

**In The Matter Of:**

*In Re: 1872 River Road, LLC*

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*Transcript of Proceedings*

*May 24, 2016*

COPY

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*Rizman Rappaport Dillon & Rose*

*66 W. Mt. Pleasant Ave.*

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1 ZONING BOARD  
 2 TOWNSHIP OF WEST AMWELL  
 3 COUNTY OF HUNTERDON  
 4 STATE OF NEW JERSEY

---

5 In the Matter of: TRANSCRIPT OF  
 6 1872 RIVER ROAD LLC PUBLIC HEARING  
 7 (The General's Retreat)  
 8 Block 26, Lot 17

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10 West Amwell Township  
 11 Municipal Building  
 12 150 Rocktown-Lambertville Road  
 13 Lambertville, New Jersey  
 14 Tuesday, May 24, 2016  
 15 Commencing at approx. 8:01 p.m.

16 B E F O R E:  
 17 PLANNING BOARD  
 18 MR. ROBERT J. FULPER, JR., II, CHAIRMAN  
 19 MR. JOHN CRONCE, VICE CHAIRMAN  
 20 MS. RUTH HALL, SECRETARY  
 21 MR. JOHN ASHTON, MEMBER  
 22 MR. FRANK SABATINO, ALT MEMBER I  
 23 MR. GEORGE FISHER, ALT MEMBER II

24 A L S O P R E S E N T:  
 25 MR. THOMAS R. DECKER, PE, PP BOARD ENGINEER  
 MR. JAMES T. KYLE, BOARD PLANNER

REPORTED BY: JOANNE L. SEKELLA, C.C.R.

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1 A P P E A R A N C E S:  
 2  
 3 STEWART P. PALILONIS, ESQ.  
 4 148 North Union Street  
 5 Lambertville, New Jersey 08530  
 6 Appearing on behalf of the Board

7 ARCHER & GREINER, P.C.  
 8 361 Route 31  
 9 Building E, Suite 1301  
 10 Flemington, New Jersey 08822  
 11 (908) 788-4305  
 12 ghirsch@archerlaw.com  
 13 BY: GULIET D. HIRSCH, ESQ.  
 14 Appearing on behalf of the Applicant

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 4 BY MS. HIRSCH 10  
 5 REBECCA GELMAN  
 6 BY MS. HIRSCH 16  
 7 THEODORE BAYER  
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1 (Whereupon, the following is  
2 transcribed.)

3 CHAIRMAN FULPER: So we're going to  
4 move on the agenda to next up. And our next  
5 application would be the public hearing for 1872  
6 River Road, The General's Retreat, Block 26, Lot 17.

7 So we have you completed from last  
8 month, right?

9 MS. HIRSCH: That's right.

10 CHAIRMAN FULPER: And you have notices  
11 for us this month?

12 MS. HIRSCH: Yes. I provided a copy  
13 to Mr. Palilonis, but I have another copy here if  
14 you want to mark it.

15 MR. PALILONIS: You have a copy; I  
16 have a copy. I've reviewed them. They're in order.

17 MS. HIRSCH: Okay, very good. Thank  
18 you.

19 CHAIRMAN FULPER: Your notices are all  
20 in order. You can approach the board.

21 MS. HIRSCH: Thank you.

22 Good evening, Chairman and board  
23 members.

24 My name is Gulie Hirsch, and I'm an  
25 attorney at Archer & Greiner in Flemington.

1 character.

2 As you know, hotels are permitted  
3 conditional uses in the HC zone. There are a few  
4 conditional use variances required for this  
5 application primarily because of size of the lot,  
6 which is a little bit undersized for the 10 acres  
7 required for a hotel, and also because of the  
8 location of the existing dwelling and the barn which  
9 will be converted. Both of them currently violate  
10 setback requirements.

11 Other variances -- it might seem like a  
12 somewhat long list of variances and exceptions  
13 involved here, but they are primarily required as a  
14 result of the use of the property as a hotel.

15 And its location, if you're familiar  
16 with the location, obviously some substantial  
17 signage is going to be necessary to get people on  
18 and off of Route 29 and find us. Even once they  
19 find it with their GPS, they are going to need to  
20 see that sign to be able to make the turn, quite  
21 clearly.

22 I know, because I tried this weekend  
23 and it was like you're -- suddenly you reach Old  
24 River Road, oops, that's it, and you've passed it  
25 before you know it.

1 I'm very pleased to be here tonight to  
2 represent 1872 River Road LLC with regard to  
3 property known as Block 26, Lot 17. It is located  
4 at the corner of Route 29 and Old River Road.

5 Adjacent to it is the Jessy Lee's  
6 Antiques and the famous, I suppose, Golden Nugget  
7 Flea Market; and immediately across Route 29 from it  
8 is access to the D&R Canal Park and to the river.

9 There's a boat launch there. I understand that it's  
10 called the "Fireman's Eddy" section. It's a pretty  
11 unique access immediately across from this property.

12 What is proposed is to convert the  
13 existing residential dwelling on the property, which  
14 is, at present, a non-conforming use in the highway  
15 commercial zone, into a 10-room luxury hotel.

16 And that conversion will occur through  
17 both renovation and upgrade of the existing building  
18 and a substantial addition to that building, along  
19 with parking, landscaping, improvement to the  
20 existing pool, other improvements on the site that  
21 will be discussed.

22 The intent of the addition and the  
23 renovation is to enhance what is already a somewhat  
24 historic structure and bring out the existing  
25 qualities and make them even more historic in

1 The concept has been -- I should go  
2 back to the zoning.

3 The hotel, as I said, is a permitted  
4 conditional use in the HC zone. Your HC zone  
5 permits quite a few rather intense non-residential  
6 uses, including warehouses, medical and professional  
7 offices, scientific and research labs, funeral homes  
8 and the like. And so this is a -- as close to a  
9 residential-type use as is permitted in that zone.

10 The concept you're going to see tonight  
11 is the result of a lot of time and effort by the  
12 owners of the property, and I would like to  
13 introduce you to them. They will both speak on this  
14 application, and they are the owners and this is  
15 their brainchild.

16 This is Dr. Michael Ehrenreich and  
17 Rebecca Gelman. Rebecca is also the architect on  
18 this job. And our team today, we have Ted Bayer,  
19 our design engineer; John Hill, traffic engineer;  
20 and Chuck McGroarty, professional planner.

21 And we will try our best to get through  
22 all of that testimony tonight, invite the board to  
23 ask questions whenever you like of any of the  
24 witnesses.

25 Would you like to swear them in as a

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1 whole, or --  
 2 MR. PALILONIS: Sure.  
 3 MS. HIRSCH: -- just individually?  
 4 MR. PALILONIS: All people --  
 5 MS. HIRSCH: Everybody in the  
 6 audience, come forward.  
 7 (Whereupon, Dr. Michael Ehrenreich,  
 8 Ms. Rebecca Gelman, Mr. John Hill, Mr. Theodore  
 9 Bayer and Mr. Chuck McGroarty were duly sworn.)  
 10 MR. PALILONIS: State your names and  
 11 addresses, starting in the front and moving from  
 12 your right to your left.  
 13 DR. EHRENREICH: Michael Ehrenreich,  
 14 354 Charlton Avenue, South Orange, New Jersey.  
 15 MS. GELMAN: Rebecca Gelman, 354  
 16 Charlton Avenue, South Orange, New Jersey.  
 17 MR HILL: John Hill, 241 River Road,  
 18 Raritan Township.  
 19 MR. BAYER: Theodore Bayer, 1821  
 20 Falcon Drive, Bethlehem, Pennsylvania.  
 21 MR. McGROARTY: Chuck McGroarty, 111  
 22 Main Street, Flemington.  
 23 MR. PALILONIS: For the record, are  
 24 you bifurcating the variance and site plan?  
 25 MS. HIRSCH: No. We have not done

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1 Michael Ehrenreich. Thank you, everybody, for  
 2 having us.  
 3 We are here today, it may have been  
 4 obvious from our addresses, that Rebecca Gelman is  
 5 my wife as well as my architect; so we're 1872 River  
 6 Road LLC, but we're "mom and pop" on this particular  
 7 property.  
 8 And we've been visiting Lambertville  
 9 and this region for a number of years, and we've  
 10 really come to enjoy it; the park, the river, the  
 11 small towns, and also, importantly, the connection  
 12 to the history of this country and Washington's  
 13 Crossing.  
 14 And as a family, we really do a lot of  
 15 historical outings and visits. And we got the idea  
 16 to go find property here where Rebecca's talents as  
 17 an architect can bring some value and create  
 18 something really unique for us. And we found this  
 19 property probably about two years ago now, and we  
 20 acquired it in February of 2015.  
 21 And as it's been described, it's about  
 22 8 acres, it's really scenic. Much of it is sloped  
 23 and wooded with these enormous boulders. It used to  
 24 be part of the old quarry, I understand, up there.  
 25 And right across the road is a canal and access to

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1 that up to this point, so what you have in front of  
 2 you is a full site plan application including  
 3 environmental impact and traffic and everything else  
 4 that is required.  
 5 So ideally what they would like to do  
 6 is walk out of here with one approval with all the  
 7 conditions you might impose, so that they can go  
 8 forward and start the work.  
 9 MR. PALILONIS: Well, that's not to  
 10 say that we might not bifurcate the vote, but.  
 11 MS. HIRSCH: Certainly, certainly. I  
 12 understand. Okay.  
 13 Unless the board has anything further,  
 14 Dr. Ehrenreich would like to speak to you about the  
 15 purchase of the property and --  
 16 CHAIRMAN FULPER: Why don't you just  
 17 come up. Just remember, we're -- we're on the mic  
 18 to record --  
 19 DR. EHRENREICH: Sure.  
 20 CHAIRMAN FULPER: -- the meeting, so  
 21 just kind of make sure to speak loudly.  
 22 MICHAEL EHRENREICH, having been previously duly  
 23 sworn, testified as follows:  
 24 EXAMINATION BY MS. HIRSCH:  
 25 DR. EHRENREICH: So, again, I am

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1 the river at Fireman's Eddy, and about a  
 2 mile-and-a-half bike ride to Lambertville. So it's  
 3 an area that we really just -- just fell in love  
 4 with. And we found this historic house and we said  
 5 "Perfect."  
 6 And on the site right now there's an  
 7 old 1890s, or so, Federal-style house. There's an  
 8 old barn, a small stone outbuilding structure, and  
 9 an old pool. Everything pretty much in a various  
 10 states of disrepair over the years.  
 11 And as has been pointed out, you know,  
 12 I realize that the property was highway commercial  
 13 when we acquired it and that, in terms of our vision  
 14 of building a small inn, that this would potentially  
 15 be a pathway to it; and that being on a somewhat  
 16 busy road, that a residential property there was  
 17 probably no longer desirable and it should be  
 18 repurposed to something else.  
 19 And we thought that our plan was  
 20 consistent, really, with the area, as opposed to  
 21 putting in a bank or a Wawa or something else on  
 22 that corner of the highway.  
 23 So the concept that we thought of, we  
 24 call it "The General's Retreat" in reference to  
 25 General Washington and the other generals of the

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1 Revolutionary War. And the hotel is going, as  
 2 Rebecca is going to show you, is going to continue  
 3 very much with the Federal-style architecture that's  
 4 there, and will be loosely themed on generals of the  
 5 Revolution and have kind of a bit of a colonial  
 6 interpretation to it.  
 7 We have designed the hotel with 10  
 8 guest suites. And as is typical of other small  
 9 hotels in the region, we plan to include a small  
 10 restaurant in what is the existing dining room and  
 11 kitchen area of the existing building. And this  
 12 will be 18 seats, so small.  
 13 We also propose to creatively repurpose  
 14 the small barn, or carriage barn, as it was, into a  
 15 small souvenir/retail kind of gift shop, also to  
 16 service the hotel.  
 17 So the restaurant and the retail  
 18 portion of the project are quite small relative both  
 19 to the footprint of the building, relative to the  
 20 project. They're meant primarily to add value to  
 21 the patrons of the hotel but, of course, will be  
 22 open to and to the benefit of the public as well.  
 23 As I mentioned, the barn store will  
 24 sell items typical to a hotel gift store:  
 25 souvenirs, sundries, snacks and some outdoor

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1 accessories for people using the park and the river.  
 2 As is also typical for small bed and  
 3 breakfasts or small inns in the region, we expect to  
 4 have people ask us to host small events on the  
 5 facility. We imagine that we will do that within  
 6 the constraints of the property in terms of parking  
 7 and septic and imagine that most of these events,  
 8 when they occur, would be part of a full-property  
 9 buyout, meaning a party comes, they rent all 10  
 10 rooms, they take the restaurant, they do their  
 11 little wedding or whatever function they want to do  
 12 with us.  
 13 We expect to create a couple of jobs in  
 14 the -- in the scheme of this, but not too many. We  
 15 expect to have 2 1/2 full-time-equivalent employees  
 16 engage in the management of the hotel; the same  
 17 amount, 2 1/2 full-time-equivalent employees in the  
 18 restaurant; and one or something less than one in  
 19 the retail store.  
 20 So that's pretty much my overview of  
 21 the project.  
 22 My wife and I and my two children, if  
 23 they could be here, would tell you how excited we  
 24 are about this project and what we intend to create  
 25 here and the amount of work that we put into the

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1 vision which you're going to see here tonight.  
 2 If anybody has any questions, I would  
 3 be happy to answer them, but most of the technical  
 4 questions are with the folks behind me.  
 5 CHAIRMAN FULPER: All right. Thanks  
 6 for that overview. It's nice to hear.  
 7 MR. PALILONIS: Do you know why it's  
 8 called "Fireman's Eddy"?  
 9 DR. EHRENREICH: I do. I do. It's  
 10 named for Mr. Fireman, who lived there in the early  
 11 part of the twentieth century.  
 12 I was first under the impression that  
 13 he had built the house, which he did not, but he  
 14 lived there. He was an industrialist/socialist, a  
 15 curious combination, and he made quite a bit of  
 16 money with a factory in Trenton where he made -- he  
 17 had some patents, I think, various dyes and  
 18 magnetic -- for various magnetic printed materials.  
 19 I think the government still uses some of his  
 20 patents.  
 21 Anyway, he lived there. He was also a  
 22 published socialist and had won some award from  
 23 Trotsky, or something like that. But that's who  
 24 it's named for.  
 25 MR. PALILONIS: Right. He was called

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1 Colonel Fireman. I don't know whether he was a  
 2 Kentucky Colonel or what, but.  
 3 Good. I'm glad you knew that.  
 4 DR. EHRENREICH: And he died -- he was  
 5 still publishing unread materials into his 90s.  
 6 Any other questions?  
 7 CHAIRMAN FULPER: Related to the  
 8 application or to history?  
 9 DR. EHRENREICH: Like I said, we like  
 10 history.  
 11 MR. PALILONIS: I just thought it was  
 12 interesting.  
 13 MS. HIRSCH: Rebecca?  
 14 This is Rebecca Gelman, and co-owner  
 15 and architect on this job.  
 16 REBECCA GELMAN, having been previously duly sworn,  
 17 testified as follows:  
 18 EXAMINATION BY MS. HIRSCH:  
 19 Q. Rebecca, if you can just start by  
 20 telling the Board about your education and your  
 21 qualifications.  
 22 A. Sure.  
 23 I studied at UC Berkeley in California,  
 24 and I'm a licensed architect. I've had my own  
 25 practice since 2001. And I --

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1 CHAIRMAN FULPER: Speak up just a  
2 little bit.  
3 THE WITNESS: Yeah, that's not my  
4 forte.  
5 And my practice deals with historic  
6 houses in Essex County, so I've been doing historic  
7 renovations and additions since the beginning of my  
8 practice.  
9 And I've presented -- what should I say  
10 as far as presenting?  
11 BY MS. HIRSCH:  
12 Q. Just to be clear, you are a registered  
13 architect in the State of New Jersey?  
14 A. Yes. I am a registered architect in  
15 New Jersey and New York.  
16 Q. Do you want to bring the boards up and  
17 start to go through your presentation?  
18 A. Yeah, sure.  
19 Q. And I will help you with the marking.  
20 CHAIRMAN FULPER: So we're accepting  
21 her as a professional, or?  
22 MR. PALILONIS: Well, under the  
23 circumstances, she has an interest, so, you know, I  
24 mean...  
25 CHAIRMAN FULPER: I'm sorry. That's

