

5. 3/29/22 letter from Board Engineer Gregory J. Polyniak Re: Arya Realty Holdings, LLC 138-140 West Pleasant Avenue Drainage Review
6. 3/30/22 letter from Board Traffic Engineer Brian A. Intindola Re: Duke Realty 149-151 Maywood Avenue Traffic Assessment

Councilperson Ryan Ullman arrived at the meeting at 7:34pm.

Resolution None

Completeness Hearing None

Application Hearing **Duke Realty**
 149-151 Maywood Avenue
 Block 124, Lot 30
Calendar #2021-11
Variance & Site Plan Applications

James Jaworski of Wells, Jaworski & Liebman represents the Applicant, Duke Realty Limited Partnership. He stated that while this is a continuation hearing, he would like to summarize the application for members of the public who were unable to participate in the previous Zoom hearings on 1/27/22 and 2/3/22. He introduced Michael Davis of Duke Realty who testified at the 2/3/22 hearing. Mr. Jaworski said that the Applicant owns 9 warehouses in New Jersey. He explained that civil engineer Alex Lomei and traffic engineer John Harter have previously testified. He will have both professionals testify again as well as architect Scott Daniels. He advised that the Applicant, Board and Borough professionals met virtually with Bergen County to discuss the Maywood Avenue access point. Mr. Jaworski noted that the Applicant has reviewed pedestrian traffic along Maywood Avenue and the subject property as there were concerns raised by a member of the Maywood Board of Education about students walking to school and waiting for school buses. He explained that the Applicant has provided a pedestrian access plan which creates a sidewalk from the Maywood Avenue right-of-way to the building. Additionally, he said that the proposed widening of Maywood Avenue has been eliminated and only passenger cars and delivery vans will be permitted to enter through the Maywood Avenue access point. He agreed to that limitation as a condition of approval. Also, he offered that the Applicant will agree to Title 39 permission for police enforcement on private property as condition of approval. Mr. Jaworski reminded the Board and the public that the use is permitted and off-site traffic issues should not be considered. He asked that questions of the witnesses be limited to the testimony provided tonight and not what has been testified to at previous hearings. Board Attorney Kara Kaczynski agreed to the request. Mayor's Designee Jacqueline DeMuro asked if the public could clarify a question even though it may not have been directly testified to tonight. Board Attorney Kaczynski believes that Mr. Jaworski will provide some latitude in questions from the public and he concurred.

Mr. Jaworski called civil engineer Alex Lomei forward and marked the Bohler Engineering Pedestrian Access Exhibit dated 2/8/22 and last revised 3/10/22 as Exhibit A-13. Mr. Jaworski reminded the Board and the public that Mr. Lomei was sworn in previously and remains under oath. Mr. Lomei displayed Exhibit A-13 and identified the proposed sidewalk from Maywood Avenue to the building and a crosswalk from the auxiliary parking area to the proposed sidewalk. He explained that the inbound cartway width was narrowed to accommodate the proposed sidewalk and noted that the proposed sidewalk is ADA accessible.

Mr. Jaworski invited the Board to ask questions of Mr. Lomei. Mayor's Designee Jacqueline DeMuro confirmed that no trucks would enter from Maywood Avenue. Board Engineer Greg Polyniak asked if there was fence being proposed to run along to the existing Maywood Avenue sidewalk and the proposed interior sidewalk as there are significant grade changes that create a significant drop off for pedestrians. Mr. Lomei answered that there was no fence proposed. Board Engineer Polyniak inquired if there had been discussions with the NJDEP regarding the requested boardwalk around the wetlands for employees and residents. Mr. Lomei replied that he has not spoken the NJDEP on this request yet but will do so. Board Engineer Polyniak referenced his review letter, noting that most of the comments are technical in nature and confirmed that Mr. Lomei would address the comments with the subsequent plan submittal. Board Engineer Polyniak questioned how the proposed sidewalk would be installed given the environmental concerns of the subject property. Mr. Lomei answered that soil would be brought in and no excavation is anticipated. Board Engineer Polyniak asked if the Applicant has received comments from the Police and Fire Departments regarding site access. Mr. Lomei deferred to Mr. Jaworski on this question but believes that the Fire Department should be provided with an updated fire truck turn exhibit given the proposed reduction in cartway width. Board Engineer Polyniak confirmed that the plans have been provided to the Maywood Police Department for review and comments. Board Traffic Engineer Brian Intindola clarified that the vehicles entering from Maywood Avenue would have a maximum of 4 wheels. He asked about the reflective radius for vehicles turning left into the site from Maywood Avenue but Mr. Lomei deferred the question to traffic engineer John Harter.

