

**TOWNSHIP OF FRANKLIN
PLANNING BOARD
COUNTY OF SOMERSET, NEW JERSEY**

**REGULAR MEETING
June 21, 2023**

The regular meeting of the Township of Franklin Planning Board was held at 475 DeMott Lane Somerset, NJ, and was called to order by Chairman Orsini, at 7:30 p.m. The Sunshine Law was read, the Pledge of Allegiance said, and the roll was taken as follows:

PRESENT: Theodore Chase, Sami Shaban (arrived at 7:33 p.m.), Erika Inocencio, Meher Rafiq, Jennifer Rangnow, Rebecca Hilbert, and Chairman Orsini

ABSENT: Councilman Anbarasan, Mustapha Mansaray, Charles Brown, and Robert Thomas

ALSO PRESENT: Mr. Eric Bernstein, Special Board Attorney, Mark Healey, Planning Director, Darren Mazzei, Township Engineer, and Vincent Dominach, Acting Planning & Zoning Secretary

RESOLUTIONS:

- **789 Hamilton Street, LLC / PLN-20-00008**

Ms. Rangnow made a motion to approve the Resolution, as submitted. Ms. Hilbert seconded the motion, and the roll was called as follows:

FOR: Ms.Inocencio, Ms. Rangnow, and Ms. Hilbert

AGAINST: None

PUBLIC COMMENTS:

Chairman Orsini then made a motion to open the meeting to the public for General Planning discussion, not related to B9 Schoolhouse, LLC. The motion was seconded by Ms. Rafiq, and all were in favor. Chairman Orsini explained to the public how the meeting would be run that evening, and also added that they would first have a Public Comment section to include any discussion regarding any matter that was not the subject of a hearing that evening. Additionally, the Chairman explained that the public would have an opportunity to ask questions of the three (3) witnesses that gave

testimony at the last hearing, to include the Site Engineer, Landscape Architect and Architect, and then they would proceed with any further testimony from additional witnesses.

Seeing no one coming forward, the Chairman made a motion to close the meeting to the public for general comments. The motion was seconded, and all were in favor.

HEARINGS:

- **B9 Schoolhouse Owner, LLC / PLN-22-00011**

Mr. Peter U. Lanfrit., Attorney, appearing before the Board on behalf of the Applicant, B9 Schoolhouse Owner, LLC, in order to obtain Preliminary & Final Major Site Plan w/"C" Variances in which the Applicant wanted to construct (2) warehouses totaling 244,975 sq. ft. at 96, 98 and 104 Schoolhouse Road & 15 Mettlers Road, Somerset; Block 514, Lots 1-3 and 60, in the B-I and RR-3 Zones.

Mr. Lanfrit then introduced the three (3) witnesses that gave testimony at the last hearing on May 3, 2023. They included Mr. Kyle Kavinski, Site Engineer employed with Dynamic Engineering, Mr. Brian Hanes, Landscape Architect, and Mr. William Westhafer, Architect. He went on to add that these witnesses were cross-examined by Mr. Stewart Lieberman, Esq., but that the public did not have an opportunity to ask questions.

Mr. Lanfrit then indicated that they had made some plan revisions since the last hearing in May, 2023, based on comments that were made by the Board, and would put those into evidence. He explained that the exhibits he was speaking of were put together by the three (3) previous witnesses that were just reintroduced and would testify to what was being shown in those exhibits and be subject to cross-examination again. After that, Mr. Lanfrit stated that he would then put on their Traffic Consultant.

Chairman Orsini made a motion to open to the public any questions for the three (3) witnesses that were just reintroduced. Mr. Shaban seconded the motion, and all were in favor. Mr. Bernstein, Special Board Attorney, reminded the three (3) witnesses that they were still under oath, for the record.

Mr. Alex Strauss, 285 Hazlitt Way, Somerset, NJ, came forward. Mr. Strauss focused on the Environmental Assessment report questioning Mr. Kavinski. He noted that in that assessment, Mr. Kavinski focused on the pond, the open space, and the wooded areas and later in the report the focus was on the overgrown areas. Mr. Strauss asked for clarification of what Mr. Kravinski was referring to. Mr. Kravinski indicated that he was referring to grass areas that were overgrown and not maintained. Mr. Strauss then brought up a comment in the report, on page 7, under "Human Resources", that he indicated that Mr. Kravinski referred to the fact that he believed that there were no significant existing cultural or social factors, etc., contributing to the historical character

of the site. Mr. Strauss then spoke in detail about Mettlers Road being a very historical road here the Mettler family went back hundreds of years, with Mr. Robert Mettler serving on the Planning Board and was Mayor before that. He also added that the Mettler house by Colonial Park at the other end of the roadway had historic significance and might that fact affect what might be built on that road.

Mr. Lanfrit objected to the questioning, indicating that the statement that Mr. Strauss read said that the site had no historic significance and didn't mention Mettlers Road. Mr. Strauss might comment that Mettlers Road might have some historic relevance, but it was an improper question because the report did not refer to Mettlers Road as having no historic significance, just that the site itself did not. The Chairman indicated that the point was duly noted.

Mr. Strauss then brought up the subject of the development bringing in significant tax revenues for the municipality's tax base and asked if they had ever done any kind of study as far as determining any net increase. He referred to Canal Walk homes declining in value due to the proposed development with the Township then receiving less tax revenue from Canal Walk residents. Mr. Kavinski indicated that he had not done any kind of study related to that. Mr. Strauss then focused on the multiple jobs that would be created for the local economy that the report indicated, wanting to know if that was just for Franklin Township or just the entire region. Mr. Kravinski indicated that it could be both.

Mr. Strauss then opened a discussion related to the health, safety, and wellbeing of the community, whereby the Applicant said that the proposed development would have no ill effect on the community.

Mr. Lanfrit objected because Mr. Kravinski is an Engineer, not a doctor. Also, Mr. Lanfrit indicated that Mr. Kravinski opined as to the proposed warehouse and not warehouses in general, as was stated in the question. The Chairman asked Mr. Strauss to rephrase the question and suggested that he thought the question Mr. Strauss was driving at was Mr. Kravinski's opinion of the impact on health and safety of the proposed warehouse. Mr. Kravinski stated that they were complying with every aspect of the ordinance and that the Township brought the idea of a warehouse use in the B-I Zone. He continued by testifying that they were meeting every requirement, per the Township's ordinance and providing safe access to the site for pedestrians as well as passenger cars that would not have an impact on adjacent neighbors. Finally, Mr. Strauss asked Mr. Kavinski how the proposed warehouse would serve as a suitable addition to the surrounding development and wondered how that would happen. He asked if he thought that people from Canal Walk would be working in the warehouses. Mr. Strauss asked if he could ask Mr. Lanfrit a question, and the Chairman as well as Mr. Healey said that he could not because he was not a witness.