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1 what I'm trying to say.  
2 MR. PALILONIS: She is, obviously,  
3 qualified as an architect, but, right, which I  
4 guess -- I mean, actually, I haven't had this very  
5 often where one of the principals is offering, you  
6 know, expert testimony. But given the nature of  
7 what is probably going to be presented, I don't  
8 think it's a problem.  
9 MS. HIRSCH: Thank you.  
10 THE WITNESS: Okay.  
11 MR. PALILONIS: You're not going to  
12 express any expert opinions? That's the issue.  
13 MS. HIRSCH: Mr. Palilonis, she'll  
14 just be describing, basically, the plans that you  
15 already have. You're going to see rendered versions  
16 of those so that you can get a better idea of what  
17 the new building will look like, the signage, there  
18 might be a few changes that are incorporated into  
19 the set that she's showing you.  
20 MR. PALILONIS: Right. No expert  
21 opinions?  
22 MS. HIRSCH: You know, I didn't plan  
23 to ask her for anything about, you know, the  
24 historic nature of what she's proposing, but I think  
25 that she may go into that, and that certainly is

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1 within her qualifications as she has described them  
2 to you.  
3 I really --  
4 MR. PALILONIS: Well, facts are facts,  
5 I mean, you know.  
6 MS. HIRSCH: Um-hum.  
7 MR. PALILONIS: So, I mean you, you  
8 know, describe the property as being credible and  
9 whatever, and you can see that's a fact.  
10 MS. HIRSCH: Right. And if she says,  
11 you know, "I think you should approve this," you'll  
12 understand that she is speaking as the owner. Well,  
13 the owner and the architect.  
14 MR. PALILONIS: I don't want to make  
15 too big of a deal about it under the circumstances.  
16 MS. HIRSCH: Okay. All right.  
17 Each board that we put up, we're going  
18 to mark -- do you mark A, numbers?  
19 MR. PALILONIS: No.  
20 MS. HIRSCH: What do you do?  
21 MR. PALILONIS: We've got a number  
22 here. It's 1872 Exhibit -- Exhibit 1872 over there.  
23 MS. HIRSCH: 1872-1 and --  
24 MEMBER HALL: How about G?  
25 MR. PALILONIS: Okay. G for

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1 "General." G-1, G-2.  
2 MS. HIRSCH: Okay. Very good.  
3 So this will be G-1.  
4 (Exhibit G-1, Existing conditions 1872  
5 River Road, photos mounted on board, is marked for  
6 identification.)  
7 BY MS. HIRSCH:  
8 Q. And, Rebecca, if you could describe it  
9 to the board, No. 1.  
10 A. So just to familiarize everyone with  
11 the site, if you know the Golden Nugget or if you go  
12 into the Golden Nugget --  
13 CHAIRMAN FULPER: Well, maybe you  
14 should bring that up closer so you can stand closer  
15 to the mic --  
16 THE WITNESS: All right.  
17 CHAIRMAN FULPER: -- because no one  
18 will ever pick that up.  
19 THE WITNESS: Okay.  
20 So if you don't know the site, as I was  
21 saying, it's north of the Golden Nugget. And as  
22 Michael was describing, just to orient you, our --  
23 the house is right here, and then we have the little  
24 barn which we call the "carriage barn," and then  
25 there's Jessy Lee's.

1 So our property line splits down the  
 2 middle. It used to be all one property, and then it  
 3 was sold off in parcels.  
 4 This is the house, and then this is the  
 5 spring house and our carriage barn, again. So this  
 6 is looking from the -- from the river. And it's  
 7 from the hill down into the property. And this is  
 8 looking -- if you're standing on the lawn outside,  
 9 then this is taking a panorama.  
 10 And you can see, this is the house, and  
 11 these are some of the additions that were done to  
 12 the house. So when he's -- Michael refers to some  
 13 of the disrepair, some of what was done to the  
 14 property also in terms of additions over the years  
 15 has been rather unfortunate.  
 16 And then, here you can see the barn,  
 17 the carriage barn, and another view of the house.  
 18 This will be G-2.  
 19 (Exhibit G-2, Photo board titled  
 20 "Federal Architecture Details: Undoing the Recent  
 21 Past", is marked for identification.)  
 22 A. So this one I titled "Federal  
 23 Architecture Details: Undoing the Recent Past."  
 24 So a lot of what we want to do in terms  
 25 of restoring the property and extending the property

1 is undoing what's been done in the recent past, some  
 2 of the injustice that has been done to this house in  
 3 terms of benign neglect. So I refer to my favorite  
 4 addition, here.  
 5 And also, there's a sun porch that's  
 6 put on, and I can't swear that it's not original,  
 7 but it doesn't fit the house at all. It looks like  
 8 a Victorian "kit" of sorts, whereas the house is  
 9 very Federal. The columns are square; the columns  
 10 should be round. I know that may not bug everybody,  
 11 but that's the kind of thing that gets under my  
 12 skin.  
 13 And then you can see the front portico,  
 14 there is a lot of degradation -- degradation in the  
 15 columns; they are decaying. The front stoop also is  
 16 not built very well.  
 17 If you look at the front of the house,  
 18 there's brick coursers that were put on that don't  
 19 make sense, that were -- they just seem like they  
 20 are a band-aid added over what might have been  
 21 deteriorating brick.  
 22 So what we are going to do is restore  
 23 it but also restore some of the beauty to the house  
 24 as we work, which is something that I always do in  
 25 my practice is that you always leave things better

1 than you found them.  
 2 So this would be G-3.  
 3 (Exhibit G-3, Rendered site plan  
 4 mounted on board, sheet 3 of 15 of preliminary and  
 5 final site plan, site plan layout by Bayer-Risse  
 6 Engineering, last revision April 15, 2016, is marked  
 7 for identification.)  
 8 A. Now, one thing that struck us when --  
 9 when we saw the property and when we bought the  
 10 property is the pity of having all the asphalt at  
 11 the back of the house, which is where the so-called  
 12 "driveway" is right now. So we've gone -- we've  
 13 gone through great lengths to restore green space at  
 14 the back of the house.  
 15 So here's River Road and here's Old  
 16 River Road and here's the house. And so, together  
 17 with the engineers, what we've done is hopefully  
 18 come up with a site plan that brings the parking lot  
 19 to the front.  
 20 Therefore, if you're in the hotel and  
 21 you want to walk out into nature, you walk out into  
 22 what will be French formal gardens. And then you  
 23 walk up this beautiful hill that has these boulders  
 24 and just natural beauty. So we worked very hard to  
 25 accomplish that.

1 And then it was just -- and the  
 2 engineers will -- Ted will speak to that more, but I  
 3 just want to impart that it was a matter of almost  
 4 puzzle pieces to try to get everything to fit in  
 5 this site but also accomplish that element of it,  
 6 which was the green -- the green space.  
 7 And then we have the central path  
 8 coming through the formal French gardens into this  
 9 large patio, which we think would be really  
 10 enjoyable for people to sit out on.  
 11 And then we continue on here to a fire  
 12 pit and then to the retail barn. And then they  
 13 continue up a path up to the pool.  
 14 So we just feel like the procession  
 15 through the site would be really enjoyable and just  
 16 really be --  
 17 MR. PALILONIS: Excuse me. What did  
 18 you say it was that Exhibit 3?  
 19 THE WITNESS: This is a preliminary  
 20 and final site plan. This is prepared by the  
 21 engineers, Bayer-Risse.  
 22 MS. HIRSCH: It's drawing GR-3, and  
 23 all that it is -- it's the same as what is in the  
 24 site plan set other than being rendered.  
 25 THE WITNESS: Right. Exactly. This

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1 comes from the engineers.  
2 Then you can see up the path up to the  
3 pool, which we're renovating. And so then you're up  
4 here, you're up at a higher elevation; and it will  
5 be going up above the pool as well.  
6 This is G-4.  
7 (Exhibit G-4, Existing house  
8 elevations, Sheet A-102, rendered and mounted on  
9 board by Gelman Architecture, with revision dated  
10 March 6, 2016, is marked for identification.)  
11 A. So this is just showing the existing  
12 house. We're taking a lot of the features and  
13 taking it through what will be the addition or the  
14 new wing to the hotel; so the Federal style  
15 architecture, the tall windows, the sash windows,  
16 the portico, the symmetry, the brackets, the  
17 corners. And all of that is going to be carried  
18 through, including some other Federal elements on  
19 there.  
20 Q. Rebecca, this is A-102. It's the same  
21 as the architectural plan that you have other than  
22 being rendered, correct?  
23 A. Correct.  
24 So this would be the facade that is  
25 facing River Road. And here you can see the

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1 existing house, and this is the addition.  
2 We were careful not -- we played with a  
3 lot of different scenarios, and we felt that not  
4 touching the original house would be the best way to  
5 go in terms of not adding a level there, you know,  
6 to, first of all, not open a can of worms, but also  
7 keep the integrity of the original house. And then  
8 here, in the addition, we go to the three stories.  
9 And, as you can see, all the elements  
10 carry. We've taken great expense to use the same  
11 geometry. And also, here is the repeat in the  
12 portico.  
13 So this would be the main entry. We  
14 would go into the existing house. And this would be  
15 another entry into the main -- into the addition.  
16 And, as you can see, we're using iron balustrades in  
17 a -- in a corner and two brackets.  
18 And here you'll see, this would be,  
19 normally, in maybe a typical project, this would  
20 have been the fire stair. But we also felt that we  
21 didn't want to just stick a fire stair on the side  
22 of the building.  
23 So we encased -- we've enclosed the  
24 fire stair, it is now to an internal stair. And  
25 this is based on Independence Hall in Philadelphia,

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1 which is a Federal-style building, and it's sort of  
2 inspired by that. And so it now becomes a stair  
3 tower and it becomes a feature in the site which we  
4 really like.  
5 Q. And, Rebecca, all of the material on  
6 the facade will be brick, and --  
7 A. Yes.  
8 Q. -- the color's consistent with what  
9 you're showing on this drawing?  
10 A. Yes.  
11 Q. All right.  
12 And this is A-300, which is in the  
13 architect's set of plans. No difference other than  
14 being rendered, correct?  
15 A. Correct.  
16 Q. Okay.  
17 (Exhibit G-5, New west elevation,  
18 Sheet A-300 rendered and mounted on board by Gelman  
19 Architecture, LLC, revision dated March 6, 2016, is  
20 marked for identification.)  
21 (Exhibit G-6, New north elevation,  
22 Sheet A-301 rendered and mounted on board by Gelman  
23 Architecture, LLC, revision dated March 6, 2016, is  
24 marked for identification.)  
25 A. So here you -- here you're seeing a

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1 view if you're standing at Jessy Lee's barn, you're  
2 looking at the side. And, again, you can see the  
3 stair tower and then the hotel in view. And we've  
4 used Palladium windows here.  
5 And that's it.  
6 (Exhibit G-7, New east elevation, Sheet  
7 A-302 rendered and mounted on board by Gelman  
8 Architecture, LLC, revision dated March 6, 2016, is  
9 marked for identification.)  
10 A. So this is the view from the hill.  
11 And, again, you can see the existing house and then  
12 the three -- the three stories.  
13 So this is going to be the sun room,  
14 which wraps all along the back so that you can sit  
15 in there and really enjoy the view and nature. And  
16 the doors can open and you can open the windows and  
17 get a breeze through.  
18 The balconies are a nice amenity for  
19 all the rooms on this area. This room, you've got  
20 full access to the back in here.  
21 And, again, you see the stair tower.  
22 Q. And, Rebecca, this is A-302, the same  
23 as in your architectural set other than being  
24 rendered, correct?  
25 A. Yes.



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1 So this is the barn.  
 2 (Exhibit G-8, Existing and new barn  
 3 elevations, Sheet A-400 rendered and mounted on  
 4 board by Gelman Architecture, LLC, revision dated  
 5 March 6, 2016, is marked for identification.)  
 6 A. The barn we're just repairing; and  
 7 I -- we really like just keeping the barn basically  
 8 as it is and not creating different openings or more  
 9 openings.  
 10 So in the barn, we're using just one  
 11 bay, which will be the retail store, and the other  
 12 bay will be for storage. So what we'll do is repair  
 13 the doors, because they're in great disrepair. And  
 14 then when this door is open, the barn doors will  
 15 just be thrown open and pinned in place.  
 16 And we'll build a little vestibule so  
 17 that you can have an air-controlled store but also  
 18 without -- you know, what some people do when they  
 19 take over barns is they create, like, a little door,  
 20 like a barn door, and I really wanted to avoid that.  
 21 So the barn will just look exactly how  
 22 it is. We're adding lighting and signage here which  
 23 will face River Road, which will say "General  
 24 Store."  
 25 Q. Rebecca, just to be clear, what is the

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1 square footage of the barn that is being used for  
 2 retail purposes?  
 3 A. It's 400.  
 4 Q. About 400 square feet?  
 5 A. Yes.  
 6 Q. Okay.  
 7 A. It comes out to a little under from  
 8 this bay, but it's no more than 400.  
 9 Q. Okay.  
 10 So the rest of the barn is storage or  
 11 no particular use?  
 12 A. Right.  
 13 Q. Okay.  
 14 And that is -- I'm sorry. That is  
 15 A-400 in the set. Were there any changes to that?  
 16 I mean to --  
 17 A. This is amended to just instead to  
 18 show that here is the original plan, but this is now  
 19 retail and that is storage. So this is as is in the  
 20 original plan; no changes.  
 21 Q. Okay.  
 22 Very good. Thank you.  
 23 (Exhibit G-9, Pool elevation west,  
 24 Sheet A-402 rendered and mounted on board by Gelman  
 25 Architecture, LLC, revision dated March 6, 2016, is

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1 marked for identification.)  
 2 A. So this is looking up at the pool.  
 3 This is the retaining wall of the pool. And you can  
 4 see that I've worked to break it up and create a  
 5 veranda below. So below, there is useful space  
 6 below the deck of the pool, and in that space we  
 7 will have storage and a nice veranda.  
 8 And then, up at the top of the pool,  
 9 you can see we've put in a deck.  
 10 And then this is a garden that we're  
 11 going to make use of the natural boulders that we  
 12 have and put in sedges and grasses and native plants  
 13 that will live well in a very -- in basically a rain  
 14 garden type of environment.  
 15 Q. And this is --  
 16 CHAIRMAN FULPER: Is that an existing  
 17 pool?  
 18 THE WITNESS: That's an existing pool  
 19 that we're repairing.  
 20 CHAIRMAN FULPER: And you're going to  
 21 upgrade that existing pool?  
 22 THE WITNESS: Yeah.  
 23 CHAIRMAN FULPER: Okay.  
 24 BY MS. HIRSCH:  
 25 Q. And this, Rebecca, this is A-402 in the

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1 architectural set?  
 2 A. Yes.  
 3 Q. And it's rendered?  
 4 A. Yes.  
 5 Q. Okay.  
 6 (Exhibit G-10, Monument signage and  
 7 signage chart, Sheet A-500 rendered and mounted on  
 8 board by Gelman Architecture, LLC, revision dated  
 9 March 6, 2016, is marked for identification.)  
 10 Q. Okay. This is G-10.  
 11 MR. PALILONIS: Nine.  
 12 MR. KYLE: No, 10. Nine was A-402,  
 13 rendered with the pool detail.  
 14 MEMBER HALL: Right.  
 15 MR. PALILONIS: Six was rear  
 16 elevation; seven was the barn.  
 17 MEMBER HALL: Eight was the barn.  
 18 MS. HIRSCH: Eight was the barn,  
 19 correct. Nine was the pool.  
 20 MEMBER HALL: Nine is the pool.  
 21 MS. HIRSCH: Are you missing anything?  
 22 MEMBER HALL: Six was the one with the  
 23 Palladium windows.  
 24 MS. HIRSCH: Very good.  
 25 CHAIRMAN FULPER: Are you okay, Stew?

