

**MINUTES**

**PLANNING BOARD**

**APRIL 26, 2011**

**LONG HILL TOWNSHIP**

**CALL TO ORDER AND STATEMENT OF COMPLIANCE**

The Chairman, Mr. Connor, called the meeting to order at 8:03 P.M. He then read the following statement:  
Adequate notice of this meeting has been provided by posting a copy of the public meeting dates on the municipal bulletin board, by sending a copy to the Courier News and Echoes Sentinel and by filing a copy with the Municipal Clerk, all in January, 2011.

**ROLL CALL**

On a call of the roll, the following were present:

Christopher Connor, Chairman	A. J. Batista, 1 <sup>st</sup> Alt.	<b><u>Excused</u></b> Michael Smargiassi, Member
Mead Briggs, Vice-Chairman		
Mayor Nanette Harrington, Mayor	Barry Hoffman, Bd. Attorney	
E. Thomas Behr, Member	Kevin O'Brien, Twp. Planner	
Donald Butterworth, Member	Thomas Lemanowicz, Bd. Engineer	
Kevin Dempsey, Member	Dawn Wolfe, Planning & Zoning Administrator	
Guy Piserchia, Member		
Brendan Rae, Member		

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**PLEDGE OF ALLEGIANCE**

**EXECUTIVE SESSION** - It was determined that there was no need to hold an executive session.

**APPROVAL OF MINUTES**

The minutes of January 11, 2011 were approved as written on motion by Mr. Briggs and seconded by Mr. Dempsey. Dr. Rae abstained as he was not present at that meeting.

The minutes of January 25, 2011 were approved as amended on motion by Mr. Briggs and seconded by Mayor Harrington.

**PUBLIC QUESTION OR COMMENT PERIOD**

The meeting was opened to the public for questions or comments. There being none, the meeting was closed to the public.

**CONCEPT PLAN PRESENTATION**  
**GREENHILL DEVELOPMENT PARTNERS**

Present: James Luke, managing member of Greenhill Development Partners  
Eric Keller, licensed professional engineer  
Joseph Burgis, licensed professional planner  
Laura Staines Giardino, licensed professional architect

Mr. Connor stated that Greenhill Development Partners would like to present a concept plan this evening noting that no legal action will be taken. He asked Mayor Harrington to provide a brief introduction.

Mayor Harrington stated that, at their own request, Greenhill Development made a public presentation at the last Township Committee meeting. After discussion, the Township Committee suggested that they make a presentation to the Planning Board, which is why they are present this evening.

As Chairman of the Planning Board, Mr. Connor said that he agreed and invited them to appear this evening, allowing them between ½ - ¾ hr. to discuss their concept. He said that Board members will be free to ask questions and, at the end, the meeting will be opened to the public for comments. After that, a short recess will be taken, before moving on to a discussion of the revised proposed Valley Road Business District ordinances and possible revisions. He said that that document was forwarded to the Township Committee for action and they had some suggestions, but rather than take formal action, it was the recommendation of the Township Attorney that it be returned to the Planning Board for review.

Mr. Hoffman said that, pursuant to Sec. 40:55D10.1 of the M.L.U.L., an informal consideration of a concept plan is specifically determined to be non-binding. It is a "free-wheeling", informal discussion or dialogue that takes place, but no official determinations are reached, such as might otherwise happen following a formal public hearing where there is a site plan and/or variances.

Mr. James Luke, managing member of Greenhill Development Partners, said Greenhill is the contract purchaser of several parcels along Valley Rd. which run from the intersection of Valley Rd. and Morristown Rd. to just this side of Plainfield Rd. It is referred to as the Kurz property, the Smooth-On property (now known as Dunedin Realty), and the Valley Memorial Funeral Home property. He said that he wished to present their concept for development in pursuit of the proposed Master Plan and in line with (or somewhat in line with) the proposed ordinance that was presented in November of 2010.

He said that present with him this evening are Mr. Eric Keller, of Omland Engineering, Mr. Joseph Burgis, of Burgis Associates, and Ms. Laura Staines Giardino, of L & M Design.

As was stated, he said that Greenhill Development made a presentation to the Township Committee and answered questions posed by the Township Committee members, as well as residents, and are prepared to do the same this evening. He said that Mr. Keller will begin with a brief description of the site restraints as they relate to environmental issues, flooding, and how Greenhill looks at the site and proposes to develop it. Following that, Ms. Staines Giardino will make a presentation on the proposed architecture and theme of the project, followed by Mr. Burgis who will address some of the zoning issues, the positive and negative physical impact, as well as other general planning issues.

Mr. Eric Keller, licensed professional engineer and principal of the firm of Omland Engineering Associates, reviewed his professional background. He described an aerial photograph of the eastern portion of Long Hill Township. The western end shows the smaller lots in the Gillette portion of the Township. He pointed out the Passaic River at the top and said that north is to the bottom. In the middle upper portion of the aerial photo, is the existing Valley Mall and across from that is the Kurz property. Along the River is a white shaded area which he said are the existing flood plains which extend along the tributary of the Passaic River down and across and just south of the Gladstone branch of the railroad. There is an easement for Public Service, as well as some gas lines that run diagonally (southwest to northeast) through this section of the Township. He noted that a lot of the areas within the flood plain are wetlands, both of which are regulated by the State under the Flood Hazard Area Control Act and under the Freshwater Wetland regulations controlling development in those areas. He pointed out the Valley Mall and Shop-Rite Plaza, as well as a series of smaller businesses that line Valley Rd. between Morristown Rd., extending to the west along Valley Rd. Further to the east, he pointed out the Gillette School and residential areas, as well as residential areas to the northwest of the site. He also pointed out the municipal complex, ballfields, and Riverside Park to the east.

He described a second exhibit as an enlargement of the same aerial which focuses more on the Kurz property, the Smooth-On property, and the funeral home. He said that the balance of the Kurz property is vacant with wetlands and flood plain areas to the rear, which also extend up into the southeast portion of the site where there is portion of uplands at the intersection of Valley Rd. and Morristown Rd. He also noted that there are upland areas around the two developed pieces of the tract. The entire parcel under consideration by Greenhill Development contains approximately 76 acres and consists of 5 different tax lots. The utility line that crosses is composed of a 150' wide PSE&G transmission line, a 30' wide Transco gas easement and a 50' JCP&L easement. The developed portions of the site contain buildings and parking lots and the surrounding area contains lawn area and scrub growth. To the rear is a more wooded wetland forested area. There is a tributary of the Passaic River that traverses the site in an east/west direction about mid-way between Valley Rd. and the Gladstone line. There are existing traffic signals at Morristown Rd. and Valley Rd. and at Valley Rd. and Plainfield Rd. He prepared a Constraints Map that graphically depict the various components of the site. The wetland areas are shown in darker green and he said that you can see that most of the rear of the property and a small portion of the eastern front portion of the property is wetlands. Approximately 2/3 of the site contains wetlands areas and with every wetland there is an associated transition area. The wetland area that is closer to Valley Rd. has a 50' wide transition area and the larger one to the rear has a 150' transition area. There is a valid L.O.I. for the property from the NJDEP that has established those transition areas. Highlighted in dark blue, are the flood plain areas that are outside of the wetland areas. There are flood plains within the wetland areas which were subsumed within the wetlands. The wetland transition area comprises approximately 10% of the site area. Portions of the transition area can be used under a Transition Areas Averaging Plan that is under the jurisdiction of the NJDEP, as well other crossings with utilities, trails, and other general permits that are available under the freshwater wetlands rules. The flood hazard area outside of wetlands is just under 3 acres, or about 3 1/2% of the tract area. The upland area that has no constraints is approximately 20% of the site. With the flood plain, there is approximately 18-19 acres of land that is available for development, unconstrained by environmental regulations from the NJDEP or usable under their regulations.

He said that Greenhill Development has looked at a lot of different concepts and gone through a lot of evaluations of the environmental constraints of the Master Plan and draft ordinance put forth in November of last year. They are looking to integrate and preserve the environmental areas, work around the constraints that are set forth by land use and environmental regulations at the municipal and State levels and to create and strengthen the streetscape of Valley Rd. (which is a goal of the Master Plan) to create more of a community and town center area and to reinforce the corridor. Their goal was to create a mixed use development that generated synergy between the uses and created synergy with the existing corridor and with the existing community. They have retail placed along the Valley Rd. corridor and there is a pad site at the intersection of Morristown and Valley Roads of about 13,000 S.F. There is a center focal point retail store (or stores) of approximately 70,000 S.F. and then there are some smaller single-story retail along Valley Rd. at the western end totaling another 24,000 S.F. All told, there will be a little over 100,000 S.F. of retail, as opposed to the Valley Mall which contains somewhere in the order of 250,000 S.F. The parking is located behind buildings along Valley Rd. at the western and eastern ends and wraps around the building. He noted that there are more wetlands and flood plain constraints in that area. He said that they did not want to put in the more traditional type of retail which you find across the street or parking with the buildings back off of the road. The proposed 150 multi-family stacked townhouse product that is proposed in 11 buildings is set back off of the road, but integrated with the retail and extends along the westerly and northerly portions of the developable portion of the tract. It was integrated, from a pedestrian friendly perspective, to try and reduce automobile traffic and encourage pedestrians to walk from the pharmacy or the retail at the corner through to the main retail and residential to create a walkable community and provide a walking path along Valley Rd. that will, over time, extend to the west. A piazza or plaza area was also created between the smaller retail on Valley Rd. and the larger retail to create a focal point to create a place where people can congregate and create an open air meeting place. The main access for the development would align with the westerly driveway for Valley Rd. There would be a divided entrance extended into the parking area and into the residential area. There is a secondary access to the east of the main retail that

would serve as a service function and service deliveries to the retail as well as a secondary means of ingress and egress to the residential component. The corner retail would have driveways both to Valley Rd. and Morristown Rd., taking advantage of its corner location.

From a sewer perspective, using NJDEP approved rates, he said that the proposal would generate approximately 47,000 gallons of sewerage on a daily basis. He acknowledged that there are presently I and I problems with the Township collection system, which he said is not an unusual problem in older communities. That is something that would be discussed and integrated into the development of the site recognizing that there are existing users on the property today.

