

1 SHREWSBURY PLANNING BOARD
2 Sycamore Avenue
3 Shrewsbury, New Jersey
4 March 17, 2010

5 IN THE MATTER OF:
6 K. Hovnanian Shore Acquisitions
7 Owner: D/Three
8 445 Shrewsbury Avenue
9 B1: 2 Lots: 1 & 3

10 B E F O R E:
11

12 M.G. Bell, Chairman
13 E. Waterbury
14 T. Cooperhouse, Mayor
15 B. Dodge
16 J. Martinelly
17 G. Carroll
18 D. Derasadorian
19 S. Gardella
20 D. Teller

21 A L S O P R E S E N T:
22 Lorraine Kelleher, Board Secretary
23 Michele Donato, Esq., Board Attorney
24 David Cranmer, PE, PP, CME, Board Engineer

25 A P P E A R A N C E S:
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1 I N D E X

2	NAME	PAGE
3	Jeff Fiore	3

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7 E X H I B I T

8	NUMBER	DESCRIPTION	PAGE
9	A-9	CMX Traffic Follow-Up response dated 3/5/10	4

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1 CHAIRMAN BELL: K. Hovnanian Shore
2 Acquisitions, 445 Shrewsbury Avenue, Block 2, Lots 1 and
3 3.

4 MR. MACANINCH: Thank you, good evening.

5 CHAIRMAN BELL: Happy St. Patrick's Day.

6 MR. MACANINCH: Mr. Bell, as you had stated
7 in the early comments, we do have two witnesses tonight.
8 One is follow-up traffic testimony from Mr. Fiore and
9 the other is our environmental engineer.

10 CHAIRMAN BELL: Did you get the two
11 correspondence that I referred to?

12 MR. MACANINCH: I just want to confirm the
13 letter, is that the February 25th letter from the Shade
14 Tree Commission?

15 CHAIRMAN BELL: There was a February 25th
16 letter, actually one came from you. So February 25,
17 2010 Shade Tree Commission.

18 MR. MACANINCH: We did receive that and Mr.
19 Cosentino, we'll have him come back up to respond to
20 some of those questions, but I think based on where
21 we're going with the plans I think everything should be
22 no problem. So with that I'd have Mr. Fiore here. He
23 was sworn before.

24 MS. DONATO: You remain under oath.

25 J E F F E R Y F I O R E, having been previously sworn,

1 testified as follows:

2 EXAMINATION BY MR. MACANINCH:

3 Q. Jeff, based on the last time you testified there
4 were a number of outstanding questions from the Planning
5 Board regarding a couple of open issues and some things
6 they would like you to look at. Have you done some
7 additional investigation based on those questions?

8 A. Yes, I have.

9 Q. Have you put that into a report?

10 A. Yes, I have.

11 Q. And is that report dated March 5, 2010?

12 A. Yes, it is.

13 Q. And a copy of that has been submitted to the
14 Planning Board?

15 A. It has.

16 Q. Mark that as Exhibit-9.

17 CHAIRMAN BELL: And that is?

18 MR. FURIE: It's the CMX report dated March
19 5, 2010. It's just titled Traffic Follow-Up Response.

20 (Exhibit A-9 was received and marked into
21 evidence.)

22 CHAIRMAN BELL: Okay, everybody should have
23 a copy of it that we received it in our binder.

24 BY MR. MACANINCH:

25 Q. Okay, Jeff, if you could go through maybe as an

1 overview for everyone's benefit what the open issues
2 were and then go through each area and tell them what
3 you reviewed and what your conclusions were.

4 A. Sure. There were six outstanding items that we
5 did follow-up review on. Those six were the difference
6 between the August 29, 2008 and the October 30, 2009
7 traffic impact studies. It was requested by the Board
8 and Mr. Cranmer at the last hearing to perform an
9 accident analysis which we've done. We've looked at the
10 addition of the Walgreens traffic, adding that into the
11 analysis. We looked at the additional adding separate
12 left turn and right turn exit lanes on the Shrewsbury
13 Avenue site exit. We performed additional queue
14 analysis to determine the traffic that backs up on the
15 northern approach of Shrewsbury Avenue at the
16 intersection with Newman Springs Road and we've also
17 made a submission to Monmouth County, to the engineering
18 department requesting the signal timing modification at
19 the intersection of Shrewsbury Avenue and Patterson
20 Avenue.

21 Q. Okay we'll go through them.

22 CHAIRMAN BELL: Excuse me just for a second,
23 I wrote down five. I wrote down the 2008, 2009
24 Walgreens separate right and left entrance; queue
25 analysis on the northerly approach and the signal

1 timing. What was the sixth one?

2 MR. FIORE: The accident history analysis.

3 CHAIRMAN BELL: Accident, I'm sorry.

4 Q. Let's start with the difference between the
5 August 2008 and October 2009 traffic studies.

6 A. The difference was the commercial development at
7 the front of the property. The 2008 traffic study took
8 into account a building consisting of 7,500 square feet
9 retail space and in the 2009 traffic study the retail
10 space was reduced to 5,184 square feet and an office of
11 3,456 square feet. If you look on Page 1 of the traffic
12 follow-up response it lists the trip generation for both
13 uses per each of those traffic studies and then flipping
14 over to the first table on Page 2 it shows a comparison
15 of the traffic. And with the current development it
16 generates the same amount of traffic during the a.m.
17 peak hour, it generates 20 trips less during the p.m.
18 peak hour and it generates 36 trips less during the
19 Saturday peak hour. So the conclusions and filings in
20 the original traffic study have not changed and remain
21 valid.

22 Q. Okay. Next, the accident history?

23 A. We obtained three years of accident reports from
24 the Borough of Shrewsbury to determine crash rates along
25 Shrewsbury Avenue between Patterson Avenue and Newman

1 Springs Road. The reports are obtained for the years
2 2007, 2008, 2009. It was determined three accidents
3 occurred in this area in 2007. Zero accidents occurred
4 in 2008 and four accidents occurred in 2009. We
5 determined the crash rate by taking the average daily
6 traffic along Shrewsbury Avenue. You multiply it by the
7 number of days in a year which is 365 and you multiply
8 it by the distance, in this case it would be the
9 distance of Shrewsbury Avenue between Patterson Avenue
10 and Newman Springs Road which is approximately 1/4 mile.
11 Multiplying all of that out you get how many million
12 miles are traveled by vehicles in a given year. You
13 then divide the number of crashes by the number of
14 million of miles to get your crash rates and the crash
15 rates are compared to the statewide crash rates posted
16 by NJDOT and you can determine whether or not the road
17 is unsafe by comparing the average crash rate to the
18 crash rate for Shrewsbury Avenue. And as listed on the
19 second table on Page 2, the crash rates on Shrewsbury
20 Avenue are somewhat lower than the statewide crash rates
21 in 2007. It was less than 50 percent. 2008 there
22 weren't any crashes and 2009 there were four crashes and
23 it was about 70 percent of the crash rate. So we
24 concluded that Shrewsbury Avenue is not an unsafe
25 roadway and the construction of the project as proposed

1 will not create any adverse conditions on all of the
2 traffic patterns along Shrewsbury Avenue.

3 Q. Okay. The addition of the Walgreens traffic?

4 A. A copy of the Walgreens traffic and the analysis
5 is included in the appendix in the back of this report.
6 If you turn to Page 3, there are two tables summarizing
7 the levels of service and delays calculated first per
8 the October 30, 2009 traffic impact study and then also
9 the level of service summary with the Walgreens traffic
10 added. If you compare the two tables there's really no
11 difference in the delay or the level of service. So
12 whether the Walgreens is ever constructed or not, the
13 traffic is going to operate in the similar manner with
14 or without the Walgreens.

15 Q. Okay. The additional Shrewsbury Avenue site
16 access analysis?

17 A. Okay. We did an analysis analyzing the site
18 access on Shrewsbury Avenue with separate left turn and
19 right turn lanes. Going back to the traffic study, with
20 a shared left turn, right turn lane on the exit approach
21 we had a level of service E under the build scenario or
22 better, level of service E or better under the build
23 scenario and 95th percentile queue length of
24 approximately two vehicles. With a separate left turn
25 and right turn exit lane we have a level of service D or

1 better under the build scenario with 95 percent queue
2 lengths with approximately one vehicle. There's no real
3 significant benefit gained with the separate lanes. If
4 there were to be separate lanes because there's a
5 30-foot cart way width on the site access approach the
6 two exiting lanes and the one entering lane would have
7 to be 10 feet wide which is a substandard design and
8 with the anticipated truck traffic that could utilize
9 that road once the supermarket is back in service, it's
10 my opinion that it's best to maintain the two 15-foot,
11 two, 15-foot lanes as proposed on the site plan.

12 Q. Okay. And did you do additional queue analysis?

13 A. We did. In the initial or I should say in the
14 revised traffic impact study we have done one queue
15 analysis on Thursday, October 29, 2009 during the p.m.
16 peak hour only and we found that except for a few
17 intermittent times that the site driveway was not
18 blocked. The queue that stacks up at Newman Springs
19 Road would not extend past where the site driveway is
20 located. It was requested by the Board that we look at
21 that on a couple more days just to see if that was the
22 trend or if indeed there was more traffic that would
23 block the driveway. We conducted those analyses on
24 Thursday, February 4, 2010 and Tuesday, February 9,
25 2010.

1 We also did a.m. peak hour queue analysis on
2 Tuesday, March 2, 2010 and Wednesday, March 3, 2010.
3 The a.m. peak hour was from 7:45 to 8:45 p.m. The
4 findings of the study showed that during the a.m. peak
5 hour the driveway is never blocked. The queue lengths
6 that were waiting on Shrewsbury Avenue never extend to
7 our driveways. The traffic can enter and exit the site
8 easily. For the p.m. peak hour on Thursday, February 4,
9 2010 the driveway was blocked for approximately 5
10 minutes and 50 seconds during the p.m. peak hour and on
11 Tuesday, February 9, 2010 the driveway was blocked for
12 approximately 1 minute and 55 seconds. We took a quick
13 average of the three p.m. peak hours that we looked at
14 and you have an average blockage of 2 minutes and 47
15 seconds. Now this is during the p.m. peak hour when
16 traffic is highest on Shrewsbury Avenue. It's less than
17 5 percent of the peak hour and there's also 23 hours of
18 the rest of the day that traffic will not block this
19 driveway. So other than maybe two, three minutes a day,
20 the driveway will not be blocked.

21 Q. Just for point of clarification, when you said
22 total time the access road was blocked was 5 minutes and
23 50 seconds, that's not in a row?

24 A. No, it's cumulative over the entire hour.

25 Q. Okay, and I think the final issue was the

1 retiming of the signal at Shrewsbury at Patterson.

2 A. Right. We made the submission to the Monmouth
3 County Engineering Department on March 3rd. A copy of
4 that request is appended to this report and we have yet
5 to hear anything back from Monmouth County but we will
6 keep the Board abreast on the matter as it progresses.

7 Q. And again, you had met with the county and part
8 of the discussion was of the signal timing; is that
9 correct?

10 A. Correct.

11 Q. And no issue was raised at that time?

12 A. Correct.

13 Q. Jeff, based on your additional investigation in
14 this area has any of this changed your prior testimony?

15 A. No, it has not.

16 Q. And your conclusions regarding the safety of
17 this?

18 A. The findings of the original traffic analysis
19 remain valid.

20 Q. Okay, I have no further questions.

21 CHAIRMAN BELL: Questions of the Board?

22 MS. WATERBURY: I have quite a few, but I
23 don't know if you're starting there and coming down.
24 Just so you know.

25 CHAIRMAN BELL: Go ahead, you have it.

1 MS. WATERBURY: Oh boy. I have to apologize
2 that I wasn't here when you gave your testimony last
3 time but I did read the transcript and sign the
4 appropriate forms at the last meeting. I think you had
5 noted that. Usually everyone can hear me anyway, but
6 that's okay. All I had said was that I wasn't at the
7 last traffic testimony meeting but I did read the
8 transcripts and sign the forms. Is that better? Can
9 you hear me okay? So I will offer that I had a couple
10 of questions on what you had just testified to, but I
11 also have some questions that relate to that and since I
12 wasn't here at that time I figured I'd take this
13 opportunity.

14 MR. FIORE: Sure.

15 MS. WATERBURY: With the information that
16 you just testified to, you were speaking about the
17 separate right and left lanes out on Shrewsbury Avenue
18 and you noted that it was going to go from a level of
19 service E to a level of service D. Did I hear that?

20 MR. FIORE: That's correct.

21 MS. WATERBURY: And you had indicated that
22 width of 30 foot wide that you would put -- it would
23 require three, 10-foot wide lanes. If you were starting
24 from scratch what would be your optimum width that you
25 would have for those three lanes?

1 MR. FIORE: Typically we'd design the lanes
2 to be 12 foot in width.

3 MS. WATERBURY: So that would be 36 feet?

4 MR. FIORE: Yes.

5 MS. WATERBURY: So what would the impact be
6 on the commercial site for that extra 6 feet?

7 MR. FIORE: There would be an impact of -- I
8 believe the footprint of the site because the setback
9 would have to be further and it would alter the amount
10 of parking and the parking aisles as well.

11 MS. WATERBURY: Okay. The other is that you
12 did the queue analysis that dealt with the existing
13 condition on the site. How do you anticipate -- how do
14 you expect this may or may not change when the site
15 traffic is added to the queuing that would be at the
16 intersection?

17 MR. FIORE: Well, based on the analysis I
18 don't anticipate that there is going to be a change in
19 the traffic patterns. The levels of service for traffic
20 to enter the site from Shrewsbury Avenue operates at a
21 level of service B or better and has 95th percent queue
22 lengths so less than one vehicle which means that the
23 car pulls into the center to a left turn lane and is
24 able to turn immediately and if not immediately, without
25 a long wait.

1 MS. WATERBURY: And I should have indicated
2 that my head knew I was switching from different items
3 that you were doing. So in switching from the
4 Shrewsbury Avenue access to where you were testifying to
5 the queues at the Patterson Avenue and Shrewsbury Avenue
6 access, is that the testimony you were giving or were
7 you speaking about queues up on Shrewsbury Avenue? When
8 you add the site to the queues that you did the delay
9 on, the times the driveway would be blocked from the
10 queues from that --

11 MR. FIORE: That was based on existing
12 conditions.

13 MS. WATERBURY: So what do you expect with
14 the site added to those?

15 MR. FIORE: That was in the traffic study
16 where we had the E level of service and approximately a
17 two car queue length, 95th percentile queue length with
18 two vehicles.

