MILLSTONE TOWNSHIP ZONING BOARD OF ADJUSTMENT
MINUTES
June 24, 2026

The Millstone Township Zoning Board of Adjustment regular meeting was called to order by Vice-Chairman Barthelmes on Wednesday, June 24, 2026 at 7:30 p.m. in the Municipal Meeting Room, 215 Millstone Rd., Millstone Township, NJ 08535. Notice of this meeting was provided in accordance with the Open Public Meetings Law.

Secretary Sims read the Open Public Meetings Act Statement.

There was a salute to the Flag and an observance of a moment of silence offered for those serving and those who have served our country in the past.

Roll call for the below members was called:

Present:	Vice-Chairman Barthelmes, Ms. Arpaia, Mr. Cadigan, Mr. Lambros and Mr. Kausch (Alt. II).
Absent:	Chairman Mostyn, Mr. Ferrara, Mr. Sinha and Mr. Borgese (Alt. I).
Attending:	Greg Vella, Esq., Board Attorney; Greg Blash, PE, PP, Board Engineer: McKinley Mertz, PP, AICP, Board Planner; and Danielle Sims, Board Secretary.

Vice-Chairman Barthelmes was seated as the Temporary Chairman. Mr. Kausch was seated for Mr. Ferrara. Secretary Sims confirmed a quorum.

PUBLIC COMMENTS:

Vice-Chairman Barthelmes opened the meeting up to members the public for comments on matters not before the Board. With no members of the public coming forward, Vice-Chairman Barthelmes closed the public comments session.

MINUTES:

Minutes from April 22, 2026

The Board received the minutes in advance of the meeting for their review. With no comments from the Board, Mr. Arpaia made a motion to adopt the Minutes from April 22, 2206, which was seconded by Mr. Cadigan. The Minutes were adopted on a roll call vote: Ms. Arpaia, Mr. Mr. Barthelmes, and Mr. Cadiga: Approved, 3-0.

ANNUAL REPORT REVIEW:

The Zoning Board of Adjustment carried the review of the Annual Report of 2025 to the next meeting.

RESOLUTION(S):

Resolution ZB2026-08
Amending Resolution ZB2026-04 Appointing Professional NJ Licensed Tree Expert Services for 2026.

Secretary Sims explained that the appointed LTE was hired with the firm CME Associates. The company has been bought out and is now Artheon, Inc. The professional and service agreement have not changed, but the services would be provided under their new firm name,

Artheon, Inc. With no comments from the Board, Mr. Cadigan made a motion to adopt the Resolution, which was seconded by Ms. Arpaia. The Resolution was adopted on a roll call vote: Mr. Barthelmes, Ms. Arpaia, Mr. Cadigan, Mr. Lambros and Mr. Kausch: Approved, 5-0.

Resolution ZB2026-09
Amending Resolution ZB2026-02 Appointing Professional Engineering Services for 2026.

Secretary Sims explained that the Board Engineer, Matt Shafai, has retired and Mr. Greg Blash, who also works for Leon S. Avakian and is a licensed professional engineer has been assigned to the Board. The professional and service agreement has not changed, but the services would be provided by Gregory Blash, PE, instead. The Board thanked Mr. Shafai for his over 20 years of service and welcomed Mr. Blash. With no other comments from the Board, Mr. Lambros made a motion to adopt the Resolution, which was seconded by Mr. Barthelmes. The Resolution was adopted on a roll call vote: Mr. Barthelmes, Ms. Arpaia, Mr. Cadigan, Mr. Lambros and Mr. Kausch: Approved, 5-0.

David Wasenda
Block 16.01, Lot 1 – 500 Rike Dr. – Units 2A & 2B and 2C
Use Variance Approval Application # Z26-03

The Board received the resolution in advance of the meeting. With no comments from the Board, Ms. Arpaia made a motion to adopt the Resolution, which was seconded by Mr. Cadigan. The Resolution was adopted on a roll call vote: Mr. Barthelmes, Ms. Arpaia and Mr. Cadigan: Approved, 3-0.

JCP&L – Jersey Central Power & Light Company
JCP&L Clean Energy Corridor Upgrades
Blocks: various, Lots: various – see attached
Withdrawal of Use Variance, Preliminary & Final Major Site Plan Application # Z25-04
And Withdrawal of Soil Removal/Fill Application Z25-04-SR

The Board received the resolution in advance of the meeting. With no comments from the Board, Ms. Arpaia made a motion to adopt the Resolution, which was seconded by Mr. Cadigan. The Resolution was adopted on a roll call vote: Mr. Barthelmes, Ms. Arpaia, Mr. Cadigan, Mr. Lambros and Mr. Kausch: Approved, 5-0.

Daniel Merkel & Lilly Mark
Block 59, Lot 2.01 – 8 Burnt Tavern Rd.
Use Variance Application # Z24-14

The Board received the Resolution in advance of the meeting for their review. Attorney Vella explained that the applicant has requested minor amendments to the resolution. Mr. Kenneth Pape appeared on behalf of the applicant. Attorney Vella explained that the applicant has asked that Board consider allowing a concrete clapboard material for the proposed shed for the goats. There is concern that the goats would eat the siding. The concrete clapboard would otherwise match the vinyl siding material of the home. A concrete clapboard with a similar visual appearance to the home is being requested to satisfy the requirement of “matching” the material color and design. Mr. Pape explained that the applicant would like to be able to also have a 2’ grass paver strip at the door of the proposed garage, to be used as an apron to the garage. There would still be no driveway or paved access to the garage, in accordance with the resolution of approval. The Board confirmed that this kept with the intent of the approval granted and agreed a 2’ grass paver apron, the width of the garage door, would be allowed. The Board took no exception to these amendments as put on record.

With no further comments from the Board, Ms. Arpaia made a motion to adopt the Resolution with the amendments, which was seconded by Mr. Cadigan. The Resolution was adopted on a roll call vote: Ms. Arpaia, Mr. Cadigan and Mr. Lambros: Approved, 3-0.

SUBMISSION WAIVERS REQUEST(S):

Bridge Asset Management – Hen Vaknin
Block 17, Lot 4 – 663 State Highway 33
Use Variance and Minor Site Plan
Request for Submission Waivers

Proposal to operate a `Truck Terminal` consisting of truck and trailer transportation facility for the parking, dispatch, circulation and operation of commercial vehicles engaged in transportation-related activities, at the existing site. There is an existing cell tower (Priority 1) and compound on the site. Request for Submission Waivers for Completeness determination

Mr. Matthew Gilson, Esq. appeared on behalf of the applicant.

Thomas Trotto, PE, was sworn in and provided his credentials as a licensed engineer. The Board accepted him as a professional engineer. Referring to the nineteen (19) requested submission waivers, Engineer Blash suggested that item 4C, D and E, landscaping.

Attorney Vella suggested the Board may want to see signage for the site. Planner Mertz recommended a lighting plan also be shown. Engineer Blash asked for more information on the application operations, the use of the existing back building. Attorney Vella suggested some of these items may trigger additional variance relief to be required.

The Board discussed the submission waivers and agreed that the applicant should provide a landscaping plan, a lighting plan and a signage plan. They did not take any objection to granting the other requested waivers as described in their application checklist.

Mr. Cadigan made a motion to grant the remaining requested waivers to deem the application complete upon receipt of the landscaping plan, lighting plan and signage plan, which was seconded by Ms. Arpaia. The requested waivers were granted on a roll call vote in favor: Mr. Barthelmes, Ms. Arpaia, Mr. Cadigan, Mr. Lambros and Mr. Kausch: Approved, 5-0.

APPLICATIONS:

Diamond Towers V, LLC (co-applicants T-Mobile Northeast, LLC and New York SMSA Limited Partnership d/b/a Verizon Wireless)
Block 40, Lot 6 – 71 Halka Way
Use Variance, Preliminary & Final Major Site Plan Application # Z26-01

Proposal to construct a 165` monopole inside a 50` x 50` compound in the center of a 73.19-acre farmed/wooded parcel, immediately adjacent to the existing JCP&L utility easement. The proposal is to relocate the existing transmission tower from the adjacent JCP&L pole and to construct a new monopole and adding T-Mobile as a collocating carrier. Verizon Wireless proposes to install a 20` x 15` concrete pad for equipment shelter and a 30kw backup diesel generator within the proposed compound area. T-Mobile proposes to install a 15` x 10` concrete pad for equipment shelter and a 48kw backup diesel generator within the proposed compound area. The 50` x 50` compound will be surrounded by an 8` board on board fence and landscaping on the north and ease sides, with one 18` x 12` parking spot. This application was previously heard on April 22, 2026, and carried to June 24, 2026. This application will not be

heard and instead is being carried to the July 22, 2026 Zoning Board meeting without any further notice.

The applicant has requested to adjourn this application. Since the JCP&L application has been withdrawn, the applicant will be reviewing their need for this application. Attorney Vella put on record that the application has been carried to the July 22, 2026 meeting agenda at 7:30 pm, in this same location, without any further notice.

The Estate of Fay Hom – Frank Hom and Wickie Hom
Block 17, Lot 10.01 – 25 Millstone Rd.
Block 23, Lot 2.02
Preliminary Major Site Plan and Use Variance Application # Z23-10

Proposal to construct two warehouse buildings (total approx. 360,000 s.f.) incl. office space on a 78.33 +/- acre lot (Block 17, Lot 10.10 – PCD zone). The require 'd' variance relief for building height 10' or 10% greater and for maximum useable FAR, and bulk variance relief. Block 23 Lot 2.02 (8.33-acres) is located on the opposite side of Millstone Rd. Previous hearings 10/17/24 and 1/22/25.

Mr. Vella, Esq. reviewed the proof of service in advance of the meeting and confirmed that the Board has jurisdiction to continue to hear the application. Mr. Kausch is a new Board member and has not reviewed the record to be eligible to vote on this matter. (Secretary Sims confirmed after the meeting that Mr. Cadigan was, in fact, eligible to act on this matter as he was present at all the prior hearings-he was, in error, marked as not eligible on the agenda).

The Applicant has provided a Court Reporter, Angela Buonantuono. A copy of the transcript will be attached to the minutes.

The following witnesses were sworn in and are under oath:

Greg Blash, PE, PP – Board Engineer
McKinley Mertz, PP, AICP – Board Planner
Michael Maloney – Fire Chief, Millstone Township
Peter Strong, PE – Applicant's Engineer
Steve Rodasti, AIA – Applicant's Architect

The following exhibits were previously marked in evidence and include newly marked exhibits:

A-1 Jurisdictional Notice (Proof of Service) 10/17/24, 6/25/25
A-2 Application, Checklist(s) and Administrative Forms
A-3 Correspondence
A-4 Outside Agency Approvals
A-5 List of Proposed Witnesses
A-6 Traffic Impact Analysis, prepared by McDonough & Rea Associates, dated 12/1/23
A-7 Statement of Environmental Impact and Assessment, prepared by Crest Engineering, dated 2/2024
A-8 Monmouth County Historic Sites Inventory Survey Evaluation Form, recorded by James C. McCabe for Millstone Township, Historic Site Inventory No. 1332-7, dated March 1982, updated 1991
A-9 Survey of Property, Block 17, Lot 10.01, prepared by Crest Engineering, one (1) sheet, dated 9/1/23
A-10 Architectural Floor Plan and Elevation Plan, prepared by Perez + Rodasti, four (4) sheets, dated 11/6/23
A-11 Operations and Maintenance Manual, prepared by Crest Engineering, dated 10/27/23
A-12 Stormwater Management Report, prepared by Crest Engineering, dated 10/20/23

A-13 Preliminary Site Plan and Use Variance Plan, prepared by Crest Engineering, eighteen (18) sheets, dated 10/27/23, revised 3/20/24
A-14 Survey of Property, Block 23, Lot 2.02, prepared by Crest Engineering, one (1) sheet, dated 2/1/24
A-15 Historic Pesticide Report (B17 L10.01), prepared by Crest Engineering, dated 2/2024
A-16 Soils Report (B17 L10.01), prepared by Crest Engineering, dated 2/8/24
A-17 Response memo to Environmental Commission Review, prepared by Crest Engineering, dated 8/7/24
A-18 REVISED Pages 29 and 61of the Operations & Maintenance Manual (A-11) dated 10/27/23 (no revision date noted on revised pages)
A-19 REVISED Page 9 of EIS (A-7) and Stormwater Management Measure Log (no revision date noted on revised pages)
A-20 Color Sketch of Porous Pavement, unknown source, undated
A-21 Infiltration Basins and Porous Pavement Plan, prepared by Crest Engineering, dated 6/27/24
A-22 Preliminary Site Plan and Use Variance Plan, prepared by Crest Engineering, eighteen (18) sheets, dated 10/27/23, revised 8/12/24
A-23 500' Aerial Display, one (1) sheet, prepared by Crest Engineering, dated 8/12/24
A-24 1,000' Aerial Display, one (1) sheet, prepared by Crest Engineering, dated 8/12/24
A-25 Aerial Site Plan, one (1) sheet, prepared by Crest Engineering, dated 8/12/24
A-26 Rendering Site Display, one (1) sheet, prepared by Crest Engineering, dated 8/12/24
A-27 Extension of Time to Act through 12/31/24

A-28 Request to carry to 1/22/25 and Extension of Time to Act through 3/30/25
A-29 Traffic Impact Analysis, prepared by McDonough & Rea Associates, Inc., dated 12/1/23, revised 12/23/24
A-30 Stormwater Management Report, prepared by Crest Engineering, dated 10/20/23, revised 12/31/24
A-31 Fire Protection Schematic, one (1) sheet, prepared by Harrington Group, Inc, dated 12/23/24
A-32 Architectural Floor Plan and Elevation Plan, prepared by Perez + Rodasti, four (4) sheets, dated 12/20/24
A-33 Preliminary Site Plan and Use Variance Plan, prepared by Crest Engineering, eighteen (18) sheets, dated 10/27/23, revised through 12/20/24
A-34 Rendering Site Display, one (1) sheet, prepared by Crest Engineering, dated 1/21/25
A-35 Extension of Time to Act through 4/30/25 (email)
A-36 Preliminary Site Plan and Use Variance Plan, prepared by Crest Engineering, sheets 1-17 of 18 (sheet 18 is not included), dated 10/27/23, revised through 2/20/25 (revision date not on cover sheet)
A-37 Extension of Time to Act through 7/30/25 (email)
A-38 Road Widening Sketch, prepared on sheet 3 of 18, Crest Engineering plan
A-39 Architectural Exhibit, Cross Section Concept, prepared by Perez + Rodasti, dated 6/24/25
A-40 Rendering Site Display, one (1) sheet, prepared by Crest Engineering, dated 6/25/25
A-41 Extension of Time to Act through 7/31/26 (email)
A-42 Jurisdictional Notice (Proof of Service) 6/24/26
A-43 Millstone Township Areial Display, one (1) sheet, prepared by Crest Engineering, dated 6/18/26
A-44 Possible Preserved Farmland/Open Space Exhibit, one (1) sheet, prepared by Crest Engineering, dated 6/22/26
A-45 NJDEP Freshwater Wetlands LOI and Approved Wetlands Plan, dated 11/13/24

BOARD'S PROFESSIONAL'S REVIEW EXHIBITS

ZB-1 Incomplete Determination dated 1/18/24
ZB1b Completeness Determination dated 5/3/24
ZB-2 Engineer's Review dated 7/15/24
ZB-2b Engineer's Review dated 1/9/25
ZB-3 Planner's Review dated 9/17/24
ZB-3b Planner's Review dated 1/16/25

ZB-4 Environmental Commission and Shade Tree Commission review dated 5/31/24
ZB-5 Fire Bureau review dated 7/29/24
ZB-5b Fire Bureau review dated 3/6/25
ZB-6 Tax Assessor's Review dated 7/29/24
ZB-7 Historic Preservation Survey 1992 (B17 L10) & HPC review memo dated 7/22/24
ZB-8 Shade Tree Review dated 7/30/24
ZB-9 Agricultural Advisory Council memo received 10/17/24
ZB-10 LTE's Review dated 3/20/24

Mr. Kenneth Pape Esq. appeared on behalf of the applicant.

Michael Maloney, Fire Chief, was sworn and provided his credentials as Fire professional. In January of 2025, the Board inquired about firefighting services in relation to the proposed warehouses. Chief Maloney stated that the Millstone Township Fire Department has evolved over the last +/- 30 years to include paid employees, and now has a full 24-hour staff of 19 employees, with a minimum of six employees on each shift. The Millstone Township Fire Department also functions as the EMS for the Township. There are mutual aid agreements with adjoining townships and their fire departments, including in regards to access to water. All departments in central New Jersey cannot function solely on their own, they all rely on mutual aid. Currently, if there was a fire on State Highway 33, there would be several local towns called for a response. Once more information is available, they could add additional response units from other towns, as needed. Chief Maloney stated that the firefighters, their safety and the community are his greatest priorities. He is comfortable with the department's ability to service the proposed site. He reviewed the fire pond on site, the water tower and pump system with generator and other sources of suppression. Chief Maloney stated that they had requested a fire access road to get to the fire pond and the drafting station. There is also a river that can act as a water system at the intersection.

Mr. Pape stated that the applicant has drafting rights from the Millstone River for farming use.

Vice-Chairman Barthelmes opened this witness to the public.

Dan Murphy of 38 Carraige Way appeared and was sworn in. He expressed concern that the more development in the township, the more services are required. With more warehouses, he believes the fire department would require more equipment and asked what equipment they would need. Chief Maloney explained that with any tax base expanding, it provides additional funds. The need for paid full-time personnel is based on the lack of volunteers in the community. In his experience, the existing warehouses require a low impact of emergency services. Attorney Vella explained that the number of employees in a warehouse is irrelevant, as the use is a permitted use. The applicant is only before the Zoning Board (instead of the Planning Board) because they are proposing a building 10' taller than permitted and its size. Chief Maloney stated he is here to provide answers to some questions that came up at the prior meeting and to correct false statements made in regards to fire services.

Izzy Tola of 51 Millstone Road appeared. He asked about the fire response related to what is stored in the proposed warehouse. Chief Maloney stated that they perform an annual inspection and the applicant must have suppression system for the use.

With no other members of the public with questions of Fire Chief Maloney, Vice-Chairman Barthelmes closed the public to questions from the Chief and he was excused.

