

JOINT PLANNING BOARD
TOWNSHIP OF RIVER VALE
COUNTY OF BERGEN

-----X
THE FAIRWAYS AT EDGEWOOD, LLC:
BLOCK 1201, LOTS 5 & 6 :
Major Site Plan and Major :
Subdivision :
-----X

Thursday, March 28, 2019
Community Center
628 Rivervale Road
River Vale, New Jersey 07675
Commencing 7:30 p.m.

B E F O R E:

- SCOTT LIPPERT, CHAIRMAN
- ROBERT FORTSCH, VICE CHAIRMAN
- ROBERT ADAMO, absent
- MICHAEL BEUKAS
- MARK BROMBERG, COUNCILMAN
- GLEN JASIONOWSKI, MAYOR
- GREGORY LOWE
- JOHN PUCCIO
- SUSAN VACCARO
- PETER WAYNE
- MARC LEIBMAN, ESQ., BOARD ATTORNEY
- BY: JAIME R. PLACEK, ESQ., First Half of Meeting
- CHRISTOPHER STATILE, P.E., BOARD ATTORNEY
- MARIA HAAG, LAND USE ADMINISTRATOR
- SYLVIA KOKOWSKI, BOARD SECRETARY

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1 CHAIRMAN LIPPERT: Welcome, everyone. This is
2 the special meeting of the River Vale Joint Planning
3 Board for Thursday, March 28th, beginning at 7:30 p.m.
4 although it's close to 7:35, unfortunately.
5 Provisions set forth in the Open Public Meetings Act,
6 notifications of this meeting have been sent to all
7 officially appointed township newspapers and notices
8 posted at the River Vale municipal office. Let's
9 start with the salute to the Flag.

10 (Flag Salute)

11 Everybody please turn your cell phones off or put them
12 on mute. Thank you.

13 Let's have a roll call please.

14 MS. HAAG: Mr. Lowe.

15 MR. LOWE: Here.

16 MS. HAAG: Mr. Beukas.

17 MR. BEUKAS: Here.

18 MS. HAAG: Mr. Adamo.

19 Mr. Bromberg.

20 COUNCILMAN BROMBERG: Here.

21 MS. HAAG: Mayor Jasionowski.

22 MAYOR JASIONOWSKI: Here.

23 MS. HAAG: Mr. Fortsch.

24 MR. FORTSCH: Here.

25 MS. HAAG: Mr. Wayne.

1 Mr. Puccio.

2 MR. PUCCIO: Here.

3 MS. HAAG: Mr. Lippert.

4 CHAIRMAN LIPPERT: Here.

5 MS. HAAG: Ms. Vaccaro.

6 MS. VACCARO: Here.

7 MS. HAAG: Mr. Placek.

8 MR. PLACEK: Here.

9 MS. HAAG: Mr. Statile.

10 MR. STATILE: Here.

11 CHAIRMAN LIPPERT: Okay. That brings us
12 to our application tonight which is the Fairways at
13 Edgewood LLC, Block 1201, Lots 5 and 6, major site
14 plan and major subdivision.

15 Mr. Wolfson.

16 MR. WOLFSON: Thank you, Mr. Chairman,
17 Board Members, Board Professionals, Peter Wolfson on
18 behalf of the applicant for the continuation of this
19 hearing.

20 May I be seated?

21 CHAIRMAN LIPPERT: Of course. Do me a
22 favor and tell us what you, who you intend to present,
23 what you expect to get accomplished tonight.

24 MR. WOLFSON: I'm happy to.

25 You'll recall that we had our engineer, Daphne

1 Galvin, here last time and she was towards the end of
2 cross-examination. If it pleases the Board, we
3 thought we would do a little bit of redirect to just
4 get some facts on the record for some issues that were
5 raised at the hearing quickly and then hopefully
6 complete her cross and then we were going to bring
7 Karl Pehnke, our traffic expert, up. And we also have
8 Adam Alexander, Partner Architectural Group, who is
9 our landscape architect.

10 CHAIRMAN LIPPERT: Please proceed.

11 MR. WOLFSON: I would like to recall
12 Daphne Galvin.

13 CHAIRMAN LIPPERT: And she has previously
14 been sworn.

15 MR. WOLFSON: She has.

16 REDIRECT EXAMINATION BY MR. WOLFSON:

17 Q Good evening.

18 A Good evening.

19 MR. WOLFSON: I just want to lead you
20 through some of the issues that were raised at the
21 last hearing to get these facts on the record and we
22 made the announcement at the last session that
23 although Daphne was qualified as a planner, we're
24 going to bring a planner back, an additional witness
25 back at the end of the hearing.

1 And to the extent that any of the variances that
2 have been asserted as necessary in connection with the
3 design are still open and if we need to and the Board
4 thinks we need to, we will provide planning testimony
5 at that point.

6 So Daphne is going to put some short background
7 information down as an engineer.

8 Q Okay. The last time you testified you
9 indicated that you had done an analysis of the
10 percentage of the site that was landscaped and that we
11 exceeded the 30 percent minimum requirement.

12 A That's correct.

13 Q Okay. Since then did you have a chance to
14 further look at that and refine the calculations?

15 A Yes, we have.

16 Q And what percentage are you now in excess
17 of for that design?

18 A Yes. We refined the calculation based on
19 the definition in the ordinance and we are now at
20 minimum 40 percent for the landscaping as proposed.

21 Q Great. And there was some question about
22 the building and the impervious coverage for the
23 individual lots.

24 Did you have a chance to look at that?

25 A Yes.

1 Q Starting with the main residential lot,
2 how many acres is that?

3 A The residential lot is 43.09 acres.

4 Q Okay. Of that acreage what percentage is
5 occupied by buildings?

6 A The buildings are 9.2 acres is, which is
7 21.4 percent. The other impervious coverages on that
8 lot 13.2 acres which is 30.6 percent. So the total
9 impervious on the main lot is 22.4 acres or 52
10 percent.

11 Q Let's turn to the COAH lot. Can you go
12 through that same analysis for us?

13 A Sure. The size of the COAH lot is 1.31
14 acres, the building coverage proposed .22 acres which
15 is 17 percent. The other impervious surfaces are .45
16 acre 34.4 percent bringing the total impervious
17 surface 0.67 acres of 51 percent.

18 Q And, finally, how about the building
19 impervious coverage for the golf course and
20 maintenance lot?

21 A The total acreage for that lot is 115.65
22 acres. The building coverage on that lot is 1.55
23 acres which is 1.3 percent and the total of the other
24 impervious surfaces is 1.4 acres or 9.8 percent
25 bringing the grand total of impervious surfaces to

1 12.9 acres or 11.2 percent.

2 Q Okay. Thank you. There was some
3 discussion about accessory buildings existing on the
4 site as of today as well as what would be there when
5 the project is completed.

6 Can you lead us through the accessory buildings
7 on the site today?

8 A Sure. There are a total of 10 accessory
9 buildings on the site today. Four of those are
10 maintenance buildings. The one maintenance building
11 is 5,246 square feet. The second maintenance building
12 is 4,084 square feet. The third maintenance building
13 is 3,137 square feet and the last maintenance building
14 is 491 square feet. There's also a pump house
15 building that is approximately 1,389 square feet, a
16 second pump house building which is 555 square feet.
17 The midway building is 10,893 square feet. The second
18 midway building between the clubhouse and the first
19 building, 6,793 square feet.

20 And then there are two accessory structures
21 associated with the pool. The first one is 626 square
22 feet and the second one is 365 square feet.

23 Q And is it proposed that the four
24 maintenance buildings will be removed as part of the
25 project?

1 A Yes. The four existing maintenance
2 buildings which are located in the back corner of the
3 residential area are being removed.

4 Q And how many new accessory structures are
5 proposed as part of the project?

6 A There's a total of three new accessory
7 structures proposed, two maintenance buildings which
8 access off of Piermont Road which I provided testimony
9 for last time and then the gatehouse structure at the
10 main entrance on Rivervale Avenue. That's the three
11 new accessory structures.

12 Q And our architect is going to provide some
13 additional testimony on the structures and the
14 operations of the structures?

15 A Correct.

16 Q So at the end of the day when the project
17 is approved, is there a net decrease in number of
18 accessory building?

19 A There's a net decrease of one accessory
20 building.

21 Q Please identify the location of the bulk
22 term storage area.

23 A Behind the second maintenance building off
24 of Piermont Road.

25 Q What is the size of that area?

1 A 1,659 square feet.

2 Q What is the distance from the right of way
3 to the nearest proposed accessory structure?

4 A That would be the proposed maintenance
5 building off of Piermont Road, 106 feet from the right
6 of way line.

7 Q What's the distance from the right of way
8 to the proposed gatehouse?

9 A Over at River Vale that distance is 165
10 square feet.

11 Q I'm sorry. One --

12 A 165 feet.

13 Q Is there a minimum opaque landscape buffer
14 provided along the frontage?

15 A Yes.

16 MR. WOLFSON: And we have our landscape
17 architect here tonight. As I indicated, he would be
18 prepared to provide further testimony regarding that.

19 Q Will the subdivision line be revised for
20 the, will one of the subdivision lines for COAH be
21 revised?

22 A Yes. The proposed westerly line of the
23 COAH building will be modified to eliminate the jog in
24 the line so it would be one straight line for the rest
25 of the property line.

1 Q Since the last hearing did you submit
2 individual zone tables for the two lots as well as the
3 combined zone table that already had been submitted?

4 A Yes.

5 Q Okay. Since the last hearing, you
6 indicated at the last session that the applicant would
7 agree with, by my estimate, 90 percent or more of the
8 suggestions and requests in Mr. Statile's review
9 letter.

10 Since then has the applicant been consulting
11 with you to come up with additional items that they
12 can agree with?

13 A Yes.

14 Q Can you run through those, please?

15 A Sure. Along Piermont Road a portion of
16 the existing pedestrian bike path is only 3 feet wide.
17 That exists between Mark Lane and the westerly end of
18 the property.

19 We are going to increase the width of that path,
20 reconstruct it so it's 7 feet wide which is consistent
21 with the balance of the path that runs from River Vale
22 and then along Piermont until Mark Lane, and extended
23 all the way down to the westerly end of the property.

24 Mr. Statile has agreed that any permits
25 necessary for that construction relative to the buffer

1 area will be obtained by his office.

2 The second item is that the trash enclosure
3 associated with the COAH building was originally
4 proposed to be white vinyl.

5 Mr. Statile had requested it be a masonry
6 structure and we're going to modify it to be a masonry
7 structure.

8 The third item is relative to the length of the
9 driveways that we was originally proposed as it
10 relates to the sidewalk location in the townhouse
11 development.

12 Mr. Statile was looking for a longer driveway so
13 what we've done is we've modified the location of the
14 sidewalk relative to the curb and are proposing a
15 minimum of a 20 foot long driveway for each of the
16 town house units. And that's, we can accommodate that
17 by increasing the sidewalk width to 5 1/2 feet as
18 measured from face of curb to the sidewalk.

19 The last item brought up by one of the Board
20 Members is the issue about some washout areas, the
21 tennis court along Rivervale Road and we'll regrade
22 that area to as well.

23 MR. WOLFSON: Thank you.

24 Mr. Chairman, Board Members, you will recall
25 there was extensive cross-examination of Daphne's

1 prior testimony. At this point we would like to open
2 her up for testimony on this for cross-examination.

3 CHAIRMAN LIPPERT: Well, first I want to
4 hear from Mr. Statile before we do that.

5 MR. WOLFSON: Okay.

6 MR. STATILE: Yes. Mr. Chairman and
7 members of the Board and members of the audience, I
8 have met with the applicant's professional engineer as
9 well as the representative of the applicant to go over
10 the report and come up with concessions on a number of
11 the items which I brought up to the Board. I think
12 we're 90 percent there.

13 Basically we have a few things, housekeeping, to
14 take care of with respect to that.

15 The County Planning Board approval which
16 actually controls Piermont Avenue and Rivervale Road.
17 I made suggestions. I worked with Eric Timsack on
18 technical improvements that have to be made across the
19 State and the County.

20 I have to catch up with the Board on this. I
21 think the applicant's engineer just wrote up a bunch
22 of refined impervious coverages.

23 I also received a copy of the revised bulk
24 table.

25 I think those numbers she went over very

1 quickly, have been reflected on the bulk table and the
2 plans so we have it more or less property. I was
3 trying to scribble it down.

4 She speaks faster than I do.

5 CHAIRMAN LIPPERT: I don't buy that.

6 MR. STATILE: Anyway, that's that.

7 Meanwhile the office of the professional
8 planner, she's prepared a draft planning report.
9 She's still working on it with our staff. We should
10 have that for you probably by next week assuming in
11 time for the applicant's planner to testify.

12 And we may actually get-together to make sure
13 both the planners are on the same, same footing
14 basically. In terms of the application, no surprises
15 for the Board and audience as well.

16 So all the things we asked for whitening for the
17 fire trucks. We conceded to that as well. Some more
18 sidewalks, improve the, it's next to the county road.
19 We're 50 percent there.

20 CHAIRMAN LIPPERT: How are we going to
21 resolve the remaining 10 percent?

22 MR. STATILE: I'll work with the
23 applicant. Don't worry about that.

24 CHAIRMAN LIPPERT: That's still work in
25 progress.

1 MR. STATILE: Yes.

2 CHAIRMAN LIPPERT: So what I, what I'd
3 like to do now is, we'll open it up to the public to
4 allow for questions to this witness. The questions
5 should really be limited to the testimony that she
6 just gave now because she's already been
7 cross-examined extensively on her other testimony.

8 So if anyone wants to ask this witness any
9 questions, come on up to the podium and identify
10 yourself for the record.

11 MR. GARRISON: Charles Garrison, G A R R I
12 S O N, 541 Piermont Avenue, River Vale.

13 I think the question is a proper question but I
14 get into the buildings, the buildings being on the
15 site remaining, being removed. Are any of them used
16 to house personnel at any time during the week?

17 MR. WOLFSON: So we're going to have
18 testimony as to what happens in the buildings with a
19 future witness.

20 MR. GARRISON: You understand the building
21 I'm talking about, the accessory buildings that you're
22 talking about where lawn movers are kept.

23 MR. WOLFSON: I understand the question.

24 The engineer testified as to the square footages
25 which is an inquiry which was made at the last session

1 and I indicated we're going to be bringing our
2 architect to testify as to the operations within the
3 buildings.

4 MR. GARRISON: Clearly is there any human
5 beings going to be in there at any time during the
6 week?

7 Thank you. That's my question.

8 CHAIRMAN LIPPERT: Okay. Let's remember
9 to ask that of the architect.

10 Anyone else?

11 MS. DARSA: Francine Darsa, D A R S A, 23
12 Holiday Court, River Vale.

13 I didn't get a chance to ask this question so
14 I'm going to pose it now. Toward the end of your
15 discussion you came out and said that the impervious
16 allowance was based on the entire 27 hole golf course.

17 Is that correct?

18 THE WITNESS: There's a question about
19 whether the impervious coverages should be assigned on
20 an individual lot basis or based on the entire 187
21 acres. That's what you're referring to.

22 Is that correct?

23 MS. DARSA: Well, what I remember you
24 saying to someone else, I had already asked my
25 question and I wasn't allowed to get back up here.

