

**BOROUGH OF FAR HILLS**  
Planning Board Regular Meeting  
**MINUTES**  
July 5, 2021  
VIA REMOTE MEETING ACCESS ONLY

**CALL TO ORDER**

Chairman Rochat called the virtual meeting to order at 7:05 p.m. and read the Open Public Meetings statement in accordance with the law. Those present stood for the pledge of allegiance.

**ROLL CALL:**

Present: Chairman Tom Rochat, Vice Chairman Richard Rinzler, Mayor Paul Vallone, Councilwoman Sheila Tweedie, Robert Lewis, Marilyn Layton, Jack Koury, Alt. #1 and Suzanne Humbert, Alt. #2

Also Present: Peter Henry, Board Attorney, David Banisch, Planner, Steve Bolio, Engineer and Shana L. Goodchild, Secretary

Absent: John Lawlor

There were approximately 24 audience members present.

**BILL LIST**

- July 5, 2021

Vice Chairman Rinzler made a motion to approve the Bill List. Councilwoman Tweedie seconded the motion. The motion carried by the following roll call vote:

**Roll Call Vote**

Those in Favor: Vice Chairman Rinzler, Mayor Vallone, Councilwoman Tweedie, Mr. Lewis, Ms. Layton, Mr. Koury, Alt. #1, Ms. Humbert, Alt. #2 and Chairman Rochat

Those Opposed: None

**MINUTES**

- June 7, 2021 Regular Meeting

Councilwoman Tweedie made a motion to approve the minutes of the June 7, 2021 Regular Meeting for content and release. Ms. Layton seconded the motion. All were in favor.

**RESOLUTIONS**

- **Resolution No. 2021-21** – Jebara Extension of Approval – 199 Lake Road, Block 6, Lot 38

Mr. Henry provided a brief recap of the testimony provided at the June meeting and the points embodied in the resolution. Vice Chairman Rinzler made a motion to approve the resolution as written. Mayor Vallone seconded the motion.

The motion carried by the following roll call vote:

Roll Call Vote:

Those in Favor: Mayor Vallone, Vice Chairman Rinzler, Mr. Lewis, Ms. Layton, Mr. Koury, Ms. Humbert and Chairman Rochat

Those Opposed: None

**APPLICATION/PUBLIC HEARING**

- Appl. No. PB2021-07  
Pulte Homes of NJ, Limited Partnership/Residences at Overleigh  
Block 5, Lot 4  
220 Route 202  
Prel./Final Subdivision and Site Plan and Variance

A transcript of the Pulte Homes of NJ, Limited Partnership/Residences at Overleigh public hearing has been attached to the minutes.

- Appl. No. PB2021-11  
Chadwick Brokerage, LLC  
Block 15, Lot 1.01  
49 Route 202, Suite #13A (Office #9/#11)  
Change of Use/Occupancy/Site Plan Waiver – Subscription Application

Ms. Goodchild noted for the record that Ms. Layton and Ms. Humbert were recused from participating as they both reside within 200 feet.

Anthony Melillo was present on behalf of the applicant and sworn in by Mr. Henry. He explained that the tenant is a brokerage firm that sells insurance directly to engineers and architects. Richard Standing, Managing Member will occupy the space along with one (1) employee; each individual will occupy a single office for a total of two (2) offices. Mr. Standing is relocating from 350 Main Street which is another property owned/operated by Melillo Equities. A 12-month lease has been signed which meets the condition of the overall subscription application resolution. Office hours will be conducted between 9 a.m. and 6 p.m. Monday through Friday with no visitors. One (1) parking space is allocated to each of the offices to be occupied for a total of two (2) parking spaces (shown on the attachments provided as part of the application). Mr. Henry noted that the summary sheet indicates one (1) parking space required and suggested a revision to the application material. Mr. Melillo concluded his testimony by confirming that no signage or site modifications were proposed.

There being no questions from the Board, Vice Chairman Rinzler made a motion to approve the application with the standard conditions typical for the change of use/subscription applications: 1) taxes and municipal charges and fees being paid, 2) any other permits or approvals, 3) compliance with the representations made during testimony, 4) compliance with conditions set forth in Resolution No. 2020-20, 5) compliance with the terms of the summary sheet to be revised to reflect two (2) parking spaces required, and 6) provide a copy of the subscription service agreement to the Board. Councilwoman Tweedie seconded the motion. The motion carried by the following roll call vote:

Roll Call Vote:

Those in Favor: Vice Chairman Rinzler, Mayor Vallone, Councilwoman Tweedie, Mr. Lewis, Mr. Koury and Chairman Rochat

Those Opposed: None

**AUTHORIZATION TO CLOSE ESCROW**

- T & Friends Salon, Block 15, Lot 8 \$611.99

Ms. Goodchild noted that there are no anticipated billings from the professionals and the CFO has verified the balance.

Councilwoman Tweedie made a motion to close the escrow. Vice Chairman Rinzler seconded the motion. The motion carried by the following roll call vote:

Roll Call Vote:

Those in Favor: Vice Chairman Rinzler, Mayor Vallone, Councilwoman Tweedie, Mr. Lewis, Ms. Layton, Mr. Koury, Ms. Humbert and Chairman Rochat

Those Opposed: None

**BOARD DISCUSSION**

- Discussion regarding post-plantings site walk/inspection of 100 Lake Rd., Lakehaus, LLC

Ms. Goodchild noted that the attorney for the applicant invited the Board and any interested members of the public to return to the site to view the landscape buffer that was installed. It was the consensus of the Board that an additional site visit was not warranted as most Board members were able to view the plantings from the roadway.

**CORRESPONDENCE**

1. A letter dated June 22, 2021 from the County of Somerset Planning Board re: Far Hills Country Day School Scoreboards, Block 4, Lot 11.
2. A letter dated June 11, 2021 from Ferriero Engineering, Inc. re: Far Hills Country Day School Scoreboards, Block 4, Lot 11.
3. A letter dated June 8, 2021 from Somerset-Union Soil Conservation Dist. re: single family home, Block 5, Lot 6.02.

**ZONING UPDATE**

- Zoning memo dated June 29, 2021 – Kimberly Coward


There were no comments on the zoning update.

**PUBLIC COMMENT**

There being no public comments, Chairman Rochat closed the public participation portion of the meeting.

## ADJOURNMENT

Motion by Councilwoman Tweedie, seconded by Mayor Vallone and unanimously carried to adjourn the meeting at 10:33 p.m.

  
Shana L. Goodchild, Planning Board Secretary

APPROVED 8/2/21

STATE OF NEW JERSEY  
COUNTY OF SOMERSET  
BOROUGH OF FAR HILLS

-----X  
APPLICATION/PUBLIC HEARING:

Application No. PB2021-07  
Pulte Homes of NJ, Limited Partnership/  
Residences at Overleigh  
Block 5, Lot 4  
220 Route 202  
Prel./Final Subdivision and Site Plan Variance  
PLANNING BOARD MEETING Regular Meeting  
MONDAY JULY 5, 2021  
TIME: 7:00 P.M.

BOARD MEMBERS:

Tom Rochat, Chair, Class IV  
Richard Rinzler, Vice Chair Class IV  
Robert Lewis, Class IV  
Marilyn Layton Class IV  
Sheila Tweedie, Secretary Class III  
Paul J. Vallone, M.D., Mayor Class I  
Jack Koury, Alternate #1  
Suzanne Humbert Alternate #2

Shana L. Goodchild: Board Secretary

Peter Henry, Board Attorney  
David Banisch, Board Professional  
Steven Bollo, Board Professional

TRANSCRIPT of the above-entitled  
matter by and before GERALDINE ADINOLFI, a Certified  
Court Reporter of the State of New Jersey, License  
Number 30XI00228000.

APPEARANCES:

DAY PITNEY, ESQS.  
BY: CRAIG GIANETTI, ESQ.  
1 Jefferson Road  
Parsippany, New Jersey 07054  
Attorneys for the Applicant

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MR. ROCHAT: Okay. We have  
application, public hearing on PB2021-07, Pulte  
Homes of New Jersey. We have --

MR. GIANETTI: Yes. Good evening  
members of the board, Craig Gianetti, of the law  
firm Day Pitney on behalf of the applicant, Pulte  
Homes of New Jersey LP.

MR. ROCHAT: Okay.

MR. GIANETTI: If there's nothing  
from any professionals, I can give a brief  
introduction before I call our witnesses. As noted  
the applicant is Pulte Homes of New Jersey LP and  
they are also the contract purchaser of the  
property.

MR. HENRY: I hate to interrupt, but  
before we launch, I think it probably is something  
that everybody ought to be aware of from the start,  
that we determined the way to handle tonight's  
meeting is to let testimony go until 9 -- until 10  
o'clock, but to stop the testimony if you have a  
witness who is not likely to finish by 10, at about  
quarter of 10, to give members of the public who may  
have questions for that witness on the testimony  
heard tonight to ask those questions. And then to  
stop it at 10 o'clock, so that the board can handle

1 another application that has to be taken tonight and  
2 the miscellaneous board business at the end of the  
3 meeting.

4 MR. GIANETTI: Sure, that's fine,  
5 Mr. Henry.

6 And we have for the overall  
7 presentation a slew of witnesses. We anticipate to  
8 night Jim Mullen from Pulte Homes as well as Ron  
9 Kennedy from Gladstone Engineering doing the  
10 majority of the testimony this evening, so when we  
11 get to that point it, you know, it can be opened up  
12 to the public to ask questions.

13 MR. HENRY: Thank you.

14 MR. GIANETTI: Sure.

15 So if I may, again, this is an  
16 application by Pulte Homes seeking a site plan,  
17 preliminary and final major site plan, along with  
18 subdivision approval to construct a multi family  
19 development, consisting of 105 age-restricted  
20 townhouse dwelling units and an apartment building,  
21 consisting of 29 affordable apartments, 25 of which  
22 would be family affordables and 4 age-restricted  
23 affordables, for a total of 134 residential units  
24 between the town homes and the apartments of which  
25 109 are age-restricted.

1 however, that is not uncommon with these affordable  
2 housing agreements and rezonings, the zoning is  
3 typically based upon concept plans, and after the  
4 project gets fully engineered and they get more into  
5 you know, the grading, the topography, the storm  
6 water management, as well as other outside agency  
7 approvals, like wetland delineations; sometimes  
8 there are minor adjustments that are made to the  
9 plans and those create potential variances, where  
10 applicant has to seek relief from it. However, the  
11 COA regulations accounts on affordable housing  
12 regulations recognize that with respect to  
13 inclusionary projects that are part of the town's  
14 affordable housing plan, that boards are supposed to  
15 reasonably consider any variances or waivers as part  
16 of those applications.

17 You will hear tonight through the  
18 witnesses some of the variance relief we will be  
19 seeking. There is a height variance for  
20 approximately 34 of the townhouse units. 36 feet in  
21 height is permitted. However, due to topography and  
22 some grading issues, some of those townhouse units  
23 have exposed walkout basements. And so though  
24 visually, the roof line is the same for all the  
25 units, the way height is measured, some of those

1 The property is approximately 41. 25  
2 acres in size and is primary wooded. It currently  
3 contains a few existing dwellings, as well as a barn  
4 and several sheds. And the property located  
5 recently created TH6 IAR zone townhouse,  
6 inclusionary, age-restricted zone. It is referenced  
7 in Mr. Banisch's review letter that this zone was  
8 created as part of the borough's fair share housing  
9 settlement agreement with the fair share housing  
10 center and an affordable housing settlement  
11 agreement with Melillo Equities LLC, dated  
12 December 9, 2019, which both agreements were  
13 approved by the court, and this project along with  
14 the zoning is part of the borough's affordable  
15 housing plan that has also been approved by the  
16 court. Now, as part of the Melillo affordable  
17 housing agreement, there is an exhibit or several  
18 exhibits included that were a part of that  
19 agreement. One of which, was concept plan for this  
20 proposed inclusionary development.

21 You will hear testimony this evening,  
22 that was also confirmed by Mr. Banisch, that the  
23 site plan you will be seeing tonight is  
24 substantially consistent with that concept plan that  
25 was part of the affordable housing agreement. But

1 units have a height of approximately 38. 08 feet.  
2 And therefore, we will be seeking variance relief  
3 with respect to that.

4 There are also a few other variances  
5 related to the steep slope ordinance, where the  
6 disturbance of slope has been 15 percent to 25  
7 percent category are being disturbed, well as the 25  
8 percent to 35 percent category being disturbed. We  
9 are also seeking variance relief to permit the  
10 development within the 100 foot of the stream  
11 corridor buffer, where none is permitted. And  
12 we'll have testimony as to that. And then also the  
13 scenic corridor development subsurface groundwater  
14 recharge field within the scenic corridor.

15 With respect to the overall  
16 presentation, we have several witnesses. We have  
17 Jim Mullen from Pulte Homes, director of  
18 entitlements. We have Ron Kennedy, a civil engineer  
19 from Gladstone Design, we have Bruce Englebaum from  
20 Minno and Wasko, the architect; Gary Dean of Dolan &  
21 Dean, the traffic engineer and last but not least,  
22 Paul Philips a professional planner that will be  
23 testifying as to the variance relief being sought as  
24 part of this application.

25 So if there's no housekeeping matters

1 or any questions of me, I would like to call our  
 2 first witness Jim Mullen of Pulte Homes.  
 3 MR. ROCHAT: That's fine.  
 4 MR. HENRY: Hearing no other problem,  
 5 Mr. Mullen, if you would raise your right hand; do  
 6 you swear that the testimony you are about to give  
 7 in this hearing will be the truth, the whole truth  
 8 and nothing but the truth, so help you God.

9 MR. MULLEN: I do.

10 MR. HENRY: State your full name and  
 11 spell your last, for the record.

12 MR. MULLEN: Yes. James P. Mullen  
 13 M-U-L-L-E-N.

14 MR. HENRY: Thank you, Mr. Mullen.

15 MR. MULLEN: Good evening,

16 Mr. Chairman. I am sorry -- Peter--

17 -----

18 JAMES MULLEN, Sworn.

19 Testified as follows:

20 MR. MULLEN: Good evening,  
 21 Mr. Chairman and board members. Thank you for this  
 22 opportunity to speak to you tonight. I just want to  
 23 give you a brief overview of Pulte Homes, nationally  
 24 and our local division.

25 As Craig had said, I am the director

1 of land entitlements for our north east corridor  
 2 division of the Pulte Group. I have been with the  
 3 company for 21 years. I am also an attorney  
 4 licensed in the state of New Jersey. The company  
 5 itself is a national home builder, one of the  
 6 biggest in the nation, based out of Atlanta,  
 7 Georgia.

8 The company was started in 1950 by  
 9 Bill Pulte, who built the first house of the company  
 10 out of the back of his pickup truck. The company  
 11 went public in 1969 and in 2001 merged with the Del  
 12 Web corporation, which is the premier active adult  
 13 builder in the country. You may have heard of the  
 14 Sun City community down in the Florida and the  
 15 southwest, that is now part of Pulte Group. We have  
 16 40 divisions throughout 23 states in the country.

17 And recently, this past year, 2021 we  
 18 were named Fortune magazine 100 best companies to  
 19 work for. Across the nation in 2020, we built 4600  
 20 homes all for sale. Pulte does not do rentals. And  
 21 as I said, many of them were age-restricted housing,  
 22 as we are intending to build here.

23 Our northeast corridor division is  
 24 located right around the corner, a few miles from  
 25 borough Hall in Basking Ridge. So you have a

1 national homebuilder with a very local presence,  
 2 local feel.

3 Our territory is all of New Jersey,  
 4 eastern Pennsylvania, southern New York and  
 5 Delaware. And we build communities in Somerset  
 6 County, and in the local area. Built in Morristown,  
 7 in Warren Township, Somerset County, we are building  
 8 right now. In nearby Bernards Township in  
 9 Bedminster. And we have also are building active  
 10 adult communities in Florham Park, and in Raritan,  
 11 Hunterdon County. As well as a few other  
 12 communities, townhouse communities in Livingston in  
 13 North Brunswick, Middlesex County, Bergen County.  
 14 Our division in 2020 closed about 360 homes. And  
 15 the division has received some awards. In fact, JD  
 16 Power Award in recent history.

17 The application before you tonight,  
 18 as Craig had said is a 134 home development. We  
 19 like to call it Residences at Overleigh. Pulte is  
 20 the contract purchaser of the 105 age-restricted  
 21 townhouses. And as a part of that, we will actually  
 22 create a homeowners association which will maintain  
 23 all of the common areas, and even some of the areas  
 24 that are within the fee simple lots, we are creating  
 25 for the townhouses. So this is really going to be a

1 maintenance free community, for our age-restricted  
 2 buyers.

3 The apartments will be built by  
 4 Pulte, but they will be actually owned and leased by  
 5 the Melillo Equities. And of course those  
 6 apartments are going to be for your low and moderate  
 7 income homeowners, to help the borough satisfy a  
 8 portion of its COA requirements. Now, the model  
 9 homes we are going to build here in this community  
 10 are consumer inspired homes. So Pulte takes great  
 11 pains and efforts to get focus groups and speak to  
 12 our homeowners to get input as to what they real  
 13 want out of design.

14 And so, we are offering the Aston and  
 15 Branton models, which Bruce Engelbaum will describe  
 16 in more detail. But basically a lot of the features  
 17 there are master bedrooms down, two car garages, an  
 18 open floor plan and a lot of storage space, which is  
 19 what customers are desiring. This will be the first  
 20 time we are going to building these models in our  
 21 northeast corridor division. But they have been  
 22 built in other Pulte divisions around the country  
 23 with great success. So we are hoping that the same  
 24 will be true here.

25 We thing this is a great opportunity.

1 The property is well situated. And certainly will  
2 be a positive addition to the borough. I don't  
3 think there is any other age-restricted communities  
4 being built, certainly not in the borough, or the  
5 surrounding municipalities. So it will give home  
6 owners and people who live in the borough right now  
7 a chance to stay in the borough, and to basically  
8 age in place.

9 And as, you know, this is a wonderful  
10 area for shopping with downtown Far Hills, The Hills  
11 Shopping Center and Bridgewater Commons. Close to  
12 transportation with the train station and Routes 287  
13 and 78. And plenty of recreation in the area with  
14 golf courses and that -- and the Patriots. So it's  
15 an ideal location we think for our buyer, who is  
16 going to be attracted to this community.

17 We anticipate, hopefully, getting all  
18 of the government approvals for this, but by the  
19 beginning of 2022, when we will start construction.  
20 And of course it's market it driven, so depending on  
21 how quickly sales go, that will be when it will be  
22 completed. But we think it's probably about a three  
23 year build-out to do all these homes.

24 So in conclusion again Pulte is very  
25 excited to be in the Borough of Far Hills, to have

1 this opportunity for the first time to build there.  
2 We think with our experience and our resources,  
3 Pulte is the ideal home builder to deliver a first  
4 class age-restricted community in Far Hills. And  
5 one that we'll all be proud of.

6 So unless, you have any question for  
7 me, I will turn it back over to Craig.

8 MR. GIANETTI: Thank you, Jim.

9 As I mentioned before, we have a slew  
10 of other professionals that will be getting into the  
11 guts of the site plan, but we wanted Jim to provide  
12 an introduction to Pulte Homes, kind of who they are  
13 and their investment it in the community, and give a  
14 face to the project.

15 So at this point if there's any  
16 question from board members as to Mr. Mullen's  
17 testimony, we would open him up.

18 MR. RINZLER: I have a question.

19 MR. MULLEN: Sure.

20 MR. RINZLER: I am familiar with your  
21 latest development, which I think is age-restricted  
22 Creekside in Raritan or Flemington, New Jersey.

23 MR. MULLEN: Yes, that's correct.

24 MR. RINZLER: How would you compare  
25 the Overleigh's exteriors Creekside.

1 MR. MULLEN: I think that the  
2 Creekside will be a little bit different in terms of  
3 exteriors. But I'm going to leave that up to  
4 architect to talk about those in particular. I  
5 don't have the detail that he has. But I think you  
6 will find them to be different than what is  
7 Creekside right now.

8 MR. RINZLER: Can you --

9 MR. MULLEN: We are trying to fit in  
10 the community and make it look more like what would  
11 fit in the borough, is what I am trying to say, so  
12 we are we are going to be conscious of that.

13 MR. RINZLER: When you say,  
14 different, can you expound on that? Different in  
15 better way, in an identical way.

16 MR. MULLEN: Of course, in a way that  
17 is going to be more in fitting with the community  
18 and the borough. So that it will look more like the  
19 Borough Far Hills versus Hunterdon County, Raritan  
20 Township community.

21 And the size is different too. That  
22 is a bigger 300-plus community. So it's that --  
23 that is a very different feel there. They have  
24 single-family homes and different -- and some  
25 townhouses. So it's different -- really different

1 make up than what we have here.

2 MR. RINZLER: Thank you.

3 MR. MULLEN: But it will definitely  
4 be a positive for the community.

5 MR. LEWIS: I have got a question.  
6 Can you expound on how it would be different with  
7 Far Hills versus something you would do in -- else  
8 where in the state.

9 MR. MULLEN: Like, I said, yeah, I  
10 don't have the details of the actual -- I'm not an  
11 architect. I will leave that to the architect. But  
12 you know we charge them with the task of trying to  
13 meet the Borough of Far Hills criteria in their  
14 characteristics, so that would it be very  
15 complementary to the type of architecture you have  
16 here.

17 MR. LEWIS: Well, we're not going to  
18 be able see the architecture from the street, right,  
19 correct, from 202?

20 MR. MULLEN: I believe there is a 300  
21 feet open space area or and conservation easement  
22 between Route 202 and the community. So, yes, there  
23 will be a significant buffer.