Mr. Strauss then asked Mr. Hanes, Landscape Architect, if he was part of the team for the warehouse behind Mavis, noting that there was a really good view of that warehouse during the winter. The Chairman would not allow that questioning because

it was not germane to the discussion that evening. Mr. Lanfrit answered that he was not, for the record.

Dr. Chase, Board member, then asked Mr. Westhafer, Architect, how the warehouse would be heated, by electric or gas supply. Mr. Westhafer indicated that it would be heated by gas. Dr. Chase asked if they considered using electric heating using heat pumps because that was the coming way to do things to cut down on CO2. Mr. Westhafer answered that gas heat was used because it is the most efficient and most cost-effective way to heat.

Chairman Orsini stated that if there were no other public wanting to ask the tree (3) witnesses any more questions, he would make a motion to close the meeting to the public at that time. Mr. Bernstein, Special Board Attorney, indicated that they would leave the public portion open as Mr. Lanfrit was going to have additional questions for these witnesses. He continued by stating that once the Board had then cross-examined, Mr. Lieberman had cross-examined, the public will then have their right and there would be no need to reopen to the public again for the three (3) witnesses.

Mr. Lanfrit indicated that at the last meeting, the Board had certain recommendations or questions concerning the Site Plan. As a result, he stated that they made certain modifications to the Site Plan, which included those to the Site Plan, Landscape Plan and also the Architectural Plan.

Mr. Bernstein then asked Mr. Lanfrit if anyone had seen the exhibits he was planning to show before that evening. Mr. Lanfrit answered in the negative.

Mr. Stewart Lieberman, Esq., of Lieberman, Blecher and Sinkevich, indicated that he represented the community members that had been identified previously. He told the Board and the public that he respectfully objected because no one had seen these new exhibits and thought it unfair to produce them at the last minute as he would have no time to prepare to cross-examine. He added that the Board hadn't seen these new exhibits either and didn't think that they shouldn't be presented that evening.

Mr. Lanfrit stated that there was nothing that required him to submit the new exhibits in advance of that night's meeting. Mr. Bernstein Indicated that that was not correct and that he had to submit the new exhibits at least 10 days in advance of that night's hearing for the purposes of allowing the public to know what was going to be presented at the hearing. A discussion ensued, and Mr. Bernstein asked the Chairman and Mr. Dominach to speak about this before they continued, and the Chairman agreed. A recess was taken at that time.

After returning from recess, Mr. Bernstein explained that they were going to allow Mr. Lanfrit's witnesses to enter into the record their updated exhibits and mark them into evidence that evening. He added that the witnesses were not going to testify as to the basis of them, but simply going to mark them into evidence that evening and submit them to the Planning Dept. and to Mr. Lieberman by the end of the week. He continued

by stating that Mr. Lieberman will be allowed to have his people respond accordingly within the 10-day requirement. Mr. Bernstein then instructed Mr. Lanfrit to bring up his next witnesses and go forward, noting that the three witnesses would have to come back at the next scheduled meeting.

Mr. Lanfrit asked for a few moments to speak to his client, and Chairman Orsini obliged him. Another recess was taken.

The meeting came to order again after the recess, and Mr. Lanfrit asked that rather than just show pictures and not talk about them, they should not show the pictures at all. He indicated that he would submit them to the Board Secretary within the next day or two and provide adequate copies so that they could be placed on the website. He also stated that he would get a copy to Mr. Lieberman and then discuss them at the next meeting.

Chairman Orsini agreed and after a question from a Board member for the three (3) witnesses, they planned to move on to the Traffic testimony. Then he asked that the testimony be kept altogether and not bifurcated as the Board and the public might not remember testimony from a month ago

Mr. Bernstein cautioned Mr. Lanfrit that if his client was intending to amend their reports that they would have to provide them to the Board at least 10 days in advance. Mr. Lanfrit stated that they were not amending any reports, just providing exhibits and testimony.

Mr. Lieberman then asked to be heard as he was concerned that he wouldn't have enough time to review the new exhibits prior to the next meeting. Mr. Bernstein stated that if there was going to be a problem with the timing, for Mr. Lieberman to put in writing to himself and Mr. Lanfrit and they will communicate with the Chair and Mr. Dominach and create an opportunity.

Mr. Shaban then asked a question of Mr. Kavinski that mirrored a member of the public's line of questioning related to his statement that the proposed development would have no ill effect on the health, safety, and wellbeing of the community. They discussed the fact that Mr. Kavinski was not a doctor, and Sami wanted to understand his statement in his report. Mr. Kavinski indicated that he was referring to the safety of people accessing and utilizing the site in general. Mr. Shaban indicated that the report referred only to the wellbeing of the community and not just "on the site". After discussion, Mr. Kravinski agreed to strike that comment from the report.

Chairman Orsini then asked if there were any other questions from the Board related to the testimony that had already been given.

Mr. Corey Chase, Traffic Engineer, employed with Dynamic Traffic, came forward and was sworn in. The Board accepted his qualifications. Mr. Chase indicated that he prepared a Traffic Study which was submitted in conjunction with the Applications,

dated April 21, 2022 and then revised in February, 24, 2023 and was previously submitted to the Township and reviewed by the Township Engineer. Mr. Chase then explained that the Traffic Impact Study was revised as a result of the Site Plan revisions which reduced the development yield and to reflect the current building yield as well as the reduction in on-site parking and loading spaces. He added that the revision was made to reflect the changes made and presented to the Board at the last hearing, reducing the size of the building.

