

HIGHTSTOWN BOROUGH PLANNING BOARD
APPLICATION NO: 2020-01

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IN RE:  CITY LINE AT          :
HIGHTSTOWN-MINOR SUBDIVISION :
AND PRELIMINARY AND FINAL MAJOR :
SITE PLAN, BLOCK 8, LOT 12;    :
BLOCK 21, LOTS 1-14, 20 & 26;  :
BLOCK 30, LOTS 1-7 & 10-13    :
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Transcript of proceedings taken on
September 14, 2020, at 7:30 p.m. via
www.freeconferencecall.com, call in number
978-990-5000, access code 845506#.

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A P P E A R A N C E S:

CHAIRMAN: MR. MONTFERRAT

RECORDING
SECRETARY: SANDY BELAN

BOARD MEMBERS: VICE CHAIRWOMAN BEVERLY
ASSELSTINE
MAYOR LAWRENCE QUATTRONE
COUNCILMAN STEVE MISIURA
JOANNA JACKSON
BILL SEARING
JOHN LAUDENBERGER
BETH WATKINS
JOSEPH BALCEWICZ, ALT. #1
RAYMOND CABOT, ALT. #2

PLANNING BOARD
ATTORNEY: JOLANTA MAZIARZ

BOARD PLANNER: BRIAN SLAUGH

BOARD ENGINEER: CARMELA ROBERTS

APPLICANT'S
ATTORNEY: MICHAEL FLOYD, ESQ.

I N D E X

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WITNESS:

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JAMES CONSTANTINE, PP

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STANLEY J. KOREYVA, JR

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YOSEF PORTNOY, PE, PP, CME, CFM

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MAURICE RACHED, PE, PTOE

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PETER WERSINGER

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22	<u>EXHIBITS FOR EV.</u>		
23			
24	None		
25			

1 MS. BELAN: Chairman Montferrat?

2 CHAIRMAN MONTFERRAT: Present.

3 MS. BELAN: Mayor Quattrone?

4 MAYOR QUATTRONE: Present.

5 MS. BELAN: Councilman Misiura?

6 COUNCILMAN MISIURA: Present.

7 MS. BELAN: Beverly Asselstine?

8 MS. ASSELSTINE: Here

9 MS. BELAN: Ms. Jackson?

10 MS. JACKSON: Present.

11 MS. BELAN: Mr. Searing?

12 MR. SEARING: Here.

13 MS. BELAN: Mr. Laudenberger?

14 MR. LAUDENBERGER: Yes.

15 MS. BELAN: Ms. Watkins?

16 MS. WATKINS: Present.

17 MS. BELAN: Mr. Balcewicz?

18 MR. BALCEWICZ: Present.

19 MS. BELAN: Mr. Cabot?

20 MR. CABOT: Here.

21 MS. BELAN: I also need to verify

22 that the court reporter is here.

23 COURT REPORTER: Here.

24 CHAIRMAN MONTFERRAT: So, before we

25 hear our next part of our agenda, I just

1 want to put down some ground rules for
2 tonight where we are going to be hearing
3 this applicant until 10:00 tonight. At
4 that time, probably a little bit before 10
5 p.m. tonight, we will then field questions
6 from our planning board members through the
7 applicant.

8 So, I want to give the applicant the
9 opportunity to go through their testimony
10 and I'll ask our planning board members to
11 write down their questions and we will ask
12 those questions at the end of tonight's
13 testimony.

14 Since a lot of it is related from the
15 first testimony to the second testimony to
16 the third, just so we don't get caught up
17 in, not slowing down the process but
18 keeping it fluid, because the applicant
19 does have a lot of testimony and a lot of
20 experts that are going to be, they're going
21 to be testifying tonight.

22 So, I will ask all planning board
23 members to write down their questions and
24 you definitely will have an opportunity
25 before the end of the meeting to ask the

1 experts those questions.

2 Also, tonight I want to ask Jolanta,
3 our borough planning attorney, she's going
4 to give a summary and a recap of where
5 we're at and what did happen last year with
6 the redevelopment zone that was heard and
7 passed and she'll bring everybody up to
8 speed about what we are talking about and
9 hearing about and what we will be voting
10 upon.

11 This, the counsel has done an
12 ordinance, the planning board has already
13 done a zone, a redevelopment zone, so
14 tonight's hearing will be specific to what
15 Jolanta will speak to us about.

16 Any questions from our planning board
17 members about that?

18 MS. JACKSON: Hi yes, Chairman
19 Monterrat.

20 CHAIRMAN MONTFERRAT: Yes, Joanna.

21 MS. JACKSON: I apologize, I wish I
22 could stay on.

23 CHAIRMAN MONTFERRAT: Yes, you're
24 definitely welcome to stay on and we
25 totally understand your recusal on this.

1 Thank you, Joanna.

2 Yolanta, if you want to take --

3 MS. MAZIARZ: Sure, Chairman.

4 MS. BELAN: I'm going to mute
5 everyone again.

6 CHAIRMAN MONTFERRAT: Yes, we
7 definitely need to mute everyone.

8 Okay, Yolanta, you're on.

9 MS. MAZIARZ: Okay, very good. So
10 I'm not muted, right?

11 MS. BELAN: I hear you.

12 MS. MAZIARZ: Okay, so I'm going to
13 give a little bit of an overview of where
14 we've been with this redevelopment, where
15 we are today, and some of the mechanics and
16 some points of order before we continue to
17 this application.

18 The designation of this redevelopment
19 area began in 2003 when the borough counsel
20 first determined that the area being
21 discussed this evening, and a larger area,
22 but also this area, qualified as an area in
23 need of redevelopment under the criteria in
24 New Jersey's Local Redevelopment and
25 Housing Law.

1 The borough subsequently adopted a
2 redevelopment plan in 2004 and that plan
3 was further amended in 2006. The
4 redevelopment plan, the original plan,
5 divided the area into three subareas. So,
6 the area that is being considered this
7 evening, subarea 1, the Bank Street
8 Redevelopment Area, is one of those
9 subareas and that includes the southern
10 side of Bank Street, North Main Street to
11 North Academy Street, this was part of the
12 original.

13 Ultimately, two different developers
14 during that time were designated to
15 redevelop the site. However, neither one
16 of those redevelopers undertook any of the
17 redevelopment activities that were proposed
18 in the adopted plan of the adopted and
19 amended plan.

20 Now, last year in 2019, and the
21 chairman alluded to this a moment ago, the
22 redevelopment area was expanded to include
23 lots on the north side of Bank Street,
24 that's across from the redevelopment area,
25 that had been previously designated. So,

1 the planning board conducted an area in
2 need of redevelopment hearing on this,
3 recommended that this was in fact, an area
4 in need of redevelopment. The planning
5 board sent that designation, or sent that
6 recommendation, back to borough counsel,
7 and the borough counsel designated those
8 lots as an area in need of redevelopment as
9 well.

10 So, this is the global, the larger
11 area in need of redevelopment that we have
12 today, and it's an expansion of that which
13 was designated back in 2003.

14 Now, the local redevelopment and
15 housing law requires the borough counsel to
16 adopt an ordinance which lays out the
17 redevelopment area that had previously been
18 designated. So, in essence, the planning
19 board has a hearing to recommend whether or
20 not the area is an area in need of
21 redevelopment, which the planning board did
22 hear, it goes to the counsel for a formal
23 designation that this is in fact an area in
24 need of redevelopment, and then the counsel
25 has to prepare a redevelopment plan. And

1 what a redevelopment plan is, effectively,
2 is it becomes the standards by which the
3 redevelopment area is going to be
4 developed.

5 So, the latest redevelopment plan that
6 was adopted by the borough counsel is on
7 the borough's website, it's dated July 20,
8 2020. The plan was finally adopted by
9 counsel on August 3rd, so a month ago after
10 a public hearing.

11 Now, where are we now? After the long
12 process I've been talking about since 2003,
13 a redeveloper has finally submitted a
14 redevelopment plan for the property
15 designated as the area in need of
16 redevelopment and in accordance with this
17 latest redevelopment plan that was adopted
18 by borough counsel. This redeveloper is
19 required to comply with that plan that was
20 adopted by counsel in August.

21 Now, the purpose of that redevelopment
22 plan is to provide a framework for the
23 improvement and redevelopment of the
24 property that is the subject of this
25 application tonight.

1 Therefore, the zoning criteria, and
2 the design standards as outlined in that
3 redevelopment plan, the plan that's dated
4 July 2020, take precedence over the
5 borough's current ordinances.

6 In other words, this redevelopment
7 plan is the official zoning for the
8 property. At this point in time, after
9 this process, the zoning and design
10 details, such as the permitted uses, the
11 permitted densities, the ratios, the bulk
12 and yard standards, design standards such
13 as vehicular and pedestrian access layouts,
14 are not up for debate.

15 All of those standards have been
16 previously ascertained and approved by
17 counsel after a public hearing, and those
18 standards are the standards that are
19 intended to drive and shape this
20 development, and these are the standards
21 that the redeveloper used and was guided by
22 when the site plan was prepared for
23 submission to the planning board.

24 Now, what are the mechanics of this
25 application, and what is the planning board

1 looking at? Well, the planning board's job
2 this evening is to compare the plan that
3 was submitted by the redeveloper, against
4 the redevelopment plan that was adopted by
5 counsel, that we've already discussed that
6 I mentioned adopted on August 3rd, dated
7 July 2020.

8 The planning board's professional, our
9 board planner, and our board engineer, have
10 reviewed the submission, and have issued
11 comprehensive reports 23 and 30 pages
12 respectively, comparing the plan to the
13 redevelopment plan, in order to guide the
14 discussion and the board's consideration of
15 the application.

16 The redeveloper has submitted an
17 application for preliminary and final major
18 site plan approval, and for minor
19 subdivision approval, in order to
20 consolidate some lots and to adjust a
21 couple of lot lines. The redeveloper's
22 plans appear to conform to all of the
23 zoning standards in the redevelopment plan,
24 therefore, no variances have been
25 requested.

1 Now, in a case where a site plan
2 application has been submitted without
3 variances, the application is considered to
4 be an as-of-right application. The MLUL
5 provides that the planning board shall, and
6 it is a mandate, it shall approve the site
7 plan if the proposed plan satisfies all of
8 the applicable site design requirements.

9 Now, it already appears to conform to
10 all of the zoning requirements if it can
11 satisfy the board, if the applicant can
12 satisfy the board, that it also conforms
13 with the site planning aspects of that
14 redevelopment plan, than the application
15 must be approved.

16 In the absence of any variance
17 request, the board does not engage in any
18 weighing of the positives and negatives the
19 way that it does with the positive and
20 negative criteria for variances, and
21 further, the board does not engage in
22 reconciling the plan against the master
23 plan or the zoning ordinance because there
24 are no deviations that are being requested
25 from zoning.

1 The zoning, as enacted by the borough
2 counsel in the redevelopment plan, will
3 drive this development and that's what the
4 planning board is looking at, that is what
5 the redeveloper is required to comply with.
6 So the board will go through each of the
7 plans, the redeveloper will provide
8 testimony and explanations.

