

JACKSON TOWNSHIP PLANNING BOARD MEETING

MONDAY, FEBRUARY 8, 2021

The February 8, 2021 meeting of the Jackson Township Board was called to order at 7:35 p.m. by Planning Board Secretary, Denise Buono with a salute to the flag by all present. Attorney Sean Gertner read the Open Public Meetings Act Statement noting that adequate notice has been provided and advertised in the manner prescribed by law.

ROLL CALL: Tim Dolan- *virtual at 7:54 p.m.* Terence Wall, Township Representative
Dr. Michele Campbell- *virtual* Martin Flemming, Councilman
Jeffrey Riker Joseph Riccardi, Mayor's Designee
Andrew Jozwicki- *virtual at 7:53 p.m.* Len Haring, Board Vice Chairman
Anthony Luisi- Alt #1 Robert Hudak, Board Chairman
Manuela Brito- Alt #2- *virtual*

Also Present: Planning Board Attorney Sean Gertner, Mr. Peters, Board Planner, Doug Klee, Board Engineer, Denise Buono, Planning Board Secretary, and Danielle Sinowitz, Planning Board Recording Secretary.

Payment of Planning Board Secretary, Denise Buono, for 2/8/21 motioned by RICCARDI/ Haring. Yes: All in favor among those present.

Payment of Recording Secretary, Danielle Sinowitz, for 2/8/21 motioned by HARING/ Flemming. Yes: All in favor among those present.

Matter for Discussion: Ordinance No. 01-21: Mr. Klee- this is no different than every other municipality in NJ this is the regulation of the dep that was recommended to adopted, it is inline and is sound and is good purpose.

Courtesy Review: Ocean County Utilities Authority: Lynn Dunn- representative for the Ocean County Utilities- stated this is here for the Ocean County Utilities, and Cornelius O' Regan is present to provide brief discussion of the utilities. **Cornelius O'Regan- Engineering manager of the Ocean County Utilities Authority- sworn-** Mr. O'Regan stated the Ocean County Utilities Authority handles the water metering, and one site that is monitored is the JTMUA, and for years there has been one piece of pipe that is not metered and the way it's been done is to go downstream to a meter and then go downstream and subtract, and there is small flow that is part of Jackson Township as well as Ocean County, and the solution is to build a metering station and the flow will come from that pipe and will go to a chamber and will pump to a full pipe and it flows beautifully and provides accurate flows, and it will be attached to the pump station and will be on JTMUA property and there's permissions granted and they are endorsing the project and this is the solution to an issue that has been around for years and it's behind Brookwood parkway and there are residents behind it and all construction will be below grade aside from 2 electric panels and there will be an above grade panel and fences and security lighting. Mr. Klee stated there have been no technicians and everything is below grade. Mr. Peters stated the use is permitted in the zone as well as the JTMUA so there is no use issue.

Opened public comment;

Denise Garner- 8 Dover Court- Bear, DE-sworn- said zoom is difficult, and said it would be nice to see where the plans are or what is being presented and it can't be seen and the location of what is being stated is UN known.

Mr. O'Regan showed the exhibit that was uploaded which shows the back of Brookwood Parkway between Montana Drive and West Virginia and it's the next area where the utility company right of ways are.

Denise Garner- 8 Dover Court- Bear, DE-asked if this improvement is to facilitate that area or span out further into Jackson.

Mr. O'Regan stated this improvement is going over top of the existing pipelines

Denise Garner- 8 Dover Court- Bear, DE- asked if there will be more draw down

Mr. O'Regan advised this has nothing to do with flows this is to address the existing flow, and waste water flow, there is no additional flows or improvements.

Motion to close public comment by CAMPBELL/ Flemming. Yes: Campbell, Riker, Luisi, Brito, Wall, Flemming, Riccardi, Haring, Hudak.

