

**In The Matter Of:**  
*Renewable Energy Solutions*

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*September 8, 2020*

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*M. Virginia Guinta*  
*Certified Court Reporters*  
*P.O. Box 184*  
*Rocky Hill, New Jersey 08553*  
*(609) 477-9342*

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1 LINDEN PLANNING BOARD  
 2 LINDEN, NEW JERSEY  
 3 CASE NO. SP 1125-20  
 SD 752-20

4 IN THE MATTER OF THE APPLICATION) VIRTUAL  
 OF RENEWABLE ENERGY, LLC, 4900 ) HEARING  
 5 TREMLEY POINT ROAD for R.E. )  
 FACILITY )  
 6 APPLICANT. )  
 - - - - - )  
 7  
 8 September 8, 2020  
 9 9:10 P.M.

10 B O A R D M E M B E R S P R E S E N T :

11 JOSEPH LaPLACA, CHAIRMAN  
 ARMAND FIORLETTI, VICE-CHAIRMAN  
 12 BARRY JAVICK, COUNCILMAN  
 ALEX LOSPINOSO, MAYOR'S DESIGNEE  
 13 NICHOLAS J. PANTINA  
 NOYO EDEM  
 14 MICHAEL ANDERSON  
 CURTIS HUMPHREY

15 ANTHONY D. RINALDO, JR., BOARD ATTORNEY  
 16 PAUL RICCI, BOARD PLANNER  
 LEE KLEIN, TRAFFIC ENGINEER  
 17 D. KOTOWSKI, BOARD RECORDING SECRETARY

18 A P P E A R A N C E :

19 CHIESA SHAHINIAN & GIANTOMASI, PC  
 BY: LISA A. JOHN-BASTA, ESQUIRE  
 One Boland Drive  
 20 West Orange, New Jersey 07052  
 (973) 530-2083  
 21 Attorney for Applicant.  
 - - - - -

22 M. VIRGINIA GUINTA  
 23 CERTIFIED COURT REPORTERS  
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 24 ROCKY HILL, NEW JERSEY 08553  
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1 (Roll call.)  
 2 MR. PANTINA: We're going to  
 3 start Renewable Energy, Subdivision set  
 4 SP-1125-2020, SD 752-20. Lisa A. John-Basta  
 5 is counsel. The floor is yours.  
 6 MS. JOHN-BASTA: I'm Lisa A.  
 7 John-Basta of the law firm of Chiesa  
 8 Shahinian & Giantomasi. The applicant is  
 9 Linden Renewable Energy, LLC.  
 10 Tonight we are seeking a minor  
 11 subdivision approval to create two lots from  
 12 property located at 4900 Tremley Point Road,  
 13 Block 587, Lot 8. After the creation of two  
 14 lots, one is proposed for development  
 15 seeking preliminary and final site plan  
 16 approval, and to construct a renewable  
 17 energy facility on the lot.  
 18 In connection with the  
 19 application, we are seeking two variances,  
 20 one for lot width variance, and one to  
 21 create a development lot that does not  
 22 directly abut a street.  
 23 Tonight we intend to call two  
 24 witnesses to discuss our application in  
 25 greater detail, Andrew French, our Civil

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1  
 2  
 3 I N D E X T O W I T N E S S E S  
 4 WITNESS DIRECT  
 5 ANDREW FRENCH 4  
 6 By: MS. JOHN-BASTA  
 7 MICHAEL J. PESSOLANO 19  
 8 By: MS. JOHN-BASTA  
 9  
 10  
 11  
 12  
 13  
 14  
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 22  
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1 Engineer, and Michael Pessolano, our  
 2 Professional Planner.  
 3 With that, I would like to have  
 4 our first witness sworn, please.  
 5  
 6 A N D R E W F R E N C H, having been duly  
 7 sworn by the officer, testified as follows:  
 8  
 9 D I R E C T E X A M I N A T I O N B Y M S. J O H N - B A S T A :  
 10  
 11 Q. Andrew, can you very briefly  
 12 state your educational background for the  
 13 Board?  
 14 A. Yes. I have a Bachelor of  
 15 Science Degree in Civil Engineering from  
 16 N.J.I.T, and I have been a professional  
 17 licensed engineer in the State of New Jersey  
 18 for twenty years. I have provided testimony  
 19 in front of numerous zoning and planning  
 20 boards throughout the State.  
 21 C H A I R M A N L a P L A C A : H e ' s  
 22 qualified.  
 23 Q. You were the preparer of the  
 24 site plan, the subdivision and the  
 25 stormwater reports that were submitted in