Chairperson Charlotte Panny invited the public to ask questions of Mr. Lomei. Board Attorney Kaczynski explained the process of asking questions after each witness and saving all comments until after all of the witnesses have testified. Virginia Barrett of 40 East Magnolia Avenue asked if the 4-wheeled vehicle restriction previously discussed would be for right hand turns exiting the site onto Maywood Avenue. Mr. Lomei deferred to traffic engineer John Harter. Rick DeHeer of 18 Hammell Place inquired where the drop off location would be as he does not believe there is sufficient space to pull over and discharge a passenger on Maywood Avenue. Mr. Lomei does not believe that vehicles would be dropping off passengers on Maywood Avenue and the purpose of the sidewalk is pedestrian access from Maywood Avenue.

Mr. Jaworski called traffic engineer John Harter forward. Mr. Jaworski clarified with Mr. Harter that the Applicant is proposing that tractor trailers may exit the property by making a right turn onto Maywood Avenue. Mr. Harter further explained that all vehicles turning left to exit the site onto Maywood Avenue and all vehicles entering the site from Maywood Avenue would be limited to 4-wheeled vehicles such as passenger vehicles and delivery vans. Mr. Harter stated that trucks need to be able to exit right onto Maywood Avenue in order to access Route 17 South and not be forced to travel north and U-turn to travel south. He noted that this was a consideration of Duke Realty early in the development process. He said that the Applicant feels that tractor trailers making right turns onto Maywood Avenue is appropriate as the property is zoned Limited Light Industrial (LL) and there is a history of trucks utilizing Maywood Avenue. Mr. Jaworski reminded the Board and the public that Mr. Harter was sworn in previously and remains under oath. Mr. Harter marked the Atlantic Traffic & Design Engineering Supplemental Traffic Letter Maywood Avenue Site Driveway dated 3/11/22 as Exhibit A-10, Atlantic Traffic & Design Engineering Maywood Avenue Truck Turn Exhibit dated 3/11/22 as Exhibit A-11 and Atlantic Traffic & Design Engineering Maywood Avenue Site Driveway Exhibit dated 3/11/22 as Exhibit A-12. Mr. Jaworski asked Mr. Harter to summarize the changes to plan after the meeting with Bergen County. Mr. Harter reminded the Board that his office had discussions with Bergen County regarding retail development of the property prior to Duke Realty's application. He

then had discussions with them regarding Duke Realty application. After the 3/3/22 Bergen County meeting, he explained that the proposed Maywood Avenue widening has been eliminated as trucks will not be permitted to make a left turn into the property. He further stated that the proposed crosswalk across Maywood Avenue requested by Bergen County has been removed. He said the proposed crosswalk across the Applicant's driveway has not changed. He does not expect that passengers will be discharged on Maywood Avenue but anticipates that they would be discharged internally on the site.

Mr. Harter displayed Exhibit A-11 Atlantic Traffic & Design Engineering Maywood Avenue Truck Turn Exhibit dated 3/11/22 and explained that Board Traffic Engineer Intindola requested that the exhibit show the largest single unit truck which is SU-40 (single unit 40' long). He pointed out there has been no change to the proposed right exit onto Maywood Avenue for tractor trailers. He noted that the remaining movements of left exit, left entrance and right entrance was designed for the SU-40 vehicle. After receiving Board Traffic Engineer Intindola's traffic review, the Applicant has chosen to no longer permit single unit trucks to enter and limited the left exit, left entrance and right entrance to 4-wheeled vehicles. He admitted that Exhibit A-11 does not reflect the limitation but reiterated that the smaller vehicles would not require the widening of Maywood Avenue nor the previously proposed crosswalk. He stated that Board Traffic Engineer Intindola has provided timed runs from the Route 17 and Essex Street interchange via Route 17 North vs. Maywood Avenue where the times are virtually the same concluding with the assessment that "it was just as easy" to access the site from Route 17 North than it would be for Maywood Avenue. Mr. Harter does not agree with Board Traffic Engineer Intindola's assessment. Mr. Harter believes that distance from the Route 17 and Essex Street interchange via Route 17 North is more than double the distance than via Maywood Avenue (3,750' via Route 17 vs. 1,500' via Maywood Avenue). Mr. Harter explained that his office counted pedestrians at the Beech Street and Maywood Avenue intersection on Thursday, March 10, 2022 during the hours of 7am-10am and 2pm-6pm. He summarized that during the afternoon peak hour, only 1 pedestrian crossed the Applicant's driveway. He inferred that there are a limited number of pedestrians conflicting with vehicle right out/left in movements. Over the course of the entire 7-hour observation, he said that only 2 pedestrians crossed the Applicant's driveway and both were adults. He believes that the bulk of pedestrians walk on the eastern side of the intersections since more households are located on the eastern side of Maywood Avenue.

