

1 I N D E X

2 WITNESS	EXAMINATION
3 Richard Reading	3
4 Jeffrey Fiore	30

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1 CHAIRMAN BELL: 445 Shrewsbury Avenue, Block
2 2, Lots 1 and 3.

3 MR. MACANINCH: Thank you. Good evening,
4 Michael Macaninch here on behalf of the applicant. As a
5 follow-up to the last hearing, there were some
6 unresolved questions, remaining questions for Mr.
7 Reading so we would start tonight's hearing with Mr.
8 Reading. I only really have three specific questions
9 for him, so hopefully that will be brief and then we
10 have our traffic engineer who will be testifying
11 principally. And then if we do have time at the end we
12 have our landscape architect.

13 CHAIRMAN BELL: And just for the record,
14 with regard to the traffic study, I did speak this week
15 with the chief of police and asked to have the traffic
16 officer here tonight to listen to the testimony and have
17 any questions, input that may be related from the police
18 department.

19 MR. MACANINCH: Understood. Mr. Reading?
20 R I C H A R D R E A D I N G, having been previously
21 sworn, testified under oath as follows:

22 EXAMINATION BY MR. MACANINCH:

23 Q. Okay, Rich. Thank you for joining us. As I
24 understand there were three outstanding questions the
25 Planning Board and/or members of the public had from the

1 last hearing. One was the estimated sales prices that
2 were in the prior fiscal reports that were prepared.
3 Number two, the potential enrollment of students from
4 the proposed development of the enrollment of the pre-K
5 program and the question related to if there is a
6 minimum occupancy of three-bedroom units. Maybe if you
7 could just respond to those three questions.

8 A. Yes, thank you. As I had indicated in my
9 testimony at the last meeting, there were prior reports.
10 There was a report prepared in October dated October 30,
11 2007 and the average sales price of the 61 townhomes in
12 that report was \$315,909. The subsequent report dated
13 July 29, 2008 again, 61 townhomes, the average sales
14 price was \$538,196. The report that is before you and
15 you have copies of which is dated February 28, 2009,
16 again 61 townhomes, the average sales price of \$495,987.
17 So the price went up from 2007 to 2008 and in the 2009
18 report it's less than the price estimated in the 2007
19 report.

20 The next question was regarding the pre-K because
21 the published data really addresses K through 12. I
22 looked at the enrollment in the Shrewsbury local school
23 district. In the 2008/2009 year there were a total of
24 503 students in grades K through 8 with three students
25 in pre-K indicating about 6 students for every 1,000

1 students in the pre-K program applied to the students
2 that we would anticipate would be a fractional student
3 in pre-K. The pre-K student should not replace a
4 full-time student would mean that a half-time or
5 part-time student would be replacing a full-time student
6 in our total estimate of 20 students indicating actually
7 a lower cost than we utilized which was for a full-day
8 student.

9 And the final question is one that I received an
10 e-mail this afternoon regarding the occupancy of the
11 COAH units and I think it was a reasonable question.
12 The data for the for sale units indicates residents,
13 number of residents less than the pricing standard in
14 COAH. COAH does not establish minimum occupancy
15 standards. COAH establishes pricing based upon family
16 size per unit. A one-bedroom unit is priced for
17 one-and-a-half persons, two-bedroom units for two
18 persons and three for three-and-a-half persons.
19 Obviously there aren't half students, but which is the
20 uniform housing affordability controls is NJAC 5:80-26.1
21 established the pricing.

22 CHAIRMAN BELL: Could you repeat that?

23 MR. READING: Yes, it's NJAC 5:80-26.1
24 adopted October 1, 2001, amended December 20, 2004.
25 Basically it's a COAH regulation. It's the

1 affordability controls placed on housing. It
2 establishes the pricing per unit based on the number of
3 persons. But if you turn to the fiscal impact analysis
4 and read footnote 4 written not by me but by the Center
5 for Urban Policy Research, the very last line says, for
6 instance, a smaller household, for example, a
7 three-person household in a three-bedroom unit may be
8 able to afford such a home with a larger down payment.
9 Additionally in the UHAC regulations in Section 26-7 B
10 also allows that family to pay a higher percentage.
11 Rather than 28 percent they'd come to increase it up to
12 33 percent for a smaller family to occupy a larger unit.
13 The provisions in UHAC set the occupancy as a goal and
14 say that the plan administration strive to achieve the
15 higher occupancy, however that doesn't always
16 materialize. And again, if you go back and look at the
17 2,500 units that were surveyed and the data that's
18 provided in Appendix IV that on the for sale product
19 where you have this ability for either higher down
20 payments or higher percentage of income, the occupancy
21 or lower even you find in the rental units.

22 Q. So Rich, with those additional questions, is any
23 of your additional research into those questions, the
24 follow-up, does it change any of your conclusions in
25 your fiscal impact study or your prior testimony?

1 A. No, it does not.

2 Q. I have no further questions.

3 CHAIRMAN BELL: Anyone on the Board with any
4 further questions of Mr. Reading?

5 MS. SICILIANO: I think I'd like to read
6 from the chart I received when I was on the COAH
7 committee. And this is 2009 regional income limits. I
8 thought the Board would be interested in knowing about
9 the income of those who were eligible within our
10 district, in our division. We're Division IV.
11 Shrewsbury is in Division IV. And it's a qualification
12 regarding income. In that column under region 4 is from
13 \$26,475 a year up to \$88,249.

14 CHAIRMAN BELL: That's the low, that would
15 go for low income to moderate.

16 MS. SICILIANO: \$26,475, \$44,125, \$70,599,
17 \$88,249. So I think that gives you an idea because too
18 many people identify COAH affordable housing with
19 welfare and obviously these are not welfare incomes. So
20 I just thought -- I didn't know whether the Board was
21 aware of that, what the income levels were that are
22 eligible for Shrewsbury.

23 CHAIRMAN BELL: Thank you.

24 MR. MACANINCH: Mr. Bell, that actually was
25 part of Exhibit A-2, that table.

1 CHAIRMAN BELL: Oh, A-2, right. We had that
2 before, correct. Michele?

3 MS. DONATO: Mr. Reading, I'm reading from a
4 document supplied to me actually by Ms. Derasadorian.
5 It's from the website of COAH. It's entitled
6 Understanding UHAC, frequently asked questions. And
7 question number three -- I'm sorry, question number 6
8 indicates that a household should not be placed in a
9 unit where there is more than one bedroom per household
10 member. In order to deviate from these standards the
11 administrative agent must obtain written approval from
12 COAH. And then it goes on to explain that, you know,
13 the process and the efforts that the administrative
14 agency, meaning the agent, meaning the person -- your
15 housing agent here in the Borough who is responsible for
16 administering your plan has to demonstrate every effort
17 has been made to find a household of the appropriate
18 size and composition and that a hardship exists that
19 would justify deviating from the established standard.
20 It sounds more like just stride. It looks like you
21 actually need to have the COAH approval and I think that
22 the difficulty and this is not your problem really, it's
23 the problem with the CUPR numbers because the CUPR
24 numbers just seem to assume a lower occupancy than COAH
25 would require. I call this a requirement, if you have

1 to get COAH's approval to deviate from that.

2 MR. READING: In response I direct you to
3 5:80:26.4, subpart C.

4 MS. DONATO: I don't have the administrative
5 code with me and actually the Borough does have special
6 counsel who handles affordable housing issues. I know
7 of it, but not in this specificity that he does.

8 MR. READING: I know. I believe maybe two
9 or three meetings ago they spent a considerable amount
10 of time presenting the COAH process quite well. It's
11 not an easy process. These regulations are not easy to
12 understand. They're maybe like a Rubix Cube sometimes.
13 But in the regulation it says and I'll just read it in
14 its entirety, in referring certified households to
15 specific restricted units, to the extent feasible, and
16 without causing undue delay in occupying a unit, the
17 administrative agent shall strive to one, provide an
18 occupant for each bedroom. Two, provide children of
19 different sexes in separate bedrooms and three, prevent
20 more than two persons from occupying a single bedroom.
21 So the regulation is there. The reality of the
22 regulation is reflected in the surveys that are codified
23 in Appendix IV of the fiscal impact analysis.

24 MS. DONATO: I did reach out to special
25 counsel because this is an area of the law that I'm not

1 as, you know, is extremely complex.

2 MS. SICILIANO: Are we discussing the number
3 of bedrooms?

4 MS. DONATO: We're discussing the issue,
5 Mayor, that Mrs. Derasadorian questioned at the last
6 meeting. And she had referred to this COAH document.

7 MS. DERASADORIAN: I was questioning the
8 overall numbers of residents in the entire complex.

9 MS. SICILIANO: Well, I happen to have the
10 affordable housing handbook at home so I have that.

11 MS. DONATO: To look at the entire issue and
12 I think it just had to do -- it really wasn't Mr.
13 Reading's problem. He used CUPR numbers and I don't
14 know if those CUPR studies pre date these COAH
15 requirements. But there seems to be a discrepancy.

16 MS. SICILIANO: The statute and I think
17 somebody referred to it. Statute 5:80-26.3.

18 MR. READING: Yes.

19 MS. DONATO: The administrative code, Mayor.

20 MS. SICILIANO: New developments are no
21 longer required to include one-bedroom units.

22 MS. DONATO: That's not the issue that I was
23 specifically addressing.

24 MS. SICILIANO: Oh, okay.

25 MS. DONATO: The issue had to do with the

1 fact that a reading of these frequently asked questions
2 that are on the COAH website would lead you to conclude
3 that you have to have an occupancy of at least one
4 person per bedroom. So a three-bedroom unit would have
5 three occupants. The CUPR data projects a lower
6 occupancy. So the question is, how do you get around
7 that? And according to what this reads and again, these
8 are frequently asked questions. This is not the
9 administrative code and I have not addressed the entire
10 code. COAH's regulations are so complex. This seems to
11 indicate that special approval is necessary to have less
12 occupants.

13 CHAIRMAN BELL: And I think and it was about
14 probably two years ago when we had the -- and I probably
15 have the name wrong, but the Monmouth County Housing
16 Coalition.

17 MS. DONATO: Alliance.

18 CHAIRMAN BELL: Alliance and they came in
19 discussing a potential project and we went over pretty
20 great detailed questions about this exact issue. And
21 the woman who was here very specifically testified that
22 if it's a three-bedroom unit, there's three people. If
23 it's a two bedroom unit, there's two people. But it's
24 three-bedrooms, it's going to be -- it's not going to be
25 rented out or sold out rather. Not rented, sold out

1 however which follows with what Michele said. And with
2 the amount of affordable housing that's out there, you
3 know, to get the demand is much higher than the supply.
4 So to get an exclusion by COAH I think is going to be
5 pretty difficult, but --

6 MR. MACANINCH: Mr. Bell, just I mean to be
7 clear what Mr. Reading directly testified reading from
8 is the administrative code. It's obviously the
9 frequently asked questions from the website and the
10 second part of this is a third occupant doesn't
11 necessarily mean an additional school-aged child. They
12 certainly could be below school age or it certainly
13 could be another family member. So I don't think one
14 directly translates. And the data he's testified to
15 through the study is number of people and number of
16 students generated. And this is actual hard data done
17 statewide. So, I mean, that's been -- that's data he's
18 testified to.

19 MR. MORAN: And currently the affordable
20 housing calculation that you made, Mr. Reading, was five
21 I believe, correct?

22 MR. READING: I'm sorry, what? Oh, the
23 students? It would be a total of five students, yes.

24 CHAIRMAN BELL: Okay.

25 MS. DONATO: I think another potential

1 slippage may be that the updated data is 2006. The
2 report is 2006. So the Bloustein School, that's where
3 you get the numbers from or is it from the earlier CUPR
4 data?

5 MR. READING: No, it's from the November
6 2006 report which actually is subsequent to the
7 regulation that I just read which was 2001 and 2004.

8 MS. DONATO: Okay, and the data collection
9 from CUPR was from what period of time?

10 MR. READING: It's from a spread period of
11 time of occupancies, but also used the 2000 pupil
12 homeless data.

13 MS. DONATO: So there is a possibility that
14 some of the CUPR data actually predates this regulation
15 which I think what we need to do is get the complete
16 regulation and I'll take a look at it because it just
17 seems a little bit odd that the DCA or COAH would issue
18 this document available on its website indicating that
19 you need special approval. And it's important because
20 the Borough needs to know what it needs to do in terms
21 of these three-bedroom units, not just on this fiscal
22 impact. So I think that perhaps we can get the entire
23 regulation and Mr. Reading can continue to finalize his
24 testimony and then try to harmonize these two
25 differences of opinion.

1 MR. MACANINCH: I guess the only thing I
2 would say is the DCA, the regulation is what it is and
3 what DCA has said about it is what it is. To me it's
4 more of a legal issue that perhaps me and you could work
5 out rather than bringing Mr. Reading back for additional
6 testimony.

7 MS. DONATO: I wasn't suggesting he had to
8 come back.

9 MR. MACANINCH: Okay.

10 CHAIRMAN BELL: Mrs. Donato, do you have
11 anything else?

12 MS. DONATO: I do not.

13 CHAIRMAN BELL: Okay, I have a couple
14 questions. On the pre-K, would the affordable housing
15 units, the 16 units, 8, two-bedroom and 8,
16 three-bedroom, with your experience does Title 1 come
17 into play as far as whether or not the school system
18 would need to look at subsidizing the pre-K, any other
19 lunches, anything else, other costs that would come to
20 the Borough?

21 MR. READING: I would say yes, you should
22 really refer this to your special counsel. In my
23 understanding absolutely not. These are residents of
24 the community, not Section A housing. These are going
25 to be residents of the community just like all the

1 residents that would have the same rights and
2 privileges, no more or less than any other residents.
3 This is not -- these are middle income families that are
4 being provided an opportunity to provide housing within
5 their means, but it is in no way subsidized by any other
6 state program.

7 CHAIRMAN BELL: Well, it's low and moderate,
8 not middle income. Low and moderate and Title 1 is not
9 Section 8.

10 MR. READING: It's true.

11 CHAIRMAN BELL: But people who fall into the
12 low and it could be even people who fall in the low end
13 of moderate could well fall into the Title 1.

14 MR. READING: You may have Title 1 residents
15 in the Borough right now.

16 CHAIRMAN BELL: Absolutely.

17 MR. READING: And the chance of that
18 occurring is probably the same as it is in the Borough
19 overall. The pre-K program is a relatively small
20 portion of the total enrollment in the school. As I
21 said, if one of these students was moved say from
22 kindergarten into a pre-K I would assign a lower cost
23 because it's a half day rather than full day. So all we
24 do is increase the surplus.

25 CHAIRMAN BELL: Where did you get the number

1 of three children in the pre-K program?

2 MR. READING: I got it from the New Jersey
3 Department of Education.

4 CHAIRMAN BELL: Did you from the last
5 meeting to this meeting ever contact the Board of
6 Education or the superintendent just to clarify or to
7 corroborate your numbers?

8 MR. READING: I did not. I went to the New
9 Jersey Department of Education.

10 CHAIRMAN BELL: So it's your understanding
11 that the most that the number of pre-K kids in
12 Shrewsbury grammar school are 3?

13 MR. READING: As reported by the school
14 district to the Department of Education for the 2008,
15 2009 school year.

16 CHAIRMAN BELL: Okay. Anybody else have any
17 other questions?

18 MR. CARROLL: Michael, I think what that
19 number, the 3 I believe are special needs children that
20 are paid for. I think the other kids that are in the
21 daycare or in the pre-K actually pay to be in the pre-K,
22 so that's probably where that discrepancy of that number
23 is.

24 CHAIRMAN BELL: Okay. Can I get a motion to
25 open the meeting to the public on questions for Mr.

1 Reading related to this evening or his testimony at the
2 last meeting?

3 MR. MORAN: Second.

4 MR. TELLER: Mr. Moran and Mr. Teller. All
5 those in favor?

6 (Multiple Board members respond in the
7 affirmative.)

8 CHAIRMAN BELL: The meeting is open to the
9 public for questions of Mr. Reading and his testimony
10 from this meeting or the previous meeting.

11 MR. MACANINCH: Mr. Bell, just a procedural.
12 Shouldn't questions be limited to just tonight?

13 CHAIRMAN BELL: As long as the people heard
14 the testimony on the previous they can still ask the
15 questions because he's the person that testified.

16 MR. MACANINCH: I understand, but we just
17 had question and answers. We closed the meeting to the
18 public for additional questions. That was my only --

19 CHAIRMAN BELL: Well, we've never limited
20 people as long as it's the same testimony.

21 MR. MACANINCH: Okay.

22 CHAIRMAN BELL: Yes, any questions?

23 MR. MEYER: Peter Meyer, president,
24 Shrewsbury Board of Education. 20 Obre Place. So to
25 reiterate my question from earlier then --

1 CHAIRMAN BELL: Why don't you synopsise. I
2 did read your e-mail into the record, but why don't you
3 ask the question and then we can --

4 MR. MEYER: Oh, the question that the school
5 board would like to ask you is if we will be afforded a
6 time slot to formally present in front of the Planning
7 Board our concerns. And also we'd like to get copies of
8 these demographic studies that Hovnanian has put
9 together to formulate our own opinion. The school board
10 last night -- well, as I said in the e-mail we've
11 already gone forward and looked for some additional land
12 that would be possible for expansion of the school. It
13 is the subjective opinion of the school board and I will
14 say it's a subjective opinion that with 500 students at
15 the moment we probably have room for 25, 25 more. So we
16 would be looking at 25. After 25 we'd be looking at an
17 additional physical plant. We have looked at property
18 right next door to the pool which was the old Vincent
19 Russo Realty. Unfortunately Mr. Russo is asking \$1.95
20 million price tag on that. The school board voted that
21 down strictly out of hand at the last meeting. Talked
22 to our architects as far as building up. Unfortunately
23 when the expansion of the school was put on those
24 girders will not support a second floor. We will have
25 to put in two additional girder support to put a second

1 floor on there and given the fact that we're building
2 up, the American with Disabilities Act would require us
3 to put an elevator in. So at that point we're left with
4 approximately two classrooms. The school board feels
5 very strongly that given the current financial situation
6 and the tax situation in town which everybody in town is
7 aware of, there's no way we would even come close to
8 putting that on at any time. Just as a matter of
9 reference, as a matter of reference we did not put a new
10 roof on the referendum this year as well.

11 CHAIRMAN BELL: What question because you
12 did -- you repeated the letter I read into the record
13 which is okay. What question do you have of Mr. Reading
14 on his testimony and I'll answer your question that you
15 had before.

16 MR. MEYER: Right.

17 CHAIRMAN BELL: On his testimony about the
18 number of kids that potentially would impact the school
19 or any of this fiscal impact?

20 MR. MEYER: Well, from what I understand is
21 that Hovnanian has testified that they expect 15 grammar
22 school or elementary school children to be enrolled out
23 of these units and the 5 high school kids.

24 CHAIRMAN BELL: That's correct.

25 MR. MEYER: That's correct?

1 CHAIRMAN BELL: 25 kids altogether. 5 would
2 go to private school.

3 MR. MEYER: Oh, 5 would go to private
4 school. So 25 kids. So if we just take a look at the
5 43, how many three-bedroom units is it, 43 or 41?

6 CHAIRMAN BELL: 42, three-bedroom market, 19
7 two-bedroom.

8 MR. MEYER: Out of those 8, four-bedrooms it
9 is Hovnanian's opinion that we will see less than 20
10 children, less than 15 kids come in?

11 CHAIRMAN BELL: That's a question of Mr.
12 Reading.

13 MR. MEYER: That's what I'm asking. That's
14 the opinion?

15 MS. DONATO: Mr. Reading, that is a question
16 to you now as phrased.

17 MR. READING: That's correct.

18 MR. MEYER: Okay, I just wanted to make sure
19 they said it with a straight face. I just wanted to
20 check. And regarding our question then --

21 CHAIRMAN BELL: At the last meeting we
22 discussed one of the requests you had in your letter was
23 that either the Board, the Board being the Planning
24 Board or the Borough or the school board and I think you
25 might have had council in too, but I don't want to put

1 words in your letter.

2 MR. MEYER: Okay.

3 CHAIRMAN BELL: We would consider doing a
4 study on our own as far as the impact, the fiscal impact
5 to the school system and we did discuss it. We didn't
6 make a decision. Unfortunately the fiscal impact that
7 any potential development has on the Borough, the actual
8 fiscal impact doesn't have an effect on whether it gets
9 approved or denied.

10 MR. MEYER: Right, we understand.

11 CHAIRMAN BELL: It is this Board's
12 responsibility to make sure that an accurate fiscal
13 impact study is done so that the school board gets
14 delivered an actual realistic fiscal impact so that the
15 school board is prepared or can handle future
16 projections. I met this afternoon with the
17 superintendent and sat down for about an hour with him
18 and had this exact same discussion. And from his
19 perspective and I understand, you know, the numbers are
20 going to be what the numbers are, he needs to know what
21 the numbers are going to potentially be because then he
22 can go to you and make sure that the school board and
23 everybody is on the same page. So from our perspective
24 we need to -- the cost of doing the study, whoever bears
25 the cost of the study, if the study is not going to make

1 a difference in whether the application is approved or
2 denied, it's a matter of whether we spend the money.
3 And it comes down to whether or not the Board believes
4 the report that we have in front of us.

5 MR. MEYER: Right.

6 CHAIRMAN BELL: Because it is ultimately our
7 responsibility to make sure you have an accurate report.

8 MR. MEYER: Right.

9 CHAIRMAN BELL: So that you can do just what
10 you said.

11 MR. MEYER: Right, and then we will be
12 afforded a time slot to --

13 CHAIRMAN BELL: And at the end of the
14 application everybody is afforded a time to stand up,
15 give their input, agree, disagree, support, deny,
16 whatever the case may be. You'll be given an
17 opportunity the same as everybody in the public.