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1 advance of tonight's hearing?  
 2 A. They were prepared under my  
 3 supervision, yes.  
 4 Q. Thank you. If you could, first  
 5 discuss the subdivision approval and orient  
 6 the Board to the existing site location and  
 7 conditions of the property.  
 8 A. I'll just share my screen then.  
 9 This exhibit is the exhibit one  
 10 I submitted as part of the package to the  
 11 Board. It's an aerial photograph taken in  
 12 February of this year. The project site is  
 13 shown and highlighted in yellow.  
 14 As you can see, it's located at  
 15 the end of Tremley Point Road. The address  
 16 is 4900 Tremley Point Road.  
 17 On the south side of the  
 18 property it abuts the Rahway River and on  
 19 the east side, the Arthur Kill. As you can  
 20 see too, there's surrounding property on the  
 21 north side, and the west side of the  
 22 property are heavy industrial property is  
 23 designated for redevelopment. Current  
 24 zoning is 4900 Tremley Point Road.  
 25 Q. I don't know if you have your

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1 subdivision plan ready to be shown. But can  
 2 you discuss the subdivision, what is being  
 3 proposed tonight?  
 4 (A-1 Aerial is marked.)  
 5 (A-2 Subdivision Plan.)  
 6 A. This is a minor subdivision  
 7 plan that was submitted as part of the  
 8 application. We colorized the two lots.  
 9 The property is approximately 31 acres, and  
 10 we're subdividing it into two lots, Lot 8.01  
 11 here shown in yellow here, is approximately  
 12 9.85 acres. The proposed lot 8.02 is  
 13 approximately 21.3 acres shown in green.  
 14 The access of Tremley Point Road, the  
 15 hatched area here, is a shared access at the  
 16 end of Tremley Point Road into the property  
 17 so that the access to 8.02 can be  
 18 accomplished through 8.01.  
 19 As part of this subdivision we  
 20 are seeking relief, the property does not  
 21 have public improved frontage on a roadway.  
 22 Tremley Point Road is a private road. We  
 23 are seeking relief to allow the subdivision  
 24 where we are not on an improved public  
 25 roadway.

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1 Tremley Point Road is a private  
 2 road. It's improved and being considered by  
 3 the Planning Board as a viable thoroughfare.  
 4 An access easement across 8.01  
 5 will provide ingress/egress to 8.02 where  
 6 the proposed energy facility will be.  
 7 MR. RICCI: Did you say that  
 8 you're seeking the planning variance from  
 9 Tremley Point Road or the fact you're  
 10 subdivided by subdivided lots doesn't have  
 11 access to Tremley Point Road or both?  
 12 A. Both. The property itself does  
 13 not have frontage or access on a public  
 14 improved roadway. We are seeking that  
 15 relief. As part of it though 8.02..  
 16 MR. RINALDO: Tremley Point  
 17 Road is considered a viable roadway for the  
 18 purpose of the subdivision. You don't have  
 19 to testify to it.  
 20 A. Okay. As part of the  
 21 subdivision itself, Lot 8.01, the yellow lot  
 22 relief has a lot depth from the  
 23 Redevelopment Plan and calls for a 200 foot  
 24 depth, and the proposed Lot 8.01 in yellow  
 25 has lot depth of 145 feet.

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1 The purpose of why Lot 8.01 is  
 2 established, the north side, the top right  
 3 portion of the site is where the existing  
 4 Conrail rail lines are, and it has always  
 5 been contemplated in future use to extend  
 6 the rail lines onto proposed Lot 8.01 and  
 7 allow the extension to the rail lines but  
 8 also to allow waterfront uses both on the  
 9 Rahway River as well as the Arthur Kill.  
 10 We are seeking relief for depth  
 11 on Lot 8.01.  
 12 MR. RICCI: For the record,  
 13 that was always anticipated as shown in the  
 14 concept plan. It's really how it's measured  
 15 technically.  
 16 A. It's shown on the concept plan  
 17 within the Redevelopment Plan. Correct.  
 18 Q. Other than the lot width  
 19 variance and the access variance we are  
 20 seeking, the lots will fully conform in the  
 21 proposed subdivision if approved, is that  
 22 correct?  
 23 A. That's correct.  
 24 Q. Let's move to the actual site  
 25 plan for Lot 8.02.

