

TOWNSHIP OF LOPATCONG

PLANNING BOARD MEETING

5:30 pm OPUS Property Tour/7:00 pm Meeting

August 23, 2017

The meeting of the Planning Board of the Township of Lopatcong was called to order by Chairman Johnson at 7:00 pm.

A Prayer was offered followed by the Oath of Allegiance.

Chairman Johnson stated “adequate notice of this meeting has been provided indicating the time and place of the meeting in accordance with Chapter 231 of the Public Laws of 1975 by advertising a Notice in The Star Gazette and The Express Times and by posting a copy on the bulletin board in the Municipal Building.”

Present: Members Correa, Fitzsimmons, Pryor, Woolf, Mayor McKay, Vice-Chairman Olschewski, Chairman Johnson. Also present were Planner Ritter, Attorney Sposaro and Engineer Sterbenz.

**Old Business:**

**Minutes** – Approve May 31, 2017 – Motion by Vice-Chairman Olschewski to approve, seconded by Member Fitzsimmons. Roll call vote:

AYES: Members Correa, Fitzsimmons, Pryor, Woolf, Mayor McKay, Vice-Chairman Olschewski and Chairman Johnson.

NAYS: None

**Minutes** – Approve June 28, 2017 – Motion by Vice-Chairman Olschewski to approve, seconded by Member Correa. Roll call vote:

AYES: Members Correa, Fitzsimmons, Pryor, Woolf, Mayor McKay, Vice-Chairman Olschewski and Chairman Johnson.

NAYS: None

**I-78 Commerce Park** – Preliminary and not Final Major Site Plan and Preliminary Major Subdivision for the Connector Road including Tour of Property.

Attorney Karl Kemm – Good evening Chairman, members of the Board and public, my name is Karl Kemm. I’m the attorney for the applicant. We’ve provided notice in accordance with the Municipal Land Use Law and the Open Public Meetings Act for the meeting today as well as the site tour and the Board has jurisdiction to hear this matter. As I discussed with the Board

Secretary, I just want to put a quick overview of the site tour so at 5:30 to about 6:15/6:30 as the Chairman indicated where we took a bus ride of the entire site in both Phillipsburg and Lopatcong. We had about six Board members and 12 members of the public as well as staff who toured the site and Mr. McGrath and the applicant gave an overview of some of the history of the property, current status and where the Lopatcong warehouse would be built and some other features so as we were able to do that and I hope it was instructional to the Board and the public and so now we are starting our meeting at 7:00. As the Chairman indicated, we have the application on for the preliminary and final site plan and preliminary subdivision. The main purpose of the application, as the Board is well aware, is to construct what we call the connector road which will start in Phillipsburg at the intersection of Roseberry and Center Streets, traverse the property up to Rt. 22 where there will be a new traffic light and interchange constructed. There's also a stub road off of that to Building-24. As the engineer will go through in his testimony and show you the plans that has changed slightly from the original General Development Plan that the Board reviewed for a number of reasons, primarily Building-24 as indicated, is remaining, that it is a building for Curtis Wright to be certain testing for the Navy and they need that building. That is one of two buildings in the country that performs that function so we had to accommodate that. We also had to accommodate, in doing so, there is the existing closed landfills and some other environmental features and so we had to readjust the road. In doing so, some of the phasing of the General Development Plan was changed slightly in Lopatcong. The changes were more pronounced than Phillipsburg. When we were there last month, we had the same application we're showing you and those changes, and again, the engineer will walk through this, there is a very minor change to the phasing in Phillipsburg, really I'm sorry, Lopatcong, really just timing of the building in accordance with the Phillipsburg building and time frames are pretty much the same. So, that's the overview. We have received the reports of August 17<sup>th</sup> and 18<sup>th</sup> from the Board Engineer and the Board Planner. We will certainly address those. Most of those comments are acceptable. I think there's really very little conversation on that. So, I think that's plenty of an overview on this unless Mr. Sposaro has anything he wants to add about the site visit or anything of that nature. Okay, he's nodding no at the point.

Chairman Johnson – The set of plans that we were referring to, this is the current set. So it's dated August 7<sup>th</sup>, 2017 correct?

Attorney Kemm – I'll have the engineer confirm that. I think you're correct here. So, the witness I have tonight is Mr. McGrath, our engineer. We'll swear him in, in a minute. We do have other members of our development team here should the Board or the public have additional questions. So, Mr. McGrath

Engineer McGrath – And yes, it is August 7<sup>th</sup>.

Chairman Johnson – Thank you.

Attorney Kemm – We'll swear you in sir.

Attorney Sposaro – Do you swear from the testimony you will give in this matter will be the truth, the whole truth and nothing but the truth?

Engineer McGrath – I do.

Attorney Sposaro – State your name and spell your last name for the record please.

Engineer McGrath – Thomas T. McGrath – m-c-g-r-a-t-h.

Attorney Kemm – And, Mr. McGrath since we were here last time, you're still a licensed professional engineer in the State of New Jersey.

Engineer McGrath – Yes, I am.

Attorney Kemm – And, the Board accepted his qualifications last time

Attorney Sposaro – Consider him to proceed.

Attorney Kemm – So, I'll turn it over to you Mr. McGrath and just sorry one other note, the, we did have a sign in sheet for the site visit. I've given a copy to the Board Secretary for the Board's file. She's provided me a copy for mine so, that will be part of the public record.

Chairman Johnson – Okay good, thank you.

Attorney Kemm – Thank you, thank you Mr. McGrath.

Attorney Sposaro – Karl, if I could suggest one thing, if we can first and this maybe what you were going to do anyway, just go over the changes to the amendments to the GDP so we can convert on that, get that out of the way because I think that should be separate resolution and then we can get into the site plan itself.

Attorney Kemm – Certainly, Tom if you wouldn't mind, do you have one that shows the original layout? No, we don't, that's right. If you would just, if you would just again, describe the exhibit you are using. If it hasn't been changed since the plan set, do we need to mark it as A-1 tonight or just give us the title block?

Attorney Sposaro – Just give us the title block.

Engineer McGrath - This panel is the actually the Overall Pad Ready Site Plan which has the phasing on it which is identical to what the GDP has, as part of it.

Attorney Sposaro – Is that part of the submission package?

Attorney Kemm – It's been submitted, so just give us if you would

Attorney Sposaro – Just preference it so I know and the Board knows what

Engineer McGrath – Okay, it's Sheet No. 5 of 31 of the package that was delivered. It's got an original date of March 20, 2017 with a revision August 7, 2017. Okay, I'm trying to find a place where I'm not blocking anybody. What Karl had mentioned earlier was that the Curtis Wright building here, I'm pointing to in the middle of the Phillipsburg site is in Phase I-A, the original plan, the Curtis Wright building was to be removed and we had to revise our General Development Plan to accommodate that structure so that basically in the center of the Phillipsburg portion of the site. The other changes that were done, where there were some environmental constraints in this area here; two inverse ponds was suggested to us, or mandated to us from DEP that we should not put our road network over the top of it. Those have been closed, they're permitted and everything finished with them so what had happened here is this road alignment has changed. Other than those two, as I'll call, the major changes to the configuration of the layout, the other change had to do with the scheduling of the particular buildings and how they're phased through the site and we have the phasing schedule here which is the same phasing that was put on what I'll call the present General Development Plan. The phasing, originally I believe, is six phases presently now. It's been reduced to three phases because of the scheduling of how things need to come on line from a construction standpoint. Phase I-A is the Route 22 Lock Street Intersection which was always Phase I-A and that would be the area up here adjacent to Rt. 22 and you'll see it says, again on Sheet 5, it says Phase I-A. We move down the chart, there's two buildings that are slated to come on line next. Both of them will be started in 2018. The Building-2 would be in the second quarter of 2018 and Building-7 would be in the third quarter of 2018. The reason that Building-2 is in front of Building-7, Building-2 is closer in size and it would be part of the construction phasing as to how the site is put together. Phase I includes the interchange. It also includes the connector road. So, the connector road comes from Rt. 22 traverses through the site, Lopatcong, and then it traverses down through the Phillipsburg site and out onto Roseberry and Center Streets intersection. By constructing this roadway, Building-2 actually is, is kind of being coming, it would be because of the way it is being laid out; Building-2 the platform for it is going to be on-line sooner than the platform for Building-7. They're slated to be just a little bit behind in that; it's the removal of the material in the area of Building-7 in creating the interconnection road by

moving that material. So, if you look on the phasing schedule now, they're both in Phase 1-B but they're just you know, a couple months apart from each other.

Member Pryor – Excuse me, Number 7 is in Lopat?

Engineer McGrath – Number 7 is the Lopat building.

Member Pryor – Okay.

Engineer McGrath - It is 950,000 square feet and Number 2 is in Phillipsburg and that is 500,000 square feet. We move down the chart, there's a 1-C which is a 535,500 square foot building which is Building-3 and that is this building here which we are presently doing a full operation on that pad and based on the scheduling, that will also come in line in the third quarter of 2018. We move further down the list and then we have Phases II. There's two parts of Phase II; two buildings 5 and 6. Five and six are along Green Street and the Valley View section of Phillipsburg and the third Phase is Building-4 and 1. Excuse me; Building-4 is adjacent to Building-7 in Lopatcong. It's in this quadrant right here and Building-1 is, excuse me, is this larger building that will be right in here called Phase III and you'll see that these are outlined in Phase III and that's basically, from a revision standpoint or a change standpoint from what was originally the GDP. It was how the phasing broke down and the majority of it had to do with how the construction was going to be brought on after things changed with this interconnector road and the Curtis Wright building. If you look at, also in Phase I-A the detention basin will be brought on line and that's required as part of the construction of the connector road which runs through here. This is the main detention basin that services the majority of the site.

Member Pryor – I've a quick question for Tony, but you can hop in if you can help him out.

Attorney Sposaro – I had a month off.

Member Pryor – Pardon me?

Attorney Sposaro – I had a month off.

Member Pryor – Back when we approved the GDP, I think we gave them a ten year time frame.

Attorney Sposaro – Yes.

Member Pryor – So, this schedule is really just informational rather than

Attorney Sposaro – Well, it's substantive, but it doesn't start the clock all over again in my opinion. The clock started when that plan was approved and

Member Pryor – And he has ten years from that so, we're not adjusting the ten years.

Attorney Kemm- That's correct.

Member Pryor – That stays, but if they miss this schedule, nothing really happens. Is that true?

Attorney Sposaro – I think if they miss the schedule and they're outside of the confines of the GDP, they'd have to come back for

Member Pryor – Well, let's say 2018 slips to 2019; they're still in the ten years. It's just a year later.

Attorney Kemm – Correct, true.

Member Pryor – So, that's true.

Attorney Sposaro – Yes.

Member Pryor – So, the schedule, this is not an iron clad schedule. They have ten years from the date of approval to implement the whole plan.

Attorney Sposaro- Basically, yes.

Member Pryor – Okay.

Chairman Johnson – If I can follow up on that. Does that also mean that the order of the phases is also set? So, the Lopatcong building is, basically, going up, will be the second building to go up.

Attorney Kemm - We've agreed to the phasing schedule in regard to the order of the buildings being constructed. Especially, the first hand full. We may have, which we've discussed last time with this Board as well as Phillipsburg, we're bringing both of those on-line at the same time. Due to the sizes, will they finish a little later than what they're going to be brought on at the same time. So, the order of the buildings we've agreed to, I think as we get farther down, for example, buildings which will be outside of Lopatcong as you realize there is one large building, their's may change which will have to go to Phillipsburg and we'll certainly advise you folks as well but it's going to change in Phillipsburg because we agreed with both towns to keep both

towns abreast of what's going on in the other town because as you can see driving out there, boundary lines make no difference so, we're aware of impacts to both towns. We'll keep you advised as to progress on both. So, I trust that answers your question Mr. Chairman. Okay, thank you. Is there any more questions on as Mr. Sposaro asked us, we're going to deal with the change in the phasing first. We have nothing further to add, certainly answer any questions of the Board at this juncture.

Chairman Johnson – Any further Board member questions on the phasing?

Engineer Sterbenz – I don't have any problems here. I looked at the changes. They're fairly minor in nature as far as the timing of the work. I do agree that, you know, the schedule was to provide some direction but it is really market based and I think the ten year period, they just have to get things done in that ten year period. I think it's something that should be looked at in every site plan application there should be a, there should be, the GDP issued today should be submitted into the Board whenever there are revisions they're proposing and should be updated and reapproved by the Board as part of every proceeding. I think that's what they're doing tonight.

Chairman Johnson – Okay. Looks like that covers the, we're comfortable with the phase change then. We want to go public now?

Attorney Sposaro – Yeah.

Chairman Johnson – So any public comments on the schedule and phasing what we just talked about here? Public comments now or questions actually public questions. I see none so it looks like you're okay there. So, we'll close public on this and move on.

Attorney Sposaro – Let's entertain a motion to approve the amended Redevelopment Plan as described by Mr. McGrath.

Chairman Johnson – That could be a separate resolution independent of itself, okay.

Attorney Sposaro – Yes.

Chairman Johnson – Look for a motion on that.

Member Pryor – I will make that motion.

Chairman Johnson – Okay.

Mayor McKay – Second.

Chairman Johnsons - We have a second.

Mayor McKay – Second.

Chairman Johnson – Roll call.

Secretary Dilts – Who was my second?

Member Correa – Tom.

Chairman Johnson - With no further comments, we can do roll call.

Member Pryor – I just say I almost consider the changes diminimus. I really don't have a problem with them so.

Roll Call:

AYES: Members Correa, Fitzsimmons, Pryor, Woolf, Mayor McKay, Vice-Chairman Olschewski, Chairman Johnson.

NAYS: None

Chairman Johnson – Okay, you can continue.

Attorney Kemm – Thank you. So, now we'll get into the site plan and subdivision and Mr. McGrath please back up where you left off and also as I said before, we are calling these pad ready sites but there's no buildings proposed at this point, it's just a road, the infrastructure, the interchange and the storm water basins, but Mr. McGrath will give you those details. Thank you Mr. McGrath.

