewal, LLC 07:12PM 13 continued hearing. 07:12PM 14 Just as a reminder I think I have been 07:12PM 15 admonished by our board secretary, I would appreciate 07:12PM 16 it if you would carry on discussions outside. 07:12PM 17 If you are planning to talk, if you can 07:12PM 18 carry your discussions outside because the recording 07:12PM 19 system picks it up and it makes it difficult for us 07:12PM 20 to keep an accurate record of the minutes because 07:12PM 21 there's talk over. So I would appreciate your help 07:12PM 22 with that. 07:12PM 23 If you are going to have any 07:12PM 24 discussions, if you would move that outside, it would 07:12PM be very helpful to us. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	8 08:02PM witnesses last week, our architect and our landscape 08:02PM architect, and we would like to start this evening 08:02PM with our civil engineer. 08:02PM You'll recall that we are seeking 08:02PM preliminary and final site plan approval together 08:02PM with deviations from the 120 West Passaic 08:02PM Redevelopment Plan as recently amended. 08:02PM We are seeking -- when I say 08:03PM deviations, that's the technical name, it's basically 08:03PM (c) variances, as well as some design waivers from 08:03PM the ordinance of the township, as well as the 08:03PM redevelopment plan. And we are also seeking a 08:03PM variance under the Municipal Land Use Law, Section 08:03PM 35, as authorized through Section 36. 08:03PM You will recall that relates to the 08:03PM fact that we are seeking -- ultimately we will be 08:03PM seeking a building permit for a building to be 08:03PM constructed on a lot which does not have direct 08:03PM frontage on a public street. 08:03PM And you'll also recall that the 08:03PM property has always been comprised of multiple lots 08:03PM and that some of those lots did not, in their 08:03PM previous iteration, have frontage on a public street 08:03PM as well. 08:03PM Unless there are any questions or LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

9 08:03PM clean-up items that the board would like to start 08:03PM with, we would like to start with our -- as I 08:04PM indicated, our civil engineer, James Kinonian, from 08:04PM Stonefield Engineering, who is our licensed civil 08:04PM engineer. We'll need to qualify him and have him 08:04PM sworn. Are you going to be working from a plan. 08:04PM MR. KINOSIAN: Yes. Can I ask if you'd 08:04PM prefer me to -- 08:04PM MS. GONCHAR: Yes, if you could stand 08:04PM over there. 08:04PM Well, you can be sworn here, I don't 08:04PM care what -- but the method we followed last week is 08:04PM the witnesses stand by the board and speak real loud. 08:04PM Since we don't have a mic that apparently gets all 08:04PM the way over to that location. 08:04PM THE WITNESS: I can do that. 08:04PM MS. GONCHAR: Okay, good. 08:04PM You want to swear him in? 08:04PM MS. CORRISTON: Yes. 08:04PM Can you raise your right hand, please. 08:04PM Do you swear or affirm that the 08:04PM testimony you're about to give is the truth, the 08:04PM whole truth and nothing but the truth, so help you 08:04PM God? 08:04PM MR. KINOSIAN: I do. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	11 civil engineering from Rutgers University. And I'm a professionally licensed civil engineer in the State of New Jersey. Q. And your license remains in good standing presently? A. It does. MS. GONCHAR: We would ask, unless the board has other questions, that the board accept him as an expert in the field of civil engineering. CHAIRMAN KANIEWSKI: I have a couple of questions. You're licensed as a professional engineer? THE WITNESS: I am. CHAIRMAN KANIEWSKI: Is that correct? Can you explain what exactly the function of a professional engineer is? THE WITNESS: Yeah, my role in the project was the site designer. So I designed the site layout. We're responsible for the grading analysis, the stormwater management, utility design, lighting and soil erosion measures. CHAIRMAN KANIEWSKI: Are you licensed in any states other than New Jersey? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
10 08:04PM J A M E S K I N O S I A N, P.E. 08:04PM 92 Park Avenue, Rutherford, New Jersey, having 08:04PM been duly sworn, testifies as follows: 08:04PM MS. CORRISTON: Can you state your name 08:04PM for the record, please. 08:04PM MR. KINOSIAN: Certainly. 08:04PM James Kinonian, K-I-N-O-S-I-A-N, 08:05PM Stonefield Engineering. 08:05PM MS. CORRISTON: Ms. Gonchar, would you 08:05PM like to qualify the witness? 08:05PM MS. GONCHAR: Unless you'd like to, 08:05PM it's fine by me. 08:05PM Thank you. 08:05PM VOIR DIRE EXAMINATION 08:05PM BY MS. GONCHAR: 08:05PM Q. James, can you tell us with whom you're 08:05PM associated, your position with the company, any 08:05PM licenses you hold and how long you have been 08:05PM practicing in your field? 08:05PM A. Yes, certainly. 08:05PM So I work with Stonefield Engineering 08:05PM located at 92 Park Avenue in Rutherford, New Jersey. 08:05PM I am a principal. And I've been with 08:05PM the firm a little over 11 years now. 08:05PM I received my bachelor of science in 08:05PM LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	12 08:06PM THE WITNESS: Yes, a handful. 08:06PM CHAIRMAN KANIEWSKI: What states would 08:06PM those be? 08:06PM THE WITNESS: New York, Connecticut, 08:06PM Massachusetts, Maine, Florida. 08:06PM Might be a couple more. 08:06PM CHAIRMAN KANIEWSKI: That's good 08:06PM enough. 08:06PM Are you in good standing in all those 08:06PM states? 08:06PM THE WITNESS: I am. 08:06PM CHAIRMAN KANIEWSKI: In your 08:06PM professional duties do you have an area of 08:06PM specialization? Or -- 08:06PM THE WITNESS: Site design. 08:06PM CHAIRMAN KANIEWSKI: -- let me restate 08:06PM that. 08:06PM In the area of engineering are there 08:06PM areas of specialization and can you say that you're a 08:06PM specialist in any. 08:06PM THE WITNESS: It would be site design, 08:06PM which basically covers those design elements that I 08:06PM referred to earlier. 08:06PM CHAIRMAN KANIEWSKI: I don't have any 08:06PM additional questions at this point. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

13 08:06PM THE WITNESS: Great. 08:06PM CHAIRMAN KANIEWSKI: Any questions on 08:06PM the qualifications. 08:06PM (No response.) 08:06PM CHAIRMAN KANIEWSKI: If not, you can 08:06PM proceed as an expert. 08:06PM MS. GONCHAR: Thank you for accepting 08:06PM him as an expert in the field of civil engineering. 08:07PM We just wanted to note that because 08:07PM there was a desire last time to make sure that we 08:07PM covered all the points in your consultants' letters, 08:07PM we are endeavoring to try to specifically cover them 08:07PM as we present each witness. 08:07PM We may miss some, but hopefully we'll 08:07PM be able to identify the comments that our testimony 08:07PM addresses so that, hopefully, we can all be checking 08:07PM off some of those comments as we move through the 08:07PM testimony, if that simplifies matters. 08:07PM We had endeavored to do it last time, 08:07PM but we weren't specific when we gave the testimony 08:07PM what comment it referred to. 08:07PM DIRECT EXAMINATION 08:07PM BY MS. GONCHAR: 08:07PM Q. You've already described your 08:07PM responsibilities in connection with the project, so I LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	15 08:08PM existing conditions. 08:08PM This is the aerial exhibit that was 08:08PM prepared by our office (indicating). This was marked 08:09PM A-1 at last week's hearing. 08:09PM For reference, the surrounding areas we 08:09PM have Plaza Way which is a private roadway located to 08:09PM the north (indicating). We have Fairfield Drive 08:09PM which is located to the east (indicating). And we 08:09PM have West Passaic Street which is located on the 08:09PM southern side of the property (indicating). 08:09PM Under existing conditions there is a 08:09PM signalized intersection that provides site access 08:09PM into the existing self-storage facility that's 08:09PM located in the northeastern portion of the property. 08:09PM And there's also a secondary access 08:09PM point along the western frontage of West Passaic 08:09PM Street that provides access to the parking area 08:09PM on-site. 08:09PM Overall there is a Sprout Brook that is 08:09PM located along the western property line that provides 08:09PM the western border before eventually we get to 08:09PM Lakeview Avenue along the western property. 08:09PM The overall topography of the site is 08:09PM worth mentioning. It was discussed a bit, I believe, 08:09PM at the first hearing. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
14 08:07PM will ask you if you're familiar in those -- in 08:07PM carrying out those responsibilities did you become 08:07PM familiar with the redevelopment plan that provides 08:07PM the zoning and governs this project? 08:08PM A. I have, yes. 08:08PM Q. And also, just to make it clear, have 08:08PM you had an opportunity to review the letters provided 08:08PM by the consultants from the board, both the engineer, 08:08PM the expert with regard to the flood and the planner? 08:08PM A. I have. 08:08PM Q. Thank you. 08:08PM I should ask also the Zoning Ordinance, 08:08PM you're also familiarized yourself? 08:08PM A. Correct. 08:08PM Q. Although we have had some testimony we 08:08PM normally start with a map that shows the area, so if 08:08PM you would, to begin your testimony, if you could just 08:08PM reorient the board and the public to the location of 08:08PM the property, the surrounding streets and any other 08:08PM relevant identifying characteristics? 08:08PM A. Yeah, certainly. 08:08PM I know we just had the first hearing 08:08PM just a week ago and of course, everyone is very 08:08PM familiar with the site having it -- it's right across 08:08PM the street, but I will just give a brief recap of the LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	16 08:09PM Again, Plaza Way being the private 08:10PM roadway, that is about 4 to 5 feet higher in 08:10PM topography than the actual public frontage of West 08:10PM Passaic Street which is located lower in elevation. 08:10PM Overall the site is -- about half of it 08:10PM is located in a flood hazard area. That flood hazard 08:10PM elevation is 43.90. 08:10PM So there's a series of DEP criteria 08:10PM that we need to meet in the overall design and 08:10PM development of the project. We'll get more into some 08:10PM of those specifics with the DEP when we talk about 08:10PM the proposed layout. 08:10PM One good thing that we'll discuss at 08:10PM length is the -- having said that, the DEP does 08:10PM control a lot of the development for this property, 08:10PM so we were able to pursue those DEP permits for flood 08:10PM hazard area verification and individual permit prior 08:10PM to being before you tonight, so we do have those 08:10PM permits in hand, which matches the proposed 08:11PM development that has been included in the application 08:11PM before you tonight. 08:11PM I think overall that summarizes the 08:11PM existing conditions. And I can -- I can go ahead and 08:11PM move forward with the overall proposed site layout if 08:11PM you'd like. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

08:11PM Q. Yes, let me just -- one thing. 08:11PM The aerial, just to reiterate, A-1, 08:11PM although we had it introduced last time through the 08:11PM architect, can you just confirm who prepared that and 08:11PM if there's a date on it, who prepared it. 08:11PM Can you confirm that it was prepared by 08:11PM Stonefield Engineering? 08:11PM A. Yep. 08:11PM Stonefield Engineering prepared it, it 08:11PM was dated October 19th, and it was marked A-1 on the 08:11PM 21st. 08:11PM MS. GONCHAR: Again, with regard to 08:11PM procedure, we have marked these for identification. 08:11PM We didn't move them into evidence at the last 08:11PM hearing. 08:11PM We can do that at the end or ask you to 08:11PM move them in as we introduce them, whatever is -- 08:11PM MS. CORRISTON: We can just wait until 08:11PM the end. 08:11PM MS. GONCHAR: Wait till the end. Okay, 08:11PM thank you. 08:11PM BY MS. GONCHAR: 08:11PM Q. Sorry. So if you can move on and 08:11PM describe what we are proposing. 08:12PM A. Certainly. 08:12PM LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 08:12PM 201-641-1812	17 08:12PM provide testimony at length regarding a lot of the 08:12PM specific of the building, the size, the parking 08:13PM garages. 08:13PM I'll, kind of, briefly touch on a few 08:13PM of those since we've already talked about it at 08:13PM length. 08:13PM Obviously, if anybody has any 08:13PM questions, we're happy to revisit as needed. 08:13PM The proposed residential development is 08:13PM six stories in total. Four of those stories are 08:13PM residential over two stories for the interior parking 08:13PM garage. That parking garage on the first floor is 08:13PM accessed on the southwestern corner along the 08:13PM southern façade of the building. 08:13PM The second floor parking garage with a 08:13PM ramp on the interior that leads up to that second 08:13PM level is accessed on the northeastern portion of the 08:13PM building corner along the eastern façade. 08:13PM In addition to the building being 08:13PM located, essentially, it's pretty central to the site 08:13PM overall, a little bit to the west and adjacent to the 08:13PM self-storage building that is currently developed. 08:13PM We have a drive aisle along the 08:13PM southern portion of the building with a turnaround 08:13PM area at the western end, and 21 exterior parking 08:13PM LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 08:13PM 201-641-1812
08:12PM So this is what we commonly refer to as 08:12PM a colorized site plan rendering exhibit. I would be 08:12PM happy to mark this as well. 08:12PM THE WITNESS: What are we up to, A-9, 08:12PM is it. 08:12PM MS. CORRISTON: A-9. 08:12PM THE WITNESS: A-9. 08:12PM So this is also prepared by our office, 08:12PM Stonefield Engineering and Design. This was prepared 08:12PM on September 25th, 2021. We'll mark this A-9. 08:12PM (Whereupon, Colorized Site Plan 08:12PM Rendering Exhibit prepared by Stonefield 08:12PM Engineering and Design on September 25th, 2021 08:12PM is marked as Exhibit A-9 for identification.) 08:12PM THE WITNESS: And, essentially, what 08:12PM this is is just a colorized version of the exact same 08:12PM site plan sheet that was included in the civil 08:12PM application package. 08:12PM It's purely just added -- we just added 08:12PM color and some, you know, some different landscaping 08:12PM symbols to basically bring the site plan to life, 08:12PM clarify it a little bit and combine some of the 08:12PM information throughout the site so that way it's very 08:12PM clear for presentation purposes. 08:12PM Now, I know the architect got to 08:12PM LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 08:12PM 201-641-1812	18 08:14PM spaces that are provided in front of that building. 08:14PM I know the architect had spoken at 08:14PM length about the drop-off area located in front of 08:14PM the lobby, about how deliveries would operate, and 08:14PM I'm happy to revisit any of that if anybody has any 08:14PM questions, but overall that's just a general location 08:14PM and summary of the building that we are proposing 08:14PM today. 08:14PM So I'll get into some of the very 08:14PM specific exterior site elements that we had to 08:14PM incorporate. I'll start with one of the most 08:14PM prominent pieces of the design which is the DEP 08:14PM criteria for providing what is commonly referred to 08:14PM as dry access to a residential development. 08:14PM So, of course, since we're in a flood 08:14PM hazard area, those residential units, they need to be 08:14PM set at a specific elevation, which is 1 foot above 08:14PM the flood hazard area elevation. 08:14PM We far exceed that in this scenario; 08:14PM however, the additional important piece of 08:14PM information is to note that dry access needs to be 08:14PM provided from residential uses to a roadway that is 08:15PM considered dry access from the DEP's standpoint. 08:15PM So of course, as I had mentioned, that 08:15PM West Passaic Street access is much lower in relation 08:15PM LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 08:15PM 201-641-1812
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08:15PM to the rest of the site and it's about 4 feet below 08:15PM the floodplain; therefore, we need to provide a very 08:15PM specific emergency access for the residential 08:15PM development to be incorporated at this property, and 08:15PM that is provided by the hatched area that runs from 08:15PM the access point at the northeast corner of the 08:15PM building to the second level parking. 08:15PM It runs along the northern portion of 08:15PM the existing self-storage building and then a new 08:15PM proposed access point travels along the eastern side 08:15PM of the self-storage building and connects to 08:15PM Fairfield Drive. 08:15PM This has been incorporated specifically 08:15PM because this portion of Fairfield Drive is at the 08:15PM higher elevation that allows us to meet that DEP 08:15PM criteria. 08:15PM And once again, the DEP has reviewed 08:15PM that and approved that as part of this permit 08:16PM process. And these two residential properties that 08:16PM do have frontage along Fairfield, those were both 08:16PM specifically included in the amendment to the 08:16PM redevelopment plan. 08:16PM Obviously -- 08:16PM CHAIRMAN KANIEWSKI: I have a question 08:16PM at this point. Sorry to interrupt your testimony. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	23 08:17PM someone to take their car into a much lower elevation 08:17PM just to get to a higher elevation. 08:17PM So, essentially, that entire path needs 08:17PM to meet that higher elevated DEP criteria to make 08:17PM sure they can leave safely. 08:17PM MS. CORRISTON: All right, thank you. 08:17PM THE WITNESS: And, again, as a 08:17PM reminder, Plaza Way is that privately owned roadway, 08:17PM so, unfortunately, even though it appears as a public 08:17PM roadway, we are not granted access to that road. 08:17PM Therefore, the path has been created on 08:17PM the north side of the self-storage and out to 08:17PM Fairfield Drive to comply with that DEP requirement. 08:17PM Overall we are also required to meet 08:17PM what is called flood storage for the site. So 08:17PM essentially, when you are in a flood hazard area such 08:17PM as this one you're not permitted to build a building 08:18PM that would in any way push floodwaters onto any 08:18PM adjacent properties. 08:18PM So we have provided those flood storage 08:18PM calculations and that is part of the reason why, as 08:18PM the architect had also discussed at length, that 08:18PM first floor of the parking garage is called wet flood 08:18PM proofed, which allows floodwaters, if, in the event 08:18PM of a flood, to actually go into the first floor of LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
22 08:16PM I have a question for counsel, the 08:16PM discussion has been on the Fairfield Drive access, 08:16PM are those properties included, are they -- have they 08:16PM been noticed at this point? 08:16PM MS. GONCHAR: Yes, they have. 08:16PM CHAIRMAN KANIEWSKI: The Fairfield 08:16PM properties have been noticed? 08:16PM MS. GONCHAR: Yes, they have. 08:16PM CHAIRMAN KANIEWSKI: Good, thank you. 08:16PM MS. CORRISTON: I have one quick 08:16PM question. When you say "dry access" can you just 08:16PM define that? 08:16PM THE WITNESS: Yes. 08:16PM Essentially the parking area and drive 08:16PM aisle that a resident would use their vehicle to get 08:16PM out of the building and to an elevated part of a 08:16PM roadway that is not considered within the flood 08:16PM hazard, those elevations along that entire roadway 08:16PM need to meet the DEP criteria for not being too far 08:16PM below in a flood scenario. 08:16PM So, essentially, to give an example, if 08:16PM you had a road that eventually made it to drier 08:16PM upland but if it dipped down and it was 4 feet below 08:16PM that flood hazard elevation, the DEP wouldn't allow 08:16PM you to build a residential development that required LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	24 08:18PM the parking garage and then recede as the flood 08:18PM recedes, and then everything on the interior is 08:18PM designed to be specifically waterproofed up to the 08:18PM state regulations. 08:18PM So this is a very specific criteria 08:18PM that the DEP has thought through and provided, you 08:18PM know, design parameters for -- in situations such as 08:18PM this. 08:18PM And then the second level parking would 08:18PM be considered dry because it's much higher than the 08:18PM flood hazard elevation. 08:18PM Overall, from a stormwater management 08:18PM perspective, we are significantly reducing the 08:18PM impervious coverage on site, even considering today's 08:19PM conditions. We are removing not only the driveway 08:19PM along the western portion of West Passaic Street, but 08:19PM also the entire parking area located in the northwest 08:19PM corner of the property, and a road that specifically 08:19PM runs along Sprout Brook along the western side. 08:19PM That roadway and portion of the parking 08:19PM lot is actually currently in what is considered a 08:19PM riparian buffer for Sprout Brook that is identified 08:19PM to have environmental restrictions by the DEP. 08:19PM So as part of this project we are 08:19PM trying to enhance that stream and its riparian LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

25 08:19PM buffer. 08:19PM And we are removing all of that 08:19PM impervious surface and replanting and re-vegetating 08:19PM it to bring it back to its more natural state. 08:19PM And, again, that has also been included 08:19PM in that DEP permit that was offered, as well as 08:19PM overall just a significant reduction in vehicular 08:19PM travel ways, which will naturally, of course, reduce 08:19PM the -- or I should say improve the water quality 08:19PM aspects of the project. 08:20PM Instead of having a large parking lot, 08:20PM we now have a covered roof area with also the green 08:20PM roof aspects that the architect had spoken about. 08:20PM Of course, also the -- what also comes 08:20PM with the reduction in impervious surfaces is a 08:20PM reduction in the water quantity discharge from the 08:20PM site. So, naturally the site will be able to 08:20PM infiltrate more water given that there's more green 08:20PM space, and it will reduce the flow rate of any 08:20PM stormwater leaving the property, therefore just 08:20PM improving and trying to mitigate any flood conditions 08:20PM that would occur today, as compared to in the 08:20PM improved post-construction condition. 08:20PM Operations, as far as operationally how 08:20PM this operates, again, I think the architect went into 08:20PM LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 08:20PM 201-641-1812	27 08:21PM the afternoon. It's all intended to be short-term 08:21PM parking for those exterior parking spaces. 08:22PM Overall we've also incorporated a 08:22PM lighting and illumination plan. I do know that -- I 08:22PM know there's a few notes in the -- and I believe in 08:22PM the engineering letter that we can get into. 08:22PM What we sought to do was provide 08:22PM sufficient illumination around the exterior of the 08:22PM building to be safe for both pedestrians and 08:22PM vehicles, and we utilized an LED light that matches 08:22PM the existing lights that have been built for the 08:22PM self-storage facility, just to provide consistent 08:22PM design aesthetics and illumination throughout the 08:22PM site. 08:22PM We do have a couple of area lights that 08:22PM are located closer to Fairfield Drive that are along 08:22PM that emergency access way. Those are mounted at 08:22PM 20-feet high and they're going to be installed with 08:22PM what we call backlight shield eliminators to prevent 08:22PM any unnecessary glare illumination spilling onto 08:22PM adjacent properties. 08:22PM Those lights are shown on the southern 08:22PM side of the drive aisle, so those backlight shields 08:22PM are on the back of them, or the south side, and the 08:22PM lights are directed in the northern direction over 08:23PM LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 08:23PM 201-641-1812
26 08:20PM a lot of details on this. I'll kind of briefly 08:20PM summarize, and if anybody does have any questions I'd 08:20PM be happy to answer them. 08:20PM We have an open area that is used for 08:20PM loading and trash that's located on the southeastern 08:20PM corner of the building. That access has been 08:21PM designed so that either trash vehicles or the moving 08:21PM operations can enter and exit the site from the 08:21PM signalized intersection, utilize this loading area, 08:21PM and revert back out to West Passaic Street. 08:21PM From a delivery perspective, they would 08:21PM be intended to use this front drop-off area at the 08:21PM lobby. It's just intended for, you know, short-term 08:21PM parking. And then they can continue on, use the 08:21PM turnaround at the western corner, and then travel 08:21PM back in front of the building and leave the site. 08:21PM And then the 21 spaces we proposed on 08:21PM the south side of the building on the exterior, 08:21PM that's all intended to be what we would consider 08:21PM short-term parking. 08:21PM So it could be parking for a potential 08:21PM future resident that might be meeting with building 08:21PM management. It could be ride-sharing. It could be 08:21PM food drop-off and delivery. A series of, you know, 08:21PM guest parking, again, someone that might be there for 08:21PM LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 08:21PM 201-641-1812	28 08:23PM the drive aisle. 08:23PM We tried to incorporate a few things 08:23PM into this design to make sure there's no glare or 08:23PM light spillage incorporated, given the proximity to 08:23PM some of the residential units. 08:23PM First and foremost, we have 08:23PM incorporated them so that the lighting plan shows we 08:23PM have no illumination level spilling over that 08:23PM property line, and that is designed in the software 08:23PM without even incorporating any objects or -- or trees 08:23PM or landscaping and things like that, that provide a 08:23PM buffer. 08:23PM And on top of that we have also added a 08:23PM row of evergreen trees, American arborvitae that 08:23PM would be planted at -- we had proposed a planting at 08:23PM 6-feet high. 08:23PM I believe one of the comments in the 08:23PM review letters was to increase that to maybe 08:23PM 8 to 10 feet, so we'd be happy to do that. And then 08:23PM they grow about a foot a year, up to about 15-feet 08:23PM high. 08:23PM So in addition to the illumination not 08:23PM spilling over the property, we have also planted it 08:24PM with evergreens that will provide a nice, dense green 08:24PM buffer to eliminate any impacts from that 08:24PM LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 08:24PM 201-641-1812

