

Minutes of the Zoning Board of Adjustment Public Meeting of Wednesday, April 22, 2015

Present are Mr. Bucco, Mr. Falco, Mrs. Friedman, Mr. Phillips, Mr. Phelps, Mr. Byock

Also present are Marc Leckstein, Esq., Leckstein & Leckstein, Anthony Abbonizio, CME Associates and Martin Truscott, T&M Associates.

Absent are Diana Anderson and Sherry Gotell.

Continued Business, **V 15-101/Air Plus Trampoline Sports, Inc., Applicant: Air Plus Trampoline Sports, Inc., Property Owner: Hillcrest Development, 111 Highway 35 at County Road, Block 227, Lot 1, Block 231, Lot 1, Variance** request for second façade sign, 117 sq. ft., where one sign is permitted and can be no larger than 75 sq. ft., on building located in the LI (Light Industrial) zone. **This application will be carried to the May 27, 2015 Public Meeting pending payment of property taxes).** Mr. Byock moves to carry the application with no further notice, seconded by Mr. Falco, and on voice vote all members agree.

New Business, V15-102/Bucco, Applicant and Property Owner: Russell Bucco, 53 Lower Main Street, Block 267, Lot 3, Variance request to install 51” x 103” side porch enclosure, with side yard setback 3.6 ft. where 9 ft. minimum required; install 59” x 35.5 inch awning over front door, with front yard setback 7.99 ft. where 25 ft. minimum required; building coverage 28% where 20% maximum permitted, and habitable square footage 951.49 sq. ft. where 1,100 sq. ft. required, on single family home in the R 75 zone. **This application is carried to the May 27 Public Meeting for insufficient noticing).**

Continued Business, V15-100(Rev)/Zeller, Applicant and Property Owner: John Zeller, 207 West Prospect Avenue, Block 210, Lot 17, Amended Variance request to install 6 ft. high fence in second front yard (Garden Place), where 6 ft. high fences are not permitted in front yards, on single family home in the R 50 zone. **This application was approved with conditions at the March 25 Public Meeting, however, the applicant wants to revise his application to show the type of fence, location and gate information.**

Mr. Leckstein says the last meeting this application was approved with conditions, so the application is over with. The applicant is here tonight asking the Board to make an administrative change, which is the gate. Mr. Leckstein swears in Mr. Zeller. Mr. Leckstein says a variance has been granted. Mr. Zeller says he wants the fence to go inward, not on the rollers going outward. The condition was it was to be a sliding gate, it will now be a regular gate, towards the rear on the property.

Mr. Bucco moves to approve the amended variance, seconded by Mr. Phillips

Yes: Mr. Bucco, Mr. Falco, Mrs. Friedman, Mr. Phillips, Mr. Phelps, Mr. Byock

No: None

Abstain: None

Mr. Zeller asks if he can do the work now; Mr. Leckstein says he cannot do it now, he has to wait for the resolution. A permit cannot be issued without the resolution.

New Business, **V 15-103/Pressler, Applicant and Property Owner: Joseph and Linda Pressler, 132 Idlebrook Lane, Block 76, Lot 20, Variance** request to install a 4 ft. chain link fence in second front yard (Line Road), where fences are not permitted in front yard in the R75/PC zone.

Mr. Leckstein says this is a use variance fence application to construct a fence in a second front yard where fences are prohibited. Mr. Leckstein marks as Exhibit A-1 a survey prepared by Michael S. Lynch, Professional Land Surveyor, dated November 8, 2002, with a highlighted area in the rear of the property showing a proposed fence along Line Road. Marked as Exhibit A-2 is a series of six photographs, taken by the applicant.

Mr. Leckstein swears in Joseph and Linda Pressler, the applicants, and swears in the Board's professionals. Mrs. Pressler says she was asked to take pictures of the property from the front, side and rear. There are fences on both sides of the property, a retaining wall and guard rail already there. They just want to put their own fence, a green chain link that won't be obtrusive. Answering Mrs. Friedman, Mrs. Presser says the neighbor on the right has chain link and on the left has the vinyl. The black line is the retaining wall. Mr. Pressler says the fence will be going on the other side of the wall.

Mr. Leckstein asks if the applicants are aware where they are looking to put the fence is part of a 20 ft. wide planting easement. The applicants acknowledge they are aware. Mr. Leckstein says if the Board was inclined to grant the variance, the Board has no power to erase that easement, so if the easement holder needs to access that easement for whatever reason, they have the right to take down the fence, since they cannot obstruct the easement. Mrs. Pressler does not believe anyone has been to the easement in quite some time, so it is ok with them. Mr. Leckstein says it would have to come down at the applicants' expense.

Answering Mr. Phelps question as to the purpose of the fence, Mrs. Pressler says security and they have a dog they would like to keep in the yard.

Answering Mr. Bucco about the shrubbery put up in the easement, Mrs. Pressler says they put that up, hoping it to be sufficient. It is hard to keep it alive up there. Answering Mr. Bucco, Mrs. Pressler says the fence will be in line with the white vinyl fence on the adjacent property.

Answering Mr. Leckstein, Mrs. Pressler says the proposed fence will be a green chain link. It will not have slats in between.

Mr. Falco moves to grant the variance, seconded by Mrs. Friedman.

Yes: Mr. Bucco, Mr. Falco, Mrs. Friedman, Mr. Phillips, Mr. Phelps, Mr. Byock

No: None

Abstain: None

Continued Business, **SP14-503 (rev/3)/241 Cliffwood Properties, LLC, Applicant and Property Owner: 241 Cliffwood Properties, LLC, 255 Cliffwood Avenue, Block 183, Lot 11.01**, Applicant seeks **Site Plan** approval with **Variiances**, to construct 62 multifamily townhome market ratable units, ten (10) of which will be COAH rental units, in six (6) buildings, on the above captioned property, located in both the R100 single family residential and Neighborhood Commercial (NC) zones. The existing home

and business and accessory structures will be demolished. In addition to the townhomes and COAH rentals, the applicant proposes parking facilities, landscaping, site lighting, stormwater management facilities and utilities. Use Variance approval was granted by the Zoning Board in November, 2014, subject to site plan approval. **Variances** required for Minimum Side Yard Setback (one/combined) 10 ft./72 ft. required in the R 100 zone, 10 ft./20 ft. required in the NC zone and 25 ft./50.8 ft. proposed; Density: 8 townhouse units per gross acre (31 units). whereas 62 units proposed equaling 13.9 units per acre; Setback from Railroad Right of Way 100 ft. required in APT/TH zone, 34.9 ft. proposed; Building Spacing: Window Wall to Window Wall: 60 ft. required in APT/TH zone, 50 ft. proposed; Recreational Area: 200 sq. ft. per unit (13,200 sq. ft. or 10,000 sq. ft. minimum required in APT/TH zone, 11,478 sq. ft. proposed; Floor area for two (2) bedroom Townhome 1000 sq. ft. required, 775 sq. ft. proposed; Signage setback 25 ft. required, 5.7 ft. proposed. **This application is carried from the March 25 Public Meeting, after testimony from the applicant's architect.**

Salvatore Alfieri, Esq., attorney for the applicant, states this is a continued public hearing for the site plan phase of this application. A bifurcated application was filed, and a use variance was granted in November. Last month the applicant's architect gave testimony to describe the units proposed, leaving off with **Exhibit A-24**. They will have two witnesses testify tonight, their engineer and planner.

