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MINUTES OF THE
EAST BRUNSWICK TOWNSHIP
PLANNING BOARD

September 22, 2021

STATEMENT - Open Public Meetings Act

FLAG SALUTE

ROLL CALL -

PRESENT:

ABSENT:

Laurence Bravman, Chair	Shawn Taylor
Brad Cohen, Mayor	Julie Clarke
Joseph Criscuolo	
James Wendell	
Charles Heppel	
Laurence Reiss	
Steve Philips	
Muhammad Hashmi	
Rachel Cohen	
Maya Maltez, Student Rep.	

ALSO PRESENT:

Lawrence Sachs, Esquire
Loren Morace, Secretary
Anthony Abbonizio, CME

MINUTES

August 11, 2021 - Motion to approve by Mr.
Criscuolo, second by Mr. Wendell. Minutes approved.

PRESENTATION

Presentation referring the redevelopment plan for 12
Harts Lane, block 31, lots 2.03 and 2.05, to the
township planning board for review. Motion to
approve the redevelopment plan by Mr. Wendell,

24 second by Mr. Criscuolo. Redevelopment plan
approved.

25

RESOLUTIONS



2

1

Application #21-15 - Calnin, LLC - Proposed
2 construction of a 3,400-square-foot building
3 addition and associated parking area reconfiguration
4 located at 678 Route 18, block 90, lot 2.09, in the
HC-2 zone. Motion to adopt resolution by Mr.
Heppel, second by Mayor Cohen. Resolution adopted.

5

Resolution recommending the adoption of the
redevelopment plan for the property located at 12
6 Harts Lane, block 31, lots 2.03 and 2.05. Motion to
7 adopt resolution by Mr. Wendell, second by Mr.
Philips. Resolution adopted.

8

OLD BUSINESS

9

Application #21-07 - Sadhu Vaswani Center - Proposed
10 demolition of existing structures to construct a
11 place of assembly and nursery school located at 110
Ryders Lane, blocks 593.01 and 594, lots 3, 4, and
12 7.03, in the R-3 zone. Mandatory date October 31,
2021. Continued to October 27, 2021. Notice
required.

13

14

NEW BUSINESS

15

Application #21-18 - ELRAC, LLC - Proposed
16 demolition of part of the existing building and
17 construction of a 24-foot-by-24-foot private car
wash located at 367 Route 18, block 32, lot 9, in
the HC-2 zone. Mandatory date September 22, 2021.
18 Taxes paid to date. Motion to approve by Mr. Reiss,
second by Mr. Wendell. Application approved with
conditions.

19

20

ADJOURNMENT

21 Motion to adjourn by Mr. Philips, second by Mr.
22 Wendell. Meeting adjourned.

23

24 THE CHAIRMAN: Good evening, everyone.
25 This is the September 22, 2021, East Brunswick
Township Planning Board meeting. In accordance with
the Open Public Meeting Law, on December 14, 2020,
notice of this meeting stating the time, date, and

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1 location was sent to the Home News Tribune, filed
2 with the township clerk, and posted on the bulletin
3 board in the lobby of the municipal building. A
4 copy of this notice will be incorporated in the
5 minutes of this meeting.

6 The chair reserves the right to call any
7 application in an order different from that
8 appearing on this agenda. On each application, the
9 chair will give the public an opportunity to
10 comment.

11 The planning board will entertain no new
12 business after 10 p.m. and will close all
13 proceedings at 10:30 p.m.

14 Would you kindly stand for the pledge of
15 allegiance.

(Flag salute)

16 THE CHAIRMAN: Loren, would you please
17 call the roll.

18 MS. MORACE: Miss Cohen.

MS. COHEN: Here.

MS. MORACE: Mr. Hashmi.

MR. HASHMI: Here.

MS. MORACE: Mr. Philips.

MR. PHILIPS: Here.

MS. MORACE: Mr. Reiss.

MR. REISS: Here.

MS. MORACE: Miss Clarke. Mr.

Criscuolo.

MR. CRISCUOLO: Here.

MS. MORACE: Councilman Wendell.

MR. WENDELL: Here.

MS. MORACE: Mr. Heppel.

MR. HEPPEL: Here.

MS. MORACE: Mr. Bravman.

MR. BRAVMAN: Here.

19 MS. MORACE: Mayor Cohen.
MAYOR COHEN: Here.
MS. MORACE: Chairman Taylor, absent.
20 THE CHAIRMAN: Thank you. And, Loren,
just so we're clear, I know last time when people
21 spoke, we had to push the buttons down. Is that not
the case this meeting?
22 MS. MORACE: No. I think that created a
lot of confusion, and the recording secretary was
23 mad at me. She had a tough time doing the minutes.
So we're just going to keep them on.
24 THE CHAIRMAN: Okay. And just real
quick, in case any member of the public is here on
25 the Sadhu Vaswani Center matter, that will not be
heard this evening. It is continued to October 27,

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4

1 2021, and I -- no further notice is on that.
MR. SACHS: Actually, Mr. Chairman, I
2 think they will renote because there's been some
significant changes to the plans.
3 THE CHAIRMAN: Okay, so there will be
notice, and it's continued to October 27, so if any
4 member of the public is here on that matter, you do
not have to stay unless you would like to.
5 So beginning first we will have a
presentation, which is a presentation referring the
6 redevelopment plan for 12 Harts Lane, block 31, lots
2.03 and 2.05, to the township planning board for
7 review, and I believe, Mr. Reiner, you are here.
MR. REINER: Yes, Mr. Chairman, thank
8 you very much.
THE CHAIRMAN: Thank you.
9 MR. IRENE: Members of the board, thank
you for having me here this evening. My name is
10 Francis Reiner. I am a professional planner with
DMR Architects. This evening I'm here to present to
11 you 12 Harts Lane redevelopment plan for block 31,
lots 2.03 and 2.05.
12 The existing conditions of the site
include approximately -- it's a total of actually
13 nearly 8 acres, 4.93 acres of the auto wrecking
yard, mostly pervious dirt, gravel, natural growth.
14 If you're not all aware of it, the conditions are
identified in some of the photos. Existing
15 buildings located on the site, as well.
This is the -- what we would identify as

16 the second step of a three-step process. As this
17 board knows, we presented an investigation study to
18 designate the property as an area in need of
19 redevelopment. We presented that study to the
20 board. The board made a recommendation back to the
21 mayor and council to designate the property as an
22 area in need of redevelopment without condemnation,
23 and so this -- and that was completed in 2019.

20 This step would be the second step of
21 the process. It is -- it represent the
22 redevelopment plan. Redevelopment plan essentially
23 for all intents and purposes provides new zoning for
24 the block and lots that the plan is for. It also
allows for enhanced design standards that typical
zoning does not include, and it allows for other
incentives if the borough or the township so wants
to provide.

25 And then after this process, if the
redevelopment plan is adopted, it would still
require a site plan application by property



1 owner/developer, and that application would come in
2 front of this board, and it would allow for any C
3 variances to be offered up as requested as part of
4 that site plan application but not a D variance, so
nothing in terms of density or height would be
permitted. So that's kind of the second process.
We're in, as I mentioned, the second step.

5 As part of the process, it's always
6 important to know that when you do redevelopment
7 plans that they're consistent with the city's or in
8 this case township's goals and visions of their
previous master plans, so as a part of the
redevelopment plan, we looked at the state plan as
well as the previous master plans and believe that
this particular project is consistent with those
plans and have noted that in the report.

9 So I want to step back a little bit. We
10 typically as we go through this process -- and in
11 this particular case we did this -- we had some back
12 and forth with the property owner and with the
13 property owner's professionals, and we used that as
a process to determine how we create the
redevelopment plan and the kind of the bulk
standards that are permitted in the redevelopment
plan. I know that the applicant -- their attorney

14 is here as well as the applicant, themselves, the
property owner is here, and last week we -- they
15 received a copy of this plan. We thought that we
had integrated all the things that we were looking
16 for that we had discussed over the process. They
had some comments about and wanted to make some
17 additional changes to the plan, but because of
notice requirements, we couldn't make those changes
18 in advance of tonight's meeting. So what I'm going
to do is I'm going to go through the plan that we're
presenting tonight, and then I'm going to go through
19 the comments that they had provided us so the board
knows what our position is as the planner in regards
20 to some of the requested comments that I'm sure
they're going to make to the board in the future.
21 So we're trying to make sure everybody understands
what the plan is versus what is being requested over
22 the last couple of days and what our position as a
planner would be on those particular items.

23 So the existing zoning of the area is in
the IM. The redevelopment plan is written so that
24 it supercedes the underlying zoning. There will be
a request that the underlying IM zone be included in
25 terms of the permitted uses in addition to what's in
the redevelopment plan. So in the redevelopment

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1 plan, we permit automotive wrecking, recycling,
warehouse distribution. As I mentioned, the
2 property is in the IM zone, and I mentioned
redevelopment plans typically supersede the
3 underlying zone. The property owner is requesting
that the underlying IM zone, also, all those
4 permitted uses, be allowed, as well, in addition to
the ones we have identified in terms of the auto --
5 automotive wrecking, recycling, and warehouse
distribution. We have no issue with that as it
6 doesn't change the current use of the property and
doesn't prevent any other uses that are already
7 allowed on that site.

8 The duration of plan is 30 years. As I
mentioned, it requires site plan application. I
just went through what the permitted uses are.
9 Accessory uses are uses that are customarily
incidental and subordinate to the permitted use. In
10 our accessory uses, we identify that outdoor storage
is prohibited. I think that the intent of our

11 including that was to be prohibited towards any
12 other use other than the permitted uses. In other
13 words, anything other than the automotive or
14 wrecking would not be permitted as outdoor storage.
15 I believe that the property owner's going to ask
16 that outdoor storage of the permitted uses be
17 allowed. We had no issue with that. That's how the
18 operation is currently done now. So we don't have
19 an issue with that, as well.

20 In terms of the bulk standards in the
21 plan, we have a minimum lot area of 4 acres. The
22 underlying IM zone has a minimum area of 2 acres.
23 As I mentioned, the property is about 7.94 acres so
24 we have no issue with the request to go from 4 acres
25 in the plan to 2 acres.