18 MS. DONATO: And the documents that you
19 would like to see are on file with the Board secretary,
20 the fiscal impact report.

21 MR. MEYER: Okay.

22 CHAIRMAN BELL: Let me make sure we have a
23 copy for the Board. Lorraine, do you have a copy here?

24 MAYOR COOPERHOUSE: Pete, you don't look
25 satisfied.

1 MR. MEYER: I'm just wondering. It just
2 seems to me the traffic officer with no disrespect to
3 Shrewsbury's finest, they have been afforded an absolute
4 spot on the agenda. And I personally feel and I'm very
5 subjective on this because I have the school district
6 and their best interest at heart, I think that we ought
7 to be given a time to sit down and be given the time.
8 If that's too much that's fine, then I'll just get in
9 line with everybody else.

10 MAYOR COOPERHOUSE: Yeah, but to
11 specifically discuss what?

12 MR. MEYER: Just once we have -- once we
13 have time to analyze all of this information which I
14 will call a special meeting of the Board to analyze this
15 because we're obviously very concerned and I was on the
16 record last night as saying that if we get more than 25
17 kids and we're not going to build which we're not going
18 to build we will ship these kids to other school
19 districts. This town needs to know that that was the
20 decision of the Board. Is there -- if we give the
21 school board, if I have to wait in line, you know me, I
22 don't care. It's water off the duck's back to me. I
23 want to make sure because we may have Board members,
24 because we have the facilities economists involved with
25 this, the finance committee involved with this.

1 Obviously Chairman Bell was nice enough to meet with the
2 superintendent. I was unaware of that. We had a Board
3 meeting last night where we talked about this. That was
4 my question was that if you say okay, Pete, Board, you
5 guys got to be here this date. You can be heard, blah,
6 blah, blah, blah, blah, we're not going to take up that
7 much of your time. We just want a little bit of time to
8 look at this stuff because a lot of the stuff we get is
9 hearsay which is our fault by the way.

10 MS. DONATO: I don't think there's any
11 problem whatsoever if the Board wanted to afford any of
12 the municipal officials and agencies that would like to
13 testify a dedicated spot on the agenda upon completion
14 of the applicant's case and that way you could be
15 advised of when that would be available. I don't really
16 see why there's any reason you could not do that.

17 CHAIRMAN BELL: From a timing standpoint
18 because I was thinking of something a little bit sooner,
19 but would we and I'm not sure that Pete you would have
20 time to look over this before the next meeting which
21 will be February 18, 17th.

22 MR. MEYER: Board meeting is after that but
23 I can call a special meeting or I can call finance and
24 facilities together and take a look at it, that's fine.

25 CHAIRMAN BELL: From my perspective if we

1 afforded you a time at the beginning of the next meeting
2 and from the applicant's standpoint, you know, it's
3 close to this testimony or we wait until the end and be
4 the first and you'd be the first to present your
5 testimony.

6 MR. MEYER: And if we are afforded that
7 space we would provide you with written testimony so
8 you'd have it ahead of time. Look, as I said in my
9 e-mail, we're realists as well. We understand that
10 rateables are needed in town. We just want to make sure
11 that the public know --

12 CHAIRMAN BELL: By the way, the whole
13 purpose of whether we approve or disapprove has nothing
14 to do with rateables. People may not believe that, but
15 it has nothing -- up here it has nothing to do with
16 whether we're getting a rateable or not a rateable. It
17 has to do with what is zoned, what is approved. And
18 this area, this piece of property was rezoned because of
19 the requirement that this Borough has to meet affordable
20 housing.

21 MR. MEYER: Right and the Board understands
22 --

23 CHAIRMAN BELL: This town doesn't have too
24 much property. So that was one of the reasons why this
25 property was rezoned.

1 MR. MEYER: Right.

2 CHAIRMAN BELL: So this application, this
3 applicant has the right to present what they've
4 presented under the ordinance that we have in zoning.
5 Am I right in what I said, Michele?

6 MS. DONATO: Correct.

7 MR. MEYER: I'll strike rateables then. I
8 just say that the Board understands that some of this
9 stuff, you know, is law and you're just fulfilling the
10 law. We understand that. We certainly understand that.

11 CHAIRMAN BELL: So we'll go to the next
12 meeting. So if we go to the March meeting, come.

13 MAYOR COOPERHOUSE: I just have before we
14 commit to anything, Michele, your statement was that
15 upon the completion of the application. Is that a legal
16 requirement now or why did you phrase it that way?

17 MS. DONATO: I phrased it that way because
18 the rules that we have a procedure set forth in them
19 that provides that the applicant finishes their case and
20 then interested parties then present their information.
21 And so I think that you might do best and it might
22 accommodate the Board of Education's schedule to -- I
23 doubt that it will be finished tonight, but certainly I
24 think after February hopefully the applicant's case will
25 be over and then you can hear this other testimony in

1 March. Now we're going to need an extension of time. I
2 know that already, but I see the applicant nodding
3 affirmatively, but I just, you know, I would think it
4 would be better just to follow the standard procedure
5 which is that the applicant finish his case.

6 MR. MEYER: Chairman Bell, if it pleases the
7 Board, the Planning Board, the Board of Education once
8 we receive the information is glad just to give you a
9 handwritten or a written submission which I can put into
10 the record rather than take up more of your time. We
11 realize this has been a bit of a drawn out process.

12 CHAIRMAN BELL: I think it would be better
13 if you come back and present your case in person.

14 MR. MEYER: As long as I wear a grey suit, I
15 guess.

16 CHAIRMAN BELL: As a matter of fact, if you
17 like you can take one with you.

18 MR. MEYER: I'd be glad to, thank you and
19 you will be noticed. I'll take mine back.

20 CHAIRMAN BELL: So the Board will be noticed
21 as far as when we expect testimony to be done.

22 MR. MEYER: Great, appreciate your time.
23 Thank you very much.

24 CHAIRMAN BELL: Any other questions from the
25 public? Okay, there being none can I get a motion to

1 close the meeting to the public on the testimony of Mr.
2 Reading?

3 MR. CARROLL: Motion to close the meeting.

4 MR. DODGE: Second.

5 CHAIRMAN BELL: Second, Mr. Dodge. All
6 those in favor?

7 (Multiple Board members respond in the
8 affirmative.)

9 CHAIRMAN BELL: And just for the record, I
10 spoke with the chief of police a couple of days ago
11 asking that someone from the traffic department please
12 come and listen to the traffic testimony so that any
13 questions that may be had would be made that evening.
14 It wasn't that the traffic department or that the police
15 department is going to have an opportunity to present
16 quote/unquote a case, it's to ask questions of the
17 testimony.

18 MR. READING: Thank you.

19 MR. MACANINCH: Are you finished with Mr.
20 Reading?

21 MAYOR COOPERHOUSE: I just have a question.
22 I had still two outstanding items from the last meeting
23 regarding comments that were made regarding the first
24 aid squad and also the fire department. Where do we
25 stand with that?

1 MR. MACANINCH: We are trying to schedule a
2 meeting with the fire chief and fire official based on
3 two issues, one related to water flows and the other one
4 just to resolve some of their concerns just to make sure
5 the community will be safe from their standpoint, what
6 we need to do and a similar meeting will be held on the
7 ambulance side as well. That just hasn't happened.

8 CHAIRMAN BELL: What I would like you to do
9 because normally on the first aid squad you would
10 contact me, but since I'm sitting here I think it's a
11 conflict of interest. So what I would like you to do is
12 to contact the vice president who is Gee Gee Blair and
13 the captain who is Anthony Pellegrino. I have sent them
14 an e-mail letting them know to expect something and they
15 will set up a meeting to go over everything.

16 MR. MACANINCH: Okay, I appreciate that.

17 CHAIRMAN BELL: Again, just for the record
18 everyone in the public, I'm the president of the first
19 aid squad and normally something like this would come to
20 me and I would organize the meeting.

21 MR. MACANINCH: Hopefully we'll have
22 meetings with them before the next hearing so we can
23 provide testimony on that.

24 CHAIRMAN BELL: Great.

25 MR. MACANINCH: With that I'd like to call

1 Jeff Fiore, the traffic engineer.

2 MS. DONATO: Please spell your name.

3 MR. FIORE: Jeffrey Fiore, F-i-o-r-e.

4 MS. DONATO: All right and would you raise
5 your right hand and state your address, please.

6 MR. FIORE: 200 Route 9, Manalapan, New
7 Jersey.

8 J E F F R E Y F I O R E, was duly sworn and testified
9 as follows:

10 MS. DONATO: You're not catching him. Mr.
11 Fiore, you're going to have to take the portable mic.

12 MR. FIORE: Sorry about that.

13 MAYOR COOPERHOUSE: That was your business?

14 MR. MORAN: That was your business address
15 or home address?

16 MR. FIORE: That's my business address.

17 MS. DONATO: That's acceptable.

18 EXAMINATION BY MR. MACANINCH:

19 Q. Jeff, just at the outset have you prepared a
20 resume or curriculum vitae and is this an accurate copy
21 of it?

22 A. Yes, it is.

23 Q. I'd like to mark this as Exhibit A-6.

24 (Exhibit A-6 was received and marked into
25 evidence.)

1 Q. Jeff, while I am handing out A-6 can you just go
2 through your place of employ, your roles and
3 responsibilities and your prior experience?

4 A. Sure. I'm a graduate of Villanova University in
5 2001 with a bachelors in civil engineering. I've been
6 employed with CMX, formerly Schoor DePalma since my
7 graduation for eight years which I've worked in the
8 traffic and transportation division as a licensed
9 professional engineer in New Jersey since 2006. I have
10 testified as a traffic expert at local and county and
11 state boards throughout New Jersey. And I'm also
12 currently the planning and zoning board traffic engineer
13 to Delran Township in Burlington County.

14 Q. I apologize. Did you state you were a
15 professional engineer?

16 A. Yes.

17 MR. MACANINCH: I'd like to offer Mr. Fiore
18 as an expert in the field of traffic engineering.

19 CHAIRMAN BELL: Anybody have any problem?
20 Michele?

21 MS. DONATO: No, I have no questions.

22 CHAIRMAN BELL: Dave?

23 MR. CRANMER: No.

24 BY MR. MACANINCH:

25 Q. Okay, thank you. Jeff, can you just review for

1 the Board the existing conditions of the property and I
2 assume you'll make reference to the project rendering
3 which I believe was previously marked as Exhibit A-2.

4 A. A-3.

5 Q. A-3, thank you.

6 A. The property is located, kind of wraps around the
7 corner lot on Shrewsbury Avenue and Patterson Avenue.
8 Shrewsbury Avenue, the road geometry that is two lanes
9 in each direction with a two-way left turn lane,
10 approximately width of 56 feet. Posted speed limit is
11 40 miles-an-hour and the land use along Shrewsbury
12 Avenue are mostly commercial. Patterson Avenue has a
13 roadway geometry of one lane in each direction, 40 feet
14 width, posted speed limit of 25 miles-per-hour and land
15 uses are mostly residential with commercial on each end.

16 Q. And can you go through the existing traffic
17 volumes at the intersections that have been counted?

18 A. Sure. There were three intersections that we
19 counted. We counted the intersection of Shrewsbury
20 Avenue and Patterson Avenue. We counted the
21 intersection of Shrewsbury Avenue with what I'll call
22 the supermarket driveway and we also counted Patterson
23 Avenue with the existing office complex driveway from
24 which our internal roadway will line up directly
25 opposite of.

1 Q. And when were these counts performed?

2 A. We did counts in 2007 and 2008. We decided to do
3 undated counts in September of 2009. We counted counts
4 during the a.m., p.m., and Saturday peak hours. The
5 a.m. peak hour is from 7 to 9 a.m., p.m. peak hour is
6 from 4 to 6 p.m. and the Saturday midday peak hour is
7 from 11 a.m. to 2 p.m.

8 Q. And school was in session during the counts?

9 A. Yes, school was in session during the counts.
10 And I'd like to note when we did our counts in 2007 and
11 2008, the supermarket was still in service and to
12 represent a more conservative analysis we left the flows
13 from the supermarket in our analysis to represent if and
14 when the supermarket reopens the traffic would have
15 already been considered in our analysis.

16 Q. And then just for maybe point of clarification,
17 school was not in session on the Saturday counts?

18 A. We did counts in August of '08 on Saturday,
19 that's correct.

20 Q. Okay. And let's go through your trip generation
21 and discuss how trips are calculated.

22 A. Okay. We used the Institute of Transportation
23 Engineer's trip generation manual VIII edition. What
24 that is is it's a two, three volume set that contains
25 multiple use of land uses, residential, retail, office,

1 industrial. There's probably over two-hundred uses
2 contained within the three volume set and each use has a
3 trip generation rate which utilizes a variable to
4 calculate how many trips are generated by the use. For
5 residential it's typically units. For office and retail
6 it's square footage. Another example is if you had a
7 daycare center or school that uses the number of
8 students.

9 Q. So retail, for example, would be a different land
10 use code than office?

11 A. That's correct.

12 Q. Okay. And can you just go through the difference
13 between primary and pass-by trips?

14 A. Sure. Primary trips are what we consider new
15 traffic to the roadway. Pass-by trips are traffic,
16 traffic that pulls from the existing traffic stream.
17 I'll give you an example. If anyone stopped for gas on
18 their way here to the meeting tonight your trip to the
19 gas station would be a pass-by trip. A trip to the
20 building would be a primary trip. This was your primary
21 destination. You just happened to be passing by the gas
22 station, pull in for gas and continue on your way. The
23 pass-by in this analysis was applied only to the retail
24 traffic.

25 Q. And Jeff, all of this information you're

1 providing is contained within the traffic impact study
2 submitted to the Borough?

3 A. That's correct.

4 Q. And that was dated August 29, 2008?

5 A. Yes, and it was revised on October 30, 2009.

6 Q. Okay, thank you. Can you go through the
7 projected peak hour trip generation for the uses in the
8 proposed community?

9 A. Sure.

10 Q. In overview?

11 A. Overview, sure.

12 MAYOR COOPERHOUSE: Can you just reference
13 what page of the report?

14 MR. MACANINCH: Page 5, Table 1, I believe.

15 MAYOR COOPERHOUSE: Thanks.

16 MR. CRANMER: What was the later traffic
17 report?

18 MR. FIORE: There's a revision submitted on
19 October 30, 2009. It was submitted with the revised --

20 MR. CRANMER: Apparently that didn't make it
21 to my office. I'm still working off of the August, 2008
22 study so I'll get a copy of it.

23 CHAIRMAN BELL: Do you have a copy? Would
24 you like one to look at?

25 MR. CRANMER: If we had an extra that would

1 be helpful. Thank you, Mr. Bell.

2 BY MR. MACANINCH:

3 A. Mr. Fiore, for the a.m. peak hour total trips by
4 the project, 28 inbound, 51 exiting for a total of 79
5 total trips. P.m. peak hour 88 trips entering the site,
6 71 trips exiting the site for a total of 159 entering
7 and exiting the site. During the Saturday midday peak
8 hour there are 111 trips entering the site, 101 exiting
9 the site for a total of 212 trips entering and exiting
10 the site. Looking at Table 2 on Page 6, that is the
11 breakdown of the retail primary and pass-by trips. ITE
12 gives percentages for only the p.m. and Saturday peak
13 hours. So all the a.m. peak hour traffic for retail is
14 considered primary. We applied a 50 percent percentage
15 to the p.m. peak hour traffic. If you utilize the
16 equations, the smaller the retail development, the
17 higher the pass-by percentage gets and since our
18 development is only 5,184 square feet, we were getting a
19 pass-by percentage of 92 percent. So we thought it
20 would be more representative and representative of a
21 conservative analysis to utilize a 50 percent ratio. On
22 the Saturday peak hour analysis there was a 38.4 percent
23 pass-by rate applied to the traffic.

24 Q. Let's go through the trip distribution and
25 where you've assigned, basically which entrance have you

1 assigned this traffic to?

2 A. Sure. For the retail and office commercial
3 building I'm referring to A-3 located along the
4 Shrewsbury Avenue frontage, we assigned all the traffic
5 to the Shrewsbury Avenue access. For the residential
6 portion of the project we assigned approximately
7 two-thirds of the traffic to Shrewsbury Avenue and
8 one-third of the traffic to the Patterson Avenue. We
9 did this to emphasize a conservative analysis to the
10 Shrewsbury access. We were told that there were
11 concerns regarding the ability for traffic to enter and
12 exit the driveway so we wanted to present a
13 conservative, more conservative analysis by putting more
14 traffic towards the Shrewsbury Avenue access.

15 Q. Okay. Can you go through the future traffic
16 volumes?

17 A. Sure. A background growth of 2.25 percent per
18 year for two years. Since the counts are done in 2009,
19 year 2011 was applied to the traffic volumes. This
20 percentage is consistent with the DOT background growth
21 rates that are provided.

22 Q. Okay.

23 MR. MORAN: Mr. Fiore, just a question if I
24 may, a clarification. You said attributed two-thirds of
25 the residential to Shrewsbury Avenue?

1 MR. FIORE: Yes.

2 CHAIRMAN BELL: Can we just hold any
3 questions until he finishes his testimony? That way it
4 will flow better if we get through it all.

5 A. Sure, the reason why we apply that is one to
6 address the Shrewsbury Avenue access issue. Another
7 reason is we looked at the site on how residential
8 traffic would enter and exit the site and also we looked
9 at the major roadways. There's a lot of traffic that
10 would head north to go to the train station in Red Bank.
11 There is also a lot of traffic that would head north and
12 make a left turn on Newman Street to utilize the Parkway
13 at Exit 109.

14 Q. Okay. You had prepared a capacity analysis as
15 part of your traffic study at the intersections. Can
16 you go through that analysis?

17 A. Yes. First at the intersection of Shrewsbury
18 Avenue and Patterson Avenue, the no-build analysis
19 indicated and I'm referring to Table 60, page 9, traffic
20 study. The overall level of service for the
21 intersection would be C or better during all peak hour
22 studies. During the build condition there's no change
23 in the overall level of service and there's little
24 decrease in the delay. I want to note that the
25 westbound left and through event of Patterson Avenue

1 operates as an E level of service in the a.m. and
2 failing level of service in the p.m. We have proposed
3 to work with the county to modify the signal time to
4 provide more green time to Patterson Avenue. And what
5 that does is the signal currently operates at a 90
6 second cycle. We are proposing to take 5 seconds of the
7 green time on Shrewsbury Avenue and allocate it to the
8 Patterson Avenue traffic. What that does if you look at
9 Table 70, Page 11, it reduces the delay during the a.m.
10 peak hour on the westbound left through movement from
11 60.8 seconds to 37.7 seconds and also during the p.m.
12 peak hour they go from an F level of service with a
13 delay of 40.1 seconds to a delay of 49.3 seconds in a D
14 level of service.

15 Q. Have you met with the county officials regarding
16 that?

17 A. Yes. We had a meeting with the county officials
18 on October 22nd of this year, of 2009 and they were in
19 agreement that the modification to the traffic signal
20 could be accomplished because it's not a physical change
21 in traffic signal, it's just a matter of going into the
22 computer and changing the timing.

23 Q. Okay, maybe just taking a step back probably more
24 for the benefit of the public than the Board, but can
25 you just explain what the level of services are?

1 A. Sure. Level of service is a qualitative measure
2 assigned to each movement at an intersection as well as
3 the overall operation of the intersection. It's not
4 necessarily a grading system where an A is exceptional
5 and an F is failing. It's widely considered that a D
6 and E level of service is acceptable. It's just a
7 quantitative measure of capacity and available volume
8 constraints at the intersection.

9 Q. Okay. Continuing on with your capacity analysis?

10 A. Sure.

11 Q. Can you discuss Shrewsbury Avenue site access?

12 A. As I stated before, the supermarket traffic was
13 not removed in the build analysis. The no-build
14 analysis, the intersection operated at levels of service
15 C or better on all movements. During the build analysis
16 the intersection operated at level of service D or
17 better. On all movements the anticipated queues from
18 the site during all peak hours would be two vehicles or
19 less and can be accommodated within the stacking
20 provided on-site and adequate sight distance at the
21 driveway is provided and it complies with Monmouth
22 County requirements.

23 Q. And the Patterson Avenue site access?

24 A. Sure. In the no-build scenario the intersection
25 operates at level of service B or better on all

1 approaches. With the fourth leg from our internal
2 roadway added to the intersection, the intersection
3 continues to operate at level of service B or better.
4 During our peak hour study the anticipated cars can be
5 accommodated on-site and they're calculated to be less
6 than one vehicle during all three peak hour studies and
7 adequate sight distance has been provided and that's
8 complying with the AASHTO standards.

9 Q. Did you prepare a queue analysis for the
10 intersection of Newman Springs Road?

11 A. Yes, I did. We conducted a queue analysis on
12 Thursday, October 29, 2009 during the p.m. peak hour.
13 It was performed to determine the amount of queuing that
14 will occur in front of the Shrewsbury access and the
15 ability for vehicles to enter and exit the driveway. We
16 are out there as I said during the p.m. peak hour from
17 4:45 to 5:45 p.m. During that time period the queuing
18 extended past the driveway for less than one minute
19 during the entire hour. Queues are dynamic in nature.
20 They're constantly moving. When a red light stops you
21 notice you don't stop in that position, you gradually
22 move up until the guy in front of you stops moving and
23 then you'll get another green light. And then the flow
24 of traffic begins again. So it's a constant dynamic
25 cycle. There's never one set stop point with a queue.

