

IN THE MATTER OF:	:	
VEOLIA WATER NEW JERSEY, INC.	:	TRANSCRIPT
ON	:	OF
TUESDAY, JANUARY 6, 2026	:	PROCEEDINGS
- - - - -		

PRESENT:

JOHN DEPINTO, Chairman
WILLIAM LINTNER, Vice Chairman
CHRIS GRUBER, Construction Official
JAVID HUSEYNOV
DIETER KOELLING, Council Liaison
SHERWIN TSAI
JOHN RYAN, Mayor's Designee
CARL O'BRIEN PE, PP, CME, CPWM
ROBERT T. REGAN, ESQ., Board Attorney
DARLENE GREEN, Borough Planner
JOSEPH PUGLISI, First Alternate
JEANNE FONDACARO Planning Coordinator

Page 2 1 APPEARANCES: 2 3 FLORIO PERRUCCI STEINHARDT CAPPELLI TIPTON & TAYLOR LLC 4 By: CRAIG BOSSONG, ESQ. 5 91 Larry Holmes Drive Suite 200 6 Easton PA 18042 7 Counsel for the Applicant, 8 Veolia Water New Jersey, INC. 9 10 INDEX: 11 WITNESS: PAGE: 12 Peter N. Bastardo 6 13 Jason Harkins 29 14 Michael Altland 45 15 Jack Zybura 78 16 John Ruschke 97 17 18 19 20 21 22 23 24 25	Page 4 1 CHAIRMAN DEPINTO: Next item on the 2 agenda is a continued public hearing on Block 1002, 3 Lot 7, 127; Summit Avenue, Veolia Water, New Jersey, 4 Inc. It's an application to the major soil 5 movement, site plan, and various variances. 6 Before we get started, just a message to 7 the public. If you are here and you have an 8 interest in this application, the attorney for the 9 applicant kind of acts as the quarterback and 10 directs the application through the process. After 11 he introduces each of the witnesses that he intends 12 to present to the Board, the Board Members will then 13 be given an opportunity to ask questions of that 14 witness. Or they may ask questions of the Borough 15 professional. 16 If the engineer is testifying and we open 17 the meeting to the public, the public will have the 18 same opportunity as Board Members to ask questions 19 of that engineer. But I ask that you please limit 20 your questions to engineering only and wait for the 21 appropriate expert to testify if you're more 22 interested in the architecture or the traffic or 23 anything else that they may be interested in. 24 When we get to the end of the hearing, 25 then you'll have your opportunity to say whether or
Page 3 1 2 3 EXHIBIT: DESCRIPTION: PAGE: 4 A-16 Sheet A101 7 5 A-17 Sheet A201 9 6 A-18 Sheet A202 11 7 A-19 Sheet PB2 14 8 A-20 Sheet PB1 17 9 A-21 Facility Entrance Plan 31 10 A-22 Sheet L103 32 11 A-23 Sheet L102 34 12 A-24 Sheet L101 35 13 A-25 Sheet C101 45 14 A-26 Sheet C119 49 15 A-27 Sheet E110 65 16 B-2 Engineer Letter 60 17 B-3 Planner Letter 97 18 19 20 21 22 23 24 25	Page 5 1 not you like what they're planning on doing or you 2 hate it. Up until that point, you can only ask 3 questions. Everybody's hoping that we're all going 4 to like it, but if you hate it, don't be afraid to 5 say that either. Counsel hates when I say that. 6 You get certain license when you sit here. 7 MR. BOSSONG: Absolutely. 8 CHAIRMAN DEPINTO: And with that 9 said, please identify yourself. 10 MR. BOSSONG: Thank you, Chairman. 11 My name is Craig Bossong with the law firm Florio 12 Perrucci Steinhardt Cappelli and Tipton, on behalf 13 of the applicant, Veolia Water, New Jersey, Inc. 14 We're here this evening, members of the -- Chairman, 15 Members of the Board, for an application, as the 16 Chairman indicated, for major soil movement and site 17 plan application to install two water tanks on the 18 property off Summit Avenue. 19 I have tonight four witnesses: An 20 architect, an engineer, a landscape architect, and a 21 planner, who will present the application and run 22 through the boards that have been prepared. We were 23 here last time. There were some questions raised. 24 There were some concerns raised. We took that back. 25 We made some improvements to what we feel are

Page 6 1 improvements to the plans that hopefully the Board 2 will think are a better option than what was 3 previously submitted. So unless there's any further 4 questions, we'll just jump right into it and get the 5 architect up here to testify. Thank you, Chairman. 6 (The witness is sworn.) 7 MR. REGAN: Please state your name 8 for the record and spell your last name. 9 MR. BASTARDO: Sure. It's Peter N. 10 Bastardo, B as in boy, A-S-T-A-R-D-O. 11 MR. REGAN: B-A-S? 12 MR. BASTARDO: B-A-S-T-A-R-D-O. 13 MR. REGAN: Thank you. 14 MR. BOSSONG: Mr. Bastardo, can you 15 please run through your educational background and 16 licensing? 17 MR. BASTARDO: Sure. I'm a Drexel 18 University graduate. I've had an architectural 19 registration since 2012. 20 MR. BOSSONG: And you've been 21 accepted by boards across the state as an expert in 22 the field of architecture? 23 MR. BASTARDO: Sure. The last 24 planning board I testified in front of was 25 Whitehall.	Page 8 1 CHAIRMAN DEPINTO: And you are going 2 to be referring to a plan that you could put it on 3 the easel and tilt the easel so that the public 4 could see it. 5 MR. BOSSONG: Okay. Can you please 6 run the Board through the floor plan of the proposed 7 pump station on the site? 8 MR. BASTARDO: Sure. I'll review the 9 programmatic space within the building. Obviously, 10 the largest space is the pump room. That's 1,408 11 square feet, that houses all the pumps that are 12 associated with the building process. 13 Toilet room, that's 79 square feet. Two 14 chemical rooms, one sodium hydrochloride room at 198 15 square feet. Ammonium sulfide room at 136 square 16 feet. An electrical room for switchgear and power, 17 and a generator room at 345 square feet. That gives 18 us a programmatic square feet of 2,344. 19 MR. BOSSONG: Now, when you were 20 designing this, we tried to keep the size of the 21 building as minimal as possible to fit all the 22 necessary equipment within this building? 23 MR. BASTARDO: That's correct. 24 MR. BOSSONG: Okay. That's all for 25 the interior?
Page 7 1 MR. BOSSONG: And your license is 2 currently valid and in good standing? 3 MR. BASTARDO: That's correct. 4 CHAIRMAN DEPINTO: Thank you. The 5 Chair will accept recommendation of counsel to 6 qualify. Please continue. 7 MR. BOSSONG: Thank you. Mr. 8 Bastardo, can you please, let's start with the 9 interior of the building. I want to run through the 10 interior of the building real quick before we get 11 into it. 12 MR. REGAN: Are you marking anything? 13 MR. BOSSONG: These were all 14 previously submitted, so if it's the -- I don't know 15 if the Board would like to remark everything. 16 MR. REGAN: Our next A, our next 17 exhibit will be A-16. 18 MR. BOSSONG: So the remark, it's 19 A-101 of the packet that was submitted will mark 20 that as A-16. 21 (Exhibit A-16 is received and marked 22 for Identification.) 23 MR. REGAN: Our next exhibit is A-16. 24 MR. BOSSONG: Right. It's Sheet 25 A-101 of the packet.	Page 9 1 MR. BASTARDO: That's all for the 2 plan, yes. 3 MR. BOSSONG: Okay. We can flip to 4 sheet A-201, which is the exterior. We'll mark this 5 as A-17. 6 (Exhibit A-17 is received and marked 7 for Identification.) 8 MR. BOSSONG: This is labeled 9 building elevations, I believe? 10 MR. BASTARDO: Building elevations. 11 MR. BOSSONG: Okay. Can you please 12 walk the Board through A-201? 13 MR. BASTARDO: Sure. Here are some 14 of the elements of the façade. I'll speak to it. 15 We're proposing an architectural CMU façade with a 16 base of split face and an upper section field 17 section of ground base. The roof is asphalt 18 shingles. The doors are hollow metal doors with 19 hollow metal frames. And the louvers are aluminum 20 louvers. 21 We also have a gabled section of fiber 22 cement, which is otherwise known as hardy plank or 23 hardy panel siding. And a water table of cast 24 stone. 25 MR. BOSSONG: Now, what is on the

Page 10 1 building? The doors, can you point out the doors, 2 the lighting? 3 MR. BASTARDO: Sure. These are the 4 hollow metal doors here. They have side lights, but 5 they have glass lights to view through them, and a 6 transom, a translucent transom. And there are 7 wall-mounted lighting fixtures above the doors, and 8 that is for egress purposes. 9 MR. BOSSONG: Which way are we facing 10 looking at this? 11 MR. BASTARDO: This is looking on the 12 interior side towards the tanks. This is away from 13 the residential side of the building. 14 MR. BOSSONG: And can you just -- I 15 know we have samples that we'll show the Board as to 16 the sidings, but can you just reiterate what the 17 lower level of the siding is going to be, the 18 building? 19 MR. BASTARDO: The masonry, right? 20 MR. BOSSONG: Masonry, yeah. 21 MR. BASTARDO: Yeah. The lower 22 portion is a ground-faced masonry. It's to 23 basically give it a look of a base of the building. 24 And then we break it up with a water table above 25 that. That separates the split face, which has more	Page 12 1 MR. BOSSONG: So there's no exterior 2 lighting planned for this side of the building? 3 MR. BASTARDO: No. 4 MR. BOSSONG: So the residents would 5 not see any type of lighting or anything on that 6 side? 7 MR. BASTARDO: No, they won't. 8 MR. BOSSONG: Okay. Now there's also 9 some hatches in the roof. Can you explain briefly 10 what those hatches are for? 11 MR. BASTARDO: Those hatches are 12 located directly over the pumps. Now these pumps 13 have a long turbine that goes down, a long shaft. 14 When they need to be extracted or installed, they 15 need to be lifted basically straight upwards from a 16 crane. So that's why we have to frame out these 17 shafts in the gable roof so that it's not an awkward 18 sort of job for when they have to pull these things. 19 They can pull them directly straight out of the 20 roof. 21 So therefore we have them framed out. And 22 they're basically roof hatches where they'll be able 23 to open. We go down. We pull it out. Close the 24 roof hatch. But it'll be concealed behind these 25 framed out areas which also contain the same hardy
Page 11 1 of a texture to it, and it's a darker color from the 2 field, which is above it, which is a ground face. 3 It's a little bit more of a polished face, but it 4 has a lighter color. It also has an accent strip 5 that breaks up the mass and provides some 6 proportionality to the facades. 7 MR. BOSSONG: Okay. Can we go to 8 A202, which would be the view on the residential 9 side, correct? 10 MR. BASTARDO: This is looking 11 outward towards the residential side. And on this 12 side we have -- 13 MR. BOSSONG: Real quick, we'll mark 14 sheet A202 as A-18 for identification. 15 (Exhibit A-18 is received and marked 16 for Identification.) 17 MR. BOSSONG: Continue. 18 MR. BASTARDO: We have the same 19 masonry palette with the split face below and the 20 ground face above, along with the accent panels. On 21 this side we have translucent windows also. And 22 there is no lighting on this side. And there is no 23 lighting during the evening hours that would be 24 coming through those translucent windows. Because, 25 again, this is on the residential side.	Page 13 1 panel that I mentioned earlier, which is on the 2 gable side. 3 MR. BOSSONG: And there's really no 4 other way to remove these pumps in this type of 5 setting, correct? 6 MR. BASTARDO: No. They're a fixed 7 unit that has to be extracted in one piece and 8 installed in one piece. 9 MR. BOSSONG: And lastly, there was a 10 question the last time as to the height of the 11 building and as it's calculated under the Borough's 12 code. And we'll get into the engineer, and we'll 13 get into the actual calculations, but do you know 14 the height of the building? 15 MR. BASTARDO: Yeah, it's 24.04 feet 16 high. 17 MR. BOSSONG: As measured by Borough 18 code? 19 MR. BASTARDO: As measured by the 20 Borough, yes. 21 MR. BOSSONG: Thank you. We can go 22 to the colorized. 23 MR. BASTARDO: Okay. So in 24 preparation -- 25 MR. BOSSONG: This is sheet PB-2.