Mr. Harter noted that Board Traffic Engineer Intindola's review has a different traffic distribution than the report from his office. Mr. Harter believes that higher traffic volume will utilize the Maywood Avenue driveway than the Route 17 North driveway due to the traffic congestion on Route 17 North. He provided the Federal Highway Administration classifications for vehicles permitted to enter the site via Maywood Avenue as classification 1-motorcycle, classification 2-passenger car and classification 3-4 tire single unit vehicle. He added that the next classification is classification 4-bus and classifications 5 through 13-various types of trucks including single unit and articulated tractor trailers. He further explained that classification 3-delivery vans are typically the Sprinter model (Mercedes) or Transit model (Ford). He stated that Board Traffic Engineer Intindola's review raised a concern about sight distance related to delivery vans as they are taller than passenger vehicles. Mr. Harter does not believe that this will be significant citing that the American Association of State Highway and Transportation Officials (AASHTO) does not address vehicle height in their analysis of sight lines. Mr. Jaworski asked about the traffic volume for other uses and Mr. Harter had previously discussed that a retail use would be a higher traffic generator. Mr. Jaworski believes that the amount of traffic for the proposed development during the peak hours were similar in Mr. Harter's and Board Traffic Engineer Intindola's analyses using the ITE standards. Mr. Harter noted that Board Traffic Engineer Intindola projects a higher volume than he, based on the ITE classification of a high cube parcel hub warehouse (250 trips

during the morning peak hour and roughly the same during the evening peak hour). Mr. Harter utilized a slightly different ITE land use; fulfillment center high cube warehouse. He has projected 175 trips during the morning peak hour and approximately the same during the evening peak hour.

Regarding the parking variance, Mr. Jaworski explained that the Applicant is proposing 309 parking spaces where 760 parking spaces are required. Mr. Harter referenced his previous testimony and Mr. Davis' testimony. He explained the ITE provides parking generation data similar to the trip generation data. He stated that ITE has a single warehouse category which provides that a peak parking demand for a facility of this size would be 150 parking spaces. He noted that the Applicant is proposing 309 passenger car parking spaces but tractor trailer storage spaces and loading/unloading spaces would be separate. He believes that the Applicant is proposing to provide double the number of parking spaces than are needed. Mr. Jaworski asked Mr. Harter to summarize the process with NJDOT regarding the Route 17 North access. Mr. Harter explained that he has had a pre-application meeting with NJDOT to discuss the application and traffic study. He stated that NJDOT prefers to compare data to the existing use which would be the Sears distribution center although the space was vacant. He reminded the Board that his office studied 4 fulfillment center warehouse facilities in southern New Jersey in detail to establish trip generation data which the NJDOT has accepted. This was the data that he used as his build condition. The Applicant is proposing an English-style acceleration/deceleration lane along Route 17 North for the length of the subject property. He said that the NJDOT had concerns about traffic backing up onto Route 17 North but believes that his analysis satisfied that concern. He said that his traffic study was submitted to the NJDOT and was deemed complete. He is currently awaiting comments from NJDOT and anticipates application approval of the proposed acceleration/deceleration lane.

Chairperson Panny invited to the Board to ask questions of Mr. Harter. Derek Eisenberg asked where the distance measurement on Maywood Avenue ended. Mr. Harter answered that the measurement ended at the Maywood Avenue driveway but admitted that the distance from the driveway entrance to the building was not included. He added that the Route 17 North entrance roadway loops around the building which was not measured either. Mr. Eisenberg inquired if the Applicant measured the distance or time of traveling Route 17 North and U-turning at Passaic Street to travel Route 17 South vs. exiting right onto Maywood Avenue and waiting at two traffic signals to travel Route 17 South. Mr. Harter replied that the Applicant did not conduct that analysis but believes the earliest point for a vehicle traveling north on Route 17 to U-turn would be the Route 17 and Route 4 interchange. He added that the Route 17 North congestion while narrowed to two lanes would be an issue with that scenario. He repeated that the use is permitted and there is a history of trucks utilizing the Maywood Avenue access. Mr. Eisenberg added that Maywood Avenue is narrow as well since it is one lane.