Engineer McGrath – The first panel we are proposing to discuss tonight is in your plan set. It's the Existing Conditions Map, its Sheet 3 of 31. Original date is March 20, 2017 revised to August 7, 2017. Basically, what its showing, is the condition of the site actually prior to when the demo started on the Phillipsburg portion of it. What I've done is highlighted in orange on this to indicate where the Lopatcong portion of the whole development is and I just thought that, you know, for some people who, you know, have not seen it to start with, that they, you know, get a better sense as to the size of what we are talking here. This parcel of land is just a little over the hundred acres; it's 100.99 acres. It has frontage along 22, obviously, for Board members and public that were there today is where we parked. It also has the border with Phillipsburg and to the south it borders Lock Street and Lopatcong Creek. The site, generally in its condition the



way it is today from a high point adjacent to the north end, I'll call it of the Lopatcong/Phillipsburg's border, it drains or grades generally down towards Rt. 22 to about the mid-point of the project and then it starts to slope off rather severely towards the Lopatcong Creek, Lock Street area. Using this panel only just to give you general flavors to what we are dealing with when I get to the other panels, that's really all I have on this one. The next panel that I am using this evening is called the Overall Site Plan. It is Sheet 4 of 31, same March 20, 2017, original date with revision August 7, 2017. What this does is give you a flavor as to, you know, aside from we used the phasing plan originally, that was to be my third panel but kind of shift things up a little bit, it's similar to the phasing plan; the phasing plan did not have the buildings on it. What this panels shows is the building layout as it is proposed today to give you a general idea of we we're out in the field talking about, you know, connector road and how it interacts with Rt. 22. When we were parked with our bus, we were just about mid-point of the Lopatcong portion of it along a portion of the project along 22. This right here, if you remember when we were out there; there were two poles that were closer to 22 that was this portion of the interchange that's going, that's being proposed off of 22. I'll stay with that for a couple of seconds. That is going to be a new traffic light as it comes off of Rt. 22. If you are coming from the east, heading basically west along Rt. 22, you'll have the opportunity after this is constructed, you will be able to make a left turn at a traffic light there will be two left turn lanes and make a left turn into the project. You would be on 22 here and you would be able to enter the project. You would also, if you were leaving the project, you would have the opportunity off to go east on 22 or west on 22. The signalized intersection will give the opportunity to be able to make that left that you currently can't make. Also, staying along the Rt. 22 corridor, we are looking at improvements to Lock Street. Lock Street, again, is the boundary of our property as it leads up to Rt. 22. We are improving the entrance or the location of Lock Street to be able to provide access out to 22 so that when you come out of Lock Street you don't have to make that hard right anymore to try to go back down 22. It will also give you the opportunity when you get to that intersection to be able to make a left which you currently can't do. Connector road, there we go, the connector road traverses through the Lopatcong site and the reason I was bringing the first panel out, which was Sheet 3

Member Pryor- Mr. McGrath, if you, can you

Engineer McGrath – I'm trying not to put the pointer in his face. How about if I go over here?

Member Pryor –That would be better

Secretary Dilts – You can stand at the podium. It would be even better for us.

Engineer McGrath – The connector road comes along what would be the southern end of the proposed Building-7. Building-7 is a 950,000 square foot building and you will notice that when

I went to Panel 3 to start with, I indicated about how the slope, as you get past mid-point of the site, the grade starts to fall off pretty quickly, all right. So, we're proposing to do in here, is material is going to be moved along or in the footprint of what would be the development for Building-7. It's going to be excavated on the uphill side which would be the north end of the site and that material then would be carted to the south side to be able to create this platform then that we're using for the Rt. 22 interchange and then likewise coming down through the site into Phillipsburg it would be creating the actual connector road. The connector road is going to be elevated from the surrounding area that would be to the south. There will be a retaining wall that supports the connector road, that from then for Building-7 would be generated and material would start to be moved at simultaneously with the construction of the connector road. Again, the connector road comes down through the project. The other buildings will be coming on line as projected through our phasing schedule. I have

Chairman Johnson – We have a question.

Mayor McKay – A quick question Mr. McGrath. What is the difference in elevation from one side to the other side that you're going to build up? Ten feet, 20 feet.

Engineer McGrath – Now, it's, trying to give you some kind of reference point.

Mayor McKay – Yeah.

Engineer McGrath - Okay, we are looking at the south side of the project. I believe the retaining walls are going to be, I don't have them in front of me, but I believe they are going to be in the neighborhood of 15 to 18 feet in height along this end here and we'll be excavating up in this north corner here. I wish I had, you know, better numbers for you but I'm going to say probably around 25 or 30 feet depending upon exactly where we are on the site cause this corner right here which is the north east corner, the north west of the site, that kind of goes up pretty quickly right there and we're going to have to dig that out and you'll notice that there's a little dark line here on that corner, that's a retaining wall just for the balance of what is going to be on that site. The wall out there is going to stop there and drop the grade so, what happens is this building being a 950,000 square foot building, there's no breaks in the building. It is all one elevation across the whole thing so that whole foot print that you are looking at there is, you know, going to be at that one grade and I could probably

Mayor McKay – They've been on the one to south side I guess. It's going to be about 18 feet higher, the exterior wall including the foundation wall?

Engineer McGrath – That we're talking here.

Mayor McKay – Yeah.

Engineer McGrath – When I said 18 feet higher, I'm saying this area right in here, it's going to be about 18 feet higher. The grade from the connector road up to the platform for the building there's probably another 8 or 10 feet of grade change where it climbs up on the hill. We didn't want to do is fill all this in here cause these walls all could wind up being, you know, an area of like 25 and 30 feet tall. We figured if we stepped it as we came up into the project could be better.

Member Pryor – Can I just clarify it for myself before you leave that? If you stand in the center of the road and you look towards Pohatcong

Engineer McGrath – This area here?

Member Pryor – Yeah. That road is going to be supported by a retaining wall?

Engineer McGrath – That's correct.

Member Pryor – 18 feet high.

Engineer McGrath – About that yeah.

Member Pryor – Okay and then, if you look towards Phillipsburg, that be a grade further going up further, to the building final grade.

Engineer McGrath – Yes.

Member Pryor – Another 8 feet or so.

Engineer McGrath – Yeah, it depends where the areas are at because, you know, what happens is the platform stays at one elevation, the road starts to fall away from

Member Pryor – Yeah, I'm going to go back to the hearing we had for the general plan and I do have a question, I'm still a little confused about pedestrians going through the site and sidewalks and no sidewalks and I get a little confused by that. I think that road is going to be open to pedestrians.

Engineer McGrath – Our take on that and probably you can, you can work with us also is that we are not intending to put sidewalks throughout the site.

Member Pryor – I understand that, but you are going to allow pedestrians through there.

Attorney Kemm – The intent, the intent was certainly to get more detail, the intent was to have the entire connector road not to be a pedestrian access way due to the truck traffic that will be on there, the size of the trucks. You know, as a pedestrian walking along there, it would be rather intimidating, uncomfortable so we were not proposing any sidewalks along the connector road. The anticipated use for the public as far as the property would be along the Lopatcong Creek; there's the recreation center and trail network that will be in Lopatcong as well as Phillipsburg going from the Valley View all the way parallel to the creek up to Lock Street area more or less. So, that was the anticipated use for public pedestrians, recreation, walking and things of that nature and that was the intent and that was the approvals we received in Phillipsburg so the section of the connector road that is within Phillipsburg for the Lopatcong boundary all the way to the intersection of Roseberry and Center Streets will not have sidewalks. That has already been

Member Pryor – Will it be closed to pedestrians if you?

Attorney Kemm – It's going to be a private road so, we can certainly sign it no pedestrians.

Member Pryor – I'm just saying you got a road that's 18 feet in the air with no sidewalks and

Attorney Kemm – Well, that's another good reason not to have sidewalks. It's 18 feet in the air.

Member Pryor – It's a good reason to keep pedestrians out of there too.

Attorney Kemm – Yeah, as indicated that those were our reasons for not providing, you know, pedestrian access along that road plus again, normally, and reasonable minds may disagree, but normally, the pedestrian is for, you have nearby residential, you have nearby uses for people to walk to. There is

Member Pryor – Well, people walk to the mall or, you know, I'm it's a short cut for some people.

Attorney Kemm – I mean it certainly possible, again the interconnectivity of the, from Valley View up the path would be a nice walk to the mall versus on the road and those were our, you know, our reasons as to why we did not

Member Pryor – Would you allow public vehicles through there?

Attorney Kemm – Yeah, but the road would be what we call a quasi-public road, so it would be owned, fully owned and maintained by the developer. The public would be allowed to traverse the road. We've had the same discussion with Phillipsburg and propose the same for Lopatcong. We will request of the town which is required under law to have the Title 39 motor vehicle laws enforced in the road that gives the police the authority to patrol that, to write tickets if people are speeding. Any other motor vehicle violations. We also propose taking the thunder away from our traffic expert Mr. McGrath, that the speed limit is, Mr. Kennel I'm sorry the 25 MPH speed limit due to the again, we have trucks. What you're going notice is the users mostly are going to be the truck traffic in and out and then employees of the individual warehouses in and out. As far as people who maybe walking, you're point is taken, people may want to take a nice long walk to the mall which I could use myself, but again, that was not really anticipated.

Chairman Johnson – To follow up on that comment, we were saying well what's the reason for pedestrians to use that. They would have to have a facility. Well we kind of just built one for them. We built a little small park. That almost brings the need for the sidewalk back into it and definitely walking to the mall as well. I think we definitely need to talk about this sidewalk issue cause I don't know how we're going to keep bikers and pedestrians out of there when

Attorney Kemm – It can certainly be posted for that. Again, the envisioning the use of the recreation areas in both Phillipsburg and Lopatcong, we had the same conversations with Phillipsburg by the way, and the point's well taken. There is parking areas for the public, for the recreation areas. There's certainly access to you know use those to walk and connect to Lock Street sorry, and also, in the Valley View, I can't remember the street in Valley View, I think it's Green.

Engineer McGrath – it's called Gate Street.

Attorney Kemm – Yeah and it connects there. There's a parking lot down there in, that again was the anticipated public pedestrian recreation use of the facility was along there and the road was basically to be for truck and not pedestrian and there often built that way. If you look at large warehouse campuses and warehouse layouts, those roads often do not have sidewalks for that reason is due to the truck traffic and generally people usually walk within a hand full of blocks to go to a grocery store, deli or things of that nature and that's not the case here. The workers from the warehouses we anticipated to drive into Phillipsburg and Lopatcong to you know, frequent deli's, restaurants, whatever else needs they may have and not to really be walking. So that's

Member Pryor – Just trying to visualize it, yeah, you got somebody walking through there, you've got a road with an 18' drop off, you probably got a shoulder and a guard rail

Engineer McGrath – And, a fence.

Member Pryor – Pardon me?

Engineer McGrath – And a fence.

Member Pryor – I’m sorry,

Attorney Kemm- And a fence he said.

Engineer McGrath – And a fence.

Member Pryor - but there’s no room for I don’t know, you know, you got bad weather, you got all that, do you really want a pedestrian on there

Attorney Kemm – Yeah, and it wasn’t anticipated and the approvals in Phillipsburg do not, we have the waivers so there’s going to be no sidewalks in the Phillipsburg portion of the project.

Attorney Sposaro – Have they approved that site plan?

Attorney Kemm – Yes, that’s already been approved two weeks ago. Thank you.

Vice-Chairman Olschewski – With that road, I’m not sure where it, you know where, that Section 8 housing in Phillipsburg is the projects where in relation to would that road provide a shortcut for the people from that area who often times don’t have cars, would that provide a short cut to the mall?

Attorney Kemm – I mean anything can be a short cut as I indicated what was anticipated and people might want to take a different out was anticipated was a use of the recreational facility?

Vice-Chairman Olschewski – I know what is anticipated but it would provide a shortcut to the mall for the people who are living in the Section 8 housing in P’burg right?

Attorney Kemm – Yeah, that’s certainly possible. They could certainly want to take that road and again, we will probably be signing the road in Phillipsburg and that it is for vehicles only no pedestrians because of the granting of the waiver from installing sidewalks in Phillipsburg.

Vice-Chairman Olschewski – Okay.

Attorney Kemm - Questions on

Chairman Johnson – I think we're going to come back to this

Attorney Kemm – Yeah, I mean we can certainly revisit

Chairman Johnson - obviously, when the traffic expert comes up but I think we can all sit on that comment and think about it a little bit. I just want to, I think Phillipsburg would be more apt to do that as a walking or a bicycle route than Lopatcong would but it doesn't change the fact that it is, you know, it's probably going to be used that way, but I think we can revisit that at a more appropriate time.

Attorney Kemm – We certainly, oh we certainly can, I mean that's the purpose of the hearing we can talk about any issues in any order. If you want while we're on the topic, we can have the traffic expert come up now or if you want we can bring him up later, your pleasure Mr. Chairman.

Chairman Johnson – I'd be more up for keeping the order of your application

Attorney Kemm – Okay, all right Tom

Engineer Sterbenz – Mr. Chairman just a few points on this. The Board's attention to this matter is warranted; there is an ordinance requirement to put sidewalks on a street so the applicant needs a waiver. I also want to note to the Board that the Township has implemented a Complete Streets Policy and what that means is when we have development projects or roadway projects for supposed to be looking at these very streets and trying to I guess design them in a way to incorporate all types of travel modes whether it be bicyclists, walkers, and motor vehicles. So, these are things that the Board should be looking at and George and I both commented in our letter on this as well.

Chairman Johnson – I actually have a question on that. Is there a difference between Township public road and a private road when it comes to that ordinance?

Engineer Sterbenz – I would have to get that resolution out to answer that question. I don't believe there are, but I would need to confirm that for the meeting next week. I could forward to the Board members the resolution the Township Council adopted a few years ago on that.

Planner Ritter – The Redevelopment Plan also has a mention in that sidewalks are to be provided so that is in regardless of the street thing. It is to be provided and also I have to say that we are producing a plan, if hopefully very successfully, three million square feet of new space. To me it makes a lot of sense to allow people to ride bikes or walk into the project. As an example, one of the things is in our letter in the streets is that obviously a Third Street where the bridge is, if the

pedestrian connection was made across 22 there, that they could actually walk over and come across that bridge, that's very close to coming into this project from the housing side of Lopatcong. So, I think it has some merit to be discussed further. I think clearly at least a single sided sidewalk on the spine road might make a lot of sense. It also will accommodate people that at their lunch break or something like that that just wants to go out and run. I mean that sounds strange, but I mean some of these projects people actually at lunch go out and do exercise. Having sidewalks gives them a place to go other than run through their own parking lot or something and so, I think it is something that the Board should think about as part of this application.

Member Pryor – Yeah, George you just made me think of something else. A lot of these sites provide a common cafeteria or something like that where people from all the different employers of warehouses can go eat or do something.

Planner Ritter – Well, I don't know if that's in the plan but

Member Pryor – No I don't but now I'm asking because certainly that generates foot traffic among the buildings, along the sites.

Attorney Sposaro – Or a good food truck.

Member Pryor – Pardon me.

Attorney Sposaro – Or a good food truck.

Member Pryor – That too. Yeah. I mean lots of things can generate pedestrian traffic so.

Chairman Johnson – If everybody's comfortable we'll talk about this more down the road.

Engineer McGrath – A couple things that I wanted to bring up while I had this panel up where the requirement for building setbacks and buffers as to how they relate to the project. There is a buffer that has been mentioned here on this plan is a 100 foot buffer along the whole frontage of our project and along the side here. There is also a 150 foot building setback which runs along our frontage down to Lock Street. Along Lock Street I think the building setback was reduced to a 100 feet. Basically, all I wanted to say about this panel right now, I have another panel that kind of puts together all the pad ready site plan sheets together so you can look at it as a composite, it's, the way the plan is laid out or our set is laid out, it is kind of difficult to kind of put everything together so what I did was I had a smaller scale plan put together so you can see it as a composite and what it would be if would just be the development in the Lopatcong site. This panel is not part, it is part of the set I'll explain it to you and tell you what it is, it's labeled



Site Grading Plan – Site and Grading Plan Sheets, Sheets 6, 7, 8, 9 and 10. The scale of the drawing the way it sits right here is hundred scale where your plan set is 50 scale and it's dated today. I had this printed today so we could discuss it.

Attorney Kemm – Tony, should we mark that one because it's been different than the plan set?

Attorney Sposaro – Yes please.