Motion to report favorably by CAMPBELL/ Flemming. Yes: Campbell, Riker, Luisi, Brito, Wall, Flemming, Riccardi, Haring, Hudak.

Mr. Hudak announced there will be a brief 5 minutes recess to get technical issues out of the way, and the time is now 7:57 p.m., and the meeting will reconvene in 5 minutes.

Applications: 1. Jackson Parke (South Section), Block 10401, 17802, Lots 5.04, 57.01 - Mr. Klee stated the applicant finished his case and there was public comment and that will be continued into this evening. **Jason Tuvel- attorney for the applicant-** agreed with comment made, this application left off with finishing testimony and there was public comment started and the remaining comment will be continued. Mr. Tuvel asked if all members have read the transcripts and are eligible to vote. Mr. Gertner confirmed that was correct. Mr. Hudak mentioned that there is another attorney on zoom. Mr. Gertner stated Mr. Gasiorowski should be available and ready to call professionals. Mr. Gertner stated the matter was opened to the public and Mr. Gasiorowski is in this hearing to represent the CUPON group, and so the Board and public are aware, after the cross examination is presented a list of the individuals will be called as direct witnesses so there is no duplicate comment. Mr. Tuvel asked if those members be listed now, it was indicated that Mr. Gasiorowski represented Elenor Hannum. Mr. Gasiorowski stated Ms. Hannum and other individuals are being represented weather they are in CUPON or not, and so there is no miss conception it's a local organization and there is another entity knows as CUPON in north jersey and this is not related to or funded by that, this is a Jackson and Berkley township organization, and while there are other representatives only Ms. Hannum will be called. Mr. Gertner stated Mr. Gasiorowski understands that the local CUPON group exists of individuals more than Ms. Hannum so any individual that is called will be represented as a corporate family and Board will ask and presume that only members of the public that are not member of CUPON will be permitted to speak as individuals. Mr. Hudak asked what CUPON is. Mr. Gasiorowski stated CUPON is an entity formed by residents of Jackson, many who are long standing members of the community and there is a concern with

This particular application and it's not a hostile objection however it's objections and concerns dealing with the environment and there are land use issues, this is a group that was formed as there is strength in numbers and CUPON is no different than a single person who has issues. Mr. Gertner stated as discussed and as it's indicated through council, all Mr. Tuvel clients and witnesses are available and they will be called on and entered into zoom. Mr. Gasiorowski called for the representative of the applicant.

Mitchell Newman- sworn- Mr. Gasiorowski stated there is a letter of April 21, 2020 which was signed by Mr. Gertner which was sent to Judge Troncone dealing with the subject matter of the GDP, and there was a report to be provided to the court and on the second page there was a letter that there was public meeting requested and it dealt with the prior denial of the Jackson Parke application, and it was noted that the application contemplated dump trucks entering and leaving the site with fill and there was a connector road recommended and it was reference that would be up to the County because the road that would be traveled cannot handle the impact, and it was insistent that the applicant agree to provide that connector road, and there is question if the position then and representation today that before construction starts on site the connector road will be construction. Mr. Tuvel stated that was a letter dealing solely with the north application and there is objection to any questions on the North application and stated the South section has no soil import, and the north application stands on its own. Mr. Gasiorowski stated although the north and the south are separate they are together in the General Development Plan, and there is a degree on integration, and Mr. Tuvel will argue that it doesn't relate to the south however the content and representation to the north which will impact the south. Mr. Tuvel stated that is irrelevant and litigation as condition of approval and there should only be question about the south application. Mr. Gasiorowski stated the construction of the connector road effects the south section, and asked if it Mr. Newman's position that the south application can be constructed without the connector road. Mr. Newman said yes. Mr. Gasiorowski asked if the north parcel and south parcel are close. Mr. Newman asked in terms of miles. Mr. Gasiorowski advised the general location. Mr. Newman stated they are both in Jackson Township. Mr. Gasiorowski asked if the north and south were part of the GDP. Mr. Newman advised that was correct. Mr. Gasiorowski asked if one condition set forth in regard to the north application was that before construction would start the connector road would be completed. Mr. Tuvel stated that is being dealt with by the court and has nothing to do with this application. Mr. Gertner stated to the extent the issue is before the court, and the question was re asked and answered, was it Mr. Newman testimony that the south parcel need not utilize the connector road for construction and development. Mr. Tuvel asked why is the connector road and the north application being discussed, because that is separate and is in litigation and it should not be discussed in an open setting. Mr. Gasiorowski asked Mr. Newman if he acknowledges that if the north is constructed without the connector road it will have an impact on the residents. Mr. Tuvel objected to the question. Mr. Gertner stated that is a legitimate question. Mr. Newman said yes. Mr. Gasiorowski called for Mr. Rahenkamp.