24 MR. LEWIS: Great. Thank you.

25 MR. MULLEN: Mm-hmm.



1 MR. ROCHAT: Any more question for  
 2 Mr. Mullen?  
 3 I don't think so.  
 4 MR. HENRY: Do you want to open it to  
 5 the public?  
 6 MR. ROCHAT: Yeah. We can do that.  
 7 I would like to.  
 8 Shana, can we open it -- this --  
 9 MS. GOODCHILD: Anyone wishing to ask  
 10 a question of Mr. Mullen, should raise their hand  
 11 using the Zoom functions.  
 12 MR. HENRY: And with the  
 13 understanding, that what we're talking about  
 14 literally is questions about his testimony and  
 15 limited to that purpose.  
 16 MS. GOODCHILD: Okay. I have one --  
 17 one gentleman that is coming in to ask a question.  
 18 MR. SOBEL: Yes. So I'm a resident  
 19 of Far Hills, my name is Jon Sobel. I just had a  
 20 question tonight.  
 21 I was curious if Pulte Homes has  
 22 closed on the land?  
 23 MR. MULLEN: No. As I said we are a  
 24 contract purchaser right now.  
 25 It won't close on the land until all

1 the governmental approvals have been attained.  
 2 MR. SOBEL: Okay. And was this  
 3 development part of a public process with an RFP? I  
 4 wasn't sure if it was included in RFP. I just  
 5 wanted to know if you were aware it was not.  
 6 MR. MULLEN: Not -- not a public  
 7 process. Private transaction.  
 8 MR. SOBEL: Okay. I will just wait  
 9 for further testimony for additional questions.  
 10 I was just surprised that this  
 11 development was able to get as far as long as it is.  
 12 I am not trying to slow up in any way at this time,  
 13 but it was approached by a developer to have this  
 14 project included in the redevelopment plan, which we  
 15 know is not always appropriate, and is not part of  
 16 the public process as well. So the town -- I am  
 17 just part of the community that wants to be included  
 18 project and may see it the most successful it is,  
 19 and, that is where my comments come from tonight.  
 20 So I will go back to the planning  
 21 board, and thank you for my time and for your  
 22 answers.  
 23 MR. GIANETTI: If I may ask just a  
 24 follow up question of Mr. Mullen, as to that. When  
 25 you indicated it was not in a public process, you

1 are referring to the transaction with respect to  
 2 Pulte Homes, and the property owner Melillo  
 3 Equities. Correct?  
 4 MR. MULLEN: That is correct.  
 5 MR. GIANETTI: So with respect --  
 6 THE WITNESS: The purchase  
 7 transactions.  
 8 MR. GIANETTI: -- to the affordable  
 9 housing agreements, the rezoning, there were a slew  
 10 of public hearings before the borough council, and  
 11 the planning board with respect to those agreements  
 12 and the zoning; is that correct?  
 13 MR. MULLEN: That is correct.  
 14 MR. ROCHAT: Thank you, Jon.  
 15 Anyone else, question for Mr. Mullen  
 16 from the public?  
 17 MR. HENRY: You do have a couple  
 18 people raising their hands on the screen.  
 19 MS. GOODCHILD: Yes. I am going to  
 20 -- Mr. Schwester is being unmuted.  
 21 Mr. Schwester, I have -- I have  
 22 sent you a request to unmute.  
 23 MR. SCHWESTER: You are making it  
 24 very complicated. I guess it's deliberate.  
 25 My question is to Mr. Mullen, the

1 mayor and council have been promising the town for  
 2 last year and a half, that the selling price will  
 3 start at 800 to a million dollars. Is that in  
 4 writing?  
 5 MR. MULLEN: I don't know if that's  
 6 in writing. We are market-driven. And, of course,  
 7 we will, you know, try to get the highest price we  
 8 can. But we are looking to open up, you know, in  
 9 the 8s maybe close to \$900,000 is our base price,  
 10 yes.  
 11 MR. SCHWESTER: Okay. Understand  
 12 it's market-driven. I get it. And thank you for  
 13 that answer.  
 14 So it is going to be in writing that  
 15 you're going to start at 800,000, market-driven and  
 16 you will go up to a million two if the market?  
 17 MR. MULLEN: We will go up to  
 18 whatever the market will bear.  
 19 MR. SCHWESTER: Okay. But you're  
 20 going start at a base of about 800 to a million?  
 21 MR. MULLEN: Yeah. 800 -- 800 to  
 22 900.  
 23 MR. SCHWESTER: And that is going to  
 24 be commitment from Pulte in writing to the town?  
 25 MR. GIANETTI: Well, I think I can

1 answer that --  
 2 MR. HENRY: He just made it as part  
 3 of his testimony, which is under oath on behalf of  
 4 Pulte.  
 5 MR. GIANETTI: Yeah. I think his  
 6 answer was, they anticipate given the current  
 7 market, the price was -- their opening price will be  
 8 8 to \$900 a unit. But it's all market-driven, you  
 9 know, the price is going to be what someone is  
 10 willing to pay for it.  
 11 MR. SCHWESTER: Okay, okay. But a  
 12 follow-up. If you are building the quality -- and  
 13 we are also told by they mayor and council, that the  
 14 negotiations with Pulte were to put in the  
 15 infrastructure and then build, and sell as they  
 16 build.  
 17 Because if the market falls apart,  
 18 Mr. Mullen, as you know after being with Pulte for  
 19 20-some odd years; you pull back and wait for the  
 20 market to get better. If everything is built, then  
 21 you're going to be in a distressed situation. And  
 22 you're going to be bleeding. So you're going to  
 23 need to sell at whatever price.  
 24 My concern is and the mayor and  
 25 council --

1 MR. HENRY: Mr. Schwester, is there a  
 2 question for the witness?  
 3 MR. SCHWESTER: Is this what?  
 4 MR. HENRY: Is there a question for  
 5 the witness?  
 6 MR. SCHWESTER: Yes. The question is  
 7 why is there a reluctance to commit to it at a  
 8 minimum of 800,000?  
 9 MR. MULLEN: I think I answered the  
 10 question, that that is what we intend to open up  
 11 with. Yes.  
 12 SPEAKER: -- didn't answer --  
 13 MR. SCHWESTER: Now, you didn't. You  
 14 said, you intend to.  
 15 MR. MULLEN: We will market the  
 16 project with those prices, yes.  
 17 MR. GIANETTI: No -- there --  
 18 MR. SCHWESTER: Okay. But you intend  
 19 to. You won't answer my question. I am asking you  
 20 a direct question.  
 21 MR. HENRY: No. You are arguing with  
 22 him.  
 23 MR. GIANETTI: No. I think he's  
 24 answered the question. You don't like the answer  
 25 but he's answered the question.

1 MR. SCHWESTER: No.  
 2 Are you going to commit, in writing,  
 3 with the contracts that you're putting together with  
 4 the town, to start at 800?  
 5 MR. MULLEN: Well, I just told you we  
 6 are committed to do that.  
 7 MR. SCHWESTER: What was the answer?  
 8 MR. MULLEN: Yes. We are committed  
 9 to do that. We are committed to set our base prices  
 10 at that price; 800 to 900.  
 11 MR. SCHWESTER: Very good.  
 12 And you will have that as part of the  
 13 contract?  
 14 MR. GIANETTI: Well -- no. I guess  
 15 you are missing one thing. There's no contract.  
 16 These are market-rate units, so we can't restrict  
 17 what the price can be.  
 18 MR. SCHWESTER: This -- you froze up.  
 19 I can't hear a word you're saying. You froze.  
 20 MR. GIANETTI: These are market rate  
 21 units, meaning they are market driven. So they are  
 22 not controlled, they don't have minimum sales price,  
 23 minimum purchase price.  
 24 He's testified to as to what they  
 25 intend to open it up at and what they expect it to

1 be, given the current market. The only unit that  
 2 will have a restriction on, you know, what the rents  
 3 would be, or what the price of the units will be,  
 4 will be the affordable units.  
 5 As to the market rate units, they  
 6 have committed what they intend. They are building  
 7 a high quality project. This is what they believe  
 8 they're going to be getting what they're going to  
 9 open it up for. But they are not saying this is the  
 10 minimum price and that's it.  
 11 MR. SCHWESTER: Well --  
 12 MR. GIANETTI: It's market driven.  
 13 It's market driven.  
 14 MR. SCHWESTER: I understand. Then  
 15 why is the town committing to spend \$6,000 a year of  
 16 the collected taxes --  
 17 MR. HENRY: Mr. Schwester --  
 18 MR. SCHWESTER: I haven't finished,  
 19 Mr. Henry.  
 20 MR. HENRY: Have you finished asking  
 21 this witness questions?  
 22 SPEAKER: Yes.  
 23 MR. HENRY: You are now making  
 24 statements about what you would like. You will have  
 25 an opportunity to do that, but it's not now.

1 MR. SCHWESTER: I am talking about  
2 the commitment in writing what the town and the  
3 Pulte people have already conveyed to the taxpayers  
4 of Far Hills. I just want to hear --  
5 MR. HENRY: We can't go around on  
6 this now, at least at this time --  
7 MR. SCHWESTER: But it's all talk  
8 nothing has been committed to and put in violet in  
9 the paper work.  
10 MR. HENRY: That is not a question.  
11 MR. SCHWESTER: The question is: Why  
12 have they not?  
13 MR. HENRY: That is not part of the  
14 testimony of this witness. There's no contract at  
15 this --  
16 MR. SCHWESTER: Yes --  
17 MR. HENRY: There is no contract that  
18 is going to be drawn now between the town and the  
19 Pulte.  
20 MR. SCHWESTER: The town has already  
21 committed to spending 6,000 a year per unit.  
22 MR. HENRY: That's a subject you can  
23 get into, when you are able to get into it from your  
24 point of view. That's -- that's -- you don't argue  
25 with the witness.

1 MR. SCHWESTER: Mr. Henry,  
2 Mr. Henry.  
3 Do you realize that you are violating  
4 my constitutional rights to have this spirited  
5 debate?  
6 It was Sullivan versus the New York  
7 Times in 1964.  
8 MR. HENRY: You know I was alive then  
9 too.  
10 MR. SCHWESTER: I would have thought  
11 you were around a lot longer than that.  
12 MR. HENRY: And you would have been  
13 right.  
14 MR. SCHWESTER: So do you know -- do  
15 you know do the law, Mr. Henry?  
16 MR. HENRY: I am telling you that you  
17 are --  
18 MR. SCHWESTER: Do you know that law,  
19 Mr. Henry?  
20 MR. HENRY: Of course I know that  
21 law, and it has nothing to do what is happening now.  
22 MR. SCHWESTER: It has to do with  
23 spirited debate.  
24 MR. HENRY: This is not a time for  
25 spirited debate. It's a time for you to question

1 the witness about his testimony. And later in the  
2 process, you can have spirit debate, but that is not  
3 now.  
4 MR. SCHWESTER: And Mr. Henry, I  
5 asked Mr. Mullen who said that they were going to be  
6 market. And I questioned --  
7 MR. HENRY: Now, you want argue with  
8 me. First you argued with him. Now you are arguing  
9 with me.  
10 MR. SCHWESTER: There's no arguing  
11 with you, Mr. Henry.  
12 MR. HENRY: I'm not going to comment  
13 on that. But I am glad you recognize it.  
14 MR. SCHWESTER: No, no. You don't  
15 argue with an unarmed man.  
16 MR. ROCHAT: Okay.  
17 Do we have any other questions for  
18 Mr. Mullen from the audience?  
19 MS. GOODCHILD: Dr. Mellendick, I  
20 have asked you to unmute. Dr. Mellendick.  
21 MR. SCHWESTER: They make it so  
22 complicated.  
23 DR. MELLENDICK: Okay. Thank you,  
24 Shana.  
25 MS. GOODCHILD: You are welcome.

1 DR. MELLENDICK: I just wanted to  
2 comment on a couple of things.  
3 One, Mr. Mullen -- Mr. Mullen  
4 mentioned that he, representing Pulte, are somehow  
5 in another familiar with Far Hills, Somerset County.  
6 I wonder if he could elaborate on  
7 that a bit more. What is your or Pulte's  
8 familiarity with Far Hills exactly.  
9 MR. MULLEN: Personally, I have lived  
10 in Basking Ridge now for 33 years. So I am very  
11 familiar with the Borough of Far Hills.  
12 And Pulte Homes has had our division  
13 headquarters in Bernardsville and Basking Ridge  
14 since 1997. So we know the area very well, know Far  
15 Hills.  
16 (Inaudible speaking.)  
17 MR. ROCHAT: George.  
18 DR. MELLENDICK: Yes.  
19 Unfortunately, I am sorry I --  
20 Is Mr. Mullen responding?  
21 MR. MULLEN: Yes.  
22 DR. MELLENDICK: Could you repeat  
23 that, please, I did not hear it. I was disconnected  
24 or whatever.  
25 MR. MULLEN: Sure. I said -- no

1 problem.  
 2 I said, I personally have lived  
 3 Basking Ridge for 33 years. So I am very familiar  
 4 with the area. And that -- coached Pop Warner  
 5 football with Far Hills residents on the Somerset  
 6 Hills Pop Warner team for many years before.  
 7 And Pulte Homes has been -- with its  
 8 -- has its office in Bernardsville and Basking  
 9 Ridge since 1997. So very familiar with the region.  
 10 The folks who work with us, many lived in the area  
 11 and many at -- some have even lived in Far Hills.  
 12 So we are very familiar with Far Hills and the  
 13 workings of the communities and it's -- the area.  
 14 DR. MELLENDICK: Thank you.  
 15 I just wanted to make it very clear,  
 16 that we in Far Hills are not willing to have a  
 17 development here, such as you developed in Florham  
 18 Park. Which though, very nice, is well below the  
 19 standards of Far Hills. So we will be absolutely  
 20 opposed, Mr. Mullen, and Attorney Gianetti, if I'm  
 21 reading your name correctly, to have anything such  
 22 as that in Far Hills.  
 23 MR. HENRY: Dr. Melendick, can you  
 24 return to a question, if you have one for the  
 25 witness.

1 DR. MELLENDICK: No. Let me finish  
 2 my question, Attorney Henry.  
 3 MR. HENRY: No. That wasn't a  
 4 question, that's the point.  
 5 You are expounding on your thoughts  
 6 about the product. If you have a question for the  
 7 witness about his testimony, that is what you are  
 8 suppose to be dealing with now, and nothing else.  
 9 A question; not commentary, not  
 10 debate, not argument.  
 11 DR. MELLENDICK: I am asking -- so  
 12 stop arguing with me. I am asking him a simple  
 13 question.  
 14 What I'm asking about follows-up on  
 15 what Mr. Schwester was asking about, with market  
 16 value, which these two witnesses brought up.  
 17 And I am just asking a question, if  
 18 when they think market value, they are thinking of  
 19 Delray or Delweb project that they put up in Florham  
 20 Park or not.  
 21 That is the question. Is that okay,  
 22 Mr. Henry.  
 23 MR. HENRY: It that was a question.  
 24 DR. MELLENDICK: Thank you.  
 25 MR. MULLEN: It will not be -- it

1 will not be a Delweb community, as it is in Florham  
 2 Park, no.  
 3 As I said, before in my testimony,  
 4 these two models, the Aston and Branton models are  
 5 distinct, different, specifically chosen for the  
 6 Borough of Far Hills and will be built with that in  
 7 mind.  
 8 DR. MELLENDICK: Because we won't  
 9 allow them otherwise.  
 10 MR. ROCHAT: Okay. Any other  
 11 questions for the --  
 12 MS. GOODCHILD: Chairman Rochat, we  
 13 have one other --  
 14 MR. ROCHAT: Okay.  
 15 MS. GOODCHILD: -- member of the  
 16 public.  
 17 Janine Silberberg.  
 18 MS. SILBERBERG: -- seeking  
 19 government approvals we are waiting for, and just  
 20 what they relate to?  
 21 And also if there's anything that  
 22 could be anticipated in those approvals that would  
 23 make you reconsider building the project.  
 24 MR. MULLEN: Other governmental  
 25 agencies, where we have get approval such as

1 Somerset County, the Somerset Union soil  
 2 conservation district, New Jersey DEP. And, no, I  
 3 don't anticipate that they will be any problems  
 4 those other governmental agencies.  
 5 We just have to go through the  
 6 processes the way New Jersey is formulated, I  
 7 suppose. There is regulations that have to be met.  
 8 And we will go through the proper channels and get  
 9 those permits and approvals.  
 10 MS. SILBERBERG: If I can just follow  
 11 up on that, I guess, that process anticipates it  
 12 will be closed in time to start construction in  
 13 2022, correct.  
 14 MR. MULLEN: That what we anticipate.  
 15 But we are working with different governmental  
 16 agencies, so timing can't always be predicted. But  
 17 that is what our anticipated and hour hopes are.  
 18 And we are working on that diligently right now.  
 19 MS. SILBERBERG: Thank you.  
 20 MS. GOODCHILD: Chairman Rochat, Jon  
 21 Sobel has another question.  
 22 CHAIRMAN ROCHAT: Okay.  
 23 MR. SOBEL: Thank you. I appreciate  
 24 you allowing me the time to ask this question.  
 25 You described the mix of affordable

1 units with market rate. And I thought fair share  
 2 housing frowned upon the separation of affordable  
 3 with market rate. I thought they want them to be  
 4 combined.  
 5 Can you describe in your situation,  
 6 don't they prefer, and the reason why you are doing  
 7 development that you described with the separation.  
 8 MR. MULLEN: Well, I don't believe it  
 9 is separated. And we have done numerous communities  
 10 like this where you have a -- it's all in the same  
 11 property. So they are within walking distance of  
 12 each other, so we do consider it to be within the  
 13 same development. It's inclusionary. The reason  
 14 why there is a separation is the townhouses are for  
 15 sale, age-restricted, whereas the affordable housing  
 16 units are going to be rentals. So it's a totally  
 17 different product type. But will be compatible with  
 18 each other and will work with the community.  
 19 MR. GIANETTI: I would note for the  
 20 record, that the Melillo affordable housing  
 21 agreement was approved by the court, and Fair Share  
 22 Housing Center was part of that process, so they  
 23 signed off on that settlement agreement.  
 24 MR. ROCHAT: Okay.  
 25 MR. SOBEL: Thank you for the answer.

1 I know they signed off on the fair share housing  
 2 agreement. However, the agreement I don't think  
 3 specifically stated that they would be in separate  
 4 buildings. So I just know other developments that  
 5 had issues, and I'm -- just want to confirm the  
 6 reason why you are not including them in the same  
 7 building?  
 8 MR. GIANETTI: No, no -- the  
 9 affordable housing settlement agreement had the  
 10 concept plan of the units, where there would  
 11 apartment buildings and townhouses. So they were  
 12 well aware of the unit mix and how this was broken  
 13 down.  
 14 And it's not uncommon to have, as  
 15 even Mr. Mullen noted, when you have townhouse units  
 16 with apartments in a single project, where the  
 17 affordable units are part of the apartments and  
 18 rental as oppose to the for-sale product.  
 19 MR. ROCHAT: Okay. Jon, do you have  
 20 another question or is that are you done?  
 21 MS. GOODCHILD: I don't have any  
 22 other questions Chairman Rochat.  
 23 MR. ROCHAT: Okay, let's close the --  
 24 MS. GOODCHILD: Wait, I'm sorry we  
 25 have Dr. Mellendick. Hold on.