Page 14 1 MR. BASTARDO: PB-2. 2 MR. BOSSONG: PB-2. We'll mark that 3 as A-19. It's Sheet PB-2. 4 (Exhibit A-19 is received and marked 5 for Identification.) 6 MR. BASTARDO: Obviously, the packet 7 that you received does not have the actual samples 8 of the masonry. The exhibit we have, which we can 9 leave with the Board when we're done, has the actual 10 samples, the actual hard samples that show what type 11 of material will be used on the outside of the 12 building. 13 MR. BASTARDO: Sure. It's the same 14 samples as what was shown graphically on the 15 exhibit. So in preparation for tonight's meeting, 16 we've come to Montvale to get some inspiration, to 17 see some of the more contemporary buildings that 18 have been constructed recently, and that we know 19 that the Board has had oversight and reviewed and 20 approved. 21 So that's why we're proposing, you know, 22 knowing contextually where this building is located 23 in a heavily wooded area, we're proposing a more 24 earth tone, muted color scheme. If you could -- 25 when you do see, working from left to right, this is	Page 16 1 All of the metal for downspouts and 2 gutters is colored almond. And the doors, our 3 hollow metal doors and our aluminum windows and 4 aluminum movers are colored downhome, which is a 5 darker brownish color that sort of harkens back to 6 the original split face block. That's a 7 Sherwin-Williams color called downhome. 8 MR. BOSSONG: Now, all these features 9 was to give this a more -- we understand it's an 10 industrial building, a pump station. It's to give 11 it a more upscale type of look for this type of 12 residential area, this area that this is located in. 13 MR. BASTARDO: Sure. I think with 14 the materials that we've selected, that gives that 15 look. 16 MR. BOSSONG: And on this, can you 17 just point out the lighting, the exterior lighting? 18 MR. BASTARDO: Sure. The wall packs 19 are just that. They're sort of -- they're egress 20 lighting, but they have a shroud that casts any 21 light downwards, and they're only used at the egress 22 doors. They're on a photocell so that they come on 23 in the evening. But there is not a lot of shed off 24 the property from these lights. As I said, they're 25 only to direct light to the means of egress, which
Page 15 1 our split face unit. As I mentioned, that's the 2 base of our building. It's a darker color than the 3 field to give that monumentality and that effect of 4 a base. 5 Moving to the right, this is the ground 6 face architectural scheme unit. It's a polished 7 base. It gives a more of a lighter feel to it. 8 Separated the two is a cast stone water table. The 9 color of that is olive buff. And that, of course, 10 gives the separation of the two types of block. 11 And then working your way up, as I 12 mentioned earlier, to break up the mass and give it 13 some sort of horizontal feel to it, we have another 14 accent piece of the original split face block in 15 that darker color. Also, we've introduced some faux 16 sort of roof brackets to kind of give the impression 17 of an exposed roof structure. 18 Moving to the right, the asphalt shingles 19 are slate-lined asphalt shingles, and their color is 20 weathered slate. It sort of gives the impression or 21 the look of a slate unit, but it's an asphalt 22 shingle roof. As I mentioned, the fiber cement, 23 which is a hardy plank or hardy panel, in the 24 vertical application here, that is our skin for our 25 gable sections of the roof.	Page 17 1 are the doors. 2 MR. BOSSONG: Okay. If you want to 3 flip to PB-1, I believe it is. Okay. And we'll 4 mark this as A-20. And that's Sheet PB-1. 5 (Exhibit A-20 is received and marked 6 for Identification.) 7 MR. BOSSONG: If you can run the 8 board real quick through what these pictures denote. 9 Sure. 10 MR. BASTARDO: These are different 11 axonometrics. These are from our renderings. They 12 indicate where the building is positioned in 13 relationship to the proposed water towers. As I 14 mentioned earlier, the doors and the lighting are 15 all inboard, which is -- so I'm basically standing 16 where the water tower is, and this is inboard of the 17 site. Here is the residential-facing side, outward 18 this way. 19 MR. BOSSONG: And just for the 20 record, you're pointing to the top right-hand 21 picture? 22 MR. BASTARDO: That's correct. 23 MR. BOSSONG: Or rendering, I should 24 say. 25 MR. BASTARDO: Rendering, yes.

Page 18 1 MR. BOSSONG: The color of the water 2 towers? 3 MR. BASTARDO: It is a tunic 4 horizontal blue. 5 MR. BOSSONG: Horizon? 6 MR. BASTARDO: No. Horizon blue. 7 MR. BOSSONG: Horizon blue. And was 8 there conversations with the company as to the 9 popularity of this color and how it's used? 10 MR. BASTARDO: Sure. They said this 11 was one of their top three colors that were used for 12 this application. 13 MR. BOSSONG: Anything further that 14 you have as the architect on this project? 15 MR. BASTARDO: I have nothing further 16 on the Board. 17 MR. BOSSONG: That's all we have for 18 the architect, Chairman. 19 CHAIRMAN DEPINTO: Okay. Thank you. 20 We'll start with the Board Member questions. 21 I guess I'm starting with Mr. Lintner. 22 MR. LINTNER: Thank you, Mr. 23 Chairman. I just have one question for the 24 architect. The roof hatches, could they be a 25 different color? Could they be painted to match the	Page 20 1 MR. HUSEYNOV: All right. You 2 mentioned for the water tower that this was one of 3 the top three colors. What were the others? 4 MR. BASTARDO: They were different 5 shades of blue. I don't have them off the top of my 6 head, but they were different variations of that 7 blue. 8 MR. HUSEYNOV: Do you know if they 9 were just darker blue? 10 MR. BASTARDO: I think this may have 11 been right in the middle. There was one that may 12 have been darker and one that may have been lighter. 13 MR. HUSEYNOV: That's pretty light. 14 That's pretty light as well. 15 CHAIRMAN DEPINTO: Okay. Thank you. 16 Joe. 17 MR. PUGLISI: I have no questions, 18 Mr. Chairman. 19 MR. KOELLING: Okay. My only 20 question for this one is here you show two different 21 colors of blue. 22 MR. BASTARDO: That's just an aspect 23 of the sun position in the rendering. They're the 24 same color. So that may be a different time of day. 25 MR. KOELLING: All right. Okay.
Page 19 1 color of the shingles as opposed to the gray that's 2 on them? 3 MR. BASTARDO: Yeah. I think the 4 hard plan is you can either get it pre-finished or 5 you can get it just primed, which would mean that 6 you could use any Sherwin-William color, and I think 7 that we've identified that Sherwin-William color 8 that we've used on the other trim pieces, which can 9 certainly be used for that. 10 MR. LINTNER: Yeah, I'd like to see 11 those sort of more hidden, sort of blend into the 12 color of the roof as opposed to stand out as the 13 three hatches that they are. Nothing else, Mr. 14 Chairman. 15 CHAIRMAN DEPINTO: Okay. Thank you. 16 John? 17 MR. RYAN: No questions. 18 MR. HUSEYNOV: Thank you. Just a 19 couple questions on that. I think that shows the 20 chemical rooms. Are they facing the inside of the 21 window? The window on the interior side. 22 MR. BASTARDO: All the doors are on 23 the interior-facing side towards the corner tiles, 24 so that would mean that those are on the 25 interior-facing side.	Page 21 1 Thank you. 2 MR. GRUBER: Okay. My only question 3 is I know you have the louvered side of the building 4 that's facing the residents. 5 MR. BASTARDO: No, that's inward. 6 MR. GRUBER: I'm sorry? 7 MR. BASTARDO: Oh, there are smaller 8 louvers on the residential side. The larger louver 9 for the generator, that's inward. 10 MR. GRUBER: Okay. So the louvers on 11 the backside that are facing the residents, are they 12 going to hear any noise from that? 13 MR. BASTARDO: No, that's the pump 14 room. 15 MR. GRUBER: So that's the quiet side 16 of the building? 17 MR. BASTARDO: The quiet side of the 18 building. 19 MR. KOELLING: Those are more for 20 ventilation? 21 MR. BASTARDO: For ventilation, yeah. 22 CHAIRMAN DEPINTO: Okay. This Board 23 is going to be very interested to hear what the 24 public has to say with respect to the color. But I 25 believe it was brought to our attention that the

Page 22 1 water company would be willing to paint them 2 whatever the municipality choice of color were. So 3 we don't have to get too hung up on color. We get a 4 consensus as to what we'd be looking for. I think 5 would be the best way to approach it. 6 You indicated that you had samples of the 7 materials that you're going to be using. This would 8 be the appropriate time, in my opinion, to present 9 that as part of the architecture. 10 MR. BOSSONG: They were on the board. 11 CHAIRMAN DEPINTO: I thought you had 12 physical samples. 13 MR. BASTARDO: Yeah, I'm sorry. It 14 may not have been visible to you on the dais. 15 CHAIRMAN DEPINTO: Can we mark that? 16 MR. BASTARDO: Sure. 17 MR. BOSSONG: That's what we marked 18 as PB-2, which was, I believe, A-19. 19 CHAIRMAN DEPINTO: Okay. And if you 20 just kind of walk us through those swatches or 21 samples to say specifically what material goes 22 where. 23 MR. BOSSONG: I think the problem was 24 this was pointing to the public, so we can just walk 25 the Board through. I'll hold it up, and you can	Page 24 1 lighting for the doors, correct? 2 MR. BASTARDO: It's only emergency 3 egress lighting. 4 CHAIRMAN DEPINTO: It's emergency, so 5 on a daily basis, no lights would be going on at 6 night, unless the equipment being serviced. 7 MR. BASTARDO: No interior lights 8 would be on in the facility. 9 CHAIRMAN DEPINTO: No, I'm talking 10 exterior. 11 MR. BASTARDO: Just these egress 12 lights. 13 CHAIRMAN DEPINTO: Just the egress 14 lights. Okay. 15 MR. BASTARDO: Just the egress wall 16 packs above the doors. 17 CHAIRMAN DEPINTO: Okay. 18 MR. BASTARDO: There's no other 19 building lighting on the building. 20 CHAIRMAN DEPINTO: Okay. Very good. 21 MR. BASTARDO: Thank you. 22 CHAIRMAN DEPINTO: Thank you. Chair 23 will entertain a motion to open the meeting to the 24 public. 25 Do we have a second? Chris, second. All
Page 23 1 walk the Board through. 2 MR. BASTARDO: This is a split-face 3 block that I mentioned. This is at the lower base 4 of the building. Working your way up, the cast 5 stone water table that divides the split face from 6 the ground face. This is the ground face. It's 7 smoother and a lighter color. 8 The asphalt shingles. There's a lot of 9 fleck in that asphalt shingles that sort of picks up 10 on the masonry colors that I described. The hardy 11 plank panel on the gable. This is the color, which 12 is almond, for all of the metal, gutters, 13 downspouts. And then this is the Sherwin-Williams 14 color that I was just describing for the rest of the 15 painted hollow metal, and then the aluminum frames 16 for the louvers and the window system. And what 17 would be the hardy plank shaft enclosures as well. 18 CHAIRMAN DEPINTO: Okay. You spoke 19 about the lighting that is proposed to be installed 20 on the building. Are you aware of or familiar with 21 when that lighting will be on? 22 MR. BASTARDO: It's photosensitive. 23 So in the evening, when the sun goes down, they 24 should activate. 25 MR. BOSSONG: And it's only security	Page 25 1 in favor? 2 (Unanimous Aye.) 3 CHAIRMAN DEPINTO: Okay. Those of 4 you that are here that have an interest in this 5 application, this is your opportunity to ask 6 questions of the architect based on the testimony 7 that he has provided this evening. If you wish to 8 be recognized, raise your hand, kindly step forward, 9 give us your name and address, and fire away. 10 Anybody wish to be heard? Okay. Let's 11 go. 12 MS. FRISCHMAN: My name is Dorothy 13 Frischman. I live at 115 Gelnaw Lane, Summit Ridge 14 Condominium. I think you've done a good job on the 15 pump house with the colors and textures, but the 16 towers, I just don't see blue. You know, we want it 17 to blend into the forest. It's either green or it's 18 this time of year it's brown. So I don't see we're 19 blue. We're not at the shore. So I really think 20 either a green to blend in. We don't want it to 21 stand out. 22 I do like the pump house, which you've 23 done. I like the colors. I'd like to get a picture 24 of that when I can get a picture. Okay. Thank you. 25 Thank you very much.

Page 26 1 CHAIRMAN DEPINTO: So therefore, 2 putting that into a question, and just to get 3 confirmation of the fact, that if it's decided to 4 have a different color with regards to the tanks, 5 Veolia will do as per the request of the Board and 6 the public, correct? 7 MR. BASTARDO: Yes, sir. 8 CHAIRMAN DEPINTO: Okay. Yes, sir. 9 Yeah. 10 MR. GORDON: My name is Warren 11 Gordon, 117 Gelnow. My question is regarding the 12 pumps. Are these pumps running constantly at all 13 times, or just at certain times when they're 14 refilling the tanks? 15 MR. BASTARDO: You know what? I may 16 have to defer to the engineer. 17 CHAIRMAN DEPINTO: We'll wait for the 18 process. We'll wait for testimony on that. 19 MR. GORDON: Oh, okay. 20 CHAIRMAN DEPINTO: Thank you. Okay. 21 Anyone else? 22 MS. JAEGER: Yes. Gail Jaeger, 113 23 Gelnow. So sort of to what he was saying, will the 24 noise level from the pump station, like what would 25 the decibel level be, and is it 24/7? And I guess	Page 28 1 you. 2 CHAIRMAN DEPINTO: Thank you very 3 much. Yes. 4 MS. GORDON: Beth Gordon, 117 Gelnow. 5 Powder blue, to me, is not an earth tone. I have 6 some, if I may suggest, some colors from 7 Sherwin-Williams that are probably greens. I worked 8 for Pottery Barn doing design for 15 years, and I 9 think that would go much better than powder blue. 10 The powder blue ones you see are going down to the 11 shore. We have the ocean there. And, you know, 12 it's more in keeping with that. 13 But so there's olive, sage, forest. I 14 know Ridgewood has two huge tanks. And they're the 15 same color. 16 MR. BASTARDO: Yeah. Sure. 17 MS. GORDON: So that would obviously 18 be a little more pleasing than powder blue. Not as 19 intrusive. 20 CHAIRMAN DEPINTO: If you could send 21 that to Jeanne. 22 MS. GORDON: Okay. 23 CHAIRMAN DEPINTO: So that we could 24 have that, and she'll provide them with a copy. 25 MS. GORDON: Okay. Thank you. Okay.
Page 27 1 that goes back to the engineer. 2 MR. BOSSONG: Yeah, we'll get to the 3 engineer. We've submitted a sound report that will 4 meet all the ordinances, but we'll have the engineer 5 talk about that. 6 MS. JAEGER: All right. When you 7 spoke about opening the hatches, what type of 8 equipment in terms of size, you know, height, width? 9 I would think that's going to impact the size of the 10 road and what you're going to need for clearance. 11 So just a question regarding that. 12 MR. BASTARDO: Again, I would have to 13 defer to the engineer on the actual extraction. 14 MS. JAEGER: And the engineer is here 15 this evening? 16 MR. BASTARDO: He is, yes. And the 17 time frame when that actually happens. 18 MS. JAEGER: And then security for 19 the building, since you have chemicals and it's in 20 the woods. 21 MR. BASTARDO: That will also be 22 addressed. That's also going to be addressed. 23 There's fences around, but we'll have somebody 24 testify to that. 25 MS. JAEGER: Okay. Very good. Thank	Page 29 1 Anyone else? 2 Okay. Chair will move to entertain a 3 motion to close the meeting to the public. 4 MR. KOELLING: So moved. 5 CHAIRMAN DEPINTO: Second. Chris. 6 All in favor? 7 (Unanimous Aye.) 8 CHAIRMAN DEPINTO: We're going to 9 take a five-minute break. 10 (At this point in the proceeding, a 11 brief recess is taken.) 12 CHAIRMAN DEPINTO: Okay. And 13 Counsel, we have another witness, I see. 14 MR. BOSSONG: Thank you, Chairman. 15 I'd like to call our landscape architect to testify. 16 (The witness is sworn.) 17 MR. REGAN: For the record, please 18 state your full name and please spell your last 19 name. 20 MR. HARKINS: Jason Harkins, 21 H-A-R-K-I-N-S. 22 MR. REGAN: Thank you. 23 MR. BOSSONG: Mr. Harkins, can you 24 please give the Board the benefit of your 25 educational and licensure background?