9 If you look at the board planner's
10 report, the board engineer's report, there
11 are a number of issues that still need to
12 be reconciled during this planning board
13 meeting. Therefore, the applicant, the
14 redeveloper, will have an opportunity to do
15 so.

16 Now, a point of order, I am aware that
17 there are members of the public that are
18 attempting to send communications to board
19 members. Please note that this
20 redevelopment hearing must occur here,
21 during a public hearing that is recorded.
22 So, and anything that the board considers
23 must be placed on the record.

24 The board is not entitled to look at
25 any communication that comes privately to a

1 board member. There should not be any
2 ex-parte communication by anyone trying to
3 influence a board member, or a board member
4 speaking with anyone about this
5 application. Anyone, any member of the
6 public who has any objection or any
7 comment, or any criticism, or any praise
8 for this application should please appear
9 during this hearing and put all of those
10 comments on the record.

11 So please, do not send anything to
12 board members. If you would like to send
13 something that we would consider a
14 tentative exhibit to the board secretary,
15 you may do so.

16 However, the planning board members
17 will never see such exhibits if the
18 individual sending the exhibit to the
19 planning board secretary does not appear at
20 the public hearing, is not sworn, and does
21 not lay a foundation for those exhibits and
22 enter them into the record.

23 So, we're trying to keep a clean
24 record, we're trying to keep a clean
25 hearing so we have everything in one place.

1 Members of the public should understand
2 that if there are sidebar conversations
3 going on about this application, that isn't
4 fair to the applicant, it isn't fair to the
5 board, and it isn't fair to other members
6 of the public that do not know that these
7 conversations are happening, or that these
8 documents are being redistributed or
9 distributed to others.

10 So, any and all questions must be
11 asked on the record. If there are
12 questions, the board members and the
13 applicant will be happy to entertain them.
14 The board will be asking for questions
15 first of the public, so any questions of
16 any testimony that was given on the record
17 by the applicant's professionals may be
18 asked at this hearing. Thereafter, the
19 board will afford the members of the public
20 an opportunity to put their testimony on
21 the record, and also to put any comments
22 that they would like on the record. But
23 that will come after the applicant has put
24 it's case on the record so that everyone
25 has the opportunity to see what it is that

1 the applicant is bringing to the board, and
2 so everyone has the opportunity to view the
3 plans, and to educate themselves on exactly
4 what plan is here before the board, and to
5 hear also the board comments and potential
6 concessions by the applicant to perhaps,
7 change things.

8 So, it's important to view these
9 meetings, it's important to pay attention
10 so that when we get to the public portion,
11 you understand how this applicant is
12 planning to redevelop this site and how
13 these plans are evolving as this process
14 continues.

15 That's all I have, Chairman. If
16 anyone has any questions for me, I'm happy
17 to answer.

18 CHAIRMAN MONTFERRAT: Thank you,
19 Jolanta, that was very clear, and it has
20 been a process, and it has been transparent
21 from counsel to last year with the
22 redevelopment zone, and now we're at the
23 site plan with this property.

24 MR. SEARING: Mr. Chairman, Bill
25 Searing, I have a question for Jolanta.

1 CHAIRMAN MONTFERRAT: Go right ahead,
2 Bill.

3 MR. SEARING: Yes, I was inquiring
4 what is the status of the phase one
5 approval that we gave at the last planning
6 -- well, not the last planning board
7 meeting but the meeting last year for this
8 redevelopment.

9 MS. MAZIARZ: I'm sorry, I didn't
10 hear your question, can you repeat it? I
11 apologize.

12 MR. SEARING: That's okay. Yes, my
13 question is about the phase one approval
14 we gave the developer for this project last
15 year, what is the status of it?

16 MS. MAZIARZ: No, this application
17 stands on it's own, this is a brand new
18 application, and the only thing that the
19 board should be considering is that which
20 the applicant is going to present to the
21 board, and if what the applicant is
22 presenting comports with the redevelopment
23 plan adopted by counsel on August 3rd, and
24 if you have questions about that, we have
25 the board professionals here that can also

1 answer questions about how their plan
2 compares with the redevelopment plan
3 adopted by counsel. But the only thing
4 that the planning board should be looking
5 at is that which has been brought before
6 the planning board tonight.

7 MR. SEARING: Okay, thank you.

8 CHAIRMAN MONTFERRAT: So, Bill, I
9 think you're asking about the redevelopment
10 zone, is that what you answered to,
11 Jolanta?

12 MR. SEARING: No, actually my
13 question is when the developer brought the
14 application to the planning board for phase
15 one, the planning board gave him approval
16 for phase one. I wanted to know what the
17 status of that approval was.

18 CHAIRMAN MONTFERRAT: Okay.

19 MS. MAZIARZ: I don't know what the
20 status of that approval, I don't know what
21 happened there, but this is a brand new
22 application, preliminary and major site
23 plan approval, and that's what the board is
24 looking at today.

25 CHAIRMAN MONTFERRAT: And Bill, I

1 think that was for a different redeveloper.

2 MS. MAZIARZ: It was a different
3 redeveloper, I recall, yes.

4 CHAIRMAN MONTFERRAT: Yes.

5 MR. SEARING: That's dead, then?

6 MS. MAZIARZ: That's gone.

7 CHAIRMAN MONTFERRAT: That's gone.

8 MR. SEARING: Thank you.

9 MS. MAZIARZ: Sure.

10 CHAIRMAN MONTFERRAT: Thank you, Bill.

11 Any other members of the planning
12 board have any questions? All right, if
13 not I'll go to the PRC, and with Peter
14 Wersinger. Peter, do you want to step
15 forward, I guess be sworn in? You want to
16 swear everybody in or just go ahead?

17 MR. WERSINGER: Mr. Chairman, this is
18 Peter Wersinger, I was designated as the
19 attorney for this matter in the
20 application. I'm senior vice president,
21 general counsel for the PRC, however, the
22 presentation of this application is going
23 to be conducted by Michael Floyd, an
24 attorney from Archer Law, and now, Michael,
25 I would ask you to take over.

1 MR. FLOYD: Good evening, Mr.
2 Chairman, members of the board. For the
3 record, my name is Michael Floyd, I'm an
4 attorney with Archer and Bryner, we're here
5 on behalf of the applicant, Three PRC, LLC
6 which has submitted an application for
7 preliminary and final major site plan
8 approval and subdivision approval for
9 property designated as block 8, lot 12;
10 block 21, lots 1-14, 20 and 26; block 30
11 lots 1 to 7 and 10 to 13. On the borough's
12 official tax map.

13 As you just heard from the board
14 solicitor, the property is subject to the
15 Bank Street Redevelopment Plan dated July
16 20, 2020, and you'll hear testimony this
17 evening, and tomorrow evening about how
18 these site plans and the drawings and the
19 other material submitted with the
20 application do comply with all the bulk
21 area criteria and design criteria in the
22 redevelopment plan.

23 You will also be hearing testimony
24 this evening regarding the specifics of
25 this project, which in general involves the

1 redevelopment, the renovation, and the
2 repurposing of two existing buildings
3 commonly known as the Brick Mill Building
4 and the Concrete Mill Building with
5 approximately 343 apartments, along with a
6 new four-story building fronting on Market
7 Street -- excuse me, Main street.

8 We're also proposing two structured
9 parking facilities, 43 townhomes, an
10 amenity center, and related site
11 improvement.

12 With us this evening we have five
13 witnesses. We have four expert witnesses
14 and one fact witness, and if it's okay with
15 the board chair, what I would recommend is
16 that as we bring forward each witness,
17 we'll have that witnesses sworn and if
18 necessary, qualified as an expert, and
19 we'll also reference each individual
20 exhibit.

21 CHAIRMAN MONTFERRAT: I'm good with
22 that, Michael. Sandy, can you mute
23 everybody once again?

24 Thank you, Sandy. Unfortunately,
25 Michael you've been muted.

1 MR. FLOYD: I think I'm unmuted now,
2 thank you.

3 CHAIRMAN MONTFERRAT: Very good.

4 MR. FLOYD: With our witnesses this
5 evening, our first witness is going to be
6 Jim Constantine who is a licensed
7 professional planner and Jim is going to
8 present an overview and a history of the
9 redevelopment area and how this project
10 comports and complies with the
11 redevelopment plan.

12 Our second witness is going to be
13 Stanley Koreyva, Jr. who is the president
14 and COO of the PRC Group of Companies to
15 talk about PRC's experience with
16 residential development and it's financial
17 wherewithal to complete this project, and
18 frankly why he's excited about this
19 redevelopment project.

20 Our third witness will be Mr. Portnoy
21 who is a licensed professional engineer and
22 professional planner who will be reviewing
23 the site plans and the subdivision plans
24 and going into details about this overall
25 development.

1 Our fourth witness will be Maurice
2 Rached, a licensed professional engineer
3 and our traffic expert who will be speaking
4 to traffic and parking issues with this
5 project.

6 And last but not least, we have Bill
7 Feinberg, a licensed architect in the State
8 of New Jersey who will be speaking to the
9 architectural plans and drawings and
10 renderings of the proposed project.

11 Lastly, I would just like to say that
12 we are in receipt of the technical review
13 letters issued by not only the board
14 engineer and the board planner, but the
15 environmental commission, the HPC, the fire
16 department, and we're going to be
17 supplementing -- let me start off by saying
18 for the most part, we take no exception to
19 any of the comments in those review
20 letters, and should the board grant the
21 requested relief this evening, we would
22 agree to revise the plans accordingly, and
23 to the extent necessary there may be some
24 clarification as needed on certain comments
25 in the review letters, and our whole goal

1 of our presentation this evening, would be
2 to address each one of those comments in
3 the technical review letters, provide some
4 additional clarification and color to those
5 comments, and hope to answer any board
6 member questions regarding this project.

7 CHAIRMAN MONTFERRAT: Very good,
8 Michael, thank you.

9 MR. FLOYD: So, what I would like to
10 do now is turn it over to James
11 Constantine, the project's planner, and
12 Jim, first, if you could state your name
13 for the record and your employer and your
14 place of address.

15 MR. CONSTANTINE: Sure, James
16 Constantine, LRK, Inc., 182 Nassau Street,
17 Princeton, New Jersey.

18 CHAIRMAN MONTFERRAT: And if James
19 could give his background and
20 credentials --

21 MS. MAZIARZ: Can I swear Mr.
22 Constantine in first?

23 CHAIRMAN MONTFERRAT: Yes, before we
24 accept him?

25 MS. MAZIARZ: Yes, and before I

1 swear Mr. Constantine, I'd also like to
2 note, and I'm sorry I didn't do this
3 before, I reviewed the notice that the
4 applicant gave, a very comprehensive
5 notice, I believe that it states everything
6 that the applicant is looking for, and I
7 believe that the board has jurisdiction
8 based on that notice.

