

WEST WINDSOR TOWNSHIP PLANNING BOARD  
REGULAR MEETING

PB20-15  
PRINCETON JUNCTION TRAIN STATION REDEVELOPMENT

- - -  
September 22, 2021  
- - -

West Windsor Planning Board Meeting was taken in the offices of West Windsor Township Senior Center, 271 Clarksville Road, West Windsor, New Jersey, before Cindy Pineiro, RPR, CSR #30XI00181500, and Notary Public of the State of New Jersey, on the above date, commencing at 7:00 p.m., there being present:

- GENE R. O'BRIEN - Chairman
- SIMON PANKOVE - Panel Member
- CURTIS HOBERMAN - Panel Member
- LINDA GEEVERS - Panel Member
- MICHAEL KARP - Vice Chair
- HEMANT MARATHE - Mayor
- ANIS BAIG - Panel Member
- GERALD MULLER - Planning Board Attorney
- SAM SURTEES - Land Use Manager and Zoning Officer
- DAVID NOVAK - Planner
- FRANCIS GUZIK - Township Engineer
- JEFFREY A. L'AMOREAUX - Traffic Engineer
- CINDY DZIURA - Recording Secretary
  
- RICHARD J. HOFF, JR. - Attorney for the Applicant
- JEROMIE LANGE - Engineer
- KENNETH O'BRIEN - Engineer
- THOMAS CARMAN - Landscape Architect
- RONALD LADELL

1 CHAIRMAN O'BRIEN: Thank you, everybody.  
 2 At 7:06 p.m. I will convene the regular September 22,  
 3 2021 meeting of the West Windsor Planning Board. This  
 4 is to advise that notice of the time, date, location,  
 5 and to the extent known, the agenda of the subject  
 6 meeting was prominently posted in a public space  
 7 reserved for such or similar announcements,  
 8 transmitted to the Times of Trenton, the Princeton  
 9 Packet, and the West Windsor and Plainsboro News, and  
 10 filed with the township clerk on September 15, 2021.  
 11 Cindy, would you call the roll, please?  
 12 MS. DZIURA: Mr. Joseph? Ms. Bahree?  
 13 Mr. Schectel? Mr. Pankove?  
 14 MR. PANKOVE: Yes.  
 15 MS. DZIURA: Mr. Hoberman?  
 16 MR. HOBERMAN: Here.  
 17 MS. DZIURA: Ms. Geevers?  
 18 MS. GEEVERS: Here.  
 19 MS. DZIURA: Mr. Baig?  
 20 MR. BAIG: Yes.  
 21 MS. DZIURA: Ms. Appelget? Mayor  
 22 Marathe?  
 23 MR. MARATHE: Yes.  
 24 MS. DZIURA: Vice Chairman Karp?  
 25 MR. KARP: Here.

1 MS. DZIURA: Chairman O'Brien?  
 2 CHAIRMAN O'BRIEN: Yes.  
 3 We are being videotaped for YouTube at  
 4 this evening's meeting, and I believe the Mayor has an  
 5 acknowledgement to offer.  
 6 MR. MARATHE: Yeah. I just wanted to  
 7 thank the school district for helping us to do that.  
 8 And they've been kind enough to lend us an employee to  
 9 do this. So we will be doing this for this  
 10 application. And because of Covid, we are -- and  
 11 interest in this application we have decided to do it  
 12 for this application.  
 13 The meeting will be live on audiotape  
 14 channel permanently as long as the world exists or  
 15 something happens. So you can watch it anytime you  
 16 want now.  
 17 CHAIRMAN O'BRIEN: Thank you, Mayor.  
 18 I'd like to thank everybody who's wearing  
 19 a mask for doing so. As my colleagues know, I very  
 20 much dislike wearing a mask, but our health officer  
 21 has implored us to watch out for each other and try  
 22 and reduce any spread of Covid in the community. And  
 23 so I thank you again. And if you have a mask with you  
 24 and would please put it on, we would appreciate that.  
 25 Okay. I'd like to ask public comments.

1 Is there anybody, members of the public, who wishes to  
 2 make a comment? Excuse me. I'll call you. I just  
 3 like to finish my request. Who wants to make a  
 4 comment about anything that's not on the agenda of  
 5 tonight's meeting?  
 6 Sir?  
 7 JOHN HINSDALE: Yeah. Thank you. Hi.  
 8 My name is John Hinsdale. I live at 38 Quaker Road  
 9 here in West Windsor. And I just -- my comments refer  
 10 to the conduct of the meeting. First of all, I'd like  
 11 to very much thank you for all wearing masks now,  
 12 because you didn't last time. But now I can see that  
 13 we're learning something, and I'm really glad to see  
 14 everybody out here attending the meeting wearing a  
 15 mask. And I think that's great.  
 16 Nonetheless, I think all these  
 17 precautions -- not precautions, but accommodations to  
 18 do the YouTube and all of that themselves, as far as  
 19 recognizing there is some people simply, despite all  
 20 the mask precautions, and the delta variant, just  
 21 don't feel safe attending the meeting in person.  
 22 However, it's unfortunate that those  
 23 citizens attending, as much as they can on YouTube,  
 24 are regulated to the level of second-class citizens  
 25 because they have absolutely no voice in this meeting,

1 because the meeting doesn't have a Zoom link where  
 2 they can speak over the Internet, nor was there a  
 3 facility made like they do at the council meetings  
 4 where they could submit comments to be read into the  
 5 record at the meeting in their absence.  
 6 I just wanted to let you know that I feel  
 7 that those citizens have been regulated to a second  
 8 class status, solely because they didn't feel safe  
 9 coming to attend the meeting because of the Covid.  
 10 But let me say, I appreciate all the  
 11 YouTube and definitely that you're wearing the masks.  
 12 That's all I have to say. Thank you.  
 13 CHAIRMAN O'BRIEN: Thank you, John.  
 14 Anybody else wish to make a comment about  
 15 anything that's not on the agenda for tonight's  
 16 meeting?  
 17 You know the drill, right?  
 18 TIRZA WAHRMAN: Yeah. Thanks for  
 19 reminding me. Tirza Wahrman.  
 20 CHAIRMAN O'BRIEN: Can you speak into the  
 21 microphone, please?  
 22 TIRZA WAHRMAN: Sure. Tirza Wahrman, 5  
 23 Stony Drive. Thank you.  
 24 MS. DZIURA: Can you have her repeat  
 25 that, please? I can't hear her name and address,

1 please.  
2 TIRZA WAHRMAN: Sorry. Tirza Wahrman,  
3 That's T-I-R-Z-A, Wahrman, W-A-H-R-M-A-N, and I live  
4 at 5 Stony Drive.

5 So I want to commend the Township for  
6 putting this on YouTube tonight. I think that's a  
7 really good step, and I commend you. But I want to  
8 also complain that YouTube is one way, and so how are  
9 people able to comment? So I think the notice and  
10 comment piece is critical to the planning board  
11 proceedings.

12 CHAIRMAN O'BRIEN: Please speak into the  
13 mike. I appreciate you trying to address everybody,  
14 but the recording secretary has a heck of a time.

15 TIRZA WAHRMAN: Poor baby. Sorry about  
16 that. Okay. Yeah.

17 So my point was that I'm pleased with the  
18 YouTube piece, but I think notice and comment is  
19 critical to this proceeding. So there isn't a comment  
20 piece for those who are listening tonight on YouTube.  
21 And I want to go on the record to say I think that is  
22 a deficiency.

23 I did reach out to Mr. Muller, and we  
24 didn't -- we weren't able to connect. But I will  
25 amplify those concerns about the comment piece not

1 CHAIRMAN O'BRIEN: In this case the  
2 member of the public is also a member of a West  
3 Windsor agency. We haven't set guidelines, Linda,  
4 about being able to call the attorney. I'm sure if he  
5 gets more than a couple of calls, he's just not going  
6 to take the calls.

7 I mean, people who want to question or  
8 know something about the proceedings of the planning  
9 board or the zoning board, for that matter, are  
10 encouraged to call Mr. Surtees, our land use manager,  
11 who is in the township building and can be reached by  
12 the main number, 799-2400.

13 Yes, sir?

14 MICHAEL PERCIALI: Michael Perciali is my  
15 name, living at 114 Washington Road.

16 CHAIRMAN O'BRIEN: Michael, excuse me.  
17 How do you spell your last name?

18 MICHAEL PERCIALI: P, as in Paul,  
19 E-R-C-I-A-L-I.

20 CHAIRMAN O'BRIEN: C --

21 MICHAEL PERCIALI: I-A --

22 CHAIRMAN O'BRIEN: C-I-A?

23 MICHAEL PERCIALI: -- L-I.

24 CHAIRMAN O'BRIEN: Perciali?

25 MICHAEL PERCIALI: Perciali.

1 being fully global to those who cannot attend in  
2 person.

3 And then I just want to say I was at the  
4 last time's proceeding, and I have concerns with the  
5 loss of green space, the loss of vegetation, the  
6 increase in impervious cover.

7 CHAIRMAN O'BRIEN: Excuse me. That is  
8 not -- it's not an agenda item. We are going to be  
9 hearing the application and you will have an  
10 opportunity to comment.

11 TIRZA WAHRMAN: That would be at a later  
12 point.

13 CHAIRMAN O'BRIEN: I apologize for  
14 cutting you off.

15 TIRZA WAHRMAN: No. It's all good. So  
16 there will be an opportunity at a later point?

17 CHAIRMAN O'BRIEN: Yes.

18 TIRZA WAHRMAN: Okay. Thank you so much.

19 CHAIRMAN O'BRIEN: You're welcome.

20 MS. GEEVERS: If anyone has questions, I  
21 guess, for the attorney, they would have to go through  
22 you. Not calling directly to our attorney, correct?  
23 Otherwise everyone in the township could call our  
24 attorney here. I just want to know what the procedure  
25 is.

1 CHAIRMAN O'BRIEN: Perciali.

2 MICHAEL PERCIALI: As a courtesy of some  
3 neighbors of mine, they couldn't be here because of  
4 the Covid, elderly people. And they suggested that if  
5 I go to make a suggestion, maybe at the other meetings  
6 that will be held on an Internet platform, they would  
7 like to see, to put a question, to hear an answer, et  
8 cetera. And the reason I am talking, maybe you will  
9 consider to move this on a Zoom or any other  
10 commercial Internet meeting platform. We participate  
11 myself, in particular, to many planning board meetings  
12 in Philadelphia. And in the last 18 months they were  
13 all on-line. And I can see the attendance was very  
14 large. Still on-line.

15 So thank you very much.

16 CHAIRMAN O'BRIEN: Thank you, sir.

17 Is there anyone else? All right.

18 Please.

19 ZACK WEALE: Zack Weale, 144 Fisher

20 Place.

21 If I could just make a suggestion in

22 terms of --

23 CHAIRMAN O'BRIEN: Excuse me. Is it --

24 ZACK WEALE: W-E-A-L-E.

25 CHAIRMAN O'BRIEN: W --

1 ZACK WEALE: E-A-L-E.  
 2 If I could just make a suggestion in  
 3 terms of if somebody asks a question, if whoever is  
 4 answering it can just repeat the question into the  
 5 microphone so that everybody else can hear? I'm in  
 6 the back row and I can barely hear people who are  
 7 right in front of me.  
 8 So that's the only comment.  
 9 CHAIRMAN O'BRIEN: We'll make an honest  
 10 attempt.  
 11 ZACK WEALE: And, I mean, the other thing  
 12 is, I mean, the camera is facing that way, so I guess  
 13 you want everybody to address the Board as opposed to  
 14 the people?  
 15 CHAIRMAN O'BRIEN: The custom is to  
 16 address the presiding officer.  
 17 ZACK WEALE: My first on-line meeting.  
 18 Thank you.  
 19 CHAIRMAN O'BRIEN: Anybody else?  
 20 Our next order of business is the main  
 21 one on the agenda for tonight. It is an application  
 22 PB20-15, Princeton Junction Train Station  
 23 Redevelopment.  
 24 Before we go any further, again, I want  
 25 to reiterate that we are being video'd tonight for

1 website is a little bit involved, but I'll read it  
 2 slowly, and, hopefully, you'll be able to have  
 3 practice between now and next week, when it's likely  
 4 to be posted. The transcript can be located at  
 5 www.westwindsornj.org.  
 6 Once at the website, click the banner at  
 7 the top of the page titled "Boards, Committees."  
 8 Under that heading, "Boards, Committees," on the left  
 9 side of the page, click the tab for "Planning Board."  
 10 Once you are on that page, the tab, "Planning agendas  
 11 and minutes," which can be located on the upper left  
 12 side of the page. Once on that page, scroll down to  
 13 September 22nd. Located directly next to the date you  
 14 will find a link titled, "Information Page." Click  
 15 the information page link, which will take you to a  
 16 page where the transcript will be listed.  
 17 And if anybody has difficulty following  
 18 the instructions to find the transcript and wants to  
 19 see it, please call Mr. Surtees at the municipal  
 20 building, 799-2400.  
 21 And, again, we thank the Applicant for  
 22 their cooperation in making this available.  
 23 So at this point we will turn this over  
 24 to Mr. -- excuse me. First question is whether or not  
 25 the Board has jurisdiction.

1 access on YouTube. And I appreciate the comments that  
 2 were made earlier by members of the public. And it is  
 3 the Chair's practice that, if we do receive written  
 4 input in the way of a comment or a question, we will  
 5 direct that to the appropriate individual or group.  
 6 So for those who are watching on YouTube,  
 7 we will entertain any comments or questions that you'd  
 8 like to submit after tonight's meeting. I do not  
 9 expect that we will get far enough into the  
 10 proceedings tonight to have any member of the public  
 11 address the Board or the Applicant's witnesses. So it  
 12 will be timely for you to provide any input. That  
 13 input should go to Mr. Surtees, who is at the township  
 14 building, 271 Clarksville Road.  
 15 Also, thanks to the cooperation of the  
 16 Applicant, the transcription of the recorded  
 17 proceedings that are being taken by the stenographer  
 18 in the front of the room will be made available to Mr.  
 19 Surtees, who will post them on the West Windsor  
 20 website. So that gives members of the public an  
 21 opportunity not only to hear it from the YouTube  
 22 what's going on tonight, but also to be able to read  
 23 verbatim, which this very conscientious woman is  
 24 taking in the front of the room what happens.  
 25 So the way to access the item on our

1 And, Jerry, for those who were here a few  
 2 weeks ago, this is going to be a little bit of a  
 3 rehash. Can you explain what's been happening?  
 4 MR. MULLER: Yes. I will state on the  
 5 record proof of publication and service where the  
 6 Board has jurisdiction. The Board originally started  
 7 to hear this application on August 25th, and then  
 8 carried it, I think, to September 8th, which was the  
 9 day that the meeting was cancelled because of the  
 10 warnings with respect to the tornado.  
 11 After that date staff discovered that a  
 12 portion of the site plan -- the site plan includes  
 13 three acres or so on the SRI site -- which  
 14 necessitated that everybody within 200 feet of the SRI  
 15 mother parcel be noticed, and they were not noticed.  
 16 I thought this was a serious enough  
 17 defect in the notice that the original hearing was not  
 18 proper and that it should be voided, and they should  
 19 re-notice, including everybody within 200 feet, both  
 20 in West Windsor and Plainsboro, of the SRI site, as  
 21 well as everybody they had previously noticed, which  
 22 is what they have done.  
 23 Because of that we're starting all over.  
 24 So everything that -- all the testimony, all the  
 25 exhibits should be -- from the hearing on the 25th

1 should be disregarded, and we'll go through it again.  
 2 I just want to mention one or two other  
 3 things. We spent a fair amount of time at the last  
 4 session about the question of some of the bedrooms did  
 5 not have windows. I did some research, prepared a  
 6 one-page memo which indicated that it actually --  
 7 didn't say this in the memo, but the Uniform  
 8 Construction Code does not require windows or  
 9 skylights in bedrooms.

10 There is, however, separately a Uniform  
 11 Housing Code which doesn't -- and it was adopted many,  
 12 many years ago, several decades ago, by DCA on  
 13 instruction from the legislature with legislation.

14 That doesn't automatically --

15 CHAIRMAN O'BRIEN: DCA?

16 MR. MULLER: DCA, Department of Community  
 17 Affairs.

18 CHAIRMAN O'BRIEN: Thank you.

19 MR. MULLER: The State Housing Code  
 20 doesn't automatically apply to municipalities. And a  
 21 municipality has to adopt it, which West Windsor did  
 22 many years ago.

23 The State Housing Code specifically  
 24 provides that bedrooms have to have either a window or  
 25 a skylight. It empowered the health officer to

1 YouTube, in case you for some reason need to drop off  
 2 before the end of tonight's meeting, which will be no  
 3 later than 10:00 p.m., we will be reconvening this  
 4 hearing on Wednesday, October 6th, and likely  
 5 continuing to October 13th. It all depends upon how  
 6 long testimony takes and how many questions and  
 7 comments we get from members of the public. So just  
 8 wanted to give you a heads-up, there will be no  
 9 meeting next Wednesday. It's the fifth Wednesday of  
 10 the month, and the planning board customarily does not  
 11 hold meetings on that night. And members of the staff  
 12 and/or the board make other plans. So it's difficult  
 13 to suddenly jump in and say we're going to have a  
 14 meeting because, as you can see, we only have seven  
 15 members out of our potential 11 here this evening.

16 All right.

17 MR. MULLER: If I may --

18 CHAIRMAN O'BRIEN: Happy autumn.

19 MR. MULLER: If I may, for members of the  
 20 public there will not be further notice of this  
 21 hearing as it's continued from date to date. It's  
 22 just been -- the only notice is a notice that the  
 23 Chair just gave that there's going to be -- it will be  
 24 continued on the 6th, on the assumption that it's not  
 25 finished tonight.

1 enforce that provision.

2 It's not within the jurisdiction of this  
 3 Board to address it, and it will be addressed.  
 4 Although we could certainly note in the resolution  
 5 that there was an issue that was discussed briefly  
 6 tonight. But the Board did not review it because it's  
 7 not within the Board's jurisdiction, and it will be  
 8 handled administratively.

9 I know AI, their attorney, Mr. Fornaro,  
 10 had submitted a -- a letter -- challenging the  
 11 jurisdiction of the Board, because he claimed part of  
 12 the site plan application was on AI property.

13 Mr. Hoff did a response. He said it was  
 14 not, and the Board voted that it did have  
 15 jurisdiction, in spite of the objection by AI.

16 If Mr. Fornaro is here and he wants to  
 17 resubmit that material, he's certainly welcome to do  
 18 so. Whatever arguments he and Mr. Hoff want to make.  
 19 But I don't see him here. But I just want to mention  
 20 that as well. So that's where we are at this point.

21 CHAIRMAN O'BRIEN: So adequate notice was  
 22 provided now, and we do have jurisdiction?

23 MR. MULLER: Yup.

24 CHAIRMAN O'BRIEN: Okay. Very good.

25 Again, for those who are watching on

1 On the 6th we'll continue it. If it's  
 2 not finished then, we will give another verbal notice  
 3 through the Chair that it's been carried to the 13th.

4 CHAIRMAN O'BRIEN: Finally, Mr. Hoff, we  
 5 can turn it over to you and discuss the application.

6 MR. HOFF: Thank you, Mr. Chairman. For  
 7 the record, Richard Hoff, the law firm of Bisgaier &  
 8 Hoff, here on behalf of the Applicant, Avalon Bay  
 9 Communities.

10 We are both the Applicant and the  
 11 redeveloper for the designated parcel, which the  
 12 Chairman indicated is within the Princeton Junction  
 13 redevelopment area.

14 We are here tonight for a preliminary and  
 15 final major subdivision and preliminary and final  
 16 major site plan. I don't want to get into scheduling  
 17 at this point. However, as I've raised to Mr. Muller  
 18 on prior occasions, and I will make a pitch at the end  
 19 of our conclusion, we understand the board's schedule.  
 20 Depending on how far we get, I just want to reserve  
 21 our right to request special meetings. Whether  
 22 they're granted or not is a different question. But  
 23 we want to request special meetings. There are rights  
 24 that the Applicant has pursuant to a redevelopment  
 25 agreement.