1 MR. ROCHAT: You have to unmute.  
 2 MS. GOODCHILD: You have to unmute  
 3 Dr. Mellendick.  
 4 MR. ROCHAT: We can't hear you.  
 5 DR. MELLENDICK: Yes, I think you  
 6 unmuted me.  
 7 The question to Mr. Mullen, how did  
 8 the -- the -- description or the nomenclature of  
 9 Residences at Overleigh come about.  
 10 MR. MULLEN: The name itself? So is  
 11 that what you're asking?  
 12 Is that what you're asking? How did  
 13 we come up with the name?  
 14 DR. MELLENDICK: Yes.  
 15 MR. MULLEN: Yeah. Our Pulte  
 16 marketing team does research in the area and found  
 17 that that was a name that was very distinct in this  
 18 -- in Far Hills, and wanted to use that.  
 19 And, in fact, some of the names that  
 20 we are proposing for the streets have connections to  
 21 persons, who are were residents or had impacts in  
 22 Far Hills. So that is where we come up with our  
 23 names.  
 24 DR. MELLENDICK: I see. So -- so in  
 25 other words the despite your proximity to Far Hills

1 in Basking Ridge, and your knowledge of the area and  
 2 your intimacy of this community, you actually have  
 3 no idea where the term Overleigh derives from.  
 4 MR. MULLEN: Me personally, I don't.  
 5 But my marketing team does.  
 6 DR. MELLENDICK: Don't you think you  
 7 should?  
 8 MR. MULLEN: I will learn more about  
 9 it as we go forward. Yes, I will.  
 10 DR. MELLENDICK: Well, let me explain  
 11 it to you, since you're presenting it on behalf of  
 12 Pulte.  
 13 MR. HENRY: No, no, no, no. We're  
 14 not going to have you explaining. You can ask  
 15 questions.  
 16 DR. MELLENDICK: Okay.  
 17 Well, the -- my question is my  
 18 question, is Mr. Mullen and Attorney Gianetti; do  
 19 you realize that one of the most stately estates in  
 20 Far Hills is called Overleigh. It's on 202 adjacent  
 21 to the property you two intend to develop in the  
 22 face of Pulte. And it's amazing to me that neither  
 23 of you have any idea of that. And then you're going  
 24 to -- coming in here, as if you have this intimacy  
 25 with our community, which obviously you do not. So

1 take down some notes. You may learn something.  
 2 MR. ROCHAT: Okay. Anything else  
 3 from the audience?  
 4 MS. GOODCHILD: I think that's it  
 5 Chairman Rochat.  
 6 MR. ROCHAT: Okay. Close public  
 7 questions.  
 8 And Mr. Gianetti, you can call your  
 9 first witness.  
 10 MR. GIANETTI: Sure. I would like to  
 11 call Ron Kennedy from Gladstone design group.  
 12 MR. HENRY: Would you raise your  
 13 right hand. Do you swear that the testimony you are  
 14 about to give here will be the truth, the whole  
 15 truth and nothing but truth, so help you God?  
 16 MR. KENNEDY: I do.  
 17 MR. HENRY: Would you for the record  
 18 state your full name and spell your last  
 19 MR. KENNEDY: Certainly. Ronald  
 20 Kennedy, K-E-N-N-E-D-Y. Gladstone Design, 265 Main  
 21 Street in Gladstone.  
 22 MR. HENRY: Thank you.  
 23 -----  
 24 R O N A L D K E N N E D Y, Sworn.  
 25 Testified as follows:

1 your use in your testimony?  
 2 A. We have.  
 3 MR. GIANETTI: You can identify them,  
 4 and I guess, with Shana, with respect to sharing the  
 5 screen, he'll have access to that through his  
 6 testimony. Great.  
 7 And maybe we can and, I guess,  
 8 Mr. Henry, we will start with A1 in using the  
 9 exhibits.  
 10 MS. GOODCHILD: Ron, are you able to  
 11 share your screen?  
 12 MR. KENNEDY: I am clicking on it  
 13 now. And it says host disabled participant screen  
 14 sharing.  
 15 MS. GOODCHILD: There we go. You  
 16 should have it now.  
 17 MR. KENNEDY: Excellent thank you.  
 18 MS. GOODCHILD: You are welcome.  
 19 MR. KENNEDY: Can we see the screen?  
 20 MR. GIANETTI: It looks like it's  
 21 coming up.  
 22 There we go.  
 23 (Exhibit A 1 was presented to the  
 24 board.)  
 25 BY MR. GIANETTI:

1 EXAMINATION BY  
 2 MR. GIANETTI:  
 3 Q. Mr. Kennedy, if you could just please  
 4 provide for the board your license, experience and  
 5 qualifications in the field of civil engineering?  
 6 A. I can. I am a licensed civil  
 7 engineer in the state of New Jersey. I have been  
 8 since 1983. Testified in over 300 boards throughout  
 9 New Jersey, including for the last, I would say 35  
 10 years before Far Hills Borough.  
 11 Q. And your license remains in good  
 12 standing?  
 13 A. It does.  
 14 MR. GIANETTI: Unless there is any  
 15 further question from the board, I ask he be  
 16 accepted as an expert in the field of civil  
 17 engineering.  
 18 MR. ROCHAT: I don't think there is  
 19 economy questions. Ron has testified before us  
 20 before.  
 21 MR. GIANETTI: Great.  
 22 BY MR. GIANETTI:  
 23 Q. And I guess, Mr. Kennedy, in  
 24 connection with it tonight's meeting, did you or  
 25 something in your direction prepare any exhibits for

1 Q. So if you can identify the exhibit on  
 2 the screen, you know, by title and we will label it  
 3 Exhibit A 1.  
 4 A. Certainly. So the first Exhibit, A 1  
 5 is an aerial exhibit. The date of it is today,  
 6 July 5, 2021.  
 7 And again -- I am trying to turn this  
 8 off -- the exhibit.  
 9 MR. HENRY: Ron, to be clear the  
 10 title block says Neighborhood Aerial, is that  
 11 correct.  
 12 MR. KENNEDY: Hold on, Peter, the  
 13 zoom lock is right in front of this so I --  
 14 MR. HENRY: That's what makes it a  
 15 challenge.  
 16 MR. KENNEDY: Yes. It's neighborhood  
 17 aerial is the title.  
 18 MR. HENRY: Thank you.  
 19 MR. KENNEDY: And today's date;  
 20 July 5, 2021.  
 21 So this is the street aerial map.  
 22 And then we have overlayed different parcel maps in  
 23 the neighborhood. Similar to what you would look on  
 24 similar to Google maps, that you would see.  
 25 In the center of the site which is

1 the piece of property we are talking about, which is  
2 Block 5, Lot 4. Lower left on the side where my  
3 pointer is it the village of Far Hills train station  
4 and Liberty Corner Road, Polo Club and the village  
5 itself. Sunny Branch Road where my pointer is, just  
6 northeast of the train station.

7 As you go up 202 in the north  
8 direction you have Fox Hunt Court with the 7 lots  
9 that were created some years ago in that area.  
10 Neighboring property, which is the Overleigh Estate,  
11 Dillon Estate, which is on Lot 5. Across the street  
12 from the property in question is Lake Road, where my  
13 pointer is now. And as we travel easterly towards  
14 Bernardsville, Far Hills Country Day School is on  
15 the top part of the sheet, where my pointer is. And  
16 there is a small other street called Castle Court,  
17 relatively new. That is just to the northeast of  
18 the property. To the south of the property, along  
19 the screen, is the New Jersey Transit rail line.  
20 And then next to that New Jersey Transit rail line  
21 is the Mine Brook, that runs from Bernardsville into  
22 Far Hills in to the north branch of the Raritan  
23 River. And the lower right of the sheet is Sherwood  
24 Farm Road which is towards Bernards Township.  
25 My next exhibit is just a zoom in of

1 what we just talk about. A little closer to the  
2 site.

3 And Peter, that is going to be titled  
4 Site Aerial. And same date, today's date  
5 July 5, 2021.

6 (Exhibit A 2 was presented to the  
7 board.)

8 MR. KENNEDY: Same imagery just blown  
9 in a little farther. And I want to go through just  
10 some of the existing conditions on and around the  
11 property.

12 The property itself is 42.3 acres.  
13 Generally, it is a series of buildings out  
14 buildings. Some are residential buildings. Some  
15 are barns. And this was all part of the original  
16 Overleigh Estate, which is just off the property  
17 where my pointer is right now, this was some of the  
18 agricultural uses and some of the landscape features  
19 of the property were on this parcel of land. There  
20 is some field areas up in the north east corner of  
21 the property, towards Route 202. And some  
22 successional growth, some fields and some newer  
23 vegetation that is toward the rear of the property,  
24 towards the railroad tracks.

25 I am going to point and just so you

1 some of the buildings that the we will go through.  
2 There was a house that was part of the farm  
3 community, that is up on the part of front sheet  
4 towards Route 202. There is approximately 3  
5 residences in there. Another residence in a barn, a  
6 structure. That where my pointer is now. Large  
7 barn that's more towards the rear of the property,  
8 another residence. I think in total there is about  
9 7 different residential units that are on the  
10 property right now. And, again, all part of that  
11 agriculture use that was part of a bigger estate at  
12 one time.

13 Mostly fallow agriculture, not much  
14 active agriculture on the property right now. And  
15 you can see around the existing house, more of  
16 landscaped trees that are around there as opposed to  
17 wood areas. When we get to rear, especially towards  
18 the east side of the rear, you see more mature trees  
19 there in that location. And then you see more  
20 fallow fields that are a little to the south and to  
21 the west.

22 The entire property has been rezoned  
23 into the TH6 IAR zone. The zone surrounding it was  
24 all part of the R6 zone that went from 202 to the  
25 railroad tracks from the town center, all the way up

1 to the Bernardsville border. Across the street  
2 towards Lake Road, that all the R10 zone. And then  
3 on the other side of the railroad tracks that you  
4 see to the south is part of the R10 zone.

5 The next exhibit is we will spend some  
6 time on is the environmental constraints again the  
7 same date, July 5, 2021.

8 MR. GIANETTI: And this Environmental  
9 Site Constraints will be marked Exhibit A 3 and the  
10 last, Site Area A 2.

11 (Exhibit A 3 was presented to the  
12 board.)

13 MR. KENNEDY: Thank you.

14 So a lot of lines, a lot of colors.  
15 And I am going to spend some time going through  
16 these different elements that are on the property.

17 What you will see in the these purple  
18 colors, light purple to a darker purple. There is  
19 three ranges in there. They are the steep slopes  
20 according to your ordinance 15 to 25 percent is the  
21 lighter color, mid color is 25 to 35 percent and the  
22 darker color is 35 percent or greater. And you're  
23 going to see it in different areas of the property.

24 Along the road, 202 you see some of  
25 slopes. And again they were created when 202 was

1 widened, and the existing landscape caused the  
2 widening of the road, keeping grades the same, it  
3 caused steep slopes right along that according to  
4 your ordinance.

5 You will also see around some of the  
6 farm buildings and the barns, you will see some  
7 slopes associated with the edge of the either  
8 buildings themselves, or the internal road networks  
9 or driveways that are around the building. You will  
10 see some, I will call them natural slopes towards  
11 the rear of property by the railroad and by the  
12 stream corridor. And then you will see a relatively  
13 large section of the steep slopes in the center  
14 here, that's the darker colors to the lighter  
15 colors. And that is an area of fill that has been  
16 placed over many years. Looks back even to the old  
17 area photos in the 1930s. Fill was placed in there  
18 to make more ground level around this barn  
19 structure.

20 So while it exists close to these  
21 regulated areas of wetlands or riparian corridors,  
22 they are filled areas aren't natural, and were I  
23 would say manmade slopes that are there. You have  
24 some other slopes that are to the south and then up  
25 in the northeast that are natural slopes. But the

1 majority of slopes on the site have been manmade  
2 over time, with the development of the estate, and  
3 some enhancements that were made over time on the  
4 Route 202 corridor.

5 The next item that is regulated is is  
6 what is in green, and the shades of green are -- the  
7 dashed line is the out line of wetlands transition  
8 areas. The shaded green area, I am going to point  
9 to the front portion of the property, the shaded  
10 green area is the actual wetlands. And that is the  
11 striped area. The solid shade area around it is a  
12 50-foot transition area wetlands buffer, that's  
13 regulated by DEP.

14 To the center in the rear, there is a  
15 finger of a water course that comes up the finger of  
16 the property, and that green area is a again  
17 identified as wetlands and wetlands transition  
18 areas; with a 50-foot transition area for some, and  
19 then there is or the section that do not have  
20 transition areas and considered ordinary wetlands or  
21 state open waters.

22 There is also some wetlands was,  
23 that, say was created when the railroad was built  
24 and grading was done along the railroad tracks. And  
25 that is the area along the right side of the sheet.

1 Or generally the southeast side of the sheet. And  
2 you will see wetlands and the shaded green area is  
3 the transition areas.

4 Another layer of regulated areas by  
5 DEP is this dashed blue line which is considered a  
6 riparian buffer in the storm water rules of state of  
7 New Jersey. And that goes up along this small water  
8 course and the limits of are shown on this plan in  
9 blue.

10 There is also this pink line is a  
11 flood hazard limit line that is part of the  
12 delineated stream corridor of the Mine Brook. And  
13 off the site, on the other side of the railroad  
14 tracks -- my pointer is now, actually, is the Mine  
15 Brook itself, and you can see the edge or the shore  
16 lines of the Mine Brook.

17 So it is a very limited area that  
18 actually has flood plane associated with the Mine  
19 Brook. There's no flood plane on the site itself up  
20 at this wetland corridor relatively low drainage  
21 area, under 50 acres that goes to a small pipe  
22 crossing underneath a road. I couldn't say a road,  
23 a path that goes underneath what's the high tension  
24 lines, adjacent to the railroad tracks. So that  
25 area is a again a stream or a riparian corridor

1 that's regulated by the state.

2 So if I zoom out for a second. The  
3 blue line of the riparian corridor and the green  
4 line of the wetlands transition area is regulated by  
5 DEP. We've gone to DEP to get what's called a  
6 wetlands letter of interpretation or an LOI, which  
7 was received and is verified that these are where  
8 the wetlands are. And the dashed blue line, we have  
9 also submitted for a flood hazard area  
10 authorization, and that is determined that is where  
11 the flood hazard or the riparian buffer is located  
12 with its appropriate width.

13 The last line of regulations is the  
14 red line that is surrounding the property or the  
15 wetlands and the stream corridor. And that is the  
16 township's ordinance for what is called a stream  
17 corridor ordinance. It's Section 803 B-2. And that  
18 regulation is 100 foot from riparian -- well, from a  
19 stream water course 100 foot wide, and it also has  
20 the notion that if a sloped is greater than 12  
21 percent, which is all this area in purple, you need  
22 to measure from the top of the slope to 100 foot.

23 So not only is it from where the  
24 water course is, we had to go to the top of the area  
25 where my pointer is now, on top of the purple and



1 then went an additional 100 foot. So it's quite  
2 large. And we will asking for some relief in the  
3 for of a variance for that standard for 083 B2 for  
4 that ordinance. Older ordinance, been on your books  
5 for a while, and we will show, with some proofs,  
6 other state adopted riparian buffers and wetlands  
7 buffers will control the environmental concerns that  
8 could be on this property for wetland and riparian  
9 corridors.

10 BY MR. GIANETTI:

11 Q. And how would you characterize those  
12 steep slopes that were measuring from, you know,  
13 with respect to naturally occurring or man made?

14 A. Craig, they are all, as I said  
15 before, all those are right in here, if you go out  
16 to the site, you can see that it's fill material  
17 that was placed over many, many years behind these  
18 barns. So it was built up around there. It's not  
19 natural.

20 And we will go through different  
21 proofs and what the protections are for all the  
22 regulated areas on this property. And as we talk  
23 more in detail, you will see that there's layers of  
24 additional protections, both for Far Hills Borough  
25 as well as DEP for the property.

1 In addition, to the environmental  
2 constraints or as part of the environmental  
3 constraints, we had to go through the analysis of  
4 the different DEP regulated areas. And one of the  
5 items I'm going to talk about with the sewer to the  
6 property is this orange line, is what will be the  
7 sewer service area for the property.

8 And that is highly regulated by DEP.  
9 We're in the midst of that process now of amending  
10 the waste water management plan. And, essentially,  
11 everything inside this orange line, it will be the  
12 sewer service area for this property. That means  
13 anything that will generate sewage in the form of,  
14 you know, the bathrooms and showers in each of these  
15 units, would go to a central collection station, it  
16 will be treated and ultimately disposed back in the  
17 ground again on site. There will be nothing brought  
18 off the site for waste water management. And I will  
19 spend more time going through those details.

20 So based on the environmental  
21 constraints. And based on the zoning that was put  
22 in place by the borough, my next exhibit is the  
23 Overall Site Rendering for the property.

24 (Exhibit A 4 was presented to the  
25 board.)

1 MR. GIANETTI: This will be labeled  
2 A 4.

3 MR. KENNEDY: And the same date, July  
4 5, 2021.

5 A. So this plan represents the layout  
6 that is being proposed to the borough. Generally  
7 based on the concept plan that was prepared as part  
8 of the settlement agreement. And I will show that  
9 the area in the regulated areas to the rear, which  
10 is the stream corridor. And then upland,  
11 nonregulated areas, that are these wooded areas on  
12 the property are not being disturbed at all. And  
13 ultimately, will be preserved in a conservation  
14 easement to the DEP and to the Borough of Far Hills.

15 The improvements themselves for the  
16 townhouse units, will be in the center of the  
17 property away from 202, and buffers both to the east  
18 and west to the adjacent property. Access is being  
19 proposed to the north of Lake Road -- or excuse me  
20 -- east of Lake Road up on the sheet and about 350  
21 feet, 202 north towards Bernardsville would be where  
22 the access point is.

23 What we're proposing is a boulevard  
24 that would come in, which would mean a one-way in  
25 and a one-way out with grass island, I believe, that

1 14 foot wide, to a round about that would then  
2 travel in both directions and to the townhouses, to  
3 the townhouses. And then in the upper part of this  
4 sheet to the east would be where the affordable  
5 building is being proposed.

6 So if I go into each area, you will  
7 see a series of either four unit buildings where  
8 there's four units in one building or five units in  
9 one building.

10 So the whole project itself has  
11 either four unit buildings or five unit buildings.  
12 The total number of townhouses that would be  
13 age-restricted are 105 townhouses. There will be  
14 loops that would connect the various road networks.  
15 And then there will be a series of small courts that  
16 would be off of the road network. Primary reason  
17 for the small courts in the rear of the property is  
18 because of the slope on this section of the property  
19 in having a continuous line like we had in the  
20 concept plan, it would just be difficult to grade  
21 those units off. There would be steps between each  
22 unit, it's an age-restricted product. We thought it  
23 was much better if we have a continuous road, what  
24 is called Baldwin Avenue.

25 Then we would have actually these

1 motor courts that would come off of it, for three  
2 separate motor courts. And they would relatively  
3 level. And then we'd have green change or  
4 transition with walkout units on the right side of  
5 each one of these roads, as the slope goes from high  
6 to my left, to low towards the Mine Brook to the  
7 right.

8 You will also see on this layout that  
9 we have a proposed sewer treatment building. All  
10 the effluent on the property for each of the units  
11 will be collected and brought to this building.  
12 It's a small relatively building. I think it's 40,  
13 by 40. It would have been enhanced treatments, that  
14 would mostly be put through high pressure filter  
15 systems, that would treat it to a certain level, a  
16 very high level of tertiary treatment, and then be  
17 disposed back onto the property.

18 The affordable unit itself -- and  
19 we'll have the architect come up and describe the  
20 unit in more detail -- but it's two stories facing  
21 Route 202. And in the rear, it's a three story  
22 profile in the rear of the building, towards this  
23 parking lot. So as you come into the building,  
24 there will be an entrance in the front of the  
25 building. On the midlevel, it's actually a

1 two-story building where my pointer is right now,  
2 and it will be three-story to the rear. So it would  
3 be one-story above grade here. It will be a  
4 transition and then it will be three stories down in  
5 this location. A parking lot in the front and a  
6 parking lot in the rear.

7 Give it a second to regenerate.

8 A typical road profile would have  
9 curbs on both sides, it would have sidewalk on one  
10 side and there would be a two-car garage going into  
11 each unit. With a driveway 18 foot in width for two  
12 cars. And that would be in every one of the units,  
13 front entry garages. And then we'll have areas of  
14 parking for visitor parking throughout the property  
15 in the townhouse area.

16 So you will see on some of the roads  
17 we'll bump it out and have some parking typical 9 by  
18 18 parking stalls that would be there for visitor  
19 parking. The criteria that we are using here is  
20 based on the residential site improvement standards  
21 for the width of the roads being 24 foot wide, for  
22 the sidewalks on one side, for the depth of the  
23 actual parking space to each one of these garages, a  
24 minimum of 22 feet. We exceed that, we are 23 to 25  
25 foot where the sidewalks exist and we're 28 foot

1 where sidewalks don't exist. Width of the driveways  
2 themselves are 18 foot, consistent with the  
3 residential site improvement standards.

4 The number of parking spaces on the  
5 project are based on a calculation for the units  
6 themselves. These will be four bedroom units, which  
7 require a total of 2.4 parking spaces per unit. In  
8 this case, we have a two car garage which is decided  
9 by Pulte to put. You could put a one car garage,  
10 you could put no garages on a townhouse according to  
11 RSIS. But you have to have 2.4 vehicles per unit.

12 So in our calculations that are  
13 submitted to the board, there is two car garages.  
14 You can park a car in front of each garage door,  
15 which is actually four spaces. But according to  
16 RSIS, you can only count one and a half spaces for  
17 the cars that are in the driveway. So it's actually  
18 a net of three and a half spaces.

19 And then visitor parking that is  
20 sprinkled throughout the project itself at least . 5  
21 visitor parking spaces per unit must be allowed or  
22 required to build on the property. So if there's  
23 105 townhouse units, we would need to have half of  
24 those or a little more than 50 spaces of visitor  
25 parking throughout the townhouse portion of the

1 project. So that's where we got up to the total  
2 number of parking spaces. I think it was in the 450  
3 count range of total number of parking spaces on the  
4 property. And that includes 58 parking spaces for  
5 the affordable housing units and that is based on  
6 the number of bedrooms, so there is a mix in this  
7 particular project of one bedrooms of two bedrooms  
8 and three bedrooms. And the architect will spend  
9 some time going through those mixes. But on in this  
10 case there will be a total of 9 one-bedroom units.  
11 Four of those units would be age-restricted, the  
12 others would be family. There will be 15  
13 two-bedroom units and then 5 three-bedroom units for  
14 total of 29 affordable units.

15 Anticipated on the project with trash  
16 on the townhouses, it would be curbside trash and  
17 recycling. Recycling is done by Somerset County.  
18 Trash would be done by a private waste hauler hired  
19 by the association. For the for multi-family unit,  
20 we have a trash enclosure here. So there will be a  
21 common trash area that you would take refuse out for  
22 both recycling and refuse out to that trash  
23 enclosure. And again county would pick up for the  
24 affordable units to the trash enclosure and a  
25 private waste hauler for the regular trash.

1 Mailboxes, while we haven't done the  
2 coordination with Far Hills post office, it's  
3 anticipated that we'll have a series of gangs of  
4 mailboxes. So for each series of courts and  
5 streets, we'll have a pedestal and a gang of  
6 whatever 12, 15 mailbox units under one little  
7 pedestal, and have the same time of thing for the  
8 affordable units.

9 Q. And that's determined by, you know,  
10 the Postmaster in the ends, Mr. Kennedy, correct.

11 A. Correct. In Far Hills, as we know,  
12 you have both rural delivery as well as post office  
13 boxes in Far Hills. But we are going to at least  
14 plan that we would have individual units that would  
15 be set up around the property for allowing a  
16 homeowner to have delivered mail to each one of  
17 these post office areas. Similar to the Polo Club  
18 has that, where they have gangs of maybe 10 at a  
19 time that mail is delivered to. It will be similar  
20 to that set up.

21 The next item that we show on this  
22 plan is an actual subdivision. So we are talking  
23 the 42 acres and we are creating a series of lots  
24 out of these 42 acres. The first one would be  
25 around the multi-family building, and that would be

1 lot that is 2.909 acres. And I am pointing  
2 generally at the area that, that physical location  
3 of the lot is. Let me blow that up. And you can  
4 see the outline right here which is dark black line  
5 is. Let it regenerate for a second.

6 And there would be actually a flag  
7 stem of 50 foot wide that would go all the way out  
8 to 202, to be consistent with the state law saying  
9 any lot would have to touch an existing street. And  
10 then each one of these lots, the townhouses around  
11 the each building, would have its own fee simple lot  
12 that would be generally around the unit itself. A  
13 little to the rear, maybe 10 or 12 foot, a couple of  
14 feet to the front. But essentially you would have a  
15 unit or a lot around each one of the units  
16 themselves?