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1 MR. RINALDO: Before you do  
 2 that subdivison, there are no variances?  
 3 MS. JOHN-BASTA: With the  
 4 subdivision I view it that we need a minimum  
 5 lot width variance for proposed 8.01, and  
 6 we're proposing 145.3 feet in depth, and 200  
 7 feet is required.  
 8 MR. RINALDO: Why don't you get  
 9 his expert testimony on that as a planner.  
 10 You got a planner besides --  
 11 MS. JOHN-BASTA: I do. He'll  
 12 be up next.  
 13 Q. If we could discuss the  
 14 proposed site plan for Lot 8.02.  
 15 A. The applicant is proposing a  
 16 renewable energy facility. Basically, in  
 17 layman's terms, that means any food waste  
 18 will be brought to the property, an aerobic  
 19 digester will process and creates renewable  
 20 natural gas as well as a soil amendment  
 21 byproduct. That soil amendment byproduct is  
 22 a topsoil, but very rich nutrients.  
 23 The intent is to take the  
 24 organic food waste that will come to the  
 25 site by means of a tractor-trailer, tanker

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1 truck, and come into the site, and then go  
 2 to the processing.  
 3 Again, the byproduct from the  
 4 operation will be the soil amendment, which  
 5 will be a topsoil with very rich nutrients,  
 6 a solid, actually trucked back off the  
 7 property, and the other byproduct is  
 8 processing waste water which will be piped  
 9 to the Linden-Roselle Sewage Authority.  
 10 Q. The proposed use, I believe you  
 11 stated, you're permitted under the  
 12 Redevelopment Plan?  
 13 A. Yes, this is a permitted use  
 14 under the Redevelopment Plan.  
 15 Q. For the record, there was a  
 16 question by Paul Ricci whether there was a  
 17 Redevelopment Agreement that was entered  
 18 into. This was with Town Council and dated  
 19 April 26th, 2020. I know that was a  
 20 prerequisite to the application?  
 21 A. Yes, that was my understanding.  
 22 Q. If you could discuss very  
 23 briefly what improvements are proposed on  
 24 the site.  
 25 A. Yes. There's going to be an

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1 Administrative Maintenance Building. It's  
 2 identified as Building 30, it's up on the  
 3 right corner of the property, that's 11,398  
 4 square feet. This is where the administrative  
 5 office will be as well as the maintenance  
 6 area.  
 7 The rest of the anaerobic  
 8 digester system encompasses a variety of  
 9 closed structures to house the processing  
 10 equipment, as well as above ground storage  
 11 tanks.  
 12 The New Jersey containment area  
 13 is in the center of the property, which will  
 14 be contained with a concrete retaining wall  
 15 as well as portions of Building 38 and 32.  
 16 The intent is this facility, operations will  
 17 be done within the closed structures  
 18 themselves. Materials will be in the stored  
 19 tank self-contained processing system.  
 20 Q. And the structures proposed, do  
 21 they comply with the height regulations for  
 22 both the principal and accessory structures  
 23 in accordance with the Redevelopment Plan?  
 24 A. Yes, they do. Maximum building  
 25 height is 52 feet. That will be a solid

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1 work area, number 22 on the left side of the  
 2 street; southern portion of the building,  
 3 there will be 52 feet where the  
 4 redevelopment plan is 55 feet.  
 5 The order control system is  
 6 actually the largest accessory structure,  
 7 and that is 75 feet, located just south of  
 8 Building 22 and 11, and that would be 75  
 9 feet where the Redevelopment Plan allows 110  
 10 feet.  
 11 Q. Could you point out where the  
 12 refuse containers are?  
 13 A. Up on the northern portion of  
 14 the site just the north corner of Building  
 15 30 is where the refuse enclosure is located,  
 16 basically, in behind the building out of  
 17 public view. It will be enclosed with a  
 18 concrete block wall enclosure, gates on the  
 19 front to house the dumpster and recycling.  
 20 Q. Can you discuss the parking  
 21 area that's proposed for the facility?  
 22 A. Yes. Just north of the  
 23 Administrative Building, we are proposing  
 24 thirty-five parking spaces. The ordinance  
 25 requires twenty-nine. We have more than