Since this is not a formal type of hearing, Mr. Hoffman did not believe that it is necessary to mark the plans and documents as exhibits. However, for identification purposes and so as to distinguish this concept plan from others that may have preceded it or others that may be developed in the future, he asked Mr. Keller to state the particulars by name, title, and date to enter into the minutes.

Mr. Keller replied that the plan he was referring to is entitled “Concept Plan – Valley Road and Morristown Road”, dated 4/13/11, and was prepared by his office. He said that, at this point, Greenhill has not done a detailed traffic study that would be a component of any site plan application that would be made. However, they wanted to give an indication of what the traffic would be for this development. There would be some interaction between the uses on site that would result in less traffic going to the adjacent streets. He said that, with any retail facility, there would be traffic that would be generated that is already on the street – traffic that is going to the Valley Mall that would link their trip and go to this retail facility if it were to be built. He said that straight numbers from the I.T. (Institute of Transportation Engineers) Trip Generation Manual is what traffic engineers use. In the morning, he said that there would be 250 trips in and out of the site. In the P.M. peak hour, there would be approximately 800 trips. On a Saturday, which is driven mostly by the retail component, there would be approximately 975 trips in and out of the site.

From a comparative perspective as to the larger retail proposed, Mr. Briggs asked Mr. Keller if he could compare it to something in the Valley Mall in order to get the perspective of a 70,000 S.F. facility versus what might be there now, or a combination of stores.

Mr. Keller replied that his understanding is that the former Pathmark store is just under 60,000 S.F., therefore it would be a little larger than the Pathmark.

Mr. Briggs asked what type of businesses he would foresee being supported by the proposed housing or being attracted to this type of plan?

Mr. Luke replied that they have studied the market to see who would be interested in this marketplace and what is already here. He said that in his market/industry, they understand that there is an opportunity to backfill the space in the Pathmark so that there would be two grocery stores. Therefore, candidly, he said that they are not looking for a grocer user. They have an interested party that is a national apparel retailer that would require the 60,000-70,000 S.F. space. It is not a Walmart, Home Depot, or Lowe’s type use, however at the discretion of their privacy, he said that he would prefer not to disclose the name yet.

In response to Dr. Behr, Mr. Luke said that he believed that a typical freestanding Old Navy store is about 35,000 S.F., although he did not know what it is in the Valley Mall. The proposed single apparel retailer tenancy would be about double that.

Mr. Batista said that the plan that was proposed by the Board indicated a preference towards smaller sized stores of 30,000 S.F.

Mr. Luke agreed.

Mr. Batista said that several meetings were held about that number and the Valley Mall owner appeared before the Board and, to put that in perspective as to size, indicated that that would be about the size of the existing Home Goods store. He noted that the *smaller* stores on Greenhill’s proposal are about that size.

Mr. Luke replied that the smaller stores are actually smaller than that (about 8,000 S.F. each).

Mr. Batista said that we realize that 30,000 S.F. seems to be on the small end of those types of stores, but that was a conscious decision that was made and that carve-outs were made for places of necessity, such as a supermarket. He asked Mr. Luke what type of detriment this is putting on Greenhill, to be limited to 30,000 S.F., except for a supermarket?

Mr. Luke replied that the deal would economically not work. He said that there is a limit to the number of retailers in the marketplace that can fill a 30,000 S.F. box. He said that you have the majority of them in the Valley Mall such as Old Navy, T.J. Maxx, Home Goods, and a grocery user. Knowing that the Pathmark is an available space and has operated for years as a grocery store, he felt that it was safe to assume in their market analysis that there will be another grocery store that will backfill that space. In their opinion, a town of this size cannot support a third grocery store on Valley Rd. There would be no need for it and there would be a vacant space inside of 2 or 3 years. He said that they strategically went to the marketplace looking for users that wanted to be in the market and have come

across a group that is choosing to be here. It is not that they are a prototypical store – it is slightly smaller than they normally build, but they feel it is a good location for them to be.

Mr. Batista said that a concern of the Board is a large box such as a Home Depot, Lowes, or a Walmart and that those are not uses that have been approved at this time. He asked if the applicant would be amendable to coming in and having to request a variance for the specific use?

Mr. Luke asked Mr. Batista if he was referring to use versus size?

Mr. Batista replied, “Use”.

Mr. Luke said that a typical big box is well over 100,000 S.F. and that would not be accommodated in the size of the space. He said that they did not see a Home Depot, Lowes, or Walmart as an appropriate fit here. It is not who they are marketing to or interested in going to. He said that he would have no issue with the ordinance precluding lumber sales or something like that – that is not their intent.

In response to Mr. Batista, Mr. Luke confirmed that 150 residential units are proposed.

Mr. Batista asked Mr. Luke to explain how those calculations on those parcels of land satisfy our 8 units per acre requirement.

Mr. Luke replied that Ms. Staines-Giardino will speak to that in her presentation. He said that, in his opening comments, they looked at and based their plan around the initial or draft ordinance that was presented to the Township Committee in November, which he pointed out had 12 units per acre, as does the Master Plan. He understood that there have been several iterations to that.

Mr. Batista believed that the Board had sent over the plan, as approved, with 8 units per acre. He asked Mr. Luke if he would be able to reduce the number of the residential units to accommodate that number?

It was agreed to defer the question to Mr. Burgis.

Dr. Behr said that we are talking about a big box national retail clothing use in the large proposed retail space. He asked Mr. Luke if they had done any analysis as to what percentage of the traffic into that store would need to come from outside of Long Hill Township.

Mr. Luke replied that they had not. They are not apparel operators and are not projecting sales on their behalf.

Dr. Behr asked, to what extent that would actually be able to meet the needs of the people who are living in the residences around it.

Mr. Luke replied that the retail is not driven by the residences that surround it and he did not believe that that was the intent of the Master Plan either. The residences around it are to support the Township as a whole, and also to create a sense of place as he recalled in the Rutgers Study and what was derived from the Zoning Ordinance and Master Plan.

Addressing Mr. Keller, Dr. Behr said that earlier in his comments he talked about the whole concept of a town center and people being able to walk from where they lived to do shopping. He asked if he still found that that is a viable concept for what is proposed here.

Mr. Keller replied that there are two elements to that. One is to create a walkable community within what is proposed here. Obviously, creating a walkable downtown are/center for the community as a whole is something that is going to evolve over time, which is where the Master Plan comes in. One development is not going to extend those sidewalks down to the west into the rest of the Valley Rd. corridor or to the east, but it does create a mass that you can build upon as a community.

Mr. Connor felt that Dr. Behr was getting into an area that Mr. Burgis has covered.

There being no further questions from the Board, Mr. Luke introduced his next witness.

Ms. Laura Staines Giardino, principal of L & M Design, LLC and licensed professional architect and planner, reviewed her professional background. She said that her firm is one of the newer members of the team and was brought on board to work with the respective team members to basically craft a 3 dimensional vocabulary for the community that they envision along Valley Rd. She referred to the Concept Site Plan prepared by Omland Engineering, dated 4/13/11, which Mr. Keller had referred to earlier, which is the concept plan for the retail and residential layout. She reoriented the plan for convenience so that that north is at the top and Valley Rd., in this case, is now at the bottom, so that the plan runs from west to east. As you approach the site from Morristown Rd., she said that, rather than taking the liberty of evaluating the entire site, they felt that that was premature because the draft ordinance is, in fact, only a draft ordinance at this time, adding that they understood that there were some final evolutionary notes. Their intention was to present a conceptual vignette to get a flavor of the vocabulary of the building's scale, the materials that they would propose using, and get some feedback from the respective Board and the public. They focused their attention on what they felt was one of the most important elements of the plan and

that was the pedestrian access. She said that, on the site plan as we approach Valley Rd. from Morristown Rd. to the west, there is a very large public piazza which is identified in the Master Plan and in the draft ordinance as an important feature to promote and enhance the public pedestrian interface between the community and the balance of Long Hill. In accomplishing that, she said that the draft ordinance also has indicated minimum and maximum setbacks from Valley Rd. itself which purpose is to provide for very extensive landscaping to enhance the rural and landscape feel of the community and to incorporate meandering sidewalks so that individuals from within the community and surrounding communities can utilize the respective stores and retail complexes (although she acknowledged that she needed to learn a little more about Long Hill Township to know how far people will walk). She said that there are conventional planning principles and that, typically, an individual will be comfortable walking ¼ mile, which is a 5 to 10 minute walk for the average individual. The overall length of the site may be advantageous for those people residing within our community and those people patronizing the respective stores to be able to meander through and around the site, perhaps across the street, and interface with the respective shopping districts. She noted that Mr. Keller had pointed out that the utilization of the sidewalk to tie in the balance of the retail systems and the street along Long Hill is something that will be accomplished through a number of different developers or individuals enhancing their own properties as time goes on which is, in fact, what she believed the draft ordinance is intending to accomplish. She said that individuals who meander through the site would walk through that peripheral distance, perhaps the ¼ or ½ mile and, at that point, would have potentially exhausted the limits of their walking and then utilize their automobile to get to the next community. However, as we develop this pedestrian access, she said that the point is to emphasize the pedestrian utilization of these areas and also enhance the architecture of the buildings so that they look more like individual buildings that would have evolved over time. She referred to plan entitled “Concept Images” prepared by L & M Design, LLC, dated 4/13/11. She said that the concept image she had been referring to is the vignette of the pedestrian piazza. She said that they elected to focus their attention on the piazza and illustrate how the scale of the buildings will be of a small scale nature, utilizing quality, and durable materials. The purpose is not to create a single image of a retail community which is something that has been employed over the years. Their intention is actually to create smaller scale building elements so that one user may actually have multiple facades to give a very animated frontage. She referred to one particular building which she said is one of the pods that was represented on the site plan. She pointed out the building elevation as they conceived of it at this time. She said that they do anticipate that this will evolve further as they contemplate the balance of the buildings within the community. She said that you can see that there is some introduction of multi-level spaces, although they do not anticipate multi-level spaces, but the intention is to give an animation to the roof scale, as well as the building façade. Referring to the residential portion of the site, she said that 150 interlocking townhouses are proposed which are consistent in scale because of the differing ceiling heights between the residential and commercial buildings. She said that the commercial buildings are not significantly taller than the residential buildings. Because the townhouses will be behind the retail buildings, their height would not be perceived from the road. She said that 3 stories was originally something that was contemplated within the draft ordinance. She said that they are contemplating using very much the same materials, utilizing sidewalks throughout the residential community, to reinforce the relationship between the residential and the retail and also allow for individuals who are visiting throughout the site to perambulate throughout the site. She said that it is “early in the day” and that they are studying the site learning how to integrate things like potential rain gardens in order to assist with some of the stormwater quality management issues and also study the overall setback requirements that have been identified within the draft ordinance and work within those constraints in order to enhance the landscaping. She said that they are just introducing a concept and it is something that they do anticipate working through with the respective boards when that time comes.