In terms of the building setbacks, the
front yard setback is identified as 65 feet. This
is consistent with the IM district. The
correspondence we've had with the property owner's
attorney is that they would like to have that
reduced to 50 feet. Our position would be that it
would be inconsistent with the underlying IM zone,
and therefore, we would not necessarily recommend
that, but we'd leave that to the board if they
wanted to have that discussion. The concept plan
that they have provided us during the initial
conversation included a setback of 65 feet, but we
think that should stay unless the board feels
otherwise.

Rear setback is 40 feet, again,



1 consistent with the underlying IM zone. The side
2 yard setback is also consistent with the underlying
3 IM zone of 35 feet, as well as the maximum building
4 coverage at 40 percent, maximum lot coverage of
5 75 percent. All these are consistent with the
6 underlying IM zone. We have no issues, and I don't
7 believe the property owner has any issues with that,
8 as well.

9 In our plan we identified the building
10 setback from the stream to be a hundred feet, and
11 I'll show you the plan when we go back to this. So
12 there is a stream that runs through the middle of
13 this particular property between the two buildings,
14 and we identified the setback between those two
15 buildings as being approximately a hundred feet. It

9 was made -- we were made aware that that stream also
10 curves around to the building on the right and that
11 the setback requested they're making is based on the
12 stream setback of the stream as it turns to the
13 right and goes above the building on the right. So
14 they're requesting that that be reduced from a
15 hundred feet in our plan down to 25 feet, and we
16 have no issue with that request, either, at the
17 board's discretion obviously.

18 The permitted building height in the
19 plan identifies it as 35 feet. The underlying IM
20 zone is 50 feet. When we reviewed the original
21 plans provided to us through our correspondence, it
22 was our understanding that the buildings were
23 intended to be 35 feet. That's why we had placed
24 that as the building height. We have no issue if
25 the building height, it goes back to the IM --
underlying IM zone of 50 feet so we don't have any
concerns or issues with that.

Other note is that there is a request to
allow for fencing to screen the uses along the
front, side yard setbacks. In our plan we indicate
that that's not permitted, but we have no issue with
that. That is -- it would be consistent with what
is out there now in terms of the fences so we don't
have any issues with that particular request, as
well.

A couple of other notes that they had
requested that are not in our plan are regard to
general circulation. We identify the circulation
areas as 30 foot measured from curb to curb.
They're asking for 30 feet measured from edge of
pavement to edge of pavement. Again, we have no
issue with that. It's essentially the same request.

They also had requested to provide

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1 additional screening beyond the screening that we
2 had in our redevelopment plan, and I believe that
3 has a little bit to do with maybe part of an
4 agreement they made with an adjacent property owner
5 so it is actually above and beyond what we put in
our plan. They want to make that a requirement of
the redevelopment plan. So we have no issues with
that, either.

And in regards -- we already talked
about the fencing, and the last item is that the

6 building materials that listed that we have in a
7 redevelopment plan, they simply want to add precast
concrete as a potential building material, and we
have no issue with that.

8 So essentially, I would have liked to
9 have come here with a plan and have been exactly
consistent with what the property owner wanted. Due
10 to notice requirements, we weren't able to do that.
11 So the plan that we have in front of you, the only
outstanding item that I believe is in -- is really
12 in consideration is the -- is the request to reduce
the front yard setback from 65 feet, which is the
underlying zoning IM zone requirement, to what they
13 requested in the last couple of days to 50 feet.
14 And again, so this is the concept plan that has been
provided to us in terms of what would be permitted
under the redevelopment plan under the -- what would
15 be the new zoning, and with that I'd be happy to
answer any questions.

16 THE CHAIRMAN: I guess going to that
subject of the setback, the front yard 60 feet and
17 the -- and the property owner is looking for 50
foot, as the redevelopment architects, what is your
position as to why it should stay at 65 feet?

18 MR. REINER: So when we do redevelopment
plans, one of the most important aspects as a
19 planner that we look at is not to cause any harm
above and beyond what the existing zoning has. So
20 the existing underlying zoning is 65 feet. So to
set a precedent and have it be less than 65 feet in
21 our opinion actually is a worse condition than the
underlying IM zone, which has it at 65 feet. So we
22 believe that from that reason alone that there is no
reason why it should be lowered from 65 to 50 feet.

23 The other item is that the plan, this
plan, shows the building at 65 feet, so we believe
24 that the plan that they have kind of put into effect
is in the redevelopment plan shows the building at
25 65 feet, and we don't see any reason why it should
be less than -- from either a planning perspective

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1 or from a constructability perspective is shown and
identified as such.

2 MR. SACHS: Fran, this plan shows it at
65 feet --

3 MR. REINER: Yes.

4 MR. SACHS: -- and this was prepared by
the property owner's engineer?

MR. REINER: Yes.

5 MR. SACHS: Okay. Thank you.

6 MR. REINER: And identified in their,
you know, draft zoning chart at 65 feet, so that's
why. That's why it has written originally.

7 MR. WENDELL: Fran, where is the
fencing, you know, the front yard fencing going to
8 be?

9 MR. REINER: So this isn't an
application, so obviously, as an application comes
in, it would show it specifically, but what they are
10 asking for is to allow for fencing to be in the
front yard and the side yard as a part of the
11 application. As you know now, there is fencing that
is --

12 MR. WENDELL: That fencing is about 10,
15 feet off the road right now.

13 MR. REINER: Yes, it is. We would
recommend that if you allow the fencing that it
14 shouldn't be higher than 8 feet at max. That would
be a provision we would want to write in.

15 MR. WENDELL: And I would want it set
off the road so that there is at least stacking for
16 a vehicle or two.

17 MR. REINER: Yes, yes, and I think as a
part of the site plan application, if they have the
fence close, too close where they had queuing issues
18 that backed up, I think the board would have the
leeway to make that recommendation to move the fence
19 to allow for queuing. It's a good point.

20 THE CHAIRMAN: There any other board
questions?

MR. SACHS: Let's go to the public.

21 THE CHAIRMAN: At this time I'm going to
open up to the public. If there's any member of the
22 public -- first I'm going to -- and I know the --
there is a property owner's attorney here. I would
23 first like to just ask if there are any members of
the public that would like to speak. Is there
24 anyone? Please raise your hand. Okay. And I do
understand now there's an attorney for the property
25 owner? Thank you.

MS. CARMELLI: So thank you for your

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1 time.

2 THE CHAIRMAN: If you'd like -- if
3 you're happy to stand, you may. If you're more
4 comfortable sitting at the table, whatever you
5 prefer, and if you have witnesses or professionals
6 with you, they can sit next to you. Thank you.

7 MS. CARMELLI: My name is Margaret
8 Carmelli. I'm an attorney with Offit Kurman. With
9 me is George Tyler of the law firm of George Tyler.
10 We're counsel on this matter for the property owner,
11 Ann Krawczyk and for Sunscape Enterprises, Gear Six
12 Auto Parts as you may know them, and we have Rodney
13 Krawczyk and Ann Krawczyk, the property owner and
14 representatives of the Gear Six Auto Parts, here
15 with us tonight, and I also have here Kelly O'Such.
16 He's our engineer on the project -- he's from E&LP
17 Engineering -- in case there are questions.

18 We brought with us copies of our letter,
19 our comment letter, that we did share with
20 Mr. Reiner in draft, so he -- when he referred to
21 comments, that's what he was discussing, and he had
22 seen that in draft.

23 THE CHAIRMAN: Just give us one second,
24 please.

25 MR. SACHS: Let's mark this as -- let's
mark it as O-1.

MS. CARMELLI: And I don't know. I also
have Mr. O'Such's CV. He is a PE. He's testified
at a number of boards in the state.

THE CHAIRMAN: Will he be providing
testimony this evening?

MS. CARMELLI: Yes.

THE CHAIRMAN: Okay, so when he's ready,
we'll swear him in.

MR. SACHS: You can qualify him when it
comes to that point in time. That's fine.

MS. CARMELLI: Thank you for handing
those out.

THE CHAIRMAN: So just so we're clear,
Miss Carmelli, what we've marked at O-1 is the
September 21, 2021 -- I'll call it the letter. It's
a comment letter, as you said, in draft from E&LP
Engineering?

MS. CARMELLI: Yes.

THE CHAIRMAN: Okay.

MS. CARMELLI: And it is now in final
form. We had shared a draft because we're trying to
work quickly. We had shared a draft with Mr. Reiner
yesterday, late yesterday, and I appreciate that he
read it right away.

1 THE CHAIRMAN: And just as an overview
2 -- and I'm not preventing you from putting on your
3 case or anything you want to do, but when Mr. Reiner
4 presented, it sounds like there's only really one
5 disputed item, which is the setback item, and that
6 all the other items that he talked about were
7 acceptable to the property owner?

8 MS. CARMELLI: Yes. We have them all
9 worked out now. Yes, I do believe that, and I don't
10 know if the board has any other questions. I know
11 there was a discussion on the screening and the
12 fencing. We're happy to offer any other information
13 on why we had these comments.

14 THE CHAIRMAN: Obviously, it's to the
15 board's discretion on any of the items, but it
16 sounds as if you are in agreement with the
17 redevelopment engineer -- architect when you put it
18 in his testimony.

19 MS. CARMELLI: Yes, yes, we are in
20 agreement with all the items that he agreed to our
21 comments have been addressed, and we -- actually,
22 the last several that we were going to speak to we
23 did discuss this evening while we were here and I
24 think have worked through. So unless there are
25 questions for us, I think that we are willing to
26 accept the recommendations of the planner, and on
27 the disputed item with the setback, we will withdraw
28 that comment and accept the existing setback.

29 THE CHAIRMAN: So I guess the question
30 is does any board member have any questions with
31 regard to the nondisputed items as they've been
32 referred to? Okay. So then we're down to one item.

33 MS. CARMELLI: Which we -- we will
34 accept -- we will accept the recommendation of the
35 planner in the report, the 65 feet that's the
36 current setback.