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1 adequate parking for the proposed operation.  
 2 There's 21 employees, 15 on the main shift,  
 3 three employees on the second and third  
 4 shift. So we have ample parking.  
 5 Q. And the parking stall sizes,  
 6 will they conform with the code?  
 7 A. Yes, 9 by 18 conforms with the  
 8 code.  
 9 Q. With respect to the overall  
 10 improvements, do they comply with the bulk  
 11 standards of the Redevelopment Plan?  
 12 A. Yes. Everything is in  
 13 compliance with the bulk standards. The  
 14 maximum impervious coverage allowed is 95  
 15 percent. We are proposing 53.4 percent. The  
 16 maximum building coverage is 60 percent. We  
 17 are proposing 12.4 percent. We're complying  
 18 with the requirements.  
 19 Q. As far as landscaping, touch on  
 20 what is proposed for the site?  
 21 A. As part of the Redevelopment  
 22 Plan, it requires any areas not used for  
 23 parking, circulation, building structures or  
 24 other elements as part of the operation  
 25 shall be lawn or other suitable ground

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1 cover.  
 2 On the plan, the area in green  
 3 is actually shown as lawn ground cover area  
 4 on the plan. These are areas that are  
 5 currently not used as part of the operation.  
 6 Also along the front main  
 7 access, as you come in off Tremley Point  
 8 Road into Lot 8.02, there will be  
 9 landscaping on both sides of the access, as  
 10 you come in, with shade trees, as well as  
 11 areas around the Administrative Building,  
 12 foundation plantings, shrubs, evergreen  
 13 trees and shade trees.  
 14 We meet the intent of the  
 15 landscape requirements.  
 16 Q. Does the site plan also comply  
 17 with the light requirement, basic shielding  
 18 and light levels.  
 19 A. Yes, it does, we'll have LED  
 20 fixtures that project downward and comply  
 21 with dark sky standards, and will illuminate  
 22 the property for the sake of operation.  
 23 The operation is 24/7. It is  
 24 critical to have lighting out there  
 25 throughout the night so that the operation

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1 can be safely done 24/7.  
 2 Q. With respect to that access  
 3 easement, we are seeking a variance in order  
 4 to permit the direction of the building on a  
 5 lot that does not directly abut a street.  
 6 That access point and easement area, how is  
 7 it improved? To what standards will it  
 8 comply with the Municipal code for roadways  
 9 generally?  
 10 A. From the end of Tremley Point  
 11 Road across proposed Lot 8.01, this portion  
 12 of the site will be a paved driveway which  
 13 will have a minimum width of 25 foot wide,  
 14 and have a subgrade pavement suitable for  
 15 tractor-trailers, fire trucks, emergency  
 16 vehicles. It will be a two-way flow of  
 17 traffic in and out of the property.  
 18 Q. In your professional opinion,  
 19 will that access point and the construction  
 20 thereof be adequate for the safety of the  
 21 public and for emergency vehicles to enter  
 22 the site?  
 23 A. Yes, as part of the process we  
 24 did get the fire official's review letter.  
 25 We had prepared a turning template for the

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1 fire truck for the City of Linden, and  
 2 shared it back with the fire official. He  
 3 acknowledged it was suitable and he was  
 4 comfortable with the plan.  
 5 Q. As far as we also did receive a  
 6 number of other review letters, from the  
 7 Department of Community Services, Department  
 8 of Engineering letter, September 2nd, 2020.  
 9 Have you had an opportunity to review that  
 10 letter?  
 11 A. Yes, I have.  
 12 Q. Can the applicant comply with  
 13 the recommendations set forth therein?  
 14 A. Yes, we can comply with the  
 15 requirements.  
 16 Q. We also received a Klein  
 17 Traffic Consulting review letter dated July  
 18 27, 2020. You provided a written response  
 19 to that letter?  
 20 A. Yes. We sent a written  
 21 response back to Klein Traffic Consulting  
 22 regarding the items.  
 23 Q. Lastly, we received a  
 24 Planning letter from Ricci Planning, and I  
 25 think there were some questions related to

