

REGULAR MEETING OF THE EAST NEWARK PLANNING BOARD
COUNCIL CHAMBERS
BOROUGH HALL
34 SHERMAN AVENUE
EAST NEWARK, NEW JERSEY 07029
MARCH 28, 2024
MINUTES

PUBLIC STATEMENT

ADEQUATE NOTICE OF THIS MEETING BEING HELD ON THIS 28TH DAY OF MARCH 28, 2024 HAS BEEN PROVIDED BY THIS BOARD TO ALL APPLICABLE PARTIES, AGENCIES AND AUTHORITIES. THIS MEETING IS BEING HELD AND CONDUCTED IN ACCORDANCE WITH P.L. 1975, CHAPTER 231 OF THE LAWS OF THE STATE OF NEW JERSEY.

AGENDA

1. Approval of Minutes for February 22, 2024, Regular Meeting
2. New Business: Case 2024-02, Amended Site Plan Application of East Newark Town Center, LLC, 900 Passaic Avenue, Block 12, Lot 1 in the Borough of East Newark, NJ.

SECRETARY CALLED MEETING TO ORDER AT 7:18 P.M. THE PLEDGE OF ALLEGIANCE WAS RECITED. THE SECRETARY CALLED THE ROLL CALL.

MEMBERS	PRESENT	ABSENT
MAYOR DINA M. GRILO	X	
COUNCILMEMBER CHRIS REIS	X	
BILLY EREZUMA		X
RAY GRAHAM	X	
KELLY CORBLIES		X
MICHAEL MANCINI	X	
CATERINA GUIMARAES	X	
ERIC MULRENAN	X	
CRISTINA GONZALEZ	X	
DONNA O'DONNELL		X

As seven (7) members of the East Newark Planning Board are Present, a QUORUM was established.

ALSO PRESENT: GARY J. CUCCHIARA, ESQUIRE, BOARD COUNSEL; DON NORBUT, BOARD ENGINEER, MCKINLEY MERTZ, BOARD PLANNER AND MARY C. GAINES, SECRETARY TO THE PLANNING/ZONING BOARD.

MOTION TO ACCEPT AGENDA FOR THE REGULAR MEETING OF FEBRUARY 22, 2024.

MOTION BY BOARDMEMBER GUIMARAES
SECONDED BY BOARDMEMBER REIS

ALL IN FAVOR VOTING AYE, MOTION WAS CARRIED

APPROVAL OF MINUTES

WHEREAS, copies of the minutes of the following meeting has been provided to the members and reviewed by the members of the East Newark Planning Board:

Regular Meeting February 22, 2024.

NOW THEREFORE, BE IT RESOLVED, that all of the aforementioned minutes of said meeting be and are hereby approved.

MOTION BY BOARDMEMBER REIS
SECONDED BY BOARDMEMBER GUIMARAES

REIS-AYE, MANCINI-AYE, GUIMARAES-AYE, MULRENAN-AYE, GONZALEZ-AYE MOTION CARRIED

RESOLUTIONS: NONE

OLD BUSINESS: NONE

NEW BUSINESS:

Case 2402, Amended Site Plan for ENTC, 900 Passaic Avenue, Block 12, Lot 1 in the Borough of East Newark, NJ.

Board Member Guamareas recused herself since she is within 200 feet of the property.

Please refer to attached transcript prepared by Ronda L. Reinstein, Certified Court Reporter of the State of New Jersey with the firm of Laura A. Carucci, C.S.R., R.P.R., LLC.

OPEN TO THE PUBLIC: Chairman Graham asked if there was anyone from the public that wishes to be heard on this matter.

NO COMMENTS FROM THE PUBLIC

Chairman Graham closed the Meeting to the public.

Motion made by Mr. Reis, seconded by Board Member Gonzalez to approve the application as presented and subject to the stipulations entered on the record.

Roll Call: GRAHAM-AYE, REIS-AYE, MANCINI-AYE, MULRENAN-AYE,
GONZALEZ-AYE, MAYOR GRILO-AYE MOTION CARRIED

MOTION TO ADJOURN MEETING:

MOTION BY BOARDMEMBER MULRENAN
MOTION SECONDED BY BOARDMEMBER MANCINI
ALL IN FAVOR SAYING AYE.
MOTION CARRIED

MEETING WAS ADJOURNED AT 8:54 P.M.

RESPECTFULLY SUBMITTED, MARY C. GAINES, SECRETARY TO THE EAST
NEWARK PLANNING/ZONING BOARD

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BOROUGH OF EAST NEWARK
PLANNING BOARD
THURSDAY, MARCH 28, 2024
COMMENCING AT 7:00 P.M.

IN THE MATTER OF:) TRANSCRIPT
) OF
CASE NO. 24-02) PROCEEDING
EAST NEWARK TOWN CENTER, LLC)
900 PASSAIC AVENUE)
BLOCK 12, LOT 1.)

B E F O R E: BOROUGH OF EAST NEWARK PLANNING BOARD,
THERE BEING PRESENT:

- RAYMOND GRAHAM, CHAIRMAN
- KELLY CORBLIES, VICE CHAIRMAN (EXCUSED)
- DINA A. GRILO, MAYOR
- CHRISTOPHER REIS, COUNCILMAN
- WILLIAM EREZUMA, MEMBER (EXCUSED)
- MICHAEL MANCINI, MEMBER
- CATARINA GUIMARAES, MEMBER (EXCUSED)
- ERIC MULRENAN, MEMBER
- CRISTINA GONZALEZ, MEMBER
- DONNA O'DONNELL, ALTERNATE #1 MEMBER (ABSENT)

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
CERTIFIED COURT REPORTERS
201-641-1812
LauraACarucciLLC@gmail.com

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A P P E A R A N C E S :

SCARINCI, HOLLENBECK, LLC
BY: GARY CUCCHIARA, ESQUIRE
1100 Valley Brook Avenue
Lyndhurst, New Jersey 07071-0790
Counsel for the Planning Board

PAUL G. JEMAS, ESQUIRE
38 Roseland Avenue
Roseland, New Jersey 07068
Counsel for the Applicant

CHIESA, SHAHINIAN & GIANTOMASI, PC
MICHAEL OLIVEIRA, ESQUIRE
105 Eisenhower Parkway
Roseland, New Jersey 07068
Redevelopment Counsel

A L S O P R E S E N T :

MARY GAINES
Board Secretary

McKINLEY MERTZ, P.P.
Heyer Gruel and Associates
Board Planner

DONALD NORBUT, P.E.
Remington & Vernick Engineers
Board Engineer

I N D E X

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10	A-5 Traffic Assessment Prepared by Dynamic Traffic, LLC, Dated 12/04/23	12
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19	R-1 East Newark Redevelopment Council Report Dated 3/22/24	15

1 MS. GAINES: This is the regular
2 meeting of the East Newark Planning Board, held in
3 the Council Chambers on the 28th day of March 2024.

4 Adequate notice of this meeting has
5 been provided by the board to all applicable parties,
6 agencies and authorities. The meeting is being held
7 and conducted in accordance with P.L. 1975,
8 Chapter 231 of the Laws of the State of New Jersey.

9 Will the Chairperson lead us in
10 reciting the Pledge of Allegiance.

11 CHAIRMAN GRAHAM: Pledge of Allegiance,
12 please.

13 (Whereupon, all rise for a recitation
14 of the Pledge of Allegiance.)

15 CHAIRMAN GRAHAM: Now the secretary can
16 call the roll, please.

17 MS. GAINES: Mr. Graham?

18 CHAIRMAN GRAHAM: Present.

19 MS. GAINES: Ms. Corblies, excused.

20 Mr. Reis?

21 COUNCILMAN REIS: Present.

22 MS. GAINES: Mr. Erezuma, excused.

23 Mr. Mancini?

24 MR. MANCINI: Present.

25 MS. GAINES: Ms. Guimaraes?

1 MS. GUIMARAES: Present.

2 MS. GAINES: Mr. Mulrenan?

3 MR. MULRENAN: Present.

4 MS. GAINES: Ms. Gonzalez?

5 MS. GONZALEZ: Present.

6 MS. GAINES: Mayor Grilo?

7 MAYOR GRILO: Present.

8 MS. GAINES: It is also noted that Gary
9 Cucchiara, Esquire is present, Don Norbut and
10 McKinley Mertz.

11 CHAIRMAN GRAHAM: Can I ask for a
12 motion to accept the agenda?

13 MS. GUIMARAES: I'll motion.

14 COUNCILMAN REIS: Second.

15 MS. GAINES: All in favor?

16 (Whereupon, all present members respond
17 in the affirmative.)

18 MS. GAINES: Any opposed?

19 (No Response.)

20 MS. GAINES: Motion carries.

21 CHAIRMAN GRAHAM: Madame Secretary, a
22 motion to approve the minutes of the February 22nd
23 regular meeting.

24 I need a motion and a second.

25 COUNCILMAN REIS: I'll motion.

1 MS. GAINES: Is there a second?

2 MS. GUIMARAES: Second.

3 CHAIRMAN GRAHAM: All in favor?

4 MS. GAINES: Sorry. I'll call the
5 roll.

6 Mr. Reis?

7 COUNCILMAN REIS: Aye.

8 MS. GAINES: Mr. Mancini?

9 MR. MANCINI: Aye.

10 MS. GAINES: Ms. Guimaraes?

11 MS. GUIMARAES: Aye.

12 MS. GAINES: Mr. Mulrenan?

13 MR. MULRENAN: Aye.

14 MS. GAINES: Ms. Gonzalez?

15 MS. GONZALEZ: Aye.

16 MS. GAINES: Motion carries.

17 CHAIRMAN GRAHAM: We have no
18 resolutions, no old business.

19 Our next is new business.

20 It's Case 24-02, Amended Site Plan for
21 ENTC, 900 Passaic Avenue, Block 12, Lot 1 of the
22 Borough of East Newark.

23 The applicant is present here to present
24 their case.

25 MR. JEMAS: Mr. Chairman, Paul Jemas,

1 J-E-M-A-S. I'm the attorney for the applicant.

2 I'm here with Michael Oliveira, who is
3 the redevelopment counsel.

4 We have four -- I'm going to go quickly
5 to it. And we appreciate you coming and joining us
6 today.

7 By the way, we want to commend the
8 staff and the professionals who worked with the
9 board. They're very good. And they make our lives a
10 lot easier. So it means that I had maybe fifth round
11 here at bat.

12 We have four witnesses today. We have
13 -- we're going to start with Michael Petry, who is
14 our engineer. Then we're going to go to John
15 Bleeker, who is our architect. Then it's going to be
16 followed by Patrick Downey, who is our traffic
17 expert. And batting clean-up will be Jeff Stiles,
18 who is our planner.

19 And with that, I'll call, with the
20 permission of the board, Mr. Petry.

21 By the way, I'm going to speak from the
22 seat because I have an equilibrium problem. I don't
23 want to...

24 MR. CUCCHIARA: Before we do that,
25 Mr. Jemas.

1 Ms. Gaines, can you tell us who is
2 eligible to participate in this hearing?

3 MS. GAINES: Correct.

4 Mr. Graham can vote, Mr. Reis,
5 Mr. Mancini, Mr. Mulrenan, Ms. Gonzalez and Mayor
6 Grilo.

7 MS. GUIMARAES: I can't vote?

8 MS. GAINES: No.

9 MS. GUIMARAES: But if it's okay with
10 everyone, I'll excuse myself.

11 Best of luck and have fun. Don't have
12 too much without me.

13 (Whereupon, Ms. Guimaraes excuses
14 herself and steps off the dais.)