Mr. Alfieri says the use variance was for 66 townhouse units, ten of which are COAH units. The resolution of approval was very clear that the COAH units not go below ten. The applicant in the site plan application has provided a plan with 62 units, maintaining the ten COAH units.

Mr. Leckstein swears in the Board's professionals and swears in Charles Olivo, Principal in Stonefield Engineering and Design in Rutherford, NJ. He is a licensed professional engineer in the State of New Jersey and throughout the East Coast.

Mr. Alfieri refers to his April 6, 2015 letter to the Board Secretary detailing variances not included in the application documents, which is read into the record by Mr. Leckstein. This is marked as **Exhibit A-25**:

As you may recall this office represents 241 Cliffwood Properties, LLC with regard to the above captioned matter. My client through its application submission requested Preliminary and Final Site Plan approval and Variance relief for the construction of 66 dwelling units.

Please accept this letter in lieu of a more formal submission, for a request to amend the application to reflect that the proposed multi-family development will consist of 6 buildings and contain a total of 62 dwelling units; 52 of the units are proposed to be market units, while 10 will be marketed as affordable units.

In addition, the applicant will be seeking the following variances:

- *Minimum side yard setback for combined side yards where 72 feet are required and 50.8 feet is provided;*
- *Setback from a railroad right of way 100 feet required 34.9 (for) provided;*
- *Building spacing window wall to window wall, 60 feet required, 50 feet provided;*

- *Recreational area, 200 sq. ft. per unit or 13,200 sq. ft. required, 11,478 sq. ft. proposed;*
- *Floor area for two bedroom townhouse minimum 1,000 sq. ft., 775 sq. ft. provided for certain units;*
- *Freestanding site identification sign setback from street line of 15 feet required, 5.7 feet provided.*

Very truly yours,

Salvatore Alfieri

Marked as **Exhibit A-26** is a three page document, half size, aerial prepared by Stonefield Engineering dated June 24, 2014.

Marked as **Exhibit A-27** is a _____ dated March 12, 2015, prepared by Stonefield Engineering.

Marked as **Exhibit A-28** is an exhibit showing the proposed recreation area, prepared by Stonefield Engineering, dated April 10, 2014.

Mr. Olivo says the application has been bifurcated; the applicant applied for the use variance and a conceptual design. To the left of the colorized aerial exhibit is the Concept Site Plan, marked as **Exhibit A-29**, prepared by Stonefield Engineering and dated February 27, 2014. This plan was presented before the Board, which is a schematic conceptual plan which, at the time, proposed 66 multifamily residential development project, two proposed driveways located on Cliffwood Avenue, 66 townhouse units, known as Block 183, Lot 11.01. Within the property was proposed to be seven buildings, with setbacks provided in the northerly, easterly, southern and westerly sections of the site, we talked about setbacks in the proposed concept plan, and separation of centrally located buildings, buffer areas, etc. Mr. Olivo says that everything shown on the concept site plan has been increased on the proposed site plan. They fully engineered the plans, coordinated with the Board's experts and administrator, and they appreciate all the efforts along the way of meetings, phone calls, consultations, etc., and the site plan package provided to the Board includes a significant amount of detail in terms of what is now being proposed as part of this site, the building, parking, stormwater management techniques, grading, drainage, utilities, lighting, etc. have all been provided in the site plan application.

Mr. Olivo says the development program has not increased the number of units. Approved as part of the use variance application was 66 units; they are now at 62 units.

Referring to Exhibit A-26, the aerial exhibit, there is one access point located along the frontage, two way access along Cliffwood Avenue. The site is bound to the north by Cliffwood Avenue, to the west is the rail line, to the south by two residential structures, located generally along Dogwood Court, and to the east residential structures located along Locust Street.

Mr. Olivo says one access point, one driveway, brings the traffic into the site; vehicular traffic is able to circumnavigate the two centrally located buildings. There are now six rather than seven buildings, labeled on the aerial exhibit and the site plan exhibit.

In terms of providing for adequate circulation, driveway width, etc., a traffic impact study has been prepared and submitted to the Board.

Referring to the second sheet of the site plan handout, Mr. Olivo says this gives a more detailed look at the site itself. Six separate buildings, driveways located at all the buildings as well as a garage, so parking is achieved by parking vehicles in the garage and in the driveways fronting the buildings. There are lined parking stalls located mostly in the southerly portion of the site and there is an area of parking located in the northwest portion of the site.

They are straddling within two zones, the "NC" Neighborhood Commercial and the "R100," single family residential. What could be constructed is retail along Cliffwood Avenue, and then a cul de sac to split up into approximately ten single family homes.

Mr. Olivo says the applicant came before the Board seeking a use variance to present the plan the Board has before it now, which the Board did grant and found it to be consistent with the Master Plan. They are proposing 62 residential units within the subject property. But if you were to develop this site what you could have here would be approximately 20,000 sq. ft. if retail and then single family homes, you would generate more traffic than what is being proposed.

Landscaping essentially enshrouds the site along all the property lines. They have provided 25 ft. buffers along the southerly and easterly sides, for the residential homes. In addition, the residential homes on Dogwood Court will border on no buildings but is where the recreation area will be located. They will speak in more detail of the landscaping to be provided, trees, native plantings.

In terms of the bulk standards looked at when designing, because they did achieve a use variance, they have called out within the zoning table, located on the right hand side of the sheet, for the R 100 and NC district requirements, as well as the multifamily townhouse requirements, though they are not in that zone, but thought it might be helpful to understand how the plan is compliant.

Looking at the top table, the absolute bulk standard with respect to the R 100 and NC zones, they meet lot area, lot frontage, front yard, rear yard, minimum side yard on one side, lot width; they are seeking a variance for combined side, and the maximum building coverage. If you look at the R 100 requirements, you are slightly over; the NC district, you are under. If you look at them in aggregate, they are generally right there. The plan has been designed properly, in his opinion, with the zoning standards, and there is balance achieved on the site, with regard to the number of units, parking landscaping, buffers, etc.

The next table down is a comparison for guidance, although they are not located in the APT/TH district, of the various requirements: density, building height, the area, and the yard. You will see stars where they are seeking not necessarily variances, but they are not complying with the zone that they are not within. This is being provided as data.

With regard to the parking, they meet the Township's requirements and they meet the RSIS standards. They are required to have 142 spaces, looking at RSIS, and 142 are provided This was a condition of approval of the use variance.

