

Minutes of the Township of Aberdeen Planning Board Public Meeting of Wednesday, October 1, 2014

Present are Mayor Tagliarini, Mr. Brady, Mr. Awofolaju, Mr. Hirsch, Mr. Mirabal, who arrives at 7:45 p.m., Deputy Mayor Montone, Mr. Vena, Mr. Shenton and Mrs. Williams.

Also present are Michael Leckstein, Esq., Leckstein & Leckstein, Tim Gillen and Anthony Abbonizio, CME Associates, and Anthony Rodriguez, T&M Associates.

Absent is Mrs. Sims, due to illness, and Mr. Vinci.

Mr. Hirsch moves to accept the minutes of the August 20, 2014 Public Meeting, seconded by Mr. Awofolaju, and on voice vote all members approve.

New Business, **SP 14-510/RPM Development, LLC, Applicant: RPM Development, LLC, Property Owner: Township of Aberdeen, 100 Church Street, Block 39, Lot 1, Site Plan and Subdivision** approval to subdivide existing Lot 1 into three new lots; proposed Lot 1.01 will be developed with a multiunit age restricted apartment building and senior center; proposed Lot 1.02 will be developed with a multiunit low income family apartment building; proposed Lot 1.03 will be retained by the Township of Aberdeen. The property is located in the South River Metals Redevelopment "AH" [Affordable Housing] Zone.

Mr. Leckstein swears in the Board professionals.

Jeffrey Gale, Esq., Gale and Laughlin, Hazlet, NJ, introduces his client's professionals, Mark Janiszewski, Professional Engineer with Maser Consulting, Jack Ingless, 150 Union Avenue, Rutherford, NJ, architect for the project, and Brendan McBride, RPM Development, 77 Clark Street, Rutherford, NJ, project manager. All are sworn in by Mr. Leckstein.

Mr. Gale refers to the T&M planning letter dated September 26, 2014. Many of the references are true and correct and will incorporate them as part of their testimony. Page 1, the summary of the application, they agree the application is in accordance with the Redevelopment Plan for the property that was adopted on September 2, 2014.

Referencing Page 2, they will construct a 145 unit, 100% affordable residential development consisting of one residential building of 70 affordable family dwelling units and a second building containing 75 affordable age restricted dwelling units, and a 2445 sq. ft. senior center, as required under the Redevelopment Plan, on 5.165 acres.

The property is owned by the Township of Aberdeen. Once they can subdivide into three lots, Aberdeen will transfer title to two lots, and the third lot will be remediated by the Township, not the applicant. The review letter states the balance of the tract, 8.271 acres, will be retained by the Township and set aside for conservation. The review letter indicates the applicant will remediate all the lots. The applicant is not going to receive the third lot nor will they remediate that lot. They will only remediate the two tracts transferred to them, and they have so conferred with the Board planner to this fact.

All of the other conclusions on Page 2 and 3 are correct in the T&M review letter. The planner points out there is an inadvertent variance; the tax map indicated this parcel was 13.862 acres, so the Redevelopment Plan was set up as the minimum lot size. Their survey revealed 13.553 acres, which would make them too small to fit within the redevelopment plan. It is a correctible area that results in a variance. No other variances are required or requested.

Mr. Gale, referring to the Page 4 comment, the proposed parking exceeds the standards required by the adopted Redevelopment Plan, and they will not testify as to the number of parking spaces. Note that Mr. Mirabal arrives at the meeting.

Mr. Hirsch asks if it was always the Township's intention that the 8.271 acres we are retaining for conservation, it is going to be the Township's responsibility to remediate; he wants to understand the direction of the Council.

Mayor Tagliarini says the third parcel would be left alone as conservation, and whatever remedial work has to be done would be dealt with at that time they decide to use the parcel.

Mr. Gillen says the way it is being addressed is that the remediation may be performed by the same contractor dealing with the developer's parcels' remediation. The Township is the applicant for HDRS funding; the parcel will be retained by us, the application will be made by us, and the conservation parcel will remain as the Township parcel. While there is only one contractor on site doing the remediation, the Township will have to control the costs associated with its parcel work with the work the contractor will be doing on the other parcels for the applicant.

Mr. Gale says in the review letters by the Board's professionals, there is reference made to the fact that the parcel retained by the Township will be controlled by a conservation easement, and the implication is that the applicant will create this conservation easement. In fact, the applicant will never be the owner of that parcel nor create the conservation easement, but would be able to use the applicant's attorney to create the deed for the conservation easement, which is something they cannot do.

Under questioning by Mr. Gale, Mr. Janiszewski, previously sworn, says he is a licensed professional engineer in the State of New Jersey and employed by Maser Consulting., He has been involved in the planning of this project.

Referring to the Board planner's letter, Page 4, requesting the applicant provide testimony to the Board regarding the proposed tot lot to be located on proposed Lot 1.02, which tot lot is also referenced in the Board engineer's review letter, Mr. Janiszewski, referring to the landscaping exhibit, indicating a tot lot to be located in the vicinity west of the proposed family building. No details have been provided. They would like, with the applicant not knowing the anticipated tenants in the building at this time, it could be a wide variety of age groups; at the time of leasing they would have a better idea of age groups to design the area. They would like to defer to the time of leasing, the beginning of construction, the design of the tot lot, and would provide to the Board's engineer and planner details for approval prior to constructing.

Mr. Leckstein asks the parameters; Mr. Gale says if in the performance bond make this a \$20,000 line item; this applicant has done that in other locations.

Mr. Brady says the proposed tot lot will be based on the ages of the children going into the building, according to testimony, but those ages will change throughout the years. You cannot develop a younger age tot lot, which you need in the beginning, and expect it to fulfill the future demands as the children's ages change. Is there a way they could do a mixed use tot lot.

Mr. Gale says this is the reason they are hesitant to design it now. At least they will know what the first round of tenants will be comprised of so they can create some kind of balance. They are

suggesting the performance bond include a dollar amount for this item, and they will design in conjunction with our engineer.

Mr. Leckstein says there is some conversation about presenting a plan now.

Mr. McBride, previously sworn, states this is the first project in Aberdeen and in Monmouth County, says the Board is making a good point that whatever children are in the building will age, but they do want to get some idea of who is going in first, and not design it sight unseen. They are willing to leave the money in escrow for this.