Mr. Chase then told the Board what he did to prepare the report, noting that they conducted a pre- and post- development analysis, along the adjacent roadway network, to determine if there would be any resulting impacts for degradation and operational conditions as a result of the development of the subject property. He added that they also reviewed the site access and circulation in coordination with Mr. Kavinski's office, to ensure that there would be safe and efficient access to all areas of the site. Mr. Chase then told the Board that they focus on the peak hour traffic conditions when preparing impact studies, and for the proposed facility they focused on the weekday peak commuter hours. He stated that they conducted traffic counts along the adjacent roadway network to determine what the existing prevailing traffic conditions were, supplement any area developments which may have been recently approved but not yet constructed in the area, to get an accurate assessment of what the background traffic would be, project the traffic that would be generated by this development, and then view that pre- and post- development analysis, compare the two results to determine if there would be any significant degradations in the operation conditions of the adjacent roadway network. Mr. Chase then noted that their study focused on the intersections of Schoolhouse Road and Mettlers Road, as well as the intersection of Schoolhouse Road, Dewitt Boulevard, and the adjacent driveway to Greg Smith Equipment. Mr. Chase then stated that they did do peak hour turning movement counts of those two (2) intersections, to develop the existing prevailing traffic conditions, and then consulted the Institute of Transportation Engineers (ITE) 11th edition of the trip generation manual, which was the current edition of the trip generation manual. He noted that it is the national state standard for developing traffic projections for a wide variety of uses, including the warehouse that's proposed before you that evening. He added that the trip generation projections based on the total building yield of approximately 215,000 sq. ft. were summarized in Table 3, which was located on page 5 of the report. Mr. Chase stated that it provided the ingress and egress as well as the total vehicular volumes for both the weekday morning and weekday evening peak hours. He added that they also provided a breakdown between passenger car traffic and heavy truck traffic. He noted that the total amount of vehicular volume generated during the weekday morning peak hour was projected to be 49 total trips and in the weekday evening peak hour, it was projected to be 52 total trips. Mr. Chase explained that that correlates to approximately one trip every minute during the peak period, to give the Board and the public an idea as to how that level of traffic generation compared. Of note, Mr. Chase testified that the NJ Dept. of Transportation (NJDOT) had set a threshold of 100 trips during a peak hour as being a significant increase in traffic, so they were approximately 50% of the threshold of what the NJDOT would consider to be a significant increase in traffic.

Mr. Chase then discussed the breakdown of the trip generations between passenger vehicles and heavy vehicles. He stated that the 49 total trips during the weekday morning peak hour included both inbound and outbound trips from the facility, and of those 49 total trips, 43 of them were passenger vehicles and 6 of them were trucks. On the weekday evening peak hour with 52 total trips that would include inbound and outbound trips from the facility, 44 of those trips would be passenger vehicles and 8 would be trucks. Mr. Chase indicated that the truck traffic would correlate to approximately one (1) truck trip every 10 minutes during the peak hour.

Mr. Chase then drew the Board's attention to Table 4, located on page 6 of the report, summarizing that pre- and post-development analysis that he had spoken about earlier. Again, Mr. Chase looked at future traffic conditions, considering that they did take into account that there's a 90,000 sq. ft. warehouse that was in the preliminary planning process and located at the intersection of Schoolhouse Road and Hell Park Lane. He explained that that was included as a background development to account for the potential future approval of that development and the impacts associated on the roadway network, just to get an overall classification as to what these potential impacts would be. Again, in Table 4, Mr. Chase stated that they provided the no-build and build analysis, so it was the pre0 and post-development analysis for the intersection of Schoolhouse Road and Mettlers Road and Dewitt Boulevard as well as the eastern and western proposed site access points. He drew the Board's and public's attention to where they provided the average vehicle delay in the parenthesis, which was provided for both no-build and build conditions. He then mentioned that in looking at the table one could see that in each of the adjacent intersections that they studied, there were no degradations in the level of service as a result of development property. Mr. Chase explained that that meant that those adjacent intersections would continue to operate at the level of service they do in the pre-development analysis, with consideration in the development of the subject property.

Mr. Chase then detailed the fact that they conducted an analysis of the proposed said access points along Schoolhouse Road. He added that, as Mr. Kavinski testified to at the last meeting, the western access would be restricted to passenger vehicles only and would serve the employee parking area, which was located along the adjacent building façade to the western building. He then explained that the eastern driveway would accommodate the truck trips, as the loading docks for both the eastern and western buildings face interior to the development, so it would serve as the centralized access for trucks. He then added that it would also serve the 32 parking stalls, which would be the employee parking for the eastern building. So, to reiterate, Mr. Chase stated that the western driveway would be restricted to passenger vehicles only and the eastern driveway would serve both the truck traffic accessing the loading docks as well as the 32 employee parking stalls for the eastern building. He then noted that the levels of service were provided in that table as well, and the proposed said driveways were calculated to operate at acceptable levels of service B, or better, during each of the peak hour conditions.

As Mr. Kavinski mentioned, Mr. Chase stated that they were providing a total of 105 parking stalls on-site for employee parking, whereas 93 parking stalls were required by the Township code. He noted that 73 parking stalls would be provided associated with Building 1 and again along the western building façade access through that western driveway. He went on to state that 32 parking stalls would be provided for Building 2, which would be located along the northern building façade, adjacent to that western driveway access. Mr. Chase then testified that the proposed parking supply was consistent with what the ITE would recommend for such a facility as this, based on data published by the ITE in the 5th edition of their parking generation manual. Mr. Chase stated that the ITE would expect to generate approximately 85 parked vehicles for a building of this size, so providing the 105 vehicular spaces was consistent with what the ITE would suggest for a development of this size.

Mr. Mazzei, Township Engineer (CME) then asked Mr. Chase if he commented on #10 in his report where he had suggested separating out the eastern driveway to separate out both passenger vehicles and trucks. Mr. Chase addressed Mr. Mazzei's suggestion, stating that the property provided two (2) access points, where the western access would be passenger vehicles only and the central access would accommodate both heavy vehicles accessing the loading docks as well as the employees for the 32-parking spaces for the eastern building. Based on the results of the level of service analysis, the capacity analysis that we prepared for the property, as well as the fact that if we were to provide a third driveway, located to the east of what would then become the central driveway, it would only be serving those 32 parking spaces for the employees of that eastern building. Mr. Chase then stated that, typically, from an access management standpoint, they look to limit the number of access points to a subject property. So, based on the operational conditions, the level of service analysis, and the fact that the eastern driveway would only end up serving 32 employee parking stalls, they thought it would be in the best interest of the Township to limit the number of access points, which I believe was consistent with ordinance requirements, to a maximum of only two (2) driveways for the subject property, given that they were all going to operate in a safe and efficient manner.

Mr. Mazzei indicated that he was aware that the Township ordinance only allows two (2) driveways, however, he indicated that there was a second part to that question that wasn't touched upon that was actually separating out these two (2) driveways. He added that it would actually give more of an opportunity to restrict left turns with an island, as suggested in the letter. Mr. Mazzei then asked Mr. Chase to touch upon how left turns for trucks were going to be prevented on Schoolhouse Road. Even with signage proposed, Mr. Mazzei indicated that they prefer to avoid enforcement issues if they can. Mr. Chase addressed Mr. Mazzei's questioning, he did indicate that they were planning on including signage to prevent the left turn out by trucks onto Schoolhouse Road. He then added that they could certainly supplement that with additional striping and that future tenants were going to be aware that the truck egress movements were going to be restricted to right turn out movement only. Mr. Chase noted that it was his understanding that Schoolhouse Road, to the west of the subject property, would have a weight limit restriction on it regardless, so that trucks won't be

permitted to go west of the property anyway. With all of that said, Mr. Chase felt that with proper signage, proper striping and working with Mr. Mazzei's office that those truck egress movements could be effectively restricted. Additionally, by reducing the number of access points from two (2) to three (3), in compliance with the Township ordinance, and the level of service analysis, Mr. Chase believed that there would be no capacity issues with providing those two (2) driveways and that a third would not be necessary.