08:24PM illumination. 08:24PM Seeing the comments in the review 08:24PM letter, we're also happy to work with the lighting or 08:24PM the reviewing engineer on the lighting. If we needed 08:24PM to, we could drop those mounting heights down a 08:24PM little bit, 18 feet, 16 feet or something like that 08:24PM if there was a concern. 08:24PM It would likely result in maybe one 08:24PM more pole being added just to provide that safe 08:24PM illumination. 08:24PM But that would just bring the overall 08:24PM height of those lights down if that was a concern, 08:24PM and then overall, like we mentioned, the landscaping 08:24PM on both sides of the roadway, we feel is going to 08:24PM provide a nice buffer to minimize any of those 08:24PM impacts. 08:24PM One of the comments was also that the 08:24PM lighting would just be monitored for six months post 08:24PM construction to ensure that there is a, you know, 08:24PM there's no nuances created or, you know, anything 08:24PM that is going to impact the neighbors, so we're happy 08:24PM to agree to that comment as well. 08:25PM Landscaping, as I was mentioning, what 08:25PM we -- in addition to replanting -- 08:25PM MS. GONCHAR: Excuse me, let me just LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	31 08:26PM MS. GONCHAR: He started with that, yes. I'm sorry. That was the first one we called out. If you want us to clarify we're happy to do it. And if we can, not to go back after, John, I think under your comments to the lighting plan... MR. MAYO: I think comment No. 30 is rather important regarding the location of the window on the side of the house on Lot 5 and with its respect to the location of the light and the -- MS. GONCHAR: Emergency access? MR. MAYO: Yes, the emergency access, yeah. There's a window, if I am not mistaken, on the residence, basically right across that light pole. THE WITNESS: Correct. Yeah, so that's why we were -- what I was trying to explain is that we would -- we would lower those mounting heights to ensure that -- even though the design we provided, it doesn't actually distribute illumination over that property line, we hear the request and make sure no one can, like, actually look out and, like -- and see a light fixture. So we would lower those mounting heights of LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
30 08:25PM jump in since we said we were going to do that. 08:25PM We referenced those -- for reference, I 08:25PM think that we have addressed the Heyer & Gruel 08:25PM comment 25 in the planning letter, if we can confirm. 08:25PM And I don't know about -- you mentioned -- 08:25PM THE WITNESS: The color temperature? 08:25PM MS. GONCHAR: Yes, the temperature. 08:25PM THE WITNESS: Yeah, we can -- we can 08:25PM provide the 3,000 Kelvin color temperature as 08:25PM requested in the review letter. That is an option 08:25PM for the proposed lights that we have included. 08:25PM MS. GONCHAR: That's Item 24, again, 08:25PM under the Heyer & Gruel letter on page 10 of 11. 08:25PM I'm just trying to get the date for the 08:25PM record of that. The letter dated September 15, 2021. 08:25PM And I don't recall if, were there 08:25PM lighting comments also in the Boswell? 08:25PM THE WITNESS: In the engineering 08:25PM letter? There's a couple. 08:25PM COMMITTEEWOMAN IACOBUCCI: In the 08:26PM Boswell in September? 08:26PM CHAIRMAN KANIEWSKI: Just one more 08:26PM question on the Heyer & Gruel, have you also -- you 08:26PM said 24, have you also taken care of 25 in the Heyer 08:26PM Gruel letter? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	32 08:27PM those lights. 08:27PM And then also, again, that's going to 08:27PM be screened by the 8- to 10-foot-high American 08:27PM arborvitae that will, of course, grow to be even 08:27PM higher. 08:27PM MR. MAYO: And you'll lower them to 08:27PM 16 feet. 08:27PM THE WITNESS: Sixteen feet is 08:27PM acceptable, yes. 08:27PM MR. MAYO: I think we do need a relief 08:27PM for comment No. 31 to have the planting close to 08:27PM those light fixtures. 08:27PM THE WITNESS: Yes. 08:27PM No. 31 refers to the proximity of shade 08:27PM trees to freestanding light fixtures. 08:27PM MR. MAYO: Yes. 08:27PM THE WITNESS: Yes, so on the south side 08:27PM they could be placed within 10 feet. I personally 08:27PM believe it would be better to place them closer -- 08:27PM MR. MAYO: I would agree. 08:27PM I would rather have them -- 08:27PM THE WITNESS: Right. 08:28PM MR. MAYO: -- around the light poles 08:28PM shading and blocking the light. 08:28PM But I am just pointing out the fact LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

08:28PM that you need to request the relief for that. 08:28PM THE WITNESS: That's a good point, yes, 08:28PM we will request relief for that, as we feel it 08:28PM benefits the surrounding properties. 08:28PM MS. GONCHAR: And that's 08:28PM Section 185-85, so that's a design waiver from the 08:28PM ordinance, rather than the redevelopment plan, John. 08:28PM MR. MAYO: Yes. 08:28PM MS. GONCHAR: That's what we're citing. 08:28PM MR. MAYO: Yes. 08:28PM MS. GONCHAR: If that isn't part of our 08:28PM list of waivers we'll add it in this and our planner 08:28PM will deal with it. 08:28PM BY MS. GONCHAR: 08:28PM Q. So your testimony would be that if we 08:28PM do violate that proximity limitation, that the reason 08:28PM for doing it is to protect the adjoining property 08:28PM owner? 08:28PM A. That's correct, yeah. 08:28PM It provides a vegetated buffer that 08:28PM would continue to screen the proposed lighting. 08:28PM Q. Okay. 08:28PM MS. GONCHAR: And then, John, I don't 08:28PM want to step on your comment. 08:28PM MR. MAYO: No, but I think we have to LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	35 08:29PM THE WITNESS: So where we left off was 08:29PM just some more discussion about the landscaping. 08:29PM So overall we just sought to 08:29PM incorporate, you know, a mixed vegetation of 08:30PM landscaping, especially along the southern portion of 08:30PM the proposed outdoor parking stalls, again, 08:30PM specifically in the location of the riparian buffer 08:30PM that's located on the western portion of the 08:30PM property. 08:30PM We are seeking to maintain some areas 08:30PM as just overall lawn just for the, what we would 08:30PM consider like the use and enjoyment of the residences 08:30PM to have an open area, they can play with their dog or 08:30PM throw a football around or, you know, lay out on the 08:30PM lawn, anything they can. 08:30PM So we weren't proposing to completely 08:30PM plant the western portion of the building and allow 08:30PM for that outdoor recreational space. I think there 08:30PM were some comments in the review letters that they 08:30PM were seeking some more plantings. I think overall 08:30PM the Applicant is happy to increase any of this buffer 08:30PM along Sprout Brook that is requested, as long as we 08:30PM do get to maintain some of the lawn area that we feel 08:30PM would be very useful for the residences and the 08:31PM development. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
34 08:29PM go back one to No. 32. And I think you addressed 08:29PM that last week. 08:29PM MS. GONCHAR: Right. 08:29PM The architect had dealt with that, 08:29PM thank you. We had it checked off. 08:29PM MR. MAYO: You are going to submit 08:29PM plans for the lighting under the parking. 08:29PM MS. GONCHAR: Correct. 08:29PM And then 33, exterior lighting can be 08:29PM lowered as necessary to eliminate visibility from the 08:29PM residential apartments or the home. 08:29PM And I think his testimony was that they 08:29PM would make that adjustment and confer with you for 08:29PM confirming the -- that we've moved it to the right 08:29PM level. 08:29PM MR. MAYO: Yep. 08:29PM And I think you've testified to No. 34 08:29PM as well, and that would take care of my lighting 08:29PM comments. 08:29PM MS. GONCHAR: Okay. Sorry to 08:29PM interrupt. I just want to make sure that we're 08:29PM covering it while you're on the topic so that those 08:29PM have been resolved. 08:29PM THE WITNESS: Certainly. 08:29PM MS. GONCHAR: Okay. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	36 08:31PM The other request we saw was for some 08:31PM landscaping to be along the existing driveway west -- 08:31PM that aligns with West Passaic Street. Maybe some 08:31PM plantings along the side of it could be incorporated 08:31PM and we would be in agreement with that. 08:31PM The one thing we did note was that 08:31PM there was a request for a potential landscaped island 08:31PM to be placed in the middle or the center of that 08:31PM existing driveway. When we were running our analysis 08:31PM for fire trucks, for delivery trucks, for moving vans 08:31PM and trash trucks, that would really complicate those 08:31PM maneuvers and basically make it inaccessible to have 08:31PM an actual feature in the middle of that driveway, so 08:31PM we were recommending keeping that driveway as 08:31PM currently designed and then just seeking to install 08:31PM some additional plantings, you know, elsewhere 08:31PM throughout the site, again, as long as we're able to 08:31PM maintain a nice lawn area for the use and enjoyment 08:31PM of the residences. 08:32PM BY MS. GONCHAR: 08:32PM Q. Let me ask you, there was comment 08:32PM No. 27 from Heyer & Gruel which notes that there are 08:32PM some discrepancies in the number of plants listed on 08:32PM the schedule versus those shown on the plan, and they 08:32PM ask that we revise the plan to make them consistent LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

08:32PM with -- this indicates that the plan controls, and we 08:32PM would agree to make those consistent? 08:32PM A. That's right, yes. 08:32PM Q. That's 27 on page 10 of 11 for Heyer & 08:32PM Gruel? 08:32PM A. That's correct. 08:32PM Q. And then there are some specific 08:32PM comments, a red maple near the northern property line 08:32PM that conflicts with the transformer. We should 08:32PM provide testimony with regard to this conflict and 08:32PM whether the tree or the transformer could be 08:32PM relocated. 08:32PM A. Yes. 08:32PM The tree is certainly going to be 08:32PM shifted. 08:32PM So it's still intended to be in that 08:32PM general area, but we didn't intend to place it so 08:32PM close to the transformer. So we'll shift that. 08:32PM Q. And, finally, among the landscape 08:32PM comments from the Heyer & Gruel letter, we have been 08:33PM asked to confirm as required in the redevelopment 08:33PM plan that the landscaping will be subject to a 08:33PM minimum two-year performance guarantee. And we 08:33PM are -- 08:33PM A. Yes, that's agreed. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	37 08:34PM There is no walking trails provided. 08:34PM And it indicates those are recommended 08:34PM to connect with the existing walkway along West 08:34PM Passaic through a loop system with the park area and 08:34PM open space? 08:34PM I don't know if you understand the 08:34PM comment or if you want Mr. Mayo to further -- 08:34PM A. I think we understand it. 08:34PM As far as I am aware, I believe that 08:34PM actual pedestrian connection is under a separate 08:34PM application. 08:34PM Q. That would be located off of the 08:34PM subject -- 08:34PM A. Yes. 08:34PM Q. -- the lots that are -- 08:34PM A. It would be located on the open space 08:34PM lot. 08:34PM Q. The next item is that the proposed 08:35PM planting along the perimeter of the entrance sign 08:35PM within the park area is recommended to be reduced in 08:35PM overall size and relocated southeast toward the 08:35PM access drive? 08:35PM A. Yes. We can do that. 08:35PM Essentially, there is the sign proposed 08:35PM with some landscaping around it to give it a nice LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 39
08:33PM Q. -- confirming that as a requirement 08:33PM under the plan. That's Item 29. 08:33PM I think that's it for landscaping under 08:33PM Heyer & Gruel. And then there are a number -- unless 08:33PM we have more that I'm interrupting. I'm just trying 08:33PM to make sure we covered those. 08:33PM A. No, we can -- we can continue reading 08:33PM these letters. 08:33PM Q. Then we have the Boswell review 08:33PM commencing at the bottom of page 6. I think the 08:33PM first comment, 32, is just a comment, no -- no 08:33PM response? 08:33PM MR. MAYO: Correct. 08:33PM MS. GONCHAR: Thanks. 08:33PM BY MS. GONCHAR: 08:33PM Q. And then you have indicated that the 08:33PM retainage is feasible for existing mature trees, 08:34PM appears to have -- be complied with. 08:34PM They're asking that we clearly map all 08:34PM existing mature trees with size and type, those 08:34PM proposed to remain. 08:34PM And can we provide that? 08:34PM A. We will provide that information, yes. 08:34PM Q. Then there's a comment with regard to 08:34PM walking trails and public spaces not satisfied. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 38	08:35PM aesthetic presentation. I think -- I believe the 08:35PM request to just reduce some of that landscaping and 08:35PM shift it to the southeast a bit, which we can do. 08:35PM MR. MAYO: We're wondering why -- it's 08:35PM kind of breaking up that lawn area there and it's 08:35PM probably not best to hang out between the entrance 08:35PM and the sign. Maybe shifting a little closer by the 08:35PM more meaningful park area. 08:35PM THE WITNESS: Yes, we're in agreement 08:35PM with that. 08:35PM MS. GONCHAR: So that Item 35 on page 7 08:35PM will be -- of the Boswell report will be complied 08:35PM with. 08:35PM Multiple native variety shade trees are 08:36PM recommended to be planted throughout the park area. 08:36PM Are we talking about the open space 08:36PM lot? 08:36PM MR. MAYO: This would be the open space 08:36PM lot. 08:36PM MS. GONCHAR: Again, that is -- if we 08:36PM can keep the -- our responses in the comments really 08:36PM are we're trying to keep them to the landscaping 08:36PM that's proposed for the lots that are specifically 08:36PM before the board for site approval. 08:36PM MR. MAYO: Sure. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 40

41 08:36PM If I could just let the board know, 08:36PM there is a -- currently the building department is 08:36PM reviewing the plans for the pond. A lot of these 08:36PM landscaping comments here are part of the 08:36PM redevelopment plan and the resolution, and they don't 08:36PM specifically fall on this lot, but rather on a lot 08:36PM for the pond. 08:36PM And they are all being reviewed by Mike 08:36PM Kelly of our office and the building department. And 08:36PM they are appearing at this juncture to all be 08:36PM complying with the resolution and the redevelopment 08:36PM plan. 08:36PM But our landscape architect was very 08:36PM thorough going through the entire resolution 08:36PM redevelopment plan to make sure that when we are 08:36PM done, all portions of the site are, in fact, 08:37PM compliant. 08:37PM So a number of these comments are 08:37PM referring to the site as a whole and not specific to 08:37PM the application at hand, and we can clearly delineate 08:37PM the line right here. 08:37PM MS. GONCHAR: Right. Okay. 08:37PM We'd appreciate that because I know we 08:37PM have gotten review letters from your firm, other 08:37PM people perhaps at the firm reviewing the plan that LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	43 08:38PM So we don't want you to take our saying 08:38PM that it's -- we don't want to discuss it, it's not 08:38PM that we're not doing it, it's that we just don't want 08:38PM those two separate approvals, one which is the site 08:38PM plan the other is through the building department, to 08:38PM be confused, because it makes it difficult with 08:38PM bonding, it makes it difficult with getting 08:38PM compliance and the timing. 08:38PM That's all. 08:38PM MS. CORRISTON: Right. 08:38PM Thank you. 08:38PM MS. GONCHAR: It's not a refusal, it's 08:38PM a deflection for the moment. 08:38PM So I think that No. 36 is also, you 08:38PM know, a pond issue. 08:38PM MR. MAYO: Correct. 08:38PM MS. GONCHAR: And 37 and 38. 08:38PM MR. MAYO: I think 37, well -- 08:39PM MS. GONCHAR: Oh, the realignment of 08:39PM the -- 08:39PM MR. MAYO: Yeah, these utilities are 08:39PM servicing this lot we're opening up the -- 08:39PM MS. GONCHAR: Right. 08:39PM Can we move it? 08:39PM MR. MAYO: -- shift them a little? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
42 08:37PM was submitted to the building department for the pond 08:37PM parcel, and that indicated there would be landscape 08:37PM comments on that which we will certainly review. 08:37PM But to the extent that the pond is not 08:37PM before the board, that is not part of the parcel that 08:37PM the site plan is sought, to the extent that there are 08:37PM landscape comments on that we would like those to be 08:37PM held because we will have to address them as part of 08:37PM the pond. 08:37PM And for resolution compliance and the 08:37PM timing of the development, we -- if that one's done 08:37PM first we don't want those conditions as part of this 08:37PM approval, and vice versa. 08:38PM So this is not saying we're not going 08:38PM to do it, we're saying that we just don't want to 08:38PM deal with it as part of this application, if we may. 08:38PM MR. MAYO: Yes, we will stress again in 08:38PM the comments here the ones that are applicable to the 08:38PM development within this property. 08:38PM MS. GONCHAR: That would be great. 08:38PM That would be great. 08:38PM MS. CORRISTON: So No. 34 would be part 08:38PM of the other application. 08:38PM MR. MAYO: Correct. 08:38PM MS. GONCHAR: That's correct. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	44 08:39PM THE WITNESS: This -- it also kind of 08:39PM plays into that one. 08:39PM If you were to actually superimpose the 08:39PM design for the pond, it would be a little bit more 08:39PM apparent like what we're actually trying to 08:39PM establish. 08:39PM The water meter would actually be 08:39PM located, like, right at the very edge of the proposed 08:39PM plantings on the other application. 08:39PM MR. MAYO: Okay. 08:39PM THE WITNESS: So it would actually -- 08:39PM even though on this set it looks like it's randomly, 08:39PM kind of, in the middle of that park area if you will, 08:39PM it's actually pushed right up against the new 08:39PM plantings we're putting to try and screen it from -- 08:39PM especially, like, that pond viewing area. 08:39PM MR. MAYO: So you will be screening -- 08:39PM that area will be screened -- 08:39PM MS. GONCHAR: Yes. 08:39PM MR. MAYO: -- from the other 08:39PM application. 08:39PM THE WITNESS: Right. 08:39PM MS. GONCHAR: Yes. We'll commit to 08:39PM that, certainly. 08:39PM CHAIRMAN KANIEWSKI: Could I get a LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

45 08:40PM clarification on the walking trails or trail are a private issue? 08:40PM MS. GONCHAR: I can't. 08:40PM Because, frankly, I haven't worked on that, so I don't want to speak out of turn. I haven't been involved with the design. 08:40PM Have you guys worked -- 08:40PM THE WITNESS: Yes. I'm very familiar with the design. I believe the request is a walking path from the public sidewalk along West Passaic Street up into the residential aspects of the project. And that path is being incorporated on that separate application, along with the landscaping. 08:40PM CHAIRMAN KANIEWSKI: This is maybe a question that goes back to Counsel. 08:40PM Back in the original settlement agreement there was language about access over the parcels for the benefit of the Borough of Paramus. I think it's at page 8, 4.2. 08:40PM Have you looked at that or are you aware of that? Is that part of this application or not? 08:40PM MS. GONCHAR: I don't think we were giving -- tell me what you're citing. I don't think we were giving the benefit to anybody in Paramus. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	47 08:41PM of the approval of this site. I never understood that when we negotiated it that we were doing anything to provide access to Paramus residents to have access onto this site. 08:41PM That was not the goal. 08:41PM CHAIRMAN KANIEWSKI: Well, I am not sure what the purpose is, I can just tell you what the words are, so -- 08:42PM MS. GONCHAR: Right. But that is what -- the words don't say "for the benefit." 08:42PM CHAIRMAN KANIEWSKI: You're saying it's not part of this application then. 08:42PM MS. GONCHAR: No. 08:42PM We are not proposing to provide any access that would bring -- that would be to facilitate -- sorry, I was looking at the notice you asked about before. 08:42PM "To the extent that the parties," 08:42PM that's us, we and the Township, not Paramus, 08:42PM "agree to seek pedestrian access to and from the property through the Borough of Paramus or in the event such access is required by any agency or entity during the approval process, the Township will cooperate in assisting Tolfer to obtain pedestrian accesses LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
46 08:40PM CHAIRMAN KANIEWSKI: Okay. Because it says then -- 08:40PM MS. GONCHAR: Not that I don't like Paramus, but... 08:40PM CHAIRMAN KANIEWSKI: 4.2, page 8. 08:41PM "To the extent the parties mutually agree to seek pedestrian access to and from the property through the Borough of Paramus or in the event such access is required by any agency or entity during the approval process, Township will cooperate in assisting the developer..." -- 08:41PM MS. GONCHAR: That wasn't for the Borough of Paramus, I think that was if there was a requirement for pedestrian access in connection with any permit that was -- 08:41PM CHAIRMAN KANIEWSKI: Okay. 08:41PM MS. GONCHAR: -- that we were seeking, that the town would cooperate in helping us, if we had to go to Paramus, if some agency said you need to have pedestrian access across the municipal border, that the Township would help us get that. 08:41PM CHAIRMAN KANIEWSKI: Okay. 08:41PM MS. GONCHAR: My understanding was if we needed it for the people in Rochelle Park as part LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	48 08:42PM aforesaid, including in negotiating with Paramus." 08:42PM That was if the Township decided they thought we needed it or if any permit we obtained said we needed it, then the Township would cooperate with us, including speaking to them. 08:43PM That was not -- 08:43PM CHAIRMAN KANIEWSKI: Okay. 08:43PM MS. GONCHAR: I don't think it says for people in Paramus to come onto our property. 08:43PM CHAIRMAN KANIEWSKI: Okay. 08:43PM MS. GONCHAR: That was not discussed, at least. 08:43PM CHAIRMAN KANIEWSKI: Plaza Way I think is, would you agree is part of Rochelle Park? 08:43PM MS. GONCHAR: Yes. 08:43PM CHAIRMAN KANIEWSKI: Okay. 08:43PM Just -- 08:43PM MS. GONCHAR: But the other side of it. 08:43PM CHAIRMAN KANIEWSKI: I'm just trying to clarify what's being said here and I want to make sure that that is not the so-called pedestrian walkways -- 08:43PM MS. GONCHAR: No, no. 08:43PM CHAIRMAN KANIEWSKI: Okay. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

49 08:43PM MS. GONCHAR: No, no, no. That's -- I 08:43PM think we're limited to the front. That's at least 08:43PM the comment we're responding to was limited to the 08:43PM front of the site. 08:43PM CHAIRMAN KANIEWSKI: Okay. I just 08:43PM wanted to make sure what we were talking about. 08:43PM MS. GONCHAR: No, I appreciate it. 08:43PM Clarity is always helpful. 08:43PM BY MS. GONCHAR: 08:43PM Q. The next item, 39, speaks to the brook, 08:43PM and that it's our proposal to protect it with native 08:43PM varieties of trees and shrubs. 08:43PM And I think what you're -- you did 08:44PM respond to, I believe, and agreed that we would 08:44PM certainly consider enhancing and widening that buffer 08:44PM and riparian area with those type of plants, but 08:44PM again, limited in order not to eliminate completely 08:44PM the grassed area where we are hoping to use as 08:44PM passive -- I guess the right -- passive recreation 08:44PM for the residents? 08:44PM A. Right. 08:44PM MS. GONCHAR: And the No. 40, if you 08:44PM could clarify, is this -- the extent of the lawn that 08:44PM we've discuss in that area, I gather, is not in 08:44PM violation of the recommendation in the plan, it's a 08:44PM LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	51 08:45PM MR. MAYO: Yes. 08:45PM MS. GONCHAR: Okay. And we will -- 08:45PM it's our intent to comply with that. If the plan 08:46PM doesn't reflect it then we'll work with the -- 08:46PM whomever is the right person on landscaping to make 08:46PM sure that that does comply. 08:46PM And I think, again, this is No. 43, 08:46PM again speaks about landscaping of open areas. 08:46PM Again, I think this comes back, if I'm 08:46PM not mistaken, it's the same desire to at least 08:46PM maintain a small, unlandscaped area that allows for 08:46PM some passive recreation. 08:46PM MR. MAYO: Um-hmm. 08:46PM BY MS. GONCHAR: 08:46PM Q. We will confirm that plantings within 08:46PM the floodway are water tolerant native plantings. 08:46PM Is that correct? 08:46PM A. That's correct. 08:46PM Q. Okay. The next one is the 08:46PM redevelopment plan recommends permeable pavers for 08:46PM parking lots and driveways. The plan does not appear 08:46PM to comply with this. 08:46PM We are to identify all surfaces that 08:46PM incorporate -- all surface types and incorporate this 08:46PM objective. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
50 08:44PM relatively small area; is that -- 08:44PM MR. MAYO: I believe you have a small 08:44PM portion of your lawn in the flood hazard area. 08:44PM And, of course, the redevelopment plan, 08:44PM of course, discouraged the use of chemicals. 08:44PM We would ask that you agree to that and 08:45PM make testimony as to limiting the use of chemicals. 08:45PM Even chemicals in that upper lawn area during rain 08:45PM are going to go right into the stream channel. 08:45PM THE WITNESS: Yes, we can conform with 08:45PM that. 08:45PM MS. GONCHAR: We will comply. 08:45PM Okay. We have addressed, responded to 08:45PM Item 41, that we are not able to put the -- we don't 08:45PM believe that a landscape island would work, or 08:45PM boulevard I guess is the right word, on 41. 08:45PM 42, again, I think the witness 08:45PM testified that we'll certainly work with the town. 08:45PM If there are recommendations, I guess, for a further 08:45PM mix of plantings, if I'm reading the comment 08:45PM correctly. 08:45PM THE WITNESS: That's correct. 08:45PM MS. GONCHAR: And limitations on how 08:45PM much -- how many -- how much you can repeat the same 08:45PM type of planting; is that the -- LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	52 08:46PM Have we reviewed that and considered 08:46PM that? 08:46PM A. Yes. 08:46PM So at this time it's your standard 08:46PM asphalt is proposed for the access drive out to 08:47PM Fairfield and the drive aisle on the southern side of 08:47PM the front of the building. The main reason for that 08:47PM is because of all the stormwater benefits that we are 08:47PM providing at this time, given the significant 08:47PM increase in impervious -- or the significant increase 08:47PM in green cover. 08:47PM So we do comply with all the stormwater 08:47PM requirements. It hasn't been incorporated into the 08:47PM project at this time. 08:47PM MS. GONCHAR: And my understanding, 08:47PM it's a recommendation, not a requirement. 08:47PM And I assume part of the reason it was 08:47PM recommended was to help accommodate the stormwater 08:47PM conditions which are now being met. 08:47PM MR. MAYO: We agree this is -- and I 08:47PM can't testify to the intent of the -- 08:47PM MS. GONCHAR: And I apologize. I'm 08:47PM reading it. 08:47PM MR. MAYO: -- the redevelopment plan, 08:47PM but I would -- we are being assured that the plan LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

53 08:47PM will meet the stormwater regulations for a major development -- 08:47PM THE WITNESS: Correct. 08:47PM MR. MAYO: -- and that the permeable pavers are not necessarily required to meet the minimum requirements for the stormwater regulations. 08:48PM THE WITNESS: Correct. 08:48PM MS. GONCHAR: Is that correct? 08:48PM Thank you. 08:48PM MR. MAYO: The redevelopment plan, though, still does encourage the use of them. I think the applicant is asking the board for relief to that because you don't need them to meet the water quality or the water quantity reductions required. 08:48PM THE WITNESS: That's correct. 08:48PM MS. FLEMING: I have a question. Do you say it's asphalt out to Fairfield on the emergency access drive. 08:48PM THE WITNESS: Yes. 08:48PM MS. FLEMING: Is that something that could be paver over there or -- 08:48PM THE WITNESS: It could be. It could be permeable paver if that is desired. 08:48PM MS. GONCHAR: Just for that area. 08:48PM MS. FLEMING: I thought those were LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	55 08:49PM MS. GONCHAR: Well, I said I said I thought it was -- I said I thought it was grass pavers that, but if it's functionally porous pavement is required which meets the redevelopment plan, I don't know that I -- I said I believed it was without having spoken to the engineer since it came up then. 08:49PM So if both -- either one of them are recommended in the redevelopment plan as a matter of function, you have to tell me, not the other way around. That was what I said I believed, but I don't know that I said that I knew that for certain. 08:50PM THE WITNESS: Yes, we would be comfortable with whichever one was preferred or whichever one was previously stated. 08:50PM MR. MAYO: I believe the board prefers grass pavers. 08:50PM COMMITTEEWOMAN IACOBUCCI: That is kind of what was said. 08:50PM THE WITNESS: Okay. 08:50PM MS. CORRISTON: Is that correct, that it's going to appear to be grass? 08:50PM THE WITNESS: Yes, if it's grass pavers it would certainly appear that way. 08:50PM MS. GONCHAR: But it's stabilized below so that traffic can travel over it without -- LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
54 08:48PM supposed to be grass, stabilized grass pavers. 08:48PM THE WITNESS: I believe it was asphalt. 08:48PM MAYOR ARTOLA: No. 08:48PM MS. GONCHAR: No, I think when we spoke about it that was what -- when we were before the board. 08:48PM THE WITNESS: Oh, okay. Then I am mistaken, I apologize. 08:49PM Then it is permeable. 08:49PM MS. GONCHAR: During the redevelopment process, yeah, I think that is what we had put up. 08:49PM THE WITNESS: So this section is, from the western side, the new -- the new drive aisle that we're installing on the western side of the self-storage out to Fairfield. 08:49PM MS. GONCHAR: Correct. 08:49PM THE WITNESS: Okay. Then actually it is incorporated. 08:49PM MS. GONCHAR: Or porous pavement or something over there that's not the regular asphalt. 08:49PM THE WITNESS: I apologize. 08:49PM MR. MAYO: So you are putting grass pavers in there or porous pavers, permeable pavers? 08:49PM THE WITNESS: Was one specifically specified? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	56 08:50PM THE WITNESS: That's correct. 08:50PM MS. GONCHAR: Okay. 08:50PM THE WITNESS: They are becoming more and more popular. 08:50PM MS. MUELLER: What does that mean, though? You know, what do they look like themselves. 08:50PM THE WITNESS: They're essentially, it basically stabilizes the ground. They're usually built in small sections almost like tiles, if you were to install tiles on a floor. They're built and interconnected to allow rainwater to percolate directly down into the earth, and it holds all the dirt and the earth together so that it's stable enough for vehicles to travel over it while still allowing the grass to grow up. 08:50PM MS. MUELLER: Are they hearty? I mean, I've seen some that are chewed up and spit out really. You know, what are they? What's the name and do you -- 08:51PM THE WITNESS: There's a number of different manufacturers. It's actually becoming much more common in New Jersey now. 08:51PM In March of this year they had revised the stormwater management regulations for a lot more green infrastructure so there's a lot of LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