19 MS. WATERBURY: Is what would be the final
20 result with it added to it?

21 MR. FIORE: Correct, correct, that's under
22 built conditions.

23 MS. WATERBURY: So you don't expect --
24 you're figuring that the delay would be similar to the
25 same?

1 MR. FIORE: Correct.

2 MS. WATERBURY: Now I know that these are
3 all calculations that are done based on the peak hour
4 traffic and we are changing from the existing site --
5 the site is not a residential site and was up until the
6 overlay zone not a residential zone and including with
7 the property that you're accessing through to Patterson
8 Avenue, that is also not a residential zone and has a
9 residential outlet coming out of it because of the
10 overlay, the zone overlay. How do I want to ask this
11 without it being a statement? I'm anticipating that the
12 majority of traffic that would be done for a business
13 use during a day may be different than what the majority
14 of traffic that we would expect on a weekday or a
15 weekend from a residential use and we're kind of even
16 though we're not here for a use variance which I
17 understand that we're dealing with an overlay, I'm
18 trying to get a sense of what the change would be to the
19 area from that type of change in the traffic. So if you
20 had the business uses there what times of day and what
21 kind of weekend use would you expect from those kinds of
22 traffic?

23 MR. FIORE: Well, typically for a retail or
24 commercial use you analyze the p.m. and Saturday peak
25 hours.

1 MS. WATERBURY: I'm not interested in the
2 peak hours. I know we always analyze the peak, but I'm
3 trying to think of the traffic that's outside of the
4 peak. I mean, there is a lot that goes into traffic
5 coming in and out. Your average daily traffic doesn't
6 come in in your peak a.m. and your peak p.m. And some of
7 your peaks for the uses may not be at the peak hours for
8 the roads.

9 MR. FIORE: I agree.

10 MS. WATERBURY: So I'm just wondering, would
11 the traffic pattern for the business and the traffic
12 pattern for residential, are they coincidental or are
13 they complimentary?

14 MR. FIORE: There's some complimentary.
15 Usually the p.m. is kind of like an overlap. Obviously
16 in the a.m. for a commercial use it's much less because
17 most commercial uses are closed. And on Saturday it's a
18 little higher because that's prime period, people are
19 out shopping and they're not at work. Looking at the
20 ATR data that we had on Shrewsbury Avenue, it kind of
21 peaks up in the morning and then it drops down a little
22 bit and is steady and then during the p.m. peak hour it
23 spikes it up and then drops down. And the same goes for
24 Patterson Avenue as well. So the fact is that I would
25 expect that the site operates at similar if not better

1 levels of service than indicated in the peak hour
2 because the adjacent street volumes will be less.

3 MS. WATERBURY: So here's my concern and
4 I'll try to put it -- that we have a commercial type of
5 use on these two sites at this time even if the other
6 one was fully operational because I know that the main
7 portion of the site is not right now, and we have a
8 residential area and we have a very active residential
9 road as well as a commercial road, Patterson Avenue and
10 my concern is that by having the connection to Patterson
11 Avenue that we're introducing traffic to the road that
12 will now be active, most active at the times when the
13 homes are also active. Wherein a commercial business
14 the commercial is maybe during the day and you don't
15 have as much residential use weekday during that time
16 and everybody goes home and when everybody is using the
17 residential aspect those businesses are closed. And on
18 weekends those businesses are closed and when we're
19 trying to deal with the sports down at the other end and
20 the activity that happens at the street at that time
21 that the businesses are closed where now we're going to
22 have residential traffic and I didn't know if you could
23 comment on how you felt about that.

24 MR. MACANINCH: Just so I'm clear, are you
25 asking him if the site was developed with all commercial

1 under the B3 ordinance how that would compare to the
2 proposed residential development?

3 MS. WATERBURY: I guess in a way it kind of
4 sounds that way, but I know we have an overlay zone here
5 that's allowing a residential use. So I'm not arguing
6 about the volume of the traffic. My concern is the
7 connection to Patterson Avenue and a full use connection
8 because I believe that going from a business use or type
9 of business use, a connection to Patterson Avenue with a
10 business use maybe wouldn't be as desirable, but when
11 all the residences are trying to use this building or
12 this street and on the weekends it wouldn't be as hot of
13 an issue because the businesses would be closed, et
14 cetera. Where now we have a residential drive
15 connecting this. So I'm just kind of without making a
16 question, just telling you where I'm coming from. So
17 I'm very concerned about an access to Patterson,
18 definitely a full access to Patterson because of the
19 residential and the residential nature of most of
20 Patterson Avenue, not just this little segment that's
21 from where the railroad tracks are.

22 MR. FIORE: I can put this in a little bit
23 better perspective. It's anticipated that the entire
24 residential portion of the project is going to create
25 640 daily trips. Now that's over a 24-hour period and

1 that's in and out. So some 320 cars out over a 24-hour
2 period. So you have 640 new trips. There is 22,000 to
3 23,000 vehicles that go up and down Shrewsbury Avenue.

4 MS. WATERBURY: I'm concerned about
5 Patterson, not Shrewsbury.

6 MR. FIORE: There's also 5,000 vehicles each
7 day that go up and down Patterson Avenue. So the fact
8 that we have two access points, all the residential
9 traffic is not going to come out on Patterson Avenue.
10 So even if 50 percent of the traffic came out on
11 Patterson Avenue, that's only about 320 trips or roughly
12 6 percent increase in the traffic which is very -- is
13 nominal.

14 MS. WATERBURY: But I don't see the benefit
15 of increasing the traffic to that road that we already
16 have so many concerns about anyway. So even though you
17 may say from a traffic standpoint and believe me, I
18 understand that and from a percentage standpoint that
19 it's, quote, "nominal," this concerns about at least I
20 have concerns about the traffic on the street to start
21 with. So I would need to be shown and I'm only one
22 person, I'm only speaking for myself, but I would need
23 to be shown the benefits and the detriments of that
24 particular access because I have concerns about the
25 street as it exists. And that relates to not about the

1 fact that we're looking at this particular site as being
2 developed, but as the site aspect of that, the site
3 design aspect of that particular site and having that
4 connection to Patterson.

5 CHAIRMAN BELL: Why do you think -- the
6 proposal in front of us has two ingress and egress, one
7 onto Shrewsbury Avenue and one on Patterson Avenue.
8 From a traffic standpoint why do you think it's -- as an
9 expert, why do you think it's advantageous or do you
10 think it's advantageous to have a second access and
11 egress on Patterson Avenue?

12 MR. FIORE: I do, I do. One, based on the
13 traffic patterns in the area which I spoke of at the
14 last time I was here how some traffic goes to the
15 Parkway, how some traffic will go south to 35, how some
16 traffic might go to Patterson to go to the Little Silver
17 train station, but another reason would be for emergency
18 access. If there's anything ever went on at Shrewsbury
19 Avenue where that access gets closed, they have
20 Patterson Avenue access to get in and out of. Vice
21 versa if anything ever happened at Patterson Avenue,
22 people could still get out the Shrewsbury Avenue access.

23 MS. WATERBURY: But that could be achieved
24 with an emergency access though and not necessarily a
25 full service drive or a boulevard type of thing up at

1 Shrewsbury the way that we have at The Grove.

2 CHAIRMAN BELL: You have 640 trips. When
3 you first said it it sounded to me like not a lot of
4 trips and then when I look at 77 homes, 640 -- and I'm a
5 skeptic when it comes to any of the standards, but
6 there's reasons why they're standards. And 770
7 basically says that two cars or that -- 770 basically
8 says there's 10 round trips, 5 trips per day, round
9 trips per place, per unit which from a rational
10 standpoint sounds like the reasonable amount. Not my
11 house, but a reasonable amount. If all 640 were put on
12 Patterson Avenue, how would that impact the
13 serviceability on Patterson Avenue?

14 MR. FIORE: From a level of service
15 standpoint it will not change the conclusions of the
16 report. It will still operate at an exceptional level
17 of service. It will be a B or better, little to no
18 queuing and I feel that it wouldn't impact it. I don't
19 think you'll see a significant difference in the traffic
20 patterns on Patterson Avenue with the access.

21 CHAIRMAN BELL: If worst case scenario and
22 I'm just trying to ask the questions I think and I'm not
23 putting words in for another Board member's mouth, I get
24 smacked for doing that. The concerns that could be had
25 on Patterson Avenue are because the school, that's going

1 to be the direct access for the school. On weekends
2 that's going to be the direct access to Patterson Park,
3 to the school, to Sickles, I mean everybody -- nobody,
4 nobody is going to drive out the Shrewsbury Avenue exit
5 to access any of those services. So everybody is going
6 to go out. When you did your level of service, when you
7 did your traffic survey and again, I look at everything
8 worst case scenario. I think that probably at least
9 from my perception I think most traffic surveys they
10 look at worst case, but your worst case is usually my
11 best case. If half these homes have kids that are of --
12 which you're not testifying -- there's no testimony that
13 there is. I mean, I'm not putting -- I'm looking at
14 worst case. If half these homes have kids of recreation
15 age, school-age, so now you're talking about 37 homes --
16 37 kids, 37 cars going out on Saturday morning at 8:00
17 in the morning, so forth and so on. How does that
18 impact Patterson Avenue? Do you understand what I'm
19 getting at? What's realistically what the worst case
20 could be?

21 MR. FIORE: That's kind of why we look at
22 the peak hours. We do the ATR counts so we could see if
23 there are any outliers that are existing on Patterson
24 Avenue and Shrewsbury Avenue. I mean, we always look at
25 the a.m. and p.m. peak hour. The reason we do the ATRs

1 is just in case there's a spike in traffic at noon or 1
2 o'clock during the day we'll look at the ATR and say
3 hey, something is up there. Maybe we need to go do a
4 count and do an analysis of that. The ATR data didn't
5 show that.

6 MR. CRANMER: Can you tell everybody what an
7 ATR is?

8 MR. FIORE: An ATR is -- it's a machine that
9 you have rubber hoses that you typically see down across
10 the roadway. You drive across them and what it does is
11 it counts traffic. And we typically have one down for a
12 week's time to get weekend data, to get variations and
13 weekday data.

14 CHAIRMAN BELL: When were the peaks on
15 Patterson Avenue?

16 MR. FIORE: They were during the times we
17 counted, from 7 to 9 a.m. in the morning and from 4 to 6
18 p.m. in the evening.

19 MR. MACANINCH: And Jeff, your data in terms
20 of traffic generation, that comes from the ITE manual,
21 correct?

22 MR. FIORE: That's correct.

23 MR. MACANINCH: For the nature of the use
24 here would be specific for townhouses?

25 MR. FIORE: Yes, it's for townhouses,

1 condominiums and it's broken down for retail and office
2 space as well.

3 MR. MACANINCH: And you didn't make an
4 adjustment based on the number of kids or anything like
5 that?

6 MR. FIORE: No.

7 MS. MARTINELLY: There was one point when we
8 were discussing I don't know whether it was when the
9 police department representative was here not allowing a
10 left turn coming out onto Patterson and then everybody
11 -- I don't know where that went and if it was even taken
12 into consideration how it would affect your traffic
13 counts because then everybody is going back out to
14 Shrewsbury Avenue anyway.

15 MR. FIORE: Right. It would add more
16 traffic to the Shrewsbury access and put more traffic
17 onto not only Shrewsbury, but also Newman Springs Road
18 and go down to the intersection with Broad Street and
19 further add to that traffic.

20 MS. MARTINELLY: And coming out onto
21 Shrewsbury Avenue from the retail in front of that whole
22 development, you are going to be permitting the left
23 turns into those four lanes of traffic?

24 MR. FIORE: That's correct.

25 MAYOR COOPERHOUSE: Making an assumption and

1 I don't like to do that. If there was no entranceway on
2 Patterson Avenue and any individuals, any residents that
3 lived in that development, if they want to get to the
4 southern part of the town, I'm assuming that they have
5 to go out Shrewsbury Avenue, they're going to go the
6 quickest way which is going to be make a left and then
7 make another left on Patterson Avenue. So aren't we
8 still having the same amount of traffic on Patterson
9 Avenue if we have that access or we don't because people
10 are not going to make a right and go down Newman Springs
11 Road and then make another right onto Route 35. Most
12 folks are going to make a left and then come down
13 Patterson Avenue, correct?

14 MR. FIORE: They could. If you go by the
15 speed limit I think it probably would be faster to take
16 Newman Springs Road to Broad Street, but I know people
17 speed down Patterson Avenue all the time and they
18 probably -- you're right. They could get down there
19 faster.

20 MS. MARTINELLY: I would think that's such a
21 tough left turn coming out of there.

22 MR. CRANMER: It really is.

23 MS. MARTINELLY: At peak time.

24 MR. FIORE: We've been out there five days
25 doing counts and it doesn't appear and I've sat out

1 there more times than not and not recorded, just done
2 visual observations and except for a few seconds here
3 and there, I've never seen a problem to make a left out.

4 MR. GARDELLA: So then you actually could
5 get rid of that exit and entrance off Patterson Avenue?

6 MR. FIORE: I don't see why you would want
7 to. It makes perfect, you know, design sense and
8 planning sense to put that driveway where it is on
9 Patterson Avenue. It lines up opposite a driveway so
10 you have a four-leg intersection. It operates at
11 exceptional levels of service. You have good sight
12 lines in each direction. There's no reason from a
13 traffic perspective not to have that access.

14 MS. WATERBURY: But I think it allows -- the
15 one thing it does, I think it allows especially as a
16 full service that it allows opportunity for cut-through.
17 Now when I read your testimony last time you were
18 indicating that because and if I'm paraphrasing it
19 inappropriately I know you'll correct me, that because
20 of the circuitous nature of the design interior to the
21 site, that you anticipated that few would cut through if
22 I read it correctly and if I'm remembering correctly.