15 MAYOR GRILO: Thank you.

16 MR. CUCCHIARA: And we can proceed with
17 your first witness. I know we had discussed this
18 prior to the meeting. And I was going to suggest the
19 markings of the following exhibits:

20 A-1 would be the Application dated
21 January 31, 2024, which includes the addendum that
22 was attached.

23 (Whereupon, Application Dated, 1/31/24
24 is marked as Exhibit A-1 for identification.)

25 MR. CUCCHIARA: A-2 would be the Proof

1 of Publication and Service of notice of the hearing.

2 (Whereupon, Proof of Publication and
3 Proof of Service is marked as Exhibit A-2 for
4 identification.)

5 MR. CUCCHIARA: And on that point,
6 Ms. Gaines, the notice is part of your file and is
7 proper, is that right?

8 MS. GAINES: I did not get the...

9 MR. JEMAS: You got the Affidavit of
10 Proof of Publication.

11 MS. GAINES: I did, Proof of
12 Publication, but not of service. Usually you bring
13 that in.

14 MR. CUCCHIARA: Service on the property
15 owners.

16 MR. JEMAS: You did.

17 We had that as well. In fact, I've got
18 -- that was submitted. It was delivered, I believe,
19 by -- by either Mr. Gomez or someone on his behalf.
20 But hang on one second.

21 MR. NORBUT: Mr. Chairman, do you mind
22 if I take that spot? I can see a little bit better
23 from here.

24 CHAIRMAN GRAHAM: Sure.

25 MR. PETRY: Do you want me to slide

1 this a little bit? Is that going to help, or is that
2 going to hurt?

3 MR. JEMAS: We submitted a copy of the
4 notice.

5 MS. GAINES: I received an e-mail with
6 the list.

7 MR. JEMAS: Yeah, those were delivered?
8 Did you deliver them? It was received on the 25th of
9 March.

10 MR. CUCCHIARA: We'll make copies.

11 MR. JEMAS: Those are the originals.

12 MS. GAINES: Those are the originals.

13 MR. JEMAS: Yeah.

14 MS. GAINES: Okay. Do you want me to
15 make a copy of this and give it back to you.

16 MR. JEMAS: Yes.

17 (Whereupon, a brief recess is held.)

18 MR. CUCCHIARA: While the Board
19 Secretary is making copies of the Proof of Service of
20 the notice of hearing on property owners, we'll
21 continue with the markings.

22 A-3 will be the Amended Site Plan,
23 Proposed Clark Mill Adaptive Reuse for East Newark
24 Town Center, LLC.

25 And that's prepared by Bleeker

1 Architectural Group. That's dated December 6, 2023.
2 Or last -- let me correct that -- last revised, I
3 believe, to be December 6, 2023.

4 (Whereupon, Amended Site Plan,
5 Proposed Clark Mill Adaptive Reuse for
6 East Newark Town Center, LLC, Last Revised
7 12/06/23 is marked as Exhibit A-3 for
8 identification.)

9 MR. CUCCHIARA: A-4 would be the
10 engineering plans prepared by Petry Engineering, LLC,
11 last revised December 20, 2023.

12 (Whereupon, Site Plan Prepared by
13 Petry Engineering, LLC, Last Revised 12/20/23
14 is marked as Exhibit A-4 for identification.)

15 MR. CUCCHIARA: A-5 would be the
16 Traffic Assessment prepared by Dynamic Traffic, LLC,
17 dated December 4, 2023.

18 (Whereupon, Traffic Assessment Prepared
19 by Dynamic Traffic, LLC, Dated 12/04/23 is
20 marked as Exhibit A-5 for identification.)

21 MR. CUCCHIARA: A-6 would be the
22 Stormwater Management Report prepared by Petry
23 Engineering, Last Revised January 15, 2024.

24 (Whereupon, Resolution of Planning
25 Board, Dated 12/05/19, East Newark Town Center

1 is marked as Exhibit A-6 for identification.)

2 MR. CUCCHIARA: And A-7 would be the
3 Resolution of the Planning Board with respect to the
4 prior application of East Newark Town Center, dated
5 December 5, 2019.

6 (Whereupon, Resolution of Planning
7 Board Dated 12/05/19, East Newark Town Center
8 is marked as Exhibit A-7 for identification.)

9 MR. CUCCHIARA: Mr. Jemas, is that
10 satisfactory.

11 MR. JEMAS: That's correct. Yes, it
12 is.

13 Thank you, Counsel for the help.

14 Are we going to identify the B and R
15 exhibits, B-1, B-2?

16 MR. CUCCHIARA: Oh, I'm sorry.

17 Thank you.

18 MR. JEMAS: You're very welcome.

19 MR. CUCCHIARA: Yes.

20 For the board exhibits, B-1 would be
21 the report of the board planner, Heyer Gruel and
22 Associates, dated February 23, 2024.

23 (Whereupon, Heyer Gruel and Associates
24 Report, Dated 2/23/24 is marked as Exhibit
25 B-1 for identification.)

1 MR. CUCCHIARA: B-2 would be the
2 amended report of Heyer Gruel and Associates, dated
3 March 12, 2024.

4 (Whereupon, Heyer Gruel and
5 Associates, Amended Report Dated 3/12/24 is
6 marked as Exhibit B-2 for identification.)

7 MR. CUCCHIARA: B-3 would be the report
8 of the board engineer, Remington & Vernick Engineers,
9 dated March 13, 2024.

10 (Whereupon, Remington & Vernick
11 Engineers Report Dated 3/13/24 is marked as
12 Exhibit B-3 for identification.)

13 MR. CUCCHIARA: And B-4 would be the
14 report of the Second Resolution Compliance Report of
15 Remington & Vernick Engineers with respect to the
16 prior application resolution. And that was dated
17 June 25, 2021.

18 (Whereupon, Second Resolution
19 Compliance Report of Remington & Vernick
20 Engineers, Dated 6/25/21 is marked as Exhibit
21 B-4 for Identification.)

22 MR. CUCCHIARA: And we're marking the
23 report of the East Newark Redevelopment Council,
24 Robert Beckelman, dated March 22, 2024.

25 We'll mark that R-1.

1 (Whereupon, East Newark Redevelopment
2 Council Report, Dated 3/22/24 is marked as
3 Exhibit R-1 for identification.)

4 MR. JEMAS: That's correct.

5 Thank you very much, Counsel.

6 M I C H A E L P E T R Y, P.E.

7 155 Passaic Avenue, Suite 350, Fairfield, New
8 Jersey, having been duly sworn, testifies as
9 follows:

10 THE COURT REPORTER: Please state your
11 name and your company for the record?

12 MR. PETRY: J. Michael Petry,
13 P-E-T-R-Y.

14 I'm a principal with the firm of Petry
15 Engineering located in Fairfield, New Jersey.

16 VOIR DIRE EXAMINATION

17 BY MR. JEMAS:

18 Q. Mr. Petry, would you kindly recite your
19 qualifications for the board, please?

20 A. Certainly.

21 I hold a license in engineering in the
22 states of New Jersey, New York and Pennsylvania.

23 I am registered as an architect in the
24 State of New Jersey.

25 I'm licensed as a professional planner

1 the State of New Jersey.

2 I graduated from NJIT in 1984 with a
3 Bachelor's degree in Architecture.

4 And I have been involved in site
5 development and infrastructure improvement projects
6 for nearly 40 years now.

7 Q. And is your license in good standing?

8 A. All of my licenses are in good
9 standing, yes.

10 Q. You're familiar with this application?

11 A. I'm familiar with this application,
12 having testified before this board at the original
13 hearing in 2019.

14 And I've continued working with the
15 board and municipality's professionals on a fairly
16 regular basis since that time.

17 So I'm very familiar with the property.

18 MR. JEMAS: Mr. Chairman, we
19 respectfully submit that Mr. Petry be qualified to
20 give testimony as an engineer.

21 MR. CUCCHIARA: I have no objection,
22 Mr. Chairman.

23 MR. PETRY: Thank you, Mr. Chairman.
24
25

1 DIRECT EXAMINATION

2 BY MR. JEMAS:

3 Q. Mr. Petry, why don't you discuss the
4 application and your research and findings with the
5 board?

6 A. Certainly.

7 I'm going to refer to, perhaps, three
8 colored versions of the plans that are before you.

9 MR. CUCCHIARA: Would that be A-3?

10 MR. PETRY: There are three plans.

11 MR. CUCCHIARA: I'm sorry. That would
12 be A --

13 MR. PETRY: Do you want them -8, -9 and
14 -10, or do you want them as just -8.

15 MR. CUCCHIARA: Shall we mark it -- why
16 don't we mark it collectively A-8.

17 MR. PETRY: A-8.

18 MR. CUCCHIARA: Which is the colorized
19 version of A-4, is that correct?

20 The December 20, 2023 plans, yes?

21 MR. PETRY: Correct.

22 (Whereupon, Colorized Version of A-4 is
23 marked as Exhibit A-8 for identification.)

24 MR. PETRY: Okay. So what's on the
25 easel is the Existing Conditions Plan.

1 This is the plan that serves as the
2 base map for all of our design documents. It's based
3 upon a survey that was prepared by Mr. Bleeker's
4 office.

5 And I'm not going to go through the
6 entire history of what we presented the last time,
7 but for the record, a couple of things.

8 This is designated as Lot 1 in
9 Block 12. The site contains approximately
10 12-and-a-half acres. It has a series of masonry
11 buildings. Those are shown in a tan color on what's
12 been marked A-8. The parcel is generally rectangular
13 in shape, with dimensions of approximately
14 830-feet-by-642-feet. It's approximately six blocks
15 north of 280.

16 And the Passaic River is across the
17 street. Across the BASF property, that's where --
18 that's where the Passaic River lives.

19 For orientation purposes, Passaic
20 Avenue is on the top of this sheet.

21 Central Avenue is on the left side of
22 this sheet.

23 And Grand Avenue is on the bottom of
24 this street.

25 The former railroad is located along

1 the right side of this sheet.

2 In 2019, this board granted approval
3 for the project, which consisted of 616 residential
4 units; 91,022 square feet of retail space; and 4,388
5 square feet of commercial space. A total of 105,769
6 square feet of building were left at that time as
7 vacant.

8 The approved plan included 1,315
9 parking spaces, where 1,306 were required. That was
10 a combination of spaces on the surface and in a
11 parking structure that was being constructed as part
12 of the proposed plans.

13 MAYOR GRILO: Can you repeat that, the
14 parking spaces?

15 MR. PETRY: The approved plan included
16 1,315 parking spaces, where 1,306 were required.
17 That was a combination of surface parking and a new
18 parking structure that would provide for resident
19 parking.

20 The applicant has been diligently
21 working towards completing outside approvals, having
22 obtained County site plan approval, Soil Erosion and
23 Sediment Control approval. We have a pending
24 application for the flood hazard area in front of
25 DEP. We have -- we also have a pending application

1 for sewer.

2 But based upon the changes that are
3 proposed this evening, that application will be
4 modified to include the additional units that are
5 being sought, if the board were to approve it.

6 Our current plan incorporated all of
7 the County requirements with regards to curbs, curb
8 cuts, curb placements and tree placement along the
9 County road, as well as the utilities.

10 So when we talk about why we're here,
11 I'm just going to turn to the second sheet in this
12 set. And that is our Grading & Drainage Plan.

13 So overall the unit count has increased
14 from 616 to 683 units. That increase is directly
15 associated with the proposed 67 senior affordable
16 units. That's what makes up the difference.

17 Building 61, which is located here, is
18 now being demolished. And this building 54-55,
19 located along Central Avenue, will now remain.

20 The purpose of the elimination was
21 structural in nature. This building was in better
22 shape than the other building, which is why we kept
23 it.

24 But what it does allow us to do -- if
25 you recall, the approved plan had a dead-end parking

1 lot that came in off of Grand.

2 With the removal of the building in
3 here, we are able to loop the parking so our
4 circulation has improved. It also allowed us to gain
5 four parking spaces. So we went from 1,315 to
6 1,354.