37 THE CHAIRMAN: So there's no dispute.

38 MS. CARMELLI: No dispute at the moment,
39 yes.

40 MR. SACHS: That's fine. So I don't
41 think you need to make a presentation.

42 MS. CARMELLI: Okay.

43 MR. SACHS: I'm glad you worked it out.
44 So okay. Okay. Thank you.

45 THE CHAIRMAN: Thank you very much.

24 MS. CARMELLI: Thank you for your time.
Thank you.

25 THE CHAIRMAN: And I assume again
there's no other member of the public wishing to be
heard, so I will close the public portion.

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1 MR. SACHS: Mr. Bravman, I guess before
we take a vote on this, Fran, I guess you're going
2 to have to update this report.

MR. REINER: I will.

3 MR. SACHS: Okay, including everything
and obviously leaving the setback recommendation in
4 since we now know that the property owner is okay
with that requirement. All right. So if that's the
5 case, then I think we can appropriately --

6 MR. WENDELL: I'll make a motion to
approve the redevelopment plan with the no changes.

MR. CRISCUOLO: I'll second.

7 THE CHAIRMAN: Very good, and just so
we're clear again, Fran, I believe you presented
8 initially, it's an area of redevelopment
noncondemnation, correct?

9 MR. REINER: Yes, correct.

10 THE CHAIRMAN: All right, so we have a
motion. We have a second. Are there any other
questions or comments?

11 Loren, would you please call the roll.

MS. MORACE: Miss Cohen.

12 MS. COHEN: Yes.

MS. MORACE: Mr. Hashmi.

13 MR. HASHMI: Yes.

MS. MORACE: Mr. Philips.

14 MR. PHILIPS: Yes.

MS. MORACE: Mr. Reiss.

15 MR. REISS: Yes.

MS. MORACE: Mr. Criscuolo.

16 MR. CRISCUOLO: Yes.

MS. MORACE: Councilman Wendell.

17 MR. WENDELL: Yes.

MS. MORACE: Mr. Heppel.

18 MR. HEPPEL: Yes.

MS. MORACE: Mr. Bravman.

19 THE CHAIRMAN: Yes.

MS. MORACE: Mayor Cohen.

20 MAYOR COHEN: Yes.

MR. REINER: Thank you, Mr. Chairman,

21 members of the board. Appreciate your time.

22 MR. SACHS: And just a comment to the
23 property owner. Obviously, we will see you at a
24 later date when this application is before this
25 board. So thank you.

THE CHAIRMAN: Before I move to the next
24 application, I believe there's one resolution also
25 on a previous application that we have, which is to
formally adopt it. It is application number 21-15,
Calnin, LLC.

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1 Mr. Sachs, is that resolution in order
for the board to vote on this evening?

2 MR. SACHS: It is. I added a paragraph
3 at the end of the resolution because I know Mr.
4 Criscuolo brought to my attention about some
5 outstanding fines for false alarms, which they have
6 been paid, but obviously, let's make sure the check
7 clears, and I put some language in there about that.
8 So we can vote on this resolution this evening.

THE CHAIRMAN: So with that, do I have a
6 motion to approve the resolution?

MR. HEPPEL: I'll make the motion.

7 THE CHAIRMAN: Mr. Heppel has made the
8 motion. Second?

8 MAYOR COHEN: Second.

9 THE CHAIRMAN: Second by the mayor. Any
10 other questions or comments?

Loren, please call the roll of those
10 eligible to vote.

11 MS. MORACE: Miss Cohen.

MS. COHEN: Yes.

12 MS. MORACE: Mr. Hashmi.

MR. HASHMI: Yes.

MS. MORACE: Mr. Reiss.

13 MR. REISS: Yes.

MS. MORACE: Councilman Wendell.

14 MR. WENDELL: Yes.

MS. MORACE: Mr. Criscuolo.

15 MR. CRISCUOLO: Yes.

MS. MORACE: Mr. Heppel.

16 MR. HEPPEL: Yes.

MS. MORACE: Mr. Bravman.

17 THE CHAIRMAN: Yes.

MS. MORACE: Mayor Cohen.

18 MAYOR COHEN: Yes.

19 THE CHAIRMAN: Motion -- the resolution
is approved. The next --

MR. SACHS: We have another resolution.

20 THE CHAIRMAN: We did that.

MR. SACHS: We voted to recommend it.
21 Now we have to do the resolution.

THE CHAIRMAN: So we also have a
22 resolution then, a resolution recommending the
adoption of the redevelopment plan for the property
23 located at 12 Harts Lane, block 31, lots 2.03 and
2.05. That will be a resolution recommending it to
24 the town council.

MR. SACHS: Yes, and before you -- thank
25 you, Mr. Wendell. Also, Loren, just make sure we
add in there "as amended based on" -- that's fine.

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1 THE CHAIRMAN: So Councilman Wendell
made the motion. Do I have a second?

2 MR. PHILIPS: I'll second.

THE CHAIRMAN: Loren, please call roll.

3 MS. MORACE: Ms. Cohen.

MS. COHEN: Yes.

4 MS. MORACE: Mr. Hashmi.

MR. HASHMI: Yes.

5 MS. MORACE: Mr. Philips.

MR. PHILIPS: Yes.

6 MS. MORACE: Mr. Reiss.

MR. REISS: Yes.

7 MS. MORACE: Mr. Criscuolo.

MR. CRISCUOLO: Yes.

8 MS. MORACE: Councilman Wendell.

MR. WENDELL: Yes.

9 MS. MORACE: Mr. Heppel.

MR. HEPPEL: Yes.

10 MS. MORACE: Mr. Bravman.

THE CHAIRMAN: Yes.

11 MS. MORACE: Mayor Cohen.

MAYOR COHEN: Yes.

12 THE CHAIRMAN: The resolution is
approved referring to the township council.

13 Under new business --

MS. MORACE: Mr. Vice Chair, there's
14 also minutes, August 11 minutes that need to be
approved.

15 THE CHAIRMAN: Oh, I did not see them.
I'm sorry.

16 MS. MORACE: That's okay.
17 THE CHAIRMAN: Oh, under roll call. I
18 guess 11, it doesn't say minutes. I apologize.
19 MS. MORACE: That was my mistake.
20 THE CHAIRMAN: Who typed this up?
21 MR. SACHS: Mine says 8 o'clock, by the
22 way.
23 THE CHAIRMAN: We have the August 11,
24 2021, minutes, which we received via e-mail I
25 believe it was. Can I have a -- has everyone
reviewed those? Okay. And we're going to have a
motion to approve them. Have a motion?
MR. CRISCUOLO: Motion.
MR. WENDELL: Second.
THE CHAIRMAN: We do like voice vote, or
do you want a roll call?
MR. SACHS: No, we can do a voice vote.
That's fine.
THE CHAIRMAN: So we're going to make a
motion to approve them by voice vote. All those in

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1 favor say aye. All those opposed? Any abstentions?
2 Okay. The minutes are approved.
3 And, Loren, I guess we can just note, I
4 know myself and I think Mr. Reiss both signed -- we
5 were not at the meetings, but we both signed that
6 we've reviewed them, read them in their totality,
7 and we provided you the certification to that
8 effect.
9 MS. MORACE: Correct, yes.
10 THE CHAIRMAN: Now moving on, new
11 business, application 21-18, ELRAC, LLC. It's a
12 proposed demolition of part of the existing building
13 and construction of a 24-foot-by-24-foot private car
wash located at 367 Route 18, block 32, lot 9, in
the HC-2 zone.
MR. HOCK: Good evening, Mr. Chairman --
THE CHAIRMAN: Good evening.
MR. HOCK: -- board members, my name is
Gregory Hock. I'm an attorney with D'Arcy Johnson
Day all the way down from Toms River, New Jersey.
We're here tonight for preliminary and
final minor site plan approval. The site I'm sure
you all know well. The applicant is ELRAC, but the
site operates as Enterprise Rent-A-Car. What we're
looking to do -- as these masks remind us, we're

14 still in a COVID situation here. Enterprise has
15 made a corporate decision to sort of upgrade their
16 cleaning facilities at all of their sites. So we're
17 going to be doing this in many towns across the
18 state. What we're doing is essentially taking --
19 there is an existing washing bay now, but for a
20 couple reasons, which we'll get into, we're going to
21 eliminate that, move it to a new location, maybe
22 modernize it, make it a little more effective, and
23 as indicated in the -- in your board engineer's
24 report, again, this is just to wash the fleet of
25 cars. It's not open to the public. It's not a car
wash as we all know that term to be. It's a car
washing bay for use by Enterprise to wash their
inventory.

21 We have a relatively narrow lot here
22 that creates a hardship for us but we think we're
23 also bringing some benefits to. We're going to
24 substantially increase the side yard setbacks.
25 We're very deficient right now in a very old
building. We're going to improve that
significantly -- and we're going to have more
discussion on that -- which will allow us to get
some better circulation around the site not only for
our operation but for emergency management, first

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1 responders, et cetera, to open that up, and for
garbage positioning, as well.

2 So with that, I would ask that our
3 professional engineer and professional planner,
4 Caroline Fagan, be sworn.

5 THE CHAIRMAN: Sure, Mr. Hock. Thank
6 you. Just I know you weren't providing testimony;
7 you're only providing an overview.

8 MR. HOCK: Just overview.

9 THE CHAIRMAN: Mr. Sachs, I assume we
10 have jurisdiction on the application?

MR. SACHS: Yes, Mr. Chairman, I have
reviewed the affidavit of publication and proof of
service. The board does have jurisdiction for this
application.

As an aside, I am very familiar with
this site because I had my first law office in this
building in 1983. Before it was a rental car place,
it was a law office.

MR. HOCK: Make you a witness.

11 THE CHAIRMAN: Thank you. Mr. Hock, I'm
sorry, who is the professional you have with you?

12 MR. HOCK: Caroline Fagan, if you can
put your professional qualifications on the record.

13 MS. FAGAN: Sure. Caroline Fagan. I'm
with the firm of FWH Associates in Toms River. I
14 graduated from NJIT in 1994. I got my New Jersey
professional engineer's license in 2000. I got my
15 planner's license only 3 years ago. After doing
testimony for many years and needing to bring a
16 planner along with me, I finally decided to go and
get planner's license. Testified before many
17 planning and zoning boards but never at East
Brunswick, so thank you for having me. And I can
18 continue to go on if you would like me to.