Peter Strong, PE, was previously sworn in and remains under oath. Mr. Pape confirmed his license is in good standing. Mr. Strong reviewed the application before the Board including the site layout. There are forty loading docks associated with the larger proposed building and seventeen proposed loading docks associated with the smaller proposed building. The loading docks are proposed to the north, facing towards the highway. The site was reconfigured between the first and second hearings (10/17/24 and 1/22/25) and including this relocation of the loading docks to face the north. The lawn areas were proposed to be naturalized areas, however, they are now proposing it to be manicured lawn areas, creating a more scenic roadway. The dam noted on the plan is essentially a berm or a wall to hold back stormwater, generally less than 4' in height. The LED lighting would be at a maximum of 40' in height and would be shielded to the neighboring properties and can be adjusted to dim at certain hours.

Mr. Strong described the fire pump system and water tower/tank. The tank would be less than the height of the proposed buildings (40') and would be shielded from view. There is a single monument sign proposed, which will comply with the ordinance. Mr. Strong confirmed that the trailer parking areas were removed from the initial submission. Trailers may be parked over night in the loading areas.

Steve Rodasti, AIA, was previously sworn in and remains under oath. His license is in good standing. Mr. Rodasti provided a description of the proposed buildings, made of non-combustible materials and will be five earthtone colors. He referred to Exhibit A-32. The proposed building signs and the monument sign are also shown on this plan. There is a single monument sign for the property, designed to match the materials 7'6" x 13'6" in length (30 sf per side), with a 12" address identification at the top. On the inside of the building, at the edging, there is only about a 33' 5" clearance. The highest point of the roof is at the center and slope to edge of the walls. The building will be rated to house S1 (combustible) and S2 (non-combustible) materials. There would not be any hazardous materials. Attorney Vella inquired about the loss of cubic feet if there were to be conforming. Attorney Vella explained that there is an increase of area of 3.412 million cubic feet gained by the additional 10 feet in height (between the two buildings). Mr. Rodasti confirmed that there would not be any lighting facing towards the residential buildings. The mechanicals will not be visible on the roof. Any mechanicals would be screened by the parapets.

Attorney Vella explained that the added FAR (Floor Area Ratio) based on the added size of the building and would add even more additional cubic feet of usable space.

The Board took a five minute recess.

Upon returning into session, Vice-Chairman Barthelmes opened the matter to the public for questions and comments.

Izzy Tola of 51 Millstone Road inquired about the overall added area compared to a conforming building (height and added floor area).

Fred Nurko of 60 Nurko Road appeared and was sworn in. He explained that the applicant is seeking relief for 10'. He does not believe 10' is a big deal and the fire chief stated they can handle the building. He is a long time resident and still believes it is a beautiful town. He is in favor of the application as it would bring ratables to the town.

Frank Juba of 17 Running Brook Drive appeared and was sworn in. He believes that someone put some thought into setting the 30' height limit. It may have been to keep the line of sight or something, but it was thought about.

Mikey Spooner of 745 Perrineville Road appeared and was sworn in. He has seen the town evolve and believes that this is the applicant's livelihood. He believes the use is zoned for this use and the applicant has given a lot to the community.

Elizabeth Boland of 302 Wincrest Ct. stated that we should not play on the heart strings. The rules are in place for a reason. The Board's responsibilities are to the town as a whole, not to the applicant.

Barbara Ann Noon of 104 Agress Rd. appeared and was sworn in. She asked about flooding. Mr. Strong stated that the site is 100% compliant with the municipal stormwater regulations. There is an Operation and Maintenance Plan that will be reviewed by the Township Engineer and filed to guarantee it is followed. The infiltration basins will recharge the groundwater. Any excess would be directed to the pond for firefighting and lawn irrigation. The actual discharge from the site will be less than existing. Mr. Strong stated that the wetlands will not be adversely affected and that the area is currently farmed.

Brian Moran of 7 Nathanial Drive appeared and was sworn in. He inquired about the weight limits of the trucks. Mr. Pape stated that his traffic expert will address these questions.

With no other members of the public coming forward, Vice-Chairman Barthelmes closed the matter to the public.

Due to the lateness of the night, the Board discussed potential nights to hear the carried application. The Board carried application to Wednesday August 26, 2026, without any further notice. Attorney Vella confirmed this and advised the public of the same.

Mr. Kenneth Pape granted the Board an Extension of Time to Act through December 31, 2026, and will follow up with a letter to the Board confirming the same.

BOARD DISCUSSION:

None.

ADJOURNMENT:

With no other matters on the agenda, Vice-Chairman Barthelmes adjourned the meeting.

Respectfully submitted,

Danielle B. Sims, Board Secretary

TOWNSHIP OF MILLSTONE ZONING BOARD

COUNTY OF MONMOUTH - STATE OF NEW JERSEY

REGULAR MEETING

- -

IN THE APPLICATION OF:

THE ESTATE OF FAY HOM - FRANK HOM AND WICKIE HOM
BLOCK 17, LOT 10.01
BLOCK 23, LOT 2.02
25 MILLSTONE ROAD

APPLICATION NO. Z23-10

- -

MUNICIPAL MEETING ROOM
215 MILLSTONE ROAD
MILLSTONE TOWNSHIP, NEW JERSEY 08535

- - -

WEDNESDAY, JUNE 24, 2026

7:30 P.M.

- - -

TRANSCRIPT OF PROCEEDINGS

PUBLIC HEARING

-CONTINUATION-

AB COURT REPORTING, LLC
Certified Court Reporters
26 Algonquin Terrace
Millstone Township, New Jersey 08535
Tel: (732)882-3590
Email: angelabuonocsr@gmail.com

BOARD MEMBERS:

Patrick Mostyn, Chairman (Absent)

Lisa Arpaia

Steve Barthelmes, Vice-Chairman

Lloyd Cadigan

Andy Ferrara (Absent)

Steve Lambros

Eric Sinha (Absent)

ALTERNATE BOARD MEMBERS:

Michael Borgese, Alternate I (Absent)

Christopher Kausch, Alternate II

BOARD PROFESSIONALS:

Gregory Vella, ESQ., Board Attorney
Collins, Vella & Casello, LLC

Greg Blash, P.E., Board Engineer
Leon S. Avakian, Inc.

M. McKinley Mertz, P.P., AICP, Board Planner
MJ Planning, LLP

BOARD STAFF:

Danielle Sims, Board Secretary/Land Use Administrator

APPEARANCES OF COUNSEL:

HEILBRUNN PAPE, LLC
BY: KENNETH L. PAPE, ESQUIRE
516 State Highway 33
Millstone Township, New Jersey 08535
T: (732)-679-8844
F: (732)-679-6554
Email: kpape@hpnjlaw.com

- Counsel for the Applicant

ALSO PRESENT:

Scott Kennel
McDonough & Rea Associates, Inc.

Christine Cofone, P.P., AICP
Cofone Consulting Group, LLC

I N D E X

WITNESS	PAGE
Michael Maloney, Fire Chief Millstone Tonwship	21
Peter Strong, P.E. Crest Engineering	70
Steve Radosti, AIA Radosti + Perez	105

PUBLIC QUESTIONS/COMMENTS:

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Dan Murphy	Carriage Way	49
Izzy Tula	51 Millstone Road	60,125
Fred Nurko	60 Nurko Road	126
Frank Juba	17 Running Brook Drive	129
Mickey Spooner	744 Perrineville Road	131
Elizabeth Boland	302 Windcrest Court	32
Barbara Ann Noon	104 Agress Road	133
Brian Moran	7 Nathaniel Drive	137

APPLICANT EXHIBITS

No.	DESCRIPTION	PAGE
A-35	Extension of Time to Act through 4/30/25 (email)	*
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A-44	Possible Preserved Farmland/Open Space Exhibit, one (1) sheet, prepared by Crest Engineering, dated 6/22/26	*

*Exhibits were marked prior to commencement.

BOARD EXHIBITS

No.	DESCRIPTION	PAGE
ZB-5b	Fire Bureau review, dated 3/6/25	*

*Exhibits were marked prior to commencement.

VICE-CHAIRMAN BARTHELMES: I would like to call this meeting of the Millstone Township Zoning Board of Adjustment of June 24th, 2006.

Ms. Arpaia, may you please read the public notice statement.

MEMBER ARPAIA: In accordance with Chapter 231, P.L. 1975, the Open Public Meetings Act, adequate notice of this meeting has been provided as required specifying the time and location, with such notice as being sent to the Asbury Park Press, and the Times of Trenton, posted on the municipal public notice meeting Bulletin Board, and filed with the Township Clerk.

VICE-CHAIRMAN BARTHELMES: Thank you very much.

Would everyone please stand for a flag salute. And afterwards please stand silent for a moment of reflection and respect remembering those who in the past have served our country or that presently serve.

(Pledge of Allegiance.)

VICE-CHAIRMAN BARTHELMES: Thank you. Danielle, can we have a roll call.

ADMINISTRATOR SIMS: Ms. Arpaia?

MEMBER ARPAIA: Yes, here.

ADMINISTRATOR SIMS: Vice-Chairman Barthelmes?

VICE-CHAIRMAN BARTHELMES: Here.

ADMINISTRATOR SIMS: Mr. Cadigan?

MEMBER CADIGAN: Here.

ADMINISTRATOR SIMS: Mr. Lambros?

MEMBER LAMBROS: Here.

ADMINISTRATOR SIMS: Mr. Kausch?

MEMBER KAUSCH: Here.

And, for the record, Chairman Mostyn is absent today; Mr. Barthelmes will be in his place this evening as the chairperson.

And Mr. Ferrara, Mr. Sinha, Mr. Borgese are all absent this evening. Mr. Kausch will be seated for Mr. Ferrara.

VICE-CHAIRMAN BARTHELMES: Thank you.

(The Board conducts its regular business and other agenda matters not transcribed as part of this record.)

(The application is called at 7:57 p.m.)

VICE-CHAIRMAN BARTHELMES: All right, before we move to the last applicant, if anyone in the public -- there's a few seats up here in the front, there's a few seats over here on the side. If you want to come forward from the back, please come forward. We don't bite.

All right, let's move forward.

This is the Estate of Fay Hom, Frank Hom and Wickie Hom, Block 17, Lot 10.01, 25 Millstone Road, Block 23, Lot 2.02. This is a preliminary major site plan and use variance, Application Z23-10.

ATTORNEY VELLA: Mr. Chairman, this application has been around for a while, carried. The applicant has re-noticed appropriately.

So just so everyone is aware, this application requires a use variance, which requires a minimum of five affirmative votes of the seven board members.

As you can see constituted we only have five here, and at least one of our board members who is brand-new, all the way to my left, so he hasn't listened to the tapes. He's obviously able to participate. He can't vote.

So we're not going to get to a vote tonight just because we don't have enough people to vote. Even if they voted 4-0 in favor, the application would still get denied. I know Mr. Pape would not ask us to vote under those circumstances.

So, Mr. Pape, it's been a while.

ATTORNEY PAPE: Yeah.

ATTORNEY VELLA: So I think a good refresher for the board and the public of maybe where you are at, quickly what changes, and then we can go over the changes based on the last meeting, which I have as October of 28th maybe.

ATTORNEY PAPE: January '25.

ATTORNEY VELLA: January of '25?

VICE-CHAIRMAN BARTHELMES: No.

ATTORNEY VELLA: January '25?

ATTORNEY PAPE: Yes.

ATTORNEY VELLA: So, hold it.

I never put the years in my notes, like I have 10/17; that's from '24?

ADMINISTRATOR SIMS: Yes. Look at -- it's on the top of the exhibit list.

ATTORNEY VELLA: I know. I just...

PLANNER MERTZ: They were here June of last year, but no testimony was given.

ATTORNEY VELLA: Okay.

PLANNER MERTZ: So you have seen them more recently.

ATTORNEY VELLA: Even more of a reason to provide the board with where we're at.

ADMINISTRATOR SIMS: And, Mr. Chairman, there is one other board member that -- Mr. Cadigan was not present for the first hearing, so he was only present for the second meeting. He was appointed after the fact.

So it may be to the benefit, and that's up to Mr. Pape, if he wants to start from the beginning. And it has been 17 months, so the board may want to hear things from the beginning anyway.

So I'll leave that to you.

ATTORNEY PAPE: Sure.

VICE-CHAIRMAN BARTHELMES: One point before you start, Mr. Pape, and just so the public understands, when we're short board members, when you come back the following month, and the following month after that, other board members can listen to these tapes, listen to our video recordings, get up to speed, and then they're allowed to vote the following meetings.

Just so you understand that even though there's only three of us tonight, we'll have more for the next meeting. Just so there's clarity.

ATTORNEY PAPE: Thank you.

Mr. Chairman, board members, board professionals and public, good evening. Kenneth Pape of the firm Heilbrunn Pape, on behalf of Frank Hom, Wickie Hom and the estate of Fay Hom.

This is an application for use variance relief and for site plan approval of two warehouse buildings. The property that is being presented to you is Block 17, Lot 10.01, and Block 23, Lot 2.02.

There was a presentation in October of 2024. There was a follow-up presentation in January of 2025.

There were considerable revisions that were made to the plans that were responsive to comments that came from the board, the public, the board's professionals. And this evening Peter Strong will present those revisions to you.

There was also, from the public, there was a person who spoke about the ability of the township's fire department to fight fires. With permission -- and I made certain that we had permission before -- the fire chief would like to speak about the firefighting capacity of our fire department here in town.

I think that it's worth knowing just how strong our fire department is and what has been

done by our fire chief and the fire department to make certain that we have that fire fighting capacity.

Somewhat out of order, but since the fire chief doesn't belong in a Zoning Board meeting but in a firehouse, I'm going to ask that he be the first witness and give him that professional courtesy.

And after Chief Maloney speaks, I'll ask that we go to Peter Strong. And it's at that point that we'll pretty much do the revisit of the site, we'll do the rebuild of the site and go into the changes.

Steve Radosti is our architect. He had made a presentation. Similarly there were some revisions requests made and he has a revised set of plans to present to you. He would be the third witness.

And the fourth witness is Scott Kennel. He is the traffic expert and he would present traffic testimony.

We have a total of seven witnesses. I spoke to your attorney beforehand, I don't think that -- well, knowing that you had a short board, and thanking all of you for being here, we would

and we certainly are not going to be asking for a vote. I would prefer to stop after the fourth witness and turn over the remainder to the public, knowing the public has gathered, so that they will all have an opportunity to speak.

When you reschedule us we anticipate we can conclude with the last of the witnesses.

There's an expert in -- there's an industrial broker who is going to provide testimony about the current marketplace. We have some operations testimony. And the most important is the final witness, and that is our professional planner, who can't testify until all the other fact witness has.

So if that's acceptable to the Chair and the Board, we would like to begin with Chief Michael Maloney, present three professional witnesses, and then turn the meeting back to the board to open it to the public and look for a continued date.

VICE-CHAIRMAN BARTHELMES: I would like to have the meeting wrap up around 10:30 tonight, the latest. So if we have the public for say 45 minutes to an hour, that gives you until 9:30.

So if you could -- do you think you can get four witnesses in by 9:30; hour and a half from now?

ATTORNEY PAPE: I think so. I think that's -- I think I can name that tune in four notes. Yeah, we certainly want to make certain that it's a thorough presentation, but let's -- we'll agree at 9:30 you will tell me that it's 9:30, and it will be where we stop so there is a time for the public.

ATTORNEY VELLA: Okay. Then why don't you call the fire chief up.

Danielle, can you put on the board A-34, so at least the board can see the site plan while the fire chief testifies.

I have A-34 is the rendering display.

ADMINISTRATOR SIMS: We have a later version on A-40.

ATTORNEY VELLA: A-40?

ADMINISTRATOR SIMS: Yes.

And there's two additional exhibits that I marked this afternoon.

VICE-CHAIRMAN BARTHELMES: Greg, can I ask one question before we get started?

ATTORNEY VELLA: I'm sorry, yes.

VICE-CHAIRMAN BARTHELMES: When we had talked a little earlier and you had said that warehousing in this site is a permitted use?

ATTORNEY VELLA: Correct.

VICE-CHAIRMAN BARTHELMES: But we're doing something a little different, which is why they're in front of us.

Can we just talk about that for two minutes, why they're here?

ATTORNEY VELLA: Yes.

VICE-CHAIRMAN BARTHELMES: And, again, I'm doing this for myself and the public.

ATTORNEY PAPE: Yeah, sure.

ATTORNEY VELLA: So, if I can, Mr. Pape, so this is a permitted use on the site, okay. The Zoning Board is -- generally doesn't hear applications on commercial sites that are permitted.

The Zoning Board has limited jurisdiction. We deal with residential houses, okay, and certain other variances, what we call as "D" variances. One is, what we see most typically, is use variance, meaning applicant is proposing a use that is not permitted in the zone.

Just like the last guy that was here about that trucking terminal; it's not permitted in

the zone, so the Planning Board doesn't -- it's not in our ordinance so the Planning Board doesn't have jurisdiction, it goes before us.

There are things called FAR, which is a Floor Area Ratio, when the size of the floors exceed our ordinance. That comes before us.

Why they're here today is a height variance, okay. Since our ordinance makes it a permitted use they can go to the Planning Board, however, the applicant is proposing a height of 40 feet, where 30 is permitted.

VICE-CHAIRMAN BARTHELMES: 10 feet over, okay.

ATTORNEY VELLA: So it's 10 feet higher which is over 5 percent, right. So if they were -- if they were 36 feet, they would still be able to go to the planning board because there would be --

ATTORNEY PAPE: No, no.

ADMINISTRATOR SIMS: 32.9.

ATTORNEY VELLA: 32.9.

ATTORNEY PAPE: Yeah.

PLANNER MERTZ: 30 is the permitted, right.

ATTORNEY VELLA: Oh, that's right, I'm

sorry.

PLANNER MERTZ: This is a different part of...

ATTORNEY VELLA: If they did 5 percent or less, they would go in front of the planning board, but since they're over 5 percent, they come here for a height deviation, okay. So that's the reason they're here.

The other variances, building coverage, and there's some other variances, they all could have been heard before the planning board, but once the height variance is triggered they come here and we deal with all of them.