Attorney Kemm – A-1 with tonight's date be sufficient?

Attorney Sposaro – Yes.

Attorney Kemm – If you would please mark that Mr. McGrath before you continue.

Engineer McGrath – It's been marked A-1 and dated today's date. First thing I'd like to bring to your attention and again, I'll go back over here, on this panel, there is a connection shown here. This is the temporary connection entrance that we proposed and we have permits from DOT. Purpose of the construction entrance is to be able to get obviously the equipment on site so that we can start the construction of the site. From your visit today, you saw that there is a substantial, I wouldn't call it substantial, but there's a grade that you have to climb as you go onto the site and then it falls away. That needs to be corrected so we can get construction equipment in and out of the site. So, just to the north, along 22, we're a proposing construction entrance and what it does is it gives the ability for construction vehicles to come down and make a right onto the project, enter the project and then leave making a right onto 22. Having this construction entrance right here also gives us the ability then not to be working on top of ourselves when we are trying to do the construction of the traffic signal on Rt. 22. You'll see there's some distance between and I think it's about 600 feet between the two connection points to 22. This is intended entirely to be a temporary construction entrance and what it does is again, gives us the ability to bring the construction equipment on site. Once they're on site, they're in here, then, you know, the bigger machinery's and things like that can start to move the material that needs to be moved and we can start creating this platform that you're looking at. The plan that you have in front of you is called a pad ready site plan. All right, what that does is that gives us a platform for a building. It's not intended to actually be the building footprint or the building platform. It's getting us pretty close to grade so that when the occupant comes here we have the actual footage designed. This material can be spread out. We can provide that platform I was talking about before which would be one elevation then from about where it says Lot 1 on this sheet right here, to the north all the way across just before we get down onto the connector road to the south of the building footprint. Also, what you'll see on here are the utilities that we're proposing as part of that pad ready site plan. These utilities are intended to be two fold; they're to address and I'm pointing specifically right now to this line of pipe. Use to work, there we go.

These lines of pipes along here, these are the drainage pipes. They're large diameter pipes. Those are intended to be the basis of the future development of the site. We're putting those in now to be able to provide drainage and places for that well-off that comes off the site to collect to. So, that would be these utilities in here and you'll see that they are collected then through a stream and then it traverses down the embankment and into the proposed detention basin. Now if we go back to the phasing plan, I indicated earlier that that detention basin is in Phase 1-A and the vast majority of it I'm talking maybe a little bit of a corner of it falls into Lopatcong but the vast majority of it is on the Phillipsburg site.

Member Pryor – Can I ask a question on the finished site, will any drainage at all go to Rt. 22?

Engineer McGrath – Okay. As part of the development of the site, we are proposing on, I'll go to the finished site first okay. This, are right in here, is intended to be a bio-retention basin. We're working out the details for that right now with DOT and then we'll be with DEP and what that, that will be not, not a real detention basin. In other words, it's not there for storm water management. If we look at how the existing project and I'm going to go back to Panel 3 now, go back to the existing panel, I indicated before that the vast majority of the site from the middle of the site here, excuse me, I'm going to try to squeeze right here so, from the middle of the site here heading in the northerly direction, all of that land drains to 22 right now okay. It goes into the drainage systems and out onto 22. We go to the development plan now; you'll see that I have two trunk lines of storm sewer we're cutting that runoff off. There used to be I think it was like 45 acres of runoff going to that site. There's 15 now after we finish and get the design plan the way you are looking at it right here. We're proposing this as a water quality treatment because when we do the left turn lanes into, into the site, we need to shift the pavement on the eastbound side of 22 and there it goes, it works, in this area right here. So what we're going to be doing is we're going to be moving that onto our site. We'll be dedicating land to DOT and we're going to be moving it onto the site and by doing such, by introducing that and this little bit of pavement where the double left turn is, we've increased the impervious coverage than what was here before, but we reduced totally in the runoff and the volume what the drainage runoff was from the original site. So, what we have to do is we have to provide the water quality feature which could be done either by a mechanical device or we could do it with this basin that we're proposing here. So, as a drainage basin, it's intended to be water quality basin. Now, if I could circle back a little bit and this

Member Pryor – Well, I was going to say the reason I ask this question is that portion of 22 has had historically poor drainage and we actually had some serious accidents there several years ago.

Engineer McGrath – Right in this stretch along 22?

Member Pryor – Yeah and yeah you had hydroplaning and so on on the highway and DOT came in and did some quick fixes. I don't know if it is a total fix. Evidently, they are reviewing everything you're doing.

Engineer McGrath – From a drainage standpoint, they are doing that and you'll see, you know, if you actually, I think it's, well its part of the drainage report. It shows you the pre-development runoff area that goes to 22 and basically, what's happening is, this line of storm pipe that we're putting in here, is cutting off the whole site from draining in that direction so everything is going go now it will go back to this basin that we're proposing in Phillipsburg and that will discharge into the creek from that basin as opposed to going the way it does now out onto 22 into whatever structures they have on 22 and then it goes, actually goes, then it goes across 22 and then it goes around the back and comes back under 22 so, in addition to this basin, during the construction of the temporary access point, we have to build, in this area right here, and it shows on the DOT access plans that we're proposing, this area right here, we're putting in a small basin here to maintain the runoff and everything that's going to come from this so that we don't have an issue with that and that will be attenuated and then directed to this basin which at that point in time would be a sentiment basin and a detention basin temporarily. After everything is done and we can clean this out, clean out this basin, that basin then becomes a bio-retention basin, a storm filter basin. That's my drainage at this point okay. All the utilities there is a 16 inch water main that runs along Rt. 22. It comes through the site on the northern end along with a gas line that's, that's coming through here. There was some questions in the engineer's report about its location and that and we will be out there. We have markers that show us where it is horizontally but we need to find out where it is vertically and once we know what we're doing with the site plan, then we can go out there and determine whether or not they can be left in their present location or they'd have to be relocated and that would be the gas and water on the northern end of the site. We're proposing to tie into the 16 inch main, water main that out in 22. We would bring in the new main that would basically run in the connector road from that point through the site and back out, will traverse through the site on a connector road. It will come through the site this way which I'm following the connector road that goes behind Building-2 and it would go into the intersection of Center Street and Roseberry Street. There is an existing; I believe it's a 10 inch water main in that area. We'll be tying into that. That gives us an interconnection from one end of the project to the other and what will happen is as these buildings come on line, the mains will be diverted to provide whatever supply they need and will be moving them in and out through the site of Phillipsburg. We would also do the same thing for the warehousing on Building-7 in Lopatcong. Go back to the panel now that we marked A-1 as part of the requirements that all buildings are proposed to have, be serviced by all utilities we put a utility bank running along the connector road and in that utility bank would be all the common things like cable, TV. The gas line would be in that general area and then to the south of the retaining wall, we are proposing to put a force main that would work with the, excuse me, with the rec. facilities. The force main will come up the embankment, run offset from the connector road on

the low to downhill side that would traverse next to that retaining wall and where the retaining wall is no longer needed to support grade, it's just about when you get into the Phillipsburg portion of the site, we take that force main across the connector road and what it does at that point in time is Building-7 is on the downhill slope of what would be the gravity feed for the entire project. It's what happens if we come up from the Phillipsburg side up through the site, we're climbing the hill but as soon as we get to just before the Township break, it's probably 3 or 400 feet before the Township break, the grade falls off again. So, by gravity, we cannot get Building-7 to the gravity line so what we are proposing is that Building-7 would have an ejector pit or multiple ejector pits with a force main and then that force main would be interconnected with the force main that comes from the connector, from the recreation facilities and coupled with 3 or 400 feet down onto the Phillipsburg site and it's Building-4, I'm sorry probably a little bit more than that, but right in this area here is where the sanitary sewer functions on this site as gravity. So, from the again, I'm looking at Panel 4 so if we looked at Building-4, it be a sanitary gravity manhole here and the two force mains as their combined would then be directed to that manhole so that then everything on the site would be serviced by a public sewer at that point. It wouldn't be a need for a septic or that.

Member Pryor – Can I just stick two cents in there?

Engineer McGrath – Sure.

Member Pryor – Please. That would have to be metered somehow since we operate under an intermunicipal agreement with P'burg and as far as the nature center goes, I don't know whose going to own that or what. We don't particularly want to have that taken out of our allocation. I don't think you're going to solve that tonight but it's an issue that you're going to have to address before we implement the sewers on this thing. Do you follow me?

Attorney Kemm – Yeah, actually Mr. Pryor can you just explain how, I'm very familiar with the intermunicipal agreements for handling water and sewer, but in regard to the nature center, can you give me a little more detail? I wasn't following you on that.

Member Pryor – Well, that allocation is going to have to come from somewhere's.

Attorney Kemm – Right.

Member Pryor – We have an allocation. P'burg has an allocation. Who gets that waste subtracted from their allocation and who gets billed for it?

Attorney Kemm – Yeah, we do have to drill into that. All right we'll get into legalese on that when the time comes but thank you. Thank you, Mr. Pryor.

Engineer McGrath – Okay, next thing I wanted to discuss a little bit was grading that we were talking about before. You can see that these little triangles that are on here, they represent contours or one foot intervals and you'll see that if you look at the plan on that you have in front of you, again they're Sheets 6, 7, 8, 9 and 10 they start at elevation 345 they grade down to about 341 and what that is intended to do is give the ability that as this is here prior to building being constructed that there's not intended to be any ponding and that this runoff could get to the storm sewer facilities. I'm looking to see if I can give you a height on the retaining wall. The retaining wall in this area right here is about 8 or 9 feet. It's not quite as tall as we had as I had envisioned. We actually did push this down a little bit and the upper walls are about 10 or 12 feet. What happens now, with the runoff from the site, is that obviously, we have everything draining to these pipes here. The road network is split right about here, in this portion here, which is I'll call it the mid-point of the lot. This runoff drains back towards Rt. 22. It's cut off right in this area here so that it comes back into the site. The balance of this and this is handled by the differential between what we had predevelopment going to Rt. 22 and what we have here now, that fortunately, I don't remember the numbers from the drainage report but it is a substantial decrease in the amount of runoff that we're proposing there from there and I think that's kind of where

Chairman Johnson – So, if there's any questions on, there was a lot of information given out on those couple sheets so we'll just make sure there is no other questions from Planning Board Members or the public on what you just said and we can move onto the next topic.

Public – Can I ask a question? Okay

Attorney Kemm – Come up to the microphone.

Chairman Johnson – Yes, yes.

Gail Denise – I own the property across the street at 1011 Rt. 22. So, I'm just trying to visualize the building and this connector road. So, if you can put up Panel A-1 for me. That's it okay. All right so at first you said that the connector road was 18 feet high, but now you've changed it to say you think its 12 feet at the midway point. Is that right?

Engineer McGrath – That grading here, I did not have this panel in front of me and I was trying to remember but right in that area there the connector road as it relates to the existing ground in this area over here would be elevated above 8 to 12 feet.

Gail Denise – Okay. So what about that "S" that goes out Rt. 22.

Engineer McGrath – This here?

Gail Denise – How high is that road? Is that all elevated up?

Engineer McGrath – Maybe I can help you envision it a little bit. What happens when you come down Rt. 22 you're, we were there earlier today. We were on the pavement all right.

Gail Denise – Right.

Engineer McGrath – I have to match that grade. I can't do anything to Rt. 22. I can't elevate it or anything so I'm matching that grade. So, what I'm doing is, is I'm pulling off of the highway all right. We're staying relatively flat, all right.

Gail Denise – Okay.

Engineer McGrath - All right so we're going to pull into the site. We're going to go maybe 250 feet into the site and that's when it starts to change like this and as it makes the sweep, the road is going to start to elevate and climb to get up to this platform area.

Gail Denise – Okay, so we're going up like this.

Engineer McGrath – Yes.

Gail Denise – All right. Okay, so then my next question is, the foundation of that building is that foundation, will that be at that 12 foot elevation also so, then it begins it's up off the road 12 feet and then the building or is your building down like in a valley and then the road is built up. Right so, so this, so this road, all of this here is up 12 feet off of Rt. 22 right and then so this building does the foundation start up that high so then the building is going to be with this very tall lovely factory thing above, 12 feet above Rt. 22?

Engineer McGrath – Let me give you a little bit more of a view on it okay. Rt. 22 as you come around the curb and you start to head east, okay Rt. 22 starts to dive down. Rt. 22 is a lot higher. If you were at the site today, you'll notice that this portion of the site was lower than Rt. 22. The water drains around the corner to 22 here. This portion of the site up in here which is the north corner of the site, this is all going to be excavated out. So, it's going to be lower than 22 when it starts. As we pass just about where the entrance driveway here is, a platform is going to start to come out of the ground. So, you're going to be, so it's half the balance is between the north end of the building and the south end of the building as to how that building is going to be placed. So, on one end of this which is opposite where the, the Lock Street intersection is and the new

traffic light, the buildings going to be up higher than the represented area to the north of it because the natural grade is higher on 22; 22 keeps going downhill as we passed the site. So,

Gail Denise – So, you may not see as much of the building from the south end

Engineer McGrath – The north end.

Gail Denise – The north end that you're going to see. It's going to be like this

Engineer McGrath – Correct.

Member Woolf – What is your elevation at Rt. 22 at your new proposed intersection and your slab elevation?

Engineer McGrath – The Rt. 22 grade is about elevation 315 and I believe this finished pour elevation is around 344.

Member Woolf – That's 30 feet.

Member Fitzsimmons – Thirty feet and how high's the building from there?

Engineer McGrath – I don't have the architectures, but I think we're permitted 50 feet there.

Mayor McKay – So, your building would begin from that 30 foot height and go 50 feet beyond it? So, it will be 80 feet from the lowest point there?

Member Woolf – From the highway.

Engineer McGrath – From the highway but when you're looking at it, you're going to see the road going up to it as it turns there's a retaining wall in front of it and then the building is back. Keeping in mind that this building is going to be set back about 200 feet from the site.

Member Fitzsimmons – Then you propose what 700 trees along the front? Along Rt. 22?

Engineer McGrath – Well, there are plantings along here. If you look at the contouring and stuff here, these are our, these contours in this area here and I'll have to fault myself for it because it was going to get really dirty and cloudy, these contours are 5 foot contours so what we are proposing in here is that we build a berm up along 22 okay, to shield as you're coming around 22 when you look over, you'd have to look up to be able to see over it. Their relationship the top of this berm is at 340 in this area fades off to 335 as it comes further up but at this end over here

and I'm talking the north end of the building now, 22 is a lot higher than the building at that point. You're up in the air there. This grade falls off onto the site. As we come past the area where the temporary road is, we are looking at a grade on 22 of 324 and we are looking at a berm elevation of around 335 so there's a 10 foot grade change there so we are making an attempt to try to shield, you know, some of the building off of 22. Obviously, a 50 foot building I'm not going to be able to hide the whole thing, but we're putting the earthen berm there and then we are intending to plant trees on it and over time, the trees will grow and, you know, that's the intent.

Gail Denise – So, okay just one more question. This road here, how high is this road going to be because here we're 12, 18, 12 and they want, and what but it is

Engineer McGrath – The 12 has nothing to do, what the 12 is, is the relationship to the road to the existing ground. This ground here, okay

Gail Denise – Okay, all right.