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1 MR. PALILONIS: We'll get it.  
 2 CHAIRMAN FULPER: We don't want to  
 3 confuse you now.  
 4 THE WITNESS: So to orient you, I am  
 5 showing you the signage, but I just wanted to show  
 6 you where you are on the site plan as far as  
 7 signage.  
 8 So we have one monument sign here; if  
 9 you're going on River Road, it's north. And another  
 10 monument sign which is here, at the turn of the Old  
 11 River Road and River Road.  
 12 So there's --  
 13 MR. PALILONIS: Excuse me. You're  
 14 referring to G-3?  
 15 MS. HIRSCH: Yes.  
 16 THE WITNESS: I'm referring to G-3,  
 17 yeah.  
 18 So these monument signs would go --  
 19 because we would like to build them in stone. And  
 20 again, they have, like, the classical filials on the  
 21 top, and you'll see it says "General's Retreat" and  
 22 "Revolution Restaurant." So "Revolution Restaurant"  
 23 is the name of the restaurant.  
 24 BY MS. HIRSCH:  
 25 Q. And you mean the stone facing, right?

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1 A. Stone veneer.  
 2 Q. Stone veneer, okay.  
 3 A. Yes. And then the next --  
 4 Q. And this is -- I'm sorry.  
 5 This is A-500 in the architectural set  
 6 only rendered, right?  
 7 A. Correct.  
 8 Q. Okay.  
 9 CHAIRMAN FULPER: What kind of  
 10 lighting are you going to use on the sign?  
 11 THE WITNESS: We're going to use LED  
 12 down-lit.  
 13 In the original plan, I know we had  
 14 mentioned floods, but there were some objections to  
 15 that; rightly so. So we'll light it -- we'll  
 16 edge-light it.  
 17 And so these signs -- this is a sign  
 18 that's going to be on the front. There's two signs  
 19 that are on the front of the building, one over one  
 20 entrance and this one is actually for the main  
 21 entry.  
 22 And just relating to the size of the  
 23 sign, because that may come up, this sign, what I  
 24 envisioned here is that it be sort of a landscape, a  
 25 muted landscape, and then the lettering over top of

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1 it.  
 2 So this is just giving, although I  
 3 sketched it in, this is giving an idea of what the  
 4 landscape might be behind. It's a very typical  
 5 colonial treatment. And then we have this again,  
 6 repeated on the barn.  
 7 And this is a sign that will tell you  
 8 to turn left into the property, which is important  
 9 because, as we come to live there, we find that  
 10 people end up at the neighbors'. So we want to  
 11 avoid that and make sure they take a left.  
 12 BY MS. HIRSCH:  
 13 Q. Okay.  
 14 And this is A-501 in the architectural  
 15 set and just rendered, and you've added the  
 16 illustration to it, correct?  
 17 A. Correct, yeah.  
 18 Q. Okay.  
 19 A. So that's it for the architecture.  
 20 DR. EHRENREICH: I wanted to clarify  
 21 one -- one thing about the question on the pool.  
 22 There is an existing --  
 23 CHAIRMAN FULPER: Step up. Step up  
 24 yourself and identify yourself for the record.  
 25 DR. EHRENREICH: Okay.

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1 I'm Mike Ehrenreich, again.  
 2 Clarifying one comment on the pool.  
 3 There is an old existing pool there. The question  
 4 of whether this is a repair or what you want to call  
 5 it is a philosophical one. It's been abandoned for  
 6 a long time; being that the pool is essentially  
 7 completely redone, but it's in the same footprint as  
 8 the existing pool that's there, and it's been there  
 9 for a hundred years or so.  
 10 CHAIRMAN FULPER: Okay.  
 11 So are there any questions from the  
 12 board of any of the testimony so far from the  
 13 architect?  
 14 MEMBER ASHTON: You said there is a  
 15 sign telling people to turn left; where does that  
 16 sit?  
 17 THE WITNESS: Oh, yeah, I didn't show  
 18 you.  
 19 So that's right here.  
 20 MEMBER ASHTON: Okay.  
 21 THE WITNESS: Because when you come up  
 22 River Road it's not entirely clear the turn left for  
 23 people.  
 24 MEMBER ASHTON: Okay.  
 25 BY MS. HIRSCH:

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1 Q. And that location is shown on G-3 in  
 2 the engineer's set?  
 3 A. Yes.  
 4 Q. Okay.  
 5 A. No other questions?  
 6 CHAIRMAN FULPER: Any other questions  
 7 from the board?  
 8 MR. KYLE: Mr. Chairman?  
 9 CHAIRMAN FULPER: Yes.  
 10 MR. KYLE: Can you just go back to the  
 11 barn? You talked about storage in the second bay.  
 12 Is the storage for the retail or is it just general  
 13 storage for the property?  
 14 THE WITNESS: It would be a  
 15 combination.  
 16 MR. KYLE: Okay.  
 17 And then there's a second -- there's a  
 18 second floor in the barn, correct?  
 19 THE WITNESS: Right.  
 20 MR. KYLE: Okay.  
 21 And what will that be?  
 22 THE WITNESS: More storage.  
 23 MR. KYLE: More storage. Okay.  
 24 THE WITNESS: Yeah.  
 25 MR. KYLE: Likely not for the retail,

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1 though. You probably have enough on the ground  
 2 floor bay for supplies, restock?  
 3 THE WITNESS: Yeah, yeah. I imagine  
 4 probably second floor would be for the store. First  
 5 floor would probably be for the property because it  
 6 is, you know, useful for equipment and what have  
 7 you.  
 8 MR. KYLE: Right, okay.  
 9 CHAIRMAN FULPER: Any other questions  
 10 from our professionals at this point?  
 11 MR. DECKER: The only other thing just  
 12 to keep in mind, as Jim brought up, for the barn,  
 13 one of my comments related to parking and the square  
 14 footage for the retail. When I looked at the square  
 15 footage of the retail, I took the entire barn  
 16 footprint, and that resulted in, I believe, two -- a  
 17 shortage of two parking spaces, so.  
 18 CHAIRMAN FULPER: Would that be  
 19 readjusted based on their usage?  
 20 MR. DECKER: Well, it depends on  
 21 whether the board considers the storage within the  
 22 building as part of the retail use. That's --  
 23 CHAIRMAN FULPER: Whether you think it  
 24 generates traffic or not?  
 25 MR. DECKER: Well, you know, when you

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1 think about retail, you have the store itself and  
 2 then you always have storage in the back, which is  
 3 typically included within the retail use itself. So  
 4 it's just a question with regards to parking.  
 5 CHAIRMAN FULPER: Okay.  
 6 MR. PALILONIS: What's the basis for  
 7 the parking calculation? Is it possible occupancy?  
 8 Square footage?  
 9 MR. DECKER: It's the square footage  
 10 of retail.  
 11 THE WITNESS: Yeah, so I think it's  
 12 fair to say, like I said, the second bay is, you  
 13 know, landscaping supplies. When we bought it, it  
 14 was full of just equipment. So there's a lot we  
 15 have to store just to maintain the property.  
 16 MR. DECKER: It's just --  
 17 CHAIRMAN FULPER: Okay.  
 18 MR. DECKER: -- you know, as it  
 19 relates to my comments in my letter.  
 20 MR. PALILONIS: Okay.  
 21 So we'll -- so we'll hear more -- we'll  
 22 hear testimony about parking, right?  
 23 MR. DECKER: Right.  
 24 MR. PALILONIS: Correct?  
 25 MS. HIRSCH: Yes, yes, from the

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1 engineer.  
 2 CHAIRMAN FULPER: Any other questions  
 3 of the professionals or any board members?  
 4 Anybody in the public want to ask  
 5 questions of the professionals before us right now?  
 6 Just state your name.  
 7 MR. GORDON: Harry Gordon, 17 Old  
 8 River Road.  
 9 Our only concern is visibility coming  
 10 out of Old River Road and going onto 29, so if the  
 11 signage were to block your view of oncoming traffic  
 12 to the north, that would be our only -- the sight  
 13 line for the traffic, you know.  
 14 CHAIRMAN FULPER: The sight triangle  
 15 there at the driveway, you're saying?  
 16 MR. GORDON: Yeah. It's a difficult  
 17 spot, is all I'm saying. And -- but that would be  
 18 our only concern.  
 19 CHAIRMAN FULPER: That will -- that  
 20 will be addressed. It has to be.  
 21 Any other comment or questions for the  
 22 professionals at this point? You will have  
 23 opportunities to ask each one.  
 24 MS. GORDON: Wendy Gordon, 17 Old  
 25 River Road.

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1 Is the restaurant just for the  
 2 occupants of the hotel or will it be open to the  
 3 public?  
 4 THE WITNESS: It's open to the public.  
 5 MS. GORDON: Open to the public.  
 6 Okay.  
 7 And does that change the amount of  
 8 parking spaces that need to be --  
 9 CHAIRMAN FULPER: Again, we have  
 10 professionals, they have professionals, and we'll  
 11 keep addressing that.  
 12 DR. EHRENREICH: It's not for you. It  
 13 is for a professional to answer.  
 14 CHAIRMAN FULPER: Any other questions?  
 15 All right. Well, otherwise, I guess  
 16 you can move on.  
 17 MS. HIRSCH: Thank you.  
 18 CHAIRMAN FULPER: Ms. Attorney.  
 19 MS. HIRSCH: Mr. Bayer?  
 20 THEODORE BAYER, having been previously duly sworn,  
 21 testified as follows:  
 22 EXAMINATION BY MS. HIRSCH:  
 23 Q. Mr. Bayer, I think many of the board  
 24 members know you, but just for the record, please,  
 25 your professional credentials?

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1 A. My name is Theodore Bayer. I'm a  
 2 licensed professional engineer. I'm employed as a  
 3 principal of Bayer-Risse Engineering. I have been a  
 4 licensed professional engineer since 1988.  
 5 I received my bachelor of science from  
 6 Rutgers University College of Engineering. I've  
 7 been practicing as a consultant since 1984. I've  
 8 appeared before numerous boards in Hunterdon County;  
 9 planning boards, zoning boards, boards of health,  
 10 environmental commissions. And this is what I do.  
 11 CHAIRMAN FULPER: Okay.  
 12 So we'll accept you as a professional,  
 13 then.  
 14 THE WITNESS: Thank you.  
 15 CHAIRMAN FULPER: You may continue.  
 16 THE WITNESS: Okay.  
 17 What I would like to do is start just  
 18 by reviewing the entire site.  
 19 Maybe we can mark this as the next --  
 20 MS. HIRSCH: I think we're at 12.  
 21 MR. PALILONIS: I agree; G-12.  
 22 (Exhibit G-12, 19 Sheet set including  
 23 various sheets from preliminary and final site plan  
 24 by Bayer-Risse Engineering, Inc., with last revision  
 25 dated March 15, 2016 and including location survey

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1 (second sheet) and photo key sheet (third sheet), is  
 2 marked for.)  
 3 THE WITNESS: This is actually a  
 4 series of sheets which I am going to use to go  
 5 through the project.  
 6 The site is located in the highway --  
 7 located in the highway commercial zone of West  
 8 Amwell Township. It's known as Block 26, Lot 17.  
 9 It is along Route 29, basically at the  
 10 base of a very steep mountain. It's near the  
 11 southwestern corner of West Amwell Township. It's  
 12 abutted by Route 29 to the west and Old River Road  
 13 to the east.  
 14 This first sheet was actually from the  
 15 first sheet of the plan set which we submitted.  
 16 The property was surveyed by Heritage  
 17 Consulting Engineers. It is a slightly under 8-acre  
 18 property.  
 19 It's a rather interesting shape.  
 20 Looking here, Route 29 is towards the bottom of my  
 21 sheet. The area where we are focusing our  
 22 development abuts Route 29 and Old River Road. Then  
 23 there's a section of the property which extends to  
 24 the south behind adjoining Lots 15 and 16.  
 25 Lot No. 29, to the north, was formerly

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1 in common ownership with this -- with this owner of  
 2 the -- previous owner of this property. And there  
 3 was a driveway which extended from Old River Road  
 4 behind the existing residential structure onto the  
 5 antique store and then came back down to Route 29.  
 6 MS. HIRSCH: Okay, I'm going to mark  
 7 this as G-13. It says it's the "Location Survey."  
 8 And this has been submitted to the  
 9 board.  
 10 THE WITNESS: That's correct.  
 11 MR. PALILONIS: Why don't we just mark  
 12 that -- well, it has been marked as G-12. Can't we  
 13 just refer to the sheet? How many sheets is that?  
 14 CHAIRMAN FULPER: Mark it as 12 and  
 15 the number of sheets.  
 16 MS. HIRSCH: Okay, that's fine. Thank  
 17 you.  
 18 All right. So --  
 19 MR. PALILONIS: How many sheets is it?  
 20 THE WITNESS: It will be 19 sheets  
 21 total.  
 22 MR. PALILONIS: Has that been changed  
 23 since --  
 24 THE WITNESS: No. What I've included  
 25 in this exhibit is the photographs which you were

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1 provided with. I mounted them here so that I could  
 2 refresh your memory.  
 3 CHAIRMAN FULPER: Good.  
 4 THE WITNESS: These are similar to the  
 5 pictures which Ms. Gelman showed.  
 6 Starting at the upper left here, this  
 7 is the view of the property as you drive in the  
 8 existing driveway. You are looking north at the  
 9 southern side of the house.  
 10 Moving clockwise around this picture,  
 11 we're driving in the existing driveway here. You  
 12 can see it in front of the building. This is  
 13 looking at the east side of the house, looking west.  
 14 Standing approximately behind the house  
 15 now, looking to the east or up the hill, you can see  
 16 a small structure that's an existing ice house, and  
 17 in the background is the existing swimming pool  
 18 structure.  
 19 Continuing clockwise is the southern  
 20 face of the existing barn where it's going to be  
 21 converted to the retail and storage.  
 22 Next picture clockwise is a northern  
 23 elevation of the existing building looking --  
 24 looking at the north face, or looking south.  
 25 And then, again clockwise, you're

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1 looking this way, standing down looking east at the  
 2 existing barn.  
 3 And these pictures were all in the  
 4 package that was provided to you.  
 5 On the upper left of this, we're  
 6 standing in front on the south side of the existing  
 7 barn looking at the ice house. You can see the  
 8 driveway here going out to Old River Road.  
 9 And these are -- these are some  
 10 pictures that Michael discussed earlier, the  
 11 conditions of the existing swimming pool. The  
 12 middle-upper picture is looking across the pool from  
 13 the north. You can see the existing concrete walls  
 14 are somewhat falling down and dilapidated.  
 15 This is another picture looking east at  
 16 the pool. So you can see, in general, it's pretty  
 17 bad disarray and disrepair.  
 18 Continuing clockwise on this picture,  
 19 this is the actual entrance driveway where it  
 20 intersects Old River Road.  
 21 Continuing clockwise again, this is  
 22 looking at the northwest corner of the existing  
 23 buildings.  
 24 And then the final picture is looking  
 25 directly at the front door of the building, looking

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1 east from the west side of the house.  
 2 My next sheet here is depicting some  
 3 wetlands. Behind or to the east of the existing  
 4 swimming pool, there is a very small area of  
 5 isolated wetlands. It actually is comprised of  
 6 402 square feet. This was determined by Ed Kuc of  
 7 Eastern States Environmental, and we had prepared  
 8 this plan in support of Ed's submission to the New  
 9 Jersey DEP for a letter of interpretation.  
 10 That was submitted back in late March  
 11 or early April, and the DEP is doing their review on  
 12 that right now. That's the only area of wetlands on  
 13 the site, that 400 -- 402 square feet.  
 14 What's interesting to note is that from  
 15 that isolated wetlands and behind the pool there is  
 16 a concrete sluiceway that was constructed, and  
 17 surface water run-off that comes down the mountain  
 18 enters that sluiceway and actually discharges at the  
 19 east side of our driveway; and so Ed Kuc's  
 20 application for the LOI is going to address  
 21 mitigating that wetlands condition.  
 22 My next sheet here is Sheet 3 of the  
 23 plan set. And it might be beneficial if I could  
 24 have G-3 back, Gulie, because that's the rendered  
 25 version of this.