Mayor's Designee Jacqueline DeMuro asked the distance from the subject property to the Route 17 and Route 4 interchange but Mr. Harter did not know the answer. She believes that the distance is less than 2 miles and Mr. Davis, sitting in the public, stated that it was 2 miles. She said that the distance was 2 miles on a highway with a speed limit of 55 miles per hour. She admitted then when Route 17 North narrows to two lanes, the typical speed for vehicles is less than the speed limit but has observed that traffic flows. She noted that trucks turning right onto Maywood Avenue are driving through a residential neighborhood that has a speed limit of 35 miles an hour. She confirmed that the business intends to operate 24 hours a day. Mr. Harter believes that there is a time-of-day limit to when trucks would exit onto Maywood Avenue but didn't recall the details.

Chairperson Panny confirmed that trucks would not be permitted to make a left exit on Maywood Avenue. Mr. Harter stated that only passenger vehicles and delivery vans would be permitted to exit left

onto Maywood Avenue. Secretary Anthony Klymenko asked if emergency vehicle access would be affected by narrowing the entrance roadway to accommodate the addition of the on-site sidewalk. Mr. Harter does not believe that emergency vehicles will have an issue since the driveway would be 31' wide.

Chairperson Panny invited the Board professionals to ask questions of Mr. Harter. Board Engineer Polyniak asked about the weather when the pedestrian traffic counts were taken on Thursday, March 10, 2022. Mr. Harter answered that the day was clear because they wanted to do it the day prior but it rained. Board Engineer Polyniak noted that the low temperature for that day was 27°F and the high 55°F. He believes that the temperature in the morning while children would walk to school would be in the 30°s so parents may opt to drive them if that were an option. As such, he feels that the cold weather may have influenced the pedestrian traffic counts and asked Mr. Harter if he agreed. Mr. Harter answered that he didn't believe the weather influenced the pedestrian traffic count as there were pedestrians on the eastern side of the intersections and he understands that there are more households located on the eastern side of Maywood Avenue. Derek Eisenberg asked if Mr. Harter knew the number of houses on the western side of Maywood Avenue between the Applicant's property and Essex Street but Mr. Harter did not know the answer. Mr. Eisenberg replied that there are 14 houses on the western side of Maywood Avenue between the Applicant's property and Essex Street. Board Engineer Polyniak reference Exhibit A-11 Atlantic Traffic & Design Engineering Maywood Avenue Truck Turn Exhibit dated 3/11/22 and asked what speed the auto turn program was set at for the tractor trailer right turn onto Maywood Avenue. Mr. Harter did not know the answer but believes that the truck would be stopped and then proceed. Board Engineer Polyniak agreed that the vehicle would have stopped but does not see the stop point. He continued that the exhibit appears to have a sweeping motion and asked that Mr. Harter provide the detail after consulting with his designer. Mr. Harter believes that the stop point is set back further than is typical for a driveway. Board Engineer Polyniak would have concerns about sight distance with the stop bar setback where Mr. Harter indicated. Mr. Harter answered that stop bars are unrelated to sight distance and AASHTO accepts that a tractor trailer would stop then proceed forward. Board Engineer Polyniak again asked that Mr. Harter provide the detail after consulting with his designer. He has identified that the tractor trailer wheels appear to be hugging the curb line while the trailer is close to the double yellow line and has concerns that the truck may hop the curb or cross over the double yellow line. Mr. Harter is not concerned because, in his experience, the design is always more conservative than reality after construction. Board Engineer Polyniak believes that there is too much room for error.

Chairperson Panny invited Board Traffic Engineer Brian Intindola to ask questions of Mr. Harter. Board Traffic Engineer Intindola asked to clarify the distance from Essex Street/Route 17 interchange to Beech Street. When he measured it, the distance was 0.4 miles from the Essex Street/Route 17 interchange to both Beech Street and the midpoint of the Route 17 North entry driveway. He asked Mr. Harter to explain the discrepancy. Mr. Harter answered that he mapped it on Google. Board Traffic Engineer Intindola explained in detail how he measured the distance. His assessment was that there was no difference in distance or time traveled between the two locations. Board Attorney Kaczynski marked the Neglia Engineering Associates Traffic Review Letter dated 3/30/22 as Exhibit PB-10. Board Traffic Engineer Intindola asked when Mr. Harter reviewed traffic volumes on Maywood Avenue and Route 17 and if he reviewed travel time on both roadways. Discussion between the two gentlemen ensued. Board Traffic Engineer Intindola then asked if the Applicant investigated the time difference between trucks exiting onto Route 17 North and U-turning to Route 17 South vs. exiting right onto Maywood Avenue. He then asked for clarification on the levels of service between delivery vans and passenger cars. Mr. Harter replied that there was no difference. Board Traffic Engineer Intindola believes that a fully loaded