Engineer McGrath – In other words, if you were standing down by the creek and you were able to look up through the woods, when you hit that spot over there you'd see between and 8 to 12 foot retaining wall.

Gail Denise – And, how long is that wall?

Engineer McGrath – It's this dark line right here on this side.

Gail Denise – So it's

Engineer McGrath – It continues

Gail Denise – This stuff, this

Engineer McGrath – This is the end of it on this side and this right here, is a retaining wall that's part of this, this project.

Gail Denise – Okay. Thank you.

Chairman Johnson – So, approximately that makes the elevation of the new connector road about 20 feet higher than the intersection with Rt. 22. The road goes up about 20 foot in elevation from the intersection to about the side of the building. Just guessing, is that about right?



Engineer McGrath – The connector road at this point at its highest point is at 324 where it connects is at 315 so you are about maybe 9 or 10 feet higher as you come through there.

Chairman Johnson – Okay. Okay.

Engineer McGrath – All right. The 10 or 12 foot extension that had been discussed has been the height of the retaining wall on the downhill side of the, what happens is as the road comes onto the project, the ground has fallen off too fast. I can't catch it. I don't want to be down that low so what we'll do is raise it up by putting a retaining wall in.

Chairman Johnson – Okay, another question out there.

John Betz – I live at 225 Red School Lane, Apt. Y-14. I'm very concerned about the ability of pedestrian passage to the recreation area. I'm concerned about Sycamore Landing's access to that area and what the people would do if they reversed and they came back, back west on the east bound side on foot. I'm concerned about the metering of the sewerages. Those are just my concerns. I really don't have any questions but those are major concerns of mine. It should be addressed more fully before anything gets done.

Chairman Johnson – Thank you.

John Betz – Because right here see you're talking about, you're talking about how Rt. 22, you're talking about Sycamore Landing some place up in this area.

Engineer McGrath – That's that new apartment complex.

John Betz – Yeah (inaudible) roadway

Engineer McGrath – The creek is way over here. It's on the other side of the creek.

John Betz – Right okay but it's really not that far for walking cause I've walked, I have been known to walk away from here (inaudible) on that little bridge down here, over here, all the way up here to the Phillipsburg Mall so what I'm saying is that's not going stop the desire for somebody to get from Sycamore Landing (inaudible) that would want to get from there over to say the other side of the Ingersoll property. Could happen. Sewerage metering that depends on who is going to be paying the taxes and the height of the wall system is also about 20 feet. That's quite a distance. The pedestrian passage Paul Sterbenz said should be looked into further. That's all I have to say and the sewer metering.

Brian Weeks – 208 South Seventh Street. My question is about your pump station for the sewer. It's yours; you are going to maintain for life of your thing? It's not going to be turned over to the town in ten years.

Engineer McGrath – It is not intended to be a pump station. It will be an ejector system and it will be part of for Building-7. It's going to be part of their maintenance issues.

Brian Weeks – It's definitely 100% part of their maintenance?

Engineer McGrath – Yeah, it's their sewer line and as it goes.

Engineer Sterbenz – Brian, none of the infrastructure in this development is going to be owned by the town.

Brian Weeks – Nothing.

Engineer Sterbenz – Nothing.

Brian Weeks – Okay, including the roads?

Engineer Sterbenz – Including this pumping station for the nature center.

Brian Weeks- All right, awesome, thank you.

Member Pryor – Yeah, I think the only exception is in the P'burg agreement with the meter itself and the metering there's some, they have some jurisdiction over them.

Engineer McGrath – I know this gallonage allotments back and forth so.

Member Pryor – I mean they actually calibrate it and I think they maintain it and so on and so forth.

Chairman Johnson – We have another request.

Maria Hetem – I have some questions and concerns. I'm sorry my name is Maria Hetem. I live at 700 Lock Street. The old farm in the bend in the road and lots of my neighbors use my driveway that comes off of Rt. 22, it's a very dangerous situation as a short cut from behind the diner to Lock Street and I allow that and good blessings because they are my neighbors but once we get a whole lot of people coming and going through here, I don't necessarily want to increase traffic through there. It is a really dangerous way to get onto Rt. 22 so coming, my question is,

so coming from the east, heading west, where you're going to have your double lane turn traffic light, is there, is there going to be a left turn? There's not going to be a left turn so, they'd have to go into your area figure out a way to turn around and

Engineer McGrath – Well, they're going to make a left turn. They can't make a U-turn.

Maria Hetem- I'm asking about that U-turn.

Engineer McGrath – Yeah, no.

Maria Hetem – Complete left turn.

Engineer McGrath – I think I know where you're going. All right. This is Lock Street as it exists today. All right and I believe your house is in this area someplace in here.

Maria Hetem – It's right in the bend.

Engineer McGrath – Okay right, yeah it's right in here and there's it looks like there's a path that comes from Lock Street.

Maria Hetem- There's a driveway from Rt. 22 between the barns and you know so.

Engineer McGrath – Okay, okay what happens presently today is Lock Street comes down onto 22 on a really oblique reverse angle.

Maria Hetem – Yeah, it's not that difficult to get out of.

Engineer McGrath – Well, it's not safe, we'll put that way. What we're proposing to do as part of this application is take that out and we're going to rebuild it so it comes up into the connector road that we're proposing. Now, the people coming down Lock Street, past your house, can come up. They can come to this intersection which is right here, and what they'll be able to do is make a right turn here, come down the hill to the traffic light. Now the traffic light, what gives them the option to do, is now they can make a left if they wanted to where they couldn't before and they can make a right at a signalized intersection so they don't have to deal with it.

Maria Hetem – Right, they'll just cut through my driveway and try to (inaudible).

Engineer McGrath – I mean that's not, that's not something that I can control

Maria Hetem - busiest spot because lots of people do it.

Engineer McGrath – That’s not something that I can control. It would be something that you would have to (inaudible).

Maria Hetem – Yeah, but this is more about the increase of traffic to this area and also that you’ve got a playground right in that corner of a very very busy and dangerous curve in the road. I mean it’s like narrow, it’s very dangerous, people can’t see around it, people fly through it. So, you know that playground area I’m a little confused about why that’s right there and the walking trails and stuff like that. The other question I have about that particular part of it, I don’t know if we’re addressing that now or not, is whose going to police that? It’s a great spot, you need a place for kids to play but I don’t want to see it turn into a night-time hangout or other things. So, who’s going to police those trails?

Engineer Sterbenz – Mrs. Hetem, I’m just going to cut in right now, that, there’s going to be a future site plan for the nature center

Maria Hetem – Okay.

Engineer Sterbenz – so it will be a completely separate hearing and a separate set of plans so

Maria Hetem – Okay, this is my concerns.

Engineer Sterbenz – this is not really the discussion tonight.

Maria Hetem – Cause really I’m just, if we’re just looking at the roads right now, I’m still concerned about the amount of traffic it’s all going to bring to right across the street from my house where people, it’s a very dangerous curve in the road. It’s a dangerous way to get on Rt. 22 and you know, people do use it. I’m not there to, you know, meter them. You know, okay?

Engineer Sterbenz – Understood.

Chairman Johnson – Thank you.

Attorney Kemm – But we do appreciate the comment as to the location of the entrance to the parking lot for the center so; we’ll take a further look at that at the site plan. That’s not a final location. It’s just a proposal via what was going to be there so there will be an entrance to what will be a parking area so, we’ll look at moving the entrance and reconfigure the parking area so it’s not as close to that curb. So, it’s a little safer so we appreciate your comment.

Member Pryor – Can I hope in here and just build on; she triggered something in my mind? Two things; I recognize the nature center and park and all that as a separate site plan. I raise the question and I don't know who asked for it or who owns it or do we even want that and I'll just leave that out there. The second thing, I'm getting more confused again. We have a public road, Lock Street, tying into a private road; is that what we have?

Attorney Kemm – Yeah, there was actually discussions do we want to make the stretch of the connector road from Lock Street up to 22 a completely public road? That can be done. We can discuss that further as a Councilman we'd have to come to Council and that we would need to come to the Council as well on the relocation of Lock Street, the abandonment of the old right of way, the establishment of the new one. I think, and again, we can discuss it further Councilman Pryor. I think the proposition of having it be a private road in which Title 40 all the motor vehicles are enforced, the Township can enforce those, that will take care of the regulation of the road but again, we can discuss that further. That's just thoughts at this time.

Member Pryor – Yeah and I don't have the solution. I just raise that as an institution matter that I think we have to work out.

Attorney Kemm – Yeah.

Engineer Sterbenz – The subdivision plan shows the area of roadway between realigned Lock Street and Rt. 22 to be dedicated to the Township and I have put forth a comment indicating that that is something that needs to be changed. I don't think the Township should take that section of roadway. That section of roadway is going to be battered by trucks and we're going to end up being responsible for the paving and improving that area. I think we can work out some agreement to allow the public to traverse that area from Lock Street without having

Member Pryor – I understand it's going to be a high maintenance road and do we really want that but on the other hand, people on Lock Street have access to 22. It's public access and all of a sudden we dump them into a private road and who knows, you know, things change.

Attorney Kemm- Mr. Pryor, your point is well taken and maybe, again, we will certainly, all of us, think about it further and nail it down in the future. We could certainly agree that, we can create a right-of-way that would guarantee the public's right in the future to use the stretch of the connector road from Lock Street to 22 and then keep the maintenance on the developments so that way we solidify in perpetuity the right of the public to access so some future, I couldn't say, well we don't want the public anymore, then we're the people on Lock Street cause that would be completely unfair and not anticipated so, I understand exactly what you're saying and we'll think of some creative ways to make sure

Engineer Sterbenz – That’s what my comment says is to do exactly what you just said.

Attorney Kemm – Oh okay. So, there we go – creative minds have spoken.

Chairman Johnson – I like that solution.

Attorney Kemm – So, we’ll work with it and we’re going to make sure that that’s taken care of. Thank you Mr. Sterbenz.

Engineer Sterbenz – Thank you.

Chairman Johnson – I can’t remember from the last presentation, so we have a detention basin but does it also handle the water quality, the issues with all the oils from the trucks and what not as before the water gets to Lopatcong Creek? I just can’t remember. I think we talked about it before but

Engineer McGrath – I apologize I had a panel that I used in Phillipsburg and I probably should have brought it with me tonight. The basin itself is intended to work as the water quality basin for the entire site, but what we are doing in addition to that, is we are proposing at and I’m going to go, I’m using this panel which is Sheet 5 to show you the location of the detention basin that this will be detention and water quality. Your concerned about oils and things like that, what we were proposing to do and it would work on these trunk lines here on the main sewer lines what we’re proposing to do is that every one of these connection points where it is strictly pavement, in other words what we’re going to do is take an inlet off the back of this. We’re going to have a sump that, not necessarily a sump but the parking lot will grade to that particular inlet. Inside the inlet would be a hood and the hood is an oil separator and what it is intended to do is to pack do that is have the oils and you know the heavies, metal stuff, float to the top, heavy metals would flow to the bottom to give us like a second layer of water quality. It is not required based on what we have as far as the size of the detention basin but we were also concerned that you know because of the amount of pavement that we’re going to have, the trucks that we’re going to have here, that we should have some other measure to help eliminate that portion of, you know, whether or not the oils are there. Additionally, in the detention basin, we’re proposing to put spray fountains in there and that will help dissipate some of that.

Chairman Johnson – Okay, thank you. Do we have any other comments or questions from the public? Okay, we’ll close public then for this slide and any other questions from Planning Board Members on what we just heard.

Attorney Kemm – I don't, if you want us to roll into the site plan. That is the essence of the site plan portion of the application that we will put before the Board. The other is the preliminary site plan which subdivision I'm sorry, thank you for clarifying.

Chairman Johnson – Before we start that next section we take a five-minute break and then continue right after.

Attorney Kemm- Certainly.

Chairman Johnson – Thank you so five-minute recess. Bring the meeting back to order.

Attorney Kemm- Thank you, Mr. Chairman. So, we're going to pick up our testimony and round out the site plan part of the application. We mentioned that there is a subdivision but during the break we discussed we should probably encapsulate the site plan so at this point we hit all the testimony. We do need to go through the professionals report. We have for the record, the report from Maser Engineering from Mr. Sterbenz dated August 18, 2017. We have a report from the Board Planner from Mr. Ritter dated August 17, 2017. I will have Mr. McGrath address those in general. We agree to abide by the reports to the satisfaction of the two professionals. There's a few issues we just did want to discuss with the Board and I'm sure there'll be some questions from the professionals and the Board but as a general proposition, we're not going to go through every line and every comment, we're just gonna hit the ones we need to discuss so Mr. McGrath, we'll turn it over to you.

Engineer McGrath – The technical comments, Paul's report I was going to Mr. Sterbenz report first. Those start on Page 6, I believe. The pages prior to that they're basically a summation I believe of what the history of the submissions have been over time

Chairman Johnson – And you don't have any comments on that it looked after it?

Engineer Sterbenz – Yeah, and to add to those we're asked for changes on. We were deemed complete on June 28<sup>th</sup> and that's the June 28<sup>th</sup> meeting and then we had technical comments from the way it's enumerated here anything that's in bold is a change or an addition to what or addressing the previous letter on the project. First one is an advisory comment to the Planning Board. It says that as planning and zoning issues with whether or not any relief is needed that's just an advisory comment to the Board that they should be aware of that. If you turn the page to Page 7, we go onto the subdivision. We had not submitted a revised subdivision plan at this point. I mean Mr. Sterbenz indicates that on this letter and the reason for that is because we were not 100% sure as to the placement of the lot lines at this point between how it's going to work with NJDOT and how the lots for the town itself would be laid out and so we had put in a

preliminary, basically, as a talking point to get a discussion going. We did not bring it back tonight though. Site and dimensioning plan

Engineer Sterbenz – I guess the question is on Phase 2, are you going to address comments 2.01 through 2.09?

Engineer McGrath – I'm sorry, which page?

Engineer Sterbenz – Seven and eight there's comments 2.01 through 2.09 on the subdivision plan. Are you going to address those comments?

Engineer McGrath – We will address those comments when we come back and we know what the configurations are.

Engineer Sterbenz – Will address, okay.

Chairman Johnson – I have a quick question. It's kind of relates to the subdivision plan which is also part of George's comments also and just to educate myself, if we take this lot and subdivide into three. I don't know if there are three or four lots, does that change the bulk requirements and you know; the maximum building coverage and all those percentages that we had to meet that was on Page 3 of George's letter?

Attorney Kemm – A little further detail on that when we come back with the revised subdivision plan. We'll provide a zoning table. My best guess is that we do comply. The only thing that might not would be the lot that is the actual connector road maybe deficient but otherwise the other lots well, essentially, it would be the building lot, the open space lot from the connector road over and then the connector road more or less so, we will again provide those further details so both professionals can review it when we come back site plan.

Engineer Sterbenz – I think what we said was lots, the road lots was that you were to label those as non-building lots on the plans to address those so.

Attorney Kemm – Yeah, we will definitely do that as well, thank you.

Chairman Johnson – Great, thank you.