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1 testimony but as far as any recommendations  
 2 set forth herein, can we comply with them?  
 3 A. Yes. I think one of the items  
 4 he was asking about what type of security  
 5 was going to be proposed. There will be  
 6 security cameras located throughout the  
 7 property to monitor the site itself.  
 8 We are looking to put a  
 9 perimeter security fence around the site  
 10 which will be an 8 foot high chain link  
 11 fence with barbed wire on top for security  
 12 purposes. That is not specifically shown on  
 13 the plan. It will be around the perimeter  
 14 of the site.  
 15 Q. Are there any other comments  
 16 within the review letter that you would like  
 17 to address?  
 18 A. We'll comply with any of the  
 19 comments he has. If there's any further  
 20 testimony that's required, we are happy to  
 21 provide that.  
 22 MS. JOHN-BASTA: I have no  
 23 further questions for this witness.  
 24 MR. FIORLETTI: Mr. French, do  
 25 you have DEP air and water permits required?

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1 A. Yes. There was a permit  
 2 provided as part of our application document  
 3 that showed where all the permits were in  
 4 place. Some of them are pending. Yes, we  
 5 do agree we'll get the air permit from the  
 6 DEP as well as the Waterfront Development  
 7 Permit that we secured to do the  
 8 improvements along the Arthur Kill. As far  
 9 as the waterfront improvements, we have that  
 10 permit.  
 11 We have gotten permits from the  
 12 DEP for wetlands that were not encroaching  
 13 onto that. There is numerous other permits  
 14 that we agree to comply and obtain those  
 15 permits.  
 16 MR. RICCI: What is  
 17 outstanding, air permit?  
 18 A. I would have to pull back up  
 19 the matrix. I think the air permit is in  
 20 the process. Yes.  
 21 MR. FIORLETTI: The City has a  
 22 established truck route for trailers using  
 23 properties down to Tremley Point area. You  
 24 have to conform to the traffic pattern for  
 25 your trucks going in and out of the plant.

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1 A. We agree, from Route One take  
 2 Stiles Street to West 21 to South Wood to  
 3 Tremley Point Road, and reverse it to get  
 4 out of the property.  
 5 We'll use Twentieth Street to  
 6 get to Stiles back to Route 1.  
 7 MR. RINALDO: Any other members  
 8 of the Board or our professionals have any  
 9 questions for Mr. French? Hearing none.  
 10 I want to make one comment for  
 11 the record. The Board appreciates your  
 12 cooperation. We did have a TRC meeting with  
 13 the applicant and its professionals. A lot  
 14 of what Mr. French has testified to tonight  
 15 and the other witnesses also testified to  
 16 were gone over in detail with the Board so  
 17 that we get out of the way most of what  
 18 seems to be problems.  
 19 And the second part is, Mr.  
 20 French, we did receive all the documents  
 21 with regard to the DEP and the variance  
 22 applications. They are made part of the  
 23 record.  
 24 I concur with the statements  
 25 that you made regarding same.

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1 Anybody in the audience have  
 2 any questions or comments for Mr. French?  
 3 You may call your next witness.  
 4 MS. JOHN-BASTA: Our next  
 5 witness is Michael Pessolano.  
 6  
 7 MICHAEL PESSOLANO, having  
 8 been duly sworn by the officer and testified  
 9 as follows:  
 10  
 11 DIRECT EXAMINATION BY MS. JOHN-BASTA:  
 12  
 13 Q. Michael, briefly state your  
 14 professional and educational background for  
 15 the Board.  
 16 A. I was originally licensed in  
 17 1984 as a professional planner in the State  
 18 of New Jersey and been practicing ever  
 19 since.  
 20 I serve on six boards as a  
 21 Board Planner, and I have testified hundreds  
 22 of times on boards like this throughout New  
 23 Jersey, however, I have not been not  
 24 qualified as an expert in planning in those  
 25 undertakings.