The size of the parking stalls. Also there was some comments at the use variance hearing of achieving 24 ft. wide circulation aisles. There were some areas where they were slightly pinched. They have taken it out of some building areas, and they have been able to achieve a 24 ft. wide circulation aisle that circulates throughout the site in accordance with industry standards. They are in compliance with handicap stalls.

They are seeking a waiver or variance for the sign being proposed that is designed to unify the project and be identified by motorists as they come into the site. It is not obtrusive in his opinion.

The goal of the plan is to create a modern, integrated community of multifamily residential, of integrated utilities, with stormwater management best management practices, as well as integrated lighting, all to be managed by one entity, rather than have a series of homes or apartments that are separated, but rather they have one consolidated, integrated plan. The idea of community living is more in vogue now than in the past, the idea of community living and somewhat centrally located amenities. There is a proposed recreation area located in the southwest portion of the site that would include a recreation area for children to play, and passive recreation with benches. They are attempting to maintain trees in that area to create more visual aesthetics, and to be used by people living within the apartment units.

You get a sense of what is being proposed just from the buildings, the circulation aisles and the parking. The stormwater management and drainage, referred to as stormwater best management practices, basins, swales, not existing on the property today because of earlier development from the 1920's or earlier, which would all be demolished. There is an underground infiltration basin proposed on the westerly portion of the site, as indicated on the drainage plans. When they did their subsurface testing, they found good sands that will be able to recharge and infiltrate any of the stormwater that comes off the roofs, into the roof leaders, into that basin area.

There is an above ground basin located to the east of Building 2, basically along the easterly property line.

There is a bioretention swale located to the south of Cliffwood Avenue and to the north of Building 1 for the purpose of water quality.

The basin located on the easterly portion of the site would connect to a water quality unit, then discharged into the Cliffwood Avenue system; it would be cleaned as part of the DEP and Township regulations.

They do meet all the DEP regulations for the site in terms of stormwater management, water quality, discharge on the site peak rate reduction. The system will be owned and maintained by the property owners and not by the municipality.

In terms of utilities everything coming into the site, gas, water, sewer, electric, runs off the main Cliffwood Avenue. They have provided detail on the utility plan with regard to how all the various units will be able to achieve all of the essential utilities. They will work with the various utility companies as part of the construction.

With regard to lighting, they are complying

With regard to landscaping, they have had some back and forth with the Environmental Commission, detailed correspondence with regard to removal of trees on the site and the proposal to add trees. There are trees that wrap the entire site, a number of shrubs both deciduous and evergreen, underscore plantings, and to create nice corridors, they are proposing shade trees on the streets and along Cliffwood Avenue. They worked with the landscape architect to come up with a mix of shrubs aesthetically pleasing.

The Environmental Commission mentioned they were short in terms of tree replacement, and they propose, based on the last correspondence, to upsize the trees, to get more value by providing larger caliper trees or taller trees. Upsizing will occur on the south and easterly property lines, to achieve the best landscaping buffer. Otherwise they are along the rail line and Cliffwood Avenue, where they want to keep dense plantings out of the Cliffwood Avenue right of way for open visual sight lines as motorists leave the project.

Mr. Alfieri says when the final plan is done and presented to the Environmental Commission for landscaping, they will comply with the Ordinance.

Mr. Olivo says the applicant is very hands on and they are willing to plant trees if the Environmental Commission feels upside trees are not necessary but can be planted somewhere else in the Township.

Mr. Olivo says that gives a broad and general idea of the development on the site, what is being proposed.

In terms of traffic, they went out in October, 2014, counted Cliffwood Avenue, counted the driveway across the street, and got an understanding of what the existing conditions of traffic volumes are along Cliffwood Avenue. Cliffwood is County roadway, under the jurisdiction of Monmouth County, and carries about 11,000 vehicles on a daily basis, vehicle trips traveling east and west. They met with Monmouth County and discussed the access point. They were agreeable to what is shown here, the consolidation of the two access points down to one. They are agreeable in generality to the plan before the Board tonight.

Mr Olivo says in the first plan the access point meandered a bit into the site. They attempted to line up with the All American Storage driveway as best they could across the street. Based on comments from Monmouth County and from the Board's experts, they were still able to create an attractive median area as you come into the site or just as you are leaving the site, but make that driveway consistent with the circulation road that continues around the site. He believes that provides a good solution to marrying the design with the driveway across the street and with their internal circulation.

They reviewed the access under existing conditions, counted the roadway volume to get an understanding of the existing volume on Cliffwood. They then typically in a traffic impact study is to project the amount of traffic that could potentially be generated at the time by 66 units of multifamily residential. They utilized the industry manual to project the traffic flow associated with that type of development, then add that to the driveway and to Cliffwood Avenue to determine whether or not they have degradation, level of service, the driver experience as they continue along Cliffwood Avenue. They are aware of a very large project approved, the Glassworks project, and they overlaid the volume associated with Glassworks onto Cliffwood Avenue to understand future conditions. If the Board were to approve the project, and traffic volume leaving the site via the single

access point, would that volume be in conflict with the traffic associated with Glassworks, Cliffwood and general flows in the area, and then understand is there is a delay that would require mitigation either along Cliffwood or the driveway.

In terms of trip generation, they use if you are at 100 vehicle trips during a single peak hour or more, typically you should study outside intersections to see if they would be impacted with trips leaving or coming into their site. Based on what is being proposed, now 62 residential units, and looking at the industry standards, and guidelines, they are well below the 100 rule of thumb. They did study the intersection, and they are at about 50 an evening peak hour. They studied the intersection of Cliffwood, the driveway of the storage facility and their proposed driveway, and all levels of service are acceptable, in his opinion. This site would have no significant impact on the traffic volume on Cliffwood Avenue in the peak periods they counted. They typically look at the commuter periods, from 7 to 9 a.m. and 4 to 7 p.m., the commuter rush windows during the typical weekday. They narrow that to the peak hour in the morning and in the evening, and overlay the traffic volume onto those hours. The All American Storage generated about one vehicle leaving or entering the subject property during a 60 minute period, a very low volume coming out from the northerly side of the road.

Based on the trip generation projections⁰ for their driveway, they studied that for an unsignalized intersection. The driveway would have no significant impact. It is sufficient to have a single point of access to provide ingress and egress to the subject property based on the density here.

The County is agreeable to it. The analysis results bear it out as well.

In terms of parking and circulation, they have industry standard, circulation aisles around the site. The parking areas, the parking stalls are 9 ft. x 18 ft. within a residential project more than adequate according to the guidelines. The area outside of the principle garages are about 10 ft. x 20 ft., slightly larger. You can fit a car in the garage and a car outside the garage.

In terms of the parking, it is not undersized, the circulation aisles are not undersized, the recreation area increased going from the concept plan to the proposed plan, all of the setback areas previously provided as part of Exhibit A-29 have increased. If you look at the areas between the centrally located buildings, there is now larger lawn area. They were able to achieve that by reconfiguring the buildings themselves, making the basin size smaller and putting it underground, which comes at an expense, but in terms of balance and the efficient use of land, they have that with the fully engineered plans.