delivery van would share more characteristics with a truck than a passenger car. He confirmed that the Applicant is proposing that traffic trailers can exit right onto Maywood Avenue and all other movements would be limited to Class 3 vehicles or smaller. Board Engineer Polyniak requested that the truck turn exhibit be updated with details and Mr. Harter agreed. Board Engineer Polyniak is not convinced that tractor trailers can exit right onto Maywood Avenue without hopping the curb or cross over the double yellow line. John Motel confirmed that no tractor trailers would enter the site via Maywood Avenue. Mayor's Designee Jacqueline DeMuro clarified that the Applicant is proposing that trucks exit onto Maywood Avenue to access Route 17 South rather than exiting on Route 17 North and U-turning to Route 17 South. She asked why the Applicant was proposing this movement. Hr. Harter referenced Mr. Davis' prior testimony that the Applicant wants the property to be attractive to potential tenants. Mayor's Designee Jacqueline DeMuro referenced Mr. Jaworski's introduction of the Applicant at the 1/27/22 hearing in which he stated that Duke Realty was "responsive to community needs" and proposing that tractor trailers utilize Maywood Avenue is contrary to that statement. Harry Hillenius believes that trucks should U-turn at the Route 17/Route 4 interchange and not Passaic Street. Mr. Jaworski reminded the Board and the public that the use is permitted and off-site traffic issues should not be considered.

Chairperson Panny invited the public to ask questions of Mr. Harter. Virginia Barrett of 40 East Magnolia Avenue referred to Mr. Harter's testimony that he projected 175 trips during the peak hour vs. Board Traffic Engineer Intindola's projection of 250 trips during the peak hour. She asked how many of the 175 trips would be left turns and he answered that 25%-33% of vehicles were projected to use the Route 17 access and 67%-75% would use the Maywood Avenue access. He then detailed that during the PM peak hour (4:45pm-5:45pm), he projected 40 left turns exiting onto Maywood Avenue.

Christine Ercolino of 41 Maywood Avenue asked the weight of the vehicles permitted to enter the Maywood Avenue driveway and Mr. Harter estimated that the weight is less than 7,000 lbs. She then asked how these heavy vehicles would affect the condition of the roadway. Mr. Harter answered that truck traffic would impact the condition of the roadway but stated that retail use would have a greater vehicle volume though the vehicles would be lighter. Ms. Ercolino questioned the number of diesel vehicles projected to access the subject property but Mr. Harter did not know the answer. He believes that the tractor trailers would be diesel powered. She confirmed that it will be the driver's decision to enter and exit via Maywood Avenue or Route 17 North. She asked who will enforce the restriction of 4-wheeled vehicles only permitted to enter the site via Maywood Avenue. Mr. Harter responded that signage will be installed on the driveway entrance, deferred to Mr. Davis on how tenants would operate their business and stated that the Applicant will agree to Title 39 which permits police to enforce traffic rules on private property. Regarding tractor trailers exiting right onto Maywood Avenue, she noted that vehicles are permitted to make a right turn at the red light on Essex Street if traffic is permits. She believes that the ability to do so keeps traffic moving southbound on Maywood Avenue. She does not believe that tractor trailers would be able to turn right on red at Essex Street thereby backing traffic up at that intersection and along Maywood Avenue. Mr. Harter answered that he does not anticipate a significant number of tractor trailers exiting onto Maywood Avenue.

Gentiana Xhavera of 99 Maywood Avenue asked how her family's lives will be impacted by this development particularly given the tractor trailer traffic. Mr. Harter replied that he was not sure how to answer except to say that the property has been zoned industrial for many decades. She asked if the Applicant has assessed the social and environmental impact of development. Board Attorney Kaczynski advised that Ms. Xhavera's question may be answered by the Applicant's planner. Mr. Harter noted that

there are several industrial uses which utilize tractor trailers north of the subject property on Maywood Avenue.

Frank Demarco of 181 Rosalie Street asked for the approximate number of tractor trailers exiting right onto Maywood Avenue on a daily basis. Mr. Harter could not provide a daily answer but projects that 6 tractor trailers would be exiting in the AM peak hour and 6 in the PM peak hour. Mr. Demarco has observed tractor trailers not being able to exit West Hunter Avenue because there are no breaks in the traffic. He has witnessed tractor trailers crossing the double yellow lines when turning from West Hunter Avenue. Mr. Harter referenced Exhibit A-11 Atlantic Traffic & Design Engineering Maywood Avenue Truck Turn Exhibit dated 3/11/22 but Mr. Demarco believes that vehicles will cross the double yellow line based on his own experience as a truck driver. He has lived in his home for 36 years and does not ever remember tractor trailers entering or exiting the Sears distribution center via Maywood Avenue.