1 When you said that the impervious allowance was based
2 not just on the nine holes which is what we feel that
3 it should be based on, certainly when you have 18 more
4 holes it doesn't seem right that their impervious
5 allowance should be based on that when they're
6 concerned with this development.

7 So my question again is, the numbers and
8 percentages that you're quoting is the impervious
9 allowance based on the entire golf course?

10 MR. WOLFSON: If I may, Ms. Darsa, I think
11 you're looking for a conclusion of the nature of a
12 planning and he'll answer. So I'd like to defer that
13 to our planner.

14 FEMALE SPEAKER: Answer the question.

15 FEMALE SPEAKER: Answer the question,
16 please.

17 CHAIRMAN LIPPERT: You know, I, I don't
18 need everybody yelling from the audience. We're going
19 to conduct this meeting with some decorum. You'll get
20 a chance to ask your questions. If you don't like the
21 answers that you hear you can ask more questions for
22 you --

23 MR. WOLFSON: Can I make a statement --
24 excuse me.

25 CHAIRMAN LIPPERT: Or you can make a

1 statement at the end. But I don't need on-going
2 commentary from the audience about, about the back and
3 forth with the witness with someone that's asking a
4 question. So that's not going to be tolerated.

5 So, Daphne, can you answer that question?

6 THE WITNESS: I just provided testimony as
7 to the breakdown.

8 MS. DARSA: But that's not --

9 CHAIRMAN LIPPERT: No. No. No. You're
10 not letting her answer. You have to let her answer.

11 THE WITNESS: I now, just earlier tonight,
12 provided the numbers, the impervious for those
13 individual lots, the three separate lots; the town
14 house development lot, the COAH lot and the remaining
15 golf course lot.

16 MS. DARSA: But that's, that's, that
17 answer may be different than what you told us a month
18 ago because in your words you said, after I sat down,
19 someone asked you a question, I don't know how many,
20 and I'm not asking anybody to answer, I don't know how
21 many people heard you say that the allowance was
22 based, your allowance that you talked about last time
23 is based on the entire 20, whatever, 27 holes.

24 THE WITNESS: I don't recall the number I
25 provided to you.

1 MS. DARSA: Well, we can look at the
2 testimony. I mean we have transcripts.

3 Correct?

4 MR. WOLFSON: So I wrote down your
5 question just as I wrote down the last one and I
6 promise that I will pose that to the planner and give
7 you an answer.

8 MS. DARSA: You understand it is very
9 frustrating for us to hear something a month ago and
10 now, if I pose the same question to the same person,
11 all of a sudden, we can't get the answer.

12 So I'm just, you know, letting everyone know
13 that it's frustrating.

14 CHAIRMAN LIPPERT: We're going to get you
15 an answer to that question.

16 MS. DARSA: Okay. That's fine.

17 CHAIRMAN LIPPERT: And if we don't get you
18 an answer, you will remind us that we did not and
19 you'll make sure that we do.

20 Anyone else?

21 MS. SOROKA-DUNN: My name is Cynthia
22 Soroka-Dunn and I live at 85 Whitman Street in
23 Haworth.

24 This is the first time I've heard about this and
25 I heard this maybe on Facebook and I just wanted to

1 ask you, based on what I see and what I hear, some of
2 the impervious and impervious situations are going to
3 possibly be effecting drinking water. And that was
4 something that I wanted to find out about, if that is
5 the case because it's supposed to be runoff into the
6 Hackensack River and I want to find out if that is the
7 case or not.

8 That's the first question.

9 THE WITNESS: Yes. The runoff goes
10 ultimately into the Hackensack River. And the storm
11 water management design which handles and treats the
12 runoff of those impervious surfaces has been designed
13 in accordance with the New Jersey Department of
14 Environmental Protection storm water management
15 standards.

16 MS. SOROKA-DUNN: Okay. Will --

17 CHAIRMAN LIPPERT: Excuse me. I'm not
18 sure. Did you say you live in Haworth?

19 MS. SOROKA-DUNN: Yes. I live in Bergen
20 County.

21 CHAIRMAN LIPPERT: All right. Go ahead.

22 MS. SOROKA-DUNN: Okay. So that was the
23 first question that I had and, you know, because, you
24 know, I come into this town every once in a while.
25 And I just wanted to find out if drinking water in

1 this area is going to be effected by this plan as have
2 been done in the plan over --

3 CHAIRMAN LIPPERT: Please ask questions.

4 This is not the time to --

5 MS. SOROKA-DUNN: You just said I could.

6 CHAIRMAN LIPPERT: I said you could ask
7 questions not make speeches. Ask a question.

8 MS. SOROKA-DUNN: Mr., what is it?

9 CHAIRMAN LIPPERT: Pardon me.

10 MS. SOROKA-DUNN: How do you pronounce
11 your last name?

12 CHAIRMAN LIPPERT: Lippert.

13 MS. SOROKA-DUNN: Mr. Lippert, I'm only
14 going to make a couple small things and then I'll ask
15 the last question. Okay.

16 CHAIRMAN LIPPERT: No. Ask questions.

17 MS. SOROKA-DUNN: Why? This is a public
18 meeting and you're supposed to be able to be allowed
19 to say what we feel.

20 CHAIRMAN LIPPERT: Let me say what I've
21 said. You weren't present at any other meetings.

22 MS. SOROKA-DUNN: Okay.

23 CHAIRMAN LIPPERT: What I stated at all
24 the other meetings, at the end of all of the testimony
25 of all the applicant's witnesses, everybody from the

1 public will get a chance to make a statement and state
2 what they like.

3 Now is the time to ask questions of a witness.
4 So if you have questions of the testimony that this
5 witness just gave, now is the time to do that. If you
6 do not have any questions then you should wait until
7 the end when it's time for people to make their
8 statements.

9 MS. SOROKA-DUNN: Okay. Then I'll ask one
10 other question. And that question is about the
11 situation, once this building is being done or
12 however, what has been done to signify the issue with
13 any endangered animals or any other animals present on
14 the property in terms of respecting the situation that
15 is with them or what is going on with that.

16 THE WITNESS: There was an Environmental
17 Impact Statement submitted in support of the
18 application and the application has also, the project
19 has also been the subject of a wetland delineation and
20 a NJDEP flood hazard area verification. And that
21 verification was a confirmation of a 300 foot riparian
22 buffer along with Holdrum and River Vale Brooks.

23 We are not proposing any disturbances within
24 those buffers except to the extent of the sidewalk
25 being constructed along Piermont. So there is no

1 disturbance to that level.

2 MS. SOROKA-DUNN: Okay. Thank you very
3 much.

4 CHAIRMAN LIPPERT: Anyone else?

5 MS. MORGENSTEIN: Florence Morganstein, 9
6 Holiday Court, M O R G E N S T E I N. I was not at
7 the last meeting but I have two questions.

8 One, what is the capacity of the two holding
9 ponds?

10 THE WITNESS: Which holding tanks are you
11 referring to?

12 MS. MORGENSTEIN: The holding tanks for
13 the overflow of water.

14 THE WITNESS: The basins, the storm water
15 management basins.

16 MS. MORGENSTEIN: Whatever -- that's what
17 they're called?

18 THE WITNESS: Yes.

19 MR. VAN ECK: Okay. What are the capacity
20 for those?

21 THE WITNESS: The capacity of the two --
22 actually the three basins is approximately 15 acre
23 feet. In other words, if you have one foot of water
24 and spread it over 15 acres, that's how much water.

25 MS. MORGENSTEIN: Okay.

1 MR. STATILE: Daphne, why don't you put it
2 in different terms.

3 MS. MORGENSTEIN: Thank you. I would
4 appreciate it.

5 MR. STATILE: To help you out and the
6 audience put it in terms of the types of design
7 storms.

8 THE WITNESS: Okay. So the storm water
9 management system is designed to address various storm
10 events as required by DEP storm water standards.
11 Those storm events are two year event, the 10 year
12 event and the hundred year event. Correct. All
13 right.

14 MS. MORGENSTEIN: So that's what it means
15 if there's a...

16 THE WITNESS: Yes. So the basins have
17 been designed to accommodate the hundred year event.
18 In fact, there's been a reduction in flow for the
19 existing conditions, with the proposed condition with
20 the storm water management system.

21 MS. MORGENSTEIN: So have you done any
22 studies south of Piermont Avenue where the brook
23 that's already there overflows in the rain and all
24 over the ground of Holiday Farms is soaked beyond.
25 Have you done any studies past what's on your

1 map there?

2 THE WITNESS: No.

3 MS. MORGENSTEIN: Is there a possibility
4 to do a study to see what the effects of that might be
5 on that community?

6 THE WITNESS: WE have provided a design
7 that's in accordance with the State storm water
8 management standards.

9 MS. MORGENSTEIN: And I have one other
10 question which I wasn't here at the last meeting but I
11 was told that you were asked if you are aware of all
12 the underground streams that exist both on your
13 property and the Holiday Farms' property.

14 Are you aware of those streams that run
15 underground through both properties?

16 THE WITNESS: No.

17 MS. MORGENSTEIN: You're not aware of
18 that?

19 THE WITNESS: No.

20 MS. MORGENSTEIN: And is there any project
21 to study that to see the effects because if the water
22 can't go anywhere, it's going to go down stream.

23 Correct?

24 THE WITNESS: There's no study proposed at
25 this time.

1 MS. MORGENSTEIN: And is there a map at
2 town hall that shows what the underground streams are
3 in your area?

4 THE WITNESS: I don't know.

5 MS. MORGENSTEIN: Would you possibly be
6 considered looking at that?

7 THE WITNESS: If the information is
8 available at the town, we would look at it.

9 MS. MORGENSTEIN: Thank you.

10 CHAIRMAN LIPPERT: Anyone else?

11 MS. TORRES: Hello. Cindy Torres, T O R R
12 E S, 452 Old Tappan Road in Old Tappan.

13 My question does sort of follow along the same
14 line as her questioning.

15 I was also wondering if you guys had studied at
16 all, you know, the water or how the water would follow
17 or the storm, storm drains would follow east of
18 Rivervale Road along the proposed property line.

19 MR. WOLFSON: Mr. Chairman, Daphne is
20 going to answer but at some point these questions are
21 repetitive. In my opinion, Daphne provided
22 comprehensive answers.

23 CHAIRMAN LIPPERT: I know but what I would
24 like the witness to do, if you could just briefly
25 explain what you are required to do and, and, I think

1 your testimony was that as a result of the storm water
2 design there's going to be less runoff than there is
3 today from the site.

4 Correct?

5 THE WITNESS: Correct.

6 CHAIRMAN LIPPERT: And explain what the
7 law requires you to do briefly and just elaborate on
8 that, please.

9 THE WITNESS: Sure.

10 CHAIRMAN LIPPERT: I think maybe that
11 would help.

12 THE WITNESS: The State storm water
13 management standards require that we address three
14 items in the storm water management design, water
15 quality, water quantity and groundwater recharge.

16 The project is exempt from groundwater recharge
17 requirement because it's located in Planning Area No.
18 1 that has been previously developed.

19 With respect to water quality, we're providing
20 water quality in the proposed storm water management
21 basin. We are also providing water quantity in the
22 storm water basins. The water quantity parameters,
23 usually the one that's the most obvious because that's
24 where there's concern about increase in storm water
25 impact on other properties. We are required by the

1 standards to actually reduce the discharge rate from
2 the site to below the existing conditions.

3 So in the two year storm which is the smaller
4 storm, we have to reduce it to 50 percent of the
5 existing flow. In the 10 year storm, we have to
6 reduce it to 75 percent of the existing flow. And in
7 the hundred year storm we have to reduce it to 80
8 percent of the existing flow. So every storm we are
9 reducing the discharge rate from the site.

10 MS. TORRES: Okay. From the site. Would
11 you be able to explain in layman's terms or a little
12 bit more simply, you know, if I would give you an
13 example? I'm a new home owner to the area and my home
14 does not qualify for as part of the hundred year, you
15 know, flood plain. I have owned the home for less
16 than three years and in 1 1/2 years, I live less than
17 200 feet from the proposed entrance to the driveway, I
18 believe. And the water from Hackensack River has
19 reached our driveway twice. So, for me, it is a very
20 large concern.

21 So my question to you is, with those numbers
22 that you're proposing, even though you are
23 technically, I assume, reducing the amount, would you
24 believe that there would still, would that effect that
25 in any way or would you -- are you saying you would

1 reduce the amount of storm water that I would be
2 seeing potentially?

3 THE WITNESS: We don't expect this project
4 to have a negative impact on adjoining property from
5 that stream below us which I believe is where you are.

6 MS. TORRES: We're east so --

7 THE WITNESS: East of?

8 MS. TORRES: Rivervale Road.

9 THE WITNESS: Oh, okay. So with respect
10 to Rivervale Road -- I'm sorry. I thought you were at
11 the other end with respect to the Rivervale Road. We
12 have actually redirected some of the existing flows
13 that would go into the River Vale storm sewer system.
14 We directed those into the proposed storm water
15 management system at the other end of the site so we
16 are reducing the flows to River Vale also.

17 MS. TORRES: That's why there's a lot of
18 concern for --

19 THE WITNESS: I apologize for the
20 location.

21 MS. TORRES: Okay. Mr. Lippert, I have
22 another question for you.

23 My question would simply be, since I wasn't here
24 at the last meeting as well, at what point would it be
25 okay to address questions or if -- did that happen

1 before or will that happen in the future with regard
2 to things like property values and questions like
3 that?

4 CHAIRMAN LIPPERT: Well, property values
5 really aren't relevant in a zoning application. It's
6 not relevant.

7 I, I suspect, though, since you weren't here
8 I'll tell you this, that there was testimony about the
9 pricing of these units were going to be and they're
10 going to be rather expensive. So, as a layman,
11 without any particular expertise in property values, I
12 would say that that would tend to have a good effect
13 upon the surrounding properties and not a bad one.

14 But, you know, you're free to, to --

15 MS. TORRES: Figure that out.

16 Where would I find the, you know, the notes from
17 that or the -- what was discussed?

18 CHAIRMAN LIPPERT: Well, the minutes are
19 on the website. Right.

20 MS. TORRES: The minutes are on the
21 website.

22 CHAIRMAN LIPPERT: Yep.

23 MS. TORRES: Okay. Great. I appreciate
24 it. Thank you.

25 MR. JAEGER: Rudy Jaeger, J A E G E R.

1 CHAIRMAN LIPPERT: And your address, sir.

2 MR. JAEGER: MY address is 48 James Street
3 in Westwood and I own the property at 3 Holiday Court
4 in River Vale.

5 My attendance at the last meeting was deficient.
6 I apologize for whatever I might have missed.

7 The question I have as a home owner, south of
8 the property, have you, and I'm sure the DEP has
9 covered this in the plan as well, the water table in
10 the basement of my unit is within a foot of the floor.

11 And my question will be to you that what impact
12 will the efforts you're going to make have on that
13 water table in my residence?

14 MR. WOLFSON: Mr. Chairman, that's been
15 asked by other residents and I think it's been fully
16 answered.

17 CHAIRMAN LIPPERT: If you could just
18 briefly answer it.

19 Look, see if you can answer the question.

20 THE WITNESS: Without knowing any of the
21 details of your property, I'll repeat my response
22 before is that we do not expect this project to have a
23 negative impact on the down stream properties.