17 Q. So Mr. Kennedy, then each unit owner  
18 would buy that fee simple lot and they would own  
19 that lot in fee simple interest?

20 A. Right. They would own the land  
21 underneath that, yes.

22 So in that case 105 of those that  
23 would we have totals about 6.5 acres. The lot that  
24 is the affordable housing building itself lot would  
25 be 2.9 acres and the rest which is all common areas,

1 would be about 32 acres.

2 All right. If I zoom back out and  
3 look at the whole project. We have some other site  
4 features that when you come into the roundabout, we  
5 have pillars that are off of both roads after you  
6 get to the roundabout, that you can see where my  
7 pointer is here. And then there is two other  
8 pillars in this location. Then under these trees we  
9 have a slow slung wall, that will have entry sign to  
10 the project. And I actually have that detail on  
11 this exhibit.

12 And you will see this stone entry  
13 sign, that would be residences at Overleigh, 29 foot  
14 long. The pillars themselves 3.6 high. So quite  
15 low. Then 30 inches high, would be to the top of  
16 bluestone or flagstone cap, we have light in the  
17 front of that that would light up the sign itself.  
18 Just an externally lit sign. So small, it's not on  
19 the road itself. It is approximately, I would say  
20 600 foot in off of the road off of 202.

21 So again the questions we have had  
22 with the town in any settlement discussions and  
23 certainly any zone changes, that they did not want a  
24 bunch of features out on 202. So we pushed that all  
25 on the site. The only thing that we would have out

1 on 202 is the driveway entrance in with the  
2 Boulevard. And there will be two small piers that  
3 would be 3 foot by 3 foot, approximately 3 foot 6  
4 inches high. And that would have a street sign out  
5 here, for whatever the name is. Right now we are  
6 showing Dillon Boulevard. But whatever that street  
7 sign would be, the only physical element that you  
8 would see, feature -- no other sign feature goes  
9 there.

10 All right. Let's do a couple of  
11 things on grading. Then we will get into drainage  
12 and utilities. So the site itself generally goes  
13 from Route 202. And there is high point  
14 approximately 300 foot back, where my pointer is  
15 right now, goes up maybe 3 or four foot from 202.  
16 And then everything from that high point to the rear  
17 falls back to the railroad tracks. Again,  
18 generally, okay, high point of the site where my  
19 pointer is now, falls a couple of feet towards 202  
20 from where my pointer is now. Everything to the  
21 rear falls back towards the Mine Brook. So the  
22 grading, we try to keep as much of the site grading  
23 around each unit to existing grade, and use the  
24 grades that we have there to situate each unit.  
25 When we did that grading, there is some of the units

1 themselves -- wait for a second to regenerate --  
 2 where all the units that are towards Route 202 would  
 3 be a slabs on grade, no basements. And units that  
 4 face, I will say down hill or the rear of the unit  
 5 is towards the rear of the property and the Mine  
 6 Brook, these two buildings here would be walkouts.  
 7 Where you would come in at the first floor, there  
 8 would one floor above it for a second floor, they  
 9 would have a full basement, and the rear would be a  
 10 walkout.

11 So these two buildings here, where I  
 12 am showing, would be walkouts. The two buildings on  
 13 next road down on the low side of Schley Avenue  
 14 would be walkouts. And then as we get down to off  
 15 this, Baldwin, on each one of these roads, the lower  
 16 units, or right side of each of these motor courts,  
 17 they would be walkout. So the building I am  
 18 pointing to here, the middle building at this  
 19 location. And then the last building closest to the  
 20 railroad would be a walkout as well.

21 Those walk outs will be causing a  
 22 height variance request for, I think, it's two feet  
 23 of difference from what is required versus what's  
 24 proposed. The architect will spend some time  
 25 talking about it. But as you are in each one of

1 these motor courts, where there's units States on  
 2 both sides, they'll look the same height on both  
 3 sides. There's no change on the height from the  
 4 front door to the ridge; the only thing, because it  
 5 has a walkout and how Far Hills measures average  
 6 grade around the building with these townhouse  
 7 units, we wouldn't meet the zoning requirements for  
 8 building height, so miss it again by two feet. So  
 9 the down slope of those units wouldn't comply with  
 10 the height, and we will be asking for a variance for  
 11 those.

12 Grade change over the whole project  
 13 is about 100 foot difference between the property  
 14 here which is about 180 in mean C elevation to about  
 15 280, which is the highest point up where drive  
 16 entrance comes up in Route 202. About a 100 foot  
 17 grade change from one side to the other.

18 So some of the items that we're  
 19 dealing with from a design consideration -- I'm  
 20 going to show a new exhibit --

21 And I'm not sure if this board has  
 22 had too many applications yet since the new storm  
 23 water rules came into effect this called Storm Water  
 24 Management Exhibit July 5, 2021.

25 MR. GIANETTI: We will mark this A 5.

1 (Whereupon A 5 was presented to the  
 2 board.)

3 MR. KENNEDY: Great.

4 A. And again, same orientation, I just  
 5 changed some of the colors around. The buildings  
 6 are in brown. But the various colors that you see  
 7 from the red, pinkish colors to the greens to the  
 8 blues are different storm water management features,  
 9 that are now being required since the adoption of  
 10 changes to storm water rules at the state of New  
 11 Jersey on March 2, 2021. And it had to be adopted  
 12 with ordinances that Far Hills Borough had to pass  
 13 as well.

14 And as storm water management keeps  
 15 evolving, when I started doing this 35, 36 years  
 16 ago, you dug a big hole at the bottom of the hill  
 17 and you took all the water down there, put in it big  
 18 hole, and monitored it going out. It's evolved  
 19 quite a bit since then. And the new round of rules  
 20 are quite extensive, quite involved. It is -- you  
 21 may have seen some of the review letters by  
 22 Mr. Bolio or review letters, there is quite a lot  
 23 going on here.

24 And essentially, what we have to do  
 25 with designs now, instead of that one big basin or

1 two basins at the bottom of the project on the low  
 2 side, you have to have all mini or smaller basins or  
 3 via filtration or different types of green  
 4 infrastructure to handle still the same elements  
 5 that we always had to handle, which was attenuation  
 6 of peak rate of runoff, we had to recharge a certain  
 7 amount and we had to have water quality for areas.

8 The water quality standards were  
 9 enhanced greatly, and the amount of basins if we  
 10 designed this pre March of 2021, we probably have  
 11 two or three basins on the project like this, even  
 12 last year. And now, we have 14 basins that are  
 13 being proposed on a project, on this project. So  
 14 it's quite involved has a lot of different things  
 15 that are going on here.

16 And I have a little chart, I will  
 17 show down in this area, this legend. We have bio  
 18 retention basins, we have bio retention infiltration  
 19 basins, underground attention basin, underground  
 20 infiltration basin, regular detention basin for peak  
 21 rate of runoff and then storm water management  
 22 structures and then storm water management pipe. So  
 23 there is a lot going on on this exhibit. There is  
 24 quite a number of comments that are by Mr. Bolio  
 25 about storm water management. And this application

1 or this project will have to go through thorough  
2 review at DEP for storm water management as well.

3 So all I can say is we will comply  
4 with the standards. We will comply with Far Hills'  
5 standard. We will comply with Mr. Bolio's comments.  
6 We have to comply with DEP standards. We've gone  
7 through a hand full of these since March already.  
8 And realized there is a lot of little nuances  
9 associated with these new standards that have to be,  
10 taken into account. A lot of details, and a storm  
11 water report that used to be an inch or so thick is  
12 now two or three inches thick. So a lot of detail  
13 goes in to this.

14 So what I would ask from the board  
15 and the chair is on storm water management and some  
16 of these other site comments that were made in both  
17 review letters, after this meeting that we could  
18 arrange for a meeting with the professionals to go  
19 through some of these details, because there is a  
20 lot of details. And to take the board's time to go  
21 through the details, doesn't seem too wise, to get  
22 through each of these nuances. So what we would ask  
23 is that we meet with the professionals and go  
24 through the details of storm water management, and  
25 some of the other review comments that were in your

1 letter.

2 But again the notion is, we have to  
3 comply, we will. We have enough land here, there is  
4 42 acres. And we will make the storm water  
5 management work on the property.

6 I talked a little about sanitary  
7 sewers for this property. When we are started this  
8 project, we looked at doing an on site sanitary  
9 sewer, and we looked at tying into the public sewers  
10 and running a line down 202 from this site down into  
11 the village. And then connect ultimately into EDC.  
12 After a lot of study and consideration, we are  
13 proposing an on site waste water management system.  
14 And as I said earlier in my testimony, the sewer  
15 treatment building we are being proposed is in this  
16 location right here. And then we are proposing a  
17 disposal system that would be in the front of the  
18 property, which would be, basically, an oversized  
19 septic system that's up in the front portion of the  
20 property in a cleared area. And I will go through  
21 some of those details up in here.

22 The steps that we have to go through  
23 for waste water management plans is three fold at  
24 the state of New Jersey. The first element is  
25 getting approval for amending the waste water

1 management plan for both the Borough of Far Hills  
2 and Somerset County, Somerset County holds the waste  
3 water management plan. And go through that process.  
4 We have been through probably a year into that  
5 process already, we probably have another six months  
6 or so to go with the waste water management planning  
7 on this property. And we are going through all the  
8 various approvals components of studying the land,  
9 studying the environmental resources and  
10 constraints, studying any endangered species that  
11 are associated not only with this property, but the  
12 region. We have done extensive soil testing on the  
13 property, with hydro geologists to determine the  
14 best location for where the disposal needs to go  
15 back into the ground and the best location from a  
16 hydro geological standpoint is where my pointer is  
17 now in the property. And we will then have to go  
18 through a process called an NJPDES permit which is  
19 New Jersey pollutant discharge elimination system.

20 And basically that process is to  
21 determine if the ground handle this effluent, and  
22 what the effects to the ground on the property, the  
23 soils on the property, they hydro geology on the  
24 property, as well as the neighboring properties.  
25 And that has been studied on our end and

1 applications have been presented to DEP, for that  
2 NJPDES process. And we are just starting that  
3 process. And again, that the will take probably 6  
4 months to 9 months to go through that process with  
5 state of New Jersey.

6 And the last element of the sanitary  
7 sewer system would be what a called treatment works  
8 approval. That's basically the design, the  
9 treatment system and disposal system. And  
10 ultimately that will be all the details of the  
11 piping, all the detail of what goes on in the  
12 treatment facility. And then ultimately with the  
13 disposal facility.

14 But with these types of systems, by  
15 the time it leaves this treatment plant, it has to  
16 meet New Jersey drinking water standards. Can't say  
17 I would ever drink from a glass coming out of that  
18 sewer plant, but that is what it has to meet. So it  
19 has the highest standards, that before it leaves  
20 that building, before it gets pumped up to this  
21 location and discharged into the ground, it will  
22 have to meet very high standards of drinking water  
23 before it goes back into the ground.

24 Next item on utilities is water and I  
25 have an exhibit for that, I would like to share. So

1 this exhibit, Peter, is Water Main Extension  
2 Exhibit.

3 MR. GIANETTI: We will mark that  
4 Exhibit A 6.  
5 (Whereupon A 6 was presented to the  
6 board.)

7 MR. KENNEDY: July 5, 2021, so I am  
8 zoomed out a little farther now. As we can see here  
9 is the property in question. 202 is the upper part  
10 of the sheet, Village of Far Hills, located where my  
11 pointer is now, train station and Liberty Corner  
12 Road.

13 Today the water system, the public  
14 water system that feeds the village of Far Hills has  
15 been a whole series, of add-ons over many, many  
16 years of the water system. And relatively speaking  
17 the mains that are in the village itself, are not  
18 that large, 6 inch and a couple 8 inch mains in the  
19 village, including even into the Polo Club. And  
20 it's connected by a water main, an 8 inch line that  
21 goes up into Bedminster, underneath the north branch  
22 of Raritan, and ultimately connects out to 16 inch  
23 line that is on Lamington Road and 206. Where my  
24 pointer is right now.

25 So that one area that it connects

1 into. There is another 6 inch line that turns into  
2 an 8 inch line, that goes on Peapack Road towards  
3 Peapack that connects to Old Dutch and connects into  
4 the systems of Peapack/Gladstone. Then there is a  
5 newer line that was reconstructed on Liberty Corner  
6 Road, that the goes to Liberty Corner Road, and  
7 stops just beyond Layton Road, where my pointer is  
8 now and dead ends there. And there is a small 4  
9 inch line that comes off Layton Road.

10 There is nothing to the north of this  
11 or -- I shouldn't say the north. I keep saying  
12 that, to the east of the project 202 north towards  
13 Bernardsville. There's no system at all up until  
14 Meeker Road, that's the first water main, that's up  
15 in that location. So in figuring out how we are  
16 going to bring water both for domestic for fire  
17 protection to the project, we looked at some  
18 different alternatives.

19 And so what we are being proposed now  
20 in working with the water company is to construct a  
21 new water main from where 202 is at Liberty Corner  
22 Road, actually in front of Sunny Branch Road there  
23 is a 12-inch sleeve that goes underneath the  
24 railroad tracks, and an 8-inch line that goes into  
25 the Polo Club. Connect and extend a line going down

1 202 into the site.

2 But because that line is only fed by  
3 a combination of 6 and 8-inch line out to the  
4 16-inch main, in working with the water company,  
5 wouldn't give us enough water for fire protection.  
6 Plenty of water for domestic, but for fire  
7 protection to the project.

8 So after looking at a bunch of  
9 different alternatives, what we are proposing to do,  
10 is this line on Liberty Corner Road was replaced, I  
11 would say, about 10 or 12 years ago, what we propose  
12 to do is construct a new line in addition to where  
13 the infrastructure is to Layton and Liberty Corner  
14 Road, and then construct a new 8-inch line down  
15 Layton Road underneath 287 up to Douglas Road and  
16 connection in to the upper section of the Hills, at  
17 Schley Mountain Road and Douglas Road at that  
18 intersection there.

19 What it does is tie into new  
20 infrastructure that was built with the Hills which  
21 is extensive and tanks on a higher grid line. So it  
22 will give not only a more consistent flow to this  
23 project, but it will also help support and have a  
24 lot more consistent flow to the Village of Far Hills  
25 as well. So we think it's a big benefit to the

1 borough, by enhancing the water system to the  
2 borough, and extending the water line to this  
3 specific project. So we are probably six months  
4 into detailed discussions with the water company  
5 with conceptual designs, they have done models of  
6 their system. And we all feel that with the water  
7 company and our team, that it's the best way to  
8 proceed for this project. And will still enhance  
9 the local neighborhood as well including the  
10 borough, downtown area. And it will also bring fire  
11 protection out 202, which just doesn't have any  
12 water protection systems on 202 already.

13 Gas and electric will extended to the  
14 site. Pretty basic what has to happen for at that.  
15 That will all be underground. The electric system  
16 will be underground. Nothing above grade.

17 If I go back to the overall plan  
18 again, I think this is A 4.

19 MR. GIANETTI: A 4.

20 MR. KENNEDY: Okay.

21 A couple other items I want to touch  
22 on, is zoning. And I have a full zoning chart here  
23 and just consistent with the zoning is the typical  
24 lot areas, building coverage, impervious coverage,  
25 front yard setbacks, rear yard setbacks. We are

1 complying with all those. We said we are complying  
2 building height for the townhouse units that don't  
3 walkouts; but because you measure average grade for  
4 your definition of elevation, the walkouts will not  
5 meet the definition themselves for the building  
6 height. So we will be asking for a variance on  
7 that. 36 foot is the requirement, we are at 38. 07.

8 The apartment itself, the height for  
9 the apartment building or the multi-family building,  
10 42 is allowable and we are at 37. 91 feet. We meet  
11 all the townhouse setback standards that are in your  
12 ordinance. And we meet the affordable rental unit  
13 boundary standards, and parking requirements that  
14 are in your ordinance.

15 The one element that we are working  
16 on to be consistent with is. The setbacks for the  
17 buildings from 202. There is a 300 foot,  
18 essentially setback from 202; a 200 foot scenic  
19 setback and then another 100 foot building setback.  
20 So a total of 300 foot -- not from the road itself,  
21 but from the right-of-way line, which about 25 foot  
22 back from the road already. So essentially it's 325  
23 foot back from the road is the first building.

24 Next item I want to hit upon is  
25 lighting. New exhibit. So Peter, date of the

1 lighting exhibit today's date July 5, 2021.

2 (Exhibit A 7 was presented to the  
3 board.)

4 MR. KENNEDY: So the plan right now

5 --

6 MR. GIANETTI: This is --

7 MR. HENRY: This Exhibit A 7.

8 MR. GIANETTI: Yeah, A 7.

9 MR. KENNEDY: Okay. The plan now is  
10 to show minimum lighting, primarily at the  
11 intersections or the end of some of these court  
12 yards that we have on here. And then there is  
13 little more lighting in the yellow that shown around  
14 the parking lot of the multi-family building.

15 I know there was some comments by  
16 Mr. Banisch that he thinks that we should look to do  
17 some more lighting in some of these straight  
18 corridors. Again, like I talked about earlier, that  
19 would be something I would sit down and review with  
20 him to make sure that we are consistent to how the  
21 borough feels about some of the lighting. We want  
22 to make sure it's minimized, no impact.

23 But you can see on all these lights  
24 that the isolux line or area of influence, that is  
25 yellow, none of those bleed off the property. That

1 will still totally be not having light that would  
2 spill off the property itself. And they'd be all  
3 what is called dark sky compliant fixtures. Which  
4 mean all the bulb's lenses are in there and there  
5 would be shield. So it would push the light down,  
6 and not up into the sky, or out.

7 So even the fixture that is shown,  
8 this location on the exhibit the actual bulb itself  
9 is on the top and every shines down. There is no  
10 bulb that's down in the typical area that you would  
11 see a light fixture on. So everything is hidden up  
12 top. And again, dark sky compliant type of  
13 fixtures.

14 Go back to A 4, again. Another  
15 feature we didn't spend time talking about, is the  
16 additional setbacks around the property. We have  
17 the 300 foot to the front. There is also a 100 foot  
18 building setback all around the perimeter of the  
19 property. And we will comply with that to all the  
20 building. Then there is also a 50 foot landscape  
21 buffer requirement of non-disturbance around the  
22 perimeter of the property, and you can see that that  
23 buffer is there. And you can see the additional  
24 plant material that is being proposed.

25 We also have the typical landscape

1 features along the roads themselves with street  
2 trees, a combination of ornamentals a deciduous  
3 trees.

4 Around the storm water management  
5 features, there will be extensive landscaping that  
6 is required for anything having to do with  
7 filtration of water with grasses and other materials  
8 that will be there to help filtrate the water, and  
9 that is shown in details on our plans. And then  
10 you'll see additional screening look the buffer to  
11 the east of the project.

12 On this plan it's hard to see, but  
13 it's on the plan; we have a network of paths that  
14 are constructed that connect to the sidewalks. So  
15 while there is internal sidewalks along the road  
16 systems, what we are talking advantage of with these  
17 large setbacks is we have a looped trail system that  
18 would go around the perimeter of the property.  
19 There is some old culvert crossings or bridge  
20 crossings that are down here, along the high tension  
21 lines that are along the railroad tracks that we  
22 would go under, and then connect back out to some of  
23 the sidewalk systems that are in the multi-family,  
24 and connect back into some of the ends of this these  
25 court yards.

1 So when on the property, a resident  
2 could walk around the perimeters of the property or  
3 they can connect to the sidewalk systems that are on  
4 the road system.

5 I just want to make sure I touched on  
6 the things I needed to touch on here.

7 Just on landscape, there is project  
8 removal of about 630 trees and we are replanting 855  
9 trees. There's detailed calculations that we'll  
10 have to go through with Mr. Banisch about it. But  
11 that is our general proposal.

12 Signage, we only have one ground  
13 mounted sign. It's 8 square foot, that's at the  
14 front entry in the roundabout, that complies with  
15 your ordinance.

16 And then lastly I want to review the  
17 relief that is being requested for this application.

18 The first item that we would have is  
19 the height that we talked about for the walkout  
20 basements. There is a total of 34 units that are  
21 walkout units on the project. And those 34 units  
22 would not meet the 36 foot height requirement based  
23 on average grade. It would 38 point -- I think it  
24 was 07 feet. 38.07 feet. So we would be looking  
25 for relief associated with that.

1 The second item --

2 MR. HENRY: Ron, before you go ahead,  
3 the notice for this application as I recall had a  
4 little higher height for that. So you may want to  
5 check that and be sure that you are hitting the  
6 actual maximum height you need at 38.07.

7 MR. KENNEDY: I appreciate that, that  
8 will check that, Peter, we definitely will. That is  
9 what I have on my plans, but we will review that  
10 with the architect and make sure that we have the  
11 correct number, based on how you measure it.

12 What I would like to do too, before I  
13 clarify with that is just review the calculation  
14 with David, just to make sure we are consistent to  
15 how he has interpreted the zoning ordinance in the  
16 past for average grade.

17 MR. HENRY: All right.

18 MR. GIANETTI: I think the notice had  
19 38.8. I believe, maybe that came from the  
20 architect. But we will confirm that with our  
21 architect as to the exact height that we are seeking  
22 relief on. And how the height measurement is being  
23 interpreted in the ordinance.

24 MR. KENNEDY: And I can say this to  
25 the board, and we'll review it with David, it gets a

1 little interesting, when we have four units that are  
2 here, but there is really only one side to the one  
3 unit in this unit even though the grade is in the  
4 front and the back same. So I feel more comfortable  
5 that we review how we calculate it with David  
6 Banisch and Steve Bolio, so we are comfortable with  
7 what we are proposing here on. Townhouses it gets a  
8 little interesting how you're measuring height.

9 MR. HENRY: Mm-hmm.

10 MR. KENNEDY: Okay. Thank you.

11 Next is the steep slopes and we have  
12 area primarily in the center section of the project,  
13 where my pointer is right now, by the multi-family  
14 unit, where we are disturbing in excess of the steep  
15 slopes that allow between the 15 and 25 percent and  
16 then the 25 to 35 percent. So there will be some  
17 relief associated with that.