Mr. Healey then explained to the Board and the public that Mr. Mazzei was recommending that the parking lot that was in front of the smaller warehouse be provided its own third entrance onto Schoolhouse Road because then the truck driveway could be modified so that it would have a concrete island to direct trucks to the right and would physically restrict them from making a left-hand turn. Mr. Healey then admitted that the Applicant was correct that the ordinance did limit the number of driveways to two (2) and was a common thing in Site Plan and Zoning to limit the number of driveways on a road for a number of reasons, including aesthetics and access management. Even so, Mr. Healey expressed his opinion that in that situation, the Board may want to consider having the Applicant provide that third driveway for the reasons that both he and Darren have explained. He stated that it would result in a variance and there was certainly no hardship that would necessarily be addressed, but the Board could consider this a C2 variance, a flexible C, where the benefits of zoning would be advanced by granting of the variance to allow that third driveway.

Mr. Shaban asked for clarification as to why they couldn't include the concrete curb for both cars and trucks, forcing them both not to make a left turn. Mr. Mazzei brought up the fact that there was a weight restriction on Schoolhouse Road for trucks, but not for cars so there was no justification for restricting cars turning left, so that was the reason for the recommendation to separate the two entities.

Mr. Chase then noted, for the record, that the Township Police Traffic Safety Bureau provided a review letter, dated May 16, 2023, indicating that they had no comments at that time.

Mr. Lanfrit then mentioned that at the first hearing, the Board made it clear that they didn't want to see any variances as part of this Application, so they went back and redrafted everything to eliminate each and every one of those variances. Also, Mr. Lanfrit stated that they would have to have justification for that variance, and considering that there's only 32 parking spaces that would be accessed, he stated that there were reasons not to put the third driveway in. A discussion ensued among the Board.

Mr. Bernstein suggested that if Mr. Healey and Mr. Mazzei have that recommendation to the Board, that they place it in writing a more concrete recommendation in terms of exactly what you think the options were and where they go. Mr. Healey indicated that the issue was more of an engineering issue, and he believed it was in Mr. Mazzei's report.

Mr. Mazzei indicated that he could provide more guidance to the Board and wanted to know whether they wanted it now or would they like to have something more formal. Mr. Bernstein asked for something more formal as it would be in everyone's best interest.

Mr. Shaban then asked how they could be confident in the numbers Mr. Chase provided if they didn't know who the tenant would be yet. Mr. Chase indicated that 98% of the Applications that they work on were speculative in nature and that they were very familiar with working with that kind of scenario. He also indicated that they work with the Applicant on other developments and what drove the traffic generation was going to be the parking that's provided on-site, which would limit the type of tenant that would come to these facilities as well as how the buildings were configured. He then spoke about some facilities having a substantial amount of parking associated with them, noting that they were going to have a fair amount of employee population. Also, he mentioned that the Applicant only had loading docks on one side of the building and interior to both buildings. He then discussed the ITE numbers that they use that were based on research and were the industry standard.

Mr. Chase then discussed the range of the numbers, so that when they enter the parameters, it was based upon building square footage. Mr. Shaban then asked if there was a large discrepancy in the range, particularly when you don't know the use yet. Mr. Chase stated that they rely on the data from the ITE, based upon building size, parking requirements, the number of loading docks and figuring out what land use category it fits into. Mr. Chase then stated that when the ITE went from their 10th to 11th edition, they realized that there were a wide a variety in the trip generation of these types of land uses and expanded that category to include fulfillment centers, parcel hubs, cold storage, high-cube trans-load, which was a variety of warehouse uses to kind of capture these different types of traffic generation.

Mr. Shaban then asked how they account for the several other warehouses that were currently being developed, when looking at trip counts. Mr. Chase stated that when they do the reports, they look at the approved, but not yet constructed developments and factor them into the background traffic. He then indicated that they coordinate with the Township to find out what should be included at the time of the preparation of the report. When asked by Mr. Shaban, they stated that their analysis took place during April of 2022, and the levels of traffic generation associated with this development was approximately one (1) trip every minute during the peak hour.

Ms. Hilbert then asked if they took into consideration in their variable what types of hours of operation a facility might have and how that might affect traffic. Mr. Chase answered in the negative because they only focus on those peak operational periods. He added that they look at the coincidental peak hours and then supplement the site traffic onto it.

Ms. Hilbert then asked how many trucks would be running late at night or really early in the morning. Mr. Chase stated that that was going to be tenant specific and that he couldn't give an exact answer to that. When Mr. Chase asked if there was anything that prohibited having a 24-hour operation, Mr. Bernstein stated "the Board".

Chairman Orsini piggybacked onto Ms. Hilbert's question and asked what they were defining as peak hours in terms of a.m. peak hours and p.m. peak hours. Mr. Chase stated that morning peak is from 7 a.m. to 9 a.m. and then focused on the single highest hour of those two. In the evening he indicated that they look at the single highest hour between 4:30 p.m. and 6:30 p.m.

Mr. Healey wanted to clarify that they focused on the peak of the roadway and not necessarily the peak hour of the warehouse because the peak hour of the roadways was the worst traffic conditions in the area. Mr. Chase concurred with Mr. Healey's conclusions. He added that there wasn't a spike in traffic from a warehouse like one might see at an office building and that what they see with warehouses was slower throughout the day. Mr. Chase also spoke about focusing on the coincidental peak hour, where the roadway traffic is at its highest and then factoring in what the site traffic would be during that peak time as well. Mr. Healey then asked if that number can be determined for the projected peak hour of the facility. Mr. Chase indicated that that information could be determined and that he could get that information for him. Mr. Healey also asked if that total number of trips during the day was, and he stated that it could.

Dr. Chase then asked if his analysis assumes that it would be a one operational shift. Mr. Chase stated that it does not assume that one operational shift, and as a matter of fact it assumes there were multi-shift operations, with obviously some overlap.

Ms. Rafiq stated that her understanding was that they determine the peak hour of traffic from the current traffic and not what comes from the facility. She added that if they didn't know who the tenant would be, how would you anticipate creating that facility traffic during peak hours or not during peak hours. Her second question was do they know what industry the tenant might be coming from. Mr. Chase indicated that they utilize national and state standards to develop the projections for what the facility would generate based on total square footage that's proposed. As mentioned earlier, Mr. Chase stated that the ITE had updated their rip generation manual and expanded the number of various types of warehouses that they include so it's no longer just a general warehouse. He added that they also look at the amount of parking and how many loading docks they have provided, etc., as well as what type of warehouse would be likely to go into that location based upon those other factors. Mr. Chase stated that he could not answer her second question regarding what industry the tenant might come from.