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1 MS. GELMAN: I think I left it behind  
 2 you.  
 3 MR. BAYER: I'm going to refer to  
 4 Exhibit G-3 just so that we can see a little bit  
 5 better what's going on.  
 6 The overall property is comprised of  
 7 7.36 acres. The zone requirement in the HC zone is  
 8 a 10-acre property. So we are going to need a  
 9 variance for lot size.  
 10 Also on the site there are various  
 11 stages of steep slopes. There are slopes in excess  
 12 of 25 percent. There are slopes between 15 and  
 13 25 percent. And there are -- there are shallow  
 14 slopes.  
 15 We are focusing our development in the  
 16 western portion of the site in the flatter slopes.  
 17 We have done the best we could to avoid all the  
 18 steep slopes.  
 19 So we also have a net buildable area on  
 20 the property, and the HC zone says that we must have  
 21 one acre of buildable lot. When you subtract out  
 22 the critical slopes, we are left with 0.9 acres, so  
 23 we're a tenth-acre short, and we will need a  
 24 variance for the net area.  
 25 The existing structure fronts along

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1 both Old River Road and Route 29, so we actually  
2 have two front yards. And a required 100-foot  
3 front-yard setback, the existing building is  
4 70.1 feet from Route 29 and 50.3 feet from Old River  
5 Road; so we need a variance on the front yard  
6 setback. That's an existing condition that we're  
7 not changing.

8 The existing barn over here on the  
9 north side of the property is 23.8 feet from the  
10 northern property line. The required side yard  
11 setback is 50 feet, and so we will need a -- I'm  
12 sorry, the required side yard setback is 30 feet and  
13 we are 23.8 feet, and so we need another variance  
14 from that.

15 What we've done is, as I alluded to  
16 earlier, it was a very, very difficult site in order  
17 to present a concept that met the requirements of  
18 the client and the applicant while managing to work  
19 within the framework of the West Amwell Township  
20 ordinance.

21 We have parking requirements for  
22 different uses on the facility. The hotel, the  
23 retail, the restaurant all have different parking  
24 requirements. And we've provided a parking  
25 calculation that is based on the 10 rooms in the

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1 hotel, the 18 seats in the restaurant, 400 square  
2 feet of retail.

3 And the reason we went with 400 square  
4 feet of retail is we're also constrained by our  
5 on-site septic system. This property is served by  
6 an on-site well, and the wastewater treatment and  
7 disposal is going to be by an on-site septic system.

8 We have designed it so that the maximum  
9 daily discharge into that septic system is going to  
10 be less than 2,000 gallons per day. And that  
11 2,000 gallons per day is the cut-off where we would  
12 need a New Jersey Pollutant Discharge Elimination  
13 System or a NJPDES permit for the project.

14 And we have designed it such that we  
15 will be just under 2,000 gallons a day, at  
16 1980 gallons per day, I believe. That is based on  
17 the 18 seats in the restaurant, the 10 rooms in the  
18 hotel, employees and the retail.

19 And so that's why we are -- we're  
20 limiting ourselves to 400 square feet of retail.  
21 That 400 square feet, the parking requirement is one  
22 space per 200 square feet, so we're allocating two  
23 parking spaces for the retail use.

24 The other issue that would come in, as  
25 Rebecca has stated, the eastern side of the property

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1 is behind the -- behind the structure. What's  
2 rendered in green here is very important to the  
3 overall aesthetics of the site, so we've relocated  
4 our parking and our driveway from that east side of  
5 the building to the front of the building.

6 What we've done is proposed pervious  
7 parking -- pervious pavers below our parking stalls,  
8 and that will allow stormwater run-off to enter a  
9 large subterranean vault which will be used for our  
10 subsurface detention structure.

11 And there is a overflow from the  
12 subsurface detention basin out to Route 29. There's  
13 an existing series of stormwater inlets and storm  
14 sewers along Route 29, and we will be tying the  
15 overflow from our proposed detention basin,  
16 subsurface detention basin, into Route 29 -- into  
17 the Route 29 storm sewer system.

18 We have several other variances which  
19 we're going to need. And I think I'm going to  
20 review -- refer to my notes for that. They were  
21 right there. I brought them up here.

22 Okay, great.

23 I mentioned that we need the variances  
24 from the side-yard setback and the front-yard  
25 setback.

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1 Also, we have a disturbance within the  
2 slopes over 25 percent. We also have a disturbance  
3 within slopes from 15 to 20 percent, and from 20 to  
4 25 percent.

5 It's a little bit unusual in that the  
6 areas where we're developing on the western side of  
7 the site are mostly flatter areas with the lower  
8 slopes. Where we do encroach into the steeper  
9 slopes, we are disturbing, for example, much less  
10 than -- 7 percent, actually, of this, the areas over  
11 25 percent, is where we are disturbing.

12 And it seems like there is a large area  
13 of 9,000 square feet that we are disturbing in  
14 there, but it's much less than would appear.

15 The other variances that we need are  
16 for the height of the barn as an accessory  
17 structure. There's also issue that has been raised  
18 as to whether or not that retail is going to be a  
19 second principal use or will be an accessory use,  
20 and our planner will talk about that. But we are  
21 going to need a height variance for that.

22 We're also going to need variances for  
23 the two monument signs. As was pointed out earlier,  
24 the monument sign, there is one located at the  
25 northwest corner of our property, and that will be

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1 visible to people driving south on Route 29.  
 2 There's also another monument sign,  
 3 free-standing monument sign, near the intersection  
 4 of Old River Road and Route 29, and that will be  
 5 visible to people driving north.  
 6 And we did provide a sight line on --  
 7 it's on another sheet. I'm going to refer to  
 8 another sheet. It's in your plan set.  
 9 I'm referring to Sheet 10 of 15 in the  
 10 plan set. And this is sight lines from along River  
 11 Road for those two monument signs. And we are  
 12 showing a driver's point of view, so that if  
 13 somebody is driving north on Route 29, they will be  
 14 able to see the monument sign and the business.  
 15 And the other is at the intersection of  
 16 Route 29 and Old River Road. There are a number of  
 17 large pine trees, and they provide some concealing.  
 18 And if that -- that sign would be -- would be  
 19 rendered invisible if we didn't have it in two  
 20 places. So that's another variance that's needed is  
 21 the second monument sign.  
 22 We do require site plan exceptions from  
 23 the parking requirement. Parking is, by ordinance,  
 24 not allowed within 20 feet of a property line. Our  
 25 parking lot is on the north side of the property in

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1 front of the building, and we are actually providing  
 2 less than 20 feet of separation from the property  
 3 line to that parking lot. So we are going to need a  
 4 variance or a site plan exception for that.  
 5 The other thing which we're going to  
 6 need a variance for is the stream corridor  
 7 protection ordinance of West Amwell Township. And  
 8 the stream corridor ordinance requires that riparian  
 9 lands adjacent to streams be protected to maintain  
 10 the beneficial characters of a stream corridor. And  
 11 what you're looking for is protection, maintenance  
 12 and establishment of the stream corridors to protect  
 13 the flora, the fauna and the habitats.  
 14 For the purposes of your ordinance, the  
 15 Delaware & Raritan Canal is considered a stream.  
 16 Now, our proposed development is located within the  
 17 150-foot stream corridor, which would be designated  
 18 by your ordinance. And we are going to need a  
 19 variance or a waiver from that. It's up to the  
 20 board to decide what exactly we are going to need.  
 21 What I would offer is that at this  
 22 point in time, Route 29 is -- directly abuts --  
 23 abutted against the banks of the Delaware & Raritan  
 24 Canal, and there essentially is no stream corridor  
 25 there now. You have the canal, you have Route 29.

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1 Anything that would be there, any type of habitat,  
 2 has already been disturbed; so we're going to ask  
 3 that the stream corridor ordinance requirement be  
 4 waived.  
 5 One thing that we are going to be  
 6 doing, obviously, and Mr. Decker identified this in  
 7 his review letter, we have a number of outside  
 8 agencies that are going to review this plan. The  
 9 New Jersey DEP are going to have to issue us  
 10 wetlands permits, as I mentioned.  
 11 The Delaware & Raritan Canal Commission  
 12 is going to review our stormwater, our whole site  
 13 plan. We are a major project in the D & R Canal  
 14 Zone A because of the nature of our development.  
 15 Hunterdon County Soil Erosion and  
 16 Sediment Control, the soil conservation district,  
 17 are going to review our stormwater sediment control  
 18 plan. We're going to need approval from the DOT to  
 19 tie into their storm sewer system.  
 20 We're going to need a review and  
 21 approval of the septic system design from the New  
 22 Jersey DEP. Because we're proposing a restaurant  
 23 use and we are going to maintain a discharge volume  
 24 of less than 2,000 gallons a day, the New Jersey DEP  
 25 has to review and issue a treatment works approval

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1 permit for our septic.  
 2 And I believe that is the extent of the  
 3 outside agency approvals.  
 4 What we've done, in essence, is to try  
 5 and provide an aesthetic solution while also  
 6 maintaining the requirements of the ordinance as far  
 7 as parking goes, overall impervious coverage. We've  
 8 managed to control all the stormwater run-off.  
 9 The stormwater -- we did soil testing  
 10 for the stormwater, and the soils along this area  
 11 are very, very well drained; and that's why we went  
 12 with a subsurface retention structure.  
 13 We excavated -- in addition to we did  
 14 soil tests for the septic system, we excavated  
 15 storm -- stormwater soil logs also, and it's just a  
 16 very, very well-drained site.  
 17 What we've done, finally, is there was  
 18 a question, all River Road right now is basically a  
 19 single cart way, single -- single-lane road. And  
 20 what we've done is proposed to widen that road into  
 21 a 24-foot-wide travel way.  
 22 The south side of Old River Road right  
 23 now is -- abuts a roadside ditch that is probably 4  
 24 or 5 feet deep. We are going to widen the road from  
 25 the center line out. We're going to pipe the

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1 stormwater on that south side of the road and cover  
 2 it with the pavement so that we no longer have that  
 3 steep ditch.  
 4 We're going to come onto our property.  
 5 There's a low rock wall that -- where we were going  
 6 to try and maintain. We couldn't preserve that, so  
 7 we're going to actually provide a full 24-foot-wide  
 8 cart way.  
 9 The stormwater right now, all of the --  
 10 all the stormwater from the eastern side of our  
 11 property comes down the mountain and travels into  
 12 this sluiceway and wraps around our proposed  
 13 development. We're not proposing to alter that at  
 14 all. There is an existing pipe under River Road.  
 15 We're going to develop that -- construct that pipe  
 16 on the south side of the road.  
 17 And right now, if you were to drive  
 18 down there, that ditch on the south side of Old  
 19 River Road discharges to the side of Route 29. And  
 20 there is a storm sewer inlet about 250 or 300 feet  
 21 south on Route 29, and the water kind of just  
 22 meanders its way down there.  
 23 Because of the nature of the soils,  
 24 there's very, very, very little discharge that  
 25 actually reaches -- reaches that invert, that --

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1 that culvert down there. It's -- a lot of the water  
 2 just percolates back into the ground.  
 3 What we've proposed is a scour hole at  
 4 the discharge of our pipe. Tom Decker's review  
 5 letter -- I think it just came out in the last  
 6 couple of days -- identified the fact that the scour  
 7 hole extends off of our property a little bit, so  
 8 we're going to be relocating that. But all that  
 9 stormwater will be contained on our property now,  
 10 and it will continue in its same path.  
 11 And that's basically a summary of our  
 12 proposal.  
 13 CHAIRMAN FULPER: Okay.  
 14 Is there any board members that have  
 15 any questions of the testimony?  
 16 THE WITNESS: Tom Decker's letter that  
 17 came out on the 20th had a number of items that he  
 18 had reviewed, and, for the most part, a lot of them  
 19 are -- have to do with changes to the stormwater  
 20 report, things like that, which I believe I can work  
 21 out with Tom amongst myself.  
 22 The one thing that Tom brought up which  
 23 we do -- it would be a good idea to talk about is a  
 24 fire storage tank. And there is no public water  
 25 supply in the area, and we don't show a fire storage

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1 tank onsite at this point.  
 2 My thought was that the pool provides a  
 3 very good source of water if there was a fire. I  
 4 don't know if that's something you would consider.  
 5 I know you -- Tom recommended that the fire official  
 6 be involved.  
 7 MR. DECKER: Yeah.  
 8 THE WITNESS: And I would defer to  
 9 him, obviously.  
 10 VICE CHAIRMAN CRONCE: Well, it's  
 11 always been the policy that the fire chief take care  
 12 of that, and it's in our ordinance; so it's not this  
 13 board.  
 14 MR. DECKER: In the ordinance, it  
 15 defers that review to the fire chief, so I would  
 16 have to defer to the fire chief as far as the use of  
 17 the pool as a water source.  
 18 MR. KYLE: You know what people tell  
 19 me? That pool would be pumped out in about five  
 20 minutes. And that's a big structure.  
 21 DR. EHRENREICH: The canal is actually  
 22 closer than the pool.  
 23 THE WITNESS: The canal is right there  
 24 also.  
 25 MR. DECKER: The pools are -- the

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1 tanks are also supposed to be used -- be used as a  
 2 first response. Yeah, they'll pump out the tank.  
 3 But the idea is that when fire tankers come in, they  
 4 dump into that tank and then leave and go pick up  
 5 more water while the firefighters continue to draw  
 6 out of that tank.  
 7 So the tank has water in it to start  
 8 with, but as they're fighting the fire, typically  
 9 they're replenishing that tank with water so that  
 10 trucks can keep importing water.  
 11 MR. PALILONIS: Can't they use the  
 12 canal?  
 13 MR. DECKER: What's that?  
 14 MR. PALILONIS: We can't use the  
 15 canal?  
 16 VICE CHAIRMAN CRONCE: We can, but we  
 17 don't like to. Being the ex-chief of the fire  
 18 department --  
 19 MR. DECKER: I don't know. I mean,  
 20 that's --  
 21 VICE CHAIRMAN CRONCE: Leave it up to  
 22 Jeff to make that call.  
 23 MR. DECKER: Yeah.  
 24 VICE CHAIRMAN CRONCE: Take it away  
 25 from us.



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1 MR. DECKER: And it also -- I also  
 2 have a comment in my letter with regards to access,  
 3 and the fire chief take a look at that, because we  
 4 are looking at a hotel with 10 rooms and, you know,  
 5 the parking lot.  
 6 First of all, I think, you know, Ted's  
 7 done a great job trying to work within the  
 8 parameters of the site that he has. It's a very  
 9 difficult site for what they're proposing.  
 10 You know, we do have a dead-end parking  
 11 lot that does have a steep grade from 29 up to the  
 12 building, so I think the fire chief really needs to  
 13 weigh in on how is this, you know, should there be a  
 14 fire, how is that going to be put out.  
 15 One question I did have, and that would  
 16 actually be for the architect, is if the hotel would  
 17 have any type of fire suppression or if it's  
 18 required to have any type of sprinkler system in it  
 19 at all, which --  
 20 DR. EHRENREICH: I can -- Mike  
 21 Ehrenreich. I'll answer on fire suppression.  
 22 I've been speaking with the fire code  
 23 official here, brought my e-mail. We have agreed or  
 24 he has indicated that a 13R fire system throughout  
 25 would be appropriate.

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1 We've been talking to sprinkler  
 2 companies about a design. We're going to need some  
 3 kind of reservoir because there is no water, but  
 4 it's going to have to be some kind of water tank for  
 5 sprinkler use on the property. The exact sizing  
 6 will have to be determined still, based on  
 7 calculations.  
 8 MR. DECKER: And the use of a  
 9 sprinkler system may weigh in on the fire chief's --  
 10 VICE CHAIRMAN CRONCE: It's up to  
 11 them.  
 12 MR. DECKER: -- opinion on the fire  
 13 tank. So I would defer it to the fire chief.  
 14 THE WITNESS: Along -- Tom, along the  
 15 same lines of the dead-end parking, we did go  
 16 through the deed, and there is no mention of access  
 17 through to Lot 29 to the north. They're separate  
 18 entrances with no --  
 19 MR. DECKER: Okay.  
 20 So that -- that also affects the  
 21 driveway that you're taking out --  
 22 THE WITNESS: That's correct.  
 23 MR. DECKER: -- by removing the  
 24 portion of that access to the adjacent property  
 25 doesn't impact on them.