In terms of service, fire vehicle circulation, they have prepared turning templates, and you are able to circulate a fire truck and a service vehicle or box truck completely around the site.

With regard to actual waste management on the site, it will be no different than in a single family home. The occupants of the units would haul their recyclables or trash out to the curb area, located where you can see the shade trees on his exhibit, and he understands DPW will come and pick it up.

Mr. Alfieri says the applicant stipulated in the use variance he would have private pick up, which is confirmed by the applicant. They showed their plan to and consulted with

Sukutis, who agreed they could pick up throughout the site. That will be a condition of approval.

Mr. Olivo says when they met with the Board administrator and Board professionals, they also met with the fire official to discuss fire access, and they added a second hydrant after that meeting, and he was generally agreeable to the plan before the Board as long as a fire truck was able to circulate completely around.

Answering Mr. Alfieri about the railroad to the left, and requesting a description of the buffer, especially to attenuate any sound from the trains, Mr. Olivo says there would be a 6 ft. vinyl fence that runs down the westerly and southerly property lines and he believes along the easterly property line as well. This fence would create a solid barrier.

Answering Mr. Alfieri regarding the monument sign location, Mr. Olivo says it is centrally located within the driveway, the access point along Cliffwood Avenue. It will not impact sight visibility as one enters or exits the sight. The County requires a sight distance analysis; the road is generally flat and straight, and a speed limit of 30 mph, and the sight distance would be met.

Answering Mr. Leckstein, he asks if the fence is going around the entire perimeter; Mr. Olivo says it comes right up to where there is the offset on both sides of the property lines. There will be nothing buffering the recreation area at this time.

Mr. Alfieri asks Mr. Olivo to refer to Exhibit A-28, the recreation plan; Mr. Olivo shows the plan. At the use variance hearing there was talk of providing a recreational area for the residences. The site is centrally located with a place for children to play, they have implemented raised planters with lower growing vegetation, with benches, and they are attempting to see if they can leave some of the larger trees in the area to create a passive recreation area. The site is on the southwestern section of the property.

Mr. Alfieri, referring to CME's report of February 19, 2015, in which there are many technical comments, many of which were discussed with the Board's professionals, asks if the applicant can address the comments or if there are any he can't address. Mr. Olivo says based on their last communication with CME, and review of the comment letter, the applicant is willing to comply with all of the comments raised.

Mr. Alfieri, referring to the CME report, Item 9, there is a list of outside agency approvals, Mr. Olivo says they are waiting to see how this plays out before moving forward requesting approval from other agencies, including the NJDEP. They did, however, meet and discuss the plan with Monmouth County, and at that stage the County was agreeable with the plan as it was shown, pending a full and detailed review.

Mr. Alfieri asks Mr. Olivo in regard to construction sequencing, would the applicant agree that all of the site improvements including buffers will be installed prior to construction of the homes to minimize impact on the neighbors, Mr. Olivo says that is the intent to the extent they can be. There may be some areas, smaller portions, that lag, based on construction staging, but the idea is to establish the buffer as soon as possible.

Mr. Leckstein asks if a car has to be towed out, signage is needed under the Private Towing Act, which calls for a sign at the entrance. The sign has the name of the towing company, the fee. The applicant should revise the plan to show where the sign will be located, otherwise, tow trucks cannot go in there. Mr. Alfieri agrees to this condition.

Mr. Leckstein says as a condominium association, DCA requires there be a community bulletin board where association notices can be posted. Whatever convenient community area is designated should be shown on the plan. Mr. Olivo agrees to work with the architect, perhaps in the small vestibule behind glass in each building.

Mr. Leckstein is not sure if the towing sign would require a sign variance; Mr. Olivo says that is more traffic signage such as Title 39, which Mr. Leckstein says is the police enforcement or ability to come in and tow. He is not referring to Title 39. He says if the association itself wants to hire a tow truck to come in a tow a vehicle, there is an Act that states dimensions within the Act as to what the sign needs to look like and the wording that needs to be on it.

Mr. Alfieri says the applicant also consents to Title 39 jurisdiction, which will be a condition of approval.

Mr. Bucco asks if two vehicles exiting the site at the same time, one wanting to go left and the other go right, it was stated that is a single lane, what happens. Mr. Olivo says it is a 15 ft. single lane as you come to the stop. Mr. Bucco asks if one could wiggle in to go the other way; Mr. Olivo says that is something they looked at and while running their analysis, they decided they do not need the width based on the delay; they do not believe there will be significant delay for vehicles waiting to make a left hand turn. The other challenge with the left right separate configuration is that as people pass the stop bar they deflect the sight line temporarily before the car pulls out. He has found as a traffic engineer that it creates more orderly progression out of a driveway situation when you have vehicles stacking in single file.

Mr. Bucco says going west, heading towards the Parkway, is a high volume entrance in the morning. If you have someone who wants to make a left, and the person behind wants to make a right to go to the Parkway, during the morning commute the person would be unable to make the right because of the high volume. Mr. Olivo says the point is well taken, saying there are a number of regional connector roads, but he feels the traffic is moving toward the west to the Parkway. This is a residential project, people leave in the morning, return in the evening. The design allows adequate queue of vehicles so as not to disrupt the circulation within the site. They balance all these things by providing lefts and rights, are they close to parking stalls preventing people from parking. But they did provide and presented this to the County, a longer thru to provide more than adequate capacity for the stack, and also there is really two sides to the left and right separate based on consultations with experts and the County, they feel this is the optimum.

Mr. Falco asks how this works out for adjacent properties regarding drainage, run off. Mr. Olivo, referring to his exhibit, shows the grading on the property today; in the central portion of the site and to the west of the rail is a raised mound. The run off runs to the west and to the east. When they are building, they will take all of the asphalt areas and run it to the basin. All of the roof leaders coming off the building structures and the landscaped areas will be collected and sent to the infiltration basin. With regard to the DEP requirements for recharge quality, in his opinion, nothing will run on residential areas. Again answering Mr. Falco, the drainage with new construction will be the same configuration as it is today.

Mrs. Friedman says when the railroad gates are down, it will cause a traffic delay and that would affect traffic on Cliffwood turning left into the development. She asks if this was factored into the traffic analysis. Listening to the numbers Mr. Olivo has given from his study, is not meeting with her reality. Where is the delay accounted for in his numbers? Mr. Olivo says when the study was done in October, the rail line was in operation, there were stops during the peak commuter times. They counted the volume on the road, the DOT has counted it, it is about 11,000 vehicles a day. It is not uncommon for a County road to carry 20 to 25,000 motor vehicle trips on a daily basis. He is not saying Cliffwood is not busy during a commuter rush period, but everyone has to deal with the rail crossing as part of balancing the harmony of public transportation and vehicular transportation. They did account for it in the traffic volumes and yes, until the queue disperses thru, and it would only be the queue as you head westerly, which would back up from the rail line, someone could potentially be delayed coming out of the project site. In terms of the level of service standards and looking at just County and DOT standards, there is not a significant degradation based on the volume coming out of the site. Glassworks would have to deal with it on the west side, All American Storage deals with it today, and they would have to tolerate it as part of their project. There may be times where there are backups in the driveway.