Page 30 1 MR. HARKINS: Sure, I have a 2 Bachelor's from Rutgers University in landscape 3 architecture. I've been practicing for 20 years, 4 and licensed for 15. 5 MR. BOSSONG: License is valid, good 6 standing? 7 MR. HARKINS: Yes. 8 MR. BOSSONG: And you've testified 9 before land use boards within the state of New 10 Jersey? 11 MR. HARKINS: I have. 12 MR. BOSSONG: And then accepted as an 13 expert in the field of landscape architecture? 14 MR. HARKINS: Yes. 15 MR. REGAN: I think you can be 16 accepted. 17 CHAIRMAN DEPINTO: Chair will accept 18 recommendation of counsel. Please continue. 19 MR. BOSSONG: Thank you very much. 20 Jason, if you want to show the Board and the public, 21 we're going to start from Summit Avenue as we enter 22 the site, and this is the proposed gate for security 23 at the entrance to the site, correct? 24 MR. HARKINS: Yes. 25 MR. BOSSONG: And this is going --	Page 32 1 looking at this, the -- where we're standing, the 2 site rises, so we're below where the actual building 3 and everything would be? 4 MR. HARKINS: Yeah. This depicts 5 about a six-foot-eye height, and the facility does, 6 the grade does increase as you go in. 7 MR. BOSSONG: Okay. And then lastly, 8 right inside the gate, on the right hand side, you 9 see a light gray stepped area. That's the retaining 10 wall that needs to be built, that the engineer's 11 going to discuss later? 12 MR. HARKINS: Yes. 13 MR. BOSSONG: Okay. We want to flip 14 to moving in to the site, to Sheet L-103, which 15 we'll mark as A-22 for the record. 16 (Exhibit A-22 is received and marked 17 for Identification.) 18 MR. BOSSONG: Can you please describe 19 what's on Sheet L-103? 20 MR. HARKINS: So L-103 shows the 21 landscape plan. We have a landscape plan for the 22 facility broken up into three sheets. This is the 23 sheet on the southern portion coming in from Summit 24 Avenue. Summit Avenue is along here. The entrance 25 gate shown in the previous exhibit on the rendering
Page 31 1 we're going to mark this as A-21, which is, there's 2 no sheet number, but it's the site rendering's view 3 to facility entrance. 4 (Exhibit A-21 is received and marked 5 for Identification.) 6 MR. BOSSONG: Can you please walk the 7 Board through what's on the plans? 8 MR. HARKINS: So this exhibit depicts 9 a 3D rendering of the site looking north into the 10 property from Summit Avenue, just inside the road. 11 In the foreground is the decorative 12 entrance gate. It's a decorative black metal hinged 13 to masonry mirrors on either side. Those piers 14 would be the same CMU material and color in front of 15 the buildings that was discussed by our architect, 16 with decorative caps on top of them. That gate 17 would be locked at all times, opening inward by 18 facility operators accessing the site, and then 19 closed and locked when they leave the facility. 20 MR. BOSSONG: And we would provide a 21 Knox Box or some way for the fire department, if 22 they ever have to access that, to open the gate and 23 gain access to the site, correct? 24 MR. HARKINS: Yes. 25 MR. BOSSONG: Okay. Now, obviously	Page 33 1 is slightly in from that. 2 MR. BOSSONG: Approximately a third 3 of the way from Summit Avenue on this sheet to the 4 left side? 5 MR. HARKINS: And so this sheet is 6 showing the proposed landscaping consisting of a 7 variety of conifer trees and a double row buffer 8 along the western property line, buffering from the 9 adjacent neighborhood line. 10 MR. BOSSONG: Now, along Summit, 11 there's a striped triangle. Can you describe real 12 quickly what that represents? 13 MR. HARKINS: So, yeah, at the 14 entrance from Summit, the entrance drive, there is 15 just a striped yellow triangle to direct vehicular 16 access into the facility and also control turning 17 from exiting as well. 18 MR. BOSSONG: So it's a right turn 19 in, right turn out only? 20 MR. HARKINS: Yes. 21 MR. BOSSONG: Okay. We're going to 22 move up the driveway to the next sheet, L-102, which 23 we'll mark as A-23 for the record. 24 (Exhibit A-23 is received and marked 25 for Identification.)

Page 34 1 MR. BOSSONG: And can you describe 2 what that depicts? 3 MR. HARKINS: So as we continue 4 north, the double row evergreen buffer continues 5 along the western edge of the property. The 6 entrance drive is shown in the middle, and then on 7 the upper portion of the page in the gray area is 8 the stormwater basin planted with a variety of 9 native trees and native shrubs selected for their 10 water tolerance and drought tolerance. 11 MR. BOSSONG: The engineer will get 12 into how the stormwater basin functions, but we're 13 putting in there certain plantings that will survive 14 in that type of area, correct? 15 MR. HARKINS: Yeah. They have to be 16 tolerant of both extreme wet condition and then also 17 drought, and that's what they're selected for. 18 MR. BOSSONG: And what -- along the 19 bottom, between the residential side and that, can 20 you just reiterate what those rows of trees are? 21 MR. HARKINS: So the double row 22 buffer is a combination of three evergreen species, 23 Eastern Red Cedar, Douglas fir, and we also have 24 Green Giant arborvitae in there, selected for their 25 generally fast growth and filling in as a	Page 36 1 preservation. Have you done a calculation as to how 2 many trees are being removed and how many are being 3 replaced? 4 MR. HARKINS: Yeah. In the tree 5 preservation area, we're removing 205 trees, and the 6 proposed landscaping puts back 266 trees. 7 MR. BOSSONG: Which more than meets 8 the borough code? 9 MR. HARKINS: Yes. 10 MR. BOSSONG: Thank you. That's all 11 I have, Chairman, for the landscape architect. 12 CHAIRMAN DEPINTO: Okay, thank you. 13 I guess starting with John. 14 MR. RYAN: I have no questions. Thank 15 you. 16 MR. HUSEYNOV: I have no questions. 17 MR. TSAI: No questions. 18 CHAIRMAN DEPINTO: Joe? 19 MR. PUGLISI: I have no questions. 20 CHAIRMAN DEPINTO: Thank you. 21 Dieter. 22 MR. KOELLING: No questions. 23 CHAIRMAN DEPINTO: Thank you. Chris. 24 MR. GRUBER: Only one question. 25 Landscaping that you have here, you have a bunch of
Page 35 1 vegetation. 2 MR. BOSSONG: Okay. Can you see the 3 fence on the site on this one, or is that the next 4 one? 5 MR. HARKINS: No, that's right here. 6 So on the far left side of this page, you can see 7 the fence gate surrounding the building and tanks 8 portion of the property, and that is a chambered 9 fence with a double gate on the access drive. 10 MR. BOSSONG: For security purposes? 11 MR. HARKINS: For security purposes, 12 yes. 13 MR. BOSSONG: Okay. We're going to 14 go to the next site, the next sheet, which shows the 15 actual site. That will be A-24, which is sheet 16 L-101. 17 (Exhibit A-24 is received and marked 18 for Identification.) 19 MR. HARKINS: So this sheet continues 20 showing the double row evergreen buffer along the 21 western edge and then a variety of tree plantings 22 around the facility as well. 23 MR. BOSSONG: Now, we've established 24 that the Borough's got a tree preservation zone and 25 the removal of trees are regulated in that tree	Page 37 1 grass and some trees. I assume you're going to have 2 a landscaper maintaining this property and keeping 3 it neat and clean, like the pictures? Because it 4 actually looks really nice. 5 MR. BOSSONG: Yeah, it's all part of 6 the regular maintenance that Veolia does. 7 MR. GRUBER: And do you know how 8 often, like, the landscapers will be there? 9 MR. HARKINS: Every couple weeks, or 10 if they have to be there sooner, they'll call it on 11 there sooner. 12 MR. GRUBER: Okay. All right. 13 MR. LINTNER: No questions, Mr. 14 Chairman. 15 MR. REGAN: I have one, sir. 16 CHAIRMAN DEPINTO: Yes. 17 MR. REGAN: Two hundred five from the 18 pre-preservation area. And how many are being 19 replaced? 20 MR. HARKINS: Two hundred sixty-six. 21 MR. REGAN: Two hundred fifty-six? 22 MR. HARKINS: Two sixty-six. 23 CHAIRMAN DEPINTO: And a question for 24 Carl. Carl, has your office had an opportunity to 25 review the proposed landscape plan?

Page 38 1 MR. O'BRIEN: Yes, we have. And we 2 have no concerns at this time for landscaping. 3 CHAIRMAN DEPINTO: Okay. Thank you. 4 And Darlene, how about your office? 5 MS. GREEN: There are two 6 discrepancies on the plant counts. They're under my 7 comments. I'm sure they can fix them. They're 8 pretty minor. 9 CHAIRMAN DEPINTO: Okay. Okay. With 10 that said, Chair will entertain a motion to open 11 meetings to the public. 12 MR. LINTNER: So moved. 13 CHAIRMAN DEPINTO: Chris, Bill. All 14 in favor? 15 (Unanimous Aye.) 16 CHAIRMAN DEPINTO: Okay. Anyone from 17 the public have any questions of the landscape 18 architect? Kindly step forward again. 19 MR. FRISCHMAN: I'm Robert Frischman, 20 115 Gelnaw. You mentioned arborvitaes? 21 MR. HARKINS: Yes. 22 MR. FRISCHMAN: There are deer that 23 eat the arborvitaes down to their roots. And I 24 would not use them there because the ones behind our 25 house, the deer come right up and eat all the leaves	Page 40 1 MR. BOSSONG: The engineer has it? 2 MR. HARKINS: Yes. 3 MR. BOSSONG: We want the engineers 4 to show that. 5 MR. FRISCHMAN: Okay. Thank you. 6 Okay. 7 CHAIRMAN DEPINTO: Anyone else? 8 Questions? Yes, sir. 9 MS. GORDON: Warren Gordon, 117 10 Gelnaw. Can you just give me the perspective here? 11 Which way is Summit Avenue? 12 MR. HARKINS: So Summit Avenue -- 13 MS. GORDON: Oh, so we're looking -- 14 and those gates will be where? 15 MR. HARKINS: These gates are right 16 there. Summit Avenue coming into the facility. 17 MS. GORDON: So that's north is that 18 way. 19 MR. HARKINS: North is going that 20 way. 21 MS. GORDON: Okay. So these trees 22 will be between our property and -- okay. 23 MR. HARKINS: Yes. 24 MR. GORDON: Thank you. 25 CHAIRMAN DEPINTO: Thank you. Sir.
Page 39 1 off as long as they can reach it. They look like 2 lollipops. 3 MR. HARKINS: Yes. And that's why we 4 select the Green Giant variety. 5 MR. FRISCHMAN: They don't work 6 either. They eat them in all places. It's a tough 7 one. When you showed this, you were showing like 8 two rows of trees, that you're going to take all the 9 trees away except for like two deep. Those are the 10 trees that are going to remain? 11 MR. HARKINS: No, no. 12 MR. FRISCHMAN: Is that just for the 13 side of the road? 14 MR. BOSSONG: Those are brand new 15 trees that we're planting. 16 MR. FRISCHMAN: By the road? 17 MR. BOSSONG: Correct. By the drop. 18 Where it drops off. 19 MR. FRISCHMAN: So how much land are 20 you clearing coming towards our houses? 21 MR. HARKINS: Depending on the sheet, 22 there's a clear line of site -- 23 MR. FRISCHMAN: You had one that 24 showed our condos. The one against the wall. 25	Page 41 1 Yes. 2 MR. CLARK: Jason Clark, 103 Gelnaw. 3 How high are those trees going to be that you're 4 going to replant? 5 MR. HARKINS: So they range from a 6 mature height of 50 to 60 feet. 7 MR. CLARK: No. When you plant it? 8 MR. HARKINS: When they plant, two of 9 the species are going in at six to seven feet, and 10 one of them is seven to eight. 11 MR. CLARK: So you're removing 205 12 trees? 13 MR. HARKINS: Yes. To clarify, the 14 evergreens are going in. The evergreen buffers are 15 going in at six to seven or seven to eight. The 16 canopy trees that are being replaced are two and a 17 half to three-inch caliber, which is typical. 18 MR. CLARK: And then how many trees 19 are on site now? 20 MR. HARKINS: Total? 21 MR. CLARK: Total. What are you 22 leaving? That's what you do. 23 MR. HARKINS: We don't -- for the 24 entire project, inventory of the entire site. The 25 site's 20-some acres.