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1 THE WITNESS: Doesn't impact them.  
 2 They have -- they have no right to egress through  
 3 our property.  
 4 MS. HIRSCH: One comment I noted in  
 5 Mr. Decker's letter you might want to respond to is  
 6 No. 34 about pools on a corner lot with nonsolid  
 7 fence requiring some type of screening.  
 8 THE WITNESS: The pool is up the hill  
 9 significantly from the proposed hotel, and it is  
 10 backed on -- on the east by -- by woods, very dense  
 11 woods. And those -- as River Road comes up past our  
 12 property, it bends to the right, and those woods  
 13 extend down there, so it's screened that way.  
 14 There's also a significant screening of  
 15 large pine trees -- I think they're hemlocks --  
 16 along Old River Road and in front of the existing  
 17 building, and we preserved them. Our design of the  
 18 driveway and the parking lot is such that we are  
 19 proposing a retaining wall along the southern and  
 20 western side of our driveway so that these large  
 21 pine trees can be preserved. And they are going to  
 22 be provide a significant screen for -- from River  
 23 Road -- from Route 29 and from Old River Road so  
 24 that the pool really won't be visible from either  
 25 road.

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1 VICE CHAIRMAN CRONCE: Mr. Chairman?  
 2 CHAIRMAN FULPER: Mm-hmm?  
 3 At what point do we want to review that  
 4 letter in its entirety? Are you going to --  
 5 MR. DECKER: Ted started. I kind  
 6 of --  
 7 CHAIRMAN FULPER: Let me just ask one  
 8 question, first, for the stenographer there.  
 9 Are you okay? Do you need a break at  
 10 some point, want to have a recess at some point?  
 11 COURT REPORTER: I'm fine right now,  
 12 thanks.  
 13 VICE CHAIRMAN CRONCE: Mr. Chairman,  
 14 why don't we have -- I know you have your way --  
 15 CHAIRMAN FULPER: Sure, no problem.  
 16 VICE CHAIRMAN CRONCE: -- but I was  
 17 just thinking that we're bouncing around here.  
 18 CHAIRMAN FULPER: All right.  
 19 VICE CHAIRMAN CRONCE: I'd just like  
 20 to start from the beginning. And Tom can please  
 21 say, okay, the first thing is the operation of  
 22 daily, finally, when is it going to be operating?  
 23 We can address that, would that -- that would make  
 24 this --  
 25 CHAIRMAN FULPER: Yeah. You want me

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1 to add -- at some point, I was going to do that.  
 2 When he was done with his testimony, we were going  
 3 to go with Tom.  
 4 VICE CHAIRMAN CRONCE: Oh, okay.  
 5 CHAIRMAN FULPER: If Tom wants us  
 6 to --  
 7 MR. DECKER: If Ted wants to go  
 8 through it point by point --  
 9 THE WITNESS: I can go through it  
 10 point by point right now.  
 11 CHAIRMAN FULPER: Yeah.  
 12 MR. DECKER: And then if there's stuff  
 13 the traffic engineer is going to address --  
 14 THE WITNESS: That's what I will do,  
 15 yes.  
 16 The hours of operation of the  
 17 restaurant are 8 a.m. to 10 p.m., 10 a.m. to 6 p.m.  
 18 I will refer to the -- Mr. Ehrenreich and --  
 19 DR. EHRENREICH: Yeah, I mean, the  
 20 hours of the restaurant are certainly not set in  
 21 stone, at this point.  
 22 CHAIRMAN FULPER: You have to identify  
 23 yourself for the record.  
 24 DR. EHRENREICH: Michael Ehrenreich,  
 25 again, for the record.

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1 The hours of the restaurant would be  
 2 daily, breakfast would be, probably, 7 or 8 a.m. to  
 3 11 a.m.; we'd serve lunch from maybe about eleven to  
 4 two; and have our dinner service from about four to  
 5 nine, or something like five to nine, five to ten,  
 6 something like that.  
 7 THE WITNESS: And the retail from?  
 8 DR. EHRENREICH: The retail store will  
 9 probably be ten to six most days, with expected  
 10 seasonal adjustments.  
 11 THE WITNESS: Tom's Item No. 2, the  
 12 traffic report, will be addressed by John Hill from  
 13 Malick & Scherer.  
 14 Fire code official, as I said, we  
 15 agreed to defer to the fire code official as far as  
 16 Items No. 3 and 4.  
 17 Item 5 I touched upon briefly before.  
 18 The -- we're proposing 400 square feet of retail  
 19 space with one parking spot per 200 square feet, so  
 20 we have to have two parking spaces for the retail.  
 21 And the retail of 400 square feet is also figured  
 22 into our design flow for the septic system design.  
 23 CHAIRMAN FULPER: Tom, are we  
 24 acknowledging everything as you go?  
 25 MR. DECKER: Yes. You know --

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1 VICE CHAIRMAN CRONCE: If you see  
 2 something, speak up.  
 3 MR. DECKER: No, I'm -- he's going  
 4 through fine. The 400 square feet for the retail  
 5 equates to two parking spaces.  
 6 MR. PALILONIS: So what's the  
 7 conclusion there? Is it 28 or 26?  
 8 MR. DECKER: Well, their proposal is  
 9 400 square feet of retail, which would require two  
 10 parking spaces. I think they have one space shown  
 11 on their parking schedule.  
 12 THE WITNESS: That was -- that was a  
 13 mistake on my part on the parking schedule. That is  
 14 two spaces.  
 15 MR. DECKER: So the total required for  
 16 the 400-square-foot retail, the restaurant and the  
 17 hotel, the total required would be 26. They provide  
 18 26.  
 19 MR. PALILONIS: Okay.  
 20 MR. DECKER: Okay. If the storage for  
 21 the retail was considered, then you need two more.  
 22 THE WITNESS: Dr. Ehrenreich has  
 23 provided testimony as far as the weddings, then,  
 24 that it is going to be strictly for people who use  
 25 their hotel.

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1 MR. DECKER: I guess one question I  
 2 have with regards to that is for the people who use  
 3 the hotel, would that be no other guests other  
 4 than -- no other guests for the event other than the  
 5 people that are at the hotel? I'm just thinking  
 6 about your septic and -- and everything else.  
 7 THE WITNESS: Right. We -- my  
 8 understanding is that the only people who are going  
 9 to be at weddings are people who, like Michael  
 10 Ehrenreich testified earlier, they would buy out all  
 11 10 rooms. And those are the people who would be  
 12 there, and our system is designed to handle that.  
 13 MR. DECKER: Okay.  
 14 VICE CHAIRMAN CRONCE: I have a  
 15 question.  
 16 CHAIRMAN FULPER: Sure, John. Jump  
 17 right in.  
 18 VICE CHAIRMAN CRONCE: The only  
 19 question I have on that with the weddings and stuff  
 20 like that, I'm just using this number of 100 people  
 21 come to someone's wedding. Are you allowing that?  
 22 And -- or, well -- and where are all those people  
 23 going to park? That's the question I have.  
 24 DR. EHRENREICH: No. We allow only a  
 25 wedding that fits on our property.

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1 Michael Ehrenreich, again, for the  
 2 record.  
 3 We'll allow only a wedding that fits on  
 4 the property. So we have 26 spaces and we've got 10  
 5 rooms and an 18-seat restaurant that would have to  
 6 be bought out. You know, if you can come -- if 26  
 7 spots suits your wedding, then that's what you can  
 8 have.  
 9 A hundred people would undoubtedly be  
 10 too large for our property.  
 11 VICE CHAIRMAN CRONCE: Okay. I just  
 12 wanted to make sure that we don't have -- if -- not  
 13 that I'm saying you can't have it, at this time, but  
 14 where would -- it would need more parking. That's  
 15 what I am trying to figure out.  
 16 DR. EHRENREICH: No. You know, we're  
 17 within -- unless, you know -- I don't know what the  
 18 town's rules are. If somebody came to us and said,  
 19 "Hey, we want to do something big," I'd say, "Speak  
 20 to the town about parking, for off-site parking,  
 21 because we can't provide it."  
 22 So we can't do a wedding if -- if you  
 23 can't fit in our parking lot, unless there is some  
 24 arrangement made.  
 25 MR. DECKER: The only comment I have

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1 for that is that across the street at the canal park  
 2 there, there is parking on the other side of the  
 3 canal back in that area, and it is public parking,  
 4 so --  
 5 VICE CHAIRMAN CRONCE: It's a gray  
 6 area.  
 7 MR. DECKER: I know.  
 8 VICE CHAIRMAN CRONCE: You know, we're  
 9 not here --  
 10 MR. DECKER: No.  
 11 MR CRONCE: You can't say that, so I  
 12 don't even know why you would even bring that up.  
 13 MR. PALILONIS: Anybody parks there,  
 14 crossing the highway, if they've had a few --  
 15 MR. DECKER: Just putting it out  
 16 there.  
 17 THE WITNESS: From my standpoint, we  
 18 weren't contemplating any off-site parking or  
 19 anything to accommodate people at an event.  
 20 CHAIRMAN FULPER: Okay. 6 is good.  
 21 What do we have? Are we on No. 7?  
 22 THE WITNESS: No. 7. We proposed the  
 23 twenty-six 9-by-18 parking spaces, and there is one  
 24 access. And so, yes, Tom is correct, there will  
 25 have to be K-turns to be provided for people getting

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1 out.  
 2 What we provided is a 24-foot aisle way  
 3 behind each of the parking spaces so somebody can  
 4 back -- it's 90-degree parking, so somebody will be  
 5 able to back out and turn around to get in and out  
 6 of the parking lot.  
 7 MR. DECKER: So, essentially, they  
 8 have the equivalent of one space designated for a  
 9 vehicle that comes in. If they can't find a  
 10 space --  
 11 THE WITNESS: They turn around.  
 12 MR. DECKER: -- they're going to pull  
 13 into that space, back out and leave the site. Okay.  
 14 THE WITNESS: And we do have -- we do  
 15 provide an area for a couple of parallel parking  
 16 spaces, I believe.  
 17 Oh, we got rid of them, sorry.  
 18 We have an ADA spot up near the back of  
 19 the entrance to the motel, and we have three spots  
 20 up there.  
 21 CHAIRMAN FULPER: Just one is  
 22 required?  
 23 THE WITNESS: One is required based on  
 24 the ADA requirements; that's correct.  
 25 CHAIRMAN FULPER: Okay.

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1 THE WITNESS: The loading zone, we  
 2 provided a loading zone in accordance with the  
 3 ordinance, and Tom correctly points out that it  
 4 extends into -- we've shown it in the driveway.  
 5 That's this cross-hatched area here.  
 6 It's a -- it's a big loading zone that  
 7 meets the ordinance requirement. I believe it was  
 8 70 feet long. And so what we envisioned was any --  
 9 any deliveries which come are going to be in  
 10 straight -- straight-axle trucks, ten-wheelers or  
 11 something like that.  
 12 This is big enough that if a  
 13 tractor-trailer did have to come in, they would pull  
 14 up Old River Road, back down into the loading zone,  
 15 and he would be able to pull out and down back out  
 16 onto River Road. So we've provided something that's  
 17 there while deliveries are going to be made, which  
 18 are going to be, you know, very few and far between.  
 19 I don't believe it's going to be a  
 20 problem for somebody driving in and out. It's not  
 21 like we're generating a lot of traffic and --  
 22 MR. DECKER: So what you're saying,  
 23 for the most part, you're going to get a box truck  
 24 in there.  
 25 THE WITNESS: Right. It's going to be

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1 a box -- you know, I'm thinking Provisions -- you  
2 know, Provisions brought from -- R & R Provisions,  
3 somebody to bring in, you know, bringing in meat,  
4 potatoes, things like that in; and it's not going to  
5 be...  
6 And as far as a UPS delivery or  
7 something, that's a very -- that's a very small  
8 truck and they can --  
9 MR. KYLE: You'll have -- you'll have  
10 probably quite a few tractor-trailers, though, for  
11 construction purposes. I mean, you're going to have  
12 raw materials delivered and concrete.  
13 THE WITNESS: During construction --  
14 during construction, there will be. There will  
15 be -- there'll be dump trucks delivering the  
16 concrete, sand for the septic system; there will be  
17 that.  
18 But at that point, the -- we're not  
19 going to have -- we're not going to have guests or  
20 anything that will be interfered with with that  
21 construction traffic.  
22 Again, the garbage truck, we've located  
23 a dumpster in an enclosed area on the east side.  
24 The loading zone actually crosses that, but we're  
25 not going to have garbage trucks moving in at the

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1 same time we're going to have tractor-trailers  
2 delivering anything.  
3 And the garbage -- the garbage truck  
4 will come in. We're provided a dumpster in an  
5 enclosed area. He'll drop his forks, drive in up  
6 under the dumpster, pick it up and then back out.  
7 And, again, he can -- he can drive forward, he can  
8 back out onto River Road, and the extent of that,  
9 back the truck down.  
10 MR. KYLE: Ted, can we talk about that  
11 one for a minute?  
12 THE WITNESS: Sure.  
13 MR. KYLE: What Tom was saying is that  
14 that's not allowed by ordinance. We want to  
15 accommodate the K movement in, back down the  
16 driveway, and pull out forward onto Old River Road.  
17 THE WITNESS: Yeah.  
18 MR. KYLE: One of my comments was, can  
19 we push the dumpster enclosure farther east?  
20 THE WITNESS: I could actually -- I  
21 would be better off rotating it. I can rotate it so  
22 that he would drive in up to it, back down our  
23 driveway and then drive out. I can do that.  
24 The problem I'm facing is to have that  
25 concrete sluiceway. That is approximately 10 feet

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1 from where I'm showing the dumpster.  
2 MR. KYLE: Well, that's -- that's why  
3 I was thinking --  
4 THE WITNESS: I could push it a little  
5 bit farther. I could push it a little bit farther  
6 to the east and I can get up to that sluiceway and  
7 maybe rotate it a little bit. I think we can make  
8 that work.  
9 MR. KYLE: Okay.  
10 MR. DECKER: Because otherwise it  
11 would be an additional design waiver.  
12 THE WITNESS: That's a design waiver.  
13 Okay.  
14 MR. DECKER: If you -- if you can't  
15 make that work and you have to back out onto the  
16 road.  
17 THE WITNESS: I think I can make it  
18 work, though. I've looked at it a little bit.  
19 Then once we have -- we have -- we're  
20 showing emergency generators behind it, but we can  
21 relocate them so that we get more area.  
22 I talked about the adjacent property,  
23 Lot No. 29. I don't have anything.  
24 The pressed curbing in front of the  
25 dumpster enclosures is not a problem. We'll extend

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1 the curbing along the entrance road to Route -- to  
2 Old River Road.  
3 The guide rail Tom suggests along the  
4 western parking spots are these spots right down  
5 here that face Route 29.  
6 If you look at our landscaping -- our  
7 grading plan, it's actually a 3 to 1 slope going  
8 down toward 29 from there. And we're proposing a  
9 series of -- a boxwood hedge there.  
10 I didn't really think that the guide  
11 rail was necessary along there. I mean, we have  
12 a -- we have a curb, we have the boxwoods and it's a  
13 3 to 1 slope; so in my mind, I didn't -- I didn't  
14 think it was necessary.  
15 MR. DECKER: I don't know. I was more  
16 concerned about a vehicle pulling in and, you know,  
17 if it hops the curb, it's going to go down the  
18 embankment.  
19 MR. KYLE: Yeah.  
20 MR. DECKER: That's down the  
21 embankment --  
22 MR. KYLE: Boxwood's not going to stop  
23 that.  
24 MR. DECKER: -- and then into  
25 Route 29, so that's the only reason I recommended

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1 the guide rail, that's the reason.  
 2 CHAIRMAN FULPER: All right. It's not  
 3 required; it's just a suggestion for safety?  
 4 MR. DECKER: Well, that's -- it's a  
 5 suggestion for safety. I mean, it's nothing that's  
 6 in the ordinance, but my thought was, you're pulling  
 7 into the parking space and, you know.  
 8 MR. PALILONIS: Is the parking area  
 9 flat or is it sloped?  
 10 THE WITNESS: The parking area is  
 11 essentially flat.  
 12 MR. DECKER: It is essentially flat  
 13 and it does have a 6-inch curb, so you would have to  
 14 hop the curb; but it's not uncommon to put a guide  
 15 rail along the base of a --  
 16 VICE CHAIRMAN CRONCE: Aesthetically,  
 17 though, how would that look? I mean --  
 18 MR. DECKER: Well, the guide rail --  
 19 the guide rail that they proposed to route is a  
 20 timber guide rail, so it's not your typical metal  
 21 guide rail.  
 22 MR. KYLE: Well, I was suggesting some  
 23 more screening, different screening, rather, so on  
 24 the other side of the guide rail it would probably  
 25 likely not be visible from Route 29.