Mr. Hirsch suggests they add the tot lot to their design, with their understanding and with the Board's approval, that the exact equipment mix and recreational facilities to be included in the parameters of the tot lot, may change based on their leasing agreements. These are leases, not ownership, which Mr McBride confirms, which Mr. Hirsch says original leases with children of an age, but new leases with children come in with varying ages of children different than the original leases. He is not an expert in the development of tot lots, but he has been involved in the development of some within the Township, and it can be designed within the parameters of three to eight years old; plan out an area and come up with the type of surface, the type of barriers to be used. This is all generic and has nothing to do with the age group. Most of the equipment is relatively generic and used by most kids, so he does not think it is a difficult thing for the Board to be asking for. A line item of \$20,000 for a tot lot the size of this development will not happen. The applicant should double or triple that amount, going on the light side.

Mr. McBride says they are open to taking that approach and then designing it and then allowing a certain latitude for modifying the design.

Mr. Leckstein says to present a plan with modifications. The square footage is already determined is a circle and roughly 1,000 sq. ft., according to Mr. McBride, pointing to his exhibit. The area will be fenced in.

Mayor Tagliarini says Mr. Gillen, Mr. Brady and Mr. Colabelli, Township Recreation Director, should talk, since Mr. Colabelli has about ten pocket parks around the Township, and he can tell them what his recommendations would be for this area. We will provide you the information for a mixed use type of park, swings for little children and older children. The applicant agrees to this.

Mr. Abbonizio suggests they submit as a shop drawing so the size can be reviewed, age groups, materials to be used, a more detailed plan to be submitted prior to ordering; the review process would include Mr. Brady and Mr. Colabelli.

Mr. Gale states his client has no problem submitting a shop drawing.

Answering Mr. Shenton, Mr. Rodriguez says the 1,000 sq. ft. size is dependent on the number of children, the turnover of children. It may be adequate at some time and not at other times.

Mr. Abbonizio reminds the Board there are only 75 units that are family units; a percentage of that are two and three bedroom.

Mr. Gillen says out of the family apartment building there are 38 two bedroom and 19 three bedroom, for a total of 57 units that have potential for children. Based on past history with

development in the Township, they do not envision that number of children at this location. The problem becomes each piece of play equipment has its own safety zone, fall area, so 1,000 sq. ft. may or may not be enough.

Deputy Mayor Montone asks if these are COAH housing; Mr. Gillen says all affordable. Deputy Mayor Montone says if someone were to apply for a unit with three bedrooms, wouldn't they have to have children. Mr. McBride says a single person could not rent a three bedroom; it could be a couple with children, or a single parent with children. Deputy Mayor Montone says then these are not the same as the condos built around the Township. This has the requirement you cannot be in these units without children. She feels there will be children in each unit. Mr. McBride says that is correct, but we do not know the ages of the children, but it will span the ages of children from zero to 18, so even if you have children in the two or three bedroom units, some may not be old enough and some may be too old to use the tot lot. He sees a tot lot being used by children from three years to eight years of age.

Mr. Hirsch asks if on the two bedrooms, is there a requirement there be a child? Mr. McBride says there is no requirement for a child; it could be a couple meeting the income requirements living in a two bedroom, or a couple with one child in a two bedroom. Mr. Hirsch asks if it is State mandated there be a child in a unit; Mr. McBride says it is not State mandated, it is usually a manger policy. It is not spelled out.

Mr. Leckstein confirms the applicant is going to put a tot lot on the plans, but the details of the equipment and materials will be on the shop drawings. It will be a minimum of 1,000sq. ft. This is confirmed.

Answering Mr. Gale, Mr. Janiszewski says there will be a super designated to each of the buildings, one for the age restricted and one for the family building. There is a trash room on each floor of each building, and trash chutes that go down to the main level. The super at each building is responsible for taking the refuse and recycling from within the building outside to the trash enclosures they have for trash and recycling. Pointing to his exhibit, there are two enclosures located on the site, one on the east and one on the west side.

Mr. Brady asks if the chutes are separate, one trash and one recycle; Mr. Ingless replies no, the chute from the building is purely trash, going into a trash compactor. The rooms on each floor are large enough for bins for the recyclables and they put their trash in the chute. In the senior age restricted building, there are two trash rooms on each floor and two chutes and compactors, so they have to walk less. Recyclable are brought from the trash room downstairs by the super to the main trash room.

Mr. Brady asks how will they get their recycling from their unit to wherever it has to go. Mr. Ingless replies each unit will take their recycling right to the trash room on their floor and put it in the appropriate bin in the trash room.

Answering Mr. Mirabal, Mr. Ingless shows on the floor plan exhibit where on the floor the trash rooms are located, next to the emergency stairs.

Mr. Hirsch asks how often is the super expected to take the recyclables from the rooms to the trash/recycle area. Mr. Ingless says it will vary by building by floor, depending on how quickly they fill up the bins. He would say on a regular basis probably every two days in a building of this size. Mr. Hirsch is asking for sanitary and health reasons; if the bins are sitting there for a

day or two or three, it will become a health hazard, attracting critters. Mr. Ingless says that becomes a management issue. Each of these rooms has its own ventilation system and a fan on the roof; they tend to over ventilate these rooms because they are confined and it does not take much for any trash room to smell. The superintendents will live in their building.

Answering Mr. Brady, Mr. Ingless says there is a trash enclosure for each building, roughly 10 x 20 ft., pointing to his landscaping exhibit. It will be single stream recycling, he believes.

The applicant agrees to comply with additional comments on Page 4 of the planner's review letter.

With regard to Item 5F, is there sufficient sight distance for turn movements from the proposed driveway onto Church Street. Mr. Janiszewski says the comment is in regard to the driveway to the property along Church Street. They show on their plans a sight line north and south. There is a proposed fence along the Henry Hudson Trail; replacing an existing fence, and it will be stopped so as not to interfere with the sight line of existing vehicles. .

Regarding Item 5H, the proposed development is required to comply with the Uniform Housing Affordability Controls with respect to bedroom distribution of the affordable family rental portion, the applicant agrees that although the letter states it is a minimum of 20%, it should be no more than 20% of all affordable family units to be efficiency or one bedroom units; all other comments in this paragraph are correct according to Mr. Janiszewski. Mr. Rodriguez agrees.