18 MR. HENRY: Again, Ron, you may want  
19 to check the -- you had two categories in your  
20 notice, as I recall. And you just talked about  
21 three categories, which is the way David broke it  
22 down. So again that may be something to get -- make  
23 sure your consistent about the nature of each piece  
24 of the relief.

25 MR. KENNEDY: Okay. Good. Same

1 thing, we will review that in detail so we will make  
2 sure we are on the same page.

3 MR. HENRY: Yeah.

4 MR. KENNEDY: And the last item that  
5 we have here is the stream corridor buffer, where  
6 100 foot is required along the stream corridor  
7 buffer where we are inside that hundred foot, but  
8 primarily it's inside the 100 foot, because you have  
9 that expanded steep slope requirements, if it's over  
10 12 percent. Which is different from your regulation  
11 from 15 percent.

12 So we went through a pretty detailed  
13 calculation, we are pretty conservative with that.  
14 But as Peter, you just said with the last one, I  
15 want to review that with David, just make sure he  
16 understands the basis of how we calculated it, that  
17 there's no misunderstandings with that.

18 It's a little quirky how that  
19 ordinance is written. It's probably about 30 years  
20 old, maybe longer than that. So I want to make sure  
21 that we are on the same page on how that regulation  
22 is interpreted.

23 MR. HENRY: Yes.

24 MR. BANISCH: While we are on A 4 you  
25 might as well talk about the scenic corridor and



1 the --

2 MR. KENNEDY: Yeah. I will do that.

3 So the area that we have proposed for  
4 the recharge area it is, this whole area that is  
5 dashed on an angle, it is not all being dug up. It  
6 is actually trenches that are about four to five  
7 foot wide a piece that are spaced out every 10 or 15  
8 foot across this area, some 400 foot long. So the  
9 trenches would be placed in there. The ground  
10 itself. Will not be disturbed.

11 So in other words there will be  
12 temporary disturbance to excavate it and then the  
13 soil put back in the grade change wouldn't change.  
14 And in this area, we are actually, and the reason  
15 for the angle is two fold. One, is it is the best  
16 area on the property that the hydro geologist  
17 studied to put this treated water back into the  
18 ground. That is the first one.

19 Number 2 is the angle is based on  
20 the existing vegetation that is opened, grass lawn  
21 area around the primary house is where my pointer is  
22 right now. And there is couple of lollipop trees  
23 that are out here, but it's not all wooded right  
24 here. There is woods at the edge of this. So what  
25 we are proposing to do is put this recharge field in

1 an area that has the minimum amount of disruption  
2 for the existing vegetation in that location. So  
3 the grade wouldn't change, we can plant around the  
4 perimeter of this.

5 So any of this area outside this box  
6 we can plant. And -- but we wouldn't be able  
7 to plan underneath this boxed area in here. David  
8 has looked at it and said we will still need relief  
9 from your scenic corridor ordinance from that. But  
10 we are not really proposing to -- maybe there is  
11 three or four trees in that area that we are  
12 removing, because it's existing lawn right now. And  
13 again after it's completed, there is nothing above  
14 grade. Everything is at grade.

15 MR. GIANETTI: So essentially.  
16 Mr. Kennedy, what you see today is what you will see  
17 when it's done, except for the additional  
18 landscaping we are proposing around it and along  
19 202.

20 MR. KENNEDY: Correct.

21 MR. GIANETTI: And maybe along those  
22 lines, if you can just talk about that scenic  
23 corridor along 202, the landscaping, the visibility;  
24 and you know, by placing the system there whether  
25 that impacts that view at all.

1 MR. KENNEDY: Well, certainly. So  
2 you are --

3 There is couple things going on in  
4 the front area. All these circles are new trees to  
5 be located in here. And there is pretty good  
6 vegetation that's along that frontage right now.  
7 And if anyone drove by 202 or even stopped along 202  
8 and looked into this area, you can see the existing  
9 houses right now. So you can some of this lawn, but  
10 it's a filtered view. And it would be hard to find  
11 that house unless you are literally stopped along  
12 the road system there.

13 As you drive up and down, it's fairly  
14 screened up and down this road system. We are going  
15 to enhance that. We are going to put more  
16 evergreens, more deciduous, more ornamentals all  
17 along this phase. And in taking to the hydro  
18 geologist and the folks that are designing the  
19 sanitary sewer system, we can plant in these two  
20 areas as well pretty extensively. So we are going  
21 to be able to put a substantial buffer in -- more  
22 enhanced than what is there today between 202 and  
23 the 300 foot setback to these units.

24 So we will work with David, show you  
25 those areas. David we talked about going out and

1 doing site visit and look at how we are going to  
2 protect the trees, the existing trees that are  
3 around here. We have them all identified, they are  
4 on our plans, so we can spend time looking at those.

5 MR. BANISCH: Okay. Thank you.

6 MR. KENNEDY: And I know that was  
7 important to the borough. And we still, you know,  
8 maintain that we will be enhancing all of those  
9 buffers in 300 foot area.

10 All right. That's -- let me make  
11 sure I don't have any other notes. That is the  
12 direct testimony that I have. I think there is two  
13 review letters that are pretty detailed. But I know  
14 I'm going to be back at sometime in the future on  
15 this application, that the we can clarify some of  
16 those. And what I would like permission,  
17 Mr. Chairman, is to be able to meet with your  
18 professionals to go over them, make sure that we  
19 agree on what's being shown, clarify some of -- a  
20 lot of these comments that are in here, and the then  
21 I could continue any discussion about what still  
22 needs to be clarified on the plans.

23 MR. ROCHAT: I don't -- it's kind of  
24 up to our professionals. Steve and --

25 MR. BOLIO: Yeah, Mr. Chairman, I

1 think it makes a lot of sense for the applicant's  
2 engineer to meet with our office to go over our  
3 letter. As Mr. Kennedy indicated, we do have a lot  
4 of detail in there especially with storm water. I  
5 think at this point it makes a lot of sense to meet  
6 directly with the applicant's engineer to review the  
7 issues that we have raised in our letter.

8 And also, just for clarification  
9 Mr. Kennedy indicated a few times that there were  
10 Mr. Bolio's comments but the comments were generated  
11 by Paul Ferriero in his letter dated, July 2,  
12 2021, so I want to make that clarification on the  
13 record.

14 MR. BANISCH: Mr. Chairman, I think  
15 it make sense for us all to sit down as well. There  
16 is some overlap between areas of concern that were  
17 identified in the Ferriero letter and in our letter.  
18 And I think -- and details as Mr. Kennedy suggested,  
19 that we should probably take a closer look at. And  
20 what I think will happen then is when Ron returns to  
21 the board, we will be in a position to at least pair  
22 down the comments to a manageable level, you know,  
23 in the public hearing forum. And we can report back  
24 to you as to how the other stuff was resolved so  
25 that those things don't just disappear with out

1 mentioning, for the benefit of the board.

2 MR. ROCHAT: I mean -- I don't know  
3 if Mr. Henry has any objections to that.

4 MR. HENRY: No. There is no problem  
5 with that, I think particularly the way that David  
6 just described it, that there can be some discussion  
7 about what issues, which were raised have been  
8 resolved and how and why; and what issues remain for  
9 discussion at the board level. And ultimately,  
10 potentially for the board to have make a decision  
11 on, if there's really disagreement about how  
12 something is going to get resolved.

13 I think it can be made a far more  
14 productive and efficient board discussion, when it  
15 can be better managed in terms of content and the  
16 scope of what issues remain after that discussion.

17 MR. ROCHAT: I am just concerned -- I  
18 mean, is there -- until they get their state  
19 approvals whether some of these things, you know,  
20 you don't want to go through it once, twice --

21 MR. BANISCH: Well, there is some  
22 stuff, I think I can say and Mr. Bolio may agree. I  
23 think there is some stuff that we have called out  
24 that don't fall under the jurisdiction of the  
25 regulating agencies that has to be resolved. And

1 then I think there are some details and questions  
2 that Mr. Ferriero's office has raised, which I don't  
3 think should interfere with the state agency review  
4 process. But I am not the engineer. And I should  
5 leave that to Steve. But I do actually think there  
6 is quite a bit of work that could get done, that  
7 wouldn't cause the applicant to have to seek  
8 approvals from those agencies twice.

9 MR. BOLIO: I will concur with  
10 Mr. Banisch with respect to that. There is lot of  
11 information I think can be work out, that would not  
12 impact outside agency approvals.

13 You know an approval like the soil  
14 conservation district, if things change relative to  
15 the specific items that look at, then they would  
16 need to get a new certification. Things like that  
17 may be required. But generally, I don't anticipate  
18 you know, serious redesigns or reapprovals from the  
19 outside agencies.

20 For example, the storm water  
21 management DEP is looking at the major storm water  
22 regs that they implemented and we are looking at the  
23 same regs implemented through the Borough of Far  
24 Hills. So they should be fairly consistent, I would  
25 think. And I think, you know, with the applicant

1 being able to address our comments, I think it will  
2 go a long way to, as Mr. Banisch has said, narrowing  
3 everything down to specific items that the board  
4 would then -- may need to take up at that time.

5 MR. ROCHAT: Okay. I don't see a  
6 problem with it. Yes. That is would streamline the  
7 process for us.

8 MR. KENNEDY: At the end of the day  
9 we have to get all the approvals.

10 So we need DOT for the driveway out  
11 to 202. That application has been made to DOT  
12 already.

13 We need the different various DEP  
14 approvals for the waste water management plan  
15 system. We are in the middle of that process  
16 already. We've gotten the letter of interpretation  
17 and the flood hazard verification already. But we  
18 have to go back for some permits associated with the  
19 disturbance of the wetlands for driveway crossing  
20 and the storm water review.

21 So that's going to be going into the  
22 state in the near future. So all these have to  
23 culminate with get ring approval of every agency,  
24 including the borough.

25 MR. ROCHAT: Okay.

1 MR. BANISCH: Normally, Mr. Chairman,  
 2 the way the board would likely deal would that, or  
 3 at least what the we would suggest is if any of  
 4 those agencies required any significant change to  
 5 the board's approval, that the applicant would  
 6 return for the board's review and approval of any  
 7 significant change. So I think one way or another  
 8 the board will be fully aware of what it's getting.  
 9 MR. GIANETTI: And that's fine. And  
 10 we are agreeable to that. That's not uncommon.  
 11 MS. TWEEDIE: I think it makes better  
 12 use of board's time. That's why we have our  
 13 professionals.  
 14 MAYOR VALLONE: I agree with you,  
 15 Sheila.  
 16 I think the meeting would be well  
 17 suited so that we can get the final answers we need  
 18 and we can present not -- not I'm not going to say  
 19 speculation but detailed fact to the board and to  
 20 the residents as well.  
 21 MS. TWEEDIE: Right.  
 22 MR. BOLIO: One thing I would request  
 23 from the applicant is to provide a copy of the  
 24 exhibits to Ferrero Engineering's office as well as  
 25 Mr. Banisch's office.

1 MR. GIANETTI: I think what we will  
 2 do and I'll work with Mr. Kennedy's office is we  
 3 will, for the exhibits that were marked tonight, we  
 4 will actually label them and then e-mail PDFs to  
 5 Shana, Mr. Henry and yourself and Mr. Banisch, so  
 6 there is a clear record of those exhibits.  
 7 MS. GOODCHILD: Mr. Gianetti, could  
 8 forward hard copies of those in the event that the  
 9 that public would like to view them at the office.  
 10 MR. GIANETTI: Sure. Yes. I will  
 11 work with Mr. Kennedy's office to get them to you.  
 12 MR. KENNEDY: How many copies, Shana?  
 13 MS. GOODCHILD: I think just one copy  
 14 as for the file.  
 15 MR. KENNEDY: Fine.  
 16 MS. GOODCHILD: Thank you.  
 17 MR. GIANETTI: Ron, we will put A 1,  
 18 A 2 on them, so they have it for the record.  
 19 MR. KENNEDY: Okay.  
 20 MR. GIANETTI: And I guess before --  
 21 MR. HENRY: Did you not mark -- there  
 22 is one that was a utilities exhibit. Are you not  
 23 using that tonight?  
 24 MR. BANISCH: There is A 6 the water  
 25 main extension. Right?

1 MR. HENRY: No. That was a different  
 2 one.  
 3 MR. KENNEDY: Yeah. There was one I  
 4 didn't -- let me just -- because I want to put a  
 5 part of the record. Peter, let me spend a second on  
 6 that then. It is one here. This is I am pointing  
 7 to right now. It's called grading and utility.  
 8 MR. HENRY: Grading and utility.  
 9 MR. KENNEDY: Again, I kind of  
 10 reviewed the elements that are on there. I did it  
 11 on the other sheet that showed the storm water  
 12 management.  
 13 MR. HENRY: But if we want this to be  
 14 an exhibit, we should call it A 8.  
 15 MR. KENNEDY: Let's put it in there.  
 16 Same date, July 5, 2021 grading and utility  
 17 rendering. And this exhibit again shows the various  
 18 grading components on the property. It shows the  
 19 various utilities including sanitary sewer, the  
 20 proposed water, electric, gas, the grading and shows  
 21 the storm water management system, including the  
 22 conveyance system on here. So it's one plan that  
 23 shows all those components.  
 24 MR. HENRY: All right.  
 25 (Whereupon A 8 was presented to the

1 board.)  
 2 MR. GIANETTI: Before we to any  
 3 questions the board professionals or the board may  
 4 have of your testimony this evening; you know I  
 5 referenced earlier on, the affordable housing  
 6 agreement between Melillo Equities and the borough  
 7 dated December of 2019.  
 8 And there is an exhibit of a concept  
 9 plan that was attached to that, did your office  
 10 prepare that exhibit?  
 11 MR. KENNEDY: We did.  
 12 MR. GIANETTI: And in your opinion,  
 13 is that concept plan that was attached to the  
 14 affordable housing agreement substantially  
 15 consistent with the site plan that has been  
 16 presented this evening to the board?  
 17 MR. KENNEDY: It is. It's the same  
 18 300 foot setback, the same 100 foot perimeter  
 19 setbacks. Generally the same entrance off of 202 as  
 20 a single boulevard entrance. The shape of the  
 21 multi-family building changed, it was a straight  
 22 rectangle, now it's an L. But generally in this  
 23 area where current building is now.  
 24 We had along this road, Baldwin  
 25 Avenue, we had units on both sides of the road, when

1 we got the detailed topography back, that slope of  
2 that driveway itself was like 7 or 8 percent for the  
3 road, and putting units along that slope, it just  
4 doesn't -- as I said before in my testimony -- it  
5 doesn't flow well. It's and awkward layout from the  
6 driveway relationship to the road to the front door.  
7 So, we rotated these units 90 degrees and have them  
8 working with the slope and have these little courts  
9 instead.

10 So, again units are in the same are,  
11 same number of units in the same area. It's just  
12 slightly reconfigured. But it's essentially the  
13 same plan.

14 MR. GIANETTI: And with respect to  
15 the scenic corridor -- and I know you provided  
16 testimony as to the landscaping being proposed --  
17 you had testified based upon that landscaping, as  
18 well as the orientation, I guess of those first  
19 units, where you kind of it's the side of building  
20 -- the short side of the building, as opposed to the  
21 long rear of the building; your opinion as to  
22 visibility from the 202, and any visual impacts.

23 MR. KENNEDY: It is. Again, we are  
24 able to rotate each of these units, so you not  
25 backing up or the rear of the buildings aren't going

1 out to 202, it's the side of the buildings. So the  
2 active side is up and down as opposed to right and  
3 left on this exhibit. So we think that is a better  
4 -- less of an impact associated that the to 202  
5 corridor. Then we are going enhance the vegetation  
6 that is there already, that is going to be  
7 substantially enhanced with new vegetation.

8 MR. GIANETTI: So I know,  
9 Mr. Kennedy, indicated that he would meet with  
10 Mr. Banisch and Mr. Ferriero's office to go over the  
11 review letters and some of the technical details,  
12 but I guess if there's any questions of the board  
13 professionals or the board of Mr. Kennedy's  
14 testimony this evening.

15 MR. RINZLER: Yes, I have a number of  
16 questions, if I can ask.

17 On the front -- on the Ferriero  
18 Engineering report, it says that there are 4  
19 age-restricted units in the rentals. But on page 7  
20 of environmental impact statement, it says there are  
21 no age restrictions on the rentals.

22 Can that be clarified please?

23 MR. KENNEDY: Yeah. Again, it was  
24 just lack of the details on the EIS about one  
25 specific element. There is still 29 units what

1 wasn't realized that four of those units in the  
2 agreement were supposed to be age-restricted  
3 rentals.

4 So the testimony is, it's going to be  
5 -- those 4 units are age restricted, but that was  
6 something in the settlement agreement that didn't  
7 get translated to the EIS.

8 MR. GIANETTI: And to clarify the  
9 settlement agreement and the zoning allows up to 4  
10 age-restricted rental units in the apartment  
11 building. They don't all have to be age restricted  
12 but the applicant is proposing for the 4 to be age  
13 restricted.

14 MR. RINZLER: Next question, I was  
15 very curious, since this is an age restricted  
16 development, what made Pulte chose four bedrooms,  
17 rather than the traditional three bedrooms, given  
18 older families probably aren't going to have  
19 children living with them. So I was curious was the  
20 rational for making it a four bedroom development.

21 MR. KENNEDY: The architect will go  
22 through that detail. But you'll see it's an option  
23 for a fourth bedroom. And you will see that when  
24 you start looking at those details. And again, it's  
25 based some of the preferences that they have for it.

1 So the architect will spend time  
2 going through the details of the plan and the floor  
3 plans. But it's primarily a three bedroom and then  
4 it has that option for the fourth.

5 MR. RINZLER: Okay. Will the -- any  
6 idea on what the proposed maintenance charges will  
7 be.

8 MR. KENNEDY: We haven't gotten that  
9 far, no.

10 MR. GIANETTI: Yeah. I will just  
11 note, now that's normally determined by the  
12 developer when they kind of have all approvals and  
13 go through all the budgets of what it's going to  
14 cost for this. And again, that is would be  
15 speculation at this time.

16 MR. RINZLER: And since these are fee  
17 simple developments, will the maintenance fee  
18 include landscaping for all home owners? Or is that  
19 --

20 MR. KENNEDY: Yeah. No.

21 So I will say this, is everything  
22 will be maintained as one unit. In other words each  
23 homeowner would not cut their lawns or maintain  
24 their shrubs in front of their house. So it would  
25 be a traditional townhouse style development. Where

1 it would be one lawn cutting and maintenance  
2 service. It would be one person that would be  
3 plowing the roads, plowing each individual driveway,  
4 plowing the sidewalk or shoveling the sidewalk to  
5 each unit. So it's all one common maintenance for  
6 the whole property, including the affordable housing  
7 units.

8 MR. RINZLER: And the parking for the  
9 affordable housing, will those be reserved space or  
10 first come first served.

11 MR. KENNEDY: Interesting question.  
12 Generally the tendency is not to assign those. And  
13 there is certainly plenty of spaces. I think it's  
14 58 spaces for the affordable units. So the general  
15 tendency is not to assign those. In the past, in a  
16 couple of projects it became problematic, that we  
17 have seen and then they assigned them. But they  
18 generally like to not assign those unit numbers to a  
19 space.

20 MR. RINZLER: Okay.

21 MR. KENNEDY: That's the preference.

22 MR. RINZLER: And regarding the  
23 underground -- regarding the water lines that are  
24 going to be installed, is there any risk to the  
25 existing properties located on the Sunny Branch or

1 at the Polo Club, when that line is constructed.

2 MR. KENNEDY: The water line you are  
3 talking about?

4 MR. RINZLER: The line that would car  
5 the water to the community.

6 MR. KENNEDY: I -- yeah, I look at  
7 this way; is I know that water system fairly well.  
8 And it's not a great sustainable water supply for  
9 fire protection. And what we are proposing to do to  
10 tie it to a larger grid that has a higher pressure  
11 elevation, that has more consistent water in the  
12 upper part of the Hills development. It's only  
13 going to enhance the firefighting protection  
14 capability of that water system.

15 MR. RINZLER: My question was when  
16 it's constructed, is there any risk that it will  
17 damage the water supply to the homes located on  
18 Sunny Branch and in the Polo Club?

19 MR. KENNEDY: No, typically we don't  
20 see that. It would with just be a tap off the edge  
21 of the water main, which ends right at Sunny Branch  
22 and 202. So there is a valve there today. And the  
23 first section of pipe would just tie into that  
24 existing valve. So we don't see a problem with  
25 that.

1 MR. RINZLER: Thank you.

2 And one last question, many years  
3 ago, when Toll Brothers opened up the Patriot Mews  
4 development in Basking Ridge, some of the  
5 construction workers, one day they were bull dozing  
6 and they found lots of fragments of a hundred  
7 decedents from an old cemetery from the 1700s,  
8 which were not identified on any map.

9 Has there any been any kinds of  
10 checking to make sure that, you know, there's no old  
11 burial grounds or anything located underneath?

12 MR. KENNEDY: I know there has been  
13 some work with the applicant and DEP and the waste  
14 water management plan, that has been done for  
15 looking for any of those, you know, elements that  
16 are there. And to my knowledge there is nothing  
17 specific that has come up. Obviously, it's an old  
18 estate, so there is things that are 100 -- 125 years  
19 old that are on that property. But as far as what  
20 you are talking about with the multiple generations  
21 before that, any testing that has been done on  
22 property hasn't shown any of that.

23 MR. RINZLER: Okay. Thank you.

24 Thank you very much.

25 MR. ROCHAT: All right. Any other

1 questions from the board members for Mr. Kennedy?

2 MR. LEWIS: Mr. Chairman, I have a  
3 couple of question, if you don't mind.

4 MR. ROCHAT: Sure.

5 MR. LEWIS: Thank you.

6 Ron, can you comment on storm water  
7 flowing into directly or indirectly into the Mine  
8 Brook before versus after your plan is implemented.