9 So, the notice will be placed in the
10 record and made a part of the record before
11 the board.

12
13 JAMES CONSTANTINE, C-O-N-S-T-A-N-T-I-N-E, sworn
14 by the Board Attorney, testified as follows,

15
16 MS. MAZIARZ: Thank you. Please
17 spell your last name for the record.

18 MR. CONSTANTINE:
19 C-O-N-S-T-A-N-T-I-N-E.

20 MS. MAZIARZ: Thank you, and your
21 first name is James,

22 MR. CONSTANTINE: Yes.

23 MR. FLOYD: As I mentioned, Jim is a
24 licensed professional planner in the State
25 of New Jersey. Jim, what I would like you

1 to do is can you just please talk about
2 your experience of planning in the State of
3 New Jersey, your education, your experience
4 testifying before boards, and being
5 admitted as an expert in the field of
6 planning.

7 MR. CONSTANTINE: Sure, I have a
8 BA with high honors from Rutgers University
9 in Urban Studies, I'm a principal at LRK,
10 we're a 100-person planning architecture
11 interiors firm based in Memphis, Tennessee.

12 I've worked as a planner on projects
13 in 30 states, Canada, and Latin America, as
14 well as throughout New Jersey. I've been a
15 licensed planner in New Jersey since 1988,
16 and I've also worked on downtown
17 redevelopment in other boroughs,
18 specifically, the Borough of Metuchen,
19 where I've been the planner for 35 years,
20 and for the past 5 years in Highland Park.

21 Our firm has also worked on other
22 notable projects in the area, Plainsboro
23 Village Center, we just prepared a plan for
24 Marlton Village in Evesham, and finishing
25 guidelines for the Radburn section of the

1 Borough of Fair Lawn, and several years ago
2 we prepared streetscape standards for
3 Nassau Street in Princeton.

4 We prepared the downtown and lakefront
5 vision plan 5 years ago, we had a nonprofit
6 group Downtown Hightstown where you really
7 became very well acquainted with the
8 Downtown area in Hightstown.

9 And just quickly, as a citizen I
10 served 22 years on Princeton's Historic
11 Preservation Review Committee. And I have
12 lived my entire professional life, I've
13 lived for more than 35 years on a main
14 street in a borough, or within a block of a
15 main street in the downtown borough, so I
16 know what it's like to live, walk, work,
17 shop, and play. As a planner, I walk the
18 talk.

19 CHAIRMAN MONTFERRAT: Thank very much,
20 Jim.

21 Any questions from our planning
22 members?

23 If not you're definitely accepted as
24 an expert in the planning field.

25 MR. FLOYD: Thank you, Mr. Chairman

1 and one other housekeeping matter before I
2 turn it over to Jim. He has up on the
3 screen right now, hopefully everyone can
4 see it, an exhibit entitled Planning
5 Overview, it's dated September 14, 2020, it
6 contains 34 sheets or slides, and I would
7 ask that this slide presentation be marked
8 as exhibit A-1 and entitled Planning
9 Overview.

10 CHAIRMAN MONTFERRAT: Okay, thank you,
11 Michael. Jolanta, how do we mark those
12 since we're doing it virtual?

13 MS. MAZIARZ: Well, Sandy and I
14 will have to keep track of this. So, I
15 marked them so far as Exhibit A-1 called
16 Planning Overview, is there a date?

17 MR. CONSTANTINE: September 14,
18 2020.

19 MS. MAZIARZ: Thank you.

20 MR. FLOYD: So, with that I'll turn
21 it over to Jim, if you could talk about the
22 history of the downtown area, history of
23 the working waterfront, and then bring us
24 through to the present with the
25 redevelopment plan and the project's

1 compliance with that plan.

2 MR. CONSTANTINE: Sure, thank you.
3 And good evening to everyone in Hightstown
4 virtually.

5 This is a large 10.88-acre site which
6 you see outlined in red on this map in
7 downtown. It's large, it's almost as large
8 as the footprint of downtown, and it's a
9 significant site. It extends from the foot
10 of downtown on North Main Street, connects
11 downtown to neighborhoods, spans the Rocky
12 Brook, and contains the significant piece
13 of Hightstown's history.

14 The entire site is within a 5-minute
15 walk of downtown, which you see from this
16 yellow line which represents the extent of
17 a 5-minute walk down to the foot of North
18 Main at Petty Lake, and it will be a place
19 that attracts people who want to live in
20 the heart of your town, celebrate your rich
21 history, and be a part of shaping the
22 future of downtown.

23 And downtown's history is that of a
24 working waterfront, mills, warehouses, and
25 commerce, all took place along Main Street

1 next to Petty Lake and along the Rocky
2 Brook, and Hightstown has long envisioned
3 revitalizing the downtown, and reactivating
4 the lakefront.

5 Five years ago -- excuse me one
6 second, just frozen here on the slide,
7 there we go, that will work now. Yes, five
8 years ago our firm had a chance to prepare
9 a vision plan for downtown on the lakefront
10 which was subsequently adopted into the
11 borough's master plan, and there was
12 extensive outreach and community
13 engagement, a series of workshops, lots of
14 citizen participation.

15 Interestingly, one of the exercises
16 that we conducted, citizens put green dots
17 on places downtown that they like most, and
18 red dots on places that they like least,
19 and interestingly our site which is
20 outlined in red here, contains a lot of red
21 dots.

22 So this is the chance to take one of
23 the areas that most people want to see
24 improved and do that and there are
25 redevelopment plan goals, or I should say

1 there are goals for downtown and
2 redevelopment in the master plan, and some
3 of the redevelopment plan objectives that
4 are shown in the upper right, and our plan
5 advances all of those.

6 [INAUDIBLE] site and we're gonna
7 switch the orientation here that we'll have
8 for the rest of the exhibits, has Bank
9 Street on the bottom, North Main Street on
10 the left, and North Academy Street on the
11 right. We are getting a little bit of
12 background noise.

13 CHAIRMAN MONTFERRAT: Sandy, if I
14 could ask you once again to mute everyone.

15 MS. BELAN: Everyone is muted from my
16 perspective.

17 MR. CONSTANTINE: So, just such a
18 large site, there's an opportunity to
19 really break it and shape it into three
20 categories that each have their own unique
21 characteristics, the left side along North
22 Main Street, or where we front along North
23 Main really relates to the downtown, the
24 center of the site, center piece or the
25 historic mills, and on the right side along

1 North Academy Street where the blue
2 [INAUDIBLE] shed warehouse building was
3 situated for a long time. We interface
4 with the wonderful neighborhood that
5 extends up Grand Avenue and Park Place.

6 So in the downtown portion of our
7 site, there's an opportunity to reanchor
8 this end of North Main between the
9 firehouse and the historic society
10 remaining, remove the former borough hall,
11 and reclaim some of the surface parking
12 lots into a new mixed-use building.

13 In the mill portion of the site, the
14 historic centerpiece is the preservation,
15 restoration, and adaptive reuse of the
16 mills along Bank Street and spanning the
17 Rocky Brook. And then on the right, along
18 North Academy Street, we've already removed
19 that blue storage building, and there's an
20 opportunity here to create a transition
21 that's compatible with the scale of the
22 surrounding homes that creates and connects
23 with this neighborhood and allows them to
24 have the pedestrian-friendly connection to
25 downtown which doesn't exist, or hasn't

1 existed previously.

2 From a circulation standpoint, we have
3 two primary points of vehicular access to
4 the new uses which are shown by the blue
5 arrows. One is the continuation of
6 Mechanics Street off of Bank Street, and
7 off of North Academy Street, there's a
8 driveway which leads to parking, we'll talk
9 about the two parking structures.

10 The firehouse will retain it's
11 existing access off of Main Street, and
12 there's a small parking area off of North
13 Academy Street in the lower right portion,
14 and we'll talk about each of these places
15 in detail in a couple of moments.

16 One of the things from a traffic
17 circulation standpoint is we're not
18 increasing traffic to a level that
19 necessitates any traffic improvements
20 beyond what exists today in the background
21 traffic that's on the road system. In fact
22 the Hightstown Historic Preservation
23 Commission has recommended not adding
24 invasive improvements like a traffic signal
25 that can negatively impact the Stockton

1 Street Historic District and in fact, HPC's
2 review cited several master plan goals
3 related to promoting traffic calming
4 pedestrian and bicycle friendliness, and
5 connectivity to transit, all of which will
6 be advanced by this project.

7 So, we do envision this will truly be
8 a place for pedestrian friendly lifestyle,
9 and we are providing a continuous, seamless
10 pedestrian connectivity along sidewalks,
11 along Bank Street, internal walkways, and
12 the Greenway Trail through the site.

13 It's also bicycle-friendly. We'll
14 have bike racks, weather-protect bike
15 storage, and a bike repair facility onsite,
16 and to further reinforce our ability to
17 attract residents who are less
18 auto-dependent, we will provide a Jitney
19 service that shuttles people door-to-door
20 to the Princeton Junction Train Station and
21 the Park and Ride facility at exit 8.

22 This historic photo shows an active
23 streetscape, Main Street, Hightstown, lined
24 by inviting storefront windows, awning,
25 signage, architectural diversity created by

1 different building styles and heights and
2 materials, and a landmark focal point
3 created by a taller element, in this case,
4 a steeple.

5 And we do think we can listen to the
6 past and learn for what might happen at our
7 end of Main Street, and I'm about to show
8 you the first of several before and after
9 renderings.

10 You see the historical society here at
11 the corner of Bank and Main, the firehouse
12 is beyond the trees on the left, and we are
13 proposing an inviting ground floor
14 streetscape, a composition of architectural
15 diversity, and even a taller element that
16 echoes the church steeple down the other
17 end of Main Street which you can see at the
18 far left. And Feinberg Associate has done
19 an absolutely terrific job in envisioning
20 what will happen along this Main Street
21 frontage which has been designed as
22 storefronts, but we aren't planning any new
23 retail space that would compete with
24 downtown.

25 The ground floor will be activated by

1 uses such as a lobby, an amenity space for
2 our residents which could include a cafe,
3 co-working space, business center, and also
4 potentially, if a boutique hotel is added,
5 the lobby and access would occur here.

6 So, North Main Street will be
7 activated by residents and visitors walking
8 to and from downtown and again, that's why
9 the project has really been designed for
10 people that are yearning this
11 pedestrian-friendly downtown lifestyle
12 where residents can walk to a host of
13 places, eat out, bring a meal home, meet
14 friends for a drink, hang out along the
15 lakefront, pick up essentials at the
16 pharmacy, and really be part of a downtown
17 that they hope will become livelier and
18 livelier over time.

19 The project also has a couple of
20 interesting cool special features. One of
21 them is in the upper left of the
22 streetscape that we're looking at where up
23 on the rooftop, we'll actually be providing
24 for a rooftop amenity terrace where
25 residents can hang out, get this unique top

1 of the world experience, enjoy the vista
2 across Petty Lake from up above, and sit
3 around a fire pit or gazing at the stars on
4 a warm summer evening.