Understanding that the plans and renderings are preliminary, Dr. Behr said that Ms. Staines-Giardino made a very appealing case for small scale building elements of quality materials and that, instead of a single image, creates a sense of building that may have taken place over time and, therefore, is consistent with the town. He asked how that would be carried forward in a building the size of the big box store?

Ms. Staines-Giardino replied that those are things that they have employed successfully in other communities and it varies depending upon the specific tenant. Some things are actually manipulating the materials on the façade and other things are actually incorporating some hardscape and landscape materials to diffuse those images, whether they are large clusters of plantings or the introduction of pergolas or other freestanding elements that actually break up the scale of that building.

Dr. Behr asked Ms. Staines-Giardino if there are communities that she could name that would be examples for the Board members to look at?

Ms. Staines-Giardino replied affirmatively and suggested the Garden State Park in Cherry Hill, NJ. There she said that you will see how certain parts of the buildings are actually broken down in scale through the use of different colors of materials and very nice proportions of landscaping.

Dr. Behr said that the picture that was shown of the residential units certainly had the appearance of a lot of conformity to it. He asked to what extent the residential units also capture the qualities which Ms. Staines-Giardino described in the smaller retail locations to the west of the site?

Ms. Staines-Giardino replied that, if you came a little closer and were able to see the undulations, this is not a flush façade. She said that perhaps it may also be more clearly illustrated in the site plan where you will see that there are indentations of green space and the front doors are recessed considerably from the front façade.

Dr. Behr replied that he was referring to the repetition of visual elements *within* what Ms. Staines-Giardino was talking about.

Ms. Staines-Giardino replied that that is something that can be evaluated moving forward. She said that it was merely representative of the massing of the building. As we move forward to the actual architectural style, she said we can integrate some different materials and colors and change the rooflines a little bit.

Mr. Piserchia said that one of the biggest challenges to any development along Valley Rd. is flooding. He said that it seemed counterintuitive that development of *any kind* would add to the flooding. He noted that the NJDEP has strict regulations regarding development in a flood plain or wetlands. He asked Mr. Keller to speak to that issue.

Mr. Keller said that the Township stormwater regulations somewhat mirror the NJDEP regulations which require three components. One is a reduction in the rate of runoff from a developed site as compared to the existing site, one is the requirement for water quality, and another is the requirement for groundwater recharge to allow the soil in the underlying aquifer to get the same amount of water that goes into it today after you put in a parking lot or a building. He said that the NJDEP regulations will govern in this case because of the flood plain and because of the wetlands impacts. As a result of that, he said that there will be detention facilities. There will be either surface basins as bio-retention basins, rain gardens, as well as likely some underground storage systems that will collect the runoff from the site and hold it for a period of time so that the amount of water that is leaving the site is controlled and the rate of runoff is reduced depending upon the frequency of the storm or the likelihood that the storm will occur by a certain percentage. For the 2 year storm, where you will see some amount of rise in the Passaic River, there will be the greatest amount of reduction required, one that has a probability of occurring every two years, you have to reduce the rate of runoff by 50% over what it is today. For a 10 year storm, you have to reduce the rate of runoff by 25%. For the 100 year storm, which is where you see the greatest impact on the community from flooding along the Passaic River, you are required to reduce the rate of runoff by 20%. He said that the water quality issues relate to the water quality storm which is 1 ¼" of rainfall and you have to remove the total suspended solids by 80% and that is accomplished by a number of means. You can use manufactured devices or mechanical devices that take the sediments, hydrocarbons, and other materials out of the stormwater or you can use bio-retention basins to do it in a natural sense. He said that it is likely on this site that they will do a combination of means. He said that groundwater recharge is very simple. It is taking some of that stormwater through infiltration beds, through drywells and other means through an infiltration basin by putting water back into the ground. Here, depending on the soils, and we know that there are flood plains, the amount of groundwater recharge may be very small, as required. That would all be part of the development of an overall, comprehensive stormwater plan to satisfy the local Ordinance as well as the NJDEP.

In response to Mr. Piserchia, Mr. Keller confirmed that it is possible that, in this type of development, the stormwater situation that currently exists and the water quality that comes from this site would be improved by the development because of the regulations that the NJDEP has in place. He added that, being in the Passaic River Basin, you have quite a drainage tributary area to this part of the Passaic River to see any kind of measurable difference because of the development of 20 acres within however many hundreds of thousands of acres of tributary areas there are in the Passaic River Basin. If you could isolate this piece of property, he said that there would be an improvement, which is what the laws require. He agreed that it would not be worse.

There were no further questions.

Mr. Joseph Burgis, principal of the firm of Burgis Associates and licensed professional planner, reviewed his professional background. He said that he was brought into the project by Mr. Luke to give a more global overview of a planning analysis of what is being proposed for the entire Valley Rd. corridor. He came to him because he was concerned that the regulatory controls that were being set up in Long Hill Township's proposed Ordinance weren't matching the broad intent of the Valley Road Business District Element of the Master Plan. In looking at those regulatory controls, he said that he came to the same conclusion – that in many instances, the regulations weren't fully achieving what he felt were the goals and objectives in the policy statements spelled out in the Plan.

He said that the Valley Rd. corridor is close to one mile in length. Typically, when planners plan for central business district walkable downtowns, they try to cap the linear dimension of the central business district at no more than half a mile. It has been proven time and time again that, when you get beyond that point, people will park at one end of the downtown and do whatever shopping business they want there, then jump in their car and drive to the other end of town and do their shopping at that end of town, which surely defeats the purpose you are trying to achieve, which is to get cars off the road, park once, and enjoy the business district. He said that you could see that happening in a place like downtown Englewood or Greenwich whose business districts extend for an extended period of time. He said that what is interesting in Long Hill's downtown and planning is the specific recommendation in the Plan that you want one zone district encompassing the entire corridor and yet when you look at the area and bulk requirements and the lot arrangements and uses that are there and the underutilized and vacant land that remains, it is clear that there are really 3 different sections of the corridor. One is the western end and Main St., where the lots are less than ½ acre in size, then there are the two shopping centers, and then on the north side of the street there is this larger property which is typically a minimum of two acres in size. He suggested as a basis for starting the discussion, to consider going back to one of the recommendations that was in the Master Plan, but that was not followed through in the Zoning Ordinance. He said that, in the Master Plan, you said to specifically separate out the zoning for the two shopping centers and keep the B-3 Zoning, which he felt made a lot of sense, but he was not sure why that was taken out when you went to do the zoning regulations. He said that he would take it one step further and create separate zone regulations in the proposed BD-Zone which almost make sense for that western end of the district. The lots are