PLANNER MERTZ: Unless something has changed, there is also an FAR variance, a floor area ratio.

So there's actually two "D" variances.

ATTORNEY VELLA: Yeah, so as I said before, we've put a limit on the amount of floor area on a piece of property, okay. It's a percentage over the overall property. The larger the property the percentage stays the same, but the bigger the floors could be.

And the floors sometimes are multiple levels, okay. In this case they're just one floor.

So the FAR theoretically would double if these were two-story buildings, okay.

So that's why they're before us.

VICE-CHAIRMAN BARTHELMES: Okay. So we, this board, are not saying yes or no to warehouses, we're just simply saying yes or no to these variances?

ATTORNEY VELLA: We're saying yes or no to a warehouse that is 40 feet where 30 is permitted; an FAR variance with these things, yes.

VICE-CHAIRMAN BARTHELMES: Right.

ATTORNEY VELLA: It's not -- warehouses are permitted on the site. And you will hear from the applicant's planner, you will also hear from our planner regarding the different standards the board has to use to come to a conclusion whether to approve or grant that variance.

VICE-CHAIRMAN BARTHELMES: Okay.

I'm asking these questions even though I know the answers, to make sure the public understands where we're at, so there's no thoughts that we can do anything differently than what you just stated.

ATTORNEY VELLA: Right.

Theoretically, the applicant could shorten their building, lower it, make it smaller, and go in front of Planning Board.

VICE-CHAIRMAN BARTHELMES: Correct. Thank you.

Thank you, Mr. Pape.

ATTORNEY PAPE: Then, with your permission, Mr. Chair, I would ask that Chief Michael Maloney be called and ask he be sworn, and give him the opportunity to share with you all his credentials as our fire chief.

ATTORNEY VELLA: Okay, sir, please raise your right hand. Do you swear or affirm the following testimony you are about to give is the whole truth, and nothing but the truth?

FIRE CHIEF MALONEY: I do.

ATTORNEY VELLA: Please state your name for the record, spelling your last name.

FIRE CHIEF MALONEY: My name is Michael Maloney, M-A-L-O-N-E-Y, and I am your fire chief.

ATTORNEY VELLA: All right, Chief, do me a favor, would you -- you can drop your hand -- grab that mic.

FIRE CHIEF MALONEY: I'm going to have

a seat here.

ATTORNEY VELLA: Even better.

FIRE CHIEF MALONEY: We're skimping on the air conditioning tonight, so it will get a little warm up there.

ATTORNEY PAPE: So qualifying a fire chief as an expert, I think, is, he is our fire chief, but I'm going to ask if he would take a few minutes to just talk about what his professional background is and what his professional qualifications are.

We have a most qualified individual running the fire department; I think it would be worth hearing about it.

DIRECT EXAMINATION

ATTORNEY PAPE: If you would, share your credentials?

FIRE CHIEF MALONEY: Thank you.

So I began my journey in the fire service as a volunteer in Millstone Township. For the last over 24 years I have been employed as a full-time firefighter.

I returned in full-time capacity to

Millstone Township in 2005. In 2010 I was promoted to a shift lieutenant. I rose to the rank of captain in 2022. And I was promoted as the first full-time fire chief in January of 2025.

I represent a growth within our fire department, a growth of our career staff, and really a change within our service delivery model.

My credentials include a bachelor in fire service administration through Columbia Southern University.

I'm a state Certified Fire Officer Level 2; Level 3 incident manager; Certified New Jersey Emergency Manager.

I also serve as your township's Emergency Management Coordinator.

I'm a state certified fire investigator, hazardous materials technician, and a fire official, just to name a few of my credentials.

ATTORNEY PAPE: And I know that outside of Millstone Township you also serve in other capacities. If you could just -- fire-related capacities; could you share some of that background?

FIRE CHIEF MALONEY: Yeah, I'm also employed on a part-time capacity with Monmouth County through the Fire Marshal's Office. I serve

as a Level 2 fire instructor, a fire investigator, and a county fire coordinator to support large-scale fire incidences within this county.

ATTORNEY PAPE: I know that the reason that you offered to testify is that there had been at the January '25 meeting a question from the public about Millstone Township Fire Department's ability to fight a fire. The question was not only about fighting fires for warehouses, but fighting fires in Millstone Township.

And if you could take a little bit of time to share with us what the Millstone Township Fire Department has done to make itself a stronger fire department -- employees, full-time employees, equipment -- and also the relationships that you have created, you and other firefighters have created, with other fire departments in the vicinity. I think everyone would benefit from knowing that.

FIRE CHIEF MALONEY: Yeah, so that's obviously a loaded question.

So Millstone, like all the communities around us, began as a volunteer fire department. With our community being a unique make-up and going through its own housing boom in the 1990s, that

showed a decline in volunteers, while in the same token an increase for the fire department services within the community.

Starting in 1999 we hired our first two career firefighters, and through the mid-2000s grew that rank to 10 firefighters in total, two being shift supervisors, staffing our firehouse seven days a week from 6:00 a.m. to 6:00 p.m. Of course, volunteer coverage support in the daytime hours and solely handling the nighttime hours.

And that held our coverage demands for quite a few years. Things transitioned here in the late, you know, 2016, 2017 era where we began to see struggles with our nighttime coverage.

And as result of that, starting in 2018, we hired a total of 10 firefighters. We had dropped down to eight firefighters due to attrition in the early part of 2010, and then bringing the ranks back up. So we're currently at 19 employees.

As I said, I represent, you know, a significant change within that organization becoming the first chief.

We are now staffed 24 hours a day, seven days a week. We have a minimum staffing component that we retain at all times. This is

supplemented on the daytime hours through part-time personnel, and on the nighttime hours through our in-house volunteer duty crew. But we have a minimum of six personnel on duty 24 hours a day. Daytime can rise to as many as eight with myself included in that equation for staffing.

We have also been your EMS provider for the last five-and-a-half years. What makes us unique, we're one of two fire-based EMS services in Monmouth County where the ambulance is staffed by firefighter EMTs.

We are bringing more to the table than the average community because we're bringing cross-trained personnel across the floor. So whether it's an accident that requires multiple ambulances and extraction or a structure fire, we're bringing that level of staffing to the table.

What this department has done, and it started really before my time in the fire service, was a reliance on automatic mutual aid.

So there is a difference. Mutual aid is when I would get on radio and request service from another town to support us for a particular incident.

Automatic mutual aid is predetermined

run assignments or run cars that are dispatched when we're dispatched. So meaning right now if there's a fire at this location, a number of predetermined agencies are going to be dispatched with our department to bring an appropriate complement of firefighters, apparatus, and -- one of our biggest challenges in this town -- water, to that particular incident.

That was something that, like I said, started well over 30 years ago. It has been bolstered considerably in the last few years. I bolstered it further since my tenure as chief.

And it's something that is not unique to Millstone; we're running in this type of atmosphere with all the communities around us. The same towns that we rely on that come support us, if they had a fire right now, our personnel would be dispatched, depending on the geographical location in their communities, and that dictates what we respond with, what apparatus, et cetera.

And that's how we're getting to those appropriate manpower levels to combat fires. So you know, of course, a concern with a large commercial building, how would we -- you know, how would we handle that? How many firefighters would we need?

The reality is, is if we have a house fire right now in Millstone, four departments are being dispatched on that assignment, that would include us. So we're getting to that optimal number for a residential fire with at least 20 personnel on the scene.

A commercial building fire is a different animal and we're relying on a very inflated run card to support operations should we have a fire in one of the commercial buildings within our community.

We're members of a number of organizations, both working groups and associations. We sit as part of the Monmouth County Fire Service Working Group where all the chiefs in the county collaborate.

That's something that has really taken off in the last two years here to get on the same sheets of music and adopt different standards and practices and communications aspects.

But we also are members of what is some mutual aid associations, one being Western Monmouth, which represents all the fire departments in the western side of Monmouth County, and then another agency called Suburban Chiefs, where we have mutual

aid agreements. And that's Western Monmouth, Eastern Mercer and Southern Middlesex County.

So it's just increasing that familiarity, that dependence on each other, and that support network. There is not a fire department in this Central Jersey area that can be self-sufficient and be able to operate on their own.

I mean in the last year my firefighters operated at a fire within the City of Long Branch because of the nature of the building and the size of the fire. It's something I never thought that I would see in my fire service career, but that incident dictated the need for, you know, approximately 200 firefighters to be operating at. And there we were, finding ourselves operating on the fourth floor of a building in Long Branch. Not something that you would see on a particular day.

So this is what has changed. And we have really been at a forefront with growing our staffing here, where a lot of towns have looked to us to see how have we done business, how have we increased the ranks, how have we collaborated with our partners.

I'm very proud of what these guys have accomplished.

ATTORNEY PAPE: Chief, you had shared with me the number of -- if there was a fire on a commercial building on the Route 33 corridor, the number of fire companies that would get that automatic message and would be sending coverage.

Could you share, who are these support?

FIRE CHIEF MALONEY: So right now if I would have a fire at 505 Route 33, which is our million-square-foot warehouse -- and when I say have a fire, somebody calls 9-1-1 and says 505 Route 33 is on fire, the following agencies would be dispatched immediately for that report, that would include: Monroe Township Fire District 2, Monroe Township Fire District 3, Manalapan Township Fire Company Number 1, Englishtown Fire Department, Freehold Township Independent Fire Department, Freehold Borough. That covers the initial assignment.

Additionally, a rapid intervention company, meaning a firefighter rescue company, should something happen to one of the firefighters, coming out of Mercer County. That's on the report.

Once we would arrive or have supplemental information indicating that this building is, in fact, on fire, we could increase the

assignment accordingly. We're purposely pushing a large amount of equipment and apparatus, which is not unique to Millstone; this is how we're doing business across the board.

Looking at some of the fires that have occurred within our region with warehouses, et cetera, recognizing how these alarm assignments have grown, this is common practice.

And this is common sense to ensure that we're safe, because our safety, the safety of our people, is my absolute concern and priority, our ability to serve the community and our ability to suppress and handle whatever incidents we may be dealt with.

ATTORNEY PAPE: I think the board members know this, and I think it would be valuable for all in the public to know. Before we come before you -- I mean, there is no application that we present to you that we don't first present to Chief Maloney and his staff.

Every time we come before the planning board or the zoning board we go to his office first, and we ask him for his recommendations. And I'm very pleased that he has told me that he is pleased that we always say yes to his list of requirements.

And on this instance we did go to see the Chief and we asked him for some requirements. We had indicated there would be a water tower, and there would be a pump, and that there would be a generator, and that the buildings would be fully suppressed.

We were asked to have a certain circulation for his fire trucks and we were asked to have supplemental water supply on-site. And we were also asked to have a striping plan.

I'm just going to ask if you could, Chief, just if you could confirm that each and every one of the requests that you made to the applicant, the applicant has agreed to, and they're on the plan?

FIRE CHIEF MALONEY: Absolutely.

ATTORNEY PAPE: So my question to you, and I don't mean it to be a loaded question, is there a comfort level that your fire department and the relationships that you have with these surrounding fire departments, provides an adequate firefighting force for these industrial buildings that are proposed along the Route 33 corridor?

FIRE CHIEF MALONEY: Absolutely.

That's why, you know, when you hear the

rundown of units that are coming, that may seem like a lot to a lot of people, but there is a method to that madness. There is a method to provide adequate number of fire engines, adequate water tankers that deliver water to the scene, adequate aerial devices for things like rooftop access, and most importantly, manpower.

A fire within a commercial building, even suppressed, has its own unique challenges. It often relates to long hose stretches, it relates to limited visibility due to ventilation concerns. When a sprinkler system potentially activates in a building that has rack storage, you're faced with a scenario what is referred to as cold smoke, meaning the smoke does not rise, it lifts. So it makes for visibility -- it makes for challenges to locate the seat of a fire.

In looking at some of the scenarios that have occurred just within our immediate area and some of the fires that my personnel have operated on when these sprinkler systems activate in a scenario where there is rack storage, the fire may be contained to its particular area of origin, but it's not suppressed.

So the companies have to go in, they

have to make a hose stretch through a long distance through the building, through various obstacles, again limited visibility. They are locating the seat of that fire, they're having to suppress the fire, open up, and most importantly ventilate the building to improve conditions.

So that is a manpower intensive operation, and that is why we're sending the right amount of people with, of course, the need to, you know, knowing tonight if we pull up to a warehouse fire, we're probably going to elevate that to the next alarm right out of the gate, the next alarm assignment for commonplace, a second alarm assignment to ensure that we have the right amount of manpower coming to support us.

ATTORNEY PAPE: I have one last question, but I'm not asking that the questions stop after my last question.

That is, in recent years you have shared with me that you have in addition to more firefighters, you have also added equipment so that the fire department is better prepared to fight this type of a fire.

If you could just speak to that a bit?

FIRE CHIEF MALONEY: Yeah, so I

obviously spoke about some of the challenges that the town went through here and in growing the fire department operations, and I shared with you how our community has grown.

And let me be very clear, when I started as a career firefighter in this town in 2005, we were running 275 calls a year. You can do the simple math, that's not even one a day. My personnel answered 1,700 incidents last year. So the increase has increased.

Our entire area around us has increased, and that puts a demand and strain on the emergency service system.

How we have combatted that is by hiring personnel to meet the demands. And, as I've said this is something that we have looked at. We are able to hire personnel when money exists. When money comes in, when there is a windfall in ratables coming in on particular years.

And we're obviously restricted, as you're well aware, to how much we can raise via taxation in any particular year. If there is no ratables within the taxable budget, or a small amount of ratables, we're only able to increase our budget based off that, and 2 percent of the tax

base.

We've made smart growth decisions to allow us to grow the fire department when the money has been made available. We've overhauled and replaced our apparatus to keep up with certain standards.

We just placed it in service last year a 100-foot ladder truck, which replaced a piece of apparatus that was 23 years old.

We retired our tractor-trailer tanker which was over 30 years old, replacing it with a brand new tanker.

And that process continues. We're looking at replacing an engine now in the coming years. But I'm sure, if anybody has followed the supply chain demands and the national headlines about fire apparatus costs and time frame deliveries, we basically are going to look this year to purchase an engine that we're not going to see for four years, because that's the challenges that we face.

But that's neither here nor there. That's the stuff that keeps me up at night, so.

ATTORNEY PAPE: There's a comfort level that the fire company in Millstone Township,

together with their outside relationships, has adequate personnel and equipment and training to handle the type of fire, if there were ever to be one, in this type of a building?

FIRE CHIEF MALONEY: Absolutely.

And know that, you know, obviously, being the chief of the department, I said it before, my biggest concern, the thing that worries me the most, is the safety of my personnel. I would not stand in front of you here and tell you that I feel like we're doing an adequate job if I truly did not believe that.

You know, I am born and raised within this department per se, having been in this community for well over 30 years, growing with this department, I care very much about the firefighters and about this community.

So their safety remains my biggest concern, and by putting the right steps into place I can guarantee that they are going to be remaining as safe as possible when they're going out the door.

ATTORNEY PAPE: Mr. Chair, members of the Board, I have no further questions of Chief Michael Maloney. He is available to you for examination.

VICE-CHAIRMAN BARTHELMES: I have a question for Chief.

FIRE CHIEF MALONEY: Yes.

VICE-CHAIRMAN BARTHELMES: Were you involved in the 2 Lisa Court fire about two years ago?

FIRE CHIEF MALONEY: I was.

VICE-CHAIRMAN BARTHELMES: I mean when that happened, that was at like 2:00 in the morning on a freezing night, and there must have been at least 8 to 10, you know, lined up trucks. You had one of those tall ladder types.

FIRE CHIEF MALONEY: We did.

VICE-CHAIRMAN BARTHELMES: Was that the 100-foot you were talking about?

FIRE CHIEF MALONEY: That was from another town only because our particular ladder truck at that time was not in service; we had just received it from the vendor.

So we used a ladder from another community, which is standard on our run cards.

VICE-CHAIRMAN BARTHELMES: Similar height, or similar ability?

FIRE CHIEF MALONEY: That was 100-foot ladder that night as well.

VICE-CHAIRMAN BARTHELMES: So the house I'm thinking of, it was a regular two-story house.

FIRE CHIEF MALONEY: It's actually a three-story house, believe it or not.

VICE-CHAIRMAN BARTHELMES: Yeah, if you count the attic. And that ladder was fairly much above it, but now we're talking -- I mean, that house was pretty much the size of one of those little yellow squares, but now you're talking this gigantic thing, 40 feet high.

So do you have any comments on the ability of that ladder to take the height of this --

FIRE CHIEF MALONEY: So the biggest misconception with ladders and having to -- having to have justified our purchases in the past, it's not about the height of the building; it's about the reach of the ladder.

So a two-story house with a roof that's 25 to 27 feet aboveground, it's not that we need a ladder to go 100 feet straight in the air, it's our reach from the driveway, it's our reach from the street. And our reality is that some of your developments and your own homes, we may never be able to position to get a ladder to that roof

because of trees and vehicles and everything else.

What is paramount and what we have tested with a million-square-foot warehouse at 505 Route 33 was our previous 75-foot ladder that was at its end of life could not reach the roof if there was tractor-trailers in the bays, whereas 100-foot aerial ladder could reach the roof. Meaning when those trucks are detached and those trailers are left overnight, we simply didn't have the reach to get the height there.

And that was one of the things that I had conveyed here with Mr. Pape, you know, in the past here was ensuring that we have those adequate fire lane markings.

If you look at some of the other warehouse projects we have within the community, the trailers are dropped off, they're left for a time frame. So as long as they're not hitched to a tractor cap, that 100-foot reach is not an issue.

There is one particular ladder in the region that has a higher reach, it has 130-foot reach, and that always remains as something that is an available asset that could be a special call, but 100 foot is the norm. And that's what the communities are all running and that's what we're

running here.

VICE-CHAIRMAN BARTHELMES: So your testimony tonight, then, is with the markings and the way that the building has been laid out, that you do not see any hindrance or any reason that you could not attack a fire confidently?

FIRE CHIEF MALONEY: Not at all.

And looking at this building here, what we look for is egress, right. We're looking at egress in everything that we size up here. The larger of the two buildings gives us the possibility to have up to three-sided egress here.