Engineer McGrath – You know, so that would be up to 2.09 we'll go into site layout items, Comment Item 3. Items 3.01, 3.02, 3.03 and 3.06 we have no comment or objection to providing I believe that 3.04 and possibly 3.05 may require a little bit of comment on there having to deal with the minimum center line radiuses. We have revised the plan to increase the center line



radius of the intersecting radius at Lock Street and that was done based on my conversations I had with Mr. Sterbenz and then I see that, you know, we have a comment here about it again, and what we're dealing with there is that we are looking to post this road and I believe Mr. Kennel will address it a little more in his testimony but we're looking to post this road at a 25 MPH speed zone and that based on that criteria, and again, Mr. Kennel will address it, I believe that we can allow the site plan to operate the way we proposed it and Mr. Kennel will bring that to and 3.05 is the site triangles that are proposed. We did a little, although they were very small and hard to see on the plan, we did put a site triangle on the intersection of Lock Street and the connector road and it would be labeled on the subdivision plan when that, you know, comes to fruition. In addition to that, I believe we probably need to show him the site lines to show that the system, you know, the layout of the roadways will be adequate and again, we believe Mr. Kennel could also help address that comment.

Chairman Johnson – So, if I could interrupt you for a second. I want to make sure we don't go through this to ask where we don't give the Planning Board Members opportunities to actually ask our professionals a question on some of the items. So you just went through 3.01 to 3.06 so I'll ask any Planning Board Members if they have any questions for our professionals or for you on those six items and then we'll move onto the next one. So, we're going to break it up a little bit.

Vice-Chairman Olschewski – Would it make more sense for you to go through these and explain your comments rather than

Engineer Sterbenz – If the Board would like. I think what we're trying to accomplish is the applicant's agreement with making these plan revisions. So, as I understand it, Mr. McGrath is indicating he would revise the plan to address comments 3.01, 3.02, 3.05 and 3.06, 3.06 really didn't need any action, 3.03 I think he agreed in error because I think his client has taken the position that they don't want to put sidewalks

Engineer McGrath – That's correct, I'm sorry.

Engineer Sterbenz – I think he misspoke there

Engineer McGrath – I actually have waiver from the sidewalk question mark.

Engineer Sterbenz – Again, the Board needs to look at that issue. I think sidewalk Maser Engineer think that sidewalks should go in in this development and I'll describe when the time is appropriate where I think it should go in and I think George will also speak to that as well. On 3.04 I'm not troubled with the waiver for the center line radius on Lock Street. I think a 250 foot radius is fine and I don't have a problem with the design waiver. I think there needs to be some

further testimony and some exhibits on the 185 foot radius for the connector road. That's well short of the 500 foot radius requirement. The big issue with the connector road is we're going to have truck traffic on that road on a regular basis and we want to make sure that the trucks are going to be able to maneuver within that type of radius and stay in lane and not encroach in other travel lanes. I certainly think the 25 MPH speed limit that has been agreed to and proposed through some of the work sessions we've had Mr. McGrath and I through some of the plan revisions is a good step in that direction

Engineer McGrath – I can also provide with turning maneuvers.

Engineer Sterbenz – Yeah, we were looking actually for an exhibit showing, you know, simulating how a truck would move in a westbound direction through, you know, through the inside of that curve. Maybe Mr. Kennel has that exhibit tonight or maybe he can report at next week's meeting to address that issue. So, that's really the summary of 3.01 through 3.06.

Chairman Johnson – We're going to revisit 3.03 later. Paul as you just said, but I do have a question on 3.06. Is that accurate we have a maximum height of 26 feet for a retaining wall? I thought that we were sort of

Engineer Sterbenz – That's been, that's been changed since that was the original comment. There's been some adjustments made to Mr. McGrath's plan.

Chairman Johnson - Okay.

Engineer Sterbenz – That's no long the maximum height and actually, after the initial review letter was issued, we looked at the way the ordinance is written and they're actually isn't a setback requirement for an individual lot. There's just an overall setback to Route 22 and the retaining walls that are on this building lot with a 950,000 square foot high cube warehouse or beyond 150 set back from Rt. 22. So that's no longer an issue.

Engineer McGrath – That's correct.

Chairman Johnson – Right and that was referring to the wall that's the Southside of the building not the one from the northwest corner?

Engineer Sterbenz – Correct. Along the roadway, yes.

Member Pryor – I did have a question on 3.05 you go back, I'm not sure I understood Mr. McGrath's explanation. If these were roads to be dedicated, we, the Township would get the easements and we'd have the right to clear the site triangles and so on. Who's getting easements here, no one? Who would the easement be granted to? The applicant owns all the lots.

Attorney Kemm – That's to, it would be from the applicant to the applicant but what it does

Member Pryor – That's what I'm getting at.

Attorney Kemm – it creates in the chain of title in the future should someone want to change something on the site, they know they cannot build within that area because that's now a site triangle. So it kind of memorializes it.

Attorney Sposaro – It's really more of a deed restriction than an easement. It just

Attorney Kemm – I mean if we want to change

Member Pryor - I'll let the lawyers work that out.

Attorney Kemm – It has the same net effect but your point's well taken, Mr. Pryor.

Chairman Johnson – Okay so no further comments on 3.01 to 3.06. We'll move on to the next ones then.

Mr. McGrath – 3.07 we'd be providing stabilization for the area what would be under construction for the new building pads that we see on exhibit A-1. The exception I would take is the placement of top soil on the graded areas. We're talking, you know, five inches of top soil over 45 acre piece of property here. That equates to about 30,000 yards of material that would be placed for a very short period of time. It would have to be pulled off, stockpiled and removed and so our indication here that we're proposing, the temporary seed base for that purpose. Just to be a temporary seed base and that, we would like not to have to put that five inches of top soil in place because of the, you know, it really, it's going to be put down and then it's going to have to be removed almost immediately as soon as the site (inaudible).

Engineer Sterbenz – Yeah, just to explain to the Board. The initial comment was what is the cover going to be. So, if they came back and said it was gravel that would have been fine for us. They needed to label gravel. We were told that it was new top soil and seed. Typically, you know, you would put a four to five inch thick, thick layer of top soil and so that's what predicated his comment. We were told that that's what was going to happen and you know, typically you would do this unless he wants to reevaluate

Member Pryor - I have a question for Paul.

Engineer Sterbenz – Sure.

Member Pryor – I didn't mean to cut you off. Are you done?

Engineer Sterbenz – I'm done.

Member Pryor - I mean he's going to have to get his soil erosion sedimentation control plan certified right?

Engineer Sterbenz – Yes.

Member Pryor – And what are they going to approve? Are we asking for something more than they would ask for?

Engineer Sterbenz – No. Again, if he wants to, he wants to provide gravel where the building pad is, I don't think we mind, we just ask

Member Pryor – And the Soil Conservation District would approve the

Engineer Sterbenz – Yeah.

Member Pryor – Yeah.

Engineer McGrath – We'll provide verbiage that would be required for the area and work out that detail with you.

Chairman Johnson – Is there a definition on temporary? If you do it, on a temporary basis and something happens in four years, you're not doing something for four years, are we no longer temporary? So, is there going to be a stipulation on the time frame?

Engineer McGrath – In the Soil Conservation District, if the land is left for a period of time, the temporary seed or temporary stability has to be placed. If it is left for a longer period of time that it has to be permanently.

Chairman Johnson – So you have to be within the constraints of the temporary definition.

Engineer McGrath – You'd have to be within the constraints of the Soil Conservation District.

Chairman Johnson – Okay.

Engineer McGrath – 3.08 is indicated that it was satisfied. 3.09 we have that we would agree to this. I believe it's the signage out on Rt. 22 that was discussed here and that we will if that's not the case, then the signage will be provided as to what is required. The issue we're dealing with here is we'd have two sets of plans that we have working on; one that goes to DOT for their approval and that shows certain information and then our plans which is the site plan portion of it that shows other information. I think it just got missed in passing we will provide that information. Temporary access is the next one; 3.10. It says it's satisfied. We go to 3.11 this indicated that it's a continuing comment and it was looking for testimony on what the purpose was and how, you know how these things were going to be input. I believe I touched on it briefly earlier when I explained how temporary roads were going to be installed and immediately after the signalized intersection has been approved by DOT, you know, (inaudible) construction and the like, the temporary road would be taken out of service. The temporary detention basin would be taken out of service and the secondary basin that would be in the center of or adjacent to 22 would then be converted to the water quality feature. I believe that kind of does a Reader's Digest version of that portion of it and it asks for testimony

Engineer Sterbenz – Just C and E, I think you need to address real fast.

Chairman Johnson – Right we hadn't talked about the C, I agree.

Engineer McGrath – Well C, the duration of the roadway actually was driven by when the Rt. 22 intersection comes on line. We're anticipating that it shouldn't take any more than a year once we start 12 to 14 months to construct the intersection. I'm talking, you know, the actual signalized intersection so at that point in time that would be there.

Chairman Johnson – For 12 to 14 months after DOT approval?

Engineer McGrath – Correct. E – it is our anticipation at this point in time that this is a major project, you know, they're huge area they're going to be working on at the same time. Site contractor is going to be looking to develop certain areas. I'm sure there's going to be staging areas. We do not have a construction staging plan to give you at this point. What we're trying to do as part of this temporary is basically be able to get that construction equipment off of Rt. 22 and onto the site at this point. When the actual contractor comes on site, he's going to have to develop, you know, his staging areas and how it's going to work because of the amount of earth work and that, that needs to be done on the site.

Engineer Sterbenz – So I think what we could do is add a note to your Soil Conservation District Plan indicating that there are going to be staging areas and at the final location of those staging areas will be determined in consultation with the Soil Conservation District and the Township engineer and that will resolve the issue. Just put a note to that effect. And will be resolved prior to construction.

Chairman Johnson – So Paul, we're at this point I would say then we're satisfied that 3.11 has been addressed with the testimony tonight.

Engineer Sterbenz – Yes.

Chairman Johnson – Okay.

Engineer McGrath - Grading and Utilities partially satisfied was 4.01. I believe that, again like I mentioned before, there were two sets of plans. I believe that the stationing for the Road A and Lock Street was missed on one of the other plan sets and that will be taken care of. 4.02 has to deal with the grading blowups and details provided for the PROWAG requirements for the EDA requirements. The plans that were submitted to NJDOT showed the intersection improvements and they showed crosswalks that's required as part of what DOT on any intersection that you construction now and those details, I believe are not up to the current PROWAG. Those details will be changed. Storm sewer profiles partially satisfied.

Chairman Johnson – So, real quick so, the 4.02 you are agreeing to

Engineer McGrath – Yes

Chairman Johnson – to incorporate that.

Engineer McGrath – Yes.

Chairman Johnson – Okay.

Engineer McGrath – 4.03 we are also going to agree to. The reason it was done the way it's presented tonight is the question was in the Lopatcong portion of the site and what we tried to do is be able to get the plans back to you as quick as we could and it meant, you know, maybe another day or two and we probably, we would not have met the deadline that they needed to get the plans and so that will also be taken care of. 4.04 partially satisfied. See comments for specifics. These have to deal with; again, these are details that we are dealing with. Grading and utilities and that would be specific to the two I'll call them detention basins for talking purposes here. The emergency spillway details, the low flow channels, which were not provided, the planting details and seed mix and the embankment spillway stabilization measures and under green layouts, those are being worked out at this point. We had soils work provided to us and it provided us with the information that we needed to be able to develop these, these plans and these plans have to be, have to be presented to and approved by NJDOT first. Then we need to get DEP approval and simultaneous to that we would need to be able to get the Township's approvals. We are going to provide all this information as part of our next submission of a full set of plans providing that we get the input we need back from DOT at that time. 4.05 says that it's been satisfied. 4.06 says that there should be a minimum drop across the drainage structures of .1 foot, you know, it's a tenth of a foot. Some of our drainage runs are over 2,000 feet long and there is as many as 20 structures through there. So if we do the math through that, if I a tenth to every one of those as we go down the line, when I get to the end, I'm going to be two or three feet deeper than I need to be at that so I'm looking to see if we, if we can have relief on that. Typically (inaudible) mention our structure's there from centerline structure and that gives you the proposed the invert from the structure itself. It's doesn't give you the tenth but it does give you relief through the structure to provide positive drainage. The tenth typically we provide in our office is for, when we're doing a sanitary sewer manhole, you want to make sure that they meet the liquids and solids continue through the manholes that we do, we do propose it there. So we would be looking for that comment, for relief on that comment.

Engineer Sterbenz – We'll take a look at it with Mr. McGrath. I think it; we'll take a look at it with him

Chairman Johnson – Okay, thank you Paul.

Engineer McGrath – 4.07 we did provide the drawl down calculations and we will make the appropriate changes to the other documents. 4.08, has been satisfied. 4.09, has been satisfied. 4.10, the comment indicates that this is not been provided. What we did on the plan is we provided doesn't necessarily show that well on the Lopatcong plan because we don't have an actual sewer connection here but we do show our stubs for the water. I'm not sure if this comment also intended to mean that we need to provide stubs for the electric, the gas, the cable TV and the like to be brought onto this pad for future construction. Didn't show it at this point in time because we didn't know where the connection is and all of these utilities are not across the street, they're on the project site. So, the connections would be easily made without

disturbing the pavement section and on the plan, there is a water main stub shown in the driveway here for the connection and as I explained before, in depth on my A-1, I explained before that there will be a place outside the road right-of-way for the connection of the force main from Building-7 so on that comment I did give, where they just did like sewer, excuse me, the electric/gas things like that, we can provide a footprint. We just don't know the exact location of it at this point so

Engineer Sterbenz – I think we just show the schematic you can stub for these other utilities and just indicate that it's tentative and that final location will be determined you know, either prior to construction or during the time that the site plan is provided for the building.

Engineer McGrath – 4.11 has to do with grading in two particular areas on the site and we will, we'll make those changes after discussing it with your engineer in more detail so that we know exactly what we need to do there to satisfy that comment. 4.12, was satisfied. 4.13 partially satisfied. Under 4.13, I believe I referenced before that the location of the existing (inaudible) existing water lines that traverse the north end of the site, we have the horizontal location at this point in time, but we don't have our estimates on them to give me the vertical as we need to, you know, if they can stay in their actual location or they do need to be revised. We would be looking to try to do that as part of site plan actually from Building-7 when we come back we'll have a better sense as to the actual grades that we're going to have then.

Chairman Johnson – Okay.

Engineer Sterbenz – I guess that the reason why we have this comment is that your grading is being shown over that area

Engineer McGrath – That's correct.

Engineer Sterbenz – so are you going to cut back the grading and leave that area alone?

Engineer McGrath – I believe we put a note on the site plan that's not on that plan, but there should have been a note placed on it that field verification of the depth would be done prior to and that that would be my preferred way of doing it at this point if we're working with

Engineer Sterbenz – I'm not seeing anything like that on the plan.

Engineer McGrath – It would be, I think it would be Sheet 8.

Engineer Sterbenz – It's not 6 and maybe. There is a note about the water main approximate location of existing water main (inaudible) identified it doesn't mention about verifying the depth of the line to see if it would be uncovered based on your grading design.

Engineer McGrath – We'll, I'll supplement a note and you know, expand it so that it covers both the gas, water and horizontal and vertical pitch.

Engineer Sterbenz – Right.

Chairman Johnson – Right site plan, we'll have to accommodate whatever

Member Pryor – I have a quick question there, would Aqua be designing the water lines or would you be designing them?