less than 20,000 S.F. He said that in the reports he had prepared, he suggested establishing a minimum lot size of 17,500 S.F. which covers all but one of the lot sizes in that area and you could accommodate the appropriate area in the bulk regulations associated with that to allow for additional development and accommodate the kind of growth he felt is trying to be achieved in terms of small closed in development. He said that, when you read the Master Plan, it has 3 or 4 very specific holes. One is the idea to create a walkable pedestrian friendly oriented downtown and it is notable that the text talks about creating an attractive visual image. It recognizes that, at present, there is a rather unharmonious mix of buildings and uses in the corridor and you are trying to achieve some sort of continuity to draw all of it together. You also talk about encouraging easy parking areas and then people are allowed to walk up and down the corridor. He said that the regulations in your proposal really don't achieve that fact because of a number of issues. In one instance, you now would require a minimum lot size of 10,000 S.F. and his client has a property of 75,000 acres. The regulatory controls in the proposed zoning would allow close to 400,000 S.F. of floor space. He said that you limit the maximum size of a building to 30,000 S.F. as an anchor store and you get one anchor store and that leaves 370,000 S.F. of pizzerias, nails salons and there are not enough pizzerias and nail salons to support 370,000 S.F. of space. Beyond that, he said that when you look at all of the environmental constraints associated with all of the property in this area, including the underutilized properties, the current proposed ordinance would allow close to 900,000 S.F. of additional floor space. With the two other malls in the area, and some of the other buildings that are clearly going to stay because they are not underutilized, that would result in a total of about 1.3 million square feet of space. He said that the Short Hills Mall is 1.3 million S.F. and Paramus Park is a little less than 900,000 S.F. He felt that suggests that you need to look towards *some* residential as a means to breaking up that large amount of nonresidential development that could occur here. In contrast to having close to 400,000 S.F. of commercial floor space, he said that what they are suggesting is allowing no more than approximately 100,000 of retail and about 150 dwelling units. He said that the Ordinance talks about 8 units per acre and at 75 acres, he said that they have a density of 2 units per acre. He suggested to his client to carve out approximately 20 acres for this development which would represent a net residential density of 7.5 units to the acre which would be well within your construct of 8 units to the acre. He said that it also enables the retail component to have a built-in market of some additional activity coming from these residents who would clearly be walking from the development. He said that the second area of concern he had is the issue of the zoning regulations themselves. In many instances when he looked at the area in the bulk requirements, he found that they didn't tie together well. For example, the Ordinance provides a F.A.R. of .5. However, because of parking requirements and coverage requirements built into the Ordinance, on an 80,000 S.F. lot, it appears by code that you would be allowed to have 40,000 S.F. of space but, at best, you would be able to get 32,000 S.F. of space. He said that the only way you can do that is in a two-story design with 16,000 S.F. of at-grade retail in 16,000 S.F. of office space involved. He said that, if you wanted to go for strictly a one story building, based upon the regulatory controls built into the Ordinance, at best you can get about 18,000 S.F. of floor space on an 80,000 S.F. lot. He said that, in his report to the Board, he suggested massaging some of the numbers to help make them work a little better, in fact, he said that he recommended a reduction in the proposed F.A.R. in order to achieve that. He said that one of the Board members raised a question about how you would allow mixed use development on the property and there are two ways to go about that. One is to identify mixed use development as another permitted use allowed as of right in the business district zone or, alternatively, you could allow it as a conditional use and *only* as a conditional use. What that does for you in terms of the statute, is that it gives you greater control because, if you establish 10 conditions associated with this conditional use, one would have to meet all 10 conditions. If you do not meet one of the 10 conditions, you then are required to go to the Zoning Board for a d (or use) variance and then there is a more onerous voting procedure an applicant would have to follow. He said that one of the conditions that he suggested is limiting the largest individual retail building to anywhere from 75,00 S.F. to 80,000 S.F. which clearly gets away from the possibility of seeing a big box retailer from coming to your community. In his experience, he said that big box retailers today are all coming in at about 120,000 S.F. and this is significantly less than that. He said that there are a number of other regulatory provisions in the code that he made suggestions to. He said that the third broad area that he wanted to touch upon is some of the implications of what could occur if you end up with 100,000 S.F. of retail and about 150 dwelling units. He said that he gave two different projections in his report. With a conventional multifamily development, such as proposed, he said that you are talking about 300 residents occupying the units. He said that he used these figures, not only from his own studies of many, many different multi-family developments throughout the State, but the Center for Urban Policy Research from Rutgers University has also done detailed studies around the State. He said that his numbers, in some instances, are similar to theirs and, in a few instances, they are not. He said that one instance is in population. He said that he has found consistently in north and central New Jersey that their figures project 5%-10% more residents than we are seeing actually end up in a development. He said that he has projected, for a townhouse development, about 35 public school attendees (about 25 at the K-8 system, and the rest in the high school system). In a conventional flat design, he said that you probably get half that number again. In terms of employment for the nonresidential at 1.7 persons per 1,000 S.F., he said that he would project about 170 jobs in the community coming out of this project. In terms of taxes, he said that they give both gross and net revenue and he found that the municipality, in terms of local taxes and your open space provision, you would end up with about \$403,000. in gross revenue, assuming that the units would sell for about \$375,000. When he did his cost revenue analysis on a per capita basis, he found that in that revenue surplus to the municipality, it is not that great and you would end up with about \$30,000 in the end. He said that the real net revenue surplus is to the school system and that is a function with the small number of public school attendees that he envisioned and your tax rate for the school system. He said that the local school system would get, in terms of gross revenue, about \$631,000. The regional school system would get another \$288,000, for a total of \$918,000. When you factor in the school costs (the residents pay about \$12,000 per year and the State pays about \$2,000), you are ending up with a net revenue surplus annually of about \$600,000+. Consequently, he said that we can conclude that the municipality would have a *slight* net revenue gain and the school systems would have a *very significant* net revenue gain. In terms of the zoning regulations, he felt that the only way to truly achieve a pedestrian friendly community is to contract a little bit, break up the business district, and then talk about some of the regulatory controls we spell out in the Ordinance, which he felt we go a long way to ending up

achieving the kind of central business district that is pedestrian oriented that at least your Master Plan suggests you are trying to achieve.

Mr. Hoffman asked Mr. Burgis if he would be correct in stating or assuming that it is the intent or desire of the prospective developer to have any formal proposal that might be submitted for approval, be one that conforms to the then provisions in the Township zoning regulations in terms of use, density, and the F.A.R. that he described?

Mr. Burgis replied that he would give a “clarified yes” to that, because they do make a number of recommendations to modify certain of the provisions in the Ordinance. For example, he said that one of the characteristics of a pedestrian friendly central business district is having buildings close to the street. He said that the Ordinance talks about having a minimum setback of 20’ and does not have a maximum. He said that in *his* report, he recommended a maximum, thereby insuring that a developer can’t take a large site, such as his client has, and place all of the buildings to the rear and just have a large parking area up front. Therefore, he felt that that kind of change needs to be made, as well as a few others. He said that the overall intent – yes, they are generally consistent with the intent of the Master Plan.

Mr. Hoffman replied, with the possible exception of treating this as a conditional use, wherein one or more of the specific conditions would not be able to be satisfied. With that potential exception, he felt that other nonconformities that might exist, speaking hypothetically, in terms of setback and the like, would be viewed or treated, legally speaking, just as a bulk insufficiency and would not cause the basic jurisdiction of the application to shift from this Board to the Board of Adjustment.

Mr. Burgis replied that he would agree with that. He added that the idea of a maximum setback may be a condition and he assumed that the density issue could also be a condition and, in terms of the setback and coverage factors, certainly.

Mr. O’Brien said that, in factual terms, the proposed Ordinance calls for a 20’ minimum and a 40’ maximum setback. He then asked Mr. Burgis what relationship, if any, the proposed development would have with the Gillette Train Station?

Mr. Burgis replied that he was not exactly sure how far removed the site is from the train station.

Mr. O’Brien said that the railroad is the northern boundary and the train station is on Mountain Ave.

Mayor Harrington added that it is probably a 1.5 mile walk.

Mr. Connor said that the nearest train station is probably Stirling if you walk the back way.

Mr. Burgis said that a 1.5 mile walk is probably on the outer limits because, for example, to be designated a transit village, you have to be within a mile of a train station.

Dr. Behr asked Mr. Burgis what notice he had made of the comments of low density character as an important part of the vision for Long Hill Township?

Mr. Burgis replied that, in the Master Plan, there is specific reference to the fact that the only residential that the Township wanted to encourage is apartments above at-grade retail.

Dr. Behr said that he was focusing on the issue of the low density. He asked how he would describe a building such as the one proposed here fitting into a community that sees itself as basically a low density community?

Mr. Burgis replied that, overall, they have 75 acres and, in the end, the proposal is for 2 units to the acre. He said that he was troubled by that, only because so much of it is wetlands and not usable. He said that his own experience in doing central business district plans is that low density development does not achieve the kind of symbiotic relationship between the concept of a walkable community with nearby residents in a commercial development. In order to achieve that kind of relationship, he said that you need a higher density than what, theoretically, you are talking about when you say low density, based on his experience.

Dr. Behr said that on Pgs. 3 & 4 of his report, Mr. Burgis talks about worse case scenarios. On Pg. 3 he talks about a potential 400,000 S.F. of commercial development, with the related consequences of that. He asked where in the Master Plan, or any other documents pertaining to Long Hill Township, he has seen anything close to an intent for this much maximum build-out?

Mr. Burgis replied that, in your draft Ordinance, you have an F.A.R. of .5.

Dr. Behr asked Mr. Burgis, setting the Ordinance aside for the moment, where else he saw in the 1995 Master Plan, or the revised plan for Valley Road, any sense that this community is really seeking to maximize development in these areas?

Mr. Burgis replied that those Master Plans which he has prepared, and pursuant to the statute, require one to identify a range of intensity of use. He did not recall seeing a specific cap on a range of intensity of use in the Long Hill Township document and, consequently, he said that that would suggest that whatever area and bulk requirements are



adopted, are the ones that establish how much development could occur on a property. He acknowledged that he pointed out a worse case scenario, but he said that it was done for a specific reason – that of identifying the fact that this is what the draft Ordinance contemplates and presumably the draft Ordinance was prepared to implement the Master Plan because that is what the process that the M.L.U.L. requires. If there is a specific cap in the Master Plan, he said that he would stand corrected, but he did not recall seeing it.

Dr. Behr said that he was talking about the intent and an expression of this community. He noted that he has lived in the Township for 25 years and has been involved in planning for that entire time. He said that he tries to be attentive to what the people of Long Hill Township say they are looking for, which was the thrust of his question. To say that a proposal is better than an extreme that we have never contemplated, he felt is not necessarily the strongest possible case that one might make.

Mr. Burgis said that, if you want to achieve a lot less intensity, you need to adjust the regulatory controls in the Ordinance. You need to look at that F.A.R. and lower it. He said that the F.A.R. in the current Ordinance along the corridor is .3. He said that the Master Plan does say that you want to encourage more retail, with no cap and then you took a draft Ordinance and said that you were going to increase the .3 to .5. He said that he felt that you could at least understand where he came to the conclusion that he did. He said that they do not need .5 on this site. He said that they have a lot of property – 20 acres of developable land and replacing 150 units and roughly 100,000 S.F. In terms of intensity of use, whether you are talking about a suburban community or more densely developed communities, this is not a dense development by any measure. He said that 150 units on this size tract, even if you limited it to just the 20 acres of developable land, is 7.5 units to the acre which is not an excessive density. He said that 100,000 S.F. spread over 20 acres is a large F.A.R. by any stretch. He said that the numbers could be adjusted in the draft Ordinance and he would suggest that you would still come up with this level of development.

Mr. Connor said that he wished to break in to the discussion because it is getting in to the specific ordinance discussion which is scheduled to take place after this concept plan presentation.

Dr. Rae said that he could see that the projected tax revenue is very attractive, but when he looked at the projected numbers which show 150 units with a selling price of around \$375,000, with a mixture of 2-3 bedrooms....

Mr. Burgis corrected Dr. Rae by saying that units will contain 2 bedrooms.

Dr. Rae pointed out that Mr. Burgis' report states a mix of 2-3 bedrooms.

Mr. Burgis explained that that was taken from the Center for Urban Policy research category that he had to use, but the application is limited solely to 2 bedroom units.

Even so, Dr. Rae said that in this day and age where downsizing seems to be the name of the game, it still gave him moment for pause when he saw 1 student per 12 dwelling units. He asked Mr. Burgis how he would propose to get a better handle on it? He said that, historically, the means that are used to come up with this may be applicable, however in the last couple of years we are living in a very different world. He said that the school system is working with a very good budget this year but, as we look forward, any increase in the number of students coming from a development like this would be very troublesome.