1 But, again, I don't want to belabor that.  
 2 We can deal with scheduling at the conclusion of the  
 3 meeting. I want to get to the testimony here tonight.  
 4 I'd like to get my witnesses sworn. I think that's  
 5 how we started the last time. We will start that way  
 6 again.

7 For the record, Mr. Muller, you're  
 8 correct. Obviously we have the hearing anew, but the  
 9 presentation remains the same, so we're going to go  
 10 through a PowerPoint. I provided copies of that in a  
 11 bound form. We're going to premark that as Exhibit  
 12 A-1 collectively. It's going to be the same show that  
 13 you saw last time.

14 So with that sort of procedural note, I'd  
 15 like to get started and would ask my witnesses if they  
 16 could stand and get sworn in.

17 CHAIRMAN O'BRIEN: Please do so. And  
 18 after you are sworn or affirmed, we'll ask you to  
 19 state your name, spell your last name, and tell us  
 20 your affiliation.

21 Jerry?

22 MR. MULLER: If you could raise your  
 23 right hand. Do you swear or affirm that the testimony  
 24 you're about to give will be the truth?

25 MR. LANGE: I do.

1 license.

2 CHAIRMAN O'BRIEN: So you're here in  
 3 place of Mr. Minno?

4 MR. JOHNSON: That's correct. Mr. Minno  
 5 could not make it this evening.

6 CHAIRMAN O'BRIEN: Welcome.

7 MR. JOHNSON: Thank you.

8 MR. HOFF: And, Mr. Chairman, for the  
 9 record, Mr. Ken O'Brien will need to get sworn in. He  
 10 had to step out. But when it's his time, Jerry, we'll  
 11 get him sworn in as well.

12 MR. MULLER: Sure.

13 CHAIRMAN O'BRIEN: Is Mr. Rached going to  
 14 be here?

15 MR. HOFF: No. That is one other point.  
 16 We agreed to defer any traffic testimony until the  
 17 hearing on October 6th. That's why Mr. Fornaro is not  
 18 here tonight. We will be not presenting any traffic  
 19 testimony this evening.

20 CHAIRMAN O'BRIEN: Okay. Thank you.

21 MR. HOFF: And with that, if I could, I'd  
 22 like to start with Mr. Lange and, again, his  
 23 testimony.

24 MR. HOBBERMAN: I'd like to just  
 25 graciously ask all who do provide testimony tonight to

1 MR. CARMAN: I do.

2 MR. CULPEPPER: I do.

3 MR. COX: I do.

4 MR. JOHNSON: I do.

5 MR. MULLER: If we can go around, if you  
 6 could state your full name and spell your last name.

7 CHAIRMAN O'BRIEN: Jeromie?

8 MR. LANGE: I'll start. Jeromie Lange,  
 9 L-A-N-G-E. I'm here on behalf of Colliers Engineering  
 10 & Design and providing the civil engineering  
 11 testimony.

12 MR. CARMAN: Thomas S. Carman,  
 13 C-A-R-M-A-N. I'm with Melillo, Bauer & Carman  
 14 Associates. We're landscape architects.

15 MR. CULPEPPER: James F. Culpepper. I'm  
 16 with -- architect with C&TC Design Studio. We are  
 17 designing the Atria project.

18 MR. COX: And I am William Cox. I'm also  
 19 with C&TC Design Studio, and I am the licensed  
 20 professional for New Jersey.

21 MR. JOHNSON: And I am Stuart Johnson.  
 22 I'm a principal of Minno & Wasko Architects &  
 23 Planners. We're the architect of record for the  
 24 townhomes and the condo building for the application.  
 25 I'm a registered architect with a current New Jersey

1 make good clear references, page references, to the  
 2 PowerPoint presentation for those who are watching on  
 3 YouTube or have access to these documents at the West  
 4 Windsor website. Thank you.

5 CHAIRMAN O'BRIEN: All the exhibits are  
 6 on the website for those who are watching via YouTube.

7 MS. GEEVERS: Do you have hard copies  
 8 tonight or no for us?

9 MR. LANGE: No.

10 CHAIRMAN O'BRIEN: There's a hard copy  
 11 under the bottom.

12 MS. GEEVERS: That one? Okay. All  
 13 right. I'll use the one.

14 MR. LANGE: Good evening. Jeromie Lange  
 15 with Colliers Engineering & Design.

16 BY MR. HOFF:

17 Q Mr. Lange, why don't you start with your  
 18 qualifications, please?

19 **A Certainly.**

20 **So I'm a civil engineer and a planner. I**  
 21 **have been in that field for approximately 27 years.**  
 22 **I'm a licensed professional engineer in the State of**  
 23 **New Jersey, and a licensed professional planner in the**  
 24 **State of New Jersey. I've been a professional**  
 25 **engineer since 1999, a planner since 2000. I'm also a**

1 **certified municipal engineer, a certified floodplain**  
 2 **manager. I have been designated as an engineering**  
 3 **expert witness by the ACEC. I've testified in over 65**  
 4 **municipalities throughout the state. I'm a member of**  
 5 **the New Jersey Society of Professional Engineers, as**  
 6 **well as the Ocean County Society of Professional**  
 7 **Engineers. I've also been accepted as an engineering**  
 8 **and planning expert in the tax court of the State of**  
 9 **New Jersey.**

10 MR. HOFF: Mr. Chairman, I'd offer Mr.  
 11 Lange as qualified to testify in the field of civil  
 12 engineering.

13 CHAIRMAN O'BRIEN: Does anybody on the  
 14 board have any problem with that? So be it.

15 MR. HOFF: Thank you, Mr. Chairman.

16 MR. LANGE: Thank you.

17 So I'm here this evening on behalf of the  
 18 Applicant, Avalon Bay Community, Inc. There's also  
 19 two co-redevelopers, Pulte Homes and Atria Senior  
 20 Living. Between the three that makes the entirety of  
 21 the application, which I will present to you this  
 22 evening.

23 First I'm going to call your attention to  
 24 PowerPoint slide number two. This is an aerial  
 25 exhibit of the overall site and surrounding area. The

1 was a good point.

2 Just for the public's information, the  
 3 PowerPoint pointer I'll be using will show up on both  
 4 screens so you won't miss anything looking at either  
 5 screen.

6 So to pick up on the testimony with the  
 7 SRI piece, a portion of that acquired parcel will be  
 8 granted to the County for purposes of new right-of-way  
 9 for Washington Road, and a portion will belong to a  
 10 common parcel for Basin F, as in Frank.

11 Under the existing conditions the  
 12 property is approximately 24.44 acres. After the  
 13 subdivision, and with Basin F parcel, it will be  
 14 approximately 25.56 acres. It is in the redevelopment  
 15 plan for Princeton Junction, the RP-1 district, as was  
 16 previously noted.

17 So now I'm going to go over a little bit  
 18 more about the location and the setting. So to do  
 19 that I'm going to go to -- excuse me. I'm going to  
 20 stay on PowerPoint page two.

21 So this is a transit-orientated  
 22 development. It's very important to understand that.  
 23 It is literally in walking distance to the Princeton  
 24 Junction train station, which services both the  
 25 Northeast Corridor Rail Line, as well as the Dinky

1 site is located in the middle of this PowerPoint  
 2 slide. It's outlined in yellow. That consists of  
 3 Block 6, Lots 8, 54, 55.01, and 76.

4 The site is bounded by -- in part by  
 5 Washington Road and Station Road, which is also known  
 6 as Station Drive on Google Earth. It is adjacent to  
 7 the New Jersey Transit parking lot for the Princeton  
 8 Junction train station. Formal access to the New  
 9 Jersey Transit lot is pending for a pedestrian walkway  
 10 and a road connection, as well as through a service  
 11 cul-de-sac. But it is not needed for the project.

12 Those are just amenities on the project,  
 13 which I will explain later.

14 As was alluded to earlier, approximately  
 15 three acres will be acquired in some form from the  
 16 adjacent parcel known as the SRI parcel. And that's  
 17 Block 5, Lot 8.05.

18 CHAIRMAN O'BRIEN: Excuse me a moment.  
 19 I'm sorry. I forgot to offer you the opportunity, if  
 20 you'd like to rotate your chairs so you're facing  
 21 either of the screens, please feel free to do so. We  
 22 don't want anybody with crooked necks or anything like  
 23 that. Thank you.

24 Sorry, Jeromie.

25 MR. LANGE: Thank you, Mr. O'Brien. That

1 Line to Princeton.

2 It is on Washington Road, which is a  
 3 county road, Route 571. And it is a county road up to  
 4 the ramp to the bridge that goes over the railroad.  
 5 It is a township road south of that ramp.

6 Currently the DOT actually has  
 7 jurisdiction over the bridge itself, the overpass from  
 8 the intersection with Washington Road to  
 9 Princeton-Hightstown Road, which is also a portion of  
 10 County Route 571. And that is NJ DOT Route 64.

11 So that you'll see here on my pointer in  
 12 red, that is all this area on the left side. That's  
 13 -- this is Washington under the county, DOT  
 14 jurisdiction as you come over the rail line, and then  
 15 it comes back to county jurisdiction.

16 So in terms of existing site conditions,  
 17 I'm going to go to PowerPoint page number three. This  
 18 is a very similar view to the prior, except now we're  
 19 zoomed in much tighter where the existing site  
 20 consumes most of the exhibit.

21 You'll see both from looking at the  
 22 exhibit, and if you've been by the site, it's  
 23 currently developed with an underutilized office park.  
 24 So there is a substantial amount of development, both  
 25 in terms of buildings and parking areas and other

1 ancillary spaces.

2 It is bounded by the New Jersey Transit  
3 parking lot and rail station, as well as the Dinky  
4 Line and the Northeast Corridor Line. And that's all  
5 -- on this exhibit would all be on the left and kind  
6 of lower portion of the exhibit.

7 Again, to the right you have Washington  
8 Road, and then you've got the overpass that brings you  
9 over the Northeast Corridor Rail Line.

10 The site is in the Delaware and Raritan  
11 Canal Commission Review Zone B, as in boy. A portion  
12 of the site is located in the flood hazard area. The  
13 flood hazard area is located along the northerly  
14 portion of the site in the area I'm indicating here.

15 The verified flood hazard area of  
16 elevation is 64.1, and that was developed using the  
17 method one approach, which relies on an NJDEP stream  
18 study.

19 Interesting to note that that elevation  
20 is actually based on the back water from the Millstone  
21 River, which is off to the right. It's just off the  
22 page here. But that has a very large watershed of  
23 over 78 square miles, as opposed to the Little Bear  
24 Brook, which the site is actually contributory to,  
25 that only has a drainage area of approximately 2.4

1 PowerPoint slide number two had, except now the  
2 proposed development has been overlaid. So you can  
3 see the layout and the extent of the development  
4 relative to its surrounding area.

5 I'll go through now in a lot more detail  
6 each section of this development and how it  
7 interrelates with the surrounding border, and also the  
8 content that's within that developed area.

9 So I'm going to begin doing that with  
10 PowerPoint page number five. What's represented here  
11 is a total of 868 units in addition to that. Those  
12 units are residential units.

13 There is nonresidential space of  
14 approximately 21,211 square feet, which includes a  
15 promenade retail area and some Atria Senior Living  
16 nonresidential space.

17 Within those residential units there are  
18 535 Avalon Bay apartment units for rent, which are  
19 distributed in two buildings, which we call the East  
20 and the West building.

21 Again, I will show you some more detail.  
22 But just quickly, the West building is here on the  
23 lower left side, and then down on the lower right is  
24 the East Building, which also has a parking garage in  
25 the middle and then some additional building area.

1 square miles.

2 The flood hazard area extends  
3 approximately 150 feet into the site at its maximum  
4 point, which is approximately Road A under the  
5 proposed conditions. And I'll highlight that on the  
6 following slide in a moment.

7 That flood hazard area has been verified  
8 by the NJDEP, and the required flood hazard area  
9 permits have been issued, and they were received on  
10 May 12, 2021.

11 There are no freshwater wetlands on the  
12 site. There is a small area, a transition area, in  
13 the northwest corner, approximately where I'm  
14 indicating there. But it's only a transition area  
15 coming from an off-site wetland. It's a 50-foot  
16 intermediate resource value buffer that extends onto  
17 the site. A NJDEP Letter of Interpretation was issued  
18 for that confirming that on February 20th of 2020.

19 And the Chair, in the prior meeting -- so  
20 I'll just answer his question -- had asked whether or  
21 not that had been filed with the county clerk. The  
22 answer is yes. The deed notice that's required for  
23 the LOI was filed on April 16th of 2020.

24 So now I've moved to PowerPoint page  
25 number four. This is now the -- similar to what

1 Then in the upper right portion of the  
2 site there is a Pulte Homes neighborhood with 150  
3 townhome units, which is a mix of 32 traditional  
4 townhomes and 118 stacked townhomes.

5 There is also a condominium building  
6 right in the middle of the project. In some prior  
7 lives that was going to be a proposed hotel, for those  
8 of you that have been following this over the number  
9 of years it's been going on. Mostly related to the  
10 pandemic, that did not happen, so that is now a  
11 condominium building which will be constructed by  
12 Pulte. And that will contain 48 condominium units  
13 over an at-grade parking area. So, essentially, it  
14 will be a parking garage underneath it, but it will be  
15 at ground level; not subsurface.

16 Last but certainly not least, in the  
17 upper left-hand corner we have Atria Senior Living  
18 facility which will have 135 assisted living units,  
19 which will include 25 memory care units.

20 Within that, all those units I just  
21 described, there are included 149 affordable units  
22 located throughout the project. Little more  
23 specifically, there are 100 units in the Avalon Bay  
24 buildings. Fifteen in the townhomes, seven in the  
25 condominiums, and 27 beds in 22 units in the assisted



1 living facility.

2 All of the uses that I've described to  
3 you this evening are all permitted uses. No use  
4 variances are required.

5 As was noted, this is also a subdivision  
6 application, mostly for the functionality of the  
7 project. It will actually be subdivided into 14  
8 parcels to separate the various users, common areas,  
9 and roadways.

10 So for the rest of the evening I'm going  
11 to focus on various aspects of the site development.  
12 The architects for each of those three main  
13 development areas are also here, so they'll focus on  
14 the building. So my testimony will not delve too much  
15 into the building contents, but more the site contents  
16 and how the buildings interact with the site.

17 So I'm going to begin on PowerPoint page  
18 number six and describe the promenade and retail area.  
19 You'll see on PowerPoint page number six here in the  
20 pink or magenta color, that is the area we're talking  
21 about where the retail and promenade is located on  
22 site.

23 On PowerPoint page number seven we have a  
24 blowup now. This is from that same rendering that  
25 I've been showing all along. We're just way blown in

1 Immediately to the right of that is an  
2 area we call the South Plaza. And that is located on  
3 the end of what would be the boulevard median. I'll  
4 explain this a little bit more in a minute. But it is  
5 possible to close off all or part of this promenade  
6 area to vehicular traffic, in which case then the  
7 vehicular portions can also become part of the public  
8 and event space. So there's a lot of flexibility  
9 built into this.

10 So, for instance, that South Plaza could  
11 actually more than double in size by simply closing  
12 off the roadway portion of it for a large event.

13 After the South Plaza, moving right,  
14 there is an open-air pavilion that is roofed with a  
15 transition to an unroofed area immediately to the  
16 right of that. We call that the shade tree knoll, and  
17 that's got -- it's a garden area. It's got tables  
18 throughout it.

19 To the right of that there is some  
20 additional plaza space that can either act as a plaza  
21 or can actually act as a cut-through. So if you want  
22 to only close part of the promenade area, you can  
23 close it at this point and then actually go through  
24 the median to complete the loop. So that gives you  
25 some functionality. If you have a medium-sized event,

1 now so we can see a lot of the detail that's going on.

2 What you're seeing is on the top of the  
3 screen the Avalon West building. You're seeing a  
4 portion of that in a kind of mirror fashion.

5 On the bottom of the screen you're seeing  
6 part of the Avalon East building. And then right in  
7 the middle is the promenade area which is,  
8 essentially, a boulevard-type roadway that has a  
9 circular end so that there's -- there's no dead-end  
10 area in it.

11 So I'll just kind of walk you through  
12 that real quick. I'm going to start from the south  
13 end, which, on this exhibit, is on the left side where  
14 I'm indicating. So in this area we have an ampi --  
15 excuse me. An amphitheater-style seating area.  
16 There's some gray differential between the New Jersey  
17 Transit parking lot and this promenade area. So we're  
18 taking advantage of that. It slopes down as you come  
19 toward the promenade.

20 So we've got a sidewalk that kind of  
21 winds back and forth. It creates the seating  
22 opportunities, and also provides handicapped  
23 accessible access between the two different ground  
24 levels. So we're really making the most of that  
25 space, both functionally and operationally.

1 you don't want to close the entire promenade, but you  
2 need more space, that is available.

3 Immediately to the right of that we have  
4 a deck jet fountain area. So this is where fountains  
5 of water are coming up through the ground. Scenario  
6 that is both esthetic and also an area that's suitable  
7 for children to play in.

8 In a similar vein, immediately to the  
9 right of that we've got a synthetic turf panel area.  
10 The synthetic turf is because we anticipate this being  
11 a high-use area. Synthetic turf is not like it used  
12 to be decades ago. It's a much more long-lasting  
13 material now. It has excellent drainage. So even  
14 immediately after a rainfall it's immediately usable.  
15 It's not going to wear. It's not going to turn into  
16 mud, so it's always going to be ready for the intended  
17 purpose, because we anticipate this being a  
18 high-traffic area between just daily use for children  
19 and then event use as things are programmed.

20 Then finally to the right of that we have  
21 a North Plaza area where -- and there's also some  
22 supporting pedestrian crossings of Road B, which,  
23 essentially, leads you off to the Pulte part of this  
24 community, which is off to the right of the screen.  
25 It is a flexible design. A typical day you would have

1 360-degree access. You would, essentially, come in on  
2 what we're calling Road D on the top of the page,  
3 circulate around, and then be able to come back out.  
4 There's parking throughout this area.

5 The idea is that there is retail -- I  
6 shouldn't say retail. Nonresidential space on either  
7 side of this promenade area. And this was open to the  
8 public. It's not some kind of restricted area. The  
9 idea is that this would service both community  
10 members, as well as members of the commuting or  
11 transit-orientated public that are using the train  
12 station. So if they want to run over, grab a cup of  
13 coffee, or whatever it is that winds up occupying  
14 those spaces, they would be able to do so.

15 Like I already mentioned, it can be cut  
16 in half or it can be closed off in its entirety, and  
17 you simply stay on Road B, and the whole area can  
18 become event space. So it scales very nicely for  
19 small events which could be, you know, farmers'  
20 market; something like that. Or large events, which  
21 could be some kind of concert series or something like  
22 that.

23 MS. GEEVERS: Can I ask you a question on  
24 that? Would you be promoting to the greater community  
25 when you have, say, you know, a band or something,

1 different things, events, whatever's going on?

2 MR. LANGE: Yes. I'm sure --

3 MS. GEEVERS: Is it --

4 CHAIRMAN O'BRIEN: Linda, excuse me.

5 Could you get closer to the microphone so members can  
6 hear the question? Thank you.

7 AUDIENCE MEMBER: Is this open for  
8 questions?

9 MS. GEEVERS: No. This is the board at  
10 this point.

11 Is it going to be open to the greater  
12 community, this whole area, when you have events?  
13 Let's say you have a band right in the middle of the  
14 summer. Some kind of band comes in. Are you going to  
15 promote that to the whole community? How would you do  
16 that, if so? Or is this primarily just for the people  
17 living there?

18 MR. LANGE: No. This is definitely  
19 public space. So not only is the promenade public  
20 space and the nonresidential use is on either side,  
21 but Road B is actually a through road that will be  
22 open to the public.