24 MR. JAEGER: And I would ask the following
25 question.

1 With your expectation and the joyous one it
2 might be, if you are wrong and I am impacted
3 adversely, do I have any recourse?

4 CHAIRMAN LIPPERT: That's a legal question
5 that she's not qualified to answer.

6 MR. JAEGER: I apologize for stepping out
7 of my realm.

8 CHAIRMAN LIPPERT: I, I understand your
9 concerns. But that's not in the purview of this
10 witness's expertise.

11 MR. JAEGER: To the extent the, the DEP
12 has given the blessing to your runoff proposal, the
13 water you're now going to divert to the stream on the
14 west or the river on the right. To the extent that
15 groundwater recharge is not part of your obligation, I
16 am concerned about groundwater recharge because that's
17 what's coming to my basement.

18 You did go over square footages that I could
19 not, even with my memory catch. But, ultimately, my
20 concern is to the pervious and impervious and the
21 water removal.

22 So I will leave it with that comment and not go
23 further with my question.

24 MR. FRIEDHOFF: My name is Lawrence
25 Freidhoff, F R I E D H O F F. I reside at 525

1 Rivervale Road.

2 I'm sorry. I'm just going to ask you also to
3 repeat some of the numbers that you gave before. I
4 apologize. I didn't get them down.

5 You said the detention basins which are all on
6 the west side of the property.

7 Correct?

8 THE WITNESS: Yes.

9 MR. JAEGER: They hold 15 acre units of
10 water?

11 THE WITNESS: Yes.

12 MR. JAEGER: And how many acres is the
13 proposed development site?

14 THE WITNESS: The proposed development
15 site, the area being disturbed is approximately 50
16 acres.

17 MR. JAEGER: Okay. So that's about a
18 third. The 15 acres is about a third of that.

19 And what proportion of that is impervious?

20 THE WITNESS: Just over 50 percent.

21 MR. FRIEDHOFF: Thank you.

22 CHAIRMAN LIPPERT: Anyone else?

23 MR. D'ALESSANDRO: James D'Alessandro,
24 D ' A L E S S A N D R O, 40 Holiday Court in River
25 Vale.

1 You mentioned the existing conditions, the
2 existing flow. How did you determine the existing
3 flow?

4 THE WITNESS: The existing?

5 MR. D'ALESSANDRO: Yes, storm water flow.

6 THE WITNESS: We did an analysis based on
7 the existing conditions and determined what the
8 existing flow would be generally to the Holdrum Brook
9 and also to Rivervale Road.

10 MR. D'ALESSANDRO: And what does that
11 mean? What did you look at?

12 Did you go to the site and walk around.

13 THE WITNESS: Yes.

14 MR. D'ALESSANDRO: And look at how the
15 water flowed?

16 THE WITNESS: Yeah. We had detailed
17 topographic surveys prepared and detailed storm water
18 management analysis determine what the existing flows
19 are at certain points.

20 MR. D'ALESSANDRO: What's your definition
21 of topology? What's your definition of topology?
22 What's topology.

23 THE WITNESS: Topography?

24 MR. D'ALESSANDRO: Topography. I'm sorry.

25 THE WITNESS: Topography is the ground

1 surface of the property. There are elevations
2 associated with those ground surfaces and it's going
3 to do with steep slope, flat slope, vegetated, wooded,
4 grassed, impervious, all the surface conditions as
5 well as the slopes.

6 MR. D'ALESSANDRO: And are you a
7 topologist?

8 CHAIRMAN LIPPERT: She's an engineer.

9 THE WITNESS: No.

10 MR. D'ALESSANDRO: I'm asking if she's
11 also a topologist. I know she's an engineer.

12 THE WITNESS: I'm, I'm not sure there is a
13 topologist but I'm an engineer and I'm qualified to
14 discuss topographic conditions.

15 MR. D'ALESSANDRO: From an engineering
16 point of view?

17 THE WITNESS: Correct.

18 MR. D'ALESSANDRO: Did a topologist review
19 your report?

20 THE WITNESS: No.

21 MR. WOLFSON: She's already testified --
22 excuse me. She's already testified -- excuse me.

23 CHAIRMAN LIPPERT: Let him make his
24 objection.

25 MR. WOLFSON: She's already testified that

1 this is within her area of expertise and that she's
2 qualified to discuss it.

3 So you're now raising a question regarding
4 apparently a professional that may or may not exist as
5 a category. So she testified about her abilities and
6 qualifications to answer your question.

7 MR. D'ALESSANDRO: And I'm asking her, are
8 there topologists in the Partner -- what's the name of
9 your firm?

10 THE WITNESS: Partner Engineering.

11 CHAIRMAN LIPPERT: I'm not going allow it.
12 That's, that's just irrelevant.

13 MR. D'ALESSANDRO: Why is it irrelevant
14 when there is topology factors involved?

15 CHAIRMAN LIPPERT: First of all, I'm not
16 sure what topology is.

17 MR. D'ALESSANDRO: That's a good question,
18 isn't it? She's the -- wait a minute. Let me ask you
19 a question.

20 There's all kinds of attachments to this report
21 that say the topography and analysis. What are they?

22 CHAIRMAN LIPPERT: Were you here at the
23 prior meetings?

24 MR. D'ALESSANDRO: Yes, I was.

25 CHAIRMAN LIPPERT: She has given extensive

1 testimony.

2 MR. D'ALESSANDRO: She did not give
3 extensive testimony.

4 CHAIRMAN LIPPERT: Well, I think she has
5 so I think you should ask another question.

6 MR. D'ALESSANDRO: So you're not a
7 topologist and the topologist never reviewed this.

8 How do you determine what the present runoff is?
9 Do you go in with a machine and measure the runoff?

10 I'm asking. Let me ask the question. I don't
11 know about this stuff. I'm trying to learn.

12 THE WITNESS: The analysis is a
13 combination of existing conditions which include
14 topographic conditions, surface cover, different
15 rainfall events, based on the quantity of the rain
16 that falls in the various events and we're able to
17 estimate from that analysis what the existing runoff
18 is to certain locations.

19 MR. D'ALESSANDRO: And where do you get
20 this rain information, precipitation data from?

21 THE WITNESS: The DEP storm water
22 standards.

23 MR. D'ALESSANDRO: And is that anywhere in
24 your report?

25 THE WITNESS: There's reference to the

1 fact that the report is based upon the requirements of
2 the DEP storm water regulations.

3 MR. D'ALESSANDRO: What does that mean?

4 What are you looking at? What document are you
5 looking at?

6 What DEP information are you looking at, weather
7 reports?

8 THE WITNESS: There are two main documents
9 that we utilize with the storm water management
10 design. The first is storm water management
11 regulations which is under NJAC 7:8, I believe. The
12 second is a complementary document known as the best
13 management practices, BMP, manual, is more a design
14 oriented document that allows you to perform the
15 design in accordance with the regulations.

16 MR. D'ALESSANDRO: Are any of those
17 documents provided in your report that you gave to the
18 Board?

19 THE WITNESS: Those documents themselves
20 are not provided in the report. They're referenced in
21 the report and they're available on-line for anybody
22 who wants to see them.

23 MR. D'ALESSANDRO: Did you rely on this to
24 determine the current runoff, did you rely on this
25 what looks to be something from the NOAA that was

1 attached to the report, from the weather service?

2 It's an exhibit in your report.

3 THE WITNESS: Oh, that's one of the parts
4 of the design criteria that we utilized.

5 MR. D'ALESSANDRO: What does that mean?

6 THE WITNESS: It's part of the design
7 analysis.

8 MR. D'ALESSANDRO: Did you use this
9 weather report to determine the runoff, the present
10 runoff rates?

11 THE WITNESS: It's -- I'm not sure exactly
12 what you're referring to.

13 MR. D'ALESSANDRO: Well, it's in your
14 report.

15 THE WITNESS: Well, I don't have my
16 report.

17 MR. WOLFSON: Mr. Chairman, she explained
18 in great detail what --

19 MR. D'ALESSANDRO: She --

20 MR. WOLFSON: Can I finish?

21 MR. D'ALESSANDRO: Yes, you may.

22 MR. WOLFSON: Thank you.

23 -- in great detail what goes into the analysis
24 including various treatises and regulations and
25 documents, policy documents from the DEP.

1 MR. D'ALESSANDRO: I'm asking about a
2 specific document attached to her report.

3 CHAIRMAN LIPPERT: Mr. D'Alessandro.

4 MR. D'ALESSANDRO: I can't ask her about
5 this?

6 MR. LEIBMAN: If you're going to ask the
7 witness about the report, why don't you present the
8 report to her?

9 You're asking questions that are not clear and
10 you're asking the witness.

11 MR. WOLFSON: Thank you. I appreciate
12 that. She'll get her report.

13 MR. D'ALESSANDRO: I'm looking at this
14 document. It looks like it's a weather report from
15 the Woodcliff Lake weather station.

16 Could I ask you another question?

17 MR. WOLFSON: Let her answer this one
18 first.

19 THE WITNESS: So this chart is part of the
20 calculations that we utilize in actually designing
21 storm sewer piping that's proposed on the property.
22 Okay.

23 It's based on time of concentration and the
24 interval of the storm. I mentioned earlier the two
25 year storm, the 10 year storm, the 25 year storm.

1 Okay.

2 MR. D'ALESSANDRO: So you used this report
3 as part of the analysis with regard to the two year
4 event, the 10 year event and the hundred year event?

5 THE WITNESS: The storm sewer system is
6 designed for the 25 year event. Right.

7 MR. D'ALESSANDRO: And this says it's
8 Atlas 14, Volume 2, Version 3. It does not have any
9 date.

10 Do you know the date of this Atlas that you,
11 when this Atlas was published, that you used this
12 information to design your retention system?

13 THE WITNESS: I believe it was the, the
14 chart that was available at the time we did the
15 analysis. That was the current table at the time we
16 did the analysis.

17 MR. D'ALESSANDRO: And current meaning
18 what?

19 THE WITNESS: August.

20 MR. D'ALESSANDRO: How current is the
21 NOAA -- you did this report August 31st, 2018.

22 THE WITNESS: Correct.

23 MR. D'ALESSANDRO: And you signed off on
24 it August 31st, 2018.

25 Correct?

1 THE WITNESS: Correct.

2 MR. D'ALESSANDRO: Do you know what date
3 these figures ran to?

4 THE WITNESS: No.

5 MR. D'ALESSANDRO: The previous August?

6 THE WITNESS: I don't know.

7 MR. D'ALESSANDRO: You don't know the
8 year?

9 THE WITNESS: Correct.

10 MR. D'ALESSANDRO: So this data could have
11 been from 2010, 2011, 2012?

12 MR. WOLFSON: She used the most current
13 data available at the time she prepared the report.

14 MR. D'ALESSANDRO: I'm trying to determine
15 what current means, from August 31st, 2018?

16 CHAIRMAN LIPPERT: That's her answer.
17 What's your next question?

18 MR. D'ALESSANDRO: That's her answer.
19 It's current, whatever that means.

20 CHAIRMAN LIPPERT: Ask your next question.

21 MR. D'ALESSANDRO: Yeah. That's fine.
22 That's fine. That's fine. You said you went to the
23 scene and walked around?

24 THE WITNESS: Yes.

25 MR. D'ALESSANDRO: How many times before

1 you did this report?

2 THE WITNESS: I don't know, maybe three or
3 four times.

4 MR. D'ALESSANDRO: Three or four times.

5 And when would that have been?

6 CHAIRMAN LIPPERT: Now that's irrelevant.
7 Come on.

8 MR. D'ALESSANDRO: Why is it irrelevant?
9 She did the report.

10 CHAIRMAN LIPPERT: I suppose it was
11 November 4th or October 30th?

12 MR. D'ALESSANDRO: It makes a difference.

13 CHAIRMAN LIPPERT: How?

14 MR. D'ALESSANDRO: I want to know when she
15 walked around the premises compared to when she signed
16 the report.

17 CHAIRMAN LIPPERT: Okay. So ask that
18 question.

19 THE WITNESS: I don't recall the dates of
20 my site inspections.

21 MR. D'ALESSANDRO: Was anyone with you?

22 MR. WOLFSON: What's the relevance of
23 that?

24 MR. D'ALESSANDRO: I just want to know who
25 else.

1 MR. WOLFSON: That's irrelevant.

2 CHAIRMAN LIPPERT: Let me just stop you.
3 You're not here to just go ask idle questions. There
4 has to be some focus to what you're asking.

5 MR. D'ALESSANDRO: I would like to know --
6 all right. Let me ask this. Okay?

7 CHAIRMAN LIPPERT: Idle questions.

8 MR. D'ALESSANDRO: I am withdrawing that
9 question.

10 What was the purpose of you walking around the
11 golf course?

12 THE WITNESS: To understand the existing
13 conditions on the property.

14 MR. D'ALESSANDRO: And what does that
15 mean, to understand the existing conditions?

16 CHAIRMAN LIPPERT: I think that's --
17 excuse me. Excuse me. I think that's self evident.
18 If you're going to ask what does that mean, we're
19 going to be here all night.

20 MR. D'ALESSANDRO: Just -- so did you look
21 at drainage areas?

22 THE WITNESS: Yes.

23 MR. D'ALESSANDRO: And how many drainage
24 areas did you find?

25 THE WITNESS: In the existing conditions?

1 MR. D'ALESSANDRO: Yeah.

2 THE WITNESS: Four.

3 MR. D'ALESSANDRO: Did you take notes when
4 you were making these, this analysis, walking the golf
5 course?

6 THE WITNESS: I probably had a topographic
7 survey with me at the time of the site walk and
8 probably jotted down some notes on the plan.

9 MR. D'ALESSANDRO: Do those notes still
10 exist?

11 CHAIRMAN LIPPERT: Let me ask you a
12 question, sir.

13 How long do you expect this examination to take?

14 MR. D'ALESSANDRO: I don't know. Let me,
15 let me answer that question by saying very simply that
16 I don't, I don't want to take a long time.

17 CHAIRMAN LIPPERT: Well, you are.

18 MR. D'ALESSANDRO: A lot depends on the
19 answers. I'll take as long as --

20 CHAIRMAN LIPPERT: I'll give you till
21 8:30.

22 MR. D'ALESSANDRO: I have till 8:30?

23 CHAIRMAN LIPPERT: Yeah.

24 MR. WOLFSON: Just for the record, it's
25 8:21 now.

1 MR. D'ALESSANDRO: And so you found four
2 drainage areas.

3 Is that correct?

4 THE WITNESS: Yes.

5 MR. D'ALESSANDRO: And how did you
6 determine how much water is running off into those
7 four drainage areas?

8 THE WITNESS: Based upon the topographic
9 mapping that we have available, we're able to
10 determine the limits of each of those drainage areas.

11 MR. D'ALESSANDRO: And those topographic
12 maps are based on the two, the 10 and the 25 year or
13 hundred year events?