5 As we move around the corner from the
6 left on North Main to Bank Street on the
7 bottom, you could see that the mixed-use
8 building that wraps around the parking
9 structure at the center on three sides has
10 Main Street frontage and then comes along,
11 wraps around the historical society, and
12 comes along Bank Street as a series of
13 wings and connecting elements which we'll
14 look at here.

15 The entire streetscape on Bank Street
16 will be improved in accordance with the
17 borough's downtown design standards,
18 historic street lights, the new shade trees
19 where necessary, brick-edge sidewalks, and
20 we'll even replace these worn out
21 crosswalks with safer, more visible
22 continental striping as recommended by the
23 borough engineer.

24 This rendering on the bottom shows how
25 the building composition along Bank Street

1 is deliberately broken down into a series
2 of smaller elements, yet they're all part
3 of an interconnected set of buildings. At
4 the far left, you can see the back of the
5 historical society, and then two brick, I
6 would call them mercantile-style buildings
7 which represent one part of downtown's
8 history, separated by a small garden
9 courtyard, then there's a connecting
10 element that's lighter than Mechanics
11 Street passes under, we'll come back to
12 that in a second. And to the right of that
13 is a cream colored building, masonry
14 designed to be more evocative of a
15 factory-type building that connects to the
16 concrete mill on the far right.

17 Those lighter colored connecting
18 elements will be constructed of corrugated
19 metal and stepped back to provide depth and
20 shadow and the movement of the different
21 components along the streetscape that makes
22 it an interesting varied pattern.

23 Another detail that we think would add
24 patina to the streetscape is at occasional
25 locations to provide lightly painted,

1 almost faded back signs on the masonry that
2 appear like they've been there for
3 generations.

4 The connecting element between the
5 brick and cream facades here, I mentioned
6 before, is a pass-through element that
7 leads to another one of our special, cool
8 features, an inner-courtyard where
9 Mechanics Street would extent in through
10 the mixed-use building into a completely
11 enclosed courtyard and provide access to
12 the parking structure on the left.

13 There's 30 public spaces on the ground
14 floor to support downtown customers and
15 employees, six spaces reserved for the fire
16 department, the upper levels would be
17 reserved for residents, and the Mechanic
18 Street right-of-way will be vacated, but
19 will remain a fully publicly-accessible
20 routes for vehicles reaching the parking
21 structure, and the fire department only
22 will have secured, controlled access to the
23 parking lot at the rear of the firehouse
24 and back towards Bank Street as well.

25 The photos that you see pictured to

1 the side of this really represent the sort
2 of character that we're envisioning for the
3 courtyard which will use traffic calming,
4 texture-paved shared space that can be
5 driven over but slowly because it's
6 intended to feel like a plaza. Elements
7 like bollards, bicycle racks, that would
8 all be part of the component, and we
9 absolutely envision this as being a
10 pedestrian, bicycle-friendly space.

11 The Greenway Trail will actually pass
12 through this, and we think it becomes sort
13 of a wonderful place to discover along the
14 route of being out walking or biking for
15 the entire public, and we intend to
16 collaborate with the board professionals to
17 really get the detail and the design of
18 this special space right, which is intended
19 for gathering and relaxing to the right of
20 the light-colored route of Mechanic Street.

21 Accessing the garage is a slightly
22 darker, shaded area which is really a step
23 down, softly paved, we envision maybe
24 gravel, moveable chairs and tables, seating
25 area, outdoor games like chess, bocci,

1 cornhole, might take place there. We
2 envision soft illumination of a space with
3 string lights at night like you see in the
4 upper left photo there.

5 And the Environmental Commission
6 recommended additional green space and
7 active recreation space on this site and we
8 think this is one of those little, we think
9 it's a gem to polish up and really make
10 sort of a unique feature, and again it's
11 publicly accessible because it will be
12 along the Ruby Trail.

13 That brings us next to the existing
14 Concrete Mill which will be restored,
15 repaired, and adaptively reused for
16 loft-style apartments that Bill Feinberg
17 will speak to in greater detail, shortly.
18 There will a new canopy to define the entry
19 along Bank Street, landscaping to soften
20 the streetscape using native species that
21 are tolerant of drought and urban
22 conditions as recommended by the borough
23 planner.

24 A new pool and patio is proposed
25 behind the patio facing Rocky Brook, on top

1 of the building as shown in light gray in
2 the renderings, an additional level that
3 has been added as a vertical extension
4 stepped back 15 feet from the floor below
5 as provided for in the borough's
6 redevelopment plan.

7 This building also interconnects with
8 the mixed-use building to the left and
9 along the restored bridge across the Rocky
10 Brook to the brick mill to the right. And
11 by restoring and really reusing
12 Hightstown's remaining historic mills, this
13 project will attract a special kind of
14 person that wants to really live in
15 Hightstown's history and it also will
16 attract folks that are perhaps living in
17 town today in large single family homes,
18 they're empty nesters, they'd like to stay
19 in town, and this is an opportunity to move
20 into a no maintenance, unique new situation
21 right in the heart of town. And it allows
22 your aging population to age in place and
23 provides another choice for that.

24 The existing brick mill building will
25 be restored, repaired, and adaptively

1 reused for loft-style apartments. Again,
2 Bill feinberg will speak to that in more
3 detail, and creating a -- using the
4 existing structure creatively, there will
5 also be an additional level, almost
6 invisible to the eye that will be placed
7 above that will again allow us to have one
8 of these extensions of a floor stepped back
9 from a street.

10 There will be a new secondary access
11 on Bank Street, but the primary access to
12 this building comes from points near the
13 parking at the rear, and the building
14 behind the brick mill labeled amenity is
15 the former powerhouse that will be restored
16 as the main entrance, a leasing office, and
17 amenity space that's set in a small motor
18 court area and garden court as well for
19 residents.

20 A new two-level parking structure is
21 at the top of the site at the notch out
22 across Rocky Brook that's accessed from the
23 driveway on North Academy Street, and
24 there's also surface parking provided in a
25 series of parking spaces provided

1 throughout the back of this building.

2 To the right, back, can I go back
3 there? We're gonna finish up and talk
4 about the townhomes on the right, which
5 really try to maintain the architectural
6 and integrity of the historic mills as
7 required by the redevelopment plan, but
8 also provide a transition and scale to the
9 surrounding neighborhood.

10 This was the blue shed that was
11 removed at the corner, it looks like this
12 today. And this is what's proposed with
13 the townhomes in brick. They use the
14 material to provide compatibility with the
15 brick mill that you see in the background,
16 they have stoops, front entries, dooryard
17 gardens that compliment the scale and
18 character of the surrounding neighborhood,
19 there's a little pocket park that you see
20 on the right-hand side on North Academy
21 Street with a small sitting area, and
22 behind this block, behind the buildings
23 that we're looking at, there's an inner
24 courtyard called a townhome muse courtyard
25 that adds another special place.

1 And again, it's almost a special place
2 to discover on the site. The townhomes
3 will face one another framing across a
4 narrow courtyard muse, there will be
5 textured walkways, low masonry walls,
6 tiered landscaping, a small fountain,
7 perhaps a pavilion with benches and movable
8 chairs and tables so folks can enjoy this
9 unique outdoor room just outside their
10 front doors, and there's some circulation
11 adjustments that I know the borough planner
12 asked us to look at in this area as well.
13 But again, we think this muse courtyard is
14 one of the special features of the site.

15 If we come back out and wrap up by
16 looking from North Academy Street at the
17 former Willis House, Bill Feinberg will
18 address the existing conditions of this
19 house. And what we are proposing at the
20 corner, is again, this townhouse
21 streetscape that would be flanking on both
22 sides of the street, pedestrian-friendly,
23 and really provide for a connection to the
24 surrounding neighborhood.

25 Now, the yellow building behind that

1 is what we call sometimes on our team, the
2 new yellow house. So, if we go up to the
3 end of Park Avenue and look down towards
4 the site, large single-family homes on the
5 street, there's the existing Willis House,
6 and this is what is proposed, this building
7 would be an amenity building with a
8 superintendent's apartment terminating the
9 end of Park Avenue, and it's been carefully
10 designed to really mimic and echo the
11 Willis House. There would be some
12 recreation space behind for barbecue
13 grills, chairs and tables overlooking the
14 wooded area along the Rocky Brook.

15 And maybe one other aspect about the
16 townhomes, just to reemphasize, they are
17 entirely served by alleys. And so one of
18 the things that happens is you will not see
19 any, actually, I can go back to the plan,
20 no front garages, no driveways, nobody
21 backing into the street. So all of the
22 driveway and garage access is placed
23 behind, basically invisible to the public
24 streetscape.

25 So that concludes my presentation and

1 maybe I can add just three closing points
2 to echo what the board attorney said. This
3 proposed application is conforming with the
4 redevelopment plan, making it an
5 as-of-right site plan application.

6 And one other thing related to the
7 walkability of the new residents that will
8 be here, I think it's an important number
9 when you're thinking about the project, it
10 will be close to six million dollars of
11 additional disposable income that will be
12 available to the downtown business,
13 allowing people to live downtown and lastly
14 [INAUDIBLE].

15 I certainly advise the borough, the
16 planner, a critical thing is having a
17 trusted partner and with PRC, I assure you
18 you have that.

19 That concludes my testimony.

20 MR. FLOYD: Thank you, Jim.

21 CHAIRMAN MONTFERRAT: Thank you very
22 much, Jim.

23 MR. CONSTANTINE: You're welcome.

24 CHAIRMAN MONTFERRAT: Planning board
25 members, write down your questions for the

1 end of the evening if you have anything to
2 ask Jim Constantine.

3 Michael, your next witness.

4 MR. FLOYD: My next witness is
5 Stanley J. Koreyva, Jr.

6
7 STANLEY J. KOREYVA, JR., K-O-R-E-Y-V-A, sworn by
8 the Board Attorney, testified as follows.

9
10 MR. FLOYD: Stanley will be a fact
11 witness this evening so we will not qualify
12 him as an expert, although I think when you
13 hear his explanation of the PRC Group of
14 Companies and then his experience here,
15 you'll recognize that he is an expert in
16 development and redevelopment. But,
17 [INAUDIBLE] experience --

18 MR. KOREYVA: Thank you Mr.
19 Chairman, members of the board,
20 professionals, and everyone else listening
21 from Hightstown.

22 The introduction of the PRC Group of
23 Companies was established, our company, 60
24 years ago in 1960, as the PRC Management
25 Company, Inc.

1 We have been designated as a
2 certified, accredited management
3 organization by the Institute of the Real
4 Estate Management over the many years in
5 our existence. In our experience in real
6 estate, it's multifaceted. It ranges from
7 site selection and analysis, project design
8 and approvals, cost and feasibility
9 analysis, and property management.

10 We are currently headquartered in the
11 Borough of Red Bank, as I said earlier,
12 which is in the County of Monmouth, in the
13 State of New Jersey, in a building that PRC
14 owns and manages that is comprised of
15 88,000 square foot office space, a 5,000
16 square foot restaurant, and a 350-unit
17 parking garage.