7 MAYOR GRILO: You gain on the surface
8 but not in the deck?

9 MR. PETRY: Yeah.

10 We gained it on the surface, not on the
11 deck.

12 Not to jump too far ahead, but your
13 board engineer pointed out that we're required to
14 incorporate EV spaces within the project. We're not
15 sure if we actually are by law since we already have
16 a site plan approval.

17 But the applicant is willing to
18 implement the EV spaces, because we understand that
19 that's an initiative that the State is looking for
20 everybody to do.

21 So when we implement the requirement,
22 it's based upon our required parking. We're required
23 to install 15 percent overall. And of those
24 15 percent, 10 percent of the overall requirement
25 will count as two spaces, because that's what the law

1 says.

2 So if we have -- our 1,354 proposed
3 spaces will ultimately include an EV credit of 132
4 spaces, bringing our overall total to 1,486 spaces.

5 With that in place, our proposal will
6 have an excess of 137 parking spaces over what is
7 required by the ordinance.

8 I want to talk about utilities for a
9 minute, if I could. Most of the people sitting here
10 probably already know that that the storm sewer
11 connection has been under construction for quite some
12 time. We expect that to be 100 percent finished by
13 the end of next week.

14 We're fighting -- obviously we're
15 fighting the tide. As the tide comes up, we can't
16 work. We can't work in the trench. And because
17 there's been so much rain, the water is actually
18 higher. So we're feeling a little bit blessed that
19 we didn't get what they thought we were going to get
20 last night and into today.

21 So we expect that to be completed by
22 the end of next week. And that is already across the
23 street to the site, although we have not tied into
24 it.

25 The water main, we performed an

1 analysis on the existing mains within the area that
2 had serviced the property. We discovered that the
3 Passaic Valley Water Commission line that had
4 provided fire service to this property for a lot of
5 -- a lot of decades was an option for us to
6 reutilize.

7 And so we are going to -- we are
8 working with Passaic Valley Water Commission. And
9 we're going to have a full replacement of the line
10 from their main to this site. They've stated that
11 they have a standing permit that allows them to
12 incorporate this property without having to go
13 through a water extension permit application process.
14 That makes us happy because we don't have to go
15 through DEP.

16 The sanitary sewer, we've already
17 evaluated the sanitary sewer and how the proposed
18 development will impact it. The property currently
19 does not have any effluent.

20 But with the proposed improvements, or
21 with the historic uses of the existing buildings, it
22 can be determined that approximately 51,869 gallons
23 per day were expelled when these buildings were in
24 use.

25 You don't have to write that number

1 down, because Passaic Valley Sewage Commission does
2 not care one iota what used to come out of the site.
3 They only care what is going to come out of the site.
4 And so our fee, our application fee, to them is based
5 on projected flow, which is why it changes with these
6 units. And it's phone numbers. I've never seen
7 anything like that in my life.

8 Historically, there are two 12-inch
9 sanitary sewer discharge pipes that come from the
10 site and connect to the trunk main that's in Passaic
11 Avenue. We were able to restore those existing
12 connections. And we will be able to utilize them for
13 the new projected flows from this site.

14 The proposal that's before you will
15 have about 122,000 gallons per day that will be added
16 to the existing trunk main that's in Passaic Avenue.
17 The system is designed to carry at least twice that
18 when flowing half full, per state regulations.

19 We will be circulating new documents,
20 assuming this board grants approval, for the sewer
21 connection. And I will tell you that those documents
22 would be available within two weeks of receipt of the
23 resolution from this board.

24 The increase in that flow is minor in
25 comparison to what the -- what the original projected

1 flow was for this site.

2 So I don't expect it to be an issue
3 with Passaic Valley Sewage. They will only increase
4 their fee because that's how they function.

5 So that's where -- that's what is being
6 proposed to change. And that's how we are standing
7 with regards to our existing approval processes.

8 We were fortunate -- we've been
9 fortunate enough to be dealing directly with Don
10 since he became the board engineer and the town
11 engineer. He did prepare a very thorough letter. I
12 have no objection to anything that's in that letter.
13 We can certainly address everything in that letter as
14 well what is in the Heyer Gruel memo as well. And I
15 would suggest that if the board were to condition any
16 motion that that was made on us satisfying those
17 letters as well as the former resolution compliance
18 letter, we would not object to that. We believe that
19 we can establish all of those items.

20 BY MR. JEMAS:

21 Q. So, Mr. Petry, if I can interrupt you
22 for a second. The applicant is agreeing that
23 whatever conditions were set forth in those documents
24 as well as the R-1 document that was prepared by
25 Mr. Beckelman, that there are conditions in there

1 that they requested be done, the applicant is
2 accepting those conditions, A-C-C-E-P-T?

3 A. Correct.

4 Q. Thank you.

5 A. And that's all I have.

6 MR. JEMAS: I have no further questions
7 of this witness at this time.

8 CHAIRMAN GRAHAM: Thank you, sir.

9 MR. NORBUT: With regard to the site
10 lighting.

11 MR. PETRY: Yes.

12 MR. NORBUT: Can you provide comments
13 on that, or will somebody else?

14 MR. PETRY: The architect designed it,
15 so he'll provide comments on it.

16 MR. NORBUT: Thank you.

17 MR. CUCCHIARA: Mr. Chairman, it would
18 be appropriate at this time to ask if any board
19 members have any questions of this witness.

20 CHAIRMAN GRAHAM: Sure.

21 Would anybody like to make any comments
22 towards the engineer?

23 MR. CUCCHIARA: Not comments. Just
24 questions.

25 CHAIRMAN GRAHAM: Questions. Comments,

1 questions. I'm sorry. Any questions?

2 MS. GONZALEZ: So 137 extra additional
3 spaces, will that be for visitors that visit the
4 individuals.

5 MR. PETRY: The code has a built-in
6 component for visitors. But we have -- we'll have an
7 excess of parking, primarily because of the -- of the
8 EV laws. You know, we want to be compliant with the
9 law because we think it's -- you know, it's an
10 important step, you know, towards, you know, a green
11 initiative. And we'd like to -- we'd like to
12 maintain that. So we think in the long term a good
13 plan.

14 And we're allowed to phase them in over
15 time, I think a third, a third and a third. But
16 we'll likely put them in -- we'll have the others
17 make-ready, is what it's called. So there will be
18 some surface parking. And it will be primarily deck
19 parking that will be EV.

20 MR. NORBUT: Just a point of
21 clarification on that.

22 Can you review your parking calculation
23 one more time? Because when you said you're going to
24 use the EVs and you get a credit, the credit is not
25 really looked at as an extra. It's really looked at

1 as a reduction.

2 So how many spaces are required and how
3 many actual spaces will you have, putting the credit
4 aside?

5 MR. PENTRY: We are required to have
6 1,315 spaces.

7 MAYOR GRILO: 1,315.

8 MR. PENTRY: Correct.

9 MAYOR GRILO: I did 1,315 before.
10 Sorry. You said before that 1,306 were required.

11 MR. PENTRY: The 1,306 was in the
12 original plan.

13 MAYOR GRILO: Right.

14 MR. PENTRY: And it's -- in the proposed
15 plan it's 1,315.

16 THE COURT REPORTER: You're saying
17 one-three-one-five?

18 MR. PENTRY: One five --
19 one-three-one-five.

20 CHAIRMAN GRAHAM: Any more questions?

21 MAYOR GRILO: I'm sorry. Say that
22 again. What's the proposed?

23 MR. PENTRY: We have 1,354 actual
24 spaces.

25 MAYOR GRILO: One-three-five-zero.

1 MR. PETRY: One-three-five-four.

2 MAYOR GRILO: One-three-five-four.

3 MR. PETRY: Actual spaces.

4 MR. NORBUT: So just to clarify, the
5 difference is not is 137.

6 The difference in actual spaces
7 available is the difference between 1,354 and 1,315.

8 MR. PETRY: Yes.

9 MR. NORBUT: I didn't want there to be
10 a misunderstanding that there was a 137 more spaces.
11 There's not.

12 But the way it was presented with the
13 credit...

14 MAYOR GRILO: Yeah.

15 Thank you for your clarifying. So of
16 the 1,354, 137 of those will be designated for EV.

17 MR. PETRY: It's actually more than
18 that.

19 MAYOR GRILO: You said 137 for EV.

20 MR. PETRY: Okay. That was the excess
21 that I said was 137.

22 So the requirement is 15 percent of the
23 required parking spaces. So there's 1,315 spaces
24 required. 1,315 times 0.15 is 197 spaces. 197 of
25 the spaces are required to be EV. We don't get

1 credits for all of them.

2 We only get credits for 10 percent of
3 the code.

4 MR. NORBUT: So I think a different way
5 to look at it would be, you start with the 1,315.
6 You take the credit off of that. That tells you
7 what's required.

8 So the required is now lower than the
9 1,315 technically.

10 MR. PETRY: So it would be 1,183
11 required and 1,354 proposed. It's 171 is the
12 difference.

13 MR. NORBUT: And that's really the way
14 to look at it.

15 MAYOR GRILO: Yeah, this is -- yeah, we
16 need to take a step back because your math -- I know
17 I'm not great at math, but this is one too many
18 numbers. It don't make sense.

19 MS. MERTZ: I think it's also, the EVs
20 do give you the credit and all the math we're doing
21 is correct.

22 And I agree with our engineer. I think
23 it's confusing here because you're meeting the
24 parking requirement without the EV credit. Usually
25 people are using the EV credit to meet the parking

1 requirement.

2 MR. PENTRY: I understand.

3 MS. MERTZ: I'm not saying it's not
4 important. I also don't know if we need to belittle
5 the point here. I think they're meeting the parking
6 requirement and they're going to provide 15 percent
7 EV spaces.

8 So you're going to get 197 electric
9 vehicle charging stations, which I think is
10 excessive, but okay.

11 MAYOR GRILO: But we're getting 1,354
12 actual spaces.

13 MR. PENTRY: Correct.

14 MAYOR GRILO: That's inclusive of the
15 parking deck.

16 MR. PENTRY: That is correct.

17 MS. MERTZ: And when you revise your
18 plans to identify which spaces are EV, just remember
19 that 5 percent of them have to be ADA spaces.

20 MR. PENTRY: Understood.

21 MAYOR GRILO: Yes.

22 Very important.

23 MR. MANCINI: I have a general question
24 of the retail space.

25 So are a portion of the spaces

1 appropriated for, like, customer parking.

2 MR. PETRY: The parking -- how they set
3 up the site, I mean, the surface lot will be
4 available for the retail, for the commercial, for
5 visitors. The deck is going to be for residents.

6 MR. MANCINI: Gotcha.

7 MS. MERTZ: Not related to this, but I
8 just realized when we were talking about the
9 buildings, Building 54-55 is now being kept?
10 Building 61 is now being demolished?

11 MR. PETRY: That is correct.

12 MS. MERTZ: Can you update your
13 demolition plan? Because it still says the reverse,
14 unless my documents aren't updated.

15 MR. PETRY: I'll look at that.

16 MS. MERTZ: Just whatever you submit as
17 part of resolution compliance.

18 MR. PETRY: Not a problem.

19 MR. NORBUT: One other issue. Maybe
20 you can answer regarding the smokestack. There's two
21 -- are they both remaining, or just one remaining.

22 MR. PETRY: Just one is going to
23 remain.

24 MR. NORBUT: Got it.

25 MR. CUCCHIARA: With respect to the

1 demolition plan, would it be appropriate to make that
2 as -- to have a stipulation from the applicant as a
3 condition of approval subject to the review of
4 Mr. Norbut's firm, or just make that part of -- in
5 the compliance review, Mr. Norbut?