23 Road A, in a similar fashion, will also  
24 be open to the public.

25 So these are all public access areas.

1 There's no gates, there's no restrictions. You know,  
2 we welcome -- and, in fact, for these areas to thrive,  
3 it's going to be important that people from beyond the  
4 community use these facilities. We think that will  
5 naturally occur, because we are right next to the  
6 train station. So there is a reason for people to  
7 come here. It's a little bit different. It's not  
8 like we're on a large, multi-lane state highway where  
9 people are going to see a sign and kind of pull in.  
10 It's not that kind of use. You're going to have to be  
11 here to kind of see it or know it's there, word of  
12 mouth.

13 But we think the train station is going  
14 to drive a lot of traffic beyond the residents. So we  
15 should get, you know, some pretty good traffic here.  
16 Then all the events and all would be totally open to  
17 the public.

18 MS. GEEVERS: Where would the public  
19 park?

20 MR. LANGE: If you don't mind, I have a  
21 whole parking presentation, so I will address that.

22 So just to finish this off, there are  
23 street lights, street trees, bike racks, benches, the  
24 seawalls, as I described. The landscape architect  
25 will go into more detail of each of those elements at

1 a later point in testimony.

2 In terms of refuse and recycling, it's  
3 going to be managed internally with the residential  
4 uses. There are two different areas. The eastern  
5 retail will be managed in the southern portion of the  
6 Avalon Bay East Building near a deadend roadway.

7 Maybe I'll switch slides. So I've just  
8 now switched to slide number eight so I can just show  
9 these areas.

10 So on the Avalon West side right off of  
11 the cul-de-sac here next to the Avalon Bay compactors  
12 that's where that retail would be, and then kind of  
13 mirror opposite on the east side there's a -- it's  
14 under this purple color, but there's a road here  
15 that's got a K-turn area that's, you know, strictly  
16 utility area. And there's a location there for refuse  
17 and recycling to service that east side.

18 So with that, and staying on PowerPoint  
19 slide eight for a second, I'm now going to go into the  
20 Avalon Bay portion of the community. That's what's  
21 shown in the purple here or with the number two.  
22 That's the east and west.

23 So to the right side is the east area  
24 that you'll notice that it is larger than its  
25 companion area to the west. Those two areas in

1 totality will have a total of 535 Avalon Bay units,  
2 which are distributed in two buildings that will be  
3 five to six stories in height.

4 I'm going to switch to slide number nine.  
5 So, now, this is back to that same rendering we've  
6 been referencing. We're just zoomed in so we can see  
7 the Avalon Bay locations.

8 The primary parking for both the East and  
9 West are parking garages. And Avalon East, there's a  
10 parking garage, essentially, in the middle of the  
11 structure that's got access both from Road B and from  
12 Station Road.

13 And then in a similar fashion, Avalon  
14 West has a parking lot located just to the north of  
15 the building, and then it has access to and from Road  
16 B.

17 There will be a variety of outdoor  
18 amenities. Again, the landscape architect will  
19 describe these in a lot more detail, but they include  
20 things like courtyards, parklets, a pool; things like  
21 that. But Tom Carman, the landscape architect, will  
22 provide a lot more detail.

23 There are a number of loading zones  
24 proposed, so I'll just run through those. In the east  
25 side there are two. One is located off of Station

1 and that's all internally fed. The architect will  
2 provide some additional testimony of how it's fed from  
3 inside the building.

4 But from the building system it comes  
5 down into these fully enclosed units, which are  
6 roll-off-type units. Once they become full, they're  
7 simply picked up and exchanged for an empty container.

8 All the truck turning, et cetera, has  
9 been checked so that this will function appropriately  
10 for those trucks to access those areas.

11 Avalon West has a very similar location.  
12 It's off the cul-de-sac, so it's in between,  
13 essentially, the end here, the Avalon West building,  
14 and this service road cul-de-sac. This whole  
15 cul-de-sac and road are purely service. This is not  
16 for public access. So to serve loading, delivery, and  
17 refuse, you know, fire access, you know, emergency  
18 service access; that sort of thing.

19 So with that, I'm going to go to the  
20 Pulte portion of this community, and I'll be switching  
21 now to PowerPoint page number 10. And the Pulte  
22 portion of the community is in this light green color  
23 with the number three.

24 And then, similarly, what we've been  
25 doing, I'm going to zoom in now on that area on the

1 Road. It's right above the word "Road." I'm pointing  
2 to an exhibit. There's a dog park right in that area.  
3 It is proximate to some elevators within the building.  
4 The architect will provide a little more information  
5 about that, but that would be one of the areas that  
6 could be used for move-ins and other types of loading  
7 and deliveries.

8 Also serving the east side to the left or  
9 west of the road will be parking garage entrance.  
10 There's another area for loading. It's about 85 feet  
11 long, and that would serve for both loading as well as  
12 package deliveries, such as FedEx, UPS; that sort of  
13 thing.

14 And then, finally, there's another area  
15 for the west side, a 70-foot long loading zone located  
16 along Road B, and that's between the promenade area  
17 and the entrance to the Avalon West parking garage.

18 In terms of refuse and recycling, again,  
19 will be managed internally. The Avalon East has two  
20 different refuse locations. One is to the left of and  
21 adjacent to the north entrance to the parking garage  
22 east, so that is right here off of Road B. And then  
23 the other is down here immediately to the right of the  
24 access into the parking garage off of Station Road.  
25 And both have compactor-driven dumpsters for refuse,

1 rendering and that is PowerPoint page number 11. So  
2 in this area we've got a mix of different types of  
3 townhomes. Again, 150 townhomes. They will be three  
4 stories, and it's a mix of traditional townhomes, 32  
5 of them, and stacked townhomes, 118 of them. And  
6 those are located here throughout the development.

7 Then in the lower left part, which is,  
8 really, in the center of the site overall, but on  
9 slide 11 it's the lower left, that's where this  
10 48-unit condominium building is. That's a five-story  
11 structure, which is four stories of residential over  
12 at-grade parking. The at-grade parking is under the  
13 condo, so it will be weather protected and will serve  
14 the condominium building. I will talk about parking  
15 in a lot more detail a little bit later.

16 Amenities here include walking paths,  
17 bike racks, access to the promenade, et cetera.

18 Here, in terms of refuse and recycling,  
19 the residents in the townhomes and stacked townhomes  
20 will keep bins in their garage and wheel them out on  
21 collection day where -- typical residential setup.

22 Residents in the co-units that do not  
23 have garages will use designated bins that are located  
24 in trash corrals on the side and rear units, and those  
25 are shown on the plans.

1 Trash in the 48-unit condominium building  
2 will be managed internally, and then wheeled out in  
3 containers that will be picked up on trash day. And  
4 that will be a managed thing by the homeowners'  
5 association.

6 So last but not least, moving on to the  
7 Atria Senior Living, I'm going to PowerPoint slide 12.  
8 Atria is shown here in the yellow color. And the  
9 number four, you'll see, it's on the northwest portion  
10 of the site. It fronts on both Road A and Road B.  
11 There's a total of 135 assisted living units in that  
12 building. And that includes 25 memory care units.  
13 The building will be fully sprinkled. The building  
14 will get deliveries because it is -- it's a  
15 residential use and it's considered so under the RSIS.  
16 But, obviously, it's a little bit of a different use,  
17 so they do get more deliveries, institutional-type  
18 deliveries, so they are accessing the service road  
19 cul-de-sac for that. They have a loading area in the  
20 -- this southwest corner of the Atria building. I'm  
21 going to anticipate about 26 deliveries per week, but  
22 many of these deliveries are coming on smaller trucks  
23 and vans. This is not tractor-trailer-type stuff.  
24 This is smaller things. You know, doing community  
25 supplies and food supplies, linens; things like that.

1 senior living to facilitate drop-offs. You know,  
2 things like that.

3 You can see some of the outdoor spaces in  
4 the grounds kind of in this nook of the building along  
5 Road A. And then you can see the -- these kind of  
6 back-of-the-house areas that we discussed where you've  
7 got the loading and the refuse and recycling off of  
8 our service drive cul-de-sac.

9 So now moving to PowerPoint slide 14, I  
10 want to talk a little bit about the road improvements.  
11 I'm not going to talk about this too much. There is  
12 going to be separate traffic engineering testimony,  
13 which will be at a subsequent hearing, that will  
14 describe this in a lot more detail. But just to go  
15 over how it interacts with the rest of the site, I  
16 will address that.

17 That area is located on the right side of  
18 Exhibit 14, which is the east side of the project.  
19 It's indicated here in orange with the number five on  
20 it. And this is really -- I'm showing a relocation  
21 and realignment of Washington Road, which is shown on  
22 slide number 15 that I just went to.

23 You'll see here that Washington Road,  
24 which currently runs to the left, what's labeled as  
25 Basin F, it's, essentially, the left side of Basin F

1 CHAIRMAN O'BRIEN: Jeromie, you made  
2 reference to something, RSIS. That stands for --  
3 MR. LANGE: The Residential Site  
4 Improvement Standards. It's N.J.A.C. 5:21. And in  
5 terms of residential development, that usurps local  
6 zoning for any of the items that are covered by it.

7 So similar to where the loading is  
8 concerned or, excuse me, taking place, there are bins  
9 for refuse and recycling that will be picked up by  
10 private hauler in this area as well.

11 And there are a variety of amenities,  
12 just like the other parts of the development, but the  
13 landscape architect will expand on that. But they  
14 include a number of outdoor spaces for the benefit of  
15 those residents.

16 And then I already hit the refuse and  
17 recycling.

18 All right. So now I'm going to go to go  
19 PowerPoint slide number 14. I meant to -- actually, I  
20 forgot to go to number 13 first. So here's the  
21 rendering again zoomed in, similar to what I talked  
22 about before. You'll see we've got Road B coming,  
23 which is, really, a through road from Road A to  
24 Washington Road. We've got this little half moon  
25 drop-off area that accesses the front door to the

1 that's current present day Washington Road. That's  
2 going to be bumped out and, essentially, lined up with  
3 the ramp that goes up to the bridge going over the  
4 Northeast Corridor. So that will -- instead of being  
5 that turn you've got -- either a sharp right or sharp  
6 left you got to make now to go over the bridge, now it  
7 will be a straight-on movement. You will come into a  
8 traffic circle that will, essentially, direct traffic  
9 coming from, really, Station Drive or Road B. You'll  
10 have traffic coming over the bridge and then coming  
11 from Washington Road, you know, from that direction.

12 There's also a planned future access as a  
13 fourth leg to this circle for a future development  
14 that's not part of this application. Again, the  
15 traffic engineer will address all the layout and  
16 operational aspects of it.

17 There is a dedicated basin here in the  
18 lower left, it's in this beige color, that services  
19 the road improvements. And it is -- Basin F is  
20 servicing the part of the Pulte community.

21 So I want to talk about site circulation  
22 overall, so I'm going to go now to PowerPoint slide  
23 number 16. So we've got two access points from  
24 realigned Washington Road, and they are one Road A,  
25 and that is proposed to go all the way through to the

1 New Jersey Transit parking lot. That is also known by  
2 some as the Vaughn Drive extension. It is possible,  
3 it's not part of this application, but at some future  
4 date this is set up to be an extension of Vaughn  
5 Drive, and we connect all the way through to the west  
6 here. So it was designed with that in mind, although,  
7 again, not part of this.

8 Similarly, it is shown with a connection  
9 to the New Jersey Transit parking lot. We're  
10 currently working with New Jersey Transit to secure  
11 those rights. That's a nice to have, not a need to  
12 have. We could also terminate this at our service  
13 drive and leave it at that if for some reason New  
14 Jersey Transit was not interested.

15 But, obviously, this is a large  
16 residential development which, being  
17 transit-orientated as it is, should be a large chunk  
18 of ridership to use the transit facility. So it makes  
19 total sense for them to integrate as much as possible.

20 The second point is from Road B, which  
21 is, really, going right through the middle of the  
22 site, it connects Road A down to the other portion of  
23 our Washington Road frontage. So that gives you full  
24 circulation between Road A and Road B and Washington  
25 Road. You have full circulation all around and to and

1 difference is this has parking on both sides, where  
2 Road A did not have any parking. So this has a  
3 22-foot cartway, a seven-foot minimum parking lane on  
4 both sides, and a five-foot minimum sidewalk on both  
5 side roads.

6 Road C, also considered a minor collector  
7 under the RSIS high intensity. And this has both side  
8 parking. So, again, 22-foot cartway, seven-foot  
9 parking lane on both sides, and a five-foot sidewalk  
10 on both sides.

11 Finally, Road D, which is a one-way  
12 circulation, so you're going, essentially,  
13 counterclockwise as you look at it here on the  
14 exhibit, that's considered a minor collector, high  
15 intensity, with parking on both sides. Twenty-foot  
16 cartway, seven-foot parking lane on both sides, and a  
17 10-foot-wide minimum sidewalk.

18 And, again, as far as the Washington Road  
19 realignment and how that interacts with everything,  
20 the traffic engineer will provide more information.

21 MS. GEEVERS: And these four roads would  
22 be maintained by the developer of the community?

23 MR. HOFF: No.

24 MR. LANGE: No.

25 MR. HOFF: That's something that -- to

1 from the site.

2 All of the roads, whether it's Roads A  
3 and B, as I just described, or interior roads, Road C  
4 that connects Road A to B, this is more of an internal  
5 roadway, really, servicing the Pulte Homes  
6 neighborhood. It's, essentially, the spine of that  
7 part of this overall community.

8 And from there there are a bunch of side  
9 driveways with access to the individual units and  
10 service parking areas.

11 Similarly, I already talked it, but about  
12 the promenade area. That's Road D, that circulates  
13 around off of Road B. Again, that's not a through  
14 traffic. That's really servicing the nonresidential  
15 space and the promenade.

16 All four of these roads are in  
17 conformance with the RSIS. Road A has a 33-foot  
18 cartway and an eight-foot multi-use concrete path on  
19 one side that is located on the side -- the south side  
20 of Road A. Meant to be for both pedestrians and  
21 bikes. It's considered a minor collector, medium to  
22 high intensity, with no parking. And those dimensions  
23 are fully in conformance with the RSIS.

24 Road B is a very similar classification,  
25 also a minor collector, high intensity. The only real

1 that point, that's something that we need to work out  
2 with council as to which roads are to be remain  
3 private and which would be public.

4 MR. LANGE: Regardless, all four roads  
5 meet the residential site improvement standards, so  
6 they're all suitable to be public roads. But it would  
7 be a council action to determine which roads are  
8 public versus private. But they're all suitable and  
9 meet the standards.

10 MS. GEEVERS: I would think that the  
11 developer could pay for that, not the -- not the  
12 residents, the taxpayers, since this is, really, all  
13 part of your development.

14 MR. LANGE: The developer is building all  
15 of the roadways.

16 MS. GEEVERS: Well, I understand that.  
17 There's always maintenance, snow removal --

18 CHAIRMAN O'BRIEN: Linda, that's not  
19 going to be determined at this hearing.

20 AUDIENCE MEMBER: When will it be?

21 CHAIRMAN O'BRIEN: Questions will be  
22 entertained later for the public. But as a courtesy I  
23 will say -- repeat what the Applicant's attorney said,  
24 that this is going to be addressed at the council  
25 because it's council that has the authority to accept

1 roadways for township responsibility.  
 2 MR. LANGE: Okay. Picking up, now we're  
 3 going to switch gears to stormwater. We've got a  
 4 stormwater exhibit on PowerPoint page number 17. If  
 5 you look at the plans, you'll see the site, generally,  
 6 slopes northwest towards Little Bear Brook, which is  
 7 up off the sheet to the top of the sheet to northwest  
 8 is in this -- there it is. In that direction.

9 We've got two distinct points of analysis  
 10 in that area, and both meet the stormwater management.  
 11 The one is -- the point of area number one, is an  
 12 existing storm sewer. It's an 18-inch RPC discharging  
 13 off site to the northwest toward Little Bear Brook.

14 The second consists of a Washington Road  
 15 stormwater command system, which also eventually goes  
 16 to Little Bear Brook.

17 There's an existing collection system and  
 18 a detention basin on site. A portion of the existing  
 19 basin will be converted to a bioretention basin under  
 20 the proposed conditions, and that's shown in the  
 21 yellow here on the left side of the exhibit.

22 The project is under the jurisdiction of  
 23 the stormwater rules in effect on March 1, 2021. The  
 24 project has been reviewed by the NJDEP for stormwater,  
 25 and did receive, among their approvals, a stormwater

1 can see some of those pink areas.

2 And then finally we've got two rain  
 3 gardens on either side of the condominium building,  
 4 and those are in this yellow color to the right and  
 5 left of the condominium building.

6 MR. HOBERMAN: So these underground  
 7 detention basins, the red -- they're in the red,  
 8 correct?

9 MR. LANGE: Yes.

10 MR. HOBERMAN: Okay. So --

11 CHAIRMAN O'BRIEN: That's Mr. Hoberman.

12 MR. HOBERMAN: Thank you. I've  
 13 identified myself. Thank you, Mr. Chair.

14 In terms of the design of something like  
 15 those, or capacity of something like those, could they  
 16 have withstood the most recent storms that we had with  
 17 Ida?

18 MR. LANGE: Yes. In fact, both the Henri  
 19 and the Ida storms were actually in this location  
 20 specifically at the site. Very similar. Henri was  
 21 about four and a quarter inches of rain, and Ida was  
 22 about five inches of rain at this location. That  
 23 correlates to -- there's more that goes into what  
 24 storm return period is. But you could say roughly a  
 25 10-year return period for that storm.

1 approval from the DEP on May 12th of 2021.

2 The on-site stormwater management will be  
 3 provided by a variety of different types of BMPs. So  
 4 as I just mentioned, the first one here is on the  
 5 left, this yellow area. It's a bioretention basin.  
 6 Then to the right side there's an extended detention  
 7 basin, also in yellow, and it's called Basin F.

8 Then throughout the site there are 10  
 9 underground retention basins. These are all shown in  
 10 the pink, or it's really a -- I guess a pink color.  
 11 You see them throughout the site.

12 In terms of water quality, there are --  
 13 or, excuse me. In terms of those detention basins,  
 14 four of them are storm trap units, two of them are in  
 15 Road A and two are under the parking garages.

16 So you can see here on Road A, up by  
 17 Washington Road, and then also on Road A over by the  
 18 transit facility. Then there are similar units  
 19 underneath the Avalon West and Avalon East parking  
 20 garages, and those are for stormwater detention.

21 And then there are six high-density  
 22 polyethylene basins, and those promote infiltration.  
 23 They are on the promenade and the Pulte Homes area.

24 So you've got the promenade here in pink,  
 25 and then throughout the Pulte homes neighborhood you

1 These are designed for a 100-year return  
 2 period, which means a one percent chance of occurring  
 3 in any given year. Whereas the storm that actually  
 4 occurred here locally, at least in terms of rainfall,  
 5 was about a 10-year event. So well under the 100-year  
 6 event.

7 So the answer is yes, these systems would  
 8 have easily handled, actually, both Henri and Ida.

9 MS. GEEVERS: So your testimony would be  
 10 that we're actually improving the stormwater  
 11 management because of all these basins and different  
 12 things, you know, the way that you're engineering  
 13 this, as opposed to the way things are?

14 MR. LANGE: Yes.

15 MS. GEEVERS: Because there's a lot of  
 16 impervious coverage. People in town are very worried  
 17 because Washington Road floods, and they don't --  
 18 simply don't want to see this project increasing  
 19 flooding or adding more water to an already difficult  
 20 situation when there's severe storms.

21 MR. LANGE: And that's, obviously, a very  
 22 logical and understandable concern. Certainly  
 23 something we took into account. The Township has, of  
 24 course, been aware of these issues. In fact, they  
 25 engaged two different professionals, SWM Consulting

1 and Princeton Hydro, to do a study or some different  
2 studies on behalf of the town. So they looked at  
3 that.

4 One of the things they concluded was that  
5 the existing stormwater management system in these  
6 areas are undersized.