1 Also what helps the level of service at this
2 intersection is the downstream signal at Shrewsbury and
3 Patterson that allows gaps in traffic flow along
4 Shrewsbury Avenue that will enable traffic to enter and
5 exit the driveway.

6 Q. There's been a concern raised in Mr. Cranmer's
7 letter or maybe some of the Board questions from
8 cut-through traffic from Patterson to Shrewsbury. Can
9 you discuss that and your professional opinion of such
10 cut-through traffic?

11 A. Sure. If the traffic, if a vehicle was to cut
12 through the development to bypass the signal at
13 Patterson Avenue and Shrewsbury Avenue, they would make
14 a right into the development. They would have to stop
15 at the intersection of Road B and Road C. It would make
16 a right to proceed north on Road B. It would again have
17 to stop at Road B and Road A to make a left onto Road A
18 until you hit the stop at the entrance road and Road A.
19 And then you'd have to make a left turn on the entrance
20 road to get to the Shrewsbury Avenue access. So you'd
21 have to stop four times and make four turns to complete,
22 to bypass the signal.

23 MAYOR COOPERHOUSE: The residents are trying
24 to understand what you're saying and you're pointing at
25 the site plan facing us. Do you have a second site plan

1 available for the residents?

2 MR. FIORE: Sure.

3 MS. MARTINELLI: Do you have those that you
4 gave us for the public?

5 MR. READING: We do.

6 MAYOR COOPERHOUSE: And could you just go
7 over that one more time for the public?

8 MR. FIORE: Sure, not a problem.

9 MAYOR COOPERHOUSE: And slow down a little
10 bit.

11 BY MR. MACANINCH:

12 Q. Identify which road is which one. The residents
13 have the handouts.

14 CHAIRMAN BELL: I don't remember in your
15 original when you started your testimony, but I have
16 what's being handed out as Exhibit A-3 and I think this
17 is supposed to be A-3, isn't it?

18 MR. FIORE: I believe what was handed out
19 was just a smaller version of this.

20 CHAIRMAN BELL: But this is a replica
21 because I don't see it marked on the bulletin board A-3,
22 but that is an exact copy of what we have A-3; is that
23 correct?

24 MS. DONATO: Just read the title. If you
25 read the title block that should help us.

1 MR. FIORE: It's called project rendering K.
2 Hovnanian at Shrewsbury prepared by Najarian Associates.
3 This is A-3.

4 MS. DONATO: The date is 8-14-09?

5 MR. FIORE: That's correct.

6 MS. DONATO: So it is the same as A-3.

7 MAYOR COOPERHOUSE: Can I get one, please?

8 MS. DONATO: Mr. Macaninch, is this document
9 labeled as A-3?

10 MR. MACANINCH: It is on the upper left.

11 CHAIRMAN BELL: At the original when we saw
12 this the first time you had two of them, one that was
13 pointing out and one that was to us. And the one
14 pointing to us was marked A-3.

15 MR. MACANINCH: Correct. I believe the one
16 that was marked beneath it was the replica marked as
17 A-3.

18 BY MR. MACANINCH:

19 Q. Jeff, just again for point of reference because I
20 don't have it over here, just go through the internal
21 road alignment from Shrewsbury Avenue into the site and
22 just explain to the Board and to the public what you
23 call each road, Road A, Road B, Road C.

24 A. Sure. The entrance road which is the existing
25 driveway today as referred to is the entrance road. The

1 intersection that T's into the entrance road that
2 provides access to the residential development is
3 referred to as Road A.

4 MS. DONATO: From Shrewsbury Avenue?

5 MR. FURIE: No, I'm sorry. The road from
6 Shrewsbury Avenue that runs east/west on your page is
7 referred to as the entrance road. That's the name of
8 the road, entrance road.

9 MS. DONATO: Oh, okay. Thank you.

10 MR. FIORE: The road that intersects the
11 entrance road that provides the access to the
12 residential development that travels on your page east
13 to west is known as Road A.

14 MAYOR COOPERHOUSE: On the northern most
15 roadway in the development is A?

16 MR. FIORE: Yes, correct.

17 BY MR. MACANINCH:

18 Q. And Road A hammerheads at the end?

19 A. Correct. The road that on your page goes north
20 to south that intersects Road A is known as Road B. And
21 the road that intersects Patterson Avenue that travels
22 north and south has a 90 degree bend, travels east to
23 west and then intersects to Road B is known as Road C.

24 Q. All right, Jeff. Now referring to the road
25 classification or the road names, can you just review

1 your testimony once again about your opinion on the
2 likelihood of cut-through traffic and the impediments
3 that such cut-through traffic would meet?

4 A. Sure. A vehicle would enter via Patterson Avenue
5 on Road C. It would travel north on Road C, hit a bend
6 in the road and travel west on Road C until it
7 intersects Road B where it would stop at Road B and make
8 a right turn. It would then travel north on Road B to
9 the intersection of Road A where the vehicle would stop
10 and make a left turn. The vehicle will continue to
11 travel north on Road A to its intersection with the
12 entrance road where it would stop and make a left turn
13 on the entrance road. The vehicle would then travel
14 west on the entrance road to the intersection with
15 Shrewsbury Avenue where it would stop and make either a
16 left or right turn onto Shrewsbury Avenue.

17 Q. And is it your professional opinion that these
18 road impediments would minimize such cut-through
19 traffic?

20 A. It's my opinion that with the low speeds of the
21 internal roads, the amount of turns, the amount of
22 stopping that a vehicle would be required to do vehicles
23 may try it once or twice to try to beat the light, but
24 once they give it that one or two times through they'll
25 find that it's much easier and faster to go to the

1 intersection of Shrewsbury Avenue and Patterson Avenue
2 and make a right turn.

3 Q. We have received Mr. Cranmer's review letter
4 dated December 11, 2009. It sounds like Mr. Cranmer
5 didn't have the benefit of the updated traffic study,
6 but in your direct testimony you've addressed many of
7 his comments. Maybe for clarification just go through
8 and respond to those specific questions starting with I
9 believe the first traffic question is comment 2.3.

10 A. Yes. And that's regarding the ability for a
11 vehicle, for a vehicle to enter the site or exit the
12 site at the Shrewsbury Avenue entrance, the intersection
13 of Shrewsbury Avenue and the entrance road. As
14 previously stated we did a queue analysis. During the
15 evening peak hour it was shown that except for less than
16 a minute traffic doesn't extend past the traffic that's
17 waiting to go at the intersection of Newman Springs
18 Road, does not extend past the Shrewsbury Avenue access.
19 So it's my opinion that there wouldn't be an impact or
20 any kind of restriction of traffic that would enter and
21 exit the site.

22 Q. Okay. I believe the next comment is 2.10?

23 MR. CRANMER: Mike, is it okay if I just
24 asked the questions as we're going through the comments?
25 I think that would be helpful for everybody.

1 MR. MACANINCH: Sure, absolutely.

2 MR. CRANMER: I'm just going to preface my
3 comments saying one of my main concerns over the
4 development and the traffic analysis --

5 MS. KELLEHER: They can't hear you.

6 MR. CRANMER: Is the ability for vehicles to
7 make a left turn out of the site. The ability of the
8 vehicles to make a left turn out of the site onto
9 Shrewsbury Avenue I think is suspect and is what really
10 needs to be looked at very closely. What I believe is
11 going to occur is vehicles are going to have a difficult
12 time making a left-hand turn from the site onto
13 Shrewsbury Avenue southbound and instead will travel out
14 to Patterson Avenue and either go to the left or more
15 likely to the right and utilize the signalized
16 intersection of Patterson and Shrewsbury Avenue. That
17 being said we have met with Mr. Fiore on a couple of
18 occasions and had some discussions with him about the
19 traffic concerns and we asked you to do the queuing
20 analysis which you've performed. Shrewsbury Avenue
21 there is a dedicated left turn lane for left hand turns
22 onto Newman Springs Road in the westbound direction.
23 That left turn lane also services the driveways of all
24 the commercial land uses and it's actually a shared turn
25 lane. After the left, the dedicated left turn ends I

1 guess that's a little bit north of the site.

2 MS. KELLEHER: I don't think your microphone
3 is working. Here.

4 MR. CRANMER: So there is a left turn lane
5 at the intersection of Shrewsbury Avenue and Newman
6 Springs Road that extends back to just about at the end
7 of where the Burger King driveway is which would be a
8 little bit north of this site. From there it's actually
9 a shared turn lane for left and right turns into
10 commercial land uses on Shrewsbury Avenue. And what
11 frequently happens is even though the queue stops, your
12 testimony was one vehicle in the hour that you studied
13 actually reached the site driveway. The center lane
14 does get a lot of use there and with the use of that
15 center line I think that it's going to exacerbate the
16 concern that vehicles are going to be unable to safely
17 negotiate a left turn from the site onto Shrewsbury
18 Avenue. And I think the likely scenario is going to be
19 they're going to utilize the site roadway network out of
20 necessity out to Patterson Avenue and then probably make
21 a right-hand turn and get to the signalized intersection
22 where they can go to Shrewsbury Avenue southbound. And
23 they're going to use that if their destination is going
24 to be points south of the intersection of Shrewsbury
25 Avenue and Broad Street. I think if their destination

1 is going to be onto Broad Street they're going to make a
2 left onto Patterson and utilize Patterson. So if I
3 understood correctly your distribution of exiting
4 traffic was going to be two-thirds of the site traffic
5 onto Shrewsbury Avenue on the site access roadway and
6 one-third onto Patterson Avenue from that access
7 roadway. Was that it?

8 MR. FIORE: It was two-thirds of the
9 residential traffic and 100 percent of the commercial
10 building would exit onto Shrewsbury Avenue from that
11 access and one-third of the residential traffic would
12 exit onto the Patterson Avenue exit.

13 MR. CRANMER: And under those parameters the
14 intersection of Patterson Avenue and Shrewsbury Avenue
15 if I read the report correctly operates at a level of
16 service D for the p.m. peak hour and I think I thought I
17 heard your testimony maybe it was the Saturday a.m. peak
18 hour was level of service E?

19 MR. FIORE: No, what I testified to was the
20 westbound left through movement at the intersection
21 which is the westbound, the Patterson Avenue left
22 movement if you wanted to make a left from Patterson
23 Avenue to go south on Shrewsbury Avenue it's that
24 movement. It operates at an E level of service during
25 the a.m. peak hour and an F level of service during the

1 p.m. peak hour. The intersection itself operates at a
2 level of service C or better during our peak hour
3 studied.

4 MR. CRANMER: If the two-thirds, one-third
5 distribution turns out to not be valid what would happen
6 to the intersection of Patterson and Shrewsbury? What
7 would you predict that level of service to go to?

8 MR. FIORE: I have not prepared that
9 analysis so I couldn't say. Based on the mitigation
10 that we're proposing with the five seconds reallocated
11 to the Shrewsbury Avenue signal phase to the Patterson
12 Avenue signal phase there would be -- the intersection
13 will operate at all movements D or better so there is
14 capacity available to accommodate more traffic into the
15 intersection.

16 MR. CRANMER: Okay.

17 BY MR. MACANINCH:

18 Q. Can I just interject? On the southbound turning
19 movement from the entrance drive onto Shrewsbury Avenue,
20 I mean, you studied that movement; is that correct?
21 Jeff, did you in your level of service calculations
22 study the southbound movement from the entrance road?

23 A. Yes, I did.

24 Q. And what is that classification?

25 A. It's level of service B with a delay of 13

1 seconds or less during all peak hour studies.

2 MAYOR COOPERHOUSE: Repeat that question and
3 the answer again.

4 MR. MACANINCH: My question was from the
5 entrance drive as was found in exhibit A-3, the level of
6 service, the current level of service making a left onto
7 Shrewsbury Avenue from basically the southbound
8 movement --

9 MR. FIORE: It's this movement if you're in
10 the center, two lane this way and you wanted to make a
11 left into the site we're talking about that movement.

12 MAYOR COOPERHOUSE: Okay.

13 MS. DONATO: Left in?

14 MR. FIORE: Left in.

15 MAYOR COOPERHOUSE: Not left out.

16 CHAIRMAN BELL: I think your question was
17 left out.

18 MS. DONATO: That intersection.

19 MR. MORAN: You said south.

20 MS. DONATO: He said heading southbound.
21 That's why we got confused.

22 MR. FIORE: The level of service will be D
23 or better making the -- it's a shared movement so it's
24 analyzed as a left/right turn movement. Since there's
25 only one lane there's not a separate left turn exit lane

1 and right turn exit lane, but that movement operates at
2 a D level of service with an average delay of .32
3 seconds and two vehicles queuing left.

4 BY MR. MACANINCH:

5 Q. And again to reiterate, D, you know, the academic
6 setting is not a good score but in terms of level of
7 service?

8 A. Yes.

9 Q. D is a passing?

10 A. It's an acceptable level of service.

11 Q. Okay.

12 MR. CRANMER: Mr. Fiore, one more question.
13 Again, I didn't have the benefit of the latest traffic
14 study. Did you perform an accident history analysis of
15 that portion of Shrewsbury Avenue?

16 MR. FIORE: No, I did not.

17 MR. CRANMER: And one other question. Your
18 testimony was that you have performed a cursory analysis
19 to make a determination that a five second signal time
20 and adjustment was warranted to improve the level of
21 service of Patterson and Shrewsbury?

22 MR. FIORE: That's correct.

23 MR. CRANMER: Was there a sink traffic study
24 that could be submitted as part of this application to
25 demonstrate that?

1 MR. FIORE: No. We prepared all our
2 analyses using the highway capacity software which is
3 the software that is accepted by NJDOT and throughout
4 the industry as the number one accepted analysis.

5 MR. CRANMER: I see a question on your lips.

6 MS. SICILIANO: A question about this
7 section of Shrewsbury Avenue.

8 CHAIRMAN BELL: I was going to try to hold
9 off all questions until -- because they're asking you
10 questions on yours as you go through, but because a lot
11 of our questions that I have written down you guys have
12 already answered.

13 MR. CRANMER: Again, I'm just going to
14 preface my questions. I believe that there is going to
15 be a larger movement to Patterson Avenue because of
16 necessity. I don't believe vehicles are going to be
17 safely able to negotiate a left turn out of the site
18 during an a.m. and p.m. peak hours crossing the four
19 travel lanes and then the center turn lane and the
20 center turn lane can get choppy at times. I would like
21 to see an accident history for Shrewsbury Avenue in the
22 vicinity of the access point from Patterson. There was
23 a Stop & Shop that was in operation for a period of time
24 there. Whenever I went to the Stop & Shop quite
25 honestly I went out onto Newman Springs Road and then

1 through the other side streets to get back to my office
2 because it was just so difficult to make the left-hand
3 turn. What I think would be helpful would be an
4 accident study and then if you could perform a model of
5 how the traffic movements could occur out at the site
6 and then make a few different assumptions, a sliding
7 scale of two-thirds, one-third, 50/50 and then perhaps
8 even two-thirds, one-third the other way to see what
9 Patterson Avenue's traffic volume is going to be and
10 quite frankly, Patterson Avenue really is the roadway
11 that's going to be the most adversely impacted by this
12 development. Shrewsbury Avenue has adequate capacity
13 for a much larger traffic volume. Patterson Avenue with
14 its geometry also has the capacity to carry a lot more
15 traffic, however the speed of the vehicles has become a
16 problem. Not necessarily volume problem, but we have a
17 speed problem. There's a traffic calming site that's
18 been performed that's on file. We have a Patterson
19 Avenue traffic calming initiative where a trust loan was
20 established by ordinance by the governing body so you're
21 certainly not going to be able to deny the application
22 based on traffic concerns, however there are going to be
23 some mitigations that are going to be necessary and I
24 believe in order to arrive at what those mitigations
25 ought to be and what the developer's fair share

1 contribution to those mitigations would be really need
2 to have an accurate assessment as to how much traffic
3 really is going to go there.

4 MR. MORAN: You have not seen that
5 information, correct?

6 MR. MACANINCH: No, we have.

7 MR. MORAN: You have that?

8 MR. MACANINCH: I think it was 2000 traffic.
9 We have that.

10 MR. FIORE: Yes, we reviewed it.

11 MR. MORAN: Did you incorporate that into
12 your analysis?

13 MR. MACANINCH: Yeah, yeah. What I was
14 actually going to ask him was a follow-up. Dave just
15 mentioned in terms of the sliding scale was to ask Mr.
16 Fiore if he had looked at the vehicle basically on a
17 sliding scale of residential traffic assigned to
18 Patterson Road what that would be from the site versus
19 what's currently on Patterson Avenue.

20 MR. FIORE: Patterson Avenue has a 24-hour
21 average daily traffic flow of 5,000 vehicles per day.
22 The residential portion of the project will generate 640
23 vehicles per day in a 24-hour period. If we assign the
24 one-third residential traffic volume to Patterson Avenue
25 as was studied that represents 4.2 percent of the total

1 traffic on Patterson Avenue. If we assigned half the
2 traffic, residential traffic which would be 320 vehicles
3 on Patterson Avenue that would represent 6 percent of
4 the total volume on Patterson Avenue. If we assigned
5 all the residential traffic to Patterson Avenue which is
6 640 trips that would still only represent 11.3 percent
7 of the traffic.

8 MR. CRANMER: What would the impact be on
9 the intersection of the Patterson/Shrewsbury
10 intersection? And if we're taking the extra, let's just
11 say we assign all of the residential traffic onto
12 Patterson because of the inability to make a left that
13 means that the traffic is then going to utilize the
14 left-hand turn at the signalized intersection of
15 Patterson and Shrewsbury which that left turn stacking
16 lane may then become inadequate. We may not have
17 adequate, sufficient room to have a dedicated left-turn
18 lane and a right and through movement. So there may be
19 intersection upgrades that are warranted.

20 MR. FIORE: I'm going to disagree with that
21 analysis or your statement there. We've performed the
22 analysis. The driveway at Shrewsbury Avenue and the
23 entrance road operates at an acceptable D level of
24 service. It's a conservative analysis. We've left the
25 supermarket value on there. We've loaded all 100

1 percent of the retail volume on there and we put
2 two-thirds of the residential traffic on there and it's
3 still operating at a D level of service with a delay of
4 31 seconds, 95 percentile queues or two vehicles or
5 less.

6 MR. MORAN: The point is we don't agree with
7 your two-thirds percent is going to go out that door.
8 That's the point.

9 MR. MACANINCH: Premature to say you don't
10 agree.

11 MS. DONATO: May I just get the studies that
12 you're requesting, Mr. Cranmer, that you would like them
13 to do an additional analysis? And I didn't catch the
14 studies that you stated you'd like.

15 MR. CRANMER: What I asked them to do is
16 perform basically a traffic modeling of how the
17 movements would go into and out of the site so that we
18 could actually sort of like an interactive model where
19 you can change your traffic volumes and see how it
20 impacts not only the site roadways, but the surrounding
21 roadway network.

22 MS. DONATO: And wasn't there another one?

23 MR. CRANMER: It was an accident history
24 analysis.

25 MS. DONATO: That's it, accident history,

1 thank you.

2 MR. CRANMER: Notwithstanding the fact that
3 of course anything on Shrewsbury Avenue has the
4 preemptive jurisdiction of Monmouth County.

5 MS. DONATO: Which would not preclude the
6 Board if they felt that that particular movement
7 especially the movement out which I think is Dave's
8 biggest concern, that if that movement out you do not
9 consider to be safe based on additional information that
10 you may obtain or you could perhaps do something to
11 require all the exiting traffic to go on Patterson.
12 That's something that is within your jurisdiction to do
13 because that doesn't offend the County Planning Board
14 and I know you're not suggesting that, but I'm just
15 saying that there are things that can be done just as an
16 example, not as a suggested for real, but just --

17 BY MR. MACANINCH:

18 Q. And Jeff, when you met with the county you
19 provided to them your traffic study and your counts?

20 A. Yes, I did.

21 Q. And the proposed I guess the proposed access from
22 the community?

23 A. Correct.

24 Q. And did they share any concerns with you
25 regarding people not using Shrewsbury or stacking or

1 queuing or any of those issues?

2 A. They found the design acceptable with how we're
3 proposing with the access on Shrewsbury Avenue.

4 MAYOR COOPERHOUSE: With any
5 recommendations?

6 MR. FIORE: No.

7 MAYOR COOPERHOUSE: None whatsoever?

8 MR. FIORE: No.

9 MAYOR COOPERHOUSE: No comments?

10 MR. FIORE: They asked if it could be right
11 in, right out, but due to the restrictions that's the
12 loading entrance and exit for the supermarket it needs
13 to remain full movement access and once we told them
14 that, they were fine.

15 MR. CRANMER: Did you actually make an
16 application to the Planning Board or you just had a
17 preliminary meeting?

18 MR. MACANINCH: We had a preliminary meeting
19 with them and submitted all of the traffic information.
20 We have formally submitted to the county. That has
21 occurred, but that meeting occurred prior to the formal
22 submission.

23 MR. CRANMER: And what was the basis for the
24 right turn, right in, right out request?

25 MR. FIORE: They were just asking if that

1 was a possibility or not.

2 MR. CRANMER: One more question and I'm
3 sorry. The supermarket traffic, did you grow that
4 traffic as well?

5 MR. FIORE: No, because the site of the
6 supermarket wouldn't change so it's a fixed number.

7 MR. CRANMER: So the analysis that's before
8 us would consider that supermarket to be in full
9 operation?

10 MR. FIORE: Correct.

11 MR. CRANMER: Thank you.

12 BY MR. MACANINCH:

13 Q. And Jeff, just for some clarification, there's
14 been two traffic studies; 2008, August of 2008 and
15 October of 2009?