Rick DeHeer of 18 Hammell Place asked if the site's highway access made it a desirable location for the Applicant and Mr. Harter agreed. Mr. DeHeer questioned if the Applicant always intended to utilize Maywood Avenue southbound even though it is through a residential neighborhood. Mr. Harter did not know how to respond. Mr. DeHeer asked if the rationale for tractor trailers exiting right onto Maywood Avenue instead of traveling Route 17 North and U-turning to Route 17 South was that the movement was considered inconvenient. Mr. Harter replied yes. Mr. DeHeer asked if the Applicant considers it inconvenient to the residents to have additional diesel fumes, traffic and safety issues of tractor trailers on Maywood Avenue. Mr. Harter responded that there are other uses on Maywood Avenue that generate tractor trailer traffic. Mr. DeHeer asked for the approximate number of delivery vans in the peak hours but Mr. Harter could not answer. Mr. DeHeer asked how many employee passenger cars would be anticipated and some discussion ensued. Mr. Harter believes that the roadway is public and it is reasonable for Duke Realty to have good site access. Mr. DeHeer responded that it would seem that highway access would be preferable over a one lane narrow residential road. Mr. Harter said that the NJDOT considers Maywood Avenue as an urban minor arterial and not a residential street. Mr. DeHeer asked about the impact on the high school bus stop on the corner of Howcroft Road and Maywood Avenue. He asked if Essex Street was included in the Applicant's traffic analysis. Mr. Harter replied that traffic counts were conducted at some intersections on Essex Street. Mr. DeHeer asked if intersections on Essex Street towards Rochelle Park were studied and Mr. Harter answered no. Mr. DeHeer asked what will occur when tractor trailers are backed up on Maywood Avenue because Essex Street is congested. Mr. Harter did not respond.

Jacquie Flynn of 47 Orchard Place asked if the Applicant has addressed the issue with cars cutting through the site to avoid congestion of either Maywood Avenue or Route 17 North. Mr. Harter said that the Applicant could enact Title 39 to permit police enforcement on private property and install signage but the Applicant has not proposed changes to the site to mitigate vehicles cutting through. She understands that traffic studies focus on peak hours but anticipates that truck drivers may avoid traveling during peak hours. She asked what has been typical of truck traffic at other Duke Realty facilities. Mr. Harter believes that truck volume may be higher outside the peak hours and referenced his earlier testimony about 6 truck trips during the am peak hour and 6 truck trips during the pm peak hour. Mr. Jaworski believes that the Applicant proposed closing the Maywood Avenue access 11pm-6am. Ms. Flynn confirmed that the on-site driveway that leads to Maywood Avenue is still proposed to be widened. She asked about the distance between the right turn onto Maywood Avenue and the adjacent residential property to the south. She asked where tractor trailers would stop before entering Maywood Avenue. Mr. Harter pointed out the stop line on Exhibit A-11 Atlantic Traffic & Design Engineering

Maywood Avenue Truck Turn Exhibit dated 3/11/22. She confirmed that the Applicant did not time the trip traveling Route 17 North and U-turning to Route 17 South vs. turning right onto Maywood Avenue.

Judith Pal of 77 Sinniger Place asked how the proposed development will affect access to the Hackensack Fitness & Wellness particularly for the seniors that utilize that facility. Mr. Harter answered that any additional traffic will make access more difficult. Board Attorney Kaczynski inquired if the surrounding uses were taken into consideration in connection with the traffic study. Mr. Harter replied that the intersection of Howcroft Road and Maywood Avenue was part of his traffic analysis. He acknowledged that there are delays exiting the Hackensack Fitness & Wellness facility via Maywood Avenue in the evening. He projects that the subject property will have a similar number of left turns exiting the site via Maywood Avenue in the evening and vehicles will need to wait in order to exit. He projects the proposed development will have fewer right exits than Hackensack Fitness & Wellness.

John Gargagliano confirmed that the Applicant proposes to create an acceleration/deceleration lane on their property as access to and from Route 17 North. He then clarified that the proposed lane will be limited to the Applicant's property and will not be shared with Hackensack Fitness & Wellness.

Christine Ercolino of 41 Maywood Avenue asked in the Applicant included Demarest Place in the traffic analysis as that street is utilized by Dunbar Armored and Riverside Medical Group. Mr. Harter replied that the Demarest Place and Maywood Avenue intersection was not part of his traffic report.

Vicky Healy of 686 Maywood Avenue questioned if tractor trailers traveling south on Maywood Avenue would turn right into the site and Mr. Harter said that no tractor trailers would come from that direction. She then confirmed that cars traveling north on Maywood Avenue would be permitted to make a left turn into the site.