Mr. Burgis said that he received information on the 264 townhouses that exist within the Township. He said that townhouses generally generate more people and more school children than the kind of flat design that is being proposed here. He said that the 264 townhouse units in the Township generate 1 public school attendee for every 7.5 units. He said that that is a little greater than what the Rutgers University studies suggest and is also a little greater than what he has found in studying many townhouse developments throughout N.J. He found that the average is about 1 per 9. But when it comes to the flats, the numbers are totally different. In there, he finds that it is more in the order of about 1 per 12 units – inconsistent whether he looked at very, very high income communities (such as Upper Saddle River) and the argument was that, since they are a very wealthy community with one of the top ten school districts in the State, a lot more people with children would flock to that development. Ten years later, there average is 1 public school child per every 11 units. He said that he could cite many other similar examples which is why he used the multiplier he used here, because it seems to be holding up across the Board, even recently with the change in the economy.

With regard to the \$375,000 market price, Mr. Briggs asked Mr. Burgis if he would see a change in the composition of those who would purchase a unit should the need arise to lower the prices of the units? For example, he asked if he would see an increase in the number of school children or a composite difference?

Mr. Burgis replied that there is this whole issue of Mt. Laurel housing and what the implications of the population and school impacts are on the Mt. Laurel units. He said that it has been found that Mt. Laurel units generate slightly more school children, but not a dramatic increase, than market rate units. He said that he hasn't seen studies with a significant difference of value that would suggest a change except when you drop that far lower. He said that you see a little change when the Mt. Laurel units are selling for \$125,000- \$150,000.

The meeting was opened to the public for questions and comments of the Greenhill Development concept plan only, since a separate discussion is scheduled regarding the proposed Valley Road Business District Ordinance.

Mr. Ash Malakar, Gillette, asked about stormwater runoff versus flooding – where the flooding comes from the Passaic River and how it actually compares. He asked if storm runoff is rain water, flood water, or flooding that is created additionally?

Mr. Keller replied that flood is a broad term. He said that, obviously, with the Passaic River you have issues not only in Long Hill Township but throughout central New Jersey. He said that the state regulations and municipal regulations govern stormwater runoff from a development site and it has to be reduced from what would occur without that development. Obviously adding water, whether it is existing water or proposed development runoff has some level of impact on the Passaic River basin. He said that the development of this site in a scheme of what happens in Long Hill Township today, because of the Passaic River, does not represent a dramatic impact regardless. Regarding this project, when you look at it solely on the parameters of the site, he said that it will be an enhancement and improvement over what is there today.

Mr. Malakar said that the real question he had was, when you calculate that number as the NJDEP does, which is solely based on rain water and not necessarily the additional, non-permeable, and not the additional land that you are using, with the water which used to sit instead of sitting where it sits today, now sits somewhere else like Morristown Rd. which is under water right now without any thing new. Although the NJDEP has regulations, he said that the regulations don't seem to work in the majority of New Jersey as we have had much flooding along major rivers within the last 10 years.

Mr. Keller replied that that is one reason for the change in the stormwater regulations that the NJDEP instituted in 2004. It is a recognition of long standing problems from many, many years of development where there was no detention. He said that it is a small step, but it is a positive step towards addressing at least future development and redevelopment of existing sites.

Mr. Malakar asked what happens what happens if additional flooding occurs – do we come back to you (Mr. Keller) as a town and say that it didn't reduce and has now gone up 20% and we have 40 more homes under water? He asked Mr. Keller if there is a guarantee. As an engineer, he said that he did not believe the numbers.

Mr. Keller replied that he had to follow the regulations that have been put in place by all levels of government.

Mr. Malakar said that we talked about how many people would be from out of town regarding the big store. He asked how much of a population is required to support a store that big?

Mr. Keller replied that that was not something that he could answer.

In response to Mr. Connor, Mr. Luke said that he did not have anyone present this evening that could respond to Mr. Malakar's question.

Mr. Malakar said that, if you look at our stores today – how full they are, there is no way our town could support a large store – even a “micro” big box store. He said that he was curious to know what that math really is because the store the applicant is working with – the chain, whoever it is, has requirements on how many people they can expect and the number of homes/families that are required to support it.

In response to Mr. Roy Russen, Gillette, Mr. Keller said that the catch basins/drywells will collect the water throughout the parking lots and roads and discharge to the north which is the natural path.

Mr. Russen said that he uses Morristown Rd. on occasion and is thankful that he did not purchase a house he looked at in that area because it is under 3' of water when we get 100 Year Floods every 2 years. After confirming that the applicant and its consultants do not reside in Long Hill Twp., he said that he did not believe that they understand our water issues entirely. He said that had a McMansion constructed next to his house a year ago and he had experienced minor water problems on his street. He said that now his neighbor is discharging a swimming pool full of water a day out of his sump pump which he said is disturbing and will ruin his street as well as the value of his house. He said that he felt for the people in the area of the proposal because his own area is shale, slate and clay and the water just can't absorb even though his neighbor put in drywells.

Mr. Keller said that the flooding that occurs across Morristown Rd. and into the wetland area at the rear portion of the site is primarily caused by the Passaic River backing up which is added to by development that has occurred in the past with no detention.

Mr. Russen replied that that got to his other point about the applicant and its consultants not being associated with this town whatsoever. He asked about some bureaucrat from Trenton that has no clue either. He said that, if the property is to be developed, maybe we could find somebody a little more locally that knows our issues as a town dealing with these water issues. He told Ms. Staines-Giardino that her landscape is beautiful, but asked how the proposed stores will advertise their existence on the street behind all of this. He asked if any signage is proposed.

Ms. Staines-Giardino said that she did not illustrate actual sign faces but pointed out that the facades are designed to be animated so that there are awnings and other opportunities for people to recognize that there are retail stores. She said that retail stores have a certain vernacular to them that distinguishes them, typically, from residential. She said that there is a sign ordinance, however, that is part of the draft ordinance and it is their intention to work within the constraints of the sign ordinance and make whatever recommendations are appropriate for a retail use. But whatever

is ultimately in the ordinance, has already been drafted at this point. She said that certainly a retail store would either require some identification or on a monument sign or by some other means. She said that a lot of this was addressed in the draft ordinance which is why it was not the subject of the planning report.

Mr. Russen asked how many traffic lights it will take to support the proposal, adding that trying to get across the street during peak hours is a nightmare right now.

Mr. Connor agreed that traffic is clearly an issue. He noted that there was a response as to traffic studies and some numbers. He asked the Mr. Keller how he got those numbers and what he would intend to do if he did file an actual application (which was not done).

Mr. Keller replied that the trip generation numbers he talked to are generic in that they are for a shopping center and townhouse development and are based on industry publications.

Mr. Connor asked Mr. Keller to briefly describe what he would have to do before he came before the Board with traffic studies.

Mr. Keller replied that they would undertake existing counts, certainly at Morristown Rd., Plainfield Rd., and possibly at the next signalized intersection to the west. Based on that, he said that they would look at the operation, how much traffic would be generated by the site, and distribute that traffic and come up with where that traffic is going to, where it is coming from, and what routes it would take and do an analysis of what those impacts are on the street system and at the site driveways. He noted that Valley Rd. is a County road and so any of the discussions about traffic are going to involve the County very closely. He said that they would have to meet with them and discuss what their requirements would be. He said that that is the process that they follow on most development applications and certainly those of this size and type.

To summarize, Mr. Connor said that Greenhill would have to provide us with enough information to indicate that the current Valley Rd. would adequately handle the traffic.

Mr. Keller agreed.

Mr. Connor said that he wanted the public to understand that this is a very serious question that will involve traffic engineers, the County traffic engineers, and whoever is the applicant and is clearly in any major development one of the major issues that this Board has to consider, no matter if it is this development or at other locations. He said that traffic is a very significant impact upon the lifestyle here and upon the safety. He said that the Police Dept. would also have to get involved, noting that this is not a trivial issue. He said that it would have to be explored completely before there would be *any* consideration before the Planning Board.

Mr. Keller again agreed.

Mr. Dom DeGirolamo said that he and his wife and family have lived in the Township since 1937. He said that he works in the field of construction and has built some of these drainage systems. Some work, but everything is to the minimum. He said that the buildings are beautiful – everything is beautiful, but tax help will be at the end of the project. He asked how long it will take to build the project. He said that he just came off of a 12 unit project in Morristown and after 3 years and 2 units being constructed, the developer is in bankruptcy. He said that the builder in Morristown is going to walk away and he asked if that could happen here.

Mr. James Luke, Greenhill Development, replied that nothing is ever a guarantee. In terms of timing, he said that they are at a very preliminary stage. Based upon the mixed use nature of the project and their specific plan, he said that they do have specific tenants in place which are all international. With regard to the residential units, he said that they will build the majority of them on demand.

Mr. DeGirolamo said that due to our current sewer system, he cannot put a bathroom in his house. He asked where the additional 47,000 gallons per day will go.

Mr. Luke said that, in terms of time, a lot of that is out of their control because the process is legislative and they can only go as fast as the zoning ordinances are in place. To be general, he said that from the time they have a building permit to the point where they deliver a commercial building, he said that they anticipate about 18 months of total build-out. To address the comment of benefit, he said that there is inherent benefit from day 1 when they begin the construction because of what they have to do to engineer the site from storm issues, etc. He said that he understood everyone's skepticism as it relates to that, but they have to build to the standards of the State – point blank. He said that as far as their bank ability, etc. he said that he could give assurance that the economics of this deal are such that they would not be entering into it if they did not feel they could get financing.

Mr. Batista asked Mr. Luke if he would enter into a Developer's Agreement and be amenable to posting a bond.

Mr. Luke replied, "Absolutely".

Mr. Joseph Cilino, Millington, said that he has lived in the Township for 32 years. He wished to briefly summarize what he has heard so that he did not walk away from the meeting with any misunderstanding. The first thing he hadn't heard is that there really not a clear understanding of the flooding in this area and the topographical areas

which encompass the water. He said that the second thing he hasn't heard is that there has been no reach out to the Governor and his committee on his 15 point plan. He said that this is clearly not going to coincide with his 15 point plan. As far as the proposed piazza, he said that it is a really great idea, however, if one were to stand on Valley Rd. and just watch all of the pedestrians there, you would probably count maybe 10 in a day, and that is a lot. He said that, clearly, he saw a misunderstanding or people not understanding what our Township actually does as far as shopping, traversing to other stores, and what stores are in need. He said that there has been no action in polling the Township and asking what the residents think about a 4<sup>th</sup> pharmacy. He asked what you would think about a 4<sup>th</sup> pharmacy if you were a business person and it was your business and there are 3 large pharmacies here. Would build another pharmacy?