THE CHAIRMAN: And just since you will
19 be providing testimony, would you kindly raise your
right hand. Do you swear or affirm that the
20 testimony you will provide will be the truth, the
whole truth, nothing but the truth.

21 MS. FAGAN: I do. Thank you.

THE CHAIRMAN: And, Mr. Hock, Miss
22 Fagan's being presented as an expert in?

MR. HOCK: In engineering and
23 professional planning, please.

THE CHAIRMAN: Okay. Does any member of
24 the board have any questions as to her
qualifications?

25 We're happy to accept you as an expert.

MS. FAGAN: Thank you.

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1 THE CHAIRMAN: In professional planning
and engineering.

2 MR. HOCK: Thank you, Mr. Chairman.
Miss Fagan, your office prepared the
3 plan that's before the board tonight; is that
correct?

4 MS. FAGAN: That's correct.

MR. HOCK: All right. Could you give us
5 an overview of what's existing on the site, and then
we can dovetail into what we're proposing.

6 MS. FAGAN: Sure. The site is located
at 367 Route 18. It's on the west side of Route 18,
7 and basically, ingress and egress to the site is
from Route 18 southbound. Currently, there's an
8 existing building. I went through at least 1983,

9 but I looked at a lot of historic aerals. It looks
10 like the building has been there since, I don't
11 know, into the 50's at some point. The lot is, as
12 Mr. Hock said, very narrow. The building almost
13 takes up the entire width at the midpoint of, you
14 know, a third of the way in from Route 18. With
15 that, there's only a 4-and-a-half-foot setback on
16 the southbound side and a 1-and-a-half-foot side
17 setback on the northbound side.

18 Previously, the operations kept storage
19 vehicles in the back, and I'll go into the details
20 on how the operation is run a little bit shortly,
21 but in order to get around to the rear of the site,
22 Enterprise was basically using the property to the
23 south's -- like using a lane in order to get around
24 to the back, so we were encroaching on lot 10's
25 property in essence. Recently lot 10 put bollards
up and a chain to prevent that from happening, and
rightfully, so in essence, they lost access to the
back of the lot, so they can't get to the back.

The extension that is over here on the
southbound or the south side of the building or the
left side of the building has an overhead garage
door at the front and an overhead garage door at the
rear, and at this point they have to open both of
those in order to get through and like kind of use
it as a tunnel to get through to the back at this
point. That's forced them to move their trash
enclosure to the front of the building right now,
which is unsightly, and they certainly don't want to
keep that there.

So the reason for this application is so
that they can take off a portion of the building
that's about 14-by-22 feet. That will, of course,
increase the side setback on the south side of the



1 lot. And they'd like to relocate -- that is the car
2 wash operation in essence. They'd like to relocate
3 the car wash to the -- there's a nook, an existing
4 nook in the building right now that this 24-by-24
5 enclosure will fit nicely into. It will not
decrease the setback on the northbound side. It's
actually a little bit further in. So that 1.5-foot
side setback on the north side would remain the
same. The building becomes a little bit more of a
square, and it will allow for, you know, circulation

6 to the rear of the lot. They can move the trash
7 enclosure to the back again and still have their
vehicle storage area in the back.

8 MR. HOCK: And the parking, how are we
handling parking on the site?

9 MS. FAGAN: Okay. The parking right now
10 for customers and the public is solely in the front
of the lot. I believe there's a calculation that
11 seven and a half spaces were required for the office
use of the rental car facility. We do have 17
12 spaces in the front. What you see if you ever drive
past there, all the cars that are there in those
13 spots are ready to be rented. They've been cleaned.
They've been serviced. They've been, you know,
14 sanitized. And anybody who would come to the site
could either park their car -- there's enough spaces
15 for customers -- or what Enterprise's tag line is
that they'll come pick you up, and a lot of times
16 that's how they work. They really don't even have
customers coming to the site as frequently. They'll
17 go to your place where you're having your car
serviced and pick you up, bring you back here to
18 fill out the paperwork, and then you take your
rental car with you.

19 MR. HOCK: Now, by removing the left
side portion of the building, putting the new car
wash bay in the back, is that going to change the
operations of this facility and this use at all?

20 MS. FAGAN: No, it's going to operate
the same. They're just going to stop using the
21 neighbor's property to get around to the back, but
in essence, you know, the number of employees, the
22 operation, the rental, the whole operation is going
to remain the same. They're just taking the car
23 wash from the side and bringing it to the back.

24 MR. HOCK: So like I said, we're not
anticipating anymore employees for this operation?

25 MS. FAGAN: No.

MR. HOCK: We're not anticipating
any more trips to the site or customer services to

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1 the site.

2 MS. FAGAN: Right. There's no increase
in business. It's just a relocation of the car wash
3 facility.

MR. HOCK: And this will allow us to fix

the trash problem, correct?

4 MS. FAGAN: Yeah. There wasn't a trash
5 problem before, but now there is one, and now we'll
6 move that again so that way the trash enclosure will
7 be at the rear of the vehicle storage area, and the
8 refuse vehicle can come to the back like it used to.
9 There is no enclosure right now. It was just a
10 dumpster basically, so we do propose an enclosure
11 around that, too.

12 MR. HOCK: And there's plenty of room
13 for the garbage man to get around that side and pick
14 up the -- empty the --

15 MS. FAGAN: Yes, the new side setback
16 here will be 18 and a half feet, so you can
17 certainly get a vehicle in and out, and it's not for
18 customers. Customers won't ever enter behind the
19 building, staying in front of the building.

20 MR. HOCK: Okay. And backing up to the
21 actual variances we need here, we have a lot area
22 and lot width, which we sort of are stuck with,
23 correct?

24 MS. FAGAN: Yes. Those are existing
25 nonconformities. The required lot area is 40,000
square feet, and existing is 28,139. And lot width,
200 feet is required, and they have 70.81. There
will not be any changes to those conditions.

MR. HOCK: Okay. And both lots adjacent
to us are developed sites, although one's shut down
right now, but it's developed, so we really can't
gain any additional land there, correct?

MS. FAGAN: That's correct. To the
north is the Chili's site. That's pretty well
developed and functioning. I just drove by. It was
moving and hopping there. To the south is a gas
station that is vacant at this time. No idea what
the intention of the property owner is there, but he
just put bollards, and there's a whole fenced area
in the back here, so not sure something is coming
with that or not, but, yes, it's fully developed.

MR. HOCK: Okay, and we talked about --
we do need some side yard setback relief even though
we're improving this condition considerably,
correct?

MS. FAGAN: Yeah. We like to -- there
is an existing nonconforming side setback for both

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1 conditions, the one side yard and the combined side
2 yard. The worse condition is on the north side
3 where there's 1 and a half feet, and that will
4 continue to remain at 1 and a half feet. Our
5 addition will provide 5 feet on that side so it's
6 not going to make that situation any worse. It's
7 tucked in a little bit from the actual edge of the
8 building. On the south side, the existing setback I
9 believe is 4 and a half feet. That's going to 18
10 and a half feet now, so that will increase by 14
11 additional feet, so the total combined now was 6, or
12 it is 6 at this moment, and that will increase to
13 20 feet, so that's the aggregate, 20 feet.

14 MR. HOCK: And you feel that's an
15 improvement to the safety of the site by circulation
16 and allowing emergency management vehicles to get
17 around the property?

18 MS. FAGAN: Yes, that will absolutely
19 allow the vehicles to get around to the back, and,
20 you know, it's less intrusive on the property to the
21 south, as well, by pulling that building away from
22 this property line.

23 MR. HOCK: And including our addition,
24 we're still well under the lot coverage
25 requirements, correct?

MS. FAGAN: Yes, we -- currently now
there's 53 and change percent impervious coverage.
The addition, most of the area in the back of that
little nook is grassed area. We will be increasing
the impervious by about 2 percent, so it will be
going up to 55.2 percent.

MR. HOCK: Where 75 --

MS. FAGAN: And 75 is permitted.

MR. HOCK: Okay, and all additions in
the existing building are well under the building
height regulations?

MS. FAGAN: Yes. The building right now
is one story. It's under the 35 feet. The addition
will be 24-by-24. Up to the eaves it's 10 feet, and
at the peak it's 14 feet. I have a cross-section if
anybody would like to see that, but it's a --
basically, it's a pole barn structure. It's a
one-story pole barn, and it will not be anywhere --
it's 14 feet so nowhere near the 35.

MR. HOCK: Okay, and how about the
existing improvements along the frontage as far as
curbs and sidewalks? There is a request for some
information on that.

MS. FAGAN: I looked at them on my way
up here. They're in decent condition. There are a

1 couple cracks in the sidewalk to the north side.
I'm not sure if that is exactly on -- I mean, it's
2 obviously in the DOT right-of-way. It's probably in
front of our property, not the Chili's property.
3 The curb looked in pretty good condition. On the
south side, the sidewalk, it's old, but it looks
4 pretty good. I don't think it's in bad condition at
all. There's not any, you know, pieces that are
5 crumbling or breaking or cracked or anything.

6 MR. HOCK: Okay, and there was also some
concern about utilities, water and sewer.

7 MS. FAGAN: Yes.

8 MR. HOCK: Could you describe how it's
serviced now and how this will change, if at all.

9 MS. FAGAN: Sure. I got a great lesson
on how this car wash works. I've heard of these
10 before. It's going to be -- in this 20 -- this
24-by-24 pole barn is -- I have a little sketch of
it if anybody was curious to see it, but there
11 are -- the water comes in. It does the whole
washing of the car. It treats it by going through
the floor grate. There's a hemp mat there that
12 cleans the whatever is discharged from the car wash.
After it's cleaned, it then goes through an oil and
13 water separator, and then it is discharged into the
sanitary lateral. That operation is actually what's
14 happening now in the building that's on the left
side. We thought maybe they were just hosing down
15 the cars, but he said a while back they upgraded to
that system. They were required to for water
16 quality and whatnot. So they're basically going to
take that whole entire operation and just move it to
17 the back, and they'll still continue to abide by the
water quality and what they're allowed to release as
18 far as into the sewers. So they do treat it, and it
goes through an oil/water separator before it's
19 released from the site.