14 THE WITNESS: No. The topographic survey
15 is based on a topographic mapping provided by the
16 project surveyor.

17 MR. D'ALESSANDRO: And who is the project
18 surveyor?

19 Will he testify or she testify?

20 THE WITNESS: No.

21 MR. D'ALESSANDRO: Would you provide your
22 notes or the topographic survey to Mr. Statile if he
23 asked for it?

24 THE WITNESS: The topographic survey was
25 provided with the initial submission of the

1 application.

2 MR. D'ALESSANDRO: So it's, so which
3 document is it then that is provided?

4 Is it here in your report?

5 THE WITNESS: No. It's a series of plan
6 sheets that were submitted at the time of the initial
7 application.

8 MR. D'ALESSANDRO: And where are those
9 plan sheets now?

10 THE WITNESS: In the Planning Board
11 office.

12 MR. D'ALESSANDRO: If there was a 5th
13 drainage area that, that for some reason you didn't
14 observe, how would that, how would that impact your
15 findings and the design of the retention system?

16 THE WITNESS: I don't know. I'm not aware
17 of a 5th drainage area.

18 MR. D'ALESSANDRO: How do you determine
19 what the projected runoff would be?

20 THE WITNESS: The projected runoff is
21 based on the proposed conditions similar to the
22 existing conditions. We look at surface cover. We
23 look at travel routes for the drainage. We look at
24 the piping design of the drainage and then we do the
25 analysis as required by the DEP standards to size the

1 facilities that we need to meet their requirements.

2 MR. D'ALESSANDRO: But the structure is
3 not, is not built yet. So the 50 acres are not
4 covered so it's not based on an actual analysis,
5 obviously. It has to be a projection.

6 THE WITNESS: Correct.

7 MR. D'ALESSANDRO: And, again, are these
8 just standards that are set up engineeringly that you
9 just look up 50 acres of town house development will
10 yield this runoff?

11 Is it, is that how it's done?

12 THE WITNESS: It's not quite that simple.

13 MR. D'ALESSANDRO: So can you give me the
14 preschool, kindergarten of what you look at to make
15 these determinations.

16 THE WITNESS: I think we -- I already
17 stated that we looked at proposed surface cover, we
18 look at the slopes, we look at the route that the
19 storm water travels to get to the storm water
20 management basins. It's a complex analysis.

21 MR. D'ALESSANDRO: It's, it's a complex.
22 And you say, you look at those elements, do you look
23 at --

24 Are there charts or records that you're looking
25 at? I'm trying to understand what you're looking at.

1 THE WITNESS: Yes, similar to the chart
2 you mentioned earlier.

3 MR. D'ALESSANDRO: So you look at a series
4 of charts for all of these various elements.

5 THE WITNESS: Some of that information is
6 available on charts, yes.

7 MR. D'ALESSANDRO: Who prepares those
8 charts? Where does that come from?

9 THE WITNESS: In some cases they come from
10 the DEP, in other cases they come from other resource
11 documents that we utilize for the design we're working
12 on similar, again, to the chart you're referring to.

13 MR. D'ALESSANDRO: Did you design the, the
14 system, ultimately you designed it?

15 THE WITNESS: My staff and I designed it,
16 yes.

17 MR. D'ALESSANDRO: So your staff was
18 involved in this as well.

19 Correct?

20 THE WITNESS: Yes.

21 MR. D'ALESSANDRO: Not just you.

22 What's -- I saw CFS as the runoff number or the
23 runoff value.

24 What does CFS stand for?

25 THE WITNESS: Cubic feet per second.

1 MR. D'ALESSANDRO: And I also saw
2 something called the rational method to do your
3 analysis.

4 What's the preschool version of rational method?

5 THE WITNESS: The rational method is based
6 on an equation known as Q equals CIA . Q is the flow,
7 C , the flow in CFA, cubic feet per second. C is
8 runoff coefficient which is determined by the surface
9 cover. I , is the intensity of the rain event and A is
10 the area that's tributary to that point where we're
11 determining the flow.

12 MR. D'ALESSANDRO: Are there other methods
13 you can use?

14 THE WITNESS: Yes.

15 MR. D'ALESSANDRO: Why weren't those other
16 methods used?

17 THE WITNESS: This is the standard method
18 for this. This is the rational method which is the
19 method utilized to perform the calculation for storm
20 sewer pipe sizing.

21 MR. D'ALESSANDRO: So, so the rational
22 method is then the only method you're supposed to use?

23 THE WITNESS: It's, it's a very common
24 method to use for storm sewer sizing for this type of
25 project.

1 MR. D'ALESSANDRO: What is TR55
2 calculation?

3 THE WITNESS: TR55, technical release 55,
4 that's another source document or research document
5 that provides guidance for calculations associated
6 with the storm water management basins, not the piping
7 design but for the basins themselves.

8 MR. D'ALESSANDRO: And could you use
9 another calculation or is that, again, the standard
10 that everybody uses.

11 THE WITNESS: That's a typical approach
12 for this type of storm water management system.

13 MR. D'ALESSANDRO: Did you contemplate
14 using any other standards?

15 THE WITNESS: No.

16 MR. VAN ECK: There was a soil report at
17 the end of your report.

18 What was the purpose of that?

19 THE WITNESS: The soil report was utilized
20 for trying to understand the seasonal high water table
21 in the area of the proposed ponds.

22 MR. D'ALESSANDRO: And who did the soil
23 report?

24 THE WITNESS: AES.

25 MR. D'ALESSANDRO: Who are they?

1 THE WITNESS: Geotechnical consultant.

2 MR. D'ALESSANDRO: So you had a soil
3 specialist?

4 THE WITNESS: A geotechnical consultant
5 working for the applicant.

6 MR. D'ALESSANDRO: And were you present
7 when they took the soil samples that they took in?

8 THE WITNESS: No.

9 MR. D'ALESSANDRO: When did you get their
10 report.

11 THE WITNESS: When did I get it?

12 MR. D'ALESSANDRO: Yeah. They must have
13 reported back to you.

14 THE WITNESS: Correct. I -- at some point
15 prior to preparing the calculations.

16 MR. D'ALESSANDRO: So do you have any idea
17 when that was?

18 THE WITNESS: No.

19 MR. D'ALESSANDRO: I noticed that there
20 are hydrographs attached to your report.

21 When were they prepared?

22 THE WITNESS: The hydrographs for the
23 drainage calculations, those are part of the drainage
24 analysis, yeah.

25 MR. D'ALESSANDRO: And, again.

1 THE WITNESS: Around August of last summer
2 when we did the design.

3 MR. D'ALESSANDRO: Because I notice they
4 were dated September after the date of the report.

5 THE WITNESS: I don't know. It could be
6 an issue with the date on them. I can't explain the
7 date, unless it was revised.

8 No, I don't know.

9 CHAIRMAN LIPPERT: It's 8:30. Last
10 question.

11 MR. D'ALESSANDRO: My last question is,
12 I'd like to ask more questions but I'll, I'll stop
13 here.

14 CHAIRMAN LIPPERT: Anyone else?

15 Well, sir, you have already asked questions.

16 MALE SPEAKER: It's related to something
17 an answer.

18 CHAIRMAN LIPPERT: No anyone else in the
19 audience who has a question. Come on up.

20 MR. VIDRAL: My name is John Vidral, V as
21 in Victor E D R A L. I live at 128 Terbell Parkway in
22 River Vale.

23 At the last meeting I asked the expert witness
24 about the coverage, impervious coverage of Lot B and I
25 might not have been clear when I asked that question

1 because I was told that it would be less than 40
2 percent with or without sidewalks. I believe the
3 expert witness has now clarified it. And perhaps my
4 question wasn't clear.

5 That overall less than 40 percent but she
6 clarified it tonight with the new, that's called the
7 development of Lot B, is more than 40 percent. So I
8 appreciate the clarification.

9 My question is then has the township agreed to
10 waiving the maximum 40 percent impervious coverage for
11 Lot B and, if so, what is the maximum going to be
12 permitted?

13 CHAIRMAN LIPPERT: Well, the Township
14 hasn't agreed to anything yet because we haven't
15 decided the application. Okay.

16 Is a variance required for that, Chris?

17 MR. STATILE: It would be a design waiver.

18 CHAIRMAN LIPPERT: Okay. So the Board
19 would have to vote for a design waiver.

20 MR. VIDRAL: Okay. So that was the
21 question.

22 It hasn't been waived yet.

23 CHAIRMAN LIPPERT: Not yet.

24 MR. VIDRAL: Okay. Thank you.

25 Anyone else?

1 MS. MUSKA: Hi. Stephanie Muska, M U S K
2 A, 867 Rivervale Road, River Vale.

3 I have a question about the condition of the
4 property now only because we've had a record breaking
5 year of rain. And I ask -- I'm going to ask my
6 question. I just have a little bit of explanation as
7 to why.

8 The house that I live in is in River Vale next
9 to a location that built six houses in Montvale. They
10 built it a number of years ago but when they built it
11 they took two houses on a large piece of land with a
12 lot of trees and put six or seven houses. And as they
13 were building they were pumping out foundations. I
14 was ignorant. I didn't know what was happening. I
15 was just watching.

16 But that has now, with all of this rain, caused
17 a problem on my property because there are rivers
18 underneath or streams underneath the ground and now
19 have caused a lot of issues.

20 You're not aware of what is under there under
21 the soil.

22 Correct?

23 THE WITNESS: Correct.

24 MS. MUSKA: Okay. So do you have a plan
25 as to what you will do with rivers that will

1 inevitably pop up in River Vale and be under there?

2 Do you have a plan of what you're going to do to
3 prevent the rerouting of the water from causing issues
4 in other places?

5 MR. WOLFSON: First, just for the record,
6 there have been unsworn statements from a number of
7 members of the public that there are some underground
8 streams. But in testimonies of the record, there's no
9 proof of that.

10 The witness has already answered the questions
11 regarding conditions as they, of what the effect the
12 storm water would be after the design construction of
13 this storm water management system on surrounding
14 properties. It's been asked multiple times and
15 answered very patiently multiple times.

16 CHAIRMAN LIPPERT: I don't think you're
17 asking a new question.

18 MS. MUSKA: However, I do have a question
19 maybe then you can point me in the right direction.

20 How do I prove there is a river under my yard
21 because my yard is flooded and like where do I go for
22 that?

23 CHAIRMAN LIPPERT: Chris, do you have the
24 inside for that?

25 MR. STATILE: Let me just explain to

1 everybody. I'm sure there is groundwater and streams
2 under every place, under this building here, under my
3 home. I pull water out of my well. There is
4 groundwater under every place under ground. Okay.

5 First, some is higher with the type of soils on
6 your property, sometimes it's, the soils end up, as
7 you say, in artesian well where the pressure pushes
8 water out of the ground, not that common. That's the
9 first thing.

10 Are there underground streams in River Vale on
11 the golf course? Probably. Sure.

12 Under your complex, under the apartment complex,
13 all over River Vale there's rivers and streams not
14 just streams, just groundwater and it does move, the
15 water does move slowly through the ground.

16 This year you're correct. We had 18 inches of
17 rain this last year, 2018. And as town engineer in
18 several the towns, a lot of drainage problems, not
19 that much. I knew about it because of mother nature,
20 here.

21 In your case how do you tell where your
22 underground stream, as you call it we just call it
23 groundwater -- you have to do test pits with a
24 backhoe, a Joy rig, drill a hole, see how far the
25 water is, drill a hole.

1 MS. MUSKA: Okay. So now a little further
2 question for that, since the study or your testimony
3 -- what is it called that you're, that you wrote?

4 THE WITNESS: Report.

5 MS. MUSKA: So the report was August. I
6 don't know what the rain was like then. But is it
7 possible that the amount of underground water is at
8 the highest level where now would be the perfect time
9 to see exactly how much is there so that you can make
10 a more knowledgeable plan?

11 MR. WOLFSON: We, we have met all the
12 legal requirements for analyzing storm water and we
13 have designed a storm water management plan that
14 informs.

15 CHAIRMAN LIPPERT: Yeah. There's no
16 information measuring it today would be any different
17 than measuring it in August.

18 MR. STATILE: As design professionals we
19 have to follow standard protocol. We can't all --
20 have 7,000 engineers coming up with directions, ground
21 water and surface water. So those analysis we have
22 performed. It is dependent on how much rain we had
23 last week, last year, two years. We have to follow
24 charts and graphs provided to us. These are the
25 average rain falls, last hundred years.

1 Like, for example, when you design a dam, okay,
2 how do you make sure the dam fills up with enough
3 water. Well, you do a long, long range study and how,
4 predict how big the dam is going to be, how much water
5 can it actually capture in various rainstorms.

6 Last year, because sometimes you got to go back
7 50 years or a hundred year rain storm and that's a
8 form of design. So the materials that we are required
9 to use by the State basically have done that work for
10 us, have analyzed rainstorms. Every once in a while,
11 a few years ago, they adjusted the rainfall intensity
12 chart. They made a slight adjustment because the rain
13 was more than they expected. The State did lift up,
14 bolster some of their rainfall data and we had to
15 follow those new charts. The State made us do that.

16 So, yes, we got a lot of rain last year. We may
17 have a deficit for rain for the next five years. Then
18 the next design, well, it hasn't rained that much in
19 the last five years, let's reduce our design. We
20 can't do that. You have to use the long term average.

21 I understand, I understand the problem with your
22 property, of course, that you're concerned about.
23 This witness can't sort of use a joystick, he's going
24 to kind of guess; I think it rained a lot, let's
25 change the design.

1 Yes, you have to do due diligence to work on the
2 property as he did down stream conditions, make sure
3 we're getting cause and effect by the conditions.
4 Other than that, we have to follow a standard
5 protocol. Otherwise, of engineering actually so I
6 hope that helps you somewhat.

7 MS. MUSKA: Yeah. I'm just trying to
8 allay fears. I know people down stream have a lot of
9 fear of water and if you could help allay fears that
10 they're experiencing that would help a lot with stress
11 it seems.

12 CHAIRMAN LIPPERT: Let me explain that we
13 have an engineer professional who did studies and
14 submitted them to our professional who reviewed the
15 studies and has reviewed hundreds, maybe thousands of
16 these studies and is the engineer in, in many
17 municipalities in Bergen County and deals with these
18 issues all the time. So he's vetted the work that the
19 applicant's engineer has done and that's the way all
20 of these developments proceed under the Land use Law.

21 MR. STATILE: In fact, the applicant is
22 going to make some changes because of the review
23 comments we have, capacity, whether the ponds are set.
24 So we vetted out with the applicant to make some
25 changes to increase some of the capacity because we

1 saw, as we saw this develop.

2 Thank you, Mr. Chairman.

3 MS. MUSKA: Thanks.

4 CHAIRMAN LIPPERT: Okay.

5 MS. MORGANSTEIN: Can I -- Florence
6 Morganstein, 9 Holiday Court.

7 Can I clarify that when I asked the question
8 before that you did your studies up to Piermont. Now
9 you said you looked down the stream. Holiday Farms is
10 down stream but was I wrong you did not look past
11 Piermont Avenue?

12 THE WITNESS: I looked past Piermont
13 Avenue but we didn't analyze anything beyond Piermont
14 Avenue.

15 MS. MORGANSTEIN: Are you aware that the
16 majority of the units of Holiday Farms have sump pumps
17 in their basements because of the water and the stream
18 that runs on the west side of your property and our
19 property?