6 Would you make it a condition of
7 approval now in terms of reviewing the demolition
8 plan, the revised demolition plan?

9 MR. NORBUT: Yes.

10 The majority of our comments -- I think
11 a few of our comments require plan changes. So we
12 would review them as a condition.

13 MR. CUCCHIARA: Okay. Correct.

14 MR. PETRY: And we have no problem with
15 that.

16 MR. CUCCHIARA: Okay. Mr. Chairman, it
17 would be appropriate -- I don't know if Ms. Mertz or
18 Mr. Norbut have any further questions, but this would
19 be an appropriate time.

20 Do you, Mr. Norbut, have any further
21 questions of this witness?

22 MR. NORBUT: I do not.

23 MR. CUCCHIARA: Ms. Mertz?

24 MS. MERTZ: No. Thank you.

25 MR. CUCCHIARA: Board members, no

1 further questions.

2 MR. PETRY: Public.

3 MR. CUCCHIARA: Yes. Are there any --
4 well, I'll just say it. Are there any members of the
5 public who have questions for Mr. Petry.

6 MR. PETRY: Petry.

7 MR. CUCCHIARA: It is Petry. Any
8 members of the public?

9 (No Response.)

10 MR. JEMAS: Mr. Chair, with your
11 permission, our next witness is Mr. John Bleeker, who
12 is our architect.

13 Okay, John.

14 J O H N B L E E K E R, AIA

15 275 Belmont Avenue, Haledon, New Jersey, having
16 been duly sworn, testifies as follows:

17 THE COURT REPORTER: Please state your
18 name and affiliation.

19 MR. BLEEKER: My name is John Bleeker.
20 It's B-L-E-E-K-E-R. Business address is 275 Belmont
21 Avenue, Haledon, New Jersey.

22 VOIR DIRE EXAMINATION

23 BY MR. JEMAS:

24 Q. Mr. Bleeker, would you kindly state
25 your qualifications to the board?

1 A. I'd be glad to.

2 I completed my formal education in
3 1983.

4 I graduated from the New Jersey
5 Institute of Technology with a Bachelor of
6 Architecture degree, minor in Engineering.

7 I started the working in an
8 architectural firm, which I became a partner in, in
9 1980, even while I was in college.

10 I became licensed in 1987 as a licensed
11 architect. Shortly thereafter, I received my
12 professional planning license.

13 And in 1990, I received my license --
14 land surveying license.

15 I have practiced over 40 years, working
16 as an architect, Professional Planner, licensed land
17 surveyor. I've testified in front of planning
18 boards, zoning boards and courts of law, over 2,500
19 indications. I'm currently serving as the
20 architectural expert for Passaic County on the
21 Construction Board of Appeals.

22 And I'm serving as their Chairman now
23 for the last 15 years.

24 Q. And your licenses are all in good
25 standing?

1 A. Yes, they are.

2 Q. You testified before this board on the
3 prior application.

4 Is that correct?

5 A. That's correct.

6 Q. You were qualified as an expert to
7 provide expert testimony in architecture.

8 Is that correct?

9 A. That's correct.

10 MR. JEMAS: I respectfully submit that
11 Mr. Bleeker be --

12 CHAIRMAN GRAHAM: That's fine. I'll
13 accept him.

14 MR. BLEEKER: Thank you, Mr. Chairman.
15 I appreciate it.

16 DIRECT EXAMINATION

17 BY MR. JEMAS:

18 Q. Mr. Bleeker, would you discuss from an
19 architectural perspective the application before the
20 board?

21 A. I'd be glad to.

22 MR. CUCCHIARA: Before we start,
23 Mr. Bleeker. Are we adding any other exhibits,
24 Mr. Jemas?

25 Q. Are these colorized exhibits or new

1 exhibits?

2 A. They're colored.

3 This is a colored rendering. I have a
4 site plan, which we just colored up a little bit.

5 Q. Is the rendering part of the site plan?

6 A. No.

7 Q. So that we would need to go A-9, I
8 believe.

9 A. A-9.

10 (Whereupon, Architectural Plan Prepared
11 by Bleeker Architectural Group is marked as
12 Exhibit A-9 for identification.)

13 BY MR. JEMAS:

14 Q. Would you describe that, Mr. Bleeker,
15 please, what it is?

16 A. I'd be glad to.

17 A-9 is actually a rendering of the
18 entire site, the entire project. It shows a 3D view,
19 not quite bird's eye, but basically on a angle.

20 But it gives you the whole magnitude
21 and scope of the project itself, and shows you the
22 renovations that we're proposing for this
23 application.

24 We had done this rendering prior to.
25 But the smokestack that was brought up in

1 questioning, the rectangular one unfortunately was
2 found to be structurally unsound, so that will not be
3 part of the project.

4 Q. But, Mr. Bleeker, you prepared that
5 rendering, correct?

6 A. That's correct.

7 Q. Does it accurately depict what is
8 proposed to be constructed there?

9 A. With, like I said, that minor exception
10 with the smokestack, yes.

11 Q. So that would be A-9?

12 A. Yes.

13 Q. Is there any other document that you
14 have that is outside the site plan that you
15 submitted?

16 A. No.

17 MR. JEMAS: Thank you, Mr. Chairman.

18 MR. CUCCHIARA: Thank you.

19 So that would be, Mr. Bleeker -- A-3
20 would be the site plan documents that were submitted
21 previously.

22 MR. BLEEKER: Okay.

23 MR. CUCCHIARA: Which I believe might
24 be on the floor, right, now?

25 Is that right?

1 MR. BLEEKER: Yes, that's correct.

2 BY MR. JEMAS:

3 Q. Continue.

4 A. All right. As, you know, you've
5 already pretty much heard from Mr. Petry with regards
6 to engineering on the project, but he did touch upon
7 some of the magnitude of the project, our previous
8 approval in which we were here.

9 Basically the main issue that really
10 from an architectural standpoint that I would like to
11 point out -- and I'm sure the board is already aware
12 -- is these are all existing buildings. We're not
13 making any modifications or changes basically to the
14 buildings other than refurbishing them, bringing them
15 back to life, re-pointing them, new windows,
16 obviously new roofs, of course adaptively reusing the
17 interiors, you know, for residential housing.

18 Originally the approval was for 616
19 units. We are asking the board's consideration
20 tonight to add 67 senior affordable units. That will
21 actually be accomplished by, you know, the building
22 that's already there.

23 Inside the existing structure, we are
24 reducing, you know, some community room space and
25 retail space to accomplish that.

1 But everything is going to be confined
2 within the existing building.

3 So we are obviously breaking down the
4 project in multiple phases. We are basically doing
5 two buildings and constructing them and renovating
6 them a time. Once they're accomplished, then we're
7 going to move onto the next two, unless we, you know,
8 entirely encompass the site.

9 There is also a parking deck that is --
10 that I'm pointing to right at the moment, which has
11 some recreation space above it, which will be
12 constructed under the fourth phase.

13 So as you already have heard, we have
14 more than ample parking for not only the existing 616
15 units but also for the 67 senior housing units.

16 So we have more than enough parking.
17 And if we take the EV credit in, you know, we're in
18 excess over 150 units -- 50 spaces, I would say.

19 So we have -- the current design is 683
20 dwelling units. We have proposed 1,354 off-street
21 parking spaces. Of the dwelling units, 79 are going
22 to be studios, 462 will be one-bedrooms, and 683 will
23 be two-bedrooms.

24 The proposed landscaping plan, the
25 lighting plan, the sign area and the screening for

1 mechanical, which was approved on the previous
2 application, all remains exactly the same.

3 So the summary of the major changes
4 actually was delineated by your engineer. He
5 actually did a very good job. I've read all the
6 reports. And we have no exception to any reports
7 from your engineer, your planner. And I'm just going
8 to re-announce, you know, the engineering report,
9 which was the summary of the changes of the previous
10 application to this application.

11 The previous application was 616 units.
12 We've now increased it to 683. The 67 units that
13 we're proposing are for the low income senior housing
14 units.

15 Q. If I can interrupt you for a second,
16 Mr. Bleeker. Your understanding is that the 67
17 housing units will be occupied by low, moderate and
18 affordable, and there will be a deed restriction to
19 that effect?

20 A. That's correct.

21 Q. And that it also applies to 55 or older
22 persons serving in the United States military or
23 veterans of the military, is that correct?

24 A. That's correct.

25 Q. The applicant is agreeing to that

1 arrangement?

2 A. That is exactly correct.

3 Q. Thank you very much.

4 A. You're welcome. The retail space, the
5 previous application was 91,000 square feet roughly.
6 We're proposing now 66,311. There's a reduction of
7 24,711 square feet of retail.

8 The commercial space originally was
9 proposed as 4,388. We're actually proposing slightly
10 larger because of the way the interior is configured.
11 That will become 5,882 square feet, an actual
12 increase of 1,494 square feet.

13 Vacant space was 105 square feet --
14 105,000 square feet. I'm sorry. And we're actually
15 going to be proposing 104,620 square feet. That has
16 a reduction change of 1,149 square feet.

17 Proposed parking spaces. The original
18 application had 1,306. We are currently proposing
19 1,315, an increase of nine spaces.

20 The proposed -- I'm sorry. That was
21 the required. That was the required parking spaces.
22 Yeah, required. I think I better put my glasses on.
23 That was required. Okay.

24 Proposed parking spaces is 1,350
25 spaces. And 1,354 is being proposed, an increase of

1 four spaces. Not counting the -- you know, the EV
2 credits that we would obtain by providing those.

3 And when it comes to bedroom count,
4 there was some small changes there. But it's mainly
5 addressing because we are increasing the senior
6 housing component. But we had originally 76 units
7 proposed for studios. We're proposing now a total
8 with the senior housing of 78 units. That is a
9 2-unit additional change.

10 The one-bedrooms, previously approved
11 was 335. We're proposing 460. That's an increase of
12 125 units. And the two-bedroom count originally was
13 approved was 205. We're actually reducing that
14 significantly to 141, giving us a reduction total,
15 even with the increase of the senior housing, down to
16 64 units.

17 So I think that pretty much summarized
18 the architectural changes that we're going to be
19 proposing. Again, like I said, the other items on
20 the plan --

21 MS. MERTZ: I'm sorry.

22 You keep on saying the bedroom counts
23 add up to 679. So can you just review what the
24 breakdown is? There was a few -- the reason why I'm
25 asking, because there was a couple different numbers

1 on the various application materials.

2 MR. BLEEKER: I was referring to the
3 engineer's letter. My count is actually 79 studios,
4 462 one-bedrooms.

5 MAYOR GRILO: Okay, wait, wait, wait,
6 wait. That's not the number you gave before.
7 Seventy-nine. How many one-bedrooms?

8 MR. BLEEKER: Well, according -- we're
9 proposing 78 units -- I'm sorry -- for studios, 460
10 units for one-bedrooms, and 141 for two-bedrooms.

11 MS. MERTZ: So that adds up 679. But
12 previous testimony has it at 683 units.

13 MR. BLEEKER: I'm referring to -- I'm
14 reading the engineer's report. I would have to look
15 at that a little more closely to see. I'm sorry.

16 MAYOR GRILO: I mean, I'll take a lower
17 number.

18 MR. JEMAS: A more accurate number,
19 Mr. Bleeker, is 679 units.

20 MS. MERTZ: We don't -- I'm not so much
21 worried about what the actual bedroom count breakdown
22 is. We just want to make sure we know if it's 679 or
23 683.

24 MR. BLEEKER: No. I mean, the plan is
25 delineated. We have 67 senior housing units, and we

1 had 616 on the original approval. So it's 683,
2 right? That is the total amount.

3 MS. MERTZ: Six-hundred-eighty-three is
4 the number.

5 MR. BLEEKER: Yes.

6 MAYOR GRILO: But I am concerned the
7 amount of which one is going to be one-bedroom,
8 two-bedroom. We we'll need clarification on that.