23 MR. FIORE: That's correct.

24 MS. WATERBURY: And I know that that makes
25 logical sense, but when that area starts to get

1 congested I could see people -- it's funny, people
2 taking those, going through that area and taking those
3 turns to get over to if the shopping center opens back
4 up again or even into the commercial that you're
5 proposing to use and by having a full service there it
6 allows a cut-through and it also allows vehicles to come
7 down from Broad Street, you know, and then scoot into
8 there without having to go on Shrewsbury Avenue. So
9 Mayor, when you were speaking before about if they took
10 the left out they take the left out, that's exit
11 movements. So if there's that kind of a concern maybe
12 just an egress is there and not an ingress as well. It
13 could be used for emergency access, it would be
14 narrower, it could be pulled further away from the
15 residential homes that are on either side and it would
16 allow you to get to the signal light to go south. But
17 having it as an ingress too allows them to come up from
18 Broad Street, I don't know. I just see that it makes it
19 easy to have more interaction on Patterson Avenue.

20 MR. FIORE: You have a full movement
21 driveway opposite for a more intense use than this is
22 going to be.

23 MS. WATERBURY: But that is not at the
24 time -- it's a business use which is not -- the majority
25 of that area is residential. The majority of that use

1 is residential and the business use is on off hours from
2 the residential use. It's not during weekends. My
3 daughter sleigh rides on that site all the time.
4 There's nobody there on weekends so there is activity
5 there coming in and out of there all the time. And so
6 that it's a business use that's off of those residential
7 hours where this is coincidental with those residential
8 hours and that's where I see the difference.

9 CHAIRMAN BELL: Just for the record, Mr.
10 Teller arrived at 8:27.

11 MR. TELLER: Apologize for being late.

12 CHAIRMAN BELL: No apologies necessary. Has
13 everybody addressed the ingress and egress on Patterson
14 Avenue that has questions about that?

15 MS. WATERBURY: I just have one more quick
16 one.

17 CHAIRMAN BELL: About that?

18 MS. WATERBURY: About that. I noticed when
19 I was looking at the plan that it appeared as if the
20 radii that comes out of the roadway and is very close to
21 the end of the property line and the driveway for the
22 residential home is very close to their property line.
23 Do you know what the separation is from a traffic
24 standpoint? I was concerned about the safety of the two
25 proximities.

1 MR. FIORE: I believe it's approximately 30
2 feet in distance which is an increase of 10 feet from
3 the existing medical office driveway that's there
4 currently today.

5 MS. WATERBURY: And how much traffic comes
6 out of the medical office?

7 MR. FIORE: When we did our counts, very
8 low.

9 MS. WATERBURY: Okay, thank you.

10 CHAIRMAN BELL: Okay, I have one question
11 and then I would let Mr. Cranmer take a minute to think
12 about what I'm going to ask him because I'd like you to
13 address, you as the Borough engineer and Michele if you
14 have anything, regarding the driveway, the necessity to
15 having a second access, ingress, but before I throw it
16 to you, I have one question. And it's obvious I think
17 I'm the minority here. Personally I think it's a
18 necessity to have a second ingress and egress. But it's
19 one of the questions and it goes back and we talked
20 about it at the last meeting. I think that by not
21 having -- and originally when we discussed this
22 application umpteen months ago, we talked about having a
23 divided driveway there so that it doesn't look like a
24 road, it looks like a driveway. And we talked about
25 having a sign which at the last meeting we talked and

1 we're not discussing signs tonight, but having something
2 a little bit that shows it's Hovnanian Center or
3 whatever. Why isn't it proposed to have a planting or
4 something so you divide it which slows the in and slows
5 the out, it makes it more like a driveway?

6 MR. FIORE: As far as I know I think that
7 would be an answer better for the site engineer to ask.
8 I know it's kind of like a flag lot or that would be the
9 base. So I'm not sure if the road was widened to put a
10 planting aisle in the center of the road if there's
11 enough distance between the right-of-way line and the
12 curb line.

13 CHAIRMAN BELL: Well, it was presented
14 before so I'm assuming that it is. From a traffic
15 standpoint is having a median, so you would have 12-foot
16 wide on each side. I'm not putting words in your mouth,
17 but you said it before, 12 foot on each side. Having 12
18 feet on each side with a 6 foot, 8 foot median, is that
19 a traffic calming tool?

20 MR. FIORE: I wouldn't say it's a traffic
21 calming tool. It probably better defines the entrance
22 and exit to the site, but I wouldn't call it a traffic
23 calming tool.

24 CHAIRMAN BELL: Okay, Mr. Cranmer? I'm
25 sorry.

1 MR. MACANINCH: I just was going to say it
2 may have been a question regarding what is required in
3 terms of the ordinance. I think your ordinance itself
4 requires primarily access shall be from a street with a
5 higher classification and it says a secondary access
6 shall be provided and shall be designed in accordance
7 with the RSIS. I mean, I believe we were actually asked
8 or the property owner was asked to acquire this piece so
9 a secondary access could be provided and I think that's
10 what this is for.

11 CHAIRMAN BELL: Just for the public, the
12 last statement that you made, I don't want that to be
13 misstated because nowhere -- the applicant was never
14 asked, required, it was never any -- I've been involved
15 in this from the very, very beginning and there's never
16 been any discussions about acquiring another piece of
17 property on anything like that. We did talk about in
18 general, not necessarily this application, but having
19 dual access/egress for security, for safety, for fire,
20 first aid and so forth. But I don't want it to come to
21 the public that we asked you to buy a piece of property.

22 MR. MACANINCH: Understood and that's not
23 what I'm saying.

24 CHAIRMAN BELL: Understood.

25 MS. DONATO: May I? Is everyone done on the

1 Board?

2 MAYOR COOPERHOUSE: Can we hear from Dave
3 first?

4 MS. DONATO: Sure.

5 MR. CRANMER: Mr. Bell, I believe I too will
6 side with the minority on this. I do feel the secondary
7 access point to Patterson is necessary. And I believe
8 it's necessary for the safe and efficient flow of
9 traffic into and out of the site. I believe it's
10 necessary for the reasons you cited, security, emergency
11 services. I believe there is a problem as Ms. Waterbury
12 stated with Patterson Avenue. We have an underlying
13 condition which is not desirable. I don't believe it's
14 a volume issue on Patterson Avenue. I believe the
15 roadway has sufficient capacity to handle the traffic.
16 What I think is the problem is the speed of the
17 vehicles, that the vehicles that are utilizing Patterson
18 Avenue and admittedly it's a cut-through and I think
19 everybody here has at one point or another gone from
20 Broad Street to Shrewsbury Avenue along Patterson. Some
21 of the undesirable geometric characteristics that exist
22 today would be the excessive width of the roadway. It's
23 a very wide road. You feel like you have a lot of room
24 and you feel like you're going slower perhaps than you
25 should be going. So that's why I believe that vehicles

1 go a little bit faster on Patterson than they ought to.
2 So I think the best scenario for this development would
3 be to have the secondary access point to Patterson so
4 that -- in a case where another storm like we had last
5 week and a tree falls across Shrewsbury Avenue and
6 telephone pole, the fire department, the police
7 department, the first aid squad can quickly and easily
8 access this development. We're going to have 77 homes
9 there and we're going to have a retail shop, stores
10 there and this also, you know, it may be utilized in
11 emergency situations for access to the Stop & Shop site.
12 Who knows what's going to be there. I do believe it's
13 necessary and I believe it represents sound engineering
14 and planning to have that driveway there. I do also
15 believe and I believe the governing body has taken the
16 appropriate steps to implement certain mitigations to
17 Patterson Avenue to calm the traffic and to slow the
18 traffic so that when the children are walking from
19 school to the park or perhaps when the residents from
20 this development or that live on Patterson Avenue right
21 now want to walk to Broad Street, perhaps there are some
22 pedestrian destinations there, they can do so safely and
23 not have to worry that the cars are whizzing by at an
24 inordinate speed. So I believe the access point is
25 necessary. I believe it represents sound design and

1 planning logic. I also believe that mitigations in the
2 form of reducing vehicle speeds to Patterson Avenue is
3 necessary and I believe we've had discussions with the
4 developer not only during the Board proceeding, but as
5 you referenced, Mr. Bell, during the discussions between
6 Hovnanian and the Borough's COAH subcommittee that
7 contribution to those mitigations would be warranted.
8 As provided for under the Municipal Land Use Law, you
9 know, I don't want to speak for Hovnanian, but they've
10 consented to making such a contribution, you know, of
11 course the pro rata share. We can only obligate them to
12 cover the increase in what they cost basically.

13 So my long answer to a short question is I
14 believe the driveway, the full serve driveway would be
15 warranted and is warranted, but I also believe that
16 mitigation to Patterson Avenue is also warranted. That
17 includes not only the installation of traffic calming
18 techniques not only in front of the Hovnanian site but
19 for the entire length of Patterson Avenue, specifically
20 by the park where you're going to have a very high
21 degree of pedestrian activity. But I also believe that
22 upgrades to the Patterson and Shrewsbury Avenue
23 intersection are warranted and I believe Mr. Fiore has
24 agreed to that. They're petitioning Monmouth County for
25 certain upgrades to the traffic signal. I'm not certain

1 that some physical upgrades to the intersection are not
2 also warranted, but that still remains to be decided.
3 So that's kind of where I'm at.

4 CHAIRMAN BELL: Mrs. Donato?

5 MS. DONATO: I want to just clarify the
6 queue length information that you had provided.

7 MR. FIORE: Sure.

8 MS. DONATO: Did you say that the driveway
9 is blocked an average of two to three minutes per hour
10 in the peak hour?

11 MR. MACANINCH: That was during the p.m.
12 peak hour only. When we studied the morning peak hour
13 from 7:45 a.m. to 8:45 a.m. the driveway was never
14 blocked.

15 MS. DONATO: Okay, and then the total time
16 that it is blocked over a one-hour period in the p.m.
17 peak hour is 5 minutes and 50 seconds?

18 MR. FIORE: That was on one day. The
19 average of the three days that we looked at the p.m.
20 peak hour was 2 minutes and 47 seconds.

21 MS. DONATO: Can you tell me what the
22 weather conditions were on the times that you went back
23 in to reevaluate the queue length?

24 MR. FIORE: Clear and cold. They were not
25 done during the days when we had those big snowstorms in

1 February and they also weren't done when school was
2 closed. So they represented typical conditions for
3 traffic.

4 MS. DONATO: And I have only one other
5 question and it's on the crash rate. When the statewide
6 crash rate is given, what roads are used to determine
7 the statewide crash rate?

8 MR. FIORE: Well, they give different rates
9 based on the different cross section geometry of a road.
10 And the roads that are utilized are both state highways
11 and county roads.

12 MS. DONATO: So the statewide crash rate
13 that you have shown here, what roads are these based on?

14 MR. FIORE: It's based on a road that has a
15 cross section geometry of four or more lanes with no
16 median and no shoulder.

17 MS. DONATO: And in your opinion that's
18 equivalent to Shrewsbury Avenue?

19 MR. FIORE: Yes, it is.

20 MS. DONATO: I have no other questions.

21 MR. MACANINCH: Just one quick follow-up
22 just again, a point of clarification.

23 BY MR. MACANINCH:

24 Q. Jeff, when you say an average of 2 minutes and 47
25 seconds of queue time, that again is not at any one

1 period of time?

2 A. That's correct. It's not blocked for 2 minutes
3 and 47 seconds during the hour. It could be blocked for
4 30 seconds, it clears. It could be blocked for another
5 30 seconds five minutes later and so on.

6 Q. So in the total hour it's 2 minutes and 47
7 seconds?

8 A. That's correct.

9 MR. CRANMER: Mr. Fiore, did you obtain
10 crash data for Patterson as well?

11 MR. FIORE: No, all that was requested last
12 time was for us to look at the driveway on the
13 Shrewsbury Avenue access.

14 MR. CRANMER: Would it be an imposition to
15 look at the crash rates on Patterson?

16 MR. FIORE: Sure, that's not a problem.

17 MR. CRANMER: I'm saying at least from
18 Shrewsbury Avenue to Trafford Street.

19 MR. FIORE: We were actually given that
20 data. I just didn't calculate the rates for Patterson
21 Avenue and so we have that data readily available.

22 MR. CRANMER: I would say from Shrewsbury
23 Avenue to Trafford Street.

24 MR. FIORE: I believe that's what I
25 requested or at least to the train tracks.

1 MR. MACANINCH: The sergeant when he was
2 here did testify and I don't want to put words in his
3 mouth, but I have the transcript, I think he said the
4 actual accidents were negligible. He had obviously some
5 other concerns, but --

6 MR. CRANMER: I'd like to see what's going
7 on at that intersection. Maybe we have a low crash
8 rate, but what type of crashes are they?

9 MR. FIORE: At Trafford and Patterson or
10 Patterson and Shrewsbury?

11 MR. CRANMER: And Shrewsbury.

12 CHAIRMAN BELL: Just on the traffic because
13 before I thought I had limited the questions to the --
14 not the questions, but we were focused on Patterson
15 Avenue to try to focus on that because I know I have a
16 bunch of questions and it sounds like Mr. Dodge does as
17 well, but when you're talking about the traffic
18 accidents, did you get the reports from Tinton Falls,
19 their accident rate?

20 MR. FIORE: No, I did not.

21 CHAIRMAN BELL: Okay, because I'm not sure
22 if it's a double line on our side or the double line on
23 their side or it's down the center. I get confused
24 because we get called, first aid calls both sides, but
25 the other side is Tinton Falls and any accident over

1 there would not show up in Shrewsbury. So the accident
2 rate very well and I'm not saying it is, the accident
3 rate could be double what you presented. So if you
4 could pull that up and it might not. There might not be
5 any accidents like I said. Mr. Dodge?

6 MR. DODGE: I think there may be good
7 arguments to keep that second entrance on Patterson.
8 I'm not sure it's appropriate to go into that at this
9 point or not, but the issue is disclosure and I wanted
10 you to know that. But I do think that there is an open
11 concern that may not have been adequately addressed so
12 far and I want to get clarification and just go into
13 that a little bit. And that's this through traffic
14 issue. And so my first question is, does your study
15 incorporate any assumptions concerning the through
16 traffic? Not through traffic, but cut-through, cutting
17 through traffic like we talked about or not at this
18 stage?

19 MR. FIORE: No, it does not.

20 MR. DODGE: The second question I have is
21 are there standards published for that type of traffic
22 standard, the same type of reference that you've used
23 for other aspects of --

24 MR. FIORE: To calculate the amount of
25 cut-through traffic?

1 MR. DODGE: Cut-through traffic.

2 MR. FIORE: No, not to my knowledge there's
3 not.

4 MR. DODGE: I think there is a significant
5 amount of uncertainty surrounding this question and I
6 also recall and it may not be appropriate at this time I
7 understand, but during discussion about the site plan
8 and an earlier reference tonight about signage as a
9 separate issue, but I do recall at that time that there
10 is no special plan to provide information that would
11 discourage people from cutting through; is that correct?
12 And then I guess I should ask counsel here, am I correct
13 in that assumption there is no specific plan? There
14 were discussions, but no specific request that offered
15 any indication on your part that there would be any
16 signage to restrict that through traffic?