Mr. Byock asks if there is no way to get the second lane in there to make a right turn onto Cliffwood, Mr. Olivo says you would probably have to remove the vegetated median and use that areas. In his opinion as a traffic engineer, it does not really improve safety or progression.

Mr. Leckstein says because of the rail preventing you from making a left turn out of the property, you can make a right turn but you would be pretty annoyed. Mr. Olivo agrees, and says they could be annoyed at other intersections as well.

Mr. Leckstein confirms the only way to prevent that and add the other lane would be to eliminate the vegetation on the right side, which Mr. Olivo says you are now balancing having a nice gateway, vegetation, landscaped area coming into the site for a left turn lane that would be storing vehicles in the intermittent times when a train passes by.

Mr. Leckstein asks if one of the reasons they could have this problem is because of the layout; if they cut down Building 1 it would give them more room to enter and exit. Mr. Olivo says he does not think widening the pavement section...you could fit an 11 or 12 ft. left turn bay, he does not believe it has to do with Building 1. If there is a strong desire by the Board to have a separate left and right, they can work with the Board's engineer to reconfigure the driveway.

Mr. Bucco is concerned about the sight line; in a perfect world would be to have a right and left lane. But if someone wants to make a right, and the person making the left turn is sticking too far out, the person making the right .. Mr. Olivo says some jurisdictions like it, others don't, but in his opinion driving requires patience. There may be sometimes when you have to wait for a driver to turn in front of you. He doesn't think allowing them to get on the road as quickly as possible was always the intent of driveway design, so he leaves it to the Board to decide, and in his opinion as an engineer, he is sure we can find a way to put it in if the Board is really concerned.

Mr. Bucco asks if the applicant attempted to purchase adjacent properties; Mr. Olivo says he was just told by the applicant they did attempt to purchase adjacent properties, but the owners were not willing to sell.

Mr. Leckstein says this Board subdivided the property and the owners at the time stated they wanted to retain the adjacent properties. Mr. Alfieri says that was the Bruno family that got the subdivision approval. Mr. Leckstein says it was ancestral homes or something like that.

Mrs. Friedman asks if the original submission had a clubhouse on it; Mr. Olivo says there was not, no building was called out as a clubhouse, just the recreation area in the southwest.

Mr. Olivo says the County will determine how they want the traffic to get onto their County road, and they usually defer to the County. The County will determine how to get onto their road, they will have an indication of whether they want traffic onto their County Road with an exclusive left and right or a shared road. Based upon the volume of Cliffwood Avenue, he tends to think they would prefer a single lane because of the sight distance and safety issue.

Answering Mr. Phelps question if the study was done with Monmouth County having input on the plan, Mr. Olivo says the previous plan is the first one submitted with the driveway that came into the site, that they were trying to match up internal and external Areas, off site areas, and during the meeting they sketched up the other plan, and at that time the County said it achieves the alignment with the driveway across better. Mr. Phelps asks if the meeting is documented; Mr. Olivo says minutes were prepared. Mr. Alfieri says any approval by this Board would be conditioned upon approval by Monmouth County's final approval.

Answering Mr. Bucco's question if this all has to be finalized by the DOT, Mr. Olivo says the Department of Transportation does not have jurisdiction here. The County has jurisdiction over the road.

Answering Mr. Phelps question about the height of the proposed sign, Mr. Olivo says 5 ft. Mr. Phelps says it is right at the stop line. Mr. Olivo says at the property line there is a piece that juts out, close to Cliffwood Avenue on the back of the sidewalk. They are willing to dedicate that piece to the County, who must have come thru at some point; you usually see a spointuity like that when they obtain a dedication from various property owners, but they don't in one portion. So the applicant is going to straighten that line out, so the property line is actually off set from the edge of pavement by approximately 15 ft. The curb of Cliffwood is about 15ft. off from the right of way where the property line is. Signage and stop bars are typically located on your side of the right of way of the property line, but vehicles will stop close to the stop bar and then creep up to the area of the curb line.

Answering Mr. Phelps if that is a lighted monument sign, Mr. Olivo says it is a monument sign, but it will not be illuminated.

Answering Mr. Phelps about illumination at the entrance and exit, Mr. Olivo says there are number of light fixtures located throughout the property. If you refer to the site plan package, Sheet C8, which Mr. Leckstein asks if it is Exhibit A-5, and Mr. Olivo is not sure. Mr. Alfieri says the site plan was marked at the last meeting and nothing has been submitted since then. Mr. Olivo says you can see the driveway has changed, but they would be including the light fixture that is located just to the south of the sign in the grass

median area. As you come into the site there will be a light fixture on either side of the circulation road. The entrance and exit are adequately lit.

Answering Mrs. Friedman's question that ADA only requires two handicap spots, Mr. Olivo says that is correct.

Answering Mr. Falco's question whether the lighting throughout the site will cause problems for the surrounding properties, Mr. Olivo says they meet the requirements of the Township Ordinance. Answering Mr. Alfieri's question how that is accomplished, Mr. Olivo says in the rear of the properties will be wall mounted units that are downward lit in such a way that intensity of the foot candle is diminished by the time it reaches the property line.

Mrs. Friedman says in her reading of the application, each unit is significantly smaller than the recommended size for this type of unit, the square footage is not what is required. Mr. Olivo says that within the apartment/townhouse zone there is a minimum square footage floor area for a two bedroom townhome is 1000 sq. ft., where the applicant is at 775 sq. ft. Mrs. Friedman asks if they had to reduce units to conform to that requirement, how many units would they lose. Mr. Olivo is not sure; he knows the architect put on significant testimony about the types of units people are willing to rent, vs. perhaps the time the Ordinance was contemplated or other types of projects. It is common from residential projects coming across his desk lately show many two bedroom at this size or less. The applicant is not looking to build something big; this is something he knows he is providing that the market is interested in. Working with their architect, he provides many different types of residential options. The applicant feels this is best suited for the location.

Mr. Alfieri says at the April 6 meeting, Mr. Larson, the architect, testified when asked that question, indicated the trend currently is for smaller units, and he felt the proposed units were marketable.

Mrs. Friedman says she is bringing the size up again because while someone may be willing to buy a unit and live there, the number of 1,000 sq. ft. was created for a purpose, and the proposed number would be overcrowding the area. It concerns her to have this deviation from the recommendation; this isn't just one but six buildings. We are basically giving a variance for each unit of 300 ft.

Mr. Olivo says there are many ways to measure and look at density vs. what you have in terms of being able to provide the land area to accommodate the number of units and the people on the site. Walking thru part of the development program and developing the site plan, parking, circulation aisle, nothing has been reduced that is substandard to industry standards. There may have been a reason why 1,000 sq. ft. was chosen, but they looked at this property in the spirit of designing this type of land use, and the use variance was approved for 66 units and now they are at 62 units, so everything has gotten larger, the buffers, the setbacks, the areas of intensity in terms of driveways are less, and unit square footage could be debated whether or not it is adequate. Side yard setback and sign location, even the building coverage, they are right at the 20-30% of coverage. In his opinion the site is not too intense and can accommodate the 62 units proposed, but they still need a variance.