Regarding Item I, Mr. Rodriguez recommends the applicant revise their plans to provide additional landscaping along the back wall of the proposed family building, and the applicant agrees to this condition.

Item J, revise the plans to provide crosswalks at the following locations: (1) across the parking area between the front entrance of the proposed family building and the southerly terminus of the proposed sidewalk that runs along the easterly portion of the parking area; (2) across the parking area between the front entrance of the proposed senior building and the proposed senior center building; and (3) across the parking area from the northern most connection to the Henry Hudson Trail to the proposed senior center building. Mr. Gale says the applicant will comply.

Mr. Gale refers to Item K, Sheet A-100 of the architectural plans shall be revised to note that Unit Types 3A and 4A are two bedroom units, where they are currently noted as one bedroom units; Mr. Gale says the Board planner is correct and will revise the plans accordingly.

Mayor Tagliarini, referring to the Senior Center, knows this will come up once established, is there any outdoor seating and barbequing area, or a get together outdoors area. . Have you allowed for this? Mr. Gale says it has not been designed at this time; in order to have it designed, they would have to take away parking spaces. Mr. Gale suggests more along a street fair, whereby the parking lot gets closed. If the Township wanted to coordinate something like outdoor seating and cooking, they would lose parking. Mayor Tagliarini says from a governing perspective, things should be designated from Day 1. It should be addressed because it will happen, someone will want to sit outside, someone will want to barbeque. It should be addressed, even if you are taking away a couple of parking spots. He asks the Board's professionals if they have any idea how this can be handled.

Mr. Hirsch asks the Mayor why just the senior building, the senior center; wouldn't the same thing apply to the family building, and Mayor Tagliarini agrees that it would. Mr. Ingless says it is a point because both of the buildings have outdoor patio areas adjacent to the community room where you could do it. It would have to be addressed at the Senior Center.

Mr. Shenton asks if the Township property could be a picnic area; he is told not at this point by Mayor Tagliarini and the applicant. Mr. Gale says it is a safety issue. Whether using propane or gas or charcoal, you cannot control people. There is a certain level of confinement based on the acreage, and you would have to give up something to get something. The applicant will remain the owners of the buildings and it could be a fire hazard. Mr. Gale says perhaps on each patio, but you can't have an open area where someone could stop by and cook some hamburgers. Mayor Tagliarini says the Senior Center is for all residents of Aberdeen. Mayor Tagliarini asks if what we are saying is we may not allow outdoor cooking, but it could be in the form of prepared food in a designated area, if the property owners want to put up a tent once in a while and have a party complete with a DJ. Mr. Gale says even if they wanted to have a bake sale, they would run it past the Township, as long as the Township agreed they could set up tables and take away parking spaces, they could do that. But that is a difference from bringing in propane tanks and cooking on grills.

With regard to Item M, the use and operation of the proposed senior center, including days and hours of operation, proposed method of regulating access, who will be permitted to use the center, and who will operate and maintain the senior center, Mr. Gale says that will be worked out with the Township. They are not sure how to handle someone who is not a resident, is it just for the residents of Aberdeen, how to control who is and is not a resident. The word "maintain" is a tricky word, but they are willing to cooperate with the Township to work things out. Mr. McBride says when the dust settles they will sit down and try to work things out regarding the senior center, employees and come up with a good plan.

Mr. Gale, referring to Item N, as to whether all residential units are located outside the flood plain, and if units are located in the flood plain, who will be responsible for acquiring flood insurance on the residential units. Mr. Janiszewski says all of the units are located outside of the flood plain; they do need to acquire approvals from the NJDEP for a flood hazard area verification. This approval will be provided to the Board's engineer and to the Board once received.

Mr. Gale, referring to Item O, A Remedial Action Work Plan will be required to address the environmental contamination onsite prior to construction; this must be presented to the Board and its engineer upon receipt. Mr. Janiszewski says it is his understanding the Board's engineer is in the process of preparing a Remedial Action Work Plan, and this plan will be administered thru the Licensed Site Remedial Specialist, who will be responsible for overseeing clean up of the site, and they will be doing their construction in accordance with that.

Mr. Gale asks Mr. Janiszewski, Item P, since Church Street is a County road, if they have met with the Monmouth County Planning Board and filed an application for approval. Mr. Janiszewski says they have applied to the County, they had a preapplication meeting, and they are waiting for their comments and approvals.

Mr. Gale refers to the CME review letter of October 1, 2014, stating this will be a three lot subdivision, with one lot being retained by the Township of Aberdeen for conservation of existing environmental features, and two lots will have affordable housing. The residential

buildings will be serviced by the Township's potable water and sanitary sewer facilities. The on site gravity sewer connects to a proposed private pumping station to be located in the southeast corner of the development and will, via force main, connect to the Township's Pump Station No. 7 off Beaver Place.

The CME letter says the site is the former South River Metals Products site, currently unoccupied, and will need to be remediated prior to any construction activity. His office is preparing a Remedial Action Work Plan for NJDEP review and approval.

Regarding Item 1, waivers and variances, Mr. Leckstein asks if there are problems with the waiver; Mr. Gillen says there is no problem. Ultimately they will provide a subdivision map that will include the descriptions, sight triangle, metes and bounds, easements, covenants, restrictions and roadway dedications. Mr. Ingless says as part of the DEP application for permitting, the majority of these issues will be addressed, as well as the subdivision.

Item W under 1.2, Page 2, identifying the location and species of all existing individual trees or groups of trees having a caliper of 8" or more measured 3 ft. above the ground level, and the total quantity of each plant proposed shall be noted in the plant legend. Mr. Gale says the trees will be removed so he is asking for a waiver on this.

Item LL, Page 2, Mr. Ingless says calls for a copy of any protective covenants or deed restrictions applying to the land developed or an indication of them on the submitted plat or plan. Mr. Ingless says those restrictions would run to the land owner, which is Aberdeen. They do not know of any restrictions so they can't provide them.

Mr. Shenton, skipping to Page 3, Item 2.11, the applicant shall obtain a letter of interpretation from the NJDEP to verify the delineated freshwater wetlands shown on the site plan, Mr. Ingless says that will be submitted to the Board and its engineer when they receive it.