17 MR. MACANINCH: No, I think the testimony we
18 had received from Jeff earlier was and the reason we
19 didn't do a cut-through is because given the serpentine
20 nature and we made some site modifications for that
21 reason and the addition of stop signs in two different
22 areas, that becomes the reason why.

23 MR. DODGE: Another point of clarification
24 on this is it's my recollection that the Borough assumes
25 responsibility for policing that traffic that travels in

1 anywhere on this site.

2 MR. MACANINCH: Requests would have to be
3 made, but yes.

4 MR. DODGE: That's a request that's been
5 made to the Borough as part of the application?

6 MR. MACANINCH: It has not yet been made.

7 MR. DODGE: It would be?

8 MR. MACANINCH: It would be.

9 MR. DODGE: I think that brings in another
10 level of importance here to do everything possible to
11 discourage traffic coming out of what is referred to as
12 the whole shopping center and restricting any turns left
13 from that direction whatsoever so that it has to go out
14 on Shrewsbury, that once you make the turn into the
15 property that you then have -- I think it's street A is
16 left and there's a bit of a Y goes to C and B cuts off
17 there. That it is not a through street, that only
18 authorized vehicles are permitted and that sufficient
19 signage therefore is put in place to discourage through
20 traffic particularly in light of the fact that the
21 Borough is expected will be asked to police that traffic
22 in speed in addition to its volume. So unless we have
23 some data to suggest what the standards are and what the
24 level of concern should be or might be interpreted, it
25 seems to me that we are bound and I would just ask you

1 how you would respond to the notion that you should be
2 bound to do everything possible to restrict any traffic
3 there from falling into the category of cut-through
4 traffic.

5 MR. MACANINCH: And I think that is what
6 we've done. Certainly we've looked at internal traffic
7 calming measures. Certainly the stop signs, I mean, and
8 Jeff actually went through, went up this road, stop
9 here, went up this road, stop here, went through versus
10 going to Patterson Avenue and taking a right. The
11 likelihood of one person doing that versus the other
12 especially with the signal retiming.

13 MR. DODGE: But my recollection is that
14 there's nothing to prohibit a left turn from the common
15 access point exiting on the common access point from the
16 property that used to be the Stop & Shop.

17 MR. MACANINCH: Taking a left from?

18 MR. DODGE: I don't mean to be smart in
19 commenting on your response, but your response said that
20 you just said that you had taken steps to calm the
21 traffic.

22 MR. FIORE: Well, I think we had.

23 MR. DODGE: That may be true with respect to
24 speed, but access and volume is really the issue and we
25 have no information--

1 MR. FIORE: Well, I think --

2 MR. DODGE: --what the impact is and I think
3 there is going to be and should be significant concern
4 about that cut-through traffic.

5 MR. FIORE: I think we have done that and
6 I'll defer to Mr. Cranmer because we've been through
7 this multiple iterations of the site plan where we have
8 reconfigured some of the roadways and some of the access
9 points to provide better sight lines and prevent some of
10 the cut-through traffic.

11 MR. CRANMER: I'm going to respond this way.
12 The best way to prevent the cut-through traffic is to
13 provide safe and efficient movements at the intersection
14 of Patterson and Shrewsbury Avenue which is why you've
15 been hearing me talk about that basically from the
16 beginning. I think we have to make that intersection
17 work to reduce the cut-throughs because if you can go to
18 Patterson Avenue westbound and easily make either a left
19 or a right onto Shrewsbury Avenue, there really is no
20 benefit to cutting through that development because
21 you're going to be able to at another signalized
22 intersection, make your right-hand turn without the
23 light. It will be faster, it will probably be safer and
24 that will be the desirable motion or movement. If the
25 Patterson Avenue and Shrewsbury Avenue traffic light and

1 please Mr. Fiore if you feel I'm not saying something
2 correctly, just feel free to jump in. If that traffic
3 light does not operate efficiently, that's when you're
4 going to see the cut-throughs and that's why Patterson
5 Avenue has become a cut-through because the congestion
6 on Broad Street forces folks to go down Patterson to get
7 out to Shrewsbury Avenue to get towards the Parkway.

8 MR. DODGE: I don't want to speak for the
9 entire Board, but no one is going to dispute the fact
10 that the way to relieve that pressure is to create a
11 smooth flow of traffic at Patterson and Shrewsbury. But
12 we have a situation here, the cut-through traffic where
13 we have no data, we have no guidance.

14 MR. CRANMER: Understood.

15 MR. DODGE: Is it your view or would you
16 object to the signage to help improve or enforce?

17 MR. CRANMER: Signs that say "residents
18 only," something like that?

19 MR. DODGE: No left turn out of the shopping
20 center.

21 MR. CRANMER: That we'd have to look at a
22 little bit. At first I thought you wanted to restrict
23 left turns out of the site driveway out to Patterson.

24 MR. DODGE: No, this is within the site.

25 MS. MARTINELLI: The old Stop & Shop.

1 MR. DODGE: The site itself and the common
2 access, I believe that's a common access that you then
3 come off.

4 MR. MACANINCH: You don't want the
5 supermarket traffic cutting through the community.

6 MR. DODGE: Before you ever get to
7 Shrewsbury is what I'm concerned about.

8 CHAIRMAN BELL: I think that the best, the
9 best example of this and how to do it --

10 MR. CRANMER: To answer your question, Mr.
11 Dodge, no, I would not object to a left turn
12 restriction. That's I think relatively simplistic.

13 MR. DODGE: Making some assurance against
14 this.

15 CHAIRMAN BELL: We have the best example. I
16 mean, I think we're trying to skin a cat that maybe
17 doesn't need to be skinned necessarily. It needs to be
18 addressed. If we just go a little east in Little Silver
19 and until they reconfigured the intersection in Little
20 Silver where you could make a left off of Ocean -- well,
21 it's now Branch Avenue onto Sycamore, even with the sign
22 there were more people cutting through the condo complex
23 than went the legal way. When they reconfigured it and
24 they made it easy, not easy, uniformly, whatever you
25 want to call it, the cut-through that the condos --

1 there still are cut-throughs. You're always going to
2 have cut-throughs, but it's minimal compared to what it
3 used to be.

4 MS. WATERBURY: It's still an issue there
5 now. I'm their engineer and that's what we talk about
6 every meeting.

7 CHAIRMAN BELL: I think that the issue what
8 Mr. Dodge is talking about and I do agree, I mean, right
9 now the disadvantage that you have and we have is we're
10 dealing with an unknown. The shopping center is closed.
11 There's no traffic coming through there. All your
12 numbers are based on what your site is going to
13 generate, not what the supermarket is going to --
14 whatever. We don't know what's going to be there.

15 MR. FIORE: That's correct.

16 CHAIRMAN BELL: But it's very rational,
17 reasonable to assume that whatever is there, half the
18 traffic is going to come out that way. So how do we
19 help try to mitigate the people making a left from the
20 Stop & Shop -- the Foodtown. How do we stop the people
21 coming from the Foodtown into this which then increases
22 that much more? It's not the 640 trips a day, who knows
23 how many? So how do we do that? It may be through
24 signage. It may be through putting a divider there too.
25 There are ways to make it where the convenient way is to

1 go out to Newman Springs Road.

2 MR. FIORE: I understand your point, but I
3 don't think you can restrict that left turn if you're
4 coming out of the Stop & Shop and going up to make a
5 left because if the residents of this development want
6 to go to that commercial area, then how do they get back
7 to their home?

8 CHAIRMAN BELL: They make the left the same
9 as the people who live in the Little Silver Commons,
10 they make a left when they're not allowed to make a
11 left.

12 MR. FIORE: Well, why shouldn't they be able
13 to make a left when they're living right there?

14 MR. MACANINCH: We have no problem with
15 signage. I just didn't understand --

16 MR. DODGE: Is the problem, Mr. Chairman,
17 alluding to fairly manifesting themselves only because
18 the roadways that are associated with your site plan
19 allow people to cut through? So what I'm really looking
20 for is just a philosophical commitment to do what we can
21 to throttle all forms of cut-through traffic that's
22 reasonable. And it strikes me that these types of
23 things are reasonable.

24 MS. WATERBURY: And you know, just with the
25 comment that was made about the circuitous route, that

1 one of the problems that we have or at least that I
2 observe, I haven't done a measurement, but that I
3 observe is not necessarily really just because Patterson
4 is such a great place to be drawn to, but more that the
5 roadways like Newman Springs Road, Shrewsbury Avenue and
6 Broad Street at certain times have such congestion
7 associated with them that right now we get a big
8 cut-through just from people taking a very circuitous
9 route I think it's down Henry and the names are alluding
10 me, but it's almost the same number of turns and they'll
11 come down past the first aid, stop. Take a right.
12 Stop, take a left. Stop, and it's almost the same kind
13 of thing and people do it all the time because of the
14 congestion of that particular system that you're kind of
15 in the middle of. And so I think that that's kind of
16 driving some of the discussion about the cut-throughs,
17 what we already observed coming out of Trafford that's
18 not the residences that are there, but everybody and I
19 will admit, sorry, I am one of them because when I'm
20 coming from my office in Red Bank that time of day it's
21 easier for me to just cross right over Newman Springs
22 Road in between where it's backed up and just sneak
23 right through and get over to the school.

24 CHAIRMAN BELL: The advantage or
25 disadvantage is I guarantee everybody on this Board does

1 a cut-through at some point or another.

2 MR. FIORE: People are always going to take
3 the path of least resistance.

4 CHAIRMAN BELL: Because we know when the
5 traffic is backed up and so forth and so on. Mrs.
6 Derasadorian, I saw you trying to jump in.

7 MS. DERASADORIAN: No, all my questions are
8 answered, but I guess one of my questions is we talked
9 about Patterson and it looked like there's 640 trips I
10 think you said down Patterson?

11 MR. FIORE: No, that's throughout the day,
12 how much the residential traffic is generated by the
13 site. That will be split between Shrewsbury and
14 Patterson.

15 MS. DERASADORIAN: Okay, and it seems as
16 though some of the concerns are the calming the traffic
17 on Patterson and I know our engineer talked about it,
18 it's true. It's a really wide street so it really is
19 hard to make it 25. In terms of traffic calming
20 measures, I know Mr. Bell alluded to this before,
21 turning in or putting an island or some kind of thing
22 there, do you think that in terms of calming that
23 traffic on Patterson, putting some of those islands or
24 planters in the middle of the street, they're what, kind
25 of dividing traffic at certain points would slow that

1 traffic down on Patterson so it would in essence make --
2 I think the streets are still the same width, but the
3 center is being taken from planters would that slow that
4 traffic down?

5 MR. MACANINCH: I was just going to say I
6 think that's part of the study that was done that the
7 Borough had done a number of years ago.

8 MR. CRANMER: There are several traffic
9 calming techniques that municipalities commonly use to
10 reduce the speeds of vehicles on roadways where speeds
11 are fast. They're not a tool to mitigate a volume
12 problem. You're not going to take traffic calming
13 measures and solve a problem where you have too much
14 traffic on a roadway. What they do is they slow down
15 the traffic to an acceptable speed. It is not our goal
16 to slow traffic to less than 25 miles-an-hour because
17 that's not practical. What the traffic calming measures
18 are designed to do and the way they are meant to
19 function is to take the vehicles that are utilizing a
20 land service roadway and reduce their speeds to the
21 posted design speed or the posted speed limit. So the
22 things like the divided island down the middle, speed
23 tables, narrowing of intersections, those are all visual
24 cues that a driver would see a narrow roadway. And I'll
25 give you an example. If you remember Patterson I guess

1 it was 8 or 9 years ago now, was just a 60-foot and I
2 think the width there is actually 60 -- 40 or 60 feet.
3 It's very wide. The roadway, there were no parking
4 stripes or no sidewalks on the road so it really looked
5 like a drag strip. And when you were on the road you
6 almost had a feeling like you were on the Parkway or
7 Route 35. It was a very wide road and you felt very
8 safe to go faster down it, quite frankly. What we did,
9 what the Borough did was installed sidewalks down both
10 sides to give it the neighborhood-type visual effect and
11 also just put some stripes down as an interim measure to
12 see if we could reduce the speeds and by all accounts I
13 think the speeds on Patterson Avenue and full disclosure
14 my office is on Patterson Avenue. I believe I've seen
15 the vehicles slow down because it just looks like a
16 narrower road. I have also noticed increased
17 enforcement by the police department on Patterson.
18 There's police cars there very routinely. There are the
19 "you're going whatever" speed signs from time to time on
20 the side of the road, but those techniques that you just
21 described have been found to be very effective at
22 reducing the speeds to the speed limit. We're not going
23 to slow them to 10 or 15, we're going to slow them to
24 25.

25 CHAIRMAN BELL: But even in this location

1 where this road is coming out, from personal experience
2 is probably the slowest place on the whole road.

3 MR. CRANMER: Because it's bumpy.

4 CHAIRMAN BELL: Because of the railroad
5 tracks. If you don't slow down, you're in trouble.

6 MR. CRANMER: Yes.

7 CHAIRMAN BELL: If you hit those railroad
8 tracks at 40, you're in trouble. So it does slow down.

9 MR. CRANMER: There are a lot of cars parked
10 on the side streets there on the side of the road
11 because there are a lot of businesses that are fronting
12 there. And when Ms. Waterbury is there with her
13 daughter sleigh riding on the hill, they park in the
14 street and it narrows it and when you narrow the street
15 that's a perfect example. You get the sense that this
16 isn't such a wide street anymore and I need to slow down
17 a little bit. And the roadways in this development are
18 going to be much narrower than Patterson Avenue. We're
19 going to have narrow roadways that are circuitous in
20 design just to give you the feel that I can't go as fast
21 as I really would want to go. That's why we discourage
22 long tangents, long straight roadways because you tend
23 to increase vehicle speed.