There is some narrow road traveling on the back of that building there and the lake, but looking at some of our egress at the top of the page to the right of that building in the lower corner, that's three-sided access. And we have solid access here off the base or off the top of the smaller building. And then not being able to comment accurately, I can't see what the distance is from the road to, you know, across the grass there, et cetera.

But we're looking at that access always and that's with every building that we're responding to. It's part -- you know, it's engrained in these

guys' heads, to make the right position, to size things up, where are they going to park or, more importantly, where they're going to place the apparatus. It's what we aim for is place, not park.

ATTORNEY PAPE: If I could, the million-square-foot building that the Chief made reference to is the one that is 50 feet tall. There's one warehouse in Millstone that is 50 feet tall.

And that's the one you're talking about, fighting with the 100-foot ladder?

FIRE CHIEF MALONEY: And believe me, when that building came in, we had our own concerns, and it's not even concerns, it's a change of how we're going to do business.

So with the influx of the warehouses that we've seen come into the community -- and really it's not only here, we look at what is coming in around us, knowing that we're going to be there. The reality that we could be operating at a hotel fire in a neighboring town is the truth, where 20 years ago that was never a concern for us because the fire service was very different.

So we train accordingly. We've trained our personnel. We purchased the appropriate

standpipe kits to be able to stretch and be able to operate off standpipes or to accommodate lengthy hose stretches through building. We even brought in an outside training company to train our firefighters to how to handle operations within a warehouse.

And that's just, you know, simply staying current. If we had a different challenge or a unique structure built in this community next year, we would look at what we have to do to change our operation and put the policy and procedures and the training out there to make the firefighters, you know, best prepared as possible.

ATTORNEY PAPE: Chief, you had directed that the buildings have FDCs, and you had directed their location. And you had also advised us that there were hydrants that were required.

If you could just explain the FDC system to the board, and confirm that the FDCs, as requested, and the hydrants, have all been added to the plan?

FIRE CHIEF MALONEY: Yes. So the FDC is the fire department connection. That is what supplements the sprinkler system, so meaning the sprinkler system activates, it activates a number of

heads based off the size and the growth of the fire development there, and it's operating the building's water supply.

Us coming in and tying into the FDC, the fire department connection, is our ability to bolster the pressure and sustain water supply to the particular sprinkler system there to attack that fire or, as I said before, it seems like in a lot of these buildings in looking at the examples that have transpired within our backyards here, it's keeping the fire at bay.

The personnel still were having to stretch hoses in the building, they're having to get to the seat of the fire, they're having to flow their hose lines and suppress it. It all is dependent on what is stored, how it's stored, the height of it.

The difference, the million-square-foot warehouse, there's only 100,000 feet of rack storage within that building, everything else is stored at floor level on pallets because of the nature of the occupant that occupies that building, which, you know, when that was being built, that was a big concern for us. Well that completely changed when the tenant occupied the building and what their type

of business is.

You know, that's their business and if you need me to speak about them I will, but...

ATTORNEY PAPE: 100 percent packed with solar panels. Every square inch of that building is solar panels.

FIRE CHIEF MALONEY: So, yeah, so between the on-site hydrants -- which we have a number of properties within the community, Rike Drive being one of them, for example, that most residents would be familiar with. Our business district off Prodelin Way has what's called a yard hydrant system, meaning there are fire hydrants there to support fire suppression operations. It's well supplied. It's supplied through a pond that's backed up by a fire pump house with a well to drive the fire protection for that.

And then we have another couple sites that have on-site fire suppression capabilities.

So if this building were to be a building that has that in place there, and from our discussions we would have on-site water to sustain fire operations.

We would still most likely have to, you know, rely on our hauled water model, which as you

described Lisa Court, we did exactly that that night, we utilized the hauled water method where we're bringing water in with fire tankers.

And then we also look at what available above ground or natural water sources there are. In this case you have a large detention basin. There is a fire pond on the existing property there that was the Colonial RV establishment that has a drafting point on that. We have the Millstone River that intersects with Route 33.

So we have various options that should a building of that capacity go in and have a fire in it, we would have various ways that we would look at delivering that water to support fire suppressions, you know, operations at that incident.

ATTORNEY PAPE: And the primary supply for the fire department was to have the water tower and the pump system and the generator and that's part of -- that's the primary water supply.

MEMBER LAMBROS: So, Chief, in addition to the drafting points that you just discussed, does the site have adequate drafting points, or could it have more drafting points for safer operations for you and your staff?

Even though the pond is on what I would

say the south side of that larger building, is there a drafting system on the other side of the building that would allow you to tap in and draw water from that pond?

FIRE CHIEF MALONEY: Yeah, so one of the things that we had asked in our phase here was to include an access road. And that was actually kind of spoke about before by the engineer talking about those fire access roads, where it's a mountable-type system where it has a grass coverage on it, but it's got a hard base to drive full-size apparatus on there.

And we had requested that, as we have requested that with a number of projects in the past here.

It's all going to depend, Steve, on where the fire is in the building, the particular use, you know, of that building, where is the fire located, what is our needed fire flow, meaning how much water do we need based off of the size of the building, the percent of involvement, et cetera.

So that would dictate where apparatus access and park. And like I said, we're also, you know, fortunate here that we have a river system that is right at that intersection that would

supplement our water. We're bringing hauled water into this event with mutual aid tankers, and then we have an adjacent pond here on that previous location that we test every year as well.

So we, you know, of course having that access is paramount, and that was something that we spoke about, was making sure that we had drive-up. The biggest challenge with that is when the drafting points are too far from the water, you typically end up over time you have breakdowns of the pipe and failures.

We have gone through this with some of our subdivisions that have been built, when the drafting locations are a considerable distance from the bodies of water, they just don't hold the course over time and they become more of a challenge. It's a considerable distance to vacuum that water through and pull that out to the fire apparatus.

So it's not really a conducive thing that we're looking for.

MEMBER LAMBROS: Okay.

ATTORNEY PAPE: Mr. Lambros, the Homs for many years have had diversion rights, and they divert water from the Millstone to their property for farming irrigation purposes, and we have left

that system in place. And that system is also tied to the standpipe.

So in addition to the basin that is to the north of us that has drafting at Colonial RV, and the basin that is proposed, we also have drafting from the Millstone River Brook to the site. It's all there.

MEMBER LAMBROS: Okay.

VICE-CHAIRMAN BARTHELMES: Any other questions for the Chief?

Okay.

ATTORNEY PAPE: Would you like to open to the public?

ATTORNEY VELLA: Actually, Mr. Chair, why don't we open it to the public for any questions solely regarding the Chief, and then, when they're done, we can send him back to work.

VICE-CHAIRMAN BARTHELMES: All right, please, the public come up. Please be concise and quick. We have to keep this moving.

Thank you.

ATTORNEY VELLA: Sir, please raise your right hand. Do you swear or affirm the following testimony you are about to give is the whole truth, and nothing but the truth?

DAN MURPHY: I don't know if I'm testifying, but.

ATTORNEY VELLA: Well, it's easier, because everyone just talks.

DAN MURPHY: I do. Dan Murphy, 38 Carriage Way.

I know Mike through many years as a volunteer EMT. He's an excellent EMT. I don't question his credentials. I watched him take a guy in a code, 30 seconds later give him CPR. Excellent.

But I do have some concerns and --

ATTORNEY VELLA: We're just doing questions for the Chief right now.

DAN MURPHY: Yes. Yes. I do have questions for the Chief.

With the increase of the warehouses that creates increase of training and preparation and equipment. And even with more warehouses there's more manpower, correct?

FIRE CHIEF MALONEY: Again, I spelled out for you how the manpower is being met, okay. We're not hiring firefighters specifically to cover a specific building; we're hiring firefighters to meet the needs of the community and what the call

volume is, and to support the call volume accordingly here.

So we have grown our department here over the last 20 years here to combat what is presented to us, but most importantly is that reliance on our community partners, our agencies around us for the same exact way that we rely on them, they rely on us. It's that give-and-take system that is what is strengthening us.

DAN MURPHY: What was the budget five years ago of the fire department?

FIRE CHIEF MALONEY: Five years ago? I would have to look, sir. I can't give you an accurate record off the top of my head.

We're in the $3 and a half million range, we're in about the $4 and a half million range. However, however, we purchased -- that's a loaded answer, because we purchase vehicles off capital acquisitions of money, so that on paper looks like an increase and an influenced budget, when it's not entirely true because it's not raised by taxation.

DAN MURPHY: The budget is the budget.

FIRE CHIEF MALONEY: The budget is the budget, yes.

DAN MURPHY: The budget is the budget.
FIRE CHIEF MALONEY: Yes.
DAN MURPHY: And with more warehouses you're going to need more equipment.
FIRE CHIEF MALONEY: I'm not sure by "equipment" what you're referring to. Please be more specific.
DAN MURPHY: I'm asking you.
FIRE CHIEF MALONEY: A nozzle?
DAN MURPHY: You're the expert.
FIRE CHIEF MALONEY: Yes.
DAN MURPHY: I'm asking you what more equipment? If we put two more warehouses, a million square feet -- you already have one down the road -- what more equipment if we keep adding more warehouses?
And what is that going to do, because you talked about the tax base and you're constricted by the tax base, well, what is that going to do to the taxes?
FIRE CHIEF MALONEY: I think that you just answered your own question; if we're putting more warehouses in, we're increasing the tax base, which increases the available money to further grow the operation there.

If we're decreasing our tax base, that would be by not allowing any commercial buildings in or any ratables that go with that.
So we're able to increase the tax base by commercial projects coming in which, exactly as I talked about before, when this large warehouse came into our community it generated our budget in an upward trend that year of almost $300,000 of tax money that came in from commercial projects that were on the table.
Now, in terms of what the impact was of those particular buildings, we're only responding to that particular address about a half a dozen times a year. A very low impact.
Quite frankly, any individual road in this community that receives a good amount of traffic is more of an impact to our daily operations.
DAN MURPHY: Are you a resident of the town?
FIRE CHIEF MALONEY: I am a resident of the town, for the last 14 --
DAN MURPHY: Are you paying --
ATTORNEY VELLA: That's not really relevant. He's here as the fire chief.

DAN MURPHY: He just said the tax base is increasing.
ATTORNEY VELLA: You asked him about the budget. Where he lives and what he pays for his taxes is not relevant.
DAN MURPHY: That wasn't the question --
ATTORNEY VELLA: No, that's exactly what you said.
DAN MURPHY: Are we paying more taxes now than we were three years ago?
Because his response was this is increasing the tax base, like it's a benefit to the town in the tax base. But I know everybody here is paying more taxes now with that big warehouse.
ATTORNEY VELLA: Those are apples and oranges.
DAN MURPHY: If he's bringing it up as it's increasing the tax base, this warehouse is going to --
FIRE CHIEF MALONEY: I gave you a specific example, sir, because you questioned me about how we propose to purchase equipment and grow the fire department.
DAN MURPHY: I questioned you about the budget.

FIRE CHIEF MALONEY: You did. And the real reason of why our fire department is the size that it is because of the decrease of volunteers within this community.
This community has changed. This rural region of New Jersey has changed and has become much more reliant on paid full-time personnel staffing their emergency services component.
As you mentioned yourself, you were a volunteer EMT in this community until many years ago. We no longer have a volunteer first aid squad.
We have volunteers that serve the community still through the fire department, some being EMTs, but their numbers have decreased year after year after year, which has driven us to hire personnel and, hence, have an increased budget.
But this sounds like a Board of Fire Commissioners meeting.
ATTORNEY VELLA: I think we have gotten -- if you have a question, the fire chief is here to say, which I would sum that the fire department can handle a fire at that site, and they don't require additional equipment to support that. That is what his testimony is.
DAN MURPHY: On additional warehouses

to the community, it may mean more manpower. He should be answering that. If we're adding more warehouses.

Do you know how many employees are going to be in the warehouse?

FIRE CHIEF MALONEY: I don't. I don't know exactly who the tenant is, and again, that would be ill-advised of me to comment on that.

DAN MURPHY: If it's 100 employees or 300 employees, there may be increased EMS service calls?

FIRE CHIEF MALONEY: Again, I can tell you based on the number of warehouses in this community, the numbers speak for themselves. Very low impact to our system. Very low impact for emergency medical response. Low impact for alarm system activations.

We are not seeing a rapid increase in call volume from the commercial ratables that have come into this community in the last 5 to 10 years.

DAN MURPHY: But if it was 100, 150-person warehouse, that could increase the call volume.

ATTORNEY VELLA: Let's take a step back. This is a permitted use in the zone, okay,

the fact that the town said warehouses can go here.

The fact of how many employees -- how many employees that could go and work there is not relevant for this board.

They're here not because they're proposing a warehouse in a zone that doesn't permit warehouses; they're here because they want to build it 10 feet taller than they're supposed to, okay, and larger than they're supposed to, okay.

It is a permitted use, though. Whether it has how many employees there is not really relevant for us. We're talking about the height and the size of the structures that are being proposed.

DAN MURPHY: He came in as an expert for --

ATTORNEY VELLA: He came in as an expert --

DAN MURPHY: It sounds like you're in support of this application.

ATTORNEY VELLA: No, I mean --

DAN MURPHY: You did this to me the last time in answering questions for somebody that I was asking.

I know the people here are concerned

about the tax ratables. They're concerned about response times; should there be a fire there, does it slow down response times.

ATTORNEY VELLA: You can ask him about response times, but tax ratables are not an issue for this board.

DAN MURPHY: He brought it up.

ATTORNEY VELLA: You asked him about the budget.

DAN MURPHY: No, he brought it up when he was talking about --

ATTORNEY VELLA: You asked him specifically about the budget.

DAN MURPHY: We can go back to the minutes and we could check.

ATTORNEY VELLA: Fine. If you have a question, ask a question about the fire chief --

DAN MURPHY: He brought up the tax ratables, that he was constrained by --

(Stenographer admonition.)

DAN MURPHY: We could ask the stenographer --

ATTORNEY VELLA: We're not doing that. If you have any more questions about the fire --

DAN MURPHY: He brought up the tax

rate, he was constrained by the tax rate. He brought it up. I didn't bring it up. I followed up on it.

ATTORNEY VELLA: Fine.

Do you have any more questions for the fire chief?

DAN MURPHY: What happens if there's multiple calls during a fire, does it slow down the response time?

FIRE CHIEF MALONEY: If there's multiple emergencies at the same time?

DAN MURPHY: Correct.

FIRE CHIEF MALONEY: No. Again, we are dependent on the partners and the communities around us.

We could have a weather event come through town right now and delve us 8 to 10 inches in the matter of a 10-minute period of time.

We prioritize what is the most serious event and we go down the list accordingly. We call in whatever assets and off-duty personnel and everything else to handle and combat.

We could only speculate so much, correct? I think you would agree with me on that.

We deal with what is in front of us

here. We deal with the nature of the incidents, the number of incidents, and respond accordingly.

DAN MURPHY: You're not here in support of the project, are you?

FIRE CHIEF MALONEY: I'm here to answer questions because there was false statements made regarding fire protection within this community, and I will not stand for inaccurate information being disseminated about an agency that I represent, period.

DAN MURPHY: Okay. All right, that's it.

VICE-CHAIRMAN BARTHELMES: Thank you.

Anyone else from the public want to ask the Chief, please come up.

Mr. Pape, keep your eyes on, it's a quarter to nine already.

ATTORNEY PAPE: Is it?

ATTORNEY VELLA: Sir, please raise your right hand. Do you swear or affirm the following testimony you are about to give is the whole truth, and nothing but the truth?

I do.

ATTORNEY VELLA: Please state your name for the record, spelling your last name, sir.

IZZY TULA: Izzy Tula, T-U-L-A, from Millstone Road.

ATTORNEY VELLA: Thank you, sir.

ADMINISTRATOR SIMS: Can you repeat --

IZZY TULA: So the chief did --

ATTORNEY VELLA: They're going to tell you to speak slower and louder.

VICE-CHAIRMAN BARTHELMES: Sorry, your address?

IZZY TULA: 51 Millstone Road.

VICE-CHAIRMAN BARTHELMES: Go ahead.

IZZY TULA: The Chief did mention a fire that occurred in Long Branch, and he mentioned there was 200 firefighters involved with that fire.

The type of structure involved was I think a residential structure, four story, 40-feet tall.

FIRE CHIEF MALONEY: Wood-framed building.

IZZY TULA: That's a wood-framed building?

FIRE CHIEF MALONEY: Right.

IZZY TULA: This type of building is a little bit different and it has all types of goods and materials that are going to be stored in there

and they're always going to be transiting in and out.

Assuming lithium batteries, or some other product that becomes hazardous when it catches fire, are you prepared to put out the fire for this large facility?

FIRE CHIEF MALONEY: So again, that's a loaded question, okay.

So what is stored in the building obviously is subject to the approvals of the building, it's subject to review of the fire subcode official for the town, the construction department, and then in accordance with our department under its annual inspections.

So believe me when I tell you that people don't always do things as they're supposed to as we find for our annual fire inspections. We do provide the annual fire inspections to the community, so we are in the building a minimum of once a year, typically more than once a year because it requires follow-up inspections.

So we are paying attention to what is coming in and coming out and making sure buildings are operating in permissible use, and working with our partners in the construction department and fire

subcode. We're in fact going through a problem with a building right now in the community.

So we, of course, deal with that. So what may be stored there again is subject to what is approved, what is approved through their fire protection systems to be allowed to be stored in there.

So I can't comment on specifics, if something like lithium batteries would be a permitted storage use or a permitted distribution component in that building, because the fire protection systems would have to be engineered to support that type of content being within the building.

Does that make sense or cover what you're asking me?

IZZY TULA: It sounds -- it sounds, I mean you mentioned one inspection a year, which doesn't really address the enforcement side of it. But then trucks go in and out every day and there's product changing every day. So there is no enforcement of that product, what goes in and out.

You're responding to a fire, how do you respond to a fire at that moment during emergency type situation?

FIRE CHIEF MALONEY: So again, how we respond to a fire here is we size up what is in front of us here: We size up where a fire is located in the building; what are we seeing in terms of smoke; where is smoke coming from inside the building; where is the fire protection system activated within the building; is there workers on-site giving us any report.

We're basically going off our visualizations of what we're seeing conditions in front of us, and rising to that occasion and coming up with strategic plans for how to handle that.