18 Our experience over the past 60 years,
19 the PRC Group has developed and constructed
20 a myriad and a diverse array of residential
21 projects starting from single family homes,
22 townhomes, condominiums, all the way to
23 multi-family housing. Robert Kaye, he is
24 the founder of the PRC Group and has spent
25 his entire adult life developing real

1 estate and building things and building
2 companies that build homes and build
3 businesses.

4 His portfolio of residential dwellings
5 serve the needs of a diverse cross-section
6 of both urban and suburban communities.
7 Mr. Kaye has developed and constructed
8 thousands of square feet of space
9 consisting of apartment units, office
10 buildings, industrial projects, retail
11 centers, and student housing.

12 His premier property is know as
13 Campustown. It is located at the College
14 of New Jersey, which is better known as
15 TCNJ in Ewing Township, New Jersey, which
16 is comprised of 612 student housing beds,
17 and 80,000 square feet of retail. This
18 project started in 2014 at a total cost of
19 approximately 110 million dollars, and
20 today it is known as the premier spot of
21 the campus at TCNJ.

22 Although we are working through the
23 Covid-19 issues that we all know today, we
24 still have many students that comprise and
25 are living there as we speak.

1 Today, the PRC owns and manages it's
2 own portfolio of more than 1500 apartments.
3 We also manage nearly a thousand additional
4 units that are under third-party ownership.
5 Currently, we are building 198 market rate
6 apartment units in the west side of Jersey
7 City at an approximate cost of 60 million
8 dollars. We are also currently building
9 162 market rate apartments in the City of
10 Bayonne at an additional cost of
11 approximately 50 million dollars.

12 And lastly, we are currently
13 renovating a 65 thousand square foot
14 building at Fort Monmouth in Oceanport,
15 which is in Monmouth County, that will be
16 the future satellite campus of NJCU, or New
17 Jersey City University.

18 The PRC Group, and all of it's
19 affiliated companies, we believe comprise
20 [INAUDIBLE] within the real estate
21 industry.

22 Now, I will stop there for who we are
23 at PRC and lastly go to, we believe this
24 project that we are proposing tonight will
25 be transformed with [INAUDIBLE] for the

1 Borough of Hightstown and we are going to
2 name the project, Bank Street Village.

3 That is the short testimony
4 [INAUDIBLE] and what we have done over the
5 last [INAUDIBLE] years.

6 MR. FLOYD: Thank you, Stan.

7 CHAIRMAN MONTFERRAT: Thank you, Stan.

8 MR. KOREYVA: Thank you.

9 CHAIRMAN MONTFERRAT: Members, write
10 down any questions you have for Stan
11 pertaining to his testimony.

12 MR. FLOYD: Our next witnesses is
13 Yosef Portnoy.

14
15 YOSEF PORTNOY, P-O-R-T-N-O-Y, sworn by the Board
16 Attorney, testified as follows.

17
18 MR. PORTNOY: I have a bachelors,
19 masters degree in civil engineering, I've
20 been working in land development for about
21 7 and a half years, the past 6 years at
22 Maser Consulting. I've testified before
23 multiple boards in New Jersey.

24 MR. FLOYD: Thank, Mr. Chairman, if
25 there are no questions, I would ask that

1 Yosef be admitted as an expert in the field
2 of engineering.

3 CHAIRMAN MONTFERRAT: Any questions
4 from board members?

5 MR. FLOYD: Thank you. Yosef, I know
6 you have a slide presentation. Mr.
7 Chairman, one other housekeeping matter,
8 Yosef will be referencing 8 exhibits during
9 the course of his presentation and I think
10 we're starting right now with what will be
11 exhibit A-2, it's an aerial photograph of
12 the redevelopment area and the surrounding
13 uses with the rendering of the site plan
14 superimposed on it.

15 If there are no objections, I would
16 request that exhibit A-2 be called color
17 rendering of site plan.

18 CHAIRMAN MONTFERRAT: Very good,
19 Michael, thank you.

20 MS. MAZIARZ: Is there a date on
21 that?

22 MR. PORTNOY: September 14, 2020.

23 MS. MAZIARZ: Thank you.

24 MR. PORTNOY: Good evening
25 everyone. As the planner's already

1 introduced the site, I'll just run through
2 it again. This is an aerial with the site
3 plan colored in, and superimposed over it.
4 The plan is oriented with north up. The
5 overall site is located, it's on the former
6 Hightstown Mill site. It's primarily
7 located on Bank Street between North
8 Academy and North Main Street.

9 The Rocky Brook bisects the site. The
10 overall site is approximately 10.8 acres.
11 The surrounding area contains a mix of
12 uses, residential, and municipal
13 facilities, and businesses.

14 The applicant is seeking preliminary
15 and final site plan and subdivision
16 approval to construct a total of 343
17 apartments, 43 townhomes, and management
18 building with an additional manager's
19 apartment in it, two parking structures,
20 parking lot, and associated site
21 improvements.

22 The overall site is divided into three
23 tracts. You'll see on the lower left side,
24 the lower left side is what is known as
25 Tract A, that includes block 21, lots 1

1 through 14, and block lots 20 and 26.

2 Tract A includes 4.37 acres.

3 Tract B is what is shown on the right
4 side between Rocky Brook and North Main
5 Street. That includes block 30, lots 1
6 through 7 and 10 through 13, and a portion
7 of Mechanic Street right-of-way which is
8 previously be vacated as part of this
9 development.

10 This Tract B includes approximately
11 4.57 acres and Tract C is what is known on
12 the top left. It includes block 21 --
13 Tract C, block 8, lot 12, and approximately
14 1.86 acres.

15 Overall, the Rocky Brook, close to the
16 site, there are portions of the site within
17 the flood hazard area. We have a
18 [INAUDIBLE] flood hazard verification for
19 all of the tracts, verifying the flood
20 hazard areas and riparian zones. There are
21 also fresh water wetlands along the brook,
22 which we have also located, and an LOI is
23 pending.

24 Majority of these are state open
25 waters with no transition areas, the

1 portions do have a 50-foot buffer primarily
2 on Tract C.

3 The site's also within the
4 jurisdiction of the Delaware Raritan Canal
5 Commission, the DRCC, and will be subject
6 to their review and approval as well.

7 We have had the pre-application,
8 historically pre-application meetings with
9 both the DEP and DRCC regarding this
10 application.

11 Just walk through, something to walk
12 through tract by tract because they are
13 physically separated and easier to follow
14 that.

15 MR. FLOYD: What we have up now on
16 the screen, I ask that it be marked as
17 Exhibit A-3 and entitled overall layout of
18 project.

19 MR. PORTNOY: This exhibit is C-2
20 from --

21 MR. FLOYD: I'm sorry, do we have a
22 date on this exhibit?

23 MR. PORTNOY: Let me check that
24 date. Can you check that revision date,
25 it's a little higher up on there, the

1 revision date.

2 MR. FLOYD: Mr. Chairman, if it's
3 okay with you, I would ask that this
4 exhibit be entitled overall layout of
5 project. On August 14, 2020, there is a
6 revision date on the plan and we will blow
7 it up and provide it to you via e-mail to
8 the board's professionals.

9 CHAIRMAN MONTFERRAT: That's fine,
10 Michael, thank you.

11 MR. FLOYD: I apologize, I can't read
12 it on the screen.

13 CHAIRMAN MONTFERRAT: Totally
14 understand.

15 MR. PORTNOY: This is a black and
16 white version of the overall site plan.
17 This is including the plan's sets that was
18 submitted as part of the original
19 application. The revision date is just
20 adding some additional zoning information
21 that was requested by the board
22 professional. It's showing the same
23 information shown just in color, so it's
24 just here for reference in case there is
25 any discussion for more zoning information.

1 The next exhibit is --

2 MR. FLOYD: This will be Exhibit A-4,
3 the layout of Tract A.

4 MR. PORTNOY: And this is included
5 in the site plan. This would be sheet 3 of
6 the site plan that was submitted. So Tract
7 A, under existing conditions, contains a
8 vacant brick mill building, and asphalt and
9 gravel parking lots, several structures
10 have been previously demolished as
11 discussed earlier, the steel industrial
12 building on the corner of Academy and Bank
13 Street.

14 There is a bridge over the Rocky Brook
15 connecting the brick mill building and the
16 concrete mill building on Tract B. All
17 existing improvements on Tract A are to be
18 removed, aside for brick building
19 powerhouse, and bridge over the Rocky
20 Brook.

21 The proposed development on Tract A
22 consists of renovating the existing brick
23 mill building into a three-story apartment
24 building with 91 apartments, amenity space
25 which are located in the powerhouse

1 building.

2 Six townhomes buildings containing a
3 total of 35 units, these townhouse
4 buildings would have one and two car
5 garages, a parking structure, a two-level
6 parking structure shown -- two level
7 parking structure shown in the bottom
8 right. The parking structure entrance
9 would be in the north phase to lower level
10 and the driver would wrap around and ramp
11 up the upper level, the upper level of the
12 garage is roughly at grade of the adjacent
13 property to the south.

14 I note there were some concerns and
15 some review letters regarding the proximity
16 of the parking garage adjacent property to
17 the south. So, we intend to revise the
18 plan to shift the parking garage to the
19 north. It will result in reduction of at
20 least 8 parking spaces, but that will
21 provide additional clearance between an
22 adjacent building to the south, and provide
23 easier access to that building.

24 Academy Street is located along the
25 west side of the tract as noted in the

1 both standards as outlined in the
2 redevelopment plan in terms of setbacks,
3 building heights, coverages, et cetera, as
4 noted on the zone table on the plan.

5 Tract A proposes a total of 234
6 parking spaces. That's a reduction from
7 242 as shown in the plan as we just
8 discussed the removal of 8 spaces.

9 There are 4 electric vehicle charging
10 spaces where 3 are required. There are 41
11 parking spaces proposed in the townhouse
12 garages. There are 139 spaces proposed
13 within the parking garage. There will be,
14 right now there will be 44 surface spaces
15 proposed as opposed to 52 shown on the site
16 plan, again, as resulted in the relocation
17 of the parking deck. And we currently show
18 10 on-street parking spaces, but that will
19 be subject to the discussion regarding the
20 parking on Academy Street in accordance
21 with the borough engineer.

22 Trash will be picked up by private
23 pickup. There are two trash enclosures
24 shown on the plan. The project architect
25 will discuss the methods of the trash

1 pickup.

2 Access to the site is via driveway off
3 of Academy Street as shown on the left
4 side. There is the island in between and
5 the access is going to -- it's a mountable
6 island to provide, we show the rear portion
7 of the island to provide for your access
8 for emergency vehicles, but for the board
9 professionals, we can make the entire
10 [INAUDIBLE] mountable.

11 There's emergency access proposed,
12 Stockton Street to a proposed access
13 easement through adjacent sea scale label
14 property. The applicant is in discussions
15 with CCOA to require that access easement,
16 and we will accept it as a condition of
17 approval.