16 A. That's correct.

17 Q. Just very briefly summarize the difference
18 between the two studies.

19 A. The 2009 study has updated traffic counts. The
20 2009 traffic study has the updated traffic counts that
21 we did in September, 2009. It also further broke down
22 the commercial building and the 2008 traffic study.
23 There was a placeholder put in place for the commercial
24 building of 7,500 square feet of retail. In the 2009
25 traffic study the uses have been more defined and it is

1 now 3,456 square feet of office space and 5,184 square
2 feet of retail space. And as a result since retail is a
3 more heavy traffic generator than office space the
4 overall traffic for the site was reduced.

5 Q. I'm just going to continue going through Mr.
6 Cranmer's review letter. I don't know if he actually
7 wanted to ask the questions or --

8 MR. CRANMER: No, you go ahead.

9 MS. DONATO: Could you direct the Board to
10 specific paragraphs?

11 MR. MACANINCH: I will.

12 MS. DONATO: So as I see it you were at 2.3;
13 is that correct?

14 MR. MACANINCH: Correct.

15 MS. DONATO: And that's really not
16 necessarily resolved because the Board engineer has
17 recommended some additional studies on that as I
18 understand it.

19 MR. CRANMER: And I believe we'll probably
20 have some more follow-up discussion on that.

21 MR. MACANINCH: Then I believe the next
22 section is 2 at this point, point 10 under the
23 residential portion section.

24 MR. FIORE: Yes.

25 BY MR. MACANINCH:

1 Q. Just summarize the question and your response.

2 A. This is regarding sight distance issue at the
3 intersection of Road A and the entrance road looking --
4 I'll say looking back towards the supermarket. There's
5 an existing retaining wall that you can't really see on
6 the aerial, but it's there. And what Mr. Cranmer
7 brought up was that it appears that only 140 feet is
8 available of sight distance when actually by actual
9 standards for 25 mile design feet, 280 feet is the
10 required. That is the intersection sight distance.
11 Typically when you're designing for a residential
12 development or roadways that are really close together
13 you design for stopping sight distance. The stopping
14 sight distance is also known as the braking distance
15 which is the distance needed for a vehicle that's
16 approaching the intersection to brake. So if a car was
17 coming out of the supermarket it would need 155 feet to
18 stop before going through that intersection.

19 MR. CRANMER: So stopping sight distance,
20 that is 155 feet?

21 MR. FIORE: That's correct.

22 MR. CRANMER: Are you able to meet the 155
23 foot requirement?

24 MR. FIORE: Yes, we do.

25 BY MR. MACANINCH:

1 Q. What are we providing?

2 A. 165 feet.

3 Q. I believe the next --

4 MS. DONATO: Mr. Cranmer, you say 140?

5 MR. CRANMER: Scale drawing it appears to be
6 140. I'm sure Mr. Fiore can provide me with additional
7 information to satisfy that requirement.

8 MR. FIORE: Well, the site distance is
9 measured on the center line of the path of the approach
10 vehicle. It's not the direct line of sight for a
11 vehicle that would be waiting on Road A and looking back
12 towards the supermarket. It's actually the measurement
13 of the vehicle that would travel along this curved path
14 through the intersection.

15 MR. CRANMER: So you didn't measure it on
16 the core, you measured it on the center line?

17 MR. FIORE: Correct.

18 MR. MACANINCH: I believe comment 2.15 is
19 the next traffic question.

20 MR. CRANMER: We've talked about that
21 already.

22 MR. MACANINCH: Okay. Comment 2.16 I
23 believe we've talked about.

24 MR. CRANMER: Is the applicant going to have
25 any difficulty complying with that?

1 discuss that internally. I'll state that right now.

2 Next is 2.24.

3 MR. FIORE: This comment is in reference to
4 Building 4 and the driveway that backs out onto Road A.
5 Driveway from Building 4 to Road A is not within the
6 sight lines for the intersection of Road A and Road B
7 and also since Road A is a dead-end, any vehicle that
8 would be backing out of this driveway from Building 4
9 will be facing the oncoming traffic. So it will be able
10 to see if there's any traffic coming on. It should stop
11 or if it's okay to enter the road and back out.

12 MR. CRANMER: So it will be safe, you feel
13 it will be a safe condition?

14 MR. FIORE: Yes, I did.

15 MR. CRANMER: One thing, perhaps Mr. Fiore
16 you can give some testimony on the plan that's before
17 the Board tonight, the internal roadway network as
18 compared to what the original plan was that was
19 presented. Can you just give the Board a couple moments
20 of what changes were made and how you feel it would
21 improve the traffic circulation?

22 MR. FIORE: The one main subtraction from
23 the original or the plan that was previously submitted
24 to now is there was a link linking the eastern end of
25 Road A to Road C. So it essentially made a rectangle, a

1 circular loop around the five interior buildings.

2 MR. CRANMER: And why was that eliminated?

3 MR. FIORE: It was eliminated at your --

4 MR. CRANMER: Not just because I asked you
5 to.

6 MR. FIORE: Your suggestion.

7 MR. MACANINCH: Was that eliminated to
8 reduce the likelihood of cut-through traffic?

9 MR. FIORE: Yes, it was.

10 MR. CRANMER: And there were a couple of
11 intersections internally that were very difficult to
12 have the adequate sight distance if I remember
13 correctly?

14 MR. FIORE: Correct.

15 MR. CRANMER: And it eliminated those
16 issues?

17 MR. FIORE: Yes.

18 MR. CRANMER: Mr. Bell, I'm done with my
19 questions and I apologize.

20 CHAIRMAN BELL: That's okay.

21 MR. MACANINCH: I think there was one more
22 which was comment 3.6 which related to I believe the
23 slope.

24 MR. CRANMER: Oh, okay.

25 MR. FIORE: It was asked if you would look

1 at percentage analysis if a guide rail was warranted
2 along the east side of Road C for the intersection of
3 Patterson Avenue approximately 200 feet north of the
4 intersection. Due to the slope for the DOT roadway
5 design manual for design speed of 40 miles-an-hour or
6 less and design ADT of 800 trips or less when you have 5
7 to 1 slope which we have the clear zone to not warrant
8 guide rail is 7 to 10 feet which provided the slope
9 within the clear zone is recoverable so the guide rail
10 is not required.

11 MR. CRANMER: Okay, thank you.

12 BY MR. MACANINCH:

13 Q. I just have one more question maybe of a
14 conclusionary nature before the Board questions, but
15 Jeff in summary then, what's your professional opinion
16 regarding the impact of the proposed community on the
17 adjacent street system of the borough and of the county?

18 A. The project won't promote any significant
19 degradation and operating conditions to the level of
20 service or the efficiency of the adjacent roadway
21 system.

22 Q. And the sight driveways?

23 A. Sight driveways have been designed to promote
24 safe and efficient access. There's adequate room to
25 maneuver around the site and adequate distance has been

1 provided.

2 MR. MACANINCH: I have no further questions
3 of this witness.

4 CHAIRMAN BELL: Board, questions?

5 MS. SICILIANO: Yes, I do.

6 MS. KELLEHER: Can we take a break?

7 MS. SICILIANO: Most of the conversation has
8 been too technical for me, but having lived in
9 Shrewsbury for over 50 years I'm very familiar with the
10 traffic. Do you have a chart in here that shows the
11 capacity or the volume of traffic that builds up between
12 Newman Springs Road and Patterson Avenue?

13 MR. FIORE: There's the queue analysis,
14 that's Table 90, Page 14. It shows how many vehicles
15 stack back from Patterson Avenue that are in the left
16 turn lane and in the through lanes.

17 MS. SICILIANO: Well, my question is often
18 coming from the Garden State Parkway and making that
19 right turn, how in the world am I going to go into that
20 development through the access on Shrewsbury Avenue?
21 How do I cross all those lanes? Do I cause all the back
22 up of traffic waiting for an opening that somebody is
23 going to be polite enough to let me through?

24 MR. FIORE: Well, there are gaps in the
25 traffic flow along Shrewsbury Avenue that are created by

1 the two traffic signals, Newman Springs Road and
2 Patterson Avenue that will allow traffic to enter into
3 the site.

4 MS. SICILIANO: No, I want to go to
5 Patterson Avenue, but if I were living in that
6 development I would have to go to Patterson Avenue to
7 get into it.

8 MR. FIORE: No, no.

9 MS. SICILIANO: How am I going to cross all
10 that traffic?

11 MR. FIORE: You're talking making the right
12 at Newman Springs Road, coming down, making the left
13 into this driveway?

14 MR. MORAN: That's what she said.

15 MS. SICILIANO: I was on the Planning Board
16 when we approved the shopping center and I don't know
17 whether you're aware of this, the Planning Board at that
18 time advised it was part of the agreement of the
19 approval they were not allowed to put a Shop Rite sign
20 on Shrewsbury Avenue. That was to eliminate the
21 shoppers from using that particular driveway.

22 CHAIRMAN BELL: Discouraged, not prevent.

23 MS. SICILIANO: That driveway was there for
24 trucks, for delivery and they didn't want people,
25 customers using that driveway. And we recognized that

1 and we said, don't put a sign there.

2 MR. TELLER: That's right.

3 MS. SICILIANO: They were prohibited from
4 putting a sign there. I don't know how you can -- and
5 then your numbers here in your summary, I can't fathom
6 this at all how it's going to work. The project is
7 projected to generate 28 entering and 51 exiting trips
8 during the weekday morning peak hour. 88 entering and
9 71 exiting trips during the weekday evening peak hour
10 and 111 entering and 101 exiting trips during the
11 Saturday peak hour. I can't. Maybe eventually I will
12 see something that makes sense to me, but I can't see
13 that that access on Shrewsbury Avenue is going to be the
14 most important access. You can't get in there.

15 MR. FIORE: Well, the numbers that are
16 generated are for an entire hour. So it's not as though
17 you turn a water spout on and all the vehicles come out
18 at one time.

19 MS. SICILIANO: So we're going to advise all
20 people that if they want to get into that access they
21 should only attempt it between X hour and X hour?

22 MR. FIORE: No, no, no, no. I'm saying it's
23 the nature of people and in some it will take the
24 morning peak hour. For example, some people go to work
25 before the peak hour that was 7:45 to 8:45.

1 MS. SICILIANO: I know. Anyone coming from
2 the north that wants to go into the development, how are
3 they going to make a left-hand turn into that access
4 crossing those lanes?

5 MR. MACANINCH: Jeff, you studied the level
6 of service for that turning movement?

7 MAYOR COOPERHOUSE: It's kind of like what
8 people are doing now and getting into the shopping
9 center. It's like what people are doing to get into the
10 car dealerships. They're waiting and they're making the
11 left. It's no different.

12 MR. FIORE: The traffic has two lanes, not
13 four.

14 MS. SICILIANO: The traffic backs up to
15 Newman Springs Road.

16 MR. CARROLL: There's a left-hand turn lane
17 there so you're not in the flow of traffic.

18 MAYOR COOPERHOUSE: In some lanes you are.

19 MR. FIORE: Two-way left turn lane which
20 allows traffic heading in either direction and when
21 you're driving if there's someone obviously there who
22 can make a left opposite you you're not going to get in
23 the lane. You have to wait, but the lane is there to
24 prevent the back up of through traffic on Shrewsbury
25 Avenue.

1 CHAIRMAN BELL: Okay. Does anybody have
2 questions? People have questions on the Board?

3 MAYOR COOPERHOUSE: I have questions.

4 CHAIRMAN BELL: I'd like to get a motion to
5 take a break before we get into the questions.

6 MS. SICILIANO: I think so because this way
7 I can wake up.

8 CHAIRMAN BELL: Can I get a motion?

9 MR. MORAN: Motion.

10 CHAIRMAN BELL: Mr. Moran, second?

11 MR. DODGE: So moved.

12 CHAIRMAN BELL: Second, Mr. Dodge. All
13 those in favor?

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

16 (Brief recess was taken.)

17 CHAIRMAN BELL: Call the meeting back to
18 order. Lorraine, take roll call, please.

19 MS. KELLEHER: Mr. Bell?

20 CHAIRMAN BELL: Here.

21 MS. KELLEHER: Mr. Moran?

22 MR. MORAN: Here.

23 MS. KELLEHER: Mr. Cooperhouse?

24 MAYOR COOPERHOUSE: Here.

25 MS. KELLEHER: Mr. Dodge?

1 MR. DODGE: Here.

2 MS. KELLEHER: Mrs. Derasadorian?

3 MS. DERASADORIAN: Here.

4 MS. KELLEHER: Mr. Teller?

5 MR. TELLER: Here.

6 MS. KELLEHER: Mr. Gardella?

7 MR. GARDELLA: Here.

8 MS. KELLEHER: Ms. Martinelly?

9 MS. MARTINELLY: Here.

10 MS. KELLEHER: Mr. Carroll?

11 MR. CARROLL: Here.

12 MS. KELLEHER: Ms. Siciliano?

13 MS. SICILIANO: Here.

14 MS. KELLEHER: Mr. Cranmer?

15 MR. CRANMER: Here.

16 MS. KELLEHER: Mrs. Donato?

17 MS. DONATO: Here.

18 CHAIRMAN BELL: Board, what I would like to

19 do to make this as organized as possible is start on the

20 left side and come down. In order you ask your

21 questions until the next person, next person, that way

22 it's organized and then by the time it gets to me maybe

23 all my questions will be asked and we come on down. And

24 then once the Board is done then I'm going to ask the

25 traffic safety officer to come up and ask any questions.

1 And then after all the questions from the Board and the
2 traffic safety officer then I'll open the meeting to the
3 public for any questions that the public may have. And
4 then as far as the public goes, can we just move this so
5 I can see the public?

6 MR. MORAN: Let the public see that.

7 MR. CRANMER: Over here works pretty well.

8 MR. MORAN: Again, for the public's
9 information when it gets open to you you're going to be
10 able to ask any question of the testimony you heard
11 tonight, any specific question, not make general
12 comments like "I don't think it's going to work," but
13 general questions. You can ask how is it going to work,
14 okay?

15 CHAIRMAN BELL: Mrs. Derasadorian?

16 MS. DERASADORIAN: I guess my question is
17 how did you determine the two-thirds on Shrewsbury
18 versus Patterson? Was there a specific study done or
19 was that --

20 MS. KELLEHER: You're going to have to pull
21 that microphone. We can't hear you down here.

22 MS. DERASADORIAN: Was there a specific
23 study done for you to determine two-thirds of the
24 traffic will go on Shrewsbury Avenue versus one-third
25 onto Patterson?

1 MR. FIORE: We look at three things. One,
2 the adjacent roadways in the network to get to the major
3 arterials in the area. We look to see if there's any
4 public transit opportunities whether it be bus or train
5 in the area that may alter the patterns of site traffic.
6 And we also look at the Census data, the jury work data
7 for Shrewsbury where that states how many residents in
8 Shrewsbury go to each borough or municipality throughout
9 the state of New Jersey and we develop our distribution
10 based on those three criteria.

11 MS. DERASADORIAN: So is it a specific
12 equation that you use?

13 MR. FIORE: No. We look at the data from
14 the Census bureau and we create a map and locate where
15 each of those municipalities are in relation to
16 Shrewsbury and we route how the best route would be to
17 get from Shrewsbury to that municipality and that's how
18 we come up with the distribution. We also look at like,
19 for instance, Route 35. You have the Garden State
20 Parkway, you have 520 which are major roadways in this
21 area. That factors into the patterns of how we assign
22 the site traffic to the road.

23 MS. DERASADORIAN: Okay, and utilizing mass
24 transit as well. So are you basically making the
25 assumption everyone will go to the Red Bank train

1 station as opposed to Little Silver?

2 MR. FIORE: No, we did send traffic down
3 south on Shrewsbury Avenue as well as east on Patterson
4 Avenue. If they had chosen to use the Little Silver
5 train station obviously the Red Bank train station is
6 closer, however there is the problem with parking there.
7 So that's why we looked at it from both angles.

8 MS. DERASADORIAN: Okay.

9 MAYOR COOPERHOUSE: Just as a point of
10 information as a commuter, I believe that the Red Bank
11 parking has been closed for years.

12 MS. DERASADORIAN: I think they have a
13 waiting list of 200 people.

14 MAYOR COOPERHOUSE: In Little Silver you're
15 able to get a parking permit so I would assume that if
16 this project does go forward that any commuters and I
17 know during the presentation last week that young
18 professionals moving in, some may work in New York City,
19 that the large majority of those individuals will be
20 going to Little Silver, not Red Bank because there's
21 parking available.

22 MR. FIORE: Use the train station, yes, but
23 some of them might also opt to use the park and ride
24 service exit at 109.

25 MAYOR COOPERHOUSE: During your testimony

1 you just referenced the train station, not 109.

2 MR. FIORE: I apologize.

3 MS. DERASADORIAN: Thank you.

4 CHAIRMAN BELL: Mr. Carroll?

5 MR. CARROLL: Just a quick question and I
6 realize this isn't your responsibility. What would be
7 the threshold that would need to be made to have a
8 possible traffic light at the supermarket exit there on
9 Shrewsbury Avenue, is that a possibility?

10 MR. FIORE: No, because you have two traffic
11 signals within approximately a thousand feet or so on
12 Shrewsbury Avenue. The one at Newman Springs and the
13 one at Patterson Avenue so there's certain spacing
14 requirements required. The minimum distance is a
15 quarter mile between traffic signals. The existing
16 conditions is violating that standard already. So I
17 would say 99.9 percent unlikely that DOT and Monmouth
18 County would allow a traffic signal to be installed at
19 the site traffic light.

20 MR. CARROLL: Now also if they deemed that
21 that was a dangerous intersection to pull out of to go
22 southbound on Shrewsbury Avenue, whose responsibility
23 would it be to put a no left turn sign there and could
24 they possibly just deem that this is too dangerous and
25 you're not allowed to make a left-hand turn?

1 MR. FIORE: That is the jurisdiction of
2 Monmouth County so it would be up to the County Planning
3 Board and their engineers and professionals.

4 MR. CARROLL: Now would that be a number of
5 accidents or backed up traffic or how would they --

6 MR. FIORE: It would be based on the level
7 of service, the queuing, accident history. There are
8 several factors that would go into prohibiting that left
9 turn exit movement there.

10 MR. CARROLL: All right, that's it.

11 CHAIRMAN BELL: That could also be a
12 condition of our approval. Mrs. Martinelly?

13 MS. MARTINELLY: Your peak, your weekday
14 morning peak hour, is that the school hours too?
15 Shrewsbury is a town without buses for school children
16 and almost every parent in the school drives their
17 children. And from here if you're talking Road A, I
18 mean, coming down B and all the way out, obviously all
19 the parents are going to be driving, but I forgot there
20 are only 20 parents driving, somewhere around there or
21 maybe, but still, is that factored in on the peak hour
22 or is that a later hour?

23 MR. FIORE: Well, the morning peak hour was
24 done between 7 and 9.

25 MS. MARTINELLY: So that would be school

1 traffic too so you considered that?

2 MR. FIORE: In the morning analysis, yes.
3 Since the p.m. peak is later in the day, the pick up of
4 the children doesn't occur during that time. It's
5 earlier in the day when traffic on Patterson Avenue and
6 Shrewsbury Avenue is less. So it was not considered in
7 the p.m. analysis, but it was --

8 MS. MARTINELLY: It is factored in in the
9 a.m., okay. Thank you.

10 MR. FIORE: That's correct.

11 CHAIRMAN BELL: My thunder was stolen by the
12 prior two Board members, but I do have a concern about I
13 always talk about the number of school children set at
14 15, but hypothetically speaking if it does go higher, my
15 concern is the impact it's going to have on the
16 ancillary roads leading to the school, especially on
17 Obre Place which is if you've ever been there in the
18 morning, it's a nightmare getting up and down that
19 street. That's just one of my concerns. Also, is there
20 going to be any traffic calming within the development
21 itself, speed bumps or anything like that to keep
22 traffic --

23 MR. FIORE: There is none proposed at this
24 time.

25 MAYOR COOPERHOUSE: What is the proposed

1 speed limit, 25 or 15?

2 MR. FIORE: 25.

3 MAYOR COOPERHOUSE: Those roads will be
4 dedicated to the Borough of Shrewsbury?

5 MR. CRANMER: No, privately owned.

6 MR. MACANINCH: They're staying with the
7 association.

8 CHAIRMAN BELL: Board members, please focus
9 on questions rather than general concerns or general
10 comments. You'll have an opportunity to do that, but
11 this is specifically to ask questions of the testimony.
12 Mr. Dodge?

13 MR. DODGE: I have no questions.

14 CHAIRMAN BELL: Mayor?

15 MAYOR COOPERHOUSE: The roads will be owned
16 by the association?

17 MR. FIORE: Correct.

18 MAYOR COOPERHOUSE: Will we have Title 9
19 authorization for enforcement?

20 MR. MACANINCH: I believe you will. We can
21 refer to the police regarding that, but I believe you
22 will.

23 MR. CRANMER: There will be a developer's
24 agreement, Mayor. That requires them to request the
25 Borough to exercise Title 39 in the development.

1 MS. DONATO: And actually, Mayor, that is
2 something that you would like which is something that
3 would allow the police to enforce traffic regulations on
4 these private roads, we would ordinarily put that as a
5 condition of the approval, Title 39.

6 MAYOR COOPERHOUSE: You referenced your
7 meeting with the DOT as well as possibly the Monmouth
8 County Planning Board.