Page 42 1 MR. CLARK: You know how many you're 2 going to remove, but you don't know how many are 3 going to be remaining after you remove them? 4 MR. HARKINS: It's 20 -- it's about a 5 20-acre site. 6 MR. CLARK: So you're not counting 7 all the trees. Time frames. When is that done in 8 correlation to the whole entire project? 9 MR. HARKINS: The landscape will 10 probably be done -- so it's a three-year project? 11 It's a 3-year project. So that's not going to be 12 done until the end? Towards the end. So what are 13 you going to do as a preventative measure prior to 14 that? 15 AUDIENCE MEMBER: Switch your 16 timeline. 17 MR. CLARK: Could you do the 18 landscaping initially? Don't you have to take down 19 the trees to build the road? 20 MR. HARKINS: Yeah. The trees have 21 to be removed to do the site work. 22 CHAIRMAN DEPINTO: Well, I think 23 that's a good question. I think we have to hear the 24 testimony of the engineer to give an outline of the 25 construction schedule. Where do you start? Do you	Page 44 1 MR. HARKINS: Yeah. And deer 2 resistant. It depends. If they're very hungry, 3 they're going to get even stuff with thorns on them. 4 CHAIRMAN DEPINTO: Well, because I'm 5 asking because of my backyard, and I'm trying to get 6 some free advice. So help me out here. 7 MR. HARKINS: I've seen where even 8 the hollies that have the little thorn leaves. 9 CHAIRMAN DEPINTO: Oh, they don't? 10 MR. HARKINS: They're hungry. They 11 don't until they're very hungry, and then they're 12 eating those too. 13 CHAIRMAN DEPINTO: Okay. 14 MR. HARKINS: So deer resistance 15 is -- it all depends on that. 16 CHAIRMAN DEPINTO: Artificial silk. 17 Okay. And don't send me a bill for that. 18 MR. HARKINS: Not at all. Not at 19 all. 20 CHAIRMAN DEPINTO: We're good. Okay. 21 Anyone else? No? Chair will entertain a motion -- 22 thank you. Chair will entertain a motion to close 23 the meeting to the public? 24 Dieter, Chris, all in favor? 25 (Unanimous Aye.)
Page 43 1 start with the structure, the tanks, the roadway, 2 the landscaping? I think it's important to know 3 that. And I think the proper person to answer that 4 question will be the design engineer. 5 Any other questions? 6 MS. JAEGER: Yeah. Okay. Gail 7 Jaeger, 113 Gelnaw. How close is the buffer to our 8 building, which is on Gelnaw? 9 CHAIRMAN DEPINTO: Again, I think 10 that's a question for the engineer. 11 MR. BOSSONG: The engineer will have 12 the distance. He'll give you that. Yeah. 13 CHAIRMAN DEPINTO: Anyone else of 14 landscape? And is there anything that could be 15 done? Talking about the arborvitae, is there any 16 substitute planting that isn't as attractive of deer 17 but may achieve a similar goal to that area? 18 MR. HARKINS: Yeah, we can look at 19 another variety to put it in. 20 CHAIRMAN DEPINTO: What would that 21 variety be? 22 MR. HARKINS: Not an arborvitae, but 23 a different conifer of similar size and growth. 24 MR. BOSSONG: Rutgers has a plant 25 list, right?	Page 45 1 CHAIRMAN DEPINTO: Okay. Let's keep 2 this going. 3 MR. BOSSONG: Okay. We have our 4 design engineer for the site, for the project. He 5 was previously sworn in. 6 MR. REGAN: Michael Altman, right? 7 MR. BOSSONG: Michael Altman, yeah. 8 He was previously sworn in. You want to swear him 9 in tonight too? 10 MR. REGAN: No. 11 MR. BOSSONG: Okay. 12 MR. REGAN: You're still under oath. 13 MR. BOSSONG: You're still under 14 oath. Do you remember? 15 MR. ALTMAN: Yes. 16 MR. BOSSONG: Okay. Michael, let's 17 start with Sheet C-101. We'll mark that as A-25 for 18 the record. 19 (Exhibit A-25 is received and marked 20 for Identification.) 21 MR. BOSSONG: If you can please run 22 the Board and the public through what is shown on 23 Sheet C-101. 24 MR. ALTMAN: This is an overall view 25 of the site plan. The color scheme here is the

Page 46 1 yellow, is existing areas under conservation 2 easement, meaning that cannot be developed. The 3 existing woods will remain. 4 The bright pink fuchsia color is 5 NJDEP-designated repairing buffer, and we are 6 proposing to the DEP that that area be preserved as 7 mitigation for the areas that are shown in green 8 where we'll be doing disturbance and clearing for 9 the project. 10 MR. BOSSONG: Now, one of the aspects 11 of this site is we're really constrained on where we 12 can actually develop, correct? 13 MR. ALTMAN: Correct. Basically, if 14 you take this pink area, you know, we really can't 15 develop there, and one of the reasons we're getting 16 a permit from DEP is even the area where the 17 driveway and utilities, the access site, is actually 18 through an environmental regulated area. 19 So that's why we show on here the dashed 20 dot line of limited disturbance, but we need to 21 physically construct the project, not only the 22 physical buildings, but the underground utilities, 23 the stormwater drainage, regrading the site, because 24 as you know, coming off of Summit Avenue, it's very 25 steep there, and so we're going to need to make a	Page 48 1 or is there another sheet that you can -- 2 MR. ALTMAN: Well, we don't have from 3 the houses themselves. From the property line, it's 4 47.83 feet to the edge of the road. We're clearing 5 back from the edge of the road to enable that 6 grading. So we are doing clearing rather close to 7 the property line, in some cases as little as ten 8 feet. 9 MR. BOSSONG: But that's where the 10 buffer's going to be planted and the landscape? 11 MR. ALTMAN: Inside the undisturbed 12 area. 13 MR. BOSSONG: To the property line? 14 MR. ALTMAN: To the property line. 15 MR. BOSSONG: Okay. Anything else on 16 this site plan? 17 MR. ALTMAN: As I mentioned, again, 18 we have the right turn in and out, and we've added 19 the site triangles per Bergen County. 20 MR. BOSSONG: That was my next 21 question. Summit Avenue is a County road, so the 22 County has jurisdiction on this? 23 MR. ALTMAN: Yes. 24 MR. BOSSONG: We've submitted and 25 we're working with the County on the ingress and
Page 47 1 little cut at the Summit Avenue as we come up, as I 2 think we mentioned in that rendering, we come up 3 from Summit Avenue to the higher elevation at the 4 rear of the site. 5 MR. BOSSONG: And obviously, if the 6 Board would act favorably upon the application, it's 7 subject, it will be conditioned, it's subject to all 8 the other approvals that we need from DEP and all 9 the other outside agencies? 10 MR. ALTMAN: Yes. 11 MR. BOSSONG: Okay. Anything else 12 you want to point out on this overall overview of 13 the site? 14 MR. ALTMAN: A couple things that 15 were raised previously. The road width has been 16 reduced to 24 feet wide. That's the minimum per 17 Bergen County standard for commercial driveways. 18 That will allow -- you know, if somebody's at the 19 site and somebody's inside coming in, that car 20 should be able to pass, also to bring in maintenance 21 vehicles when occasional maintenance is being done. 22 MR. BOSSONG: And do you have it 23 listed -- there was a question earlier this evening 24 about the distance between the buffer and the 25 residential houses. Do you have that on that sheet,	Page 49 1 egress to the site? 2 MR. ALTMAN: Correct. 3 MR. BOSSONG: Okay. Next sheet. 4 MR. ALTMAN: Yeah, just a second. 5 MR. BOSSONG: C-115? Which one do 6 you have? Oh, there you go. Next sheet is C-119, 7 mark that as A-26. 8 (Exhibit A-26 is received and marked 9 for Identification.) 10 MR. ALTMAN: This is called the steep 11 slope disturbance map. It shows the proposed 12 grading within the limits of the disturbance, as 13 well as the proposed stormwater, water lines, the 14 gas and electric lines that come off the driveway to 15 serve the site property itself, as well as the 16 piping in and around the tanks and pump station and 17 the grading as it slopes down towards the driveway. 18 MR. BOSSONG: Now, we need a variance 19 for disturbance of the steep slope to put the 20 retaining wall in? 21 MR. ALTMAN: Correct. 22 MR. BOSSONG: Can you show the Board 23 where that is and why it's needed? 24 MR. ALTMAN: There are a number of 25 low retaining walls. There are two retaining walls

Page 50 1 between the driveway and the property line as that 2 slopes down as we make that cut. There's also one 3 retaining wall to the east of the driveway to allow 4 for this stormwater management. And then there are 5 two retaining walls along the east side of the tank 6 area. Again, that's to allow -- minimize the 7 disturbance and regrade as required as opposed to 8 doing a slope as we chase the slope down towards the 9 creek. 10 There's a sample of the retaining walls. 11 It's going to be the similar color as the building. 12 MR. BOSSONG: So that everything 13 matches everything closely? 14 MR. ALTMAN: It goes with the whole 15 theme. 16 MR. BOSSONG: Now, we have a 17 stormwater retention basin on the site? 18 MR. ALTMAN: Yeah. Stormwater 19 retention basin. It's actually a stormwater and 20 water quality because the intention of this is it 21 will intercept the runoff from the proposed tank and 22 paved impervious area, and it will infiltrate into 23 that basin before percolating to the groundwater 24 area. 25 We also have stormwater down here near the	Page 52 1 to that and how often that would have to take place? 2 MR. ALTMAN: The purpose of the 3 hatches is really when there needs to be a major 4 maintenance or rehabilitation of the pumps 5 themselves, which is probably in the range of five 6 to ten years. That's a rather infrequent. It would 7 be a maintenance operation. The crane, the boom 8 truck will come up the driveway and pick the pumps 9 for maintenance. 10 MR. BOSSONG: This is an unmanned 11 site, so there's not people here constantly? 12 MR. ALTMAN: People will be checking 13 in, but there is not one based on full time. 14 MR. BOSSONG: Anything else on that 15 sheet that you want to point out to the Board? 16 MR. ALTMAN: I don't think so. I 17 think our planner will talk about the variances and 18 the waiver procedure. 19 MR. BOSSONG: Anything else you want 20 to add? 21 MR. ALTMAN: I think there was a 22 question raised about hours of operation and the 23 pumping for potential noise. There's seven total 24 pumps in the pump station. The two largest pumps 25 really operate to pump from the lower ground tank to
Page 51 1 end. We have inlets that are going to collect the 2 runoff from up-slope of the driveway, carried across 3 the driveway so it doesn't get contaminated by the 4 dirt and things you see on typical asphalt. Also in 5 the driveway, we have a stormwater water quality and 6 we're intercepting into the water quality chamber. 7 That's in the plan where we intercept the stormwater 8 coming down the driveway along the curved line to 9 the east of the driveway and treat it before it's 10 discharged. 11 MR. BOSSONG: We've submitted to the 12 Board engineer and the Board a stormwater management 13 report? 14 MR. ALTMAN: Yes. 15 MR. BOSSONG: And all the 16 calculations for the stormwater management plan. I 17 know your Board engineer is dutifully checking all 18 those calculations and anything would be contingent 19 on the calculations matching up and the Board 20 engineer being satisfied that the stormwater 21 calculations are appropriate. If there's any 22 changes, we'll satisfy the Board engineer on those 23 issues. 24 Michael, you heard the question about the 25 hatches and the removal of the pumps. Can you speak	Page 53 1 the upper ground tank. Those will operate as 2 required to fill the elevated tank. 3 There's one pump that's serving the area 4 to the west of Chestnut Ridge Road, known as the 5 PD95 service area. That's a 1,100 gallon per minute 6 pump. That would be only used in emergencies such 7 as a water main break, a fire, or some unusual 8 situation. 9 There's two sets of four pumps there that 10 will run. They're on variable frequency drives and 11 run at various speeds to maintain a constant 12 pressure to the customers in that zone. Those are 13 approximately 25 horsepower pumps. They're the 14 small pumps on the plant, but they will run. They 15 are small. They're inside the building. We did do 16 a noise study, and our noise consultant is here, 17 too. His conclusion is that State and Borough 18 requirements for noise are appropriate. 19 MR. BOSSONG: We're proposing there's 20 a generator inside the pump station? 21 MR. ALTMAN: Correct. 22 MR. BOSSONG: Emergency generator 23 only? 24 MR. ALTMAN: Emergency generator 25 only.

Page 54 1 MR. BOSSONG: We touched on this at 2 the last meeting, but for the benefit of the record, 3 can you just speak briefly as to what the need is 4 for the two tanks and how they operate to balance 5 the system throughout the Borough? 6 MR. ALTMAN: Right now, there's 7 issues with some areas that have too high of a 8 pressure being served from the existing Montvale 9 tank. Those are generally placed at a lower 10 elevation. Some areas do not have sufficient 11 pressure. Basically, the ground-level tank, which 12 is the one that looks like a cylinder, that overflow 13 elevation is at an elevation of 490 feet. That's 14 going to serve the lower elevations within that 15 town. 16 The elevated tank, the one that looks like 17 a mushroom, that overflow elevation is 540 feet. 18 That's 2.5 million gallons. Basically, like I said 19 before, that pumps from the lower tank up to the 20 upper tank to serve those higher elevations. We've 21 done modeling to make sure that that tank serves the 22 sufficient fire flow and pressure to the high 23 service areas. 24 MR. BOSSONG: That was going to be 25 the next question. In addition to balancing the	Page 56 1 property to the Gelnow property? 2 MR. ALTMAN: I do not believe so. 3 CHAIRMAN DEPINTO: So therefore, you 4 anticipate no change? 5 MR. ALTMAN: No change in drainage. 6 CHAIRMAN DEPINTO: No runoff means no 7 runoff. And Carl, the reports that your office has 8 received with respect to stormwater management, have 9 you had the opportunity to review them and concur 10 that the properties to the west will not suffer from 11 any of this development? 12 MR. O'BRIEN: We're in the process of 13 reviewing them now. That's one comment I have 14 written down to verify that that's the case. It's 15 something that we can definitely handle as 16 additional plan approval. Once it goes to the 17 building department for review, because we're going 18 to have to review a bunch of items during the 19 building process, it's a common feature as well. If 20 there are some minor tweaks or modifications that 21 need to be done, we would direct the engineer 22 accordingly. 23 For example, if they dig their test pits 24 and they hit clay soil and they can't put their 25 stormwater detention system in that location, we
Page 55 1 system, this helps the fire protection throughout 2 the Borough as well, right? 3 MR. ALTMAN: Yes. Because there's an 4 issue with enough water for fire protection and 5 emergency storage. 6 MR. BOSSONG: Anything else in 7 regards to the site plan and the designs that you 8 want to add? That's all we have for the engineer, 9 Chair. 10 CHAIRMAN DEPINTO: Okay. Thank you. 11 With respect to the development immediately to the 12 west of your property, your studies show that the 13 grading plan that you presented will show no surface 14 water runoff from the proposed new development, 15 impacting any of the Greenway project? Did I hear 16 correct? 17 MR. ALTMAN: You're talking about the 18 properties to the west? 19 CHAIRMAN DEPINTO: To the west, yes. 20 MR. ALTMAN: There will be no 21 stormwater runoff from the proposed site to the 22 west. Everything is directed to the east, to the 23 tributary. 24 CHAIRMAN DEPINTO: Is there any 25 runoff now in a westerly direction from your	Page 57 1 would advise them accordingly that it would have to 2 go somewhere else that we would work with them on 3 it. So that's what we do with that. 4 CHAIRMAN DEPINTO: With respect to 5 those areas on Map C-101, the colorized plan, the 6 yellow area, you've labeled as an existing 7 conservation area; is that correct? 8 MR. ALTMAN: Correct. 9 CHAIRMAN DEPINTO: That's from the 10 deed, the survey. I believe, Councilman, at one 11 point, the governing body had contemplated walking 12 trail on this property. Is that something that's 13 still under consideration by the Council? 14 MR. KOELLING: We haven't heard about 15 it for a while. I believe the initial discussions 16 with Veolia said they were willing to entertain us 17 having some sort of walking trail, but I'm not sure 18 if something has changed. Maybe security. 19 CHAIRMAN DEPINTO: Counsel, do you 20 have any knowledge of this? 21 MR. BOSSONG: Due to security 22 concerns and trying to keep this site secure, it's 23 been recommended that we can't really put a walking 24 trail throughout this site. It would create too 25 many issues.