57 08:51PM manufacturers that provide a series of different materials, different types, different looks. 08:51PM So we can, you know, we can work with your office and select one. We'll likely propose one or two and have you choose which one you prefer if you like. They all provide the same service, they can just look and feel a little bit different. 08:51PM MS. MUELLER: Now with the constant -- well, not constant. People driving on it, does it stay green? 08:51PM THE WITNESS: Yes, it does. 08:51PM MR. MAYO: Yes, I would also, if I can, I would think the use of this access would be, you know, once every two, three, four, five years. This is only for emergency flood access and should not be driven on for any regular occasion. 08:52PM MS. MUELLER: Well who's to say that? The front of that -- front of the, you know, Passaic Street and that building floods, you know, gets a foot of water there. 08:52PM Now you have somebody that's not familiar with it and they're driving, they might go around -- how easy is it going to be to get through there. 08:52PM MS. GONCHAR: It's not -- you have to LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	59 08:53PM MS. GONCHAR: -- and you'd have to stop at each one of them. 08:53PM With regard to the condition of them, I am sure the client will be thrilled to hear this, but in my view it's the same as maintaining any other part of a development. 08:53PM What's approved as part of the approval has to be part of the project. And, you know, you have property maintenance enforcement if there is something that is not maintained for its -- to the standard for its intended purpose, then there is enforcement. 08:54PM I mean, as with anything else. Any other component. If we're providing these pavers, they have to continue to function. So, you know, I -- that would be my comment, like any other part of the project, so... 08:54PM MR. MAYO: We can definitely look at the materials and review the materials with the Applicant to make sure that we're getting a sturdy solution that maintains -- stays as green as we think it can. 08:54PM You know, a lot of these work in what you might call like a honeycomb pattern with a structural wall and soil goes down and it fills with LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
58 08:52PM -- 08:52PM THE WITNESS: The one thing I was going to add was the residents, while they have access to it, there's gates for access on what would be the northwestern corner of the self-storage building. That gate currently is out there today. 08:52PM And then there would also be a gate along the entrance point on the western side of the self-storage facility. 08:52PM So the residents would be given a key code so that they can access it, you know, in the case of an emergency. 08:53PM By no way is it convenient for the resident to have to stop and enter the code and wait and travel through the self-storage lot and go through the secondary gate in either direction. 08:53PM So again, it's -- you know, as we mentioned, it's intended for that emergency access. 08:53PM MS. MUELLER: But you can come in of Fairfield any time really. 08:53PM MS. GONCHAR: You'd still have to go through two gates and you'd have to stop at each one -- 08:53PM MS. MUELLER: Yes, you can still get in there. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	60 08:54PM seed. And some of them are -- especially the older ones were kind of like cinder blocks and they, kind of, broke up a little bit, but there are new materials being used that don't break up as easy and I think we can find a solution that would stay green. 08:55PM I also think we had testimony regarding some bollards or something to keep the path identified, but maybe not have it recognizable as a driveway even from the side street with the grass pavers in there, right? Are we putting in a formal concrete apron? 08:55PM THE WITNESS: Yes, my understanding was -- 08:55PM MS. MUELLER: There's curbing in there. 08:55PM MR. MAYO: Yes, there's curbing in there now. We'd have to do something to accommodate it, because even the emergency access wouldn't be able to jump the curb. 08:55PM MS. MUELLER: No, I mean there's curbing running parallel to the access. 08:55PM MR. MAYO: Is it possible to also maybe use the pavers in that apron, too, not to make it look like a driveway apron? 08:55PM THE WITNESS: We could. 08:55PM I know there's sidewalk in that area, LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

61 08:55PM so I still think the sidewalk would actually go 08:55PM across the driveway. 08:55PM But I guess by the apron area you're 08:55PM referring to the portion of the sidewalk that would 08:55PM be closer to Fairfield. 08:55PM MR. MAYO: Well, anything that is now 08:55PM grass from the back of the curb to the sidewalk or 08:56PM from the sidewalk to the property. I mean, I 08:56PM understand we maintain the sidewalk, but maybe from 08:56PM the sidewalk to the curb you don't need concrete 08:56PM apron in there, maybe we could put the pavers in 08:56PM there so it looks more like a lawn and not a driveway 08:56PM entrance. 08:56PM THE WITNESS: We could do that. 08:56PM And, again, we would just make sure the 08:56PM specific type we use can be put on that slope, 08:56PM because, essentially, the concrete apron is sloped 08:56PM and we would just make sure that it stabilizes. 08:56PM MR. MAYO: It should be about two 08:56PM percent we hope, but, yes, it would need to be 08:56PM stable. We need a stable solution. 08:56PM THE WITNESS: Yes, we could do that. 08:56PM MR. MAYO: So it wouldn't necessarily 08:56PM look like a full driveway apron going in with, you 08:56PM know, concrete curb and concrete trapezoid going up LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	63 08:57PM with your report. 08:57PM MR KLEIN: Forty-six? 08:57PM MS. GONCHAR: One second, I'm just 08:57PM catching up again. 08:57PM MR. MAYO: Yes, 46. 08:57PM MS. GONCHAR: Yes, we've already agreed 08:57PM in response to the comment from -- this is the 08:57PM two-year, the guarantee and the replacement for it 08:57PM under Heyer Gruel's letter. 08:57PM I don't know what this means, so that's 08:58PM -- I'm sure the witness does, so could you just do -- 08:58PM MR. MAYO: Forty-seven, we're just 08:58PM making sure that any planting beds that you were 08:58PM proposing for your lot were clearly depicted on the 08:58PM plan. 08:58PM THE WITNESS: We could do that. We 08:58PM will add that for clarify. 08:58PM MS. GONCHAR: I didn't know what a 08:58PM plant bed line was. 08:58PM That's all. 08:58PM BY MS. GONCHAR: 08:58PM Q. I think you already testified that the 08:58PM initial planting height of the evergreens, we would 08:58PM increase them? 08:58PM A. We can do that, yes. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
62 08:56PM to your driveway or sidewalk. You'd have constant 08:56PM grass along that curb. Maybe only a foot or two, but 08:56PM it wouldn't appear to be a wide open driveway for a 08:56PM residence. 08:56PM MR. ZOTOLLO: Well, I have a question. 08:57PM The lighting wouldn't be that robust -- more a dimmer 08:57PM type look would be the lighting type look with a lot 08:57PM of lights showing on the actual surface where -- 08:57PM inviting people to come. 08:57PM MS. GONCHAR: Drawing attention, is 08:57PM what you -- 08:57PM MR. ZOTOLLO: It won't be that bright, 08:57PM I guess, right? 08:57PM THE WITNESS: Agreed. 08:57PM We can do that. 08:57PM CHAIRMAN KANIEWSKI: Could you explain 08:57PM the gate again to me? How -- if you know -- 08:57PM MR. MAYO: We have a lot of questions 08:57PM on the access gate and the flood hazard. 08:57PM Could we stick with the landscaping? 08:57PM CHAIRMAN KANIEWSKI: I'm sorry. 08:57PM MR. MAYO: Yeah, yeah, can we stick 08:57PM with the landscaping and wrap that up and then we'll 08:57PM move on to that. 08:57PM MS. GONCHAR: What number are we up to LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	64 08:58PM Q. Yeah. 08:58PM MS. GONCHAR: Sorry, go ahead, John. 08:58PM MR. MAYO: That's okay. 08:58PM No. 49 is again a recommendation to 08:58PM provide a little better screening. 08:58PM THE WITNESS: We can substitute that 08:58PM inkberry out. 08:58PM MR. MAYO: This is kind of a repeat, 08:58PM No. 50, of No. 47, noting the planting areas to be 08:58PM fully identified. 08:58PM THE WITNESS: Right. 08:58PM We will do that. 08:59PM MR. MAYO: And this is consistent, I 08:59PM think, with one of the first comments where, just 08:59PM clearly identify the difference between the ghost and 08:59PM the planted beddings for clarity on the plan. 08:59PM THE WITNESS: Yes, we'll add that 08:59PM additional info on those existing plantings. 08:59PM MR. MAYO: I think you agreed already 08:59PM to relocate the maple tree. 08:59PM THE WITNESS: We did, yes. 08:59PM MR. MAYO: And No. 53, the Plaza Way 08:59PM entrance. This is where I am not sure where that 08:59PM property line is going. 08:59PM Are the plantings in the pond area LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

65 08:59PM going to supplement and kind of mask the entrance 08:59PM from the park area? 08:59PM THE WITNESS: They will. 08:59PM MR. MAYO: They will. 09:00PM THE WITNESS: They will. 09:00PM MR. MAYO: All right. So, again, we're 09:00PM looking at the transformer and a couple of these 09:00PM comments could have been under site plan, stormwater 09:00PM or utilities, but this is where they were first 09:00PM picked up. 09:00PM We have that grade going up. You want 09:00PM to use this area as a trans -- you know, as a 09:00PM recreation area. Might it be better to put the 09:00PM transformer on the wall to limit access, limit -- 09:00PM fill in the flood hazard area, and just maybe, you 09:00PM know, a couple of bushes around it to masquerade it 09:00PM instead of -- 09:00PM THE WITNESS: We can do that. 09:00PM MR. MAYO: -- maybe, you know, having a 09:00PM recreation or potential, you know, kids running up 09:00PM there with sleds to go down that slope or something 09:00PM like that. 09:00PM THE WITNESS: Yeah, we could do that. 09:00PM MS. GONCHAR: Okay. So this is the 09:01PM regrading around the proposed transformer, 54. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	67 09:02PM MS. GONCHAR: John, do you want to -- 09:02PM just back in your letter -- 09:02PM MR. MAYO: Yes. 09:02PM MS. GONCHAR: -- to the extent that 09:02PM there are -- I am going to ask our witness to discuss 09:02PM Item 19 on your page 4, these are under the waivers. 09:02PM And I'll just -- do you have his letter or just RL? 09:02PM You have his -- okay. I wanted -- first I wanted to 09:02PM understand, I think this may have one that you called 09:02PM out that we may not have seen. 09:02PM It indicates: 09:02PM "30 shade trees are required. The 09:03PM Applicant should confirm the species proposed 09:03PM are acceptable shade trees with the 09:03PM department." 09:03PM So I guess we have the number of trees 09:03PM that are required. Is your question just to confirm 09:03PM that what we have identified qualify as shade trees. 09:03PM MR. MAYO: That's exactly it. The 09:03PM municipality has a list of qualifying species. Just 09:03PM make sure you're on that lists and we're good. 09:03PM MS. GONCHAR: We're okay with that? 09:03PM THE WITNESS: Yes. 09:03PM MS. GONCHAR: Okay. So that was not to 09:03PM say there was a waiver unless we're telling you we LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
66 09:01PM MR. MAYO: 54, yeah. 09:01PM And I think these are 55 and 56, 09:01PM recommendations to have a variety of native trees 09:01PM and, you know, good stock, warranties and -- 09:01PM THE WITNESS: Yes, we would agree to 09:01PM both of those. 09:01PM MR. MAYO: That takes care of the 09:01PM landscaping. 09:01PM COMMITTEEWOMAN IACOBUCCI: Can you tell 09:01PM me where the transformer is. 09:01PM MR. MAYO: The transformer is where the 09:01PM main electrical power will be coming in from the 09:01PM service and will be changing in current and amperage 09:01PM to service the home. It will be transformed in this 09:01PM device to provide power for the home. 09:02PM MS. GONCHAR: If you look at -- we 09:02PM could identify it here. 09:02PM COMMITTEEWOMAN IACOBUCCI: Oh, I'm 09:02PM sorry. 09:02PM THE WITNESS: Yes, it's the 09:02PM northwestern corner of the proposed -- and it's 09:02PM tucked away in the back, as we said, and we'll 09:02PM provide some plantings to screen it because it's not 09:02PM necessarily an aspect of the project that you want 09:02PM featured in a prominent area. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	68 09:03PM won't use your trees. Gotcha. Okay. 09:03PM MR. MAYO: Unless you're not using the 09:03PM -- 09:03PM MS. GONCHAR: I wasn't clear. 09:03PM And what was the other one, 18, I'm 09:03PM sorry. 09:03PM BY MS. GONCHAR: 09:03PM Q. Can you identify and also address -- 09:03PM this is Section 185 -- I'm sorry, that last one was 09:03PM Section 185-76E.4, which we are saying we won't be 09:03PM asking for a waiver because it's our intent to make 09:03PM sure those 30 shade trees are the ones that match 09:03PM your -- that are on your list. 09:03PM The next one is item Section 185-76E.2, 09:03PM parking areas within 20 or greater -- with 20 or 09:04PM greater parking spaces shall be screened from the 09:04PM street with landscaping, fencing or a wall and 09:04PM interior parking lot landscaping shall be required. 09:04PM The 21 proposed exterior parking stalls 09:04PM are not fully screened from West Passaic Avenue and 09:04PM interior landscaping is not proposed. 09:04PM Just for the board's edification, can 09:04PM you -- since it's part of the landscaping, can you 09:04PM show us where the spaces are and what the comment 09:04PM appears to require? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

09:04PM A. Yes. 09:04PM Q. What the standard -- the ordinance appears to require, sorry. 09:04PM A. Yes, the 21 spaces are located in front of the building on the south side. 09:04PM So we are proposing, as part of this application, where we can, we're proposing trees and shrubs as well to screen it. 09:04PM There are elements, as we've mentioned throughout the night, that are taking place on the other application that include the sidewalk, include some of the additional landscaping for the pond that we've discussed. 09:04PM So that actually wraps around in that same area. So even though in our application it almost appears bare in a certain portion of it, that's just going to be picked up on the other application. 09:05PM Q. And also, these parking spaces are -- can you tell me how far they're located approximately from West Passaic? 09:05PM A. Distance? Sure. 09:05PM So we are about 140 feet from the right-of-way of West Passaic Street. 09:05PM Q. Okay. And -- to those parking spaces. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	69 09:06PM to the parking garage. 09:06PM MR. MAYO: Yes. 09:06PM MS. GONCHAR: Yes. 09:06PM MR. MAYO: But that's where the landscaping would help buffer parking and headlights from that. Would your architectural features be providing that kind of protection from light that the landscaping would normally be doing. 09:06PM THE WITNESS: That might need to be answered by the architect. 09:07PM MR. MAYO: Okay. 09:07PM THE WITNESS: You're asking about the actual architectural features of the building and how it screens the headlights from within the parking garage. 09:07PM MR. MAYO: Yes. Through outside. 09:07PM MS. GONCHAR: Well, let me ask it another -- the testimony was that the architectural features would block the headlights, that they're designed to be of a height. 09:07PM THE WITNESS: That's right. 09:07PM MS. GONCHAR: So I guess the question is would -- are we accomplishing the objective by putting outside -- landscaping outside -- I guess one question is do we need the buffering to the same LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 71
09:05PM A. Uh-huh. 09:05PM Q. So a substantial distance. 09:05PM And the other requirement appears to deal with interior parking lot landscaping. And we're not proposing that for the 20 spaces here? 09:05PM A. We're not proposing that at this time. 09:06PM Q. And the reason that we chose not to do that? 09:06PM A. We specifically tried to focus all of the landscaping around the perimeter. If an island or something was needed to drop in, we could work it in. We just felt the screening was most appropriate on the south side. 09:06PM Q. And given that there are only 20 spaces there? 09:06PM A. Yes. 09:06PM Q. All right. 09:06PM MR. MAYO: If I may, regarding that question, I think we had testimony and -- or the big reason that question is in there because we were concerned about headlight coming through. 09:06PM If I'm not mistaken we had testimony last week about the headlights being blocked by architectural features. Is that -- 09:06PM THE WITNESS: I believe that pertained LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 70	09:07PM extent if we already have -- there's testimony that they would be buffered. 09:07PM And I guess my second -- my second part of that would be if you're 140 feet away, does that -- is that different than where you would -- I don't know that we have any setbacks in this town that are 140 feet. 09:07PM So you would generally be putting buffering much closer to where you'd be affected by those lights, I think. 09:07PM MR. MAYO: Yes. 09:07PM Well, again -- 09:07PM MS. GONCHAR: I'm asking. 09:07PM MR. MAYO: -- when we have all these cars parking, turning on their headlights, are we going to see light shining out of this building that landscape buffers would normally protect us from, and if you're not putting in those landscape buffers, do those architectural features block the lights coming out of the building. And that's what I believe we had testimony to last week. 09:08PM MS. GONCHAR: I think you're correct. 09:08PM MR. MAYO: And that was the intent. 09:08PM MS. GONCHAR: That was clear. 09:08PM MR. MAYO: We want to make sure that if LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 72

73 09:08PM the landscaping isn't there, that there is some 09:08PM feature to prevent light spill from this building 09:08PM with 300-something parking stalls. 09:08PM THE WITNESS: Okay. Yes, I understand 09:08PM the question. 09:08PM Yeah, my understanding of the testimony 09:08PM that was previously provided was that that screening 09:08PM has been built into the architecture. 09:08PM Obviously I'm the civil engineer, but 09:08PM that's my understanding. 09:08PM MS. GONCHAR: I think you're correct, 09:08PM that was what was placed on the record. 09:08PM And so I'm understanding that that is 09:08PM the purpose, that's your understanding of why the 09:08PM landscape -- 09:08PM MR. MAYO: That's why we're questioning 09:08PM it. 09:09PM MS. GONCHAR: Is questioning. Okay. 09:09PM All right. 09:09PM MR. MAYO: We want to ensure that the 09:09PM light spill of the building is adequate for the 09:09PM neighborhood. 09:09PM MS. GONCHAR: Got it. Okay. 09:09PM I think those were the only waivers 09:09PM that -- unless I'm wrong -- that were related LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	75 09:10PM aspects really drive the nature of the layout and the 09:10PM grading and the stormwater analysis, we had to put 09:10PM that first to make sure the plan we showed before you 09:10PM tonight was going to be safe and comply with those 09:10PM DEP regulations. 09:10PM BY MS. GONCHAR: 09:10PM Q. Let me just ask a couple -- I want to 09:10PM make sure that we get in this on direct. 09:10PM Can you walk us through, and maybe I 09:10PM was reading before, but can you walk us through how 09:10PM we're providing -- are all the utilities that we need 09:10PM for the site available and how will we be providing 09:10PM those? 09:10PM A. Yes, they are. I'll give a brief 09:10PM summary here. 09:10PM So we have -- electrical is proposed to 09:10PM a utility pole to the north, basically behind the 09:10PM residential building along Plaza Way. 09:10PM And then the remainder of the utilities 09:10PM will be connecting out into West Passaic Street. 09:11PM We'll have sewer tied in, we're tying 09:11PM into the existing infrastructure which has already 09:11PM previously been designed to incorporate this use and 09:11PM this size. And gas and water will be new connections 09:11PM in West Passaic. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
74 09:09PM specifically to landscaping. 09:09PM THE WITNESS: Yes, I think so. 09:09PM MS. GONCHAR: Right. 09:09PM So where did I interrupt you? 09:09PM THE WITNESS: You know we were really 09:09PM wrapping up with the direct testimony. 09:09PM And I know we went into -- pretty 09:09PM concise on a number of these sections for the review 09:09PM letters. 09:09PM We could either continue on or we could 09:09PM just, you know, take some general questions from the 09:09PM board and from the Chairman. 09:09PM I guess, to wrap up direct overall is 09:09PM we really understood the importance of meeting the 09:09PM DEP criteria given the existing conditions and the 09:09PM location of the site in the flood hazard area, so 09:09PM that's why, as a team and the applicant, we -- we 09:09PM first sought to make sure we could design it within 09:09PM all those safe and strict DEP regulations, which is 09:09PM why we already obtained that permit that we're before 09:10PM you tonight on. 09:10PM I think it's very common on many 09:10PM applications, you know, you see, it'll come before 09:10PM the board before a DEP permit is obtained and that 09:10PM will be obtained later, but given that this DEP LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	76 09:11PM We talked a little bit about the hot 09:11PM box for the water line, why it's been located where 09:11PM it is for the intention of the future screening 09:11PM associated with the separate application. 09:11PM And we have a will-serve letter from 09:11PM Suez which, you know, proves that they will be able 09:11PM to service the property from a water perspective. 09:11PM Q. I seem to remember seeing something 09:11PM about a fence. You already mentioned the fence that 09:11PM will go by the emergency access. 09:11PM I think there was also a comment that 09:11PM there is an existing fence on the site that is 09:11PM proposed to be removed? 09:12PM A. There is, yes. 09:12PM Q. Can you just address it? 09:12PM A. Very quickly, I was just told and 09:12PM reminded, so excuse me, the gas connection is 09:12PM actually already provided, so it's not a new 09:12PM connection. So excuse the previous note. 09:12PM And to address the fence, yes, there is 09:12PM a chain-link fence along the northern side of the 09:12PM property now that is going to be removed. 09:12PM I don't believe it was specifically 09:12PM labeled in our set, so the intention is to remove 09:12PM that. I believe chain-link fences are not permitted LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

77 09:12PM per the redevelopment plan. 09:12PM And if it was chosen or preferred, we 09:12PM would install a wooden fence along that northern 09:12PM property line to replace it if that was a wish of the 09:12PM board or the engineer. 09:12PM MR. MAYO: The board's wish is either 09:12PM chain-link fences are not permitted. The board is -- 09:12PM I don't know if there is any benefit, although I 09:12PM don't know how you're going to get around that with 09:12PM the self-storage facility. I think they're going to 09:12PM require security, and I think they have chain-link 09:13PM fence there and they have that approved. 09:13PM So this is the board's decision. I 09:13PM think the main intent of our comment was that you 09:13PM provide detail of the emergency access that will be 09:13PM provided there because right now we didn't see 09:13PM anything and we wanted to know what kind of gate. Is 09:13PM it going to be a chain, is it going to be an 09:13PM automatic gate? I think you provided testimony it 09:13PM would be a key fob access? 09:13PM THE WITNESS: Key code. 09:13PM MS. GONCHAR: Either key code or fob, 09:13PM some mechanical method of -- yes. 09:13PM MR. MAYO: Key code. 09:13PM So our comment regarding the fence was LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	79 09:14PM first level that everybody there is just going to be 09:14PM passing by -- 09:14PM MR. MAYO: Right. 09:14PM MS. MUELLER: -- and they think they 09:14PM have, you know, a secure space. 09:14PM MR. MAYO: Yes. 09:14PM MS. MUELLER: I mean 300 people will be 09:14PM going by their units. 09:14PM (Whereupon, off-the-record discussion 09:14PM is held.) 09:14PM MS. GONCHAR: Excuse me, let me just 09:14PM clarify, that's why we're mumbling, I apologize. 09:14PM We were just confirming, I don't think 09:14PM they were approved with chain link, I think they have 09:14PM an aluminum fence -- 09:14PM MR. MAYO: Okay. Aluminum. 09:14PM MS. GONCHAR: Yes. 09:15PM And I believe that we would be willing 09:15PM to match what they have along the -- the back. 09:15PM So I don't believe that it was approved 09:15PM with chain link, I think it is a -- 09:15PM MR. MAYO: That would be -- 09:15PM (Simultaneous Speaking.) 09:15PM MS. GONCHAR: -- I apologize, I don't 09:15PM remember, but I'm being corrected. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
78 09:13PM if your -- if the board is inclined to approve a 09:13PM chain-link fence you will, of course, need to request 09:13PM relief, but if there is an alternate solution, I 09:13PM think maybe the board would be satisfied with that. 09:13PM And, again, we do need detail of the 09:13PM access gates. 09:14PM THE WITNESS: We can provide those 09:14PM details. 09:14PM MS. GONCHAR: Okay. 09:14PM MS. MUELLER: There's already a flat, 09:14PM tall metal fence around that storage unit. You know 09:14PM you have that access gate to come up -- 09:14PM MR. MAYO: Yes. 09:14PM MS. MUELLER: -- so -- and I think it's 09:14PM also along Plaza Way. 09:14PM MR. MAYO: Uh-huh. 09:14PM MS. MUELLER: And then -- 09:14PM MR. MAYO: Down there. 09:14PM So they would already currently exist 09:14PM and be approved as part of the self-storage. So I 09:14PM don't know how to best solve that, but I think the 09:14PM self-storage facility needs its security. 09:14PM MS. MUELLER: Oh, yeah. 09:14PM MR. MAYO: Yes. 09:14PM MS. MUELLER: There's people on that LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	80 09:15PM MR. MAYO: That would be acceptable, 09:15PM that would be within the code. 09:15PM MS. MUELLER: What does aluminum look 09:15PM like? 09:15PM MR. MAYO: Aluminum would be, I guess, 09:15PM reminiscent of an old iron rail fence, lighter 09:15PM weight, different material, more decorative. 09:15PM But generally you're looking at some -- 09:15PM either a half inch or 1-inch posts closely spaced, 09:15PM 3 to 4 inches, usually posts on the bottom and top, 09:15PM you know, 4 to 6 feet or I think they probably have 09:15PM 6- to 8-foot fence around that currently -- 09:15PM THE WITNESS: They do. 09:15PM MR. MAYO: -- around there. 09:15PM THE WITNESS: They do. Yes, it's high. 09:15PM MR. MAYO: Around there much more of an 09:15PM old-fashioned style compared to a chain link. 09:15PM It's made with aluminum, again, cost, 09:16PM weight, use of manufacturing. 09:16PM COMMITTEEWOMAN IACOBUCCI: Is it as 09:16PM secure as a chain link? 09:16PM MR. MAYO: Yes, they -- they're as 09:16PM secure as a chain link. You -- depending on the 09:16PM quality of the fence, I am sure that the self-storage 09:16PM facility put up something that would protect them and LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