18 The fire department will have access
19 to this easement. It will not be used for
20 regular use by residents, and will be kept,
21 will be access-controlled and will only be
22 accessible by fire and emergency vehicles.

23 Additionally, there is pedestrian
24 access to Bank Street and a bridge over the
25 Rocky Brook that is to Tract B.

1 The site has been modeled to
2 demonstrate that a fire truck can access
3 and circulate through the site. The
4 dimensions of the truck used are larger
5 than the dimensions of the fire truck
6 provided by the Hightstown Fire Department,
7 and that circulation plan was submitted as
8 part of the application.

9 The lots on this tract are to be
10 consolidated into one lot, approximately
11 4.37 acres, as shown on the subdivision
12 plan which was submitted, and the
13 subdivision plan also shows sidewalk
14 easements, access easements, and
15 construction easements.

16 The next exhibit shows grading
17 plan --

18 MR. FLOYD: I ask that this be marked
19 as Exhibit A-5, Tract A utility plan.

20 MR. PORTNOY: Okay, as discussed
21 there is a flood hazard area associated
22 with Rocky Brook, the flood hazard stays
23 primarily along the brook, it doesn't
24 encroach into the site. The first floor of
25 any building is going to be elevated at a

1 minimum of one foot above the flood hazard
2 area. The grades along the street, the
3 townhouses as discussed, all front along
4 the public street, all have steps and
5 stoops along the front. The grades drop
6 down in the back to provide a garage, a
7 rear garage and a lower level, typically.
8 The grades come down along to the existing
9 grades within the majority of the site and
10 then ramp back up to come up to that
11 emergency access easement.

12 Runoff is collected by two sets of
13 storm sewers. One is collecting clean
14 runoff from the roofs, and a separate storm
15 sewer is collecting the runoff by pavement.
16 Pavement will be treated by manufacture
17 treatment devices to 80 percent TSS removal
18 per the DRCC, and there will be discharged
19 to existing 36-inch culvert running through
20 the Tracts at Rocky Brook.

21 Due to poor soils and ground water
22 contamination, they preclude infiltration
23 of recharge in the site, that's why all of
24 the runoff will be discharged through the
25 brook. And water quantity is provided by

1 mashing our existing brook without
2 increasing any runoff rates or volume.

3 So, just, we received the borough
4 engineer's review of the stormwater
5 management. We believe there was only one
6 comment, which we'll work with the board
7 engineer. The board engineer was
8 questioning the removal of some of the
9 existing buildings on the site, we would,
10 and what would be considered existing
11 conditions, we would clarify that DEP does
12 have a lookback of 5 to 10 years in terms
13 of existing conditions on the site and we
14 will work that with the board engineer.

15 Utilities are made from existing
16 connections along the right of all the
17 streets as we've worked in the design
18 process of the borough engineer. A water
19 main loop is proposed running through the
20 site connecting the Bank Street, the water
21 main and Bank Street and Academy Street.

22 There is an existing site fire hydrant
23 located near the intersection of Bank and
24 Academy. In addition to that, we are
25 proposing an additional four fire hydrants

1 onsite, and an additional fire hydrant on
2 Bank Street, and we will work with the fire
3 department to ensure, to make sure we
4 comply with all requirements regarding fire
5 hydrant locations.

6 There is a proposed sewer connection
7 to existing main at Bank Street, a gas
8 collection to an existing main and Academy
9 Street, there are existing utility poles
10 along the south side of Bank Street which
11 are proposed to be removed to propose
12 parking along Bank Street.

13 MR. FLOYD: Before we moved to Tract
14 B, just a couple of statements for the
15 record. I know we had testimony from Yosef
16 about on-street parking, we are not giving
17 on-street parking in consideration of any
18 of our parking calculations. We have more
19 than sufficient parking for the overall
20 project, and when we speak to the traffic
21 and the parking standards, our traffic
22 experts will go into greater detail about
23 the number of parking spaces.

24 And I know Yosef just did a very
25 detailed testimony with respect to Tract A,

1 unless there's an objection from any of the
2 board members, I think what we'll do for
3 both Tract B and Tract C, is maybe gloss
4 over some of the proposed development which
5 has already been handled in detail by the
6 prior two witnesses, and just focus really
7 on the layout.

8 So, we're now shifting to Exhibit A-6
9 which is the layout of Tract B. And if you
10 could just maybe run through the layout
11 highlighting the proposed development,
12 where the parking spaces are, and the
13 ingress and egress.

14 MR. PORTNOY: So Tract B consists
15 of existing concrete mill building which is
16 proposed to be redeveloped into apartments.
17 That building will reuse existing
18 connection to Tract A, like the pedestrian
19 bridge.

20 Next we have proposed multi-mixed-use
21 building which appeared -- this is one
22 large building that spans over what we show
23 as Mechanic Street which will in fact be
24 vacated and now be a private driveway.

25 The building spans over Mechanic

1 Street which roughly aligns with Mechanic
2 Street. There will be a 15-foot, 10 inch
3 clear span under this to provide that
4 access to any vehicle that clears the
5 height of the Hightstown fire truck which
6 is a little less than 12 feet, that
7 provides sufficient clearance there.

8 The building wraps around a proposed
9 parking garage, so access to the parking
10 garage is by way of the driveway in the
11 former Mechanic Street. At the end of the
12 driveway will be an access controlled gate
13 which will allow the fire department to
14 access the parking lot at the rear of the
15 firehouse which will be reconstructed.

16 Existing access from North Main Street
17 to the rear of the firehouse will be
18 maintained. There will be an additional
19 access through the garage from that
20 driveway off of North Main Street. That
21 access will be restricted to emergency use
22 only, there will be no public access to the
23 garage or through that driveway.

24 The project also proposes
25 reconstruction of the Rocky Brook Trail

1 along the brook, and it will connect up
2 into the driveway and run along the
3 driveway to the former Mechanic Street and
4 reconnect the trail with new signage as
5 well.

6 A proposed pool, a pool is proposed in
7 the rear along the brook, as well, and
8 there are two courtyards, amenity spaces,
9 one within the building and one off of Bank
10 Street. There is parking and there is
11 on-street parking proposed off of North
12 Main Street and drop off areas both along
13 North Main Street and within our site
14 driveway.

15 MR. FLOYD: Yosef, is it fair to say
16 that Tract B complies with all the bulk
17 variance criteria in the redevelopment
18 plan?

19 MR. PORTNOY: Yes, complies with
20 all bulk setbacks and area requirements
21 within the redevelopment plan.

22 MR. FLOYD: There were a couple of
23 comments in the review letters related to
24 the Greenway reconstruction along the brook
25 and whether there was room for sidewalk on

1 the west side. Can you just address that
2 on this plan?

3 MR. PORTNOY: Yes, so there were
4 comments, as shown the Greenway starts off
5 at North Main Street as it does under
6 current conditions, to the Mechanic Street
7 right-of-way, it crosses this driveway and
8 this is not a public driveway which will
9 have traffic, it will only be an emergency
10 access, it will not have traffic, per say,
11 going across it, so it will not be crossing
12 traffic.

13 There is a sidewalk along the east
14 side of this driveway, but there is no
15 sidewalk along the west side. There is
16 insufficient space to provide with the
17 building access, there are constraints with
18 the building access. However, this
19 Mechanic Street walkway will serve as the
20 planner has outlined, it is more than just
21 a driveway, it's a pedestrian plaza, which
22 will be an extension of the green space.
23 The walkway is not restricting necessarily
24 to the sidewalk, it will open up into this
25 whole walkway plaza.

1 MR. FLOYD: One other question
2 regarding Tract B, the overall layout. The
3 fire department had some questions
4 regarding access to the pool, can you just
5 explain what is being proposed in terms of
6 access to the pool area?

7 MR. PORTNOY: Yes, the fire
8 department had requested a 16-foot wide
9 impervious driveway to the pool, between
10 the new mixed-use building and the brook.
11 This area is within, primarily within 25
12 feet from the top of Bank. Where the DEP
13 would not allow new impervious surfaces, we
14 can provide a grass paver access which the
15 DEP would subject to NJDEP approval, and
16 that would not be considered impervious and
17 that is something we can receive approval
18 for.

19 All lots on the tract will be
20 consolidated and Mechanic Street will be
21 vacated. We're told a new lot of 3.36
22 acres and the lot line or the firehouse lot
23 will be adjusted to conform with the new
24 development, creating a new one acre lot
25 for the firehouse.

1 There will be several new
2 cross-easements, both on the development
3 lots and the fire department lots allowing
4 access through the lot and for public
5 access, utilities, and emergency access.

6 MR. FLOYD: Now, you said we're going
7 to shift to Exhibit A-7, which if the board
8 chairman have any exceptions, I would ask
9 that it be labeled Tract B Utilities.

10 And Yosef, just very briefly, again, I
11 know we're going to be complying with the
12 comments in the technical review letters,
13 can you just very briefly highlight some of
14 the connections on this plan?

15 MR. PORTNOY: Yes, so we are
16 proposing water connections are being made
17 directly for the concrete building to, and
18 a portion of the existing multi mixed-use
19 building to existing mains and North Main
20 Street. A water loop is proposed through
21 the former Mechanic Street and the
22 firehouse lot to provide water service,
23 water connection from Bank Street to water
24 loop from Bank Street to North Main Street
25 as requested by the borough engineer.

1 There is also a sewer line running
2 through there which will be adjusted to
3 accommodate existing sewer line which will
4 be adjusted to accommodate the development.
5 Other utility connections are being made to
6 existing mains along the street.

7 There are, there is an existing power
8 line that runs down Mechanic Street which,
9 in coordination with JCP&L, we will be
10 putting underground which will run under
11 the building. We have met with JCP&L
12 multiple times to coordinate that effort
13 and that will be accomplished while
14 maintaining, without obstructing service to
15 adjacent businesses, uses, and of course,
16 the firehouse.

17 Stormwater management provide similar
18 to Tract A with a separate storm sewers for
19 the clean runoff. The pavement will be
20 treated by a treatment device and
21 discharged by existing pipes within the
22 Rocky Brook.

23 Portions of the site are within the
24 flood hazard area, under existing
25 conditions, and the post conditions, the

1 site will be subject to NJDEP flood hazard
2 approval. Proposed buildings are all being
3 elevated, a minimum of one foot above the
4 flood hazard elevation.

5 Access portions of Mechanic Street
6 will be below the flood hazard area, but
7 there will be provided access above the
8 flood hazard area to North Main Street,
9 both for pedestrians and for vehicles for
10 the emergency exit from the parking garage.
11 Okay. Tract C?

12 MR. FLOYD: Yes, so we would ask that
13 the next exhibit would be labeled exhibit
14 A-8 Tract C Layout, and if you could just
15 briefly go over the proposed improvements.

16 MR. PORTNOY: Okay, on Tract C, we
17 have what is known as the Willis House
18 which is to be removed and the architect
19 will go into that in more detail.

20 We propose one row of townhouses
21 fronting on Bank Street, behind that will
22 be the reconstruction of the existing
23 historic house which will function as
24 amenity, leasing space, and management, and
25 will include an apartment for the manager.