24 MAYOR COOPERHOUSE: Dave, I don't know if
25 I'm having a flashback here, but didn't we just request

1 from Rush Holt's office petition for funding for
2 additional -- well, for the calming techniques, tools
3 that we wanted to utilize? So just recently we received
4 correspondence from Rush Holt looking as part of his
5 stimulus --

6 MR. CRANMER: His wish list.

7 MAYOR COOPERHOUSE: His wish list. There's
8 money available. Our number one priority that we put in
9 for, correct, it's number one?

10 MR. CRANMER: It was number one and 30
11 seconds of background.

12 MAYOR COOPERHOUSE: Additional calming
13 techniques for Patterson Avenue. We don't know if we
14 can get the money or not. We don't have the money in
15 the account to do that work ourselves.

16 MR. CRANMER: The governing body recognized
17 the needs for these type of improvements on Patterson
18 Avenue several years ago and for the past 35 years we
19 have been aggressively pursuing grant opportunities to
20 get money so it didn't become a burden to the taxpayers
21 to slow down the cut-through traffic. We've applied. I
22 personally have applied on no less than three different
23 entities on several occasions for this funding. On top
24 of that the governing body took the steps to create a
25 trust fund to fund this project with part of it being

1 funded by the developers that are contributing to the
2 increase in traffic. So the governing body I believe
3 has taken the appropriate steps to -- they've recognized
4 that improvements are warranted. We actually have some
5 concept plans that we submitted as part of our grant
6 applications which have every traffic calming technique
7 that's available to us and the goal is to have the
8 improvements installed at a little or no cost to the
9 taxpayers.

10 CHAIRMAN BELL: Questions?

11 MR. CARROLL: I have one. This road A, B
12 and C, these are all considered private drives, I
13 assume, right, within the complex? Is there any way to
14 legally say you can't use this as a cut-through? I
15 mean, I understand you're going to put up private
16 property, no trespassing, something like that, but is
17 that something the police could persecute somebody for
18 for cutting through or no?

19 MR. FIORE: Not to my knowledge, no.

20 MR. CARROLL: Okay, that's all.

21 MR. GARDELLA: Do you know what the
22 acceptable distance is between operable traffic lights?

23 MR. FIORE: It depends on the speed of the
24 road and the timing of the cycle length of the traffic
25 lights along that corridor. Typically the minimum

1 distance is 1/4 mile.

2 MR. GARDELLA: So putting a traffic light at
3 the end of the driveway on Shrewsbury Avenue wouldn't
4 be --

5 MR. FIORE: Monmouth County or DOT would
6 never approve that because of the proximity of the other
7 two traffic signals.

8 MR. GARDELLA: Even if it was something that
9 would be say on a sensor or --

10 MR. FIORE: It would never be approved.

11 CHAIRMAN BELL: Other questions?

12 MAYOR COOPERHOUSE: Dave, your professional
13 opinion on the traffic light?

14 MR. CRANMER: He's right.

15 MAYOR COOPERHOUSE: Not that I doubt you.

16 MR. FIORE: That's what you pay for.

17 MR. MACANINCH: That's what I'm paying for.

18 CHAIRMAN BELL: I have a couple more
19 questions. Talking about the 12-foot and this goes onto
20 the Newman Springs Road -- not Newman Springs Road,
21 Shrewsbury Avenue access, your traffic studies and it
22 comes around to the same thing. Your traffic studies
23 are related to the queuing that's there now, the
24 signals, the traffic on Shrewsbury Avenue and the
25 traffic, the 640 -- even if all 640 go out and however

1 many the business -- I mean, it's not reasonable to say
2 everybody is going to go out. And you've represented
3 what the traffic impact is going to be. I have
4 tremendous concerns not about the fact that that
5 driveway is there because it's there and we in planning
6 we wanted to have an access, a second one on Patterson
7 Avenue. It's good planning to have it. I have real
8 concerns though that the numbers that you're presenting
9 are really skewed down because they do not represent
10 what comes out of Stop & Shop or Foodtown and that's
11 going to be some sort of a food market or whatever and
12 it will be whatever winds up being in there. I'm not a
13 traffic expert, but I am a shopper and a heck of a lot
14 more than 640 people go into Foodtown in Red Bank on a
15 daily basis. So the assumption would be the same number
16 of people are going to go into this store, double that.
17 And I go back to the same thing as one of the things
18 Mrs. Waterbury talked about and we talked about it in
19 the very beginning, the original plan that we had that
20 had the driveway to the left of the commercial
21 property -- that's not what we have in front of us
22 now -- that had a right and left turn going out, an
23 island in the middle and one lane coming in which I'm
24 assuming listening to you I don't remember what it was,
25 but it was 12 feet. 12 feet, 12 feet, 36 and I don't

1 know, 6 feet in the middle so it's 42 feet versus what
2 did you say this was, 30? And to me that's safe. And
3 one of the things that I think I do believe it's our
4 responsibility as a Planning Board is to make sure
5 whenever, if anything is approved that it's safe for the
6 business, the residents and the people, the potential
7 use that will be at the Stop & Shop Foodtown, grocery
8 store, whatever the case may be. And there was far
9 more. I mean, I was on the Board when we listened to
10 the application for back then it was Edwards. I'm not
11 even sure it was Edwards. Peter Sodler (SIC) was the
12 applicant if my memory is correct. And I remember
13 listening and that was just that was going to be an
14 entrance and exit for the trucks to come in and nobody
15 is ever going to use that road because it's the busy
16 road. Everyone is going to go out Newman Springs Road.
17 Well, when it got built just as many people went out
18 Shrewsbury Avenue because people go to the least
19 resistance and they go where they're going and going out
20 Newman Springs Road is not easy so they go out that way.
21 So half those cars are going to go out that way and I
22 really have a problem with the fact that there's one
23 lane in, one lane out and there's no easing the traffic
24 calming with the median in between and practically --
25 and we talked about it before, and the median in the

1 middle was intended to be a traffic calming. People
2 don't turn in as fast because they only have 12 feet to
3 turn in. They don't have the visual 24 feet, 30 feet,
4 whatever it is. Going out they only have that distance.
5 And the cars that are going to turn left, it's not just
6 your traffic, it's the traffic that's going to be down
7 the road from Foodtown. Those people are going to be
8 the grocery -- there are people who live in Shrewsbury,
9 people who live in Tinton Falls. They want to go out,
10 they want to go out that way. So you have that many
11 more cars that are going to be making a left. So
12 there's going to be more queuing. And I think it's our
13 responsibility and I think it's your responsibility to
14 make sure that we have the most practical long-term
15 access. And I understand as far as an applicant, it
16 goes from 30 feet to 42 feet. That's 12 feet you don't
17 have to build on. But to a certain extent that's not my
18 problem. That's your problem, if that's what's
19 necessary.

20 MR. CRANMER: Mr. Bell, where are you
21 suggesting the island go, which driveway?

22 CHAIRMAN BELL: I think it should be on
23 both.

24 MR. CRANMER: So the site access driveway
25 onto Shrewsbury Avenue and the internal?

1 CHAIRMAN BELL: I think going onto
2 Shrewsbury Avenue there should be an island with a 12 --
3 whatever, I don't know. I'm not the engineer.

4 MR. CRANMER: A boulevard-style entrance.

5 CHAIRMAN BELL: An island with one in and a
6 left out and a right out.

7 MR. CRANMER: Okay.

8 CHAIRMAN BELL: Which is what we talked
9 about in the very beginning when we talked conceptually
10 on this.

11 MS. MARTINELLY: Going back to the center.

12 CHAIRMAN BELL: And I think on Patterson
13 Avenue it should be whatever it is, 12 feet on either
14 side with an island in between. Because that calms --
15 you know, just think about it practically. Wherever you
16 are driving --

17 MR. CRANMER: I understand. You don't have
18 to convince me.

19 CHAIRMAN BELL: You're flying down, you're
20 going to have people cutting through. People are going
21 to cut through and they're going to. There's nothing we
22 can do to stop it. People are going to cut through from
23 wherever, come out to Patterson Avenue. You come down
24 that road, people are in a hurry. They're cutting
25 through because they're in a hurry. And that road is

1 going to come down. If you don't have an island, people
2 are going -- the natural, people cut over to the left to
3 cut out onto Patterson Avenue. And if you have an
4 island it visually slows you down which is what the
5 intention of that is today.

6 MR. MACANINCH: Mr. Bell, we can do an
7 island on the Patterson entrance. We have the room
8 there. We can't do it on --

9 CHAIRMAN BELL: But you can, you can if you
10 modify what you're proposing to build.

11 MR. MACANINCH: It would be a major
12 modification, it would be.

13 CHAIRMAN BELL: But you can. The point is
14 you can. And I understand what you're saying and I'm
15 not here to be combative. This is one of the biggest
16 changes on the application that you put in front of us
17 from what we've talked about. When it was on the other
18 side there was an island and we have all agreed the
19 island was a common and there was a right in, a right
20 out and a left out. And we took into account and maybe
21 we took into account it's been so long I don't remember,
22 we might have taken Foodtown into account because maybe
23 Foodtown was open when this was originally proposed. I
24 don't remember. So if we're taking Foodtown into
25 account we had that traffic and I think that's a major

1 -- personally, just one person. I think that's a major
2 issue on both sides.

3 MR. MACANINCH: And the reason we made the
4 change is in meeting with the township and its
5 consultants there were a number of internal site issues
6 that redesigns were required and this was a better
7 design and a better layout and obviously it matched the
8 existing design of that entrance road. So I mean, that
9 was the reason.

10 CHAIRMAN BELL: But if you did use the road
11 to the right, why couldn't you put the island?

12 MR. MACANINCH: It had all sorts of issues
13 internally.

14 MAYOR COOPERHOUSE: Dave, your recollection?

15 MR. CRANMER: Look, I don't disagree with
16 having an island. We did modify the internal
17 circulation because many of the intersections didn't
18 have sight distance that the applicant's consultant and
19 my office could agree on as being safe. Would it
20 necessarily eliminate the islands as part of interior
21 modifications? I certainly don't believe it's going to
22 hurt anything. Last meeting one of the questions that I
23 asked Mr. Fiore to look at was the ability to analyze
24 this particular driveway with a left turn lane and a
25 right turn lane separated and I believe the conclusions

1 that are in the report say that having the two lanes
2 combined into one exit that can go left or right is the
3 better design. I mean, to me based on my observations
4 and my utilization of this driveway I think the left
5 turn is going to be difficult and I believe that that
6 lane would back up and having the right turn lane would
7 allow those vehicles to exit the site without delay and
8 discourage the cut-through that we're talking about
9 because when this driveway doesn't operate those are the
10 vehicles that are going to make that cut-through. So, I
11 mean, my intuition tells me that the separated left and
12 right turn lanes out of the site are warranted.

13 Monmouth County is going to be the one who's going to
14 make the final determination on that whether or not they
15 are going to even permit that. The island, I agree.
16 For traffic calming techniques I think it adds something
17 aesthetically. I think it will make it a nicer
18 development. Patterson Avenue, it doesn't seem like
19 that's going to be an issue. This one you're probably
20 going to lose 10 to 15 feet of the site buildable area.

21 MAYOR COOPERHOUSE: Dave, you lost me. You
22 said Monmouth County will make the decision?

23 MR. CRANMER: Anything that happens along
24 Shrewsbury Avenue falls under their jurisdiction.

25 MS. WATERBURY: But we can make a

1 recommendation to them as to what --

2 MR. CRANMER: Absolutely and just to put a
3 period on that. I've talked to the applicant and
4 they've consented to my participation in the discussions
5 with Monmouth County as related to this application. So
6 we can make sure that the Borough's recommendations are
7 at least acknowledged.

8 MS. WATERBURY: Can I ask one question? I
9 apologize because I only have the updated traffic report
10 with me. I should be bringing it all with me, but when
11 you did the design for Shrewsbury Avenue did you account
12 for anything from the shopping center or if you did, how
13 much?

14 MR. FIORE: When we did the traffic counts
15 originally this was in 2007 and the shopping center was
16 still open. So we left those traffic volumes in the
17 analysis to account for should the shopping center open
18 in the future, the traffic and the analysis is
19 consistent with that.

20 MS. WATERBURY: So it was already included?

21 MR. FIORE: That's correct.

22 MS. WATERBURY: I tend to agree from your
23 standpoint of I think the left is going to back stuff up
24 so having the three of it, having the two of them, two
25 drives out I kind of concur that I would feel more

1 comfortable with that.

2 Mr. Bell, you were discussing the island at
3 Patterson Avenue and the one thing that I just wanted
4 to -- we were discussing the location of the residential
5 drive next to this property and I think the residential
6 drive next to this, I don't think it's shown on there,
7 but I think they're right on their property line. So if
8 we divide the road it's going to put the drives closer
9 to each other and I have a lot of concern about that
10 residential drive can only back out there. So they're
11 trying to back out with people coming out of this site
12 like right there and I'm a little concerned about the
13 interaction of those two drives. Maybe there's a way
14 for that particular drive to be able to come out your
15 drive.

16 MR. FIORE: I can say this. On state
17 highways and I know Patterson Avenue is not a state
18 highway, but per NJDOT standards, they require a minimum
19 of 24 feet between driveways and that's tangent, PC to
20 PC to tangent. We're providing 30 feet.

21 MS. WATERBURY: I don't know if I see that
22 on here from the end of your radius to the side of the
23 property line.

24 MR. FIORE: To the driveway. Not to the
25 side of the property line, to the driveway on the next

1 lot there's approximately 30 feet.

2 CHAIRMAN BELL: And how much room do you
3 have on the railroad side?

4 MR. FIORE: I don't have that number in
5 front of me.

6 MS. WATERBURY: Because I know when I come
7 out that driveway now it's very difficult and if there
8 is a car, a queuing of cars coming out of there it's
9 going to block the visibility even more. And, I mean,
10 I'm always crossing my fingers coming out of that drive
11 and I'm not over there at any time --

12 MAYOR COOPERHOUSE: What driveway are you
13 referring to?

14 MS. WATERBURY: There's a residential drive
15 right next to this egress on Patterson.

16 MR. TELLER: Lot 2?

17 MS. WATERBURY: It's adjacent.

18 MR. DODGE: There's an office there.

19 MS. WATERBURY: There's the medical office
20 that's there and it has hardly any cars come out of it
21 and then there's this particular drive and now we're --
22 I'm just trying to get a sense of how they interact.

23 CHAIRMAN BELL: You would be able to look to
24 see whether or not you have the ability to put a median
25 in there, you would be.