John Creigh Rahenkamp- sworn- Mr. Gasiorowski asked if Mr. Rahenkamp had earlier testified. Mr. Rahenkamp advised he testified for the north, south and general development plan application. Mr. Gasiorowski asked if Mr. Rahenkamp testified for the GDP and separately on behalf of the applicant with regards to the north application. Mr. Rahenkamp advised that was correct. Mr. Gasiorowski mentioned looking at a transcript and that took place on February 1, 2021, and referenced page 52 of the transcript, and there is a question on the variance, there is letter dated August 10, 2020 which was signed by Mr. Peters who is with Remington & Vernick, and in the testimony it was referred to his comment on page 12, and the issue was the parking along all the streets, and there is a position taken that there was off street parking, and in looking in the letter on page 12 there is comment on line item 11, that parking shall be 25' off the main road and there is parking in the public right of way and it should be provided accordingly, and there should be a waiver or a revised plan, and when that is discussed its head on parking which is in the right of way. Mr. Rahenkamp stated half of the parking spaces are in the right of way and the other half are out. Mr. Gasiorowski stated with understanding the ordinance if there is onsite parking, there has to be a 25' setback from the public roadway. Mr. Rahenkamp stated it's always permitted to have on street parking according to RSIS, and if the parking was partially in the right of way there needed to be a setback. Mr. Gasiorowski asked if there will be parking on another parcel owned by the Township. Mr. Rahenkamp advised not until the Town buys the right of way. Mr. Gasiorowski asked if this project as conducted is to have a parking lot on site solely contained in the site, because the ordinance says there has to be a 25' setback from the roadway. Mr. Rahenkamp noted that is only if it's off site. Mr. Gasiorowski stated in Jackson the normal right of way is 50', is that correct. Mr. Rahenkamp advised he cannot testify to conditions in Jackson but it would be the RSIS standards. Mr. Gasiorowski asked if a travel way pertaining to RSIS would be 50'. Mr. Rahenkamp stated that is correct from residential to parallel parking. Mr. Gasiorowski asked if there is a travel way of 30'. Mr. Rahenkamp stated that would be a street type yes. Mr. Gasiorowski asked if in this case the travel way will be 30'. Mr. Rahenkamp advised he is UN sure it could be 28'. Mr. Gasiorowski asked who would own the 30' travel way. Mr. Rahenkamp stated if it was to be dedicated, the Township. Mr. Gasiorowski asked regarding the head on parking is that the first 10' to be owned by the municipality. Mr. Rahenkamp stated that is correct. Mr. Gasiorowski asked if the remaining 5' would be owned by the development. Mr. Rahenkamp advised that is also correct. Mr. Gasiorowski asked if there will be an additional lane for parking. Mr. Rahenkamp stated within the 30' there is room for parking on both side. Mr. Gasiorowski asked if it's possible to have a 30' travel way to allow for parking in the travel way. Mr. Rahenkamp stated that is not possible in a town home section, there is not enough parallel parking on street. Mr. Gasiorowski stated what is being done is to take 70% of a parking space owned by the Township and use it for private use to accommodate the parking needs. Mr. Rahenkamp advised the same thing would be done if this was parallel parking. Mr. Gasiorowski asked if it's acknowledged that the municipality owned 2/3's of the parking stall, and asked if there has been a written agreement from the Township that will allow the property to be used for the head on parking. Mr. Rahenkamp advised there is no agreement, however it has been discussed and the home owners association will take over long term maintenance. Mr. Gasiorowski asked if Mr. Rahenkamp agrees that if in fact the Township owned 2/3 of the parking stall they would have to be named as an applicant. Mr. Tuvel objected as that is incorrect. Mr. Rahenkamp stated he was UN aware of any application where a Township is an applicant because of street dedication. Mr. Gasiorowski stated this project is looking for Township property to be utilized, and if the Township owns the property would they not be an interested party, since municipal owned property is being used to this benefit. Mr. Tuvel stated the property being referenced is not municipal land today, and this is the applicant's property and there will be street dedication. Mr. Gasiorowski mentioned in the testimony before the Board it was shown on the plans there is property showed that will be known as being known from the Township and the applicant. Mr. Rahenkamp advised that was correct. Mr. Gasiorowski asked if the Township should a part of the application. Mr. Rahenkamp stated there is no ordinance where there is regulated right of way, there is on street and yes there is a right of way issue however it's not an ordinance feature. Mr. Gasiorowski asked how many parking spaces are head on. Mr. Rahenkamp advised that would be a traffic question. Mr. Gasiorowski asked if the applicant wanted too, and assuming there is a 50' right of way and there is a 10' the end can be gone to and construct the head on space completely on the clients property. Mr. Rahenkamp asked how they would access the public street. Mr. Gasiorowski advised the person would back out. Mr. Rahenkamp asked if Mr. Gasiorowski was suggesting that the applicant build something twice as long. Mr. Gasiorowski stated no, not twice as long however the spaces would be completely on site. Mr. Gasiorowski asked if the street and buildings can be re aligned. Mr. Rahenkamp said no. Mr. Gasiorowski asked if this could be designed so there would be no half owned property, and that could have been designed by having lesser units for lesser parking to comply with the setback. Mr. Rahenkamp advised that would not achieve the affordable units. Mr. Gasiorowski referenced page 64, and asked if the main argument for not having parallel parking is because the driveway into the units are so close together and parallel parking is not a logical thing to do. Mr. Rahenkamp stated that was correct. Mr. Gasiorowski asked what is the