Mr. Abbonizio says, however, they are right at the RSIS standards for parking, there is no additional parking available. They are asking for a variance for buffers, which are being violated along the easterly side of the lot where it is clipping two of the parking spaces. If they were to fulfill the buffer requirements, those two spaces would have to go, and they not be meeting the RSIS standards.

Mr. Byock asks about the homes on Dogwood Court, and noise; one home looks pretty close to the play area, and while there is some buffer with the other homes, how will noise affect the adjoining homes. He says 66 units are a lot of people with kids. Mr. Olivo responds they would expect the recreation area to be used during the day. You may hear kids playing or screaming, but there will be a 25 ft. densely planted buffer in the area. Along the Dogwood property line there is a 25 ft. conservation easement and a planted, vegetated area that would not be touched. The applicant would have to meet the State noise requirements in terms of what is exceeded over the property line. He believes it is a benefit to have the landscaped area as well as a 6 ft. vinyl, opaque fence that will also be able to buffer the noise in that area.

Mr. Bucco says there is also NJ Transit and a rail crossing there that will add to the noise level.

Mr. Bucco asks where the 1,000 sq. ft. number came from. Mr. Olivo does not know, but he says unit sizes are changing every day throughout the state, and especially in areas proximate to train stations, community living. He thinks 775 sq. ft. is in keeping with what the general trend seems to be.

Mr. Phelps asks Mr. Olivo to do a calculation based on 1,000 sq. ft., how many units would they have. He will prepare this.

Mr. Truscott says under the use variance up to 666 units were allowed. The buildings were smaller, with two buildings having 12 units and the rest 8 or 9 units. Now we have three buildings that are 8, one is 15, which is quite a variation, and one 11 and one 12. Is there a reason it was laid out this way. Mr. Olivo says they went from the conceptual to a more engineered design. They combined buildings to eliminate the wasted space between them. There are not a lot of utilities there either. Working with the architect they decided to elongate that building and create more of an integrated building in that area rather than breaking it up for a purpose not serving the people that would be living there. With regard to the rest of the buildings, they started at 66 and lost four, in order to achieve some of the design configurations and principles. There were some areas for centrally located buildings that are 8 and 8 where they were 9 and 9 as part of the concept plan, so they did have to lose units in order to achieve the engineered plan they have now.

Mr. Truscott says he disagrees, in terms of losing utilities. The fact they separated the buildings, it doesn't have that mass, so there is a benefit to having separated buildings. If they were trying to argue bringing the buildings together creates a barrier to the railroad, would make sense. It makes for a more beneficial appearance in his opinion.

Mr. Olivo responds he does not disagree to create more walking and appearance by separating buildings, but along the rail and the view shed is where you see a longer building wall or face. If running along the southerly or easterly property lines he might share the same opinion as Mr. Truscott.

Mr. Truscott also says the Ordinance requirement on building length and width of the units, we need to go back and look at it. Mr. Olivo refers to Page Sheet C-4, second table, the colorized rendering. Mr. Truscott is talking about design standards for residential apartments and townhomes. There is a minimum width for townhouse units, 20 ft. wide, and some of the applicant's units met the width, some didn't. He is referring to Section 5.3F. Mr. Olivo will go thru the Ordinance and speak with the planner. Mr. Truscott says no townhouse should be less than 20 ft. wide, length does not apply to townhouses. Mr. Olivo says they are 15 in all cases. Mr. Truscott says there is the number of units per building, building façade, mass. Comments are not included in his review letter. Mr. Alfieri says they are doing calculations on the width, and they will make sure they comply. Mr. Olivo says they are 17 ft., and this would be a waiver. It should be 20 ft., they are providing 17 ft. The end units will comply.

Answering Mr. Bucco, is it typical for townhouses to have windows front and back, Mr. Olivo says it is, if they are connected, except for end units.

Mr. Phelps clarifies his request for calculations, based on the same configurations for 1,000 sq. ft. and additionally what the new width would be for each individual unit for that. Presently they are at 17, what would the new width be. Mr. Olivo says the 1,000 sq. ft. is for the two bedroom units.

Mr. Truscott says there are 56 two bedroom units, though there are COAH units that are two bedrooms, and the standard would not apply. Mr. Alfieri says there are 52 two bedroom market units, two one bedroom COAH, two three bedroom COAH and six two bedroom COAH units. Mr. Olivo says the architect changed the mix of units.

After a break, the meeting resumes, and all Board members present at the start of this evening are still present.

Mr. Alfieri says they pulled out the architectural plans during the break, which Mr. Olivo says are the same provided in the application. The correct square footage for the market rate units are 1,297 sq. ft. each, and they are two bedrooms, so they meet the 1,000 sq. ft. requirement.

Answering Mr. Bucco, the 775 sq.ft. is the smallest of the COAH units. There are one bedroom units in the COAH.

Answering Mr. Phillips, Mr. Olivo says there are two three bedroom affordable units. Mr. Olivo says they are 775 sq. ft., the smallest of the one bedroom.

Mr. Olivo confirms to Mr. Leckstein that all the market ratable units are above size, and the COAH units are all undersized. Mr. Olivo says if Mr. Truscott prepares a new letter they will review the sizes. Mr. Alfieri says they will look at the COAH standards to see if they supersede the local Ordinance. He will check with the architect.

Mr. Leckstein says if there is a minimum size for COAH units thru COAH, they can be made larger.

Mr. Olivo says they are above the thousand square feet for the two bedroom units, and he will have the architect see if they can make some changes before the next meeting.

Confirming to Mr. Leckstein, Mr. Olivo says there are no market rate one bedrooms, they will all be two bedrooms.

Answering Mr. Falco's question to Mr. Truscott, based on the size of the site, how many units does our Ordinance say should be there. Mr. Truscott says if under the apartment/townhouse, it is 8 units per acre, so he believes it would be 31. Mr. Phelps says it is listed on C-4 and Mr. Leckstein says it is in the T&M review letter. Mr. Truscott says that is for reference purposes; the use variance application had 66 units on the concept plan, and the resolution says up to 66 if it could work. Mrs. Friedman says if it worked in conformity with our Ordinance. Mr. Alfieri disagrees with that because (1) you cannot look at the R 100 zone standards when granting a use variance, because they are not relevant to the design or use of the zone; (2) the number of units at 31 is not relevant to the application either because the Board approved a plan of up to 66. You did not say you have to meet that density. You gave them relief from that density. You can't now go back because that standard did not change, so you can't go back and say the Ordinance says 31, but we said you could have 66, but now we want you to have 31. That bridge has been crossed; as long as the design works, it is their position you have to approve the application. They will work with the Board to address as many comments the Board has. Mrs. Friedman says it doesn't work if you are not complying with the variance. Mr. Alfieri says they are. Mr. Leckstein says Mr. Truscott is trying to say 31 units are permitted, for informational purposes only, but the Board granted a use variance for up to 66, and now the other issues are what matters. Of the 66 units approved, there are now 62 units proposed for the site; that's what the Board has to deal with. Mr. Alfieri says his planner will get into technical testimony at a later date. Mr. Leckstein says the Board can consider whether the 62 units actually fit or not.