9 MR. BLEEKER: Like I said, I was just
10 referring to the report. I was under the impression
11 that this is right on the money. So I will verify
12 that for you.

13 I think the most important part here is
14 we reduced the two-bedroom count significantly.

15 MAYOR GRILO: Oh, no. I appreciate
16 that.

17 MR. BLEEKER: That's because the senior
18 component, they need mostly one-bedroom.

19 MAYOR GRILO: Agreed.

20 MR. BLEEKER: So we actually did that.
21 And, you know, there's a reduction of 64 units,
22 two-bedroom units. So I think that's really
23 significant in terms of the amount of people that
24 will be on site.

25 MAYOR GRILO: But there's also an

1 addition of 67, right, because of the senior housing.

2 MR. BLEEKER: That's true.

3 MAYOR GRILO: You're not really
4 reducing anything? You're just providing for the
5 seniors and veterans.

6 MR. BLEEKER: Mayor, absolutely.

7 MAYOR GRILO: I do want clarity on
8 studios versus one-bedroom and two-bedroom.

9 MR. BLEEKER: I'll give you that
10 information. Unfortunately, I can't do it right at
11 the moment.

12 MAYOR GRILO: That's fine. I
13 appreciate that.

14 MR. BLEEKER: Again, we have more than
15 parking for either scenario, so we're good.

16 MAYOR GRILO: But I didn't bring up
17 parking with the apartments. Let's stick to the...

18 MR. BLEEKER: Very good.

19 MAYOR GRILO: Thank you.

20 MR. JEMAS: Mr. Chairman, for the
21 purpose of the board's determination this evening,
22 can we agree that it's not going to seek 683, with an
23 understanding that we have to provide the accurate
24 number for both? I don't know how we would handle it
25 in the resolution. That's my only concern.

1 MR. CUCCHIARA: I was thinking the same
2 thing.

3 How much time, Mr. Bleeker, would you
4 need to clarify the number of the different -- excuse
5 me, strike that -- the different categories of
6 bedroom units?

7 MR. JEMAS: Considering that we have
8 two other witnesses, you can go out in the hall and
9 figure it out.

10 MR. CUCCHIARA: That's what I was
11 hoping.

12 MR. BLEEKER: We can definitely do it
13 before the end of the tonight's meeting.

14 MR. CUCCHIARA: And you can come back
15 and tell us.

16 MR. BLEEKER: Okay, absolutely. Okay.
17 So, I mean, basically, like I said, that pretty much
18 concludes, you know, the testimony in terms of the
19 changes and the scope of the project.

20 It's very, very similar to what we've
21 seen before. We're not making any additional changes
22 to the buildings themselves. We felt the project was
23 a nice project, a beautiful project the way it stood.
24 And we're trying to maintain that. We're trying to
25 also adhere to the architectural and historical

1 character of the complex itself.

2 So from the standpoint of actually
3 visually and aesthetically, anywhere you go around
4 the site, the buildings will be just like they've
5 been when they were originally constructed. They're
6 just going to be brought back to the original life
7 when they were first built. I'm available for any
8 other questions that you may have.

9 MAYOR GRILO: Can you just point for
10 everyone to see the building that is going to be for
11 the 67 units.

12 MR. BLEEKER: That building is going --
13 is right here, that was the one building that was
14 being originally knocked down.

15 MAYOR GRILO: Wait.

16 Is that Grand or Central?

17 MR. BLEEKER: It's Central. I'll just
18 --

19 MAYOR GRILO: I thought the building
20 was going to be on the Grand Avenue side.

21 MR. BLEEKER: I can do it this way,
22 Mayor. It might a lot easier.

23 Not to retract, but my son actually
24 handed me the architectural plan. And I have the
25 dwelling unit count accurately done. It's 79

1 studios, 462 one-bedrooms, 142 two-bedrooms.

2 MS. MERTZ: That adds up to 683. Thank
3 you for checking that.

4 MR. BLEEKER: All right. The building
5 that's actually going to be for the senior housing,
6 Mayor, is actually right off of -- you're right.
7 It's actually Grand Avenue. It's off the corner.
8 It's this building right here. Okay. So that's the
9 building that's going to be refurbished.

10 As -- you know, we were talking a little
11 bit. There is that smokestack. It's actually a
12 rectangular smokestack that's going to be removed.
13 Structurally, we determined -- unfortunately, it's
14 difficult to refurbish, if at all. We can't
15 structurally prove that that would be sound. So we
16 are taking that one down.

17 And there was a building here that
18 originally on the original application was going to
19 be kept and refurbished. Now we're actually, you
20 know, refixing up this building and then taking that
21 one down. This was originally going to be removed.
22 That was going to stay. Now it's just the opposite.
23 Okay? So that's the real significant change, if any,
24 of the site plan itself. And this building is now
25 becoming the senior housing project building.

1 All right. It's currently three
2 stories in height. And that's the one we're going
3 to. All right, that does -- you're right, Mayor.
4 That does come right out on Grand Avenue.

5 MAYOR GRILO: Thank you for confirming.

6 MR. BLEEKER: You're welcome.

7 COUNCILMAN REIS: Now, with keeping the
8 one building on central --

9 MR. BLEEKER: This one.

10 COUNCILMAN REIS: -- we're still going
11 to be able to get fire trucks in and out of there, if
12 ever needed?

13 MR. BLEEKER: That's a very good
14 question. Yeah. The driveway is just changed a
15 little bit. Actually, it helps us make a little
16 nicer parking layout. Because the original building
17 that we were going to keep was more interior. It
18 kind of messed up the parking arrangement. This
19 makes it a little bit nicer and cleaner. The
20 driveway entrance is going to be here, and you can
21 circulate through. We obviously have other entrances
22 too for emergency vehicles, if needed to be.

23 MS. MERTZ: Is any of the building
24 signage that's previously approved going to be
25 changing?

1 MR. BLEEKER: No.

2 MS. MERTZ: That's all the same.

3 MR. BLEEKER: All of that is going to
4 be the same.

5 MS. MERTZ: Mr. Chairman, the
6 affordable housing, I would recommend as a condition
7 of approval that prior to final COs being issued,
8 they provide proof of the deed restriction and seek
9 higher with a qualified administrative agent to
10 administer.

11 CHAIRMAN GRAHAM: Yes, ma'am.

12 Any other.

13 MR. CUCCHIARA: So stipulated,
14 Mr. Jemas.

15 MR. BLEEKER: And if the board would
16 like to see the building we're talking about keeping
17 for the senior portion is right here. It's right
18 there.

19 MAYOR GRILO: And that driveway
20 remains, the one that's currently there, right.

21 MR. BLEEKER: That's correct. Yeah,
22 okay.

23 MR. CUCCHIARA: Mr. Chairman, I believe
24 Mr. Norbut has some questions for the witness.

25 CHAIRMAN GRAHAM: Mr. Norbut?

1 MR. NORBUT: My questions for the
2 architect were really limited to the site lighting.
3 I had a couple of comments in my letter. I don't
4 know if you had a chance to see them.

5 MR. BLEEKER: I did.

6 MR. NORBUT: So the first one was the
7 lighting levels in the landscaped areas in the front
8 of the building seemed very low.

9 And, you know, you just think of
10 pedestrians being able to walk down the street and
11 have a comfort level and feel safe.

12 Did you look at that, and are you
13 comfortable with the less than half a footcandle
14 there?

15 MR. BLEEKER: I mean, look, we
16 appreciate the suggestion to increase the lighting.
17 And if the board allows us to do that, we would like
18 to increase that little bit. And I can submit a
19 revised plan to show you what we propose, if that's
20 the case. But we have no objections to increasing
21 the lighting within ordinance. You know, we would
22 still remain within the ordinance requirements.

23 MR. NORBUT: And then regarding the
24 lighting along the two-way driveway off of Central in
25 the middle of the site. I just didn't see on the

1 lighting plan the one on the -- the lower one.

2 MR. BLEEKER: This one.

3 MR. NORBUT: No. The middle of the
4 site.

5 MR. BLEEKER: Which one?

6 COUNCILMAN REIS: To your left.

7 MR. NORBUT: To your left on Central.

8 MR. BLEEKER: Okay, this one.

9 MR. NORBUT: See where the light
10 fixtures were there.

11 MR. BLEEKER: I thought we were putting
12 light fixtures on the buildings. They were going to
13 be building-mounted, that actually were going to be
14 spilling enough light to illuminate that driveway.
15 That was my original intention.

16 MR. NORBUT: Okay. And then -- again,
17 I don't want to tell you your busy. I'm the
18 engineer. You're the architect. So I'm deferring to
19 you.

20 But typically I'm not a big fan of the
21 open globe wall-mounted fixtures, because they do
22 have a lot of glare associated with them. They're
23 not down-directed cut-off light fixtures.

24 Again, I'll defer to you from an
25 aesthetic standpoint and what the developer wants.

1 But, you know, it could be the source of again glare
2 and aggravation to the residents, especially seniors,
3 with the open globes that you're proposing. Again,
4 I defer to you. I just...

5 MR. BLEEKER: You know, the open globe
6 concept obviously is nostalgic, you know, a
7 historical kind of light fixture. That's what we
8 really -- what we wanted to employ for the whole
9 project to give it that nice industrial feel.

10 But you're -- I know we have to be
11 sensitive because where these lights are going to be,
12 there will be windows on the other side of that
13 driveway.

14 So I could look at a different light
15 fixture that, you know, might be more suited for
16 that. And we've also done this in a lot of cases
17 where we've had a situation like that, we want to
18 retain the architectural historic character of the
19 light fixture, yet we don't want it spilling any
20 light in other areas. And there's actually
21 black-outs that you can do, you know, so they don't
22 shine laterally. They only shine downward. And
23 these fixtures do allow us to black incoming lens on
24 the inside of the lens and shine downward.

25 You know, we don't have any objections

1 to doing that. It would, you know, save us, like you
2 said, probably a few phone calls, you know, when the
3 lights go on at night.

4 So we don't have any problem doing
5 that. But my main focus is to make sure I have
6 enough lighting on that driveway, in accordance with
7 the ordinance.

8 MR. CUCCHIARA: What I would suggest is
9 if you can propose a different type of lighting
10 arrangement just described by Mr. Norbut for his
11 review and approval as a stipulation.

12 MR. BLEEKER: We'd be glad to. I can
13 amend our plan and then submit that, hopefully
14 contingent, you know, upon whatever the board
15 decides.

16 MR. CUCCHIARA: Right.

17 Or, in fact, I think it could be
18 something that maybe Mr. Norbut and you can resolve
19 if he's not satisfied with that proposal. Would that
20 be sensible?

21 MR. NORBUT: Yes.

22 MR. CUCCHIARA: Okay.

23 MAYOR GRILO: Do you have any
24 questions?

25 I have a quick question.

1 Where are the HVAC units going? Are
2 they going on the top of the building?

3 MR. BLEEKER: The HVAC units, yeah. I
4 mean, all the HVAC units are going to be mounted up
5 on the roof.

6 And they're going to be screened both
7 for noise and view. But they're going to be located
8 on the roof. And where we have the sloping kind of
9 roof -- actually, well, there really is no issue,
10 because we do have all flat roofs. We're going to
11 keep them on the interiors so they're not viewed from
12 outside. Then we're going to screen them as well.