Mr. Lanfrit then stated that Ms. Gaber, a representative of the owner, gave testimony that the tenant would be somebody like Dunkin Donuts or L'Oreal and would not be a fulfillment center.

Ms. Rangnow then asked whether vans were factored into trip generation, assuming that the trucks they were first speaking of were large tractor trailers and passenger vehicles. Mr. Chase then answered that vans would be considered the same as passenger vehicles. Ms. Rangnow stated that she imagined a van to be something akin to what Amazon delivery trucks looked like. Mr. Chase added that they did not provide van parking on the site, so they were not going to be accommodating that type of user within the facility.

Mr. Healey then opened a discussion regarding the different types of warehouses. Mr. Healey indicated that Mr. Chase chose a particular type of warehouse to discuss from the ITE manual and wanted to know why he chose that particular type of warehouse as opposed to a parcel hub and a fulfillment center and how the traffic characteristics may differ. Mr. Chase stated that they chose a general warehouse which is what they typically use for facilities that were similar to the subject site that were speculative in nature. He described a parcel hub that could be something similar to a UPS or Fedex type facility and dealing with shipping parcels and fulfillment. Mr. Chase added that fulfillment was actually broken out into sort and non-sort facilities, where sortation means that it is much more labor intensive and non-sortation had a much lower traffic generation there. He then included high-cube trans-load, which was a cross-dock type facility as well as cold storage, which was self-explanatory. Mr. Chase also testified that the general warehousing land use category was not the lowest traffic generator from a warehouse perspective. He added that they could have stated that it was going to be a fulfillment, non-sortation type of warehouse that generated approximately half the traffic that they showed, but they chose to be more conservative and provide more flexibility and go with something that was higher than those numbers mentioned.

Mr. Healey then asked what type of warehouse would result in higher traffic, and based on what you know about the facility would this warehouse be able to accommodate that type of use. Mr. Chase indicated that the fulfillment sortation facility would result in higher traffic at the facility than what was being proposed. He spoke about the Amazon warehouse on Randolph Road, noting that that facility provided three (3) times as much parking, indicating that the parking was really the limiting factor for these types of facilities. He also stated that there would be some overlap between shifts, not only accommodating for the number of employees on the larger shift, but also accommodating for the overlap at shift change. Mr. Chase then added that they consult with the Applicant when they're looking at who they're targeting for tenants, knowing that it was speculative in nature, and wouldn't put them in a situation where we're suggesting that it would generate significantly less traffic than what one of their tenants may generate.

Mr. Bernstein then asked if he did trip generation on a road basis, i.e., did you do a measurement at some period of time between 7 a.m. and 9 a.m. and between 4:30 p.m. and 6:30 p.m. or did you solely rely on ITE for traffic generation. Mr. Chase told Mr. Bernstein that he relied on ITE for the projections of the proposed facility, but they also did manual turn movement counts to get the existing travel patterns on the adjacent

roadway network. Mr. Bernstein then asked what he got for the peak a.m. hour, and he answered between 7:15 a.m. and 8:15 a.m. and the weekday evening peak hour was between 4:30 p.m. and 5:30 p.m. Mr. Bernstein then asked if the Applicant ever advise you whether or not there was going to be shift work on either or both buildings. Mr. Chase answered that he was not aware if there was going to be shift work, but based on general warehouse operations, he assumed that they would, in fact, have shift work. Mr. Bernstein asked if the 105 parking spaces included van parking and Mr. Chase stating that his understanding was that parking was just for employee parking with no accommodation for van parking, but that there could be up to 105 employees on-site at any one time. Mr. Bernstein then asked if the Applicant indicated that there would be one tenant was going to be in both buildings and if there were going to be two different tenants. Mr. Chase stated that his understanding was that there could be more than one tenant, but that Mr. Lanfrit could address whether either building could be divisible. Mr. Lanfrit indicated that it was testified to at the first hearing that the larger building could be divided and that there could be up to three (3) tenants.

Mr. Bernstein then asked if the number of vehicles coming off the site at any one time was 49 in the a.m. and 52 in the p.m. and Mr. Chase indicated that that was total ingress/egress. Mr. Bernstein then asked if that was 43 in and out, passenger vehicles and 6 trucks in and out in the morning and 49 passenger vehicles and 3 trucks in the p.m. He asked if there were 44 parking passenger vehicles in and out and 8 trucks in and out. Mr. Chase stated that those numbers were in the weekday evening hours. Mr. Bernstein then stated that those numbers were based on an hour at a specific point in time and Mr. Chase concurred. Mr. Bernstein then stated that that didn't take into account any other hour periods or whether or not there was an operational aspect on the weekends, and Mr. Chase concurred. They then discussed the possibility of more passenger vehicles in and out depending on the hour of the day and the nature of the operations or lower as well. Mr. Chase indicated that this was what the ITE considers to be the peak street hour traffic generation for a facility of this size.

Mr. Shaban then asked if he was to take one of the other uses, like the fulfillment center, could Mr. Chase give him a number and not limited by the parking spaces, because there's a multitude of ways that people can get to work these days like Ubers, bicycles, etc. but by the size of the space if it were one of the higher uses, like a fulfillment center. Mr. Chase then described what would occur in the sort fulfillment center, the higher of the fulfillment centers, and indicated that it would generate approximately three (3) times as much traffic as what we're proposing. (150). Mr. Chase followed up by stating that that was not what they were proposing.

Mr. Lanfrit indicated that the testimony of the architect was that the size of the buildings would not accommodate a fulfillment center and that the parking would not accommodate a fulfillment center.

Mr. Chase stated that the land use code that we chose is the most accurate representation of what's proposed. He also noted that the high cube fulfillment sortation facility generated 150 trips, making more traffic than we have parking to accommodate.

Again, Mr. Chase reiterated that the type of facility, the size of the facility and the parking provided as well as consultations with the Applicant would determine what type of tenants they're looking to attract. He added that 150 is the most accurate representation of the traffic generation for the facility and that 100 trips are the threshold of having a significant impact according to what the NJDT defined as significant increase in traffic.

Mr. Shaban was still not clear of what Mr. Chase was saying, and Mr. Chase repeated what was presented in his report, indicating that 50 would be the highest number of trips generated at the facility. He explained that the 150 came from if the facility was of the high cube fulfillment sortation facility would generate 150 trips, but that they didn't have the parking to accommodate that.

Mr. Shaban then spoke about the maximum number of employees that would be on the site, and Mr. Chase indicated that he did not testify to any number of employees.