Mr. Ingless says they will comply with the comments on page 3, noting Items 2.4 and 2.6 are technical in nature. He does have a disagreement with the Board's engineer, but they will work it out.

Going to Page 4, Items 2.12 thru 2.16 they agree, but 2.16 the DEP has extended certification for all manufactured treatment devices that expired in September, 2013 to January 25, 2015. Item 2.17 thru 2.20 they agree. Item 2.21 construction detail for the outlet structure provided on Sheet 14 should be revised to provide easily accessible means of egress from the underground detention basin, Mr. Ingless says they will work this out with the Board's engineer for a means of egress for an above ground basin, but they are proposing an underground basin with the only access crawling thru a manhole, so he does not see the need for egress for it. \

Items 2.23, additional soil testing shall be conducted within the boundaries of the proposed detention basins to verify the location of the groundwater table, and Item 2.24, the lowest elevation in a detention basin must be at least 1 foot above the seasonal high groundwater table, was discussed with the Board engineer right before the meeting. They have requested additional test pits in the vicinity of the storm water basin, to determine the elevation of the ground water at the site, he says they have performed test pits at the site, not in this exact location, and there have been borings, and wells in place throughout the site that CME have undertaken as part of the remediation investigation. Based on the information they have, they believe the underground

basin will be within the seasonable high ground water of the site, and their comment 2.24 is for the basin to be 1 foot above the seasonal high ground water table elevation. He is asking for the basin to (1) not have to perform additional test pits, and (2) allow to have the basin in the seasonable high ground water. This is an underground basin that will be sealed with tape and an epoxy type resin to make it water tight, so if there should be any ground water in the vicinity of the basin, it will not come into the basin.

Mr. Gillen responds he is fine with that; the site is contaminated, and they do have ground water contamination, and we do not want their contaminated ground water to be in our facility. They have agreed to do antifoatation calculations to make sure when the structures are constructed, it will stay where it is suppose to.

Mr. Brady asks what about the future, the underground structures, their integrity don't last forever. How will maintenance and testing on that be performed? Mr. Janiszewski says they are required to have a storm water management facility operation and maintenance manual, which is a DEP requirement and he is sure the Township has adopted the same. They will provide the Board's engineer with their maintenance manual, which requires routine inspections of the facility. Results of inspections will also be sent to the Public Works Department of Aberdeen.

Mr. Gale, referencing Items 2.24 and 2.25, Mr. Janiszewski says they are required to keep copies on sight, and should not be an issue. Mr. Gale says these items are additional waiver requests to be included in the resolution.

Referencing Item 2.26, shop drawings for all precast concrete structures to be signed and sealed by a New Jersey Licensed Professional Engineer and indicate that the structure is designed for AASHTO HS-20 loading conditions, and a note shall be added to the plans indicating same, Mr. Janiszewski states they agree to comply with this condition.

Mr. Janiszewski says they agree to comply with Items 2.27, to secure a Construction Activity Stormwater General Permit from the NJDEP prior to construction, and Item 2.28, label the grate elevations on the grading plan for all Type B inlets in addition to the TC elevations.

Referring to No. 3, Traffic and Parking, Item 3.1, the applicant's engineer shall submit the unsignalized capacity analysis of the proposed intersection of the full movement site driveway and Church Street during PM peak hours., Mr. Janiszewski says there is an error; their Traffic Impact Statement did have a last page in it that should address the issue, but may not have made it thru the copy machine; they will provide it to the Board engineer for review.

Item 3.2, clarify which parking spaces are van accessible on the plans, Mr. Janiszewski says he will note they are providing a total of five ADA spaces in front of the age restricted building, and two spaces in front of the senior center and two spaces in front of the family center. All of those are in excess of the ADA requirement, and they will designate the van accessible ones that will be shown with the 8 ft. wide aisle. There will be two van accessible for the senior center and two for the family building,

Mr. Leckstein confirms they will comply with all of Section 3; Mr. Janiszewski says they will comply with Item 3.3, to review the need for pavement markings, stop signs and stop bars within the internal circulation layout of the parking lots, and Item 3.4 to install a cross walk to connect the family apartment building to the parking lot spaces across the drive aisle.

Mr. Hirsch asks if there is any intent to add speed bumps or some device to eliminate or reduce speeding vehicles in the area, since there will be kids in the area as well as elderly in the community. Mr. Janiszewski replies they can explore that; he does not see the need for it the way this development has been designed. Pointing to his exhibit, he says as you enter the site from Church Street, you have relatively short lengths before you have to make a turn, therefore, the ability to generate a lot of speed in a vehicle before you have to turn, it's not there. Typically speed bumps, humps, etc. are better suited when you have long stretches of roadway where you can generate a lot of speed. He does not think it is necessary here due to the confined nature of the site. He will defer to the Board's engineer.

Mr. Gillen does not think it is necessary; he says it has a tendency to cause vehicle damage. Mr. Abbonizio says in a development like this it would become an issue for emergency services, especially with the types of trucks and equipment they have, so they would prefer not to have it.

Answering Mr. Shenton, Mr. Gillen says this will not be Title 39, they are not posting speed limits within the enclosed development; it is not a street, it is a driveway. Mr. Shenton says they could post speed limit signs; Mr. Gillen says if that is what the Board wants, but they are called garbage signs for a reason.

Mr. Gale, referring to Item 4.1, thru 4.17, Landscaping and Buffers, says he understands the applicant can accommodate the requests of CME simply by changing the species of plantings, and will work with CME to revise the landscaping plan to conform to their suggested species. Mr. Janiszewski agrees to this condition.

Answering Mr. Mirabal regarding fencing, especially along the rear, Mr. Janiszewski says currently there is an existing fence along the Henry Hudson Trail. Its condition has deteriorated, and the applicant proposes to remain that fence. Pointing to his exhibit, along the northerly property they are proposing a 6 ft. high, vinyl, board on board style fence in earth tone colors. Around the remaining portion of the developed area, along the west, coming along the southerly property line and showing on his exhibit where it takes a turn will be a black, vinyl clad 6i ft. high chain link fence. There is no fencing along Church Street. The site is not secure, but they are providing fencing along the Henry Hudson Trail and especially along the southerly portion of the site where there is the remaining lot to be retained by the Township.