distance to the driveway. Mr. Rahenkamp stated with the stacked townhouses there are several, and the townhouses not being staked is 6' however less than 18'-20'. Mr. Gasiorowski asked if this was ever designed to not have head on parking in the right of way. Mr. Rahenkamp advised if the developer did not have townhomes there would be no issues. Mr. Gasiorowski asked if there were apartment there would be adequate parking and the site would be able to comply with the setback. Mr. Rahenkamp stated that was correct. Mr. Gasiorowski stated the zone provided for parking with apartments, and that could have been done however townhouses were chosen. Mr. Rahenkamp advised the choice was made. Mr. Gasiorowski asked why was there an issue raised then. Mr. Rahenkamp mentioned it was taken as an interpretation. Mr. Gasiorowski asked if there is parking in the right of way. Mr. Rahenkamp said yes. Mr. Gasiorowski mentioned that there can't be parallel parking in the right of way but there can be head on spaces, and this was built to sell not to benefit. Mr. Rahenkamp stated this was built to sell and parking near the house is a good selling point. Mr. Gasiorowski understood that parallel parking is permitted however what is being done is the utilization of Township owned property. Mr. Tuvel stated this is not municipal owned property. Mr. Gasiorowski asked if the impervious coverage was taken into consideration in the right of way. Mr. Rahenkamp advised that would be a question for the traffic engineer. Mr. Gasiorowski asked if Mr. Rahenkamp have ever done work in Jackson. Mr. Rahenkamp said yes. Mr. Gasiorowski asked how many projects. Mr. Rahenkamp mentioned 4 or 5 including commercial applications. Mr. Gasiorowski asked how many noncommercial and townhouse project such as this. Mr. Rahenkamp said 3. Mr. Gasiorowski asked if Mr. Rahenkamp lived in Jackson. Mr. Rahenkamp advised he lives in Mt. Laurel. Mr. Gasiorowski asked if there were deed restrictions that would be reviewed by the public on how those wetlands are being treated. Mr. Tuvel stated that would be a question for the site engineer.