Mr. Luke replied, "Certainly, if I felt that there was a demand and need for it". He said that they will proceed with a pharmacy only if a national pharmacy felt that there was a market need or a market viability.

Mr. Cilino replied that that was not his question. His question was, do you feel there is a need.

Mr. Luke replied that he did build pharmacies and that he is a real estate developer and he knew what the market says.

Mr. Cilino again replied that Mr. Luke had not answered his question.

Mr. Luke apologized and said that he felt that he had.

Mr. Connor said that this is a concept development and that Mr. Luke is not proposing any specific plan or any specific applications of the buildings outside of some indication that there is an apparel store interested. He said that this is not an applicant presenting a proposal for the Board's action – it is a concept plan.

Mr. Cilino said that he has heard on 3 different occasions that they have presented a pharmacy.

Mr. Connor said that they have not presented a pharmacy.

Mr. Cilino said that, with concern to the traffic, it is clear that there is not an understanding of the flow of traffic.

Mr. Connor ruled the questions out of order. He said that a response was already given to the traffic question and he wanted to afford the opportunity to everyone to speak.

Mr. Cilino disagreed. He felt that it was disrespectful for him not to be able to present this....

Mr. Connor replied that he felt it was disrespectful to take more than 5 minutes. He asked Mr. Cilino to please proceed.

Mr. Cilino said that what he was trying to get at is what is being proposed is a great idea, but not for that position in that corner in this Township. He said that the bottom line is that it does not belong here.

Mr. Gerry Vecchione, Millington, said that he wanted to address the impact that the proposal will have on criminal activity. He said that he works in a big box store and they get \$3,000.00 per day stolen from them, which amounts to \$1,000,000.00 per year. He feared that if a big box store is put on the site, the same thing will happen here. He said that people come into the neighborhood, not only to steal from them, but they see nice houses and nice cars. He cited what he felt to be a similar instance of the same type of development which occurred in Belleville which resulted in cars being stolen, houses broken into, and older people being mugged, after a bad element came in, which he felt will happen here. He asked where the proposal fits in with the Valley Road Element of the Master Plan where it states that Long Hill Township is a rural, low density, residential community characterized by large tracts of open space, attractive single family residences, tree lined streets, and an absence of large non-residential uses. He said that it further states that Long Hill Township is a rural oasis in a region otherwise characterized by suburban residential tract development, highway commercial uses, corporate offices and multi-lane highways. It also notes that Long Hill's vast open space network, its tree canopied streets, wetland areas, river corridor and sweeping topographical characteristics combine with its secluded residential areas and varied commercial districts to form a municipality unique in the region. He said that the Township is one of the least dense and most scenic municipalities in Morris County where 42% of the land area is preserved for open space and he did not see that happening here with a "mega complex".

Mr. Felix Ruiz, Stirling, asked if the calculations used for the water runoff going into the tributary were done with or without the proposed sluice gate and the 2" pumps by the Army Corps of Engineers.

Mr. Luke replied that they had not yet done that level of detail. He asked Mr. Ruiz if he was talking about the flood wall.

Mr. Ruiz replied that there is going to be a sluice gate and a 2" pump in that tributary if the flood wall does go up. He again asked if the calculations used were done with or without the proposed sluice gate and the 2" pumps.

Mr. Luke replied that it would have to be considered, but this is a currently a conceptual design and it has not been fully engineered.

Mrs. Louis Bernardin, Millington, asked if the demographics of who would be purchasing the proposed townhouse units was researched, whether they will be people without children who will be having children in the future, or people who are empty nesters. She found it hard to believe that for every 12 units there will be 1 child going into the school district.

Mr. Burgis replied that they *did* take into consideration the issues that Mrs. Bernardin raised. He said that the data spread out over literally thousands of similar units is the basis for determined that you will get 1 public school child for every 12 units. He said that you will get more children living on site, but the data also suggests for the much larger number of children who are newborns to 4 year olds, by the time the time the children reach the school system, usually those family often times move out into a detached single family dwelling. He said that that is why he cited the study that he did of the 254 townhouse units. He said that most people seemed surprised when he said that the 264 units are only generating the equivalent of 1 child per every 7.5 units. Most people assume that it is going to be much larger.

Mrs. Bernardin asked in what year the statistics were done.

Mr. Burgis replied that there are 264 townhouse units in Long Hill Township and that is where those statistics came from.

Mr. Connor asked Mr. Burgis what year he was dealing with?

Mr. Burgis replied, “2010”. But in addition to that, he said that his firm has kept a running tab on a variety of multi-family developments throughout northern and central New Jersey and they have constantly added it to that information to confirm the kind of ratios they are using. He said that they are not “guesstimating” their data, they are using hard and fast information.

Ms. Bernardin replied that she found it interesting because she was on the Board of Education when they were looking at expanding the schools and one of the questions she had for the Superintendent was, how do you figure out what our need will be in the future. She said that his answer to her was that you can look at the statistics, but they are not tried and true and that you really can't look at the statistics.

Mr. Burgis disagreed and said that you *can* do that and can do an analysis of what is happening in your system today and then make projections based just on existing housing stock – how that will change over a period of time, and break that down. He said that it includes people that move in and move out because there are statistics to reflect that, and then you add in the number of new units that are being constructed. He said that the reality is that it is the detached single family that generates the largest number of public school children – it is *not* the multi-family units.

Mrs. Bernardin felt that, in this economy, a lot of people with little children are going to be downsizing and they are not going to be buying the big, \$800,000 - \$900,000 houses. She felt that, when you have a great school district with \$325,000 houses with 2 or 3 bedrooms, that is going to pull kids and families in.

Mr. Burgis replied that, while he respected Mrs. Bernardin's opinion, the facts suggest otherwise because they suggest whether you are a very, very high income community or a moderate or middle income community. He said that the statistics don't vary much at all and they clearly indicate that once children reach elementary school level, if they have been living in a multi-family unit, often times they move to a detached single family residence. He agreed that today they may not be moving to the \$900,000 home, but they will move to a more modest detached house because they want a back yard for their children.

With regard to the traffic trips quotes that were given earlier, Ms. Brenda Rissmeyer, Millington, said that those quotes are no where near what she has ever envisioned in the plan and the way the construction and retail exist on Valley Rd. as it stands right now. She asked if there was anything that will be provided before construction starts and the plan is all approved, in hard form, as far as counted numbers and what you will legitimately have here.

Mr. Keller replied that that would be a part of the site plan application. He said that a complete traffic study would be prepared for the Board's consideration and review by the public during the hearing process of what the traffic analyses would be. It would be based on actual counts and studies of projections of the development.

Ms. Rissmeyer asked if that would include what “improvements” are going to be done to Valley Rd. to handle this type of facility and associated traffic.

Mr. Keller replied that that would all be a part of the content of the traffic study which will be a part of the site plan application.

In response to Ms. Rissmeyer, Mr. Keller agreed that the approximate acreage of the consolidated lots is 75 acres and approximately 2/3 of it (around 50 acres) is considered wetlands.

Ms. Rissmeyer asked if the numbers Mr. Keller was coming up with for the 11 buildings and 150 units is based on the 75 acre number, even though 50 acres of it are not buildable, or is it based on the 25 acres that would be left over.

Mr. Keller replied that, when they made their recommendation for certain zoning adjustments to the proposed Zoning Ordinance, they utilized the 25 acre figure. He said that they have a standard that caps the numbers of units (“x” units per acre as a density), but in no event shall there ever be more than 150 units on site.

Ms. Rissmeyer begged the Board to do whatever it is that they could possibly do to make that less. She said that the density which Mr. Batista had mentioned may be something we are stuck with, but she felt that Board should re-think those numbers and do as much as it is legally capable of doing. She also noted that there are PSE&G and JCP&L easements on the property and asked where they are.

Mr. Keller replied that the gas line parallels the Public Service R.O.W. which is in the middle of the wetlands. He said that there is no way that this development would get anywhere near that. He said that there are the big towers and then the smaller wooden poles. The smaller wooden poles are the JCP&L easement.

Ms. Rissmeyer asked what is capable of being put in transition wetlands.

Mr. Keller explained that the dark green coloring on his plan depicts the wetlands which are restricted from development under the Freshwater Wetlands rules. He said that the light green indicates a transition area buffer which is an upland area but it is an area upon which the NJDEP has said that you have to limit development. He said that the only way to develop such an area is to reduce it in one place and increase it some place else so that there is a net balance of zero. He said that the wetlands transition areas comprise approximately 7 acres or 10% of the entire tract. He said that you are allowed to put parking lots and roadways in a transition area up to a point under the Freshwater Wetlands rules as long as you replace that buffer elsewhere on site.

Ms. Rissmeyer said that she did not think putting a parking lot on a wetlands transition area sounds like a very good idea. She said that if there is anything that could be done to possibly limit the develop ability of the wetlands transition areas, that would be very helpful.

Mr. Hoffman said that this is a subject that is within the jurisdiction of the NJDEP rather than something established locally and the State statute specifically says that the NJDEP’s rules will govern and supersede any differing local judgments on the matter – that is the State law.

Mayor Harrington asked if there is a limit on how much of the transition area can be rearranged.

Mr. Keller replied that the transition area buffer can be reduced by a maximum of 50%.

Ms. Rissmeyer asked the Board to please take the transition areas into consideration and not allow parking upon them.

Mr. Connor explained that these are State NJDEP regulations and we (and the developer) have to abide by them. He said that the Board cannot make them more restrictive than the State regulations.

In terms of pedestrian traffic, “Larry” from Stirling, said that if the development will have no rail access, as stated, if the sidewalks as drawn basically don’t go anywhere once the lot is cleared, where is the pedestrian traffic coming from and, if there is no pedestrian traffic, how is this fulfilling some basic tenants of the Master Plan.