1 MR. MACANINCH: The planting island.

2 CHAIRMAN BELL: The planting island.

3 MR. MACANINCH: Yeah.

4 CHAIRMAN BELL: To not interfere, to violate
5 anything.

6 MR. FIORE: What we also have to consider is
7 the alignment with the driveway opposite. We don't want
8 to skew the two driveways so you're creating, you know,
9 conflicting turns with each other.

10 CHAIRMAN BELL: But if you put a 5-foot
11 island or 4-foot island you're pushing one side 2 feet
12 and the other side 2 feet.

13 MS. WATERBURY: Would you be willing to show
14 us where that drive is on the adjacent one so we kind of
15 have a feel on that?

16 MR. MACANINCH: We have it in, for example,
17 A-3. It shows the drive and it's to scale. Would you
18 like to see it?

19 MS. DONATO: Let me ask a question and I
20 don't know who might be able to know the answer to this,
21 but in 2007 wasn't the supermarket very, very
22 underutilized? I seem to recall that prior to its
23 closure it was.

24 CHAIRMAN BELL: That's the reason why it
25 closed.

1 MS. DONATO: But it was very, very sparsely
2 attended so the traffic volumes in 2007 wouldn't really
3 have -- I heard some kind of a story about it being
4 acquired by Mr. Angelino and kind of went into a
5 situation where then it went out of business so that in
6 2007 it was a very, very low traffic volume. But I
7 would assume that eventually isn't somebody going to buy
8 that supermarket?

9 MAYOR COOPERHOUSE: There are discussions
10 taking place right now and I will tell you it's not a
11 supermarket.

12 MS. DONATO: But it will be an active retail
13 facility?

14 MAYOR COOPERHOUSE: Yes.

15 MS. DONATO: So that there's a good
16 likelihood that the 2007 volumes didn't really reflect
17 full utilization of that space.

18 MAYOR COOPERHOUSE: The assumption I'm going
19 to make is that there will be less traffic.

20 MS. DONATO: Less traffic?

21 MAYOR COOPERHOUSE: Yes.

22 MS. WATERBURY: Than the shopping?

23 MAYOR COOPERHOUSE: We're all making
24 assumptions here. I'm making an assumption that there
25 would be less traffic.

1 MR. MACANINCH: Any future users it's got to
2 come in for some sort of final site plan approval for
3 this Board so you can take a look what happens.

4 MS. WATERBURY: But this development is
5 setting the room that's available for the road. So even
6 if they have to come in, they're not going to cut out
7 your parking in order to put in a left turn lane.
8 They're not going to have the ability to do that. So we
9 want to make sure this particular design there will
10 service all the users in the future and if I'm
11 expressing --

12 CHAIRMAN BELL: That's right.

13 MR. CRANMER: Mr. Bell, I'll say this. If
14 we have to balance whether to have a left and a right
15 turn lane out of the site versus having an island, I'd
16 rather see the left and right hand turn lanes and not an
17 island. If we can have both, I think that's the best
18 case. If that's not feasible --

19 MS. DONATO: You're talking about Shrewsbury
20 because Patterson is easier.

21 MR. CRANMER: That's correct, I'm talking
22 about the Shrewsbury Avenue access roadway. Having a
23 turn, a lane for vehicles to make a left turn onto
24 Shrewsbury Avenue from the site and a lane for vehicles
25 to make a right turn onto Shrewsbury Avenue, I believe

1 is warranted. Having the island I believe would be a
2 nice feature. It would be a traffic calming tool and in
3 my view it would make it a nicer entrance to the site
4 and make it more appealing. If there's not sufficient
5 room to have the island and the two exiting lanes then I
6 believe the exiting lanes would have more of a benefit.

7 CHAIRMAN BELL: I agree.

8 MAYOR COOPERHOUSE: So there's been
9 confirmation regarding Patterson Avenue.

10 MR. MACANINCH: We'll do the planning on it.

11 MAYOR COOPERHOUSE: On Patterson?

12 MR. MACANINCH: On Patterson.

13 MAYOR COOPERHOUSE: I believe the comment
14 you made about Shrewsbury Avenue would be a major --

15 MR. MACANINCH: Let me not speak. We'll
16 look at it. I don't want to speak out of turn. I'll
17 talk to the engineer.

18 MS. WATERBURY: Can I ask one thing?

19 MR. DODGE: Get that on the record. David,
20 you and the Borough engineer are going to meet to
21 discuss --

22 MR. CRANMER: They're going to talk to their
23 engineer.

24 MR. MACANINCH: Talk to our engineer to see
25 what the effect would be of doing it.

1 MR. DODGE: Thank you.

2 MS. WATERBURY: When looking at if you are
3 going to look at a planted island on Patterson, can you
4 just make sure that any vehicle in the adjacent
5 driveways either side because they're facing a different
6 direction than the ones coming out of yours because they
7 have to back out, that the landscaping just doesn't
8 create a sight restriction?

9 CHAIRMAN BELL: There's a sight triangle.

10 MS. WATERBURY: I know, but their sight
11 triangle is going to be a little different because their
12 car faces a different direction backing out so it pushes
13 the line of sight a little into the site.

14 CHAIRMAN BELL: But when they plant -- if
15 I'm correct on this, Dave, when they plant out on the
16 front of their property, there is a perceived sight
17 triangle for the neighbor's driveway.

18 MR. CRANMER: Well, there will be a sight
19 triangle for that driveway and of course there will be a
20 right-of-way line, Libby's point is well taken. We want
21 to make sure we don't block their view as well.

22 CHAIRMAN BELL: Okay. Other questions?
23 There being none, can I get a motion to open the meeting
24 to the public?

25 MR. DODGE: So moved.

1 MR. TELLER: Second.

2 CHAIRMAN BELL: Mr. Dodge, Mr. Teller. All
3 those in favor? Okay, the meeting is open to the public
4 regarding the traffic testimony, questions, comments
5 you've just heard. Come up, state your name and
6 address, please.

7 MR. AMORELLI: Jeff Amorelli, Block 2, Lot
8 2, right next door to the proposed Patterson entrance.
9 What concerns me is if it wasn't mandatory for the
10 applicant to purchase this, why are we even talking
11 about having an exit out on Patterson?

12 CHAIRMAN BELL: I don't think there was
13 any -- I don't think that -- I don't think there was any
14 testimony -- well, the reason why the ordinance for this
15 development allows for or requires, I believe it
16 requires primary access on Shrewsbury and I believe it
17 requires a secondary access and I don't think it said --
18 I don't think it required it to be on Patterson Avenue,
19 I think it required it to have a secondary access.

20 MR. CRANMER: That's correct.

21 MR. AMORELLI: So basically that was the
22 only option. There was no second access to go through
23 the old Stop & Shop. Is that possible to use that? Do
24 they have --

25 CHAIRMAN BELL: I don't know the answer to

1 that.

2 MR. CRANMER: It wouldn't be possible.

3 MR. AMORELLI: Access to use that?

4 MR. CRANMER: No, it wouldn't be possible.

5 MR. AMORELLI: Okay, my other question is --

6 MAYOR COOPERHOUSE: It would be possible if
7 they purchased the property.

8 CHAIRMAN BELL: Or if they purchased another
9 piece of property on Shrewsbury Avenue where you could
10 have had two on Shrewsbury Avenue.

11 MAYOR COOPERHOUSE: Right.

12 MS. WATERBURY: Or had cross easements.

13 CHAIRMAN BELL: Correct.

14 MR. AMORELLI: Another question is as far as
15 the traffic stopped, my father-in-law was a police
16 officer in town for 35 years. The last time anything
17 was done on Patterson Avenue was the speed bumps and the
18 sidewalks which hasn't slowed down traffic. I will come
19 out of my driveway, sometimes I feel like throwing a bed
20 of nails out in the street. So I do not know what Mr.
21 Cranmer has been watching all day, but people fly down
22 Patterson and I cannot get out my driveway in the
23 morning unless I back my car into my driveway.

24 CHAIRMAN BELL: What's your question?

25 MR. AMORELLI: So my other question is if

1 Patterson Avenue is going to have an access, is there
2 any chance that I can do a loop to use that exit to get
3 out of my house?

4 MR. MACANINCH: No.

5 MR. AMORELLI: No.

6 CHAIRMAN BELL: So your question is can you
7 have some sort of an easement to go across to access?

8 MR. AMORELLI: Easement, yes, exactly.

9 CHAIRMAN BELL: I think that would be
10 something that you would have to address with the
11 applicant, right? It wouldn't be here.

12 MR. AMORELLI: The applicant is --

13 MR. MACANINCH: Right.

14 CHAIRMAN BELL: So you were saying.

15 MR. AMORELLI: -- D/Three or Hovnanian?

16 CHAIRMAN BELL: You're stating or you'll
17 talk to Hovnanian and see if they would be willing to
18 have him have a driveway.

19 MR. MACANINCH: He's saying a driveway from
20 his property onto our access road and then turning using
21 our access road?

22 CHAIRMAN BELL: He has his driveway right
23 now on Patterson. Would there be a possibility of
24 having a right-of-way where he would be able to --

25 MR. AMORELLI: Where I could turn around

1 without trying to back out onto Patterson?

2 MR. MACANINCH: I just would be concerned
3 with and we can talk about it, but I'd be concerned
4 again with landscaping. All of the issues we've already
5 been told to look at in terms of landscaping, buffering,
6 all of those different things.

7 CHAIRMAN BELL: So is it something that
8 you'll go back to and you'll talk to your applicant and
9 it's either a yay or a nay?

10 MR. MACANINCH: I'll talk to them, but I can
11 tell you it's going to be a host of issues.

12 MR. AMORELLI: As far as the traffic coming
13 out of there, you say it was only 320 trips total
14 between Shrewsbury Avenue and Patterson?

15 MR. FIORE: That's not correct. What I said
16 was there would be a total of 640 trips generated by the
17 residential portion of the traffic throughout a 24-hour
18 period and if you made the assumption that 50 percent of
19 the residential traffic would use the Patterson Avenue
20 access, you would have 320 vehicles.

21 MR. AMORELLI: Am I assuming that you had
22 put this rubber strip down before the railroad tracks,
23 the traffic study was not done off of Trafford Street?

24 MR. FIORE: That's correct. It was close in
25 the proximity of the proposed access.

1 MR. AMORELLI: So how did you speculate the
2 cut-through traffic coming through Trafford or going to
3 the school down Birch? Doesn't that come into account
4 for that easement for the Patterson Avenue exit?

5 MR. FIORE: We didn't account for any
6 cut-through traffic.

7 MR. AMORELLI: Why is that?

8 MR. FIORE: Because there's no set standards
9 to determine how much cut-through traffic you can
10 project.

11 MR. AMORELLI: Well, you're projecting that
12 the Walgreens or proposed site next to your complex then
13 might go up, you're speculating the traffic out of
14 there.

15 MR. FIORE: Right, because I know the size
16 of what the Walgreens would be, I know where the access
17 points to that Walgreens would be and I'm able to
18 generate what the peak hour trips -- there are standards
19 in place to generate the traffic that would be generated
20 for a use, a Walgreens use.

21 MR. AMORELLI: Well, instead of speculating
22 why couldn't a rubber strip be put down on Trafford to
23 get an idea of how much traffic is going through there?

24 MR. FIORE: Because I couldn't differentiate
25 what traffic is using Trafford based on residents that

1 live there and those that are using it as a cut-through.

2 MR. AMORELLI: Because actually where the
3 railroad tracks are and the Trafford Street is that is
4 like a split between commercial and residential so
5 you're not --

6 CHAIRMAN BELL: Mr. Amorelli, I'm trying to
7 understand. Are you talking about the traffic that
8 would go from Trafford Street across Patterson onto
9 Birch and then never goes by your driveway?

10 MR. AMORELLI: Yes, because --

11 CHAIRMAN BELL: I'm trying to understand
12 what the relevance of that is to this application.
13 Dave, am I losing something?

14 MR. CRANMER: Don't drag me into this.

15 MR. AMORELLI: Well, if you're going to have
16 this access out of Patterson you're also going to have
17 these people going left out of Patterson Avenue.

18 MR. FIORE: That's correct.

19 MR. AMORELLI: So how do you predict how
20 much traffic is going to go left and how much traffic is
21 going to go right?

22 MR. FIORE: We looked at the -- as I said
23 the last time I was here, we do trip generation
24 estimates, trip distribution estimates and that's based
25 on population hubs, it's based on arterial roadways or

1 major connector roadways in the area. For this instance
2 it's based on the train stations and the proximity to
3 the development. It's based on the park and ride at
4 Exit 109. It's based on the location of where the
5 Parkway is and where Route 35 is.

6 MR. AMORELLI: Okay, thank you.

7 CHAIRMAN BELL: Other questions from the
8 public?

9 MRS. MINERVINI: Mrs. Minervini, 185
10 Patterson Avenue. I don't know the lot and block
11 number. I believe you fortunately answered questions
12 earlier, but I'd like another answer on it. The weather
13 conditions at the different times that you took these
14 road testings, were they dry, all dry conditions or
15 rainy or snowy?

16 MR. FIORE: They were clear and cold. It
17 hadn't rained. There might have been some snow still
18 banked up on the sidewalks or the berms on the roadways,
19 but the travel conditions were clear and typical of your
20 everyday dry conditions.

21 MRS. MINERVINI: Okay, thank you. Is there
22 any possibility since evidently your egress of Patterson
23 Avenue is too close to Shrewsbury Avenue to have a
24 traffic light, is there a possibility of a four-way stop
25 since you have a business on one side, you're on the

1 other side and you got a thoroughfare with Patterson?

2 MR. FIORE: You're talking about the access
3 from Patterson Avenue on the site?

4 MRS. MINERVINI: At the end of your driveway
5 onto Patterson Avenue, if you had a four-way stop, they
6 instituted one in Red Bank not too long ago about a
7 block-and-a-half from the railroad station which seems
8 to be very effective.

9 MAYOR COOPERHOUSE: Are you suggesting
10 having a four-way stop on Patterson Avenue?

11 MRS. MINERVINI: Yes, I am.

12 MAYOR COOPERHOUSE: East and west?

13 MRS. MINERVINI: No, four-way.

14 MAYOR COOPERHOUSE: As well as south, north
15 and south?

16 MRS. MINERVINI: Whoever hits that entrance
17 first is the person that goes and then the next person
18 that goes in the other direction goes.