7 So just by virtue of modernizing the  
8 stormwater system -- now, keep in mind, this is,  
9 roughly, 25 acres of much larger drainage area, so  
10 there's only so much we can do within these 25 acres.  
11 But certainly within these 25 acres we are radically  
12 improving the stormwater management system from what  
13 is there today.

14 One of the -- there are multiple criteria  
15 that has to be met under the stormwater rules, but one  
16 of them is a series of reductions. So there's  
17 existing peak flow rates. So a storm like Ida or  
18 Henri comes, there's an existing peak flow rates that  
19 leaves the site, and that really drives flooding in  
20 storm sewers and other conveyance-type structures.

21 And those studies that I just referenced  
22 that the Township had engaged, indicated that it is  
23 the conveyance type of thing that causes a lot of the  
24 chronic flooding. So there's more often flooding.  
25 It's, really, conveyance related.

1 So bringing these peak rates well down --  
2 when I say "well down," what that means is at least a  
3 50 percent reduction in the two-year storm, 75 percent  
4 reduction in the 10-year storm, and 80 -- or, really,  
5 20 percent, but 80 percent of the existing 100-year  
6 storm.

7 So you're getting a 20 or 25 or 50  
8 percent reduction from the peak flow rates that exist  
9 today. That's going to really help with that chronic  
10 flooding.

11 Now, in terms of overall regional  
12 flooding, Washington Road will absolutely still flood.  
13 The drainage area to Washington Road is only about 2.4  
14 square miles, but that's very misleading. That's the  
15 drainage area of the Little Bear Brook.

16 What's actually driving the flooding here  
17 is not the Little Bear Brook; it's the Millstone  
18 River. The Millstone River has a drainage area of  
19 over 78 square miles. It's an absolutely enormous  
20 drainage area.

21 When you look at -- even though Ida was  
22 arguably worse for New Jersey holistically, when you  
23 look at the contributory (indiscernible) to the  
24 Millstone River in isolation, Henri was actually a  
25 little bit worse for the overall drainage area to the

1 Millstone River. Because east of here there was more  
2 rain in Henri, where in Ida the rain was more north  
3 and west. There was kind of a swath coming out of  
4 Pennsylvania. It really hit the Raritan River  
5 extremely hard in Ida, where Henri was concentrated a  
6 little bit further south than east.

7 MS. GEEVERS: Do the basins feed into any  
8 specific area?

9 MR. LANGE: Yes. The -- this is a  
10 holistic storm sewer system, so, you know, we have a  
11 decentralized system and that we're dealing with  
12 stormwater all over the site. There's not one large  
13 basin just in one corner of the site. You can see,  
14 looking at the colored map, that's why I did it this  
15 way, that they're spread throughout the site. They  
16 are all interconnected. They go to one of those two  
17 discharge points. So either in the top left they go  
18 to that 18-inch pipe.

19 CHAIRMAN O'BRIEN: Can you use the  
20 pointer, Jeromie, please?

21 MR. LANGE: So they either go off here to  
22 the top left to an existing 18-inch pipe that heads to  
23 Little Bear Brook, and then -- or they go here in the  
24 right to Washington Road and go through that storm  
25 sewer system also to Little Bear Brook, and then they

1 all flow to the right of the sheet to the, you know,  
2 northeast.

3 When there's a confluence it's off where  
4 this map shows, but there's a confluence between  
5 Little Bear Brook and the Millstone River at that  
6 location, which is where it ultimately goes.

7 MS. GEEVERS: You're saying they drain  
8 into the Little Bear Brook?

9 MR. LANGE: Yes, that's where -- we don't  
10 control the land all the way to the brook. There is  
11 intervening structures in both cases. But, yes, that  
12 is where the stormwater ultimately goes.

13 MS. GEEVERS: You're saying that will not  
14 create any more flooding problems? It's not going to  
15 increase flooding problems the way this is designed?

16 MR. LANGE: Yes, because we're going to  
17 reduce that peak flow rate.

18 Another thing to understand here is  
19 there's timing matters in stormwater too. So the  
20 response time of this development is much quicker than  
21 the response of the Millstone River. And that comes  
22 out of the fact that the Millstone River, because that  
23 whole section of the watershed is relatively flat,  
24 it's extremely large, very long, so it takes a while.  
25 And, in fact, your consultants estimated it would be a

1 12 to 18-hour delay for Millstone River to peak in  
2 this area.

3 So what we want to do is cut back the  
4 rate of water leaving the site, but at the same time  
5 get rid of the water ahead of that peak coming  
6 through, and that's exactly what we've achieved. When  
7 you look at the timings on the on-site stormwater  
8 management, we retarded that peak, but we also  
9 evacuate the peak of the water out of this area before  
10 the Millstone River peaks.

11 Now, the flooding will still happen. The  
12 Millstone River is enormous, and that will be flooding  
13 Washington Road in large events. That will continue  
14 to happen. But we will not be exacerbating that, both  
15 because the reduction factors and the offset in  
16 timing.

17 MR. MARATHE: You said Ida was five  
18 inches and it would have handled it? How much rain  
19 can it handle instead of five inches? Ten inches?  
20 Fifteen inches?

21 MR. LANGE: It's around -- I can look up  
22 the exact number. It's about nine inches of rain is  
23 the 100-year storm. I got to check for this exact  
24 area. I just can't remember. But it's roughly nine  
25 inches of rain.

1 briefly mention it before. There is an infiltration  
2 basin that's kind of crescent shaped or triangular  
3 shaped, however you want to characterize it, on the  
4 right side of the exhibit that's servicing the new  
5 road improvements. There is some, you know, net --  
6 small net gain in overall impervious coverage there.  
7 So that's why we have that infiltration basin to  
8 offset that.

9 Speaking of offsetting, this blue basin  
10 right -- roughly in the middle of the Road A frontage  
11 is actually not a stormwater basin. That is a flood  
12 storage basin. We did have a small amount of net fill  
13 in the floodplain, so that basin offsets that so that  
14 we don't have any net fill so the floodplain has the  
15 same volume, you know, as the existing conditions  
16 versus the proposed conditions. And, again, with the  
17 size of these drainage areas, it really doesn't  
18 matter, frankly. It wouldn't actually affect it if we  
19 didn't have it, but we do have it and we do meet the  
20 DEP standards for net fill.

21 In a similar -- similar mode, we also  
22 meet the water quality requirements. We have 50  
23 percent and 80 percent MTD, which are Manufactured  
24 Treatment Devices. We've got bio retention, extended  
25 detention, infiltration. All of these things work

1 MR. HOBERMAN: We also should consider  
2 the flooding -- the flooding that you've mentioned  
3 also affects -- can affect all the way over to  
4 Alexander Road, so it's a -- more of a regional thing  
5 than just Washington Road.

6 MR. LANGE: It is. I'm only focusing on  
7 Washington Road because we don't contribute water to  
8 Alexander. But you're correct.

9 MR. HOBERMAN: I'm saying the bigger  
10 picture of --

11 MR. LANGE: Absolutely.

12 MR. HOBERMAN: -- where this affects in  
13 our township.

14 MR. LANGE: Absolutely. And, again,  
15 what's happening, the -- when the Millstone River  
16 floods, it's actually sending water up the Little Bear  
17 Creek going backwards, and that's really -- the big  
18 flooding that you're seeing -- there's  
19 nuisance flooding. You get a heavy rain, you get some  
20 nuisance flooding. But when you get the large  
21 flooding like you saw in Ida and Henri, that's coming  
22 from the Millstone River. That volume is coming from  
23 the Millstone River.

24 So just a couple other quick things to  
25 point out. It's not colored on this map, but I did

1 together to meet the DEP stormwater standards in terms  
2 of water quality.

3 And in a similar vein we also meet the  
4 groundwater recharge requirements, be it the bio  
5 retention, infiltration basin, and the perforated  
6 high-density polyethylene basins, and those two rain  
7 gardens that I mentioned on either side of the  
8 condominium building.

9 When you add all that up, we have more  
10 groundwater recharge than is required.

11 MS. GEEVERS: And the DEP has to approve  
12 these plans too?

13 MR. LANGE: They do and they have. So  
14 the DEP permits we currently have have already, you  
15 know, definitively approved these plans. Definitively  
16 approved these plans.

17 CHAIRMAN O'BRIEN: That was the May 21st?

18 MR. LANGE: Correct. Yeah. There was --  
19 there's two sets. Just to be clear on that, there's  
20 two sets of flood hazard area verifications and  
21 individual permits. One set is for the development  
22 itself, the residential and nonresidential uses. The  
23 other set is for the roadway improvements. But both  
24 permits have been issued, and both include improving  
25 the stormwater design for both the roadway



1 improvements and the actual development.  
 2 So sticking with water, but switching now  
 3 to domestic water, we are in the New Jersey American  
 4 Water service area. The water demand is approximately  
 5 121,900 gallons per day. To service that there are  
 6 water mains being extended from the existing 12-inch  
 7 main on Washington Road with three different  
 8 connection points, which will then be looped through  
 9 the development. Those are extending along Roads A  
 10 and B and to Road D by extending the main along  
 11 Station Road.  
 12 Hydrants, both public and private, will  
 13 be provided, and the locations have been coordinated  
 14 with Chief Lynch.  
 15 For the Pulte portion, the water main  
 16 will be private. So a meter and backflow preventer or  
 17 hot box will be provided west of the condominium  
 18 building.  
 19 A hydroflow test was performed in January  
 20 of 2020, and it shows a flow rate of 4,459 gallons per  
 21 minute at 20 psi, which is adequate for fire  
 22 protection.  
 23 In terms of sanitary sewer, sewer  
 24 generation rate is estimated approximately at 481,500  
 25 gallons per day. Credit will be taken for existing

1 this information on a slide, so I'm going to go ahead  
 2 and just read the highlights so that everybody can  
 3 kind of understand what's going on.  
 4 First, in terms of the total required,  
 5 and this is for the entire development, there's a  
 6 requirement of on-site parking of 1,228 stalls. We  
 7 are proposing 1,289. So we are over the minimum  
 8 required number of parking stalls.  
 9 In terms of how those break down, we've  
 10 got 807 stalls for the Avalon Bay portion, 69 for the  
 11 condominium building, 330 for the townhomes, 81 for  
 12 the assisted living, two car share service stalls.  
 13 And then the nonresidential uses which,  
 14 actually, under the ordinance only require 22, but  
 15 they will have available to them 144 out of that total  
 16 parking that I described at 1,289. And that's a  
 17 concept called shared parking. Obviously, those uses,  
 18 nonresidential uses, are going to peak during the day  
 19 where residential parking, obviously, peaks overnight.  
 20 And there's a lot of studies that have  
 21 been done over the decades now how those things  
 22 interact, and this will easily work very well with the  
 23 shared parking. We are not in any way counting on it,  
 24 but as you've seen on a number of the slides, there's  
 25 a very large parking area around two sides of us, the

1 flows from the site, based on the square footage of  
 2 the office buildings. The net will be calculated.  
 3 To service that flow, an eight-inch PVC  
 4 gravity system is proposed throughout the development,  
 5 and that connects to an existing 24-inch interceptor  
 6 in the existing roadbed of Washington Road at three  
 7 different locations.  
 8 I will note that those -- the utilities  
 9 that are on Washington Road will remain along Basin F,  
 10 for the most part, even though the roadway itself is  
 11 being relocated off the northeast there.  
 12 The slopes of those mains are appropriate  
 13 at 0.4 to one percent.  
 14 We're providing two grease traps for the  
 15 nonresidential uses at the promenade, and a TWA  
 16 application is to be filed upon endorsement by the  
 17 Township and the Stony Brook Sewage Authority.  
 18 So earlier I had mentioned about parking  
 19 and I --  
 20 CHAIRMAN O'BRIEN: Jeromie, excuse me.  
 21 Madam Stenographer, are you okay?  
 22 MR. LANGE: Thank you. Good call.  
 23 So now I've moved to parking. I'm on  
 24 PowerPoint page number 18. I apologize that this is  
 25 an eye test. Just -- it's very difficult to get all

1 New Jersey Transit parking lot, so there's, obviously,  
 2 a plethora of parking there as well. And that parking  
 3 for the public, for these nonresidential areas, is  
 4 located three different locations.  
 5 Let me just go to slide 19 here. This is  
 6 PowerPoint slide number 19. So in terms of the  
 7 nonresidential, you've got parking along Road B,  
 8 you've got parking along Road D, and then you've got  
 9 parking within the easterly Avalon parking garage. So  
 10 there's three different opportunities for the public  
 11 to park on the site. And then of course off-site  
 12 there's the New Jersey Transit parking. And, again,  
 13 we certainly envision that this (indiscernible) need  
 14 is nonresidential space to be not only frequented by  
 15 the community, but also members of the general public.  
 16 And the next largest, you know, set of  
 17 people in addition to the community, would, I think,  
 18 be pretty obvious that it would be the New Jersey  
 19 Transit commuters that are using the Princeton  
 20 Junction train station. They would avail themselves  
 21 of either the nonresidential uses, whatever they  
 22 ultimately are, and/or the special events that would  
 23 be programmed here throughout the year.  
 24 MS. GEEVERS: For the public parking  
 25 spaces, is there any limit? Like, you would prohibit

1 overnight parking or you have to get out by 11:00?  
 2 MR. LANGE: Yeah. We definitely prohibit  
 3 that. Whether -- it needs to be worked out -- and  
 4 this may be something that's just worked out in real  
 5 life. Whether it's just signage, whether it's, you  
 6 know, eventually putting -- you can put parking meters  
 7 on Road B, for instance, if you had to. You can  
 8 use -- you know, in the garage there's a variety of  
 9 technologies you can use with the tickets and so  
 10 forth.

11 So they can scale that, control, to make  
 12 sure that stalls aren't used -- that people don't just  
 13 park and leave their car there. And you see that in  
 14 some places. You know, cars are kind of abandoned in  
 15 the parking spot, for lack of a better term. So there  
 16 are many ways that that can be dealt with.

17 MS. GEEVERS: I don't know, Jerry, that  
 18 any of that would require an ordinance or not, like,  
 19 you know, prohibiting, let's say, overnight parking.

20 MR. MULLER: On a parking site I think  
 21 it's the property owner that would.

22 MR. LANGE: I would agree with that. The  
 23 issue would be, like, for instance, if Road B -- the  
 24 governing body would make Road B a public road, then,  
 25 like, parking meters would then become public parking

1 areas throughout the state, throughout the country.  
 2 There are many solutions to that. So, you know, I've  
 3 given you a few of them now, but certainly can be  
 4 dealt with.

5 CHAIRMAN O'BRIEN: That was Mr. Baig that  
 6 asked that question, B-A-I-G.

7 MR. BAIG: Thank you.

8 MR. LANGE: So just to touch on EV  
 9 parking stalls for electric vehicles, there are 86 of  
 10 them located in the East and West Avalon parking  
 11 garages. There are 50 in the East garage, 36 in the  
 12 West garage.

13 Pulte will also be offering EV charging  
 14 to each townhome garage owner, and also to the  
 15 condominium units in the underground parking. So  
 16 they'll have -- at the time of purchase they'll have  
 17 the option to have charging equipment or wiring for  
 18 charging equipment installed.

19 CHAIRMAN O'BRIEN: Jeromie, do those 86  
 20 spots, do they satisfy the model ordinance that New  
 21 Jersey has put in place following the legislation that  
 22 was approved?

23 MR. LANGE: I'm going to defer to the  
 24 architects, because I didn't design the garages, and  
 25 I'd rather them kind of walk through. They have a lot

1 meters, you know, like any other municipal thing. So  
 2 that would be the for instance.

3 In the garages, those are definitely  
 4 going to be private. I would think Road D is probably  
 5 private, if I had to guess.

6 So the only one I think there's any doubt  
 7 would be on Road B. And like I said, there's plenty  
 8 of municipal, whether it's a sign ordinance or, you  
 9 know, parking meters.

10 MR. BAIG: How the metered parking -- if  
 11 someone would park on this, the public parking, how do  
 12 you -- how do you stop them?

13 MR. LANGE: And that's what we're talking  
 14 about. If that were to become a problem, you know, if  
 15 somebody's trying to get free parking or you somehow  
 16 serve the New Jersey Transit thing, we may have to put  
 17 meters in or some other more -- something beyond  
 18 signage.

19 You know, I don't think that's been fully  
 20 worked out yet. And it might be better just to see  
 21 how it goes. Address the problem areas. You know, we  
 22 can speculate all we want as we sit here, but it's  
 23 hard until the development's really in use and we kind  
 24 of get the dynamics.

25 But these things are challenges in urban

1 more information on the interior of the garages.

2 CHAIRMAN O'BRIEN: That's fine.

3 MR. HOBERMAN: So, Jeromie, on the -- in  
 4 the East parking garage I do note that there is shared  
 5 parking, which is residential overnight and retail  
 6 during the day. Is that correct? I thought you --

7 MR. LANGE: Yes.

8 MR. HOBERMAN: -- just said that garages  
 9 were for residents only.

10 MR. LANGE: No. The Avalon East is a  
 11 shared parking.

12 MR. HOBERMAN: Okay.

13 MR. LANGE: The Avalon West is -- only  
 14 services Atria and Avalon West. So -- that other than  
 15 visitors for Atria, so in that sense they're public.  
 16 But that garage is really not meant for the general  
 17 public.

18 But the East garage, as well as the  
 19 on-street parking, is all meant for the general  
 20 public. And, again, that's over 144 stalls when you  
 21 add all that together.

22 MR. HOBERMAN: Okay. Following up maybe  
 23 on what Anis was just sharing, I just have this  
 24 general impression that you'd probably want to keep  
 25 the garage parking for residents or the Atria

1 development that, you know, in order to dissuade, you  
2 know, any type of commuter parking, like what Mr. Baig  
3 was saying.

4 So that's why I'm wondering, is it really  
5 a wise move to have a shared parking in the garage  
6 like the East garage? What's the wisdom there?

7 MR. LANGE: Several answers. It's  
8 absolutely wise. First of all, we want to make sure  
9 we have plenty of opportunity for these nonresidential  
10 spaces. We want them to succeed. They don't want  
11 them to be blighted. So we want people to be able to  
12 come that don't live in the community, whether it's  
13 because they saw it from commuting here, word of  
14 mouth, in town, whatever it is, you know, we want them  
15 to come. We want them to easily find a parking space.

16 Providing garage spaces provides  
17 sheltered parking. So for those residents or patrons  
18 that may not feel comfortable going in the rain, snow,  
19 whatever, it's a better experience. The garage is  
20 elevator service, so certainly makes handicapped  
21 accessibility. Impaired patrons have a much easier  
22 time to access the site. It's absolutely wisdom in  
23 doing it.

24 Avalon has a lot of development not only  
25 in New Jersey, but throughout the United States. They

1 MR. LANGE: Understood.

2 MR. BAIG: I have one more question.  
3 Like I said before, the promenade, what you call the  
4 road would be closed for events or whatever you use  
5 public parking in that area?

6 MR. LANGE: Correct. But, again, this is  
7 why it's so important to understand that we required  
8 the 22. We've got 144. So even if we close the  
9 entirety of Road D, we're still well over the parking  
10 requirement. And, again, this would be then some kind  
11 of a, you know, community event. We would anticipate  
12 the New Jersey Transit lot to be in use. But even  
13 without that, frankly, there's enough parking in the  
14 community, you know, to still be several times over  
15 the parking requirement.

16 But, again, these are things that are  
17 going to work out. You see this done in a lot of  
18 transit-orientated communities. Not a new concept.  
19 It works very successfully.

20 All right. So I'm going to just wrapup  
21 then on one more slide here. Bike and pedestrian  
22 circulation. This is PowerPoint slide number 20. As  
23 I mentioned, that there are five-foot sidewalks, you  
24 know, throughout the development as a minimum. It's  
25 required by the redevelopment ordinance. They're

1 are very experienced in managing parking lots and,  
2 really, do this all the time. So even, actually, just  
3 down the road in Princeton, the old hospital site,  
4 that's an example of that where they are managing that  
5 right now. You know, very close to here. So very,  
6 you know, well-trodden ground here. And, you know,  
7 Avalon has the experience to manage this.