9 MR. KENNEDY: So right now the water  
10 itself, any storm water that lands where my pointer  
11 is right now, anything from this portion of the  
12 property back all ends up going underneath the  
13 railroad tracks. There is two crossings under the  
14 railroad tracks right now. And ends up in the Mine  
15 Brook. It's all undetained flow any of the roof run  
16 offs, any of the of the driveways, the stone  
17 driveways, it's all undetained and there's no  
18 protection of it at all.

19 So the new plan, obviously, there's  
20 14 different basins that are there, and a goal is a  
21 certain amount of that water has to be recharged  
22 into the ground. So it's giving base flow or flow  
23 back in to the ground for the proposed development.  
24 So that would be enhanced, putting water, recharging  
25 water back into the ground and at times of droughts,

1 that's what you want. You want more water back in  
 2 the ground to keep the base flow higher.  
 3 The second thing is all the  
 4 impervious coverage, whether it exists today or is  
 5 being proposed, all that impervious coverage will  
 6 have to get water quality treatment in any of the  
 7 gray areas that are on this property. So that means  
 8 any of the driveways, any of the roadways will all  
 9 have to be treated anywhere where a car can drive on  
 10 top of, will have to have enhanced water quality  
 11 treatment in these green infrastructure technologies  
 12 that's not on this property today.  
 13 So there's a fair amount of  
 14 impervious coverage on this property today, that's  
 15 totally undetained. So water quality should enhance  
 16 by the improvements that we're doing. And lastly  
 17 the peak rate of runoff discharge, which is the  
 18 volume that's created from here have reduction  
 19 factors taken into account. The sins of the past.  
 20 So we have to reduce the peak rate of flows over  
 21 existing conditions that occur today. So that would  
 22 be an enhancement over what is existing today.  
 23 So new storm water rules, a lot more  
 24 money is being spent on, obviously, the construction  
 25 of all the storm water features. A lot of detail

1 center line for the right-of-way. So that road  
 2 itself is not certainly not 66 foot wide. So if  
 3 there's any widening, there is enough right-of-way  
 4 dedicated there that you wouldn't have to worry  
 5 about anything if the town -- not the town, if DOT  
 6 decided to do anything out there, that there  
 7 wouldn't be an issue of right-of-way issue, there  
 8 will be plenty of right-of-way there. If something  
 9 in the future, whether that's 10 years or 50 years  
 10 down the road. If that happens, all our setbacks  
 11 are off of the expanded right of way; so we are even  
 12 farther back with proposed houses, if any widening  
 13 was ever to occur in there.  
 14 There is a detailed traffic study  
 15 that has been done. And there will be testimony in  
 16 this application by a traffic expert to talk about  
 17 all those elements of what is needed with this  
 18 intersection. We are not proposing any left-hand  
 19 turn lane or deceleration lane into the property.  
 20 But in order to be consistent with the DOT  
 21 standards, the curb return will flair out for  
 22 approximately 50 feet on both sides of that  
 23 intersection.  
 24 That application has been made to the  
 25 DOT a couple of months ago. And it will take a

1 that is in a much smaller each, a little micro  
 2 basins as opposed to one big basin. And the intent  
 3 is to treat the water and storm water as quick as it  
 4 hits the ground. No drainage area before it has  
 5 water quality treatment can be more than an eighth  
 6 and half now. Which on a 42 acre site, that causes  
 7 a lot of little basins. So all that happens is,  
 8 it's better water quality, better infiltration back  
 9 into the ground and better and peak rate of run  
 10 offs, and that's all enhancements to the Mine Brook.  
 11 MR. LEWIS: Thank you. Another  
 12 question.  
 13 (Technical difficulties.)  
 14 MR. LEWIS: If you want a traffic jam  
 15 in Far Hills, are you -- you have got your boulevard  
 16 going out to 202, have you taken any of that ground,  
 17 that's part of the Erico piece and kind of  
 18 designated it as potential future turn out or extra  
 19 lane? Have you thought about any of that? Either  
 20 even granting an easement to the county or -- for  
 21 feature expansion or just kind of setting that  
 22 aside, you know, not planning -- 300 year old -- an  
 23 oak tree that can last 300 years so to speak.  
 24 MR. KENNEDY: A couple things first  
 25 of all, the road itself will be 33 feet from the

1 couple more months before we get feedback. So that  
 2 intersection is highly regulated by DOT and in order  
 3 to get that approved, and to build this project, we  
 4 will need approval to meet their standards. But  
 5 we're not proposing any new lanes out on 202 at all  
 6 right now. And, again, there will be traffic  
 7 testimony that our traffic engineer will come in and  
 8 talk about volumes and traffic and trips.  
 9 MR. LEWIS: I understand that. I  
 10 wanted to know if there was any thought of --  
 11 MR. KENNEDY: Yeah. And the  
 12 right-of-way it the biggest, thing that if in the  
 13 future, if something did have to happen along 202  
 14 the right-of-way is there.  
 15 MR. LEWIS: Sure. Okay. Thank you.  
 16 You said that the geo tech  
 17 information pointed to the recharge field, but you  
 18 also said it was also open ground and that is why  
 19 you chose it.  
 20 MR. KENNEDY: Correct.  
 21 MR. LEWIS: Is that not the top pick  
 22 for the geo tech?  
 23 MR. KENNEDY: It was.  
 24 MR. LEWIS: By the geo tech?  
 25 MR. KENNEDY: It was -- it was I -- I

1 mean, again in the details of it -- I am not a geo  
2 technical expert, but they put these long bands of  
3 strings throughout the whole property, and they were  
4 measuring where faults are in the ground for the  
5 best recharge back into the ground. It's not  
6 something in the first five or 10 feet. This going  
7 down 40, 50, 60 feet in the ground. They did that  
8 the analysis came up this area of the property had  
9 the best results for that. So that's the primary  
10 reason that area was chosen.

11 MR. LEWIS: Considering that the you  
12 have to leave that open, is it possible to put --  
13 plant grasses such as the warm season grasses, blue  
14 stem, switch grass, Indian grass in there? Maybe  
15 even bring somebody like New Jersey Audubon who does  
16 this thing as a partner to maintain that field or  
17 wild life habitat. And these grasses grow to like  
18 10, 11 feet tall in the summer. Great screening.

19 MR. KENNEDY: Yeah, I -- what -- we  
20 will work -- we can certainly work with them and  
21 work with your planner on that. The biggest thing  
22 that the -- the guys that are being designing the  
23 sewer system, NSU that is design that, the biggest  
24 thing they're worried about is the root systems that  
25 they don't want to get them down into the pipes down

1 there and start clog up the pipe -- I don't know --  
2 the deltas -- so I don't -- if the grasses don't  
3 have deep root systems that get into the pipes and  
4 looking for that moisture that is in that recharge,  
5 then it should be okay.

6 MR. LEWIS: Okay.

7 You know, I looked at the planting  
8 plan, and it may not be the final version. I just  
9 you know would suggest maybe native plans and as few  
10 cultivars as possible. I understand you are trying  
11 to -- peel an onion here a certain way. But the  
12 cultivars and other introduced species are wrecking  
13 havoc out there in Far Hills and innocently bringing  
14 new varieties into the town in -- into the town and  
15 releasing them and so forth. So potentially  
16 escaping in to the wild. You get it.

17 MR. KENNEDY: And if you have  
18 specific, you know, recommendations, please give  
19 them to us. And we will work with David to come up  
20 with the right planting plan. We want to work with  
21 the borough and make it the right solution here.

22 MR. LEWIS: Thank you.

23 This may not be for you, but at some  
24 point -- would you entertain a site visit for the  
25 board?

1 MR. GIANETTI: I mean that gets a  
2 little tricky, because are you referring to you know  
3 --

4 I am sorry, you are breaking up a  
5 little bit. But you mentioned, you know, a site  
6 visit. And I guess I know the board members, you  
7 know, have the ability to go to the site, I guess.

8 Are you looking for some -- to have  
9 all the board member there together? Because you  
10 obviously have open public meeting act issues? Are  
11 you referring board members to be able to go to the  
12 site or having an actual meeting with professionals  
13 there?

14 MR. LEWIS: Well -- well, to --  
15 typically, we have a meeting with the professionals  
16 there. And you know, people presenting the plan.  
17 It just gives it's -- it gives the board members a  
18 much better idea of what is going on, and what is  
19 proposed. This is a large project.

20 MR. GIANETTI: I understand.

21 The issue is having all the board  
22 members there, you know, creates open public meeting  
23 act issues. The meeting would have to be noticed  
24 and the public invited to attend. You know, if you  
25 are having one or two members show up. And I'll

1 leave to Mr. Henry, I'm not sure what the board has  
2 done in the past with respect to site visits.

3 MR. HENRY: They more typically than  
4 not, make an actual site visit and it is an open  
5 public meetings act meeting.

6 MR. BANISCH: So it gets noticed and  
7 all that.

8 MR. HENRY: Right.

9 MR. LEWIS: Anyway, Ron. Thank you  
10 very much, thank you.

11 MR. ROCHAT: Okay. Any questions  
12 from any more board members?

13 Ron, I have a few questions on this.  
14 That would be the A 4 plan, the one we have up on  
15 the screen, below the I am going to call it the  
16 sewage building, there is a little round circle down  
17 there. Is that part of the roadway.

18 MR. KENNEDY: Right here, Tom?

19 MR. ROCHAT: Below towards the  
20 tracks. No. Continue down the road.

21 MR. KENNEDY: Right here?

22 MR. ROCHAT: No. Keep going, down,  
23 down.

24 MR. KENNEDY: This?

25 MR. ROCHAT: Well, it's gray. You

1 have the roadway going through it.  
 2 MR. BANISCH: Yeah, yeah.  
 3 MR. ROCHAT: That circle? What is  
 4 that?  
 5 MR. KENNEDY: This area right here,  
 6 in order to comply with RSIS that's a cul-de-sac.  
 7 MR. ROCHAT: Okay.  
 8 MR. KENNEDY: So I will say it's an  
 9 in line cul-de-sac, in the sense it's not at the  
 10 ends of cul-de-sac or at the end of the road.  
 11 But in order to comply with maximum  
 12 distance we can have without having a cul-de-sac, we  
 13 put it back in here, in this location. So a larger  
 14 vehicle can turn around here. And, again, without  
 15 having to put the bulb down here in this location  
 16 towards the buffer, we put it in this location.  
 17 MR. BANISCH: Ron, there is some  
 18 interesting treatment there, isn't there, where it's  
 19 paved right through the center?  
 20 MR. KENNEDY: Yeah. And we want to  
 21 get your feed back, but if we can do something  
 22 unique, so it doesn't look like whole sea of asphalt  
 23 there, and break it up a little, I think it would  
 24 have better aesthetic appeal.  
 25 MR. ROCHAT: And that's a retaining

1 wall on outside of it?  
 2 MR. KENNEDY: It is.  
 3 MR. ROCHAT: Okay.  
 4 MR. KENNEDY: That would be retaining  
 5 wall that is here.  
 6 MR. ROCHAT: So I am interested -- a  
 7 few questions about the recharge system of the storm  
 8 water.  
 9 Is it a pumped system?  
 10 MR. KENNEDY: The storm water, ing  
 11 there's no pumps in the storm water. It is all  
 12 ground. No pumps.  
 13 MR. ROCHAT: I'm just curious, down  
 14 the low end of the, you know, the development.  
 15 MR. KENNEDY: There is another  
 16 exhibit. Let me pull up -- I think it will be --  
 17 this one while it's graphic, it's not as pretty, but  
 18 it shows --  
 19 There is a small bio filtration basin  
 20 here in green, there is another one here, then this  
 21 is an underground basin right here.  
 22 MR. ROCHAT: Okay. And the recharge  
 23 system field that's over by the affordable housing  
 24 units, that is under the parking lot?  
 25 MR. KENNEDY: Yeah. That's under the

1 parking lot here.  
 2 MR. ROCHAT: And there is -- it must  
 3 be a retaining wall around that parking lot also.  
 4 MR. KENNEDY: There is, and that is  
 5 in here.  
 6 MR. ROCHAT: That is a big drop off  
 7 there.  
 8 MR. KENNEDY: Yeah. You know, this  
 9 is the challenge now -- and again, this isn't in  
 10 detail, but see this little green ovals right here.  
 11 MR. ROCHAT: Right.  
 12 MR. KENNEDY: So they're basins that  
 13 we actually have to take the storm water from the  
 14 road and bring it into that first, treat it, the  
 15 water has to be treated to a certain standard, 80  
 16 percent TSS, which is total suspended solids. It  
 17 has to meet the standards in these two little  
 18 surface basins before it can get into the  
 19 underground basin.  
 20 So if you look at our detailed  
 21 utility plan, Tom, where we are showing the actual  
 22 pipes, you are going to see double pipes going all  
 23 over this site. So in many cases, we are putting  
 24 two sets of pipes in. One that is treated, and one  
 25 that's untreated.

1 So there is -- storm water management  
 2 is a new matrix of new things you have to do on a  
 3 site like this now, because of those new standards.  
 4 So before you collected it once and either treated  
 5 or recharged it. In this case, you have got to  
 6 separate out recharge from infiltration from the  
 7 attenuation at peak rate of run off.  
 8 MR. ROCHAT: Okay. Thank you.  
 9 And the sewage treatment building  
 10 will have a generator?  
 11 MR. KENNEDY: It will. It will.  
 12 MR. ROCHAT: And the units themselves  
 13 will not?  
 14 MR. KENNEDY: No, we're not proposing  
 15 any generators on the units. We talked to Pulte  
 16 about that. Even in this world, these days they are  
 17 not getting requests for that on their townhouse  
 18 products for generators.  
 19 MR. ROCHAT: Unless you live in the  
 20 Polo Club.  
 21 MR. KENNEDY: Right. I saw quite a  
 22 number of them there. And we will -- we can talk  
 23 about that. We should talk about that, and see if  
 24 you think there may be a need for it.  
 25 But the proposal on Pulte was not to



1 have that offering for a generator for each one of  
 2 those units. But the world it changing.  
 3 MR. RINZLER: Can I make a comment on  
 4 that?  
 5 There have been a number of power  
 6 outages in Far Hills. And the way things seem to be  
 7 going, a number of us at the Polo Club have been  
 8 getting generators. It's almost seen as essential.  
 9 MR. KENNEDY: And no neighbor to  
 10 neighbor problems with that?  
 11 MR. RINZLER: It goes through the  
 12 association, you have to notify your neighbors, and  
 13 there is rules that have to be followed. It goes --  
 14 you have to get building permits and zoning permits.  
 15 But it might be an option you might want.  
 16 MR. KENNEDY: If you wouldn't mind,  
 17 maybe, if we can maybe have a contact over there,  
 18 Rick. Or someone, or yourself talk to the Pulte  
 19 people, just because we want to make it a win-win.  
 20 If it's something that people are going -- we can  
 21 talk to them, see was complications are associated  
 22 would that, doing it in a townhouse. They do it on  
 23 single-family lots, the small lot singles, but they  
 24 just really haven't done it on townhouses.  
 25 We know the world is changing. We

1 know out here the grid is pretty horrendous. I put  
 2 a generator at my house. I mean we have all gone  
 3 through it out here.  
 4 MR. ROCHAT: As far as the site plan  
 5 is concerned, that's you know one of the things that  
 6 kind of concerned me with this kind of grouping the  
 7 way houses are situated.  
 8 MR. KENNEDY: Yeah, I have to think  
 9 even where to put those things. I guess in the rear  
 10 yards back in here, Tom, you would put them.  
 11 MR. GIANETTI: In reality nothing  
 12 really precludes an owner from having a portable one  
 13 that can kind of hook into the house, whatever you  
 14 have. But I guess we are talking about the  
 15 permanent natural gas.  
 16 MR. RINZLER: We banned the temporary  
 17 ones. We banned them at the Polo Club because of  
 18 the risk of gasoline and the noise that they make  
 19 we.  
 20 MR. KENNEDY: So we will go offline  
 21 and try to get connected with folks over there, to  
 22 find out how it's working for you and we can learn a  
 23 little.  
 24 MR. BOLIO: We did include a comment  
 25 with respect to that very issue with generators,

1 patios, decks. Recent trends indicate that  
 2 townhouse owners are requesting these items;  
 3 emergency generators, decks, patios.  
 4 We just asked a question; how is this  
 5 going to be handled from a home owners association  
 6 perspective -- approval perspective. And whether  
 7 the board wants to consider if these will be site  
 8 plan amendments that would need return to the board.  
 9 Or if they could handled simply by zoning or  
 10 building permits.  
 11 And if the later is the case, then we  
 12 recommend that this should be specifically spelled  
 13 out in a resolution to avoid future issues related  
 14 to the permissibility of these improvements and the  
 15 applicability of any setback.  
 16 MR. KENNEDY: How are you doing it at  
 17 the Polo Club, Steve, do you have to go back for  
 18 site plan approval?  
 19 MR. BOLIO: I am not aware of what is  
 20 going on at the Polo Club.  
 21 MR. RINZLER: I can answer that  
 22 question.  
 23 If you want to put a generator in you  
 24 need permission from the association, then you file  
 25 for a report with the zoning officer and get

1 building permits as well. So it's definitely, it's  
 2 a formal process.  
 3 MR. GIANETTI: I guess, what are the  
 4 standards? How do you determine it's conforming  
 5 zoningwise.  
 6 MR. RINZLER: That, I'm not sure what  
 7 the exact -- what the exact standards are.  
 8 MR. GIANETTI: If the neighbors don't  
 9 complain, I guess?  
 10 MR. RINZLER: No, no, I know they do  
 11 require neighbors to inform the unit owners on each  
 12 of property that they want to put in a generator.  
 13 I know in our particular case we had  
 14 to supply photographs to the zoning department to  
 15 show exactly where it's going. And it's a pretty --  
 16 it's a pretty rigid approval process.  
 17 You know, the other issue is right  
 18 now, there are roughly 9 month waits from the  
 19 companies that are making these generators to  
 20 install them. So that is another situation too.  
 21 People are getting, applying for them but they can't  
 22 even get the equipment for 9 months.  
 23 MR. GIANETTI: We can talk to Pulte  
 24 about that. I know typically, when it's built they  
 25 obviously will be controlling the development and

1 the association. And typically, they don't permit  
 2 you know, full generators for individual townhouse  
 3 units. But at some point it gets transitioned to an  
 4 association and they could change that.  
 5 MR. BANISCH: It strikes me looking  
 6 at this Craig, just because we are talking about it,  
 7 it seems to me it could be an amenity that Pulte  
 8 offers on a court by court basis. Or maybe they  
 9 want to organize it somehow logically, so they build  
 10 in on the front end. I mean after all these are  
 11 high end units. Why in the world would we be  
 12 piecemealing that together somewhere down the road,  
 13 instead of trying to figure it out.  
 14 MR. GIANETTI: Sure.  
 15 MR. BANISCH: Everybody I'm sure is  
 16 going to have some comments about that about idea.  
 17 Particularly, your client. But I think that's worth  
 18 considering.  
 19 MR. GIANETTI: Sure.  
 20 MR. KOURY: If you are considering  
 21 that for the units, what about the affordable  
 22 housing apartment; would you consider a generator as  
 23 well as.  
 24 MR. BANISCH: I would suggest that  
 25 the do Mr. Koury. I would suggest that they do.

1 would approve that before we can actually get sign  
 2 off of meeting the conditions of compliance. And it  
 3 would also have to be approved by DEP as well.  
 4 So there is a pretty rigid manual  
 5 that we would have to create based on the very  
 6 specifics of what we are designing for how to  
 7 maintain these things. And it establishes  
 8 standards.  
 9 I'm assuming in the Polo Club 30  
 10 years ago, there's no O & M manual and there are no  
 11 standard established for it. In this case, we would  
 12 have to establish those. But the responsibility has  
 13 to go with the homeowners association. What this  
 14 does is establishes standards that you wouldn't have  
 15 in an old basin.  
 16 MS. TWEEDIE: Thank you.  
 17 MR. RINZLER: There actually, I  
 18 believe, were standards established because the  
 19 prospectus alone was 100 pages.  
 20 MR. KENNEDY: Okay. Now, there is  
 21 check lists according to DEP standards, there's  
 22 whole operations and maintenance manual for what we  
 23 have to do for these systems.  
 24 MR. KOURY: A quick question I'm  
 25 going back, if memory serves when this was being

1 MR. ROCHAT: That's all the questions  
 2 I have.  
 3 MS. TWEEDIE: I had a question with  
 4 the storm water management system.  
 5 Who is responsible in the end for  
 6 basically inspecting and maintaining the system? I  
 7 know there was a problem last year in the Polo Club  
 8 with the one of the retention ponds that basically  
 9 got silted up, and who held the responsibility for  
 10 that. That got bounced around to a lot of people  
 11 before it finally got cleaned out.  
 12 So on a project like this where there  
 13 are so many basins and a number of them are above  
 14 ground, who would be responsible for that long term?  
 15 MR. KENNEDY: Well, it still goes  
 16 back to the association. And probable no different  
 17 at the Polo Club at the association. But the  
 18 difference is a 30 year old project versus a project  
 19 today. In order to get an approval from DEP for any  
 20 of these storm water management systems, you have to  
 21 have a very detailed O & M or operations and  
 22 maintenance manual that has responsibility on a  
 23 quarterly basis and a yearly basis for inspections  
 24 and reporting systems. It's pretty extensive. It  
 25 has to be, I think, even your own township engineer

1 discussed at one of council meetings, you showed one  
 2 entrance and exit. I am pretty sure the discussion  
 3 came up was, an emergency, a sectioned off emergency  
 4 entrance into the development off of Route 202 --  
 5 MR. KENNEDY: We talked about it. I  
 6 will --  
 7 We talked about that at one time.  
 8 And consistent with the residential site  
 9 improvements is this boulevard concept. Where there  
 10 is a lane that is 18 foot wide, and another lane 18  
 11 foot wide with the grass median in between. That  
 12 counts as a two-way entrance into a complex.  
 13 And we talked about -- we can  
 14 continue one of these roads as an emergency access  
 15 there. And it was discussed -- I forget exactly how  
 16 it was debated -- discussed -- but it was said,  
 17 let's do one entrance with the boulevard and not  
 18 have the second means coming out to 202 at either of  
 19 those cul-de-sacs.  
 20 MR. KOURY: Thank you.  
 21 MAYOR VALLONE: I think, Ron, I  
 22 remember that council meeting, and I remember your  
 23 concern was getting the fire trucks in and out. So  
 24 the main approach would have to be wide enough to  
 25 accommodate those vehicles.