Mr. Gale, referring to Item 5, Lighting and Signage, Mr. Janiszewski has reviewed the comments and the applicant agrees to comply. Mr. Gale says, Nos. 5.1 thru 5.5, any signage proposed will adhere to the standards of the Township's Redevelopment Ordinance. They will not require variances for height or size.

Mr. Gale says a question has been raised relative to the signage on the individual buildings. He has been advised by their architect they will be using raised letter signs as soon as they decide the names of each building. This is why the Board has not been shown the proposed signage, because they don't know the names yet. The raised letter signage would not exceed the limits imposed by the Township's Ordinance. They will submit a copy to the Board and its professionals once they know what the signs are going to say.

Mr. Ingless, answering Mayor Tagliarini, says the signs will be designated on the buildings; Mr. Leckstein says to present a detail of the proposed sign minus the wording, since it is not known.

Mr. Gale, referring to Item 6.1, Sanitary Sewer, specifically 6.1.1, the applicant shall submit an engineer's report and cost estimate setting forth the basis of the sanitary sewer design, Mr. Gale says this will be part of the TWA application and a copy will be submitted for the Board's file. Mr. Gillen confirms that as correct.

Mr. Gale, referring to 6.1.3 thru 6.1.10, says they are all acceptable; Mr. Janiszewski confirms they are.

Mr. Gale, referring to 6.1.11, applicant shall pay connections fees for each individual apartment/dwelling unit to both the Township and BRSA, says the applicant requests this not be included as part of a Planning Board resolution because they want the opportunity to negotiate with BRSA. They have advised them that even though there is only one connection, they will be charged based on every unit. Mr. Ingless wants the flexibility to be able to negotiate with them. They have dealt with other jurisdictions for municipal utilities authorities, and some have waived, but they will not do a reduced connection fee for affordable housing. They want the ability to negotiate, but they will agree to whatever the utility authority decides is their connection fees.

Mr. Brady says Aberdeen's Utility Department did request the applicant sit with the Utility Collection and him to go over the billing for connection fees with the Township, and the applicant agrees. Mr. Gale says they would like the ability to sit down and negotiate; Mr. Brady reminds him he is talking about BRSA, and the Township is separate from them.

Mr. Gale says he understands any approval would be subject to an approval from BRSA and a separate approval from Aberdeen. Their only request is that you not spell it out so they are obligated to pay a fee before they have an opportunity to discuss what that fee would be.

Mr. Brady says typically our resolutions do not specify a fee; that would be part of the Developer's Agreement. That's why they would sit down and discuss that prior to the Developer's Agreement.

Mr. Gale states he is only taking exception to the language, not to the concept.

Answering Mr. Shenton's comment about 6.1.2, Mr. Janiszewski says there will be a note on the plan that all aspects of the sewer utilities on site, including the pump station, shall be private and that the Township shall have no responsibility for ownership or maintenance of same. It will be privately constructed and privately owned and operated.

Mr. Gillen, referring to 6.1.11, applicant shall pay connection fees for each individual apartment/dwelling unit to both the Township and to the BRSA, says he understands what they are saying, as long as the Township of Aberdeen, each individual apartment unit, and if they wish to negotiate with BRSA, they still have to pay whatever BRSA ultimately arrives at as a connection fee; Mr. Gale acknowledges this.

Answering Mr. Gale, Mr. Janiszewski says 6.1.12 thru 6.1.16 are acceptable to the applicant.

Answering Mr. Gale, Mr. Janiszewski says 6.2.1 thru 6.2.5 are acceptable to the applicant. Clarifying 6.2.1, each building will have a fire pump within the building to provide adequate water pressure for the fire suppression system, and in addition to these buildings being four story buildings, there will be domestic pumps in the building.

Referring to 6.2.6, all apartment units may have a single master meter⁴ in an accessible location, the applicant shall pay water meter fees and individual water connection fees to the Township for each individual apartment/dwelling unit, Mr. Gale says this has been discussed, and again they would like the opportunity to sit down and discuss this with the Municipality. Perhaps they would take into consideration they are paying for and agreeing to maintain a pump station here, so that at some point the expense just gets excessive. They never intended to have 145 separate meters.....

Mr. Gillen says that is not the intent. Mr. Gale says that is why he wants this out of the resolution and made part of the Developer's Agreement after negotiations with the Municipality. Mr. Brady says it should stay in there and say that connection fees will need to be paid for water connections, a general statement. Mr. Gale says as long as they are not precluded from sitting down with the Municipality and reviewing....Mr. Brady says that will be part of the review process for connection fees prior to development. They just do not want to sit down at the first meeting and someone pull out a Planning Board resolution that says you pay. Mr. Brady says it should be a general statement in the resolution saying connection fees for water will be paid.

Mr. Janiszewski, answering Mr. Gale, says 6.2.7 thru 6.2.12 are no problems for the applicant. Referring to Item 7, Environmental, Mr. Janiszewski confirms there are no issues with 7.1 and 7.2.

Mr. Gale, referencing 7.3, applicant shall remove all existing concrete slabs, foundation and other remnants of the prior building and dispose of according to all applicable local, state and federal regulations, Mr. Gale says they will do whatever is required in the remedial plan as prepared by the Board's engineer. He does not want this language used. Mr. Gillen agrees to this.

Mr. Gale says there is no problem with 7.4.

Item 8, General, Mr. Gale says 8.1 thru 8.6 are acceptable. They understand in 8.4 when they say furnish an appropriate developers agreement, he says that means one that is agreeable to the applicant as well as the municipality; Mr. Gillen answers "yes."

Referencing 8.7, extending the sidewalk on the southern side of the family apartment building parking lot to the terminus of the lot in order to provide a continuous path down the parking lot, Mr. Gale calls Mr. Janiszewski, who points to his exhibit, saying it calls for a sidewalk in front of the family building. They have provided a sidewalk from the age restricted building and they will agree to provide a cross walk for residents to get to the family building. They have omitted sidewalks in an area of the parking lot. This was intentionally done; the thought is that anyone traversing from one building to the next will utilize the crosswalk and sidewalk. Residents of the age restricted and senior building will park in front of the buildings, with the intention that any parking spaces in front of the family building to the southwest would be the only ones utilizing a sidewalk. They do not see a need to provide a sidewalk in that situation; at that location there is a retaining wall, and a fence will be provided in front of the wall for security. They want to discourage people from walking in that area of the wall and climbing the fence. Mr. Gillen does not have an issue leaving off this area of sidewalk.