20 MR. HOCK: So we don't anticipate any
increase in water demand and/or sanitary sewer
discharge over what's there now.

21 MS. FAGAN: That's right. It's going to
be the same exact thing. The water demand -- it's
22 going to be like the same system so the demand
that's requested now in order to service all the
23 cars will be the same in the condition when it moves

to the rear of the lot.

24 MR. HOCK: Okay. And as far as the site
lighting, what's existing?

25 MS. FAGAN: There are no pole mounted
lights. I spoke with the representative from

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1 Enterprise today. Their operation closes at 5 p.m.
2 Monday through Friday. They're 8 to 5, and then on
3 Saturdays they're 9 to 12. There are three building
4 mounted lights on the front. There's a few in the
5 rear. They're motion activated, so if it's after
6 hours and it's dark, they light up. I took a few
7 pictures of them on my way in. They lit up when I
8 was there. It's a very narrow light. There's
9 lighting at Chili's. There's lighting at the gas
10 station. He said they've never had a problem with
11 what's existing now, you know, so that's pretty much
12 where it stands.

13 MR. HOCK: So the off-site spillage from
14 our neighbors is lighting us up quite well.

15 MS. FAGAN: I'm not a hundred percent
16 sure on that. They probably should have house-side
17 shields. I don't know if they do or not, but there
18 are lights. I mean, again, the property's really
19 narrow. There's one that's shining into the parking
20 lot on Chili's right over here, and then there's one
right in the back of this parking -- I'm sorry -- in
the back of the adjacent parking to the south. You
know, it wasn't dark enough for those to be on when
I was there so I couldn't really see if there was
spillage, but, you know, due to the narrowness of
the site, there's three coming right off the front
that were definitely lighting that up. It was just
dusky so, you know, I don't -- I'm not going to put
on the record that it, you know, was shining all the
way out to this last parking space by any means.

16 MR. HOCK: Certainly.

17 MS. FAGAN: It serves their purpose.
18 They're closed after 5 p.m.

19 MR. HOCK: So we're not proposing
20 anymore lighting at this point, but, of course, if
the board professionals have some suggestions, we're
happy to listen to that.

THE CHAIRMAN: Anthony, is there any
position on professional staff as to whether they
want lighting or increase the lighting in any way?

21 MR. ABBONIZIO: Mr. Chair, I think the
22 lighting was adequate. The only suggestion that we
23 have with the lighting is usually to try to go
24 green, so if they can upgrade them from like the
25 halogen or the sodium, LED's, that's what we
request.

24 THE CHAIRMAN: Mr. Hock, would the
applicant be amenable to that?

25 MR. HOCK: No objection.

MR. CRISCUOLO: Mr. Bravman.

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1 THE CHAIRMAN: Sure.

2 MR. CRISCUOLO: I'd like to see wall
3 packs put on the building, not only the front and
4 the rear, for the safety of our police officers if
5 they have to respond to an incident. It's all well
6 and good if, you know, they go on when there's
7 motion, but there's activity in the area -- it
8 doesn't have to be -- you know, I brought this up
9 before on other applications. I think it's
10 important that they upgrade the lighting and provide
11 some kind of lighting so that the officers can see
12 better around the building, especially if they're
13 looking, you know, through the back of the Chili's
14 parking lot or --

8 MR. HOCK: And that sounds reasonable.

9 MS. FAGAN: You're saying not just
motion, just on all the time?

10 MR. HOCK: Always on?

10 MR. CRISCUOLO: Yeah.

11 MS. FAGAN: Okay.

11 MR. HOCK: Yeah, and obviously not too
bright to annoy anybody.

12 MR. CRISCUOLO: Applicant could work
with professional staff on that.

13 MR. HOCK: Sure. That makes sense.

14 MS. FAGAN: Okay. All right. I did see
15 lighting on the rear of the building. I also saw a
16 little security camera. I'm not sure if that's
17 doing anything or if it's on, but noted, and they do
18 have their inventory in the back so --

16 MR. CRISCUOLO: Right, it would make
17 sense for them to not only protect their inventory,
18 and you never know, you know, keeps sometime when
they need to stay on a little later or may be
employees back there.

19 MR. ABBONIZIO: Mr. Criscuolo, do you
have any objection to timers just so they're not
on continuously?

20 MR. HOCK: A dusk-to-dawn thing? You
know, whatever the board thinks appropriate.

21 MR. CRISCUOLO: I don't mind if they
drop down one, but something there would be -- not
22 to go completely dark.

23 THE CHAIRMAN: On at all times at a
minimum.

24 MR. CRISCUOLO: Doesn't have to be all
of them. Could be --

25 MS. FAGAN: At least just one in the
back and one in the front?

MR. HOCK: So they can circulate?

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1 MR. SACHS: I would suggest you work
with our staff on those details.

2 MS. FAGAN: Okay, no problem.

3 THE CHAIRMAN: Mr. Hock, before you
4 jump, I think Miss Fagan mentioned that the car wash
5 bay area, the existing one was upgraded at some
point, which is what you're now planning on doing in
the new, but was the upgrade done, like, through the
municipality or through any type of permitting?

6 MR. HOCK: I don't have any information
on any zoning or planning board applications. I'm
going to presume we got building permits for that,
7 but other than that, I don't have much information,
to be honest with you.

8 THE CHAIRMAN: And I guess the new
construction, even though we call it the existing
9 system, is going to be implemented in the new area.
That, too, will be overseen by --

10 MR. HOCK: The construction department.

11 THE CHAIRMAN: -- the building
department, construction department, any type of
oversee that needs to be done at any agency level.

12 MR. HOCK: Absolutely. I mean, and
13 we'll get to that, but all outside agencies that are
applicable we're going to certainly, you know,
14 comply with unless they're exempt or whatnot, but,
you know, if there's construction permits, if
there's sewerage authority requirements, we'll meet
15 all that.

MR. CRISCUOLO: Mr. Bravman, I'm sure

16 when they got their bill from the sewer authority
17 when they tested the flow out of there, there was
18 probably a high concentration of oil and suspended
19 solids, so the recommendation from that utility
20 would be to them, you can't do that anymore, you got
to clean your (inaudible) where it's coming out.
Most likely you would do what McDonald's, a Wendy's
or whatever, that we don't want grease coming into
the system. It just clogs things up.

MR. SACHS: You know, paragraph 6 of the
report on page 5 talks about method for disposal of
the wash water should be indicated, so I don't know
if you've got some materials that you can provide to
our -- to CME to our staff --

MS. FAGAN: Yes.

MR. SACHS: -- so that they can review
it.

MS. FAGAN: I actually have a little
section of it, and there's some details here. We
can provide them. I believe they're probably

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1 correct. Same like every restaurant, you have to
2 have the grease trap and not allow that to go out
through the sanitary line.

MR. CRISCUOLO: One other system I'd
3 like to see you have implemented in there because it
4 happens with detergents, it lowers the oxygen level
of the water, which then when we feed it off to the
5 utility authority, they charge us because it's
(inaudible) obstacle charged suspended solids,
(inaudible) and oxygen demand. So I would ask you
6 that you get in touch with Mr. Losik in the sewer
department and ask him for his advice --

MS. FAGAN: Okay.

MR. CRISCUOLO: -- to maintain the
8 oxygen level of that content of the water because
the -- and hopefully you can use a green product, a
9 greener product than detergent to clean the cars.

MR. HOCK: Certainly.

MS. FAGAN: Okay. We actually did get a
10 review letter from Dan Losik, so we have comments of
11 his to address, and he does actually ask about, you
know, how are you -- you know, he has all the
12 questions that you have so we plan on addressing
that. The letter was dated August 5. So as part of
13 our -- I mean, they're just wondering is, you know,

14 how is the operation going to work and making sure
15 that everything is compliant. So anyway, we do have
16 a letter of his to meet all the comments, and we'll
17 absolutely be doing that.

MR. CRISCUOLO: Thank you.

18 MR. ABBONIZIO: Mr. Chair, just going
19 back to or continuing that point, we would request
20 -- now that I guess the board and our office is
21 aware of it, one of the new items with the
22 stormwater management, the O & M manual, have an O &
23 M manual, I'm not sure if you guys did it when you
24 first initially instituted this new treatment, but
25 we would request, and we're doing it new again with
the shed, you provide an O & M manual that we can
review (inaudible) to be filed with the county.

MS. FAGAN: Yes, I'm very familiar. So
understood, and I imagine that this is like some
proprietary system. They probably have an O & M
manual that's already -- just hand it over. So
okay.

THE CHAIRMAN: Mr. Hock, before you
begin -- continue with Miss Fagan, are there any
other board questions or comments? Yes, Mr.
Philips.

MR. PHILIPS: We're going under the

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1 assumption that your time of operation is not going
2 to change.

MS. FAGAN: No.

MR. HOCK: Correct.

3 MR. PHILIPS: And in the unlikely event
4 that that -- the business situation changes and
5 suddenly you're going to have a little more bit more
6 night activity there, I don't know that we have
7 enough testimony that you're going to be able to do
8 that without some changes to the site.

MR. HOCK: Well, at this point, we're
not proposing any changes to the operation.

MR. PHILIPS: So in the event that you
do change your hours, then you may have to come back --

MR. HOCK: Understood.

MS. FAGAN: Yes.

MR. PHILIPS: -- for additional
approval --

MR. HOCK: Understood.

MR. PHILIPS: -- on lighting especially.