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1 You want me to stop there?  
 2 MR. RINALDO: It is okay.  
 3 Q. Michael, describe to the Board  
 4 what you did in advance of your testimony  
 5 this evening to prepare?  
 6 A. Typical things a planner does,  
 7 look at the plans, look at the regulatory  
 8 background and requirements and discussed  
 9 the application with my team.  
 10 I prepared for testimony,  
 11 visiting the site was eliminated. It's a  
 12 Very generous site, very easy to get to, you  
 13 could not miss it by Tremley Point Road to  
 14 attend.  
 15 Q. In your review of the  
 16 application material, are the variances that  
 17 were indicated accurate?  
 18 A. Yes.  
 19 Q. If you could, please go right  
 20 into the planning and the variances to  
 21 support the variances we are requesting.  
 22 A. This is an unusual application  
 23 in that the analysis spreads between two  
 24 different realms.  
 25 I'll address the depth relief

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1 practical matter.  
 2 The railroad line that would  
 3 occupy this too shallow area is just what is  
 4 intended there. There are great benefits to  
 5 allowing that to take place in terms of  
 6 reducing congestion by allowing a very  
 7 efficient means of transporting goods and  
 8 materials throughout the State of New Jersey  
 9 without congesting the road with trucks.  
 10 There's clearly a positive case made for  
 11 allowing this deviation which has no  
 12 substantial impact on anything, it is merely  
 13 technical in nature, and serves no planning  
 14 purpose to require compliance with the two  
 15 hundred foot depth, in my opinion.  
 16 Adequate distance is proposed  
 17 width, depth, however what you to call it,  
 18 is allowed for the passage of train traffic  
 19 to and from the points it will travel.  
 20 Moving onto the basis for the  
 21 lot, building on the lot not abutting a  
 22 street, the Redevelopment Plan also provides  
 23 for guidance on how the Board evaluates this  
 24 matter.  
 25 Turning our attention to the

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1 first, lot depth, which is reviewed pursuant  
 2 to the Redevelopment Plan itself saying how  
 3 a deviation such as this should be handled,  
 4 the Board can grant that relief where either  
 5 of the following is stated, Section 6.4,  
 6 either there's an undue hardship that tracks  
 7 from the Section 31 site plan waiver  
 8 standard, the Municipal Land Use Law, or the  
 9 benefits granting relief substantially  
 10 outweigh any detriment.  
 11 In this case, it works a way  
 12 the analysis relief, I find that it meets  
 13 both tests, even though one is stated to be  
 14 made.  
 15 The practicality would simply  
 16 be the project, as a whole, constitutes two  
 17 very beneficial lots of purposes, the lot  
 18 exhibiting the depth, the deficiency is  
 19 designed on purpose to be linear in its  
 20 orientation, not your typical rectangle  
 21 forming a building envelope for the  
 22 structure related to the street.  
 23 This is an entirely different  
 24 situation, so that it's really amounting to  
 25 a technical deficiency rather than a

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1 Municipal Land Use Law, which provides the  
 2 type of situation where planning boards may  
 3 grant relief pursuant to Section 36 of the  
 4 Municipal Land Use Law where a lot does not  
 5 abut a street, it may be determined to be  
 6 allowable if the Board finds, in its  
 7 deliberation, that there is adequate  
 8 alternate provision other than an actual  
 9 street.  
 10 You heard Mr. French testify  
 11 that the driveway is more like a roadway in  
 12 this particular case due to its depth of  
 13 construction and sturdiness for all of the  
 14 traffic for all users, trucks going to and  
 15 from, emergency vehicles, fire trucks, etc.,  
 16 all of that would be able to travel two  
 17 directions over this as if it were an  
 18 extension of the actual Tremley Point  
 19 roadway.  
 20 I see no harm in allowing this  
 21 relief because the intent of the statute is  
 22 addressed, that is, adequate access,  
 23 particularly for emergency protections, and  
 24 access will be clearly provided and  
 25 available.