8 MR. KARP: Are the parking garages, are  
9 those free or you pay for them? Michael Karp.

10 MR. LANGE: It's not clear yet what that  
11 will be. But, again, it will come down to  
12 operationally what is necessary to make things work.  
13 I'm sure Avalon will develop that program and figure  
14 that out. But they want the stalls used. They want  
15 these leased spaces to be successful, so the people  
16 actually lease them. Sitting vacant is not helping  
17 anybody. So it is in Avalon's interest and the  
18 community's interest for these spaces to be vibrant  
19 and fully utilized.

20 So whatever's necessary, whatever kind of  
21 balance has to be struck to make that happen, that's  
22 exactly what they'll do.

23 MR. KARP: Well, on rainy days free  
24 parking in a garage, lot of commuters are going to be  
25 parking there; I can tell you that.

1 shown in the blue colors here throughout the  
2 community. There's also six-foot sidewalk where it's  
3 adjacent to parking, consistent with the RSIS and the  
4 redevelopment ordinance.

5 We've got the bike or multi path -- use  
6 path along Road A. That's in this red color on the  
7 south side of Road A. We've got visitor and resident  
8 bike parking located throughout the development. And  
9 you can see here in the various colors there's both  
10 bike parking for the public, as well as bike storage  
11 for the residents in a sheltered manner, whether  
12 that's in the parking garages or under the condo  
13 building or combinations that are made in the Pulte  
14 units.

15 And then like I said, the public bike  
16 racks throughout the community. So very bike and  
17 pedestrian friendly community, as you can see by the  
18 distribution of overall facilities throughout the  
19 site.

20 In terms of the ordinance, just to kind  
21 of wrapup now, it is a fully conforming application.  
22 There is one waiver from a site perspective, which  
23 I'll just quickly touch on. And that waiver is from  
24 ordinance Section 200-29.M, as in Mary, for providing  
25 four-inch single white striping for parking spaces

1 where double striped spaces with 18-inch  
2 center-to-center lines are required.

3 It's my opinion, as both a professional  
4 engineer and professional planner, that the single  
5 stripe meets the ordinance intent, and that it is  
6 dividing the parking stalls and guiding cars where to  
7 park. I think it's much more residential in character  
8 to have the single stripe stalls.

9 Typically where you see what we call  
10 hairpin, you know, that 18-inch kind of double stripe,  
11 you see that in things like Costco or a supermarket,  
12 or you see that sometimes in a high turnover area like  
13 a convenience store. And it makes sense there because  
14 you either have high turnover, so you're trying to  
15 encourage people who are parking quickly to park  
16 straight, or in an area where you've got shopping  
17 carts and you're trying to make sure the cars are  
18 spaced enough apart that the shopping carts can move  
19 around and aren't impacting the vehicles.

20 None of that is the case in a development  
21 like this. So I think it's more important to -- so  
22 you don't have the turnover parking, you don't have  
23 shopping carts, to keep the character of the  
24 neighborhood. Much more consistent with residential  
25 with the single stripe. And it's just not practical,

1 act until there's a local approval. But they will  
2 entertain applications, so we're taking advantage of  
3 that, and we are in regular dialogue with the  
4 Commission with regard to compliance with their rules.

5 We will also need a request for  
6 authorization for so-called discharge construction  
7 activity and the state general permit. And finally  
8 we'll need an NJDOT street intersection permit for the  
9 realignment of Washington Road that I described  
10 earlier.

11 With that, that concludes my direct  
12 testimony on these topics. So, Mr. Hoff, I will turn  
13 it back to you.

14 MR. BAIG: I have a question. Ask  
15 electrical vehicle charging station. Do we have any  
16 proposing in this parking area?

17 MR. LANGE: We do. I did just testify to  
18 that earlier. We've got 86 electrical vehicle  
19 charging stations in the two parking garages, and then  
20 also the Pulte Homes development will be offering that  
21 as part of a sales option to all their buyers.

22 MR. BAIG: Thank you.

23 BY MR. HOFF:

24 Q Thank you. Mr. Lange, you testified -- I  
25 just want the record to be clear, you mentioned the

1 in my opinion, to do the hairpin turn -- excuse me.  
2 Hairpin striping in this type of application. Would  
3 really not be favorable for the overall character of  
4 the neighborhood.

5 So just to kind of summarize a few  
6 things, in terms of current approvals, there is the  
7 freshwater wetlands Letter of Interpretation. There  
8 are the flood hazard area individual permits and  
9 verifications. We have a Mercer County site plan and  
10 subdivision that was conditionally approved on August  
11 24th of this year.

12 And then in terms of pending to be filed  
13 applications, we've got the Mercer County soil  
14 conservation filed this spring. We will be filing to  
15 the Stony Brook Regional Sewage Authority once we get  
16 further along here with the Township. We need to file  
17 for an NJDEP treatment works approval. After that,  
18 sewage authority approval. We will be filing with New  
19 Jersey American. We've had a pre-application meeting  
20 with them, but we'll formally be filing with them in  
21 the near future.

22 We have filed in February of this year  
23 with the Delaware & Raritan Canal Commission. Of  
24 note, the Commission does not act on applications  
25 until after this board does. They will not formally

1 design waiver. But from the zoning standards, the  
2 provisions of the RP-1, height, setbacks, bufferages,  
3 all of the typical zoning standards, this application  
4 complies with each and every one; is that correct?

5 MR. LANGE: That's correct.

6 MR. HOFF: Thank you.

7 Mr. Chairman, as Mr. Lange indicated,  
8 nothing more affirmative. Obviously he will be here  
9 for further questions as we get to the review letters  
10 and, obviously, questions from the public.

11 CHAIRMAN O'BRIEN: Fine.

12 Jerry, I should have done this before we  
13 heard Mr. Lange's testimony. But I want to say that  
14 he and I are acquainted professionally, and I don't  
15 see it as a conflict of interest, but I just wanted to  
16 get your viewpoint.

17 MR. MULLER: No, there is no conflict.

18 CHAIRMAN O'BRIEN: Thank you.

19 MR. HOFF: And with that, Mr. Chairman,  
20 I'd like to move on to Mr. Johnson, who's going to  
21 testify to the Pulte architecture. We're going to go  
22 a little bit out of order here, but I'll orient the  
23 board members and the public with where we are in the  
24 slide presentation.

25 BY MR. HOFF:

1 Q Before we get to that, Mr. Johnson,  
2 you've been sworn, but the same -- let's go through  
3 your educational and professional background, please.

4 **A Sure. I'd be happy to.**  
5 **So good evening again. My name is Stuart**  
6 **Johnson. I'm a principal of Minno & Wasko Architects**  
7 **& Planners. I have a Bachelor's of Architecture from**  
8 **Syracuse University. I have over 15 years of**  
9 **professional experience. I am a registered architect**  
10 **with a current New Jersey license. I've appeared**  
11 **before approximately 25 municipalities across the**  
12 **state, and qualified as an expert in architecture.**  
13 **Also appeared before the Superior Court of Bergen**  
14 **County, qualified as an expert in architecture.**

15 **And Minno & Wasko Architects we are a**  
16 **95-person architecture firm based in Lambertville, New**  
17 **Jersey, with another office in Newark. We are the**  
18 **architect of record for the Pulte Homes component of**  
19 **the application being considered by this board this**  
20 **evening.**

21 Q And you've been testified -- sorry if I  
22 missed it. Testified in front of boards in the State  
23 of New Jersey?

24 **A Yes, I have, numerous boards across the**  
25 **state.**

1 **three that's in green. So, again, this is the Pulte**  
2 **Homes component of the site. This consists of one**  
3 **five-story 48-unit condo building, which is inclusive**  
4 **of seven affordable units. This is also comprised of**  
5 **15 three-story townhome buildings which range in size**  
6 **from six to 18 units per building that are generally**  
7 **located in the northern portion of the overall**  
8 **development site.**

9 **Specifically there are 150 townhome units**  
10 **that was previously testified to, which are inclusive**  
11 **of 15 affordable units. I believe the breakdown of**  
12 **the unit mix was provided in the documents that we had**  
13 **submitted.**

14 Q Mr. Johnson, why don't you advance to  
15 slide 30, because that, I think, will assist you?

16 **A So slide 30 here is a blowup. This is an**  
17 **illustrative site plan that's rendered in color**  
18 **depicting the landscape, as well as the parking areas.**  
19 **The buildings are portrayed in a vanilla color. See**  
20 **if I can use this correctly.**

21 Q It's the yellow button, I think.

22 **A Is there a pointer?**

23 Q Top button. There you go.

24 **A So I'm not going to use the pointer here**  
25 **because it doesn't seem to be working.**

1 **CHAIRMAN O'BRIEN: You said 25, right?**

2 MR. JOHNSON: Approximately 25  
3 municipalities I've qualified as an expert in  
4 architecture, yes.

5 CHAIRMAN O'BRIEN: Any board member  
6 object to this witness being considered expert? So be  
7 it.

8 MR. HOFF: Thank you, Mr. Chairman.

9 BY MR. HOFF:

10 Q Mr. Johnson, so we can get everybody on  
11 the same page, could you advance us to slide page 28,  
12 please?

13 **A Sure.**

14 Q This will be your take-off spot. You're  
15 going to provide that testimony and walk us through  
16 the architecture elements of the Pulte portion of the  
17 application?

18 **A That's correct, yes, I will.**

19 Q And when you make reference, just make  
20 sure you make reference to the page so that the  
21 transcriber -- transcription gets it down.

22 **A Sure.**

23 **So I'm going to begin with page 29, if my**  
24 **eyes don't deceive me. This is a site plan here.**  
25 **It's a key plan that indicates the area with number**

1 **But the five-story 48-unit condo building**  
2 **is the rectangular building that's located on the**  
3 **bottom left corner of the exhibit here. And, again,**  
4 **as noted too, there are 15 three-story townhouse**  
5 **apartment buildings. There are two types of -- I'm**  
6 **sorry. Townhouse buildings. There are two different**  
7 **types of townhouse product being designed for the site**  
8 **here, which I will get into a little bit later.**

9 **One is what we call a traditional**  
10 **attached townhouse, and the other is a stacked**  
11 **townhome. But the general design of this portion of**  
12 **the site allows that the primary -- the primary front,**  
13 **you know, elevations where the front doors are face**  
14 **the primary roads that are laid out in the site.**  
15 **Those roads being Road A, Road B, and Road C,**  
16 **providing access throughout the site.**

17 **So, essentially, the rear sides of these**  
18 **elevations where the garage doors are located, are**  
19 **internal facing or inward facing, which allows for**  
20 **traditional neighborhood design development where we**  
21 **have attractive landscape and architecture that face**  
22 **the primary street, which create -- which increase**  
23 **pedestrian safety and makes for an attractive**  
24 **streetscape experience for pedestrians walking**  
25 **throughout the community, as well as driving through**

1 **the streets.**  
 2 **Again, we've designed the townhouse**  
 3 **buildings to face, primarily, Roads A, B, and C, as**  
 4 **noted.**  
 5 **And then the other buildings throughout**  
 6 **the site generally face green areas that have been**  
 7 **designed in other pockets of the site.**  
 8 **So with that, I'm going to move on to my**  
 9 **next exhibit, which will be sheet 31. And I would**  
 10 **like to spend a little bit of time to talk about --**  
 11 **CHAIRMAN O'BRIEN: Mr. Johnson, excuse**  
 12 **me.**  
 13 MR. JOHNSON: Sure.  
 14 CHAIRMAN O'BRIEN: Before you go on, you  
 15 mentioned in the 48-unit condo building garage for  
 16 parking. I note that there are about 24 parking  
 17 spaces that are, I'll say, front to back. If they  
 18 were to be used it can only be by one residential  
 19 occupant. Is that --  
 20 MR. JOHNSON: That's correct. So there  
 21 are approximately 24 structured parking spaces which  
 22 are front to back. We call those tandem parking  
 23 spaces. They're typically assigned to the same  
 24 two-bedroom unit within the building. And, yes, they  
 25 would be assigned to the same unit.

1 mixed-use development, that type of consideration was  
 2 not given; is that correct?  
 3 MR. SURTEES: I think Dan might be better  
 4 to answer that, but my understanding is no.  
 5 MR. MULLER: Sam, raise your right hand.  
 6 Do you swear or affirm that the testimony you're about  
 7 to give will be the truth?  
 8 CHAIRMAN O'BRIEN: Jerry, excuse me.  
 9 Let's do all of our potential witnesses at the same  
 10 time.  
 11 MR. MULLER: All of the township staff  
 12 will stand and raise your right hand. Do you swear or  
 13 affirm that the testimony you're about to give will be  
 14 the truth?  
 15 MR. NOVAK: I do.  
 16 MR. L'AMOREAUX: I do.  
 17 MR. GUZIK: I do.  
 18 MR. SURTEES: I do.  
 19 MR. DOBROMILSKY: I do.  
 20 MR. MULLER: So sworn or affirmed. If  
 21 you could state your full name and -- state your full  
 22 name, and going around starting with David.  
 23 MR. NOVAK: David Novak, spelled  
 24 N-O-V-A-K. I am an associate principal with Burgis  
 25 Associates, spelled B-U-R-G-I-S, and we are the

1 CHAIRMAN O'BRIEN: Thank you.  
 2 MR. JOHNSON: You're welcome.  
 3 MS. GEEVERS: Where will the children  
 4 play?  
 5 MR. JOHNSON: I'm going to defer that to  
 6 our landscape architect who's here who's going to talk  
 7 about the overall site design and where some of the  
 8 open green spaces are throughout the site.  
 9 Again, I think our engineer has made  
 10 testimony in regards to the walkability of the site.  
 11 I think you can see a number of pocket areas here are  
 12 green that allow for passive play area. Certainly the  
 13 site is well designed to provide activity to the  
 14 greater park system within the community. But, again,  
 15 I'll defer that to our landscape architect to provide  
 16 additional testimony in regards to some of the passive  
 17 open recreation areas of the site.  
 18 MR. HOBERMAN: On this issue -- I thank  
 19 you for bringing it up, Linda. On this issue -- I  
 20 know that when you've done other housing developments  
 21 that within the -- the zoning, or whatever, there's  
 22 provision for certain passive recreation areas,  
 23 depending on the quantity of housing units or  
 24 something like that.  
 25 When we did this zone for this type of

1 township planning consultants.  
 2 MR. L'AMOREAUX: Jeff L'Amoreaux,  
 3 L-A-M-O-R-E-A-U-X. I am a traffic engineer with Arora  
 4 & Associates, spelled A-R-O-R-A. We are the township  
 5 traffic engineer.  
 6 MR. GUZIK: Francis Guzik, G-U-Z, as in  
 7 zebra, I-K. I'm a licensed professional engineer in  
 8 the State. I'm the township engineer.  
 9 MR. SURTEES: Samuel Surtees,  
 10 S-U-R-T-E-E-S. I'm the township land use manager and  
 11 zoning officer.  
 12 MR. DOBROMILSKY: Daniel Dobromilsky,  
 13 landscape architect for the Township,  
 14 D-O-B-R-O-M-I-L-S-K-Y.  
 15 CHAIRMAN O'BRIEN: Those who are watching  
 16 on YouTube, I apologize that we can't show you what  
 17 our professionals look like at this time, but the  
 18 camera's in a set position. So maybe you'll get to  
 19 see them at another hearing.  
 20 SPEAKER: Mr. Hoberman (indiscernible)  
 21 would be able to answer that question.  
 22 MR. HOBERMAN: Thank you. Dan?  
 23 MR. DOBROMILSKY: I think you should wait  
 24 and hear the testimony from the landscape architect.  
 25 But my expectation that this is a unique type of

1 development because of the zone that it's in, and the  
2 encouragement for the development in this area. But  
3 that they have amenities that may differ slightly from  
4 what you're used to, and you should hear the  
5 testimony, and then we can talk about how it fulfills  
6 the needs of the community.

7 MR. JOHNSON: Good. So that -- so with  
8 that I'm going to advance the slide to page 31, and  
9 I'm going to spend a little bit of time to talk about  
10 the five-story, 48-unit condo building. Sheet Exhibit  
11 A-4 here are the front and side elevations for the  
12 proposed condo building. The building has been  
13 attractively designed with similar building materials  
14 for that which can be found on the two proposed  
15 multi-family apartment buildings on site.

16 The exterior building materials consist  
17 of quality building materials. The base of the  
18 building provides for a cast stone weighted base where  
19 the punched openings are at the garage level. We have  
20 two different masonry brick veneer colors being used  
21 on the upper portion of the building. There's a  
22 lighter color and a darker color to provide accent and  
23 relief.

24 The facades have been designed to be  
25 articulated horizontally and vertically to create

1 each of these units has a balcony on the front side of  
2 the building?

3 MR. JOHNSON: Correct. Most of the units  
4 do have balconies on the front, as well as the rear.  
5 When you get to the next elevation you'll  
6 see that. So that allows for outdoor space for fresh  
7 air. That's desirable more than ever, especially  
8 during these times.

9 MS. GEEVERS: Do the affordable units  
10 have balconies?

11 MR. JOHNSON: The affordable units have  
12 similar layouts. So some of the affordable units may  
13 have balconies.

14 MS. GEEVERS: May or may not? When you  
15 say "may" --

16 MR. JOHNSON: So some of the affordable  
17 units, I believe, do have balconies, yes. But I'm not  
18 sure yet -- I'm not certain at this moment whether all  
19 of the affordable units have a balcony.

20 CHAIRMAN O'BRIEN: Do some of the market  
21 rate units not have a balcony?

22 MR. JOHNSON: That's right. Some of the  
23 market rate units may not have balconies.

24 CHAIRMAN O'BRIEN: So there's no  
25 favoritism one way or another?

1 relief in the design. There's a varied cornice line  
2 creating interest at the corner elements, as well as  
3 the center element of the building. The -- the design  
4 provides for large windows at the living rooms and  
5 bedroom areas.

6 Additional building materials that can be  
7 found on this building are two different colors of  
8 vertical fiber cement siding panels for variation and  
9 accent. We're also providing for dark window sashes,  
10 which can be seen at the punched residential windows  
11 there to provide contrast with the adjacent building  
12 materials.

13 We also have black anodized aluminum  
14 railings at the various balconies that are inset at  
15 the building. And, again, you'll find that the same  
16 quality building materials here and approximate  
17 percentage of building materials can be find on all  
18 four sides of the building.

19 This building is located centrally on the  
20 site, which is really at the head of the promenade  
21 between the two different -- two different Avalon Bay  
22 multi-family apartment buildings. And, again, there  
23 are 48 units. Forty-one of those are market rate  
24 units, and seven of those are affordable units.

25 CHAIRMAN O'BRIEN: So it appears that

1 MR. JOHNSON: No. This is a truly  
2 inclusionary design. So there are seven affordable  
3 units. It's an inclusionary design. They're spread  
4 throughout the building. Walking around this building  
5 from the exterior you would not be able to tell where  
6 the affordable units are or the market rate units are.

7 Internal to the building, again, they  
8 have the same front door entry at the main entrance of  
9 the building. Same access to parking. You know, the  
10 entrance to the units themselves, again, the same  
11 entry. So internal or external to the building you  
12 wouldn't be able to tell where they are. So it's a  
13 smart design.

14 MS. GEEVERS: And the size of the  
15 affordable units is in compliance with our ordinance?

16 MR. JOHNSON: That's correct. So the  
17 size of the units -- the minimum size requirements per  
18 unit type are in compliance with the township  
19 ordinance.

20 MR. BAIG: Are they for rent or for sale  
21 or the same?

22 MR. JOHNSON: The affordable units, I  
23 believe, are for sale in the condo building.

24 MS. GEEVERS: They're all for sale?

25 MR. JOHNSON: Right. So this is a for

1 sale. It's not a rental apartment building. It's for  
2 sale. Naturally they would have to comply with UHAC  
3 standards, as well as township standards, in regards  
4 to the pricing associated with them.