11 MS. FAGAN: Okay.
MR. HOCK: Absolutely.
12 MS. FAGAN: Understood.
THE CHAIRMAN: Mr. Criscuolo.
13 MR. CRISCUOLO: You talked about the
curbing area in the front, too.
14 MS. FAGAN: Yes.
MR. CRISCUOLO: I would suggest that at
15 this point in time -- I know a lot of times we only
get one bite at the apple. I'd like to see that
16 front parking lot paved, repaved and restriped
because it's pretty old. And I'd also like to see
17 some -- I know your sign is green, but we'd like to
see -- I'd like to see some greenage in the front,
18 too, if it's a planter box or something of that
nature, you know, other type things where you can
19 put some greenage there, I think it would be nice.
MS. FAGAN: Okay. I was envisioning
20 around the side -- I didn't even get to say this
yet -- but where the building is being demolished --
21 I just was out there -- the pavement is definitely
chewed up a little bit on this side. At the very
22 least, moving all of this out. If, you know, we
have to repave the entire road, I guess I will let
23 the applicant know that. I was, you know, imagining
it at least in this area to clean all that up, and
24 one of the comments in the letter was the pavement
spec should meet the 2 inch and 4 inch --
25 MR. CRISCUOLO: Right.
MS. FAGAN: -- as opposed to 1 and a

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1 half to 3 and a half. Agreed to that, of course, as
well.
2 MR. CRISCUOLO: And I know some of the
other board members are always concerned with their
3 favorite topic -- and I don't want to steal their
thunder -- snow removal.
4 MS. FAGAN: Yes.
MR. CRISCUOLO: I mean, I've been up --
5 I was up that lot yesterday. The parking lot I
would see -- and I'm a member of insurance fund -- I
6 see that as, you know, needing some care, and so I
would like to see it paved if the board agrees with
7 me. And where are you going to put the snow? I
know you're doing it now, but it's pretty blocked in
8 there. So I am assuming you use a parking spot or

two to put snow during the snow removal campaign.

9 MS. FAGAN: I think actually the easiest
spot is here along the woods line. They'll have
10 plenty of room to get around to the back now with
the building being moved. We have the 18 and a half
11 feet. So I think they're just going to have to push
everything to the back. The natural topography goes
12 in this direction so it makes most sense to put it
here and let it just drain into --

13 MR. CRISCUOLO: That's fine. I'd like
to see that as part of their approval.

14 MS. FAGAN: Okay.

15 MR. CRISCUOLO: And where is your
handicapped spots. There's new ADA law and
everything, and you can't even see it there.

16 MS. FAGAN: I just saw the sign. The
spot that's closest to the building, and the grading
17 looks pretty good, but the striping needs some work.
There is a sign there.

18 MR. CRISCUOLO: So if you pave it, the
striping goes with it. Take care of two things at
19 once.

20 MS. FAGAN: Yeah, so -- yes, absolutely.
But, yeah, there is one handicapped space, which
complies with the 17 spaces. It does appear to be
21 van accessible based upon the size I could see --

22 MR. CRISCUOLO: Yeah, it's hard to tell
because you can't see the striping.

23 MS. FAGAN: There's no striping. Yeah,
I saw that. I saw the sign.

24 THE CHAIRMAN: I guess, Mr. Hock,
hearing what's been discussed, is the applicant -- I
guess would the applicant's position be on as
25 hearing now that there are a lot of parking lot
concerns, paving is probably -- not probably -- is

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1 definitely necessary.

MR. HOCK: Right.

2 THE CHAIRMAN: And paving may be
necessary, as well.

3 MR. HOCK: We're talking about --

MR. CRISCUOLO: Applicant be willing to --

4 MR. HOCK: -- the front of the building;
is that what we're talking about?

5 MR. CRISCUOLO: I didn't witness the
back parking lot because I didn't want to encroach

6 on the neighbors, and I didn't really feel like
7 driving around to get to Chili's and walk through
the back, but I couldn't tell the condition of the
back lot.

8 MR. HOCK: Yeah, and the public will be
accessing this just the front portion.

9 MR. CRISCUOLO: Right, that's my main
concern, the public access.

10 MR. HOCK: The public area, so, yeah, I
think we can --

11 MR. SACHS: You'll agree to repave it,
repave it, stripe it.

12 MR. HOCK: The front lot, understood.

13 MR. SACHS: The front lot. And also,
going back to the snow removal, we're going to need
14 some type of written snow removal plan that you'll
file with the township just indicating, you know,
where it's going to be pushed.

15 MS. FAGAN: And to go into the
resolution or just to --

16 MR. SACHS: I'll mention it in the
resolution --

17 MS. FAGAN: Okay.

18 MR. SACHS: -- but just give us
something in writing stating --

19 MS. FAGAN: Okay.

20 MR. SACHS: -- you know, that our snow
removal is going to be --

21 MS. FAGAN: Sure.

22 MR. SACHS: -- concentrated into this
one area.

23 MS. FAGAN: Okay. We don't have a
problem with that. That was my testimony. The
comment is in the letter so I was going to get to
that.

24 THE CHAIRMAN: And it sounded like, Miss
Fagan, Mr. Criscuolo asked about plantings, green.
You started to say you were going to get to that,
and you addressed --

25 MS. FAGAN: Yes.

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1 THE CHAIRMAN: -- I guess where it
adjoins the southern property line.

2 MS. FAGAN: Yeah.

3 THE CHAIRMAN: Was there any other
landscaping or plantings that the applicant is

proposing to do?

4 MS. FAGAN: At this time, as you can
tell by the letter, they're proposing nothing, but
5 we would like to, you know, change that a little
bit.

6 THE CHAIRMAN: And we would welcome it.

MS. FAGAN: Yes, I imagine. You know,
7 it's deceiving when you're standing out here because
this looks like a lot of green space, but not all of
8 it is theirs. On the north side, they have about 4
to 5 feet of a (inaudible). On the south side it's
9 about 8 feet wide. There is a broken wood fence
that's mentioned in the engineer's letter, as well.
10 It sits right on the property line so I'm not sure
whose fence it is. We -- instead of replacing the
11 fence, our applicant agrees to putting some type of
hedgerow or, you know, shrubbery to, you know, block
12 the headlight glare from the oncoming traffic on
Route 18 southbound. Like I said, we only do have a
13 4-foot-wide strip right there. So there are some
waivers requested from landscaping as far as full
14 compliance, but I do think that they're absolutely
willing to put in a hedgerow on both sides, the
15 north and south side, and then if we have enough
room -- and I believe we will -- to put two trees on
16 each side to remove the one waiver as far as the
four trees for the parking area -- not waiver, that
17 was a variance -- for the four trees for the parking
area landscaping, we'd like to take that variance
18 off.

THE CHAIRMAN: So which is all great,
19 and we appreciate that. So I guess the question
would become there are some landscape comments on
20 page 6. Would the applicant be amenable to working
with professional staff to have those resolved?

21 MS. FAGAN: Yes, we're definitely
amenable to that. I don't know that we're going to
22 be able to meet everything just because the sheer --

MR. SACHS: You won't be able to.

23 MS. FAGAN: -- amount of impervious, but
if we could provide you the hedgerows and the four
24 trees up in the front here, I think that that would --

THE CHAIRMAN: Right.

25 MS. FAGAN: -- get a lot more -- there's
nothing there now.

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1 THE CHAIRMAN: If you coordinate with
our professionals --

2 MS. FAGAN: Yes.

3 THE CHAIRMAN: -- I'm sure you'll be
able to come to a resolution that's amenable to
everyone.

4 MR. HOCK: That's agreeable, absolutely.

5 MR. ABBONIZIO: That's also regarding
the trash enclosure, also, and the screen and the
trash enclosure?

6 MR. HOCK: Yes, I think we had a
proposal, but again, you know, if there's some
7 requirements you're looking for, you know, we'll
work with you because we have plenty of places to
8 put it right now.

9 MS. FAGAN: Yeah, the trash enclosure is
proposed to be sitting in a paved area so, you know,
in order to put some landscaping around it, we would
10 need to dig up some of the paved area to put a
screen around it. I guess I would ask maybe that we
11 just do the south side of that so -- to protect it
from the gas station to the south. I don't know
12 that the back needs it because it's backing up to
wooded area.

13 MR. CRISCUOLO: I'd rather just see
fencing around it to protect anything that falls out
14 of the dumpster from blowing into adjacent
properties.

15 MS. FAGAN: We do have a board-on-board
fence detail that was supposed to be around the
16 trash enclosure, but there's a comment about the
masonry requirement. We were going to request
17 relief to keep the board-on-board fence. And if you
do or don't want landscaping, you know --

18 MR. CRISCUOLO: PVC. I'd rather see PVC
because the wood just --

19 MS. FAGAN: Okay, absolutely.

20 MR. CRISCUOLO: Right now, the town
standard is --

21 THE CHAIRMAN: Is the masonry.

22 MR. CRISCUOLO: So I think they're
asking for the relief of the masonry enclosure.

23 MR. HOCK: To go to a PVC fence.

24 A BOARD MEMBER: I think that's fine.

25 THE CHAIRMAN: Does any other member of
the board have an opinion on it, going from the
masonry to a PVC?

MR. REISS: PVC.

THE CHAIRMAN: PVC? PVC it is.

MS. FAGAN: Thank you.

1 MR. HOCK: Thank you very much.

2 MS. FAGAN: Yes, so I will make a note
of that.

3 MR. HOCK: So I think -- yeah, again, I
think --

4 THE CHAIRMAN: Assuming it's
environmentally friendly PVC.

5 I believe-- I'm sorry -- Mr. Sachs may
have had a question.

6 MR. SACHS: Just so the record is clear,
what are the hours of operation? How many employees
do you have?

7 MS. FAGAN: I will get you that. Monday
through Friday, 8 to 5, and Saturdays, 9 to 1, and
8 they're not open on Sundays.

9 MR. SACHS: All right, and how many
employees.

10 MS. FAGAN: They have five employees.
He said two of those are management level. They
actually use company cars coming and going so they
11 don't bring any traffic to the site. Well, they
bring themselves to the site, but they're not two
12 additional cars. The other three employees are the
staff that works there to rent the cars. They do
13 park their employee -- their personal vehicles in
the back. That back parking lot is also used as a
14 staging area for cars that are returned before they
get cleaned and sanitized, any car that needs
15 repairs or anything that's not ready to be rented.
The front is where the cars that are rented are
16 ready to go. So there's no intention of increasing
the number of those five employees. On certain days
17 there could be less than that during slow times he
said, but at a max you'd have five.

18 THE CHAIRMAN: Mayor Cohen.

19 MAYOR COHEN: The township has an
ordinance, which actually predated the governor's
requirement, for electric vehicle charging stations.
20 So I know that the thing shows that you'd be putting
one in, but I'm actually kind of curious about --
21 I'm assuming that you're going to do that.

22 MS. FAGAN: No, we weren't actually
proposing one, and I can provide some testimony on
that, but go ahead and finish your question.