Answering Mayor Tagliarini's question whether this is open or designated parking for residents, Mr. Ingless says it is open parking.

Mr. Gale, referring to 8.8, the need for a guiderail between the proposed fence and sidewalk along the southern parking lot of the family apartment building and wrapping around to the adjacent fire access road due to the steep nature of the grading and the retaining wall, Mr. Janiszewski, pointing to his exhibit, says it is along the same stretch, and they do agree to look at it with the Board's engineer. If determined by the Board's engineer, the applicant will comply.

Mr. Gale, referring to 8.9 thru 8.11, Mr. Janiszewski says the applicant agrees with the comments. He says that 8.9 references the trash enclosure, and they agree to dress them up in materials to match the buildings. Mr. Ingless says the intention was to put a skin over; the intention was that would be a masonry enclosure and they would do a furring of skin and siding on the outside so that it matched the architectural style of the buildings. That wasn't done in the first round of details, but they will comply.

Referencing 8.12, Mr. Gale, addressing 8.12.1, the playground area and proposed equipment, says they have already discussed that; 8.12.2, trash enclosure gates, Mr. Janiszewski says they agree. Mr. Janiszewski says they agree for the remainder of this item, 8.12.3 thru 8.12.7.

Referring to Item 9, Other Agency Approvals, Mr. Janiszewski says he will comply with the Township Fire Official's comments, which he was just shown this evening. They have requested additional fire lane striping, some of which may reduce the number of parking spaces proposed by a few, because they are looking to stripe certain fire access areas. If that is required, they will still be above the required parking requirements. They agree to meet with the fire official and the Board engineer and Board planner to satisfy the comments.

Mr. Janiszewski says they agree to comply with the other approvals listed in Item 9.

Answering Mr. Shenton's question regarding wheel stops, Mr. Gillen says there is curbing, so there is no need for wheel stops.

Mr. Rodriguez, saying he neglected to put this comment in his letter, says being the site is adjacent to the Henry Hudson Trail, asks if the applicant would be willing to revise the plans to put in a couple of bike racks. It would probably make sense to have them within the building. Mr. Ingless says they are looking into that as part of their LEED certification. It was left off the plan, but in the site plan they located two locations where someone could walk from the senior building to the trail and someone could walk out the back of the community room to the trail, to encourage people to use the trail.

Mr. Gale calls Mr. Ingless, previously sworn, who states he is a licensed architect in the State of New Jersey for 31 years. He is a principal in the firm of Ingless Architectural and Engineering in East Rutherford, New Jersey, and he has worked on projects of this nature with this applicant since 1991. The bulk of their work is multifamily affordable housing. He is also a LEED AP, explaining that the U.S. Green Building Council has a rating system for sustainable building development, and LEED stands for Leadership In Energy and Environmental Design.

This particular client applies for LEED certification on all of their projects for at least the last seven years or so. Almost every aspect of the development is considered as there are a number of different categories, including site design, energy efficiency, indoor air quality, material and resources, all factors that go into sustainability. All of their buildings tend to gear themselves toward energy efficiency, all of their buildings are energy star certified, and that is what he

considers the points on the LEED scale. Energy star is the EPA program for energy efficient construction, and it is administered in the State of New Jersey by New Jersey Clean Energy, which means their building meets the energy star for homes or in this case, the energy star for multifamily high rise, although he would not consider this a high rise, but it falls in that category. To get energy star certified means you are going to create a building that is roughly 20% or better than a code compliant building's energy usage.

Mr. Ingless says this building has a better exterior in terms of insulation, air sealing, slightly better windows, the HVAC systems in these buildings are individual, high efficiency gas furnaces that are 95% efficient, and they have a split system air conditioning condenser for each unit. Each unit has heating and cooling, and both the cooling condenser and furnace meet the higher efficiency standards.

Pointing to his exhibit of materials for the building, Mr. Ingless says the buildings are wood frame construction. The exterior of the buildings are a mix of fiber cement siding that ranges from a 7 inch to 4 inch exposure to a different style in the staple areas, called, board on batten, and two different color vinyl windows, vinyl shutters, gable trim in the gable area. The entire top floor is treated in a mansard style with a slightly sloping exterior wall/roof. The Board members have these drawings to reference what Mr. Ingless is showing on his exhibit. They are using a GAF cienna diamond shape asphalt shingle. There are two different color schemes, complimentary to each other. Mr. Ingless shows the color scheme for the family building, and the lower part of the exhibit shows the color scheme for the age restricted building. His exhibit also shows the elevations for the buildings. The community building uses the same style materials with a slightly different roof, a hip roof, and each side of the community room looks essentially the same, with two entrances. They have tried to tie all three buildings together but not be exactly the same color scheme.

Mr. Ingless says each of the buildings has an internal community room. Showing the exhibit for the age restricted building, you come in off the parking lot into a main elevator lobby, and behind you is a 1200 sq. ft. community room that opens out onto an outside terrace. The family building is similar, has a community room behind its main lobby, and opens out onto a terrace at the rear of the building, adjacent to the trail.

In the age restricted building there will be primarily one bedroom units, but there are eight two bedroom units. In the family building there will be 70 units, of which 14 are one bedroom, 37 two bedroom and 19 three bedroom units.

They have modified the design slightly to include stairs rather than the elevator, which caused him to modify the bedroom counts on the first floor.

Mr. Ingless says on low income buildings; you have to hit certain targets, a minimum 25% three bedroom. The program requirements limit you to a maximum of 20% one bedroom. They meet all the requirements, being close to 25, 20 and 55%. There will be 75 units.

All of the buildings will have a fire suppression system; that is across the board for any multifamily at this time.

Answering Mr. Shenton about whether they are sound proofing the elevator machine room, Mr. Ingless says the walls will be sound insulated as will the ceiling. Although not clear at the moment, he thinks they are switching from pure hydraulic to machineless elevators, electrical disconnect, so that may be what ends up in that room.