1 Access will be from a driveway off of
2 Academy Street in the rear garages of the
3 units and we also propose surface parking
4 of the amenity space. Utilities --

5 MR. FLOYD: And again, this will be
6 your last exhibit, Exhibit A-9, I ask that
7 it be labeled Tract C Utilities.

8 MR. PORTNOY: We are proposing
9 connections to existing mains in Academy
10 Street and Bank Streets as shown in the
11 plan. Stormwater management will be
12 treating our proposed stormwater runoff of
13 pavement to porous pavement within our
14 parking stalls. We'll be detaining the
15 stormwater runoff underground in an
16 underground detention system to meet water
17 quality requirements and meet the
18 applicable runoff, peak runoff reductions
19 which will be discharged towards the brook.

20 Again, the tract meets all setback and
21 bulk setback in the area requirements as
22 outlined in the redevelopment plan. This
23 is just going back to the --

24 MR. FLOYD: This is going back right
25 now to Exhibit A-2.

1 MR. PORTNOY: Just an overview of
2 the site, public improvements posed as the
3 overall plan includes right-of-way
4 improvements throughout the site, including
5 curving sidewalks, on-street parking,
6 lighting, landscape, Greenway improvements
7 that we noted. We have proposing shade
8 trees along the frontages.

9 There were some comments regarding,
10 from the borough planner, regarding the
11 location of some of the shade trees. We
12 will work with the planner to locate
13 whatever is possible within the
14 right-of-way by any trees that are not
15 within the right-of-way we will provide
16 easements as requested.

17 Foundational landscaping along the
18 buildings, we are proposing predominately
19 native vegetation as required by the
20 redevelopment plan. We will coordinate
21 with the planner regarding any new trees
22 that they feel are not appropriate.

23 MR. FLOYD: Just to be clear in terms
24 of any landscaping, we're willing to work
25 off line with the board's professionals

1 regarding any additional landscaping,
2 change of species.

3 MR. PORTNOY: Correct. And we also
4 note that this project is in the DRCC
5 review zone and the DRCC as well will
6 conduct a very thorough review of the
7 landscaping to ensure that they are all
8 native and they are on their accepted list.

9 MR. FLOYD: Thank you very much.

10 MR. PORTNOY: There was one other
11 comment regarding lighting that I just
12 wanted to address that were in the review
13 letters. There were some questions
14 regarding the lighting on Academy Street.
15 Some of our lighting is located on the west
16 side as opposed to the east side of Academy
17 Street, even though our development is on
18 the east side. This is due to conflicts
19 with existing overhead utility wires.

20 So, we will review and see if there
21 are any areas where it can be moved to the
22 east side, but based on our original
23 design, there were most, if not all of
24 them, will need to remain on that west side
25 to avoid those conflicts.

1 MR. FLOYD: Thank you very much.

2 MR. PORTNOY: Thank you.

3 MR. FLOYD: Mr. Chairman, I know it's
4 approximately 9:30, I wanted to see if we
5 can have some leeway and have our traffic
6 engineer provide testimony this evening. I
7 would expect that his testimony would be
8 approximately 5 to 10 minutes in length,
9 that would still keep us under the 10:00
10 cutoff.

11 CHAIRMAN MONTFERRAT: That would be
12 fine, Michael.

13 MR. FLOYD: Thank you.

14 CHAIRMAN MONTFERRAT: And thank you,
15 Yosef, for your testimony.

16 MR. FLOYD: Maurice, if you could
17 state and spell your name for the record,
18 your place of employment, and your address,
19 please.

20 MR. RACHED: Maurice Rached, that's
21 R-A-C-H-E-D. I currently work with Maser
22 Consulting at 1000 Waterview Boulevard,
23 Hamilton, New Jersey.

24

25 Maurice Rached, R-A-C-H-E-D, sworn by the Board

1 Attorney, testified as follows.

2
3 MR. FLOYD: If you could just state
4 your qualifications for the record, your
5 education, your experience providing expert
6 testimony before boards, and/or court.

7 MR. RACHED: Certainly. Good evening
8 everyone, it's good to be here in a virtual
9 manner.

10 My name is Maurice Rached, again, I am
11 a traffic engineer. I am licensed in the
12 State of New Jersey since 1993, I also have
13 a national certification as a traffic
14 operations engineer. I've testified before
15 over 150 boards in New Jersey, including
16 this board. I've testified in court about
17 a dozen times on matters of traffic and
18 safety. I teach at NJIT and TCNJ traffic
19 engineering and other engineering material.

20 CHAIRMAN MONTFERRAT: Board members,
21 any questions of Maurice? If not, we'll
22 accept Maurice as an expert in this field.

23 MR. FLOYD: Thank you, very much.

24 MR. RACHED: Thank you, Mr. Chairman.

25 So, you may have seen my traffic

1 study. We did a very extensive analysis,
2 I'll give you a summary of what we did.
3 I'm going to focus a little bit on the
4 traffic impact on the need for new signals,
5 on the safety of the intersections, and
6 then on the parking.

7 In terms of traffic impact, we
8 analyzed a variety of intersection,
9 actually 9 of them. Along North Main we
10 analyzed the intersection with Bank,
11 Mechanic, Franklin, and Stockton, and
12 Mercer. Along Stockton, the intersections
13 at Academy and Old Dutch Neck and along
14 Bank, the intersection with Mechanic and
15 with North Academy.

16 When we do these analysis, we
17 determine the average delay per vehicle as
18 it exists today, as it will exist in the
19 future without the development, and as it
20 will exist in the future with the
21 development. And we compared the, with and
22 without the development in terms of delay.

23 As I said before, there was a
24 multitude of tables and information in my
25 report, I will just focus on what is

1 relevant and important.

2 So, as we did the analysis, we found
3 that for most of the intersections, the
4 introduction of this development will not
5 move the needle traffic-wise. The increase
6 in delay is a fraction of a second, or
7 something, or maybe a second or two,
8 something very minute, very small.

9 We did, however, identify that, at the
10 intersection of North Main and Franklin,
11 there exists today, some heavy delay in
12 vehicular movements, and we look deeper
13 into that and we found that if we optimize
14 the traffic signal, we would actually
15 achieve a vehicle delay that is better than
16 what you have today after the development
17 is built.

18 And without going through a lot of
19 analysis and numbers, I'll give you a very
20 quick numbers to give you a flavor of what
21 we will be seeing. For example, in the PM
22 peak, the overall delay at the intersection
23 is 115 seconds per vehicle, which is pretty
24 high. After we implement the improvement
25 which consists of optimizing the signal,

1 that delay would be reduced from 115 to
2 about 89.

3 So, in summary, we can add the
4 development and add a signal that has less
5 delay than it had before the development.

6 In terms of traffic signalizations, we
7 looked at two intersections and we did what
8 is known as a warrant analysis for these
9 two intersections to determine if a signal
10 is potentially needed at these
11 intersections. But, what we found were
12 these intersections were warranted before
13 the development as well as after the
14 development.

15 Now, when we say they're warranted, it
16 doesn't mean that we jump and put a signal,
17 all it means that there is a criteria we
18 apply, and this criteria tells us that
19 maybe a signal should be identified and
20 further evaluated for these two locations
21 and these are North Academy and Stockton,
22 and Main and Bank.

23 But then what we did, we looked at the
24 operations of this intersections and we
25 found that there's nothing alarming at

1 these intersections, actually they operate
2 pretty well. In my opinion, it will be
3 actually, we may experience an increase in
4 delay if we put a signal at these
5 intersections. Not to mention that when we
6 looked at the safety analysis of all the
7 intersections including these two, we found
8 that there is a very low rate of right
9 angle accidents and we find that indeed,
10 there was a higher rate of rear end
11 accidents.

12 Traffic signals actually increase rear
13 end accidents. So we would be installing a
14 device that would increase a rate of
15 crashes that is already out there being
16 experienced by the motoring public.

17 So when you look at it from a safety
18 perspective and from an operational
19 perspective, it is my opinion that we don't
20 need these signals. Also, if I'm not
21 mistaken, that was the opinion of the
22 Historical Preservation Society. They
23 issued a letter indicating that these
24 signals would not be beneficial to the
25 community.

1 And last, I'll go over the parking, we
2 comply with the redevelopment plan, the
3 plan requires approximately 567 parking
4 spaces, we're providing 683, so we are in
5 compliance. We exceed the requirement of
6 the plan, the layout of the parking in my
7 opinion is very well done, the access to
8 the parking, the size of the parking
9 spaces, and in addition to that, there is
10 also some parking still available on the
11 street for everyone else.

12 Thank you very much, Mr. Chairman.

13 CHAIRMAN MONTFERRAT: All right, thank
14 you, Maurice.

15 Sandy, if I could ask you to mute
16 again. Thank you. Michael, you're also
17 muted.

18 MR. FLOYD: So, we have one witness
19 left, which I believe we should be going
20 tomorrow. Bill Feinberg, our architect,
21 his testimony will be lengthier than
22 Maurice's testimony. So unless there's any
23 objections, I would recommend, or request
24 that we continue our presentation tomorrow
25 evening.

1 CHAIRMAN MONTFERRAT: That will be
2 perfect, Michael, I totally appreciate
3 that.

4 MR. FLOYD: And we'll bring back our
5 entire project team so after Bill Feinberg
6 finishes his testimony, we'll have all of
7 our professionals here to answer any
8 questions that the board members may have
9 or members of the public.

10 CHAIRMAN MONTFERRAT: So, tonight,
11 Michael, do you want me to just, we'll wait
12 on our planning board members to ask
13 questions, or do you want to field a few
14 questions tonight from our planning board?

15 MR. FLOYD: If there are some
16 questions right now that the planning board
17 would like to ask, we're ready, willing,
18 and able to address them.

19 CHAIRMAN MONTFERRAT: Okay, perfect.
20 I'll open it up to our planning board
21 members, I guess we'll go from Jim
22 Constantine's planner, his testimony, any
23 questions from our planning board members
24 to Jim?

25 MR. BALCEWICZ: Yeah, Fred, this is

1 Joe Balcewicz, I have a question for him.

2 CHAIRMAN MONTFERRAT: Go right ahead
3 Joe Balcewicz.

4 MR. BALCEWICZ: Several of the
5 renderings that you showed of what the site
6 will look like after it's completed, all of
7 the electrical utilities appear to be
8 underground and I think maybe that was
9 alluded to by the project engineer as well.
10 But, obviously you're not going to put all
11 of the electrical utilities underground for
12 the entire borough, so I was wondering
13 where the interface would be from the
14 underground and the existing above ground
15 utilities and what that interface might
16 look like.

17 MR. FLOYD: We're gonna have our
18 engineer answer that question. Yosef?

19 MR. PORTNOY: Okay, just to
20 clarify, the utilities, the utilities pole
21 -- the project is surrounded by a lot of
22 high voltage utility power lines. We've
23 met with JCP&L multiple times and it is not
24 feasible to relocate all those underground.