81 09:16PM not something that could be run down. 09:16PM MS. GONCHAR: Theirs is really a 09:16PM security -- I would believe that it's a security more 09:16PM than a decorative for their purposes, so... 09:16PM COMMITTEEWOMAN IACOBUCCI: So are you 09:16PM asking us what we would prefer? 09:16PM MR. MAYO: Well, if they're not 09:16PM proposing a chain-link fence there's nothing that 09:16PM they're doing that's not permitted by the code. 09:16PM MS. GONCHAR: I think he was just 09:16PM calling out that he -- because there had been a chain 09:16PM link and that we didn't indicate we were eliminating 09:16PM it, he was asking us whether we're intending to keep 09:16PM or replace chain link with chain link because that 09:16PM isn't permitted under the plan. 09:16PM But our position is we are not 09:16PM maintaining the chain link and that if we're putting 09:17PM a fence up, it will match what is there and has been 09:17PM approved. 09:17PM So we are not asking for relief to 09:17PM allow a chain-link fence. 09:17PM COMMITTEEWOMAN IACOBUCCI: But you're 09:17PM taking down the one that's there. 09:17PM MS. GONCHAR: That's our goal, yes. 09:17PM COMMITTEEWOMAN IACOBUCCI: And I'm LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	83 09:18PM apparently were also comments on fencing in the Heyer 09:18PM & Gruel letter that I think we also -- 09:18PM MS. FLEMING: I would say you addressed 09:18PM the Heyer Gruel fencing comments. 09:18PM MS. GONCHAR: Those numbers for those 09:18PM keeping -- 09:18PM MS. FLEMING: Those were 30 and 31. 09:18PM (Whereupon, off-the-record discussion 09:18PM is held.) 09:19PM MS. GONCHAR: Okay. 09:19PM Do you have -- that Item 5 on page 6 of 09:19PM 11, item 5 in the Heyer & Gruel letter: 09:19PM "Applicant includes Lots 4 and 6 in 09:19PM Block 92.01 which are developed with 09:19PM residences fronting Fairfield. One is 09:19PM proposed for emergency access, but four is 09:19PM proposed to be cleared and maintained as lawn 09:19PM area with additional landscaping. 09:19PM "Applicant shall provide testimony 09:19PM about the necessity of demolishing the house 09:19PM on Lot 4 and what purpose the inclusion of 09:19PM that lot plays in the overall development of 09:19PM the site." 09:19PM THE WITNESS: Yes, so this is -- as 09:19PM they -- as it was noted here that that lot is LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
82 09:17PM sorry, I don't -- what are you putting up in place of 09:17PM it? 09:17PM MS. GONCHAR: What we said is we would 09:17PM put up a fence that matches what's there for the 09:17PM self-storage so that there's a consistent fence along 09:17PM that front -- that rearage, whatever you call it. 09:17PM MR. MAYO: Yes, the side of the 09:17PM building and the rear of the building that goes along 09:17PM -- it goes along the front of the building, too, and 09:17PM the other side. 09:17PM MS. GONCHAR: So we would provide 09:17PM what's already there to make it consistent and 09:17PM coordinated the fencing. 09:17PM COMMITTEEWOMAN IACOBUCCI: Okay. 09:17PM MS. GONCHAR: So that's 27 and 28, I 09:17PM guess, is that -- in your letter. 09:17PM MR. MAYO: Yes. 09:17PM MS. GONCHAR: Were there other things 09:17PM that we didn't have? I just want to make sure we 09:17PM don't lose the engineer while we still have any of 09:18PM your -- any comments. 09:18PM (Whereupon, off-the-record discussion 09:18PM is held.) 09:18PM MS. GONCHAR: Okay, and I know that 09:18PM some of these comments were in both. There LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	84 09:19PM included in the redevelopment plan. The residence 09:19PM will be demolished. It will be replaced with lawn as 09:19PM well as some dense landscaping, especially all around 09:19PM the perimeter. And that was critical to the 09:19PM application to ensure that the overall flood storage 09:19PM for the project would be maintained. 09:19PM MS. FLEMING: So it serves flood 09:19PM storage for the project? 09:20PM THE WITNESS: Uh-huh. 09:20PM (Whereupon, off-the-record discussion 09:20PM is held.) 09:20PM MS. GONCHAR: So, John, your comment 09:20PM 24, have we -- this is under site plan. 09:20PM MR. MAYO: Okay. 09:20PM MS. GONCHAR: I think -- right? Yes. 09:20PM MR. MAYO: I was just getting to this 09:20PM before about emergency access. 09:20PM MS. GONCHAR: Okay. So we covered it 09:20PM by addressing other -- or you have comment? 09:20PM MR. MAYO: Well, we did address some 09:20PM things. I do have a couple of questions. 09:20PM MS. GONCHAR: Okay. 09:21PM MR. MAYO: The flood hazard area rules 09:21PM require the emergency access to be a foot above the 09:21PM flood hazard area. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

85 09:21PM THE WITNESS: They require the residence finished floor to be a foot above the flood hazard area. 09:21PM The travel way in which you get to a public road is not required to be that, which is why they've reviewed it and already approved this. 09:21PM MR. MAYO: Okay. We'll let Monica discuss that further. 09:21PM But we did notice that we are probably 6 inches to a foot below the flood hazard elevation on that emergency access. 09:21PM THE WITNESS: I believe it's like 6 inches at the tie-in point, yes, that sounds accurate. 09:21PM MR. MAYO: We did hear testimony we're going to have keyless gates on the emergency access on the grass pavers. And there will be another one back over on the opposite side of the self-storage. 09:22PM THE WITNESS: That one currently exists today. 09:22PM MR. MAYO: Okay. And I think we had questions from the board, you know, and concerns about how to ensure that this will only be used during emergencies. And how can this be worked out to still provide security for the self-storage? Does LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	87 09:23PM with the self-storage facility to provide this access. 09:23PM MS. GONCHAR: There are easements in place that allow for this. I have not been in communication with -- to know what other discussions have been held. I will certainly pursue that. I haven't been involved in any discussion with them. 09:24PM MR. MAYO: Okay. 09:24PM MS. GONCHAR: So I don't want to speak without knowing it, but it's my belief that it would be. 09:24PM But this is provided for and documented in terms of this access. 09:24PM CHAIRMAN KANIEWSKI: The easements provide for keyless access or the easements are just general real estate easements that provide access over the property? 09:24PM MS. GONCHAR: I believe there are easements that provide for access over the property. 09:24PM CHAIRMAN KANIEWSKI: I understand that. The question is do they specifically provide for keyless and gated access? 09:24PM MS. GONCHAR: Do the easements? We'll get further -- that's my point, I don't know -- 09:24PM CHAIRMAN KANIEWSKI: Okay. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
86 09:22PM -- do we have testimony that can relieve the board of their concerns. 09:22PM MS. GONCHAR: Maybe you can rephrase the concern. The self-storage facility is aware of what's being proposed. 09:22PM MR. MAYO: Yes. And now we have 160 families with key fobs or access to this gate. 09:22PM How do we ensure that this gate is only being used for emergency flood purposes? 09:23PM MS. GONCHAR: We don't. We don't have -- I mean, we -- they will have access to it. It's an inconvenient -- all we can say is that it's an inconvenient way to get out there to have to go through two gates, stopping at each one with a fob. 09:23PM And it takes you out to a street that isn't signalized, so we cannot -- you know, other than that, I don't know that we can provide any additional testimony. 09:23PM As far as the security aspect of it, as I said, the people who would be concerned are aware that this is what is happening and have approved the method, so we have to assume that they're satisfied with the security. 09:23PM MR. MAYO: Has there been agreement with the self-storage facility to -- formal agreement LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	88 09:24PM MS. GONCHAR: I don't believe the easement -- I don't know that the method of access would have been covered in the access easement. 09:24PM CHAIRMAN KANIEWSKI: You'll have to deal with the question of the method that it's okay to have an easement, but if they're not agreeing to the keyless -- 09:24PM MS. GONCHAR: No, I understand. I am just distinguishing, I don't know if the methodology of the access was included in the easement. I'm -- it may be by a separate agreement. I don't know that off the top and I don't want to make it -- answer that without knowing. 09:25PM CHAIRMAN KANIEWSKI: Okay. 09:25PM MS. GONCHAR: I am pretty clear we wouldn't have gotten this far without having their agreement, but I will get that information and clarify that. 09:25PM (Whereupon, off-the-record discussion is held.) 09:25PM MS. GONCHAR: I'm just going to ask, have we covered -- 09:25PM MS. FLEMING: Yes. 09:25PM There's some outstanding comments under environmental on page 7 of 11, starting with comment LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

89 09:25PM 8. 09:25PM MS. GONCHAR: Tell me where you are. 09:26PM I'm sorry. 09:26PM MS. FLEMING: That's okay. Under the 09:26PM environmental section on page 7 of 11, environmental 09:26PM starts with 8. 09:26PM MS. GONCHAR: You'd think I'd know my 09:26PM numbers by now. Sorry, okay. 09:26PM Okay. All of these, I guess 12. 09:26PM MS. FLEMING: And 8 and 9 are still 09:26PM outstanding. 09:26PM Ten, you said the pond is not part of 09:26PM this, so we're not talking about the pond. 09:26PM Eleven was, like, partially addressed. 09:26PM MS. GONCHAR: Right. Okay. "The 09:26PM entire property" -- I am reading 8: 09:26PM "The entire property is in the flood 09:27PM hazard area and the western portion of the 09:27PM property is in the Sprout Brook floodway. 09:27PM "Does the applicant have data on water 09:27PM levels observed on the property during the 09:27PM recent storm associated with Hurricane Ida." 09:27PM THE WITNESS: I personally don't have 09:27PM any data on how high the elevation was during that 09:27PM storm. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	91 09:28PM that all of the -- all of the parking on the first 09:28PM floor needs to be signed so that anybody parking 09:28PM there knows their risk essentially associated with 09:28PM parking there if there was a flood event, that it is 09:28PM below the flood hazard elevation and it is designed 09:28PM to be wet flood proofed allowing those floodwaters to 09:28PM enter. 09:28PM And it's also incorporated into the 09:28PM lease as well when they would be assigned that 09:28PM parking space. 09:28PM Essentially at that point the 09:28PM responsibility is of the individual who owns the 09:28PM vehicle to make -- take whatever precautions or 09:28PM measurements they feel is adequate to move a vehicle 09:28PM to a potential safe location. It could be their 09:28PM office. It could be a family member's. It could be 09:28PM a friend's. 09:28PM That responsibility isn't -- doesn't 09:28PM actually fall on the applicant, it's about alerting 09:28PM the person who has the rights to park there, and 09:29PM properly identifying it again in the lease and by 09:29PM signage, all within the State criteria to alert them 09:29PM of the potential if there was a storm. 09:29PM And then from there, that individual is 09:29PM supposed to seek a safe location. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
90 09:27PM MAYOR ARTOLA: I have some pictures. 09:27PM MS. GONCHAR: Okay. 09:27PM MAYOR ARTOLA: If you'd like to see 09:27PM them. 09:27PM MS. GONCHAR: To what end? 09:27PM CHAIRMAN KANIEWSKI: Before we go 09:27PM forward with questions let's complete the testimony 09:27PM of the professionals, just so we don't lose track of 09:27PM things here. 09:27PM MS. GONCHAR: "Does the applicant have 09:27PM an evacuation plan for how to relocate 09:27PM vehicles from the ground floor parking lot 09:27PM during a flood event? Testimony shall be 09:27PM provided about operational plans and potential 09:27PM parking locations outside the flood hazard 09:27PM area." 09:27PM Is that within your area of -- 09:27PM THE WITNESS: I guess I can, kind of, 09:27PM speak briefly on it. This is a very common topic 09:27PM when we deal with wet flood proofing for residential 09:27PM developments in a flood hazard area. I think the 09:27PM developments in Jersey City or Hoboken and the like, 09:28PM essentially, what is required is on the applicant's 09:28PM behalf when we build a structure such as this is that 09:28PM -- and this is also incorporated in the DEP permit, LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	92 09:29PM And that's no different than any other 09:29PM development such as this that would be located in a 09:29PM flood hazard area. That's how the state has -- 09:29PM that's how the state governs this kind of 09:29PM development. 09:29PM MS. GONCHAR: And I don't know if the 09:29PM number of parking spaces is something that you looked 09:29PM at, but I believe the testimony -- and we will 09:29PM confirm this -- adequate parking exists out of the 09:29PM flood area on the second level to provide a parking 09:29PM space for every unit in the building. 09:29PM MS. CORRISTON: A single parking space 09:29PM for everyone? 09:29PM MS. GONCHAR: Right. 09:29PM So every one of them would have a 09:29PM vehicle out of the flood area in order to leave when 09:29PM -- you know, to get out of the flood and use the 09:29PM emergency access. 09:29PM MS. CORRISTON: How many spaces are on 09:29PM the bottom level? 09:29PM MS. GONCHAR: Do you know? 09:29PM THE WITNESS: I believe it's 100 and -- 09:30PM let me confirm for you. I know it was covered -- 09:30PM MS. GONCHAR: I know we put it in, but 09:30PM I don't -- LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

93 09:30PM THE WITNESS: -- previously so I just 09:30PM want to make sure I get it right. 09:30PM There's 131, from the prior testimony. 09:30PM MS. GONCHAR: Right. 09:30PM MR. MAYO: So 131, 160 units. So we 09:30PM have how many -- we have a few stalls on the first 09:30PM level that are not in the flood hazard area. 09:30PM MS. GONCHAR: No, the second level is 09:30PM where we said there was one for every unit. THE WITNESS: The 131 is the parking at ground level. MS. GONCHAR: That's the first level, yes. MR. MAYO: Oh, on the ground level. MS. GONCHAR: Yes. MR. MAYO: I'm sorry. And how many on the second level? THE WITNESS: 168, second level. MS. GONCHAR: 168. MR. MAYO: I'm sorry. MS. GONCHAR: Did I look like a deer in the headlights when you said it to me because I had to deal with numbers. MS. FLEMING: Can I ask a follow-up question to that? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	95 09:32PM warned you, find your other zone. 09:32PM THE WITNESS: Exactly. 09:32PM MS. FLEMING: Okay. 09:32PM MS. GONCHAR: Then I think your item 11, is that the one you said was partially. MS. FLEMING: Yes, I know you started to address it. I just wasn't sure if it was fully addressed. Or if that's also going to be covered at a different time. MS. GONCHAR: Well, I think we have additional flood or stormwater question -- reports to go through. Is that -- MR. MAYO: Stormwater and I think flood, too. MS. FLEMING: So that can be saved. MS. GONCHAR: Right. If we haven't covered that by the time we get through the others, then we can come back to it. So -- MS. FLEMING: Also, I know this is a little bit like splitting hairs, but comment 19A, because there is a discrepancy between the architectural and engineering set. There are 21 surface parking spaces, LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
94 09:30PM So does that -- I am assuming -- sorry. 09:31PM So then if parking is being assigned 09:31PM for this entire project and there's two available 09:31PM levels of parking, there is also a tandem parking 09:31PM situation. Does that mean that in a flood event, each unit would almost have, like, a flood parking space that each unit gets one space on the second floor? THE WITNESS: Yes, essentially that is -- the goal of this is to provide all the units with spaces that are above the flood. And then the first floor is that additional parking that we do feel most of the time it benefits the overall use. It provides additional parking. People can have second vehicles. It allows for guest parking. In these flood events is when the notification needs to be provided, which is why all the signage and the lease agreements need to be amended to incorporate that. MS. FLEMING: Okay. So it's, like, regular assigned parking space, flood assigned parking space. If you have a second vehicle, we have LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	96 09:33PM that's what we're going with. 09:33PM THE WITNESS: That's correct. 09:33PM MS. FLEMING: So the architectural 09:33PM plans will be revised to show 21? THE WITNESS: That's correct, 21 outside the building, yes. MS. GONCHAR: I think our architect did commit to -- that they would do that at the last hearing. MS. FLEMING: Okay. MS. GONCHAR: Yes, yes. CHAIRMAN KANIEWSKI: Okay, any questions, you're set with questions for now? MS. FLEMING: Yes, I was just going through. I think those are all the comments that apply to this. MR. MAYO: I think we can wrap up my September 17th letter pretty quick by discussing the traffic, and actually we can get the ADA facilities out of the way. We're going to be constructing everything compliant to ADA requirements, right? THE WITNESS: Yes. MR. MAYO: As for the traffic and circulation, we have read through your traffic LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

97 09:34PM report. We agreed with your methods, your use of the 09:34PM standards and the applicability of them. 09:34PM But as you can see by comments No. 59 09:34PM and 60, we are concerned about the signalization. 09:34PM MS. GONCHAR: We have a traffic witness 09:34PM with us. 09:34PM MR. MAYO: Okay. Perfect. 09:34PM MS. GONCHAR: So we're happy to answer 09:34PM those questions through the other witness. 09:34PM MR. MAYO: All right. Then that letter 09:34PM is wrapped up except for traffic. 09:34PM MS. GONCHAR: Right. 09:34PM MR. MAYO: Okay. 09:35PM Would you like to, Mr. Chairman, take a 09:35PM moment before we get to stormwater or would you like 09:35PM to continue through? 09:35PM CHAIRMAN KANIEWSKI: I want to find out 09:35PM what other -- do you have witnesses, additional 09:35PM witnesses on stormwater? 09:35PM MS. GONCHAR: No, this is our witness 09:35PM on stormwater. 09:35PM CHAIRMAN KANIEWSKI: Okay. Then I 09:35PM think you can go with your questions. 09:35PM MR. MAYO: Okay. All right. 09:35PM So we'll go to my October 18th letter. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	99 09:36PM and first way to describe it was from the Phase I 09:37PM post-construction state, which is essentially today, 09:37PM we are reducing that impervious coverage by a little 09:37PM over 7 percent, which equates to just over 26,000 09:37PM square feet. 09:37PM Of course, I know this is previously 09:37PM approved, but Phase I had also introduced a reduction 09:37PM from the pre-development state of a significant 09:37PM impervious coverage reduction. 09:37PM So considering the previous 09:37PM development, then redevelopment for Phase I and Phase 09:37PM II, we've continuously reduced impervious coverage. 09:37PM MR. MAYO: And I am sure that the pond 09:37PM area has similar reductions, too, to meet that? 09:37PM THE WITNESS: Correct. 09:37PM MR. MAYO: All right. 09:37PM We did have -- we wanted to confirm the 09:37PM time of concentration calculations. And in 09:37PM particular, the minimum values used. 09:37PM THE WITNESS: Yes, we would revise 09:38PM those time of concentration calculations as you 09:38PM noted. 09:38PM MR. MAYO: No. 6 is just a comment and 09:38PM No. 7 is also a comment. 09:38PM And these comments are telling us that LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
98 09:35PM Comment No. 1 is a comment, we are a major 09:35PM development in the State of New Jersey and within the 09:35PM Township of Rochelle Park. 09:35PM No. 2 is a comment about the method 09:35PM you've chosen to meet these requirements. There are 09:35PM four methods available, you have chosen the first 09:35PM one, I think it was, right? 09:35PM By demonstrating the post -- and we'll 09:35PM say it, to make it easier, what the applicant is 09:36PM doing is demonstrating that the proposed runoff will 09:36PM be less than what was there from the existing 09:36PM conditions. 09:36PM We were satisfied with the 09:36PM methodologies used. We do, of course, need 09:36PM confirmation to be consistent with the regulations 09:36PM that the existing peak flows were all developed with 09:36PM the greenest condition within the last five years. 09:36PM THE WITNESS: Yes. 09:36PM MR. MAYO: And the site has been mostly 09:36PM pavement prior to this. 09:36PM And could you give me just an 09:36PM approximation of the percentage you're reducing the 09:36PM impervious surface by? 09:36PM THE WITNESS: I could, yes. 09:36PM So from the first, I guess the easiest LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	100 09:38PM due to the location of the project in the state's 09:38PM planning area, that groundwater recharge is not 09:38PM required for this development, and that also with the 09:38PM fact that all the -- or the vast majority of the new 09:38PM regulated impervious surface -- this is a term you 09:38PM will be hearing more of from major developments -- is 09:38PM being reduced on the site, and actually the use of 09:38PM the parking garages is actually a green method for 09:39PM stormwater because we no longer get the runoff 09:39PM hitting all these parking stalls leaving oil and gas 09:39PM deposits and running into our storm sewers. 09:39PM So the underground parking is actually 09:39PM also contributing a lot to the green infrastructure 09:39PM requirements that are required on this property or 09:39PM would be required under the regulations. 09:39PM Comment 8, we're referring to the 09:39PM default hydrological groups and the need for soil 09:39PM testing. You can resolve it either way, either use 09:39PM the NJDEP default values or get soil testing to 09:39PM document your actual permeability rates. 09:39PM THE WITNESS: Yes, we will do one of 09:39PM the two. I would assume we would just change the 09:39PM rates. 09:39PM MR. MAYO: Okay. Either one will work 09:39PM for us. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

101 09:40PM Okay. So we did want -- and we'll let Monica discuss this more. We did want verification of the flood hazard area and the permits acquired for this project and the emergency access. 09:40PM We'll let Monica deal with them as the CFM. 09:40PM THE WITNESS: Great. And we will provide all those permits as well. 09:40PM MR. MAYO: We would need capacity calculations for the storm sewers. I don't believe they were included. 09:40PM THE WITNESS: We can provide that. 09:40PM MR. MAYO: And we were looking at a single inlet to catch that entire outdoor parking lot. We're hoping to get an additional inlet or two on there, a little backup relief. 09:40PM THE WITNESS: Yes, we could add an inlet. I just wanted to briefly describe, the way we had designed it, based on the existing drainage areas, a significant portion of the site now drains directly to that retention pond. 09:41PM So what we were proposing was actually grading from east to west down towards the westernmost stall of that row of parking, and then there's actually a curb break and that runoff would LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	103 09:42PM manual, I'm sure, will be provided. 09:42PM THE WITNESS: We will provide that, yes. 09:42PM MR. MAYO: With all the regulations. And, lastly, the stormwater report needs a section regarding on how you comply with the low impact development regulations. 09:42PM THE WITNESS: We'll include that as well. 09:42PM MR. MAYO: Okay. 09:42PM For the board, the applicant has agreed to a number of stormwater regulations here. And what we're asking them to do is comply with the calculation methods and the ordinance. 09:43PM As it stands in the state's stormwater rule N.J.A.C. 7:8, which is a model for your own stormwater management regulations. 09:43PM I am confident that these changes I've called for will not modify the design significantly. I think they will provide need for minor revisions, but I don't think that complying with the regulations and meeting that code is outside of or a difficult task for the applicant. 09:43PM I would be confident that once all this was complied with, that the application would conform LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
102 09:41PM go -- would discharge directly into the retention pond, which is where it would go anyway. 09:41PM MR. MAYO: That would be a feasible solution and more of a green solution. 09:41PM THE WITNESS: And then the remainder, the smaller turnaround area, that gets collected in the inlet as mentioned. 09:41PM MR. MAYO: So you will provide curb depressions to act as scuppers for overflow. 09:41PM THE WITNESS: That's right. 09:41PM That's right. 09:41PM MS. GONCHAR: In the lull let me just say, the permits were part of the application when we submitted them. We're happy to -- if you want us to provide additional copies or scan -- you know, e-mail them to whomever. 09:42PM But the actual permits were -- if that's what you were asking for. 09:42PM MR. MAYO: No. In No. 11 or 12? 09:42PM MS. GONCHAR: No, I think you had asked if we would provide the permit, the DEP permits. 09:42PM MR. MAYO: Yes, we have -- we do have copies of them, yes. 09:42PM MS. GONCHAR: Okay, great. 09:42PM MR. MAYO: The stormwater maintenance LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	104 09:43PM to a NJDEP and Township of Rochelle Park defined major development for stormwater. 09:44PM I believe that covers everything in my letters, except for the traffic. 09:44PM Thank you. 09:44PM THE WITNESS: Thank you. 09:44PM MS. MIANECKI: Shall I start. 09:44PM MS. GONCHAR: That's up to the board, but if we're going through the letters that deal with stormwater or flood issues. 09:44PM MS. MIANECKI: Do you want me to go through my letters. 09:44PM CHAIRMAN KANIEWSKI: Yeah, you have more to finish up yet? 09:44PM MR. MAYO: Not with this witness. 09:44PM CHAIRMAN KANIEWSKI: Let's do Monica next and we'll get back if you need to clean up anything. 09:44PM Just a clarification, you indicated in one of your letters the soils report was provided. 09:44PM MS. GONCHAR: I think that was the letter we just went through. 09:44PM CHAIRMAN KANIEWSKI: That was the letter. You have reports for those -- 09:45PM MR. MAYO: I don't think I said they LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