IZZY TULA: So how would you treat the example that I mentioned to you, like lithium batteries or some other product that is hazardous when it becomes flammable?

FIRE CHIEF MALONEY: So exactly that, if we have lithium batteries on fire of course we know -- once again, is it a rack of lithium batteries? Is it a pallet of lithium batteries? Is it multiple racks of lithium batteries?

I don't want to say that we can't get past the particular materials, but what is the percent of involvement? How much product is involved? Is it a pallet of lithium batteries on

fire?

Of course, personnel have to be on full personal protective equipment. They have to be wearing their air packs. We have to do things like air monitoring in the immediate vicinity. We may have concerns for decontamination, of spraying down personnel that have been in that particular area to wash contaminants off their portion.

But again, without speculating, the question that you're asking me, a pallet of lithium batteries, a rack of lithium batteries, an entire warehouse of lithium batteries are very different scenarios.

IZZY TULA: My question is how are you going to prepare for that incident, potential incident, right.

FIRE CHIEF MALONEY: We're going to train, as we have.

IZZY TULA: I gave you the example of the four-story stick building in Long Branch.

FIRE CHIEF MALONEY: Yes.

IZZY TULA: It took 200 firefighters to put it out.

FIRE CHIEF MALONEY: Yes.

IZZY TULA: Okay. How much manpower

are you going to need for this building?

FIRE CHIEF MALONEY: Well, the scenario in Long Branch was very different than the scenario in Millstone. And the scenario in Long Branch was a wind-driven fire off the ocean, which we don't have that situation and scenario.

The building was in a status of not completion of construction, meaning a number of open voids and, hence, a very wind-driven fire. That's a wood-framed building.

So this is a non-combustible building based off tilt slab cement with -- meaning the structural components, concrete is not going to burn, okay. It will fail at a certain temperature if that fire protection system were to be overrun, so...

IZZY TULA: But the roof will burn. And if there's wind, the wind will carry it into the neighboring properties.

FIRE CHIEF MALONEY: Again that's -- I don't have that concern that you are describing.

We're talking about a suppressed building where a suppression system would keep that fire at bay.

I gave you a number of examples of

warehouse fires within this Central New Jersey region and what the personnel have faced when they have arrived on scene.

They have found fire in rack storage that was contained to the rack storage and not getting out of the rack storage, but not fully suppressed. And they stretched hose lines to the interior, they flowed water on the fire, they opened up the affected area and they completed suppression.

IZZY TULA: How much water do you need to put out a lithium fire?

FIRE CHIEF MALONEY: Again, sir, one battery? 10 batteries? 100 batteries? A warehouse filled with batteries?

IZZY TULA: Yes.

FIRE CHIEF MALONEY: I gave you an equation, okay; length times width times percent of involvement. Okay?

We're looking at what we call needed fire flow here. So the length of building, the height of the building, the width of the building, divide that by three, based off the percent of involvement. Is the building 25 percent involved? Is the Building 100 -- you know 100 percent involved? That will dictate how much water we need

for that.
IZZY TULA: And what are you prepared for?
FIRE CHIEF MALONEY: We're prepared for bringing in up to -- to sustain a fire flow up to 3 to 4,000 gallons per minute.
IZZY TULA: And that addresses what type of fire?
FIRE CHIEF MALONEY: That addresses a very significant fire.
I could a -- I could get up here on the whiteboard and start doing math equations for you if you need me to.
Again, sir, I'm --
VICE-CHAIRMAN BARTHELMES: We have to kind of wrap this up.
IZZY TULA: That's it. Thank you.
FIRE CHIEF MALONEY: Yeah, I'm being asked a lot of --
VICE-CHAIRMAN BARTHELMES: Thank you.
FIRE CHIEF MALONEY: -- I'm being asked a lot of what ifs, and without specifics it's very difficult to address those questions.
VICE-CHAIRMAN BARTHELMES: Understood.
I think your job here is to let us know

what you're capable of, which I believe you have done.
FIRE CHIEF MALONEY: All right.
VICE-CHAIRMAN BARTHELMES: So I think we can move on.
MEMBER ARPAIA: And I think it's more about the structure that is proposed to be built is going to be built to stats for what the fire department has basically rendered, whether it's built at 30 feet or 40, it doesn't matter.
ATTORNEY PAPE: There was a firefighting expert who testified -- there was a gentleman who was hired to design the firefighting system. He actually was one of the people that met with the Chief and other firefighters about a year and a half ago.
And he indicated -- he went through the design of the tank and the design of the pump, and we indicated that ultimately it would be subject to the fire department and the construction officials confirming that it was sized properly.
We don't have any limitation on what the size of that tower is, other than what we're told it's supposed to be.
VICE-CHAIRMAN BARTHELMES: Thank you.

ATTORNEY VELLA: Anybody else?
VICE-CHAIRMAN BARTHELMES: Anybody else from the public questions directly for the Chief? Fire-only questions.
(No response.)
VICE-CHAIRMAN BARTHELMES: All right, seeing none, we're going to move on to your next witness.
ATTORNEY VELLA: Chief, you can go. You're excused. Thanks.
VICE-CHAIRMAN BARTHELMES: Thank you so much.
ATTORNEY PAPE: Thank you.
Mr. Chairman, members of the Board, Peter Strong of Crest Engineering is our design engineer. He is under oath. His credentials were placed on the record when he began his testimony at the earlier hearings.
I would ask is your license still in good standing as of this date?
PETER STRONG: It is.
ATTORNEY PAPE: Then I will remind Mr. Strong that he is under oath and ask that he be allowed to continue his presentation.
VICE-CHAIRMAN BARTHELMES: No problem.

ATTORNEY PAPE: Thank you. Very fine.
PETER STRONG: Thank you.

PETER STRONG, P.E. previously sworn, continued testifying as follows:

DIRECT EXAMINATION

ATTORNEY PAPE: Peter, I think it would be a good idea, take just a moment to identify the exhibits that you would like to rely upon, just so Danielle can be ready to bring them up. And then let's go through your presentation.
Well, I think you might want to look at A-23 and 24, in addition to A-40, which you already have up there.
ADMINISTRATOR SIMS: What would you like to refer to first. We can only do one at a time.
THE WITNESS: Let's start with 23, I guess.
ATTORNEY PAPE: And knowing that there are new members and knowing it's been some time, we'll try to do a Reader's Digest, but thorough presentation. We'll rebuild where we left off,

we'll get the basic testimony, and then we'll go to the revisions to the plan.

So, Peter, amongst the things that we'll do is just you're going to repeat the property zone and the property size and the property's location, and then we'll go into the revisions.

THE WITNESS: Okay. The property is known as Lots 10.01 in Block 17, and Lot 2.02 in Block 23, situated along both sides of Millstone Road. It's in the PCD Zone. And the property begins approximately 500 feet south of Route 33, along the Millstone Road right-of-way.

Lot 10.01 is the main parcel which is, as you see from the exhibit, is mostly on the west side of Millstone Road. And that consists of 77.96 acres.

To the right or east of Millstone Road is a smaller parcel, Lot 2.02, which is 7.33 acres. That is not actually involved in any new development that is planned for that particular parcel at this point in time.

ATTORNEY PAPE: The Hom family has left that piece of property as part of the application as part of their commitment to place the entire parcel in a conservation easement.

You may be aware that all of the lands to the -- all of the lands to the east, that large wooded area, 100-acres plus, was by the Planning Board's direction placed in a conservation easement. So all the way down to just about Liberty Mutual's insurance building is in a conservation easement.

And the Homs are offering that piece of property that they own to also go into a conservation easement.

ATTORNEY PAPE: Could we just talk about environmental constraints?

THE WITNESS: Sure.

The site has wetlands and wetlands buffers that have been -- the wetlands have been flagged and identified and approved by the DEP back in 2024 with a 50-foot buffer.

Could we go to exhibit --

ATTORNEY PAPE: The rendered plan?

THE WITNESS: Back to the one that we had. That was, what, 40?

Yeah A-40. Thank you.

I need to grab that and go up to the map there.

Okay, I'm sure this will take a minute or two to load up, but the plan that we're about to

see is the most recent revision to the site that reflects a reduction in the building size and orientation from what was originally planned and was subject to the hearings in October '24 and January '25.

Okay, so this is the current proposed site development plan. There we go. And as you can see, we've got wetlands that run through the site in various locations that have been identified, and then approved as to the location based on the DEP. And there are 50-foot buffers around those wetlands that go along with those.

We've pretty much avoided all of those, with minor exceptions, so that area that is shown as wetlands will not be disturbed for the most part.

Stream corridors and flood hazards the Millstone River is along the west side of Millstone Road outside and along the boundary of the seven-acre lot that we're not developing at this point in time.

And there is a floodplain that is associated with that, and there is -- DRCC has some jurisdiction in that particular area, and there are buffers that are required to the stream corridor based on the DEP and the DRCC that we have respected

in this design. So we have taken that into account.

ATTORNEY PAPE: There is a pointer if you want.

THE WITNESS: Okay, great.

ATTORNEY PAPE: I think, if we could, just a 90-second summary of what the applicant is proposing, the two buildings, and then let's go into some detail of the revisions that were made being intended to be responsive to comments from the board, the board's professionals, and the public.

THE WITNESS: Sure.

So the current proposal is two buildings, Building A is 216,000 square feet, on the northern side of the property. The Building B is 135,000 square feet, which is to the south of Building A.

And the Building B at its closest point is 555 feet from the southerly property line, and it is 720 feet from the nearest dwelling off-site to the south.

The site has one entrance coming into Millstone Road -- yeah, Millstone Road -- approximately 800 feet from Route 33. And it comes along and service the northern side of the building where there are loading docks, as well as there's,

to the east of the 216,000-square-foot building, there is parking.

And then there is another small parking area that is north of the 135,000-square-foot building, and the access to the loading docks for the smaller building, which is also on the north side of that building itself. It's in between the two, the two buildings themselves.

And there's turnaround opportunities that have been created to allow traffic to circulate properly in and out and access both the car parking and the truck parking areas.

There are 40, 40 loading docks that are associated with the bigger building, and 17 that are associated with the smaller building.

Stormwater-wise we are creating a pond, a water pond that would provide firefighting water, as you know. And would also provide stormwater attenuation, and would be used for sprinklers for the landscaping on the site.

We also have four infiltration basins into which the stormwater from the building and pavement areas would be directed to discharge into the groundwater. And then there's ultimately there would be a discharge out of the pond system that

would go into the wetlands.

That's the basin.

ATTORNEY PAPE: The changes -- and I'll steal a little bit of thunder -- you've got buildings turned in a new direction. You've got all of the loading docks pointed north into the highway.

THE WITNESS: Yes.

ATTORNEY PAPE: And it looks to me -- and you moved a distance away from the residents?

THE WITNESS: Right.

ATTORNEY PAPE: And you've added a very specific landscape design along the roadway.

If you could take us through those, those elements, and then we'll go through some of the more nuanced versions.

THE WITNESS: Yeah.

Originally the site had two, two larger buildings on the site, which were the loading docks for the northern building was flipped or oriented on the south side of the building. The other building which was proposed was kind of a north/south orientation, parallel to Millstone Road. And the loading docks were on the west side of the building in that particular location.

So there was some big changes that

occurred to reduce the size of the buildings themselves, to reorient the truck loading areas and the activity areas to the north instead of to the south, where they were previously exposed to open space across the farmland perimeter.

And the area along the Millstone Road itself, we have provided for a number of berms and walls and landscaping that would be -- the berms and walls would be 6 to 10 feet high overall, and then there would be landscaping essentially on top of those, that would be of various types of plants that would help to screen the buildings themselves from the roadway site.

ATTORNEY PAPE: My recollection, and I am thinking this was refreshed by reading the transcript, my recollection was that the landscaping along Millstone Road, we were asked that it become a feature, that it be attractive. That it include some lawn areas with landscaping, and then be embellished with berms and more landscaping.

So that from the roadway there would be an attractive landscaped appearance, and then the berm that would provide the screening.

If you could just a little more detail as to those elements.

THE WITNESS: That's true. That's one of the comments that some of the board members made at initial meeting when we talked about initial layout.

We had at first specified that there would be natural plants and different types of landscaping that would be grasses and things of that nature that would not be -- that the area that is now shown as the lighter green would be the lawn areas. Those would be -- were going to be less attractive, let's say, less manicured.

ATTORNEY PAPE: Naturalized.

THE WITNESS: Yes, naturalized. That was the intent at that point in time.

But we have changed that so that the area is going to be manicured and landscaped lawn area, along the Millstone Road frontage especially, and then it would be the landscaping and the walls that I described previously that would go along with that to create a scenic landscape along the roadway frontage.

ATTORNEY PAPE: You touched a little bit on the stormwater system. I know that if one were to look at the plan very carefully the word "dam" shows up with regard to one of the stormwater

basins, and I think that the use of the word dam is really not a term of art.

If you could just describe a dam, four feet or so tall, and why there is a structure called a dam, and where it would be located on the property?

THE WITNESS: Well, as you say the -- what's called a dam in like the DEP or stormwater regulations is not exactly what you think -- it's not like the Hoover Dam like you think of out in Nevada. It's just a classification of a berm and/or a wall that would hold back stormwater. And it is not in any way something like you -- that you would think of as a dam; it's just a classification that the DEP has required us to use.

And we have them in one or two locations in this place, but as you say they're generally less than four feet high, and they're not something that you should be worried about.

ATTORNEY PAPE: If you could take a few minutes to talk about the lighting. There were some questions last time about the lighting.

I think it would be important to talk about height of fixtures, type of fixtures that you've spec'd on here, and also the fact that the

lighting could have timing controls.

THE WITNESS: Yeah, the lighting would be LED lighting that would be a maximum of 40 feet high to match the ordinance requirements.

And the lighting would be contained on the north side of both buildings, so that it would be shielded by the buildings themselves from off-site areas, except to the north.

And the LED lights are able to be turned on and off and a percentage of lighting could be reduced for, like, off hours of the operation of the building, so that there wouldn't be a light -- a bright light all the time on the buildings and on the site.

VICE-CHAIRMAN BARTHELMES: Do you have that information for -- by someone else about the timing of the lights; do you have that?

Is that going to come later?

ATTORNEY PAPE: It's going to be part of operations, yes.

VICE-CHAIRMAN BARTHELMES: Okay.

ATTORNEY PAPE: And at this point I can indicate that the timing of the lights would be something that we would be looking for guidance from you, as well as from the State Police, as we have in

the past.

VICE-CHAIRMAN BARTHELMES: Thank you.

ATTORNEY PAPE: We've learned that motion detection for these lights isn't the right answer every time a deer comes by. So it's working on intensity.

If you could, you pointed out that firefighting system does include the basins, and I've pointed out that we had the interconnection across the street into the Millstone River, but if you could indicate, identify the location of where the tower that Danielle Lampke, had testified at the last meeting, where the tower is and where the hump is.

THE WITNESS: Yes. Very important piece of information.

The firefighting system would be located in between the two buildings, in the island here. It's got a 32-foot diameter tank, 20 feet tall. And then a building that is associated with it that, I believe, is 26-by-12. And that would contain the pumping system and the controls.

So the height of the tower, the tank, is less than the building. Whether it's 30 or 40 feet it doesn't matter, it's less than the height

of the building. So it wouldn't be visible pretty much anywhere off-site, except for a possible glimpse as you drive along Millstone Road.

But it's a pretty innocuous system.

ATTORNEY PAPE: And if you could identify the signage that is proposed.

I believe that the building signage would be Mr. Radosti's responsibility, but if you could identify the site identification signage, where it's located.

And just confirm that it would be designed to be 100 percent compliant with the ordinance.

THE WITNESS: Well, again, the design was by Steve Radosti, but it's located up in the front here by the entrance drive.

ATTORNEY PAPE: An important piece of information --

THE WITNESS: Just one sign.

ATTORNEY PAPE: -- a single monument sign.

THE WITNESS: Yes, single monument sign.

ATTORNEY PAPE: To be compliant with the ordinance --

THE WITNESS: Correct.
ATTORNEY PAPE: -- location and size.
Peter, a little bit later in testimony there will be a discussion about the buildings that are along the Route 33 corridor. And the largest building that is our neighbor is Colonial RV. And Mr. Radosti designed that building, he can talk about the height of that building.
But I know that you designed the site. Can you share with the board the first floor elevation of that building, the Colonial RV building?
THE WITNESS: The Colonial RV building, there's two parts to it, there's the showroom area, I'll call it, which is the part closer to the Route 33 right-of-way, has an elevation of 136.5. And the area behind is the shop service area building, and that has an elevation of 136.
In our site the bigger building, the northern building is 137.25, and the southern building is 136.5.
ATTORNEY PAPE: Thank you.
I have nothing further of Mr. Strong this evening.

THE WITNESS: Do you want to talk about access off of 33?
ATTORNEY PAPE: Yes. I'm sorry. Thank you so much.
THE WITNESS: I forgot that, too.
ATTORNEY PAPE: Peter, earlier, in working with Mr. Shafai, he gave you specific instructions about road widening, where the road widening should be, to what dimensions, and the controls that would be appropriate from our driveway onto Millstone Road.
If you could, begin with the improvements that are shown to Millstone Road, and then talk about the controls at the driveway.
THE WITNESS: Yeah.
The Millstone Road itself, there was discussions, as you said, with Mr. Shafai at the time. He wanted to have the roadway widened to 30-foot wide up until it got past the entranceway into the site.
ATTORNEY PAPE: Half-width.
THE WITNESS: Just past it, yeah.
ATTORNEY PAPE: Half width, Peter, the 30 foot.
THE WITNESS: Well, no. The whole

width would be 30 feet, yeah.
VICE-CHAIRMAN BARTHELMES: What's it now?
THE WITNESS: Right now it's 22ish.
So he wants it widened all the way down from the Route 33 intersection down to past the entrance into the site.
ATTORNEY PAPE: On our side.
THE WITNESS: The remaining portion would be set at 24 feet wide all the way to the southern end of the site.
So there are certain places where we would have to add some pavement along the area from the driveway to the southern end, but not a whole lot. Like I said, it's about 22 feet, so two more feet or so in various places. The pavement kind of wiggles back and forth, so we'll have to straighten that out a little bit.
And then the entranceway itself is designed to take traffic in, cars and trucks into the site.
The exit, though, is set up so that trucks would have to -- are encouraged to make a left-hand turn and go back out to Millstone Road. It would be signed for that purpose so that it would

say, you know, "All trucks must turn left."
And then there's a small slip lane that would take the -- allow cars to go right and go out, but it's too small and the radiuses are too short to allow tractor-trailers to make a full right-hand turn without running over the island.
ATTORNEY PAPE: Peter, two things.
That was the recommendation that was given to you by Mr. Shafai as to the controls at the driveway?
THE WITNESS: Yes.
ATTORNEY PAPE: And as everyone -- you know, Peter's office sits right at the entrance of Moto Industrial Park. And at Moto Industrial Park, some 30 years ago, Peter and I were involved in that project with a similar requirement of having no truck traffic making right-hand turns. And that's been in existence now for about 30 years.
Peter, if you could just share, you know, anecdotally, you look out the window, you've been looking at that intersection. Does that signage -- is it effective?
THE WITNESS: It is.
Yeah, our office occupies the building on the corner of Prodelin Way and Rike Drive, and we

have been there since 2004, so 22 years. And I can honestly say that I have never seen a truck make a right-hand turn out of that driveway. They all go to the left, as they're signed for.