Mr. Shaban then asked if the Applicant would be open to updating that study that was done in April of 2022 to accommodate for the impact of several warehouses that have been approved since then. Mr. Chase stated that it was last revised in February of 2023 and the analysis that they presented represents an accurate assessment of what the project's impact will be on the roadway network. Mr. Chase then addressed Mr. Shaban's concern by stating that they accounted for anything that was known to have a traffic impact on the area and roadway network. He indicated that the intersections were operating at acceptable levels of service, and they were not in a position to be on the brink of there being a capacity issue at any of these intersections.

Ms. Hilbert asked a question related to the traffic impact on air quality and pollution and was looking for it in the environmental report and couldn't find it.

Mr. Lanfrit stated that it was not a requirement for the Township to provide such a report and none was done. He added that they were required to submit plans with certain reports pursuant to a checklist which was reviewed by the Township. He testified that they gave the Township all of the required information pursuant to that checklist.

Chairman Orsini indicated that it was a discussion that they had earlier that a statement was made on a report that indicated that there would minimal health impact and they had it struck from the report since nobody has the subject matter expertise to actually make that claim.

Mr. Healey then asked if the ITE numbers provide any difference in the traffic characteristics if it's got one (1), two (2) or three (3) tenants. He added that could there be any difference in the traffic characteristics in terms of the passenger vehicles and the trucks if there were one (1), two (2) or three (3) tenants. Mr. Chase stated that it was based on total building yield, not based upon the number of tenants provided. He clarified by stating that they were analyzing the traffic impacts for the overall square footage that was proposed before the Township. Mr. Chase testified that in his

professional opinion, he would not anticipate any difference in traffic characteristics if it was one (1), two (2) or three (3) tenants.

Mr. Lanfrit asked if they could take a five (5)-minute break, and it was agreed that they would take a recess, and all would come back by 9:10 p.m.

Mr. Lieberman came forward again to cross-examine the testimony of Mr. Chase, the Traffic Engineer. Mr. Lieberman asked about Mr. Chase's process, noting that he testified that he looked at the approvals of other warehouses in the area and Mr. Chase concurred. Mr. Lieberman then asked if his numbers went up or down based on what was found to be approved and coming to the area. Mr. Chase then spoke about the NJDOT's published background growth rate, assuming a certain growth rate that would occur every year as a result of increases in prevailing traffic along the adjacent roadway networks. He added that they assume a two (2)-year build-out and a 1.5 percent growth per year, over two years, as well as the 90,000 sq. ft. warehouse at the corner of Schoolhouse Road and Helle Park Lane that also factored into that background traffic. Mr. Lieberman asked if Mr. Chase could quantify that include those. Mr. Chase referred them to the appendix of their report where they added the existing traffic volumes, which were summarized and include the manual turning movement counts on the adjacent roadway network and represented what was on the adjacent roadway as of today. He told Mr. Lieberman that if they followed through the report and looked at Figure 3, that would provide the adjacent development traffic volumes. He then referred Mr. Lieberman to look at Figure 4 which represented the 1.75 percent annual growth rate compounded over two (2) years plus the adjacent development traffic volumes. He then explained that it nets the noble traffic volumes which were summarized in Figure 4 and utilizing math one could quantify what that increase in traffic was. He did state that he did not have those numbers at his fingertips.

Mr. Lieberman then asked if Mr. Chase looked at any enhancements (approved warehouses) between April of 2022 and February of 2023 that would affect the numbers in Tables 3 & 4 in your report. Mr. Chase indicated that the biggest change to Table 3 was that their proposed building was made smaller in that time period and the volumes in Table 3 were reflective of that since they were representative of the building's square footage. Mr. Chase also stated that they weren't made aware of any additional developments beyond the one that was outlined on page 5 – the primary development that was added to the background traffic in addition to that annual growth rate as he had mentioned. He answered Mr. Lieberman's question that they did make an inquiry regarding that.

Mr. Lieberman then asked if there were any other designations that the buildings could be, and Mr. Chase stated that the LUC150 designation was the one for general warehouse that was utilized for a speculative warehouse and there were no other land use codes that could apply to the project, in his professional opinion. They then discussed the possibly of a facility for UPS, FEDEX and DHL that had very user specific facilities and did not apply here.

Mr. Lieberman then spoke about the peak hour assessment in the morning and evening, with 43 passenger vehicles a day and 6 trucks and 44 passenger vehicles and 8 trucks at night. Mr. Chase concurred that that was his earlier testimony. Mr. Lieberman wondered why the data seemed inconsistent with the fact that they had 60 bays between the two (2) warehouses. Mr. Chase stated that it was very typical for Application that he has seen for similar facilities and that the number of bays was provided for flexibility associated with loading. He added that trucks may arrive, but it didn't require them to be unloaded immediately because there were more bays to accommodate any additional incoming trucks. Mr. Lieberman then asked how much of the timing of loading and unloading of trucks was up to the operations of the facility and was tenant specific. Mr. Chase indicated that the building, the size, and the layout, were going to be able to adequately accommodate the needs of the site and they wanted to accommodate any potential tenants, so certainly operations would factor into that. He added that it certainly would not impact those numbers that were in Table 3.

Mr. Lieberman then spoke of the building size and number of parking spots as being limiting factors for the type of warehouse they could put on the property. He wanted to know how mass transportation would factor into the analysis. Mr. Chase then spoke of being able to take a credit for having mass transit available after looking at proximity to rail, to bus stops and things of that nature as well as consulting the U.S. Census Bureau to determine what typical mass transit percentage means of commuting is for that specific area and could possibly reduce the amount of traffic by making the assumption that, based on national statistics, a certain percentage of the population utilizes mass transit and thus would translate into reducing vehicular trip generations. He stated that they didn't do that calculation as they assumed all employees would drive in this scenario. Mr. Chase stated that they took that stance to be more conservative and that all employees would drive to the location, presenting the worst-case scenario perspective. A discussion ensued, and Mr. Chase indicated that it was his professional opinion that it was not lending itself to having mass transit as a heavy means of commuting for the workers for the subject facility. He also stated that he didn't think the Applicant was marketing the facility that you could rely on mass transit as a primary means of accessing the site.

Mr. Lieberman then asked if they could try and identify the number of total trips in a day, rather than just looking at peak hour trips. Additionally, he would also like to request that the peak hours of the facility be identified, for the record.