Chairperson Panny noted that the time was 9:45pm and would ask that no new testimony be given after 10:30pm. Mr. Jaworski agreed and called architect Scott Daniels of Ware Malcomb forward. He was previously sworn in. He was qualified and accepted. Mr. Daniels said that he has worked with Duke Realty on prior projects most recently in Piscataway and Woodbridge. The projects were similar to what is being proposed. Mr. Jaworski marked the 3-page Architectural Plans by Ware Malcomb dated 12/7/21 as Exhibit A-6. Mr. Daniels displayed Exhibit A-6 and described the floor plan. He explained that the 379,749 square foot building will be built on a concrete slab, the walls will be pre-engineered concrete panels or tilt-up panels with a steel skeleton and the roof will consist of metal deck, insulation and single plywood. He stated that the building will be 40' high internally but the external height will 50' leaving a 10' parapet and the dimensions comply with the Borough code. He summarized that the Applicant is proposing 34 docks and 2 ramps that enter the building, all on the south side of the building. Regarding the building elevations, Mr. Daniels explained that a building of this size can look monolithic so he designed the building to look more like an office building with different reliefs, texture, heights and colors to break up the façade. When displaying the rendering sheet of Exhibit A-6, he stated that the two office locations will have windows, different texture, color, height and panels and an added metal clad canopy to differentiate the area from the warehouse. Mr. Jaworski confirmed that the building will be sprinklered and will be code compliant. Mr. Daniels explained the LEED building certification which means that it will be energy efficient, use local materials in construction and utilize LED lighting. Mr. Jaworski asked about the color of the building and Mr. Daniels answered that the colors shown in the rendering accurately depict the proposed colors.

Chairperson Panny invited the Board to ask questions of Mr. Daniels. John Gargagliano asked if there will solar panels installed on the roof. Mr. Daniels replied that solar panels will be added to the engineering of the steel which contributes to the LEED certification. Councilperson Ryan Ullman asked that the exhibit be turned so that members of the public can see it. Mr. Daniels turned the exhibit towards the public. Board Engineer Polyniak noted that the sheets in Exhibit A-6 list the design as conceptual and asked what will change. Mr. Daniels responded that they are at the level of schematic design and the exhibit is no longer conceptual. Board Engineer Polyniak confirmed that the HVAC mechanicals will be located on the roof screened by the parapet walls. Mr. Daniels replied that the HVAC units will be located in the center of the roof. He added that the parapet also shields the internal drain system instead of having the leaders exposed on the exterior of the building. Board Engineer Polyniak confirmed that the building signage will conform to the Borough code. He also confirmed that the HVAC system will not violate the noise ordinance. Board Traffic Engineer Intindola clarified that the building will be LEED certified. He reminded Mr. Daniels that generators must comply with the noise ordinance and Mr. Daniels agreed.

Chairperson Panny invited the public to ask questions of Mr. Daniels. Mike Gillen of 221 Prospect Avenue confirmed that the loading platforms will be flush with building. He then asked about the plans to baffle the noise. From his experience, the noise of the trucks being loaded or unloaded overnight carries into the residential area. Mr. Daniels stated that they are not proposing to cushion the docks but will consider it. Mayor's Designee Jacqueline DeMuro understood that part of the landscape design was to help with noise. Mr. Jaworski offered to have Mr. Lomei answer questions about mitigating noise with landscape. Mr. Lomei displayed sheet C700 Overall Landscape Plan of Exhibit A-2 Preliminary & Final Site Plans by Bohler Engineering last revised 11/18/21. He said that the Applicant is proposing several trees and shrubs along the trailer storage parking area that should help with the noise attenuation. Board Engineer Polyniak confirmed that all noise requirements will be met. Board Traffic Engineer Intindola noted that the noise requirement for strike noises, metal hitting metal, can only happen only a certain number of times. He confirmed that Mr. Daniels is not proposing installing a dock surround. Board Traffic Engineer Intindola described how a dock surround seals around the rear of the truck to mitigate noise. Board Engineer Polyniak asked if the Applicant would install dock seals as a condition of approval. Mike Davis, sitting in the public, stated that dock seals are tenant specific. Mr. Jaworski reminded the Board and the public that Duke Realty does not have a tenant contracted for the proposed building. He added that should the Board make the dock seal as a condition of approval, the Applicant would have to accept the condition. Board Attorney Kaczynski believes that there is a way to phrase the condition that would be acceptable to all parties.