1 MR. KENNEDY: Yeah. That is what it  
2 now. It's 18 foot on both sides. So it's 18 and  
3 18, for 36 foot wide, plus the island in the center  
4 there.  
5 The only thing that comes up, if a  
6 tree goes down across there. What happens then?  
7 You have got to cut the tree down to get around it.  
8 MR. RINZLER: Just a comment, I think  
9 Jake makes an excellent point, because something  
10 that this -- many, many years down the road, but one  
11 day when this development has to redo its roads,  
12 which might be in 20 years or whatever: If there's  
13 only one entrance in, and they have to rip up the  
14 asphalt, you have got a problem. That's one of the  
15 advantage of having a second entrance for an  
16 emergency entrance.  
17 MR. KENNEDY: You even have that at  
18 the Polo Club, you have those grass crates at that  
19 second entrance.  
20 MR. RINZLER: I know. It's an  
21 emergency entrance.  
22 MR. KENNEDY: The courtyard.  
23 And again, I have been -- I have been  
24 in that fire department for more than 30 years, we  
25 have never used it.

1 MR. RINZLER: I am saying it is used,  
2 when they have to rip up the roads to resurface  
3 them.  
4 MR. KENNEDY: But in this case we can  
5 always go down one section or the other.  
6 Again, it's up to the board. Our  
7 main objective that we have the discussion with was  
8 limit the exposure of new roads or curb cuts out to  
9 202 to keep it as, I will say the vegetation there  
10 as much as possible. If the board is concerned  
11 about that, we can easily make this connecting the  
12 existing driveway that's there now, we can turn that  
13 into a grass, pavers like it is over at the Polo  
14 Club and connect this.  
15 MR. LEWIS: No. Thank you.  
16 MR. BANISCH: I think the design  
17 reflects the general sentiments were to limit the  
18 number of access points to the site. I think that  
19 is kind of where people came down. Of course,  
20 subject to the board verifying that. That is what I  
21 recall the board coming to in a general way, or the  
22 governing body in a general way in the public  
23 discussion.  
24 MR. LEWIS: Ron, are there electric  
25 charging facilities for the low income -- low income

1 parking area?  
2 MR. KENNEDY: We are not showing  
3 anything right now. Typically, when we see  
4 buildings getting wired these days, it's prepared  
5 for it. But until there is a need, you typically  
6 wouldn't, but put those in, especially for the  
7 affordable housing units. But you just don't know  
8 if that is going to be something with a price point  
9 would reflect that. Again, these parking spaces you  
10 could easily adapt it to put those in there.  
11 MR. LEWIS: Well, it's probably the  
12 boards' responsibility to speak up for the  
13 affordable housing people, you know. I don't know  
14 what -- in that in those terms.  
15 MR. KENNEDY: I can say we're doing  
16 obviously a lot of inclusionary zoning with  
17 affordable housing projects now. And we have  
18 haven't seen that for an affordable housing type of  
19 project, putting in charging stations. But that may  
20 be coming at some point, when the price point comes  
21 down lower.  
22 MR. GIANETTI: The issue becomes if  
23 it's electric charging space, is that only reserved  
24 for, you know, an electric vehicle, therefore  
25 reducing the parking, overall parking.

1 MR. BANISCH: Well, the borough --  
2 another one of the borough's partner in affordable  
3 housing compliance agreed that he would wire for it  
4 -- excuse me -- he would put the conduit in place.  
5 So he was prepared to install wiring somewhere down  
6 the road, if it became necessary for his tenants.  
7 So I am not exactly sure how that would work in this  
8 situation, Craig, but..  
9 MR. KENNEDY: I will --  
10 MR. BANISCH: 10 parking spaces for  
11 10 plugs, you know whatever 10.  
12 MR. KENNEDY: Charges stations but --  
13 MR. GIANETTI: I think 10 is a lot  
14 for 25 units. But we will -- we will look into that  
15 and get back to the board on it, if it makes sense.  
16 MR. BANISCH: Like I said the last  
17 time the board addressed this was with an affordable  
18 housing developer and that is where they landed with  
19 the conduit being installed as part of the site  
20 plan.  
21 MR. GIANETTI: Sure. So it could be  
22 converted, if needed.  
23 MR. BANISCH: Mm-hmm.  
24 MR. ROCHAT: Any questions for Ron  
25 from the board?

1 We can -- Shana, should open it up to  
2 the public?  
3 MS. GOODCHILD: Sure.  
4 I believe I saw Mr. Schwester. So I  
5 will ask him to unmute.  
6 MR. SCHWESTER: Okay. Can you hear  
7 me?  
8 MS. GOODCHILD: We can.  
9 MR. SCHWESTER: Okay.  
10 I have actually got two questions. I  
11 will make them brief.  
12 And one is -- the answer to the  
13 first question, I hope the board listens to, and  
14 this is for Mr. Kennedy. Looking at the drawing or  
15 the plot plan here, the roofs or the footprint of  
16 the dwellings are in brown and all the paved  
17 surfaces are in gray. So if you are buying a  
18 million dollar townhouse and you look out your  
19 window, you're virtually looking at a concrete or an  
20 asphalt canyon. There is no greenery there. Once  
21 in a while you see a lolly pop tree. And they'll  
22 probably come from a nursery at six feet tall.  
23 These aren't going to sell for a million dollars.  
24 You're looking -- this is almost a  
25 brownstone type thing. And if that is what you're

1 going to do, okay. But I see no quality of life  
2 here. You are -- it's a concrete canyon.  
3 MR. BANISCH: Mr. Schwester, I don't  
4 want to interrupt you, but something that you don't  
5 see on this on this exhibit are the foundations  
6 platings that are identified later on in the set of  
7 plans, and they are typical so.  
8 MR. SCHWESTER: I'm sorry. I didn't  
9 hear you.  
10 MR. BANISCH: There is a basic  
11 landscaping package that goes with each individual  
12 unit. And I think the scale of this exhibit is not  
13 sufficient to actually give you any appreciable  
14 detail on that. But this is not all there is in  
15 terms of landscaping. In fact, it goes into much  
16 more detail than we see on this exhibit.  
17 MR. SCHWESTER: Okay, well, all I am  
18 saying is you, looking down at this, the imperious  
19 surface is massive, based on the fact that you are  
20 showing the footprint of the dwellings and all of --  
21 and that is where you would have to put a generator,  
22 but I am seeing no real country or greenery --  
23 MR. GIANETTI: It seems he is having  
24 technical difficulties. But I also I don't think it  
25 was really a question. It was more comments.

1 MR. SCHWESTER: No. It's a  
2 question.  
3 Do you agree, am I seeing and  
4 understanding this correctly? That is my question.  
5 MR. KENNEDY: Well, I can say this --  
6 there's a couple things. First of all on a 2D  
7 image, it's hard to bring out the expression of the  
8 concern that you have. I get it. It's a parking  
9 lot, or it's a driveway and it's a roadway. But  
10 just some numbers that we looked at in here, is your  
11 ordinance allows impervious coverage in this zone to  
12 be at 60 percent. The proposal is 27.8, so even  
13 your own standard that the town established; we're  
14 less than half.  
15 All right. And if we get down to the  
16 unit themselves, is when you have back to back units  
17 it's 60 feet from the back of this unit to the back  
18 of this unit. Okay. So there is 60 foot of, I will  
19 say area to landscape that is here. And as  
20 Mr. Banisch said that doesn't show all the  
21 landscaping that is here. That change there. So  
22 the rear yards of what's the focus of what's the  
23 green space but beyond these units. And in many  
24 standards that we have that are in tighter areas,  
25 you are down to 40 foot from building to building.

1 In this case we are at 60 foot. So with a higher  
2 standard than other townhouse developments that we  
3 build in the area.  
4 So that it is a little more spread  
5 out than others. But it is still a townhouse-type  
6 of project, that we are taking the density, and we  
7 are putting it in the center, and we are giving  
8 these large buffers to the front of 300 foot, to the  
9 sides of 100 foot, and then certainly to the rear.  
10 So the density itself is a street  
11 scape that has a road, a driveway, the house  
12 generally close to the road, that is the design of  
13 this, and then give it a fairly gracious backyard  
14 from unit to unit. That is the genesis of the  
15 design and candidly the genesis of the ordinance  
16 that Far Hills and the applicant discussed through  
17 the concept plan.  
18 MR. SCHWESTER: All right. Can you  
19 hear me, because I -- the buffering, I only got  
20 about 50 percent of what you said. And I'm going to  
21 ask a question is -- are there going to be any in  
22 person meetings, or is this going to be all remote?  
23 And if it is, it's just not doing the citizens any  
24 service, because I'm not hearing but 50 percent of  
25 what you people are saying, because of the

1 connections.  
 2 When are we going to have meetings in  
 3 person again on this?  
 4 MAYOR VALLONE: Skip, the meetings  
 5 are going to start at the end of September back in  
 6 person. We have been working on that both at the  
 7 council and at the planning board meeting there have  
 8 been some --  
 9 MR. SCHWESTER: You said September, I  
 10 never heard another word.  
 11 MAYOR VALLONE: We are going to start  
 12 at the end of September, mid to end of September  
 13 skip.  
 14 MR. SCHWESTER: But by then -- I hope  
 15 I am not talking over you, because I cannot hear you  
 16 -- but by then this will be a foregone conclusion.  
 17 And we are not getting anywhere, because are can't  
 18 hear half of the testimony.  
 19 MAYOR VALLONE: Skip, that's the best  
 20 I can tell you. That is the plan that we have based  
 21 on our employees and government, you know,  
 22 requirements and things like that. So mid September  
 23 is our target.  
 24 MR. SCHWESTER: All right. Olet me  
 25 have my last question, and maybe -- I hope you guys

1 are hearing me and in entirety, because I am not  
 2 hearing you guys.  
 3 MR. GIANETTI: Mr. Schwester, this is  
 4 Craig Gianetti speaking, the applicant's attorney,  
 5 and maybe what I would suggest, because I'm hearing  
 6 you and I'm hearing Mr. Kennedy fine, I'm not  
 7 hearing any delay with anything else. There -- this  
 8 is being recorded, there may be a way for you to  
 9 watch it or at least the parts where you are  
 10 breaking up. So you can hear the full testimony, if  
 11 you have concern about that.  
 12 MR. SCHWESTER: But, Craig, with all  
 13 due respect. It's a little late after the fact.  
 14 I have a question on Ordinance 803,  
 15 and even though I can't hear you guys, you are  
 16 saying you can hear me. I have read the ordinance.  
 17 That 803 for the stream corridor affects about 20  
 18 percent of this project. And the ordinance was  
 19 written some years ago and it was written well. It  
 20 was written for the protection of the property,  
 21 protection of the wetlands, protection of streams,  
 22 but also protection of people downstream. It's very  
 23 curious.  
 24 My question is: When you read an  
 25 ordinance and it generally says, "not allowed," that

1 means there is some debate. But every ordinance  
 2 that I have ever read that says "prohibited" that is  
 3 -- you are not going change it. But yet we are  
 4 going to change Ordinance 803 to the tune of 20  
 5 percent of this development why?  
 6 MR. GIANETTI: Well, I think, again,  
 7 that is probably more for our planner to answer,  
 8 when he goes through all of the variance testimony.  
 9 But I would, no, it's not uncommon  
 10 for an ordinance to prohibit uses, but doesn't  
 11 preclude anyone from seeking a use variance.  
 12 MR. SCHWESTER: Well, again, this  
 13 doesn't say "not allowed" it says "prohibited" that  
 14 was -- that is a period.  
 15 And again it's not just a little  
 16 portion. This is a major section.  
 17 Now, I will tell you that Mike Patel  
 18 who has property right next to it wanted relief from  
 19 this for setbacks for the four lots that he was  
 20 allowed and he was denied. But yet, we are going to  
 21 change it for 20 percent of this project. I just --  
 22 my question is what is the logic and why?  
 23 MR. KENNEDY: And we are going to  
 24 have a planner that is going to testify on that.  
 25 MR. SCHWESTER: Everybody not saying

1 anything. So I'm hoping that they heard me.  
 2 MR. GIANETTI: Both Mr. Kennedy and I  
 3 said that we have a planner that will be testifying  
 4 as to the relief.  
 5 MR. SCHWESTER: Wow. This is  
 6 terrible.  
 7 MR. GIANETTI: I would maybe suggest  
 8 if you shut your camera off it might help with the  
 9 bandwidth and hearing.  
 10 MR. SCHWESTER: Shut my what off?  
 11 MR. GIANETTI: Your camera, so your  
 12 computer is not -- your Internet is not using the  
 13 camera also and that might help with the connection.  
 14 MR. SCHWESTER: I will struggle  
 15 through it, because we have got 15 minutes.  
 16 Did you ask -- did you get the  
 17 question?  
 18 MR. GIANETTI: Yeah, we have the  
 19 question. We have a planner that will be testifying  
 20 as to all the relief and justifications for it.  
 21 MR. SCHWESTER: But that is obviously  
 22 not tonight.  
 23 MR. GIANETTI: That's correct. That  
 24 is not tonight.  
 25 MR. SCHWESTER: Okay. So the

1 question has been asked. It's on the record. And  
 2 Mr. Banisch and the engineer, Mr. Kennedy,  
 3 Mr. Mullen, everybody is going to give a qualified  
 4 good answer as to why.  
 5 MR. GIANETTI: Well, no. I mean  
 6 Mr. Kennedy explained the relief that's is being  
 7 sought. And the way it's being calculated as well  
 8 as, you know, the slope that it's being measured  
 9 from being manmade. But we have a planner that will  
 10 testify eventually that you can ask the same  
 11 question of, when he presents his justifications for  
 12 the relief being sought.  
 13 MR. SCHWESTER: Okay. Well, and  
 14 relief has not been given yet?  
 15 MR. GIANETTI: No. We are seek --  
 16 That is part of this application is  
 17 seeking that relief.  
 18 MR. SCHWESTER: Okay. If that relief  
 19 wasn't given, my question is, then the project can  
 20 still go forward but, the encroachment will have to  
 21 be eliminated?  
 22 MR. GIANETTI: Well, it gets a little  
 23 more complicated than that.  
 24 MR. BANISCH: That's basic, just a  
 25 glance at the exhibit suggests that there aren't

1 whole lot of areas on the site, where they could go  
 2 in lieu of their proposal without probably deep  
 3 encroaching in to the front yard, candidly.  
 4 SPEAKER: Can you tell her, I want to  
 5 say something and she's not unmuting me.  
 6 MR. SCHWESTER: This is terrible.  
 7 I'm not hearing anything.  
 8 MS. GOODCHILD: Mr. Schwester, if  
 9 there's someone else in your household using the  
 10 bandwidth that may be affecting you as well.  
 11 MR. SCHWESTER: There are computers  
 12 that run everything. I can't even turn off a light  
 13 without thinking about it.  
 14 MR. ROCHAT: Okay. Mr. Schwester,  
 15 are you finished? Is there anyone anybody else in  
 16 the audience, Shana.  
 17 DR. MELLENDICK: Shana, Shana --  
 18 MS. GOODCHILD: Just a minute,  
 19 Dr. Mellendick, I have other people who have raised  
 20 their hand prior to you, just prior to when you did.  
 21 Thank you.  
 22 Jon Sobel.  
 23 MR. SOBEL: Yes. Hi. Thank you  
 24 again.  
 25 I want to start by saying first I

1 appreciate the effort of all the board members of  
 2 the planning board. Especially, in their following,  
 3 asking these questions, but also follow up on some  
 4 of the questions that we have been asking for a long  
 5 time. And at this point being a national holiday, I  
 6 just hung in there to listen to the most I could.  
 7 And, I actually agree with Skip, this is -- the  
 8 board -- and I would say Board Member Lewis, that  
 9 this is one of the most important projects within  
 10 our community and the largest in our history. So  
 11 it's very important, maybe doing this in person, and  
 12 taking a deeper dive, and making sure we just do it  
 13 right. So going forward, it being a national  
 14 holiday, I really believe it should have been  
 15 rescheduled.  
 16 A lot of things were talked about,  
 17 and I just want to get specific to as far as you  
 18 know even utilities, to making that sure this site  
 19 is feasible. We have asked for impact studies for  
 20 ever. Will serve letters for ever. And then we  
 21 find out there's some that's been in existence, but  
 22 we just never received them.  
 23 And I know that with Far Hills  
 24 Country Day School across the street, they even  
 25 asked for an update as far as traffic impact

1 studies, because there has been issue in the area.  
 2 So I am just curious, do you guys  
 3 have will serve letters for water and sewer?  
 4 MR. KENNEDY: We do.  
 5 Not sewer. Water. Sewer we are  
 6 doing it on site. And I described the process  
 7 before. We are going through a complete waste water  
 8 management plan amendment with the state of New  
 9 Jersey.  
 10 MR. SOBEL: So why have we not  
 11 evaluated sewer and gotten that -- because at the  
 12 last meeting, which actually Pulte didn't attend  
 13 Melillo on behalf of -- maybe not the last meeting,  
 14 but the last meeting I attended in person, I  
 15 apologize --  
 16 The they said that if we have to tap  
 17 into sewer, we will, because it's the first time we  
 18 were hearing about sewer treatment facility, which,  
 19 you know, there is nothing in the existence of our  
 20 community. So is -- did you do a feasibility study  
 21 on it, a cost? You know a because it is an option.  
 22 And you explored a lot of options for water. I am  
 23 just curious where you are at or what you did.  
 24 MR. KENNEDY: So studies have been  
 25 done, applications have been filed with DEP for the

1 waste water management plan amendment. I believe  
 2 the Borough of Far Hills was copied on those  
 3 applications. It is totally controlled by DEP, not  
 4 the Borough as far as the waste water management  
 5 plan amendment. Somerset County is involved because  
 6 they own the waste water management plan and have  
 7 been involved with amendment as well.

8 Specific site testing has been  
 9 accomplished on the property for various factors  
 10 having to do with an on site waste water management  
 11 plan system. So we are in a process of going  
 12 through the approvals with DEP to have an on site  
 13 sewage disposal system. We would not tap into the  
 14 public system.

15 MR. SOBEL: And is the reason you are  
 16 not, is it because it's not feasible costwise,  
 17 because that was an option, I am sure, and you know  
 18 Melillo on behalf of -- even though they are not the  
 19 developer -- I don't even know what situation is.

20 MR. GIANETTI: That I can address  
 21 some of that Mr. Sobel, the affordable housing  
 22 agreement with the borough does.

23 MR. SOBEL: If you can eliminate some  
 24 impacts community to the community, it's very  
 25 important that get most successful project. So that

1 is where my question stems from. So please --

2 MR. GIANETTI: Yeah, sure. So  
 3 Mr. Sobel, as part of the affordable housing  
 4 agreement, what was negotiated there was discussion,  
 5 and the agreement allows for, you know, a sewer line  
 6 extension, you know in bringing public sewer to this  
 7 property. But that is was only really if on site  
 8 sewer could not be achieved.

9 So, the analysis was done, we can do  
 10 the on site sewer. And way the agreement was  
 11 negotiated, if we were able to do it, and it made  
 12 sense, we can do the on site sewer as opposed to the  
 13 sewer line extension.

14 MR. SOBEL: Okay. Well it was a  
 15 surprise to us. And it's just a surprise to us that  
 16 potentially a developer can't do something at their  
 17 cost to limit the impacts potentially to our  
 18 community, in that respect, and from my perspective.

19 And then I appreciate Member  
 20 Tweedie's comment on retention basins, because you  
 21 know a project like this, you know, it is -- it's  
 22 very important transitions.

23 And I am just curious as far as HOA  
 24 -- your responsibility as the sponsor, HOA  
 25 responsibility, and then whose is going to own the

1 apartments after? Who is owner of that asset can  
 2 you just explain that for us.

3 MR. KENNEDY: I am not sure about  
 4 final ownership. I just don't know on that  
 5 building. I am not sure who is going to own it.  
 6 I know townhouses will be individually sold to  
 7 individual people. But I don't know the answer  
 8 about the townhouse units -- or multi-family  
 9 building itself.

10 MR. GIANETTI: I think Mr. Mullen  
 11 testified earlier in his testimony that Melillo  
 12 Equities was going to retain the apartment building  
 13 and own that. But like with any townhouse  
 14 development, you know the developers developing it  
 15 and developer you know quote, The Association, The  
 16 Homeowners Association for a period of time until it  
 17 transitions to all the unit owners that become  
 18 effectively the association.

19 MR. SOBEL: Okay. So just -- just so  
 20 to finish on that specific question, you have the  
 21 responsibility.

22 Are you going to be on a bond, is  
 23 that correct, for like a maintenance bond or  
 24 anything like that?

25 MR. GIANETTI: Well, there is normal

1 performance bonds and maintenance bonds that are  
 2 posted as part of the project pursuant the municipal  
 3 land use law.

4 MR. SOBEL: So that is a, yes.

5 MR. GIANETTI: There -- I presume  
 6 there will be bonds posted in accordance with the  
 7 municipal land use law, both performance guarantees  
 8 and then maintenance guarantees.

9 MR. SOBEL: Okay, no. That that's  
 10 assurances.

11 And you mentioned Melillo is going to  
 12 be the owner, and just for the record Melillo is  
 13 also owner of affordable units within our town  
 14 center with violations and now they are going to be  
 15 the ones responsible for more affordable units, and  
 16 the flipping the property and everything like that.

17 So I just think some things are to be  
 18 questioned, such as --

19 MR. HENRY: Mr. Sobel, do you have a  
 20 question.

21 MR. SOBEL: Yes, yes, sir. I am just  
 22 stating things that were said and getting  
 23 clarification as we are work through this.