I can't guarantee that that's the case, but I have never seen it happen.

ATTORNEY PAPE: Perhaps that is because they all are good citizens and follow the sign, or perhaps it's because it makes sense to make a left to go out to the highway.

THE WITNESS: It does make sense to go out to the highway, yes.

And this is closer to the highway than Rike Drive is, so.

ATTORNEY PAPE: So before I say no more questions, do you think we covered everything?

THE WITNESS: I think so. I think so.

ATTORNEY PAPE: I have nothing further of Mr. Strong on direct.

MEMBER ARPAIA: I just have one question, Mr. Pape.

With the landscape part, and I think this will probably be more for your operations to talk about, but who's maintaining that part of it all?

ATTORNEY PAPE: Property owner.

MEMBER ARPAIA: The property owner?

ATTORNEY PAPE: Yeah, same as everything -- there's nothing on here that is intended to be a public responsibility.

MEMBER ARPAIA: Well, I didn't mean it by public. I mean by making it beautiful by the sketch of it all, is it -- you know, that turning it into fruition, what is the control on that?

ATTORNEY PAPE: A lot of controls. Most of it goes -- ultimately anything that this board decides goes into the resolution, the resolution goes into the Developer's Agreement, and the Developer's Agreement gets recorded against the property.

MEMBER ARPAIA: Thank you.

ATTORNEY VELLA: If an application like this gets approved, they're responsible to maintain their property as part of the approval, as part of the development, as part of their site plan approval.

And, you know, even though they do get bonding, you know -- I know you're talking past two years, you're talking 5, 10 years?

MEMBER ARPAIA: Yeah.

ATTORNEY VELLA: It is still their responsibility.

VICE-CHAIRMAN BARTHELMES: And did you say you're straightening the road as you come down towards -- as you go south?

THE WITNESS: You want to straighten it?

VICE-CHAIRMAN BARTHELMES: Is that what you said; did you testify?

Because it winds around like that. I don't know if you could quite see it.

THE WITNESS: Yeah, we're not really planning to straighten it. We were just planning to make sure that it has got site width to --

VICE-CHAIRMAN BARTHELMES: But if the trucks aren't going that way, what does it matter?

THE WITNESS: Well it's just cars.

ATTORNEY PAPE: Matt. Why did you tell us to do it, Matt; we said okay.

THE WITNESS: I guess he identified that there was potentially some problems with, like you said, the wiggling back and forth a little bit and --

VICE-CHAIRMAN BARTHELMES: I don't think it's a problem; I think it's a good thing.

THE WITNESS: -- and maybe narrowing up of the roadway in certain areas, and he felt that if it was a little bit wider, if you made the 24-wide width on the entire pavement that would give you two 12-foot lanes, which is a good number for traffic.

VICE-CHAIRMAN BARTHELMES: Greg, do you agree with all that?

ENGINEER BLASH: Yeah, I would concur to the north that drive, the truck traffic, you definitely want to have a 30-foot wide road.

VICE-CHAIRMAN BARTHELMES: For sure. But I mean from the south?

ENGINEER BLASH: From the south it's probably just Matt requested that you widen -- I don't know what the traffic flow is, but it's probably based on the number of vehicles coming, like just generally working at the site.

We don't know what that number is yet, I haven't heard the traffic guy or the operations people, but it's probably just general use of that road. You want it a little wider for a 12-foot lane instead of an 11-foot lane. Just makes it a little safer.

I think he said the road is 22 feet

now, and Matt requested 24 feet.
THE WITNESS: Right.
VICE-CHAIRMAN BARTHELMES: I have no questions for Mr. Strong.
People on the board, any direct questions for Mr. Strong?
MEMBER LAMBROS: So, yeah.
Just part of your testimony early on was the conservation easement, and there was a map that showed that. Can we put that map back up?
And, Mr. Pape, did you say that the Homs -- that that property adjacent to this property, this subject property to the west, is that going into a conservation easement, that whole property, or did I misunderstand what was said?
ATTORNEY PAPE: If we could have --
Mr. Lambros, all of the property to the east, first eight acres are the Homs, and they say put my eight acres into conservation.
The next 100 -- and I'm saying 100, I think it's a little more than 100 acres -- was put into conservation when the Active Acquisition application came before the Planning Board. When that 130,000-square-foot warehouse was created the 100 acres... So that whole -- that whole thing is

in conservation.
MEMBER LAMBROS: I know that.
ATTORNEY PAPE: As you go to the west, we don't own that. That's the farm that has the water table that is right at the surface.
MEMBER LAMBROS: Okay.
So, Mr. Strong --
THE WITNESS: Yes.
MEMBER LAMBROS: Danielle, don't worry about it, you don't have to find that map. I misunderstood what was said.
-- you testified that the Colonial RV building was at an elevation of approximately 135, did I hear?
THE WITNESS: 136.5 is the showroom and 136.0 is the shop.
MEMBER LAMBROS: And that the proposed warehouse is something similar, like 136 or so?
THE WITNESS: 137.25 and 136.50, yeah.
MEMBER LAMBROS: So does that mean that Colonial RV's building is 40 feet tall, or are they sitting up on land a little higher?
THE WITNESS: This is just the elevation of the first floor.
MEMBER LAMBROS: Yeah, that's what I

thought. Okay.
THE WITNESS: Steve will tell you about the height of the building.
MEMBER LAMBROS: The reason why they appear to be similar on paper is really not true, because one of them is sitting up on an elevated property, and this one will be on a lower elevation --
THE WITNESS: Yeah.
MEMBER LAMBROS: -- at the grade, correct?
THE WITNESS: Yes.
ATTORNEY PAPE: There's sequential testimony.
MEMBER LAMBROS: What's the difference -- what's the difference at the grade; do you know that?
THE WITNESS: I don't.
MEMBER LAMBROS: The grade at Colonial RV versus the grade at this site?
THE WITNESS: Steve will have to tell you that.
MEMBER LAMBROS: Okay.
THE WITNESS: Steve Radosti, the architect.
ATTORNEY PAPE: There's another piece

of wetlands. The wooded portion of the Hom farm, the triangle that's at the bottom of their property, that will be put into a conservation easement, that entire parcel.
So there is wetlands conservation easement, wetlands conservation easement, and somebody else owns all wetlands to our west.
MEMBER LAMBROS: Okay.
ATTORNEY PAPE: I think it may be a good time to introduce the farm opportunity.
THE WITNESS: Okay. A-44.
ATTORNEY PAPE: One of the questions that came up at the last meeting was what are you going to do with the large piece of property that you don't plan on doing anything with. And we had indicated that we would let it naturalize, we would put some plantings in and then let it naturalize.
But the Homs have advised me that they have another offer to the town if there's an interest at the Zoning Board level and governing body level, and that is they have spent generations farming that property and preening that property so that it functions as a farm, and it functions well as a farm.
The entire area that is shown as green

space could be dedicated to the township by easement or in fee, so that it essentially would be a Farmland Preservation at no cost or expense to the municipality.

They don't have a need for it. We would let it naturalize, unless there was an interest in preserving it as a farm. And if there was an interest, it's on the table. The Homs have no problem offering it to the town by easement or fee.

PLANNER MERTZ: And it's predominantly wetlands or transition area, right?

ATTORNEY PAPE: Some of it is wetlands transition. It's fully farmed. Its title fields are in place. It's been farmed for generations by the Homs, so.

PLANNER MERTZ: Right.

THE WITNESS: Yeah, the area that is from here to the north and outlined in the red is the whole area that has been farmed by the Homs for many, many years.

ATTORNEY PAPE: It's an active farm.

PLANNER MERTZ: Just as a reminder to the board, I mean, the active farmland is unique to the site, but any wetlands transition area is

required to be in a conservation easement anyway.

They're offering something slightly different, but whether you approve this or something else happens here, that land would be in a conservation easement.

ATTORNEY PAPE: Yep.

ATTORNEY VELLA: If they did take it by fee, you would are dealing with a subdivision application, and the numbers skyrocket.

ATTORNEY PAPE: Right.

And it would only be offered to the town if the town found it beneficial. The Homs asked that I make it available to the town.

When you put your life into making it into farmland, watching it revegetate isn't what you want.

So either way is available.

VICE-CHAIRMAN BARTHELMES: Okay.

Any other questions from board members for Mr. Strong?

PLANNER MERTZ: Mr. Chairman, can I ask one.

VICE-CHAIRMAN BARTHELMES: Yes.

PLANNER MERTZ: Just to jog my memory because it's been a while, did the original

application have trailer parking for the trucks and then that was removed as part of the January 2025 submission.

THE WITNESS: Yes, there was trailer parking that went along with the loading docks for each of the two larger buildings that we had on the site originally.

PLANNER MERTZ: Okay.

THE WITNESS: And all the trailer parking has been eliminated, and loading docks have been moved to the north side.

PLANNER MERTZ: I couldn't remember if that had actually come to the board or not.

THE WITNESS: Yes, that's correct.

PLANNER MERTZ: Okay. Thank you.

VICE-CHAIRMAN BARTHELMES: So there's two lighter yellow, that's just where the trailers were parked against --

THE WITNESS: Yeah, these are loading dock areas for the two buildings.

VICE-CHAIRMAN BARTHELMES: So would there be trailers there at night parked there?

THE WITNESS: There could be. Not necessarily.

VICE-CHAIRMAN BARTHELMES: That's the

only place I'm saying they could be, is those two yellow strips, correct?

THE WITNESS: Yeah.

ATTORNEY PAPE: That's correct.

MEMBER ARPAIA: Yeah, they got rid of the graveyard.

VICE-CHAIRMAN BARTHELMES: Of trucks, yeah.

THE WITNESS: Yeah, depends on how operations go during the day, if they got the truck unloaded or reloaded and took it away or not.

VICE-CHAIRMAN BARTHELMES: Right.

All right, Mr. Pape, I was talking to Greg, we think -- your next is the architect, Steve, correct? We think it might be important to get him in now so that the public can hear, you know, that important information before they come speak, unless you would like to hear from the public first?

ATTORNEY VELLA: How long do you think the architect will testify?

Because obviously his testimony is critical in the sense of all your major variances are due to his design; height, building coverage, all that stuff is the building that he's designed. And I think the public, 90 percent of the question

is of why is it so big causing all these variances.
ATTORNEY PAPE: So the facts of the design will come from Mr. Radosti. Its footprint. Its height. That comes from Mr. Radosti. The appearance comes from Mr. Radosti.
The justification --
ATTORNEY VELLA: We understand that.
ATTORNEY PAPE: Just want to make certain, because that's other witnesses.
VICE-CHAIRMAN BARTHELMES: Yeah, so I think it's better to hear from him to understand why.
MEMBER ARPAIA: Yes.
ATTORNEY PAPE: Well, he's not going to give you the why, Chairman.
ATTORNEY VELLA: Well...
ATTORNEY PAPE: He won't give you the why, he'll just give you the facts of the design.
VICE-CHAIRMAN BARTHELMES: Who is going to give us the why?
ATTORNEY PAPE: Well, there is going to be a why, because he's the one that designed it. The question is why did you design it so high? Why did you design it so big? There has to be an answer.

And if his answer is "My client wants all that," okay.
ATTORNEY PAPE: That's the answer.
ATTORNEY VELLA: I mean, that's not a land use answer; I know your planner is going to testify. But if his testimony is simply my client wants it and wants it this, okay. But I think we need to hear as to why he designed it that way.
ATTORNEY PAPE: Okay.
Well the why question I can tell you is that the Homs, through -- and you will hear other experts later talk about why warehouse buildings need to be at a height of approximately 40 feet. That is guidance that was given to the Homs, and then the Homs gave that direction to -- they gave that direction to the architect, and architect designed the building based on the criteria that came from the industry.
That is the short of it.
VICE-CHAIRMAN BARTHELMES: The warehouses across 33, they're kind of behind the Extreme, how high are those?
ATTORNEY PAPE: Sure. I mean we actually -- I mean so this is -- I don't testify, this will be testified to, but what we did is we got

the height of every single warehouse building that is in Millstone. So the tallest building is the one that is on Showplace Farms. That's 50 feet tall.
The building across the street that is from us, the Scannell building, that building is 38 feet tall.
There is another one that is next to it that is 37 and a half feet tall.
The one that is behind the Amazon building, that one is in Monroe, that's 40 feet tall.
VICE-CHAIRMAN BARTHELMES: That's 40 feet.
ATTORNEY PAPE: That's 40 feet, yeah. That's Monroe.
VICE-CHAIRMAN BARTHELMES: I understand.
Our ordinance, sorry, is 30; our ordinance is 30?
ATTORNEY PAPE: 30, yeah.
All of the warehouses on Wren Drive, there are three, they're all 40 feet.
The one that is on -- there are two on Burnt Tavern, one built, and one that has -- is approved to be built. They're both 40 feet.

The warehouses that are in the BP Industrial Park, they're not all warehouses in there, some of them are flex buildings and some of them are mechanics buildings, but the warehouses are all the 40-foot range.
There are -- there are only three buildings that were approved at 30 feet in Millstone, and those are the three that have been on the market since 2022 with no absorption.
PLANNER MERTZ: Mr. Chairman --
VICE-CHAIRMAN BARTHELMES: Yeah, I was going to say, can our professionals tell us where we got 30 from?
PLANNER MERTZ: So I know we're jumping ahead a little bit, but the 30 feet is specific in the PCD zone to properties that do not front on Route 33.
So the Scannell site, the couple of the other ones he mentioned on 33, they're permitted to go to 35 feet. So they did get variances for 37 feet, but it did not trigger them to come here because it was not a "D" variance, because they're permitted to go slightly higher. Same zone, but different set of standards.
The BP zone has a different set of

standards that at the time that some of those were approved was also 30 feet. That zone has since been reduced in height to 30 feet, just like --

ATTORNEY PAPE: It was 40.

PLANNER MERTZ: It was 40, I'm sorry. Thank you. It has been reduced.

VICE-CHAIRMAN BARTHELMES: When was it reduced?

PLANNER MERTZ: The ordinance was adopted in the Spring of --

ATTORNEY PAPE: '22.

PLANNER MERTZ: -- '22. Thank you. The years go by strangely.

ATTORNEY PAPE: April of '22.

PLANNER MERTZ: So there are --

VICE-CHAIRMAN BARTHELMES: It was 40 before that?

PLANNER MERTZ: In the BP Zone.

VICE-CHAIRMAN BARTHELMES: Right.

PLANNER MERTZ: Which is not where we are, correct.

VICE-CHAIRMAN BARTHELMES: We're not in the BP zone.

PLANNER MERTZ: We're in the PCD.

So this zone has not -- the zoning for

this lot has not changed.

VICE-CHAIRMAN BARTHELMES: Okay.

PLANNER MERTZ: But this was -- I didn't -- this ordinance has been in place for 25 years, so I can't speak to the reasoning behind it, but they did intentionally make PCD lots that do not front on 33 a height of 30 feet, so.

VICE-CHAIRMAN BARTHELMES: Okay, thank you.

All right, let's move on to the architect, then.

ATTORNEY PAPE: So the architect's testimony is going to be design elements. The whys come much later.

VICE-CHAIRMAN BARTHELMES: And for the public, the reason I'm doing this, is I think it's worthwhile to hear all this before you come up and maybe ask questions that we'll eventually get there, rather see the information first so you have everything you need to hear before you ask or make any comments.

ATTORNEY VELLA: Okay, Mr. Radosti, please raise your right hand. Do you swear or affirm the following testimony you are about to give is the whole truth, and nothing but the truth?

STEPHEN RADOSTI: I do.

ATTORNEY VELLA: Please state your name for the record, spelling your last name.

STEPHEN RADOSTI: Stephen Radosti, R-A-D-O-S-T-I.

DIRECT EXAMINATION

ATTORNEY PAPE: Mr. Radosti testified at the last hearing. His credentials were placed on the record. I'll ask Mr. Radosti if his architectural license is still in good standing?

THE WITNESS: Yes, it is.

ATTORNEY PAPE: And I'll remind you that you're under oath and that you were qualified to testify as an expert in the area of architecture.

If you could let Danielle know the exhibits that you would like to be made available to you and where we should begin.

THE WITNESS: A-39.

So at the last meeting I presented the two warehouses buildings. I would like to give a quick summary of the building since I have been here, since it's been a year.

Building A is 300 feet deep by 720 feet

long, for a total square footage of 216,000 square feet.

Building B is 300 feet deep by 450 feet long for a total square footage of 135,000 square feet.

Each building has a total of up to 3,000 square feet of office space. The office spaces are located in a prominent corner of each building. The remaining portions of the building would be warehouses.

These buildings would be constructed of concrete and steel. They would be non-combustible construction, and would be fully fire-sprinklered and have a standpipe system to the fire official's satisfaction.

Building A has 39 loading dock doors and two drive-up garage doors, while Building B has 16 loading dock doors and two drive-up garage doors.

The trash compactors will be located inside one of the garage bays in each building. However, the compressors that serve the compactors would be located inside the building. This will minimize any compactor or noise at the exterior of the building.