13 MAYOR GRILO: Perfect.

14 Thank you.

15 MR. BLEEKER: You're welcome.

16 CHAIRMAN GRAHAM: Any other questions
17 from the board?

18 Okay, sir.

19 MR. CUCCHIARA: Ms. Mertz, did you have
20 any questions?

21 MS. MERTZ: No. All mine were
22 answered.

23 Thank you.

24 MR. BLEEKER: Thank you very much.

25 MAYOR GRILO: Thank you.

1 MR. JEMAS: Give the public an
2 opportunity to ask questions.

3 MR. CUCCHIARA: I'm sorry, Mr. Bleeker,
4 just wait a moment.

5 CHAIRMAN GRAHAM: One more second, sir.
6 Is there anybody from the audience that would like to
7 address this gentleman?

8 MR. BLEEKER: Thank you.

9 MR. JEMAS: Thank you very much. Our
10 next witness is Patrick Downey. His testimony is
11 traffic. For the record, Mr. Steiger, who presented
12 the report, is not available today because he's in
13 sunny Florida.

14 MR. DOWNEY: Good evening, everyone.
15 P A T R I C K D O W N E Y, P.E.

16 1904 Main Street, Lake Como, New Jersey, having
17 been duly sworn, testifies as follows:

18 THE COURT REPORTER: Now please state
19 your name and affiliation.

20 MR. DOWNEY: Patrick Downey,
21 D-O-W-N-E-Y, with Dynamic Traffic. Business address
22 is 1904 Main Street, Lake Como, New Jersey.

23 VOIR DIRE EXAMINATION

24 BY MR. JEMAS:

25 Q. Mr. Downey, would you kindly discuss

1 your qualifications with the board, please?

2 A. Certainly.

3 I have a Bachelor of Science degree in
4 Engineering from Rowan University.

5 I'm a licensed Professional Engineer in
6 New Jersey and Pennsylvania, Certified Professional
7 Traffic Operations Engineer.

8 And I've testified before other similar
9 land use boards throughout New Jersey.

10 Q. And you have been -- and your licenses
11 are all in good standing?

12 A. Yes, that's correct.

13 Q. And you have consulted with
14 Mr. Staigar, and you're familiar with the project?

15 A. That's correct.

16 MR. JEMAS: Mr. Chairman, I would
17 submit.

18 MR. CUCCHIARA: Mr. Chairman, I have no
19 objection.

20 CHAIRMAN GRAHAM: We accept him.
21 Continue, sir.

22 Thank you.

23 MR. DOWNEY: Thank you.

24 I'm going to primarily focus on traffic
25 generation of this project as it relates to the prior

1 approval and what's changed.

2 As you heard, there's some additional
3 units and a reduction of retail space.

4 So as part of the original application
5 and approval, a full Traffic Impact Study was
6 submitted. It included trip generations and
7 projections for the proposed development using the
8 industry standard rates published by the Institute of
9 Transportation Engineers, particularly the traffic
10 counts of the existing roadways to establish existing
11 conditions, and considered analysis of nearby
12 intersections and the proposed site driveways to
13 ensure that acceptable levels of service were
14 provided.

15 It ultimately concluded that the
16 project would not result in a substantial impact to
17 the surrounding roadway network.

18 As part of this application, a
19 supplemental traffic assessment was submitted that
20 compared the approved development program to the
21 currently proposed development program.

22 What we found is that there is a
23 reduction in traffic for this development program
24 compared to what was previously approved. We
25 typically analyze three key peak hours during a

1 typical week: Weekday morning commuting peak,
2 weekday evening, and Saturday midday.

3 The reductions in each of those peak
4 hours are a reduction of 30 in the morning, a
5 reduction of 113 trips in the afternoon, and a
6 reduction of 130 trips on Saturday midday.

7 Based on that change, it's our
8 professional opinion that the results of that
9 original traffic study for the original approval are
10 still valid.

11 If anything, they are conservative
12 estimation of the traffic impact from this project.
13 And this application overall represents a reduction
14 in traffic from what was otherwise approved for the
15 property, which is unique in our world. It's not
16 something we get to say in a lot of these board
17 meetings.

18 In terms of parking, you heard a lot of
19 testimony regarding parking. I don't think I need to
20 really add anything there.

21 But I would just reiterate that we are
22 compliant with the code, simply by virtue of the
23 physical parking spaces that are proposed, without
24 taking any credit for the EV spaces and make-ready
25 spaces that we're agreeing to propose, even though

1 they are not necessarily required based on this being
2 an amended application that predated the EV
3 regulations.

4 That's really all I have on way of
5 direct.

6 DIRECT EXAMINATION

7 BY MR. JEMAS:

8 Q. I have a question for you. In terms of
9 a question that was posed to a prior witness.

10 In terms of the ability of emergency
11 vehicles to access the site safely and address any
12 issues that might come up for them, can you describe
13 how that -- how the site accommodates that?

14 A. Yeah, absolutely.

15 I know fire truck turning templates, I
16 believe, were reviewed for the site plan as it was
17 designed in the original approval. The circulation
18 for this application is largely the same.

19 In fact, it's slightly improved, based
20 on some of the interior modifications that were made.
21 So it can still safely accommodate emergency
22 vehicles.

23 MR. JEMAS: I have no further questions
24 of this witness at this time.

25 CHAIRMAN GRAHAM: Would anybody on the

1 board like to say anything?

2 COUNCILMAN REIS: I've got a couple
3 questions.

4 MAYOR GRILO: Probably the same ones I
5 have.

6 COUNCILMAN REIS: So the reduction in
7 traffic is mostly attributable to the reduction in
8 two-bedroom units, is that our understanding.

9 MR. DOWNEY: It's primarily driven by
10 the reduction in commercial space.

11 So while there are additional units,
12 they do not generate traffic at the same magnitude
13 that the reduction of the commercial space does.

14 COUNCILMAN REIS: Okay. Thank you.

15 And then are we allowing left turns
16 across Passaic Avenue from those driveways.

17 MR. DOWNEY: No. They would permit
18 left-turn ingress, but not egress.

19 COUNCILMAN REIS: Okay.

20 MS. MERTZ: Is that identified on the
21 plan?

22 MR. DOWNEY: I believe it is. There is
23 the right turn arrows on the two driveways.

24 MS. MERTZ: Thank you.

25 MAYOR GRILO: He asked my questions.

1 COUNCILMAN REIS: We're very conscious
2 about those left turns right now.

3 MR. DOWNEY: Yes. Understood.

4 CHAIRMAN GRAHAM: Any other questions?

5 (No Response.)

6 CHAIRMAN GRAHAM: Would anybody from
7 the audience like to present anything -- oh, yes,
8 sir.

9 MR. NORBUT: I'm sorry, I had one.

10 With regard to the parking, can you
11 speak to parking assignments of the spaces?

12 MR. DOWNEY: Sure.

13 So the Redevelopment Plan has specific
14 criteria for spaces to be assigned to each individual
15 unit, with additional spaces that are baked into that
16 calculation for visitors, and flexibility for certain
17 units that might need more than, you know, the one
18 allotted space.

19 The residential, as you heard, would be
20 in the deck, whereas the surface is intended for the
21 retail component.

22 MR. NORBUT: So specifically each unit
23 will be designated one space.

24 MR. DOWNEY: I believe it is one space.
25 If you give me a moment, I can pull up the exact

1 number, unless one of my colleague professionals
2 knows it off the top of their heads.

3 So reading from the Redevelopment Plan,
4 where the units are to be sold, at least one parking
5 space must be included in the deed for a one-bedroom,
6 two parking spaces must be included on the deed for a
7 two-bedroom.

8 When leased, each one-bedroom has the
9 right to one parking space, each two-bedroom unit has
10 the right to two parking spaces.

11 MAYOR GRILO: What about the studios.
12 They don't get --

13 MR. DOWNEY: They're not specifically
14 listed, so that would be my understanding, yes.

15 MAYOR GRILO: So studios don't get a
16 reserved spot.

17 MR. DOWNEY: There are additional
18 spaces available. I think accommodations can be made
19 as needed. But it's not baked into the...

20 MAYOR GRILO: It's not needed. And so
21 is there on the -- forgive the terms.

22 But so the parking deck is supposed to
23 be -- is there no space -- parking spaces in the
24 middle for those going to the stores for the
25 commercial space.

1 MR. DOWNEY: The parking spaces in the
2 middle of the property, the actual central surface
3 lot, that is intended for the retail component.
4 They're the most convenient spaces.

5 MAYOR GRILO: Okay. I don't want them
6 to have to go to a parking deck to come shop.

7 MR. DOWNEY: Correct.

8 Understood.

9 MAYOR GRILO: Okay. So none assigned
10 for studios.

11 MR. NORBUT: You know, just with regard
12 to the parking layout in relation to all the
13 buildings, right.

14 So you have a parking garage on one
15 side of the building. So if all the units are going
16 to have a space in the parking garage, it will be a
17 little less convenient for somebody in a far building
18 to get to and from the garage.

19 Have you given any thought to
20 dedicating some surface spaces for ADA accessible
21 spaces for residents closer to their buildings
22 perhaps?

23 MR. DOWNEY: I guess just to comment
24 upfront, that there's a couple different needs being
25 counter-balanced. Obviously we want the parking

1 convenient for everybody. But the nature of the
2 retail trips demands a little more convenience.

3 To my knowledge, there's no special
4 accommodations planned for certain units to have
5 parking spaces.

6 MS. MERTZ: What about near the senior
7 buildings.

8 MR. DOWNEY: Again, not to my
9 knowledge. If it's something you're interested in,
10 we can certainly discuss it.

11 MR. JEMAS: We can do it.

12 Respectfully, we could address that if
13 this is approved and work out something with
14 Mr. Norbut and everybody else to get that done.
15 There's no -- it's not like we don't want it. We
16 just want to make sure everybody is comfortable with
17 how we do it.

18 MR. MANCINI: Could the studios rent
19 parking spots?

20 MR. DOWNEY: Yeah.

21 My understanding is that there's
22 additional spaces that are not assigned, so that any
23 units can use additional spaces, including the
24 studios have the ability to do so.

25 MR. CUCCHIARA: So maybe we can

1 describe that as a stipulation, as a condition of
2 approval, that the applicant, whether it's you or
3 Mr. Staigar representing the applicant, Mr. Downey,
4 would confer with the board engineer to determine
5 whether any adjustments to the parking plan should be
6 made.

7 And, for example, with what was just
8 discussed, any surface parking for ADA spaces or for
9 senior housing.

10 Is that satisfactory, Mr. Norbut?

11 MR. NORBUT: Yes.

12 COUNCILMAN REIS: The parking deck
13 itself will have elevators.

14 MR. DOWNEY: I think my architect can
15 deal with that better. Yes.

16 MR. BLEEKER: Yes.

17 CHAIRMAN GRAHAM: Okay. Would anybody
18 from the audience like to address this gentleman?

19 (No Response.)

20 CHAIRMAN GRAHAM: Sir, thank you.

21 MR. DOWNEY: Thank you.

22 MAYOR GRILO: Thank you.

23 MR. JEMAS: Our last witness is
24 Mr. Jeff Stiles. He's our planner.

25

1 J E F F R E Y S T I L E S, P.P.

2 Headquarters Plaza, Morristown, New Jersey,

3 having been duly sworn, testifies as follows:

4 THE COURT REPORTER: Please state your
5 name and affiliation, sir.

6 MR. STILES: Jeffrey Stiles,

7 S-T-I-L-E-S.

8 My office is in Headquarters Plaza,
9 Morristown, New Jersey.

10 VOIR DIRE EXAMINATION

11 BY MR. JEMAS:

12 Q. Just tell the board, Mr. Stiles,
13 because I've known him a long time. He looks younger
14 than he really is. Mr. Stiles, with that, would you
15 be kind enough to state your qualifications to the
16 board?

17 A. That was awkward. Yes.

18 I'm a licensed Professional Planner in
19 the State of New Jersey. I've been licensed by the
20 State since 1988.

21 I have a Bachelor's degree in Urban
22 Planning from the University of Denver.

23 I've testified in numerous communities
24 throughout the state. I've also represented several
25 municipalities over the years as their municipal

1 planner, preparing master plans, ordinances and
2 development review.