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1 CHAIRMAN FULPER: Does the applicant  
 2 want to provide that? Or how do you feel about it?  
 3 THE WITNESS: I -- from a safety  
 4 standpoint, you know, I see Tom's point. If  
 5 somebody hits the gas pedal instead of the brake  
 6 pedal, they're down on Route 29.  
 7 And there's -- you know, I would say  
 8 that we do have the 6-inch curb; people are not  
 9 going to be driving very fast in there. We do have  
 10 a guide rail along the top of our retaining wall  
 11 coming down. If we kept the same type of timber  
 12 construction, that --  
 13 MR. DECKER: Yes. That's -- that's  
 14 what I --  
 15 THE WITNESS: It would be concealed  
 16 behind the boxwoods.  
 17 MR. DECKER: I wasn't looking for a  
 18 steel guide rail or anything like that. I was  
 19 looking for something consistent --  
 20 THE WITNESS: And we could make it  
 21 kind of innocuous; it would do its job, but it  
 22 wouldn't be sticking out.  
 23 CHAIRMAN FULPER: Is that something  
 24 you want to provide, then?  
 25 DR. EHRENREICH: How about -- Michael

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1 Ehrenreich, again.  
 2 How about like a post and rail fence at  
 3 that point there, just like a physical obstacle? I  
 4 mean, we're not talking like a highway crash barrier  
 5 here.  
 6 MR. KYLE: No.  
 7 DR. EHRENREICH: Something that people  
 8 aren't just going to feel compelled to drive  
 9 through?  
 10 MR. KYLE: No, something similar to  
 11 what you are already providing along your retaining  
 12 wall, so someone's car -- because it would  
 13 physically stop the car from going over the  
 14 embankment and down onto the roadway.  
 15 DR. EHRENREICH: I think -- you're  
 16 talking about along the top of the retaining wall?  
 17 MR. KYLE: Well, no --  
 18 DR. EHRENREICH: The top of the  
 19 retaining wall is, you know, slated to be, actually,  
 20 like an aluminum fence; it's not the detail that I  
 21 think that you're thinking of.  
 22 The original wood fence I think we  
 23 replaced with an aluminum, more of like a decorative  
 24 aluminum fence, not something to stop people from  
 25 driving over; so it's a --

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1 MR. DECKER: Well, I thought there was  
 2 a fence but there was also a guide rail.  
 3 THE WITNESS: We had shown a guide  
 4 rail detail.  
 5 DR. EHRENREICH: I know there's a  
 6 guide rail detail; I'm not sure where -- what else  
 7 you --  
 8 MEMBER FISHER: How high is the  
 9 retaining wall?  
 10 THE WITNESS: The retaining wall is,  
 11 at its highest, just under seven feet,  
 12 six-foot-nine. The retaining wall starts, as we  
 13 drive in, about three feet high. And it reaches its  
 14 highest point right in through this arc here, where  
 15 it's just around six-foot-three and then --  
 16 MR. KYLE: So that guide rail is  
 17 required, right, by --  
 18 THE WITNESS: Yeah.  
 19 MR. DECKER: That's required. And I  
 20 believe there is also a fence at the top of the wall  
 21 because you have to prevent -- you have to have that  
 22 for code.  
 23 MR. KYLE: For fall -- protection for,  
 24 like, people? Anything over 30 inches, it's --  
 25 MR. DECKER: Correct.

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1 CHAIRMAN FULPER: You guys want to  
 2 look at those plans for a few minutes and we'll take  
 3 a five-minute break?  
 4 THE WITNESS: Sure.  
 5 CHAIRMAN FULPER: Let's take a  
 6 five-minute recess.  
 7 (Whereupon, there is a break taken from  
 8 9:25 p.m. to 9:33 p.m.)  
 9 CHAIRMAN FULPER: All right. We are  
 10 going to call the meeting back to order.  
 11 And just so the applicants know, the  
 12 public hearing will continue until ten o'clock. We  
 13 have other business to contend to, so we have to  
 14 stop the hearing at ten tonight.  
 15 MS. HIRSCH: And the next meeting at  
 16 which this would be continued to would be?  
 17 CHAIRMAN FULPER: The fourth Tuesday  
 18 in June.  
 19 MEMBER HALL: It will be June 28th.  
 20 MS. HIRSCH: Thank you.  
 21 MR. PALILONIS: I meant to mention  
 22 earlier, we only have six members sitting here, so  
 23 it's up to the applicant whether or not they want to  
 24 produce a transcript to have them read by the absent  
 25 members or go with six votes.

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1 CHAIRMAN FULPER: There are three  
 2 other members.  
 3 MR. PALILONIS: There are three people  
 4 not here.  
 5 MR. KYLE: Do you want to provide the  
 6 transcript to the members that aren't here or...  
 7 MS. HIRSCH: I'm going to have to talk  
 8 to my client about that because there is a  
 9 significant expense involved in producing the  
 10 transcript. So --  
 11 MR. KYLE: Make sure we're getting  
 12 close to the mic then, so they can listen to the  
 13 tape.  
 14 MS. HIRSCH: Good point. Yes, I will  
 15 get back to you on that, though.  
 16 CHAIRMAN FULPER: All right. So  
 17 that's a little bit housekeeping, and we're ready to  
 18 start the hearing again.  
 19 THE WITNESS: Okay.  
 20 We will provide the guide rail for  
 21 along the parking spaces that front -- the parking  
 22 spaces that front along the plan, we'll provide a  
 23 guide rail there for safety purposes.  
 24 CHAIRMAN FULPER: Thank you.  
 25 THE WITNESS: Okay.

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1 And moving through, Tom's next comment  
 2 has to do with the lighting along the -- along the  
 3 driveway. These lights will be shielded.  
 4 Typically, they're shielded on the house side, but  
 5 we can put that shielding on the Route 29 side so  
 6 that there's no off-site glare; so you won't see  
 7 anything there.  
 8 The couple of comments -- I'm sorry --  
 9 grading at the north end of the disposal field will  
 10 be such that we won't have any run-on to the  
 11 sanitary septic system. The --  
 12 MR. DECKER: If I can help, maybe, get  
 13 things moved along. If there's -- is there  
 14 anything -- I mean the rest of the items are --  
 15 THE WITNESS: I think they're pretty  
 16 much housekeeping that you and I can address.  
 17 MR. DECKER: They are pretty much --  
 18 pretty much technical in substance.  
 19 CHAIRMAN FULPER: Yeah, I mean, if you  
 20 guys are in agreement, then --  
 21 THE WITNESS: Yeah, I don't --  
 22 MR. DECKER: And I'm sure we can  
 23 stipulate that they will comply with the rest of the  
 24 elements represented, you know.  
 25 CHAIRMAN FULPER: Absolutely.

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1 THE WITNESS: In that case, I've --  
 2 I've looked at everything else and then I discussed  
 3 with Tom briefly the other day, and I don't see  
 4 there's anything that we can't work out ourselves.  
 5 Engineering details --  
 6 CHAIRMAN FULPER: Obviously, Tom,  
 7 you'll follow up on that, and we'll follow you on  
 8 that.  
 9 MR. DECKER: Yes. So if this  
 10 proceeds, any of these, my letter would be a  
 11 condition of any approval.  
 12 THE WITNESS: Absolutely. We can  
 13 agree to that.  
 14 CHAIRMAN FULPER: Okay. All right.  
 15 So that takes care of Tom's letter.  
 16 And what about your testimony? Do you  
 17 have anymore testimony?  
 18 THE WITNESS: No, I'm through except  
 19 for questions.  
 20 CHAIRMAN FULPER: So the board's got  
 21 any questions for the experts before us?  
 22 MEMBER FISHER: Is the septic system  
 23 that -- DC2, that's it? Right.  
 24 THE WITNESS: Yeah.  
 25 MS. HIRSCH: There are also some

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1 comments, I think, in your letter, Mr. Kyle, that --  
 2 MR. KYLE: Yeah. Not many, though.  
 3 MS. HIRSCH: -- towards the end of  
 4 your letter that might be good for Ted to address.  
 5 MR. KYLE: Sure.  
 6 THE WITNESS: I don't have Ted's  
 7 letter in front of me.  
 8 MS. HIRSCH: Site plan and design  
 9 comments.  
 10 MR. KYLE: So the fence around the  
 11 pool, obviously, that's required by code. I think  
 12 it was just an oversight. You can revise the  
 13 plan --  
 14 CHAIRMAN FULPER: So we're looking  
 15 at -- we're looking at --  
 16 MR. KYLE: I'm sorry. My letter on  
 17 page --  
 18 THE WITNESS: The top letter, Jim's  
 19 letter of --  
 20 MR. KYLE: I'm sorry. There's no page  
 21 numbers on here. It's the second-to-last page  
 22 there.  
 23 CHAIRMAN FULPER: Okay.  
 24 MR. KYLE: There was just a question  
 25 as to whether there'd be fencing around the pool.

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1 There was a detail, but I didn't see where it was  
 2 noted; so, there will be --  
 3 THE WITNESS: We'll provide the  
 4 pool-fencing details.  
 5 MR. KYLE: Okay.  
 6 Two is just a comment on the waiver.  
 7 THE WITNESS: Yes. The 20 feet for  
 8 the parking area.  
 9 MR. KYLE: So I guess my question was,  
 10 do you think the parking area, like the drive aisle  
 11 leading up to the parking area where cars are  
 12 actually parked, is part of that? So I just want to  
 13 make sure that the relief that you're seeking is --  
 14 in other words, it's not --  
 15 THE WITNESS: I had anticipated from  
 16 that little bump-out to the north, if you would,  
 17 where the cars could turn around, that would be the  
 18 relief we're seeking, the back of the property.  
 19 MR. KYLE: Okay.  
 20 Is that -- is that closer to any  
 21 property line than the drive aisle is on that  
 22 southern side? So as you come in off Old River,  
 23 right, right there, where that driveway is within  
 24 how many feet of the property line?  
 25 THE WITNESS: There is -- this bump

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1 out over here is closer to the property.  
 2 MR. KYLE: Okay. All right.  
 3 So that's the matter we could --  
 4 THE WITNESS: And that's the one where  
 5 we're looking for the driveway, yes.  
 6 MR. KYLE: All right.  
 7 THE WITNESS: And I could add the  
 8 dimensions to the plan.  
 9 MR. KYLE: There was a comment on  
 10 street trees. Obviously, where we're retaining the  
 11 evergreens on the corner there, I don't think we  
 12 need those; but I think it would be desirable to  
 13 have some -- some trees added to the frontage there.  
 14 And my suggestion was more, rather than  
 15 have a boxwood hedge that's just kind of a soldier  
 16 line around the parking area, maybe we work and just  
 17 have some groupings of shrubs with a street tree to  
 18 kind of, you know, dress up the front. Rather than  
 19 just, you know, a row of boxwood, maybe we can do  
 20 something a little more creative just to kind of  
 21 soften it so it's not so, you know, linear.  
 22 Maybe we can incorporate some of the  
 23 street trees into some groupings of shrubs out in  
 24 front just to kind of screen the parking area,  
 25 because I don't really think -- and Tom and I talked

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1 about this -- I mean, that parking area is how many  
 2 feet above Route 29? It's like 10 feet?  
 3 THE WITNESS: Average of 12 feet.  
 4 MR. KYLE: Yeah. So I don't think the  
 5 headlight glare is a real concern, because it's  
 6 going to be basically going over --  
 7 THE WITNESS: They'll will be shining  
 8 right across over the canal.  
 9 MR. KYLE: They'll be right over the  
 10 tops of the cars that are on Route 29.  
 11 But I think, you know, just soften the  
 12 parking area a little bit, and maybe we can work  
 13 with the applicant's engineer to come up with  
 14 something that works there.  
 15 CHAIRMAN FULPER: Okay.  
 16 MR. KYLE: That was my only -- and the  
 17 other thing is, too, when you remove snow, they're  
 18 plowing snow, they're going to push into the  
 19 boxwoods. Those are fairly susceptible to die-back  
 20 if you're, you know, covering them with snow and all  
 21 that. We can probably do something a little  
 22 different to address that. So...  
 23 All right. So we can work that out, I  
 24 think.  
 25 THE WITNESS: I don't think that would

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1 be a problem.  
 2 MR. KYLE: Okay.  
 3 THE WITNESS: Trash -- the trash  
 4 location we talked about a little bit.  
 5 MR. KYLE: The -- we have these  
 6 standards for parking lot landscaping, and 5 percent  
 7 is required.  
 8 Do you have any idea -- I mean, we --  
 9 I'm sure --  
 10 THE WITNESS: We had looked at that,  
 11 actually --  
 12 MR. KYLE: Okay.  
 13 THE WITNESS: -- and we complied with  
 14 that.  
 15 MR. KYLE: Okay. So that complies.  
 16 THE WITNESS: The boxwoods we proposed  
 17 and everything complied with that.  
 18 MR. KYLE: Okay.  
 19 Trash enclosure we talked about.  
 20 Do you have any concern over the --  
 21 because, I mean, obviously, you're going to be  
 22 putting -- the footing for that retaining wall is  
 23 going to be pretty deep. If it settles --  
 24 THE WITNESS: Yeah. We talked to an  
 25 arborist, and an arborist thinks that we can

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1 preserve those trees. I mean, we talked to him;  
 2 he -- one of the main features we wanted to preserve  
 3 in this whole design was those trees, and that's why  
 4 we don't have a 3-to-1 slope going down. That's why  
 5 we put in that -- in that retaining wall.  
 6 MR. KYLE: Okay.  
 7 THE WITNESS: And an arborist told us,  
 8 he told us that those trees could be preserved.  
 9 MR. KYLE: Okay. That's fine. That's  
 10 all I was curious about --  
 11 THE WITNESS: Yeah.  
 12 MR. KYLE: -- because, obviously,  
 13 you've gone through a lot of trouble --  
 14 THE WITNESS: Yeah, right.  
 15 MR. KYLE: -- so I'd hate to them  
 16 die --  
 17 THE WITNESS: We are aware of that.  
 18 MR. KYLE: -- if you go in and, you  
 19 know, put the footing in and tear all the roots out.  
 20 THE WITNESS: Right.  
 21 MR. KYLE: All right. That's fine.  
 22 And then the lighting we talked about.  
 23 So we're going to have some kind of down lighting on  
 24 the top of the sign as opposed to the up-lighting.  
 25 Okay.