25 That being said, any proposed

1 connections with be underground, the
2 project will be removing the utility poles
3 along the south side of Bank Street. The
4 high voltage powers along the north side
5 which will remain, we'll also be replacing
6 the utility lines that run through Mechanic
7 Street underground. That utility line
8 will, at Bank Street, at Bank and Mechanic,
9 will transfer underground, pass underground
10 under the proposed building, and then come
11 back because that line continues across the
12 brook.

13 So, that will come back up, and then
14 continue as it does now to the south side
15 of the brook. But the other high voltage
16 power lines along Academy and Bank Street
17 will remain.

18 Does that answer your question?

19 MR. FLOYD: Yeah, and I would bring
20 up, so Mr. Chairman I would also like to
21 bring up Peter Wersinger to provide some
22 additional testimony regarding this. And
23 Peter will be testifying as a fact witness
24 so if we could have him sworn.

25 MR. WERSINGER: My name is Peter

1 Wersinger. I'm senior vice president and
2 general counsel for Three PRC.

3

4 **PETER WERSINGER, W-E-R-S-I-N-G-E-R**, sworn by the
5 Board Attorney, testified as follows.

6 **MR. WERSINGER:** This will be brief
7 but I did want to alert the board that we
8 have had several conversations with Doug
9 Albrecht of CCL recently and it impacts the
10 electrical issue. CCL will have a chair at
11 the table as the planning goes forward with
12 JCP&L to ensure that there is no
13 interruption to that service or frankly
14 anybody who is serviced by utilities that
15 will be brought to or connected to this
16 project.

17 So, just to make sure, there won't be
18 an interruption. The power lines will
19 remain where they cannot be put
20 underground, but this will be an integrated
21 plan with the stakeholders within JCP&L.

22 **MR. FLOYD:** Thank you, Peter.

23 **MR. BALCEWICZ:** So, it sounds like
24 the plan is still evolving as to exactly
25 where there might be utility poles within

1 the project area, so I guess I would
2 suggest that maybe once that is resolved,
3 you could provide a drawing like the one
4 that is currently on the screen and just
5 indicate where there will be existing
6 utilities, above ground utilities shown,
7 you know, little circles where the poles
8 are going to exist. That's my request.

9 MR. FLOYD: We understand your
10 request and we will prepare the exhibit and
11 get the board secretary to be prepared to
12 present it tomorrow evening.

13 MR. BALCEWICZ: Thank very much.

14 MR. FLOYD: And Bill Feinberg can
15 also provide additional testimony tomorrow
16 evening as well regarding all the utility
17 infrastructure and the connections.

18 MR. BALCEWICZ: Great, thanks.

19 CHAIRMAN MONTFERRAT: Thank you, Jim.
20 Any other questions for Jim Constantine?

21 VICE CHAIRWOMAN ASSELSTINE: Yeah,
22 Fred, I have a question, it's Bev.

23 There was a comment that the retail
24 facing North Main Street was going to be
25 designed not to compete with other downtown

1 businesses, but they also talked about 6
2 million dollars in new disposable income
3 from the residents of the development, and
4 I guess my question is can we support
5 additional retail businesses in downtown
6 with this many new residents moving into
7 the community, and why we would restrict
8 that space to amenity space for the
9 residents instead of having retail space
10 open to the public.

11 MR. CONSTANTINE: Right, well,
12 when we look at the downtown court, I know
13 that from the planning board that was done
14 five years ago, the retail really doesn't
15 extend to this block of North Main Street
16 and I know that with one of the other
17 boroughs I'm working with, we're very
18 concerned right now with trying to keep the
19 retail compact, and tenent [INAUDIBLE] and
20 vital within it's existing footprint and
21 not create unnecessary, I'll use the term,
22 cannibalization with the additional space.

23 So, we designed it to have storefront
24 design, active space, and I did say at this
25 time because there could be some commercial

1 space at a later date, but at this point we
2 believe that having an active lobby with
3 the co-working space and the business
4 center, and we're going to have a cafe with
5 breakfast for our residents.

6 So it's sort of using the North Main
7 frontage as the gateway to get people
8 walking into the downtown and connecting
9 them to use the existing businesses at this
10 point because we really are hoping that
11 that disposable income that will come from
12 the residents here will come out our front
13 door on North Main and walk to as much as
14 possible which will allow several things.

15 One, is the greater performance and a
16 retention of your existing retail tenants.
17 And we know that both retail and I think
18 food and beverage, are in a very
19 challenging point in history, not just in
20 the US, but around the world, small
21 businesses are in a challenging point. So
22 we really think that that is the most
23 prudent approach at this time is to really
24 try to help you, to help the performance of
25 your existing businesses.

1 It also is likely that you will see
2 some new businesses come into town and come
3 into spaces that right now aren't
4 performing as well as they could, and that
5 turnover will occur because of the rooftops
6 that we're bringing. So that's, we did not
7 want to do anything, we wanted to support
8 and synergize what exists and not compete
9 with it at this point.

10 CHAIRMAN MONTFERRAT: Thank you, Bev.

11 Any other questions from our planning
12 board members to the testimony that was
13 given tonight?

14 COUNCILMAN MISIURA: Fred, I have a
15 question, Steve Misiura.

16 CHAIRMAN MONTFERRAT: Thank you,
17 Steve.

18 COUNCILMAN MISIURA: Can you explain
19 again in a little more detail what you
20 described as pervious paver fire department
21 access to the pool? I didn't quite
22 understand that whole part.

23 MR. FLOYD: I'll have Yosef, our
24 engineer come up.

25 Yosef, can you just explain, just for

1 the benefit of the board members, pervious
2 verses impervious coverage and what the DEP
3 regulations are in this regulated area.

4 COUNCILMAN MISIURA: That wasn't
5 really my question, it was more what are
6 the connection points? Is it a walkway, a
7 driveway? It wasn't clear exactly what the
8 connection was.

9 MR. PORTNOY: Yeah, so the fire
10 department was looking for a way they can
11 drive a vehicle between the proposed
12 building with looking at sort of like a
13 plan, sort of like the C of the left half
14 of the new mixed-use building, and the
15 brook to get to the pool area.

16 So, they were looking for a 16-foot
17 wide drivable path. So, all they asked for
18 asphalt, or pads, being that that's in such
19 close proximity of the stream, the NJDEP
20 does not allow to put down new pavement and
21 new impervious surfaces, pavement, asphalt,
22 within that area, so instead we would
23 propose to put grass pavers, there are
24 several methods of doing that. Some type
25 of reinforced grass, actual concrete blocks

1 spread out in the grass and there's a
2 surface to drive on, there's these plastic
3 rolls or grids that get planted inside.
4 So, it looks like grass, but actually is
5 structurally able to support a vehicle like
6 a fire truck driving across it.

7 Does that answer your question?

8 COUNCILMAN MISIURA: If you could
9 just trace or just show with your cursor or
10 that pointer, whatever, where that is.

11 MR. PORTNOY: Sure, the area is,
12 the area coming from the parking lot behind
13 the firehouse running through here to get
14 to the pool area.

15 So, this is this
16 environmentally-sensitive area within 25
17 feet of the stream that we would avoid
18 putting down pavement.

19 COUNCILMAN MISIURA: So, I have
20 another question and this came up from the
21 Environmental Commission's review letter,
22 and they questioned the Greenway
23 disconnect. And previous development plans
24 completed the section of the Roger Cook
25 Greenway between the firehouse and Bank

1 Street. The provided plan did not include
2 any attempt to complete the Greenway, and I
3 think what they're saying there is on
4 previous plans, instead of the Greenway
5 turning and exiting the site along Mechanic
6 Street, Bank Street, that it continued
7 further along the path of the stream and
8 exited Bank Street further, I guess to the
9 west, like under the bridge, or you know
10 basically extending it that far.

11 So, I'm wondering why this plan didn't
12 include this. I think it would bring it
13 much closer to the continuation that's in
14 the park across the street, the Rocky Brook
15 Park, so if you could talk about that a
16 little bit.

17 MR. PORTNOY: So, extending that
18 again is also subject to the NJDEP
19 approval, working in proximity to the
20 stream, and you mentioned I know what
21 you're referring to, I've seen that in the
22 earlier plans where they schematically show
23 that reality based on the grades and the
24 proximity to the stream, there would be no
25 way to continue that Greenway along that

1 building, the existing concrete building
2 actually just into the stream. There's no
3 way to work that Greenway around that
4 building getting to that bridge. I know,
5 I've seen that to where schematically it's
6 been shown, but from a design perspective,
7 it can't, permanent perspective, it can't
8 connect.

9 COUNCILMAN MISIURA: Would it be
10 possible, and I'm just throwing these
11 suggestions out there, either to extend it
12 and kind of dead end it as far as you can
13 could go, and/or would it be possible to
14 extend it and have it connect to the
15 pathway that connects Bank Street to the
16 pool because there's, I'm looking at the
17 pathway there that goes to the pool and it
18 seems like you're going to create some kind
19 of impervious coverage, or pervious
20 coverage for a vehicle to travel along.
21 Can that also serve as an extension of the
22 Greenway and then maybe exit a little
23 further up?

24 MR. PORTNOY: We'll review that
25 without the input. So, you're just asking

1 that, not as a connection but just as
2 another path to walk along the brook and
3 provide public access to walk along the
4 brook. Is that the question?

5 COUNCILMAN MISIURA: That's the
6 question. To maximize public access and a
7 walking path along the brook rather than
8 just ending it. You know, it's you know,
9 ending it at Mechanic Street.

10 MR. PORTNOY: We'll review that
11 internally and we'll --

12 MR. FLOYD: We'll review it
13 internally and we'll be prepared to provide
14 testimony tomorrow evening regarding any
15 additional potential for public access
16 along the brook.

17 COUNCILMAN MISIURA: That would be
18 great.

19 VICE CHAIRWOMAN ASSELSTINE: And
20 Fred, this is Bev, one other comment on
21 that, to really extend the Greenway across
22 Bank Street to Rocky Brook Park, so there
23 really should be a mid block crosswalk,
24 curb cut and ramp and crosswalk at the
25 entrance to Rocky Brook Park.

1 Either way, as the Greenway comes up
2 the sidewalk, it needs to get across Bank
3 Street to get to the park.

4 MR. PORTNOY: Okay, we have a
5 crosswalk, we can add a mid block
6 crosswalk.

7 CHAIRMAN MONTFERRAT: Okay, very good.
8 Thank you Bev, thanks Steve. Any other
9 questions from our board members for
10 tonight?

11 If not, we will extend the hearing of
12 course until tomorrow for application
13 2020-01.

14 Michael, I thank you and your team.

15 MR. FLOYD: Thank you.

16 CHAIRMAN MONTFERRAT: And we'll be
17 talking again tomorrow.

18 MR. FLOYD: We look forward to seeing
19 your virtually tomorrow evening. Thank you
20 all for your time.

21 CHAIRMAN MONTFERRAT: Thank very
22 much.

23
24 (Deposition was adjourned at
25 10:09 p.m.)

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