9 MR. FIORE: We're not in it with the DOT.

10 MR. MACANINCH: We met with the county.

11 MAYOR COOPERHOUSE: I'm sorry, county DOT.
12 Highway authority, whomever it is. What's the time line
13 on receiving their approvals for what you're proposing?

14 MR. MACANINCH: We submitted to them, Tim?

15 MR. HOLMES: Four weeks ago.

16 MR. MACANINCH: In the last month we
17 submitted to them.

18 MR. HOLMES: The application was
19 administratively complete and we're pending their
20 comments.

21 MS. KELLEHER: Is he giving testimony from
22 the floor?

23 MR. MACANINCH: I am reiterating. We
24 submitted in the last month. It was deemed complete and
25 we administratively are complete and we're just waiting.

1 MAYOR COOPERHOUSE: And again, the timing on
2 Patterson and Shrewsbury Avenue, that will be changed I
3 believe you testified to?

4 MR. FIORE: Yes, yes. That's what we're
5 proposing and we'll work with the county.

6 MR. CRANMER: Jeff, has that actually been
7 designed or is that just an idea that's floating around?

8 MR. FIORE: Well, it's in our traffic study.
9 We mentioned the idea to the county at our preliminary
10 meeting with them. They weren't objectionable to it at
11 all. It's just simply going to the controller box and
12 changing the timing. There's no physical improvements.
13 It's not something that they have to put up a new signal
14 or new equipment. It's just simply someone going into
15 the controller box and changing it.

16 MAYOR COOPERHOUSE: But the county
17 bureaucracy which we're all aware of here, is that going
18 to take any time?

19 MR. CRANMER: I guess my question is and I
20 just want to make sure that I understand it, it's an
21 idea, a strategy. You haven't developed a timing plan
22 yet?

23 MR. FIORE: There has been no formal
24 directive. That would be the next stop upon our
25 comments when we receive them from Monmouth County.

1 MAYOR COOPERHOUSE: So then it has not been
2 introduced to the county official yet. You've had
3 conversations, but it's not part of your application at
4 the current time?

5 MR. FIORE: That's correct.

6 MAYOR COOPERHOUSE: Why is that? Why wasn't
7 it?

8 MR. FIORE: It was a representation. We
9 need the county recommendation. We need the county to
10 formally accept the recommendation and then we can
11 propose the formal directive to submit to the county.

12 MAYOR COOPERHOUSE: Is that how it works?

13 MR. CRANMER: The Monmouth County Planning
14 Board is going to issue either a conditional approval or
15 a request for more information. And one of the
16 conditions is going to be mitigation of the traffic
17 signal on Patterson and Shrewsbury with a different
18 timing directive.

19 MS. SICILIANO: Does Tinton Falls get
20 involved in that?

21 MR. CRANMER: Tinton Falls received notice.
22 I don't believe that we'll have input from Tinton Falls
23 traffic safety unless they take an affirmative step to
24 do so. I believe they'll likely leave jurisdiction to
25 Monmouth County.

1 MR. FIORE: It's their signal so they're
2 required to maintain and operate the signal.

3 MR. CRANMER: Right.

4 MAYOR COOPERHOUSE: You had mentioned
5 following up on some comments from Emmi. The project is
6 projected to generate 28 entering and I'm sorry, I don't
7 have my glasses, 51 exiting during the weekday morning
8 peak hours?

9 MR. FIORE: That's correct.

10 MAYOR COOPERHOUSE: I'm going to try and
11 simplify it so I understand it. I'm going to make
12 certain assumptions and if I'm wrong, please tell me.
13 If we have 76 units in there and this is an assumption
14 that there's two cars per premise and if the premise of
15 the development is to get whether they're seniors or
16 young professionals just starting out, I'm assuming that
17 they both may be working and they may not have any
18 children at this point in time. So even if you take
19 half of those 76 units, there's still going to be two
20 cars. 36 premises times 2 individuals working in the
21 household and they leave between your prime time here,
22 the math doesn't make sense to me. I'm trying to
23 understand and I know you use a formula.

24 MR. FIORE: Right.

25 MAYOR COOPERHOUSE: But I'm trying to get to

1 the reality here and the reality just doesn't match, you
2 know, your formulas and I'm trying to understand that.

3 MR. FIORE: Well, people aren't all going to
4 leave to go to work at one particular time period. Some
5 people that use public transit may have to leave
6 earlier. Some people that work close may only have a
7 10, 15 minute commute so they can obviously leave later.
8 The traffic is for the entire hour. It's not for a
9 split instant. So the traffic is generated --

10 CHAIRMAN BELL: I don't understand.

11 MAYOR COOPERHOUSE: I'm not getting it.

12 MR. FIORE: I understand what you're saying.
13 You're saying 77 units, two cars per unit therefore 150
14 cars should be in there. They all should be coming out.

15 MAYOR COOPERHOUSE: I'm not even saying 77
16 right now. I'm being conservative and saying half of
17 that. So where are those cars and you're right, some
18 people may leave -- I leave at quarter to 6 in the
19 morning. Some people may leave at 8:00 in the morning,
20 but I mean, I just don't see those cars being accounted
21 for.

22 MR. FIORE: They're accounted for. They're
23 just not traveling during the a.m. peak hour.

24 CHAIRMAN BELL: Can I follow on yours a
25 little bit?

1 MAYOR COOPERHOUSE: Sure.

2 CHAIRMAN BELL: The testimony that we had on
3 the development is that there's not going to be many
4 kids so the majority of these houses are going to be
5 kid-free. And the testimony is most of them are going
6 to be either early -- you know, 25 -- I'm not saying
7 ages were testified, but young couples or downsizers,
8 both those age brackets. The reality is both people
9 work. This is not going to be a development that's
10 going to be 70-year-olds are going to buy it because
11 70-year-olds are not going to buy places where you're
12 going up three flights of stairs. So it will be
13 55-year-olds. I could certainly go up -- I'm not 55,
14 but I could certainly go up three floors, but there's
15 going to be a lot more working cars going in and out.
16 And even if they go out from 6:00 in the morning to 9:00
17 in the morning, there's a lot more cars than went into
18 your study for this specific development. And I think
19 the problem that we're following in this development is
20 all the numbers are generic. The studies, your study,
21 the study that was done for fiscal impact was generic.
22 This isn't a generic development. It's attracting a
23 certain type of people. And a particular traffic, the
24 traffic is going to have a tremendous impact if the
25 numbers that you have are conservative, on low side

1 conservative.

2 MR. FIORE: Well --

3 CHAIRMAN BELL: Does that follow what you're
4 saying?

5 MAYOR COOPERHOUSE: I just want it to be
6 accurate and I'm missing cars and I understand from 6 to
7 9 a.m. in the morning.

8 MR. FIORE: Right. I'll say this. The
9 Institute of Transportation Engineers publishes and I
10 don't have it with me, but it's a three volume set.
11 Each volume is probably about an inch thick and in it
12 engineering firms like the one I work for submit data
13 every year for various land uses. Over the course for
14 as long as ITE has been putting the trip generation
15 publication out, just looking at the amount of studies
16 that have been submitted, the number of studies and it
17 ranges depending on the use. For an apartment use
18 somewhere around 90 actual studies have been submitted.
19 For a townhouse use it's been around 60. Now if ITE
20 plots them on a graph, if they see any outliers, let's
21 just say if a 10 unit townhouse community generated 500
22 trips, they're going to throw it out. They're not going
23 to include that in how they calculate their average
24 rates. They're only going to look at representative
25 data. Similarly if it was a 100 unit townhouse complex

1 and it only generated 10 trips during the a.m. peak
2 hour, they're not going to include that as well. The
3 data that's included gives representative conditions and
4 it's been looked at for -- I think they've been
5 publishing it since the mid-'70s. So it's the accepted
6 way of generating traffic for analysis.

7 MAYOR COOPERHOUSE: I realize that, just it
8 doesn't make a lot of sense.

9 MR. FIORE: I understand.

10 MR. MORAN: We're saying we may be the
11 outlier.

12 MAYOR COOPERHOUSE: You may tell me that I
13 can't ask this question, Ms. Donato, so stop me. This
14 project in this particular traffic study will result in
15 findings are based strictly on their project here. We
16 had that warehouse on the corner of Patterson Avenue and
17 Sycamore and although a deal has gone south on that,
18 Patterson and Shrewsbury, that could have however you
19 look at it, a positive or negative effect on additional
20 traffic flow.

21 MS. DONATO: You can definitely ask the
22 question, but I anticipate that the witness will say
23 that there's an average growth rate that they use. It's
24 another representative standard number and let him
25 answer it himself, but it's a legitimate question.

1 County Planning Board, he's talking about the Walgreens
2 site.

3 MAYOR COOPERHOUSE: The old Walgreens.

4 MR. CRANMER: The application formerly known
5 as Walgreens.

6 MAYOR COOPERHOUSE: One old Walgreens.

7 MR. FIORE: This is one thing I left out
8 when I was discussing the difference between the 2008
9 and 9 traffic study. The 8 incorporated the traffic on
10 the Walgreens because at the time it was a planned
11 development in the region. Since then the application
12 is no longer. We removed that traffic. We contacted
13 the Board secretary and in conversations with Mr.
14 Cranmer to find out if there's any other developments
15 planned in the area that would significantly alter the
16 traffic flow and the answer was no.

17 MR. CRANMER: I don't remember having that
18 conversation.

19 MAYOR COOPERHOUSE: No, I would prefer that
20 you would include that number in there because
21 eventually something is going to take place there.

22 MR. FIORE: Well, we incorporate with the
23 background growth, but you can also say that where does
24 that stop? There's two other buildings along Shrewsbury
25 Avenue between us. They may not ever get developed.

1 The corner site may, it may be 10 years before it gets
2 developed. It's not our responsibility to take that
3 into account.

4 MR. CRANMER: But you did in the 2008 study.

5 MR. FIORE: Because it was a planned
6 development and it had an application before the Board.

7 MR. CRANMER: And it has a use variance
8 approval. The site plan application was withdrawn.
9 There's a use variance that was approved for that site
10 that still remains valid.

11 MAYOR COOPERHOUSE: So what does that do to
12 the calculations?

13 MS. DONATO: I think that -- wouldn't that
14 make it a planned development as opposed to just being
15 encompassed in the general growth rate?

16 MR. FIORE: Well, it's my understanding that
17 the development, the Walgreens is not going to be
18 constructed on that site. So therefore we withdrew it
19 from our analysis.

20 MS. SICILIANO: It's not going to be
21 constructed currently because of the economy. If the
22 economy changes --

23 MR. CRANMER: Well, we don't know whether
24 it's going to be built or not.

25 MS. SICILIANO: Right.

1 zone has now extended across Patterson Avenue. There's
2 another three acres that's open for business.

3 MR. CRANMER: I can't change it. And there
4 is a likelihood.

5 MS. SICILIANO: Where I'm sitting I worry
6 about that.

7 MR. CRANMER: I understand. There is a
8 likelihood that the Walgreens may be constructed if not
9 on this site, on another adjoining site which would
10 still impact the intersection. You know, I think it
11 would be helpful if you at least included the numbers so
12 that you can see if there is going to be a measurable
13 detriment.

14 CHAIRMAN BELL: Can you get that back in?

15 MR. MACANINCH: We could. I think what Mr.
16 Fiore is saying it's an unknown. He had it when it was
17 a known. Now it's an unknown. One side of the
18 intersection might be, the other one you don't know.
19 They're going to shrink down the size of what they've
20 got.

21 CHAIRMAN BELL: They're not going to shrink
22 down the size of the store. They're going to grow the
23 size of the store.

24 MAYOR COOPERHOUSE: What's the harm in
25 putting it in?

1 MR. MACANINCH: I just don't want the number
2 there it's X and now it's out --

3 MAYOR COOPERHOUSE: Put that in.

4 CHAIRMAN BELL: I have a couple of
5 questions, bear with me. The supermarket analysis, you
6 testified that the 2008 numbers was the summer of 2008
7 so the numbers that you had coming out of entrance road,
8 the entrance road included the supermarket?

9 MR. FIORE: That's correct.

10 CHAIRMAN BELL: Did you take the actual trip
11 generation or what a supermarket should generate?

12 MR. FIORE: We took the actual generation of
13 that supermarket.

14 CHAIRMAN BELL: How familiar are you for
15 that particular site, the Stop & Shop, Foodtown?

16 MR. FIORE: I used to shop there.

17 CHAIRMAN BELL: Are you aware that it's
18 closed?

19 MR. FIORE: Yes, I am.

20 CHAIRMAN BELL: Do you know why it closed?

21 MR. FIORE: I would say lack of business, I
22 don't know.

23 CHAIRMAN BELL: That would be a correct
24 statement. And so that the traffic generated by that
25 particular supermarket is not what ideally if there's a

1 successful supermarket would generate. Did you have an
2 opportunity to look at the traffic study that was
3 presented to this Board for the approval of the original
4 Edwards supermarket?

5 MR. FIORE: No, I have not.

6 CHAIRMAN BELL: If those numbers were
7 significantly more of what a successful supermarket
8 would do, would that impact your numbers?

9 MR. FIORE: I think counting the actual site
10 is better than going off the numbers.

11 CHAIRMAN BELL: Except this was a
12 supermarket that didn't succeed so that the traffic was
13 low. Okay. I didn't hear anything in your testimony,
14 would you say that it's a reasonable assumption that at
15 some point there will be some sort of a commercial
16 establishment on that site?

17 MR. FIORE: Yes.

18 CHAIRMAN BELL: If there's a commercial
19 establishment on that site when you were talking about
20 cut-throughs you were talking about cut-throughs from
21 Patterson Avenue to Shrewsbury Avenue.

22 MR. FIORE: Correct.

23 CHAIRMAN BELL: If you're familiar with the
24 site would you think that it would be a logical
25 cut-through from that commercial site onto Patterson

1 Avenue?

2 MR. FIORE: You're talking about the
3 supermarket site?

4 CHAIRMAN BELL: Yes.

5 MR. FIORE: It's my opinion that the only
6 traffic that would ever cut through are the residents
7 that live on Patterson Avenue and the other local roads.

8 CHAIRMAN BELL: Okay, I would like you to in
9 any report when you look at things I think it's very
10 reasonable to assume that other residents and the
11 residents of Shrewsbury would make that is to because to
12 exit that site to come out onto Shrewsbury Avenue and
13 make a left you're taking your life into your hands. So
14 the way people would exit is you exit at Newman Springs
15 Road which is exactly what we said when it was developed
16 that's what would happen. But logic is people who live
17 on the other side of Shrewsbury it's much easier to go
18 out and I think there's going to be a significant
19 cut-through from the commercial establishment, not from
20 people cutting the other way which would then add a lot
21 more traffic and to me, it's really important if the
22 traffic study, the impact is that store being operable
23 with real numbers. So I think you answered my question.
24 You talked about the re-queuing of the light on the
25 corner of Shrewsbury and Patterson Avenue, right?

1 MR. FIORE: Yes.

2 CHAIRMAN BELL: That would be cutting the
3 time by five seconds, was that it?

4 MR. FIORE: That's correct, yes.

5 CHAIRMAN BELL: There was testimony by the
6 former Mayor about people turning left into the entrance
7 road coming south on Shrewsbury Avenue. What is your
8 peak time that you did your studies in the evening which
9 were -- what were the hours?

10 MR. FIORE: We did the traffic counts
11 between 4 p.m. and 6 p.m. and the peak hour was 4:45
12 p.m. to 5:45 p.m.

13 CHAIRMAN BELL: So if we have a development
14 here and people that would be -- when people are coming
15 home and if people are going to be making a left in the
16 center lane, the common turn lane, how much of an impact
17 would that have, the people turning left during the peak
18 hour, the evening hour be affected by the people who are
19 peak hour turning left going northbound onto Newman
20 Springs Road to go to the Parkway or wherever they're
21 going which currently if people are turning left during
22 that peak hour morning, 6:00, it's very common to have
23 cars backed up to this intersection, this potential
24 intersection turning left. Did you take into account
25 what that impact would be which now you'd have people

1 waiting not in the turning lane, in the actual driving
2 lane to turn left?

3 MR. FIORE: Yes. That is considered in our
4 analysis and our analysis showed that you have a B level
5 of service with a 10 second delay and a 95 percentile
6 queue length of less than one vehicle. I've been out
7 and I've observed traffic flow analysis both when the
8 supermarket was open and since it's closed. And any
9 time I've driven out of that driveway I've never had a
10 problem exiting onto Shrewsbury Avenue, nor have I had a
11 problem making the left turn into the driveway from
12 Shrewsbury Avenue.

13 CHAIRMAN BELL: Okay. Folks, on that
14 intersection, the intersection being the entrance road
15 and Shrewsbury Avenue, a lot of questions have come up
16 about concerns about traffic going onto Patterson Avenue
17 and people will go to the least resistance. If it's
18 easier to go out onto Patterson Avenue, they're going to
19 go out on Patterson Avenue. What could be done in your
20 expert opinion to stop the exiting, the people exiting
21 the site whether it's the supermarket, whether it's the
22 commercial establishment that's proposed or the
23 residential, what could be done at that intersection to
24 make it more enticing, easier, more user friendly,
25 whatever term you want to use to get people out of that

1 entrance?

2 MR. FIORE: You're talking about the
3 intersection of Shrewsbury Avenue and the site driveway?

4 CHAIRMAN BELL: Um-hum.

5 MR. FIORE: Honestly, there's nothing that
6 can be done. Mr. Carroll had asked the question
7 regarding putting in a traffic light there, the spacing
8 between Newman Springs Road and Patterson Avenue that
9 wouldn't allow a traffic signal to be put there.
10 There's no other than restricting movements.

11 CHAIRMAN BELL: But if you put which we
12 could as part of our approval if we so chose, we could
13 put a restriction of no left turn. But if we did that
14 that means we would be saying everybody is going to go
15 south has to go on Patterson Avenue.

16 MR. FIORE: That's correct.

17 CHAIRMAN BELL: Which is exactly opposite of
18 what we want to do.

19 MR. FIORE: That's correct.

20 CHAIRMAN BELL: Did you look at widening
21 that entrance to put a left turn lane?

22 MR. FIORE: A left turn exit lane?

23 CHAIRMAN BELL: Yes.

24 MR. FIORE: Because the analysis indicated
25 that with the shared lane the driveway operates at

1 acceptable level of service with minimum queuing.

2 CHAIRMAN BELL: Okay. Well again, I look
3 back and when we had the testimony on the Stop & Shop or
4 it was Edwards at the time, there was great conversation
5 and I think there was even a condition put that if the
6 traffic, if there was a traffic issue that a left turn
7 lane and that was just with the Edwards supermarket.
8 What about in the original, how long have you been
9 involved with this application?

10 MR. FIORE: Since 2007.

11 CHAIRMAN BELL: On the last rendering anyhow
12 and I think the original also had a divider at this
13 entrance and also had a divider at the Patterson Avenue
14 entrance. Doesn't the divider help soften the impact in
15 and out?

16 MR. FIORE: No, no, it doesn't. I mean, it
17 provides -- it's more of a visual tool to steer where
18 each car should enter and exit, but we're providing I
19 believe 30 foot wide cartway with 15 foot lines on the
20 entrance road which is an acceptable width, actually
21 it's more than acceptable. So I don't see how a car
22 would have a problem entering or exiting the site.

23 CHAIRMAN BELL: Okay. Are you aware that
24 the New Jersey Department of Transportation is still
25 looking at having a train, commuter train service from

1 southern Ocean County and somehow getting north?

2 MR. FIORE: Yes, yes.

3 CHAIRMAN BELL: And are you aware that the
4 rail line that borders your property is one of the lines
5 that's actually, for some people it's the number one
6 choice?

7 MR. FIORE: I am aware.

8 CHAIRMAN BELL: How would that affect your
9 egress/ingress on Patterson Avenue if there were trains
10 there, commuter trains?

11 MR. FIORE: I have not prepared that
12 analysis so I couldn't say, but with the frequency that
13 a train would pass there you're only talking a handful
14 of times in an hour.

15 CHAIRMAN BELL: But they also, but they
16 also --

17 MAYOR COOPERHOUSE: In an hour.

18 CHAIRMAN BELL: And I don't believe even if
19 it gets built, I don't believe from what I've read it's
20 not going to be the number of trains that you have on
21 the North Jersey coastline, but during the rush hours
22 when you go on Sycamore Avenue and trains go through
23 Little Silver, they back up and now in that case the
24 rail lines are down. Better example would be White
25 Street, White Road and traffic backs up.

1 MR. FIORE: Correct.

2 CHAIRMAN BELL: And that's during rush hour
3 when you're putting -- when this development is going to
4 be dumping traffic onto Patterson Avenue and you're
5 coming out right at the train tracks.

6 MR. FIORE: Well, the train doesn't stop
7 versus the Little Silver example.

8 CHAIRMAN BELL: That's why I said White
9 Street, White Road.

10 MR. FIORE: Right, so it only stops I think
11 they're required a 30 second advanced warning where the
12 gate would go down 30 seconds prior to the train
13 arriving. There are intermittent breaks in traffic.
14 That's what happens when there's a train line.

15 CHAIRMAN BELL: So the answer is you don't
16 think it will have any impact?

17 MR. FIORE: With the amount of traffic
18 that's on Patterson Avenue and the levels of service
19 that we're seeing I don't believe a train that stops
20 traffic for 30 seconds, one minute at a time is going to
21 have a significant impact on the level of service of the
22 roadway.

23 CHAIRMAN BELL: Okay. When you did your
24 traffic study, did you do this traffic study within the
25 development as well, the actual movement within the

1 development?