105 09:45PM were submitted. 09:45PM CHAIRMAN KANIEWSKI: -- soil testing 09:45PM results? 09:45PM MR. MAYO: Soil testing results, that's 09:45PM in comment No. 8. 09:45PM MS. GONCHAR: Eight. 09:45PM MS. CORRISTON: May I just interrupt 09:45PM for one second? 09:45PM CHAIRMAN KANIEWSKI: What was the 09:45PM underlying document? 09:45PM MR. MAYO: The state, in their Best 09:45PM Management Practices for stormwater. 09:45PM CHAIRMAN KANIEWSKI: What's the report, 09:45PM is my question? We have a -- 09:45PM MR. MAYO: No, what I'm saying is that 09:45PM the applicant has two methods to meet the code 09:45PM requirement. 09:45PM CHAIRMAN KANIEWSKI: I just want to 09:45PM know what the report is. 09:45PM MR. MAYO: The report has not been 09:45PM submitted. The applicant has an option of either 09:45PM A -- 09:45PM CHAIRMAN KANIEWSKI: That's all I need 09:45PM to know. 09:45PM MR. MAYO: -- using default values -- LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	107 09:46PM track and turn it into a dialogue. 09:46PM So let's finish with the professionals, 09:46PM one more, and then hold your questions and then we 09:46PM can ask some questions, that's fine. 09:46PM MS. CORRISTON: Is that okay? 09:46PM COMMITTEEWOMAN IACOBUCCI: Well, 09:46PM actually, I think after every category we should be 09:46PM given a chance to speak or to ask questions. 09:47PM We go from one category, we've gone 09:47PM through lighting and landscaping and now we're on 09:47PM storm. 09:47PM I mean these are very serious 09:47PM considerations and we don't even get a chance to 09:47PM speak at the end of each category. 09:47PM CHAIRMAN KANIEWSKI: You'll get a 09:47PM chance to speak after they've interacted -- 09:47PM COMMITTEEWOMAN IACOBUCCI: Well, it's 09:47PM almost 10:00 -- 09:47PM CHAIRMAN KANIEWSKI: They haven't 09:47PM concluded their case yet, she hasn't finished her 09:47PM case. 09:47PM COMMITTEEWOMAN IACOBUCCI: I don't 09:47PM agree with that. 09:47PM CHAIRMAN KANIEWSKI: I mean, it's up to 09:47PM you as to what you want to do. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
106 09:45PM CHAIRMAN KANIEWSKI: Okay. 09:45PM MR. MAYO: -- or providing a soils 09:45PM report -- 09:45PM CHAIRMAN KANIEWSKI: Okay. 09:45PM MR. MAYO: -- to better those default 09:45PM values that DEP defines. 09:45PM CHAIRMAN KANIEWSKI: Okay. 09:46PM MR. MAYO: And they can meet the code 09:46PM by either providing a soils report or by using the 09:46PM default NJDEP values, one or the other, both would 09:46PM comply. 09:46PM CHAIRMAN KANIEWSKI: Okay. 09:46PM MS. CORRISTON: Can I ask a question? 09:46PM I think there's been a tremendous amount of 09:46PM information that's been given, and I think there may 09:46PM be some questions that the board members may have 09:46PM that may develop, you know, not think of later on if 09:46PM we continue along this vein. 09:46PM So is it possible to ask some questions 09:46PM -- for the board members to ask some questions now? 09:46PM CHAIRMAN KANIEWSKI: That's fine. I 09:46PM just would like to -- I think it makes more sense to 09:46PM finish with the professionals. 09:46PM I mean, I know people would like to 09:46PM start popping questions and then we're going to lose LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	108 09:47PM MS. GONCHAR: We're fine with the board 09:47PM asking questions. We -- all we were trying to do is 09:47PM cover the items that were part of this witness that 09:47PM were in review letters so that we could be assured 09:47PM that we had covered them. 09:47PM COMMITTEEWOMAN IACOBUCCI: Right. 09:47PM MS. GONCHAR: We're fine -- 09:47PM COMMITTEEWOMAN IACOBUCCI: I was told 09:47PM we couldn't speak before when I had -- 09:47PM MS. GONCHAR: I'm not getting involved 09:47PM -- 09:47PM COMMITTEEWOMAN IACOBUCCI: -- a 09:47PM different question -- 09:47PM MS. GONCHAR: -- in -- 09:47PM (Simultaneous Speaking.) 09:47PM CHAIRMAN KANIEWSKI: There's a process. 09:47PM I'm sorry. 09:47PM COMMITTEEWOMAN IACOBUCCI: Well, but 09:47PM I'm questioning -- 09:47PM CHAIRMAN KANIEWSKI: We can't open it 09:47PM to a dialogue -- 09:47PM COMMITTEEWOMAN IACOBUCCI: Then I am 09:47PM questioning the process. 09:47PM CHAIRMAN KANIEWSKI: -- I mean, I 09:47PM appreciate that you've got a concern, but there's a LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

109 process and a way things are done and -- COMMITTEEWOMAN IACOBUCCI: I had a concern an hour ago. CHAIRMAN KANIEWSKI: -- everybody wants to come in with questions, but we have to do things directly and you should ask the professionals and then we can open things for questions. But, I mean, go ahead, if you want to ask questions and it's okay with counsel. COMMITTEEWOMAN IACOBUCCI: What can I ask questions about. CHAIRMAN KANIEWSKI: Whatever you want. COMMITTEEWOMAN IACOBUCCI: Back at landscaping, why is there only one entrance when we approved two houses being taken down? That's back on the landscaping and the impervious. CHAIRMAN KANIEWSKI: Okay. COMMITTEEWOMAN IACOBUCCI: We're way back there. That's where I start. CHAIRMAN KANIEWSKI: Okay. THE WITNESS: So I believe the question is why is there -- why is there only one access point -- COMMITTEEWOMAN IACOBUCCI: Right. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	111 time had been you asked that we mark them even if they weren't... So I don't think this full set has been marked yet. THE WITNESS: So we can mark this, I believe, A-10. MS. GONCHAR: A-10, right? I thought we said it was easier -- MR. MAYO: Sheet C3 is the best place to see it. THE WITNESS: Yes, correct. Thank you. Sheet C3 is the site plan. MS. GONCHAR: Let me just hold you up -- MS. CORRISTON: A-10. MS. GONCHAR: Yes, A-10, but can you just tell me what the cover sheet says so -- THE WITNESS: Yes, this is the preliminary and final major site plan. This was prepared by Stonefield Engineering, and it's dated June 25, 2020. (Whereupon, Preliminary and Final Major Site Plan prepared by Stonefield Engineering, dated June 25, 2020 is marked as Exhibit A-10 for identification.) LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
110 There was supposed to be two. THE WITNESS: -- here (indicating) rather than the two? We only needed the one to comply with the DEP regulations. We didn't feel introducing the second one was necessary out to Fairfield Drive. And we'll have a traffic expert that can talk more to the access, but given that we already had the signalized intersection along West Passaic Street, we felt the one access point for emergency flood access was okay. COMMITTEEWOMAN IACOBUCCI: Okay. I would like to ask where the transformer is, because I don't see it on any of my plans. THE WITNESS: I believe it's located -- it might be a little hard to see. If you want I could direct you to a specific sheet in the set if you have that. COMMITTEEWOMAN IACOBUCCI: Please. THE WITNESS: Yes. COMMITTEEWOMAN IACOBUCCI: Thank you. THE WITNESS: It would be on Sheet C-4. This is the full site plan set that was prepared by our office. MS. GONCHAR: I think our practice last LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	112 MS. WELLS: June 25th? THE WITNESS: Yes. MS. GONCHAR: Okay, sorry. And now you said it's C3 that you're directing the board members to from the set? THE WITNESS: That's right. MS. GONCHAR: Thank you. THE WITNESS: So Sheet C3 is the site plan sheet. This is -- this provides a much more clear location of those transformer pads. They're located at what would be the northwest corner of the proposed residential building. And as I, kind of, mentioned before, they're pushed to the rear because they're not usually a feature that you necessarily want aesthetically in front of the building or out where people are going to be walking, so they're put to the rear of the site. I believe we talked about before there is going to be walls incorporated into the overall design of that enclosure. It will be elevated above the flood to make sure we comply with the DEP requirements. And it's also going to be screened as well. COMMITTEEWOMAN IACOBUCCI: All right. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

113 09:50PM So some of these plans say that this floodway that 09:50PM you're describing as landscape says "asphalt" on my 09:50PM plans. And they're dated, sort of, June. 09:50PM So then when you go to the stormwater 09:50PM management report, it says that there is a reduction 09:50PM of 28,322 square feet of impervious surfaces. That's 09:51PM about the same date. 09:51PM So when these plans went from asphalt 09:51PM to greenery, did that change, because you just now 09:51PM said that it's only 7 percent impervious now, or the 09:51PM reduction is reduced by 7 percent? 09:51PM MS. GONCHAR: I think you said 26,000. 09:51PM THE WITNESS: Yes, so the reduction is 09:51PM a little over 7 percent. The value I have here is 09:51PM 26,399. 09:51PM In the stormwater management report it 09:51PM may have been tweaked. I could make sure we 09:51PM coordinate that to show the proper value, but that's 09:51PM -- that's my understanding it's a reduction. So a 09:51PM little over 26,000-square-foot reduction. 09:51PM COMMITTEEWOMAN IACOBUCCI: Well, I'm 09:51PM questioning it because on the -- sort of the same 09:51PM dates in the plans it says it's all asphalt over 09:51PM there, and then that's about -- this quoted number is 09:51PM about the same date as that plan. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	115 09:52PM THE WITNESS: That's right. 09:53PM So there is curb that goes around the 09:53PM perimeter of that turnaround area. 09:53PM That is your standard curb that you 09:53PM would see along the side of the road. 09:53PM COMMITTEEWOMAN IACOBUCCI: But it's a 09:53PM different -- it's a different configuration, it's not 09:53PM round. 09:53PM MR. MAYO: The proposed cul-de-sac you 09:53PM see is a property line, not a curb. 09:53PM COMMITTEEWOMAN IACOBUCCI: Yes. 09:53PM THE WITNESS: The big bulb. 09:53PM COMMITTEEWOMAN IACOBUCCI: The big one 09:53PM is the property line. 09:53PM THE WITNESS: The big -- the big circle 09:53PM is our property line -- 09:53PM COMMITTEEWOMAN IACOBUCCI: Right. 09:53PM THE WITNESS: -- not a concrete curb. 09:53PM COMMITTEEWOMAN IACOBUCCI: This is 09:53PM concrete. 09:53PM THE WITNESS: The irregular one that 09:53PM looks like a lopsided -- 09:53PM COMMITTEEWOMAN IACOBUCCI: Yes, that. 09:53PM MR. MAYO: -- 8 or a weird 8-shape 09:53PM figure -- LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
114 09:51PM So I would just want to make sure that 09:51PM that number -- 09:52PM MR. MAYO: I think the only plan that 09:52PM calls it asphalt is the existing conditions plan. 09:52PM COMMITTEEWOMAN IACOBUCCI: Is that the 09:52PM C -- is that the -- 09:52PM THE WITNESS: C2. 09:52PM MR. MAYO: C2, yes. 09:52PM COMMITTEEWOMAN IACOBUCCI: Oh, C2. 09:52PM Okay. Yes, that's -- 09:52PM MR. MAYO: Yeah. 09:52PM So this would be what is existing out 09:52PM there today, and most of that asphalt is broken up 09:52PM crushed gravel at this point. 09:52PM But that was showing the limit of the 09:52PM previous impervious surface. 09:52PM And you can see particularly in the 09:52PM area to the north or the upper right of the sheet 09:52PM where there's a lot of impervious area there that is 09:52PM now going to be transformed into lawn. 09:52PM COMMITTEEWOMAN IACOBUCCI: Right. 09:52PM In that little turnaround you have, 09:52PM it's like a half circle, there's curbing, there's 09:52PM sort of a curbing structure in there. 09:52PM What is that? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	116 09:53PM COMMITTEEWOMAN IACOBUCCI: Right. 09:53PM THE WITNESS: That would be existing 09:53PM curb. 09:53PM But that thinner circle is the property 09:53PM line. 09:53PM COMMITTEEWOMAN IACOBUCCI: Okay. 09:53PM MAYOR ARTOLA: Do you see it now? 09:53PM COMMITTEEWOMAN IACOBUCCI: Yes. Okay, 09:53PM thank you. 09:53PM I have no other questions. 09:53PM So -- all right. Thank you. I'm very 09:53PM happy that you let me ask my questions. 09:54PM CHAIRMAN KANIEWSKI: Does anybody else 09:54PM want to pose any questions now? 09:54PM (No response.) 09:54PM CHAIRMAN KANIEWSKI: You'll be allowed 09:54PM to ask additional questions, this is just, sort of, 09:54PM an interim section at this point, so you're not 09:54PM foreclosing anything if you don't ask anything now. 09:54PM MR. SANTIAGO: I've got a question, 09:54PM Chairman. 09:54PM So you said that on the second floor 09:54PM for the parking there's enough for each unit. How 09:54PM many units in that buildings? Is that 160? How many 09:54PM of them are tandems? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

117 09:54PM THE WITNESS: On the second floor, I 09:54PM know this was discussed in the first application. 09:54PM MS. GONCHAR: Let's ask. 09:54PM THE WITNESS: Yeah, I'm not 100 percent 09:54PM sure. 09:54PM MS. GONCHAR: We can get that. 09:54PM (Brief Pause.) 09:55PM THE WITNESS: I believe it's 20. 09:55PM MR. ZOTOLLO: Maybe around 20? 09:55PM THE WITNESS: It looks like... 09:55PM (Whereupon, off-the-record discussion 09:55PM is held.) 09:55PM MR. MAYO: Sheet 2 of the architectural 09:55PM plan indicates there's 24 tandem stalls -- 09:55PM THE WITNESS: Yes, 24. 09:55PM MR. MAYO: -- on the second floor. 09:55PM THE WITNESS: Yeah, 24. 09:55PM MR. SANTIAGO: So those 24 would be 09:55PM minus the 168. So you won't have enough for -- 09:55PM 'cause these tandems almost leave... MS. GONCHAR: We're going to be off by two, right? THE WITNESS: So I see your point. MS. GONCHAR: We have to put two. THE WITNESS: I think what would occur LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	119 09:56PM MR. SANTIAGO: Okay. 09:56PM MS. GONCHAR: I'm assuming -- 09:56PM MR. SANTIAGO: I know we were told fire 09:56PM trucks would go through there and all that other 09:56PM stuff. That's what was told previously to us. 09:56PM MS. GONCHAR: I think we used the term 09:56PM "emergency." If a fire truck had to come in during a 09:56PM flood event, that's available. 09:57PM It is higher ground. 09:57PM MR. SANTIAGO: And they would have a 09:57PM code for those two gates? 09:57PM MS. GONCHAR: Absolutely. 09:57PM I think in the same way that you give a 09:57PM code -- that you give a, you know, a -- whenever you 09:57PM have an emergency access that's for emergency 09:57PM vehicles, I can't imagine that they wouldn't do that. 09:57PM MR. SANTIAGO: Well, wouldn't that 09:57PM delay the response time? 09:57PM MR. KLEIN: There's this thing, it's 09:57PM called -- like a -- James, you might know the term, 09:57PM it's like a whoop device or something. 09:57PM THE WITNESS: Yeah, it's -- 09:57PM MR. KLEIN: So when the emergency 09:57PM vehicles come by, the gates will automatically open. 09:57PM THE WITNESS: Yes, this is pretty LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
118 09:56PM is out of the 24, 12 will -- you know, there's 09:56PM basically 12 tandems that would be assigned. 09:56PM So you take the 168 spaces we have and 09:56PM you would -- and you would remove 12 from it. 09:56PM MS. GONCHAR: Right, so we're four -- 09:56PM THE WITNESS: Which brings us to 156. 09:56PM MS. GONCHAR: Yeah, we have to figure 09:56PM out how to find four spaces. 09:56PM THE WITNESS: Yes, so that -- that 09:56PM would need to be addressed. 09:56PM (Whereupon, off-the-record discussion 09:56PM is held.) 09:56PM MS. GONCHAR: I don't know if we could 09:56PM assign outside spaces that are out of the flood, but 09:56PM we have to go back and look. 09:56PM THE WITNESS: Yes. 09:56PM MS. GONCHAR: We may have to assign 09:56PM outside spaces that are out of the flood to pick up 09:56PM the four. 09:56PM MR. SANTIAGO: Now, back to the 09:56PM emergency exit. There could be emergency vehicles 09:56PM going through there in case of an emergency, right? 09:56PM Or no? 09:56PM MS. GONCHAR: It's a different kind of 09:56PM emergency. I don't think it precludes it. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	120 09:57PM common that most residential uses where the fire 09:57PM department has, like, a specific key that they 09:57PM operate so that they don't need to wait. And they, 09:57PM essentially, have one for all the residences that 09:57PM have gated access in their town. 09:57PM MS. GONCHAR: Whatever the mechanism we 09:57PM need to provide, it's obviously in the interest of 09:57PM the developer that emergency vehicles can get to the 09:57PM site. 09:57PM MR. SANTIAGO: Right. Thank you, 09:57PM that's it. MS. GONCHAR: So we have to find the four spaces. THE WITNESS: Yes. MS. GONCHAR: We will come back with 09:58PM the -- but we do have the ability, the spaces that 09:58PM are outside of the self-storage, the ten spaces that 09:58PM are adjoining are also above the flood area, so there 09:58PM will still be the ability to have every unit have a 09:58PM space that is not within the flood area. 09:58PM But if we have to go back and look at 09:58PM the numbers, we will. 09:58PM MR. SANTIAGO: Thank you so much. 09:58PM MS. GONCHAR: Thank you. 09:58PM MR. ZOTOLLO: I have a question. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

121 09:58PM With this many units, is there a 09:58PM guidance or a guideline with how many cars would 09:58PM typically be, you know, for those amount of units? 09:58PM Would it be -- I mean, it's not two per unit 09:58PM typically, it wouldn't be, even with the bigger 09:58PM bedrooms -- more bedrooms would have more -- probably 09:58PM more cars, maybe a second car. I mean is there a 09:58PM typical number that we're thinking. 09:58PM THE WITNESS: Our traffic engineer will 09:58PM discuss it. 09:58PM MS. GONCHAR: Our traffic consultant 09:58PM can address that with you. 09:59PM There are standards. There are 09:59PM redevelopment plan standards, so there's RSIS. There 09:59PM are a number of different standards that are -- the 09:59PM numbers are arrived at using whatever the studies 09:59PM they do to come up with those numbers. 09:59PM THE WITNESS: Yes. 09:59PM MS. GONCHAR: We will deal with it. 09:59PM MR. ZOTOLLO: Thanks. 09:59PM CHAIRMAN KANIEWSKI: Christine? 09:59PM MS. MUELLER: What? 09:59PM CHAIRMAN KANIEWSKI: Do you have any 09:59PM questions? 09:59PM MS. MUELLER: I have a million LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	123 10:00PM MS. MIANECKI: Okay. 10:00PM MS. GONCHAR: Just tell us which date 10:00PM you're starting with. 10:00PM MS. MIANECKI: Okay. My first memo is 10:00PM dated July 13, 2021. 10:00PM And page 2 starts with No. 1. And it's 10:00PM more a comment regarding the correct FEMA flood maps, 10:00PM and date, you know, if you can please change that on 10:00PM your plans. 10:00PM And that's going to be important 10:00PM further down the line when you do the elevation 10:00PM certificates. Typically you're going to have to have 10:00PM the correct information. 10:00PM THE WITNESS: Agreed. Yes, we'll fix 10:00PM that. We'll update that. 10:00PM MS. MIANECKI: Okay. And sheet No. 10:00PM C-4, "Grading Notes". You have a note on basements. 10:00PM The note should be removed, there's no 10:00PM basements associated with this development. 10:00PM Correct? 10:00PM THE WITNESS: We can remove that. Yes, 10:00PM no basements associated with this development. 10:00PM MS. MIANECKI: Sheet No. C-4 and C-5, 10:00PM you talked about the transformers already. 10:00PM Can you show a proposed elevation of a LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
122 09:59PM questions, I'll wait. 09:59PM I can hold you up till 3:00 a.m., I'll 09:59PM wait. 09:59PM CHAIRMAN KANIEWSKI: Okay. I'll stay 09:59PM if you want. 09:59PM MS. MUELLER: No, I'll wait. There's 09:59PM too much. 09:59PM CHAIRMAN KANIEWSKI: All right. Just I 09:59PM don't know if any board members have any additional 09:59PM questions at this point, I'll just go back and see if 09:59PM you have any questions for the floodplain manager? 09:59PM MS. MIANECKI: Do you want me to go 09:59PM through my letters? 09:59PM CHAIRMAN KANIEWSKI: Yes, why don't you 09:59PM do that. 09:59PM MS. GONCHAR: Unless you have questions 10:00PM besides what are in your letters, we're not... 10:00PM CHAIRMAN KANIEWSKI: Okay. 10:00PM MS. MIANECKI: Maybe we'll start going 10:00PM through the items -- 10:00PM MS. GONCHAR: Okay. 10:00PM MS. MIANECKI: -- in my letter that 10:00PM pertain to the engineering and then we'll go from 10:00PM there. 10:00PM THE WITNESS: That works. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	124 10:01PM transformer pad? 10:01PM THE WITNESS: We can. 10:01PM MS. MIANECKI: All right. No. 5, and 10:01PM this was touched upon last week with the architect, 10:01PM but I think we need to go over it as well with the 10:01PM engineering plans. 10:01PM "The plans indicate that the front of 10:01PM the building will be wet flood proofed with 10:01PM flood vents and the west and north sides of 10:01PM the building will be left open so as to allow 10:01PM floodwaters to enter and exit freely. This 10:01PM differs from the architectural elevations 10:01PM which show open areas between columns with a 10:01PM band of perforated metal panels." 10:01PM And that was addressed by the architect 10:01PM last week. 10:01PM But what I need is, you need to show 10:01PM the location of the flood vents on the plans, as well 10:01PM as a calculation for which area they are providing 10:01PM protection for. 10:01PM So my understanding is you're wet flood 10:01PM proofing the ground level of the parking deck. 10:01PM THE WITNESS: Correct. 10:01PM MS. MIANECKI: So you're going to be 10:01PM putting flood vents there as well as the perforated LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

125 10:01PM metal panels. 10:01PM THE WITNESS: That's right. 10:01PM MS. MIANECKI: So we need to see where 10:01PM they're going to be located. We're going to see 10:01PM their elevation because there's a requirement how 10:02PM high they can be from the adjacent grade. 10:02PM And you need to do a calculation as to 10:02PM the area that they're providing protection for. 10:02PM Then you also have the interior on the 10:02PM ground floor, you have your building access, you have 10:02PM your bike parking, your areas where you're going to 10:02PM be putting the gas meters. And those are also going 10:02PM to be wet flood proofed, I understand, correct? 10:02PM THE WITNESS: Right. 10:02PM MS. MIANECKI: So you need to also show 10:02PM the location of the flood vents -- 10:02PM THE WITNESS: We can do that. 10:02PM MS. MIANECKI: -- on that? Okay. 10:02PM And show, again, you know, the area -- 10:02PM if you're using the regular ICC approved flood vents, 10:02PM they already have an area that they're -- 10:02PM THE WITNESS: Pre-designed, right. 10:02PM MS. MIANECKI: Right. So you just have 10:02PM to make sure that it's being designed so that the 10:02PM area that it's protecting is -- corresponds to the LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	127 10:03PM another memo dated October 5th where -- and this is 10:03PM after a conversation I had with Zakary Chaplain of 10:03PM your office. And I followed that up with, I need 10:03PM additional grades on the ground level of the parking 10:03PM garage. And so my comment on that was I needed: "A detailed grading plan of the ground level of the parking garage and exterior adjacent grades. The ground level parking garage must be at or above grade along two or more sides in order for the parking garage to not be considered below grade parking and basement. Additionally, the grading plan should address how this area is to drain after a flood." So would you be able to provide testimony or a revised plan that shows a pretty well detailed grading plan for the -- THE WITNESS: We can, yes. We'll provide that additional grading -- MS. MIANECKI: -- for the ground. THE WITNESS: -- both around the building and then also in the interior to show, first and foremost, how this compares to this regulation, as well as how the floodwater would recede out. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
126 10:02PM correct number of flood vents. 10:02PM THE WITNESS: Absolutely. 10:02PM MS. MIANECKI: So we need -- I need to 10:02PM see that on the plan. 10:02PM THE WITNESS: Yes, no problem. 10:02PM MS. MIANECKI: Okay. And then, again, 10:02PM follow that: "Please provide a detail of the flood vents proposed with reference to the corresponding ICC-ES evaluation report," if you're using the pre-engineered ones. THE WITNESS: We will. MS. MIANECKI: Okay. No. 9 -- No. 7 and No. 8 were addressed last week. No. 9 says: "Architectural plan sheet Z-13 shows a portion of the front level parking, on the east side of the building, to be below grade. It is difficult to determine based on the Grading and Drainage Plan(Sheet C-4) whether the parking spaces are below grade. Please note that below grade parking of garages for residential buildings located in the Special Flood Hazard Area are prohibited by the NFIP." And I believe I followed that up with LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	128 10:04PM MS. MIANECKI: Okay. Because you do 10:04PM understand the area I'm talking about is between your 10:04PM loading area and the ramp to the second floor -- 10:04PM THE WITNESS: Right. 10:04PM MS. MIANECKI: -- where there's a lower 10:04PM area, I think it's 4-and-a-half, 5 feet below the 10:04PM adjacent grade. So it's not fully below grade, but it is -- a portion of it is below grade. THE WITNESS: Yeah, those two surfaces, you know, the surface of the parking garage is lower than the exterior surface. MS. MIANECKI: Right. THE WITNESS: Right. MS. MIANECKI: But then, do you just want to provide testimony as to how the rest of the grade -- at grade level -- ground level of the parking deck compares to the exterior grade? Like along the west side. THE WITNESS: On the -- excuse me, what side? MS. MIANECKI: So how is -- MS. GONCHAR: West. MS. MIANECKI: On the west side. How does the grade under the building LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