19 CHAIRMAN BELL: But what you're suggesting
20 is a stop sign right by the railroad tracks?

21 MAYOR COOPERHOUSE: You would block the
22 railroad tracks.

23 MRS. MINERVINI: Basically. It slows
24 traffic down. It's by the church there in Red Bank. I
25 can't think of the name of it.

1 MAYOR COOPERHOUSE: I do, on Bridge, Bridge
2 Avenue.

3 MR. FIORE: People will be queuing out the
4 back up to the train tracks.

5 MRS. MINERVINI: But it's a possibility,
6 it's a consideration. And then the other thing is that
7 anybody that comes up Patterson Avenue heading west is
8 going -- once they hit the railroad track they're going
9 uphill which makes it very, very difficult for people
10 that live on the uphill side to get out of their
11 driveways because they cannot see, particularly they
12 cannot see if there's any parked cars along the street
13 to get out. Is there any possibility of parking being
14 allowed only on one side of the street or parking at
15 certain hours?

16 CHAIRMAN BELL: That's actually -- that
17 would be a question that you would have to ask the
18 Borough Council. That would not be something that we
19 would be able to do, that we have any control over or
20 the applicant does.

21 MRS. MINERVINI: I thought it might help to
22 alleviate the situation.

23 CHAIRMAN BELL: What you would have to do is
24 you would have to go to the Borough Council and ask them
25 that question.

1 MR. CRANMER: Are you talking about parking
2 on Patterson Avenue or on the new site roadways?

3 MRS. MINERVINI: No, I'm talking about on
4 Patterson Avenue between the railroad tracks and
5 Shrewsbury Avenue, that segment there because it's very
6 difficult coming out of the driveways to see around the
7 cars, particularly when they're coming up the hill.

8 MR. CRANMER: I don't disagree with that.

9 MRS. MINERVINI: You do?

10 MR. CRANMER: I don't disagree with you.

11 MRS. MINERVINI: I thought you said you knew
12 a secret.

13 MAYOR COOPERHOUSE: What secret is that,
14 Dave?

15 MR. CRANMER: I think the secret is leave
16 Patterson Avenue bumpy.

17 MRS. MINERVINI: Just not potholes, we got
18 those.

19 CHAIRMAN BELL: Thank you very much.

20 MR. SELERY: Richard Selery, 48 Francis
21 Street. I thought I heard before and please correct me
22 if I'm wrong, you said originally that this came before
23 the Board in conceptual form and it was a second
24 driveway or the first driveway was on the left side of
25 the commercial.

1 CHAIRMAN BELL: The original, the original
2 concept that we saw had the access driveway to the
3 complex.

4 MR. SELERY: Next to Napa maybe?

5 CHAIRMAN BELL: Yes.

6 MR. SELERY: And there was also the
7 secondary road that was next to Collision --

8 CHAIRMAN BELL: There wasn't any secondary
9 road there, that replaced that.

10 MR. SELERY: That was there all the time.

11 MR. CRANMER: That wasn't a concept, Mr.
12 Bell. That was the first set of plans submitted for
13 preliminary site plan approval.

14 CHAIRMAN BELL: Okay.

15 MR. SELERY: So that was taken off the board
16 and someone here asked them to change to the other
17 design or was that their change to go to the other road?

18 MR. CRANMER: There were intersections
19 within the site that didn't meet the site distribution--

20 MR. SELERY: I'm asking about the
21 intersection coming in, not within the site. First of
22 all, coming into the site. Someone here asked them to
23 change that.

24 MR. CRANMER: No, sir.

25 MR. SELERY: They just changed it on their

1 own?

2 MR. CRANMER: To address the concerns over
3 the intersections that occurred within the site.

4 MR. SELERY: Is there a reason why that
5 opening on that side can't be put back for the secondary
6 access? I went up and down Shrewsbury Avenue and I
7 don't see any other business or facility, whatever you
8 want to call it that has a secondary access on another
9 road. They have both of their accesses is right on
10 Shrewsbury Avenue. Some of them only have one and
11 there's very high traffic coming in and out of Monmouth
12 building which is one access. I'm trying to find out
13 with all of their incoming and outgoing traffic why that
14 would be different, that they could use just one and now
15 all of a sudden we're asking for a second one be put on
16 Patterson?

17 CHAIRMAN BELL: The requirement for the
18 second access and I'm not saying Patterson Avenue is
19 because of the residential, not because of the
20 commercial. Most commercial, you're right, do not have
21 two accesses. Some of the big ones, the big auto, but
22 actually a lot of autos only have one.

23 MR. SELERY: That's what I'm saying.

24 CHAIRMAN BELL: For the best flow, and I
25 can't speak for the applicant, but the intent for the

1 second ingress and egress is because in this case there
2 are 77 and I can't remember if it was 77 originally, but
3 it was for 77 and it is for the safety of having fire,
4 first aid.

5 MR. SELERY: And I understand that, but I
6 also see some lots that are on Shrewsbury Avenue from
7 Shrewsbury Borough that have two access, entrances and
8 exits right on Shrewsbury Avenue. And I thought and I
9 will go back and look through the transcripts, but I
10 also thought when they were doing the design of the
11 commercial area that they had additional parking places
12 allotted above and beyond the zoning requirement. I
13 thought they did. I could be wrong. I'll go back and
14 check, but if that's the case, then that area if you
15 look at the side of the building could be opened up as a
16 new access and some of that access parking go away.

17 CHAIRMAN BELL: You have to ask the
18 applicant if they can.

19 MR. FIORE: I can shed some light on that.
20 Monmouth County has certain design standards where if
21 you don't have an appropriate amount of lot frontage
22 along the county road it limits the amount of driveways
23 you can have.

24 MR. SELERY: Is that something new that's
25 overriding existing businesses on there now?

1 MR. FIORE: It's per lot.

2 MR. SELERY: And this lot here I believe is
3 the same size if I go down Shrewsbury Avenue as several
4 other ones.

5 MR. MACANINCH: It could be pre-existing,
6 nonconforming.

7 MR. SELERY: I'm going to look to see
8 whether or not this excess parking does exist because I
9 believe that would be a possible solution to making the
10 second entrance here. I also thought I heard and I'll
11 ask you when you were talking about the exit and
12 entrance on Patterson Avenue you said that it was a good
13 idea to have. Are you testifying that it's mandatory
14 that they have that one or just a second entrance and
15 exit?

16 MR. MACANINCH: Per the ordinance it's
17 mandatory we have a secondary access point. With regard
18 to the number of ingress and egress points on Shrewsbury
19 Avenue, that's not dictated at all by the number of
20 parking spaces. One doesn't have anything to do with
21 the other. We're reading the ordinance and I think we
22 actually exceed the parking requirement.

23 MR. SELERY: That's what I'm saying. I
24 believe you exceed the parking requirement so if you
25 were to do away with some of those excess parking spots

1 you could open up a new roadway onto Shrewsbury Avenue
2 and then still meet the zoning requirement for the
3 number of parking spaces.

4 MR. MACANINCH: We actually meet the exact
5 number of parking spaces and again, having more parking
6 doesn't change that Monmouth County doesn't permit that
7 second egress and ingress.

8 MAYOR COOPERHOUSE: Based on the frontage of
9 the lot.

10 MR. MACANINCH: Correct.

11 MR. SELERY: Thank you.

12 MRS. SELERY: Donna Selery, 48 Francis
13 Street. Okay, second access is required. Does it have
14 to be open all the time or can it only be open for
15 emergency use?

16 MR. MACANINCH: Read from the ordinance.

17 MS. SELERY: Being that's the concern I'm
18 hearing.

19 MR. MACANINCH: It specifically says the
20 secondary access shall be provided and designed in
21 accordance with RSIS.

22 MR. CRANMER: The intent certainly was not
23 to have it restricted only to emergency vehicles. It
24 was to be a land service access roadway.

25 CHAIRMAN BELL: That's the intent and I

1 didn't want to put words -- I didn't want to put my foot
2 in my mouth. The intent when it was drawn, the
3 ordinance was drawn knowing that this was going to be a
4 residential potential. It didn't have to be, it was an
5 overlay, was to have two accesses and egresses and it's
6 to service the people who live in there. Having it as
7 an emergency, only emergency access would not meet the
8 intent of servicing 77 homes or 65 homes or whatever the
9 case may be.

10 MS. SELERY: Okay, the reason I brought this
11 up, I'd like to just -- and there will be a question,
12 okay?

13 CHAIRMAN BELL: That's okay.

14 MS. SELERY: It seems that precedent has
15 been set in this town if you look at The Grove. There's
16 one way in and one way out.

17 MAYOR COOPERHOUSE: That's not true.

18 MS. SELERY: Where is the other?

19 MS. WATERBURY: When you come in just past
20 Bagel Masters there's a one-way drive in and when you go
21 past Banana Republic there's a one-way drive out besides
22 the center island at the signalized intersection.

23 MAYOR COOPERHOUSE: There's two.

24 MS. SELERY: I was unaware of that. But the
25 other question is --

1 MR. GARDELLA: Are you talking about a
2 residential component or the commercial component to The
3 Grove?

4 MS. SELERY: The residential component.

5 MAYOR COOPERHOUSE: There's still two.

6 MR. GARDELLA: There's only one.

7 MS. MARTINELLY: There's only one.

8 MS. WATERBURY: There's the main one.

9 MR. GARDELLA: There's the way into the
10 drive.

11 MS. WATERBURY: If that one was blocked you
12 could still get in or get out. On the other ones it
13 wouldn't be as direct.

14 MR. GARDELLA: Well, you couldn't get into
15 The Grove if there was something blocking the road like
16 if you were behind buildings, you know how there's
17 access there?

18 CHAIRMAN BELL: I'll back up. Just as far
19 as the precedent being set, just because that was done,
20 I mean, that's an example of how not to do something.
21 That is a prime example and that was a big deal way back
22 when The Grove was designed. Originally behind The
23 Grove there was supposed to be -- there was going to be
24 an access on White Street.

25 MS. MARTINELLY: And I owned the property.

1 MR. CHAIRMAN: I don't know who owned it.

2 MS. MARTINELLY: Remember that?

3 MR. TELLER: There was going to be an
4 entrance and the Board and I don't remember if there
5 was -- I wasn't on the Board then, I was on Council
6 then, I think, but I believe that the Board -- I don't
7 think they had to do a variance. It didn't require two.
8 It was recommended to have two, but they didn't do two.
9 And from a safety standpoint it's a tremendous mistake
10 the way that's set up. It should have two. And when we
11 had our input on writing this ordinance, we looked,
12 here's 77 homes. 77 homes we need to have two ways in
13 and two ways out. And if a builder is going -- if
14 somebody is going to come in and build it they're going
15 to have to come up with a way to have two in and two
16 out. And just because it was done some way before
17 doesn't mean you keep doing the same thing and you make
18 the same mistake. Sometimes you can't. There are
19 sometimes it's not feasible physically that you can do
20 it.

21 MS. SELERY: May I ask one more question,
22 please?

23 CHAIRMAN BELL: Sure.

24 MS. SELERY: Previously the gentleman up
25 here, my husband, he did ask if there could be another

1 access onto Shrewsbury for the second one. I understand
2 you can say okay, but for emergency if you can't get on
3 that road and then leave the Patterson Avenue as
4 emergency access only. Is that a possibility?

5 CHAIRMAN BELL: I believe that the answer --
6 not to put words in your mouth, but I'm pretty sure that
7 the applicant stated that the county because of the
8 frontage we would not, they would not get the county to
9 give an approval for two ingresses and egresses.

10 MR. FIORE: I could give the quote directly
11 from the county design standards. It says, "Where more
12 than one two-way driveway is permitted at a county road
13 from a site a minimum distance of at least 550 feet
14 shall be provided between the closest edges of the
15 driveway." We don't have 550 feet of frontage on
16 Shrewsbury Avenue so we would never be permitted to have
17 a second two-way access.

18 MS. SELERY: Thank you.

19 CHAIRMAN BELL: Any other questions? There
20 being none, can I get a motion to close the meeting to
21 the public?

22 MR. TELLER: I make a motion to close the
23 meeting to the public.

24 CHAIRMAN BELL: Mr. Teller?

25 MR. DODGE: Second.

1 CHAIRMAN BELL: Mr. Dodge. All those in
2 favor?

3 (Multiple Board members respond in the
4 affirmative.)

5 CHAIRMAN BELL: Opposed? Any other
6 questions.

7 MR. MACANINCH: My quick witness. I have no
8 further questions at this point with Mr. Fiore.

9 CHAIRMAN BELL: How long do you think -- I
10 hate -- how long do you think you'll be with Mr. -- and
11 I'm going to butcher his name, Mr. Gunawardana.

12 MR. MACANINCH: I anticipate he would take a
13 full night of testimony with the likely Board questions
14 on some of the environmental issues.

15 MAYOR COOPERHOUSE: That means two nights.

16 MR. MACANINCH: Likely, yes.

17 CHAIRMAN BELL: So how about if because I
18 got a wink, how about if we take a real quick,
19 five-minute break and then we get in and I think we're
20 going to have to -- if we cut his testimony, if we give
21 -- let's see how much it is. Maybe you can do an issue.

22 MR. MACANINCH: Okay.

23 CHAIRMAN BELL: You know, we go through, we
24 do an issue and then we can ask any questions.

25 MAYOR COOPERHOUSE: You're the chairman, but

1 from my own personal observations here, for us to start
2 the environmental study right now with 40 minutes left
3 in the night.

4 CHAIRMAN BELL: If you don't have a problem
5 I have no problem carrying this until the next meeting.

6 MR. MACANINCH: I mean, we're going to have
7 to come back either way. I mean, obviously we have
8 other testimony to do. I'd love to start to get some
9 testimony on the record, we paid these guys by the hour
10 so time is money for us. So I would prefer to start. I
11 can tell you the other side too is I'd like to request
12 say an extra meeting in April. We discussed that last
13 time. I'd like to make a request.

14 CHAIRMAN BELL: When would our extra meeting
15 be?

16 MS. KELLEHER: It would be -- well, there's
17 five Thursdays in April without bothering anybody's
18 schedules. That would be April 29th.

19 MR. CRANMER: I may or may not be available
20 then.

21 MS. KELLEHER: Scratch that. There's five
22 Wednesdays. You're gone the whole week?

23 MR. CRANMER: No, I just don't know whether
24 I'll have another engagement that night.

25 MS. KELLEHER: How about the 28th, the

1 fourth?