2 MR. FIORE: No, I did not.

3 CHAIRMAN BELL: Okay. Did you have any
4 input on the request to eliminate sidewalks on one side
5 of the street?

6 MR. FIORE: No, that was a decision of the
7 site engineer.

8 CHAIRMAN BELL: Okay. And then just
9 following up on one of the questions, the rest of mine I
10 think were pretty much addressed or I'm not sure that
11 you can answer. When you took into account the trip
12 generation during from 7:30 to 9:00 you specifically
13 added 20 cars exiting and entering. So 40 cars during
14 that hour for the kids going to school.

15 MR. FIORE: No, the trip generation numbers
16 it's a generic number. They have not been altered to
17 incorporate kids being driven to school. The data
18 that's been obtained is during those hours so it
19 incorporates the assumption that kids are being driven
20 to school or people are going to work. It doesn't
21 specify what trips are what.

22 CHAIRMAN BELL: Well, how many trips did you
23 say in an hour that this would generate during the a.m.
24 peak hour?

25 MR. FIORE: The a.m. peak hour it will

1 generate 79 total trips and 51 exiting.

2 CHAIRMAN BELL: So then doing the assumption
3 that means there's only 39 people either going to work
4 or coming back because 40 of those are going to be
5 because we don't have buses. 40 of those are going to
6 be people who drive their kids to school and come back
7 to school.

8 MR. FIORE: That could be in the specific
9 instance.

10 CHAIRMAN BELL: And I do understand, I
11 understand, you know, standards and so forth. But when
12 you're looking at a development, don't you also look
13 at -- you look at standards, but then you look at
14 extraneous or specific conditions for that particular
15 property, for that particular town that is outside the
16 norm.

17 MR. FIORE: The data that's prepared
18 incorporates and considers people going to work, people
19 dropping their children off whether it be at daycare or
20 school or if they're going to run errands in the
21 morning. It does not disseminate the specific use
22 whether it doesn't say, okay, of per the 79 trips so
23 many, 20 percent are going to the school, 20 percent are
24 going to work. 20 percent are dropping their kids off
25 at daycare.

1 CHAIRMAN BELL: Okay.

2 MR. FIORE: These are the only numbers
3 available for us to utilize. And like I said before,
4 it's the accepted publication. Just every traffic study
5 that's submitted is based on these numbers.

6 CHAIRMAN BELL: So these numbers would be
7 the same as if --you would use the same exact numbers if
8 you were in an inner city or if you were in Long Branch
9 or if you were in downtown Red Bank, wherever you're
10 using the exact same numbers?

11 MR. FIORE: Well, I would use the same
12 numbers to start, but then I would contact NJ Transit to
13 get the ridership from those cities and apply a
14 ridership contract to reduce the amount of cars that
15 would be generated versus pedestrians.

16 MR. MORAN: We're talking about a school
17 department in this situation because it is unique and
18 that was my question is did you account for the school,
19 taking the kids to school because it's a walk to
20 district. The five seconds on the light, how many cars
21 does that give you?

22 MR. FIORE: The five seconds on the light
23 over the course of an hour? It will be 200 additional
24 seconds which is more than three minutes of green time.
25 How many cars that it processes is hard to say. When a

1 car makes a left turn from a dead stop it takes
2 7-and-a-half seconds, but once if you're the second or
3 third car and you're rolling through the intersection it
4 takes four seconds to complete a left turn. So at
5 minimum it would be one additional car is going to get
6 through the intersection.

7 MR. MORAN: You said when you did your study
8 did you take into consideration the feeder streets or
9 actually the streets that are going to be fed especially
10 from the Patterson Avenue exit or entrance, both? I'm
11 particularly thinking about Birch Street which is going
12 to end up being a bypass and there's a lot of kids on
13 that street and I don't know. Did you take in
14 consideration of that?

15 MR. FIORE: No, we didn't because it's
16 standard traffic engineering practice that you only
17 analyze the intersections that you send 100 trips
18 through. Anything less it's considered not a
19 significant increase in traffic.

20 MR. MORAN: I think we're going to have to
21 consider that as part of the specific conditions, but
22 those are my questions.

23 MR. MACANINCH: And Jeff, so we're clear
24 when you say 100 trips, you're talking about 100 trips
25 an hour?

1 MR. FIORE: Yes, 100 peak hour trips.

2 MR. MACANINCH: So under two trips a minute?

3 MR. FIORE: Yes.

4 MR. TELLER: The members of the Board have
5 really asked the questions that I had, however I do have
6 one question. It's a traffic-related question, not
7 pertaining to what we've actually discussed right now
8 but I'll ask it anyhow. This is going to be a two-year
9 project, correct?

10 MR. FIORE: Correct.

11 MR. TELLER: There's going to be
12 construction trucks. I'm concerned about the
13 construction trucks and the traffic on Patterson Avenue
14 during this two-year period while this project is being
15 built with school kids and everything else.

16 MR. FIORE: What is your question?

17 MR. TELLER: My question is site layout, any
18 way of putting into the agreement that you limit the
19 times that these trucks traffic on Patterson Avenue or
20 don't use Patterson Avenue and use Shrewsbury Avenue?

21 MR. MACANINCH: Yeah, that's probably not
22 appropriate for this witness.

23 MR. TELLER: I understand, but it's a
24 traffic issue and I just wanted to bring it out.

25 MR. MACANINCH: I will certainly make a note

1 and we'll have somebody speak about it.

2 MS. SICILIANO: My only question here is I
3 think we have Patrolman Gallagher here.

4 MAYOR COOPERHOUSE: No, Sergeant Calicari.

5 MS. SICILIANO: I can't see that far back.
6 But we have a letter here from the police department we
7 received. The Planning Board has a letter from the
8 police department signed by Patrolman Gallagher. It's
9 dated August 8th.

10 CHAIRMAN BELL: I actually read that in at
11 the last meeting and I think that the traffic --

12 MR. CRANMER: There's actually another
13 correspondence from Chief Wilson as well.

14 CHAIRMAN BELL: Yes.

15 MS. DERASADORIAN: I'm sorry.

16 CHAIRMAN BELL: Mrs. Derasadorian, did you
17 have another question? I got the name right.

18 MS. DERASADORIAN: I have another question.
19 If I'm not mistaking you're talking about aggregated
20 data that you've used to come up with some of these
21 numbers in a three volume set. I guess my question is,
22 that data is reported and then aggregated and that's how
23 you get your numbers. Where is that data reported from,
24 strictly from New Jersey?

25 MR. FIORE: It's all over the country. It's

1 engineering firms throughout the 50 states submitting
2 data to ITE. There's also a standard form and a whole
3 process that you have to go to get your data submitted
4 and approved by ITE.

5 MS. DERASADORIAN: Okay, okay.

6 CHAIRMAN BELL: Sergeant?

7 MS. DONATO: Mr. Bell, I have some questions
8 but I can wait until after the Sergeant.

9 CHAIRMAN BELL: Okay. Would you like to
10 come up and do you have any questions? You need to
11 introduce yourself, put yourself into the record.

12 MS. DONATO: Mr. Bell, for purposes of
13 satisfying the requirements of the Municipal Land Use
14 Law, our assignment judge has ruled that all witnesses
15 should be sworn so I'm going to ask the Sergeant your
16 full name and address, please.

17 SERGEANT CALICARI: Sergeant Dan Calicari,
18 419 Sycamore Avenue, Shrewsbury, New Jersey.

19 S E R G E A N T C A L I C A R I, was duly sworn and
20 testified as follows:

21 SERGEANT CALICARI: Again, for those of you
22 who don't know me, I'm Sergeant Dan Calicari. I'm one
23 of the traffic officers in the Borough of Shrewsbury. A
24 lot of questions have been answered, but I certainly
25 have our own concerns from the police department's point

1 of view. Just if I ask a few questions that have
2 already been asked, just excuse me. I walked in late
3 and I heard you mention about the county that they
4 mentioned the right in and right out only. I didn't get
5 your response or why would the county recommend that
6 right in and right out only?

7 MR. FIORE: They were just throwing out the
8 option of it. They weren't emphasizing that it would be
9 a requirement and we told them that the driveway is
10 required to be full movement due to that being the
11 loading access for trucks to enter and exit the
12 supermarket site.

13 SERGEANT CALICARI: And what about as far as
14 the Patterson Avenue site because there's no loading
15 docks there. Why couldn't that be right-in only?

16 MR. FIORE: The access on Patterson Avenue?

17 SERGEANT CALICARI: Yeah, the access,
18 because that answer sounds like it just applies to the
19 Shrewsbury Avenue side.

20 MR. FIORE: Right, because that's the only
21 road that's under county jurisdiction. Personally I
22 don't see why traffic should be reduced to right-in,
23 right-out on Patterson Avenue. There's a full movement
24 driveway directly opposite there today. It makes
25 perfect traffic planning sense to line the intersection

1 up and make it a four leg intersection. To have one
2 side be full movement and one side be right-in,
3 right-out would cause I think more chaos and would also
4 divert more traffic to the intersection of Shrewsbury
5 and Patterson Avenue which we're trying to avoid than
6 would do good.

7 SERGEANT CALICARI: Okay, thank you. Let me
8 just speak as having driven the streets for 14 years.
9 Forget about the statistics, the counters, everything
10 else. Let me just go over a few points on the board.
11 Most people can see them. I'll start with the
12 Shrewsbury side and then we'll get to Patterson since
13 that's the real danger side. We'll get to Shrewsbury
14 Avenue first. I'm going to have to agree with what Emmi
15 said as far as Shrewsbury Avenue exit/entrance onto
16 Shrewsbury Avenue side. This left turn lane that goes
17 to Shrewsbury or goes Shrewsbury to 520 heading west
18 backs up far beyond this entrance point. So anybody
19 that's going to try and make a left into here is going
20 to have a real hard time like Mr. Bell said and anybody
21 coming out is going to have a real hard time. Right now
22 this is obviously abandoned. It's quiet. We sit here a
23 lot right here in this entry and we run license plates.
24 We don't make lefts this way. We go right. We have big
25 cars, lights and sirens. We don't dare go this way.

1 Mr. Fiore said that one-third of people that traffic is
2 going to exit out onto Patterson and two-thirds onto
3 Shrewsbury Avenue. It may start that way. Once they
4 realize they can't go that way they'll roll the dice a
5 couple times and then that two-thirds is going to be
6 heading down to Patterson Avenue. That's just from
7 experience. That's from driving on the road for the
8 past 14 years. It's dangerous as well as this road
9 isn't completely flat. There's a crown in this road.
10 It's not completely flat. And when these cars back up
11 on Patterson Avenue or on Shrewsbury Avenue trying to
12 make that left onto 520 it's going to create an
13 obstruction of view for anybody trying to make a left
14 out of here.

15 Mr. Cranmer asked about accident statistics
16 and numbers. It's not many accidents here now. It's
17 quiet. It's abandoned. Put these cars on this road,
18 put this as an intersection, people trying to get in and
19 out we're going to have a lot of right angle accidents
20 at this intersection just as we have them down here at
21 Shrewsbury and Patterson like we talked about and I know
22 Mr. Bell mentioned it and it's a concern. We all
23 mentioned it in the police department as well. Was
24 there a resolution or can it be adopted to put a left
25 turn, no left turn coming out of this onto Patterson

1 Avenue? I know we talked about it. Is that possible?
2 Is it in the plans since the Borough has jurisdiction
3 over that, not the county? Is that feasible just to
4 prevent some of that traffic from cutting through and
5 heading down Patterson Avenue to Shrewsbury, I mean, to
6 Broad Street? We would highly recommend as the police
7 department we spoke about that. A lot of guys speak
8 about that in the patrol room. It's been requested. I
9 think no left turn coming out of it because that would
10 defeat the purpose. Everybody would cut through and
11 head south this way anyway. As far as -- oh, Mr.
12 Cranmer mentioned about people using this as a
13 cut-through and backing up onto Patterson Avenue and
14 this left turn causing more accidents on Patterson
15 Avenue. As a police department we'd rather have the
16 cars come and sit on Patterson Avenue and back up than
17 try and roll the dice and come out of here and getting
18 T-boned. So if there is -- it's a toss between a little
19 more traffic in the left-turn lane, right angle
20 accidents, we'll take the back-up on Patterson Avenue
21 anytime. I worked with Dave before as far as traffic
22 and we've done a lot of traffic calming on Patterson
23 Avenue over the years. I've been here 14 years. I've
24 sat in many meetings with Emmi. We've done a lot of
25 things to try and decrease the stress on Patterson

1 Avenue and I think what this is doing is defeating
2 everything we've done over the last 10 years as far as
3 decreasing traffic on Patterson Avenue. We don't have
4 the manpower. We don't have the resources to assign
5 anybody in any one spot on Patterson Avenue for what I
6 think would be necessary to monitor the traffic. Like I
7 said, I don't care what the numbers say, what the
8 counters say, how many cars are coming and going. I'm
9 telling you from experience there's going to be a lot
10 more cars on Patterson Avenue and the road can't handle
11 it and neither can we. We can't sit there and we can't
12 do what we want to do unless all these residents once
13 they come on Patterson and head down Patterson we hit
14 them with a welcome ticket and say welcome to the
15 Borough of Shrewsbury. No speeding to Shrewsbury
16 Avenue. If that's what it takes that's what it will
17 take.

18 CHAIRMAN BELL: Any comments or answers to
19 any of the concerns that the Sergeant raised?

20 MR. FIORE: Regarding the restricting the
21 movement on Patterson Avenue, I'll reiterate, I don't
22 think that makes good traffic planning sense especially
23 when there's an exiting office development directly
24 opposite where we're proposing our roadway and our
25 roadway lines up to make a four leg intersection. To

1 have full movement access permitted to that office
2 complex and not to this site I don't understand why you
3 would prohibit one movement on one driveway, but not do
4 the same on the other.

5 MR. MORAN: Why should you have a four-lane
6 intersection?

7 MR. FIORE: Well, it makes perfect traffic
8 calming sense when you're putting a new road in if you
9 can line up opposite driveways creating a four-lane
10 rather than have two of them offset. If they're trying
11 to make lefts out there's a chance they could hit each
12 other whereas if they're lined up directly opposite each
13 other they're making lefts out they won't collide.

14 MR. TELLER: That other complex does not
15 have access to Shrewsbury Avenue either, it only has one
16 access to Patterson.

17 SERGEANT CALICARI: That's correct.

18 MR. FIORE: That's correct.

19 SERGEANT CALICARI: And my answer to that is
20 that's already existing. We're dealing with that
21 traffic. We don't want anymore traffic.

22 MR. FIORE: But that office generates three
23 to four times as much traffic as this site will on
24 Patterson Avenue.

25 SERGEANT CALICARI: I would disagree with

1 that.

2 MS. MARTINELLY: Can I ask a question? If
3 we were to make it a no left, how do you get to school?
4 You have to go Patterson?

5 SERGEANT CALICARI: Pass someone to
6 Shrewsbury, to Sycamore, go back around the other way.
7 Or you want all those people on Birch and Obre?

8 MR. MORAN: It's already a bypass.

9 MS. MARTINELLY: I know it is, but then I'm
10 just thinking then you're putting the amount onto two
11 different highways and coming around and you still are
12 going to end up on Obre and Samara at one point. You're
13 just going to go a little further out, a little more
14 dangerous. I don't know.

15 SERGEANT CALICARI: That was one of our
16 suggestions otherwise like I said, there's going to be a
17 lot more traffic than the numbers indicate. We say it's
18 going to be lot higher than anybody expects and we do
19 agree that it's going to be a cut-through from any
20 development that's proposed. Where the Foodtown is it's
21 going to be a cut-through from there. Nobody is going
22 to go roll the dice on Shrewsbury Avenue, Patterson to
23 30, Patterson to Birch, Patterson to Birch, to Sycamore
24 just like the other feeder streets. Like I said,
25 Patterson Avenue is our number one horror side street.

1 As long as nobody from Silver Brook is here or 1 A and
2 we don't want to do anything to increase that burden in
3 the street and this certainly does.

4 MR. CRANMER: Sergeant Calicari, what's the
5 accident history on Patterson Avenue or is it mainly is
6 it speeding?

7 SERGEANT CALICARI: No, it's a specific --
8 it's a volume and speeding issue. There's not that much
9 traffic accidents.

10 MR. CRANMER: And what about at the
11 intersection of Patterson and Shrewsbury Avenue?

12 SERGEANT CALICARI: I can get you the
13 numbers, but having reviewed most of our accidents that
14 come through there it's not a high number.

15 MR. CRANMER: Okay.

16 MR. GARDELLA: Do you know what the number
17 of accidents were at that access road and Shrewsbury
18 Avenue when the supermarket was in operation?

19 SERGEANT CALICARI: I can't recall any of
20 them. We can certainly find out.

21 MR. GARDELLA: Did you see a significant
22 decrease?

23 SERGEANT CALICARI: No.

24 MR. CRANMER: No, because nobody made a left
25 turn out of that because you can't.

1 MR. GARDELLA: I know, it's a nightmare.

2 SERGEANT CALICARI: The biggest concern that
3 intersection is going to be that left-hand turn lane. I
4 live in Hazlet. I used to go that way home. Now I go
5 Hance and I avoid that to try to get to the Parkway just
6 because that backs up so far not only being a problem
7 for people, like Emmi said, trying to get to the D, it's
8 going to become a view obstruction when those cars back
9 up into that lane. When these cars, when these cars
10 back up into that lane of traffic these cars aren't
11 going to be able to see the oncoming traffic to get on
12 Shrewsbury Avenue. That's when you get those right
13 angle accidents because you can't see.

14 CHAIRMAN BELL: What the Sergeant was
15 pointing to was southbound on Shrewsbury Avenue.

16 MR. FIORE: Can I respond to him, please? I
17 just want to say that the left into from Shrewsbury
18 Avenue to the site it's not a unique characteristic of
19 the road. There's a two-way left turn lane on
20 Shrewsbury Avenue from South Sycamore Avenue to Newman
21 Springs Road. There are I would say at least a dozen
22 driveways on both sides of Shrewsbury Avenue that have
23 this exact condition that we have. So this is not
24 something that's unique. It's something that exists due
25 to the nature of the road. When you have a center left

1 turn lane you're going to have left turns crossing two
2 lanes of traffic.

3 SERGEANT CALICARI: I think my point is that
4 those left turn lanes, left and right turn lanes get
5 occupied by those cars that want to sit in that left
6 turn lane. Rather than sit in the left lane they sit in
7 that lane for the left turn and right turn, block that.

8 MR. FIORE: I understand that, but based on
9 my observations except for only a few seconds out of the
10 p.m. peak hour did I see cars queue back in that lane.
11 Otherwise the lane is open to allow traffic to enter and
12 the queue lengths are less than one car. So based on
13 those calculations, you know, more times than not
14 there's only going to be one car sitting there. There's
15 not going to be more than one.

16 SERGEANT CALICARI: One sitting in the exit?

17 MR. FIORE: I'm sorry, sitting in the left
18 turn lane waiting to make the inner movement into the
19 site.

20 MS. DONATO: May I ask the Sergeant a
21 question? Sergeant, you indicated that you had
22 previously frequently observed the queues along from
23 Newman Springs Road I guess to Patterson. What did you
24 say, that the police vehicles stop to do their traffic
25 --

1 SERGEANT CALICARI: You mean Shrewsbury
2 avenue to Patterson?

3 MS. DONATO: On Shrewsbury Avenue from the
4 intersection of Newman Springs Road into like Patterson.

5 SERGEANT CALICARI: This stretch?

6 MS. DONATO: Yeah, southbound on Shrewsbury.

7 SERGEANT CALICARI: Oh, this way?

8 MS. DONATO: Yeah.

9 SERGEANT CALICARI: And what was your
10 question?

11 MS. DONATO: You indicated that you observed
12 queues there often and that your vehicle, you often are
13 stationed there to run --

14 SERGEANT CALICARI: We often sit right there
15 and this would be your exit driveway which is abandoned
16 now. It's quiet.

17 MS. DONATO: When you're doing these traffic
18 monitoring you're in this proposed driveway?

19 SERGEANT CALICARI: Not stops, just sitting
20 monitoring traffic. Just because there's no one coming
21 up behind us we can sit there and not have to scoot onto
22 the road.

23 MS. DONATO: Okay, and how long did you say
24 the queue from Newman Springs Road is going south will
25 extend to off your observations?

1 SERGEANT CALICARI: At times from patrol
2 driving as well as my personal driving to get home it
3 will extend to this driveway in this left, this lane for
4 left turns and right turns to get into these businesses.

5 This is the left turn lane. This is where it starts.
6 People don't want to sit in the straight ahead lane and
7 left lane so they sit in this left turn and right turn
8 lane backing up. We've seen it back up to here.

9 MS. DONATO: And how long does that queue
10 last ordinarily?

11 SERGEANT CALICARI: That I wouldn't want to
12 take a guess on it.

13 MS. DONATO: Okay.

14 SERGEANT CALICARI: We've seen it. It's
15 only going to take one time for one car to pull out and
16 get T-boned.

17 MS. DONATO: Thank you.

18 MR. GARDELLA: Site layout, any possibility
19 of extending that queue onto Newman Springs Road onto
20 Shrewsbury Avenue?

21 SERGEANT CALICARI: That's the county.

22 MR. FIORE: That would be a county issue,
23 yes.

24 MR. GARDELLA: But the queue on Patterson
25 Avenue, on the corner of Patterson and Shrewsbury,

1 that's a borough road?

2 MAYOR COOPERHOUSE: That's county.

3 MR. FIORE: It's a county signal.

4 MR. GARDELLA: They're going to allow you to
5 extend?

6 MR. FIORE: They didn't object when we
7 proposed it. We haven't gotten their OK yet. We're
8 waiting to get the review back.