3 I've testified in Superior Court on a
4 number of occasions as an expert witness as well, and
5 have been a member of the Morristown Zoning Board for
6 a number of years as well.

7 So I've sat on the other side.

8 Q. Your licenses are all in good standing?

9 A. They are.

10 MR. JEMAS: Mr. Chair, I will submit
11 Mr. Stiles.

12 MR. CUCCHIARA: Thank you.

13 I have no objection, Mr. Chairman.

14 CHAIRMAN GRAHAM: Accepted.

15 DIRECT EXAMINATION

16 BY MR. JEMAS:

17 Q. Please discuss from a planner's
18 perspective your application.

19 A. I don't want to be redundant to all the
20 other witnesses you've heard, all the witnesses
21 tonight.

22 As a point of note, I also represented
23 the applicant at the first hearing, so the
24 application that was previously approved.

25 So my real charge here was to review

1 revisions to the plan as it relates to consistency
2 with the Redevelopment Ordinance and Redevelopment
3 Plan.

4 So I've had the opportunity to again
5 look at the Redevelopment Plan. I looked at --
6 reviewed all the changes to the plans. I talked to
7 the witnesses previously. And I got a good
8 understanding of what was being accomplished here.

9 And I think in short, it's my
10 determination that what is being proposed tonight as
11 far the changes is still consistent with the
12 Redevelopment Plan substantially.

13 Yes, there are some changes to it. But
14 a plan like this, a development this size, there's
15 always some changes that occur as the plan evolves
16 and as the program moves forward.

17 But I will testify as a professional
18 this evening that what is being proposed is still
19 consistent with your Redevelopment Plan, which is the
20 ultimate wishes of what the community wanted for the
21 site. I think that continuing along with what we've
22 discussed tonight is a good plan for the community
23 and consistent with what you're looking for.

24 MR. JEMAS: I have no further questions
25 of Mr. Stiles.

1 CHAIRMAN GRAHAM: Anybody -- any board
2 member like to question this gentleman?

3 MR. MANCINI: I have a question. So
4 with the shifting -- increasing amount of units but
5 shifting demographics of the units, will that change
6 the estimated, like, number of students that the
7 property could generate?

8 MR. STILES: In a minor way. I think I
9 did projections last time I was here about the number
10 of school-aged children generated.

11 Yes, this will change it slightly for
12 the better, probably less school-aged children. But
13 it will not have a significant impact on that change.

14 CHAIRMAN GRAHAM: Any other questions?
15 Mr. Engineer?

16 MR. NORBUT: No, thank you.

17 MR. JEMAS: I do have a question. I'm
18 sorry.

19 In terms of the dynamics of how long it
20 will take to build it out, have you looked at that
21 and discussed that with the applicant?

22 MR. STILES: Yes. I've had the
23 opportunity to discuss the application, the building
24 of the program. What's being looked at is
25 approximately a year for the first phase of things to

1 be built. Clearly, this can't be built overnight in
2 one big phase. What's being done is a phasing of the
3 program.

4 So we should see the first units coming
5 online, the first occupancies, somewhere about a year
6 out.

7 As was noted, relatively affordable
8 units, we have to have deeds in place before we get
9 COs on any of the building or any of the units.

10 So, therefore, protecting the
11 affordable housing requirements of the proposal as
12 well.

13 MS. MERTZ: And the affordable
14 construction, is that phase 2? I'm having a heard
15 hard time reading the drawings.

16 MR. STILES: I'm not exactly sure. Is
17 it phase 2?

18 Yes.

19 MAYOR GRILO: So phase 1 is what, 123
20 apartments.

21 MR. STILES: Yes.

22 So phase 2 is where the affordable
23 units will start.

24 MAYOR GRILO: And they're going to be
25 sporadic as far as --

1 MR. STILES: Yeah.

2 They're not all located in one
3 location. They're distributed throughout the
4 development, as required.

5 MS. MERTZ: I recommend as a condition
6 -- I always recommend COs for phase 2, since the
7 affordable units are on phase 2.

8 Before phase 2 construction they show
9 proof of deed restriction and administrative.

10 MAYOR GRILO: Administrative.

11 MS. MERTZ: They have to hire an
12 administrative agent to qualify the units.

13 CHAIRMAN GRAHAM: Our engineer would
14 like to question you, sir.

15 MR. NORBUT: Yes.

16 You raised the issue of phasing.
17 Although I did hear it earlier, I didn't think of it.
18 Maybe it's not for you to answer. But will all of
19 the site improvements be done in phase 1.

20 MR. STILES: You are correct, I'm not
21 the right one to answer. I'll defer that question to
22 either the site engineer or the architect, who
23 probably knows better about that.

24 MR. JEMAS: Mike.

25 MR. BLEEKER: I can answer that.

1 MAYOR GRILO: You have to repeat the
2 question.

3 MR. JEMAS: Okay, John.

4 MR. BLEEKER: Phase 1, for the board's
5 clarification, would be these two buildings here,
6 basically Building 57 and Building 53. That would be
7 phase 1. So it would be these two buildings.

8 Phase 2 would be the senior building
9 that we just discussed and the building here on the
10 corner.

11 Phase 3 would be basically these two
12 buildings. It actually gets cut off here.

13 Phase 4 would be these two and the
14 parking deck. Excuse me?

15 MS. MERTZ: You didn't mention Building
16 54-55. Is that part of phase 1, I'm assuming, the
17 tiny one that you're keeping now?

18 MR. BLEEKER: Oh, this one here?
19 That's part of phase 1.

20 MS. MERTZ: That is part of phase 1.

21 MR. BLEEKER: Yeah, that's part of
22 phase 1. It's connected to it. So do you want me to
23 do that one more time?

24 Is everybody okay with that?

25 MR. NORBUT: So the question regarding

1 the phasing leads to -- you may have already included
2 add phasing plan in the set. Did you?

3 MR. BLEEKER: We did. We did. It's
4 actually part of our drawings. It does show exactly
5 what I just described.

6 MR. NORBUT: As far as the building,
7 the site improvements as it relates to having active
8 construction and unfinished surface parking areas and
9 drainage and such, what is the plan for building out
10 the site improvements as you phase the building
11 construction.

12 MR. BLEEKER: All right. It's a very
13 good question.

14 But basically we're doing -- the
15 parking obviously has to be done with phase 1, the
16 surface parking. All right. The garage will not be
17 constructed at that time.

18 But we are going to be providing more
19 than enough parking for the first, you know, phase to
20 be constructed.

21 But so, basically, all the site
22 improvements, you know, are going to be complete
23 except for that back section where the parking deck
24 would go.

25 MR. NORBUT: Which leads to a

1 logistical problem for you. Because you've got to
2 build this big structured parking in the back of your
3 site, which you can only access through active
4 residential driveways.

5 MR. BLEEKER: Well, we would -- you
6 know, we would have to provide construction access in
7 -- you know, you could actually drive along the
8 railroad property.

9 That's what we're going to utilize as
10 construction access to construct the garage later.
11 But it's a very good question.

12 And it is a problematic situation that
13 I've already discussed with my client. And as we
14 move along with the project, you know, we're going to
15 have provide at least a surface parking where the
16 garage is going to be, because we'll have quite a few
17 buildings constructed.

18 So my suggestion is we build the
19 footings and foundation and then put the surface
20 parking in, basically bringing them right out of the
21 ground. Then we can do the garage later when we
22 finish up the fourth phase, you know. So, you know,
23 we are definitely going to have -- we've already
24 thought about it. We've already analyzed how we can
25 do it.

1 But it's a great question. And it's
2 something that we toyed over for quite a while, you
3 know, to figure out what the best way to handle it
4 was.

5 MR. NORBUT: Yeah.

6 And as you occupy the site and certain
7 buildings and you want to keep the residents safe,
8 you're going to come up with a plan that's going to
9 accommodate that.

10 And you've got a lot of building
11 materials related to that garage construction. So
12 you're going to have lay-down areas and working areas
13 and so on and so forth.

14 MR. BLEEKER: No question.

15 MR. NORBUT: I don't think this is a
16 big ask, but I think it would help the town as they
17 -- the Building Department oversees the construction
18 of the project and, you know, and the engineer's
19 office as well. Could there be a more detailed
20 phasing plan or one-page, two-page summary of the
21 phasing plan.

22 MR. BLEEKER: Well, we do -- again, we
23 do have it in our drawings.

24 MR. JEMAS: So the answer is yes.

25 MR. BLEEKER: The answer is yes.

1 MR. JEMAS: The answer is yes.

2 MR. BLEEKER: Yes, absolutely.

3 MR. NORBUT: Thank you.

4 COUNCILMAN REIS: But -- so if the
5 parking deck goes in in phase 4, and phases 1 through
6 3 are complete, you have people living there, you've
7 got enough parking in every one of those phases to
8 start occupying those buildings without having the
9 deck in place yet.

10 MR. BLEEKER: Like I said, my
11 suggestion is we would build the surface parking for
12 the deck, build the footings --

13 COUNCILMAN REIS: I think I'm kind of
14 with the engineer on this. I think what I would like
15 to see are the numbers behind that.

16 Like, how many units are going to be in
17 place in each one of these phases, or how much
18 required parking does that equate to? Then I'd want
19 to see from you guys, yes, we're going to have enough
20 parking onsite to meet that at every single phase.

21 Because if not, that's going to be a
22 big problem for a town that has no parking at all.
23 So there is no way we can have people parking on the
24 streets if there's not enough.

25 MR. BLEEKER: All right. Actually, if

1 you look at our Drawing SP-3, that is the phasing
2 drawing. It also breaks down the parking
3 requirements that are going to be required, just as
4 you suggested. And it does show, you know, that we
5 will have enough parking per phase to move forward
6 with the project and not complicate the issue.

7 And as your engineer has pointed out,
8 you know, obviously there's going to be some
9 logistics with keeping everybody safe. And we will
10 do obviously whatever is necessary to make sure that
11 happens. And, you know, putting a fence at the very
12 back of the building. Because this is phase 4, this
13 is phase 4, so is the garage, I think is easiest way.
14 We won't be coming in from the other side.

15 So we can accomplish this, you know,
16 quite well, you know. But we are going to have to
17 provide safety fencing.

18 MR. JEMAS: The Redevelopment Council
19 asked a good question. These are prefab units,
20 correct.

21 MR. BLEEKER: Yes. Yes, it is prefab.
22 The foundation is the only thing that we're going to
23 have to construct onsite, because the rest of the
24 parking garage is actually going to be fabricated,
25 brought here and craned and put in place.

1 So it's pretty quick. You know what I
2 mean? When that goes up, it's actually pretty quick.

3 MR. NORBUT: There's no issue about
4 getting rear access? That's not even a question.

5 MR. BLEEKER: No, no.

6 MR. NORBUT: Just talk about that a
7 little bit. Who is granting that access.

8 MR. BLEEKER: They've been using it --
9 they've been having access to it, you know, even at
10 this time. We have access to it and...

11 MAYOR GRILO: They don't have
12 permission to access it. That's what he's saying.

13 Everyone has been using that railroad
14 company.

15 MR. GOMEZ: Passaic Ave has access
16 right below the railroad. On our property, there's a
17 driveway that we can drive through.

18 MR. JEMAS: That was no Gomez, who is
19 not under oath.

20 MR. BLEEKER: I know we're getting
21 through that side. I can tell you that.

22 MAYOR GRILO: I know you are. But
23 technically because you're getting through doesn't
24 mean you have the permission to get through. There's
25 two different things, right? We know that the

1 railroad, everyone is using that.

2 But I have a suggestion,
3 recommendation. If at all possible, especially since
4 the parking deck is going to be prefabricated, if
5 there is any ability -- and I know, from my
6 understanding, it's going to be a paid parking
7 garage.