23 MAYOR COHEN: Because it is a

24 requirement of the township on any new applications.
25 But the question was is there any intention on the
company to be putting in additional ones under the
assumption that in the future that cars will be more
electric.

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1 MS. FAGAN: Yes. So I spoke with the
2 representative from Enterprise today. He said their
3 fleet is starting to introduce -- they do have
4 electric vehicles in their fleet. They are talking
5 as a company of how they're going to handle the
electric vehicle charging stations. They would not
be open to the public because any car that's being
rented to a customer would be charged, and when you
bring one back, they will charge it.

6 I did read the ordinance section about
7 providing electric vehicle charging stations, and
8 the way I'm reading that, it says for any new
9 development, and we would argue that this is not a
10 new development, it's just a continuation of the
11 exact use, the same owner, no additional parking
spaces, no additional employees. It's, you know,
we're interpreting it as not a new development,
subject to your interpretation, as well, but they
would not want to be installing an electric vehicle
charging station. They just don't see any use for
anybody would every come and charge a car there
based upon their operation.

12 MAYOR COHEN: But we have required it of
13 any application that comes here, any augmentation of
14 an application that already exists, so in our view,
15 we would consider it something that we still hold
16 people to, and we've been consistent with that
throughout basically every application that's come
up to the board so far. So that would be a
departure from what we've been doing if we were to
relieve you of that.

17 MS. FAGAN: Okay. You don't want to set
any precedent.

18 MR. WENDELL: Would this business though
19 -- would this business necessarily require that?
20 You're not having customer vehicles left there.
Customers that come in with their own vehicle are
only dropping someone off and picking up another.
You know, I just don't -- I don't understand that
this business really meets the criteria for the

21 necessity of that.

22 MS. FAGAN: Yeah, like I said, they are
23 discussing amongst Enterprise how they're going to
24 be handling this as a group and the demand and the
25 need for electric vehicles into their fleet
increases, but, you know, from what he said to me
today, we would never have one for a customer,
though. We would be the ones handling all the
charging.

THE CHAIRMAN: Wouldn't it benefit you

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1 at a minimum even if it's the one to assist in
2 charging your fleet. How else are they going to
charge the fleet?

3 MS. FAGAN: In the back when they -- I
4 mean, look, if -- when and if they come and have to
5 do this for themselves, you know, my understanding
6 is these may or may not be site plan issues that
7 need to come before a board if you're just putting a
8 little infrastructure there, the charging station --
and I don't want to totally get into that here, but,
you know, no, they don't really anticipate any need
for anybody in the front of that lot to ever need to
charge something. It's not going to be the thing
that we, you know, risk getting approval on by any
means, but --

9 MR. CRISCUOLO: So what would happen if
10 I rented an Enterprise car in California and I drove
it across country and I'm dropping it off at your
spot and I'm leaving it uncharged?

11 MS. FAGAN: It's Enterprise's problem to
get it to the back and get it charged.

12 MR. CRISCUOLO: Wouldn't it be
advantageous to at least have one -- we're trying to
get you going in that direction.

13 MS. FAGAN: Yes, understood.

14 MR. CRISCUOLO: I mean, we got FedEx on
Edgeboro Road putting in how many.

15 MAYOR COHEN: They're making their
entire station all --

16 MR. CRISCUOLO: Entire fleet is going to
be electric.

17 MS. FAGAN: They're probably eons I
18 guess ahead of where Enterprise is at this point.
It sounded like they're trying to decide as a
company how to handle electric vehicles and the

19 operation of getting them, you know, charged and
when they come back and all of that. We have to put
20 one on, we have to put one on, but this is how they
explained the use to me.

21 MR. CRISCUOLO: I understand what the
councilman is saying, but I also understand what the
Mayor's saying. We've been trying to --

22 MR. HOCK: I want to own that car that
can go from California to here without being
23 charged. That's what I want to own.

24 MR. CRISCUOLO: (Inaudible) paving the
parking lot, if you're going to have it ripped up,
you might as well put it in.

25 THE CHAIRMAN: Just while we're -- any
other board members on this topic? Mr. Philips.

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1 MR. PHILIPS: You have kind of two
issues here. There's a push to get electric cars.
2 Enterprise recognizes that and has to do it, but in
addition to that -- and I'm not trying to make
3 business plans for you -- but Enterprise might turn
around and say pull into any Enterprise while you're
4 renting one of our cars and you can get it
recharged.

5 MR. HOCK: Right, and down the road --
because under New Jersey Municipal Land Use Law,
6 they have a provision now where in any town you can
go in and put a charging station into your business
7 without getting site plan approval. They're trying
to make it easier. It's your point. They want
8 businesses to provide this. But again, that's if
there's a call for it, but, you know, I think the
9 way this operation works with that small parking
lot, with minimal customers, we pick people up,
10 there's not a lot of customer cars going to get
charged. It would just possibly be the rental fleet
11 in the future when they get those cars, and that's
when they would look at that, but right now there's
12 no call for it.

13 MR. PHILIPS: If you are going to pave
the parking lot, you need some -- you need to dig
something up in the parking lot area in order to put
14 in a charging station.

15 MR. HOCK: Maybe what you're saying is
to make ready, put the infrastructure in, not the
station yet, but get the -- they call it make ready

16 under the statute to have the conduit and the wiring
17 there so when that day comes it's easier? Is that
what you're getting at?

MR. PHILIPS: I'm not here to do your
18 application. I'm just saying --

MR. HOCK: That might be what you're
19 saying.

MR. PHILIPS: -- that's something if
20 you're looking down the road past the windshield
that's going to be happening.

MR. HOCK: Right.

MR. SACHS: By the way, I haven't rented
22 a car in quite some time since the pandemic started,
but I'd be shocked -- Enterprise I'm sure has
23 electric vehicles that you can rent.

MS. FAGAN: They do. He said they have
24 them in their fleet, and, you know, they're starting
to I guess adapt and figure out what the future
25 looks like for them, but, yes, they do have them in
their fleet. I don't know what happens if you drive

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1 one across the country and you get to your
destination and need to drop it off and it doesn't
2 have any juice left. I'm not sure if some of their
stations, you know, some of their locations have
3 them maybe. I don't know what they do, you know,
how they're going to handle that, but.

MR. SACHS: Let's say I rented a car in
4 north Jersey and I wanted to bring it -- I was going
to drop it off in south Jersey and I got to central
5 New Jersey and realized my car is dead, you know,
6 but it's an Enterprise car, why don't I just pull
into the one at 367 Route 18 and get a charge.

MS. FAGAN: Honestly, I can see that
7 being the possibly sole use for a customer coming in
and using it. That's probably the scenario where
8 that happens. You know, like I said, he said he
9 doesn't see any need for customers. That is
probably a situation where, you know, that can
10 happen.

THE CHAIRMAN: Mr. Reiss, did you
11 have --

MR. REISS: I just think it's the right
12 thing to do.

THE CHAIRMAN: Any other board member
13 want to be heard on this?

14 MS. COHEN: I also want to add that I
think the state has incentives that are available,
15 as well, so just to consider from a business
perspective that, you know, not only is the state
16 pushing for it, but they're also pushing it from a
financial standpoint.

17 MS. FAGAN: So it doesn't have to be a
cost --

18 MS. COHEN: Take a look at what the
state has to offer and push towards, you know --

19 MR. SACHS: It sounds to me like you're
willing to put one in.

20 MS. FAGAN: Looks like we're putting one
in.

21 MR. HOCK: I think we're putting one in.

22 THE CHAIRMAN: The applicant want to
indicate one way or the other based on hearing what
the board's concerns and feelings are if the
23 applicant would like to say with regard to charging
stations.

24 MR. HOCK: I think we could. Just want
clarity. Is the board's intention to have it in the
main front parking lot or in the rear as part of
25 their operations?

THE CHAIRMAN: In the front.

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1 MR. HOCK: In the front. Understood.

2 THE CHAIRMAN: Thank you. I think there
was a couple more areas. I sort of stopped you, get
3 questions from the board. Is there continuing
testimony?

4 MR. HOCK: No. I think we hit the
landscaping. We're certainly going to work with
your professionals. You know, all the trees, I
5 guess, that Mr. Sachs installed years ago are dead
so we want to go ahead and, you know, comply with --

6 MR. WENDELL: What kind of trees did you
use, Larry?

7 MR. SACHS: First of all, I don't
remember there being anything green on that property
8 when I was there.

9 MR. CRISCUOLO: I would agree with that
one.

10 MR. SACHS: And actually, from my side
window, I saw Chili's get built, McDonald's. That's
way back. So anyway.

11 THE CHAIRMAN: Anthony, you had
something else?

12 MR. ABBONIZIO: Yeah, sorry be a wet
blanket. I was wondering if the applicant can
13 discuss I guess the proposed materials the facade of
the wash-down just so that it will match the
14 existing exterior and what the materials are.

MS. FAGAN: Sure.

15 MR. HOCK: Certainly.

MS. FAGAN: Absolutely. It's -- as I
16 said before, it's a 24-by-24 pole barn structure.
It's a pretty simple wood structure. The exterior
17 is going to be painted to match the facade of the
Enterprise building right now, which is whitish with
18 a little bit of green and black accents, so it will
coordinate with that. I imagine it's just going to
19 be white. It's in the back. You'll only see it
from the side Chili's parking lot.

20 MR. ABBONIZIO: And then the last
comment or question, if you can just -- when you do
21 the roof leaders and the downspouts for the new pole
barn --

MS. FAGAN: Yes.

22 MR. ABBONIZIO: -- have it so they're
23 directed back towards the woods. The topography
kind of goes that way. Just so it's not going to
24 any adjacent impervious.

MS. FAGAN: Absolutely. That's the
25 intention. The parking lot on the Chili's side
seems to be a little bit higher anyway, so we

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1 propose that they be directed towards the rear so
there's no impact on the adjacent property.

2 THE CHAIRMAN: Does the applicant intend
on having a generator on site?

3 MS. FAGAN: No.

THE CHAIRMAN: Just trying to look at --

4 MS. FAGAN: Yes.

THE CHAIRMAN: Normally we go through
5 the staff report.