Page 58 1 CHAIRMAN DEPINTO: Okay. Questions 2 from Board Members? 3 MR. RYAN: No questions. 4 MR. TSAI: I have no questions. 5 MR. HUSEYNOV: I was questioning your 6 walking trail idea. I was kind of hoping that maybe 7 portions of the west would be available. 8 MR. GRUBER: My only question would 9 be access to the site for emergency vehicles. I'm 10 assuming, I mean, it's kind of weird to ask this, 11 but if a fire truck can get in there, I know it's a 12 water tower, but you do have generators, gas, 13 possible injuries to people that are working there. 14 MR. ALTMAN: The question was about 15 the potential fire truck access. The radii around 16 the tank and for the driveway have been done for a 17 semi-trailer. So hopefully your fire truck will 18 probably be good. 19 MR. LINTNER: Just two quick 20 questions, Mr. Chairman. I'm sure the public is 21 going to have similar questions. First one is the 22 retaining wall down by the entrance. 23 MR. ALTMAN: Yes. 24 MR. LINTNER: The driveway is lower 25 than the retaining wall, correct?	Page 60 1 you. 2 CHAIRMAN DEPINTO: Okay. Thank you. 3 And Carl. 4 MR. O'BRIEN: Thank you, Mr. 5 Chairman. You received our letter December 31st. 6 MR. REGAN: Why don't we mark that 7 B-2? 8 (Exhibit B-2 is received and marked 9 for Identification.) 10 MR. O'BRIEN: I'm just going to go 11 over some comments, questions that just need a 12 little clarification on. Okay. Will Serve letters 13 for water is pretty funny. 14 MR. ALTMAN: Water, sewer, gas, 15 electric. 16 MR. O'BRIEN: Yeah, so you guys are 17 saying you don't need Will Serve letters? 18 MR. ALTMAN: We will be obtaining 19 them. 20 MR. O'BRIEN: You will. All right. 21 Yes. So just get me a copy of those. A copy of the 22 survey needs to be forwarded as well. That's on 23 page 4, Item No. 6. 24 MR. BOSSONG: The digital copy? 25 MR. O'BRIEN: The digital copy, yes.
Page 59 1 MR. ALTMAN: Correct. 2 MR. LINTNER: So the residents will 3 not see that wall. They'll just see the top, 4 basically the top of the driveway. 5 MR. BOSSONG: You're going to see 6 over that, correct? 7 MR. ALTMAN: Right. 8 MR. LINTNER: Okay. And then the 9 \$100,000 question, the driveway is located where you 10 put it, why? What's the reason the driveway is 11 there and could not be moved further? 12 MR. ALTMAN: Okay. A couple reasons. 13 The primary one is the line on C101 that's labeled 14 TRA, that's a wetlands transition area. We want to 15 avoid that and the associated clearing of that. 16 Because remember on C101, that green area, that not 17 only includes the driveway itself, but the downslope 18 driveway for our stormwater management. 19 So the closer we get -- you know, it's 20 striking a balance, right? The closer we get to the 21 east and those environmentally sensitive areas, the 22 more negative feedback we're going to get from the 23 DEP. And we've tried to slide it, you know, to the 24 east as much as possible to keep that area. 25 MR. LINTNER: That's fine. Thank	Page 61 1 Digital copy is so much easier to deal with. Your 2 environmental items, so talk to me a little bit 3 about the noise levels for the generator. How many 4 times are you going to exercise? I know it's an 5 emergency generator, so it's not going to be running 6 all the time. So are you looking to exercise this 7 once a month, once a quarter, once every week, time 8 frame? Where are you looking for that? 9 MR. ALTMAN: We'll have to check the 10 O & M for the particular generator, but it will be 11 exercised, but not -- 12 MR. BOSSONG: Right. We can 13 stipulate that it will be during business hours. 14 MR. O'BRIEN: During daylight hours. 15 MR. BOSSONG: During the week, 16 depending on what the requirement is from the 17 manufacturer, which is normally once a month to 18 exercise it. 19 MR. O'BRIEN: As you know, we don't 20 really want this being run during dinnertime or 21 beyond that when all the residents are home. So 22 normal business hours would make sense. 23 Sound attenuation, or is this internal to 24 the building? 25 MR. ALTMAN: The generator room has

Page 62 1 sound attenuating louvers and interior treatments. 2 MR. O'BRIEN: Okay. So try to 3 compare it to other sound decimals that the 4 layperson would have. Would it be similar to a leaf 5 blower? Would it be similar to -- 6 MR. ALTMAN: Can I defer those 7 questions to my sound person? 8 MR. BOSSONG: If you want to hear 9 from the sound guy, we've submitted an expert 10 report. We can call the sound guy, and he can give 11 you those answers. 12 MR. O'BRIEN: That would be great. 13 MR. BOSSONG: Yeah. Okay. 14 MR. O'BRIEN: I think that would be 15 helpful for the public as well. The traffic you're 16 dealing with the County on for the Summit, for the 17 turn? 18 MR. BOSSONG: Yes. 19 MR. O'BRIEN: Okay. When you get 20 your responses back from the County, please provide 21 that as well. 22 MR. BOSSONG: Acknowledged. 23 MR. O'BRIEN: The LOI, the letter of 24 interpretation from DEP. Have you submitted yet to 25 DEP? Or are you waiting to submit?	Page 64 1 is just the sink and the lavatory, it's not 2 required. 3 MR. O'BRIEN: They can provide a 4 letter stating that because it doesn't meet the 5 requirements? 6 MR. BOSSONG: We can provide that, 7 yeah. 8 MR. O'BRIEN: Okay. That would be 9 helpful. We'll need that for file. For your 10 retaining wall, I don't need it now. But if this 11 goes to building permit, I'll need it then. Top and 12 bottom of wall elevations every 50 feet, I could 13 interpolate it right now off the plan, but I'll need 14 cut sheets. 15 MR. BOSSONG: We can acknowledge that 16 comment, yeah. 17 MR. O'BRIEN: The lighting. So 18 you're at 3,000 Kelvin for the lights. Can you just 19 explain what that is, what it's looking at, where is 20 it going, and how are we illuminating the site? 21 MR. BOSSONG: E-110? 22 MR. ALTMAN: Yeah. 23 MR. BOSSONG: Mark E -- Sheet E-110 24 as A-27 is the lighting plan. 25 (Exhibit A-27 is received and marked
Page 63 1 MR. ALTMAN: The DEP package has been 2 submitted to them. 3 MR. O'BRIEN: And when do you expect? 4 I know. 5 MR. ALTMAN: If you know a faster 6 way. We have a meeting scheduled with them at the 7 end of January. 8 MR. O'BRIEN: Okay. 9 MR. ALTMAN: If there's questions, we 10 can probably get better feedback then. 11 MR. O'BRIEN: If you can just keep 12 the Board updated on that meeting and your time 13 frame with everything. Because if the Board finds 14 this favorable, nothing can happen with it until DEP 15 is satisfied first. So they can't even apply for 16 building permits. So DEP is going to govern 17 everything. 18 Recycling and garbage? There's no refuse 19 area for anything? 20 MR. ALTMAN: No. If Veolia generates 21 anything, they're going to take it off by 22 themselves. 23 MR. O'BRIEN: TWA application? 24 MR. ALTMAN: Yeah. In response to 25 your letter, we did check with the Veolia. Since it	Page 65 1 for Identification.) 2 MR. ALTMAN: Yeah. So in response to 3 the comment, as Peter explained before, we have on 4 the building itself, over the doors, the emergency 5 egress lighting on photocells, on the shrouded 6 lights pointing down. We have on here the Isomux 7 (ph.) plan. It's very limited. 8 We have two pole-mounted lights that are 9 switch-operated in case there needs to be an 10 emergency or something of that kind. We have the 11 pole-mounted lights, one to the east of the ground 12 storage tank and one to the south. And then we have 13 on the exterior elevated tanker, similar to that, 14 the shrouded lights, but those will be switched 15 because there's no egress, per se, from the tanker. 16 It's not an occupied thing. 17 MR. O'BRIEN: And do you have any 18 lights along the driveway too? 19 MR. ALTMAN: No, there's no lighting 20 proposed along the driveway at the entrance. I 21 think the thoughts there were, you know, we want to 22 be inconspicuous rather than conspicuous. You know, 23 for security, there's two ways to look, right? Look 24 harmless and not important or, you know, armor 25 yourself.

Page 66 1 MR. O'BRIEN: And then the final one 2 is the FAA. 3 MR. BOSSONG: Yes. We can provide a 4 copy of that. And that's for both tanks, emergency 5 lighting, you know. 6 CHAIRMAN DEPINTO: Emergency lighting 7 on top of the tank? 8 MR. BOSSONG: Yes. That it's not 9 needed. No airport hazard lighting, you know, those 10 flashing red lights. 11 MR. O'BRIEN: Yeah, flashing red 12 lights. 13 MR. BOSSONG: Not one of those. 14 MR. O'BRIEN: Okay. Yeah, I saw 15 that. That was my concern. No flashing red lights. 16 MR. BOSSONG: We have confirmation 17 the light is not needed. 18 MR. O'BRIEN: Okay. That is all the 19 questions I have. 20 CHAIRMAN DEPINTO: And, Darlene, do 21 you have any comments with respect to testimony 22 from, you heard this evening from the engineer? 23 MS. GREEN: I just have one question. 24 Going back to C-101 with the color coding of the 25 fuchsia and the yellow.	Page 68 1 your surveyor, on Sheet G-009, which is the one 2 prior to C-101 in your submission set, it has the 3 purple area as preserved mitigation area. So if you 4 could also check with the surveyor to see if that's 5 accurate and that it's actually already been 6 preserved or if it's instead proposed for 7 preservation, I think we should clarify that. 8 MR. ALTMAN: We have to do that. 9 That's part of our requirement with DEP. 10 MS. GREEN: You will do that. 11 MR. ALTMAN: Right. 12 MS. GREEN: So it's a proposed 13 preserved mitigation area? 14 MR. ALTMAN: Correct. 15 MS. GREEN: Okay. So if we could 16 just change that on the plans because the wording is 17 a little deceiving. That's all I have based on the 18 last one tonight. 19 CHAIRMAN DEPINTO: Okay. I have a 20 question with regard to Summit Avenue. Are you 21 proposing any improvements to Summit Avenue? Will 22 there be any widening, any need for any repaving or 23 curbing or anything along those lines? 24 MR. ALTMAN: We are on Summit Avenue, 25 we are tying in our easterly radius to the existing
Page 67 1 MR. ALTMAN: Yeah. 2 MS. GREEN: The yellow is saying that 3 it's existing conservation area? 4 MR. ALTMAN: Correct. 5 MS. GREEN: I pulled the deed that 6 you submitted. It doesn't have anything about a 7 conservation area. So unless there's another deed 8 or a conservation easement, I'm a little confused. 9 MR. ALTMAN: Okay. We'll check with 10 the surveyor on that. 11 MS. GREEN: Okay. 12 MR. ALTMAN: But regardless, the 13 intention would be that would remain undeveloped. 14 MS. GREEN: Would they be willing to 15 put a conservation easement on it? I'm sure DEP 16 precludes you from doing anything in that yellow 17 area. 18 MR. ALTMAN: Right. I think we are, 19 right? 20 MS. GREEN: So you would be willing 21 to have that as a condition of any potential Board 22 approval? 23 MR. BOSSONG: Absolutely. 24 MS. GREEN: Okay. And then actually, 25 Mr. Altman, if you could, when you're speaking to	Page 69 1 curb line right by there. There's probably one of 2 the drawings. There's a catch basin on Summit 3 Avenue, and we're tying our curb right into that. 4 But we are not proposing any enhancements or 5 widening to Summit Avenue unless Bergen County tells 6 us to. 7 CHAIRMAN DEPINTO: And you've not 8 received anything back from the County? 9 MR. ALTMAN: No. 10 CHAIRMAN DEPINTO: Indicating that 11 they wanted anything like that? 12 MR. ALTMAN: No. 13 CHAIRMAN DEPINTO: To control 14 curbing, to control drainage or anything along those 15 lines? 16 MR. ALTMAN: No, nothing new. 17 CHAIRMAN DEPINTO: Okay. Have they 18 given you a preliminary response? 19 MR. ALTMAN: They have given us a 20 preliminary response, and we've resubmitted the 21 package that you have in front of you to them. 22 CHAIRMAN DEPINTO: Carl, have you had 23 an opportunity to review that? 24 MR. O'BRIEN: I have not seen that 25 yet.