Engineer McGrath – What will happen there is we would go through, have our design and we have to present it to them and then they are going to, hopefully, approve it as to the relocation. That 16 inch line that comes through there right now is intended just to service the project as it existed before. I believe its dormant now and that it's been shut off, that, you know, closed off but there maybe water in the line itself. It is our intent that if we can use it, where it is we're going to bring it to the site, if it can't

Member Pryor – Can they review and approve your design and then you would, you would do the construction and they would provide some inspection or are you going to own these lines on site or is Aqua?

Engineer McGrath – I honestly, I'm not sure what the outcome that would be whether or not they do the actual construction of, I know I need, once we're done here that these plans go back to them and they have to approve them.

Member Pryor – Yeah, I just bring that up because sometimes you have to leave something to the water company in the end depending on what the arrangement is.

Engineer McGrath – I was just informed that we're, we are responsible for the build but they would be doing the inspection.

Member Pryor – Okay.

Engineer McGrath – Note 4.14 again, we would agree to make the changes that are required there, we have to meet with, that has to do with grading along a particular retaining wall and we would be making those changes, we just need to know exactly where they are. Note 15 has to do with utility poles, fire hydrants and the like out along Rt. 22 and how they are labeled to be either remain or relocated or totally removed. Again, there's two sets of plans. Some of it shows on one set, some of it shows on the other. We will have these plans coordinated and I also would like to have the opportunity to discuss this with Mr. Sterbenz because of some information he has found in the field and we have not been able to locate it, I sent my crew out there twice so, once that information is obtained, proper notes will be shown on the plans. Again, that's the same similar comment under 16, you know, we would be labeling it properly on, on the plans. Note 4.17 has to deal with the, it was partially satisfied. There's an area, I'm going to A-1 again, where Lock Street makes the bend and then it starts to continue along the property line behind the diner on 22 and they asked us to extend the guide rail, I think it's about 160 feet where the revised plans will have that shown on there.

Engineer Sterbenz – Just so the Board is aware, above the diner, the Lock Street improvements are going to involve a slight widening of the pavement and it's very steep there to begin with;



there is actually a constant cable guide rail already right now that is not in good condition. So Mr. McGrath actually is showing new guide rail where we asked but it just needs to be continued a little bit to the, I guess it would be to the east here to get the rest of the posted and cable guide that's (inaudible) at this point. So we're almost there. That's why the guide rail is being extended.

Engineer McGrath – And then, we'll also add the requested details for the end treatments as to how they're going to be done. 4.18, was satisfied.

Chairman Johnson – Paul, we getting rid of all the post and cable guide rail or just the part that's in bad shape?

Engineer Sterbenz – All of it.

Chairman Johnson – Okay.

Engineer McGrath – We're showing new guide rail from where I guess it starts, post and rail starts now it comes towards our project that will all be coming out.

Chairman Johnson – Okay.

Engineer Sterbenz – Yeah, he's putting more guide rail in because it's needed because of the widening of the road and then in addition to that, he's going to be replacing the post and cable guide rail that's beyond that point. It's in bad shape and non-conforming.

Chairman Johnson – Excellent.

Engineer McGrath – That was okay 4.18 was satisfied. 4.19, was satisfied. 4.20 the minimum slope we're proposing here again has to go back to where I was talking about and the amount of distance that we travel on the site to provide, give you an idea, we're proposing a one percent slope and that's in areas of where they're be pad ready gradings intended to be. Two percent would be typical like if you were doing housing sub-division and you wanted to get the water to move away from the buildings where in-between the buildings, we're proposing one percent here for two reasons really; one to minimize the amount of dirt that has to be moved later on. The contouring that you see there those are one foot intervals and they're approximately 100 feet apart. If we go two foot, for every 100 feet that you see there, then we're going to have to have two more contours or graded up higher that means more material that would have to be shuffled around later when we actually go to do the site plan. The two percent is going to give the ability to flow a little bit better than we really don't want it to at this point. The one percent should give it the ability to be able to stay dry so that the material could be

Engineer Sterbenz – Yeah, I think we just need some clarification on the note. I think, you know, you're talking about the saw tothing of the grades where the pad sites going to be

Engineer McGrath – Correct.

Engineer Sterbenz – I would agree cause that area is eventually going to be parking lot that and one percent is acceptable in a parking lot as far as drainage goes.

Engineer McGrath – Right.

Engineer Sterbenz – So again, I think that your note 20 has gotta be

Engineer McGrath – Okay. Understood then maybe the verbiage in it should be grade change  
Talking over each other.

Engineer Sterbenz – Yeah and we're good.

Engineer McGrath – Note 21 has to deal with the existence of monitoring wells on the site. It is my understanding that our environmental consultants are in conversation with DEP and that they are looking to have the majority of them removed or closed as they be and that, that information will be provided to you as it becomes available to us pretty much you know. All that information has gone to DEP already. Just need to get their response and then we'll be able to tell you. We'll provide you with that information. All right Comment 4.22 has to deal with closed depressions on the site. They are at the localized low points I believe you were talking about Paul. I had submitted a report from our soils engineer indicating that they were not sink holes and that's a comment further on

Engineer Sterbenz – Also we're in agreement with the report that was submitted. You said that in Section 6 of the report.

Engineer McGrath – Yeah, good. This comment had to deal with how it's reflected on

Engineer Sterbenz – This is a drainage calculation

Engineer McGrath – a drainage calculation

Engineer Sterbenz – the existing conditions.

Engineer McGrath – and I would like, you need to discuss what you know what the impacts are.

Engineer Sterbenz – Okay. Thank you.

Engineer McGrath – 4.23 is an advisory comment; applicant is in here stormwater flows collected the pipe ways of 22 and post basin in the Town of Phillipsburg that's just a comment to let you know that everything, most everything from here is draining to Phillipsburg.

Engineer Sterbenz – I am in agreement with, I did have a discussion on this development with the Phillipsburg engineer noting that the wet basin is in Phillipsburg and what came out of that was that the Town of Phillipsburg's going to be taking the lead on the review of that particular drainage facility. We'll be looking at all of the piping and we have been looking at all the piping

going to that because that's in Lopatcong Township.

Engineer McGrath – All right. Again, Note 4.24 there are substantial grace rates on a lot of these utilities that we are proposing downhill. Comment says that it has not been satisfied at this point. The details that are requested here we're going to change on our site plan but we're also proposing that prior to ordering any of these instructions that the design calculations and shop drawings will be provided for review by the engineers that they're meet the standards that he's looking for.

Engineer Sterbenz – I think it's a very simple change to the note and you just have to change the class (inaudible).

Engineer McGrath – Yeah. Except for the details to be changed we will also provide you with the shop drawing. 4.25 satisfied 26, has been satisfied, 27, has been satisfied, 28 has been satisfied. 4.29, has been satisfied. 4.30 having to deal with the bio-retention construction and the final construction the temporary access improvements and that, it was partially satisfied. The engineer should indicate the bio retention basin as to be construction in its final configuration after the temporary access has been eliminated. I think I presented that in testimony and what we would do as recommended in the soil erosion notes we would indicate that that's going to happen and maybe enumerated also in the general notes so that

Engineer Sterbenz – Shouldn't I guess, isn't there really two plans for that facility. There's a plan in its temporary condition and a permanent plan for its permanency.

Engineer McGrath – That's correct.

Engineer Sterbenz - So my understanding is that there's one view right now there isn't two views. I don't know if I'm mistaken, but that's my understanding.

Engineer Wisniewski – I can interject yeah. So the details, we just need temporary detail for the sedimentation basin condition and then for the bio-retention condition and the BMP Manual requires that a permanent condition, sorry, a temporary condition now be constructed to final grade to prevent any kind of sedimentation issues in the final condition.

Engineer McGrath – We, if we can talk about that, but we would continue with also indicating that the basin will be cleaned, desilted and everything final to doing

Engineer Wisniewski – Final should be constructed, yeah.

Engineer McGrath – I believe 4.31 was part of a plan set and calculation that was provided by Menlo Engineering and I will have them provide the requested details. 4.32, it appears that A and B have been satisfied. D and E have been satisfied and that for inlet or C, 4.43 to Section 4.44 can, again, we'll look at that and if need be we can discuss it at the meeting that we're proposing with your engineer, but we should be able to say yes to the comment. I believe 4.33 on to 4.41 are new comments that came as part of the last submission and 4.33 the outlet control structure must be provided. We will provide that. Temporary basin along 22 will effectively

function as a sediment basin. It should be designed to the riser this is a similar comment that we just discussed and yes we will provide that information. Provide cross section narrative description bio-detention to indicate the intent of the construction sand filter and the like. All that information will be provided and we will discuss it with your engineer. Separate cross section should be provided for the two temporary basins and permanent water quality basins and that's on two separate plans but yes that information will be provided. Allocations and layout of multiple under drains proposed for the bio basin must be clarified. That detailing will be provided in our next submission. Clean-outs will be provided as, you know, requested. That's 4.38 that I'm on. 4.39 detail cross sections and bio's information A through D, this information will be provided and I will recommend that I discuss it with your engineer to make sure it meets this. I think 4.40 and 4.41 are basically the same and we're going to provide this information and we would provide it to your engineer prior to not the next meeting but we will provide it to your engineer for his review. We're moving onto landscaping and lighting for preliminary pad ready site plan. 5.01, it's been satisfied. 5.02 partially satisfied. We'll provide the manufacture's details and appoint distribution on the lighting configuration. 5.03, has to do with the numbers and distribution of the 700 trees as far as the buffering requirements. I believe there is a similar comment in the Planner's Report and I would, at this point, like to discuss with both your Planner and Engineer's as to what their, you know, particulars are that they are looking for on that and you know, how we can address this item because they're similar but exactly not the same; the two comments so I want to make sure that we work the same.

Engineer Sterbenz – Maybe Mr. Ritter can come to my office when we meet to go over that aspect of it

Engineer McGrath – I would appreciate that.

Engineer Sterbenz – so

Engineer McGrath – That would be great.

Planner Ritter – Sure.

Engineer Sterbenz – In fact, maybe to perhaps move this along, maybe there's an agreement maybe to meet to discuss all the landscaping which is, pretty

Engineer McGrath - I agree.

Engineer Sterbenz – much takes up all of part five of my letter

Engineer McGrath – All of five.

Engineer Sterbenz - so

Engineer McGrath – Yeah.

Engineer Sterbenz – Okay.

Engineer McGrath – The Geotechnical Report

Chairman Johnson – Well just real quick, were there any comments on any of the landscaping by Board members? Okay, go ahead with Section 6.

Engineer McGrath – Thank you. Geotechnical issues Mr. Sterbenz I had a minor comment or conversation before about providing additional soils information and how it relates to the current site plan. We will contact our soils engineer and provide this information to him and I believe 6.02 having to deal with grading utility designs.

Engineer Sterbenz – 6.01 through 6.03 are essentially the same issue.

Engineer McGrath – The same issue and they would be addressed in a future report.

Engineer Sterbenz – 6.04 you mentioned that you did do some soil explorations where the detention basins are near Rt. 22. I did not see that. Otherwise we'll take a look at that in your next round of revisions so we'll take a look at that now. I'm assuming were there permeability- was there permeability test done?

Engineer McGrath – There were permeability tests done. There's no ground water that we need to deal with so there, you know, issues were good. The only issue that we were for those two areas, the bio-retention one would have a liner in it so that permeability would not be an issue. We're putting a liner in it because of the karst.

Engineer Sterbenz – Karst, okay.

Engineer McGrath – 6.05 I believe that that was addressed based on that report that was submitted. 6.06, was taken care of similar to 6.05. 6.07 is a traffic impact analysis. I think I'll skip that and allow our traffic engineer to address those. Miscellaneous is where we are at now. 8.01 roadway utility profiles. We are proving all that information on the profiles and they will be in our next submission and all revisions that we are proposing. The curb detail 8.02 the curb detail will be revised. 8.03, has to deal with the configuration of the whether or not we can provide internal drop connections for the sanitary manholes. All of the sanitary manholes are in the Phillipsburg portion of the project and the engineer there had not commented on this. I would look to see that

Engineer Sterbenz – I withdrawal the comment. If there is nothing in Lopatcong then I don't really care it's up to Stan Shreck to resolve that.

Engineer McGrath – 8.04 is satisfied. 8.05, the detail for the terminal ends of the guide rails will be provided and if there is any grading adjustments those will also be provided. The trench details in the clean stone and the choke and that we will address these comments but I also would like to discuss these with our soils engineers so that we get their input and that could be also discussed at our meeting that we're proposing. The change to the detail on 8.07 to 40 mil. We have no problem with it. 8.08 having to deal with the earth work quantities that are on this

particular site there is anticipated approximately 140,000 yards of material will be removed from the site and utilized in Phillipsburg. The top soil you know, obviously it will be scrapped. We anticipate getting a little bit more top soil off of this site as it is a farm field at this point in time and that will be distributed either through the areas that are going to be landscaped at the site. It also can be used for the berms that are required along Rt. 22. It is not intended, with reference to F, it is my understanding that there is a it has to do with contaminated soils there is a plume in Lopat. It has to deal with this area right here which is where the monitoring wells are. That's all part of what we're dealing with the DEP at this point in time and we may have that information

Engineer Sterbenz – That's a ground water plume it's pretty deep on the site. I guess what I'm talking about is soils. Are there any contaminated soils?

Engineer McGrath – The soils itself no. To our knowledge there is none. The surface soils that are going to be excavated.

Engineer Sterbenz – Resolutions with pesticides on the site would be with the farm field there?

Engineer McGrath – Not that I know of, I mean, just got a news flash apparently the soil has been tested and there's no issues with it for pesticides, herbicides or whatever and that the (inaudible) that we were talking about it between 90 and 140 something feet down so we're not going to be near that. G – there is no soil coming from Phillipsburg on this site actually Lopatcong is going to Phillipsburg to create that site plan.

Engineer Sterbenz – Thank you.

Engineer McGrath – Moving onto 8.09 has been satisfied. 8.10 has been satisfied. 8.11 has been partially satisfied. It has to do with the asphalt driveway apron for the temporary access. That information will be provided on the next submission and then I think we're at approvals, fees and guarantees.

Engineer Sterbenz – And, just on 8.12, I mean, we talked about the waiver

Engineer McGrath – I'm sorry.

Engineer Sterbenz – for the centerline radius on the Lock Street issue note that you're requesting a design waiver. I don't know if there's any variances being requested. I don't think so, but if there were

Engineer McGrath – I don't think, you know, I think all the issues that we thought we had are gone so

Engineer Sterbenz – Okay.

Attorney Kemm – In Section 9.0 those are generally outside agency approvals. The only one I would want to talk about is F regarding the maintenance of the detention basins. I don't know if Lopatcong requires Council approval of that as well.

Engineer Sterbenz – It is a requirement of, it's a requirement in the ordinance

Attorney Kemm – Right.

Engineer Sterbenz – and that requirement is a result of our municipal storm water permit with the State of New Jersey so you have to have an instrument that provides for that maintenance. Actually the DEP is getting very strict on that.