129 10:05PM compare to the grade on the exterior of the building? 10:05PM THE WITNESS: What I'll do is I'll flip 10:05PM to the grading plan. 10:05PM MS. GONCHAR: So you're looking at 10:05PM A-10, which -- one of the sheets of A-10. 10:05PM THE WITNESS: Yes, this is C-4 of the 10:05PM Grading and Drainage Plan. 10:05PM And then you were referring to the -- 10:05PM I'm sorry, the southern side. 10:05PM MS. MIANECKI: Yes. 10:05PM So maybe you can just go over, provide 10:05PM some testimony as to how the -- my concern was with 10:05PM the east side of the building which is where I said 10:05PM it's below grade. 10:05PM Can you provide some testimony as to 10:05PM how the other three sides of the building, how the 10:05PM grades under the building compare to the grades on 10:05PM the exterior of the building? 10:05PM And this is where I really would like 10:05PM to get a really detailed grading plan showing that. 10:06PM THE WITNESS: Right. That makes sense. 10:06PM Unfortunately I don't -- I don't have 10:06PM that grading plan at this point -- 10:06PM MS. MIANECKI: Okay. 10:06PM THE WITNESS: -- but I certainly LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	131 10:06PM THE WITNESS: And that will follow the 10:06PM existing drainage patterns as it -- as it occurs 10:06PM today, and that's basically where the entire 10:07PM development is -- is going to continue to drain. 10:07PM MS. MIANECKI: And you will be able to 10:07PM provide, like a set -- another grading, more detailed 10:07PM grading plan? 10:07PM THE WITNESS: Yes, we will. 10:07PM MS. MIANECKI: Okay. 10:07PM Let's go on to my next item. 10:07PM MS. GONCHAR: Are you going back to 10:07PM your July letter? 10:07PM MS. MIANECKI: Yes. 10:07PM MS. GONCHAR: Okay. 10:07PM MS. MIANECKI: Let's finish that one. 10:07PM So -- okay, so No. 10 you just did. 10:07PM You will be addressing the grading. 10:07PM So No. 11, 12 and 13 were addressed 10:07PM last week. 10:07PM No. 14: 10:07PM "A back-flow preventer should be added 10:07PM to the existing outfall discharging to Sprout 10:07PM Brook." 10:07PM THE WITNESS: We will add that. 10:07PM MS. MIANECKI: Okay. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
130 10:06PM understand we have to provide it and -- 10:06PM MS. MIANECKI: Okay. 10:06PM THE WITNESS: -- and share it with you. 10:06PM What I would say is on the eastern 10:06PM façade, that's that higher elevation that you're 10:06PM referring to, and then on what would be the southeast 10:06PM corner of the building is where the elevations drop 10:06PM pretty significantly from elevation 44 down to 10:06PM elevation 40. So that's basically right in front of 10:06PM the lobby is, essentially, where we get to the 10:06PM parking area being at elevations 38, or 39 and 38. 10:06PM So that ends up being lower than the 10:06PM interior garage floor. So then at that point, as you 10:06PM continue to move west, we're actually going to be 10:06PM lower than the garage floor elevation. 10:06PM MS. MIANECKI: Okay. 10:06PM So your testimony is that this is going 10:06PM to grade in what -- it's going to drain in what 10:06PM direction. 10:06PM THE WITNESS: It would drain to the 10:06PM west. 10:06PM MS. MIANECKI: So it will be draining 10:06PM towards Sprout Brook. 10:06PM THE WITNESS: Correct. 10:06PM MS. MIANECKI: Okay. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	132 10:07PM And 15 was addressed by the architect. 10:07PM No. 16, and this is a comment. 10:07PM "Please be advised that the utility 10:07PM connections (water, sanitary sewer, gas, electric, etc.) must be floodproof and designed to eliminate infiltration of floodwaters," since they're located in a special flood hazard area. THE WITNESS: They will. MS. MIANECKI: So can you just make a note of that in your plans please. THE WITNESS: We can. Yes, we can add that note. MS. MIANECKI: Okay. I had a comment about No. 17. "There does not appear to be a back-up generator shown on the plans. If a back-up generator is proposed, it must be elevated a minimum of 1 foot above the base flood elevation." THE WITNESS: That's understood. MS. MIANECKI: Are you proposing a back-up generator? THE WITNESS: I don't believe so. MR. MINERVINI: Yes. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

133 10:08PM THE WITNESS: Are we? 10:08PM The architect is saying yes. 10:08PM Yeah, I am not personally aware of it. 10:08PM Did we cover it? 10:08PM MS. GONCHAR: We will get you an answer from the right witness who knows the answer. 10:08PM MS. MIANECKI: Okay. If there is one proposed, just make sure you show it on your plans with the elevation. Okay. 10:08PM THE WITNESS: Okay. 10:08PM MS. MIANECKI: No. 18: 10:08PM "All materials used in the construction of the proposed building which will be located below the design flood elevation shall be of flood-resistant materials and subject to approval from the Construction Official." 10:08PM THE WITNESS: Yes, agreed. 10:08PM MS. MIANECKI: No. 19, okay. 10:08PM "Flood signs are proposed along the front parking area. All of the parking spaces on the first level of the parking garage are subject to flooding. These parking spaces should be signed and/or striped to indicate their potential for flooding. It is recommended that tenant leases include LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	135 10:09PM and submitted to the Building Department and Township Office of Emergency Management for their review and records." 10:09PM THE WITNESS: That will be prepared. 10:09PM MS. MIANECKI: Now, that, I also followed up with another -- 10:09PM MS. GONCHAR: Back to October. 10:09PM MS. MIANECKI: Back to October, yes. 10:10PM The evacuation plan. After talking to Zakary Chaplain I also spoke to the Township Office of Emergency Management Coordinator and -- to discuss exactly what kind of -- what are we looking for in an evacuation plan. 10:10PM So I will read you what my follow-up memo said. And it said: 10:10PM "The evacuation plan for the multifamily residential building was discussed with the Township's Office of Emergency Management Coordinator. It was agreed that the residents of the multifamily residential development should be made aware that they live in a flood zone and access to the building may be impaired during a flood. 10:10PM "Therefore, the evacuation plan can be a flood awareness plan which would include the LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
134 10:09PM language advising tenants that the first level of the parking garage is subject to flooding." 10:09PM I know you have to have in your -- I guess it's another comment as well, but your tenant leases and your rent agreements really have to indicate the fact that if they get assigned a parking space on the ground floor, that it's subject to flooding. 10:09PM THE WITNESS: Yes. 10:09PM MS. MIANECKI: You're going to be showing -- you're going to be adding signs or striping or both. 10:09PM THE WITNESS: Signs are going to be incorporated, that was one of the stipulations of the DEP approval, and -- as well as incorporating into the lease. 10:09PM At this time I don't think striping is proposed, just because there's going to be signs all throughout the garage. 10:09PM MS. MIANECKI: Okay. So they're going to be very visible. 10:09PM THE WITNESS: Yes. 10:09PM MS. MIANECKI: Okay. 10:09PM My next comment: 10:09PM "An evacuation plan should be prepared LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	136 10:10PM following information." 10:10PM And I guess a lot of this, you're going to have it in their leases because of your DEP permit and what we just discussed. 10:10PM But just make them aware that the building is in an area subject to flooding, that there is a community shelter and the location of that is Midland School at 300 Rochelle Avenue. 10:10PM That residents should be registering for the Reverse 911/RAVE system so that they can receive emergency notifications. 10:10PM And again, the parking area should be signed to indicate that the area is subject to flooding. 10:11PM And this is a lot further down the line, I guess, but when you're ready to get this information put together, you can always meet with the Office of Emergency Management and get a packet or something put together -- 10:11PM THE WITNESS: Great. 10:11PM MS. MIANECKI: -- to work with the residents. 10:11PM THE WITNESS: Okay. Great. 10:11PM MS. MIANECKI: Okay? 10:11PM Elevation certificate will be required LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

137 10:11PM as well as floodproofing certificates -- 10:11PM THE WITNESS: They will be provided. 10:11PM MS. MIANECKI: -- for the elevators, 10:11PM once -- if they can get floodproofing certificate, as 10:11PM well as, at that point when the building is completed 10:11PM and you're submitting your elevation certificate, 10:11PM you'll also need to have an as-built plan showing the 10:11PM location and elevation of each of the flood vents. 10:11PM THE WITNESS: Yes, we will provide 10:11PM that. 10:11PM MS. MIANECKI: Okay. And there is, 10:11PM like I said before, there's requirements as to the 10:11PM height of the flood vents compared to the adjacent 10:11PM grades and all that, so that's why we need to see 10:11PM that on the plan now to make sure that when it's 10:11PM constructed it meets -- it's in compliance with the 10:12PM NFIP code. 10:12PM THE WITNESS: Agreed. 10:12PM MS. MIANECKI: All right, No. 22, at 10:12PM this point I had requested a copy of the NJDEP Flood 10:12PM Hazard Area Verification, Individual Permit and any 10:12PM other permit required for the construction of the 10:12PM building and any permit required for the 10:12PM driveway/cul-de-sac in the floodway. 10:12PM So that was submitted at another date. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	139 10:13PM THE WITNESS: We can, we'll certainly 10:13PM -- we might as well -- we're here, we might as well 10:13PM hear the discussion and we'll return if -- 10:13PM MS. MIANECKI: Okay. 10:13PM THE WITNESS: -- if we need to cover 10:13PM something more in depth. 10:13PM MS. MIANECKI: Okay. So I had 10:13PM indicated: 10:13PM "A copy of the NJDEP Flood Hazard Area 10:13PM Individual Permit and Flood Hazard Area 10:13PM Verification dated May 5, 2021 is included as 10:13PM part of the" -- it was in the "additional 10:13PM easements and restrictions PDF." 10:13PM So "based on a review of this document, 10:13PM the following are my comments: 10:13PM "The plans approved by the NJDEP as 10:13PM part of the Flood Hazard Area Permits, were 10:13PM not part of the set of plans which were 10:13PM submitted for my review on July 6, 2021. The 10:13PM NJDEP approved plans listed in the Flood 10:13PM Hazard Area Permit were prepared by Stonefield 10:13PM Engineering and Design dated February 3, 2021 10:14PM and last revised April 16, 2021. These plans 10:14PM were titled 'NJDEP Site Plan Set, TFJ 120 10:14PM Passaic, LLC, Proposed Mixed-Use Development, LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
138 10:12PM That was submitted, I believe, with the -- I received 10:12PM a copy from an e-mail from Corey Klein dated 10:12PM September 10, 2021. 10:12PM And after I reviewed the Flood Hazard 10:12PM Area Permit you got I had a couple of questions with 10:12PM that. 10:12PM THE WITNESS: Okay. 10:12PM MS. MIANECKI: So that would be my 10:12PM September 15 memorandum, if you want to go over that. 10:12PM MS. GONCHAR: I don't have that. 10:12PM Do we have it? 10:12PM MS. MIANECKI: You don't have that. 10:12PM MS. GONCHAR: No, I have October and -- 10:12PM MS. MIANECKI: I'm sorry, September 15. 10:12PM MR. KLEIN: July and October. 10:13PM MS. GONCHAR: We all have July and 10:13PM October. 10:13PM CHAIRMAN KANIEWSKI: I have July and 10:13PM October. 10:13PM MS. GONCHAR: I got September from 10:13PM Boswell, but I don't have -- we don't have yours. 10:13PM MS. MIANECKI: Okay. Want me to just 10:13PM go over it anyway? 10:13PM MS. GONCHAR: Do you want a chance to 10:13PM look at it. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	140 10:14PM Block 92, Lots 1 and 2; Block 93, Lot 1; 10:14PM Block 91.02, Lots 4 and 6, 120 West Passaic 10:14PM Street, Township of Rochelle Park, Bergen 10:14PM County, New Jersey." 10:14PM These plans were not included in the 10:14PM set that we had -- that I had received. And I don't 10:14PM think Boswell received them as well. 10:14PM So we would need to get a copy of those 10:14PM DEP approved Flood Hazard Area Plans. 10:14PM THE WITNESS: We could provide those. 10:14PM MS. GONCHAR: Yes. 10:14PM THE WITNESS: I believe those actually 10:14PM have most of the flood vent calculations that you're 10:14PM looking for as well, so that would make sense. 10:14PM MS. MIANECKI: Which would make sense 10:14PM if you got a Flood Hazard Area Permit that all that 10:14PM information that I had requested has already been 10:14PM addressed. 10:14PM THE WITNESS: That's right. 10:14PM MS. GONCHAR: And I'm sorry that -- we 10:14PM would have gotten them to you had we known they were 10:14PM -- if we had seen the letter we would have known to 10:14PM get them to you, so we apologize. It got lost 10:14PM somewhere. 10:14PM MS. MIANECKI: Okay. No. 2, Item LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

141 10:14PM Number -- Item No. 2 said: 10:15PM "The first page of the NJDEP Permit 10:15PM describes the authorized activities as 'the 10:15PM construction of a four-story residential 10:15PM building with associated ground level 10:15PM parking.' This appears to be inconsistent 10:15PM with the Planning Board application for a 10:15PM four-story multifamily apartment building with 10:15PM two levels of parking." 10:15PM So I don't know if you want to clarify. 10:15PM I guess that would be shown in the plans -- 10:15PM THE WITNESS: It will be. 10:15PM MS. MIANECKI: -- that you got 10:15PM approved, whether there was two levels of parking or 10:15PM one. 10:15PM THE WITNESS: That's right, yes, it's 10:15PM consistent. It's the two -- two levels of parking 10:15PM garage, four stories above that of residential. 10:15PM MS. MIANECKI: Okay. 10:15PM Now, so to follow that up, I had my 10:15PM Item No. 3 of my memo said that: 10:15PM "The design engineer should prepare a 10:15PM document outlining any and all differences 10:15PM between the 'NJDEP Site Plan Set' which 10:15PM received the Flood Hazard Area Permit and the 10:15PM LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	143 10:16PM and one of the requirements -- and maybe you can put 10:16PM testimony, additional testimony on about this, is the 10:16PM access. 10:16PM For multifamily residential they want 10:16PM you to have an access point that is 1 foot above the 10:16PM design flood elevation, if possible. 10:16PM And you're showing that with the lot on 10:16PM Fairfield Road. 10:16PM And again, the grading, there's very 10:16PM few elevations shown to make an intelligent 10:16PM determination as to whether you're 1 foot above or 10:16PM not. From what we see it doesn't seem like you're 10:16PM 1 foot above. 10:17PM So I don't know if you had a -- I guess 10:17PM make a case with the NJDEP as to why you couldn't go 10:17PM 1 foot above and you had to show it a few -- half a 10:17PM foot lower, a foot lower. If you have -- if you can 10:17PM put testimony on the record as to how that got 10:17PM approved? 10:17PM THE WITNESS: Yes, I can. 10:17PM MS. MIANECKI: Because that is -- if it 10:17PM got -- I mean, I'm assuming that the DEP plan shows 10:17PM the same access point with the same -- 10:17PM THE WITNESS: Yes. 10:17PM MS. MIANECKI: -- elevation as the plans LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
142 10:15PM set of plans that were submitted to us for 10:15PM review." 10:15PM THE WITNESS: We can do that. 10:15PM MS. MIANECKI: Okay? 10:15PM THE WITNESS: Um-hmm. 10:15PM MS. MIANECKI: And the last comment I 10:15PM had, had to do with: 10:15PM The first page of the NJDEP Permit 10:15PM indicates that, 'This permit is not valid 10:16PM unless authorizing signature appears on the 10:16PM last page." 10:16PM And the one that was submitted, and I 10:16PM guess it was also recorded with Bergen County Clerk, 10:16PM it does not have an authorizing signature. 10:16PM So I know that a lot of the stuff has 10:16PM been sent by e-mail, and I don't know if you have one 10:16PM that has been signed. 10:16PM THE WITNESS: I do, if you'd like it. 10:16PM MS. MIANECKI: You do? Okay. That's 10:16PM great. 10:16PM THE WITNESS: Yeah. 10:16PM MS. MIANECKI: So those were my 10:16PM comments. 10:16PM So now that I -- we went through all 10:16PM that with the -- you got a Flood Hazard Area Permit, LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	144 10:17PM that we're looking at. 10:17PM THE WITNESS: It does, yes. 10:17PM MS. MIANECKI: Okay. 10:17PM THE WITNESS: So, basically, how this 10:17PM works, and we went through a number a pre-application 10:17PM meetings with the DEP first. Then we submit. We 10:17PM receive comments. We address them until we finally 10:17PM get our permit. 10:17PM Essentially one of the first things 10:17PM they look for, number one, is we're able to provide 10:17PM the residential spaces at the highest elevation 10:17PM possible, 1 foot above the finished floor -- or, 10:17PM excuse me -- 1 foot above the flood hazard area 10:17PM elevation is the absolute minimum it can be. In this 10:17PM case we are much higher up. 10:17PM And then with the second piece that's 10:17PM very critical that they look for is, is there a 10:17PM right-of-way, a public right-of-way that we will be 10:18PM able to route our -- our residents to in a safe 10:18PM manner that's not too far below the flood. 10:18PM So while the intention and the 10:18PM expectation is always you want to get it as high as 10:18PM possible, in any -- in any event where we can get to 10:18PM a public right-of-way that is above the flood hazard 10:18PM elevation, that is what they will require us to do. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

145 10:18PM When it comes to this property 10:18PM specifically, the highest elevation is essentially 10:18PM shown on our plans as the Fairfield Drive connection, 10:18PM and that is, as I think it was mentioned previously, 10:18PM it is somewhere between, like, 6 and 8 inches below 10:18PM the flood hazard area elevation. 10:18PM But the DEP deems that acceptable 10:18PM because a vehicle can get out and traverse out into 10:18PM the public right-of-way. 10:18PM So we've dealt with this on many 10:18PM similar applications. Usually what they strive for 10:18PM is to make sure that it's not a foot below the flood 10:18PM hazard elevation, because once you can envision a car 10:18PM in a foot of water, that's really when you're going 10:19PM to start to have problems. 10:19PM So they look at not only our design, 10:19PM but also first and foremost, does the property, is it 10:19PM going to safely provide a residential development, 10:19PM which the DEP has determined is the case. 10:19PM MR. MAYO: We noticed the elevations 10:19PM lower than the flood hazard area around the access 10:19PM gate that will be installed on the east side of the 10:19PM self-storage. 10:19PM If -- excuse me -- if we are proposing 10:19PM grass pavers in there, is it possible that that road LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	147 10:20PM hazard area elevation of the 43.9 is simply at that 10:20PM interconnection point at Fairfield, yes. 10:20PM MR. MAYO: So you'd be getting closer 10:20PM to that recommended 1 foot above by removing -- 10:20PM THE WITNESS: Yes. 10:20PM MR. MAYO: -- this curb and pavement and 10:20PM bringing in the grass pavers. 10:20PM THE WITNESS: We can do that. The one 10:20PM thing I will just double-check, we should have the 10:20PM room, is to make sure that the flood storage 10:20PM balancing still works. 10:20PM MR. MAYO: Of course, yes. 10:20PM THE WITNESS: As I had mentioned 10:21PM before, we're not permitted to push floodwater onto 10:21PM an adjacent property. 10:21PM MR. MAYO: Yes. 10:21PM THE WITNESS: But assuming that works 10:21PM out, we will elevate it. 10:21PM MR. MAYO: Thank you. 10:21PM MS. MIANECKI: Do the DEP plans then 10:21PM show asphalt on that access drive. 10:21PM THE WITNESS: I'll be honest, I'd have 10:21PM to refresh my memory. 10:21PM I thought it did, but I don't want to 10:21PM put it on the record because I was -- I was mistaken LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
146 10:19PM surface is lifted up 6 inches now without a curb and 10:19PM grass pavers installed? 10:19PM THE WITNESS: Well, the -- the 10:19PM elevation of -- 10:19PM MR. MAYO: Presently you're proposing a 10:19PM curb. 10:19PM THE WITNESS: Yes, that interconnection 10:19PM -- there is a curb, but that is actually -- let me 10:19PM make sure I am looking at this right, but that is 10:19PM actually at elevation 44. 10:20PM So that is actually above the flood 10:20PM hazard elevation of 43.9. 10:20PM MR. MAYO: I thought I see 44, okay. 10:20PM Well, 43.9 and 44, you're at a tenth of 10:20PM a foot up. 10:20PM THE WITNESS: Right. 10:20PM MR. MAYO: But, again, if -- wouldn't 10:20PM we expect that basically that road surface to be 10:20PM lifted up to that driveway access, to be lifted up 10:20PM 6 inches if we were going with pavers, grass pavers 10:20PM instead of a curb system. 10:20PM THE WITNESS: Oh, I see your point. 10:20PM Yes, we -- yes, then I misunderstood at first. 10:20PM Yes, so we can -- we can elevate that. 10:20PM Really the only point at which we're below the flood LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	148 10:21PM previously. 10:21PM MR. MAYO: If I'm not mistaken, we 10:21PM agreed to allow the pavers at the last meeting. 10:21PM MS. GONCHAR: Yeah, but you're asking 10:21PM -- you didn't agree to -- 10:21PM THE WITNESS: It wouldn't most likely 10:21PM -- 10:21PM MS. GONCHAR: I think what I said at 10:21PM the meeting, and I don't think it was last week, I 10:21PM think it was when we were before the board as part of 10:21PM the amendment to the redevelopment, I stated that I 10:21PM believe that it was intended that it would be some 10:21PM kind of grass paver. 10:21PM That was my understanding when I 10:21PM appeared before them. I don't think we discussed it 10:21PM last week, I think that was the meeting that 10:21PM councilwoman was referring to before. 10:21PM THE WITNESS: Because we received our 10:21PM DEP permit previously, I'm assuming -- I don't want 10:22PM to 100 percent guarantee, but I'm assuming it was 10:22PM shown as your typical asphalt. 10:22PM MS. MIANECKI: Would you have to go 10:22PM back to DEP for a change if you're putting in grass 10:22PM pavers. 10:22PM THE WITNESS: Usually what we do in a LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

149 10:22PM situation like this is we make sure that any of the 10:22PM changes come out of the engineering review letters 10:22PM and any conditions based on the approval needs to get 10:22PM captured in that DEP permit would be amended. 10:22PM In this scenario, because we're going 10:22PM from more impervious to less with a pervious, you 10:22PM know, paver option, there wouldn't be any concern, it 10:22PM would essentially just be amending that permit as 10:22PM needed. 10:22PM And it would reflect any of the other 10:22PM changes as you mentioned, like incorporating the wall 10:22PM by the transformers because that picks up additional 10:22PM flood storage. 10:22PM So those things would -- those things 10:22PM would all be picked up in an amended permit with the 10:22PM DEP. 10:22PM MS. MIANECKI: I think all of my items 10:22PM have been addressed, so I just reserve the right to 10:23PM have further comments once I get the revised plans, 10:23PM grading plans and the DEP plans, if that's okay. 10:23PM MS. GONCHAR: Well, the DEP plan 10:23PM certainly can be provided quickly. I guess the 10:23PM question is -- and that's something we need to talk 10:23PM about in terms of whatever other changes we've 10:23PM discussed. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	151 10:24PM instrument. We'll double-check which one was 10:24PM recorded. 10:24PM CHAIRMAN KANIEWSKI: This instrument 10:24PM does not have the signature on it so it's facially 10:24PM invalid, so are you going to review that? 10:24PM MS. GONCHAR: I don't know that I 10:24PM concur it's facially invalid, but we will look into 10:24PM whether we think it's necessary -- 10:24PM CHAIRMAN KANIEWSKI: What does the 10:24PM language say? What does the permit language say? 10:24PM MS. GONCHAR: I don't know what the 10:24PM permit language says. 10:24PM CHAIRMAN KANIEWSKI: Okay. Let me ask 10:24PM the expert then. You're familiar with the wetlands, 10:24PM pardon me, the permit? 10:24PM THE WITNESS: I am familiar with it. 10:24PM CHAIRMAN KANIEWSKI: "This permit is 10:24PM not valid unless authorizing signature appears 10:24PM on the last page." 10:24PM Would you agree or not agree that 10:25PM that's in the permit. 10:25PM THE WITNESS: I believe it is, yes. 10:25PM CHAIRMAN KANIEWSKI: Okay. And if -- 10:25PM and would you agree that there's no signature on the 10:25PM last page? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
150 10:23PM Can we ask that someone provide us with 10:23PM that letter? Thank you. Memo, whatever it was. 10:23PM From September. 10:23PM MS. MIANECKI: I'm sorry you didn't get 10:23PM a copy of it. 10:23PM MS. GONCHAR: Thank you. 10:23PM It is what it is. We were just 10:23PM scrambling to look. 10:23PM CHAIRMAN KANIEWSKI: I have one 10:23PM follow-up question on the floodplain manager. 10:23PM She noted that the permit was not 10:23PM signed and there is a statement saying that unless 10:23PM it's signed it's not valid. 10:24PM You also, I believe, have submitted a 10:24PM reported instrument with that document attached which 10:24PM is also not signed. 10:24PM Are you going to review that? 10:24PM MS. GONCHAR: No, I think the -- I 10:24PM think our engineer at least said he does have the 10:24PM signed one, that he'll provide her a copy. 10:24PM CHAIRMAN KANIEWSKI: But you did record 10:24PM a document that had that attached; is that not 10:24PM correct? 10:24PM I saw a recorded instrument with that. 10:24PM MS. GONCHAR: There is a recorded LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	152 10:25PM THE WITNESS: I have the DEP permit 10:25PM with the signature. 10:25PM CHAIRMAN KANIEWSKI: You have a signed 10:25PM one, but the one that was submitted to the board, 10:25PM there was no signature, which -- let me ask another 10:25PM question. 10:25PM In the preparation for testimony this 10:25PM evening, did you consult the stormwater management 10:25PM report prepared by your company? 10:25PM THE WITNESS: Yes. 10:25PM CHAIRMAN KANIEWSKI: Okay. If I was to 10:25PM tell you that that permit was included in the 10:25PM document and it did not have a signature would you 10:25PM agree or not agree with that statement? 10:25PM THE WITNESS: I would have to 10:25PM double-check if it was included or not. 10:25PM CHAIRMAN KANIEWSKI: I'd appreciate it 10:25PM if you'd do that. 10:25PM THE WITNESS: Yeah, to be honest, I am 10:25PM not sure if the copy of the permit included in the 10:25PM appendix of the stormwater report was signed or not. 10:26PM I just don't have a copy of it, so I'm not sure. 10:26PM CHAIRMAN KANIEWSKI: Okay. All right. 10:26PM Thank you. 10:26PM MS. GONCHAR: I'm not sure what you're LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