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1 THE WITNESS: That's right. That's  
 2 what Rebecca talked about.  
 3 MR. KYLE: And then the only other  
 4 thing I have, obviously, the statewide  
 5 non-residential development fee is something they're  
 6 going to have to pay, you know, at some point after  
 7 construction.  
 8 Because that is in effect, right?  
 9 MR. PALILONIS: Well, I've contacted  
 10 the Township's, you know, affordable housing  
 11 attorney and he was supposed to get back to me  
 12 yesterday. It didn't happen.  
 13 I'm trying to find out exactly what we  
 14 have.  
 15 MR. KYLE: Well, there's really no --  
 16 MR. PALILONIS: I mean, the Township's  
 17 in litigation, and I, you know, I got to find out  
 18 what the heck --  
 19 MR. KYLE: So the statewide  
 20 non-residential fee comes out of the Municipal Land  
 21 Use Law. So the governor vetoed the legislation  
 22 that would have extended the moratorium, so it was  
 23 back in effect I guess retroactive to 2013.  
 24 If we have a affordable housing trust  
 25 fund set up and we have a spending plan, that 2 1/2

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1 percent comes to the township.  
 2 MR. PALILONIS: That's what I was  
 3 trying to determine.  
 4 MR. KYLE: If we don't, it goes to the  
 5 state.  
 6 MR. PALILONIS: Exactly.  
 7 MR. KYLE: So either way, we have to  
 8 collect the fee. It doesn't matter who gets it.  
 9 It's -- it's a mandatory fee. And I just want them  
 10 to be aware that they're going to have to pay that.  
 11 MS. HIRSCH: Right. I mean, the way  
 12 your ordinance appears to be structured, it's a  
 13 little bit of an older ordinance, so it has a growth  
 14 share provision in it --  
 15 MR. KYLE: Yeah.  
 16 MS. HIRSCH: -- if you will.  
 17 MR. KYLE: Right.  
 18 MS. HIRSCH: And then an opt-out via  
 19 payment from that gross share.  
 20 So for every -- the way it seems to be  
 21 phrased is for every 25 jobs you're creating, you  
 22 have to produce one low-income unit.  
 23 MR. KYLE: Right. So -- which is --  
 24 MS. HIRSCH: If you don't produce that  
 25 unit, you have to make a payment. In this case, we



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1 were only talking about six jobs.  
 2 MR. KYLE: Yeah, but that's --  
 3 MS. HIRSCH: So.  
 4 MR. KYLE: That ordinance should have  
 5 been updated. I don't know why it wasn't.  
 6 MS. HIRSCH: Well, should.  
 7 MR. KYLE: But either way --  
 8 MR. PALILONIS: That's what I am  
 9 trying to figure out.  
 10 MR. KYLE: Either way, it doesn't  
 11 matter what the township ordinance says, because the  
 12 mandatory development fee is a statewide fee that we  
 13 don't have any control over whether we collect it or  
 14 not.  
 15 CHAIRMAN FULPER: Is it the 2 1/2  
 16 percent of what?  
 17 MR. KYLE: Equalized assessed value.  
 18 So in this case, there's going to be a  
 19 change, because we have a current EAV and it's going  
 20 to increase based on the improvements that they  
 21 make. So what they're paying is the difference  
 22 between the current and what it ends up being, and  
 23 then it's 2 1/2 percent of that.  
 24 But what I'm saying is we don't have a  
 25 choice. We have to collect the fee because it's

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1 required per the Municipal Land Use Law, and the  
 2 moratorium ended in -- you know, it was retroactive  
 3 to 2013.  
 4 So I just wanted you to be aware that  
 5 it's something that is going to have to be  
 6 addressed, you know, at some point.  
 7 MS. HIRSCH: Okay. I'd like to speak  
 8 later with Mr. Palilonis about it. I don't think I  
 9 need to take any of the --  
 10 MR. KYLE: That's fine.  
 11 MS. HIRSCH: -- board's time on this.  
 12 MR. KYLE: Yeah.  
 13 MS. HIRSCH: Thank you.  
 14 MR. KYLE: That's all I had in terms  
 15 of site-plan comments.  
 16 CHAIRMAN FULPER: Okay. All right.  
 17 Is there any other questions of any of  
 18 the members or of the professionals?  
 19 VICE CHAIRMAN CRONCE: I just want to  
 20 make sure, Tom, about the parking issues, about --  
 21 will you keep that in your discussions and stuff?  
 22 MR. DECKER: You mean as far as the --  
 23 VICE CHAIRMAN CRONCE: The weddings  
 24 and stuff.  
 25 MR. DECKER: -- the weddings and

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1 stuff.  
 2 Well, I think --  
 3 VICE CHAIRMAN CRONCE: How will you  
 4 address that?  
 5 MR. DECKER: -- you have -- the two --  
 6 the two constraints on the property are parking and  
 7 the septic.  
 8 VICE CHAIRMAN CRONCE: Right.  
 9 MR. DECKER: And right now, I mean,  
 10 the septic, you're -- I think you've --  
 11 THE WITNESS: I've -- I've maxed out  
 12 the septic.  
 13 MR. DECKER: -- you've got that down  
 14 to the gnat's eyelash, so there's really no room  
 15 there. The parking is at the minimum for the hotel  
 16 and for the restaurant.  
 17 So, you know, my concern was,  
 18 obviously, you know, we want the business to be  
 19 successful --  
 20 VICE CHAIRMAN CRONCE: Absolutely.  
 21 MR. DECKER: -- and, you know,  
 22 weddings is, you know, we've all been to weddings  
 23 and, you know, that guest list tends to --  
 24 VICE CHAIRMAN CRONCE: Grow.  
 25 MR. DECKER: -- tends to grow if you

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1 have outsiders coming in and so forth that may not  
 2 be occupants of the hotel. So that's the only  
 3 concern that I had was --  
 4 VICE CHAIRMAN CRONCE: Overflow.  
 5 MR. DECKER: -- how do we structure  
 6 that in any type of approval or anything where  
 7 that's fixed because, yeah, you can have -- you can  
 8 have vans come in and park in 26 parking spaces, but  
 9 then you're going to go over and exceed the capacity  
 10 of the septic system.  
 11 So, you know, it's just something  
 12 that -- and to be honest with you, I don't know how  
 13 you quantify that.  
 14 MEMBER FISHER: Well, aren't functions  
 15 limited by the size of the dining room? He said the  
 16 dining room is the original dining room, so --  
 17 MR. DECKER: Well, it --  
 18 MEMBER FISHER: -- unless they throw a  
 19 tent up.  
 20 MR. DECKER: Well, there's also the  
 21 sun room that runs across the back.  
 22 MEMBER FISHER: Okay.  
 23 MR. DECKER: So, you know, there's  
 24 outdoor weddings where you can have --  
 25 VICE CHAIRMAN CRONCE: The owner --

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1 MEMBER ASHTON: Hors d'oeuvres,  
 2 cocktails and that --  
 3 MR. DECKER: Again, these are  
 4 things -- you want them to be successful, and these  
 5 are the things that kind of grow over time.  
 6 VICE CHAIRMAN CRONCE: So the owner, I  
 7 guess he testified or he's mentioned that he's going  
 8 to keep it scaled down, correct?  
 9 DR. EHRENREICH: Look, we have no  
 10 interest in, let's say, overflowing the capacity of  
 11 our septic system. We have only ourselves to punish  
 12 by doing that. So we have to be behave responsibly  
 13 with what we are creating here.  
 14 VICE CHAIRMAN CRONCE: My concern is  
 15 not so much your septic system, because I think  
 16 it'll be okay, but my concern is the overflow of  
 17 parking. Parking -- maybe some people start parking  
 18 on River Road, some people might flow into the flea  
 19 market by mistake, some people might flow across the  
 20 street by mistake.  
 21 And now we've got a problem where we,  
 22 as the township, are going to have to respond to  
 23 that somehow. Do we come down here and --  
 24 You know, it's just that it could  
 25 become a problem, not now but maybe five years from

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1 now, maybe ten years from now, where all of a sudden  
 2 it expands when someone comes to you and says, "I  
 3 would like to have my wedding here," and they say,  
 4 you know, the wedding list is 200 people.  
 5 Are you going to turn that down and  
 6 say, "No, we can't handle that"? Business-wise, it  
 7 would be a hard thing to say.  
 8 DR. EHRENREICH: Well, I think, you  
 9 know, a man has to know his limitations.  
 10 VICE CHAIRMAN CRONCE: Well, that's  
 11 fine, but --  
 12 MEMBER ASHTON: The bride's father may  
 13 not. They may say, Oh, yeah, we'll get them all  
 14 there in 26 cars, but then Aunt Sally won't talk to  
 15 Aunt Gertrude, and then they're all bringing  
 16 separate cars.  
 17 VICE CHAIRMAN CRONCE: And then we  
 18 have an overflow of 50 cars somewhere.  
 19 DR. EHRENREICH: I mean, we just can't  
 20 do it. I mean, there's no place for them to go.  
 21 As you know, to my knowledge, there's  
 22 one bed and breakfast facility in the township, and  
 23 that's Chimney Hill.  
 24 VICE CHAIRMAN CRONCE: Right now.  
 25 DR. EHRENREICH: Right, right now.

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1 And, you know, I go on their website,  
 2 and they do weddings. I don't know what the  
 3 township's experience has been with them in terms of  
 4 their capacity and if there's been issues with them  
 5 or not, but, you know, we have a similar-size  
 6 property, a similar-size number of rooms. We will  
 7 have probably more parking than they have, more  
 8 septic than they have.  
 9 VICE CHAIRMAN CRONCE: That's right.  
 10 DR. EHRENREICH: A fully-licensed, you  
 11 know, restaurant, assuming we can get what we're  
 12 asking for.  
 13 So we will be set up in a far more  
 14 robust capacity than they are to do whatever it is  
 15 that they do up there. And I don't know the size of  
 16 their events.  
 17 But this idea that there might be creep  
 18 over time and we'll be doing 500-person weddings and  
 19 a 1000-person weddings, I just don't think that's  
 20 going to happen. When you -- after -- you know,  
 21 some -- I don't know what else we can say other than  
 22 we're going to act responsibly. We can only  
 23 promise --  
 24 VICE CHAIRMAN CRONCE: I guess what we  
 25 can say -- can we limit it?

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1 MR. DECKER: Well, I think one of the  
 2 things -- and I believe -- I understand what you're  
 3 saying and everything. But, unfortunately, what the  
 4 board also has to consider is if you sell the  
 5 property. The next property owner may not be as  
 6 conscious as you are as far as the limitations.  
 7 MS. HIRSCH: Well, then, I mean the  
 8 board can control this through a very  
 9 carefully-crafted enforcement condition. You know,  
 10 describing that the area where parking is permitted,  
 11 it has 26 spaces, no parking to be permitted on the  
 12 grass; you know, just describe no parking except in  
 13 the parking lot.  
 14 In the event that there are any -- no  
 15 events shall be held that involves any off-site  
 16 parking without permission from the zoning officer,  
 17 township committee, I mean, whoever you want. If  
 18 you want to leave a little escape valve there. But  
 19 that will be enforceable.  
 20 And the property owner, whether it's  
 21 the current property owners or somebody in the  
 22 future, you'll be able to fine and you'll be able to  
 23 enforce them if they don't live with that.  
 24 DR. EHRENREICH: Chimney Hill has no  
 25 such restraints in their --

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1 VICE CHAIRMAN CRONCE: Well, they have  
 2 quite an area up there where they can park on the  
 3 grass up in the back there. I know the property,  
 4 and I've been to a wedding there. And they have an  
 5 area where overflow cars, with our -- which is  
 6 inside their property that they stay in.  
 7 And granted, I know their septic system  
 8 isn't near the size as yours, but back then, that's  
 9 what it was. And we're not here to debate that, but  
 10 I understand what you're saying.  
 11 But somehow we have to police it so it  
 12 doesn't turn into a problem for police, fire, rescue  
 13 and all these things. So I'm looking to the  
 14 professionals for help.  
 15 CHAIRMAN FULPER: You can do all you  
 16 want, I mean, you can write all you want, but, you  
 17 know, the bottom line is --  
 18 VICE CHAIRMAN CRONCE: Well, you  
 19 should.  
 20 CHAIRMAN FULPER: -- the bottom line  
 21 is if they don't abide by the resolution and a  
 22 neighbor complains, then how is it taken care of?  
 23 VICE CHAIRMAN CRONCE: What is the  
 24 resolution? My question is where we are going to  
 25 put the limit at, and when?

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1 CHAIRMAN FULPER: Yeah, well, I mean,  
 2 we can set a limit. It's pretty easy.  
 3 CHAIRMAN CRONCE: Okay. So --  
 4 CHAIRMAN FULPER: Number of people,  
 5 number of parking spaces.  
 6 VICE CHAIRMAN CRONCE: Do we do that  
 7 now or do we do it later on in the testimony?  
 8 CHAIRMAN FULPER: Well, I thought they  
 9 were ready --  
 10 MR. KYLE: I think when you deliberate  
 11 on the merits of the application and then --  
 12 VICE CHAIRMAN CRONCE: I just want  
 13 that not to get lost in the mix, so I'm asking you,  
 14 as a professional, to keep it in mind.  
 15 MR. KYLE: No, I think Ms. Hirsch's  
 16 point is well taken. We can put whatever we want in  
 17 the resolution, whatever restrictions the board  
 18 feels comfortable, because, obviously, this is an  
 19 issue. So we'll -- we'll do that at the time of  
 20 deliberating. We will formulate conditions. We can  
 21 talk extensively about what you think is reasonable  
 22 and what we want to have reflected in the  
 23 resolution.  
 24 VICE CHAIRMAN CRONCE: Okay.  
 25 MR. PALILONIS: I mean, arguably, they

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1 have too much parking --  
 2 CHAIRMAN FULPER: Stew.  
 3 MR. PALILONIS: For 10 units?  
 4 CHAIRMAN FULPER: I mean, they have a  
 5 restaurant --  
 6 MR. PALILONIS: That's one way to  
 7 limit how much -- how much it's used.  
 8 CHAIRMAN FULPER: Any more questions  
 9 from the board of the experts?  
 10 MEMBER FISHER: How far up is the  
 11 road -- you mentioned Old River Road is going to be  
 12 widened. How far up is it going to be widened?  
 13 THE WITNESS: Old River Road will be  
 14 widened.  
 15 MEMBER FISHER: Because that's gravel  
 16 now, I believe.  
 17 THE WITNESS: Yes, it is. And it will  
 18 be widened past our driveway for a distance of --  
 19 MEMBER FISHER: So it's basically up  
 20 to your driveway?  
 21 THE WITNESS: Well, it's beyond our  
 22 driveway actually.  
 23 CHAIRMAN FULPER: Who owns Old River  
 24 Road?  
 25 MEMBER FISHER: What's that?

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1 CHAIRMAN FULPER: Who owns or  
 2 maintains Old River Road?  
 3 VICE CHAIRMAN CRONCE: We do.  
 4 MEMBER FISHER: The township.  
 5 CHAIRMAN FULPER: So they're going to  
 6 expand Old River Road?  
 7 MR. KYLE: Yes.  
 8 CHAIRMAN FULPER: And the town will  
 9 oversee that and the engineer will design it to meet  
 10 the standard?  
 11 MR. DECKER: Yeah. It's going to be  
 12 designed -- it already is designed to the standard  
 13 of the township by the 20-foot wide and so forth.  
 14 They're also going to need DOT's  
 15 approval for modifications within that right-of-way  
 16 as well.  
 17 CHAIRMAN FULPER: Right.  
 18 THE WITNESS: Maybe I'll look at the  
 19 smaller plans. It's in there.  
 20 MEMBER FISHER: I mean, just a  
 21 ballpark.  
 22 THE WITNESS: I believe it's like  
 23 75 feet.  
 24 MR. KYLE: And then it tapers down to  
 25 meet existing, right?

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1 THE WITNESS: Exactly. And we're  
2 widening from the center line out, so it will take  
3 it back to the existing.  
4 MEMBER FISHER: And it's going to be  
5 paved?  
6 THE WITNESS: It's going to be paved;  
7 that's correct. So it's going to meet the township  
8 road details.  
9 MR. DECKER: One other question while  
10 I was thinking about it, because it was bought up by  
11 a member of the public, was the sight distance.  
12 CHAIRMAN FULPER: The triangle?  
13 MR. DECKER: The sight triangle  
14 pulling out of the driveway looking --  
15 THE WITNESS: Looking north. John  
16 Hill can address that.  
17 MR. DECKER: Okay.  
18 THE WITNESS: But we do have the  
19 required sight triangles.  
20 MR. DECKER: Okay.  
21 MEMBER ASHTON: Well, I'll wait  
22 until --  
23 CHAIRMAN FULPER: Any other questions  
24 of this professional? Of the board? Professionals?  
25 Our professionals are done.