Attorney Kemm – Yeah, I'm aware that's why I'm wondering do we need to have that it's an agreement with the Township and then we need to go to Council for approval aside from your and Mr. Sposaro's review. Whatever it is we'll accommodate. Just want to make sure

Talking over each other

Engineer Sterbenz – (Inaudible) go to Council. It's something that Mr. Sposaro and I would review and approve. We have a certain form that we've seen approved in prior projects.

Attorney Kemm – Okay.

Engineer Sterbenz – That we can get to you and Mr. McGrath's maintenance schedule will be

Attorney Kemm – Independent to that.

Engineer Sterbenz – (Inaudible) to that and that would describe the type of maintenance that typically occur in these facilities namely for the frequency of that maintenance.

Attorney Kemm – Okay great. If you provide me with the form, I'll fill it out then submit it for your final review and approval and then Item G there is already a Redeveloper Agreement in place with the town and signed in December of 2015 and then the other comments are, we've agreed to and they are standard conditions of approval. I think yeah, why don't you finish all the reports and then we'll bring Mr. Kennel up so, why don't we address the Planner's Report if you would.

Chairman Johnson – Mr. Kennel is the traffic

Engineer McGrath – Traffic, yes.

Chairman Johnson – I think what we're going to do, is the traffic is going to be a very lengthy discussion and we want time for public comment at the end of the meeting so I think we're going to postpone our traffic until the next meeting but we can address some of the other issues and maybe talk more about the sidewalk why we have everybody here which is wanted to revisit as well.

Engineer McGrath – Okay. I have a copy of Mr. Ritter's Report dated August 17<sup>th</sup>, 2017. The first 2 ½ pages were just, I believe were just, you know, explaining the project and that and then

we start on Page 3 for review comments. The reference to Lot 1, Block 100, that's that little triangle lot that's being stricken off the plans and I know next submission it will not be

Planner Ritter – Yeah, it won't be included in the redevelopment area.

Engineer McGrath – Correct.

Planner Ritter – Thank you.

Engineer McGrath – Development signage, I believe at this point in time

Planner Ritter – Oh, okay I thought, I thought the signage package was begin pulled from the application at this time, both the advertising sign that was on L01 plus the sign package that was submitted for Rt. 22 and the other two sign locations.

Attorney Kemm- Yeah, as indicated we were probably not clear. I spoke to you about it before Mr. Ritter, was the, we're withdrawing all the site signage at this point. We had discussed specifically the sign on the other side of 22 on that piece that we own that is not in the redevelopment area and the problems with that, you know, and having to jog it with that particular zoning versus the redevelopment plan and I don't think we were clear in our discussion that there due to your comments here that we were going to withdrawal all signage, speak with you as well as speak with our clients to what you as well as speak with our clients to what they need for signage and have a discussion before we finalize any plans so we're withdrawing all the signage at this point, so again, apologize to Mr. Ritter for having to review that and issue a new report on it, but I think we're clear on it now. So, once we get a design I think we would like to share it with you before formal submission to the Board and get your input and thoughts and hopefully address it better so you'll have less comments.

Planner Ritter – That might be fine. It might be good to do it at the same time we meet with Mr. Sterbenz to discuss the landscaping if we could schedule it to match, that would be a great

Attorney Kemm – If we can get a firmer handle on exactly what we're looking for, we will make sure we do that. We'll try to have to have that for you at that time. Thank you, Mr. Ritter.

Engineer McGrath – All right that brings us to about a quarter of the way down Page 4 having to deal with the landscaping plan. There is a comment regarding the plantings along Lock Street and how they're represented; they're a little too formal I believe.

Planner Ritter – Yes and I think these comments can be discussed with Paul, at Mr. Sterbenz office but the thing we were looking for there was just to try to get it to be a little more naturalized. Not so much more plants, maybe substituting a few native species and making it look more informal rather than just planting it as a buffer strip.

Engineer McGrath – You didn't like my soldier rose.

Planner Ritter- No I'd like it, at least there I'd like it (inaudible) if we could.



Engineer McGrath – All right if that's acceptable with the Board, I would like to meet with Mr. Ritter to discuss those comments and reformulate what's needed as far as the plantings which brings us to you had a note as far as the site triangle or the site easements and that that the plantings 20 inches we're going to revise that on the plan. That would be about right. You have the sidewalk issue which I believe we're going to discuss in further detail. I don't know if we're going to start that now or maybe discuss the vacation of Lock Street and then we can come back.

Planner Ritter – Yeah, I think that's best, cause I think

Engineer Sterbenz – Applicant seeks to merge half of the vacated portion of Lock Street with the redevelopment property. Applicant should address removal of the existing improvements with Lock Street. On this vacation, applicant should inform the Board as to its intent to the removal of these improvements and the applicant should, what existing improvements are to be removed and how to distribute and stabilize the like. It is our intent, the last portion has to do with the actual vacation of Lock Street will be subject to Town Council obviously, it is our intent and I'm going to use A-1 as a talking point again, this portion of Lock Street were we tie back into it and again, I'm talking to it probably 3 or 400 feet from the intersection, the existing intersection with Rt. 22. That pavement in that area is intended to be removed. The base is going to be taken out and they're looking to regrade that area, seed it and bring it back to a more natural, a natural form. There are a couple utilities that Mr. Sterbenz and I have to work with as to whether the, you know, they're out here in the street or not now, you know, how they're going to be eliminated. Other than that, we're connecting back into Lock Street in its existing location. We are doing some widening in that area to make it, you know, a better road.

Planner Ritter – Well, I think that addresses my question. I wanted to make sure all the improvements on the piece that wasn't being realigned were coming out and also I guess my question is, is that half of the right-of-way, not on the piece you're realigning but the pulling it out

Engineer McGrath – Correct.

Planner Ritter – under normal practice and I'll be corrected if I'm wrong, that would go to the neighbor property owner. The owner (inaudible) that.

Engineer McGrath – Correct.

Planner Ritter – Which is a function of Council but I just wanted the Board, you know, to understand that some of that would be reverting back to the neighbor.

Member Pryor – Can I ask, I understand that? I guess that customary, it's written in the law, I guess, but the pavement that's there. You're taking all that out? Your half and the half on the other?

Engineer McGrath – Yeah we would eliminate all of Lock Street at that point in time because the road

Member Pryor – I see the neighbor gets bear ground at that point and you too.

Engineer McGrath – Yeah.

Planner Ritter – Yeah, that's all I wanted to make sure is that it will be saw cut down the middle.

Member Pryor – Well, (inaudible) half this thing and like I said I've heard stranger things.

Vice-Chairman Olschewski – Do we have any idea on the impact on residents living there, time frames and 22; how long is that all going to take? The improvements on Lock Street and the intersection you building on 22 and the, the, the, the temporary entrance which is going to be built, that must impact everything around there greatly right?

Engineer McGrath – Well, the temporary to start with is in this area here, it's about a little more than half way up the property where were making the connection. That was done to eliminate some impacts with, you know, traffic down towards Roseberry and the like and that so that we can keep construction traffic right onto the site when we start work here. The construction of the new intersection, we anticipate that it's going to take about 14 months after we have all the approvals in place and we can sign the contracts and everything, everything gets going. As part of that intersection, this connector road is also going to be started and constructed and at that time, we'd be working on bringing Lock Street into its location. At some point in time, we're going to have to make the hard location from the new Lock Street onto the old Lock Street. So there will be a period of time where this portion of the road would have to be closed so that we can complete, you know, complete the construction in that area.

Vice-Chairman Olschewski – Okay is there any point where, where Rt. 22 is going to be made into a one-lane road or something? No.

Engineer McGrath – You mean under

Attorney Kemm – No, the, the

Vice-Chairman Olschewski – Near the construction of the

Engineer McGrath – You know, we're pulling, we're pulling traffic off of Rt. 22 to work in this area here

Vice-Chairman Olschewski – Okay.

Engineer McGrath – and when they're working on this side here, there are plans, there are plans for lane closures and like particular portions of the construction.

Attorney Kemm – But they wouldn't be shut down like the eastbound lane

Vice-Chairman Olschewski – I'm not anticipating but there will be lane closures.

Attorney Kemm – Yeah, we'll have our traffic expert talk about it but the other thing too as Mr. McGrath was saying just to give you and neighbors a better idea, this will all be constructed up to here where Lock Street, while old Lock Street the old Lock Street's still in place. When we actually have the mid, the new connection in this general area, that will be a short period and we'll you know, try to make to fast as possible so these people will have to go back out Lock Street temporarily but it's going to be the very last thing we do and intentions to do this as quickly as possible to avoid construction for the neighbors for a short period of time but that's, that's the plan.

Mayor McKay – A quick question as to perimeter landscaping. Is there any intention to choose the plans or to provide sprinkling of the plans on the perimeter landscaping? We have a situation in town where a commercial development went in and they put a lot of plantings on the road perimeter and they all died.

Attorney Kemm – Yeah I think the intention

Mayor McKay – Not all

Attorney Kemm – is with Mr. Ritter's input is to just to provide a variety of more native species that wouldn't require sprinkling. It's going to be more trees than shrubs versus flowers and things of that nature

Mayor McKay – (Inaudible) be general maintenance shrubs

Attorney Kemm – Yeah.

Mayor McKay – and they die because of lack of

Chairman Johnson – There's usually warranties on the plants. Is it one or two years?

Attorney Kemm – Under the Municipal Land Use Law we provide a two year maintenance guarantee once the construction is completed and accepted by the town, but again, I think it's part of Mr. Ritter's, I don't want to speak for his process

Planner Ritter – Yeah we're going to try to pick plants that can withstand the natural conditions they're going to have to deal with out there. It was not part of our plan to envision they were going to put irrigation in on that area. So the plants we're going to pick with that piece there would be generally hardy to this area and obviously, all newly planted material the first year, year and a half is really when it's important to water them, if you can and get them established. So that's the part we have to work through, but the intent was not to irrigate them.

Vice-Chairman Olschewski – Yeah, I think Tom are you talking about the solar panel things, right?

Mayor McKay – Yeah I mean

Vice-Chairman Olschewski – I mean we want to prevent

Talking over each other

Vice-Chairman Olschewski – I don't know if you have passed by the solar panel field there lately.

Planner Ritter – Well, there in bad shape.

Vice-Chairman Olschewski – Yeah, so we would want to prevent something like that.

Mayor McKay – This is even more important because this is Rt. 22. It's like

Planner Ritter – I can understand what you're saying. The solar field has a lot of (inaudible) plants in the, I agree with you.

Mayor McKay – I don't want to see that here, you know, this is what people will see of Lopatcong when they come through. So I would suggest that some kind of sprinkling is desirable.

Planner Ritter – We can talk maybe a longer maintenance period to to get them over the hump. I'd, I don't remember how, what the maintenance period was on the solar. Two years, it was two years.

Member Woolf – One question on the bend at Lock Street. I know the state laws whatever it is, half reverts to one owner and half reverts to the other and I'm going to say Phillipsburg Diner for not knowing who owns it. Suppose they don't want it and they have that right to reject would you people accept that other half of the roadway.

Attorney Kemm- Of course, yeah we don't want to leave an abandoned little you know 12 foot wide piece of property. Again are you saying this

Member Woolf – You don't have to accept (inaudible)

Member Fitzsimmons – Is that part of the diner?

Attorney Kemm – You know we assume that it's part of the diner. We're not a 100% sure.

Member Woolf- It's right behind the diner so I don't know.

Members talking over each other.

Attorney Sposaro – We've got about 8 conversations going around at once. It's going to be impossible to create a record here so if one person could speak at a time. I know it's late. I would appreciate it.

Chairman Johnson – As I said, I don't think we want to hear anything new. We have enough time for Planning Board comments and for public comments and some suggestions for the next meeting.

Attorney Kemm- Sure

Chairman Johnson – We're going to be talking about the sidewalk issues. Want to be prepared for that. We're also going to be looking for more information on the traffic issue as Paul's comment states, I think we're, the Board is mostly in agreement with what Maser's comments are there. So be prepared for that and then we're going to do not the site plan, but the breakup on the property next time as well. So right now, what I want to do is take some questions or comments from Planning Board members on what we've heard and not really getting into anything new. You want to add anything to that Tony as far as what's going to happen in a week?

Attorney Sposaro – We need some specificity on what we're looking for in terms of traffic study so the applicant comes prepared and can submit something in advance of next week's meeting if that's possible. Amended and restated redevelopment plan there is Section 3.9 it says traffic study – “the redeveloper shall provide a detailed report on the existing and proposed traffic conditions prepared by one or more qualified professionals. The report shall be provided to the Planning Board for review for a processing of a site plan application. The study shall include the estimated average number of automobile's and the number and size and/or type of trucks or busses that will enter and leave the site each day and during peak hours including an analysis of the ability of the existing road system to accept the additional traffic volumes”. There were two traffic reports submitted as I recall as part of the approval of the General Development Plan. There was also, we also received a copy of a report that was submitted to the DOT in February of 2007 but there was no supplemental and I think that report generally regurgitates with what was contained in the earlier reports; there's some updated information though, but we did not get an updated traffic study with submitted with this application for site plan approval. Paul, do you want to comment on what's in that report and what you think we need?

Engineer Sterbenz – Yeah, this report, generally speaking parallels the two previous reports that were reviewed at the time of the General Development Plan application and those two reports were actually submitted with this particular application for the site plan approval. One of the things that I noticed is that the background traffic is the same in this report as it was in the previous reports. The proposed trips that are begin presented in the February 2017 report are a little higher than the trips that were presented in the reports that were reviewed by the Board at the time of the GDP so I think we would expect Mr. Kennel to explain that; why that's the case when he testifies next week. There was a requirement that there needs to be some specifics on the truck traffic. This report nor the previous reports give a breakdown. Now for example, if there's 500 trips, it doesn't say that 300 of them will be passenger vehicles and 200 will be trucks so I think we would expect Mr. Kennel when he comes next week to provide that type of break down to the Board so we understand the amount of large vehicle traffic that's going to be going into and out of this development in the future after it's built.

Attorney Sposaro – Paul, do you want to hear that for the first time at next week's meeting or do

you want some supplemental information in writing so you have an opportunity for your staff to review it.

Engineer Sterbenz – I guess the question is, is this February 2017 report was never submitted to the Board so is the applicant going to be submitting this or another report that may be more recent than this February 2017 report into the Board at this point so it becomes part of the record. This is not part of the record. I happen to find this today when I was getting prepared for the meeting tonight and it was in a box of materials that were submitted. The applicant was responsible for submitting documents that were submitted to the DOT as part of DOT permitting to the Board and I got a big box and I think Beth probably got a box at some point I guess as well. So I ended up finding this today. So the question is, is this going to be submitted or some other report that would be part of the record and that's what Mr. Kennel's going to testify to or is he testifying to the two previous reports; I don't know we probably need some resolution.

Attorney Kemm – Yeah let's get into that a little bit so the understanding was that if the Board wants the reports, we'll provide the reports. I'm not trying to argue the issue but the understanding was when we discussed this last time, was the information that is supplied to DOT would be supplied to the Board Secretary also in her position as Township Clerk so that it is available to the Board and the general public and anybody who wants the information and a copy would be directly submitted to Mr. Sterbenz which has happened and we've done the same with Phillipsburg. The 3.9 Section of the redevelopment plan that Mr. Sposaro pointed out says what it says. The understanding was kind of two fold as we would submit the reports for DOT as indicated and that the 3.9 Section applied to construction of buildings that would create traffic.