Bill Paparteys, 16 Dogwood Court, Cliffwood, NJ, is sworn in by Mr. Leckstein, and points to the survey showing his property location. He believes the engineer said this property was designated for 10 housing units and 28,000 sq. ft. of retail. Mr. Olivo says he said the property designated under the NC and R 100 zone, so you could potentially on this property have 10 single family homes and retail of about 20,000 ft. to Cliffwood, conceptually. It would change parking and traffic associated with retail of that size, and single family residential would be more than what is being proposed with 62 townhouse units.

Mr. Paparteys says he believed Mr. Olivo said more traffic would be generated by 10 homes and retail than 62 units with two cars per family. Mr. Olivo says that is what he said; think about how the retail can be broken up, you could have a restaurant, a convenience store and different types of retail uses along Cliffwood that would generate during peak hours way more traffic would be generated.

Mr. Paparteys says he goes out onto Cliffwood, and when the railroad gates are down for a train in peak hours of transportation morning and evening, it easily backs up 10 to 15 cars. Cars coming out of the development going to the left, there will be constant delays. Mr. Olivo says the train doesn't run that often during off peak times than on peak times. There would queueing when the gates are down at any of the intersections, the proposed, the self storage, the glass works site, any side street.

Mr. Paparteys asks if he can talk about the fence. Mr. Alfieri says it was testified to. Mr. Paparteys says he lives on Dogwood. He asks the distance from the applicant's property line on southerly side to closest house; Mr. Olivo says just under 40 ft. He asks if these units have patios proposed; Mr. Olivo says small patios, so it would be about 31.4 ft. to

the closet structure from the patio. Mr. Paparteys asks if the buffer zone is going to be 25 ft. Mr. Olivo replies it will be 25 ft. Mr. Paparteys says 25 ft. with a 6 ft. fence , leaving about 6 ft. of property to the homeowner, which Mr. Olivo agrees is correct. Mr. Paparteys says the park or recreation area comes right up to the 25 ft. The noise level was mentioned for that. Would an 8 ft. fence be better for a noise level buffer. There will be elderly people living there as well as in the adjacent development, as well as children playing morning til night, and the train going thru. Mr. Olivo says they will speak to the applicant to try to be good neighbors.

Corrine Wietecha, 2 Dogwood Court, Cliffwood, NJ, is sworn in by Mr. Leckstein, and points to her house location on the survey. She is a teacher at the Middle School and works at the Community Bible Fellowship Church on Cliffwood Avenue. She has not heard any mention of the church located at the self storage facility. Today, she left there at 6 p.m., and it took her 10 minutes to pull out of the driveway onto Cliffwood Avenue. So it is more than a storage facility.

Mr. Olivo says during the use variance hearing someone from the church attended the meeting. They looked at the counts from 4 to 7 p.m. from that driveway across the way. Those numbers were included in their traffic analysis. Traffic engineers, looking at a development such as the proposed, there are other types of generators and users in the area that add traffic to Cliffwood. They look to see how their traffic could potentially impact the area. Based on all they prepared, their project will not significantly impact the traffic on Cliffwood. Not to say schools, churches, etc. all have surges that impact traffic at one time or another.

She is also wondering how they feel about the impact on the school. With 62 homes, will there be an impact of students coming to the schools form 62 homes. Mr. Olivo responds they provided testimony during the use variance hearing, a fiscal impact report as well as a discussion of the number of school aged children. A planner will be testifying at a later meeting that can touch on those points.

Mrs. Wietecha says she keeps hearing them referred to as apartments; are they apartments or condominiums. Mr. Alfieri says they are considered townhouse units. She asks if people buy them, not rent them. Mr. Alfieri says it could be a combination, there is no restriction either way. Mr. Leckstein clarifies that, saying they are condominiums individually owned. Mrs. Wietecha says so someone can buy one and then rent it; Mr. Leckstein agrees.

Mr. Alfieri asks if Mrs. Wietecha received a letter from his office about an encroachment on the property. She replies she does not know. Mr. Leckstein says to hold that issue for another meeting.

Bob Weitecha, 2 Dogwood Court, Cliffwood, NJ, is sworn in by Mr. Leckstein, and looking at the exhibit, states his concern is traffic going to the left side where the railroad is, but also going to the right coming out, and they are known as a cut thru neighborhood, where they come down Locust and Poplar at 40 miles per hour. People going to the high school, MAMS or the railroad will be cutting thru, and causing major concerns to add to their concerns now. Mr. Olivo replies this is challenge of public streets networks, all of them are public and can be used by people going to the railroad, the schools, the church. These people have the right to the roadway as much as the residents living there do. He says he previously stated this property could be developed in several different ways, with

retail and single family homes, the Board granted a use variance for multifamily residential units. Traffic would be generated under either redevelopment program, and would have more traffic generated during peak hours by the retail and single family homes. While it may not be solace to those living on Dogwood Court, people can use the roadway the way they see fit. That comes down to somewhat of an enforcement issue, they could discuss it with the Board's experts, but it is not happening based on this redevelopment project, it sound more like it is happening today, and sounds like it could be something that warrants implementation would not happen as a result of this application but maybe slowing speed limits or some other enforcement should be looked at.

Mr. Wietecha suggests a higher fence, because a 6 ft. fence kids going to the high school could over in 6 seconds. He is worried about the traffic flow with people walking, jumping over the fence and coming right thru. It is a cut thru type of neighborhood, you can go to the middle school, the high school, and he sees the high school kids walking thru the neighborhood now onto Cliffwood Avenue to get to their neighborhood. It is a big worry of his, because he lives closest to the property. A fence can be jumped over. He would prefer a 10 ft. fence. Mr. Olivo says the applicant wants to be a good neighbor. The fence will be 8 ft. high. Mr. Phelps asks the applicant to look into a 10 ft. fence to be a good neighbor, and it might not be that much more of an expense.

Mr. Phelps asks the applicant to do a further traffic study based on their neighborhood and current traffic going thru their neighborhood, adding a percentage based on the flow of traffic from this development going thru the neighborhood, to give them an idea of how much increased traffic there will be. Mr. Olivo responds that in the Traffic Impact Report there is a traffic analysis and they discussed the left turn, right turn, strong movements in the morning to the Parkway, but you have the ability to travel to the east. Referring to the Traffic Impact Study, Exhibit A-6, they did the analysis of traffic leaving the site in the morning heading in a westerly direction, and heading in an easterly direction, referring to Page A-10 of the exhibit. Mr. Olivo says even if all the traffic was traveling east down it would not be near the peak hour service, which is typically where you see a change in level of service. Traffic volume would be extremely minimal; it would not change the character of the roadway.