20 THE WITNESS: I was not aware that a
21 majority of them have sump pumps, no.

22 CHAIRMAN LIPPERT: You have to understand,
23 all they're required to do is reduce.

24 MS. MORGANSTEIN: I --

25 CHAIRMAN LIPPERT: Let me finish.

1 MS. MORGANSTEIN: I'm listening.

2 CHAIRMAN LIPPERT: You have to understand
3 that what they're required to do by law is to reduce
4 the runoff that exists today and that's what they have
5 done. That's the requirement. And that's what they
6 have done. That's the requirement.

7 MS. MORGANSTEIN: I think basically what
8 this lady before said there's intense fear --

9 CHAIRMAN LIPPERT: I understand.

10 MS. MORGANSTEIN: Of what the value of
11 their house will be from flooding.

12 CHAIRMAN LIPPERT: That's a completely
13 different issue.

14 MS. MORGANSTEIN: And of living with a
15 basement full of water.

16 CHAIRMAN LIPPERT: But, but you should
17 take comfort in the fact that they have reduced the
18 runoff from this site.

19 MS. MORGANSTEIN: I just feel that the
20 amount of development concentrated with concrete and
21 with macadam is going to cause --

22 CHAIRMAN LIPPERT: We're going to get into
23 statements at the end.

24 MS. MORGANSTEIN: Fine. Okay.

25 FEMALE SPEAKER: Let her talk.

1 CHAIRMAN LIPPERT: I think we're done with
2 this witness now.

3 FEMALE SPEAKER: That's not right.

4 MR. FRIEDMAN: I have one brief question.

5 CHAIRMAN LIPPERT: Last question.

6 MS. MORGANSTEIN: Thank you.

7 Lawrence Friedman, 525 Rivervale Road.

8 I just wanted to understand a little bit better.
9 The retention ponds are designed for hundred year
10 whether -- right, but you said --

11 THE WITNESS: Correct.

12 MR. FRIEDMAN: You said that the piping
13 system though is only designed for 25 years.

14 So does that mean in 30 years we can expect the
15 pipes to be overwhelmed? There's a reasonable
16 probability.

17 THE WITNESS: No.

18 MR. FRIEDMAN: Why would you design the
19 pipes to be less than the pond?

20 THE WITNESS: The pipes are designed to
21 allow the flow generated in the 25 year storm to, to
22 be transported through the pipes. It doesn't have to
23 do with the longevity of the pipe system. It has to
24 do with the amount of water that will run in the pipe
25 system as a result of that storm.

1 MR. FRIEDMAN: Right. I understand the
2 pipes are probably going to last a very long time.
3 But in a 50 year storm then those pipes would be
4 overwhelmed and the water wouldn't go into the ponds
5 is what I understood you to say. So that's my
6 question.

7 THE WITNESS: That's generally correct.
8 The storm that exceeds capacity of the system, the
9 system would surcharge.

10 MR. FRIEDMAN: Thank you.

11 CHAIRMAN LIPPERT: Okay.

12 FEMALE SPEAKER: I have a question.

13 CHAIRMAN LIPPERT: No. We're done.

14 Next.

15 MALE SPEAKER: Mr. Chairman.

16 CHAIRMAN LIPPERT: Mr. Van Eck.

17 MR. VAN ECK. Mr. Leibman, he indicated we
18 would break at 8:45 because he was going to show up so
19 you can certainly do that, maybe do a housekeeping
20 issue first.

21 Jameson Van Eck, Verde, Steinberg & Pontell on
22 behalf of the River Vale at Holiday Farms condominium
23 association town house section. So I do want to
24 clarify and make that correction. I was previously
25 just stating River Vale Holiday Farms condominium

1 association. I don't believe that's actually an
2 entity or it's certainly not an entity that I
3 represent.

4 So I just represent the town house section which
5 is comprised of 107 units which is the same 107 units
6 I thought I was here speaking about. There is also an
7 apartment section which is the mid rise building
8 located in the back that is a separate condominium
9 association and I am not here on their behalf.

10 So I just want to make sure the record is clear
11 on that point.

12 CHAIRMAN LIPPERT: Okay. So you can ask
13 questions of this witness but it should be limited
14 testimony that she gave here tonight since you've
15 already had a chance to cross-examine.

16 MR. VAN ECK: Mr. Chairman, I was in the
17 middle of my cross-examination, at the end, it was
18 around 11:00 on the 28th so I certainly have a lot
19 less storm water questions than I did last.

20 CHAIRMAN LIPPERT: Let's try to move it
21 along.

22 CROSS-EXAMINATION BY MR. VAN ECK:

23 Q Talking about Lot C, I know one of the
24 follow-up issues that you and Mr. Statile we were
25 going to discuss was whether you were going to lower

1 the grade of Lot C, the affordable housing lot, to try
2 to bring the heights of the buildings down.

3 Have you had a chance to consider that at this
4 point?

5 A We're in the process of reviewing that
6 right now but it appears we will be able to lower that
7 area, lower the maintenance building and the town
8 house building.

9 Q There is a pump house on the Lot C.
10 Do you know what that is for?

11 A Yeah. That's the, that's connected to the
12 irrigation system used for the golf course and will
13 remain.

14 Q So it's for the golf course but not
15 related to the affordable housing?

16 A Correct.

17 Q There was some discussion in your
18 testimony about the amenities. And I believe there
19 were walking trails and some passive areas, sitting
20 areas and such.

21 Is that correct?

22 A Correct.

23 Q There was also talk maybe by, of Mr.
24 Santola, that the goal is to try to drive people to
25 the golf course, to use those amenities.

1 Is that fair?

2 CHAIRMAN LIPPERT: You know, this witness
3 didn't testify about that.

4 MR. VAN ECK: This is like a foundational
5 question. She doesn't have to answer.

6 CHAIRMAN LIPPERT: She didn't testify
7 about goal and amenities.

8 Q And consideration how pedestrians will
9 flow from Lot B to the golf course.

10 A From the town house lot to the golf course
11 lot? There's a sidewalk system proposed within the
12 development that brings everyone out to the main entry
13 drive.

14 At that point people can walk through the
15 parking area over to the existing golf facility.

16 Q There was also some talk that they could
17 use golf carts to travel.

18 Were there any golf paths being designed, cart
19 paths from the town house lot to the golf course lot?

20 A No separate golf cart paths.

21 Q You had mentioned this evening that you
22 had an opportunity to go back and confirm the
23 landscaping for prior calculations to 30 percent
24 requirement?

25 A Correct.

1 Q And I believe you said it was now closer
2 to 40 percent?

3 A Correct.

4 Q And you or your staff were personally
5 involved in confirming those figures?

6 A I worked with the applicant on preparing
7 those figures, yes.

8 Q I'll save a lot of this for the landscape
9 architect but I do want to ask a few other questions
10 to you.

11 There was an open space plan that was submitted
12 January 19th, 2018.

13 Was that a plan you prepared?

14 A That was prepared between the applicant's
15 office and my office.

16 Q And the manner in which you calculated the
17 open space or landscaping requirement, basically did
18 the computer do it?

19 Did you input the boundaries of what you
20 considered to be landscaping and then allow the
21 computer to generate the figures?

22 A Generate the areas within those confines,
23 yes.

24 Q I believe one of the requirements of the
25 ordinance was language about the landscaping

1 requirement that said only tree pockets or landscape
2 strips in excess of 25 square feet can be continued
3 for landscaping.

4 Is that fair?

5 A Correct.

6 Q Are you including any areas in your
7 calculation outside of those requirements?

8 A No. We did not include those areas that
9 were less than 25 square feet.

10 Q Is that shown on the plan that you
11 prepared, that January 19th plan?

12 A The limits of the area that we included in
13 the calculation are shown on that plan.

14 Q Have you included any grass or lawn areas
15 in your calculation?

16 A Yes.

17 Q How about sidewalks or walkways?

18 A No.

19 Q How about the jogging path that runs
20 through the middle, is that included?

21 A No.

22 Q How about retaining walls, did you include
23 any retaining walls?

24 A I don't remember if the retaining walls
25 were included. The retaining wall would be negligible

1 amount of space if it was included.

2 Q I think you also indicated there was a 25
3 foot landscape buffer that's supposed to be along the
4 edges of the road. And I will also save most of those
5 questions for the landscape architect but I want to
6 address that.

7 Do you know if the actual area for that 25 foot
8 buffer has been delineated on your plan showing
9 basically where it starts and where it ends?

10 A It's not delineated.

11 Q Would you agree with me that there is a
12 requirement that the, in the ordinance that the
13 landscape buffer starts from the property?

14 A I believe that's how it's worded.

15 Q I believe you may have and you can clarify
16 this evening, I don't want to put words in your mouth.
17 I believe it was in the January hearing you said that
18 you were measuring the landscape buffer from the edge
19 of the road way.

20 Do you know if they match up?

21 A Yes, in some locations along Piermont Road
22 the right-of-way is right along the edge of pavement.

23 Q So things like the sidewalk and the bike
24 path are actually on your client's property?

25 A Correct.

1 Q I think you answered some of these already
2 so bear with me as I could go over it.

3 MR. WOLFSON: Can you skip them?

4 MR. VAN ECK: Look at my sheet and skip
5 the questions?

6 Q One of the issues I believe may still be
7 open. Let me know the status. Was there was a
8 request that there be curbing along Piermont Avenue
9 and then have steel tree plates put in to protect the
10 large trees? Has there been any further discussion or
11 discussion or decision on whether you're going to do
12 that?

13 A There's been no change in the decision.

14 Q So that's still an open question?

15 A Yes.

16 CHAIRMAN LIPPERT: You know, Mr. Van Eck,
17 I'm sorry. I'm going to stop you because I think our
18 reporter could use a break and so let's reconvene at
19 9:00.

20 MR. VAN ECK: Thank you.

21 CHAIRMAN LIPPERT: Thank you.

22 (A recess is taken.)

23 (Mr. Leibman arrived, Mr. Placek left.)

24 CHAIRMAN LIPPERT: Okay. Thank you,
25 everyone. We're back on the record. Mr. Van Eck is

1 up again.

2 Roll call, please.

3 MS. HAAG: Mr. Lowe.

4 MR. LOWE: Here.

5 MS. HAAG: Mr. Beukas.

6 MR. BEUKAS: Here.

7 MS. HAAG: Mr. Bromberg.

8 COUNCILMAN BROMBERG: Here.

9 MS. HAAG: Mayor Jasionowski.

10 MAYOR JASIONOWSKI: Here.

11 MS. HAAG: Mr. Fortsch.

12 MR. FORTSCH: Here.

13 MS. HAAG: Mr. Puccio.

14 MR. PUCCIO: Here.

15 MS. HAAG: Mr. Lippert.

16 CHAIRMAN LIPPERT: Here.

17 MS. HAAG: Mrs. Vaccaro.

18 MRS. VACCARO: Here.

19 MS. HAAG: Mr. Leibman.

20 MR. LEIBMAN: Here.

21 MS. HAAG: Mr. Statile.

22 MR. STATILE: Here.

23 CHAIRMAN LIPPERT: Okay.

24 MR. VAN ECK: Okay. Thank you.

25 CONTINUED CROSS-EXAMINATION BY MR. VAN ECK:

1 Q I'm still following up on some of the
2 discussions with Mr. Statile after the last meeting.

3 Has there been a resolution of the soil sample
4 issue, the LSRP issue?

5 A I don't know.

6 Q That's still open?

7 A I think it's open.

8 MR. WOLFSON: Do you say you don't know
9 because you're not directly involved in that?

10 THE WITNESS: Correct. I'm not directly
11 involved.

12 Q Another open item was the additional exit
13 or egress point that would be across Piermont, near
14 Mark Lane. Has there been any decision whether that's
15 going to be incorporated?

16 A Yes. My understanding, that's going to be
17 incorporated as an exit only.

18 Q Also have the additional sidewalks that go
19 out to the road?

20 A Yes.

21 Q Another final follow-up that I have on pie
22 list was near the entrance to the town home community.
23 There is like an island or median. I believe Mr.
24 Statile wanted you to shift that, move that back.

25 A Yes. He's asked us to pull back the nose

1 of the aisle of the median. We'll do that.

2 Q That is being done.

3 When could we expect revised plans showing some
4 of these changes?

5 Have they been created already?

6 A We have to work on revised plans right
7 now.

8 Q Do you know whether they would be
9 submitted before the end of the process?

10 A They will be submitted before the end of
11 the process.

12 Q And the reason I ask is, there's a chance
13 that some of this may impact the landscaping
14 requirement as you had rows, you know, you are now
15 moving. For instance, you're changing the sidewalk
16 from 4 feet, you're pushing them to the edge of the
17 pavement, maybe 5 1/2 feet. Some of those would
18 impact storm water calculations.

19 Is that fair to say that you will have to rerun
20 some storm water numbers?

21 A Yes.

22 Q Could we expect that to be done before the
23 end of the process?

24 A Yes. Everything will be resubmitted at
25 the same time.

1 Q Talk a little bit about storm water
2 management. I think a lot of the questions have been
3 answered so if I'm repeating myself just give me a
4 nudge.

5 There was talk that there was originally three
6 basins and again tonight you mentioned three basins.
7 Is this being changed to a two basin design?

8 A Yes. As a result of the comments from Mr.
9 Statile we're going to consolidate it down to two
10 basins.

11 Q Would you agree that that would change
12 your storm water calculations, you would have to rerun
13 the numbers?

14 A Yes.

15 Q So that will be done before the process so
16 we can be sure that the new plan meets the
17 requirements?

18 A Yes.

19 Q And you have not yet analyzed whether the
20 new proposal meets the storm water requirements?

21 A We're in the process of making revisions
22 right now with the client with storm water standards.

23 Q I believe you said the basins generally
24 are going to hold about 4 feet of water. That's going
25 to be used for irrigation purposes and that 4 feet is

1 that part of the storm water system or is that
2 something you don't have to count as part of the
3 system?

4 A It's part of the system in that it
5 provides the water quality function that we were
6 required to address.

7 Q And you indicated dilution so that helps
8 to dilute?

9 A Correct, it dilutes the pollutants out of
10 the storm water runoff.

11 Q What is the water quality goal?

12 A We have to meet an 80 percent TSS removal
13 which is total suspended solids.

14 Q So you have to remove 80 percent of the
15 suspended solids?

16 A Correct.

17 Q Do you know what the current suspended
18 solids are that go into the Holdrum Brook under
19 existing conditions?

20 A No.

21 Q So we don't know if it will actually be
22 better than current conditions or not for, for water
23 quality?

24 A I don't know. It will be meet DEP
25 standards for water quality treatment.

1 Q As far as whether it's going to be a
2 better water quality than current, you don't have that
3 information?

4 A Correct.

5 Q This is an easy one. I couldn't -- I see
6 where the two main basins were that were going to be
7 combined.

8 Can you just point out to me where the third
9 basin is?

10 A The third basin is behind the maintenance
11 facility.

12 Q So it's outline, it's the outline but it's
13 not filled in like the others?

14 A Correct.

15 Q And that is a detention or retention?

16 A That's just a detention basin.

17 Q And that will handle quality and quantity?

18 A Correct.

19 Q Is there any engineering reason you
20 haven't put those basins on the town house lot, like
21 the main basin for instance?