And all recyclable materials will also

be inside the warehouse building.

We spent a significant amount of time designing the aesthetics of the buildings. These buildings will be constructed of tilt-up or precast concrete sandwich panels. We have five different earth-tone colors, using earth-tone colors to go along with the ordinance.

We have provided a dark color water table at the base of the walls in order to aesthetically anchor the building to the earth and we also provided vertical and horizontal colored bands in order to break up the massing of the building.

ATTORNEY PAPE: Stop there.

VICE-CHAIRMAN BARTHELMES: Do you have any pictures of that or images?

ATTORNEY PAPE: Danielle, can we get the elevation?

THE WITNESS: That would be -- the elevations would be SK-A2.

ADMINISTRATOR SIMS: Same document?

THE WITNESS: It's in a different document than this one. This one was submitted later. I'm sorry, I don't have the exhibit number.

ATTORNEY VELLA: That would be floor

plan and elevation is A-32.

THE WITNESS: Yeah. And if you scroll down, there we go.

So that one is Building A, but Building A is a very similar -- Building A and B have matching looks.

So we used the five different earth-tone colors to go along with the township ordinance. And tried to break up the elevations with horizontal lines, vertical lines and decorative features to make the buildings interesting. And we used colors that would blend more into the landscaping.

There would be -- total signs, there would be two building-mounted signs, one at each building. And each building would also have street address numerals, and it would be one monument sign.

So at the corner of each of the buildings where the office is we have added an address numeral sign. These are non-internally illuminated, 30-inch-high metal channel numbers, in order to draw attention to the entrance. And so the street numerals would be helpful for emergency vehicles.

At the facade near the main entrance

to the offices there would be one 3-foot by 10-foot, 30-square-foot internally illuminated backlit alluminum channel letter sign. There would be one sign at each building, so two total, for 30 square feet each for a total of 60 square feet for the two buildings.

There would also be one proposed monument sign for the property. And this would be designed to match the materials of the buildings with several colors of earth-tone-colored concrete that matches the buildings.

The entire sign structure is 7'6" high by 13'6" long. And the signage itself would be internally illuminated and a total of 34 square foot per side.

At the top of the sign there will be a 12-inch high, non-illuminated metal address numerals.

Then, if I could bring up Exhibit A-39, it's the one we just had up.

So this is a new exhibit since the last time I was here, except this was presented -- this was submitted prior to this meeting.

This is sheet CS-1 conceptual building section, dated 6/24/25. It was actually submitted a

year ago.

So this new exhibit is a conceptual section through Building A in the short direction. And then this section through Building B would be very similar.

The highest point of the roof is in the center of the building and will pitch downward towards the two longest outside walls at a quarter-inch per foot slope.

The roofing will be a continuous membrane, such as an EPDM or TPO, these are types of membrane roofing, in a light color to be a cool -- to be considered a cool roof.

This would be installed on approximately six inches of rigid installation on top of metal decking on top of open web steel roof joists. These joists are anywhere between 2 to 2-and-a-half feet in depth.

This means that 40-foot-tall building there would be about 36'6" clear height in the very center of the building.

And because of the roof pitch there would be about three feet less clear height along the outside walls, which would make it about 33-foot -- 33'3" clear at the edges of the building.

The pallet sizes and the rack varies for the actual products stored. However, typical are approximately four-foot on center horizontally and vertically, with aisles between the racks large enough for forklifts to pass each other, usually about 11 feet or so.

So the building height, the 40-foot building height is measured from one foot above the predevelopment grade to the roof peak. The predevelopment grade plus one foot is about 10 and a half inches below the finished floor at Building A and B.

The highest point of the roof is located in the center of the building and slopes down towards the outside walls.

The outside walls are made of a concrete sandwich panels. So these would be solid concrete walls about 10 inches thick. But they would also have 2 to 3 inches of insulation sandwiched between the concrete panels.

And then the roof would be framed with steel open web joists and steel columns and beams.

Then these concrete walls would be either tilt-up construction that would be built on-site, or they'll be constructed of a

prefabricated concrete panels made in a factory and then shipped to the site. Either way, the look and the construction would be basically the same.

And the continuous foam core makes the panels more energy-efficient than concrete block walls. And the concrete on the interior and exterior sides of the wall are physically strong, protecting the insulation, giving the final product a nice look to be painted with the five different colors on the exterior.

It also has a pretty good fire rating. Typically it's about a three-hour fire rating for the exterior walls, which is pretty much as high as you could get.

The building would be designed to meet S-1 construction classification as far as the building code is concerned. That's the International Building Code. 2021 is the current edition.

So since the building is constructed from concrete and designed to be meet an S-1 modern hazard storage building, this means the building can store combustible S-1 and noncombustible S-2 goods. And no hazardous materials will be stored. One is combustible materials, the other is not combustible

materials.

Things that are combustible are things like wood -- wood products, electronics, leather, cotton. Non-combustible are things like metal products, stone, clay, ceramic or glass.

So a 30-foot-tall building versus a 40-foot-tall building would reduce the number of pallets at every shelf by 2 to 3 pallets.

So in our building as an example, instead of 8 or 9 pallets high, we would have 5 or 6 pallets high. So in a 216,000-square-foot building this would be a reduction of 2,160,000 cubic feet, which would be thousands of less pallets than if it was in the 40-foot-tall building.

ATTORNEY VELLA: Hold on. You said that at a 40-foot height it's 8 or 9 pallets, correct?

THE WITNESS: Yes.

ATTORNEY VELLA: And at a 30-foot height it was 5 to 6.

VICE-CHAIRMAN BARTHELMES: Right.

THE WITNESS: Correct.

ATTORNEY VELLA: So it's a reduction of --

THE WITNESS: About three.

ATTORNEY VELLA: -- three.

THE WITNESS: Yes.

ATTORNEY VELLA: Okay.

THE WITNESS: And it depends on the exact spot. As you see how the roof pitches down, you could see how the pallets step up towards the middle. So it really depends on the area of the building, yes.

ATTORNEY VELLA: So the 2.1 million cubic square feet you're going to lose, is that for both buildings or just one of the buildings?

THE WITNESS: No, that's the one building. That's the larger building. Since I did this through the larger building, I used that as an example.

ATTORNEY VELLA: Okay. So 2.1 million for the large building.

How many cubic feet are you going to lose if you were conforming height on the smaller building?

THE WITNESS: Yeah, I guess half, half of that since the building is about half the size, right. Yes. I have to do a little bit of math, but yes.

And then the last thing I had here was

no building-mounted lights would be installed on the residential side of either building. They would only be on the non-residential sides of the building.

ATTORNEY PAPE: And, Steve, the roof construction, although there's no commitment to having solar panels on the roof, the roof construction would be designed to handle the weight of solar panels?

THE WITNESS: That is correct. We would make sure that the structural capability of the roof would be increased so that we could install them in the future.

ATTORNEY PAPE: The State of New Jersey has actually stepped in and said buildings of this size must be able to handle on your roof 40 percent of coverage of solar. So you have to have a solar-ready roof that can handle a minimum of 40 percent coverage for solar.

Comfortable advising the board that that would be a criteria of the design?

THE WITNESS: Yes, I am.

ATTORNEY VELLA: All right, just for the record, the smaller building is 62-and-a-half percent smaller than the large building. So times

that by 2.1 million you're going to lose -- well, the increase -- we'll call it an increase instead of losing -- 1.312 million cubic feet. So by you increasing it, you're gaining -- your client's grabbing 3.412 million cubic feet.

ATTORNEY PAPE: Correct.

ATTORNEY VELLA: For the additional height.

And you don't have any -- how about for the building coverage variance, because you're also over by almost 5 percent, how much is the increase of building coverage providing your client?

ATTORNEY PAPE: I don't think that Mr. Radosti --

PLANNER MERTZ: Greg, could you give me that number again for the smaller?

ATTORNEY PAPE: And I don't think Mr. Radosti...

ATTORNEY VELLA: He hasn't done that math yet?

I think it's important to know of the deviations and what's the effect of them.

ATTORNEY PAPE: That's the planner's testimony to go through the FAR calculation.

ATTORNEY VELLA: Christine is going to

do all the math?

ATTORNEY PAPE: Well, that's her responsibility.

ATTORNEY VELLA: Okay.

So they've testified it was 2.1 million cubic square feet for the larger one, that he had tonight. And the smaller building is 62.5 percent smaller than the other building, which equals 1.312 million. So you add the two up and it's --

MEMBER ARPAIA: Almost two-and-a-half million.

ATTORNEY VELLA: 3.412 million.

MEMBER ARPAIA: I mean three, yes.

ATTORNEY VELLA: 3.412 million --

ATTORNEY PAPE: Cubic feet.

ATTORNEY VELLA: -- cubic feet just for the height.

ATTORNEY PAPE: Yes.

ATTORNEY VELLA: And obviously it would be -- that's just for the whole, the additional building coverage would be less than that, but.

ATTORNEY PAPE: Correct.

PLANNER MERTZ: Okay, good enough. Thank you.

VICE-CHAIRMAN BARTHELMES: And you said there's no lighting on the residential side; it's literally pitch black?

THE WITNESS: Yes, there's just no lighting there.

There will be emergency lights at exterior exit doors, but they'll only come on if we lose, you know, if we lose power.

ATTORNEY PAPE: And they're the 60-watt incandescent bulbs.

THE WITNESS: Right, small bulbs.

VICE-CHAIRMAN BARTHELMES: So if I'm south of this looking north at it, I'm seeing -- I'm not seeing any light bulbs. I'm seeing a glow from these lights on the front side, on the north side, but I'm not seeing any light bulbs.

Is that what you said?

THE WITNESS: Yes, there would be no -- there's no reason for me to have lights over there.

VICE-CHAIRMAN BARTHELMES: Okay.

ATTORNEY PAPE: That's Mr. Radosti's direct testimony.

Mr. Radosti, did I miss anything?

THE WITNESS: No, I think that's

everything.
ATTORNEY PAPE: He's available to you and the board for questions.
VICE-CHAIRMAN BARTHELMES: Anybody on the board have a direct question for Mr. Radosti?
MEMBER LAMBROS: So he's not covering landscaping, right? He's not covering any landscaping; somebody else is going to do that?
ATTORNEY PAPE: Well, Peter. Peter did the landscaping presentation. And we had met with Shari to make sure that she was satisfied with it.
MEMBER LAMBROS: So the one thing that I have for Peter anyway, if this gets approved, you know, no tall grass. I think that was a note in my from years ago, right, no tall grass.
ATTORNEY PAPE: Mr. Lambros, he actually said we got rid of the tall grass.
MEMBER LAMBROS: Okay.
VICE-CHAIRMAN BARTHELMES: Sorry, you had a question.
ENGINEER BLASH: Yeah. Where are your mechanicals?
They're not on the roof, are they.
THE WITNESS: They're not on the roof.

So the intention is, it's not intended to be -- the warehouse is not intended to be cooled. It's intended to be, you know, heat and ventilation. So radiant heaters would be inside the building.
There would be ventilation inside the building. So you know there would be some louvers, but that is it.
The office areas would be cooled, but the office areas are 3,000 square feet -- up to 3,000 square feet per building.
ENGINEER BLASH: Okay.
ATTORNEY PAPE: And the roof over the office is lower?
THE WITNESS: Yeah, if needed, the roof over the office could be lower, but given -- given that the office is in a corner where the parapet is higher, and the office area is under 3,000 square feet, the units there would be probably be on the roof, however they would be screened with the parapet.
ATTORNEY PAPE: The parapet never changes its height; it goes straight across. It's the roof that drops down behind the parapet.
THE WITNESS: Right. The parapet mostly goes straight across but it does have some

aesthetic ups and downs to it.
You can't see -- on that one I only drew the parapets on the end because the other parapets are far in the distance.
So the parapet does go up and down for aesthetics reasons. You know, one of the ordinances in Millstone is that the roofline is not supposed to be straight across. So we do drop it in order to meet the design requirements.
But, yes, the roof stays one height in the center of the building, and then it slopes down towards the edges of the building along the short direction.
ATTORNEY PAPE: So the parapet is more significant at the corner and hides that air conditioning.
THE WITNESS: Correct. So since the office would be in one of the corners, the parapets are higher in the corners, it would conceal it. That would be the only places that would have air-conditioning units.
VICE-CHAIRMAN BARTHELMES: You said all the calculations about the square footage going up, cubic footage, but how much bigger is the land?
Did you say 5 percent; is that what I

heard someone say?
ATTORNEY VELLA: So they're also asking for a building coverage variance. Our ordinance only permits a building coverage of 15 percent. They're proposing 19.7 percent.
So they are 5 percent over, but do the calculations of that it's not simply 5 percent, it's 5 percent over the full entire lot area, which is like 1.7 million square feet, isn't it?
The total buildable area is 1.7 million square feet.
ATTORNEY PAPE: That's usable area.
VICE-CHAIRMAN BARTHELMES: I guess what I'm just getting to is --
ATTORNEY PAPE: We'll put all that on, every bit of that will be come from the planner.
VICE-CHAIRMAN BARTHELMES: That's coming from the planner?
ATTORNEY PAPE: That's the planner.
VICE-CHAIRMAN BARTHELMES: I'm just interested in why we're over on that dimension.
ATTORNEY PAPE: Sure.
VICE-CHAIRMAN BARTHELMES: The 5 percent seems trivial to me, but let's hear it.
All right, so any more questions for

the architect?
I think it would be -- you're all done?
ATTORNEY PAPE: Yes.
VICE-CHAIRMAN BARTHELMES: Thank you.
THE WITNESS: Thank you.
VICE-CHAIRMAN BARTHELMES: I would like to get the public to be able to speak, you know, because they have come here tonight.
Do you want five minutes?
MEMBER LAMBROS: I could use five minutes.
VICE-CHAIRMAN BARTHELMES: All right, let's do five minutes.
We'll reconvene right at 10:00 o'clock sharp, the public can say a few words and give the feedback, and then we'll try to get out of here by 10:30.
(A recess was taken at 9:52 p.m.)

(The meeting reconvenes at 10:04 p.m.)

PUBLIC COMMENT SESSION

VICE-CHAIRMAN BARTHELMES: All right, so what we're going to do for the next 25 minutes,

if the public would like to come up ask comments, questions, give feedback. It's important you express all your concerns so the applicant can hear them.
This is an interesting and difficult situation that we all, you know, have to understand. applicant versus the community, so the best -- you know, please don't come up and say it's going to kill the kids; I don't want to hear that.
Tell me exactly a precise question that the applicant can answer, and we'll see what we can do.
So right now I'll open it to the board at five after 10:00.
ATTORNEY VELLA: All right, we're going to open up to questions or comments because you guys have been out here for a while. We are not -- if you come up now you are not being precluded to come up again when more witnesses testify and towards the end, so don't feel like this is your one last opportunity. That is not the case.
VICE-CHAIRMAN BARTHELMES: Correct.
ATTORNEY VELLA: So if you have any questions regarding the architect or the engineer, or want to give a statement or a comment.

Come back up. You have previously been sworn. You could start right up. Just state your name for the record.
IZZY TULA: Izzy Tula.
ATTORNEY VELLA: Slower and louder.
IZZY TULA: Izzy Tula.
ATTORNEY VELLA: Thank you, Mr. Tula.
IZZY TULA: Okay, so first question is what is the as-of-right total volume footage for the buildings versus the proposed square footage volume?
ATTORNEY PAPE: The architect indicated that he hadn't calculated those or done that comparison, but we'll agree to have that at the next meeting.
IZZY TULA: Okay.
ATTORNEY VELLA: And according to the charts from our planner, for a building coverage percentage the maximum permitted building coverage is 267,488 square feet of building -- not talking cubic -- and they're proposing 351.
So that's the building area size, not what's inside, just the outside perimeter. That gives you some idea. And that's roughly 83,000 square feet larger than is permitted.
IZZY TULA: I have other questions;

I'm not going to ask that question now.
ATTORNEY VELLA: Right. That may help you out.
IZZY TULA: Thank you.
VICE-CHAIRMAN BARTHELMES: So, Mr. Pape, you will have that next time?
ATTORNEY PAPE: Yes, as-of-right cubic square footage, what would have been permitted at 30 feet at 276 versus 40 feet at 340.
Got it.
VICE-CHAIRMAN BARTHELMES: Thank you.
Anyone else?
Well, then, if nobody else wants to come --
FRED NURKO: No, no, I got one.
VICE-CHAIRMAN BARTHELMES: Come on up.
ATTORNEY VELLA: Sir, please raise your right hand. Do you swear or affirm the following testimony you are about to give is the whole truth, and nothing but the truth?
FRED NURKO: I do.
ATTORNEY VELLA: Please state your name for the record, spelling last name and give us your address.
FRED NURKO: Fred Nurko, N-U-R-K-O.

ATTORNEY VELLA: Did you guys get that?
FRED NURKO: Nurko, N-U-R-K-O.
ATTORNEY VELLA: And your first name, sir?
FRED NURKO: Fred.
ATTORNEY VELLA: And your address?
FRED NURKO: 60 Nurko Road, Millstone.
ATTORNEY VELLA: Ironic your last name is the same as your street.
FRED NURKO: A couple observations I made tonight. When the fire chief spoke I was very impressed with his presentation. And my concern was do we have the capabilities of putting a fire out, all right.
And what has happened, I remember 20 years ago we had the building -- 20, 30 years ago when we had this building influx with residential homes, all right, the owner of the property across the street from me with six acres and he wanted to subdivide it. Well, come to find out it was 5.99. Well, all my neighbors were up in arms, "We want to get a petition going, we're going to stop this." I said "Wait a minute, time out, say you owned that property, and you wanted to subdivide that property for one of your children, would you want the board

to turn you down because of a petition of one one-hundredth of an acre? Let's be honest about it."
So I looked at that and look at the 30-foot versus the 40-foot difference. It's 10 foot, all right. By the only testimony, 30 foot is warehouses, nobody wants them, they're not -- nobody wants them.
Again, you're talking 10 foot. The fire chief said we had the capability of putting the fire out. It's not combustible, you know. And I says what's the issue, it's 10 feet.
And the other comment I want to make is I have been a life-long resident. My family has been here for many, many generations. You know, I heard the argument about tax ratables, blah, blah, blah. Well, hell, I can go back to 1960, 1970 growing up in Millstone when it was strictly an agricultural community, okay. It has such evolved. Progress moves on.
I didn't like seeing all these developments moved in; I like seeing it how it used to be. But, who am I to say to stop progress. And over the years Millstone has evolved, and evolved in a good way.