Thomas Anzevino asked for the estimated maximum number of employees. Mr. Daniels answered that he would anticipate 100 employees maximum including the office staff. Derek Eisenberg asked if the 34 docks and 2 ramps were a ratio of delivery vans to tractor trailers. Mr. Daniels replied that the number of docks and ramps used is based on the tenant. John Montel asked what would happen if the tenant that leases the building requires more parking than what was built. Mr. Daniels believes that the Applicant would need to appear before the Board to expand the parking area. Mr. Jaworski stated that the Applicant is proposing less coverage than is permitted so the parking area could be expanded without violating the maximum coverage requirement. John Montel confirmed that there is insufficient coverage available to satisfy the Borough requirement of 760 parking spaces. Chairperson Panny inquired if the number of electric vehicle charging stations and ADA compliant parking spaces would increase if the total number of proposed parking spaces increased. Mr. Jaworski answered that for each charging station installed, the Applicant receives credit for 2 parking spaces. Mayor's Designee Jacqueline DeMuro clarified that additional parking increases the impervious surface. Chairperson

Panny questioned if cell towers would be installed on the roof and Mr. Daniels responded no. Board Attorney Kaczynski added that the cell tower installation would be a separate application.

Jacque Flynn of 47 Orchard Place asked if the signage would be illuminated. Mr. Daniels replied that the signage may be illuminated but would comply with the ordinance. When asked about the building signage, Mr. Daniels stated that the signage is proposed to face Route 17 and not Maywood Avenue.

Frank Demarco of 181 Rosalie Street asked if the proposed landscape will be mature. Mr. Jaworski answered that the Borough arborist and Mr. Davis, who is a certified landscape architect, met on-site and the landscape plan has been revised to accord with the Shade Tree Commission requirements. Mr. Demarco asked the Board to make the installation of dock seals a condition of approval. He asked if landscape could be installed in front of the building facing Maywood Avenue.

Gentiana Xhavera of 99 Maywood Avenue clarified that there will be no truck traffic on Maywood Avenue between the hours of 11pm-6am. Mr. Jaworski added that the trucks will utilize the Route 17 North access during those hours.

Rick DeHeer of 18 Hammell Place understood that Mr. Daniels has designed other Duke Realty facilities. He asked for the addresses of those locations. Mr. Daniels agreed to provide the addresses. Mr. Jaworski believes that some of the addresses have already been provided. Mr. DeHeer asked that the list be posted on the Borough website.

Frank Demarco of 181 Rosalie Street if Amazon was a tenant at other Duke Realty locations and Mr. Jaworski answered yes.

Chairperson Panny confirmed that no one else from the public wished to ask questions of Mr. Daniels. Mr. Jaworski stated that the Applicant's planner will be his last witness but was not in attendance. He suggested that she testify at the next hearing date. He believes that he needs to provide the Board Engineer some traffic information prior to the next hearing. Board Attorney Kaczynski explained that the COAH counsel has requested a special meeting on Wednesday, 4/20/22. She asked if the Applicant's counsel and witnesses would be available on Wednesday, 4/20/22. Board Recording Secretary Tara Grunstra polled the Board to see if members would be available for a special meeting on Wednesday, 4/20/22. Unfortunately, there did not appear to be enough members available for a quorum. Board Attorney Kaczynski announced to the public that the hearing was adjourned to the in-person meeting on Thursday, 5/5/22 at 7:30pm with no requirement for the Applicant to provide additional public notice. She added that when the Board was meeting virtually, public comment regarding the Duke Realty application were emailed to Board Recording Secretary Grunstra. Starting 4/8/22, she said that no additional public comments can be emailed but what has been received to date will be read into the record by Board Recording Secretary Grunstra. Mr. Jaworski extended the time for the Board to act to 5/31/22.

New Business

- Board Availability on Wednesday, 4/20/22 for a Special Meeting with Board Planner Michael Kauker and Special Counsel Patrick McNamara Regarding COAH Litigation, Housing Element & Fair Share Plan and East Hunter Redevelopment Plan
 - Board Attorney Kaczynski asked Board Recording Secretary to advise Board Planner Kauker and Special Counsel McNamara that the Board is unable to meet on 4/20/22 and provide additional meeting dates

Informal Hearing None

Closed Session None

Old Business

- Review of Application Requirements Checklist (Schedule C)
 - Chairperson Panny stated that the examples provided by Board Attorney Kaczynski were distributed to the Board
 - She asked that the discussion be adjourned to the next meeting on 4/28/22
 - Board Attorney Kaczynski suggested the new Best Practices Guide for Electric Vehicles be distributed to the Board and discussed at the 4/28/22 meeting

Open Meeting to the Public

Adjournment

A motion to adjourn the meeting was made by Harry Hillenius. Councilperson Ryan Ullman seconded the motion. All eligible members present voted in favor of the motion. The meeting was adjourned at 10:28pm.

Respectfully submitted,

Tara Grunstra
Planning Board Recording Secretary