Recess taken at 9:14 p.m. reconvened by Mr. Hudak at 9:24 p.m.

Mr. Gasiorowski asked Mr. Rahenkamp as the planner if there is consideration to the entire site. Mr. Rahenkamp advised that was correct. Mr. Gasiorowski asked if Mr. Rahenkamp was aware that the approval of this calls for utilization of existing easements or new easements. Mr. Rahenkamp advised that was correct. Mr. Gasiorowski asked if will there be new easements created or secured. Mr. Tuvel stated that question is for Mr. Newman or Ms. Galvin.

Daphne Galvin- site Engineer with partner Engineer- sworn- Mr. Gasiorowski asked Ms. Galvin is she was engineer in charge of the planning of this project. Ms. Galvin said yes. Mr. Gasiorowski stated there is a series of reports and there is a report from August 25, 2020 from Owen Little, and Mr. Klee is the Planning Board Engineer correct. Ms. Galvin advised that is correct. Mr. Gasiorowski asked if the report from Remington & Vernick has been reviewed. Ms. Galvin said yes. Mr. Gasiorowski mentioned there was discussion in regards to roadways and widths and head on parking, and asked if Ms. Galvin was present during that testimony. Ms. Galvin said yes. Mr. Gasiorowski asked if those roadways were laid out Ms. Galvin. Ms. Galvin advised that was correct. Mr. Gasiorowski asked if that included the head on parking stalls. Ms. Galvin said yes. Mr. Gasiorowski stated Mr. Rahenkamp testified that the property in question is recently owned by the developer is that true. Ms. Galvin said yes. Mr. Gasiorowski asked when the plans were done, the roadways are laid out as well as parking areas, is that correct. Ms. Galvin said that was correct. Mr. Gasiorowski asked Ms. Galvin if she was aware of the RSIS standards. Ms. Galvin said yes. Mr. Gasiorowski asked what percentage of the right of way is utilized for the sidewalks, it's the understanding that with this project there is a 30' paved roadway. Ms. Galvin stated that is correct. Mr. Gasiorowski asked if there is 10' on each side. Ms. Galvin advised that is correct. Mr. Gasiorowski asked if a parking stall will have 10' in the right of way which is to become a part of the right of way owned by the municipality. Ms. Galvin advised that is correct. Mr. Gasiorowski asked if the head on drive isle is also going to have an additional 5', 6' or 7' feet into the Township owned property. Ms. Galvin stated there will be 8'. Mr. Gasiorowski asked if 10' is the right of way and 8' is private property, is that where the 18' came from. Ms. Galvin stated that is correct. Mr. Gasiorowski noted it was also referred that the sidewalks would be in the right of way, and asked how many sidewalks would be in the right of way. Ms. Galvin stated all of the sidewalks will be in the right of way. Mr. Gasiorowski asked what percentile of the sidewalks are located in the right of way. Ms. Galvin stated she was UN sure, however a majority of the sidewalks are in the right of way. Mr. Gasiorowski asked how far in do the sidewalks protrude into the right of way. Ms. Galvin stated 4'. Mr. Gasiorowski asked if there is curbing. Ms. Galvin stated there is a grass strip and then the curb. Mr. Gasiorowski asked with regard to head on parking, there is no grass area. Ms. Galvin advised that is correct, the sidewalk is immediately adjacent to the curb. Mr. Gasiorowski asked Ms. Galvin if she is the same engineer for the north parcel. Ms. Galvin said yes. Mr. Gasiorowski asked Ms. Galvin if she agrees that both the north and south were to be computed from the GDP. Mr. Tuvel objected, and stated the questions should be focused on the south application. Mr. Gertner stated it's a fair question. Mr. Gasiorowski asked if both of those sites were prepared in accordance with the 4 corners of