24 So my next question what's the latest  
 25 impact study that you have regarding traffic?

1 Because I just, as a father of four kids, across the  
2 street, I just want to just understand where we are;  
3 when was the last impact study was done on traffic;  
4 and what -- what your beliefs are on traffic impact  
5 studies to our community. During construction -- I  
6 am sorry -- during construction and after please.

7 MR. KENNEDY: We are going to have  
8 someone testify on that. I am not the traffic  
9 engineer. We'll have a traffic engineer testify at  
10 another meeting.

11 MR. SOBEL: Okay. Thank you. That  
12 is just a huge concern before even a development was  
13 proposed.

14 You know I -- I also wanted to speak  
15 about some variances, we discussed the street scrape  
16 limiting the impact as far as light. Hopefully we  
17 won't see light, through any of the seasons through  
18 the trees. That is probably not possible. But I do  
19 like that there is focus from our board on the  
20 landscaping.

21 And so my question is, will we see  
22 the top of the buildings above the tree lines? Will  
23 we see the buildings and the lights through the  
24 trees? I mean, this is a large scale development,  
25 the largest in our history, so. These -- and you're

1 asking for variances. So I guess, when there is not  
2 precedence, we got our master plan amended and  
3 you're asking for an -- and you could have gotten  
4 everything done in a slam dunk -- now, you need  
5 variances.

6 I am just curious, you need these  
7 additional heights are we going to see them? The  
8 lights, et cetera, are we going to see all that?

9 MR. KENNEDY: Well, it's two  
10 different questions.

11 So as far as the peaks on the roof  
12 having do with the variances, is the peaks would be  
13 the same, whether we have walkouts or not. So in  
14 the non- walkout condition, from the new roadway,  
15 it's the same height whether it's walkout or.

16 So I don't think by having that  
17 variance given for that extra two foot, there's  
18 going to be no change from the road or Lake Road or  
19 the neighboring properties. The trees are much  
20 taller than whether it's 36 foot or 38 foot, that  
21 you wouldn't -- by driving down 202, you are not  
22 going to see too peaks of these roofs. So that is  
23 not going to occur.

24 And as I previously testified is the  
25 high point is to the 300 foot setback, and

1 everything away from 202 starts to slope off 100 a  
2 grade change down to the railroad tracks. So there  
3 is a pretty good slope change, so it's going the  
4 right way as far as visual impact.

5 As far as the units that are closest  
6 300 foot back from Route 202, the objective is to be  
7 able to have substantial screening between 202 and  
8 those buildings. There is existing vegetation that  
9 is substantial, and we are going to enhance that  
10 more substantially. Driving down 202 the intent is  
11 you are not going to see the light from this  
12 project.

13 If I stood at the side of the road,  
14 and could I see filtered views, a certain times of  
15 year, it seems -- from the buildings. It's  
16 possible. But the goal is to have a pretty  
17 substantial screening in 300 foot of screening from  
18 the roadway to those units. So our attempts are to  
19 try to screen that out. Is it going to be 100  
20 percent, tough to say. But it's going to be  
21 substantial. And at best it would be some filters  
22 view in the winter time for this.

23 MR. SOBEL: And my last question  
24 tonight -- and thank you all for your time and it  
25 being it being a holiday and all. And I do look

1 forward to next meeting. I realize there's no vote  
2 taken today.

3 But you discussed the sell out, the  
4 sell out plan a little bit. We talked about price  
5 point et cetera but it comes down from financing  
6 from the bank. What's really allowed, like based on  
7 sell out, like if you are not able to sell for any  
8 reason to the market -- which is actually a stronger  
9 market than a year ago, or two years ago,  
10 surprisingly --

11 What are you allowed build and could  
12 it stall? I am just curious, like, really like how  
13 long would will this project take, and what if you  
14 you have -- you only can build so many units.

15 And that is my last question. And I  
16 look forward to the meeting on this. Thank you  
17 board members.

18 MR. KENNEDY: Jon, it's not going to  
19 be a question I can answer. I am the engineer.

20 That is more of a finance or a  
21 business type of decision that we are going to have  
22 get an answer from another witness.

23 MR. SOBEL: I figured we had Pulte  
24 still here, but... Thank you.

25 MR. HENRY: Mr. Chairman.



1 MR. ROCHAT: Yes.  
 2 MR. HENRY: I just want to remind we  
 3 have reached 10 o'clock.  
 4 MR. ROCHAT: Correct.  
 5 MS. GOODCHILD: Chairman, we have at  
 6 least three other members of the public with  
 7 questions. I have Janine Silberberg.  
 8 MS. SILBERBERG: Hi, I wanted to know  
 9 and maybe our planner can comment on just what kind  
 10 of precedent it sets for future, current residents  
 11 who are looking for, you know, amendments in terms  
 12 of waste water -- not waste water -- I am sorry in  
 13 terms of the water shed, and those setbacks and  
 14 variances we are granting. What kind of precedent  
 15 does set other for homeowners who are looking for  
 16 the same kind of courtesy, if we approve these  
 17 variations; especially, when it comes to being so  
 18 close to the bodies of water.  
 19 MR. BANISCH: Well, I don't believe  
 20 it does set a precedent, if the board were to grant  
 21 those variances.  
 22 They are going to -- the board will  
 23 hear a variance request for each, individual  
 24 property on the merits of that individual  
 25 application. Not on the fact that another variance,

1 in another situation may have been granted.  
 2 So I don't think that it's a  
 3 precedent setting, if the board does grant that  
 4 variance.  
 5 MS. SILBERBERG: I --  
 6 MR. BANISCH: Was I audible?  
 7 MR. VALLONE: Yeah. I heard you.  
 8 MS. SILBERBERG: I did hear you. I  
 9 apologize I hit a button and I muted myself.  
 10 I just have one additional question,  
 11 I just want complete clarification, I believe I saw  
 12 on one of the -- on one of the exhibits, maybe the  
 13 first one provided that the entrance way looked like  
 14 it was directly across from Lake Road, and then I  
 15 heard the testimony that it would be east of Lake  
 16 Road.  
 17 Is that correct in saying this  
 18 entrance will be east of Lake Road?  
 19 MR. KENNEDY: Yes. And let me show  
 20 you, can you see the exhibit, I am looking at right  
 21 now?  
 22 MS. SILBERBERG: Yes. I can. Thank  
 23 you.  
 24 MR. KENNEDY: Here is Lake Road and  
 25 here is the existing driveway, where my pointer is

1 right now. So that's the existing driveway that  
 2 goes into the property today.  
 3 The new driveway is I'll say, east  
 4 towards Bernardsville about 300 feet.  
 5 MS. SILBERBERG: And what is the  
 6 distance between the driveway and the exit way and  
 7 entrance ways to Far Hills Country Day School.  
 8 MR. KENNEDY: About 1500 feet.  
 9 MS. SILBERBERG: Thank you.  
 10 MR. ROCHAT: Okay. Thank you.  
 11 Shana, do we have more?  
 12 MS. GOODCHILD: I believe we have  
 13 Dr. Mellendick. I have asked him to unmute.  
 14 He doesn't appear to be responding.  
 15 DR. MELLENDICK: Shana.  
 16 MS. GOODCHILD: There you are.  
 17 DR. MELLENDICK: It's  
 18 Dr. Mellendick, how are you?  
 19 MS. GOODCHILD: I'm well, thank  
 20 you.  
 21 DR. MELLENDICK: Just two quick  
 22 questions in follow up to something that Jon Sobel  
 23 asked about the sewage.  
 24 I thought we were talking about a  
 25 package plant where the sewer water, the

1 contaminated sewer water was released into the to  
 2 the top soil and kind of leaked down to the  
 3 Mine Brook. In answer to his question, Mr. Kennedy  
 4 mentioned something about the possibility of town  
 5 sewage.  
 6 Did I misunderstand that?  
 7 MR. KENNEDY: No. There's no town  
 8 sewers.  
 9 We have we talked about that  
 10 previously --  
 11 DR. MELLENDICK: All right. And --  
 12 MR. KENNEDY: We're not --  
 13 DR. MELLENDICK: All right, secondly  
 14 --  
 15 MR. KENNEDY: -- we talked about  
 16 that.  
 17 What you said, your first point was  
 18 right --  
 19 DR. MELLENDICK: -- and secondly, you  
 20 talked about storm water wash water drainage and you  
 21 talked about going off line for discussions with  
 22 town.  
 23 Why would those discussions be off  
 24 line?  
 25 MR. KENNEDY: It's just technical

1 details that we would review with the township  
2 engineer.  
3 DR. MELLENDICK: Excuse me.  
4 MR. KENNEDY: I said it would be  
5 technical details that we would talk with township  
6 engineer.  
7 DR. MELLENDICK: So would the  
8 citizens, residents be allowed to hear these  
9 discussions or have a tape of them or what.  
10 MR. KENNEDY: No. They typically  
11 aren't taped.  
12 But we would come back and testify on  
13 any discussions that we had on any clarifications  
14 that we would make on the plans.  
15 DR. MELLENDICK: On what -- when you  
16 talk about clarifications, what specification or  
17 clarifications are you talking about exactly?  
18 Because you weren't clear about that in your  
19 presentation.  
20 MR. KENNEDY: Well, I thought I was.  
21 But again, it's pretty direct. Is,  
22 there is a new set of rules that are very  
23 interpretive that we have to go through. And we  
24 have to go through DEP with interpreting these new  
25 rules. And we have to go through that with the town

1 engineer.  
2 And in all of these new rules, we  
3 have put together a proposed design. There is some  
4 questions that the township engineer has raised. I  
5 am going to sit down with them, with the board's  
6 permission and go through some of those detailed  
7 technical issues. If there is changes to the plan,  
8 the public and the board will have certainly a  
9 chance to understand any of those changes.  
10 DR. MELLENDICK: So and then when  
11 would that off line conversation or interaction take  
12 place?  
13 MR. KENNEDY: We haven't set that up  
14 yet.  
15 DR. MELLENDICK: I see. And would  
16 the residents --  
17 MR. KENNEDY: I can't hear.  
18 MR. GIANETTI: He broke up.  
19 MR. ROCHAT: George?  
20 MS. TWEEDIE: We seem to have lost  
21 George. But Mr. Chairman, it is 10 -- it's 7  
22 minutes after 10, and we only have until 10:15 to  
23 finish our business.  
24 DR. MELLENDICK: All right. I want  
25 to say one thing to that -- that sounded like you

1 Sheila. I don't know.  
2 MS. TWEEDIE: It was.  
3 DR. MELLENDICK: Okay I can't see  
4 you.  
5 But I would say that going forward,  
6 with such a borough altering discussion, I think  
7 that we need to allow more than the tail end of the  
8 presentation for public comment and questions. I  
9 think that going forward, obviously, there will be  
10 many more presentations about this. But to stuff  
11 the question and comments section for the residents  
12 into 15 or 20 minutes at the end is totally  
13 unacceptable. So I think the presentation --  
14 MR. HENRY: Mr. Mellendick --  
15 DR. MELLENDICK: So I think the  
16 presentations --  
17 MR. HENRY: -- this is it not a time  
18 for comment.  
19 DR. MELLENDICK: -- presentations  
20 need to end --  
21 MS. GOODCHILD: Mr. Chairman, I have  
22 one additional --  
23 DR. MELLENDICK: -- 9:15. So that  
24 people can have an honest and regular opportunity to  
25 comment and opine, and not shut it down, the way you

1 have always been doing, since you took charge of  
2 this planning board, not too long ago.  
3 MR. ROCHAT: There will be more  
4 opportunities to ask questions, Mr. Mellendick.  
5 Shana.  
6 MS. GOODCHILD: I have one additional  
7 resident; Guy Decourges.  
8 MR. ROCHAT: Okay.  
9 MR. DECOURGES: Good evening,  
10 everybody. I have a question regarding the  
11 electrical grid.  
12 So we talked a lot about the problems  
13 with the electric grid here, the resident from the  
14 Polo Club, their experience with that. So since we  
15 are building such a large development and high-cost  
16 townhouses; is there a way to build in some sort of  
17 renewable energy, so we are less depending on the  
18 grid? Is the developer put some thought into that?  
19 What's the impact of power supply on the rest of  
20 borough?  
21 MR. KENNEDY: That's an interesting  
22 question.  
23 It's typically on a project like this  
24 is a site isn't that suited for other alternative  
25 energies that would be meaningful to do anything

1 substantial for the electrical grid. So putting  
 2 some solar panels on the roof is not really going to  
 3 make any direct impact on a project, even this size.  
 4 And the site is not suited to do  
 5 significant solar infrastructure with the way the  
 6 property is situated with the wooded areas that are  
 7 on this property. So on a macro level, it's usually  
 8 a townhouse project like this wouldn't really create  
 9 or generate enough renewable energy, without having  
 10 substantially more land to do something for that.  
 11 So it relies on the existing network, and connection  
 12 to the existing network.  
 13 Small scale renewables that would be  
 14 on the building, like I said, roof mounted solar  
 15 panels, insignificant. And we don't see those on  
 16 townhouse types of projects.  
 17 MR. DECOURGES: What's the impact on  
 18 our grid here, which is already weak?  
 19 MR. KENNEDY: And, again we can only  
 20 rely on what the power company tells us, just like  
 21 they tell you as the resident of what it can supply  
 22 and it can't supply.  
 23 And if I go to JCP&L right now, which  
 24 we have, they said they can supply project with  
 25 power.

1 MR. DECOURGES: And they are not too  
 2 reliable.  
 3 MR. KENNEDY: I know. I live in the  
 4 same area. I get you.  
 5 MR. DECOURGES: Yeah, yeah. Is there  
 6 a point in the future -- that is probably question  
 7 for the people from Far Hills -- you know is there a  
 8 statement date to produce renewable energy, a  
 9 certain percent of electricity has to come from  
 10 renewable energy. So in the future, if we don't  
 11 meet -- we don't provide any renewable energy, we'll  
 12 probably be fine.  
 13 MR. ROCHAT: I don't think we have  
 14 any ordinances like that.  
 15 MS. TWEEDIE: We don't.  
 16 MR. DECOURGES: Not yet.  
 17 MR. ROCHAT: Do you have another  
 18 question, Guy?  
 19 MR. DECOURGES: No. Thank you for  
 20 your answer.  
 21 MR. ROCHAT: Okay. Thank you.  
 22 Shana, anyone else? Can we close the  
 23 public comment down?  
 24 MR. GIANETTI: You are on mute,  
 25 Shana.

1 MS. GOODCHILD: That's all I have for  
 2 public questions for this witness.  
 3 MR. ROCHAT: Okay. I think we are  
 4 going to close out this portion of the meeting.  
 5 MR. GIANETTI: Right. Thank you,  
 6 Chairman. And we will, I guess, in the next meeting  
 7 we will start with our architect and we'll have our  
 8 traffic engineer available as well. And see if we  
 9 get to our planner.  
 10 I assume Mr. Kennedy may have to come  
 11 back as well to address some comments.  
 12 MR. ROCHAT: The only thing, if --  
 13 does the board have any objections to that  
 14 Mr. Kennedy can work with our professionals on the  
 15 plan?  
 16 MS. TWEEDIE: No. I think we agree  
 17 that make senses.  
 18 MR. VALLONE: I think that's a good  
 19 idea, so they can come back and coordinate and come  
 20 back with the final details later to the board.  
 21 MS. TWEEDIE: Just as they would do  
 22 on any other application we have, we -- they meet  
 23 with the professionals.  
 24 MR. ROCHAT: So we have a little  
 25 itinerary of what was discussed, different

1 subsections, which would be great for the public.  
 2 MS. TWEEDIE: Well, they will do that  
 3 when they go through the questions.  
 4 MR. ROCHAT: Correct.  
 5 MS. TWEEDIE: Some of those have been  
 6 answered during the meeting.  
 7 MR. ROCHAT: Okay. I think that's  
 8 good. Thanks, Ron.  
 9 MR. GIANETTI: Thank you.  
 10 MR. HENRY: We will carry this  
 11 hearing to the 2nd of August at 7 p.m. without  
 12 further notice.  
 13 MR. GIANETTI: Yes.  
 14 MR. BANISCH: Mr. Chairman, a  
 15 question was raised earlier and I hate to raise it  
 16 again. But I think we probably should, since the  
 17 hearings are going to continue to be scheduled:  
 18 Does the board have an interest in a site walk?  
 19 And, if so, I would just suggest that  
 20 you probably look at that before too much time goes  
 21 by. However, I know this is board's practice is to  
 22 wait for the deep freeze to go out and inspect any  
 23 site.  
 24 MR. ROCHAT: Six inches of snow.  
 25 MR. BANISCH: Something like that.

1 MS. TWEEDIE: At least that would  
2 kill off the ticks.

3 MR. ROCHAT: No. I thought about  
4 that, also. We should have some sort of parameters  
5 on -- I mean, it is so big, what are we going to be  
6 out there to look at? Are we looking at setbacks,  
7 you know, just a general site walk or, you know, its  
8 kind of hard to stake anything out?

9 MR. BANISCH: You know, I think the  
10 parameter buffers on the east and west make sense to  
11 look at. Just so the board has an appreciation,  
12 about that. Even though the applicant has addressed  
13 it on the plans, that there is nothing like seeing  
14 just exactly what the existing condition looks like,  
15 to understand that better. And, perhaps, the board  
16 would want to see if for itself something, such as  
17 the steep slopes, the state open water and the  
18 wetland. And I would think those are the primary  
19 issues notwithstanding, you know, the interest in  
20 getting an effective buffer along 202, and making  
21 sure that that frontage is treated way the board  
22 wants it to be.

23 There seem to be just about hand full  
24 of things, in my view that the board may want to  
25 see. But as Mr. Gianetti pointed out, board members

1 are certainly free to conduct their own individual  
2 site inspection if they so chose.

3 MR. GIANETTI: I would also note  
4 Mr. Banisch, you know, the next meeting, as much as  
5 I would love to finish on August 2, I don't know if  
6 we will just given, you know, Mr. Kennedy coming  
7 back, we have our architect. I am sure there will  
8 be a lot of question on the architecture, then the  
9 traffic engineer and then the planner, if I can  
10 confirm the planners availability.

11 And it may be good for the board to  
12 at least hear from our architect and see the  
13 elevations and the renderings in the meantime, we  
14 can try to schedule something in August, after the  
15 August 2 meeting, so at least they have seen more of  
16 renderings. So they have kind of more substance for  
17 when they do a site visit. If the board desires, we  
18 are willing to do a site meeting.

19 MR. BANISCH: Okay thank you.  
20 That would make sense.

21 MR. BOLIO: Mr. Chairman, there are  
22 other applications, I believe, scheduled for the  
23 August 2 meeting. You have the solar application, I  
24 believe the Far Hills Country Day school will be  
25 looking to get on the agenda for the score boards

1 and there is also a residential variance  
2 application. So honestly, I don't know how much  
3 time this Pulte application is going to have on that  
4 agenda.

5 And, honestly, if they provide  
6 revisions, especially to the storm water, it's going  
7 to take time to review. And I don't foresee their  
8 being able to get the revisions done in time where  
9 we would be able to a review that for the August  
10 hearing. So I am just putting that out there for  
11 the applicant.

12 MR. ROCHAT: All right.

13 MR. GIANETTI: Understood. You know  
14 at least, if we can have time on the 2nd. And we  
15 can, you know, start with our architect and  
16 understanding there may be need to -- probable be  
17 another meeting and may be we can do a special  
18 meeting in August just for the application to finish  
19 it and bring it into September, the September  
20 meeting or doing the site visit. I don't know if we  
21 need to make a decision right now. But probably can  
22 be discussed and then fine-tuned at the August 2nd  
23 meeting.

24 MR. ROCHAT: They could have limited  
25 -- just limited to your architect's comments, we can

1 maybe do that, if we have enough time to fit it in,  
2 right.

3 MR. GIANETTI: Yeah. I mean, we  
4 appreciate the board has a busy agenda and there is  
5 other applications on, you know, this is an  
6 inclusionary housing development, so there is time  
7 for at us to at least to present our architecture  
8 testimony on the second, and get that in, and at  
9 least we have -- if there is going to be a site  
10 meeting in August, we'll have -- you know, you will  
11 have that substance and have already heard that for  
12 that meeting.

13 MR. RINZLER: Shana, do we have a new  
14 date for the September meeting?

15 MR. HENRY: The 22.

16 MS. GOODCHILD: The 22nd was the  
17 board -- was the date I polled the board members and  
18 majority of the board can attend as well as our  
19 professionals, yes.

20 MR. RINZLER: Thank you.

21 MR. ROCHAT: All right. I don't see  
22 a problem with that.

23 MR. LEWIS: Can we -- my Internet is  
24 unstable.

25 Should we authorize Shana to look

1 into some dates after the August 2nd meeting to  
 2 circulate among the board members to -- if they will  
 3 be available for a site visit.  
 4 MR. ROCHAT: Correct. Yeah. That is  
 5 a possibility. But are we looking at like a  
 6 Saturday visit?  
 7 MR. LEWIS: Sure.  
 8 MR. ROCHAT: Shana.  
 9 MR. LEWIS: Did you understand what I  
 10 said?  
 11 MR. ROCHAT: I heard.  
 12 MR. LEWIS: Okay.  
 13 MS. GOODCHILD: If it is the board's  
 14 pleasure, I can poll the board members and  
 15 coordinate with the applicant.  
 16 MR. ROCHAT: Just put an e-mail out  
 17 and discuss it. That way --  
 18 MS. GOODCHILD: Sure.  
 19 MR. ROCHAT: -- in August.  
 20 MS. GOODCHILD: Sure.  
 21 MR. GIANETTI: Okay.  
 22 MR. ROCHAT: All right. Thanks,  
 23 Mr. Gianetti.  
 24 MR. GIANETTI: Thank you, Chairman,  
 25 members of the board.

1 Have a good evening.  
 2 (Whereupon, the matter concluded.  
 3 Time noted 10:20 p.m.)  
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