Mrs. Friedman says the traffic study does not seem to take into account delays due to the church, the schools, the train, how often it comes thru, rush hour vs. non rush hour, summer vs. non summer. Those are significant factors, in addition to being near a Parkway, so there is concern among Board members the traffic study did not account for the variables. Mr. Olivo responds if the Board wants them to look at every time a train comes down in a peak hour, and understand the queuing and stacking during peak hours, they can look at that. The existing traffic volumes include all the volume whether going in an easterly or westerly direction, train or resident or church traffic, is shown in Exhibit A-6. If you desire stacking at the train itself, which has nothing to do with this redevelopment, they can provide it as reference, but it has no bearing on this project. It does have bearing on the road way, on Cliffwood, and will continue to, but this property and its access point and the vehicles coming in and out of the driveway, have no bearing on that. It is the opposite. You can stack almost 10 cars coming out of this development, which is more than adequate to stage when the train comes down.

Mr. Bucco says Aberdeen has several existing communities with apartment complexes, townhouses, up 34 going towards Holmdel, on the left. You can look at the apartments in Matawan Boro, and if you want to sit there for half an hour, make your own judgment of

the traffic flow of these types of complexes, you will get a better idea of what is being discussed now. He suggests the applicant and their professionals do this; he has friends who live in these places and you see hardly any car movement at all. The places he refers to have a lot more than 62 units. Everyone in this room should do this, to see the impact on the community from townhouses and apartment complexes.

Mr. Olivo says the trip generation provided is based on sample studies of other multifamily residential projects. He knows people look at the information incorrectly from testimony before many Boards, however, if the Board has concerns, he can certainly look at more traffic detail

Answering Mr. Falco about the self storage facility and church, and are there any other businesses located there, Mr. Olivo says there is a publishing company there and there may be another business on the westerly side. They counted the actual volume coming in and out of the driveway across from the proposed development. On the day they counted, during peak periods, there was very little traffic coming from those facilities.

Mr. Alfieri asks Mr. Wietchna if he received his letter about the fence encroachment, which he says is not a Board issue but must be addressed. Mr. Wietchna says he received a letter this week and was not aware of the encroachment until the Brunos brought it up to him last summer that his fence was over the property line. He will rectify his fence, but the builder of the development put up an 8 ft. wooden fence along the railroad, and part of that fence is going into the applicant's property as well.

Wahid Shibli, 8 Treeview Lane, Cliffwood, NJ, is sworn in by Mr. Leckstein, says his concern is about the traffic. With 62 units, a minimum of two cars per unit, comes to 120 cars. While the engineer has said all 120 cars might not come at the same time, he asks if the engineer can guarantee that. Mr. Olivo responds that he has seen many residential projects both before and after constructed, and the Institute of Transportation Engineers provide publications providing trip generation of these sites. He has never seen a study that indicates anything near two vehicles per unit leaving a site during peak periods. Mr. Shibli asks if he can prove that, what year was the study based on. Mr. Olivo says the facts bear it out. Mr. Olivo says studies have been prepared over many years. Mr. Shibli asks when was the last time the study was prepared. Mr. Olivo says there are articles prepared within the last year with regard to multifamily residential.

Mr. Shibli says you still have 120 cars coming out of one exit. He lives in a development with three exits coming out going to various points. This development has only one exit coming on to Cliffwood Avenue. His concern is once the cars turn right on Cliffwood Avenue, going to the train station, Shop Rite, or bus stop at Aberdeen Road and Matawan Road, they will go thru his development, thru Locust and Myrtle. They will go past the school. Don't you think this will be a safety hazard to the children? Even if you take 30 cars, not 120, at peak times, don't you think there would be any safety issues there? His concern is you should look into it and take the 62 units and turn them into a manageable number so traffic on their property is less.

He says there are all children in his neighborhood from the ages of 4 to 8. They plan in the evening, and he asked for a sign post for speed limit on Treeview, but the police department said they can't do it. It is a small speed limit on Treeview. The cars zoom by now, people going to Cliffwood Avenue or wherever they go. What happens if cars coming from this development go thru their area. That is their concern.

Mr. Shibli says he is not against the development, but he is concerned about safety. How would you feel if you had children in this area. You still have the glass factory development on the way, so that traffic will come by. You have to look into this aspect; 62 units, 120 cars minimum. There could be people with four cars in a unit. Two cars to a unit, husband and wife, turning left onto Cliffwood Avenue same time as a train going by every 15 minutes. Sometimes he has to stand five minutes to turn left on Cliffwood. Everyone should go and see this.

Answering Mr. Bucco, who says going east on Cliffwood, from Myrtle...Mr. Shibli interrupts and says if he wants to go to the Parkway or anywhere, he can stand for five minutes during peak times. So what happens with this traffic from this development. He understands when they say traffic is not their concern. It is not their children, it is our children. If they had children there they would not put this up.

Mr. Bucco says again that is why he made the prior comment, that everyone in this room should go and educate themselves to see the type of traffic generated by townhouses and apartments. None of us can say for a fact what volume will come in and out of a complex right now. Everyone should do this in the next month.

Mr. Shibli says school children are suppose to stand; cars should not drive when children are walking. All the traffic from Cliffwood Avenue goes to Matawan Avenue, turn right onto either Locust or Myrtle to go to Shop Rite, train station. They are 1-1/2 miles away from the train station and one mile away from the bus stop. All the cars will leave to go to the train station and come back in the evening. He says to stand in the area and see what a predicament it is. Traffic studies are based on certain facts and are never conclusive.

Mr. Olivo responds that all of these roads have been designed, constructed and operate today taking two way traffic thru the neighborhoods. There are different types of traffic, motorists coming from the train station, coming from the school, all traveling the roadway network. If you were to develop this site in other ways you could generate two to three times more traffic as what is being proposed as part of this project. When they come back to the Board, they can provide a comparison of various uses vs. what is being proposed. There are many studies regarding multifamily residential units and apartments that do not approach the trip generation. If you look at this section of Cliffwood, 2011-2013, the latest three year period in terms of accidents, there have been six accidents in three years along this section of Cliffwood, from Locust to the rail. Looking at the conditions along the roadway, there is nothing inherently unsafe about the site or the motorists that will be leaving the site.

Mr. Phelps asks Mr. Olivo if he has any other way of addressing this. Mr. Olivo replies he has some items to consider before they come back to the Board, to explain trains, some of the other uses in the area. He would be happy to observe traffic conditions located to the south and east at popular intersections. It is not necessarily the responsibility of the applicant but they are here to work with the Board and the residents, so they are willing to take a look at that.

Mr. Falco moves to carry the application to the May 13 public meeting, seconded by Mr. Byock, and on voice vote all members agree. Mr. Alfieri will send a letter extending time thru June 30.

Meeting adjourned.

Zbmin042215