22 I know it's on the golf course lot. Is there
23 any reason you didn't want to put it on the town house
24 lot?

25 A One of the functions of the basin is to

1 provide irrigation for the golf course so the
2 applicant determined that it was more appropriate to
3 locate that facility on the golf course lot.

4 Q Even though the primary purpose is for
5 storm water management for the town house?

6 A And irrigation for the golf course.

7 Q The reason I bring that up, you would
8 agree with me that one of the requirements of the
9 storm water plan is maintenance component to the plan?

10 A Yes.

11 Q Have you established that plan yet, the
12 maintenance plan?

13 A We will prepare an operations and
14 maintenance manual as required by the standards.

15 Q Is that something that's going to be
16 presented to this Board prior to approval or following
17 approval?

18 A It can be submitted as part of the
19 submission of the revised plans.

20 Q Only because I represent a lot of
21 condominium associations, there, this is really just
22 for your benefit, they're going to need control over
23 that basin because if something clogs, if something
24 happens -- like, for instance, what happens if it is
25 the association's responsibility and they don't

1 maintain it, the regulations require the town step in
2 or somebody else to maintain it or is --

3 A I don't know.

4 Q That's not an engineering question?

5 A No, it's a legal issue.

6 Q Okay. Because that's obviously a concern
7 that, you know, the system you're representing would
8 be designed to function properly. What happens when
9 it doesn't? So just a lawsuit between the condo
10 association and the golf course. So to the extent you
11 sort those out, it's to your benefit. So at this
12 point we don't know if it's the golf course
13 association that's doing maintenance?

14 MR. SANTOLA: Steve Santola. I'm still
15 under oath. The purpose of having the basin on the
16 golf course lot so the home owners would not be
17 burdened with the maintenance of the basin and to make
18 sure the basin stays operational for irrigation.

19 Honestly, there's lots of benefit for having the
20 basin work all the time to be able to water the golf
21 course and so our belief was that the golf club would
22 be, would do a much better job maintaining the basin
23 than the condominium association. It was strategic
24 that it was done that way.

25 I do agree, however, we have to build it, if we

1 get there, to the DCA documents. The condo
2 association's ability, if the club were to fall down
3 on its obligation, the basin working properly is a
4 must and they must have some type of cross easements
5 to get in and maintain the basin if the club doesn't.

6 MR. VAN ECK: I appreciate that. As the
7 owners, we do want to make sure someone is going to be
8 maintaining that.

9 MR. STATILE: Part of the maintenance plan
10 as well.

11 Q Talk about water quantity. We have
12 indicated water quantity, water quality, groundwater
13 recharge and non structural tenants. Right.

14 You would agree there are three different ways
15 to prove that you meet the water quantity standards?

16 A Yes.

17 Q And is it fair to say you're utilizing the
18 third option which basically says that you're managing
19 the rate, basically the rate, has to be certain
20 percentages less than the prior rate based on the type
21 of storm?

22 A That's correct.

23 Q Did you do an analysis under the other two
24 approaches?

25 A No.

1 Q So it's not that those failed and just
2 chose to use the third one. You haven't reviewed
3 those other options?

4 A They were not the appropriate choices.

5 Q Right. Option No. 2 says, and I'll read
6 it for everyone, demonstrate hydrologic and hydraulic
7 analysis, that there is no increase as compared to the
8 preconstruction conditions and the peak runoff rates
9 of the storm water leaving the site for the two, 10,
10 100 year storm events and that the increased volume
11 and change of timing of the runoff will not increase
12 flood damage at or down stream of the site.

13 So you could see why we're concerned down
14 stream. You indicated you have not analyzed the down
15 stream.

16 A Correct because we chose another option
17 that's acceptable.

18 Q Why was Option 2 not acceptable?

19 A Because we chose Option 3. Option 3 is
20 allowed to be chosen. That's the option we felt
21 appropriate for this design.

22 Q I ask because I think I just said that it
23 was inappropriate to use No. 2 but that's not what
24 you're saying?

25 A Option 3 was the appropriate approach for

1 this project.

2 Q Again, you didn't do the other analysis,
3 they didn't -- you just cherry picked No. 3. You just
4 started with No. 3 and used that approach?

5 A Because No. 3 was the appropriate option.

6 Q Why was three appropriate over the other
7 two options?

8 A Because based on this type of development,
9 Option 3 was the correct choice.

10 Q Can you give me --

11 A From an engineering standpoint Option 3
12 was the appropriate approach.

13 Q So you always use Option 3 when you do
14 storm water analysis?

15 A No.

16 Q Can you give me an example of a different
17 type of project where you used option No. 2, down
18 stream coverage?

19 A A project that has a very minimal increase
20 in impervious surface would be more appropriate for
21 Option No. 2.

22 Q You would agree with me, one of the goals
23 of storm water management is to prevent down stream
24 flooding.

25 Correct?

1 A Correct.

2 Q And you can't tell this Board whether
3 that's going to be met or not?

4 A Based on the fact that we have met the
5 standard which is intended to meet the goals of storm
6 water management design, it's our determination that
7 we do not expect negative impact down stream.

8 Q Speaking about groundwater recharge --
9 excuse me, I want to go back a second.

10 You've indicated that the rate of storm water is
11 going to be reduced?

12 A Correct.

13 Q But that the volume of storm water will be
14 increased.

15 Is that true?

16 A That's correct.

17 Q And I believe this is from your report and
18 I want to make sure it's right that the current volume
19 of runoff is 9,776 cubic feet preconstruction and
20 you're moving to 1,201,571 cubic feet.

21 Is that fair to say for the hundred year storm?

22 A I don't have the numbers in front of me
23 but that sounds appropriate.

24 Q And would that approximately give way to
25 about 2.2 million additional gallons of water?

1 A That sounds about right.

2 Q Do you believe that the stream can handle
3 that additional volume of water?

4 A The analysis allows us to analyze based on
5 the peak rate not the volume. That's part of the
6 analysis.

7 Q My question was, do you believe that the
8 Holdrum Brook could handle the additional volume of
9 water?

10 A Yes.

11 Q But you haven't studied the stream or the
12 down stream?

13 A No because the analysis actually based on
14 the reductions is intended to address the fact that
15 there's going to be an increase in volume. That's why
16 you have the reduction in the rate.

17 Q Groundwater recharge I think you've
18 indicated that it's not applicable to the site?

19 A It's exempt from the requirement.

20 Q Would you agree, though, that if it wasn't
21 exempt that this site would actually infiltrate less
22 groundwater than the current condition?

23 A No, I would not agree with that. A
24 significant amount of the runoff from the site is
25 going to be used to irrigate the balance of the golf

1 course. That's groundwater recharge. They're not
2 required to do that but we are providing recharge even
3 though it's not required.

4 Q On a different piece of property?

5 A On, on the remaining piece of property.

6 Q On Lot A?

7 A Lot A.

8 Q Have you done any analysis to see whether
9 Lot A could handle additional water? It's going to
10 have its own recharge capability based on the storm
11 itself now you're adding to it.

12 Did you do any analysis of that?

13 A There's been no analysis but the intent is
14 to allow to provide for irrigation that's currently
15 being provided through potable water.

16 Q You're trying to move from potable water
17 to using this system?

18 A Yes.

19 Q One of the requirements also is to address
20 non structural techniques to a maximum extent
21 practical. Is that fair?

22 I just want to go through your report on those
23 different non structural techniques.

24 The first one says that you need to protect
25 areas that provide water quality benefits for areas

1 particularly susceptible to erosion and sediment loss.

2 I'm on Page 6 of your report.

3 I believe your explanation addresses the second
4 part. You're going to deal with soil, shore up the
5 surfaces, you're going to install impervious cover
6 over it so you're handling, I agree, the soil erosion
7 part of it.

8 Are you protecting areas that provide water
9 quality and if so how?

10 A The primary areas in this case relative to
11 water quality benefit would be the riparian zone
12 associated with the Holdrum Brook. There's no
13 disturbance within that riparian zone. So we are, so
14 the water quality benefit that exists there now would
15 be maintained.

16 Q Are any of the outflow systems with
17 basins, are they within those buffers or do they
18 outflow prior to the buffer?

19 A Prior.

20 Q And then the water naturally would flow
21 through the buffer?

22 A Correct. As it does today.

23 Q Using existing channels?

24 A Correct.

25 Q The second item says to minimize

1 impervious surface and break up or disconnect the flow
2 of the runoff over the impervious surfaces. I believe
3 you explained in your report how you try to minimize
4 impervious surface making the road minimum size
5 required.

6 Correct?

7 A Correct, and eliminating sidewalk on the
8 second side.

9 Q So that eliminates some impervious
10 surface.

11 Have you undertaken any efforts to break up the
12 flow of the impervious surfaces?

13 A In this case because of the desire to
14 utilize the storm water for irrigation, we really need
15 to get as much of the storm water runoff as possible
16 into the storm water management basin so that ws one
17 of the goals of this design. This design is a little
18 bit unique in that the storm water runoff was being
19 reused to irrigate the golf course.

20 Q So you couldn't -- there's the jogging
21 path, that's not going to be a permeable surface,
22 that's impervious?

23 A That's solid.

24 Q Parking areas, those couldn't be made
25 impervious to absorb some of the water?

1 A That's correct. We're trying to maximize
2 the storm water runoff that lands in the storm water
3 basin so, for irrigation.

4 Q Is that a purpose of the storm water plan
5 to maximize the private golf courses use of
6 irrigation?

7 A The, the intent to reuse the storm water
8 runoff is actually very positive with respect to the
9 goals and standards. Okay. So instead of simply
10 discharging it's runoff into the stream, it's being
11 recharged into the ground. It also eliminates the use
12 of potable water. It reduces the need for potable
13 water.

14 Q I'm going skip No. 3.

15 No. 4 says minimize decrease in preconstruction
16 time of concentration. Can you just very briefly
17 describe what time of concentration is?

18 A Sure. Time of concentration is the amount
19 of time it takes for a drop of rain to get to a
20 collection point.

21 Q And the goal is to have that take longer?

22 A Correct. The longer it takes the less the
23 runoff in general.

24 Q And it has nothing to do with the
25 saturation of the soil, not a maximum saturation that

1 happens at time of concentration so that it then
2 starts to runoff?

3 A No. It does have to do with what the
4 surface cover is so the water flows slower over a
5 grass surface than it does over paved surface so it
6 effects the time.

7 Q So here you're keeping that the same by
8 taking grass and using grass?

9 A In this case, again, since we're trying to
10 maximize the amount of water that lands up in the pond
11 we are able to utilize, in some locations, grass
12 swales to transport the water. So that increases the
13 time.

14 Q No. 5 says to minimize land disturbance by
15 clearing and grading.

16 Right, there's going to be a lot of clearing and
17 grading of the site?

18 A Well, with respect to clearing, there's
19 very, actually limited vegetation out there in
20 existing conditions so clearing existing vegetation is
21 limited because there's not that much out there. It's
22 pretty much a wide open golf course.

23 There is regrading necessary to accommodate the
24 project, yes.

25 Q Do you know how many trees are being

1 removed as part of this project?

2 A I think that's, the landscape architect
3 would know that. There's an analysis on the plans.

4 Q I believe it's 230 some odd trees so there
5 will certainly be some clearing of vegetation.

6 A There's been an effort to try to maintain
7 some of the trees even within the development area.

8 Q Let's skip No. 6 and go to No. 7 which
9 talks about minimizing the use of lawns, fertilizers
10 and pesticides. I believe in one of the others you
11 said you're going to use lawns to try to meet the
12 standard. So do we meet this requirement, No. 7?

13 A There is, there is areas proposed as lawns
14 because that's appropriate for this type of
15 development. Further use of the fertilizers and
16 pesticides I'll leave to the landscape architect.

17 Q You have had enough on structural
18 techniques. You would agree the final component for,
19 certainly for the water basin, the storm water
20 management basin is certain safety standards.

21 Is that fair?

22 A Yes.

23 Q Has the design of the basin been finalized
24 and you can see the safety standards have been
25 incorporated?

1 A The basin is actually going to be modified
2 based on comments from Mr. Statile. And the
3 appropriate safety standards such as safety levels
4 will be incorporated into the design. I believe,
5 also, that we're going to install a fence around the
6 basin.

7 Q Are you going to have a step system
8 supposed to be, the basin is supposed to be stepped so
9 it allows people to escape?

10 A The safety/level is what the step, just
11 another word for step.

12 Q So there is room for that element in your
13 current?

14 A Yes.

15 Q Very quick. Getting back to the landscape
16 buffer area.

17 Would you agree one of the requirements of the
18 ordinance as part of the buffer is to use a 4 foot
19 planted earthen berm?

20 A I believe that's one of the options to be
21 utilized. I refer anything relative to the landscape
22 buffer to the landscape architect.

23 Q Do you have any knowledge of whether there
24 are berms proposed in the buffer area?

25 A I think there are some berms along the

1 buffer area along Piermont.

2 Q I'll address further questions to the
3 landscape architect.

4 A Yes.

5 Q I believe you have addressed this in
6 general and I just want to see if there's been an
7 update.

8 What is the water supply usage from Suez?
9 What's the anticipated usage?

10 A Oh, I don't know.

11 Q Okay. It's in your report and you're not
12 changing that. I think it was 50,000 gallons.

13 A There's no changes proposed and we
14 actually have our application pending with Suez.

15 Q Do we know whether that supply will be
16 available?

17 A Our understanding from Suez is that the
18 water is available.

19 Q And that will be provided prior to any
20 vote. It is important that essential things like
21 water supply, sewage have to be feasible in order for
22 a site plan to be granted so I want to make sure that
23 information is provided.

24 A That will be a condition of approval.

25 MR. WOLFSON: She's testified that she's

1 been informed or we've been informed that that supply
2 is available.

3 MR. LEIBMAN: I'm sure if it's not you're
4 not going to build the project. People who move in
5 will want water. The same with thing with sewer
6 requests. Is there a final approval?

7 A There's no final approval.

8 Q Is that pending or has it not been
9 submitted?

10 A No, it hasn't been submitted yet because
11 we can't proceed with the next step in the process
12 until we have site plan approval.

13 Q All right. We're getting to the end of my
14 list so I didn't take too long.

15 The endangered species, I believe an
16 environmental impact study has been presented you
17 testified to earlier?

18 A Yes.

19 Q Are you qualified to testify to anything
20 that's in that report about endangered species?

21 A No.

22 Q Do you know if Miss Jones, the biologist,
23 is going to be appearing here to address those
24 questions?

25 A No.

1 Q I think she indicates that there are bald
2 eagle nests in the vicinity.

3 MR. WOLFSON: She's not going to be
4 available to testify.

5 MR. VAN ECK: Mrs. Jones.

6 Q From an engineering standpoint, are there
7 any restrictions on your development if there are
8 threatened or endangered species on the site?

9 A Not to my knowledge, not in the area that
10 we're proposing to develop.

11 Q So you've considered that as part of your
12 design?

13 A Yes.

14 MR. VAN ECK: That's all I have.

15 Thank you.

16 CHAIRMAN LIPPERT: Okay. Any Board
17 Members have any questions of this witness?

18 Seeing none, let's move along with the next
19 witness.

20 MR. WOLFSON: Thank you. I call Karl
21 Pehnke, our traffic expert.

22 MR. LEIBMAN: Raise your right hand to be
23 sworn.

24 Do you swear or affirm the testimony you're
25 about to give is the truth, the whole truth, nothing

1 but the truth so help you God?