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1 Anybody from the audience that wants to  
2 ask questions? I don't think we have any.  
3 Okay, all right.  
4 So I guess we'll finish up with this  
5 expert. We have a few minutes left if you want to  
6 do --  
7 MS. HIRSCH: Two minutes.  
8 CHAIRMAN FULPER: A few minutes. If  
9 you want to bring somebody else on for a few minutes  
10 or whether you want to summarize some things or any  
11 other housekeeping items you want to go over?  
12 MS. HIRSCH: Well, our next witness is  
13 the traffic engineer, and, you know, maybe if  
14 there's just a couple of questions for him rather  
15 than having him go through, you know, the standard  
16 traffic analysis. You've seen the report and, you  
17 know, maybe if you want to ask him a few questions.  
18 I know that your consultants had some questions.  
19 CHAIRMAN FULPER: I think Tom --  
20 MR. KYLE: I think mostly Tom, not me.  
21 MR. DECKER: Yeah. There were just  
22 some questions in my report. Otherwise --  
23 JOHN HILL, having been previously duly sworn,  
24 testified as follows:  
25 EXAMINATION BY MS. HIRSCH:

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1 Q. Mr. Hill, your credentials, please, for  
2 the record.  
3 A. My name is John Hill. I'm a  
4 professional engineer licensed in the State of New  
5 Jersey, Pennsylvania and Massachusetts.  
6 I have a civil engineering degree from  
7 the University of Massachusetts in Lowell. I've  
8 been a practicing engineer since 1993.  
9 CHAIRMAN FULPER: Okay.  
10 You said you were licensed in New  
11 Jersey, right?  
12 THE WITNESS: Yes, I am.  
13 CHAIRMAN FULPER: Okay.  
14 So you're -- we'll accept you as a  
15 professional.  
16 Do you want -- Tom, do you want to get  
17 some things out now that you want to discuss that he  
18 can maybe address later, if he needs to?  
19 MR. DECKER: Just really it's,  
20 briefly, just the circulation through the parking  
21 lot, you know, as far as, you know, trash vehicle --  
22 trash collection vehicles for the turn-around and  
23 it's sufficient, any impact that it might have on  
24 adjacent property owners with vehicles entering and  
25 leaving the site or anything like that.

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1 I wouldn't -- I wouldn't ask him to go  
2 through all the traffic on Route 29 because, again,  
3 DOT is going to be reviewing that, so that's totally  
4 in their jurisdiction. We are really only  
5 interested in site movements more than anything  
6 else.  
7 THE WITNESS: Yes. Ted Bayer provided  
8 turn vehicle movements for the site and we reviewed  
9 what he presented to us, and this was -- what he  
10 presented was what he was discussing earlier where  
11 the vehicles would be backing into Old River Road.  
12 At this point in time, I have not seen  
13 the new circulation that was discussed earlier this  
14 evening.  
15 MR. DECKER: Okay.  
16 In your report, you took -- I guess,  
17 you observed traffic during a Wednesday, a weekday.  
18 THE WITNESS: Yes.  
19 MR. DECKER: Do you anticipate your  
20 conclusions being any different on a weekend when,  
21 say, the Golden Nugget is going to be operational,  
22 people are going to be, you know, pedestrians on the  
23 canal walk --  
24 THE WITNESS: No.  
25 MR. DECKER: -- Jessy's --

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1 THE WITNESS: No. We feel that the  
 2 vehicles that this site is projected to produce is  
 3 insignificant to what is going on along Route 29  
 4 and, potentially, at the Golden Nugget.  
 5 We do not know the volumes of the  
 6 Golden Nugget, we have limited information for  
 7 Route 29, and we have no information other than that  
 8 there's seven residential along Old River Road.  
 9 But based on existing documents that we  
 10 based our analysis on, we feel that in the limited  
 11 number of parking spaces available and the limited  
 12 use of the restaurant, that the peak-hour volumes  
 13 that will be generated are so insignificant that  
 14 it -- it will not affect Old River Road or Route 29  
 15 or adjacent properties.  
 16 MR. DECKER: Okay.  
 17 And I know in your report you had done  
 18 a comparison for parking requirements per the  
 19 township ordinance but also ITE counts.  
 20 THE WITNESS: Yes.  
 21 MR. DECKER: If you can just touch on  
 22 that a little bit. And what does ITE say we need  
 23 for parking spaces here?  
 24 THE WITNESS: Your ordinances are a  
 25 little more strict than ITE. So when we looked at

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1 ITE, we far exceeded their requirements.  
 2 MR. DECKER: All right.  
 3 I don't really have any other  
 4 questions.  
 5 CHAIRMAN FULPER: And so you're saying  
 6 that, really, as far as any traffic impact on 29,  
 7 that's going to be DOT's --  
 8 MR. DECKER: It's going to be DOT's.  
 9 And I agree, it's -- the amount of traffic coming  
 10 from the hotel is going to be negligible compared to  
 11 what's on 29 --  
 12 CHAIRMAN FULPER: Right, right.  
 13 MR. DECKER: -- whether it's a weekday  
 14 or weekend. I just wanted to -- because we all know  
 15 that when the flea market is busy and when people  
 16 are, you know, walking and commuting in that area on  
 17 the weekend because it is a -- there is a draw, you  
 18 know, that the conclusions were basically the same.  
 19 CHAIRMAN FULPER: Yeah.  
 20 Is there any -- any board members that  
 21 have any question about traffic that they want to  
 22 get answered?  
 23 MEMBER ASHTON: I guess I'm not sure  
 24 how much the question is about traffic versus the  
 25 sign.

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1 MR. DECKER: Oh, sight.  
 2 MEMBER ASHTON: But yeah, the sight  
 3 lines in terms of when you're pulling out there from  
 4 Old River Road onto 29 and whether that sign is  
 5 going to impair that vision.  
 6 And -- and part of my question, too, is  
 7 that I know it's a 45-mile-an-hour road, but you  
 8 have people pretty close tight on you if you go only  
 9 45 miles an hour on there at certain times. So  
 10 there's a lot of traffic moving a whole lot faster  
 11 at certain points and times, so just question how  
 12 that's -- that's figured.  
 13 THE WITNESS: As you stated, the  
 14 posted limit is 45 miles per hour on Route 29.  
 15 Route 29 has two 12-foot lanes and I  
 16 believe it's 2-foot shoulders, which are below  
 17 standards.  
 18 The sight triangles that are existent  
 19 right now are substandard. And the improvements as,  
 20 Ted, you noted, on Old River Road where we're  
 21 widening the roadway, they're not necessarily  
 22 operational improvements; they're safety  
 23 improvements.  
 24 And based on widening the roadway and  
 25 clearing back some of the underbrush that's

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1 currently there, and the placement of the sign, and  
 2 looking at the sight triangles that were developed  
 3 by Ted, we feel that the signs are outside the  
 4 necessary sight-distance triangles.  
 5 And the -- where we're placing the stop  
 6 sign -- which, essentially, means that the vehicles  
 7 coming down Old River Road that they're supposed to  
 8 stop at the stop sign -- where that vehicle is,  
 9 where that driver is sitting, they will have a clear  
 10 line of sight up Route 29 northbound or southbound  
 11 within the required distance.  
 12 So the sign should not be an  
 13 obstruction to that sight triangle.  
 14 MEMBER ASHTON: Those required  
 15 distances for those calculations, do they assume  
 16 that people are generally within 5 percent,  
 17 10 percent of the speed limit? I mean, you know,  
 18 just -- just what's the basis of those calculations?  
 19 Because the sign, I think, is bigger than -- is the  
 20 sign -- is there a variance required for the sign  
 21 itself?  
 22 MR. KYLE: For having two of them,  
 23 yes.  
 24 MEMBER ASHTON: For having the two  
 25 signs, so it is --

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1 MR. KYLE: Well, three, really, but...

2 MEMBER ASHTON: What's the figuring on

3 those? I mean, what's -- what's behind the

4 calculations?

5 THE WITNESS: It is based on a design

6 speed, which is normally five miles per hour over

7 the posted speed limits. And so that distance

8 significantly increases the higher the speed of the

9 roadway.

10 MEMBER ASHTON: Uh-huh.

11 MR. KYLE: It's -- John, for, like, so

12 45 to 50, it's a matter of -- it's not like it's 10

13 feet difference; it's hundreds of feet more at 50

14 versus 45.

15 THE WITNESS: Yes.

16 MEMBER ASHTON: Well, look, my

17 concern, though, is not how much more it is to be

18 safe at 50 miles an hour; my concern is if you have

19 gravel trucks with 25 tons of stone in the back

20 going 60 miles an hour on there, or going 55 miles

21 an hour -- 60 is -- I don't see a lot of guys going

22 60 down there -- but, I mean, my wife has almost be

23 been rear-ended when she was driving the speed limit

24 by gravel trucks down there.

25 So that's why I'm raising the question,

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1 because the, you know, the public question was

2 about, you know, from people who are pulling out of

3 that street all the time, is that, you know, is

4 there going to be an issue there.

5 MR. DECKER: Well, the only obligation

6 that the applicant has is whatever the posted speed

7 limit is, even if there is, you know, trucks

8 exceeding it.

9 MEMBER ASHTON: But in terms of what

10 we take into account to grant a variance, what, you

11 know, can we --

12 MR. DECKER: I think the other

13 testimony, and I was just going to ask John, is we

14 do have the variance for the two monument signs, and

15 maybe you want to touch on that from a traffic

16 standpoint as far as the need for both signs, since

17 there is a variance required for that.

18 THE WITNESS: Right now, the site is

19 located on the inside of a horizontal curve. And

20 coming from one direction, it is difficult to see

21 the -- a sign. So the owners decided to place two

22 signs on either ends of the properties, so that way

23 someone coming from the northbound or the southbound

24 can clearly see the signs.

25 Does that answer your question?

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1 MR. KYLE: Do you think one sign

2 could -- so the single sign that's at Old River

3 Road, there's not a thinking that that would

4 adequately identify the location as you're coming

5 south?

6 THE WITNESS: The -- for the driver's

7 eye to see that sign, it would -- it would be a

8 difficult view if they're supposed to be doing what

9 they're supposed to be doing driving along that road

10 there.

11 MR. KYLE: And you feel that the sign

12 at Old River Road as you're coming north, on the

13 inside of the curve with the trees that are there on

14 that south side of Old River Road, that that's --

15 visibility is adequate for identification there?

16 THE WITNESS: Yes.

17 MR. KYLE: Okay.

18 CHAIRMAN FULPER: All right. Any

19 other questions about traffic here while we wrap

20 things up for the night?

21 You think -- did -- do you

22 professionals think that they need the traffic guy

23 back next time, or do we feel like we got the

24 answers we need for now?

25 MR. DECKER: I don't think so.

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1 CHAIRMAN FULPER: That's good. We

2 accomplished something.

3 THE WITNESS: Glad to do my part.

4 Thank you.

5 CHAIRMAN FULPER: Okay.

6 So we're going to be, you know, having

7 the hearing continued, continuation of the hearing

8 for next month.

9 MR. DECKER: You forgot to ask for any

10 questions.

11 CHAIRMAN FULPER: What's that?

12 MR. DECKER: Did you ask the public

13 for any questions?

14 CHAIRMAN FULPER: Yeah, I guess.

15 If there's anybody in the public,

16 anybody else in the public that wants to talk to

17 that expert, this is the time to ask those

18 questions. If there's anybody present, then this is

19 the time to ask. And I see none, then that expert

20 is complete.

21 Thanks, Tom.

22 So are we okay to put them on first at

23 the next regular meeting?

24 (Whereupon, a discussion is held off

25 the record.)

1 MS. HIRSCH: Mr. Chairman, you know,  
 2 we have one witness left at this point.  
 3 CHAIRMAN FULPER: Okay.  
 4 MS. HIRSCH: And that is our planner.  
 5 I think that he's got 15 minutes' worth of testimony  
 6 at most.  
 7 We really have very little more to  
 8 present, and I wouldn't plan on doing any type of a  
 9 closing for you, because I think the record is  
 10 pretty clear to you. I know you don't want to  
 11 continue with it tonight, but we literally only have  
 12 15 minutes left.  
 13 CHAIRMAN FULPER: And there would be a  
 14 lot of discussion from the board after that, so --  
 15 MS. HIRSCH: I imagine so.  
 16 CHAIRMAN FULPER: -- it's going to be  
 17 a good half hour, 45 minutes, if we're lucky, so --  
 18 MS. HIRSCH: Uh-huh.  
 19 MEMBER HALL: And we have two -- I  
 20 know we have two on next month.  
 21 CHAIRMAN FULPER: Okay.  
 22 But if she thinks, if she thinks they  
 23 can finish up fairly soon, maybe we can get her --  
 24 get them done next month. We'll talk about that.  
 25 You're going to be on -- you're on the

1 agenda for continuation.  
 2 So anybody here, in the public that's  
 3 here for this hearing, let you be -- you will be  
 4 notified now that it will be continued into the next  
 5 scheduled meeting, the fourth Tuesday of June, which  
 6 is June 20 what?  
 7 MEMBER HALL: 28th.  
 8 CHAIRMAN FULPER: 28th?  
 9 MEMBER HALL: Mm-hm.  
 10 CHAIRMAN FULPER: June 28th.  
 11 MR. KYLE: Gulie, you'll let Ruth know  
 12 about the transcript? Because otherwise she'll have  
 13 to let the other members that weren't here that want  
 14 to come and listen to the tape --  
 15 MS. HIRSCH: I certainly will.  
 16 MR. KYLE: Okay.  
 17 MS. HIRSCH: Yup.  
 18 MR. KYLE: Good.  
 19 MS. HIRSCH: Thank you very much for  
 20 your time tonight.  
 21 MS. GELMAN: Thank you.  
 22 (Whereupon, the proceeding is  
 23 adjourned at 10:07 p.m.)  
 24  
 25

1 C E R T I F I C A T E  
 2  
 3 I, JOANNE L. SEKELLA, a Certified Court  
 4 Reporter and Notary Public of the State of New  
 5 Jersey, do hereby certify that prior to the  
 6 commencement of the examination the witnesses were  
 7 duly sworn.  
 8  
 9 I DO FURTHER CERTIFY that the foregoing is a  
 10 true and accurate transcript of the testimony as  
 11 taken stenographically by and before me at the time,  
 12 place and on the date hereinbefore set forth.  
 13  
 14 I DO FURTHER CERTIFY that I am neither a  
 15 relative nor employee, nor attorney or counsel to  
 16 any of the parties involved; that I am neither  
 17 related to nor employed by such attorney or counsel,  
 18 and that I am not financially interested in the  
 19 outcome of the action.  
 20 Notary Public of the State of New Jersey  
 21  
 22  
 23 JOANNE L. SEKELLA, C.C.R.  
 24 License No. 30X100155300  
 25

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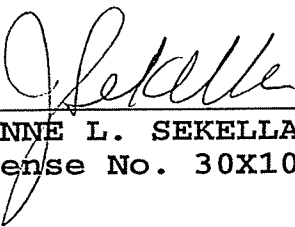
C E R T I F I C A T E

I, JOANNE L. SEKELLA, a Certified Court Reporter and Notary Public of the State of New Jersey, do hereby certify that prior to the commencement of the examination the witness was duly sworn.

I DO FURTHER CERTIFY that the foregoing is a true and accurate transcript of the testimony as taken stenographically by and before me at the time, place and on the date hereinbefore set forth.

I DO FURTHER CERTIFY that I am neither a relative nor employee, nor attorney or counsel to any of the parties involved; that I am neither related to nor employed by such attorney or counsel, and that I am not financially interested in the outcome of the action.

Notary Public of the State of New Jersey

  
\_\_\_\_\_  
JOANNE L. SEKELLA, C.C.R.  
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