Mr. Connor replied that the Master Plan encourages the development of sidewalks, which is a long term goal, to have a substantially walkable business location so this would merely be one piece of an overall development that would come before the Board over a period of years. If each of those applicants was required to integrate their business with a sidewalk, you would start to develop a walkable community. He said that one development, even one this large, is not going to make it immediately walkable.

Larry said that it sounded like the proposed big box store is kind of not in the “sweet spot” for a real big box store noting that a real big box store contains 12,000-130,000 S.F. and this will contain more like 75,000 S.F. In the universe of potential tenants, he asked how constrained is that. He said that we have a lot of open retail space right now. He asked if we will be left with a site that is not going to be big enough for a large enough universe of retailers and then potentially not be able to keep this thing occupied.

Mr. Luke replied that, as it relates to the market place and vacancy in the market place, he said that he could assure that you will see users in those vacant spaces very quickly. He said that there is a transition occurring and as leases expire and retailers go through acquisitions, etc., obviously they change. He said that in today’s market, they have a very specific national retailer that is interested in this location. While nothing is forever or for sure, he said that Greenhill is not a public company and will only do business with those that they deem to be secure, viable tenants because at the end of the day they must pay for whatever is left. He said that a 70,000 S.F. box in today’s world is more viable than a 30,000 S.F. box in today’s world. He said that a typical grocery store contains about 70,000 S.F. He also said that he is seeing other retailers that are smaller in use expanding to a larger size to consolidate and he is also seeing larger boxes somewhat constricting to smaller sizes. He said that that is where they think the future is in their market analysis – that it is a viable size, for sure.

Mr. Charles Arentowicz, Millington, said that he was here on January 16, 2011 and commented on the first presentation of the Valley Road proposal and was also here 2 weeks ago and commented when Greenhill Developers presented. He asked if all of the minutes from the first meeting on January 18<sup>th</sup> that Mr. O’Brien and Mr. O’Connor

attended – has that been shared with the entire Board, of all the comments that got received that day and have the meeting minutes from when Greenhill presented to the Township Committee be presented to the Planning Board?

Mayor Harrington said that she presumed Mr. Arentowicz was talking about the Township Committee meeting minutes.

Mr. Arentowicz replied that he was talking about all the comments that were made at the Township meeting when Greenhill Development Partners presented 2 weeks ago.

Mayor Harrington replied that those meeting minutes have not yet been approved by the Township Committee and, as soon as they are, they will be provided to anyone who wants them including this Board.

Mr. Arentowicz replied that that was not his question.

Mayor Harrington replied that the meeting minutes are not available yet from that meeting.

Mr. Arentowicz asked what about the January 18<sup>th</sup> meeting minutes?

Mayor Harrington replied that she believed that the minutes of the January 18<sup>th</sup> meeting have certainly been approved. She said that she did not know if everyone on the Board has read those minutes.

Mr. Arentowicz asked what we, as citizens, have to do? He said that each time something comes up we've got to repeat something we said back on the 18<sup>th</sup> of January – take up more time and have these people stay here all night – is that what we are supposed to do?

Mr. Connor asked Mr. Arentowicz to be specific as to what minutes and meeting occurred on January 18<sup>th</sup> which he was referring to.

Mr. Arentowicz replied that he thought it was January 16<sup>th</sup> when the Board presented its first proposal of the Valley Road plan to the Township Committee. He said that a lot of people commented on it and they do not need to repeat themselves. He said that those minutes should be taken before the Committee.

Mr. Connor said that the Board had given the proposal to the Township Committee and it decided to have an open discussion. He said that, officially, our presentation was at the last meeting two weeks ago. He said that at the previous time it was decided to have those discussions. He said that the question is whether the January 18<sup>th</sup> minutes were approved.

Mayor Harrington replied that she believed that the minutes have been approved, although she was not 100% sure. She said that she, Mr. Piserchia and Mr. Connor were at that meeting and she believed that many of the people sitting on this Board watched that meeting on television so that the comments have been relayed – possibly not specifically verbatim in the minutes, but the comments have certainly been relayed. She said that she was very much aware of many of Mr. Arentowicz's comments, as are many of the people sitting at this table.

Mr. Arentowicz asked Mayor Harrington if she was speaking on behalf of the entire Board, or just herself?

Mayor Harrington replied that she was speaking first on behalf of herself, but she believed that a number of people have watched the Township Committee meetings and were either there or watched them on television. She said that certainly the comments were relayed back to this Board.

Mr. Arentowicz said that he was getting the same feeling that he had when an investigation of 911 was done. He said that he did not think that there is very effective communication of what is said that these meetings to impact the other committees and he did not think that people are carrying forward back the comments that are made in reading the notes to the entire Planning Board. He recommended that that be done so that we save time and take the valid points that these taxpayers make at these meetings and get utilized. He said that he did not want to come up here and repeat the 21 points that he said in January. He said that, if you want me to do that, I will.

Mr. Connor said that the Planner was at that meeting and he felt that there is general knowledge of that. He said that it was not a Planning Board meeting and there has been the sharing of all of that information through the Planner and those things have been taken into consideration. He said that this is the first discussion after the official action of the Township Committee and, as such we will take all of the comments into account.

Mr. Arentowicz replied that he did not get a lot of comfort when we don't even know whether the meeting minutes have been approved and published yet. He said that we are going to have 150 townhomes and, at the last meeting, they were 2 bedrooms and then there were some 2 bedrooms with a den and we can't control the den and that may be a third bedroom, but we're only going to have 12 students in 150 townhouses. He said that for the first time tonight he heard that, because of the NJDEP, we go with this project that is just a concept – we're going to reduce flooding in Long Hill. He said that we are only going to put 47,000 gallons of water into the sewerage plant – that's minimal impact on the sewer plant even though we are at capacity at 900,000 gallons now as the approved capacity. He said that we are going to rent all of the retail space – 150,000 S.F. when we've got Pathmark, Blockbuster, and the restaurant next to Pathmark. He said that we are going to have no impact on the traffic – we haven't looked at it yet, but right now there is no impact. He said that we are going to sell these units – they are 1,100 S.F. and we are going

to sell them for \$350,000 - \$375,000 – we are going to sell them all. You sell them at \$375,000 and then we are going to get more revenue – we’re going to make money – we need to build more of these things. He asked if we are going to sell them at 340 S.F.? I don’t think so.

Mr. Connor said that he wished to briefly clear the record. He said that the 12 children was not the statement – the actual estimate used was closer to 30. The reduced flooding is by NJDEP regulation. He said that we all agree that we need to look at the sewerage and the traffic impact. He said that nobody said that there is no traffic impact and, finally, he said that it is 100,000 S.F.

Mr. Arentowicz replied that (in the Burgis report) it says on Pg. 10, Item 2 – “Population Type” – Public School Age Children – total 12 – that is a 1 and a 2. He asked Mr. Connor if he saw that?

Mr. Connor replied that he saw the 12, however the testimony was 30 at the previous meeting. Mr. Arentowicz asked if the document was wrong and said that he would like and answer.

Mr. Burgis replied that when he was before the Township Committee and before the Planning Board, he gave two sets of numbers. One was if they were townhouses in which he said that there would actually be 35 children. If it is purely flats, he said that the statistics suggest that it would be about 12 children. For his analysis, he said that they estimated based upon the higher number just to give as good a sense as possible as to the financial impact. He said that he felt he would be remiss if he did not give the range of children based on the different building types that could occur here. He said that, in his original presentation, he talked about purely townhouse units and with townhouses, as he said earlier, you get more public school attendees than you do flats, which is why is said close to 35. If it is purely flats, he said then you end up with a smaller number of public school children. He said that he was sorry that (Mr. Arentowicz) tried to misinterpret what was testified to.

Mrs. Carolyn Mazzucco, Gillette, said that it was stated that the big box retail superstore was going to be 75,000-80,000 S.F., approximately twice the size of the existing Old Navy store. She asked if that was correct.

Mr. Luke said that Greenhill is asking the Board to consider 75,000 S.F., but the user is not quite that large.

Mrs. Mazzucco asked if any of the neighboring towns in this vicinity, such as Chatham, Basking Ridge, or Warren, that don’t lie on the Rt. 78 or Rt. 22 corridor, have a store like the one proposed that is on a two lane road? She added that she was thinking retail rather than a food store. She said that the reason she was asking is that there is a lot of buildable property, certainly in Warren, Basking Ridge and these other areas and the question that glares out at her is why our town is the first? She said that obvious reasons and points that people have already raised about the infrastructure and traffic, and erecting a large structure of that size and capacity – it is glaringly buzzers and lights and nobody else has done this and yet we are – and what the impact is going to be from that.

Mr. Luke said that the way the configuration is in the Valley Mall, it would technically be considered one large box although it is subdivided into tenants. He said that, if you combined Home Goods and Old Navy, you would be almost equal if not greater than what is proposed.

Mrs. Mazzucco asked if there is any large 75,000-80,000 S.F. big box superstore away from Rt. 78 or R. 22 in our local area?

Mr. Luke said that he did not want to respond off the cuff because he did not want to misquote, therefore he could not give an answer.

Mr. Cornell Schuler, Gillette, asked if the transition wetlands is also 100 Year Flood Plain?

Mr. Keller replied that some of the transition area, particularly behind the funeral home and the manufacturing site, the wetland transition area is beyond the flood plain. He said that what he highlighted on the Constraints Map – the dark blue is a flood plain area that is beyond the limits of the transition area. But in other areas, the flood plain only extends slightly beyond the wetland limit line itself. He said that they are looking at building in some portions of the transition area, generally on the corner of Morristown Rd. and Valley Rd. and, maybe, in some small areas behind the residential, but most would be up at the corner and certainly within the Flood Hazard Area, which is permissible under the regulations.

Mr. Schuler asked Mr. Keller if he was aware that we are grappling on how to fix the flooding problem for the Township?

Mr. Keller replied that the flooding issues for the Township are on a much broader scale than when you look at it on a site specific basis.

Mr. Schuler responded that (Mr. Keller) is suggesting that we are going to build more stuff in the flood plain that we are trying to fix.

Mr. Keller replied that anything that is built within the flood plain has to be compensated for so that there is no net loss of volume within the flood plain. Like the transition area, he said that if they reduce it in one place, they have to increase it elsewhere.



Mr. Schuler said that, if you build in there and get a 100 Year Flood, you are going to flood the property, correct?