Answering Mr. Mirabal about central air in each unit, Mr. Ingless says each one of the units has a mechanical room with an air handler/furnace with cooling coil, gas heat, electric cooling with vents located on the roofs. Although this is not the least expensive, it is their preferred system, it is energy star, and it gives people individual control, allows tenants to pay for both their heating and cooling, which is a good thing from an energy conversation standpoint, so people will conserve if they are the ones paying for their utilities. Gas heating is probably the least expensive heating option on the market currently.

Mr. Rodriguez asks what level of LEED certification do they anticipate achieving; Mr. Ingless says their target is always platinum. In the last five years he believes they have hit five platinum multifamilies and a number of two families. In Franklin they did 35 two family. This site realistically could be in the gold range because they are not going to get the site points they would get in an urban job much more easily.

Paul Rinear is sworn in by Mr. Leckstein, and states he lives at 109 Wilson Avenue, Aberdeen, NJ, and is currently the Chair of the Township's Environmental Board. He congratulates the applicant on the architecture; he is impressed by the HVAC system he is employing He asks if the hot water system is on demand fire. Mr. Ingless tells him the hot water in the buildings are high efficiency, gas, central hot water heaters. There are generally two or three large, high efficiency commercial gas hot water heaters and insulated recirculation move at midlevel, which would be the ceiling of the second floor. Water is being circulated throughout the system continuously and none of the branches go more than two floors off that load. Mr. Rinear asks if they have instant hot water; Mr. Ingless says in his research of buildings you get hot water faster than you get it in a so called instantaneous hot water heater because they are not instantaneous, you have to turn them on. Mr. Rinear agrees, saying you have the recirculation route. Mr. Ingless says you get some distribution losses, but he thinks the insulation helps it, and from a management standpoint, a building with 70 or 75 individual hot water heaters have a shorter life span

Mr. Rinear questions tree removal. Before he came to the meeting tonight, he was under the impression the remediation plan was the responsibility of the applicant, but now he understands it is not, but rather CME under Mr Gillen. Mr. Rinear says he knows the applicant states he does not know what trees they will remove because they have not seen the remediation plan, but he is familiar with the site, and where the family unit is, probably two-thirds of that is treed right now. He says those are definitely coming out. He asks if they are prepared, once they see the remediation plan, will they know a count of how many trees are coming out. Mr. Ingless says they will have an approximation. Mr. Rinear asks if the applicant is prepared to compensate the Township for the removal of the trees, as per the Ordinance and schedule of fees for different sizes, as stated in the Ordinance. Mr. Rinear says he printed it out; money is suppose to go into a tree fund, but the Planning Board can waive it. To the Environmental Board and Shade Tree Committee it is important that we obtain monies when a development like this comes in, so we can do replanting where needed in other parts of the town. Mr. Rinear says monies are hard to come by, and this Ordinance was put in place for a reason, and he shares the Ordinance with the Board.

Mr Gillen responds that the remediation plan being developed now, the site is contaminated, and they have identified all of the spots. They have to do whatever the DEP tells them to do. They have submitted the plan, they have had input from them, they in turn have come back with comments, we have addressed those comments, and we are going back and forth with them. As a result of the proposed plan, as prepared by the developer, they have to incorporate that plan and the grades in order to be able to come up with the final remediation plan. As a result of all of that, they end up with whatever has to happen will be done, because they have to remove a lot of soil because of contamination, and what soil remains has to be capped. The cap has to follow certain design standards by the DEP and their latest criteria for guidance issue. They have been reviewing that with the developer's engineer. As a result of all of this, they have very little alternative what has to come out; they have no choice in the matter. They have to do whatever it is in the areas they have. They have a plan, the plan is being finalized now using the grading and using the development layout. It is a Redevelopment Plan that has been worked with in conjunction with the municipality to address our affordable housing needs and remediation of a contaminated site. The removal and replacement of the trees is not an issue that has been addressed in the Redevelopment Plan. We are not requiring them to make a contribution because they are addressing our affordable housing component for COAH requirements.

Mr. Rinear says Mr. Gillen answered his question.

Mr. Rinear congratulates the Board on maintaining 8+ acres as conversation zone. How much of that, rough estimate, will be disturbed by the remediation. Mr Gillen responds that it is part of the remediation plan, even in the conservation area. They have to take out contaminated soils there as well, and as a result of that, they have to do some remediation to the DEP standards. When they pull out some stuff, they will clear an area, and then will have to fill that with clean soil, and probably end up putting back some additional vegetation there as well. The plan is still area wise he believes is 8 acres, and they will have several acres, like two or three acres of soil that has to come out.

Mr. Rinear asks if it is near the side of Route 34 or the side of the site. Mr. Gillen responds it is primarily toward the Church Street side. Over time soils, contamination and ground water traveled down the site towards the brook. They have a couple of water courses there that have become contaminated as a result of soils and materials, and they have to excavate all of that stuff, take it out, and bring back in half way decent material, and restore the area to DEP guidelines for wetlands area restoration.

Mr. Rinear says he heard in the beginning Aberdeen Township will be paying for the remediation. Mr. Gillen says the Township will ultimately be paying for that. We are filing for HDSRF funds for conservation areas, of which 75% is a grant from the State for redevelopment projects for residential; 50% by the State, so the costs for the remediation are being partially funded by the State, and they are working with that as part of the plan. Also on that particular conservation area that remains in the title of the Township, that has to be a deed restricted area. It will continue to be fenced as it is now, and access to that area will not be permitted to the general public. It is vegetation and wild life.

Frank Huza is sworn in by Mr. Leckstein, and states he lives at 43 Beacon Lane, Aberdeen, New Jersey. He is the former Chair of the Environmental Board. One of the things he was trying to figure out is how 71 ft. equals 4-1/2 stories. This would give all floors a 17 ft.9 inch high ceiling height. He was wondering if these have crawl spaces between them, and where does the measurement begin and where does it end.

Mr. Ingless, referring to the floor plans, replies that he is not sure of the 71 ft. The buildings as designed right now have a 10 ft. ceiling on the first floor and 8 ft. ceiling on the other floors. They have trusses of roughly 18 inches. The building height will be 40 ft. 8 inches, roughly.

Mr. Huza said in 2003 he appeared before the Board to express his concern about a proposed three story building; he talked to the Township Manager at the time, who said to look across the street at the Swift building, which was three stories, we are just continuing it. He says we do not have a 71 ft. tree in town that he knows of. He is happy to know the height of the building will be 41 ft., so the trees they select to put in, at maturity will cover the tops of the roofs.