Attorney Sposaro – That is not what it says.

Attorney Kemm – I understand but

Attorney Sposaro - I'm just gonna, that's not what it says. It doesn't say site plan application for buildings. It says site plan application and I know the spin you're trying to put on it and I just don't buy it. You can make a record if you want, but this, we and the Board were very clear when the GDP was approved that we expected more, a more detailed traffic report at the time a site plan application was submitted. That is now and the Board, if I'm wrong, please correct me.

Attorney Kemm – Okay so we

Chairman Johnson – That's what I remember.

Attorney Kemm – we will provide the traffic report that Mr. Sterbenz indicated that was submitted to DOT. We'll provide multiple copies to the entire Board so it's part of the, part of the submittal and part of the application and part of the Mr. Kennel's testimony. I can have Mr. Kennel address a few specific issues as to that report and the contents and a few of the items Mr. Sterbenz raised here. I can have him discuss that the record of Mr. Sterbenz; whatever the Board's pleasure. The other item I just point out is 3.9 as we just discussed as it talks about accepting additional traffic volumes. As indicated there's no the application before the Board is not creating any additional traffic volumes from the site. It's still the same proposal; we're just

putting a road in. Those are the reason why, again, Mr. Sposaro, I understand your position. I'm not trying to argue the, I'm just explaining why we did not submit the report referenced by Mr. Sterbenz to the entire Board. It was our understanding that was the situation. I'm hearing now that the Board wants it to comply with 3.9 (inaudible). I'm not trying to argue just explaining why we didn't submit it and why this questions being raised so we will provide that information, we will provide the testimony so that we comply with 3.9 and comply with Mr. Sterbenz comments.

Attorney Sposaro - To take it one step further, I apologize for cutting you off earlier.

Attorney Kemm – No that's all right.

Attorney Sposaro – But I think that you're, the report needs to anticipate the traffic that's going to be generated on the roads you're proposing once these pads are built out. To simply say well since there's no construction of improvements, that there's no change in the traffic, is, it's rather self-serving. If this site plan is approved for the roads and then we find out we've got a problem on our hands, with traffic in the future as the sites are being built out, what do we do about it then?

Attorney Kemm – Let me clarify it, you're absolutely right Mr. Sposaro so as I was indicating before is, and again, why we didn't submit it now cause our impression was we've provided the information we believe. We are going to submit it because we have a misunderstanding so not arguing that point, that we believe me the spirit and intent of what we discussed before. We still have every intention of when a particular building is being built to have a new traffic report because what we had discussed at the time of the GDP and other prior appearances before this Board was that each individual tenant will have a different traffic impact. Some folks may have more traffic in general than other folks. Some folks may have more truck traffic, sizes of trucks. Some folks may be 18-wheelers, some folk's maybe box trucks; different combinations of those so we are still have no argument that at each building site plan we would be submitting that. Again not to enter on your point Mr. Sposaro, we will be providing the information requested tomorrow. We'll provide copies for the entire Board. We will have the testimony next week to fully address everything you and Mr. Sterbenz have raised. Am I, we're misunderstanding each other?

Attorney Sposaro – Well I want to be clear, I want this report to anticipate the traffic that's going be generated from these particular locations. It has to. We can't do this in a volume, in a vacuum.

Attorney Kemm- No, no argument.

Attorney Sposaro – If the plan, if a site plan is approved for the road design but the road doesn't design with the build out, where are we them. So we've got, and if you want to supplement it in the future, if you come in with additional pad sites, that's fine, but I think this is the time for us to dig into this traffic issue.

Attorney Kemm- Exactly so we are going to provide that, the existing reports do provide for the

traffic to be generated by the full-build out that's already in there. We will resubmit the reports so that there are full copies for every Board member and we comply with the provisions of 3.9. In addition, we comply with your concerns and Mr. Sterbenz concerns. So we will submit what is needed to address those concerns, comply with the redevelopment plan and we will have testimony to supplement that as well.

Attorney Sposaro – I think the key here is, is the last phrase in 3.9 it says “the ability an analysis of the ability of the existing road system to accept the additional traffic volumes”. It may be that this Board has very limited jurisdiction when it comes to improvements to the state highway. We know what those restrictions are; like it or not, but we're entitled to know what the impact is going to be not only on the state, the state highways but on other, other roads that we do have jurisdiction over.

Attorney Kemm – Exactly, no argument there and that information is in the report provided again we will make copies to the entire Board and we will have further testimony. I don't want to get into the traffic testimony tonight but we will fully explore that and address all of those issues and concerns for you.

Chairman Johnson – Right, there were a lot of questions on the General Development Plan and we all agreed these would be addressed on the site plan. So the questions you got the last time, you're going to get them again.

Attorney Kemm- Oh understood.

Chairman Johnson – they're going to happen.

Attorney Kemm – Oh yeah, I understand that.

Chairman Johnson – So just be

Attorney Kemm – We will have the reports and the testimony to address that. Okay.

Attorney Sposaro – Thank you.

Attorney Kemm – Thank you for the time to clarify.

Chairman Johnson – So what we've heard tonight are any comments or questions from the Planning Board Members? Hearing none, take a motion to go into public comment/

Vice-Chairman Olschewski – Motion

Mayor McKay – Second.

Chairman Johnson - Public comment, any public comments?

John Betz – Red School Lane – 225 Apt. Y-14. Once again the roadway situation exactly what



Mr. Sposaro and Mr. Sterbenz and you Eric have been speaking about. The public knows what you're referring to and I would hope that you do go into those things and go deeper if it has to be done. Understand and Joe with Mr. Doherty's letter has anything come past the letters, letter stage?

Member Pryor – No I mean you know where I've spoken on this and we've given our input. The DOT and I have not heard anything back.

John Betz – Okay thank you. Thank you Mr. Sposaro

Chairman Johnson – Thank you for your comment.

Maria Hetem – From 700 Lock Street. I'd like you to all just please consider if there's someone way can make a U-turn for Rt. 22 there it would probably pretty impactful because you are directing traffic towards my private lane which is a very dangerous situation for a lot of people to be turning around in that direction. It is a natural way to want to go and it's kind of out of the way; everybody knows it's kind of out of the way to make your U-turn so you are directly, directing a lot of people towards me. So please consider if there's some solution to that and you know, cause it's a dangerous situation for people not only making the U-turn but just kind of cutting through while things are being torn apart and putting back together so that's it. That's it.

Member Pryor – At least so I can understand your concern, you're saying people would make a left into the site and then go towards your property

Maria Hetem – Yeah, because there's no way to make a U-turn; they want to naturally go to into the site and if there's no, if there's no way to make a U-turn in there and go back out, they're going to go down

Member Pryor – and then go back in and come out your property

Maria Hetem – Lock Street and they're going to cut through my driveway which is a dangerous right turn onto the highway. It's really dangerous and because it is a blind curve. Okay and people do it all the time but now you're directing, how many people go down Rt. 22 everyday; 30 thousand you know, so now you've got a turn lane and a way for them to get back to the mall; a way for them to get back to the housing development that's in there or a way just to get turned around cause they've missed something on the other side without having to go all the way down to 57 and find a place to turn around down there. It's a little short cut and it's you know, a natural to want to do it the easy way. Okay so just consider is there some way you can make some sort of thing happen with the U-turn within this connector road.

Chairman Johnson – Can you come back next week and that would be a great time

Maria Hetem - Yes I'll be here

Chairman Johnson – to talk about it. I think

Maria Hetem – I'll be here. That's a concern a real concern.

Chairman Johnson – I think it is a concern. I think a lot of the people that are making a U-turn to get to the mall are only because they just missed their exit cause the exit is just a quarter mile , you know, up, up the but it's something

Maria Hetem – Safety is a real concern

Chairman Johnson – Yes.

Maria Hetem – cause, you know, other than that if somebody wants to buy my road, you know

Chairman Johnson – Understand, thank you for your comment. We'll take a look at that. Any other public comments? Hearing none, motion to come out.

Mayor McKay – Motion.

Chairman Johnson – Second.

Vice-Chairman Olschewski – Second.

Chairman Johnson – All right. I think I have one quick comment. It's about two seconds. I'd like to look at the application process. I wouldn't mind again, when we're talking about getting these giant sets of plans, only for the plan set I'd like a pdf version to be supplied in future applications.

Vice-Chairman Olschewski – I would be happy with a smaller map.

Chairman Johnson – and if someone so wants, they can print out an 11 X17 set. I would love to have an 11 X 17 site plan with me today when I was driving around and looking at the site but I think a pdf, everyone's got the capability of making a pdf set for plans and I'd like to, I'd like to take a motion to add that to the requirement for the application.

Vice-Chairman Olschewski – I surely second that.

Secretary Dilts – That's an ordinance revision.

Attorney Sposaro – It's not that simple.

Secretary Dilts –It's not that simple.

Chairman Johnson – No but it's not to do it, it's for us to make the request to Council.

Attorney Kemm- Chairman if you would like we, since that's your preference, I know lots of Boards and Counties require submittal on pdf. If you would like the plan sets we have submitted so far on pdf, we can provide those. You want multiple cd's or one to Beth or how do you want

us to handle that?

Chairman Johnson – It depends on how big the file is and how you save that as a pdf. If it's under 10 Megs I'll take it. I'll take it through email, if it's bigger than that

Attorney Kemm – No they're big cause they're pad drawings. So we can talk about it. We just wanted to offer since a lot of Boards don't want it 500 sheets of paper and these are large plan sets so we can certainly cut down on the amount we send and obviously Beth will need a paper copy for the official file

Chairman Johnson – Absolutely.

Attorney Kemm - You let us know, why don't we leave it this way, you let us know how many copies you want in paper, how many on cd and we will provide those to you.

Chairman Johnson – Okay and that thank you very much and that being said can we make the recommendation to Council for that being part

Vice-Chairman Olschewski – Eric you make a motion right?

Chairman Johnson – I'm asking for the motion. It's, I'll make the motion as the chair if I can

Vice-Chairman Olschewski – Yeah and I'll second it.

Chairman Johnson – Can I make the motion? All right I make the motion to make that part of the application requirement as an electronic version of plans? Okay and we have the second.

Member Pryor – Well Peter seconded it.

Chairman Johnsons – and this is so this is just a

Member Pryor – So there's comment right?

Chairman Johnson – Yes, yeah it is a recommendation to Council.

Member Pryor –I don't really have a problem with Council but I think a little thought has to be given to some of the things you know. How it is delivered, the form, file, you know most people don't have printers that can handle that volume. I don't even know if we do. So you'd have to look into the computer side a little bit I think before. You can make the motion, it can go to Council.

Vice-Chairman Olschewski – We know this Joe.

Chairman Johnson – It doesn't take away, the motion isn't to take away the requirement of the paper copy for every member.

Member Pryor – No, no I understand that but, I mean, we have to make sure we can receive it.

Chairman Johnson – Yeah and if we can, if there's a way for us to receive it, like today I would

Member Pryor –I don't mean individually, I mean if you can fine but even the town, there's no sense making it a requirement if the town can't accommodate these large files, you know,

Vice-Olschewski – How about we look into the logistics first, all right see how and big, if we can do it and then we'll present it to Council?

Attorney Sposaro – I think that's wise.

Chairman Johnson – Okay so whose going to

Attorney Sposaro – So just

Vice-Chairman Olschewski – So we're talking motion?

Chairman Johnson – So can somebody look into it then. Who would be able to do that?

Engineer Sterbenz – I've done that ordinance twice. Actually you know there's a requirement for electronic files and I've also done where developers have to submit in reduced size copies so they're half size copies which are a little more manageable for the Board members to deal with at the dais.

Vice-Chairman Olschewski – I mean you guys

Chairman Johnson – I would be okay with that.

Vice-Chairman Olschewski – You guys must be dealing with electronic files of that nature on a daily basis right?

Chairman Johnson – Actually I feel like a reduced 11 X 17 would satisfy my requirements.

Engineer Sterbenz – Yeah. I'll make

Member Pryor – Well that would be an easier ordinance to implement.

Chairman Johnson – I'm okay with that.

Attorney Sposaro – Why don't we do this, why don't we ask Paul to circulate for us copies of some ordinances that he's familiar with or that he helped draft that address this issue. We can look at them at the next meeting and we can discuss them.

Members talking over each other

Chairman Johnson – We can talk about it in a week then.

Engineer Sterbenz – I’ll send some to Beth tomorrow to forward on to you.

Chairman Johnson – I have no further comments. Any other further comments from any Board Members?

Member Pryor – On anything?

Member Fitzsimmons – Question?

Vice-Chairman Olschewski – Okay.

Member Pryor – Yeah, I do have one. I don’t know if you know, we did receive a complaint today and on a previous application and Tony how long do you have to answer this Tony; 35 days?

Attorney Sposaro – Yes.

Chairman Johnson – Do we need an Executive next meeting Joe?

Member Pryor – Well he should, you don’t have to do it today. We should authorize him to answer the complaint.

Chairman Johnson – Okay.

Member Pryor – Tony, I mean, it’s not a secret about that.

Chairman Johnson – This has not been distributed to all Board members so a lot of them don’t know what we’re talking about.

Vice-Chairman Olschewski – I don’t know nothing about it.

Attorney Sposaro – There’s a suit filed by Stowaway Storage against the Board and Ferruggia for the approval of the storage facility. It’s a competitor. They filed suit challenging the approval. So we’ve got to defend the Board and the applicant needs to defend itself.

Member Pryor – And I think as a minimum we can talk down the road, but I think as a minimum we have to authorize Tony to answer the complaint. It’s time dependent and we should, I recommend we do that tonight.

Chairman Johnson – I agree and do we want for a chance to talk about this in the Executive just

Member Pryor – You can always talk about litigation in Executive

Chairman Johnson – Not that, just to see to see Tony’s response

Attorney Sposaro – We can do that at our next set, I haven't even had time to review, to read the complaint. I just saw

Member Pryor – It's like hours old.

Vice-Chairman Olschewski – (Inaudible).

Member Pryor – Yes, for an answer.

Vice-Chairman Olschewski – We have a

Chairman Johnson – Did I hear a second, I'm sorry.

Vice-Chairman Olschewski – Tom seconded it Beth.

Chairman Johnson – We have a second.

Secretary Dilts – From Member Pryor.

Vice-Chairman Olschewski – Yes.

Chairman Johnson – I'd like to, can I add the stipulation of I'd like to review the response before

Member Pryor – I don't see a problem, but I mean he has to start working on it.

Chairman Johnson – I agree he has to start, so the motion is to start but we'll have the opportunity to discuss or review if we feel

Member Pryor – You can, I. You can, when you see the response, I don't think you're going to have a whole lot of input.

Chairman Johnson – Okay. All right let's do roll call.

Secretary Dilts – How about all in favor?

All Members voted in favor.

Attorney Sposaro – Let the public know that the application that was considered this evening is being carried to next Wednesday, a special meeting at 7 pm. There will be no further notice that is given. Thank you all.

Chairman Johnson – Thank you Joe for that reminder. I don't have any other comments. Next Wednesday, one week from today 7 o'clock. So not further comments, I'll take a motion to adjourn.

Motion by Member Pryor, seconded by Mayor McKay. All in favor.

Respectfully submitted,

Margaret B. Dilts  
Secretary