Mr. Keller replied that they are compensating. If they fill in one area, they have to remove soil in another area so that there is no net change in the flood storage.

Mr. Schuler asked if Mr. Keller if he was understanding correctly that he would raise the level of what is currently 100 Year Flood Plain to not be 100 Year Flood Plain anymore?

Mr. Keller replied, not necessarily that it would come out of the flood plain – it may be higher so that it floods less frequently, but whatever is filled has to come out of another area so that the net change of flood plain volume is zero so that there is no impact.

Mr. Schuler replied that, what he was still not grabbing is whether or not, when you are done building, will there be anything structurally in the 100 Year Flood Plain that will be underwater when we have a flood?

Mr. Keller replied, “No”. He said that there will be no buildings below the flood hazard elevation.

Mr. Todd Sylvestri, Gillette, said that his taxes are now double what they were when he moved here. He did not think building condos will help the Township that much. He asked if anyone in the room wanted to see condos built here?

(There was a loud vocal “No” response from the audience).

Mr. Sylvestri said that it sounded pretty unanimous to him and that he agreed. Furthermore, he said that the one thing no one has touched upon tonight is the sewerage. He asked for the increase in demand on the sewer system to be addressed. He asked what would happen to our already over taxed system? He said that 47,000 gallons per day was mentioned.

Mr. Keller replied that, based upon the information that was on the municipal website, the plant has a rated capacity of 900,000 gallons. They are currently at 85% capacity of use. He recognized that there is an I and I problem (inflow and infiltration) into the sewer system.

Mr. Sylvestri replied that it is stormwater that is coming into sewer that isn’t supposed to be there.

Mr. Keller replied, “Correct”.

Mr. Sylvestri added that it is very expensive to fix.

Mr. Keller replied that, in some cases, on a broad scale it *is* expensive to fix. In other cases, it is *not* expensive to fix. He said that he is the Board Engineer in West Orange and could say that the sewerage authority that covers West Orange, as well as some 20 other towns, has a requirement that new development has to offset I and I problems that they have in their system, which is very old. He said that they are simple things as you have sewer manholes that have pick holes in the top, which is not good when the road floods or there is runoff across them. Changing the sewer manholes is a fix.

Mr. Sylvestri said that we all know that crumbling pipes really the problem.

Mr. Keller replied that those are issues that he faces in a lot of communities and are things that would be discussed with the Township, DPW, Sewer Dept., and Municipal Engineer on means to offset impacts from this (or any) development on the sewer system.

Mr. Sylvestri asked Mr. Keller if he had ascertained whether the project would “max” the system out, or do we not know that yet?

Mr. Keller replied that, based on the information that is available, adding the additional sewerage from this development is within the plant’s capacity. It does not exceed the 900,000 gallon capacity.

Mr. Connor said that there is a plan to upgrade the sewer system, however he did not know the status of it.

Mr. Sylvestri said that his gut reaction is that this is going to end up costing us a lot of money. He did not feel that the proposal will be a benefit to the Township.

Mr. Bruce Meringolo, Stirling, stated that he knew Mr. Luke professionally and had no financial interest in the proposal. He asked Mr. Keller if he plans to backfill the area across the street where there is flooding on Morristown Rd. and then take away from another section?

Mr. Keller replied that it is not necessarily within the transition area that you are filling. You could be cutting the area. It is a matter of disturbing lands within there. He said that filling goes more to the flood plain and if he put an extra cubic yard of material in a flood plain by Morristown Rd. near the intersection, he would then have to take it out within that same area. He said that the area is all hydraulically connected.

Mr. Meringolo asked Mr. Keller if, in his concept, are we talking about trying to increase the usable area up towards Valley Rd. and then take that shovel and move it somewhere else?

Mr. Keller replied that, generally, the areas they are looking to utilize are closer to Valley Rd. and the areas to increase the buffer or storage in the flood plain would be to the rear of the site, closer to the wetlands and stream. He agreed that the concept is to increase the usable area up along Valley Rd.

Mr. Meringolo said that the transition areas were talked about in the context of parking lots and things like that. He asked if there aren't other uses that could be used there – for example, recreation fields?

Mr. Keller said that you can certainly build recreation fields within transition areas with the same constraints. He said that active recreation is something that can be done in transition areas but it still must follow the same rules.

Mr. Meringolo replied, therefore, it is not just parking lots we are talking about in these transition areas. He said that there is an option for other uses that would be more beneficial to the quality of life in this town.

Mr. Keller said that there is a whole range of construction that can occur within a transition area.

Mr. Meringolo said that, for the record, this Township wants more recreation fields. He said that his general perspective is that he is favor of something like this. He liked the idea of increasing the commercial base in the Township. As a taxpayer, he said that there is a tremendous burden on the residents here and expanding the commercial base, he felt will alleviate or will potentially delay the pressure on the residents. He felt that some of the designs proposed are very nice and pleasing to the eye. He felt that some of the particulars obviously need to be worked out, specifically, left turns onto Valley Rd. which he said he has advocated for before. He felt that it is a very serious problem should something like this go in – of increased traffic and left turns which he did not feel go well. He said that he like the idea and felt that it will enhance our Township and make it look better. He said that he also participated on the Chamber of Commerce and felt that it would be an attractive environment for more merchants to come to our Township and provide more available services. He said that he hoped that the numbers are accurate, whether it is this plan or another plan, so that there is some relief to the residential component here in town.

Mr. Piserchia said that the number one concern, by far, that people have whenever they contact the Township Committee is their taxes. He said that he wanted to give some numbers and thanked Mr. Sandow for coming up with them. He said that the percent of tax base in the Township that comes from residents is about 89 cents for every dollar and 11 cents for every dollar comes from business ratables. By way of comparison, he said that Summit, Madison, Warren, and Watchung are about 80 cents from residents and 20 cents from businesses. In Berkeley Heights, 73 cents comes from residents and 27 cents comes from businesses. So, for those that object to businesses coming into town, he said that you have to keep that in mind. So, if your complaint is about the taxes, there is only one way to get them lower. He asked people to keep that in mind. He said that he was not expressing an opinion, only giving facts.

Ms. Cheryl Killeen, Gillette, said that she thought her development was the last one able to be developed prior to the moratorium 10 years ago, so that has to be a huge cost somewhere. She did not understand why that is not in all this concept planning. She agreed that traffic and schools are an issue, but she said that we have been in a sewer moratorium for 10 years and now a developer wants to add 150 residential units plus retail. She asked why we don't have numbers?

Mr. Connor said that Mr. Butterworth is on the Sewer Ban Committee and asked him to provide some data.

Mr. Butterworth explained that the sewer ban and the revisions that have been proposed by the committee take care of all future developments in the Township – by law they have to. He said that we are following regulations on sizing the plant and everything. He said that, right now, we are out of compliance and we must do something. He said that the ball has been passed to the Township Committee to either accept or reject the recommendations. He said that the recommendations are to enlarge the plant by putting a surge tank in and do plant modifications. He said that \$8,000,000. also includes improvements that are required by the State in chemical treatment. It also includes upgrading the disinfection system which includes the ultraviolet lights which have reached the end of their useful service life and also the watering to get a dryer product going out so we can reduce our costs. In addition, he said that there is some money in there for some I and I (about \$2,000,000.). He said that the total proposal is about \$10,300,000, of which \$8,300,000. is for the plant improvements. He said that this has to be done *regardless*.

Ms. Killeen asked if that was really considering putting 150 units on Valley Rd.?

Mr. Butterworth replied that part of the planning is that a build-out had to be done and the County has been the leader on the sewer build-out. They provided us with a G.P.S. map of the community identifying all of the possible parcels that can be developed. These were reviewed by himself and other members of the committee, including the Tax Dept., and they determined what the build-out will be. In addition, the Planning Board took into consideration the changes in the Master Plan and its possible impact. He said that all of this information was put into the recommendation for the plant revision. As it turns out, he said that the limiting factor is the hydraulics on the plant. He said that we can make it with the hydraulics on the plant by putting a surge tank in to eliminate the peak flows that we get during rainstorms.

Ms. Killeen asked how that gets distributed and who pays for what?

Mr. Butterworth replied that it would be bonded and paid off by the Township. He said that it has nothing to do with developers.

Ms. Killeen replied that it would matter what is developed on the piece of land. She asked, if it is retail, wouldn't required capacity be different than having 150 residential units?

Mr. Butterworth repeated that the committee had taken into consideration all of the possible developments and redevelopments that will go on in this town for possibly the next 20 years and plugged those numbers in. He agreed that we would be expanding anyway, no matter what anybody does just to comply with the laws.

In response to Mr. Connor, Mr. Butterworth agreed that, if we don't expand the plant, we are subject to fines. Not only will the State be suing us, but also developers. He said that we have been out of compliance for the entire time the sewer ban has been in place, which has been almost 10 years now.

Ms. Killeen said that at \$375,000 per unit, they might be some pretty good investment properties for people which may entail rentals. She said that rentals are pretty good here and usually there is more than 1 child per unit. She did not know how that will not impact our schools. She said that we have 23-25 children per class now and we have already expanded.

Mr. Butterworth replied that the limits on class size right now are not about the availability of space, but the availability of money to pay teachers.

Mr. Batista made a motion to extend the meeting for an additional 15 minutes which was seconded by Mayor Harrington.

Mrs. Carol Prasa, Millington, said that she would like to remind the Board that in the early 1990's when we last expanded our sewerage treatment plant, we were scheduled to spend \$8,500,000. and the experts came up with how much it was going to cost us. They put the first shovel in the ground and hit asbestos. We then spent \$13,000,000. on an \$8,500,000. project, yet we are talking once again about a plan to expand a plant on an asbestos dump. She said that, perhaps, you ought to have factored that in.

Mr. Jonathan Jeans, Gillette, said that he has made a living consulting with some public entities like New York State using statistics to prove our point. He said that he has lived in this town for 40 years and knows lots of people who live nearby. He said that everybody in other towns pay more taxes than he does.

There being no further questions or comments, the meeting was closed to the public.

Due to the lateness of the hour, the meeting adjourned at 11:04 P.M.

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DAWN V. WOLFE  
Planning & Zoning Administrator