Page 70 1 CHAIRMAN DEPINTO: You haven't seen 2 anything from the County? 3 MR. O'BRIEN: Not yet. If you have 4 that, can you just forward it? 5 MR. ALTMAN: The preliminary County 6 review that we modified these plans for? 7 MR. O'BRIEN: Exactly. Thanks. You 8 can just e-mail it. 9 CHAIRMAN DEPINTO: Okay. With that 10 said, Chair will entertain the motion to open to the 11 public. Dieter, seconded by Chris. All in favor? 12 (Unanimous Aye.) 13 CHAIRMAN DEPINTO: Members of the 14 public? Anyone wish to ask any questions of the 15 design engineer? 16 MS. JAEGER: Sure. Everybody knows 17 me now. Hi. Gail Jaeger, 113 Gelnaw Lane. How tall 18 did you say the towers are going to be? 19 MR. ALTMAN: The total height of the 20 elevated tank is 150 feet, which meets the height 21 requirement of the Borough ordinance. And the 22 ground-level tank is a hundred feet total height 23 from ground to the top of the little railing there, 24 which meets the secondary height requirements of the 25 ordinance.	Page 72 1 property line to the edge of the road. We're about 2 20 feet from the edge of the road to the plantings. 3 MS. JAEGER: And did I hear that you 4 said at some areas it might be ten foot, which is 5 where the buffer line is going to be? 6 MR. ALTMAN: Yes. Yes. 7 MS. JAEGER: Between the property 8 line? 9 MR. ALTMAN: Yes. 10 MS. JAEGER: So could you tell us 11 approximately that area? Is it behind the Gelnaw 12 buildings somewhere else? 13 MR. ALTMAN: It's in that area where 14 between the first two buildings are. I'm pointing 15 at it. 16 MS. JAEGER: The first two buildings 17 from Summit Avenue. 18 MR. ALTMAN: From Summit Avenue, yes. 19 Between those two buildings, we need to grade that, 20 cut back to grade that, so that will be close to the 21 property line. 22 MS. JAEGER: And just one quick 23 landscaping question, since we all talked about deer 24 and what they do. In the event that your buffer 25 dies or is eaten or whatever in a certain period of
Page 71 1 MS. JAEGER: And are they on the 2 elevated portion of the land? Because I know you 3 were talking about the road and how it elevates 4 that. 5 MR. ALTMAN: Yes. Yes. The ground 6 elevation by the tanks is approximately 412, 413 7 feet. 8 MS. JAEGER: You spoke about that you 9 shrunk the road to 24 feet. What kind of clearance 10 are you going to need on each side of the road in 11 terms of taking trees and such down? 12 MR. ALTMAN: That's shown on our 13 limited disturbance here. That's also a function of 14 the grading required to construct the road and our 15 utilities. 16 MS. JAEGER: Right. So how far are 17 they going to be? What's the distance between the 18 curb of the road to the new proposed landscaping 19 that we're putting in? 20 MR. ALTMAN: It's approximately 20 21 feet. And we're a little over 47 feet from the 22 property line to the edge of the road. 23 MR. BOSSONG: Forty-seven from the 24 property line to the road? 25 MR. ALTMAN: Forty-seven from the	Page 73 1 time, are you replacing? Are you maintaining? What 2 will you be doing with that as, you know, we're your 3 new neighbors? 4 MR. BOSSONG: Typically, there's a 5 two-year maintenance bond that's posted in regards 6 to the project. So that if anything would pass or 7 die during that period, we'd replace it. But 8 obviously, you have no idea what the future holds, 9 but if something would, you know, we could replace 10 trees. Depending on what happens, we can't prevent 11 everything. 12 MS. JAEGER: Agreed. And one other 13 thing about being the good neighbor. Right now, 14 your Do Not Walk on Our Property signs are facing 15 us. If they could just maybe turn them around, put 16 them on the side of the tree. It's quite obvious 17 that you guys don't want us on your property. We 18 get it. Just as, again, as a good neighbor. 19 MR. ALTMAN: No problem. 20 MS. FRISCHMAN: Are those signs on 21 the property line? Are they attached to a tree 22 that's on the property? 23 MR. ALTMAN: Excuse me? They're not 24 right on the front. 25 MS. FRISCHMAN: Some of them are even

Page 74 1 a little bit right on our property. Yeah. I have 2 one that's probably on our property. It's the 3 second tree in line. Okay. So it's not far from 4 that, if that's the property line. 5 MR. ALTMAN: Okay. Yeah. 6 MR. GORDON: Is there a buffer? 7 CHAIRMAN DEPINTO: Okay. We'll get 8 to that in one second. I just want to get to this 9 gentleman. And I also want to get to the fire 10 chief. But before I ask this gentleman for his 11 questions or comments, we had discussion before 12 about color. And some people like the blue. Some 13 like the green. Some like the brown. Before you 14 leave, could you just kind of raise your hands? Are 15 you more into the green tones? 16 AUDIENCE MEMBER: Yes. Green. Yes. 17 CHAIRMAN DEPINTO: Okay. How about 18 brown? 19 Okay. And what about blue? 20 AUDIENCE MEMBER: No. No. 21 CHAIRMAN DEPINTO: Okay. So first 22 choice is green. Second, brown. No blue, right? 23 Assuming that approval will be granted, and counsel 24 has said on behalf of their client, Veolia, that 25 they will comply with whatever color we want. And	Page 76 1 approximately three feet. 2 MR. FRISCHMAN: So the shrubbery's 3 going to be lower? 4 MR. ALTMAN: The shrubbery's going to 5 be higher. On the upper level. Here. On L-103, 6 there's a -- you have the property line, the area 7 that's going to be left undisturbed, the one row of 8 trees, the retaining wall, and then there's a second 9 row of trees in front of the retaining wall. 10 CHAIRMAN DEPINTO: And just one last 11 thing. Chief Gibbons. 12 CHIEF GIBBONS: Good evening, Mr. 13 Chairman. The only additional comment I have, I 14 think they've answered one or other from previous 15 comments, is if they can put an address, a street 16 number out by the street, only because we have 17 another utility that had a problem, and there was 18 some confusion on the street address. Since they're 19 off the utilization mark, they have fire alarms. 20 MR. BOSSONG: Okay. Correct. 21 CHAIRMAN DEPINTO: But with regard to 22 access? 23 CHIEF GIBBONS: Access, 24-foot road 24 is fine. We should have no problem accessing the 25 trucks in there. If they do decide to put a
Page 75 1 because you are the ones that are most impacted by 2 the construction of these, we want the colors to be 3 what you want. With respect to the building, 4 obviously, they've shown it in brown tones. Do you 5 prefer the brown tones, or would you rather more 6 gray tones, or something other than that brown one? 7 AUDIENCE MEMBER: Brown. 8 CHAIRMAN DEPINTO: Everybody's good 9 with brown on the building, but you want green on 10 the tanks. And shrubs that don't attract deer. You 11 got to throw that in. Okay. I'm sorry. Sir, 12 please continue. 13 MR. FRISCHMAN: Where is the -- which 14 one shows the retaining wall? 15 MR. ALTMAN: The question was where 16 the retaining walls were. The retaining wall starts 17 out basically in the right-of-way at Summit Avenue, 18 and it runs, that's probably like approximately a 19 hundred feet into the site. There's one low wall 20 here, yeah. If you're -- it doesn't show. It 21 doesn't show on this side. Right here, right here. 22 You can see it. It's in the shadows there. 23 MR. FRISCHMAN: Okay. So how far 24 above grade is that going to be? 25 MR. ALTMAN: It's going to be	Page 77 1 concrete, you know, right turn in, right turn out, 2 we would ask that that would be a matter of curb if 3 it comes to that. 4 CHAIRMAN DEPINTO: Right now, you're 5 just talking about striping. It's painted striping. 6 And not doing mountable or fixed. 7 MR. BOSSONG: And if Bergen comes 8 back with something else, we'll take that. 9 CHAIRMAN DEPINTO: You'll do, we'll 10 let Bergen County know. 11 MR. BOSSONG: We'll let Bergen know. 12 CHIEF GIBBONS: Yeah. We have no 13 other issues. 14 MR. BOSSONG: But we'll let Bergen 15 County know about the request from the Chief about a 16 mountable. 17 CHAIRMAN DEPINTO: Yes, thank you. 18 And that's it, Chief? 19 CHIEF GIBBONS: That's it. 20 CHAIRMAN DEPINTO: Okay. Good. 21 Other members of the public, any more questions? 22 Okay. Chair will entertain a motion to 23 close the meeting for the public. 24 MR. KOELLING: So moved. 25 CHAIRMAN DEPINTO: Second, Chris.

Page 78 1 All in favor? 2 (Unanimous Aye.) 3 MR. BOSSONG: Call the sound 4 engineer, for the testimony to answer the questions 5 that were raised. 6 (The witness is sworn.) 7 MR. REGAN: Please state your name 8 for the record and spell your last name. 9 MR. ZYBURA: Jack Zybura, 10 Z-Y-B-U-R-A. 11 MR. BOSSONG: Can you give the Board 12 the benefit of your educational background and 13 licensure? 14 MR. ZYBURA: Certainly. I'm an 15 associate principal. I'm with Goodfriend & 16 Associates out of Chester, New Jersey. I have a 17 bachelor's of science in acoustical engineering from 18 the University of Hartford. I'm board-certified by 19 the Institute of Noise Control Engineers. And I'm a 20 licensed professional engineer in New Jersey and 21 other states all under those standards. 22 MR. BOSSONG: And you've testified 23 before land use boards before? 24 MR. ZYBURA: Yes. This will be my 25 80th appearance.	Page 80 1 tested, which is why we're proposing to only test 2 during daytime hours where we only have to meet the 3 65-decibel limit. 4 This generator is internal. As you heard 5 before, it is corrected. The louvers for the 6 generator room are acoustical louvers, so they're 7 not only providing the airflow but also noise 8 reduction as the sound emanates out of the building. 9 We're also treating the ceiling of the generator 10 room with an absorptive material to reduce 11 reflections within the room itself, which also 12 reduces the amount of sound that escapes the room. 13 We put all this information into a 3D 14 acoustical model that calculates the sound levels at 15 the property lines based on the distance, shielding 16 of the buildings, topography. The results of that 17 model indicated over to the west levels of 59 18 decibels due to the generator, whereas the code is 19 65 decibels. So we're within the limits of the 20 noise code for both the state and Montvale 21 ordinance. 22 MR. BOSSONG: There was a question as 23 to can you compare that to something, what 59 24 decibels would be compared to? 25 MR. ZYBURA: Sure. I actually had
Page 79 1 MR. BOSSONG: Offer him as an 2 acoustical engineer. 3 CHAIRMAN DEPINTO: Okay. 4 MR. ZYBURA: Thank you. 5 MR. BOSSONG: Jack, you've prepared a 6 report that's been submitted to the Board this 7 evening? 8 MR. ZYBURA: Yes, it was part of the 9 AIS dated May 8, 2025. 10 MR. BOSSONG: And you've heard the 11 questions that were raised regarding the generator 12 and the sound that's being produced by the site? 13 MR. ZYBURA: Yes. 14 MR. BOSSONG: Can you briefly 15 discuss, answer those questions? 16 MR. ZYBURA: Sure. And just to take 17 a step back, there's a statewide noise ordinance and 18 also a local noise ordinance in Montvale, which 19 mimics the state. And it's based on the receiving 20 land use. So if you're a residential receiver, 21 those limits are 65 decibels during the daytime 22 hours and 50 decibels during the nighttime hours. 23 Emergency generators are exempt from those 24 regulations when they're operating to restore power. 25 They're not exempt when they're being routinely	Page 81 1 measurements of my own residential condensing unit. 2 At six feet away from that, that was 64 decibels. 3 So at the property line, this will sound quieter 4 than your typical residential condensing unit. 5 MR. BOSSONG: That's all I have. 6 CHAIRMAN DEPINTO: Okay. I guess 7 we're starting with Javid. 8 MR. HUSEYNOV: Yeah. Can you clarify 9 how many decibels at the source? 10 MR. ZYBURA: So at the source, that 11 generator is rated at 92 decibels at 23 feet. Once 12 you put that in a building, it gets louder. Once 13 you add our acoustical movers to it, the sound 14 that's coming out of the building at the face of the 15 building is around 95 to a hundred decibels. I 16 think there was another comparison to a leaf blower. 17 Those are usually like 110 decibels at the source. 18 So it would be as if someone was leaf blowing, but 19 on that side of the building. So we're also getting 20 the benefit of building shielding towards the 21 residences, which reduces the noise. 22 CHAIRMAN DEPINTO: Just to clarify, 23 that's for the emergency generator? 24 MR. ZYBURA: That's for the emergency 25 generator when it's operating during the routine

Page 82 1 testing. 2 MR. HUSEYNOV: So sound pressure is 3 the square inverse of distance, right? So what 4 distance away will be, let's say, at 50 decibels? 5 MR. ZYBURA: At 50 decibels? 6 MR. HUSEYNOV: Yeah, 50 or 40 7 decibels. 8 MR. ZYBURA: I don't have that. It's 9 not a straightforward calculation. We're saying the 10 proper line will be code compliant at 59 decibels, 11 which is below the level of 65, which is the code. 12 MR. BOSSONG: Okay. And just for 13 clarification, when you model that at the 59, that's 14 as if there's no other sound attenuating items 15 between the source and the building? 16 MR. ZYBURA: It is considering that 17 the building itself is blocking the sound in that 18 direction. And conversely, reflecting sound back to 19 the east. So we do take into account the effect of 20 the building shielding. We are not taking into 21 account any foliage or air absorption to be 22 conservative because in the winter you don't have as 23 much air in the foliage. When the trees are in full 24 bloom, you get an extra couple of decibels out of 25 that.	Page 84 1 CHAIRMAN DEPINTO: No questions? 2 MR. LINTNER: No questions. 3 CHAIRMAN DEPINTO: Okay. Before I 4 open to the public, Darlene, do you have anything on 5 this? 6 MS. GREEN: Not on the sound. Thank 7 you. You're good. 8 CHAIRMAN DEPINTO: Okay. Chair wants 9 to take a motion to open the meeting to the public. 10 Chris. Second, Dieter. All in favor. 11 (Unanimous Aye.) 12 CHAIRMAN DEPINTO: Questions on 13 sound? Anybody? I hear nothing. That was supposed 14 to have been fun. It might have been fun. That's 15 good. You don't have to take that. 16 Okay. Anyone have anything on sound? And 17 also, because we did hear from the fire chief, 18 anybody have any questions with regard to public 19 safety fire protection? Chair wants to take a 20 motion to close the meeting to the public. 21 Chris, Dieter. All in favor? 22 (Unanimous Aye.) 23 CHAIRMAN DEPINTO: Counsel? 24 MR. BOSSONG: We have a professional 25 planner.
Page 83 1 MR. HUSEYNOV: Thank you. 2 CHAIRMAN DEPINTO: Thank you. Joe. 3 MR. PUGLISI: When modeling, there's 4 typically a confidence interval. So you may say 5 that it's going to be 59, but you said like from 61 6 to 57? 7 MR. ZYBURA: The modeling software 8 has a tolerance of about plus or minus one to two 9 decibels, but we also model on the conservative side 10 for that reason. So it's one to two decibels when 11 you're also including the additional foliage and air 12 absorption and whatnot. So we're already leaning 13 towards the higher side of that result by not taking 14 those extra attenuation factors into it. 15 MR. PUGLISI: Okay. I think we have 16 a conservative result here. You're confident that 17 it's around the right number? 18 MR. ZYBURA: Yes. 19 MR. PUGLISI: Okay. I have no other 20 questions. 21 CHAIRMAN DEPINTO: Okay. Thank you. 22 Dieter? 23 MR. KOELLING: No. Most of my 24 questions were answered with the foliage question 25 and the trees.	Page 85 1 (The witness is sworn.) 2 MR. REGAN: State your name for the 3 record and spell your last name. 4 MR. RUSCHKE: It's John Ruschke, 5 R-U-S-C-H-K-E. 6 MR. REGAN: R-U-S? 7 MR. RUSCHKE: R-U-S-C-H-K-E. 8 MR. REGAN: That has a lot of 9 consonants in that name. 10 MR. RUSCHKE: I have a bachelor's and 11 master's degree in civil engineering. I have over 12 35 years of experience in municipal land use and 13 site development. I have had my professional 14 engineering and professional planning license for 15 over 30 years, and it's still in good standing. 16 I've testified before multiple land use boards on 17 behalf of applicants. 18 CHAIRMAN DEPINTO: Chair will accept 19 recommendation of counsel. Please continue. 20 MR. RUSCHKE: If the Board doesn't 21 mind, I'm just going to sit so I can actually read 22 my notes. 23 MR. BOSSONG: John, we need one 24 variance for this application? 25 MR. RUSCHKE: Correct.