Mr. Dave Robinson, 349 Biltmore Lane, Somerset Run, Somerset, NJ, came forward. He stated that he went onto the Township website to see that there were 14 other applications for warehouses that were currently under consideration. He then told the Board that he also factored in the three (3) that were currently being built behind the Mavis Repair Shop (behind or in front of whichever way you look at it) and the new one on Belmont Avenue. He indicated that just those three warehouses comprised 3.2 million square feet more warehouse space and 500 more loading docks. He asked if the February, 2023 study included any new traffic count study data or are they relying solely on the January 27, 2022 data. Mr. Chase stated that they were relying on the

January 2022 data. Mr. Robinson then questioned that they were basing the entire study in 50 pages worth of analysis on 4 hours worth of traffic generation from 17 months ago and asked if that was correct. Mr. Chase answered in the affirmative and said that that was typical for traffic counts to delineate a typical day to use as a basis for their reports.

Mr. Robinson then asked if the townhomes and the houses that were across the street from this proposed development factors that those were just being built, and being sold, and being occupied. Mr. Chase indicated that they factor in a certain amount of background growth associated with future traffic generation when they moved from the existing traffic lines to those future and that would assume a certain amount of growth as a result of what you just mentioned on the adjacent roadway network. Mr. Robinson indicated that he looked at the NJDEP study referenced in Mr. Chase's document and wanted to know if it were true that the data that he was referring to, background data, the territory that was meant to reference in that chart was Somerset County, was it not? Mr. Chase answered in the affirmative. Mr. Robinson then discussed the fact that Mr. Chase was taking a lot of residential businesses, urban and rural, and applying that to a 2-mile radius from the corner of Elizabeth Avenue and Schoolhouse Road and applying a County-wide statistic for growth for that particular area and you think that made sense. Mr. Chase answered that it was standard practice. Mr. Robinson questioned that logic and Mr. Chase reiterated that in his professional opinion it did make sense.

Mr. Robinson then reiterated Mr. Chase's statement that he doesn't factor in any other developments that were proposed before the Township Council, but that he found on the website Mr. Chase's name listed as the Traffic Engineer for at least three (3) other developments (Concord Realty Development, the B9 Cottontail Development, and the BH31 Schoolhouse Development and wanted to know if that was correct. Mr. Chase answered in the affirmative. He wanted to know if Mr. Chase factored in any of the growth from those proposed developments into his analysis for the subject proposal. Mr. Chase indicated that he only factored in the one that was noted in his report, the 90,000 sq. ft. one that was a little bit down the block from where the subject development was proposed. Mr. Robinson then stated that Mr. Chase left out the part that says that one development in the vicinity of the site has been submitted for approval and was identified as a potentially significant traffic generator. He added that that was the 90,000 sq. ft. one on Heller Park Road. Mr. Chase concurred. Moving on, Mr. Robinson then showed, in comparison when one looked at the BH31 Schoolhouse Application, that Mr. Chase did the same analysis and, in that Application, he said that it should be noted that there is one (1) development in the vicinity of the site that was identified as a potential significant traffic generator. He then revealed that it was the one on Schoolhouse Road and Mettlers Road, the subject of the Application that evening, and the one that Mr. Chase previously testified that he was recommending that both the BH31 Schoolhouse and the B9 Schoolhouse Applications had no impact on traffic, but his own report says that they could both be potential traffic generators.

Mr. Chase indicated that that was the reason they included it in the background of each of the reports was because we were aware of those two (2) facilities and their proximity

to one another. He added that that was why they thought it would be beneficial to include those, even though they weren't approved at the time, in the background traffic on the adjacent roadway network.

Mr. Robinson indicated that the background traffic was 1.75 percent growth over two years, correct? Mr. Chase answered in the affirmative plus the additional traffic generated by those facilities. Mr. Robinson then asked, "from that one warehouse"? Mr. Chase answered in the affirmative. Mr. Robinson asked about the other 15 that were under consideration with 500 docks. Mr. Chase again answered in the affirmative. Mr. Robinson stated that it didn't make any sense to him.

Mr. Robinson stated that he had looked over all of these developments and it reminded him of the silo approach – each one of the developments was looked upon as individual projects. He said that in five (5) years now all projections go out 2 years; In 5 years, now the projections go out two (2) years and in 5 years it's going to be 15 more warehouses unless these people intervene on our behalf with a mess out there with all the traffic. He reiterated that none of that was factored into any of Mr. Chase's studies that was submitted for any of these warehouses. Mr. Chase again stated that it was his professional opinion that the study was prepared in a manner that's consistent with the State standards. He added that it was reviewed by the Township and submitted to the County. He again told Mr. Robinson and the public that they also had feedback from the Township Traffic Safety Bureau and that they didn't have any concerns about it. So, to sum up his testimony, Mr. Chase stated that it was his professional opinion that the report that was submitted and the conclusions drawn were accurate and adequate.

Mr. Sherry Habbis, 8 Bryant Court, Canal Walk, Somerset, NJ, came forward. Ms. Habbis asked if Mr. Chase expected the same number of trucks whether the warehouse was open 24 hours a day or 12 hours a day. Mr. Chase answered that they do expect the same number of trucks because the projections were based upon building yield (square footage). He added that hours of operation were not metric that they allow one to differentiate with. Ms. Habbis felt that the hours of operation were of no consequence, and it was basically just production and more vehicles being crammed into less hours. Ms. Habbis needed an explanation of why there would be 105 parking spaces, how would one account for 43 cars, during peak. Mr. Chase explained that the testimony he provided stated that traffic generation to a warehouse facility was not typically like an office facility where everyone arrived within a 15–20-minute window of one another. Ms. Habbis was still concerned that there could be 105 cars coming to the site, and Mr. Chase tried to explain to her that it was 43 cars in the single highest hour by studying the adjacent roadway network during that two (2)-hour period and then picked the single highest hour. He added that the 105 parking spaces is for availability for shift changes and they want to allow for some flexibility assuming that there would be some overlap as well as typically some rolling shifts where the office workers will arrive at a certain time. Mr. Chase indicated it would not mimic an office building environment where almost everyone comes at the same time and leaves at the same time.

Ms. Habbis then told Mr. Chase that she agreed with the fact that the study Mr. Chase had done in 2022/2023 did not account for the additional warehouses and the additional traffic.

Ms. Habbis then brought up the fact that Mettlers Road was a designated Scenic Corridor, yet when Channel 4 News came on the scene, three tractor trailers came down Mettlers Road and when it rained one of those large trucks got stuck and caused a traffic hazard not just in quantity of vehicle, but an accident potential for the residents of Canal Walk. She then added that the sign on Schoolhouse Road and Mettlers Road was taken down by a tractor trailer because there was not enough room, and the road was not wide enough and is a hazard. Ms. Habbis then asked if there was any accountability from Link of road repair because trucks traveling on roadways cause much more damage to the roads and they have to be repaved more often or will that be a resident responsibility? Mr. Chase indicated that the facility would pay taxes similar to any other industry in the Township. Ms. Habbis then asked if the majority would fall to the taxpayer to reconstruct the roads more often based on the 18 wheelers? He added that the facility would be a taxpayer in the community so they will be contributing to the road repair.