MS. FAGAN: It's a little more --

6 THE CHAIRMAN: Looks like you provided a
lot of testimony. We're trying to see by page and
7 number --

MS. FAGAN: Sure.

8 THE CHAIRMAN: -- if anything is

required.

9 MR. SACHS: How about the HVAC; is that
-- where is that located?

10 MS. FAGAN: Yes. Thank you. The HVAC
11 actually sits where the addition is going to be
12 proposed, so it needs to be located. It will be
13 screened. I'm imagining we're going to have to --
14 there's not a lot of space back here at this point,
so, you know, whether they put it right behind the
building there on the paved area, you know, put a
little fencing around it or something, but it
actually is directly in the corner there now.

15 MR. HOCK: And all items in the
16 engineer's report with regard to putting details on
the plan or technical changes to the plan, of
course, we concur with all those, correct?

17 MS. FAGAN: Yes, we agree to the
18 changes, the fire lane striping, the pavement
19 detail. Just identifying a little bit better on the
20 plan what's happening underneath the existing
building. It will be paved. It will be called out
a little bit better on the --

21 THE CHAIRMAN: And the letters of no
22 interest and approvals by any other agencies?

23 MR. HOCK: Yeah, any outside agencies
24 that applied, we'll certainly handle that, as well.

25 MS. FAGAN: Yes, we did get a letter of
exemption from Middlesex County Planning Board. We
do have the water and sewer letter, as I mentioned.
We have a letter from the police department, the
public safety. I believe that satisfies the traffic
safety, and they also had no comment. As far as
Freehold Soils goes, I was anticipating the
disturbance to be under 5,000 square feet, but now
that we're -- I mean, I don't think pavement counts

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1 as disturbance actually, so I think we're going to
2 be well under the threshold for 5,000 square feet,
but if it's over that, of course, we'll get a
certification from the district.

3 Lastly, which is first on the list, is
4 DOT, and from my perusal of the highway access
5 management code, I don't think we need a DOT permit.
We're not changing the use or increasing the trips
or anything, so I don't think we're going to need to
go to DOT for any reason.

6 MR. HOCK: So I think we hit all the
highlights unless --

7 MR. SACHS: I think you did.

8 MR. REISS: I have a question.

THE CHAIRMAN: Mr. Reiss.

9 MR. REISS: You're going to knock down a
piece of the existing building.

10 MS. FAGAN: Yes.

MR. REISS: Has that been looked at that
it's not going to be an issue?

11 MS. FAGAN: The intention there would be
to obviously close the big gaping hole that will be
12 in the side of the wall there and repair the
rooflines. I talked to the representative today
13 from Enterprise about developing some structural and
architectural plans to be sure that, you know, the
14 rooflines are all repaired properly and everything
structurally is obviously intact, and, of course,
15 you know, that will be like a solid building there
that will continue to match the remainder of the
16 facade of the building.

MR. HOCK: And we'll obtain all
17 construction permits, obviously.

MS. FAGAN: Yes, yes, yeah, so that will
18 be some demolition there. One of the comments in
the letter is will operations continue during this
19 time. Yes, that will be their intention. I'm sure
it will be a little disruptive, but, you know, yeah,
20 they probably don't want to shut down for that. And
I did mention on this 24-by-24 structure, it's
21 somewhat self-contained in that there's no entrance
into the building from either of the two walls that
22 it abuts. It will just be its own little
independent kind of structure almost that will, you
23 know, not really have any entrance or exit into the
building. So it's just going to be its own little
24 car wash, clean the cars, sanitize them, you know,
beautiful and germ free and COVID free and
25 everything that's, you know, required nowadays, and
that's it, and drive them back to the front.

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1 MR. REISS: So from a staff perspective,
they've looked at the layout. Everything seems
2 okay? You're comfortable with the layout?

MR. ABBONIZIO: Yes. Yes. So once they
3 provided the testimony regarding the demolition of

4 the existing building, then they'll have adequate
space. I think the minimum for (inaudible) purposes
5 is 18 feet for access, so I think they're
(inaudible) a half foot?

MS. FAGAN: We have 18.5.

6 MR. ABBONIZIO: So they will have that,
so we take no exception to that. I would ask,
7 though, however, I just saw (inaudible) that you do
-- you include the utilities, obviously, for the new
8 shed, the sanitary lateral, those kind of thing.

MS. FAGAN: Okay.

9 MR. ABBONIZIO: Identify the water
service, whether it's on this plan or whether it's
10 on the as-built eventually.

MS. FAGAN: Okay. I know that one of
11 the comments in here was just show all the existing
utilities into the building, so we'll add that and
12 just put notes about how it's going to be connected.
And again, we do have to address the water and sewer
13 utility letter, so I have a feeling that's going to
make all those comments clean themselves up for you.

14 THE CHAIRMAN: Mr. Hock, do you have any
other testimony that you need to present?

15 MR. HOCK: Couple of quick legal
housekeeping questions. Do you feel the benefits of
16 -- granted by these variances outweigh any potential
detriments, specifically air, light, open space,
17 enhances the safety on the site?

MS. FAGAN: I absolutely believe that,
18 especially to air, light, and open space, as we will
be increasing the benefit here on the south side,
19 and on the north side, it's tucked into what's
already an existing nook, so that won't, you know,
20 cause any detriment for the air, light, and --

MR. HOCK: And it allows emergency
21 management to get around that one side much more
easily now?

MS. FAGAN: Yes, absolutely. It will be
22 a safer situation right now where you won't have to
use the adjacent neighbor's property in order to get
23 around to the rear of the property, be able to
legally do it on their own site, and the width is
24 such that an emergency vehicle can travel back
there.
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MR. HOCK: And as to the C-1 criteria as

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1 to lot area and lot width, you feel the narrowness
2 of this lot creates the hardship that justifies the
granting of those variances?

3 MS. FAGAN: That's correct, it's the
narrowness of the lot and the positioning of the
4 existing building. Between the combination of those
two, it's very -- almost impossible to get an
5 addition that would be compliant and allow for the
proper setbacks.

6 MR. HOCK: And these variances can be
granted without substantial detriment to the public
7 good or zone plan or zone scheme?

8 MS. FAGAN: I do believe that, yes.

9 MR. HOCK: All right. Thank you.
10 That's all I have.

11 THE CHAIRMAN: And just so we have it
for the record, Larry, do we need to -- I know it
12 was used as more of a tutorial, but --

13 MR. HOCK: We can certainly mark that.

14 THE CHAIRMAN: Mark it, refer to it as
15 part of the submission? You were just using the top
one there.

16 MS. FAGAN: Yeah, I didn't even get to
show you the beautiful aerial, but there it is, a
17 very long and narrow lot.

18 MR. HOCK: Long and narrow, very narrow.

19 MR. SACHS: Let's do this. Let's just
20 mark both exhibits A-1 and A-2.

21 MS. FAGAN: Sure.

22 MR. HOCK: Perfect. Understood.

23 MR. SACHS: A-1 being the colorized
24 rendering of the site plan and A-2, which we've now
25 seen as an aerial exhibit of the lovely Route 18
corridor.

THE CHAIRMAN: Just mark it with the
date, as well, please.

MS. FAGAN: Sure.

THE CHAIRMAN: While she's doing that,
26 is there any other board questions? Mr. Philips.

27 MR. PHILIPS: I just have one. The
28 delivery of the cars to the site, are they done
individually?

29 MS. FAGAN: Yes. Found out that today,
as well. There's never like a large car carrier,
30 something, that comes and drops off 10. He said
they hire a driver service, and a couple of guys
31 will come down with cars, and they all hop into one
and leave, so it's more of a --

32 MR. PHILIPS: Bring them in one at a
time.

1 MS. FAGAN: He said they don't have a
big car delivery.

2 THE CHAIRMAN: Any other board
questions. Any staff questions?

3 At this time, I'd like to open it up to
any member of the public wishing to be heard. Is
4 there any member of the public? The one member of
the public.

5 FROM THE FLOOR: I came here for
something else, but I didn't want to be rude and get
6 up and leave (inaudible)

7 THE CHAIRMAN: So seeing none, we'll
close the public portion. Any other comments?
8 What is the board's pleasure with this
application?

9 MR. REISS: Motion to approve.
THE CHAIRMAN: Mr. Reiss motioned to
10 approve.

11 MR. WENDELL: Second.
THE CHAIRMAN: Second by Councilman
12 Wendell. Any other comments?
Loren, could you please call the roll.

13 MS. MORACE: Miss Cohen.
MS. COHEN: Yes.

14 MS. MORACE: Mr. Hashmi.
MR. HASHMI: Yes.

15 MS. MORACE: Mr. Philips.
MR. PHILIPS: I was wondering if you
could put up a plaque that says Larry Sachs' first
16 office was here. Is that okay?

17 MR. SACHS: It was on the northern
corner of that building. It was in a closet.

18 THE CHAIRMAN: And look at you today.
MS. MORACE: Mr. Reiss.

19 MR. REISS: Yes.
MS. MORACE: Mr. Criscuolo.

20 MR. CRISCUOLO: Yes, and thank you for
listening to the board and accepting our comments.

21 MR. HOCK: Thank you for the comments.
MS. MORACE: Councilman Wendell.

22 MR. WENDELL: Yes.
MS. MORACE: Mr. Heppel.

23 MR. HEPPEL: Yes.
MS. MORACE: Mr. Bravman.
THE CHAIRMAN: Yes.

24 MS. MORACE: Mayor Cohen.
MAYOR COHEN: Yes. Thank you.
25 MR. HOCK: Thank you for your time and
attention. Thank you for the input.
THE CHAIRMAN: I believe -- oh, no,

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1 never mind. Is there any other business to come
before us this evening, Loren?
2 MS. MORACE: No, that's all.
THE CHAIRMAN: Next meeting?
3 MS. MORACE: Next meeting is October 13.
I don't have anything scheduled, so next after that
4 is October 27.
THE CHAIRMAN: That would be the Sadhu
5 Vaswani Center on the 27th. Okay, motion to
adjourn.
6 MR. PHILIPS: Motion to adjourn.
THE CHAIRMAN: Mr. Philips, Councilman
7 Wendell.
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