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1 So I find that the standard of  
 2 relief is clearly met for both deviations  
 3 and approval of both are indeed warranted.  
 4 MS. JOHN-BASTA: Thank you. I  
 5 have no further questions.  
 6 MR. PANTINA: We have any  
 7 questions from any Board members?  
 8 Do we have any questions from  
 9 the public?  
 10 Seeing none, I close to the  
 11 public.  
 12 We have already discussed  
 13 you're going to comply with all the letters  
 14 you received to date. You sent in revised  
 15 plans and you pretty much tackled most of  
 16 them.  
 17 But for all of the letters on  
 18 file and the reports that Ms. Basta has  
 19 reviewed, do you have any problems with  
 20 complying with any of it?  
 21 MR. FRENCH: Nope, we'll comply  
 22 and provide explanations for each of the  
 23 items you're looking for.  
 24 MR. PANTINA: When you send in  
 25 your compliance plans, you will send us

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1 Javick.  
 2 MR. RINALDO: Two separate  
 3 votes. Roll call for Site Plan 1125.1.  
 4 MS. KOTOWSKI: Mr. Pantina.  
 5 MR. PANTINA: Yes.  
 6 MS. KOTOWSKI: Mr. Lospinso.  
 7 MR. LOSPINOSO: Yes.  
 8 MS. KOTOWSKI: Mr. LaPlaca.  
 9 CHAIRMAN LaPLACA: Yes.  
 10 MS. KOTOWSKI: Mr. Fiorletti.  
 11 MR. FIORLETTI: Yes.  
 12 MS. KOTOWSKI: Councilman  
 13 Javick.  
 14 COUNCILMAN JAVICK: Yes.  
 15 MS. KOTOWSKI: Mr. Humphrey.  
 16 MR. HUMPHREY: Yes.  
 17 MS. KOTOWSKI: Michael  
 18 Anderson.  
 19 MR. ANDERSON: Yes.  
 20 MS. KOTOWSKI: Ms. Edem.  
 21 MS. EDEM: Yes.  
 22 MR. PANTINA: Take a roll call  
 23 for Subdivision 752.20.  
 24 MS. KOTOWSKI: Mr. Pantina.  
 25 MR. PANTINA: Yes.

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1 copies of any documents that you sent back  
 2 to the Fire Department and anybody else?  
 3 MR. FRENCH: Yes. Correct.  
 4 Absolutely.  
 5 MR. PANTINA: So I see Mr.  
 6 Rinaldo's finger is up.  
 7 MR. RINALDO: Question for  
 8 Lisa. I'm not sure, is the easement in  
 9 place already or is it going to be part of  
 10 our condition?  
 11 MS. JOHN-BASTA: It would be a  
 12 condition of approval.  
 13 MR. RINALDO: Condition of  
 14 approval. For the Board's approval or not,  
 15 you have to break it down, subdivision,  
 16 either way. Two resolutions.  
 17 MR. FIORLETTI: Mr. Chairman, I  
 18 move a motion to approve Site Plan 1125-20,  
 19 and Subdivison 752-20 with the two variances  
 20 mentioned in testimony.  
 21 MR. PANTINA: Do I have a  
 22 second?  
 23 COUNCILMAN JAVICK: Second.  
 24 MR. PANTINA: I have a motino  
 25 by Armand. I have a second by Councilman

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1 MS. KOTOWSKI: Mr. Lospinoso.  
 2 Mr. Lospinoso. Yes.  
 3 MS. KOTOWSKI: Councilman  
 4 Javick.  
 5 COUNCILMAN JAVICK: Yes.  
 6 MS. KOTOWSKI: Mr. LaPlaca.  
 7 CHAIRMAN LaPLACA: Yes.  
 8 MS. KOTOWSKI: Mr. Fiorletti.  
 9 MR. FIORLETTI: Yes.  
 10 MS. KOTOWSKI: Mr. Humphrey.  
 11 MR. HUMPHREY: Yes.  
 12 MS. KOTOWSKI: Michael  
 13 Anderson.  
 14 MR. ANDERSON: Yes.  
 15 MSKOTOWSKI: Noyo Edem.  
 16 MS. EDEM: Yes.  
 17 MR. PANTINA: Thank you.  
 18 Everything is approved. Have a  
 19 good night.  
 20 (Adjournment.)  
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C E R T I F I C A T E

I, M. VIRGINIA GUINTA, a Certified  
Court Reporter of the State of New Jersey,  
do hereby certify that the foregoing is a  
true and accurate transcript of proceedings  
had in this matter.

\_\_\_\_\_  
M. VIRGINIA GUINTA, C.C.R.  
License No. 30XI00038100

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