153 10:26PM questioning. There is a signed document. 10:26PM CHAIRMAN KANIEWSKI: You have a 10:26PM recorded document which has a -- which lacks a 10:26PM signature, a permit -- the permit, as I think the 10:26PM testimony states, states the following: 10:26PM "The permit is not valid unless 10:26PM authorizing signature appears on the last 10:26PM page." 10:26PM MS. GONCHAR: But we have -- 10:26PM THE WITNESS: We have a signed permit. 10:26PM MS. GONCHAR: We have -- 10:26PM CHAIRMAN KANIEWSKI: If you're 10:26PM comfortable with your recorded instrument not having 10:26PM signatures on it, I think that's probably your own 10:26PM risk and peril. So maybe I should withdraw my 10:26PM question. 10:26PM MS. GONCHAR: I think your -- I don't 10:26PM know what was -- and as we sit here I don't know if 10:26PM you have the copy that was recorded. I don't have 10:26PM that one in front of me. 10:26PM CHAIRMAN KANIEWSKI: If you could 10:26PM review that copy. 10:26PM MS. GONCHAR: It is recorded and then 10:26PM provided to DEP. 10:26PM If DEP had a problem with what we LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	155 10:27PM MS. GONCHAR: Heeding your advice from 10:27PM the last meeting, I'm guessing we're not doing those 10:27PM witnesses tonight. 10:27PM CHAIRMAN KANIEWSKI: Okay. I'll open 10:27PM it to the board for questioning. There is -- we're 10:28PM running a little bit late, so if everybody is 10:28PM agreeable I'll allow some questions at this point. 10:28PM Do we have anything additional? 10:28PM COMMITTEEWOMAN IACOBUCCI: Yes, I do. 10:28PM You spoke about the easements around 10:28PM Columbia. 10:28PM Are you talking about the easement that 10:28PM -- the easement that was under consideration? There 10:28PM was an amendment to that easement in 2019 when 10:28PM Columbia took possession of that property. 10:28PM When you're talking about easements, 10:28PM are these easements coming through for the property 10:28PM now? 10:28PM MS. GONCHAR: There are easement that 10:28PM were put in place, cross access easements -- 10:28PM COMMITTEEWOMAN IACOBUCCI: A long time 10:28PM ago. 10:28PM MS. GONCHAR: Right. 10:28PM COMMITTEEWOMAN IACOBUCCI: So that's 10:28PM those -- that's the easement that is affected? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
154 10:26PM recorded, presumably we would have heard from DEP. 10:27PM I think what I thought I heard you 10:27PM saying or your questions were for the purpose of 10:27PM gaining information to find out whether there was, in 10:27PM fact, a signed permit. 10:27PM CHAIRMAN KANIEWSKI: I am aware that 10:27PM there is. 10:27PM MS. GONCHAR: Okay. That we have a 10:27PM signed permit, there is a valid permit. 10:27PM If something needs to be rerecorded or 10:27PM DEP has a problem with what we recorded, we will -- 10:27PM the recording is not the permit, the recording is a 10:27PM condition of the permit. 10:27PM CHAIRMAN KANIEWSKI: I understand that. 10:27PM MS. GONCHAR: Which we did. 10:27PM CHAIRMAN KANIEWSKI: Okay. Anything 10:27PM further at this point? 10:27PM MS. GONCHAR: We have no further 10:27PM direct, subject to our right to recall. 10:27PM And we, obviously, have some documents 10:27PM and we want to discuss the timing about the open 10:27PM issues. We still have our traffic engineer and we 10:27PM have our planner to deal with the variances and the 10:27PM waivers. 10:27PM CHAIRMAN KANIEWSKI: Okay. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	156 10:28PM MS. GONCHAR: I'm going to be honest, I 10:28PM did not draft or negotiate any of those easements, 10:28PM other people in my office did. 10:28PM So I am going to say what I believe. 10:29PM There were easements put in place a while ago -- 10:29PM COMMITTEEWOMAN IACOBUCCI: Right. 10:29PM MS. GONCHAR: -- in anticipation of the 10:29PM fact that this project would only function if there 10:29PM were different ownership if there were cross access, 10:29PM cross utility easements. 10:29PM Those were put into place a long time 10:29PM ago. I'm not aware if there were amendments to it, 10:29PM but the easements I'm referring to are those that I 10:29PM know are in place, the ones that provide access, you 10:29PM know, cross access across roadways that are in 10:29PM different sections or on different lots. Those are 10:29PM what I was referring to. 10:29PM COMMITTEEWOMAN IACOBUCCI: I think that 10:29PM answers my question. 10:29PM MS. GONCHAR: Okay. 10:29PM COMMITTEEWOMAN IACOBUCCI: Thank you. 10:29PM CHAIRMAN KANIEWSKI: I just have a 10:29PM couple of quick questions. 10:29PM You're familiar with the stormwater 10:29PM management report from Stonefield? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

157 10:29PM THE WITNESS: I am, yes. 10:29PM CHAIRMAN KANIEWSKI: Could you explain 10:29PM to me -- I don't -- do you have a copy of that for 10:29PM him? 10:29PM THE WITNESS: I have -- I have the text 10:29PM from the report. I don't actually have the hard copy 10:29PM appendices on me -- 10:29PM CHAIRMAN KANIEWSKI: Okay. 10:29PM THE WITNESS: -- but I have some of the 10:30PM text. 10:30PM CHAIRMAN KANIEWSKI: I call your 10:30PM attention to -- are you familiar with the 10:30PM organization called CC Consulting Engineers? Do you 10:30PM have that available? 10:30PM THE WITNESS: I'm sorry, say that 10:30PM again? What was it? 10:30PM CHAIRMAN KANIEWSKI: As part of your 10:30PM report, Appendix E, geotech is one investigation 10:30PM report. 10:30PM THE WITNESS: I don't have a copy of 10:30PM the geotech report on me. 10:30PM CHAIRMAN KANIEWSKI: If you can make 10:30PM just a note, the geotechnical review report which 10:30PM appears as Appendix E in your report, and I'm looking 10:30PM at a letter dated apparently November 30, 2018, LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	159 10:31PM where the size configuration of the proposed 10:31PM building is altered," et cetera. 10:31PM So you could bring us up-to-date on 10:31PM that? 10:31PM THE WITNESS: Yes. 10:31PM So, essentially, how this often works 10:31PM in a project like this, one of the first things that 10:31PM an applicant will do during due diligence is go and 10:31PM get the soils tested. 10:31PM And that geotech report, that you're 10:31PM referencing, it gives indications on how suitable the 10:31PM soil is for foundations, what kind of foundations. 10:32PM It helps the applicant start to budget 10:32PM and understand the costs associated with the 10:32PM development. 10:32PM It also provides us the necessary 10:32PM information, and we were talking about it before, 10:32PM about stormwater management, what kind of soils do we 10:32PM have below the surface, is infiltration possible. 10:32PM So that first initial subsurface 10:32PM investigation provides a lot of information that is 10:32PM going to lead to the final design, both 10:32PM architecturally, structurally and in the stormwater 10:32PM management as a whole. That data is used to project 10:32PM does this -- is this site feasible? Is it going to LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
158 10:30PM indicates the following, the second paragraph -- 10:30PM fourth paragraph: 10:30PM "At the time of the writing, we have 10:30PM not been provided loading from the proposed 10:30PM four-story residential building or the 10:30PM proposed one-story retail development. 10:30PM However, we assume relatively light column 10:30PM wall and floor loads for recommendations. 10:30PM "We have not been provided with the 10:30PM existing site topography, proposed grading, 10:30PM architectural and structural plans. We should 10:30PM be provided with this information for our 10:31PM review to confirm all recommendations and 10:31PM confirm all recommendations herein remain 10:31PM valid." 10:31PM THE WITNESS: Um-hmm. 10:31PM CHAIRMAN KANIEWSKI: Has that been 10:31PM updated? 10:31PM THE WITNESS: Yes, I can, kind of, 10:31PM explain the overall process. 10:31PM CHAIRMAN KANIEWSKI: Okay. Yes, they 10:31PM go on, on -- I believe an indication in another part 10:31PM of the letter is that -- page 8: 10:31PM "The report should not be used when the 10:31PM nature of the proposed building is changed LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	160 10:32PM be constructible? What kind of materials do we need 10:32PM to use? 10:32PM And as you mentioned in that geo-tech 10:32PM report, they don't have specific final structural, 10:32PM architectural or civil drawings because they haven't 10:32PM been provided yet, but what they do do is they make 10:32PM recommendations on what they would envision is needed 10:32PM for the site from a foundational and subsurface 10:32PM condition stance. 10:32PM And then once we have -- once we come 10:32PM before the board, once we collect the DEP permits as 10:32PM we mentioned, if we were to receive your approval, 10:33PM all those final documents then need to be provided 10:33PM back to a geotechnical engineer. 10:33PM If any additional testing is needed to 10:33PM be done he would do it at that time. And then he 10:33PM would essentially validate his recommendations for 10:33PM the overall design of the property. 10:33PM And often that same geotech engineer is 10:33PM usually brought on to assist with any construction 10:33PM coordination. 10:33PM CHAIRMAN KANIEWSKI: Okay. Another 10:33PM question regarding that particular document. 10:33PM Could you explain to me what 10:33PM uncontrolled fill is? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

161 10:33PM THE WITNESS: Uncontrolled fill, yes, 10:33PM it's, essentially -- it's -- it's a mess. It's a 10:33PM collection of a number of things. It could be from 10:33PM years and years of different developments being on 10:33PM the site. It could be old debris. 10:33PM It's, essentially, not a specific soil 10:33PM like a clay or something that is very well defined 10:33PM and it's just a mix of a bunch of different things, 10:33PM including some things that might have been from 10:33PM previous developments. 10:33PM CHAIRMAN KANIEWSKI: Would -- would -- 10:33PM in the course of doing your building, will the soil 10:33PM be disturbed at all? 10:33PM THE WITNESS: The soil will be 10:33PM disturbed for the installation, you mean? 10:34PM CHAIRMAN KANIEWSKI: For the 10:34PM construction. 10:34PM THE WITNESS: The soil will be 10:34PM disturbed. 10:34PM CHAIRMAN KANIEWSKI: Okay. In the 10:34PM course of your testing, have any reviews or soil 10:34PM tests been done for radioactive material such as 10:34PM floridum, radium? 10:34PM THE WITNESS: That would be an 10:34PM environment Phase I report. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	163 10:35PM it on the internet, I don't know what they call it, 10:35PM the Maywood Superfund site. And see if there is any 10:35PM issues with fill that's radioactive that appeared in 10:35PM Maywood -- Maywood, Lodi and I think Rochelle Park 10:35PM it's been detected and it was fairly common back in 10:35PM the '40s and '50s. There's a full history on that. 10:35PM THE WITNESS: Okay. 10:35PM CHAIRMAN KANIEWSKI: I read the 10:35PM uncontrolled fill, I never -- I question what is 10:35PM under the surface at that point. You don't know 10:35PM where it comes from. 10:35PM And it appeared that I didn't see any 10:35PM particular references to testing of that in the soil 10:35PM reports. 10:35PM THE WITNESS: Yes, that would -- that 10:35PM would be included in a separate report. The geotech 10:35PM report identifies the soil types and characteristics. 10:35PM When it comes to hazardous materials 10:35PM that's included in a separate study by an 10:35PM environmental engineer. And then they essentially 10:36PM outline if there are any risks associated with the 10:36PM property. 10:36PM If there are a certain number that 10:36PM exceed any state or federal requirement then you have 10:36PM to go and get what's called a Phase II environmental LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
162 10:34PM CHAIRMAN KANIEWSKI: Okay. 10:34PM THE WITNESS: I am not privy to that 10:34PM information. I'm not sure if a Phase I environmental 10:34PM report has been prepared. 10:34PM CHAIRMAN KANIEWSKI: Okay. 10:34PM THE WITNESS: That would be separate 10:34PM than the geotech. 10:34PM CHAIRMAN KANIEWSKI: Are you aware that 10:34PM there is a Superfund site in Maywood and in Rochelle 10:34PM Park? 10:34PM THE WITNESS: Sorry, what? 10:34PM I am not aware of this. 10:34PM CHAIRMAN KANIEWSKI: There is a 10:34PM Superfund site in Maywood and Rochelle Park. It 10:34PM dates back to the atomic energy era. They're doing a 10:34PM cleanup of the -- I'll phrase it in a question. 10:34PM Are you aware that fill from that site 10:34PM was used in a lot of locations in construction in 10:34PM Rochelle Park, Maywood and Lodi? 10:34PM THE WITNESS: I am not familiar with 10:34PM that. 10:34PM CHAIRMAN KANIEWSKI: Okay. Just a 10:35PM statement or a request, you might -- or a suggestion. 10:35PM You might want to review or take a look at that site 10:35PM and see if there is an -- you should be able to find LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	164 10:36PM study. And then, of course, all of this construction 10:36PM will have to comply; any fill, export, import, all 10:36PM has to comply with the federal and state regulations 10:36PM for that. 10:36PM CHAIRMAN KANIEWSKI: Okay. Thank you, 10:36PM appreciate that. 10:36PM THE WITNESS: Thank you. 10:36PM CHAIRMAN KANIEWSKI: Again, there's no 10:36PM questions from the board? 10:36PM (No response.) 10:36PM CHAIRMAN KANIEWSKI: If not, I know 10:36PM it's late, but I would like to allow some questions 10:36PM from any residents at this point, just because the 10:36PM testimony -- we've had testimony and I want to make 10:36PM sure we can get a few residents in if you're 10:36PM interested in asking any questions. 10:36PM You can come forward. 10:36PM MR. COLEMAN: Bill Coleman, 58 10:36PM Schlosser Drive. 10:36PM One of the issues I see -- well, 10:36PM actually, the base flood elevation on Fairfield, did 10:37PM you do a base flood elevation for Plaza Way. 10:37PM THE WITNESS: The base -- the flood 10:37PM elevation is determined by the DEP. 10:37PM MR. COLEMAN: Okay. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

165 10:37PM But did you do an elevation on Plaza 10:37PM Way as compared to Fairfield. 10:37PM THE WITNESS: It is -- the flood 10:37PM elevation is the same at the location. 10:37PM MR. COLEMAN: Okay. And my concern is 10:37PM how come you didn't pursue the exit onto Plaza Way? 10:37PM Because from what the Chairman said, 10:37PM asked the attorney, evidently Plaza Way -- part of 10:37PM Rochelle Park is in Plaza Way, so, you know, why 10:37PM can't we use that instead of going into a residential 10:37PM area. 10:37PM THE WITNESS: Yeah, unfortunately it's 10:37PM not a public right-of-way. It's a private road. 10:37PM It's privately owned. 10:37PM MR. COLEMAN: Okay. 10:37PM I believe we have four entrances into 10:37PM the plaza. I think we have some bargaining power to 10:38PM try to negotiate with the foreign corporation that 10:38PM owns the plaza and that. 10:38PM I just don't understand why you're not 10:38PM pursuing that. You take 10 feet off of that ramp for 10:38PM the storage building and you actually solve a lot of 10:38PM problems. 10:38PM You can make the storage building more 10:38PM secure with their own fencing to secure it and you'd LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	167 10:39PM that building the police department, first responders 10:39PM are going to have their hands full because we have 10:39PM 270 people in town that are totally devastated 10:39PM guaranteed during a flood. 10:39PM So I would like to know, and I hope the 10:39PM board would insist that we go a little -- we pursue 10:39PM this a little further with the Plaza Way exit. 10:39PM MS. GONCHAR: Well, let me just say for 10:39PM the record that I disagree with you as to special 10:39PM dispensation. 10:39PM Let me say that this is a permitted use 10:39PM in the zone. The town did a redevelopment plan for a 10:40PM project with 160 residential units which did not have 10:40PM as part of it access onto Plaza Way. It's not a 10:40PM requirement of the redevelopment plan. It's not part 10:40PM of any ordinance that I am aware of. 10:40PM We indicated that we would make an 10:40PM effort, we did. There was no specific requirement in 10:40PM that regard. 10:40PM And so while I appreciate your 10:40PM comments, I don't agree. This is not a use variance 10:40PM request, this is not only a permitted use, part of a 10:40PM redevelopment, but it's also the property that the 10:40PM town chose to designate for its inclusionary project 10:40PM to satisfy about half, if not more, of its affordable LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
166 10:38PM have an exit out there, emergency exit within your 10:38PM facility. You're not deviating from the facility. 10:38PM So is there a letter or something that 10:38PM you got from the corporation saying that you can't 10:38PM use it or is it just a verbal conversation that you 10:38PM had? 10:38PM MS. GONCHAR: My understanding is that 10:38PM there were communications between them. I don't 10:38PM believe that we have a letter from them. 10:38PM MR. COLEMAN: Okay. If I was part of 10:38PM the township committee or something or sitting on 10:38PM that board, I would insist that there be a letter of 10:38PM denial. 10:38PM And then I would negotiate why we want 10:38PM -- want it or else we're not going to be favorable 10:39PM towards this application. 10:39PM That is -- the board is up here to 10:39PM grant special dispensations, not to guarantee 10:39PM approvals. So there is a lot of power up there. 10:39PM And like I said, we have four entrances 10:39PM coming into this community. 10:39PM This here project over there, you got 10:39PM all the vehicles and everything else, when that 10:39PM floods, if those vehicles don't get out, they become 10:39PM projectiles. And if these people don't get out of LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	168 10:40PM housing obligation for the third round. 10:40PM MR. COLEMAN: Well -- 10:40PM MS. GONCHAR: I am just telling you the 10:40PM legal parameters under which we operate. 10:40PM MR. COLEMAN: The affordable housing is 10:40PM another issue, I totally -- 10:40PM MS. GONCHAR: Is it not a -- 10:40PM MR. COLEMAN: I disbelieve in that in 10:41PM this community. 10:41PM CHAIRMAN KANIEWSKI: Can I interrupt 10:41PM just before we go too far afield. This is -- at this 10:41PM point we're questioning regarding the testimony of 10:41PM the witness as opposed to general statements. 10:41PM So I appreciate your point of view. 10:41PM MR. COLEMAN: We deviate a little when 10:41PM -- when I make a statement we kind of deviate a 10:41PM little -- 10:41PM CHAIRMAN KANIEWSKI: I understand. 10:41PM MR. COLEMAN: -- we go a little off 10:41PM track. 10:41PM CHAIRMAN KANIEWSKI: Just understand 10:41PM where we are. 10:41PM MR. COLEMAN: All due respect, you're 10:41PM on high ground and there's a lot of us out here that 10:41PM are actually going to be impacted by this, so there's LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

169 10:41PM questions I would like to get answered. 10:41PM The -- 10:41PM MS. GONCHAR: And the question is for 10:41PM the engineer. I am going to be hear -- 10:41PM MR. COLEMAN: Okay. 10:41PM MS. GONCHAR: -- whenever there are 10:41PM hearings, but I don't know if the -- 10:41PM MR. COLEMAN: I know. I know but, you 10:41PM know, you brought up a point that, you know, it's a 10:41PM permitted use and everything else, so... 10:41PM MS. GONCHAR: That's the law. That's 10:41PM all I'm quoting is the parameters under which -- 10:41PM MR. COLEMAN: Fine. I sat -- 10:41PM MS. GONCHAR: -- I'm required to 10:41PM function. 10:41PM MR. COLEMAN: -- as chairman of the 10:41PM zoning board for 15 years up there. So... 10:41PM MS. GONCHAR: I'm not questioning, I'm 10:41PM simply -- 10:41PM MR. COLEMAN: We had ShopRite down here 10:41PM that we demanded they have a traffic light as part of 10:41PM their application or we weren't going to approve it. 10:41PM So there is some power up there with 10:41PM that board. 10:41PM MS. GONCHAR: I won't comment on LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	171 10:42PM poster of your pond was half full after Ida. 10:42PM I guess I can hold some of the other 10:42PM questions for the next meeting, but my main concern 10:42PM was looking into Plaza Way. 10:43PM Thank you. 10:43PM MS. GONCHAR: Can I just -- when he 10:43PM made a comment and you said "yeah," you were not 10:43PM agreeing that cars were going to be projectiles, you 10:43PM were just sort of... 10:43PM THE WITNESS: If I said the word "yeah" 10:43PM I didn't mean to intend to agree. 10:43PM MS. GONCHAR: Thank you. 10:43PM THE WITNESS: I apologize. 10:43PM COMMITTEEWOMAN IACOBUCCI: May I speak? 10:43PM May I say something? 10:43PM CHAIRMAN KANIEWSKI: Go ahead. 10:43PM COMMITTEEWOMAN IACOBUCCI: This is -- 10:43PM Meryl, I know I was here when it went to the Planning 10:43PM Board and I was on the township committee. And we 10:43PM did question that issue. 10:43PM And we did ask for what kind of proof 10:43PM you had or what kind of a history you had for that 10:43PM access. And I was looking at the -- it's called 10:43PM settlement agreement, but I think it was actually 10:43PM referred to as the developer's agreement in 2018, and LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
170 10:42PM whether -- I don't know the facts of that, whether it 10:42PM complied with Section 42 of the statute. If it was a 10:42PM use variance it's a different set -- 10:42PM CHAIRMAN KANIEWSKI: I appreciate the 10:42PM comments. 10:42PM MS. GONCHAR: -- different set of 10:42PM standards. 10:42PM CHAIRMAN KANIEWSKI: Let's go back to 10:42PM questioning the witness at this point. 10:42PM MR. COLEMAN: And you did say that 10:42PM you're going to have some sort of evacuation plan? 10:42PM THE WITNESS: An evacuation plan is 10:42PM required to be provided. 10:42PM MR. COLEMAN: Okay. 10:42PM And if there are vehicles or something 10:42PM left in there, people are on vacation, I mean, that 10:42PM will all be part of your evacuation plan? Because 10:42PM these vehicles basically become projectiles. 10:42PM THE WITNESS: Yeah, the -- our 10:42PM Stonefield Engineering doesn't actually prepare that 10:42PM evacuation plan, there's specialists that prepare 10:42PM that information, so I would -- I just wouldn't 10:42PM really be comfortable -- 10:42PM MR. COLEMAN: I don't know if you saw 10:42PM any pictures of Ida, the property over there, but the LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	172 10:43PM the attachment to that is reference L-1 prepared by 10:43PM Stonefield. It does have a proposed exit onto Plaza 10:43PM Way. 10:43PM So I think it's a legitimate question 10:43PM where did it go away? Where did it change? 10:44PM You know, I think -- 10:44PM MS. GONCHAR: I'll take a -- there was 10:44PM a discussion about pedestrian access. 10:44PM If you recall, that was the language in 10:44PM that settlement agreement where there was a 10:44PM discussion about pedestrian access into Paramus going 10:44PM through that. 10:44PM So I am not looking at it and I'll 10:44PM certainly go back and do it, but I -- I do not recall 10:44PM vehicular access being part of that discussion, which 10:44PM is why, specifically, in the agreement there was a 10:44PM provision that dealt with pedestrians, if it was 10:44PM necessary. 10:44PM COMMITTEEWOMAN IACOBUCCI: I can't 10:44PM really tell whether it's -- 10:44PM MS. GONCHAR: I'm not -- 10:44PM COMMITTEEWOMAN IACOBUCCI: Yeah, if you 10:44PM would look at that I would appreciate it because I'd 10:44PM like to know where it went off the rails, the 10:44PM consideration of it. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

173 10:44PM Thank you. 10:44PM I know it's been brought up before. I 10:44PM think it just should be documented in the file if 10:44PM there is a possibility of doing that. 10:44PM MS. GONCHAR: We will. 10:44PM COMMITTEEWOMAN IACOBUCCI: Thank you. 10:44PM CHAIRMAN KANIEWSKI: Are there any 10:44PM additional questions? 10:44PM MS. MUELLER: Can I just ask? 10:44PM CHAIRMAN KANIEWSKI: Okay. 10:44PM MS. MUELLER: I am not going to ask 500 10:45PM of them because it's late, but I also had a question 10:45PM about -- well, first I wanted to ask Ms. Mianeki, 10:45PM were you happy -- were you satisfied with the No. 9 10:45PM question about parking below the grade or are we 10:45PM going to find that out more. 10:45PM MS. MIANECKI: We need to review the 10:45PM plan that Stonefield is going to prepare or they 10:45PM already have prepared to forward to me that shows 10:45PM additional grading in there. 10:45PM MS. MUELLER: So you'll have an answer 10:45PM before too much time. 10:45PM MS. MIANECKI: As soon as I get the 10:45PM plan, yes. 10:45PM MS. MUELLER: Yeah, yeah, yeah, LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	175 10:46PM MS. MUELLER: That also has parking 10:46PM from the building into that lot. That's the 10:46PM commercial lot. It's encroaching into -- if you 10:46PM follow the boundary line, that parking is in the 10:46PM commercial district line. 10:47PM THE WITNESS: I apologize, I'm trying 10:47PM to follow along. 10:47PM Are we referring to the parking in 10:47PM front of the self-storage? 10:47PM MS. MUELLER: Right. 10:47PM THE WITNESS: Okay. 10:47PM MS. MUELLER: Right? 10:47PM So above that it says, "boundary line," 10:47PM and that's the boundary line of the commercial 10:47PM district underneath that, right. 10:47PM THE WITNESS: Yes. 10:47PM MS. MUELLER: So my question is, did 10:47PM you use this space to balance or offset the 10:47PM residential building impervious surface or zero net 10:47PM fill requirements? 10:47PM THE WITNESS: Did we use the existing 10:47PM lawn area? 10:47PM MS. MUELLER: Yes. 10:47PM THE WITNESS: To balance -- what was 10:47PM the second -- LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
174 10:45PM whenever. 10:45PM MS. MIANECKI: Yes. 10:45PM MS. MUELLER: Yes, okay. 10:45PM Now, Mr. Mayo was saying that we're 10:45PM looking at this plan as a whole, so my question is -- 10:45PM I did have a question the same about the DEP permit 10:45PM about them, were you compliant. 10:45PM But also -- and also about the exhibits 10:45PM given to them, you know, the DEP No. 3 and C No. 3, 10:46PM are they basically the same? 10:46PM THE WITNESS: Yes, they're all -- all 10:46PM aspects of the design are generally consistent. 10:46PM So we will -- I think one of the 10:46PM requests was to put in written form any deviations 10:46PM between the plan that's before the board and the 10:46PM plans that were approved by the DEP. 10:46PM MS. MUELLER: Okay. On C-3, if you 10:46PM have that -- 10:46PM THE WITNESS: Uh-huh. 10:46PM MS. MUELLER: It says, in the vacant 10:46PM spot it says, "Existing lawn area to remain." 10:46PM THE WITNESS: This is in the -- it's 10:46PM basically in front of the self-storage? 10:46PM MS. MUELLER: Yes. 10:46PM THE WITNESS: Yes. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	176 10:47PM MS. MUELLER: As part of the -- you 10:47PM know, as part of the impervious surface or zero net 10:47PM fill, is that -- 10:47PM THE WITNESS: Yes, I believe the 10:47PM impervious coverage is for the entire development. 10:47PM MS. MUELLER: But, I mean, did you tell 10:47PM the DEP that this is going to remain, this existing 10:47PM one is going to remain there, and they looked at it 10:47PM and said: Oh, 'cause that's impervious surface right 10:47PM now. 10:47PM Is that part of your calculations? 10:47PM THE WITNESS: I apologize, I'm trying 10:47PM to follow along. The permit that the DEP approved -- 10:48PM MS. MUELLER: Right. 10:48PM THE WITNESS: -- shows this area as 10:48PM lawn. 10:48PM MS. MUELLER: As lawn. 10:48PM THE WITNESS: Yes. 10:48PM MS. MUELLER: Okay. 10:48PM So you didn't -- did you tell them that 10:48PM the existing lawn area is a commercial district to be 10:48PM developed with 8,000 square feet and 4500 square feet 10:48PM so they think that that's opened, that's going to be 10:48PM opened forever. 10:48PM THE WITNESS: No, that would be part of LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