the General Development Plan. Ms. Galvin advised that was correct. Mr. Gasiorowski asked when the GDP was signed it was contemplated there would be north and south section, is that correct. Ms. Galvin stated the GDP approved the north and the south parcels. Mr. Gasiorowski asked Ms. Galvin is she was present when there was discussion between Mr. Rahenkamp and Mr. Tuvel about the connector road. Ms. Galvin said yes. Mr. Gasiorowski asked from an engineering perspective, if the connector road were not constructed prior to the north section, would there be an impact to the south project. Mr. Tuvel objected to the question. Mr. Gasiorowski stated there is a letter from Owen little dated October 19, 2020 and Mr. Klee noted there has been areas reviewed. Mr. Tuvel stated this is for the south parcel only. Mr. Gasiorowski mentioned there was reference to the lots in question, which identifies south phase 1, can that be articulated. Ms. Galvin stated the sub division of the parcel was broken down into 5 phases and the reference in comment 4 was to phase 1 of the plans and the remaining phasing was noted. Mr. Gasiorowski asked if there is reference to those being standalone sections. Ms. Galvin advised she did not recall. Mr. Gasiorowski asked in order to complete all the improvements do all 5 sections have to be built. Ms. Galvin stated the phasing of the sub division plats is not the same as the phase of the project. Mr. Gasiorowski asked for that to be explained. Ms. Galvin stated there are 5 phases with the plats and the phasing plan was revised. Mr. Gasiorowski asked if it was revised because there was concerns of the affordable housing being built. Ms. Galvin stated there are 4 phases purposed on the revised plan. Mr. Gasiorowski asked if the developer were to develop phase 1 and 2 would CO's be able to be obtained without phases 3, 4 and 5 being built. Mr. Tuvel asked if that questions was in terms of the affordables being built. Ms. Galvin stated all would not be constructed at the same time. Mr. Gasiorowski asked if there would be a partially complete project with people living on site. Ms. Galvin advised people would be living where the construction is completed. Mr. Gasiorowski asked if the improvements on West Veterans Highway are in relation to the Connector road. Ms. Galvin advised those improvements are UN related. Mr. Gasiorowski asked if those improvements require land to be taken from the properties along the roadway in question. Ms. Galvin stated she was UN sure however Mr. Vederse can confirm that. Mr. Gasiorowski asked in regards to the storm water, what phase is the detention basin being installed. Ms. Galvin stated there are multiple basins in multiple phases. Mr. Gasiorowski asked what is being installed in phase 1 or 2. Ms. Galvin stated the subdivision plat phasing is numerical, and asked if the question is referring to construction phasing. Mr. Gasiorowski mentioned that the phases are being subdivided within the project, and asked if there will be 5 lots created in that property. Ms. Galvin stated there is more lots then that being created and the intent of the subdivision was to be provided in phases for subdivision purposes. Mr. Gasiorowski asked if Ms. Galvin was involved in the creation of the head on parking in the right of way. Ms. Galvin said yes. Mr. Gasiorowski stated there is mentioned that there is a maximum lot coverage of 77%, and there is reference of the head on parking, there is a portion of the right of way utilized when the calculation of the maximum lot coverage was done, and there is question if the portion in the right of way was included in that. Ms. Galvin stated that review letter comment that is being referenced is for the single family lots, and it's