His other concern, and he is not sure whose plan it is that designates one parking spot for apartments of if the developer is reacting to a plan revised by our professionals. Mr. Rodriguez replies that the applicant develops parking standards based on their experience in doing projects of this size and nature.

Mr. Huza says the developer has 36 completed developments, and he looked at all 36 via the websites. On 35 of the 36 it said close to public transportation, giving the bus routes, the train station name. Here in Aberdeen, we have two bus routes for folks going to work, and they are express busses to New York, so almost everyone living in this development would have to rely on cars, and every single adult and everyone over 17 years in that development will have a car.

He also takes exception to the 75 spots for the senior development. Even if a senior does not drive, although many may still be employed, a caregiver could come in and take a parking spot, he is concerned on the family building that the parking will be overwhelming. The developer's experience in Newark and Trenton and Somerset is in urban areas, where there is a lot of waking; you can walk to work. Here you can't walk to work, you can't walk to the grocery store. Mr. Huza is really concerned about how many cars are going to be there because he does not think, because of the nature of Aberdeen, that has been taken into account.

Mr. Huza asks if it is appropriate to address the length of the PILOT program. Mr. Leckstein says as part of site plan. Mr. Huza would like to address it as demographic issue. The cost to our community for this development; it does a fabulous job, the buildings are great, it looks fantastic. In one of the developer's projects, he put 75 parking spots underground. There is a lot of thinking going on on the part of this developer. He is having concerns however from his part of town.

Mr. Huza looked at the *Quick Guide to New Jersey Residential*, and using Tim's numbers of 13 one bedroom units, for a total of 1.61 persons, .16 school age children, of that .14 will be a public school child. The 13 one bedroom apartments will yield 1.82 children to the school system. Two bedroom units of which he has 39, the Quick Guide shows there shall be 2.76 people in there. .68 school age, .62 going to public school for a total of 24.18. For the 19 three bedroom units, with a total average of 3.82 persons per unit, with 1.37 school age children and 1.27 going to public schools. The total amount of children in this development at any one time is 50.13. Our personal cost in the Matawan Aberdeen Regional School District is \$14,815 per student. The taxpayers provide \$10,578 of that amount. So with 50 students at \$10,500 plus, the first year this project gets off the ground, and the developer, because of the PILOT program, is not contributing to the public schools. The \$500,000 plus burden falls on the rest of us. So let's say there is a ten year PILOT program; he asks the Chair if he is familiar with PILOT programs and, if so, how long do they run. Mr. Shenton has no idea. It is not a site plan issue. Mr. Huza says while not a site plan issue, it basically reflects on what is going to happen here is...

Mr. Leckstein says the real question is whether this is the forum to make this argument; Mr. Huza says that is why he asked at the beginning of his comments. This plan is part of an Ordinance for a Redevelopment Plan, and these are aspects of it that we have no control over.

Mr. Huza says the residents could be in for \$10 million, and no one is talking costs, talking estimates, does anyone know?

Mr. Gillen responds we have estimates, and he believes it was in the vicinity of \$2-1/2 million.

Mr. Huza says with the \$2-1/2 million, five years later with the tax base, we are better off paying clean up costs.

Mr. Leckstein says there are other aspects as to why these things are done. These are not market priced units. That is part of the mix. These prices are not comparable to someone going in and building some 70 odd units that are market ratable and developing it themselves. That being said, this is not the forum to discuss the PILOT program.

Mr. Huza finds it odd we are asking for three separate lots. Why isn't it Block A and then the Township lot? What is the technical reason for this being separated into three lots rather than just two? What happens if one default? Mr. McBride responds we have one lot for the town redevelopment and one lot for the senior development, and for financial reasons we have to have these lots separate.

Mayor Tagliarini says he started this conversation before the meeting with Mr. Huza; this site has been going on since the late 90's. It is a complete eyesore. Part of what the Council has heard from the residents is that there is a tremendous need for senior housing. Mr. Huza wanted it all seniors. Mayor Tagliarini says we have heard that over and over again. He thinks this is a good thing for the town; he wishes there were more senior housing, as does the Deputy Mayor.

We got here tonight because it all started with a simple email the Mayor received from the State of New Jersey, with help on brown fields. He called Mr. Miller from the State, and Mr. Scharfenberger accompanied him to a town meeting. As they were leaving with well wishes, Mr. Scharfenberger said we might not have to get Green Acres involved. There is a good company out there, which we have heard many times. We think we found that company, and the parting comments were...***I think you better get hold of RPM***..... I think what we can deliver here is three fold: (1) we will get senior housing; (2) we are getting the site cleaned up and presenting Aberdeen in a much better light than that hideous fence up there; and (3) we are taking care of our COAH obligations, too. Is it the best? No. Is it very good: Yes. We will forge ahead with this, and this is going to be a lot better result than what we have now. He has learned to compromise over the last five years, but this a good thing, and he and the Deputy Mayor have been with this for five years now, and this Council is finally delivering something to the folks wanting this from the 90's. He appreciates all the work Mr. Huza does for the Township, and he is far from retired, being just a phone call away, and we thank you for all the input and questions tonight. When this is done, this is going to be a better part of our community than we have now and we appreciate the input tonight.

Memorialization of Resolution **SP 14-509/Ingerman/Glassworks, Applicant: Ingerman. Property Owner: Somerset Development, LLC, 145 Cliffwood Avenue, Block 155, Lot 1,** Request for **administrative changes** for approval of architectural plans and elevations for Buildings “G”, “H”, “J”, “L”, and “M” of the Glassworks Mixed Use Development previously approved. Applicant requesting administrative approval to increase the building height of Building “G” to four (4) stories and unknown feet, whereas the original height of three stories and unknown feet was previously approved. This administrative change is being requested to accommodate a lobby/community space for use by residents of the affordable development, a leasing and staff office for property management personnel, and a mechanical/storage room. Applicant is also seeking administrative change for location of a construction/leasing trailer on site, is summarized into the record by Mr. Leckstein. Mr. Brady moved to memorialize, seconded by Mr. Vena.

Yes: Mayor Tagliarini, Mr. Brady, Deputy Mayor Montone, Mr. Vena, Mr. Shenton

No: None

Abstain: None

Meeting adjourned.