5 MS. GEEVERS: Is there any special  
6 amenities in the building?

7 MR. JOHNSON: No, there are no special  
8 amenities overall within -- within this building.  
9 It's a 48-unit building. Typically buildings of that  
10 size we don't see large club rooms and fitness centers  
11 that would drive up homeowners' association fees or  
12 condo association fees.

13 Again, you know, there are great  
14 amenities. There's fitness centers within the  
15 township and the surrounding area, so that's typical  
16 of a condo building of this size.

17 So with that then I'll advance the slide  
18 to sheet 32, which is Exhibit A-5. This depicts the  
19 rear building elevation, as well as the additional  
20 side elevation.

21 So, again, here you can see the same  
22 building materials wrapping around all four sides of  
23 the building. The cast stone material providing  
24 weighted base to the building. The two different  
25 masonry brick veneer colors and textures, the vertical

1 So compliant with the new state ordinance standards,  
2 15 percent of the structured parking spaces internal  
3 to the building will be what are called make ready  
4 electrical vehicle charging stations.

5 BY MR. HOFF:

6 Q If I could, Mr. Johnson, just to be  
7 clear, the new model statute is not applicable to this  
8 project. This application had been previously deemed  
9 complete prior to the enactment of the statute.

10 So while, as Mr. Lange testified, there  
11 is, you know, ample EV charging stations throughout  
12 the project, I believe the number was 86, at various  
13 locations throughout the project, we are not bound by  
14 the requirements of that state statute.

15 CHAIRMAN O'BRIEN: But, nevertheless,  
16 let's hear what are you providing.

17 MR. JOHNSON: So with that said --

18 MS. GEEVERS: So electric cars --

19 MR. JOHNSON: So with that said, my  
20 client, Pulte Homes, and it was testified to by our  
21 civil engineer, we will provide that as an option. So  
22 if you are buying a unit within the building, you will  
23 have an option for an electrical vehicle charging  
24 space internal to the condo building.

25 Similarly, the townhouses will have an

1 fiber cement panels, and the same varying roof line  
2 and cornice line.

3 The overall building height for this  
4 building is approximately 63 feet, four inches, which,  
5 again, complies with the maximum building height  
6 permitted by the ordinance.

7 So with that, if there are no further  
8 questions related to the condo building, I would like  
9 to advance to the discussion regarding the proposed  
10 townhouse product.

11 CHAIRMAN O'BRIEN: I do have one more  
12 question.

13 MR. JOHNSON: Sure.

14 CHAIRMAN O'BRIEN: Again, with regard to  
15 Exhibit A-1 that was provided to the board earlier,  
16 when I asked the question about whether there was  
17 sufficient electric vehicle charging stations to  
18 satisfy the model ordinance that is being proposed by  
19 the State, I was asked to talk with the individual  
20 developer.

21 MR. JOHNSON: Sure.

22 CHAIRMAN O'BRIEN: So the parking areas  
23 that's shown, what is the situation for electric  
24 vehicle charging stations?

25 MR. JOHNSON: That's a great question.

1 option for an electric hookup.

2 And the infrastructure will be sized  
3 accordingly so that in time, as technology advances,  
4 more tenant demand arises, that the service size --  
5 the capacity of the transformers and the service sizes  
6 can accommodate that.

7 MS. GEEVERS: And then each unit gets one  
8 space, including the affordable units?

9 MR. JOHNSON: Correct. So each unit gets  
10 at least one space internal to the building. The  
11 affordable units I do believe park exterior of the  
12 building. I believe there's service spaces. But the  
13 spaces internal to the building are market rate  
14 spaces.

15 MS. GEEVERS: There's no design that you  
16 can get the affordable units to be underneath?

17 MR. JOHNSON: I believe they have the  
18 option to procure a space internal to the building.

19 MS. GEEVERS: Affordable housing units?

20 MR. JOHNSON: Right. So the spaces are  
21 structured differently price wise, the covered spaces  
22 versus the uncovered spaces. But they are guaranteed  
23 a parking space on the site adjacent to the building.

24 MS. GEEVERS: Outside?

25 MR. JOHNSON: That's correct.



1 CHAIRMAN O'BRIEN: And the electric  
2 vehicle charging capability is an extra cost to the  
3 residential owner?

4 MR. JOHNSON: It would be, correct. And,  
5 again, it would be metered usage. So, you know, if  
6 you had a hybrid vehicle that your vehicle you charged  
7 overnight versus someone charges for five minutes, it  
8 would track that. You would have an account. It  
9 would be able to monitor the electric usage of the  
10 car.

11 MS. GEEVERS: Those outside affordable  
12 unit parking spaces, are they designated by a sign?  
13 You know, like, being reserved and they -- do they own  
14 them through deed or --

15 MR. JOHNSON: They would. They would.  
16 So, again, they would be designated. So the  
17 designated spaces, they would be numbered, and they  
18 would be assigned to each respective unit.

19 MR. BAIG: (Indiscernible) charging, but  
20 they're outside. So they cannot have (indiscernible)  
21 charging for (indiscernible).

22 MR. JOHNSON: Well, I believe that there  
23 will be EV charging in the site. So I think there  
24 will be the capability for EV charging for some of the  
25 service spaces, based on demand.

1 in regards to actually how that works. But, again,  
2 it's a third-party company. It's monitored. There  
3 are ways to control that.

4 MR. MARATHE: Yeah. I mean, ChargePoint  
5 I can go and charge anywhere. I mean, I just pay my  
6 credit card.

7 MR. JOHNSON: Sure.

8 MR. HOFF: And just remember, this is all  
9 something that the operator, Pulte, is going to have  
10 to work out as part of setting up the condo regime to  
11 avoid just that very issue.

12 MR. MARATHE: That's better than having  
13 -- because anybody can go and charge there.

14 MR. HOFF: No. Exactly.

15 MR. MARATHE: That's like having 40  
16 charging stations for the township.

17 MR. HOFF: We're not going to have a  
18 situation where people can pull up into private  
19 residents' parking spaces, charge their cars, and just  
20 leave. So we will work out the logistics of the  
21 electric vehicle charging station.

22 MS. GEEVERS: Are their guest parking  
23 spaces underground in the condo buildings covered?

24 MR. JOHNSON: I'm not sure of that. What  
25 do you mean by --

1 CHAIRMAN O'BRIEN: Since it's metered  
2 use, doesn't matter who's using it. They'll be paying  
3 for it anyway. Nobody's going to get something for  
4 free.

5 MR. JOHNSON: Correct. So --

6 CHAIRMAN O'BRIEN: Someone else is paying  
7 for it.

8 MR. JOHNSON: Correct. So there's  
9 third-party companies like ChargePoint is one of the  
10 major providers in this market. And then I expect  
11 that the condo EV will be put in place that, again,  
12 additional EV charging spaces could be added. But I  
13 do expect that that technology will be offered to  
14 members -- to tenants of this building and of this  
15 community to provide for EV charging.

16 Typically how that works, you could  
17 reserve a time slot ahead of time. And, again, you  
18 have an account, like an EZPASS account, and it tracks  
19 your usage of electric charging.

20 MR. MARATHE: So, I mean, if you're going  
21 to charge for charging, what's preventing me from  
22 charging? Anybody can charge there. Doesn't have to  
23 live in that building.

24 MR. JOHNSON: So I'm going to -- you  
25 know, this is getting outside of my area of expertise

1 MS. GEEVERS: Are there guest parking  
2 spaces?

3 MR. JOHNSON: Are there visitor parking  
4 spaces?

5 MS. GEEVERS: Yeah.

6 MR. JOHNSON: So typically visitors'  
7 parking spaces would be service spaces exterior of the  
8 building for security and control. Those spaces under  
9 the building would be assigned to the residents of the  
10 building.

11 Okay. So then moving along, next I would  
12 like to speak about the proposed townhouse product.  
13 So as previously noted, there are two different  
14 townhouse products being proposed on site. We have --  
15 let's go back.

16 So there are 150 townhouses being  
17 proposed. There are two different townhouse types.  
18 The first in which I'm going to speak to here is the  
19 traditional attached townhomes. We have 10 of those  
20 buildings on site.

21 The second that I'll speak to are the  
22 stacked townhome buildings, and there are five of  
23 those on site. So what I have on screen here is  
24 Exhibit 33 or page 33, which is called out as sheet  
25 A-7. These are the exterior elevations for the

1 traditional townhomes. So, again, these are  
2 straight-up townhomes, ground to sky. They're three  
3 stories. They typically have two-car garages and  
4 two-car driveways behind them. The exterior  
5 elevations have been designed to provide for a  
6 contemporary feel and look to blend in with the  
7 architectural style and characteristic of the overall  
8 community that's being proposed as part of this  
9 application.

10 The exterior building materials, again,  
11 are quality building materials. So comparable to that  
12 of the two Avalon Bay multi-family apartment buildings  
13 and the five-story condo building that I just provided  
14 testimony to.

15 The buildings are generally masonry brick  
16 veneer buildings that provide for cast stone  
17 detailing. Some of the cast stone detailing we can  
18 see are the wainscot detail at the ground floor of the  
19 building, as well as cast stone head details on that  
20 facade.

21 Comparable to the condo building, we are  
22 providing two different vertical fiber cement siding  
23 panels for accent and relief on this facade. They can  
24 be found on the projected box bay elements on the  
25 first two floors and the upper floor of the building

1 **attractive entry to each respective unit.**

2 **The same building materials again can be**  
3 **generally found on the front and side elevations. If**  
4 **we can zoom out now and go to the bottom elevation,**  
5 **we'll see a typical side elevation where we carry that**  
6 **masonry brick veneer on the first floor, and we**  
7 **transition to some horizontal siding to change the**  
8 **texture of the building.**

9 **You can see the board and batten detail**  
10 **at the upper gable on the ends of the buildings.**

11 **And if we advance to the next slide here,**  
12 **we have the -- so if you go back one, please.**

13 Q This one?

14 **A Yes, please. Yes. Thank you. So the**  
15 **top image.**

16 Q Page 34.

17 **A Oh. So page 34, Exhibit A-8, this is the**  
18 **typical rear and the other side elevation for the**  
19 **traditional townhouse unit. So here we can see the**  
20 **two-car garage doors that each unit has. The primary**  
21 **living floor, which is where the living, dining,**  
22 **kitchen space. And the family room space and the**  
23 **(indiscernible) space is on the second floor. We have**  
24 **a walkout balcony there, or a walkout deck off of each**  
25 **unit. And then the bedrooms are located on the second**

1 with the lighter color to create a base in the middle  
2 leading to that townhouse.

3 The townhouses have been designed with a  
4 varying ridge line. You can also see some of the  
5 turned gable detailing at the roof line to provide  
6 variety and interest.

7 Nested within those gables we have a  
8 fiber cement board and batten detail or look, which  
9 provides for attractive relief.

10 MR. SURTEES: Can you enlarge, by chance?  
11 Zoom in?

12 MS. GEEVERS: He's asking if you can make  
13 those larger, the pictures, for the screen.

14 MR. JOHNSON: So we'll zoom in. If you  
15 go back one slide, I think we accidentally advanced.

16 BY MR. HOFF:

17 Q This page?

18 **A This page. So if you zoom in on the top**  
19 **image of that page that's the primary front elevation**  
20 **of a typical traditional townhouse unit. The ground**  
21 **floor entries, the entrance doors, are full glass**  
22 **entry doors, which provide for a contemporary look to**  
23 **each unit.**

24 **We have a standing seam-covered roof**  
25 **detail over those entries, which provides for an**

1 **floor.**

2 **If you pan down to the bottom image,**  
3 **please, if you pan down to the bottom image, then we**  
4 **see the typical side elevation. So, again, comparable**  
5 **to the other side elevation that we previously noted.**

6 **CHAIRMAN O'BRIEN: Is that a door at the**  
7 **bottom?**

8 MR. JOHNSON: That is. So that's a door  
9 to a mechanical closet off the side of the building.

10 CHAIRMAN O'BRIEN: So that would just be  
11 for the owners?

12 MR. JOHNSON: For maintenance access.  
13 Mechanical access for the building.

14 So with that then, we can zoom out and  
15 advance to the next slide, I'm going to spend a little  
16 bit of time to talk about the stacked townhouse  
17 products, which is a three-story -- three-story  
18 townhouse product. And I think we accidentally  
19 advanced the slide again. Go back one page. We zoom  
20 in on the top image.

21 BY MR. HOFF:

22 Q This is page 35?

23 **A This is page 35, and we're going to look**  
24 **at the typical front elevation for the stacked**  
25 **townhouse product, which is a -- which is an**

1 interlocking floor plan unit. Each unit has one car  
2 internal garage. And the units are designed with  
3 interlocking three stories within the building. It's  
4 a very successful product which Pulte Homes has built  
5 many, many times and our office has designed.

6 The ground floor here. So this is the  
7 primary front elevation. The exterior building  
8 materials are comparable to that of the three-story  
9 traditional townhouse. Again, we have the full glass  
10 panel there for the primary front entrances.

11 And the way that these units interlock,  
12 they're really two interlocking L-shaped, if you look  
13 at them sectionally. But we have two front doors. So  
14 each unit -- and you can see we're providing a  
15 dimension there where they range in width between 22  
16 and 26 feet wide. They're typically two units per --  
17 per interlocking unit.

18 And one of the ground floors or the entry  
19 door on the left of a typical unit provides access to  
20 the ground floor living area for the first unit, which  
21 has space on the first and second floor. So the  
22 ground floor area behind the parking garage is the  
23 primary kitchen, living, dining space for that unit.  
24 And then there's an internal stair that provides  
25 access to the second floor for two bedrooms facing

1 If we can just slide to the bottom image  
2 on this page quickly. So -- again, so this is our  
3 typical side elevation. So carrying those same  
4 building materials, the masonry brick veneer being  
5 found on the base of the building, the horizontal  
6 siding and vertical fiber cement panel being used as  
7 accent.

8 If you could advance to the next slide,  
9 so lastly sheet 38.

10 Q Thirty-seven?

11 A Well, if you advance one more, I believe  
12 we were just on 37. So page 38, which is sheet A-15  
13 of the architectural site plan submission set, we have  
14 a typical rear building elevation. So here you're  
15 seeing the individual garages for the market rate  
16 units. You're seeing the -- on the second floor  
17 you're seeing the primary living space for the unit  
18 that's located on the second and third floor of the  
19 building, and then the bedroom windows for that  
20 respective unit.

21 Again, we're carrying that brick along  
22 the base of the building, and then transitioning to a  
23 horizontal siding for the second and third floor. And  
24 you can see the contemporary anodized aluminum for  
25 those balcony or terrace areas off of the primary

1 forward.

2 Then for each respective townhouse  
3 grouping there's a second primary front entrance door  
4 that provides for stairs straight to the second floor,  
5 which is on the backside of the unit, which is the  
6 second unit's living area which provides for the  
7 kitchen, living, dining space. And then, similarly,  
8 there's an internal stair then from the second floor  
9 to the third floor where that unit has access to the  
10 entirety of that third floor for the primary bedrooms  
11 of that unit.

12 So, again, this is a very successful  
13 product that has been designed and approved and built  
14 all across the state and the nation.

15 The exterior building materials being  
16 proposed, again, are very comparable to the  
17 traditional townhouse quality building materials  
18 providing for a reddish masonry brick veneer at the  
19 base of the building, two different fiber cement  
20 siding panels providing accent and relief, some  
21 horizontal siding being shown here on the projecting  
22 elements, again, at varying ridge line, projecting  
23 shed dormers here on the projected elements, and then  
24 the nested board and batten look being shown on the  
25 turned gable detailing.

1 living spaces.

2 And, lastly, if we slide to the bottom  
3 image, the other side elevation, which is very  
4 comparable to the other side elevation we saw.

5 So with that, that concludes my  
6 architectural testimony in regards to the proposed  
7 48-unit condo building, as well as the two different  
8 townhouse products that's being proposed as part of  
9 this application.

10 CHAIRMAN O'BRIEN: On the overall layout  
11 plan, which was page four of 33 of the total overview,  
12 the townhouse buildings are numbered. Is there any  
13 significance to the sequence of numbering?

14 MR. JOHNSON: No. My understanding those  
15 are just -- those are numbered for the purposes of the  
16 site plan submission. Ultimately they will be  
17 renumbered to comply with the U.S. Postal Service, as  
18 well as township ordinance. And certainly meeting  
19 with, you know, emergency first responders and how  
20 they would like the buildings to be numbered on the  
21 site prior to building code -- or prior to submitting  
22 building permit.

23 CHAIRMAN O'BRIEN: And can you discuss  
24 provision for bicycle storage or parking?

25 MR. JOHNSON: Sure. So the townhouse

1 units -- the condo building will have the opportunity  
 2 for bicycle storage internal to that building for  
 3 residents of the condo building.  
 4 The townhome units, again, each of the  
 5 units typically have a parking garage, so there would  
 6 be capability for a wall-mounted bicycle storage  
 7 internal to the for sale townhouse units.  
 8 CHAIRMAN O'BRIEN: So an occupant of an  
 9 upper unit of a stacked townhouse would still have  
 10 such opportunity in the garage area?  
 11 MR. JOHNSON: Correct. They would have  
 12 one car -- they would have an internal one-car garage.  
 13 They would have the capability for a wall-mounted  
 14 bicycle. I do the same in my house. I have two  
 15 bicycles on the wall, and need to hang my children's  
 16 bicycles up too.  
 17 But each of those units would have that  
 18 capability.  
 19 CHAIRMAN O'BRIEN: Thank you.  
 20 MR. PANKOVE: How many affordable housing  
 21 units --  
 22 CHAIRMAN O'BRIEN: Excuse me, gents.  
 23 Anis, you, and then we'll hear Simon.  
 24 MR. BAIG: The construction  
 25 (indiscernible) all at once, or you've phased out

1 development. Is that okay?  
 2 Simon?  
 3 MR. PANKOVE: I'm curious: How many  
 4 affordable housing units are in the stacked and  
 5 traditional?  
 6 MR. JOHNSON: So the affordable housing  
 7 units are not in the stacked traditional townhouse  
 8 buildings. They are in -- I'm sorry. They're not the  
 9 traditional townhouse product. They are in the  
 10 stacked townhouse buildings. And they're located on  
 11 the ends of some of the building spread throughout the  
 12 site. So, again, they're in a -- they're in an  
 13 attached unit associated with the stacked townhouse  
 14 product.  
 15 MR. PANKOVE: Do they have a one-car  
 16 garage or do they just have surface parking?  
 17 MR. JOHNSON: They do not. They have  
 18 surface parking that is conveniently located adjacent  
 19 to the front doors of those units.  
 20 MR. PANKOVE: So on page 38 on the far  
 21 right, would that be an affordable unit?  
 22 MR. JOHNSON: Correct. So on the far  
 23 right of the drawing number one on page 38, this is a  
 24 typical rear elevation of a stacked townhouse  
 25 building. The far right unit there is a grouping of

1 certain areas?  
 2 MR. JOHNSON: Yeah. That's a great  
 3 question. So specifically I'm providing testimony as  
 4 it relates to the townhouses. They would naturally be  
 5 sequenced, so typically they would be built, you know,  
 6 in thirds. But I would expect that there would be a  
 7 phase-in plan as part of the building permit for the  
 8 township. And that would be -- that would be  
 9 preferred to review prior to the building permit in  
 10 regards to how they actually file these. But each  
 11 respective building will have a separate building  
 12 permit with its filing and review with the  
 13 construction sub code official. But they would be  
 14 phased, naturally.  
 15 MR. BAIG: The problem is we were done  
 16 first or done asking this question. I mean, what is  
 17 the general phase-in do you have? I mean, really  
 18 different. The general phase-in that you do the  
 19 promenade would be done first or --  
 20 CHAIRMAN O'BRIEN: I don't think this  
 21 witness can answer an overall general phase-in  
 22 question. Maybe we could get back to Mr. Lange to  
 23 talk about that. Or somebody ought to comment to  
 24 satisfy your question. But I wouldn't put it on this  
 25 witness, who represents one part of the residential

1 three affordable units.  
 2 MR. PANKOVE: So there's three affordable  
 3 units in that end?  
 4 MR. JOHNSON: Correct. It's a stacked  
 5 flat design.  
 6 MR. PANKOVE: Okay. All right. And how  
 7 many buildings are there that are stacked again?  
 8 MR. JOHNSON: There are -- I believe  
 9 there are five.  
 10 MR. PANKOVE: Five stacked buildings?  
 11 MR. HOFF: Yes, five.  
 12 MR. JOHNSON: That's correct. There's  
 13 five stacked apartment buildings.  
 14 MR. PANKOVE: And each of them has one  
 15 unit at the end that is affordable?  
 16 MR. JOHNSON: Typically, yes.  
 17 MR. PANKOVE: And each of those are  
 18 three, so you're saying, basically, there would be 15  
 19 affordable --  
 20 MR. JOHNSON: Correct.  
 21 MR. PANKOVE: -- townhouses?  
 22 MR. JOHNSON: Correct.  
 23 CHAIRMAN O'BRIEN: That's what Mr. Lange  
 24 testified to also, Simon.  
 25 MR. PANKOVE: Okay. I'm just trying to

1 -- I'm trying to visualize it with -- with the  
2 picture, that's all. Thank you.