UN related to the question, it's limited to single family area. Mr. Gasiorowski asked with regard to the placement of the units, was there a number given by the developer of what was desired on this site. Ms. Galvin said yes. Mr. Gasiorowski asked if there was question of how this will be developed, or were margins just provided. Ms. Galvin stated there was a concept previously designed. Mr. Gasiorowski asked if the road will be owned and maintained by the same ownership of the townhouses and apartment buildings. Ms. Galvin stated all the roadways servicing the townhouses will be public roadways and the parking lots that service the 6 apartment buildings will be a private home owners association. Mr. Gasiorowski asked what the width of that drive isle is. Ms. Galvin stated 24'. Mr. Gasiorowski mentioned the driveway isle is within the parking lot, however what about the roadway. Ms. Galvin stated the apartments are adjacent to a roadway that is 30' and it's assumed the parking lots around the building are in question, and they are 24' wide. Mr. Gasiorowski asked if there will be parking on both side of the travel way. Ms. Galvin advised that is correct. Mr. Gasiorowski stated that would leave 14' for 2 way traffic, is that correct. Ms. Galvin stated was in correct, the 24' drive isle is to accommodate the 2 way traveling, then there is an 18' parking space on either side. Mr. Gasiorowski asked what tests were done to determine where there would be a basement and where they wouldn't go, and what impacts it should have on the water table. Ms. Galvin stated the basements would be based on the high water table and if the grading of the lot can accommodate a basement there will be a basement and it's about 55 out of 61 lots will have a basement. Mr. Gasiorowski asked if those plans will be viewed by the Township. Ms. Galvin said yes. Mr. Gasiorowski asked if the storm water management outlet will be on wetland areas, either on site or offsite. Ms. Galvin stated there is wetlands off site. Mr. Gasiorowski asked if the wetlands were privately owned or owned by the state. Ms. Galvin advised she was not sure if they are all publicly owned or not. Mr. Gasiorowski asked how far into the property are the wetlands areas. Ms. Galvin stated it varies. Mr. Gasiorowski asked from 0 what number is the variation. Ms. Galvin asked if the questions was referring to how far away are the wetlands and lines from the site. Mr. Gasiorowski said yes. Mr. Tuvel stated the answer can be given at the next hearing. Ms. Galvin stated to the northern property line there is a wetland limit on site or within the buffer width that is required because the buffer varies also. Mr. Gasiorowski asked if some buffers are off site or are they all onsite. Ms. Galvin advised there are buffer both onsite and off. Mr. Gasiorowski noted there is mention of standalone phasing, can that be explained. Ms. Galvin stated that is so as each section is constituted it can stand alone meaning whatever it takes to get the first section occupied by residents and once everything is available it will be available. Mr. Gasiorowski stated there was mention of triggers. Ms. Galvin stated that is related to the project phasing which was discussed and ties into the affordable and amenities. Mr. Gasiorowski stated the multifamily parking has a 20' setback, and asked if that was corrected. Ms. Galvin said yes. Mr. Gasiorowski stated there was a note of the 25' right of way required, and assuming at the end of the pavement there is a curb then you're going into the property, and when there is reference of 25' is the area of the right away able to be used. Ms. Galvin stated that question should be referred to Mr. Rahenkamp. Mr. Gasiorowski advised there are other witnesses to be called however given the hour that will conclude cross examination for the evening. Mr. Gertner stated as a matter of housekeeping, this matter will be carried to the March 15, 2021 meeting without the need of further notice and the applicant and public are directed to the municipal website and to newspapers for the ability to participate virtually and the March 15, 2021 is entirely dedicated to this application pursuant to an agreement. Mr. Tuvel asked if the meeting start time was at 7:30 p.m. Mr. Gertner stated that was correct.

Motion to adjourn at 10:20 p.m. by RIKER/ Haring. Yes: All in favor among those present.

Respectfully submitted,

Danielle Sinowitz,
Planning Board Recording Secretary