9 MAYOR COOPERHOUSE: What happens if they say
10 no, what does that do to your recommendations, your
11 opinion on traffic?

12 MR. CRANMER: If they say no to the signal
13 timing change or no to the development?

14 MAYOR COOPERHOUSE: No to the signal timing
15 change, what does that do?

16 MR. FIORE: If you look at Table 6, Page 9
17 in the traffic report, the levels of service do not
18 change from the no-build to the build condition. There
19 is a minor degradation in delay on certain movements,
20 but not to the effect that it will significantly alter
21 the traffic in the intersection. Essentially with the
22 addition of the traffic the intersection is going to
23 operate as it would in the no-build condition.

24 CHAIRMAN BELL: But in the Table 6 on Page
25 9, the build condition, 2011 build condition, is that

1 with the 20 second delay?

2 MR. FIORE: What do you mean 20 second
3 delay?

4 CHAIRMAN BELL: Reduction on Patterson
5 Avenue, your traffic impact, do you take into account
6 assuming that the county is going to let you change the
7 20 seconds?

8 MR. FIORE: No, that's with the existing
9 signal timing to build. If you go to Table 70, Page 11,
10 that table, the 2011 build with mitigation indicates the
11 levels of service, the timing change.

12 CHAIRMAN BELL: Okay.

13 MS. DONATO: I still have some leftover
14 questions if I may, whenever you're ready.

15 CHAIRMAN BELL: Do you have anymore?

16 SERGEANT CALICARI: I'm finished. If
17 anybody has any questions I'd be more than happy to
18 answer them, otherwise I'm done.

19 CHAIRMAN BELL: Thank you.

20 MS. DONATO: If the Board members have any
21 questions you can go first. I have been crossing out
22 all the ones that you're asking, so --

23 CHAIRMAN BELL: Is everybody good? All done
24 with questions anyhow.

25 MS. SICILIANO: I'd like to make a motion.

1 CHAIRMAN BELL: Michele still has to ask her
2 questions.

3 MAYOR COOPERHOUSE: Michele has a couple of
4 questions.

5 CHAIRMAN BELL: Go ahead, Michele.

6 MS. DONATO: You've indicated that if the
7 timing change is approved by the county that there will
8 be an improvement in the level of service on Patterson
9 Avenue, right?

10 MR. FIORE: That's correct.

11 MS. DONATO: What does that impact the level
12 of service if it does on Shrewsbury?

13 MR. FIORE: If you take a look at Table 7 on
14 Page 11 of the traffic study.

15 MS. DONATO: I don't either have this newer
16 one. I'm dealing with the older report.

17 MR. FIORE: There's essentially no change to
18 the level of service on Shrewsbury Avenue.

19 MS. DONATO: Okay. What is the lowest level
20 of service that the New Jersey Department of
21 Transportation will allow an applicant to have with DOT
22 access?

23 MR. FIORE: They have a table that's based
24 on the no-build level of service and it allows you 25
25 percent degradation to the bottom of level of service E.

1 Now what that means is bottom of level service E is an
2 80 second delay. If you had a movement that had a 20
3 second delay there would be 60 seconds between the 20
4 seconds and the bottom of the E which is 80. So you
5 would take 25 percent of that number which is 15
6 seconds, add that to the no-build level of service which
7 would be 20 plus 15 seconds so you would be allowed to
8 decrease that movement from 20 to 35 seconds.

9 MS. DONATO: Okay. Now you had indicated
10 that the levels of service are just like a quantitative
11 assessment and I've often heard traffic engineers
12 testify that it's more of a determination of the delay
13 and the need to reduce delay because as people encounter
14 delay they tend to take greater risks. Do you agree or
15 disagree with that?

16 MR. FIORE: I'm sorry, I didn't agree or
17 disagree with that. People will take risks.

18 MS. DONATO: The DOT, for example, doesn't
19 want to see a degradation of service, level of service?

20 MR. FIORE: That's correct.

21 MS. DONATO: And I've heard traffic
22 engineers frequently testify that the reason that we
23 have the levels of service and the reason that they try
24 to keep levels of service, you know, not going to E and
25 F unless existing conditions are already terrible is

1 that when drivers experience delay they tend to take
2 greater risks. Do you agree or disagree with that
3 statement?

4 MR. FIORE: I don't see how the two are
5 related. If intersections have existing bad levels of
6 service and people choose to drive through them that's
7 just something that they have to, they accept or they'll
8 choose an alternate route to get around.

9 MS. DONATO: Okay, well let's say you live
10 in a community and let's forget about what the existing
11 is, I'm asking you about this proposed development and
12 you want to make a left down to Shrewsbury Avenue and
13 you have a delay that's unacceptable to you. You don't
14 agree that approaching an unacceptable, a delay like
15 that you might take an additional risk? Like people
16 come out into traffic and they might get hit by the
17 oncoming traffic or they edge out and they do things
18 that aren't really advisable traffic movements?

19 MR. FIORE: Well, I agree that when you look
20 at real life conditions there is certain cases that you
21 would see that, but there are also people offer courtesy
22 gaps to allow people that are on the side street to
23 enter the main street as well.

24 MS. DONATO: Otherwise, okay. When you
25 refer to the level of service at the Shrewsbury Avenue,

1 the entrance driveway and Shrewsbury Avenue intersection
2 and I think you said it was a level of service D for all
3 movements, for all movements, is that because there is
4 no left turn lane so you can't separate out the levels
5 of service if there was a left turn lane?

6 MR. FIORE: I'm sorry, it's level of service
7 D or better. There's two movements there that have
8 conflicts. Through movements don't have level of
9 service signalized intersection because they're not
10 stopped and traffic is free flow. Two movements that do
11 have level of service are the southbound turn entering
12 the site and west side left turn exiting the site. For
13 those two level of services it was D or better.

14 MS. DONATO: Okay, but it does go down to a
15 D. So is it an average that you then constructed
16 because you can't do it any other way because there's no
17 left turn movement out? There's no dedicated lane. I
18 think the chairman asked you --

19 MR. FIORE: When we do our analysis we input
20 the geometry for that intersection. Since it was a one
21 lane exit lane you combine the left and right turn
22 movements. Where there was -- if the driveway was wide
23 enough to put in a separate left and right turn lane we
24 would have a separate left turn level of service and a
25 separate right turn level of service.

1 MS. DONATO: Exactly. So you could improve
2 the level of service by creating a dedicated left turn
3 lane if the Board were to allow a left turn out. That's
4 all I want to know.

5 MR. FIORE: That's not necessarily true.

6 MS. DONATO: When you do a level of service
7 at an intersection aren't you supposed to separate each
8 turning movement as opposed to doing an average of all
9 of them because often the left turn has a lower level of
10 service?

11 MR. FIORE: Right. And in fact it factors
12 into the analysis.

13 MS. DONATO: Okay. With regard to the
14 queuing that you did, looking at the report that I have
15 of I guess it's October 30, 2009 report is that the
16 correct one or do you have another one after that?

17 MR. FIORE: No, that's the most current
18 report.

19 MS. DONATO: And I'm on Page 13 of that
20 report and it appears to me from that report that you
21 observed the length of time that the queue blocks the
22 driveway only on one date; is that correct?

23 MR. FIORE: That's correct.

24 MS. DONATO: Okay. And with regard to the
25 actual number of vehicles in the queue that was only

1 done on two dates; is that correct?

2 MR. FIORE: The number of vehicles that was
3 done on the same date?

4 MS. DONATO: Looking at Page 12 it's
5 referring to manual turning movements. Is that to
6 establish the volumes? That's not the October 10th and
7 the October 14th.

8 MR. FIORE: No, the queuing analysis was
9 conducted on Thursday, October 29, 2009.

10 MS. DONATO: All of it was, okay. That
11 includes counting the vehicles, okay. I'm a little bit
12 confused about the use of the trip generation manual and
13 the impact of a community that does not have public
14 buses. Now my understanding is you testified that the
15 trip generation manual is based on data received from
16 engineers and they kind of take as Mr. Moran referred to
17 it the outliers and they get rid of them. So do you
18 know what the percentage of communities are that do not
19 have public busing and whether or not the ITE manual
20 addresses that at all? Because it's not clear, you
21 know? It's just not clear to me that maybe the
22 communities without public busing are the outliers.

23 MR. FIORE: That's not specified in the trip
24 generation manual.

25 MS. DONATO: So you don't really know

1 whether the trip generation manual actually accommodates
2 a community that does not have busing?

3 MR. FIORE: No, I do in operation.

4 MS. DONATO: Okay. My last question is one
5 of the board members asked about the change of timing on
6 Patterson and how many vehicles would pass through the
7 intersection and I think you indicated you did not know
8 exactly what that would be. Am I correct or did I
9 misunderstand?

10 MR. FIORE: Well, I could estimate it that
11 it would be a minimum of 40 vehicles.

12 MS. DONATO: Is that how then you determine
13 the level of service that would result if the county
14 were to approve the timing change?

15 MR. FIORE: No, level of service is based on
16 using the formulas contained in the highway capacity
17 manual.

18 MS. DONATO: Okay, so it has nothing to do
19 with that. Doesn't the highway capacity manual have
20 something to do with the number of vehicles?

21 MR. FIORE: The number of trips, the number
22 of traffic, the amount of traffic doesn't change. We're
23 just changing the timing so it increases capacity on
24 side streets and allows more vehicles to enter the
25 intersection.

1 MS. DONATO: I don't have any other
2 questions, thank you.

3 CHAIRMAN BELL: Anybody else have any
4 questions?

5 MR. MORAN: I make a motion we open to the
6 public.

7 MR. DODGE: Second.

8 CHAIRMAN BELL: Mr. Moran, second Mr. Dodge.
9 All those in favor?

10 (Multiple Board members respond in the
11 affirmative.)

12 CHAIRMAN BELL: Opposed? Meeting is open to
13 the public for any questions specific of this witness.
14 I believe it could also be could they ask questions of
15 the Sergeant?

16 MS. DONATO: They could ask questions of the
17 Sergeant if they wanted to. Any questions you have,
18 please come up, state your name, your address and
19 question.

20 MAYOR COOPERHOUSE: Somebody start.

21 MR. SELERY: Richard Selery, 48 Francis
22 Street. In your study you seem to mention the number of
23 people that will be entering and exiting Patterson
24 Avenue from this development. Did you conduct a study
25 based upon the existing businesses that's there now, how

1 many are coming in and going per day?

2 MR. FIORE: No, that goes back to my comment
3 when we look at the layout of the site, the major
4 roadways in the region and the jury work census data
5 that determines how we determine the distribution of
6 traffic in and out of the site.

7 MR. CELERY: Okay, maybe this is out of line
8 but it looks to me like that piece of property that
9 you're using as an exit is not part of the Circle Auto
10 Property. Is that a true statement?

11 CHAIRMAN BELL: I don't think that's a
12 question.

13 MR. CELERY: Well, it's part of the traffic.

14 CHAIRMAN BELL: I think you're asking
15 whether or not the doctor's office that the building
16 would be torn down is owned by Circle or owned by the
17 developer.

18 MR. CELERY: It's owned by the developer.

19 CHAIRMAN BELL: No, owned by Circle.

20 MR. CELERY: It is owned by Circle.

21 CHAIRMAN BELL: I'm just restating your
22 question.

23 MR. MORAN: He's asking who owns it. You
24 want to know who owns that. Is that right?

25 MR. CELERY: Yes, because I see in the

1 application this is a Circle Auto property that's being
2 always emphasized and I don't see that as being part of
3 that property and I'm just trying to find out am I
4 correct or should I ask at a different time?

5 CHAIRMAN BELL: Let's ask the counselor.

6 MR. MACANINCH: We're the equitable owners
7 under the agreement of sale. I think D-3 is the
8 technical legal entity and that's for both parcels
9 including the doctor's office.

10 MR. CELERY: And I guess a follow-up
11 question I'll have to ask at a different time because
12 I'm wondering why that's being acquired if it's not --

13 CHAIRMAN BELL: That's not pertinent.

14 MR. CELERY: Okay, I'll ask that later,
15 thank you.

16 CHAIRMAN BELL: Another question?

17 MR. DeFELISE: Paul DeFelise, 43 Shrewsbury
18 Avenue.

19 MS. DONATO: He's an interested party, he
20 can ask. He has questions.

21 CHAIRMAN BELL: As being the applicant?

22 MS. DONATO: He is not the applicant. The
23 applicant is K. Hovnanian. He's the property owner.

24 CHAIRMAN BELL: As the property --

25 MS. DONATO: I think he can ask questions.

1 MR. DeFELISE: Really no intention of
2 speaking, but I guess I'm the only one who can actually
3 speak to a couple of the questions.

4 MS. DONATO: This is not the time for
5 statement, Mr. DeFelise, this is time for questions.

6 MR. DeFELISE: The question that I have I
7 guess the amount of traffic that came through, the
8 question that I have possibly for Officer or Sergeant
9 Dan was at the time when the property was originally
10 owned by the borough buses how many buses came through
11 this site and came onto this road making a left-hand
12 turn? Most of the trips that the bus company would make
13 prior to our purchase there was 125 buses and Mrs.
14 Siciliano and a number of other Board members would know
15 that.

16 MS. DONATO: You need to ask a question.

17 MR. DeFELISE: The question is how many
18 vehicles, how many buses traveled that route daily
19 during the time of ownership and how many buses made
20 left-hand turns there that would have been noted at the
21 time?

22 CHAIRMAN BELL: Mr. Fiore, do you have an
23 answer to that?

24 MR. FIORE: I don't have that answer.

25 MR. MACANINCH: That would be a question of

1 the officer.

2 MR. DeFELISE: I guess my question was it
3 was a bus site so I'm wondering how many buses came in
4 and out of there and at the time the site was active,
5 the 65 people that worked there that came through there
6 probably 7:59 in the morning, of those 65 people were
7 they in the count from 2007, 2008 which I think they
8 were, prior to that knowing the road because I've lived
9 here.

10 CHAIRMAN BELL: You have to make it a
11 question. Sergeant, can you answer that question,
12 Sergeant?

13 SERGEANT CALICARI: I don't know when the
14 operation closed, but I've never seen any buses come out
15 of there since I've been here, since 1997.

16 MS. SICILIANO: When did that close down?

17 MS. DONATO: Sergeant, could you come
18 forward because we need to create a verbatim record. We
19 need your statements.

20 MR. DeFELISE: I believe the bus company
21 closed down --

22 MS. DONATO: Mr. DeFelise, you cannot make a
23 statement. You have to --

24 MR. DeFELISE: I was just answering Mrs.
25 Siciliano's question. I apologize, but I thought I was

1 addressing her.

2 CHAIRMAN BELL: Can we get the Sergeant to
3 answer the question first and then --

4 SERGEANT CALICARI: Before since I've been
5 here, since August of 1997 I've never seen any buses
6 come out of there. I've never seen them close.

7 CHAIRMAN BELL: Mr. DeFelise, do you know
8 the answer to the mayor's former question?

9 MR. DeFELISE: I believe it was in the late
10 '70s, early '80s. That would be my guess. The other
11 question I have, in 2007 and 2008 we had over 300 cars
12 at that site that were dropped off during that time when
13 we would use for sale. How many of those vehicles were
14 noted and counted during this time frame and are they
15 part of the analysis that these gentlemen did?

16 CHAIRMAN BELL: Did you take any study as to
17 the vehicles that were trucked in, trucked out? Are
18 they part of your study?

19 MR. FIORE: We counted all turning movements
20 at the intersection of Shrewsbury Avenue and the site
21 access.

22 CHAIRMAN BELL: So if one of their vehicles
23 came in or out it would have been counted?

24 MR. FIORE: Yes, that's correct.

25 MR. DeFELISE: I'm just wondering because

1 the car count could be there yet. It wasn't necessarily
2 generated, but I think it would be a large car count and
3 I think the panel should be aware of that.

4 MS. DONATO: But Mr. DeFelise, this is a
5 Planning Board so when the Planning Board as any
6 Planning Board has a new development in front of it it
7 doesn't try to look back at what may have existed, but
8 it tries to look forward.

9 MR. DeFELISE: I guess my thought was or my
10 logic was that I --

11 CHAIRMAN BELL: Not time for comment. You
12 have to ask specific questions.

13 MR. DeFELISE: The question was specific to
14 would they have counted those cars coming across, count
15 as a rubber road counter, would those cars be coming
16 across those counters and if they were counted, were
17 they actual people and would that increase the number of
18 count coming in and out of that facility at that time?
19 That was my question.

20 CHAIRMAN BELL: When you did your car count
21 did you have a rubber thing going across or did you have
22 somebody actually counting the cars?

23 MR. FIORE: We had rubber road counters on
24 Shrewsbury Avenue and Patterson Avenue. We did not have
25 it on the site driveway and we had manual turning

1 movement counts, a person sitting at that intersection
2 recording the turning movement counts.

3 CHAIRMAN BELL: So if during which is the
4 key issues, if during the peak hours between 7 and 9 or
5 4 and 6 a vehicle from the site came, went through that
6 intersection that would be part of your number?

7 MR. FIORE: That's correct.

8 CHAIRMAN BELL: Okay.

9 MR. DeFELISE: And would you have
10 recognized, would you have recognized at that time that
11 cars that would be making a left-hand turn because
12 obviously those cars coming out would come back to the
13 dealership which was to the left, so those however many
14 cars would go out that way along with trucks that are 60
15 feet long making a left-hand turn?

16 CHAIRMAN BELL: I think he actually answered
17 your question already.

18 MR. DeFELISE: I'm just wondering.

19 MAYOR COOPERHOUSE: I think the point has
20 been made.

21 MR. DeFELISE: Very good.

22 CHAIRMAN BELL: Other questions?

23 MR. AMORELLI: Hi, Jeff Amorelli, 165
24 Patterson Avenue. When this traffic study was done,
25 were the road strips placed before the tracks and after

1 or just before the tracks?

2 MR. FIORE: They were placed on the west
3 side of the tracks between the tracks and the
4 intersection with Shrewsbury Avenue.

5 MR. AMORELLI: So they weren't placed on the
6 other side of the tracks adjacent to Birch and Trafford
7 Street?

8 MR. FIORE: No, they were not.

9 MR. AMORELLI: So the cars that came through
10 the office complex for a cut-through were never counted?

11 MR. FIORE: The cars, we do a count of the
12 office driveway.

13 MR. AMORELLI: Even though there's a one-way
14 at that complex, people go both ways. I've lived in the
15 town for 18 years and I've seen it.

16 CHAIRMAN BELL: Where is there a one-way on
17 the ingress and egress on Patterson Avenue?

18 MR. AMORELLI: Where Rosina's is you only
19 had to go one way. They come both ways. They use that
20 as a cut-through also. And my question is why wasn't
21 Birch Street accounted for in the traffic study where
22 the school is?

23 MR. FIORE: Because we don't send more than
24 100 site trips through that intersection, therefore
25 we're not required to study that intersection.

1 MR. AMORELLI: But isn't that very close in
2 proximity to the railroad tracks and the proposed
3 intersection that you're going to make?

4 MR. FIORE: Correct, and we put the road
5 counter strip just to the west of the existing office
6 driveway to get a representative count of the traffic
7 that will be located where our driveway or roadway will
8 be.

9 MR. MORAN: Wasn't that based on your
10 one-third assumption, only one-third coming out of
11 Patterson?

12 MR. FIORE: Right, but we still put the
13 roadway strip down there to record the volumes, the
14 existing volumes.

15 CHAIRMAN BELL: Right.

16 MAYOR COOPERHOUSE: That's what he's saying.

17 MS. SICILIANO: So your report doesn't even
18 -- excuse me, Mr. Fiore is not even permitted or doesn't
19 have to do an impact on the traffic of Patterson Avenue
20 on Broad street. Try to get out on Broad Street.

21 MR. AMORELLI: I also have another question.
22 Was a traffic study done during the spring or summer
23 when there's more freight trains coming through?

24 MR. FIORE: The traffic counts were
25 originally done -- just give me a second. Traffic

1 counts were done on Thursday, June 14, 2007; Saturday,
2 September 8, 2007; Tuesday, September 11, 2007;
3 Saturday, August 9, 2008 and then they were redone this
4 year in September on Saturday, September 12th and
5 Tuesday, September 15th.

6 MR. AMORELLI: During the peak hours or off
7 hours?

8 MR. FIORE: During the peak hours.

9 MR. AMORELLI: Now was there consideration
10 taken when the traffic signal railroad crossing fails
11 how it is going to impact the traffic because everybody
12 in town knows that traffic, the crossing signal has been
13 a major problem. That thing goes on for hours sometimes
14 and backs up traffic from people that don't know that
15 they can just cross because there's no freight train
16 coming.

17 MR. FIORE: I'm sorry, which railroad
18 crossing are you talking about?

19 MR. AMORELLI: The proposed commuter rail.

20 CHAIRMAN BELL: Did you take into account
21 the fact that the existing rail intersection, the signal
22 there malfunctions quite often and it will go off when
23 there's no train coming and people sit there until they
24 realize that there's no --

25 MR. AMORELLI: And also back up.

1 MR. FIORE: No, we did not account for that.

2 MR. AMORELLI: Thank you.

3 CHAIRMAN BELL: Additional questions?

4 MS. SULLIVAN: Ella Sullivan, 6 Trafford
5 Street. The question I have and I think it was talked
6 about a little bit before, the cut-through that you're
7 referring to, is that cutting through the new
8 development?