3 MS. GEEVERS: In terms of fire  
4 prevention, are you building the fire sprinkler system  
5 to a full NFPA-13 system? You're upgrading it, right?

6 MR. JOHNSON: So my understanding is that  
7 the -- that the five-story condo building will be  
8 equipped throughout with an NFPA-13 sprinkler system,  
9 yes.

10 The townhouses are a different product.  
11 They are technically under the IRC, the International  
12 Residential Code, not under the IBC. And the  
13 traditional townhouses do not require fire suppression  
14 by building code.

15 MS. GEEVERS: In any room?

16 MR. JOHNSON: No. There's, effectively,  
17 a fire barrier between each unit. The stacked -- the  
18 interlocking townhouse units will provide for a  
19 sprinkler system, but the traditional attached  
20 townhouse units will not have a sprinkler system.

21 MS. GEEVERS: And why is that?

22 MR. JOHNSON: The building code doesn't  
23 require it. So we have one unit floor to ground, and  
24 you, effectively, have a one-hour exterior fire wall  
25 on each side of the unit which creates a fire barrier

1 the record, provide us some of your background?

2 **A Yes. My name is Jim Culpepper. I**  
3 **graduated with a Bachelor of Architecture from Georgia**  
4 **Tech in 1978, and I got registered in Georgia in 1981.**  
5 **I started my practice in 1987. Focused on the**  
6 **hospitality industry. And we created -- we worked**  
7 **with all the major brands. Hyatt was our main client**  
8 **for years. But Hyatt, Westin, Omni, Marriott, Hilton.**  
9 **We've done different brands of hotels.**

10 **Through that time we also (indiscernible)**  
11 **hospitality association worked with a lot of senior**  
12 **living (indiscernible) and operators. We were --**  
13 **worked with (indiscernible) residents. We worked with**  
14 **Brookdale, with Atria, obviously. We worked with -- I**  
15 **have a list here that I can read from. Horizon Day,**  
16 **(indiscernible) senior housing. Some of the major**  
17 **brands we were working with. They are all upscale**  
18 **senior living facilities.**

19 MR. MULLER: Mr. Culpepper, if you could  
20 get closer to the mike.

21 MR. CULPEPPER: Thank you. I will do  
22 that.

23 So we've also worked in New Jersey on  
24 numerous occasions. The most prominent project we've  
25 done is the healthcare center at Monument Square in

1 that's typical in traditional attached townhouses that  
2 are built across the state. It complies with the  
3 International Residential Code that governs the NFPA  
4 requirements.

5 MR. HOFF: Thank you, Mr. Johnson.

6 Mr. Chairman, that's all I have for Mr.  
7 Johnson.

8 CHAIRMAN O'BRIEN: Thank you, Mr.  
9 Johnson.

10 MR. HOFF: Next we have Mr. Culpepper  
11 will be presenting testimony on the Atria  
12 architecture.

13 CHAIRMAN O'BRIEN: Rick, how long do you  
14 expect his testimony to take?

15 MR. HOFF: Mr. Culpepper could be very  
16 quick from affirmative testimony. I mean, I can't  
17 control, obviously, the questions.

18 MR. CULPEPPER: If I can figure out how  
19 to use the controls. So, Jeromie, you said there's a  
20 feature button? You just push the top of that hard?

21 BY MR. HOFF:

22 Q While Jeromie comes up to give you a  
23 tutorial on that button --

24 **A Free weights to get them out.**

25 Q -- why don't you just, for purposes of

1 New Brunswick. It's a multi-use facility. You may be  
2 familiar with that. But that was in 2007.

3 So in terms of relationship with Atria,  
4 we were in the -- we worked on the first redevelopment  
5 project with them in 2008, and we've had a constant  
6 relationship with them since that time.

7 BY MR. HOFF:

8 Q And you can --

9 CHAIRMAN O'BRIEN: You're licensed?

10 MR. CULPEPPER: I am not. I've applied  
11 for licensure here. I've got reciprocity. Just  
12 waiting on the Board to meet. But Bill Cox is -- my  
13 partner is a registered architect in New Jersey, so  
14 he's acting as architect of record, and I'm acting as  
15 project lead.

16 MR. HOFF: So, Mr. Chairman, just so I'm  
17 clear, Mr. Culpepper has been -- the way it works at  
18 their firm, and I'm not going to speak for him, but  
19 he's been the lead on this project, so he knows the  
20 details of all the architecture we're going to talk  
21 about here.

22 To the extent that there's a Jersey  
23 specific question, Mr. Cox is registered in the State  
24 of New Jersey. We don't anticipate it, and  
25 anticipate, by the time we're sealing -- or signing

1 and sealing drawings, Mr. Culpepper will, likewise, be  
2 registered in the State of New Jersey, given the  
3 process takes some time.

4 But we're confident that questions the  
5 Board are going to have are better directed to Mr.  
6 Culpepper. But Mr. Cox is available to the extent  
7 that there are any Jersey-specific architectural  
8 questions.

9 CHAIRMAN O'BRIEN: And Mr. Cox has been  
10 sworn?

11 MR. HOFF: He has been.

12 CHAIRMAN O'BRIEN: Does anybody object to  
13 our considering this witness an expert? So be it.

14 MR. HOFF: Thank you, Mr. Chairman.

15 MR. CULPEPPER: Thank you.

16 BY MR. HOFF:

17 Q Mr. Culpepper, we're going to go the same  
18 way. We're going to --

19 **A So we're on slide 40.**

20 **CHAIRMAN O'BRIEN: So, Jim, position**  
21 **yourself with the mike so you can look at the screen**  
22 **but be heard. Well, in the mike. You don't have to**  
23 **look at any one of us in particular.**

24 MR. CULPEPPER: Okay. Thank you.

25 CHAIRMAN O'BRIEN: We won't be offended.

1 MR. CULPEPPER: Okay. Thank you much.  
2 Much appreciated.

3 So this is slide 40. The Atria building  
4 is up in the upper left corner of this slide. It's in  
5 yellow. It's number four. It is -- the givens we had  
6 at the site is it's a liner building for the West  
7 parking garage. So it continues. It conceals the  
8 garage from Road B and from Road A. So that was  
9 really the given we had when we started the project.

10 As we began to look at the project we  
11 also, obviously, have to deal with access to the site.  
12 It's very important for friends and family to come and  
13 have easy access to the building. So we presumed that  
14 most of the traffic would come down Washington Road,  
15 Road A, turn on Road B.

16 So we have a motor -- a covered motor  
17 area here at the front lobby area. And then there's  
18 also an entrance to the West garage underneath our  
19 building. So you'll see some of the elevations.

20 So to get to the West garage, you go  
21 under the building. And as we mentioned -- as was  
22 previously discussed, this is actually a private  
23 garage shared with Atria and Avalon Bay residents.

24 From an architectural standpoint, we've  
25 developed a series of goals. One is to continue the

1 street wall as the promenade idea where this becomes a  
2 quasi urban feel to it. So we've got a street. We  
3 focused on the street wall here as a backdrop for the  
4 residential areas.

5 Pulte's building developing, you'll see  
6 how we've articulated that as we've developed and  
7 designed.

8 The second idea we had was to focus on  
9 the corner of the building, again, picking up some of  
10 the ideas that you see -- will see when we get to the  
11 testimony for the Avalon Bay where the corner elements  
12 or feature elements on their project.

13 And then the third idea we've had is if  
14 there's a nature preserve up in this area, and we  
15 wanted to pull the building back to begin to echo some  
16 of the residential scale of Road A, we've pulled the  
17 building back off the street so that this begins to  
18 feel a little bit more like a residential element.

19 And there we pick up exterior terrace so  
20 that you get some animation to the street. But we  
21 also get public areas within the senior living  
22 building to focus on the nature preserve.

23 BY MR. HOFF:

24 Q Mr. Culpepper, why don't you advance to  
25 the next slide, because I think that point really

1 gets picked up with page 41 there. All right. You're  
2 done.

3 **A This was really very -- thank you. Thank**  
4 **you.**

5 Q In fact, back to 41. Want Jeromie to  
6 take over?

7 **A Yeah. You might need to do that, because**  
8 **I hit the button, it goes the wrong way. Thank you.**

9 **So this is a site plan of the building.**  
10 **So you can see -- again, you can see how the motor**  
11 **lobby works. It's a covered motor lobby. Again,**  
12 **there's a drive under to the parking garage.**

13 **This is our nonresidential space here,**  
14 **and we've actually created and set this back to break**  
15 **up the facade so that there's actually a terrace area**  
16 **and trees. And, again, the landscape architect will**  
17 **get into that in more detail. But the idea was to**  
18 **keep this public -- this pedestrian walkway animated**  
19 **and interesting and support the nonresidential space**  
20 **we've got.**

21 **Again, within the building all the public**  
22 **areas of the senior living building abut -- the main**  
23 **active public areas abut the terrace, which is in this**  
24 **area overlooking Road A and overlooking the nature**  
25 **preserve. And then there's a private garden in the**

1 **back where the library and the theater open to, and**  
 2 **it's actually -- and the fitness is back there. So**  
 3 **it's got some outdoor green space, but a much quieter**  
 4 **green space.**  
 5 **We envision the terrace on Road A as**  
 6 **being very active and very busy. And, again, it**  
 7 **becomes the center point of the common areas' outdoor**  
 8 **events.**  
 9 **So that's really the overall planning of**  
 10 **the building.**  
 11 **If you can advance the slide.**  
 12 Q This is slide 42.  
 13 **A Thank you. So this is slide 41?**  
 14 Q No; 42.  
 15 **A Forty-two. Sorry. I need to get my**  
 16 **glasses fixed.**  
 17 **So, again, couple of elements we talked**  
 18 **about. One thing I do want to say is we are very**  
 19 **impressed working with Sam Surtees and his team. I**  
 20 **want to compliment him on his -- he and his**  
 21 **consultants' efforts. The staff consultants' efforts.**  
 22 **We got very good input, very detailed and very**  
 23 **organized and very clear and concise, and we greatly**  
 24 **appreciate that over the commentary on my work.**  
 25 **CHAIRMAN O'BRIEN: He's had years of**

1 entry.  
 2 So in the bottom drawing is a dead  
 3 elevation of Road B. And you can see the corner  
 4 element here. You can see this kind of captured  
 5 element. That has a flanking towers on either end.  
 6 There's the front entry of the main motor lobby, the  
 7 lower level of the noncommercial space --  
 8 nonresidential space with residential above, and then  
 9 the entry to the garage in this area.  
 10 One of the goals we had was to -- even  
 11 though we're continuing the street wall, was to break  
 12 up the building. But you can really see in this  
 13 elevation where it's got a lot of ins and outs. It's  
 14 got a lot of roof elevation changes. It's got a lot  
 15 of material changes.  
 16 So the materials are two-color brick:  
 17 Buff -- buff brick here and gray brick. The base is  
 18 all cast stone to the water table. There's metal  
 19 panels on these flag elements that are on either end,  
 20 and then there's also the white elements are cement  
 21 fiber board details. And then there's a cap that's  
 22 stucco, and then the windows are dark windows with  
 23 dark rails. Again, windows are very gracious.  
 24 We have a variety of balconies. Not  
 25 every unit has a balcony. So the main -- this main

1 **practice.**  
 2 MR. CULPEPPER: I'm sorry?  
 3 CHAIRMAN O'BRIEN: He's had years of  
 4 practice. Thank you for your compliments.  
 5 MR. CULPEPPER: I was personally  
 6 impressed, so I thought I should mention that.  
 7 CHAIRMAN O'BRIEN: Thank you.  
 8 MR. CULPEPPER: One of the things we've  
 9 done is we've actually elected to use the drawings we  
 10 did for the submittal that shows the level of detail  
 11 and attention to detail we put in it so that we would  
 12 make sure we conformed to the design criteria, which  
 13 are quite extensive. But we think we've achieved  
 14 that.  
 15 So what you have at the top drawing is a  
 16 rendering or a 3-D perspective from the corner of Road  
 17 A and Road B looking at our corner iconic feature  
 18 element. The idea there is it's where the Atria  
 19 graphics would be. It will be what the residents and  
 20 guests first see coming to the building.  
 21 Then immediately behind that is a facade  
 22 element that is -- kind of catches the motor lobby.  
 23 And then there's a recess, as I mentioned, at the  
 24 nonresidential -- nonresidential space. And then the  
 25 back element step out again and celebrates the garage

1 facade has balconies where the corner elements are  
 2 from the two bedrooms. Two bedrooms are in the corner  
 3 here and here on the end.  
 4 And then on the courtyard side on the  
 5 back, we call it the west wing, which is a nice term.  
 6 The west wing has balconies on, fortunately, every  
 7 unit.  
 8 Q And that's slide 43?  
 9 **A That's correct, slide 43.**  
 10 **Any questions about this? I'm going to**  
 11 **jump to the next one.**  
 12 **So this is a courtyard side again. This**  
 13 **is the -- again, the iconic corner elements. So we're**  
 14 **turning the corner. Now we're on Road A. This is the**  
 15 **perspective looking out toward the nature preserve.**  
 16 **This is what you're looking at. So there's all these**  
 17 **green spaces and common areas are right here with the**  
 18 **terrace, and then the tower itself is set back. Part**  
 19 **of that was to allow natural light into the terrace.**  
 20 **South is behind that, and this is the**  
 21 **north side of the building. So we get daylight into**  
 22 **the terrace most of the time.**  
 23 **And then the second floor of this**  
 24 **expanded ground floor is where we have our memory care**  
 25 **secured garden and some public space for the AL**

1 residents.  
2 **And then in this elevation you can see**  
3 **the common area that's here in the glass area. The**  
4 **blue is all glass. It's an outdoor fireplace. Very**  
5 **animated to us. The landscape architect will look**  
6 **into it.**

7 **And then this back facade is articulated**  
8 **with a series of balconies. It's focused directly on**  
9 **the nature preserve on this side. And on the back**  
10 **side looking out on the retention basin toward the**  
11 **green areas on the other side of the station.**

12 Q Next slide, 44 talks about materials.

13 **A Forty-four, just materials. So as I**  
14 **mentioned, we've got two colors of brick; a buff and**  
15 **gray. We've got a cast stone base. We've got metal**  
16 **panels that run on the flag elements of the building,**  
17 **and those kind of repeat throughout the building.**  
18 **Then we've got a series of stucco elements and fiber**  
19 **cement panels on the building.**

20 MS. GEEVERS: How many memory care units  
21 did you say?

22 MR. CULPEPPER: We have 25 memory care  
23 units. Let me clarify that. There's 25 doors. Some  
24 of these are shared, so we end up with 32 residents.  
25 And the memory care area is, you know, a secure area.

1 with sunlight, but in a secure environment.

2 MS. GEEVERS: Right. We do have Artis  
3 Senior Living in town on Alexander Road. They have  
4 very, very nice outdoor area for their residents, in  
5 case you ever needed a reference for something nearby.

6 MR. CULPEPPER: I'd have to go and look  
7 at that. I don't know if we developed that terraced  
8 landscape plan at this point. I know it's been  
9 discussed. But I'm not sure if we developed it. But  
10 it will be.

11 MS. GEEVERS: Because there's really nice  
12 walking paths for exercise.

13 MR. CULPEPPER: Yeah. There will be  
14 walking paths, seating areas. We like to do shade  
15 cover. Either be a trellis or tree elements. So  
16 there's just a variety of -- of environments that we  
17 create in the garden.

18 CHAIRMAN O'BRIEN: Jerry, did you have a  
19 question?

20 MR. MULLER: Mr. Culpepper, you said  
21 there were 25 doors and 32 -- is that beds? I didn't  
22 quite catch what you said.

23 MR. CULPEPPER: There's 25 units, meaning  
24 25 doors.

25 MR. MULLER: Right.

1 It's on the second floor.

2 MS. GEEVERS: On the second floor?

3 MR. CULPEPPER: Yes, ma'am.

4 MS. GEEVERS: Is there a nursing station  
5 on the second floor?

6 MR. CULPEPPER: Oh, yes. Oh, yes. Yes.

7 MS. GEEVERS: You have to have that.

8 MR. CULPEPPER: We have -- we have --  
9 each of the areas have their own (indiscernible) own  
10 dining, living, and, you know, nursing support areas  
11 for the memory care for sure.

12 MS. GEEVERS: How big is the outdoor area  
13 for the memory care?

14 MR. CULPEPPER: That's a good question.  
15 I'm thinking it's about 3,500 square feet. Hopefully  
16 I have it here. 2,100 square feet.

17 MS. GEEVERS: Are there going to be,  
18 like, chairs or tables, you know, something there that  
19 they can walk around?

20 MR. CULPEPPER: Absolutely. It will be  
21 animated. It will be -- usually -- what we usually  
22 try to do is shaded areas, covered areas, and open  
23 areas, walking areas, sitting areas. So it's -- the  
24 idea is actually a very rich space, and it feels very  
25 good for the residents to go outside and get exercise

1 MR. CULPEPPER: But some of those units  
2 are shared units. So there's two bedrooms and they're  
3 shared.

4 MR. MULLER: Okay. Thank you.

5 MR. CULPEPPER: And that's -- we do that  
6 virtually every single project we do that has memory  
7 care.

8 MR. MARATHE: So the people sharing are  
9 unrelated, right? It's not like husband and wife?

10 MR. CULPEPPER: I'm sorry?

11 MR. MARATHE: The people sharing are  
12 unrelated to each other? They're not like husband and  
13 wife?

14 MR. CULPEPPER: That is correct. That is  
15 correct.

16 CHAIRMAN O'BRIEN: Jim, you didn't show  
17 anything in the slides about parking. But in the  
18 plans that were submitted to us prior to the meeting I  
19 see on sheets AT-04, 05, 06, and 07, which are levels  
20 one, two, three, and four respectively, you're showing  
21 a total of 81 parking spaces. And if I count it  
22 correctly, it looks like you're providing 17 of them  
23 as electric vehicle charging stations.

24 Am I reading that correctly?

25 MR. CULPEPPER: We have -- we focused on



1 the county and the location of the electric vehicle.  
2 That I have to defer to the architect who did the  
3 garage. I don't actually know that.

4 CHAIRMAN O'BRIEN: Well, I'm taking the  
5 initials "EV" in each of the numbered spaces.

6 MR. CULPEPPER: That would be electric.  
7 So if it's there, it's there. That we discussed in  
8 some detail the location that they would be weighted  
9 toward our garage elevator. The actual -- whether  
10 they're EV or not, that I am -- that I honestly -- I  
11 just don't know. A lot of the garage design was  
12 handled by the architect that's doing the garage. So  
13 we worried about location of access.