Ms. Shawna College, 2201 Jockey Hollow Trail, Canal Walk Enclave, same forward. Ms. College asked if they considered that the trucks were coming down Weston Canal Road and coming up Schoolhouse Rd. and passing Canal Walk and going that way by Ryan Court in their roadway studies. She added that that area was busy and there were signs that No Trucks were allowed that had been ignored. Mr. Chase did make them part of the traffic counts and counted existing truck volume on the adjacent roadway network. Mr. Chase stated that they did make the trucks part of the counts and do count the existing truck volume on the adjacent roadway network. He also added that they were restricting trucks from exiting left out of our facility so trucks exiting the facility would be required to turn right and head back to the east. Ms. College asked what would guarantee that the trucks would follow directions because they might come up from 287 and might come around Weston Canal and they were not supposed to do that. She said she played Ms. Traffic Reporter for a day watching and recording. Ms. College indicated that many of the trucks were turning down roads they were not supposed to be on.

Chairman Orsini indicated that they were going to have an engineering solution to ensure those trucks go right. Mr. Chase stated that just to the east was Randolph Road, which will certainly likely serve as the primary road to access Route 287, both to and from, and that was why they were proposing, through consultations with the Township to limit those truck egress movement to right-turn only in order to quickly get to Rte. 287. He also explained that they have Cottontail Lane as well as a variety of roads that traverse in a north/south direction to get back towards the Route 287 interchange which would be the most direct.

Mr. Alex Strauss, 285 Hazlitt Way, Somerset, NJ, came forward. Mr. Strauss suggested that Mr. Chase could concede that these traffic impact studies don't really consider, say the person, the human component. Mr. Chase stated that the operational conditions were quantified and it's a national metric that's developed to quantify what's acceptable. He then stated that the operational conditions were certainly in the acceptable category. Mr. Chase then discussed the different levels of service and when you get to capacity F there was obviously an impact on the roadway and that the prevailing traffic conditions may exceed the available capacity of the road. Mr. Chase then gave his professional opinion again and given the operational conditions that we were seeing, based on our analysis, the perception should be that there wouldn't be a significant increase in traffic or detrimental impact.

Mr. Strauss then opened a discussion regarding the length of the vehicles that wasn't spoken about, only the heavy weight of them. When questioned by Mr. Strauss, Mr. Chase indicated that the average length of a truck was 73 feet, and the average length of a midsize SUV was 18 feet. Mr. Chase then discussed the timing of how long it takes for a truck to turn left and how long it took a car to make a left turn. He noted that the trucks actually have a factor in their analysis, so inputting the percentage of trucks and that would actually skew the results.

Mr. Strauss also brought up Ms. College's comment about the reflexes, vision, etc. of older people, but stated that Mr. Chase was not considering the many older people who live in Canal Walk. Mr. Chase stated that, unfortunately, there was no adjustment in the program for the median age of the driver on the road.

Mr. Strauss then detailed the many routes he's seen Amazon trucks take. He then said he's seen them go one exit on 287 then exit onto Easton Avenue and travel to make a left on Landing Lane. He told Mr. Chase that those were local roads even though it might be a main route. Mr. Strauss indicated that Mr. Chase seemed to think that trucks would make the left onto Randolph Road... Mr. Strauss gave him other routes he's seen trucks utilize throughout the town. A discussion ensued regarding the alternate routes that could be viable as alternative ways to get to Route 287 via Cottontail Lane to Weston Canal Road.

Seeing no one further coming forward, the meeting was closed to the public by Chairman Orsini. The Chairman then asked Mr. Dominach when they can schedule a continuation hearing for the matter. The Board discussed their availability for July 5, 2023 and agreed to schedule the meeting then, with no notification required. Mr. Bernstein would have the certificates of those who Board members who were not at the meeting that evening but would review the record prior to the next hearing and sign the certification. It was agreed that the meeting would be held at the Franklin Township Board of Education Campus, 2301 Route 27, Building 1, Somerset, NJ at 7:30 p.m. on Wednesday, July 5, 2023.

The Board, Mr. Lieberman and Mr. Lanfrit discussed whether they needed to have Mr. Chase at the next hearing and they agreed that they did not as long as there was no

material change to the Traffic Report that was covered that evening. Mr. Lanfrit agreed that they would only bring Mr. Chase back if they had something to submit related to Traffic. Mr. Lanfrit stated that it was his intention to present the exhibits that he did not present that evening. Mr. Lieberman then asked what else Mr. Lanfrit would be presenting that evening. He indicated that his presentation should take no longer than 20 to 25 minutes and then whatever time it would take for cross-examination and then that would complete his presentation that evening. Mr. Lanfrit indicated that he had no new witnesses to introduce, and would only bring back with him the witnesses that would be addressing the exhibits. Mr. Lieberman then stated that they have a Hydrogeologist and a Planner to present testimony as well as a Noise Expert.

Mr. Bernstein then asked Mr. Lieberman if there were reports to be presented from each of them. Mr. Lieberman stated that they would take them to the Township within the 10 days. Mr. Dominach then asked Mr. Lieberman to make sure that he had submitted the reports within the 10-day period. Mr. Lieberman agreed to do so. Mr. Lieber just stated that he was concerned that he didn't know when he would be getting the documents. Mr. Lanfrit also promised Mr. Lieberman that he would get PDF files to him in the next few days.

Mr. Healey then stated that if they were going to be putting Mr. Lanfrit's exhibits up on the website in PDF format that they should also be putting the reports that they were getting from Mr. Lieberman in PDF format as well so they could be put on the Community website. Mr. Lieberman agreed to do so. Chairman Orsini stated that as long as they were consistent and fair to both sides and have the exhibits and reports to the Township within 10 days.

Mr. Bernstein then asked Mr. Lieberman if he believed all of his witnesses would be available on the 5th of July and he answered in the affirmative.

Chairman Orsini made a motion to carry the meeting - **CARRIED TO JULY 5, 2023, at 7:30 p.m. here at Board of Education School Building, 2301 Route 27, Building 1, Somerset, NJ, with no further notification required.** The motion was seconded, and all were in favor.

DL - 7/31/2023

COMMITTEE REPORTS:

There were no Committee Reports discussed.

WORK SESSION / NEW BUSINESS:

There was no Work Session or New Business discussed.

EXECUTIVE SESSION:

The Board did not enter into Executive Session.

ADJOURNMENT:

Chairman Orsini made a motion to adjourn the meeting at 9:56 p.m., and the motion was seconded. All were in favor.

Respectfully submitted,

Kathleen Murphy, Recording Secretary
August 14, 2023