Page 86 1 MR. BOSSONG: Can you please provide 2 the planning testimony in relation to why we meet 3 the criteria for that variance to be granted? 4 MR. RUSCHKE: Absolutely. First, 5 I'll just note that, as discussed, we're in the zone 6 of AH-6, which is the Affordable Housing district. 7 Within that district, the permitted uses allow 8 public utility towers, buildings, and other 9 structures. So this application is a fully 10 permitted use. We comply with the use requirements 11 within the zone. 12 We also comply with all the bulk 13 requirements, meaning that both the water storage 14 tanks are at the proper height, the building is at 15 the proper height, the setbacks to the structure 16 meets the ordinance, so we meet all those bulk 17 requirements. So the site was developed with the 18 intent of meeting all those requirements that are in 19 the municipal code. 20 The variance that is required as part of 21 the application is a steep slope variance under 22 section 40-74. We are disturbing slopes that are 23 greater than 15 percent. The approximate amount of 24 disturbance that is proposed is 9,100 square feet, 25 which was just rounded up.	Page 88 1 purpose of the municipal zoning plan or ordinances. 2 To justify a steep slope variance, the applicant 3 must demonstrate that strict enforcement of the 4 zoning regulations would create exceptional hardship 5 due to the natural topography of the land. 6 Under a C-2 variance, it does not require 7 a natural hardship, but to show that the variance 8 promotes the goals of the municipal land use law and 9 that the benefits substantially outweigh the 10 detriments. 11 As noted, we also have design waivers. 12 The Board can approve design waivers are permitted 13 when strict compliance with the municipal code 14 requirements is unnecessary, impractical, or do not 15 advance the purpose of the municipal land use law. 16 I'm not going to reiterate all the testimony 17 regarding it, but the hardship regarding the steep 18 slopes is because of the topography. It was 19 testified regarding the environmental constraints 20 associated with this property. It was discussed in 21 detail regarding why the road was located where it 22 is and actually where the tanks are located where it 23 is. 24 There is no -- when you look at 25 alternative locations, there really isn't other
Page 87 1 We're also asking for design waivers. One 2 design waiver is related to the height of the fence. 3 The Municipal Code Section 196-4 requires the fence 4 to have a maximum height of four feet. We are 5 proposing a six-foot-high fence. The code does 6 allow a six-foot-high fence under certain 7 exemptions, but given the nature of this 8 application, it just didn't fall under the typical 9 exemptions that were outlined under Section 196-5. 10 We're also asking for a design waiver from 11 Section 250-7A-2, which is a waiver of intersection 12 lighting where three footcandles is required and 13 none is proposed. 14 This application is for a C-1 variance and 15 also can be considered as a C-2 variance can be 16 justified. Per the municipal land use law, a C-1 17 variance can be granted when the property owner 18 faces hardship due to exceptional narrowness, 19 shallowness, shape, or topographic conditions of 20 their property. To justify a C-1 variance, the 21 applicant must provide evidence that the physical 22 characteristics of the property create a hardship, 23 prevents compliance with the zoning regulations. 24 The hardship is not self-imposed. The 25 variance will not substantially impair the intent or	Page 89 1 means of accessing this property and actually 2 constructing the facilities that would meet the 3 municipal code. If we change the location of the 4 tank or do other things, we will likely be changing 5 the height of the tank or changing other bulk 6 requirements, which will be violating other 7 components. The hardship is due to the constraints 8 on the property itself. It's not a self-imposed 9 hardship. It's just that the constraints of the 10 topography is what requires it. 11 Strict compliance with the zoning 12 requirements, if the regulations impose that, 13 there's no disturbance at all. The property 14 couldn't be developed. Basically, the steep slopes 15 are located near the entrance of the road. You do 16 need to disturb this amount of steep slopes. 17 As noted in the testimony, there's a 18 number of retaining walls and this describes the 19 limited disturbance. The site was developed in 20 consideration of where the presence of the steep 21 slopes were. Retaining walls were constructed so 22 that they were not encroaching further into the 23 steep slopes. We tried to minimize the steep slopes 24 to the maximum extent possible. 25 So we have to address both the positive

Page 90 1 and the negative criteria. The positive criteria 2 and the steep slope variance application focuses on 3 demonstrating that the proposed development serves 4 the general public welfare and aligns with the 5 municipal land use law. To demonstrate public 6 benefit, there was a lot of testimony regarding why 7 this project is required. It's required to 8 reinforce the public water system. It stabilizes 9 pressure. It promotes adequate flow within the 10 distribution system for fire protection. By 11 stabilizing the pressures, you promote more water 12 quality improvements within the system. This is by 13 far the benefit to the public. It's quite 14 substantial regarding the proposed improvements. 15 Proving site suitability, the site is 16 particularly suited for this development. It does 17 meet all the requirements of the municipal code. 18 The tanks and such, this is an ideal site to 19 implement these improvements in order to reinforce 20 the water system. So it is particularly suited for 21 this site. 22 The project is aligned with the zoning 23 goals since it does comply with all the municipal 24 requirements for both the use and the bulk 25 requirements. Mitigating environmental impacts, as	Page 92 1 sensitivity of the site itself. We have wetlands. 2 We have flood hazard areas. There was a lot of 3 attention that went into minimizing the 4 environmental impacts associated with the project. 5 Maintaining public safety, the development 6 will not create any hazardous conditions like 7 landslides or unsuitable slopes. Once the site is 8 stabilized, the threat or impacts associated with 9 steep slopes are eliminated. The project does 10 preserve the natural character of the property in 11 the sense that a large portion of the property is 12 undeveloped. 13 As noted, the total coverage on the site 14 is proposed to be 3.8 percent, where what's 15 permitted under the code is 40 percent. So the 16 property can be considered low intensity compared to 17 what could have been developed on the subject 18 property. And the project does align with the 19 zoning intent as noted that it does fully comply 20 with the zoning code. 21 Now with the design waivers, we have the 22 design waiver regarding the four-foot height, which 23 is required in the code where six is proposed. The 24 four foot is just not a practical height for this 25 type of application. It really doesn't deter any
Page 91 1 noted, there was retaining walls that are proposed 2 to minimize the amount of disturbance. There's 3 drainage systems. With any disturbance of steep 4 slopes, a lot of the concerns are associated with 5 the erosion and impact associated with the 6 construction itself. As part of this development, 7 there is a soil erosion sediment control plan. The 8 plan would be implemented given the sensitivity of 9 the steep slopes and taking them into consideration. 10 When the project is ultimately developed, 11 the site is developed with adequate stormwater 12 improvements that are going to control stormwater 13 going to the site. The impact associated with steep 14 slopes is really temporary in nature regarding 15 construction. We have means and methods that are 16 being proposed to mitigate that impact associated 17 with it. 18 From the negative criteria, the negative 19 criteria in the steep slope application focuses on 20 ensuring that the proposed development does not 21 cause substantial detriment to the public good and 22 does not impair the intent and purpose of the 23 municipal zoning plan. One of the negative criteria 24 is to prevent environmental impacts. There's 25 extensive testimony regarding all the environmental	Page 93 1 access to the area. You really need a fence that 2 would be six-foot high that would deter people from 3 walking into the compound and doing that. In 4 industry standards, many times you even have fences 5 higher than six foot, but six foot is deemed to be 6 appropriate here and that's why it is proposed. 7 The waiver for the intersection lighting, 8 in general, the point of the intersection is that 9 there's low traffic going to this facility. It's 10 really just, on a normal basis, it's just a pickup 11 truck at Veolia monitoring the station. The 12 facility is not open to the public and we don't want 13 to advertise it to the public that it's a driveway 14 that you want to have public interest or use for it. 15 The driveway itself, it's a simple 16 construction, T intersection. It has proper 17 geometry, so Veolia workers or any contractors that 18 are driving up to the driveway. It's well defined. 19 It's not a unique driveway where it has a unique 20 angle or steep slopes to it. Someone can easily 21 just drive up to it and see and probably make a turn 22 in and out of the intersection. Lighting in this 23 particular application does not appear to be 24 warranted for the intersection lighting. 25 So, given the above, I believe the Board

Page 94 1 does have the means to grant the variances, the 2 steep slope variances and the requested design 3 waivers. That's all, Chair. 4 CHAIRMAN DEPINTO: Okay. Thank you. 5 Mr. Ruschke, you spoke about the fences. 6 MR. RUSCHKE: Yes. 7 CHAIRMAN DEPINTO: And the code 8 requires four feet, the plan proposes six feet. 9 MR. RUSCHKE: Correct. 10 CHAIRMAN DEPINTO: I'm not able to 11 find easily the detail sheet on the fence. What 12 type of fence are you proposing? Now, I see the 13 gate, which appears to be black. 14 MR. RUSCHKE: It's a black galvanized 15 fence. 16 CHAIRMAN DEPINTO: Right. And are 17 you proposing the same type of fence? I'm concerned 18 for the residents because there are fences and then 19 there are other fences. 20 MR. RUSCHKE: It's a normal 21 chain-link-fence-type fencing. 22 CHAIRMAN DEPINTO: Which would be 23 better than chain link? 24 MR. RUSCHKE: Yeah. 25 CHAIRMAN DEPINTO: What can we do	Page 96 1 proposing a standard chain link fence that can be 2 black, you know, so it wouldn't blend in. But 3 having like a wrought iron fence around the facility 4 is not proposed because if it was closer to the 5 street and it wasn't deep into the woods, that would 6 be a consideration. But we are proposing the chain 7 link at this time. 8 CHAIRMAN DEPINTO: Okay. We'll see 9 what people think about that. 10 MR. RUSCHKE: Okay. 11 CHAIRMAN DEPINTO: I don't like it. 12 MR. RUSCHKE: Fair enough. 13 CHAIRMAN DEPINTO: Could you just for 14 the record -- because if I live there, I wouldn't 15 want to be looking at a typical chain link fence. 16 Now maybe it's -- is it cost more to do a better 17 looking fence? 18 MR. RUSCHKE: It's -- yeah. It's 19 just -- 20 CHAIRMAN DEPINTO: Is that a problem? 21 MR. RUSCHKE: It just seems that 22 we're putting some -- we're putting a very expensive 23 decorative fence in the middle of the woods that 24 you're not really going to see. 25 CHAIRMAN DEPINTO: It's not the
Page 95 1 better than chain link? Chain link looks really 2 good in a city surrounding a lot in a factory, 3 around a factory. 4 MR. RUSCHKE: Well, what you have in 5 Montvale, New Jersey, you can do that. Understood. 6 You can certainly do powder coating to make it 7 black, you know, have it black and blend in. 8 CHAIRMAN DEPINTO: Would that be less 9 visible? 10 MR. RUSCHKE: It would be a black 11 fence. 12 CHAIRMAN DEPINTO: It would. And 13 we're certainly not going to put barbed wire 14 anywhere. 15 MR. RUSCHKE: We're not putting 16 anything like that into it. 17 CHAIRMAN DEPINTO: So it's going to 18 be a black fence. It's going to be, and you're 19 seeking for it to be six foot. 20 MR. RUSCHKE: Right. 21 CHAIRMAN DEPINTO: And it will be 22 similar in design to the gate that's proposed. 23 MR. RUSCHKE: No, the gate is a 24 little bit more ornate in nature regarding the 25 actual gate itself. So that, you know, we're	Page 97 1 middle of the woods that I'm worried about. I'm 2 worried about the residents that are immediately to 3 the west side of the property and what they're going 4 to be looking at. 5 MR. RUSCHKE: Yeah. Yeah. In 6 general, the fencing is located around the compound. 7 CHAIRMAN DEPINTO: Give us some 8 thought on how you can make it look really, really 9 nice. 10 MR. BOSSONG: Yeah. We can certainly 11 look at the fencing and coming up with a different 12 type of fencing just to satisfy the Board. 13 CHAIRMAN DEPINTO: Okay. Let's -- 14 before I open it up for questions, I want to hear 15 from Ms. Green. Mr. Ruschke, do you have a copy of 16 Ms. Green's technical review letter? 17 MR. RUSCHKE: I did. 18 CHAIRMAN DEPINTO: Of December 31? 19 MR. REGAN: B-3. 20 (Exhibit B-3 is received and marked 21 for Identification.) 22 CHAIRMAN DEPINTO: D3. And Ms. Green, 23 could you summarize your review letter? 24 MS. GREEN: Yes, certainly. I agree 25 with Mr. Ruschke regarding the variance for steep