14 CHAIRMAN O'BRIEN: Okay. Any questions  
15 for this witness?

16 MS. GEEVERS: Just a quick one.

17 So the assisted living part, if members  
18 of the assisted living units wanted to go to the  
19 promenade to see a concert or, you know, go to the  
20 retail, they'll be able to safely walk there?

21 MR. CULPEPPER: Absolutely. Part of the  
22 broad -- you know, all the nice great sidewalks and  
23 landscaping, it provides great walking environment,  
24 and we hope that happens. We would encourage that as  
25 an operator, because, really, very great protocols to

1 MR. MULLER: Do you swear or affirm that  
2 the testimony you are about to give will be the truth?

3 MR. LADELL: I do.

4 MR. MULLER: So sworn or affirmed.

5 MR. LADELL: Ronald Ladell, L-A-D-E-L-L.

6 CHAIRMAN O'BRIEN: Please wait until you  
7 get to the microphone.

8 MR. LADELL: They can hear me.

9 Ronald Ladell, L-A-D-E-L-L, senior

10 vice-president, Avalon Bay Communities, Inc.

11 Mr. Chairman, with all due respect, I  
12 didn't cause a hurricane. I don't decide whether you  
13 put on Zoom or not. If you were on Zoom we wouldn't  
14 have had to cancel that meeting during the hurricane.

15 This is a redevelopment zone, part of  
16 affordable housing settlement. We're supposed to be  
17 given consideration for special meetings and expedited  
18 meetings.

19 Originally -- I don't want to speak for  
20 Mr. Surtees -- this vote was supposed to occur last  
21 week. We disagreed for a while with your planning  
22 board attorney about whether notice was adequate for a  
23 meeting that your attorney would not let us hold last  
24 week, but we assented to that.

25 The way it's looking right now, and in

1 address how their residents, you know, lives goes.  
2 I'm sure they would encourage walking and using the  
3 promenade.

4 CHAIRMAN O'BRIEN: Anything else?

5 BY MR. HOFF:

6 Q Thank you, Mr. Culpepper.

7 **A Thank you.**

8 MR. HOFF: All right. Mr. Chairman --

9 CHAIRMAN O'BRIEN: I propose to terminate  
10 Applicant testimony at this point in time, given the  
11 hour.

12 MR. HOFF: Why? Because I know -- Mr.  
13 Chairman, if you could hear me out, you've already  
14 sort of forecasted that you're not going to be  
15 amenable to a special meeting. And last time we went  
16 till 10:30. And I've got my best guys still to go.  
17 Mr. Carman's going to tell us about all the trees and  
18 plantings.

19 CHAIRMAN O'BRIEN: We'll hear him at the  
20 next hearing.

21 MR. HOFF: I mean --

22 MR. LADELL: We need a special meeting.

23 Recognizing now I need to get up and speak again.

24 CHAIRMAN O'BRIEN: You better be sworn.

25 MR. LADELL: Fine.

1 full disclosure -- I've been a planning board  
2 attorney, member of the board of adjustment, I've been  
3 doing land use matters for 30 years. I have some  
4 experience.

5 And I want the public, so people behind  
6 me don't think I'm trying to cut them short, to have  
7 the opportunity to question the witnesses. And,  
8 respectfully, people on YouTube are not allowed to  
9 submit commentary for questions. They must come here  
10 and testify. That's under the Municipal Land Use.

11 But I want them to have that opportunity  
12 to do so. And I asked for a special meeting. It was  
13 denied through Mr. Surtees' office. I reached out to  
14 the mayor to have conversations. He deferred to the  
15 planning board, as he should, even though he's the  
16 mayor and a member of the planning board.

17 We are now waiting till October 6th, I  
18 believe, and we're not going to finish because your  
19 professionals have questions, I'm sure, and people in  
20 the audience have questions, I'm sure. And there is  
21 an objective, by the way, that needs to be heard, and  
22 we want to give that opportunity.

23 I don't think we're going to finish this  
24 application in October at the rate that we're going,  
25 and that's just not acceptable. We're not going to

1 extend our time period under the MLUL, and we're going  
 2 to force the planning board to make a decision.  
 3 This application --  
 4 MR. SURTEES: Why?  
 5 MR. LADELL: You can speak when I'm done.  
 6 This application is 100 percent  
 7 conforming with one parking stripe waiver. This  
 8 project has been redevelopment planned for over 15  
 9 years. We are the third developer in for this. We  
 10 are providing -- I'm sorry. I don't know the exact  
 11 number, but 100 something -- how many affordable units  
 12 total? 149 affordable units. Without us you don't  
 13 settle. We are unable to wait, based on my  
 14 predictions, to finish this meeting. The planning  
 15 board has 11 members, yet we could barely get a quorum  
 16 to show up at these meetings.  
 17 I am not accusing anyone who feels unsafe  
 18 because of Covid that they should do anything but feel  
 19 uncomfortable. But this planning board has decided to  
 20 operate the way they operate. I have no jurisdiction  
 21 or commentary on that.  
 22 And, very respectfully, we need a special  
 23 meeting. This planning board has a policy of ending  
 24 now at 9:42 or 10:00. Doesn't matter. When I was a  
 25 planning board attorney in my town, Livingston, we

1 MR. HOFF: Current date is October 6th,  
 2 correct.  
 3 MR. MARATHE: Yeah. Look. We are  
 4 working very hard. We have met with you as many times  
 5 as you want. Sam has worked with you very much.  
 6 The problem with the effective notice was  
 7 not our doing. We didn't do it. You disagree with  
 8 Jerry, but that's your prerogative. But I have to go  
 9 with my lawyer because he's my lawyer; he's  
 10 representing me. Otherwise this would have -- we  
 11 didn't have to repeat this meeting. I mean, we could  
 12 have been done two-thirds, right? So it's not just  
 13 the Township's fault. And these planning board  
 14 members have been working really hard. I mean, our  
 15 planning board has been meeting in person -- has met  
 16 more times than probably most townships in New Jersey.  
 17 And they know that the fifth Wednesday is free, and  
 18 they need some time with their family. And I can't  
 19 ask them to give up that time with their family.  
 20 And if there was a holdup of the  
 21 application, Gene has extended meetings well past  
 22 11:00 or 12:00. But it's not like if you stay till  
 23 1:00 we are going to finish this today. It's  
 24 unlikely. So that's why we'll go to 6th to see how it  
 25 happens. So it's not just one sided that we did

1 went to 1:00 in the morning for applications that  
 2 deserved that type of response. We started at 7:30.  
 3 Full disclosure.  
 4 You can do whatever you want. Or all of  
 5 you can do whatever you want; not just the Chair's  
 6 prerogative. But we need a special meeting. We need  
 7 to get this application done. Done meeting. The  
 8 hearing's to finish it. You can vote any way you  
 9 want. You can deny whatever you want, but we need to  
 10 get this done.  
 11 And I've had this conversation with Mr.  
 12 Surtees, I've had the conversation with Mayor Marathe,  
 13 and I'm having the conversation now with the planning  
 14 board in public. So we're not going to finish next  
 15 week, and I don't know what's going to happen after  
 16 that. And we're not able to wait.  
 17 So you can decide and respond certainly  
 18 after hearing it. But based on your response, I will  
 19 advise my attorney to not extend the time period on  
 20 the MLUL, and give this planning board much more time  
 21 to reach a decision.  
 22 Thank you.  
 23 CHAIRMAN O'BRIEN: What is the current  
 24 MLUL date?  
 25 MR. SURTEES: Tonight?

1 something. Otherwise we would be two-thirds done.  
 2 MR. HOFF: Mr. Mayor, in response to  
 3 that, respectfully, I understand we've arrived for the  
 4 first time back in August. But appreciate from our  
 5 perspective, we've been through four technical review  
 6 committees on this application. We've as an Applicant  
 7 have worked very hard to get a project before you that  
 8 is fully conforming. That didn't happen without us  
 9 taking comments from your professionals, revising,  
 10 revising again, revising again, revising again.  
 11 So when we get here, we come here with  
 12 that perspective of being through every iteration of  
 13 your ordinance, going through multiple reviews, so  
 14 that when we get here we can present to you a clean  
 15 package.  
 16 So it doesn't just start in August for  
 17 us. We've been at this for the better part of a year.  
 18 And with respect to being able to get  
 19 done on October 6th, it doesn't help if we're stopping  
 20 meetings early. I mean, we want to get through as  
 21 much as we can so that we can get this over with.  
 22 MR. MARATHE: I fully understand. And  
 23 let the record show that we worked with you too. When  
 24 Covid hit and the plans drastically changed, and  
 25 Allison -- Allison knows that. The original plan

1 looked very different. She was looking forward to  
2 drinking on the top of the restaurant. That's not  
3 going to happen. We worked with you. We understand  
4 the situation changed. We worked with you.

5 This is the application whose ordinance  
6 has been voted by far the most often in the history of  
7 West Windsor in 25 years; I can tell you that. I  
8 mean, this will change many, many, many times. And  
9 every time we worked with you to get it to a point  
10 where you were satisfied and we were satisfied.

11 So we have done everything in our power  
12 to work with you, because we -- Mayor Hsuch had this  
13 region -- started this project way back in 2007. So  
14 we have worked with you through changing situations,  
15 through whatever happen. I mean, I don't want to  
16 rehash everything that happened. But you know as well  
17 how many times this ordinance has been voted on by the  
18 township council and various councils, and they always  
19 unanimously approved it through our changes,  
20 through --

21 MR. LADELL: Mayor, that's the point.  
22 The governing body is not who I'm referring to  
23 tonight. The governing body has done an amazing job,  
24 including former members of the governing body.  
25 Everything you said is a hundred percent correct. My

1 tonight --

2 MR. MARATHE: It's not for the public.  
3 It's for the members too.

4 MR. LADELL: Well, it's both, I agree  
5 with you.

6 MR. MARATHE: It's for the members too.  
7 It's not -- I mean, it's not fair for them to look at  
8 -- I mean, even from here, that big plan I need a  
9 magnifying glass from Gene to look at these big plans  
10 right in front of me six inches from my eyes, right?  
11 I mean, how are you going to do justification on a  
12 14-inch laptop screen?

13 MR. LADELL: Mayor, I'm already saying,  
14 I'm not asking for a Zoom meeting. I'm looking  
15 forward. Tonight is September 22nd. This  
16 application, the way we're heading, will not finish in  
17 October unless we have a special meeting. I am trying  
18 to find a way to avoid that.

19 MR. MARATHE: Look. We are set October  
20 6th and October 13th in our calendar. We will go to  
21 October 6th and 13th, and then we will see. If we  
22 need, we will talk about it at that point.

23 But at this point it's not fair for me to  
24 ask the planning board members to give up a Wednesday  
25 that was known to them since the beginning of the

1 focus is on the planning board.

2 MR. MARATHE: The planning board -- it's  
3 not planning board's fault that the notice was not  
4 given properly. It's not nobody's fault.

5 MR. LADELL: But, Mayor, I don't want to  
6 look back. Because if the planning board had gone to  
7 Zoom, we wouldn't had have to cancel the meeting.

8 MR. MARATHE: That's not our policy. We  
9 have never met on Zoom.

10 MR. LADELL: I don't want to look back.  
11 I want to look forward.

12 MR. MARATHE: No. But that is our  
13 policy. We have never met on Zoom.

14 MR. LADELL: And I know that. I don't  
15 want to look backward. I'm not asking you to meet on  
16 Zoom now. I want to look forward. Right now it's  
17 September 22nd.

18 MR. MARATHE: These big exhibits do not  
19 make justice on a 14-inch screen.

20 MR. LADELL: Mayor, there's 10 people on  
21 YouTube. That's all that came tonight on YouTube,  
22 just so we understand the level of interest here.

23 I will be happy to talk to and present to  
24 any member of the public that has questions, et  
25 cetera. That's not the issue tonight. The issue

1 year. This is one of the very few months when we have  
2 five Wednesdays in a month. And you can go back and  
3 look at that calendar. This is the board that met the  
4 most. And to the credit of most of them, they have  
5 come in public in person most of the time. We have  
6 had maybe two Zoom meetings, that's it, when there was  
7 no application, just --

8 MR. LADELL: I understand.

9 MR. MARATHE: So, I mean, we will go  
10 October 6th and see how it turns out.

11 MR. LADELL: But Mr. Hoff's point is  
12 still well noted. Mr. Carman has been here twice,  
13 been here the whole night. Mr. O'Brien just walked  
14 in. We have two witnesses that are here, that I've  
15 spent 10 minutes talking. I haven't looked at my  
16 phone. We're probably close to 10:00.

17 CHAIRMAN O'BRIEN: We are.

18 MR. LADELL: I'm not surprised.

19 And I'm not going to suggest that you  
20 change your policy just for us, but Mr. Hoff is  
21 correct. We have multiple witnesses to go. There's  
22 an objector and there's the public, and there's the  
23 town professionals. Notwithstanding four TRC  
24 meetings that we've had, we're not going to finish on  
25 October 13th.

1 So rather than surprise the planning  
2 board members and, rather than surprise the public,  
3 why don't we right now pull out our respective phones  
4 and figure out how we're going to finish this  
5 application before November, before Election Day, is  
6 one reference point.

7 MR. MARATHE: Let me talk.

8 CHAIRMAN O'BRIEN: October 20th has also  
9 been designated -- is being held pending if we don't  
10 get finished on the 13th.

11 MR. LADELL: Thank you. Can I just ask  
12 one follow-up question regarding that? Would it be  
13 accurate to say that October 6th, October 13th, and  
14 October 20th there's no other applications currently  
15 on those agendas except ours?

16 CHAIRMAN O'BRIEN: Correct. And in order  
17 to recognize your, I'll call it, frustration with our  
18 not being able to meet next week, I will ask staff to  
19 defer review of any minutes and any non-crucial  
20 resolutions and memorialization so that the only thing  
21 that we're talking about is your business. And I have  
22 no problem staying past 10:00 if we're in the midst of  
23 a particular --

24 MR. LADELL: I know if we're in the  
25 middle, you would certainly let that -- as you did

1 architect, will do a redo pretty quickly. You've  
2 heard what he's going to testify.

3 Mr. Hoff indicated Mr. Carman is  
4 representing landscape architecture for the entire  
5 project. And I don't know if you're interested in the  
6 promenade and things like that. And clearly traffic,  
7 as you or your staff has pointed out, has some  
8 concerns. We're happy to get that.

9 I clearly believe that all three will be  
10 able to finish direct testimony on October 6th, just  
11 to set up the stage. Also for the public to plan  
12 ahead. So I'm sure certain questions about certain  
13 topics. So, ultimately, we can do that and then still  
14 have time after to start dealing with professionals  
15 and --

16 CHAIRMAN O'BRIEN: Our staff.

17 MR. LADELL: And your staff, and then  
18 some members of the public.

19 CHAIRMAN O'BRIEN: There are some items  
20 in our staff's reports that need to be discussed, at  
21 least from my standpoint. I went through them and  
22 marked quite a few.

23 But, again, once we're rolling we should  
24 be able to keep the same going. We've had positive  
25 inertia.

1 last time. I understand.

2 CHAIRMAN O'BRIEN: But given that we'd be  
3 starting fresh, and you can see that we're just very  
4 curious folks who have questions or comments, I would  
5 call it being conscientious, but, nevertheless, I  
6 think at this point in time it's prudent for us to  
7 conclude tonight's discussion and commit to doing the  
8 very best we can to give you a decision no later than  
9 October 20th.

10 And I'm asking my colleagues on the board  
11 to realize, we may spend some of the -- all of the  
12 next three meetings going past 10:00 to a reasonable  
13 time, but no later than 11:00.

14 MR. LADELL: Okay. Thank you for that  
15 response. I appreciate the information. As far as I  
16 know, Mr. Hoff will correct me in a second, we have  
17 three witnesses that still have to appear?

18 MR. HOFF: That's correct.

19 MR. LADELL: Traffic, Carman, O'Brien,  
20 Ken?

21 MR. HOFF: That's correct.

22 CHAIRMAN O'BRIEN: Landscaping, your  
23 apartments, and traffic.

24 MR. LADELL: Okay. So I'm hoping that  
25 October 6th, because I know Mr. O'Brien, our

1 MR. LADELL: I like that.

2 Mr. Hoff, you've extended until  
3 tonight --

4 MR. HOFF: October 6th, I believe,  
5 correct, Sam?

6 MR. SURTEES: Correct.

7 MR. LADELL: Well, I don't want to avoid  
8 a problem that if, God forbid, there's another  
9 hurricane, Ida II on the 6th, Mr. Muller's already  
10 indicated, I've had further notice, so I know we're  
11 good with regard to that for the 6th and the 13th.

12 I don't mind, Mr. Hoff, if you want to  
13 extend on the record till October 13th, because I'm  
14 convinced we will not finish on the 6th, and that way  
15 we just avoid any issues that might come up by the  
16 public not hearing it and the record not reflecting it  
17 as such.

18 MR. HOFF: I mean, we'll extend to  
19 October 13th. That's -- that's our deadline is  
20 extended. But I share your sentiment. We're unlikely  
21 to finish on the 6th. But if a miracle does occur and  
22 the application can come to a vote, we intend to  
23 conclude when we're done.

24 MR. LADELL: I'm willing to take people  
25 out to a diner late at night if we want to stay really

1 late. I'm ready to make the offer. Thank you for  
 2 your consideration, Mr. Chairman.  
 3 CHAIRMAN O'BRIEN: You're welcome.  
 4 MR. MULLER: Let me say something again  
 5 about notice. What we said earlier was we're  
 6 currently to the 6th. I said at the 6th we'll carry  
 7 it to the 13th. But let's treat tonight, the  
 8 announcement by the Chair of the 6th and the 13th, as  
 9 public notice that we will have hearings on those two  
 10 nights unless --  
 11 CHAIRMAN O'BRIEN: I'm committing that,  
 12 if we don't finish on the 13th, we'll be prepared to  
 13 entertain this application on the 20th. It will be up  
 14 to the Applicant whether it wants to grant an  
 15 extension.  
 16 MR. MULLER: And that's fine. And let's  
 17 treat that announcement as notice to the public as to  
 18 the meetings (indiscernible).  
 19 MR. HOFF: And, Mr. Muller, if I could  
 20 just clarify that, if for some reason, be it a  
 21 hurricane, tornado, or otherwise, that this board were  
 22 to not meet on October 6th, it's fair for the public  
 23 to now assume they should -- this application will  
 24 continue on the 13th with no further notice?  
 25 MR. MULLER: Absolutely.

1 CERTIFICATION  
 2 STATE OF NEW JERSEY  
 3 COUNTY OF CAMDEN  
 4  
 5 I, Cindy Pineiro, a Certified Shorthand  
 6 Reporter and Notary public of the State of New Jersey,  
 7 do hereby certify that I reported the deposition in  
 8 the above-captioned matter; that the foregoing is a  
 9 true and correct transcript of the stenographic notes  
 10 of testimony taken by me in the above-captioned  
 11 matter.  
 12 I further certify that I am not an attorney  
 13 or counsel for any of the parties, nor a relative or  
 14 employee of any attorney or counsel connected with the  
 15 action, nor financially interested in the action.  
 16  
 17 \_\_\_\_\_  
 18 Cindy Pineiro, CSR #30XI00181500  
 19 Notary Public #50010742 Exp. 2/24/25  
 20  
 21 Dated: September 22, 2021  
 22  
 23  
 24  
 25

1 MR. HOFF: Thank you.  
 2 CHAIRMAN O'BRIEN: Yes.  
 3 All right. Having said all those words,  
 4 and thanking the public for their participation in  
 5 observing and listening, and the folks who are on  
 6 YouTube, whether it's 10 or 100, we appreciate your  
 7 interest.  
 8 And so without any further business this  
 9 evening, I will adjourn this meeting at 9:57.  
 10 MR. MARATHE: It's when Ron gets hot,  
 11 that's when the tornado comes. So he needs to cool  
 12 down.  
 13 (Hearing was concluded at 10:00 p.m.)  
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