177 10:48PM a separate permit that would need to be obtained by the DEP -- 10:48PM MS. MUELLER: Right. 10:48PM THE WITNESS: -- and any impervious coverage that would be added at that time, if we're increasing impervious coverage, it would need to be balanced out with green infrastructure, stormwater management measures, the flood -- the flood storage would need to be balanced. All of the same DEP criteria would need to be met when we get to that stage. 10:48PM MS. MUELLER: How likely do you think that would be? Because when you -- 10:48PM THE WITNESS: It's likely. 10:48PM MS. MUELLER: You had to buy two -- you had to buy two homes, right? You had to buy one extra home off-site to accommodate that emergency access road, right? And that's relatively small, right. 10:49PM Now, this new part that is part of your development agreement and part of the settlement agreement calls for 8,000 square feet of retail, 4500 square feet of outdoor seating, a drive-around, you know -- you know, like a, you know, drive-in bank or something like that that has queuing area for eight LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	179 10:50PM MS. GONCHAR: Concept plans, yes. 10:50PM MS. MUELLER: -- but, let me find this. 10:50PM Just give me a minute. 10:50PM Just give me one second. 10:50PM (Whereupon, off-the-record discussion is held.) 10:50PM MS. GONCHAR: Can someone explain to me why we're having a discussion -- 10:51PM MS. MUELLER: Huh? 10:51PM MS. GONCHAR: -- why we're having a discussion? 10:51PM Our plan that's before the board tonight tracks the number of units that are required in the development to satisfy the board's -- the Town's affordable housing, the 160 units. 10:51PM MS. MUELLER: Right. 10:51PM MS. GONCHAR: That's what's before the board this evening. 10:51PM MS. MUELLER: Right. 10:51PM MS. GONCHAR: Are you suggesting that that is not a separate lot or a separate application -- 10:51PM MS. MUELLER: No, I'm saying -- 10:51PM MS. GONCHAR: -- and that it won't be viewed unless we file the commercial with it? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
178 10:49PM cars, a bypass lane around it, 36 parking spaces, a road going in. 10:49PM How are you going to accommodate that on that when you couldn't accommodate an emergency exit road without buying a house, an extra house. 10:49PM THE WITNESS: I haven't prepared a -- 10:49PM MS. MUELLER: Well, I'm just saying -- well, that was my question. I don't know how -- if you had to buy an extra house to do that one little piece, what are you going to have to do to build that whole thing? That's part of the redevelopment agreement and it's part of the settlement agreement that it has to be built. So -- 10:50PM MS. GONCHAR: I don't think it mandates, I think it permits up to that amount. 10:50PM MS. MUELLER: No, you read everything, I could read -- I could go through the entire book. And that's what it calls for. 10:50PM If you want to look at a picture, it also says -- if you want to go to -- let's see, I got so many pages here, but if you want to go to the redevelopment plan or the settlement agreement and look in the back and those are the concept plans that are part of the redevelopment plan. I know they're concept plans -- LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	180 10:51PM MS. MUELLER: No, I know you can -- I know you can file this first. 10:51PM I know at one point you actually said you were going -- not you, your company -- the company said they were going to do this second, you know, they were going to do the commercial part second. 10:51PM But if you read the concept plan, everything says -- proposed concept plan: 10:51PM "Any site plan application submitted on the redevelopment plan shall be substantially consistent with the proposed concept plan." 10:52PM And the concept plan of this includes a commercial development. 10:52PM MS. GONCHAR: Right. 10:52PM MS. MUELLER: But my question is, you are using that whole space to offset your development -- your building, how are you -- how are you going to do that? 10:52PM I don't -- I don't believe you're going to be able to fulfill your obligation to the redevelopment plan and settlement agreement, not to the extent it says. 10:52PM You know, this town was looking for little stores and a drive-through and all this kind LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

181 10:52PM of stuff, and like I said, the DEP is so picky about 10:52PM one road going out, how are we going to put all that 10:52PM other stuff in that -- in that little square there, 10:52PM 1.7 -- you know, 1.7 acres? 10:52PM MS. GONCHAR: Which we haven't yet 10:52PM designed. 10:52PM MS. MUELLER: And I don't know if you 10:52PM can. 10:52PM MS. GONCHAR: Okay. But what -- 10:52PM MR. MAYO: If I can, the emergency 10:52PM access on the commercial development will not be 10:52PM required. 10:52PM MS. MUELLER: No, I know that. 10:52PM MR. MAYO: The emergency access is only 10:52PM required for residential developments. 10:52PM MS. MUELLER: No, I know that. 10:52PM MR. MAYO: Okay. 10:52PM MS. MUELLER: But you still have a road 10:53PM going in, there's going to be a road going into that 10:53PM area. 10:53PM MR. MAYO: Yes. 10:53PM MS. MUELLER: And there's just a lot of 10:53PM development going on -- will be going on in that 10:53PM area, and I don't know how you can have greenery and, 10:53PM you know, like you have there a -- you know, open LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	183 10:54PM MS. MUELLER: Right. 10:54PM MS. GONCHAR: So if you're taking the 10:54PM position that the plan the town approved, township 10:54PM approved a plan that cannot be developed, what is it 10:54PM you want us to do? 10:54PM MS. MUELLER: I don't know. 10:54PM Why don't we just skip that and... 10:54PM MS. GONCHAR: I'm not sure what answer 10:54PM you're looking for. 10:54PM MS. MUELLER: I'm -- I'm... 10:54PM MR. MAYO: If I can also, Christine, 10:54PM when this development application comes to the board, 10:54PM they are going to have to go back to DEP -- 10:54PM MS. MUELLER: Oh, I know that. 10:54PM MR. MAYO: -- for application of that. 10:54PM MS. MUELLER: Oh, I know that. 10:54PM MR. MAYO: And they will have to prove 10:54PM for this site that they have zero fill and that they 10:54PM have their floors above the flood hazard area and 10:54PM they are waterproofed or dry proofed or -- to meet 10:54PM that criteria. I would also think that based on the credit of impervious surface across the site that is being used today, that this commercial development will have a much more or much larger stormwater LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
182 10:53PM space and -- 10:53PM MR. MAYO: Well -- 10:53PM MS. GONCHAR: But I guess I'm trying to 10:53PM understand, what are you asking? Are you questioning 10:53PM the plan that was adopted? I don't understand -- I 10:53PM guess I'm not -- 10:53PM MS. MUELLER: The plan has been 10:53PM adopted. 10:53PM MS. GONCHAR: And I'm -- right, but 10:53PM you're basically saying the plan the town adopted 10:53PM can't be developed. 10:53PM Isn't that the position you're 10:53PM suggesting, that the plan the town approved can't be 10:53PM developed. 10:53PM MS. MUELLER: By you. I am just 10:53PM saying -- 10:53PM MS. GONCHAR: No, not by us. You're 10:53PM making a statement, you're saying it's DEP. That's 10:53PM not us. 10:53PM But you're saying the plan can't be 10:53PM developed. It's not a matter of us. We're building 10:53PM -- what we have done so far is what the plan that the 10:54PM township approved required, right? 10:54PM So far what we've put in is what's 10:54PM permitted. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	184 10:55PM management system required for it because of now 10:55PM taking up more of that green that was there. 10:55PM But they would still have to meet both 10:55PM the stormwater rules and the flood hazard area 10:55PM regulations. 10:55PM I don't know if I have answered your 10:55PM question. 10:55PM MS. MUELLER: Yes, you have, but it 10:55PM just seems like, you know, they're doing the minimum 10:55PM requirements to comply with anything, right? Why -- 10:55PM CHAIRMAN KANIEWSKI: Just to clarify 10:55PM something, counsel, are you familiar with a first 10:55PM amendment to redevelopment plan dated March 1st, 10:55PM 2021? 10:55PM MS. GONCHAR: Am I familiar with it? 10:55PM Yes, it was signed over seven months ago. 10:55PM If you're going to ask me what all the 10:55PM provisions are, I'm going to tell you I don't know 10:55PM without reading it. 10:55PM CHAIRMAN KANIEWSKI: Okay. Just -- if 10:55PM you want to make a note of it, if you could, 'cause I 10:56PM think I may see maybe where Christine's question is, 10:56PM if you want to take a look at page 3, it is apparent 10:56PM that phases -- whereas, as a result of the 10:56PM enforcement it is apparent that Phases I and II, both LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

185 10:56PM commercial phases, may proceed before Phase III, residential, subject to conditions herein. 10:56PM MS. GONCHAR: And you're -- okay, that -- 10:56PM CHAIRMAN KANIEWSKI: I believe Christine's question involved the phasing. 10:56PM MS. GONCHAR: Yes, but she's -- 10:56PM CHAIRMAN KANIEWSKI: And if you're -- 10:56PM MS. GONCHAR: You also have a time constraint because the -- you got protection against builder's remedy litigation. 10:56PM CHAIRMAN KANIEWSKI: What does the word "before" mean? If it says Phases I and II may proceed before -- 10:56PM MS. GONCHAR: What does "may" mean? 10:56PM MS. CORRISTON: Just a second. First of all, I don't even think that was actually the question that Christine was asking. 10:56PM CHAIRMAN KANIEWSKI: Okay. 10:56PM MS. CORRISTON: I think, Christine, my understanding is that you were just questioning whether, given the circumstances, Phase III can actually be accomplished. And you're saying -- 10:57PM MS. GONCHAR: To the full extent that it shows in the plan, I think is her point. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	187 10:57PM township entered into with Fair Share Housing, and they want to see -- the amendment also has a schedule of development because the master who's appointed by the Mount Laurel Judge wants to know when the affordable housing is being built. 10:58PM So we -- the town and we worked within those constraints as well. 10:58PM There was language which allowed a different order, but it didn't mandate it. And since there were constraints and deadlines imposed that dealt with the affordable housing, that's the application that is before the board now. 10:58PM I don't understand why we're arguing about that. 10:58PM If the conclusion that you want us to reach is that the plan that the township adopted to satisfy, in large part, its affordable housing can't be built, I don't understand how you want us to answer that. 10:58PM Our application with limited variances, very limited variances, is compliant with the plan. That is what's before the board. 10:59PM I am -- am I -- I don't know why we're discussing a plan that we haven't even designed. 10:59PM MS. CORRISTON: Right. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
186 10:57PM MS. MUELLER: Yes. 10:57PM MS. GONCHAR: Yes. 10:57PM MS. MUELLER: And it says, you know, it has to be. 10:57PM MS. GONCHAR: I mean, I don't understand what -- 10:57PM MS. MUELLER: I just think -- (Simultaneous Speaking.) 10:57PM MS. GONCHAR: You know, this is -- let me just say for the record, this is not supposed to be an adversarial proceeding. We're being challenged -- 10:57PM MS. MUELLER: I'm not. 10:57PM MS. GONCHAR: No, I'm -- you're correct. I am -- you're asking questions that I am not sure -- not you, Ms. Mueller, but these are not -- what it says in the agreement is not a question for the engineer who is before us. 10:57PM MS. MUELLER: Right. 10:57PM MS. GONCHAR: There is -- it says "may," but we have an application -- it doesn't say "must," it says "may." 10:57PM One of the commercial went first, now the residential. The residential is also governed by certain stipulations and settlements that the LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	188 10:59PM I think it was just a general question, given the information that's been relayed now. 10:59PM MS. GONCHAR: And it was answered. 10:59PM MS. CORRISTON: Right. No, and I understand that. 10:59PM And I think the application that's before the board is what has to be considered now. Everyone is aware of what their obligations are under the redevelopment agreement and the settlement agreement and all the amendments thereto, and that's something that will have to be addressed by the developer when the time comes. 10:59PM But at this juncture we're focusing on the application that is before the board. 10:59PM CHAIRMAN KANIEWSKI: Anything additional? 10:59PM MS. MUELLER: No. You know, I -- another thing about the storage stormwater management plan, you know, it says post-construction runoff, do not exceed at any time any pre-construction runoff. 11:00PM You know, somebody testified that, you know, the minimum requirements have been met. You have done your duty, you have done what the -- what the flood hazard permit asked for, the DEP or whatever. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

189 11:00PM Why is it you can't do better? And our 11:00PM town has been flooded how many times? We just came 11:00PM from a devastating flood? 11:00PM Why can't we do better than just, you 11:00PM know, barely minimum. One of them says -- it says 11:00PM something like the -- it won't be -- the post -- here 11:00PM it is. 11:00PM "Post-construction events -- 11:00PM "Post-construction runoff does not 11:00PM exceed any point in time pre-construction." 11:01PM So you're just status quo. It's just 11:01PM the balance. You're in a flood hazard area. Isn't 11:01PM there anything better you can do than just the status 11:01PM quo? I mean, really, this town is ruined. A third 11:01PM of the town is flooded. 11:01PM And then the, you know, in one of your 11:01PM -- in one of your conclusions you write, someone 11:01PM writes: 11:01PM "The analysis of the floodway and flood 11:01PM hazard areas show that the proposed conditions 11:01PM will result in a decrease in flooding during a 11:01PM large storm events today." 11:01PM Is that possible? 11:01PM THE WITNESS: Yes, the reasons for that 11:01PM because we've ensured -- we've balanced and then LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	191 11:02PM you couldn't do better. 11:02PM That's all. 11:02PM CHAIRMAN KANIEWSKI: Any additional 11:02PM board questions? 11:02PM (No response.) 11:02PM CHAIRMAN KANIEWSKI: Just a couple of 11:03PM quick follow-ups. 11:03PM Are you planning to elevate the 11:03PM building to be in an even level, an even floor level 11:03PM with the storage building? 11:03PM THE WITNESS: It would -- the finished 11:03PM floor elevation of the residential floors would be 11:03PM higher than the finished elevation of the 11:03PM self-storage. 11:03PM CHAIRMAN KANIEWSKI: It looked to be 11:03PM like, in layman's language, the storage building is 11:03PM kind of on a little bit of a hill. It's certainly 11:03PM raised. And if there's any question I guess we could 11:03PM pull the blinds up and take a look. 11:03PM So it looks like it's a slightly higher 11:03PM elevation and there's a tendency, I would think, for 11:03PM water to run downhill so it flows down towards this 11:03PM building. The question is, are you planning to fill 11:03PM -- add fill on when you do construction to raise the 11:03PM level of the building from the existing ground level LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
190 11:01PM provided more flood storage within our property 11:01PM limits as compared to the existing conditions. 11:01PM And then since we've removed all these 11:01PM asphalt features, we allow water to infiltrate down 11:02PM into the ground much easier than it would in the 11:02PM existing conditions. 11:02PM MS. MUELLER: Then you said, you know, 11:02PM you increased, you know, or you reduced impervious by 11:02PM 7 percent. 11:02PM You couldn't do better? This is all 11:02PM I'm just asking. I know you're doing the minimum 11:02PM thing, but in our town it would be nice if somebody 11:02PM could do better for a change. 11:02PM So I am just acknowledging you're doing 11:02PM just what you need to do, and I see that, but I just 11:02PM think it would have been nice if, you know, there was 11:02PM something you could do. They said the conveyance is 11:02PM basically the same, everything is going into the 11:02PM pond, it's going into the brook. 11:02PM And then these, you know -- even one of 11:02PM these say: 11:02PM "The project does not anticipate to 11:02PM have any adverse impacts on state open waters, 11:02PM downstream properties." 11:02PM It's just -- I'm just frustrated that LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	192 11:03PM right now? 11:03PM THE WITNESS: The eastern façade of the 11:03PM proposed development is generally consistent with the 11:04PM elevation of the self-storage facility, so that 11:04PM includes the access point to the ramp up to the 11:04PM second -- the second story parking garage. 11:04PM And then from there as we move west, it 11:04PM continues to go down to tie -- the grades, I should 11:04PM say, continue to go -- 11:04PM CHAIRMAN KANIEWSKI: Are you going to 11:04PM be -- you say, in layman's terms, are you going to be 11:04PM saying you're adding soil onto that and building 11:04PM above that? 11:04PM THE WITNESS: Compared to the existing 11:04PM conditions or compared to the self-storage? 11:04PM CHAIRMAN KANIEWSKI: Compared to the 11:04PM existing conditions. 11:04PM THE WITNESS: I have to look to tell 11:04PM you. 11:04PM CHAIRMAN KANIEWSKI: I -- have you -- I 11:04PM assume you've walked the site. 11:04PM Is that correct? 11:04PM THE WITNESS: Uh-huh. 11:04PM CHAIRMAN KANIEWSKI: Okay. Would you 11:04PM agree that the existing conditions are somewhat lower LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

193 11:04PM than the storage building? 11:04PM THE WITNESS: So the point that we 11:04PM connect to, which is currently today at elevation 44, 11:04PM at the edge of the asphalt that's on the western side 11:04PM of the self-storage facility, that is the elevation 11:04PM we maintain, and we go across to the west. 11:04PM CHAIRMAN KANIEWSKI: Have you factored 11:04PM in or considered any subsidence of the building? 11:05PM THE WITNESS: Subsidence of the 11:05PM building? Like the subsurface structures? 11:05PM CHAIRMAN KANIEWSKI: To go down because 11:05PM of the weight of the structure on the soil surface. 11:05PM THE WITNESS: I am sorry, I'm not sure 11:05PM I understand the question. 11:05PM CHAIRMAN KANIEWSKI: If you put up a 11:05PM big heavy building it might have a tendency to sink. 11:05PM That's the layman's question. 11:05PM MR. MAYO: Do we have settlement issues 11:05PM with this soil? 11:05PM THE WITNESS: Yes, any -- that would be 11:05PM for the structural designer. I don't think we're 11:05PM that far along in the process. 11:05PM But, essentially, what happens is that 11:05PM geo-tech report we were referring to before, they use 11:05PM those findings about what's occurring below the LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	195 11:06PM specific section. Because the recitation from 11:06PM counsel and from the witnesses has been that the 11:06PM reason you're doing the Fairfield exit is because 11:06PM it's a DEP requirement. So the obvious question is, 11:06PM where is it? 11:06PM THE WITNESS: Yeah, I can -- 11:06PM CHAIRMAN KANIEWSKI: So I'd appreciate 11:06PM finding that exactly where it is so that I could look 11:06PM at it and try to understand that. 11:06PM THE WITNESS: Absolutely. We can 11:06PM provide that to you. 11:06PM CHAIRMAN KANIEWSKI: Okay. 11:06PM THE WITNESS: I apologize, I thought 11:06PM you were referring to written in the permit. It's in 11:07PM the code. 11:07PM CHAIRMAN KANIEWSKI: Well, yeah, I was 11:07PM referring to written in the permit. I mean, I didn't 11:07PM see it there, so that's why I asked the question 11:07PM where is the requirement? 11:07PM THE WITNESS: Understood. Yes, it's in 11:07PM the code, it's in the N.J.A.C., so we can provide 11:07PM that to you. 11:07PM CHAIRMAN KANIEWSKI: Okay. 11:07PM MS. MUELLER: Can I just say one more 11:07PM thing, where my question came from? It actually came LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
194 11:05PM surface and then they prepare a design that will not 11:05PM settle. 11:05PM CHAIRMAN KANIEWSKI: I have one 11:05PM additional question to add. You are familiar with 11:05PM the state department; is that correct, DEP permit? 11:05PM THE WITNESS: Yes. 11:05PM CHAIRMAN KANIEWSKI: Is it your 11:05PM testimony that the reason that you're adding the 11:05PM Fairfield exit is because it's a requirement of the 11:06PM DEP permit. 11:06PM THE WITNESS: Correct. 11:06PM CHAIRMAN KANIEWSKI: Okay. Could you 11:06PM point out to me exactly where it says that? 11:06PM THE WITNESS: I don't think it 11:06PM specifically makes it a comment. We are not 11:06PM permitted to receive a DEP permit without what they 11:06PM deem as we refer to -- 11:06PM CHAIRMAN KANIEWSKI: Where would -- you 11:06PM know, if you say -- if you tell somebody it's a 11:06PM requirement, the question would be could you tell me 11:06PM where. 11:06PM THE WITNESS: Oh, we could -- I don't 11:06PM have the code number on hand, but we could refer you 11:06PM to the DEP section that says that. 11:06PM CHAIRMAN KANIEWSKI: I'd appreciate the LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	196 11:07PM from the planner last week when Mr. Barree said that 11:07PM -- he said: 11:07PM "The application complies with the 11:07PM maximum building coverage and impervious 11:07PM coverage requirements for the redevelopment 11:07PM plan. 11:07PM "However, less than 3,000 square feet 11:07PM of additional building coverage will be 11:07PM permitted upon completion of the proposed 11:07PM development. The applicant shall provide 11:07PM testimony about how the future commercial 11:07PM phase of the redevelopment plan can be 11:07PM developed within these limitations." 11:07PM So that's where I went off on. So 11:07PM there is only 3,000 square feet and we need 12,500. 11:07PM So that was -- that's where that came from. 11:08PM CHAIRMAN KANIEWSKI: Okay. 11:08PM MS. MUELLER: Thank you. 11:08PM CHAIRMAN KANIEWSKI: Anything 11:08PM additional at this point from the board or from the 11:08PM members of the public? 11:08PM (No response.) 11:08PM CHAIRMAN KANIEWSKI: We have run well 11:08PM over time, so I think we should probably kind of 11:08PM round things up at this point. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

197 11:08PM MS. GONCHAR: I think I made my statement previously. We have completed this witness subject to recalling him for responses. We have other witnesses we have advised you. We need to discuss scheduling. 11:08PM CHAIRMAN KANIEWSKI: Okay. I have a question on the Environmental Impact Statement. 11:08PM Either I'll ask this witness at the next hearing or another witness who is the appropriate witness. 11:08PM Do you have somebody on that? 11:08PM MS. GONCHAR: I don't remember at the moment who prepared it, but -- 11:08PM CHAIRMAN KANIEWSKI: Okay. Somebody will be able to answer it? 11:08PM MS. GONCHAR: If they are available on the night we have the hearing, then -- I don't know if it's at the next meeting, but we will attempt to accommodate that, yes. 11:09PM CHAIRMAN KANIEWSKI: Okay. All right, that's fine. All right. 11:09PM MS. GONCHAR: I think we need this carried. We need to know a date. Otherwise, we need to figure out the availability of witnesses. 11:09PM CHAIRMAN KANIEWSKI: Yes. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	199 11:11PM notice in to them. 11:11PM So if it isn't going to be before the 18th for the special meeting, then my request would be at least carry it to the 18th and then you can announce a carry then and we wouldn't have -- that's all I'm saying. It's not that we don't want to notice, it's just it wipes out about a two-week period for those special meetings just because if we don't decide on that date now, we have nothing to carry it to. Story of my life. 11:12PM CHAIRMAN KANIEWSKI: The thing is, we can't carry the other case, maybe just allocate an hour in that case, allocate two hours to this case, and give preference to this case for a two-hour time slot and we'll start the case and tell them it might not be concluded. 11:12PM MS. WELLS: Okay. 11:12PM CHAIRMAN KANIEWSKI: Do you think, Counsel, that makes sense? 11:12PM MS. CORRISTON: I think that's a glad plan. 11:12PM CHAIRMAN KANIEWSKI: Trying to juggle two cases. 11:12PM MS. CORRISTON: Yes. 11:12PM So November 18th, 7:00. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
198 11:09PM MS. WELLS: The next meeting is November 18th, but I have another big application on. 11:09PM MS. GONCHAR: We'd like to request a special meeting of the board. 11:09PM CHAIRMAN KANIEWSKI: Can we bump the other hearing? 11:09PM MS. WELLS: We can't bump the other hearing. I don't believe so. I mean, we put them off from this -- from tonight. I mean, I don't know, I am not an attorney. 11:10PM (Whereupon, off-the-record discussion is held.) 11:10PM CHAIRMAN KANIEWSKI: Let's look at a special. 11:11PM They're requesting one, let's look at that. 11:11PM MS. GONCHAR: Well, here's the thing that we go through every time. This is not being difficult. If we don't announce a carry to a date specific, then we have to notice again. I am not saying we don't want to, but it cuts down on when we can have the meet because noticing means at least 14 days -- 13 days, I forget what the lead time is. Ten days in the paper, ten days in advance, and then the newspaper has like a three-day lead time to get the LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	200 11:12PM MS. GONCHAR: That's fine with us. 11:12PM We'll have some witnesses, we've been swapping them out, but we'll make sure we have people prepped. 11:12PM CHAIRMAN KANIEWSKI: Okay. 11:12PM MS. CORRISTON: If you can let me know the week of which witnesses will be here -- 11:13PM MS. GONCHAR: Absolutely. 11:13PM MS. CORRISTON: Because like I have certain -- like I have these two here, we thought we'd get to traffic tonight. 11:13PM MS. GONCHAR: We thought so, too. 11:13PM Okay. We can certainly -- if you tell us how much time -- we can start with traffic next time. Whoever we bring, we'll start that with -- as our first witness, if that works. 11:13PM CHAIRMAN KANIEWSKI: Are we okay with running late? I don't want to keep running late. Are we okay with running late and if we're running late we have a problem, maybe we'll put an extra half hour on to somebody's case, that way so -- but we want to do a minimum of two hours and then -- 11:13PM MS. GONCHAR: And you want us here at 7:00 to be the first one. 11:13PM MS. CORRISTON: 7:00 to 9:00, yes. 11:13PM CHAIRMAN KANIEWSKI: If you can't make LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

11:13PM it because of witnesses, tell us --

11:13PM MS. GONCHAR: No, we will find -- we

11:13PM will make sure that there's -- and we will confirm

11:13PM that before the meeting and we'll let you know who

11:13PM we're bringing.

11:14PM And we'll start with our traffic so if

11:14PM your police chief is here, I don't want to leave town

11:14PM with lights following me, so we'll make sure we get

11:14PM it done.

11:14PM CHAIRMAN KANIEWSKI: Very wise.

11:14PM MS. CORRISTON: November 18, 7:00 p.m.

11:14PM MS. GONCHAR: Same location?

11:14PM MS. CORRISTON: Same location.

11:14PM MS. GONCHAR: Thank you so much.

11:14PM CHAIRMAN KANIEWSKI: So we'll just

11:14PM announce that this hearing will be carried without

11:14PM further notice to our November 18th meeting at

11:14PM 7:00 p.m.

11:14PM Anything additional, Counselors?

11:14PM MS. CORRISTON: No.

11:14PM CHAIRMAN KANIEWSKI: Okay.

(Whereupon, this matter will be

continuing at a future date. Time noted:

11:14 p.m.)

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

C E R T I F I C A T E

I, LAURA A. CARUCCI, C.C.R., R.P.R., a Notary Public of the State of New Jersey, Notary ID.#50094914, Certified Court Reporter of the State of New Jersey, and a Registered Professional Reporter, hereby certify that the foregoing is a verbatim record of the testimony provided under oath before any court, referee, board, commission or other body created by statute of the State of New Jersey.

I am not related to the parties involved in this action; I have no financial interest, nor am I related to an agent of or employed by anyone with a financial interest in the outcome of this action.

This transcript complies with regulation 13:43-5.9 of the New Jersey Administrative Code.

LAURA A. CARUCCI, C.C.R., R.P.R.
License #XI02050, and Notary Public
of New Jersey #50094914, Notary
Expiration Date December 3, 2023

Dated: _____

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

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