Page 98 1 slope disturbance and fence height at the 2 intersection lighting. My letter, starting on page 3 5, has comments. Item 2, the site plans need to be 4 revised to note the variance condition and eliminate 5 -- for some reason, the plan said that they need a 6 waiver for building hydro-stable. So if the Board 7 approves the application, that should be amended. 8 Carl already asked a question to receive a signed 9 survey. That should be something that's submitted 10 as a condition of Board approval. 11 Comment No. 8. There are some 12 discrepancies regarding the height of the tanks, 13 specifically actually 9 and 10. Depending on which 14 page you're looking at, the tanks are noted to be 15 different heights. So those pages need to be 16 revised so they all match and the heights are 17 consistent from one page to the next. 18 Items 11, 12, and 13 have to do with 19 setbacks that need to either be clarified or the 20 discrepancies need to be eliminated regarding that. 21 17. They actually already answered. 22 Well, they're going to look into the question about 23 is the yellow highlighted area actually already 24 preserved via conservation easement or is it 25 proposed?	Page 100 1 Joe? 2 MR. PUGLISI: I have no questions. 3 CHAIRMAN DEPINTO: Dieter? 4 MR. HUSEYNOV: I just have a question 5 on the fence. I sort of agree with you with the 6 chain link, although I think the chain link kind of 7 does disappear in the woods. What I would be more 8 concerned about is when a tree falls on it, as long 9 as there's a maintenance plan for the fence. You 10 know, you see a tree falls in the woods after a 11 storm and crushes a fence, and it sits there for 10 12 years. 13 MR. BOSSONG: The fact that the site 14 is visited periodically, that those type of 15 maintenance items would be, you know, the work 16 orders would be established for those. The fence is 17 obviously there for security purposes, so we want to 18 keep the site as secure as possible. 19 MR. HUSEYNOV: Right. What I've seen 20 in other places, you know, you have walking trails 21 in Emerson and Old Tappan, I think, and you're 22 always walking to see a tree down on the fence. I 23 realize you have hundreds of miles of fence 24 probably, but it's okay. So, thanks. 25 MR. LINTNER: No questions.
Page 99 1 Item 21. They need to add a note to the 2 plans about complying with Chapter 250 of our code 3 regarding lighting. I already noted the issue when 4 the landscape architect appeared about the landscape 5 discrepancies. 6 Item No. 29 has to do with details. The 7 engineer response letter said that we received Sheet 8 C107 regarding sidewalk. There is not a sheet C107 9 in my site plan submission. So that's going to need 10 to be submitted so we can clarify this sidewalk that 11 is supposedly shown on the site. I actually had 12 asked for testimony on the fence, and we just 13 received that. So that's my letter. 14 CHAIRMAN DEPINTO: Any response to 15 that? 16 MR. RUSCHKE: Yeah. All the comments 17 are very clear regarding what needs to be clarified 18 from discrepancies addressed and typos corrected. 19 Everything -- you won't see any issue with 20 addressing those comments. 21 CHAIRMAN DEPINTO: Good. Carl, 22 anything on your side? 23 MR. O'BRIEN: No. 24 CHAIRMAN DEPINTO: We'll pick it up, 25 I think, with Sherman. Any questions? Thank you.	Page 101 1 CHAIRMAN DEPINTO: Chair will 2 entertain a motion to open meeting to the public. 3 Dieter; seconded, John. All in favor? 4 (Unanimous Aye.) 5 CHAIRMAN DEPINTO: Anyone from the 6 public? Any questions of the planners? 7 MS. JAEGER: I'm so sorry. I should 8 be going ahead. 9 CHAIRMAN DEPINTO: No, no, no. 10 MS. JAEGER: So how long did I hear 11 this might take? Three years? Did someone say 12 three years? What's the staging? Because I heard 13 landscape would be last. So, what, you know, what 14 is the proposed staging? 15 MR. BOSSONG: I think the concern 16 with the landscaping is that as the road is being 17 constructed as part of the soil road and sediment 18 control requirements, you do have to stabilize areas 19 within 30 days. So, these areas can -- this 20 particular property on the rear of the homes, you 21 know, certainly you can look at the phasing and try 22 to expedite getting the landscaping in this area. 23 It's not an area that you use. But you know, we 24 will put up a construction fence with, you know, 25 blocking so that you're not looking at the -- you

Page 102 1 know, the site as well. 2 MS. JAEGER: Yeah. So I wasn't sure, 3 like, are you digging for the road? 4 MR. BOSSONG: There's going to have 5 to be some grading with the property. 6 MS. JAEGER: The soil won't go 7 towards the east, right? It has to go to the west. 8 So, if there's no barrier, visible barrier for us, 9 we would be seeing potentially a year or two or 10 whatever in terms of -- 11 MR. BOSSONG: There will definitely 12 be construction fencing put up to block it. The 13 problem, one of the things we'll work with the 14 contractors on is putting landscaping up first that 15 might not survive while the construction's going on 16 because of the site. But we'll make sure that 17 there's a construction fence blocking, you know, 18 visually the view so that you're not looking. 19 MS. JAEGER: And do you know the 20 timeline? So we have owls and we have fox. I just 21 want to make sure that, you know, trees aren't 22 coming down that are taking down some of the 23 wildlife. So I didn't know what timing that you had 24 in terms of -- 25 MR. BOSSONG: Any requirements that	Page 104 1 MR. LINTNER: So moved. 2 CHAIRMAN DEPINTO: Seconded, Dieter. 3 All in favor? 4 (Unanimous Aye.) 5 CHAIRMAN DEPINTO: Okay. 6 Deliberation. I'm going to start with Bill. Bill, 7 the applicant has concluded their presentation for 8 the Board. You've heard the reasons with respect to 9 the need for this particular development, the relief 10 that they need from the municipality, and what the 11 project will hopefully look like and the impact it 12 will have on the neighborhood and the community. 13 And I'd like your opinion on the whole. 14 MR. LINTNER: Sure. Thank you, Mr. 15 Chairman. This has been quite a while coming. I 16 remember when we heard about the water tower over 17 off of Long Ridge up there and had to make the 18 changes on that, which did not work. 19 The town needs to improve their water 20 situation. It's a problem with construction 21 projects. It's a problem with development. And I 22 know that the water company has been trying to 23 eliminate that crossover between Rockland County for 24 many, many years, and this will eliminate the influx 25 of New York State water into our water.
Page 103 1 the NJDEP imposes regarding trees, that would done 2 per that. 3 MS. JAEGER: Okay. 4 CHAIRMAN DEPINTO: Anyone else? 5 MR. BOSSONG: Chairman, that 6 concludes the direct testimony that we have for this 7 application. 8 CHAIRMAN DEPINTO: Thank you. And 9 what we're going to do is we're going to open up the 10 meeting one last time, and we don't have much -- 11 many people left. But I have to open it to the 12 public. I'll entertain a motion to open the meeting 13 to the public. Bill and Dieter. All in favor? 14 In closing, folks, do you have any other 15 questions or would like to make a comment? Do you 16 love it? Do you hate it? This is the time to do 17 it. We're good? And I guess all you guys on this 18 side love it. And you're paying attention all the 19 time. I know. I know. 20 Well, Mr. Ruschke, you're the gentleman I 21 want to talk to after the meeting. You will wait 22 for us? 23 MR. RUSCHKE: I will wait for you. 24 CHAIRMAN DEPINTO: Okay. Thank you. 25 Okay. Motion to close the meeting to the public?	Page 105 1 I think the applicant has done a very good 2 job of listening. We had him at a site plan review 3 meeting and made some comments. They came before us 4 a couple months ago. There was additional comments 5 made. They went back to their drawing board. 6 There's not a whole heck of a lot they can do with 7 layout on this property. 8 I mean, as I asked, and I was told the 9 driveway is where the driveway needs to be. It's 10 unfortunate. It's the only place there is neighbors 11 is along the driveway. But the fact that it's going 12 to be lower than the neighbor's property and the 13 amount of landscape plantings they're doing is 14 significant for it. 15 I think they've done a nice job improving 16 the look of the building, from a prefab metal 17 building with a metal roof to a building that's more 18 in tune with what the neighborhood looks like, I 19 think is a very positive step. I can see no other 20 changes that I would require. 21 I know you're interested in the fence 22 around the lot. As Dieter said, a painted black 23 chain link fence sort of disappears, and there is a 24 significant amount of landscaping around it. If the 25 applicant wants to improve the fence, that's fine,

Page 106 1 but I'm okay with a black chain link fence with the 2 amount of landscaping that's going behind it. And 3 I'd also agree with you, they can come up with a 4 shrub the deer don't eat, let me know about it, too, 5 because I'm suffering like everybody else in town. 6 So I'm in favor of granting an approval to this 7 application. 8 CHAIRMAN DEPINTO: Thank you. John? 9 MR. RYAN: Yeah. I agree with Bill's 10 comments, all of them that he made. The only thing 11 I would say is we should address the color, as you 12 did, of the tower, make sure that it's the color 13 that people want, which we think is green. I heard 14 concerns about maintenance of the buffer over time. 15 Hopefully that's built into the maintenance plan. 16 And on the fence issue, I would say, you 17 know, let's see if there is something that is a 18 little bit more elaborate. Other than that, I think 19 the plan makes sense. Thank you. 20 MR. HUSEYNOV: I concur with most of 21 the comments made. 22 CHAIRMAN DEPINTO: Good, thank you. 23 Joe? 24 MR. PUGLISI: Yeah, I won't reiterate 25 what's already been said. I was just going to say	Page 108 1 Definitely in favor of the application. 2 CHAIRMAN DEPINTO: Okay. I, too, am 3 in favor of the application and will support it. I 4 believe we have a good relationship with Veolia. I 5 believe that as this project goes along, they will 6 be receptive to any concerns that either the Borough 7 has or local residents may have. And I'm going to 8 rely upon that many years of dealing with the water 9 company in prior applications that came before 10 either this Board or the Zoning Board. 11 I think it was handled very well by the 12 people that do represent Veolia and look forward to 13 this improvement being made in a timely fashion in 14 the interest of public safety. Because that's why 15 we're all here. God forbid you do have some sort of 16 tragedy in an area where the pressure is not 17 adequate to meet our fire department's requirements. 18 Shame on us. We have to do what we have to do to 19 ensure that public safety. 20 And with that said, the Chair wants to 21 take a motion to request the Board attorney to 22 prepare a resolution for approval, setting forth the 23 conditions as stated on the record, further the 24 conditions that are normally assigned to a 25 resolution of this type.
Page 107 1 that they've come a long way since tool shed. But 2 they seem very open and flexible towards the 3 public's concerns and the Board's concerns. So I'm 4 in favor of this application. 5 CHAIRMAN DEPINTO: Good, thank you. 6 Sherwin? 7 MR. TSAI: I have to agree with my 8 colleagues on the Board. It's something that town 9 definitely needs. It's been a long time coming. 10 The company has certainly done a great job of taking 11 into account how it can best fit into the 12 neighborhood. And I would be very much in favor of 13 seeing this move forward. 14 CHAIRMAN DEPINTO: Thank you. And 15 Dieter? 16 MR. KOELLING: I think Mr. Lintner 17 summed it up very well. I want to thank all the 18 colleagues and comments that they've had. Thank you 19 to the members who presented. I think you guys did 20 a spot on job this time and I appreciate it. And 21 thank you for entertaining our public's questions 22 and comments and being a good neighbor. 23 CHAIRMAN DEPINTO: Thank you. Chris. 24 MR. GRUBER: I agree with everything 25 that's been said. And it's a long time coming.	Page 109 1 Bob, you need, what, about 30 days for 2 this? 3 MR. REGAN: Thirty days from receipt 4 of transfer at lease. 5 CHAIRMAN DEPINTO: Thirty days from 6 receipt of transcript. Now the ball's in your 7 court. That means you got out next week. 8 Okay. Okay. With that said, anyone care 9 to make that motion? 10 MR. LINTNER: I'll make that motion. 11 CHAIRMAN DEPINTO: Bill. Seconded, 12 Chris. Discussion on the motion? Hearing none, 13 roll call. 14 MS. FONDACARO: Mr. Gruber. 15 MR. GRUBER: Yes. 16 MS. FONDACARO: Council Member 17 Koelling. 18 MR. KOELLING: Yes. 19 MS. FONDACARO: Mr. Lintner. 20 MR. LINTNER: Yes. 21 MS. FONDACARO: Mr. Ryan. 22 MR. RYAN: Yes. 23 MS. FONDACARO: Mr. Huseynov. 24 MR. HUSEYNOV: Yes. 25 MS. FONDACARO: Mr. Tsai.

1 MR. TSAI: Yes. 2 MS. FONDACARO: Mr. Puglisi. 3 MR. PUGLISI: Yes. 4 MS. FONDACARO: Chairman DePinto. 5 CHAIRMAN DEPINTO: Yes. Okay. Thank 6 you very much. Thank you for coming. 7 MR. BOSSONG: Chairman, we thank you 8 very much, and we thank the public for their 9 participation, too. It was very informed and very 10 relevant questions. We appreciate it. 11 CHAIRMAN DEPINTO: Thank you. Job 12 well done. 13 (Whereupon the proceeding is then 14 concluded at 10:55 p.m.) 15 16 17 18 19 20 21 22 23 24 25	Page 110
1 C E R T I F I C A T I O N 2 3 4 I, SHARI CATHEY, CCR, RPR, License No. 5 30X100234700, and Notary Public of the State of New 6 Jersey, hereby certify that the proceedings herein 7 are from the notes taken by me of a Regular Meeting 8 of the MONTVALE PLANNING BOARD, held on Tuesday, 9 January 06, 2026; and that this is a correct 10 transcript of the same. 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25  SHARI CATHEY, CCR, RPR A NOTARY PUBLIC of the State of New Jersey I.D. No. 2283786 Commission Expires 2/4/27	Page 111

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