2 THE WITNESS: Yes, I do.

3 MR. LEIBMAN: Please state your name,
4 spell your last name for the record and give us your
5 business address.

6 THE WITNESS: For the record my name is
7 Karl with a K. Pehnke, P, as in Peter, E H N K E, Vice
8 President with the Langan Engineering and
9 Environmental Services located at 989 Lenox Drive, in
10 Lawrenceville, New Jersey.

11 DIRECT EXAMINATION BY MR. WOLFSON:

12 Q And for the benefit of the Board and the
13 Public and the record, could you please give us a
14 brief background of your education and professional
15 experience?

16 A Sure. I do hold a Bachelor of Science
17 degree in civil engineering from Villa Nova
18 University. I am a Registered Professional Engineer
19 in the State of New Jersey as well as several other
20 states. I've been registered in New Jersey since
21 1992. My area of expertise is traffic engineering
22 which I've been practicing since I began my career.
23 And I regularly appear before and testify before
24 planning bodies and governing bodies throughout the
25 State of New Jersey. And it is my first time here.

1 CHAIRMAN LIPPERT: Thank you. We'll
2 accept your credentials as a traffic expert.

3 Q Karl, in connection with your retention by
4 the applicant, did you perform a review of the
5 application and the plans and come to a conclusion as
6 to traffic related issues?

7 A Yes.

8 Q Can you lead the Board and public through
9 your findings?

10 A Certainly.

11 So associated with this application I did
12 prepare a Traffic Impact Study dated August 31st of
13 2018 that was submitted with the application.

14 For the benefit of the public, just a few basics
15 on traffic impact studies and how they are prepared.
16 Basically a Traffic Impact Study contains several
17 components. It includes an inventory of the existing
18 roadway system to understand the general lane
19 geometry, the general roadway arrangement, the traffic
20 control devices and regulatory devices that influence
21 and control traffic patterns through a project area.

22 A Traffic Impact Study also includes a sampling
23 of existing traffic conditions on a roadway system to
24 evaluate and understand the general magnitude of
25 traffic flows along the roadways and through various

1 intersections.

2 And then the traffic study on projects specific
3 bases goes on to utilize industry accepted, nationally
4 accepted and published data in order to prepare
5 traffic projections as to the order of magnitude of
6 traffic that may be generated by a new project whether
7 it be a residential project, office project or retail
8 project or, or whatnot.

9 And then utilizing various techniques including
10 demographic data and observations of the existing
11 roadway patterns we develop an assignment of that
12 traffic to the roadway system for the project.

13 At the end of that process we utilize modeling
14 procedures that are federally developed in order to
15 evaluate the operations of the intersections, whether
16 under a stop sign control, a yield control or traffic
17 signal control, based upon the roadway's geometry and
18 traffic control devices and basically come to the end
19 of the process where utilizing that model, which is
20 rather complex, resulting in a qualitative assignment
21 of the flows of traffic and to keep things relatively
22 simple the traffic engineering industry is, is really
23 just elected to boil down all of the analysis results
24 and computations to what amounts to a simple grade
25 rating similar to a grade school report card of Level

1 of Service A through Level of Service F and, and use
2 that in order to characterize the operations of the
3 roadway.

4 It is a little more complex than that because
5 when you get into the lower Levels of Service which
6 are typical in the State of New Jersey in the E., F.,
7 range, it doesn't mean everything is broken down and
8 completely dead, still and stopped. It means there
9 are heavier delays, potential cycle failures at a
10 signal. We may wait a cycle or two of more to travel
11 through and there may be queuing and so forth but
12 that's all embodied in the results of the Traffic
13 Impact Study.

14 So in this particular case we did prepare a
15 Traffic Impact Study at the outset of the project to
16 prepare for preparation of study, we had the
17 opportunity to do several things.

18 We met with Bergen County at the outset since
19 the adjacent roadway system that we are connecting to,
20 both Rivervale Road and Piermont Avenue are under the
21 jurisdiction of the Bergen County. So we wanted to
22 have their input into the road system and establish
23 the sections of the road and the intersections that
24 they wanted us to study in this area based upon their
25 knowledge and experience of the area.

1 In this particular case they were also able to
2 provide us with some prior traffic data that they have
3 collected in this area particularly at the
4 intersection of Piermont Avenue and Rivervale Road and
5 prior plan for improvements to that intersection that
6 has, has been prior to our involvement with this
7 project.

8 So I certainly have had the opportunity to visit
9 the site and to observe the existing roadway
10 conditions and traffic control devices to understand
11 the operation, the conditions that exist out there.

12 We obtain from the township three year's worth
13 of accident data for the intersections under study and
14 road sites under study to review those and see if
15 there was anything in there dispositive of something
16 that needed particular, to particularly be addressed
17 from a safety standpoint.

18 We also, during the process of the traffic
19 study, had the opportunity to meet with the Board
20 Engineer who is also very knowledgeable of the, of the
21 area and received his input as to issues and concerns
22 we should be aware of. And then, actually, attend a
23 second meeting with Bergen County with the Board
24 Engineer also in order to make sure everybody was
25 considering the collective knowledge in the

1 preparation for this, for this application.

2 With regard to the Traffic Impact Study itself,
3 we did sample traffic volumes on the adjacent roadway
4 system. That was done back in May of 2018. Those
5 samplings were done utilizing what's known as
6 miovision technology. This day and age -- it used to
7 be that we would send somebody out, they would sit on
8 the roadway with little clickers and monitor the
9 traffic manually and write down what they observed in
10 terms of traffic counts.

11 In this day and age we use miovision technology.
12 That's basically a camera that gets installed at the
13 intersections. It's focused on the intersection
14 itself and is able to run a continuous monitoring of
15 the traffic so we have a video recording of the
16 occurrences in the traffic during that time frame.
17 It's then processed and, and the traffic counts are
18 developed from that data. It is a very accurate
19 method to collect and obtain data.

20 So that was done May 1st in 2018 between the
21 hours of 7:00 to 9:00 a.m. and 2:00 to 6:00 p.m. which
22 we chose because of the schools that are in the area.

23 We looked at that afternoon turnover period in
24 case there was something there we need to, to look at.

25 In general what we're finding from the traffic

1 count data is that the roadways do have, as we would
2 anticipate the distinct roadway peaks when basically
3 commuter hours of traffic reaches its highest point
4 during a typical weekday hours and that's generally
5 during from 7:15 to 8:15 in the morning hours and 5:00
6 to 6:00 in the evening hours. That could vary in a
7 given day by 15 minutes.

8 But, in general, people are creatures of habit
9 and what we find is that you can expect to go out
10 there again and find generally those same peak hours.

11 In terms of the traffic volumes itself, while it
12 is a one day sampling which is consistent with what we
13 do in the industry, it is a representative sampling of
14 traffic flow that we are looking for.

15 We do know that traffic does vary again on
16 day-to-day. But, in general, the order of magnitude
17 and the traffic patterns are relatively stable on a
18 day-to-day basis.

19 In this case Bergen County also had traffic
20 volume data at the intersection of Piermont Avenue and
21 Rivervale Road which we were able to review and
22 compare to the data we collected in May and that data
23 was both lower than and consistent with the data that
24 we collected.

25 So the sampling we took was higher as I would

1 have expected because that data was a little bit older
2 but very similar to and definitely in terms of traffic
3 patterns very consistent with what we saw so we
4 believe we have a good snapshot of the general traffic
5 flow on the roadway system.

6 In preparing the Traffic Impact Study I also had
7 the opportunity through the applicant to obtain a list
8 of events that were occurring at Edgewood Country Club
9 in May and June in order to see if there was any
10 particular evenings that might be influenced by an
11 event.

12 In general, most of the events that are
13 occurring at the Edgewood Country Club at the time of
14 preparation of study were primarily weekend events or
15 evening Friday events. Most of the weekday events
16 were golf related outings. On the day of our traffic
17 counts it was their price/guest member day. But there
18 were no other events that seemed to have any influence
19 on the a.m. peak hour or p.m. peak hour during those
20 two months that I looked at on the list.

21 And, again, it's typical for the operations of
22 the country club.

23 Generally you would expect at a country club
24 weekend activity where you have your larger events
25 whether it be weddings or early member functions and

1 the list seems to indicate Friday Evenings as being
2 the only time where you might see Sweet 16s parties or
3 Bar Mitzvahs or Bat Mitzvahs or something of that
4 nature.

5 During the weekdays the events to be related to
6 around holidays where clam bakes would start in June
7 and so forth so we did have the opportunity to look at
8 that.

9 I believe that the traffic volumes that we
10 reported are a representative sampling of typical
11 day-to-day operations on the roadway system.

12 So in terms of them moving forward once we
13 sampled the traffic volumes, we do project that
14 forward to a future design here.

15 In this case for purposes of analysis we
16 projected a total to the year 2021. That's done by
17 applying the regional growth rate which is established
18 by the State of New Jersey based upon trends and
19 analysis and that's about a 1 1/2 percent year growth
20 that we factor up the existing traffic to reflect
21 growth.

22 That growth is probably a little high for this
23 area and I don't believe was evidenced in the Bergen
24 County data comparison to our data.

25 With, with regard to the project and, obviously,

1 any new project, whether it be a residential, retail,
2 commercial project will add new traffic to the roadway
3 system.

4 In this case a residential project will add the
5 typical traffic associated with a residential
6 community including the formal day-to-day activity,
7 particularly during the peak hours where people are
8 going to and from work, school, entertainment,
9 shopping trips and so forth in the evening hours.

10 To project that level of traffic we utilize a
11 document known as trip generation. It is published by
12 the Institute of Transportation Engineers. It is a
13 data base of traffic counts that have been taken for
14 developments throughout the country including the
15 State of New Jersey that is assembled and maintained
16 by the Institute of Transportation Engineers. It is
17 the accepted practice by all jurisdictional agencies,
18 State agencies, government agencies in evaluating
19 potential traffic flows associated with new
20 development.

21 Under the residential categories it is one of
22 the more healthier data basis where a lot of data is
23 included to help us understand the potential levels of
24 traffic that would be generated from the project.

25 So for this project to provide some numbers

1 which are documented in the Traffic Impact Study we
2 would expect 249 units to generate approximately 27
3 entering vehicles in the morning and these are hourly
4 volumes.

5 We focus on the peak hour of the roadway as
6 being the worse case scenarios and the times for
7 analysis periods. So between that 8:15 -- that 7:15
8 to 8:15 period we would estimate about 27 entering
9 vehicles and 88 exiting vehicles.

10 Of that approximately 12 vehicles are associated
11 with the affordable housing component, the 24 units
12 and the remaining 103 total vehicles are associated
13 with the town house development.

14 Similarly, in the evening, we would expect about
15 88 entering vehicles over the course of that hour from
16 5:00 to 6:00 p.m. and about 51 exiting vehicles. And
17 of that, again, about 17 would enter and exit the
18 affordable component of this project.

19 Always get the question, is this a good data, is
20 New Jersey different, have you analyzed New Jersey,
21 the data base is representative. It is, again, used
22 and published in probably the State of New Jersey. It
23 is what is utilized by all engineers in design of
24 communities but to give you maybe a little bit of a
25 feel, it did have the ability to take a look at

1 Holiday Farms.

2 Holiday Farms, by our understanding, has about
3 252 residential units in it. Not too much different
4 than the total size of this project. So in the
5 morning peak hour at Holiday Farms we observed 25
6 cars, over the course of that hour, enter that
7 development as compared to the 27 cars we're
8 projecting.

9 78 cars exited that development over the course
10 of that period as compared to the 88 vehicles that we
11 are projecting.

12 In the evening hour, entering Holiday Farms, we
13 observed 49 vehicles as compared to the 88 vehicles we
14 are projecting and in the evening hour, exiting
15 Holiday Farms, we observed 38 vehicles as compared to
16 the 51 vehicles that we projected.

17 To go one step further I realized this afternoon
18 before I came up here that we had just monitored, back
19 in 2018, a similar town house development in
20 Princeton, actually in Princeton, known as Barclay
21 Square with 220 residential town house units. I
22 thought it was interesting data in that case.

23 For the 220 units in the morning entering we
24 observed 21 vehicles entering that development
25 compared to the 27 vehicles we are projecting. And we

1 observed 82 vehicles exiting that site in comparison
2 to the 88 vehicles we are projecting.

3 Lastly, in the p.m. peak hour at that facility
4 we observed 74 vehicles entering as compared to the 88
5 vehicles we are projecting and exiting. In the p.m.
6 peak hour we observed at Barclay Square 23 vehicles
7 exiting as compared to the 51 vehicles that we have
8 exiting here.

9 I went through that because I thought it was
10 important to give the Board a feel that the data we
11 use as engineers is representative and, again, I'm
12 well aware in doing this many nights that we, that the
13 public is generally skeptical, quickly does the math,
14 249 units times how many people, it's got to be 5,
15 600, a thousand cars coming in and out. That's just
16 not the case in terms of how traffic moves and flows
17 into, into and out of communities.

18 So with regard to the project itself, as you are
19 aware and as Ms. Galvin has discussed, access to the
20 project is primarily from Rivervale Road, utilizing
21 the existing access drive into the country club. That
22 is a, from a traffic engineering standpoint a very
23 good approach. We are sharing an access point. We
24 are not creating a new point of conflict on Rivervale
25 Road and we'll talk about the improvements in a

1 moment.

2 And, secondarily, the affordable housing is
3 provided in access from Piermont Avenue. That access
4 point is proposed to be opposite Holiday Farms. From
5 a traffic engineering standpoint that location is
6 selected in order, in accordance with good design
7 practice. As engineers we want to align streets and
8 driveways where possible and practical in order to
9 avoid, again, introducing new points of conflict along
10 a roadway system.

11 In this case also, as you move to the east of
12 this site, new driveways would start to fall except
13 for Mark Lane would start to fall in front of
14 residential homes and driveways which, if we can avoid
15 it, it makes good sense. So we have proposed to align
16 opposite Holiday Farms which is appropriate and in
17 accordance with good engineering practice in aligning
18 streets and driveways.

19 One of the things I mentioned at the outset of
20 this project is having the opportunity to have the
21 input with Mr. Statile as well as Bergen County and
22 one of the things that they alerted to us early on is
23 the existing difficult conditions that exist at
24 Piermont Avenue and Rivervale Road. There are --
25 obviously, everybody in this room is probably driven

1 through that intersection if not daily I'm sure quite
2 frequently and is familiar with the conditions that
3 occur there particularly along the Piermont Avenue
4 approach during the peak hours, aware because of the
5 unsignalized condition we did get long delays in
6 attempting to turn onto Rivervale Road that can extend
7 back quite a distance, at times as the peaks ebb and
8 flow.

9 And, as I indicated, the County has, in the past
10 working with River Vale, looked at potential
11 improvements at that intersection. The approvals that
12 they had shared with us were rather extensive and
13 impactful on many properties and residents on both
14 sides of Rivervale Road and on Piermont Avenue.