I know a lot of new residents they moved here because, oh, we love the rural atmosphere of millstone. And it is, it is still a beautiful town, but it's not the town I knew. But I never complained about it, I accepted it.
But in the meantime my taxes go up because residential homes do not bring in the ratables you need to -- it's going to cause your ratables to go up for school. You have a commercial building, it helps reduce the ratables for the homeowners. So it makes sense to me.
So I'm in favor of, please, to provide that variance that they need.
Thank you.
VICE-CHAIRMAN BARTHELMES: Thank you, Mr. Nurko.
ATTORNEY VELLA: Sir, please raise your right hand. Do you swear or affirm the following testimony you are about to give is the whole truth, and nothing but the truth?
FRANK JUBA: Yes, I do.
ATTORNEY VELLA: Please state your name for the record, spelling last name and give us your address, sir.
FRANK JUBA: My name is Frank Juba,

J-U-B-A, I'm at 17 Running Brook Drive.
And my concern is the original zoning. So 30 feet, somebody put some thought into that, I would assume, town planners, 20, 30 years ago.
We all knew the day was going to come when this wouldn't be the agricultural town. And they limited the footprint of retail, and they've footprint of businesses. And the 30 feet, is the 30 feet designed for line of sight or light pollution, which I think is getting to be a concern.
And I know it sounds like it's only 10 feet, but 10 feet on 30 feet is 33 percent larger, taller. Does that set a precedent for the next variance that somebody is trying to get?
Those are my questions and concerns.
ATTORNEY VELLA: Thank you, sir.
VICE-CHAIRMAN BARTHELMES: Thank you appreciate it.
Anyone else? Come on up.
ATTORNEY VELLA: Sir, please raise your right hand. Do you swear or affirm the following testimony you are about to give is the whole truth, and nothing but the truth?
MICKEY SPOONER: I do.
ATTORNEY VELLA: Please state your

name for the record, spelling last name, sir.

MICKEY SPOONER: Mickey Spooner, S-P-O-O-N-E-R, 745 Perrineville Road. Born and raised. 50 years, just turned.

As Mr. Nurko just said, I watched this town change from dirt roads to kindergarten across the street from the Clarksburg Inn when it was still here. The one thing that we're not going to stop is the evolution.

I have known the Hom family for many years. This is their legacy. This is their livelihood. This is their retirement. Most of us don't have these opportunities to grow in an environment like this. It's their livelihood.

I ask all you guys to look at what's your livelihood? This is what they have to leave behind.

They've donated tons of land in this area, in this community, down the street from Battleground Road, preserved farmland.

They gave up future development rights for this town. So all they're giving up is a piece of property for some development that is actually zoned for that area.

So that's my take on it. And I wish

you vote favorable for the Hom property.

VICE-CHAIRMAN BARTHELMES: Thank you, Mr. Spooner.

ATTORNEY VELLA: Ma'am, please raise your right hand. Do you swear or affirm the following testimony you are about to give is the whole truth, and nothing but the truth?

ELIZABETH BOLAND: I do.

ATTORNEY VELLA: Please state your name for the record, spelling your last name.

ELIZABETH BOLAND: My name is Elizabeth Boland, B-O-L-A-N-D. I think it's disingenuous to pull on heart strings -- no one is --

ADMINISTRATOR SIMS: What's your address? I'm sorry.

ELIZABETH BOLAND: I'm sorry, my address is 302 Windcrest Court.

It's disingenuous to pull on heart strings and make it seem as though we don't want them to make money. I'm very sorry that your retirement plan does not fall within the guidelines of an entire town.

If your retirement portfolio was based on stocks that underperformed, should we compensate those people as well?

I just think we need to -- we made those decisions for a reason. We made the ordinances for a reason. And I think your responsibility is to the town as a whole, not one family.

Thank you.

VICE-CHAIRMAN BARTHELMES: Thank you, Ms. Boland.

Don't be shy. Come on up.

ATTORNEY VELLA: Please raise your right hand. Do you swear or affirm the following testimony you are about to give is the whole truth, and nothing but the truth?

BARBARA ANN NOON: Yes.

ATTORNEY VELLA: Please state your name for the record, spelling your last.

BARBARA ANN NOON: My first name is Barbara Ann, and my last name is Noon, like 12 o'clock noon. And I live at 104 Aggress Road.

My question is we talked about fires this evening, what about flooding? Any issues? Anything I missed at previous meetings? What if there's floods?

ATTORNEY VELLA: Well, why don't we have the engineer -- Mr. Strong, why don't you come

on up and talk about drainage on the site and flooding, et cetera, that you've designed as part of your plan. Because he would be the one that would testify to that.

BARBARA ANN NOON: Okay.

ATTORNEY PAPE: There's a couple of questions that I can ask him to set the stage before he goes into deep drainage.

So, Peter, I'm going to ask if you are familiar with the township's stormwater management ordinances?

PETER STRONG: Yes, I am.

ATTORNEY PAPE: And you're familiar with New Jersey Department of Environmental Protection stormwater statutes?

PETER STRONG: Yes.

ATTORNEY PAPE: Can you advise the board that this plan has been designed to be 100 percent compliant with both the township ordinances and the NJDEP requirements?

PETER STRONG: It has been, yes.

ATTORNEY PAPE: And the system that you have designed by state law must be maintained by the property owner pursuant to a written operations and maintenance agreement that is reviewed by the

township engineer and recorded as a lien against the property?

PETER STRONG: Yes, I am aware of that.

ATTORNEY PAPE: In perpetuity the responsibility is on the property owner, with the township having the power to tax if they fail to do so.

PETER STRONG: That's correct, yes.

ATTORNEY PAPE: And if you would want to spend a little more time describing what your stormwater system is, but I think those are the important elements of the stormwater system.

PETER STRONG: Well, I think I briefly alluded to it when we were talking about the exhibit. There's four infiltration basins that are going to be built around the buildings, and there's one pond that is also going to be built.

So all the stormwater from the building roof drains and the impervious areas for the driveways and loading docks and all that sort of thing would all be directed to the infiltration basins and to the pond.

And the whole premise is that the infiltration basins will allow as much water as

possible to infiltrate back into the ground and recharge the groundwater, and any excess will be then directed to the pond which would be used for irrigation and other purposes for the site, firefighting and lawn irrigation.

And the discharge from the site has to be 50 percent, 75 percent and 80 percent of the 2-, 10-, and 100-year storms under predevelopment conditions allowed to be discharged. So the actual discharge from the site will be less than what the current discharge would be under the existing conditions.

BARBARA ANN NOON: So it will handle the wetlands?

PETER STRONG: Well, we're not going to disturb the wetlands but --

BARBARA ANN NOON: Oh, I thought warehouses disturb wetlands.

ATTORNEY PAPE: This one doesn't.

BARBARA ANN NOON: I thought there was so much research that has been done that warehouses do disturb wetlands. Yes, they do.

ATTORNEY PAPE: You're welcome to that as an opinion.

PETER STRONG: We know where they are.

BARBARA ANN NOON: It's not, it's actually a fact.

ATTORNEY VELLA: One person talking at a time.

BARBARA ANN NOON: I'm listening. I'm listening to you.

PETER STRONG: I just said we know where the wetlands are and we designed the site to avoid the wetlands as much as possible. And the wetlands would not be adversely impacted.

BARBARA ANN NOON: All right.

PETER STRONG: Especially since they're currently farmed, so there's no wetland vegetation or animals or whatever that would be utilizing that area because it was farmed several times a year and turned up and harvested and that sort of thing.

So we would not be harming the wetlands beyond their current conditions.

BARBARA ANN NOON: Okay, thank you. Thank you.

VICE-CHAIRMAN BARTHELMES: Thank you, Ms. Noon.

BRIAN MORAN: Good evening.

ATTORNEY VELLA: Sir, please raise your right hand. Do you swear or affirm the

following testimony you are about to give is the whole truth, and nothing but the truth?

BRIAN MORAN: Yes.

ATTORNEY VELLA: Just state your name for the record, spelling your last name, and give us your address, please.

BRIAN MORAN: Brian Moran, M-O-R-A-N, 7 Nathaniel Drive.

My question is due to the traffic and the trucks. If the road is scheduled for a 12-ton weight limit, how are we allowing tractor-trailers on the road that weigh 88,000 tons?

VICE-CHAIRMAN BARTHELMES: Mr. Pape.

ATTORNEY PAPE: There's a traffic answer and there's a legal answer, and when Mr. Scott Kennel testifies we'll place both of them --

ATTORNEY VELLA: You're going to have a traffic engineer testify?

ATTORNEY PAPE: Yes.

BRIAN MORAN: Well, what is the legal answer?

They're illegally traveling on a road. You're a lawyer. Can they get tickets?

ATTORNEY PAPE: No.

BRIAN MORAN: Why can't they get

tickets?
ATTORNEY PAPE: When we put the traffic on we'll do a comprehensive presentation.
ATTORNEY VELLA: Hold that question for the traffic engineer, and he'll have to answer that.
ATTORNEY PAPE: Yeah.
BRIAN MORAN: Because the road is not wide enough, right? We're going to make it 30-foot-wide; that's what he testified. Sir?
ATTORNEY PAPE: Yes, that's what he said.
BRIAN MORAN: Okay. Okay. 30 feet wide. You think that's wide enough?
ATTORNEY PAPE: Well the township engineer did.
BRIAN MORAN: Okay. So we need to talk to him. Thank you.
VICE-CHAIRMAN BARTHELMES: All right, so what we'll do is the next time they come that will be addressed by the traffic engineer.
ATTORNEY VELLA: So when he comes up and we open it for questions --
BRIAN MORAN: That's my time?
ATTORNEY VELLA: -- that's your time to

jump up.
BRIAN MORAN: Thank you.
VICE-CHAIRMAN BARTHELMES: All right, thank you, Mr. Moran.
VICE-CHAIRMAN BARTHELMES: All right, seeing no one else.
Mr. Pape, if you want, we have 10 minutes, 12 minutes, is there anything worth discussing, or you want to start your next witness? I don't know if there's any value.
ATTORNEY PAPE: I think that the appropriate thing to do is to ask, Mr. Chair, that you identify the opportunity that the board can hear this application again, so that we can check with our professionals to make certain that we can all get back to see you.
VICE-CHAIRMAN BARTHELMES: You know, and unfortunately we're approaching July and August, it's always a little hard to get a full board.
ATTORNEY VELLA: August 26th. Because we have cell tower in July, plus two other applications.
Are you going away?
ATTORNEY PAPE: No, but historically August is a meeting that is very hard to get a full

board. It just is, historically.
VICE-CHAIRMAN BARTHELMES: Can we do a quick poll here; are you guys available in August?
MEMBER ARPAIA: August I'm available. I'm available July as well.
MEMBER CADIGAN: I don't know what my wife has.
VICE-CHAIRMAN BARTHELMES: Steve, are you available August?
MEMBER LAMBROS: I mean today I am.
VICE-CHAIRMAN BARTHELMES: Right, so far you are. I can't guarantee anything, but at least we have a couple of yeses. I'm around, so -- I think I am.
ATTORNEY VELLA: We have two board members, we have to give them two months to get their backs better.
Or do you want to do September, Mr. Pape?
ATTORNEY PAPE: Can I tell you September historically is a very well attended meeting. We need seven to be sitting. We need seven to be sitting.
ATTORNEY VELLA: Does the Board have any problem with the September 23rd?

ATTORNEY PAPE: Let me just look to... September is good.
MEMBER LAMBROS: I think more of the public would be able to attend too.
ATTORNEY VELLA: Maybe we'll cancel August, then.
ATTORNEY PAPE: There's this pressure, we all want to get it resolved, but at the same time...
MEMBER LAMBROS: I can't make a September meeting.
ATTORNEY VELLA: So, Mr. Pape, I think it's appropriate to carry it to the September 23 meeting, okay.
MEMBER LAMBROS: I can't make it September 23, but that's okay.
MEMBER OF THE AUDIENCE: Two other people that couldn't make it tonight either.
VICE-CHAIRMAN BARTHELMES: Please, please.
ATTORNEY VELLA: Whoa, whoa.
You want to move it to October, Mr. Pape?
ATTORNEY PAPE: No, I don't want to go to October.

VICE-CHAIRMAN BARTHELMES: All right, listen, we don't even know if you're going to complete it in September. So let's schedule it for September 23 and we'll see how it goes.

ATTORNEY PAPE: You know, what if I may, and I don't mean to be -- we'll do the August meeting. You just said something very important, if you don't have a full board, and we'll continue to present, and we'll hold for a vote.

So, yes, I would like to be -- Mr. Lambros is right, I can't imagine having...

VICE-CHAIRMAN BARTHELMES: If he wants August 20th, I can't guarantee who's going to be here, but it sounds like a couple of us will be.

ATTORNEY PAPE: If you can convene, we can continue.

Let's go to August.

VICE-CHAIRMAN BARTHELMES: It's a crap shoot.

ATTORNEY PAPE: I know, but you're going to have a meeting.

VICE-CHAIRMAN BARTHELMES: Yes, we're going to have a meeting.

ATTORNEY PAPE: And we'll be able to present, and maybe we won't be able to finish but we

can have a meeting.

VICE-CHAIRMAN BARTHELMES: How many more witnesses?

Please, everyone...

ATTORNEY PAPE: We're going to need to have Mr. Radosti back for a few minutes to put something on. I think there's nothing left for Mr. Strong.

We have Mr. Kennel and we have an operations, we have an industry expert, and we have Christine.

VICE-CHAIRMAN BARTHELMES: That's four.

ATTORNEY VELLA: All right, so let's be practical, okay -- members of the public -- that there is no chance, okay, that you bring four witnesses in August that we're going to be able to complete the application. I mean that's just practical, and probably with other applications on, okay.

So most likely you'll get -- we tried to get four in today and we ended up with two, okay.

ATTORNEY PAPE: Three.

ATTORNEY VELLA: So let's be practical that if we carry it to August that the application,

98.7 percent, is going to be not completed and carried through September, okay.

We'll try it in August, but I'm telling the public I really doubt we're going to get it.

And most likely we don't have to -- just so the public is aware, even if they're done in August, we don't have to vote in August; we could carry the public to September if the board feels that, hey, we've seen a lot of people here in June and there wasn't a lot of people, we could carry it to September for further comment.

So if the Chairman wants we'll carry it to August, let the public understand we're going to have, two, three, maybe four people testify, but we're not going to complete the testimony. It will most likely, if not definitely, be carried through September.

MEMBER OF THE AUDIENCE: That's not fair to the public.

ATTORNEY PAPE: My only comment, Counselor, is that is your learned opinion, and I understand that is your learned opinion, but --

ATTORNEY VELLA: I don't even know if we're going to have a meeting in August.

MEMBER OF THE AUDIENCE: So why not

push it to September?

ATTORNEY PAPE: We'll see you in August.

MEMBER OF THE AUDIENCE: You said it until their lawyer changed your mind.

MEMBER OF THE AUDIENCE: Stop with the nonsense.

VICE-CHAIRMAN BARTHELMES: I think we just have to keep going forward. And I don't think we'll be done in August, so I think we're okay if we have to --

ATTORNEY VELLA: That's up to you, Mr. Chairman. I'm of the opinion -- it's your guys' call, it's not the applicant's call. If you don't want to have it in August due to a quorum, we'll do it in September. I call this an our call rather than a their call.

VICE-CHAIRMAN BARTHELMES: Should we have August?

Steve, you're here?

MEMBER LAMBROS: Right now it looks like I can be.

VICE-CHAIRMAN BARTHELMES: So I think we're going to go to August.

ATTORNEY PAPE: If the announcement

could be made as to the date and the notice requirement.

VICE-CHAIRMAN BARTHELMES: Greg...

ATTORNEY VELLA: Okay, this application is being carried to August 26th, 2027, at 7:30 --

ATTORNEY PAPE: How about 2026?

ATTORNEY VELLA: 2026, sorry. You guys would be happy if it was 2027.

Let me rephrase that. August 26th, 2026, in these chambers, at 7:30 p.m.

There will be no further notice. If you received certified mail previously, you will not receive it again. This is your notice.

As I indicated, you know, we'll make a decision depending how it goes, but most likely be carried to the September meeting, but if you're interested in this application, show up in August.

MEMBER OF THE AUDIENCE: You completely bypassed your constituents.

ADMINISTRATOR SIMS: Mr. Chairman, can I please ask that the applicant give us an extention of time to act through at least the meeting in September.

ATTORNEY VELLA: Why don't you just

make it through December 31, 2026?

ATTORNEY PAPE: On the record the applicant grants the board an extension of time to act and to complete deliberations and take action through December 31, 2026.

That's on the record and I will follow it with a letter tomorrow to Danielle.

ADMINISTRATOR SIMS: Thank you.

VICE-CHAIRMAN BARTHELMES: Okay, thank you.

ATTORNEY PAPE: Thank you.

VICE-CHAIRMAN BARTHELMES: Motion to adjourn.

MEMBER ARPAIA: I make a motion.

VICE-CHAIRMAN BARTHELMES: Second?

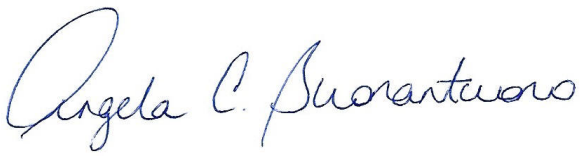
MEMBER LAMBROS: Motion.

VICE-CHAIRMAN BARTHELMES: Motion to adjourn.

Thank you.

(The application was adjourned and the meeting concluded at 10:25 p.m.)

C E R T I F I C A T E



I, ANGELA C. BUONANTUONO, a Notary Public and Certified Court Reporter of the State of New Jersey and Registered Professional Reporter, do hereby certify that prior to the commencement, the witness was duly sworn to testify the truth, the whole truth and nothing but the truth.

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

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

_____

Angela C. Buonantuono, CCR, RPR, CLR
NJ License No. 30XI00233100
Notary Public Commission No. 50014616

Dated: August 3, 2026

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