8 If there is any opportunity or
9 discussion where that could be moved up in the
10 phases. That would allow residents to park there.
11 That would generate some revenue. You don't have to
12 answer it now.

13 MR. JEMAS: So the gentleman sitting
14 next to, Mr. Valiotis, is nodding in the affirmative,
15 and Mr. Valiotis has not fired him.

16 My suggestion, Mayor, is that is
17 something that we will arrange.

18 MAYOR GRILO: If you can review that, I
19 think that would be --

20 MR. JEMAS: We're going to do it.

21 MAYOR GRILO: -- a great -- a great
22 engagement with the community, if you can offer the
23 parking.

24 MR. JEMAS: We will.

25 MAYOR GRILO: We want this to be

1 successful, right.

2 MR. JEMAS: Absolutely.

3 MAYOR GRILO: It's been here many
4 years. You know, we want this to be successful.

5 But we also want to make sure that
6 we're not upsetting our residents who are pretty fed
7 up with no parking as it is.

8 MR. CUCCHIARA: That could be part of
9 detailed of the detailed phasing plan that was
10 described before that would be subject to the board
11 engineer's review.

12 MR. JEMAS: Thank you, Mayor.

13 We want to get -- I mean, we started
14 when Abraham Lincoln was president.

15 MAYOR GRILO: I'd like to see it in my
16 time in office. That would be my goal.

17 MR. JEMAS: I understand very much.

18 CHAIRMAN GRAHAM: Okay, yes. Is there
19 anybody from the audience that would like to speak.

20 MR. JEMAS: I have no other witnesses
21 to present at this time. We respectfully submit to
22 the board.

23 CHAIRMAN GRAHAM: Gary.

24 MR. CUCCHIARA: It would be appropriate
25 at this time, Mr. Chairman, if our board consultants,

1 Ms. Mertz or Mr. Norbut have any -- if Mr. Norbut has
2 any comment now. And if so, I would indicate that
3 they should be sworn in.

4 MS. MERTZ: This isn't a use variance,
5 but I think it's important to note that the senior
6 affordable housing is an inherently beneficial use.
7 And I think -- I was not here in 2019 when they came
8 here previously for their approval -- but it does
9 seem to be an improvement over what was proposed
10 previously.

11 And with the suggestions made here
12 tonight, I think it's going to be a greater benefit
13 to the community of East Newark.

14 MAYOR GRILO: And veterans are
15 included.

16 MS. MERTZ: And veterans are included
17 in that.

18 MAYOR GRILO: Two very important
19 demographics under this administration.

20 MS. MERTZ: The affordable housing is
21 --

22 MAYOR GRILO: Is huge. And we will be
23 fulfilling our requirement ahead of...

24 MR. NORBUT: Attached to my review
25 letter, as was pointed out earlier, I made an

1 exhibit.

2 It was the second resolution compliance
3 letter I prepared for the original project dated
4 June 25, 2021. And there are a number of conditions
5 which are still outstanding from the original
6 approval.

7 So, as I suggested in my review letter,
8 that those should be carried forward. I know that it
9 was discussed and everybody acknowledged that. But
10 I'm offering that.

11 MR. CUCCHIARA: They've already
12 stipulated to that, Mr. Norbut, as you just
13 indicated. That's B-4 for the record. So that will
14 be part of the...

15 MR. JEMAS: Yes.

16 Thank you.

17 MR. CUCCHIARA: If the application is
18 approved, that would be a condition, as already
19 indicated.

20 Do you have any questions, Mr. Jemas --

21 MR. JEMAS: No.

22 MR. CUCCHIARA: -- of Mr. Norbut or
23 Ms. Mertz?

24 MR. JEMAS: I have nothing to add,
25 Mr. Cucchiara.

1 MR. CUCCHIARA: Do any members of the
2 public have any questions? Do any board members have
3 any questions.

4 MAYOR GRILO: Just a comment. I'd like
5 to see progress reports on this. I think we're again
6 wanting you to succeed, but we need to be updated
7 timely. So that's all we're asking.

8 MR. JEMAS: Whatever period of time
9 that you or your professionals would like us to give
10 progress reports, we'll see to that. Quarterly,
11 would you like them.

12 MAYOR GRILO: No. We'll circle back.
13 Do you want to say something?

14 MR. BECKELMAN: Robert Beckelman,
15 Redevelopment Council.

16 There's already a requirement for a
17 quarterly report in the Redevelopment Agreement.

18 MAYOR GRILO: It needs to be met.

19 MR. BECKELMAN: Yes, it needs to be met.

20 MAYOR GRILO: I was trying to be nice
21 about it.

22 MR. CUCCHIARA: Mr. Beckelman, it's
23 good seeing you here. I didn't see you behind here.
24 Maybe you were hiding. I don't know.

25 Did you have any comments at all in

1 addition to the report you filed, which is R-1?

2 MR. BECKELMAN: No.

3 I heard that it was stipulated what
4 would be complied with. That's sufficient.

5 Thank you.

6 MR. CUCCHIARA: That's correct.

7 MR. MANCINI: I have a general
8 question. So for the studio units, can we make it a
9 requirement if you have a car that you must rent
10 within that lot? Like, is that something that we
11 could suggest.

12 Because my concern is that the lot will
13 be more expensive than the general town parking. And
14 a portion of the studio units will do street parking.
15 And then the rest of the town won't be able to park.

16 MAYOR GRILO: That's a good point. Are
17 the spots part of the rent if they need it, or is it
18 in addition to rent?

19 MR. VALIOTIS: It's additional.

20 MAYOR GRILO: It's the additional. So
21 your concern would be that --

22 MR. JEMAS: For the record, that
23 Mr. Valiotis, Estathios Valiotis, otherwise known as
24 Steve Valiotis.

25 As I understand the applicant, those

1 are not designated. They will be available if they
2 want to rent.

3 MR. MANCINI: I guess my general
4 question is more for the town: Is it something that
5 you can have a requirement that if you have a car and
6 you're in this district, you must rent a spot?

7 MAYOR GRILO: That would be an
8 ordinance. And that would be under ordinance. And I
9 think that would require conversations. It's a very
10 good point, though, that if you're renting from
11 there, you need to park there. But we will talk
12 about parking, Mr. Reis. We'll take that on --
13 that's a good point -- at our meeting.

14 CHAIRMAN GRAHAM: Gary, are you ready.

15 MR. CUCCHIARA: This would be an
16 appropriate time -- although the Mayor has already
17 indicated her comments -- but if the board members
18 have any comments.

19 CHAIRMAN GRAHAM: Do the board members
20 have any other comments?

21 MR. CUCCHIARA: This isn't a vote.
22 It's just comments.

23 COUNCILMAN REIS: I mean, just kind of
24 building off of what Mike said and flipping it the
25 other way.

1 Let's say we've got people in studios
2 who say, you know what, I'm paying enough in rent, I
3 can't afford to pay for parking in addition to that;
4 I'm just going to go search for parking spots on the
5 street. Would those rentable spots then be open for
6 residents of the borough to then go to the East
7 Newark Town Center and look to acquire spots of their
8 own then?

9 MR. JEMAS: The applicant's position is
10 they will do that.

11 MAYOR GRILO: So a monthly reserved
12 spot.

13 MR. JEMAS: Right.

14 So if they are available spots and
15 someone wants to rent them, they can.

16 COUNCILMAN REIS: Great.

17 Thank you.

18 MR. NORBUT: I don't want to get into
19 too much detail on that issue.

20 But how many spaces would we say could
21 be rented.

22 MAYOR GRILO: Oh, we'll tell you. We
23 have a waiting list. We'll tell you. It's a -- you
24 know, we have waiting list for people for monthly
25 parking spots.

1 MR. NORBUT: Before it started taking
2 away parking from the development, I guess is the
3 rub.

4 COUNCILMAN REIS: Right.

5 I mean, I think it's in -- I think it's
6 in the developer's interest to rent out as many spots
7 as possible and get as much income from that.

8 So if they're got studios that aren't
9 utilizing spots and they've got spots available for
10 the rent, I don't know that we need to kind of
11 mandate that.

12 MR. JEMAS: I agree.

13 I think a lot of that is going to be
14 determined by what happens when they start to market
15 this and what they see happening. I've been involved
16 in a lot of these.

17 Sometimes it's like people want to go
18 out and rent those spaces, and others they don't.

19 So the applicant is willing to
20 cooperate and see what we can do to accommodate
21 everybody.

22 MAYOR GRILO: We've seen that in
23 Harrison. That's happened in Harrison with that.
24 But I think it's going to require an ongoing
25 conversation as well. Who knows. Maybe -- you know,

1 we've also talked about perhaps a jetty, like most of
2 the other locations do where then they're not putting
3 their car out on the street. They park inside.

4 COUNCILMAN REIS: I think come that
5 time, like the Mayor said, the town's got a list.
6 Like, if we could work together to coordinate, hey,
7 look, folks on our list, you can go rent a spot here.
8 You know, no one is being forced to.

9 But it's an option. We'd try to
10 arrange getting our people in touch with your people.

11 MR. JEMAS: The applicant will
12 reasonably cooperate with the municipality to
13 determine what's feasible and what can be done.

14 MAYOR GRILO: We'll work together on
15 this issue.

16 COUNCILMAN REIS: Thanks.

17 Do we put forward a motion to approve
18 with the conditions to discuss.

19 MR. CUCCHIARA: Unless there's any
20 other comments from board members, Mr. Chairman, this
21 would be an appropriate time to entertain a motion
22 from a member of the board, either to deny the
23 application or if there's an approval, if there's
24 motion to approve the application, it would be
25 subject to the stipulations entered on the record.

1 CHAIRMAN GRAHAM: I'd like to make a
2 motion -- I mean, entertain a motion to approve the
3 application as presented to the board with the
4 stipulations that were discussed.

5 MR. CUCCHIARA: Well, it would either
6 be a motion to deny or approve. If it is a motion to
7 approve, it would be subject to those stipulations.

8 CHAIRMAN GRAHAM: Okay. Make a motion?
9 Yes? No.

10 COUNCILMAN REIS: I'll make a motion to
11 approve with the conditions discussed.

12 CHAIRMAN GRAHAM: Do I have a second?

13 MS. GONZALEZ: I'll second.

14 CHAIRMAN GRAHAM: Please call the roll,
15 Madam Secretary.

16 MS. GAINES: Mr. Graham?

17 CHAIRMAN GRAHAM: Aye.

18 MS. GAINES: Mr. Reis?

19 COUNCILMAN REIS: Aye.

20 MS. GAINES: Mr. Mancini?

21 MR. MANCINI: Aye.

22 MS. GAINES: Mr. Mulrenan?

23 MR. MULRENAN: Aye.

24 MS. GAINES: Ms. Gonzalez?

25 MS. GONZALEZ: Aye.

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MS. GAINES: Mayor Grilo?

MAYOR GRILO: Aye.

MS. GAINES: Motion carried.

MR. JEMAS: Thank you very much. Thank you not only for this evening but for all that you've done. It's been a little bit of a journey.

CHAIRMAN GRAHAM: It's a long journey ahead.

MR. JEMAS: It is. Thank you very, very much. Happy holidays.

(Whereupon, this meeting is concluded.)

Time noted: 8:53 p.m.)

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C E R T I F I C A T E

I, RONDA L. REINSTEIN, a Certified Court Reporter of the State of New Jersey, authorized to administer oaths pursuant to R.S.41:2-2, do hereby certify that the foregoing is a true and accurate transcript of the testimony as taken stenographically by and before me at the time, place and on the date herein before set forth, to the best of my ability.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.

Ronda L. Reinstein

RONDA L. REINSTEIN, CCR No. 30X100217800