2 MR. CRANMER: The Wednesday is fine for me,
3 fourth Wednesday. The 28th? No, she's not here.

4 MS. WATERBURY: Well, I'm out most nights.
5 I'm scheduled for that night.

6 CHAIRMAN BELL: Michele?

7 MS. DONATO: Yes, I'm pretty sure at this
8 point I'm available on the 28th of April you're saying?

9 MS. KELLEHER: How about the 27th, the
10 fourth Tuesday?

11 MS. DONATO: I'm available then.

12 MR. CRANMER: I'm available that night as
13 well.

14 CHAIRMAN BELL: Fourth Tuesday, the 27th?

15 MS. DONATO: No other conflicts here,
16 Lorraine?

17 MS. KELLEHER: I really have to check for
18 room availability. I don't think so, but we can --

19 MS. DONATO: At this point I'm actually
20 available either the 27th, the 28th or the 29th because
21 it's the last month -- that last week is always good.

22 CHAIRMAN BELL: How about if we as long as
23 the Board approves --

24 MS. KELLEHER: Why don't we do this, carry
25 it to the 21st, we'll get the availability before the

1 21st so we can notice for the meeting and get your fee
2 in and we'll make sure that the room is available.

3 CHAIRMAN BELL: The 27th, 28th or 29th?

4 MS. KELLEHER: No, the 29th is out.

5 MR. CRANMER: 29th very likely that I will
6 not be available.

7 MS. KELLEHER: And Michele is not available
8 the 28th?

9 MR. CRANMER: I think Libby.

10 MAYOR COOPERHOUSE: Lorraine, if we're
11 taking a break is April upstairs on the board in the
12 clerk's office right now or is it still on March?

13 MS. KELLEHER: I don't know. I'd have to go
14 up and look.

15 MAYOR COOPERHOUSE: We may know right now.

16 CHAIRMAN BELL: We'll take a break, we'll
17 look at a time and we'll grant it and then we'll carry
18 it to the 21st. How is that?

19 MS. DONATO: No more testimony tonight?

20 CHAIRMAN BELL: No more testimony tonight.

21 MS. DONATO: So we're not taking a break.

22 CHAIRMAN BELL: Well, you know what? We
23 don't have to take a break. We can adjourn so she can
24 go upstairs, come down and we'll notice what the date is
25 going to be. I was going to take a break so she could

1 go up and see what date is available.

2 MR. DODGE: But we're going to get a date.
3 We don't need a date to get it on the record, right?

4 MAYOR COOPERHOUSE: The only reason --

5 MS. DONATO: On the 21st you could establish
6 the following date. You don't need to establish it now
7 except if you just wanted to go out that horizon.

8 MS. KELLEHER: There would still be time to
9 notice for -- you only need --

10 MS. DONATO: And you could carry the notices
11 from the 21st to whatever other date that is.

12 CHAIRMAN BELL: You need five days or seven
13 days?

14 MS. KELLEHER: Three days.

15 CHAIRMAN BELL: Three? Okay.

16 MS. KELLEHER: Let me go.

17 CHAIRMAN BELL: We'll get the date. If
18 we're here, let's get the date. Have a motion to take a
19 break?

20 MR. TELLER: Make a motion to take a break.

21 MS. KELLEHER: Mr. Teller?

22 MR. DODGE: Second.

23 CHAIRMAN BELL: Mr. Dodge. All those in
24 favor?

25 (Multiple Board members respond in the

1 affirmative.)

2 (Brief recess was taken.)

3 CHAIRMAN BELL: This is what we're going to
4 do. The Planning Board meeting of March 17th called
5 back to order. Roll call, please.

6 MS. KELLEHER: Mr. Bell?

7 CHAIRMAN BELL: Here.

8 MS. KELLEHER: Mr. Cooperhouse?

9 MAYOR COOPERHOUSE: Here.

10 MS. KELLEHER: Mr. Dodge?

11 MR. DODGE: Here.

12 MS. KELLEHER: Mrs. Derasadorian?

13 MS. DERASADORIAN: Here.

14 MS. KELLEHER: Mr. Teller?

15 MR. TELLER: Here.

16 MS. KELLEHER: Mrs. Waterbury?

17 MS. WATERBURY: Here.

18 MS. KELLEHER: Mr. Gardella?

19 MR. GARDELLA: Here.

20 MS. KELLEHER: Mrs. Martinelly?

21 MS. MARTINELLY: Here.

22 MS. KELLEHER: Mr. Carroll?

23 MR. CARROLL: Here.

24 MS. KELLEHER: Mr. Cranmer?

25 MR. CRANMER: Here.

1 MS. KELLEHER: Mrs. Donato?

2 MS. DONATO: Here.

3 CHAIRMAN BELL: Mr. Macaninch, you've
4 requested a special meeting in April. And we have -- it
5 looks like we're looking at April 27th. It's possible
6 it could be the 28th, but we're going to carry the
7 application to April 21st which is our regular meeting.
8 No further notice is required. There will be notice
9 required for the special meeting. Do we need an
10 extension, Lorraine?

11 MS. KELLEHER: Well, by that time, yes.
12 It's up April 30th.

13 CHAIRMAN BELL: Do you want to give us an
14 extension?

15 MR. MACANINCH: Think we'll be done by April
16 30th?

17 CHAIRMAN BELL: Do you want to give it to us
18 until May 31st and if it's done before, it's done
19 before?

20 MR. MACANINCH: Okay.

21 CHAIRMAN BELL: For the public record, this
22 meeting, this application is carried until April 21st.
23 There will be a special meeting on -- tentatively it's
24 April 27th. It may be April 28th. It will be posted on
25 the -- it will be noticed and it will be posted on the

1 website prior to the 21st, the next meeting so everybody
2 will know when the next meeting is going to be. At the
3 next meeting who are you planning on presenting for
4 testimony?

5 MR. MACANINCH: I will present our
6 environmental engineer on the 21st and assuming we
7 complete him that night he'll be the only witness and
8 then on the 27th at the special meeting what I hope to
9 do is a form of wrap up. We'll have our planner's
10 testimony just to go through obviously the proofs for
11 the relief we're requesting. We're going to put our
12 project engineer, Mr. Holmes back on just to do some
13 cleanup with some of the open issues. I know there's
14 been an issue with the tot lot being in and being out.
15 We're going to put it back in so we'll have some
16 testimony on that. To the extent necessary if Mr.
17 Holmes can't cover it, our landscape architect just to
18 some of the additional plantings we're proposing in
19 response to the Board comments, but I think that's it.

20 CHAIRMAN BELL: So will you send us a letter
21 like you've done the last -- you can put it on one, that
22 on for the 21st this is what will be heard and we can
23 get that posted onto the website so the public knows?

24 MS. KELLEHER: Um-hum.

25 MR. MACANINCH: Obviously our goal

1 indirectly is to be done in April from our side.

2 MAYOR COOPERHOUSE: There's still one open
3 item that I have in my notes regarding public safety.
4 We still have not heard anything from fire or first aid.

5 MR. MACANINCH: Correct, and we have -- Mr.
6 Holmes is trying to schedule a meeting and I don't want
7 to speak for him. He's actually not here tonight, he's
8 on vacation but he was trying to schedule a meeting with
9 the three applicable agencies. And I'm not sure, but
10 that meeting has not occurred yet.

11 MAYOR COOPERHOUSE: Who is the third?

12 MS. KELLEHER: Fire marshall.

13 AN UNIDENTIFIED VOICE: Fire official, fire
14 safety and first aid.

15 MR. MACANINCH: They're trying to schedule
16 that.

17 CHAIRMAN BELL: Okay.

18 MS. WATERBURY: Are you guys preparing a
19 revised site plan based on a bunch of things we talked
20 about like the detention basins and stuff like that?

21 MR. MACANINCH: Correct. What we're going
22 to do in Mr. Holmes' testimony, it's not substantially
23 revised, it's exact same layout, all of those things
24 will be the same, but the things we've agreed to do
25 throughout the course of the hearing we'll reflect on

1 the site plan. What I'm hoping to do is sit down and
2 meet with your engineer, go through the revisions so he
3 has a chance to review them, go through them and get
4 some feedback from him so when we present testimony you
5 can join him.

6 MS. KELLEHER: So you will be submitting the
7 revised plans?

8 MR. MACANINCH: I mean, I suppose yes. I
9 don't want to do a substantial revision where we're
10 starting the clocks and those things. It is simply
11 going to be adding certain features to the plans
12 basically on comments from the Board.

13 CHAIRMAN BELL: And one thing from tonight.
14 Mr. Amorelli from Lot 2, Block whatever, the neighboring
15 property on Patterson Avenue, if you can -- he asked
16 about having a possible easement access, whatever the
17 case may be. Before the next meeting if there's a way
18 if it's yay or nay or whatever the case may be, but
19 rather than come back to the next meeting and there's
20 nothing been discussed, nobody has contacted him, it may
21 not be the answer he likes, it may be the answer,
22 whatever, but if there's some way there could be a
23 communication so that that is yay or nay.

24 MR. MACANINCH: Okay.

25 MS. DONATO: And what about the possibility

1 of the island, well, the island on Patterson?

2 MAYOR COOPERHOUSE: They committed to that.

3 CHAIRMAN BELL: The island on Patterson?

4 MS. DONATO: Are they going to show that on
5 a plan revision?

6 MR. MACANINCH: We will put that feature in.

7 CHAIRMAN BELL: And then they're going to
8 look at something -- they didn't commit to anything on
9 Shrewsbury, but they're going to look at something on
10 Shrewsbury.

11 MR. CRANMER: It sounds like we're going to
12 come back on the 21st and have your environmental
13 testimony and then very likely the 27th will be
14 conclusion of that and Mr. Holmes' testimony and then I
15 think it sounds like we're going to come back in May to
16 look at the plans with all the comments reflected on
17 them and perhaps have a situation where a vote can be
18 taken.

19 MR. MACANINCH: I'm hoping to keep that in
20 April.

21 MR. CRANMER: So at your second meeting in
22 April you're going to have your revised plans that the
23 Board can see?

24 CHAIRMAN BELL: Because whenever we vote we
25 need to see in front of us what we're voting on.

1 MR. MACANINCH: Correct. Because again, the
2 changes, the detention basin, the issue with the
3 retaining wall --

4 MR. CRANMER: Those are pretty big changes
5 though. They're not de minimis changes.

6 MS. DONATO: They won't trigger a new
7 application. They wouldn't be a substantial amendment
8 in the letter of approval, but they're certainly --
9 you're saying that before preliminary because you're
10 only for preliminary, am I right?

11 MR. MACANINCH: No, we're final on the
12 residential portion and preliminary on the commercial.

13 MS. DONATO: That causes difficulty
14 actually.

15 MR. MACANINCH: Preliminary on the
16 commercial.

17 MS. WATERBURY: I would think that the
18 engineering then especially for final would have to be
19 like pretty well buttoned up, not just this is what it
20 would look like, but these are the engineered plans,
21 especially for final. For preliminary I could see
22 things opened up.

23 MR. CRANMER: Just my advice --

24 MR. MACANINCH: I was going to say, none of
25 those -- those things are done in terms of the detention

1 basin, for example, all of those drainage calculations
2 are done.

3 MS. WATERBURY: But they're going to change.

4 MR. MACANINCH: They wouldn't change. I
5 mean, they're not changing because of those features.

6 MR. CRANMER: Let's not get into that debate
7 tonight. I think we want to get through the rest of the
8 input that you're going to get from the Board in April.
9 We're going to be back in May. Let's face facts. I
10 don't see any way possible for us not to be back in May.
11 I'm just giving you the bad news now. Maybe we go
12 blistering through the testimony of your environmental
13 expert and a small degree of comments or questions from
14 the public on that. I think we're coming back in May.
15 So my advice is let's get through April, get the rest of
16 the feedback and then we'll come back in May to make
17 sure it's what we all agreed on and perhaps have a
18 decision.

19 MR. MACANINCH: In all honesty and I
20 understand and I respect the job the Board is doing.
21 You guys have to be thorough and you are being very
22 thorough. From our side, I think we're in our seventh
23 hearing and we likely will have three more so we just
24 need to at some point to get to an ending and that's all
25 I'm trying to say.

1 CHAIRMAN BELL: We want to make sure every t
2 is crossed and every i is dotted. We're not looking to
3 write extra i's and t's, but we want to make sure that
4 whatever it is that we vote on we're looking at it and
5 it's got to be fair to you and it's got to be fair to
6 the public and it's got to be fair to the town.

7 MR. MACANINCH: Understood.

8 MR. CRANMER: I'd like see you revise the
9 plans one more time. Not revise them, come back in
10 April, take data, input and revise it again. I think
11 it's going to be fruitful for you to come back, listen
12 to everybody in April, go to the drafting board. Let
13 Mr. Holmes do his magic and come back in May with final
14 plans.

15 MS. DONATO: And what I will also do is just
16 to make sure I keep a running list of what I thought
17 were revisions that were required that may not have been
18 reflected on Dave's letter so I can try to accumulate
19 them all for you and you can just say whether or not
20 they've been addressed or eliminated so you'll have at
21 least my notes.

22 MR. MACANINCH: That would be great, thank
23 you.

24 MS. KELLEHER: Now Michele, do you have the
25 change, did Jim Gorman give you changes when he was here

1 for you one month?

2 MS. DONATO: No, he did not. I think that
3 -- wasn't the transcript from February? I was going to
4 use the transcript of that.

5 MS. KELLEHER: I would give you a copy of
6 the CD if that would be easier.

7 MS. DONATO: Okay, that's fine. Rest the
8 eyes.

9 CHAIRMAN BELL: So this application is
10 carried to April 21st. Can I get a motion to adjourn?

11 MR. DODGE: So moved.

12 CHAIRMAN BELL: Mr. Dodge?

13 MAYOR COOPERHOUSE: Second.

14 CHAIRMAN BELL: All those in favor?

15 (Multiple Board members respond in the
16 affirmative.)

17 (Whereupon the proceeding was concluded at
18 10:03 p.m.)

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CERTIFICATE

I, NADINE M. GAZIC, a Notary Public and Certified Court Reporter of the State of New Jersey, License No. XI01883, do hereby certify that the foregoing is a true and accurate transcript of the testimony as taken stenographically by and before me at the time, place and on the date hereinbefore set forth.

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

Notary Public of the State of New Jersey
Dated: March 23, 2010