9 CHAIRMAN BELL: There's not a cut-through
10 anywhere on the map. There's an expected that people
11 are going to use it as a cut-through.

12 MAYOR COOPERHOUSE: She understands that.

13 MS. SULLIVAN: My question is have you taken
14 into consideration if you have two-thirds of the traffic
15 coming out to Shrewsbury Avenue making a right turn
16 during peak time and that queue starts to back up from
17 Newman Springs Road, have you taken into consideration
18 how many people are going to be turning down Patterson
19 Avenue to cut through Trafford Street to get back out to
20 Newman Springs?

21 MR. FIORE: Well, we looked at -- that's
22 what we looked at, our distribution. We looked at the
23 data that's available. We looked at the roadways, the
24 major roadways in the area to determine where people are
25 going to drive. That's what drives the distribution and

1 if people are going to cut through, that's their own
2 decision. We can only base our distribution on the data
3 at hand.

4 MS. SULLIVAN: Okay, my second question I
5 don't know if this is the right time to ask this one or
6 not, has any consideration been given to making the
7 Patterson Avenue access emergency only?

8 CHAIRMAN BELL: That would be a question to
9 you.

10 MR. FIORE: No, we have not considered that.

11 MS. SULLIVAN: Okay, and one more. I don't
12 know if this -- are we going to have a chance to make
13 comments at the end of this or does everything have to
14 be worded in the form of a question?

15 CHAIRMAN BELL: At the end of the
16 application there will be a time for anyone in the
17 public to make any general comment as long as it's
18 reasonable. Don't attack anybody, but any general
19 comment pro, con, whatever. Absolutely.

20 MS. SULLIVAN: Okay, and one more I just
21 thought of too. If there is going to be an influx of
22 traffic with people making a left turn out to Patterson
23 Avenue is there going to be a need to have gates
24 installed at that railroad crossing?

25 MR. FIORE: I would say there would only be

1 a need to have gates if there's a live train using that
2 rail.

3 MS. SULLIVAN: Well, there's live trains
4 there all the time, they're just freight trains. Thank
5 you.

6 CHAIRMAN BELL: Any other questions?

7 MR. PATUANO: Michael Patuano, 16 Willow
8 Court. On the exiting out onto Shrewsbury Avenue, I see
9 you have that's a commercial building right next to it.
10 Is there room to put a third lane there so you can have
11 a left and a right out?

12 MR. FIORE: If we widen the access it would
13 reduce the size of the building and as a result it would
14 damage the amount of parking that we can provide.

15 MR. PATUANO: Even if you take out some of
16 the green space next to the building?

17 MR. FIORE: I believe we're required to
18 provide a certain amount of green space and impervious
19 cover.

20 MR. PATUANO: And the other question is I
21 believe it's been addressed is if it's a right-hand turn
22 only out of Patterson you said it's not necessary
23 because of the office building across the street and you
24 said it's really not going to affect as much traffic or
25 there's not going to be as much traffic coming out of

1 the development as that, right?

2 MR. FIORE: That's correct.

3 MR. PATUANO: And then the one comment is
4 that the office is closed for the most part on Saturday
5 whereas down the street, Patterson Avenue is not only a
6 park but it's also the developmental field for
7 kindergarten, pre-K kids on Saturday morning. The
8 office building is closed on the weekends. So I would
9 ask the Board to strongly consider that.

10 CHAIRMAN BELL: You have to form it as if
11 you have a question related to either.

12 MR. PATUANO: Well, the question is being
13 that part of the development whereas that is only a
14 right-hand out because the office building does not exit
15 on a Saturday or a Sunday whereas that field is occupied
16 by little kids on Saturday and Sunday. Is that
17 something that the Board can seriously give at least a
18 study can be done for that because we have no traffic
19 come out of that building. Is that possible?

20 CHAIRMAN BELL: I've written down left-hand
21 turn.

22 MR. PATUANO: Okay, I think it's right-hand
23 turn.

24 CHAIRMAN BELL: No left-hand turn.

25 MR. PATUANO: Thanks.

1 CHAIRMAN BELL: Other questions? There
2 being none can I get a motion to close the meeting to
3 the public? I'm sorry.

4 MS. MINERVINI: Roberta Minervini, 85
5 Patterson Avenue. And my question is this and I almost
6 forgot. Judging by the amount of traffic that's backed
7 up on Broad Street when a train goes through and it
8 backs all the way up on Newman Springs Road, backs it up
9 on Broad Street, prohibits traffic flow on White, how is
10 all of that going to impact this? Did you take that
11 into consideration at all?

12 MR. FIORE: How is the traffic from our
13 development going to impact those intersections?

14 MS. MINERVINI: Yeah.

15 MR. FIORE: Well, those intersections
16 weren't studied because there's less than 100 new trips
17 from our site impacting those intersections so we're not
18 required to study those intersections.

19 MS. DONATO: Not required by what?

20 MR. FIORE: By the -- well, I should say
21 it's not recommended.

22 MS. DONATO: By whom?

23 MR. FIORE: The ITE Transportation and Land
24 Planning Manual states and also the NJ DOT Highway
25 Access Management Code states intersections are not

1 required to be analyzed if you have a less than 100 peak
2 hour trips within them.

3 CHAIRMAN BELL: Just to I think to follow-up
4 on this young lady's question, you know the area?

5 MR. FIORE: Yes.

6 CHAIRMAN BELL: You know that it's not
7 uncommon several times a day for traffic on Newman
8 Springs Road to be backed up to the entrance to the
9 supermarket or further?

10 MR. FIORE: That's right.

11 CHAIRMAN BELL: And to be backed up on Broad
12 Street back to the Grove?

13 MR. FIORE: That's correct.

14 CHAIRMAN BELL: It's not uncommon and it
15 does clear once the trains go out. Knowing that, how
16 much of an impact would that have on this development
17 when this commercial property, the supermarket is
18 functional would that now that there's a direct access
19 that they have, would that throw more traffic onto
20 Patterson Avenue?

21 MR. FIORE: There's a direct access
22 currently where they can go down Patterson Avenue and
23 make a right onto Shrewsbury Avenue and make a right --

24 CHAIRMAN BELL: No, but if they're in the
25 supermarket how can they get out?

1 MR. FIORE: They can make a left on
2 Shrewsbury Avenue, left on Patterson Avenue and take
3 Patterson Avenue to Broad Street.

4 CHAIRMAN BELL: Okay, so that the answer to
5 the question is it won't change anything?

6 MR. FIORE: I don't believe it will.

7 MAYOR COOPERHOUSE: Because of the number of
8 trips?

9 MR. FIORE: Correct.

10 MS. MINERVINI: Well, the traffic flow on
11 Broad Street definitely affects Patterson Avenue when
12 it's backed up or well, Patterson Avenue, the gentleman
13 says he surveyed doesn't go back that far, but --

14 CHAIRMAN BELL: You need to address it as a
15 question. You can make the comment, overall comment.

16 MS. MINERVINI: Traffic has increased on
17 Patterson Avenue the number of years the Grove was --

18 MS. DONATO: Are you aware of that and how
19 does it affect your opinion?

20 MS. MINERVINI: Getting in and out of my
21 driveway.

22 MAYOR COOPERHOUSE: She's got -- the
23 attorney was trying to help you phrase the question to
24 ask the expert.

25 MS. MINERVINI: All right. The impact of

1 all of this makes getting -- the impact of the increased
2 traffic on getting in and out of the driveways on
3 Patterson Avenue west of the railroad track is becoming
4 very difficult.

5 CHAIRMAN BELL: How will this development
6 affect that?

7 MR. FIORE: Well, that's one of the reasons
8 why we're looking to improve the signal timing at
9 Patterson Avenue and Shrewsbury because with an improved
10 delay there will be less queuing at that intersection
11 which the traffic on Patterson and Shrewsbury won't
12 stack back as far and it will enable the residents to
13 get in and out of their driveways easier.

14 MS. MINERVINI: You stated before that you
15 cannot put a traffic light within a quarter of a mile of
16 one another?

17 MR. FIORE: That's correct.

18 MS. MINERVINI: I see. Okay, that's all.
19 Thank you.

20 CHAIRMAN BELL: Thank you very much.

21 MS. SOUTHWARD: Margaret Southward, 54
22 Francis Street, Shrewsbury. The traffic light that you
23 want to change the timing for, that's owned by the
24 county; is that correct?

25 MR. FIORE: Yes, that's correct.

1 MS. SOUTHWARD: Have you successfully
2 requested a timing change with the county before?

3 MR. FIORE: For other signals within the
4 county separate from this project?

5 MS. SOUTHWARD: Yes.

6 MR. FIORE: Yes, we have.

7 MS. SOUTHWARD: Have you ever done it for
8 Shrewsbury before?

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

10 MS. SOUTHWARD: Okay, thank you.

11 CHAIRMAN BELL: Anymore questions?

12 MAYOR COOPERHOUSE: Motion to close the
13 meeting to the public.

14 MR. DODGE: Second.

15 CHAIRMAN BELL: Second Mr. Dodge. All those
16 in favor?

17 (Multiple Board members respond in the
18 affirmative.)

19 CHAIRMAN BELL: Anybody else on the Board
20 have any questions? I have I think one, maybe two. The
21 easement on the property right now, did you take into
22 account when you're looking at the traffic flow from
23 this property, did you take into account any reverse
24 cut-throughs that people from this development who want
25 to go into Red Bank would make a right and cut through

1 the supermarket?

2 MR. FIORE: No. We distributed the traffic
3 to the Shrewsbury Avenue access and the Patterson Avenue
4 access.

5 CHAIRMAN BELL: Okay. And this would
6 actually be I think for the attorney. Do you know is
7 the easement that your property, that the property owner
8 has right now because the entrance road is actually
9 owned by -- it's part of the Borough Bus Property and
10 the easement -- actually the owner of the Edwards or
11 Foodtown property, the easement across is it a cross
12 easement or one-way easement?

13 MR. MACANINCH: One-way easement. We do not
14 have the easement to go through the supermarket site.

15 CHAIRMAN BELL: Okay, those are my
16 questions. Anybody else have anything else?

17 MS. DONATO: Only thing I think you need to
18 resolve is Mr. Cranmer has recommended some additional
19 traffic information and the question is do you want to
20 address whether or not you'd like that now? He had said
21 for traffic modeling and some accident history analysis.

22 MR. CRANMER: That's correct.

23 CHAIRMAN BELL: It would be my
24 recommendation to the Board that our engineer has asked
25 for it that we should get the studies.

1 MS. SICILIANO: He represents the Board.

2 CHAIRMAN BELL: Does anybody else have
3 problems?

4 MR. MORAN: Did you respond to that?

5 CHAIRMAN BELL: I think you said you were
6 going to do it.

7 MR. TELLER: That you were going to provide
8 that information?

9 MR. MACANINCH: I don't think he
10 specifically responded. We can certainly get the
11 accident history.

12 MR. FIORE: And we can look at the traffic
13 again there because I know that was another item.

14 MS. DONATO: I think it might be a good idea
15 since you had the Sergeant who has basically observed
16 the queuing for a long period of time and your firm only
17 looked at it once, so that might be something that you'd
18 want to maybe consider revisiting. I don't know how the
19 Board feels, but they really only measured the queue one
20 day.

21 MS. SICILIANO: Michele, I have a question.
22 I'm on Shrewsbury Avenue, the western portion of
23 Shrewsbury Avenue that's in Tinton Falls and getting
24 back up is --listen, I've heard from the Tinton Falls
25 Police Chief I don't know how many times on this issue.

1 It backs up on Newman Springs Road. If you can't make
2 that turn into the access into the development and the
3 traffic backs up. It backs up on Newman Springs Road.
4 I know Tinton Falls has complained to Shrewsbury many
5 times about the back-ups.

6 MS. DONATO: Well, all I'm suggesting is if
7 the Board wanted to --

8 MS. SICILIANO: That's Tinton Falls. Give
9 them a copy of our plan.

10 MS. DONATO: -- wanted to give the applicant
11 some additional homework so-to-speak, you know, in the
12 event that there were two recommendations from Dave
13 Cranmer, there's also the fact that the queuing analysis
14 which this is, all this backs up. They only looked at
15 it one day and you may want some additional studies of
16 the queue.

17 CHAIRMAN BELL: Is that something that you
18 would be able to do relatively easily, Mr. Fiore?

19 MR. FIORE: Yes, we could sit out there
20 multiple days.

21 CHAIRMAN BELL: Could you work with Mr.
22 Cranmer and it's the dates and the times that would be
23 appropriate.

24 MR. CRANMER: We've actually been
25 interacting. The traffic expert employed by my firm has

1 talked to Mr. Fiore. We've asked for some information.
2 They wanted to come before the Board and get the Board's
3 reaction, I believe, and it sounds like perhaps the
4 information will be necessary.

5 CHAIRMAN BELL: Okay. I just want to play
6 devil's advocate for a moment. Let's say we have him go
7 out and do additional studies. I think the end result
8 is we're still going to have questions. So what, I
9 mean, what's the benefit of having that additional data?

10 MR. CRANMER: So that we can properly assess
11 and quantify impacts to the surrounding roadway network
12 and implement the strategies such as in --

13 MR. DODGE: If any show up.

14 MR. CRANMER: Yes.

15 MR. DODGE: Again, if there are any.

16 MR. CRANMER: Traffic calming improvements,
17 things of that nature.

18 MS. DONATO: And this is something that the
19 Board has authority to take action with respect to what
20 Mr. Cranmer just stated.

21 MR. CRANMER: Just as a reminder and I
22 believe everybody on the Board is aware of this, but
23 there are some new faces. There was a traffic calming
24 study or traffic calming warrant performed on Patterson
25 Avenue by the Monmouth County Planning Board in the 2000

1 era and found that that street is one that is in need of
2 traffic calming measures because of the speed of
3 vehicles that travel it, the geometry of the roadway.
4 It's very wide and it's a tangent, basically a drag
5 strip and the Borough has introduced some at the
6 entrances of sidewalks, bump tables placed there from
7 time to time. We've striped the edge of the cartway to
8 attempt to narrow it to get to the visual sensation of
9 the roadway is actually narrower. We have formulated a
10 concept plan of additional traveling calming measures
11 such as intersection narrowing, raised the speed tables,
12 things of that nature and the governing body has adopted
13 by resolution to establish a trust fund to fund those
14 improvements by not only the Borough, but developers
15 that would exacerbate the conditions, necessitate the
16 improvements. So your question was we get all the
17 information. If there's nothing we can do, why are we
18 getting it? We're getting it so that we can properly
19 assign their pro rata share of what distribution or what
20 cost should be assigned to this developer for this
21 development on Patterson Avenue to help mitigate the
22 impacts that are going to result. The MLUL is very
23 specific.

24 MS. SICILIANO: I'll make copies of the
25 resolution that was adopted by the Borough.

1 MR. CRANMER: Very specific that off tract
2 improvements you have to have a rational formula to
3 assign what their contribution ought to be.

4 CHAIRMAN BELL: Right. Anybody else have
5 any other questions? I'm going to step on my own toe
6 because I do have one last one.

7 MAYOR COOPERHOUSE: It's 5 after 11.

8 CHAIRMAN BELL: This will be quick. I asked
9 a question earlier. The attorney asked a question, one
10 of the residents asked a question. I just want to get a
11 clearance on it and it could be on Patterson Avenue and
12 it could be the main one is on Shrewsbury Avenue
13 entrance. If I heard it right your testimony is you
14 don't think having a left turn and right turn lane going
15 out of the development would have any impact on
16 improving the intersection; is that correct?

17 MR. FIORE: I'm saying I can't answer that
18 because I've not prepared that analysis. It could lead
19 to a better level of service, but sometimes when you
20 split lefts and rights out, the lefts get worse and the
21 rights get better.

22 CHAIRMAN BELL: From my perspective if the
23 Board doesn't agree, one of the things I would like to
24 see is homework to see if having a left and right lane
25 exit onto Shrewsbury Avenue would improve the

1 intersection. Do you have a problem with that?

2 MR. FIORE: Chairman, when you say improve
3 it, what do you mean because the levels of service
4 indicate that there's adequate capacity and there's
5 minimal queuing and the intersection operates fine.

6 CHAIRMAN BELL: Minimal queuing based on the
7 testimony that you gave, but when you take into account
8 the queuing that's on the street right now and what we
9 know exists there, the queuing if you can't get in, if
10 you're sitting on Sycamore or on Shrewsbury Avenue at
11 rush hour and you can't get in because it's queued up
12 for the people making a left onto Newman Springs Road,
13 people can't get out either. So if the people can't get
14 out left, the people getting out right, now the people
15 going right can't get out because they're sitting behind
16 somebody trying to make a left. Whereas if you have a
17 right lane people can get out and it also goes to
18 something that the attorney, Michele said is that when
19 people wait they get antsy and I'm not a traffic expert,
20 but I go to a lot of accidents and you definitely see
21 there's a correlation between accidents and the time of
22 day and the traffic on Sycamore Avenue and people
23 getting antsy getting out. People take risks that they
24 wouldn't take and whatever we can do to mitigate that
25 and that's our responsibility as a Planning Board to

1 help do the best and to make -- I'm not saying it is,
2 but it may be having a left lane and a right lane exit,
3 right turn, left turn exit on Newman, on Shrewsbury
4 Avenue because I think and I'm not speaking for the
5 Board, I'm speaking for myself, but I think listening to
6 everyone, the preference is to try to push as much onto
7 Shrewsbury Avenue as we can. So we want to try to make
8 it as easy to get out on Shrewsbury Avenue because if
9 it's not, it's all going to get dumped on Patterson
10 because people go where it's the easiest to get out.

11 MR. FIORE: But I would say that based on
12 our analysis and our observations we're talking about a
13 couple minutes throughout the entire day. We analyzed
14 the p.m. peak hour which is the worst one when we have
15 the most traffic coming out against the most traffic on
16 Shrewsbury Avenue and we still found it to operate at
17 acceptable levels of service with minimum queuing.

18 CHAIRMAN BELL: But when do the bulk of the
19 people in this development -- the bulk of the people are
20 going to come in and go out in the peak hours of the
21 morning and peak hours in the evening. That's when
22 people come home from work. That's when people leave.

23 MR. FIORE: Right, I understand that.

24 CHAIRMAN BELL: So in all reality this
25 particular development, the big crunch is going to be

1 that. If this was The Grove, the crunch going to and
2 from the Grove is not those two clips of time. It's
3 during the course of the day when people are shopping.

4 MAYOR COOPERHOUSE: Dave, do you have an
5 opinion on this and I know you're not a traffic
6 engineer.

7 MR. CRANMER: On the left turn onto
8 Shrewsbury Avenue it's going to be impossible and by
9 default the traffic is going to use Patterson.

10 MAYOR COOPERHOUSE: No, but by having a left
11 and a right?

12 MR. CRANMER: I don't think it will improve
13 the left. It will improve the right but the
14 distribution of traffic of that which is generated from
15 the site you're going to have a larger movement coming
16 to the left so that the left turns are going to go out
17 to Patterson.

18 MAYOR COOPERHOUSE: Regardless?

19 MR. CRANMER: Yes. But again, that's my
20 opinion.

21 MAYOR COOPERHOUSE: I asked for it.

22 CHAIRMAN BELL: You got it.

23 MAYOR COOPERHOUSE: I don't think it's going
24 to make a difference.

25 CHAIRMAN BELL: Anybody else have any

1 questions?

2 MR. MORAN: We'll clarify did they look at
3 that or not look at that?

4 CHAIRMAN BELL: Personally I'd like to see
5 them look at it.

6 MR. MORAN: It may be more acceptable.
7 How's that?

8 MR. FIORE: That's not a problem.

9 MR. TELLER: One other thing when you do
10 your studies could you also indicate what the weather
11 was like?

12 MR. FIORE: Sure.

13 MS. DONATO: And I assume that on the days
14 you follow standard protocol, you don't use any
15 holidays?

16 MR. FIORE: Correct, yeah. All the days we
17 counted were during while school was in session.

18 MS. MARTINELLY: Is the entrance road owned
19 by the town or is that part of the --

20 MR. MACANINCH: It's part of the site.

21 MS. MARTINELLY: Part of the site, the
22 association, even though you own two separate parcels?

23 MR. MACANINCH: That's correct.

24 CHAIRMAN BELL: Okay, thank you.

25 MR. MACANINCH: Thank you. Do you have your

1 homework on the traffic study will be the March -- I'm
2 not sure what that date is, but the March meeting for
3 the 17th. What are your plans? It will be March 17th
4 because it's only 28 days, that's right.

5 MR. MACANINCH: February 17th, landscape
6 architecture and environmental engineer.

7 MR. TELLER: You mean next month?

8 MR. MACANINCH: Next month.

9 MR. TELLER: Landscape architecture and --

10 MR. MACANINCH: Environmental and then the
11 following meeting, hopefully the final one we'll have
12 the planner testify and architecture and just wrap up.

13 CHAIRMAN BELL: Very good. Motion to
14 adjourn?

15 MS. KELLEHER: No further notice?

16 MS. DONATO: Lorraine, where do we stand
17 time-wise?

18 MS. KELLEHER: We need an extension.

19 MS. DONATO: Mr. Macaninch, will you send
20 her an extension and verbally, would you verbally
21 confirm the extension?

22 MR. MACANINCH: We will grant the extension.

23 MS. DONATO: And Lorraine, you have the
24 form, right, next time or to get that?

25 CHAIRMAN BELL: Motion to adjourn.

1 MR. TELLER: Motion to adjourn.

2 CHAIRMAN BELL: Mr. Teller, second? All
3 those in favor?

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

6 (Proceeding concluded at 11:15 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: February 10, 2010