15 However, as we started to work with the County
16 and the County, it became evident that this project
17 created an opportunity for the County to advance
18 improvements to this intersection in that not only
19 starts to address some of this existing conditions out
20 there that are difficult but mitigate the project's
21 traffic and provide for improvements at our site
22 driveway on Rivervale Road.

23 And basically that's by taking what they were
24 previously planning and utilizing the lands from the
25 country club to widen both Piermont Avenue and

1 Rivervale Road.

2 I guess I'm going to enter into exhibit -- I
3 don't know what number we're up to.

4 MR. LEIBMAN: Why don't we mark A-1 and
5 with today's date.

6 Did you mark any exhibits in my absence.

7 THE WITNESS: We have A-2, A-3, A-4.

8 So I am going to mark this A-4, dated 3/28.

9 MR. WOLFSON: Yes.

10 THE WITNESS: So A-4 is a plan prepared by
11 Partner Engineering and Science, Inc..

12 It is entitled preliminary and final site plan,
13 Fairways at Edgewood, County intersection
14 improvements.

15 CHAIRMAN LIPPERT: Could you say what
16 sheet it is?

17 THE WITNESS: Sheet 48 of 61.

18 CHAIRMAN LIPPERT: And just to be clear,
19 this is A-4.

20 THE WITNESS: This is A-4.

21 A So this plan was developed with the input
22 of Bergen County and with some of the results of the
23 traffic analysis.

24 The plan was initially from a geometry
25 standpoint conceptualized by the County and provided

1 to us as they would like to see a lane arrangement to
2 address what was occurring out here and what our
3 numbers would show.

4 And it basically involves widening, I guess,
5 oriented to the plan. So A-4 on the right-hand side
6 of the plan starting in the upper right hand corner
7 and traveling to the bottom of the plan shows
8 Rivervale Road and then during the bottom left hand
9 side running from the left side of the Board towards
10 Rivervale Road is Piermont Avenue.

11 So the County looked at the opportunity to
12 accomplish the widening that they wanted to see
13 happening and lane arrangements by utilizing our
14 property to accommodate that in order to avoid the
15 prior impacts that they were having on the adjacent
16 residential properties.

17 And there are a couple of components of this
18 plan that have been developed in order to provide
19 improved roadway geometry which provides for improved
20 operations.

21 The roadway geometry is also being established
22 and set up in such a way that the County and the River
23 Vale can follow with potential changes to the traffic
24 control for the intersection to include traffic
25 signalization so the intersection is being designed

1 ultimately to be able to accommodate that type of a
2 traffic control plan change.

3 So what the County has is on the Piermont Avenue
4 approach to Rivervale Road, is to widen towards the
5 north into the property and what will occur as you
6 approach Rivervale Road instead of the one lane that
7 occurs that is provided today, as you approach the
8 lane, the intersection, the roadway will widen. It
9 will taper open. And on the approach to River Vale
10 they will now be a separate left turn lane and a
11 separate right turn lane.

12 CHAIRMAN LIPPERT: So you're saying people
13 traveling to the east.

14 A So eastbound traffic approaching the
15 intersection will now be provided a separate left turn
16 lane and a separate right turn lane.

17 About 25 percent of the traffic coming up
18 eastbound to the intersection is making a right so
19 that traffic being separated from the left results in
20 a reduction and separation of that traffic from the
21 left turn lanes.

22 More importantly, coming southbound on Rivervale
23 Road with are widening, again, into the site frontage
24 and as you pass the existing country club driveway the
25 widening will result in the creation of a right turn

1 slip ramp separate from the through lane that will
2 have a channelizing island and be received in its own
3 lane on Piermont Avenue which then would travel about
4 150 feet and taper in, back into the one lane.

5 And that's been designed by the County to the
6 standards that they want to see at this particular
7 intersection consistent with what they've done at
8 other locations.

9 What, what effectively this has done is two
10 things, one on the approach to, on the eastbound
11 approach by creating the two lane approach we're
12 obviously creating capacity increases to separate the
13 left turn and the right turn flow. But, more
14 importantly, on the southbound approach, by separating
15 and channelizing the very heavy right turn volume
16 which right now is part of the thru flow, the one lane
17 approach, the people that are looking to make a right
18 or making a left will now be choosing their gap in the
19 traffic flow against the reduced flow of the thru lane
20 because the right turn volume would be more, will be
21 channelized out of that gap acceptance.

22 So, as a result, the current approach, which
23 operates with very long delays at times and very long
24 queues will experience a significant decrease, about
25 50 percent decrease in the delays that are experienced

1 out there and the queues that are being observed.

2 CHAIRMAN LIPPERT: Speaking of the
3 southbound traffic on Rivervale Road.

4 THE WITNESS: The eastbound traffic coming
5 up to the stop sign. So the eastbound approach can
6 experiences heavy delays. Those delays will reduce,
7 will be reduced by about 50 percent even with the
8 additional traffic associated with this project.

9 Separately, northbound on Rivervale Road, the
10 widening will incorporate the addition of a separate
11 left turn lane to accommodate left turning movements
12 into the country club and the residential development
13 separate from the through volumes.

14 What that does is provide a safe storage area
15 and eliminates the delays associated with a thru
16 vehicle potentially queuing behind a left turning
17 vehicle to keep the movement flowing properly along
18 Rivervale Road.

19 Lastly, associated with the improvements that we
20 would be doing at Piermont and River Vale, we will be
21 installing underground conduit in order to be
22 receptive to future signalization installations so
23 that there will not be future disruption and need to
24 cut trenches and so forth through the pavement
25 sections to install future conduits so we would be

1 installing the conduit at this point in time for the
2 future signalization by Bergen County.

3 We what also agreed to do is associated with
4 pedestrian activity that we have occurring along the
5 roadway and the crossing guards that are present
6 during school hours is to install rapid flashing
7 beacons, pedestrian activated rapid flashing beacons
8 to improve the safety and the ability of the crossing
9 guards to provide notification when there is crossings
10 occurring from a pedestrian nature.

11 CHAIRMAN LIPPERT: So those will be
12 installed but the traffic signalization itself is
13 deferred?

14 THE WITNESS: The traffic signalization
15 will be something that can be considered by the Bergen
16 County in the future.

17 CHAIRMAN LIPPERT: Chris, do you want to
18 weigh in on that, where that stands?

19 MR. STATILE: That's an impasse right now.

20 CHAIRMAN LIPPERT: Right now we're talking
21 about a traffic light at Rivervale Road and Piermont.

22 MR. STATILE: The upland of the township
23 would like to see the intersection signalized so it
24 helps pedestrians, vehicles.

25 The traffic engineer could probably agree or

1 disagree sometimes traffic lights cause more traffic
2 than they solve. Traffic lights got to draw alongside
3 acceptance. Anyway, working with Bergen County to get
4 towards that installation, something that's going to
5 be coming down the road not next year or the year
6 after. I'm not sure when we expect that would be
7 done. Perhaps the Mayor could help us in that regard
8 with the County, of course.

9 The flashing beacons are pushed by the
10 application.

11 Correct?

12 THE WITNESS: Correct.

13 MR. STATILE: So the crossing guard wants
14 to bring children across the intersection or walking
15 with a dog, you press the button and have people move.

16 Because, remember, the intersection crossing for
17 a traffic signal, signalized intersection so there
18 that would be a refuge island so no one would be
19 standing out there four or five, waiting to cross. So
20 the flashing beacon will assist you in that regard.

21 Formal traffic signals of course obviously walk
22 right across the intersection, refuge island on the
23 other side. There's an absence of that. We have to
24 provide beacons, a temporary measure until we get a
25 full signalized package.

1 CHAIRMAN LIPPERT: So we don't have any
2 time table?

3 MR. STATILE: The County Planning Board
4 and traffic engineer would.

5 MAYOR JASIONOWSKI: We have two requests
6 in front of the County already through the police
7 department's traffic expert. We requested two years
8 ago to lower the speed limit on Piermont. Okay.
9 Because we saw that as a significant need. That is
10 still pending County approval.

11 And we requested four years ago five years ago
12 the traffic light.

13 So we have constantly been badgering them for
14 both because, and I'll get to the question of the
15 witness, the road is a significant issue in town.
16 There's no hiding from that.

17 CHAIRMAN LIPPERT: Yeah. So everybody
18 understands, we all live in River Vale. We have all
19 had to make a left hand turn from River Vale to
20 Piermont Road. We understand there are problems there
21 especially for people living at Holiday Farms. We are
22 trying to address that and we're hoping to make that
23 better. I'm sure the applicant has some words to say
24 about that.

25 MR. BEUKAS: Can I ask you a question?

1 THE WITNESS: Yes.

2 MR. BEUKAS: In front of the Country Club
3 on River Vale Road, is that impacted at all? That was
4 recently installed.

5 MR. STATILE: You mean Old Tappan Road?

6 MR. BEUKAS: Yes.

7 MR. STATILE: Some impact of traffic
8 leaving the site.

9 MR. BEUKAS: With respect to the
10 functionality of that light, does that light stand?

11 MR. STATILE: That light stays, stays,
12 yes.

13 THE WITNESS: Just to continue that, that
14 intersection was incorporated in the Traffic Impact
15 Study and, yes, there would be additional traffic
16 flowing through the intersection, the intersection
17 will continue to operate at the levels of service it
18 does today and it will be a change to the operations
19 of that traffic signal at Old Tappan and Rivervale
20 Road.

21 Before we go back to and talk about River Vale
22 and Piermont we did, as I indicated, propose the
23 affordable housing driveway opposite Holiday Farms.

24 Again, from an engineering standpoint, that is
25 an appropriate design. It is projected to operate at

1 good levels of service. With regard to try to give
2 you maybe a sense of flow coming out of the
3 affordables, in the morning we would expect about nine
4 vehicles over the course of an hour. That's about one
5 vehicle every 6 to 7 minutes.

6 So I would suggest to the Board and certainly
7 from a traffic engineering standpoint it is not going
8 to result in a perceptible change to the operation of
9 that intersection and, again, its positioning the
10 driveway in an appropriate location for people
11 traveling along Piermont Avenue and exiting Holiday
12 Farms to see, understanding and react as licensed
13 drivers to the traffic conditions that we face
14 everyday.

15 As was previously testified to and had been
16 asked by Mr. Statile in his review letters we are
17 amenable to adding an additional egress drive and that
18 would be located opposite Mark Lane. That driveway,
19 while it's not needed as a solution for access to this
20 project does provide an advantage by allowing traffic
21 to come out the town house development without going
22 through the intersection of Piermont and River Vale so
23 that is just an added benefit. It would certainly be
24 appropriate and similar to the Holiday Farms
25 affordable housing to locate it opposite Mark Lane,

1 again to avoid adding a new point of conflict along
2 the roadway and maintaining an existing intersection
3 so that can be done.

4 And we would propose to do that and that
5 driveway will also operate at good levels of service
6 coming out of the application. So if the Board
7 desires that to be done, the applicant is amenable to
8 that, to that condition.

9 You know, as I said, with regard to the
10 improvements at Piermont and Rivervale, it is
11 absolutely a significant improvement. It's a
12 geometric improvement, a safety improvement. It
13 absolutely mitigates the impacts associated with the
14 additional traffic associated with this project.

15 And our driveway improvements are absolutely
16 going to provide for a safe and proper ingress and
17 egress both to the existing country club and driveway.

18 The applicant is not here as the solution to all
19 the roadway improvements. We do understand that
20 signalization may still be appropriate in the future.

21 I do think the County wants to get the geometric
22 improvements in place to see how that helps because,
23 as Mr. Statile does inference signalization isn't
24 always a panacea. It could have it's own problems
25 associated with it. It could change the accident

1 safety hours, operations of an intersection so it's
2 used -- it is wide. There are specific warrants and
3 conditions and engineering studies utilized before a
4 signal is considered and while one of the solutions is
5 to, to geometric improvements prior to signalization.

6 However, as I indicated, the developer is
7 prepared to donate both the land and, of course, to
8 construct the improvements for the County and set it
9 up for signalization in the future. That
10 signalization may require some further third party
11 easements from the other quadrants of the intersection
12 of the County and/or Borough may need to pursue.

13 But the signal will be set up. The intersection
14 will be set up for that.

15 So, overall, from a traffic standpoint, the
16 applicant is here with, in my opinion, a proposal for
17 access and circulation that will work appropriately.

18 I won't run through the site layout again. I
19 think Ms. Galvin has done a good job from my
20 recollection of the testimony in discussing the
21 internal circulation, the layout of the parking which
22 is in accordance with the Residential Site Improvement
23 Standards and, in my opinion, provides for a typical
24 community layout that will function properly and
25 accommodate the movement of vehicles safely throughout

1 the site.

2 And the traffic study, as I said, does show that
3 the improvements that we are prepared to make for the
4 County will accommodate the traffic and mitigate our
5 impacts and leave the roadway actually in a better
6 condition than is, than it is today.

7 And, I think that summarizes it.

8 I did indicate we did have an opportunity to
9 review accident data during the course of this
10 investigation. So we had obtained accident data from
11 2016 through current so that's three years of accident
12 data. In reviewing that data, quite frankly, there
13 was nothing in there that was surprising to me or out
14 of what I expected to see with regard to typical
15 accidents at intersections.

16 Unfortunately, they do happen. But to give you
17 some idea of what we did find over the course of three
18 years at Piermont Avenue South which is basically
19 Holiday Farms and Piermont Avenue, there were two
20 accidents one in 2017, which actually resulted, it was
21 a result of somebody that was, had their vision
22 obscured by a truck that was parked on the shoulder.
23 She came around the front of the truck and didn't see
24 the person making the left turn at Holiday Farms so
25 that was not related to geometry, not related to

1 whether it was a unique situation associated with
2 driver error and there was a rear end accident,
3 somebody not paying attention to somebody making a
4 left in.

5 There are a few fixed objects, couple mailboxes
6 got hit out there, people losing control of their car,
7 driver error, a couple animal hits through the years
8 at Old Tappan Road. I don't mean to make light of
9 this. These are typical accidents you would see.
10 Unfortunately, we, as engineers, can't solve all these
11 because most of them are driver error.

12 Old Tappan Road had about 160 in 2017 and four
13 in 2018.

14 And then at Rivervale and Piermont we expect
15 there to be an accident situation. There was a series
16 of accidents; in 2016 there was one, there was six in
17 2017 and three in 2018.

18 In reviewing the accidents, again there's none
19 of the accidents -- what we look at for as engineers
20 to see if there was anything in those accidents that
21 is suggesting a substandard condition, a sight line
22 issue, something that is common to every accident that
23 could be correctable by fixing a sight line or so
24 forth. They're very varied. A good percentage of the
25 accidents are really people not paying attention to

1 the car in front of them on the eastbound approach
2 and, and about bumping bumpers of rear end accidents
3 as they're moving up on the stop signs and then a few
4 of them related to somebody making a left when they
5 presume somebody was making a right.

6 So that was generally what we saw in the
7 accident reports but none of them were correctable or
8 indicating a sight line issue.

9 Now I would suggest that the geometric
10 improvements that are being proposed at this location,
11 particularly the right turn channelization and the
12 lane widening is going to probably improve that safety
13 of that intersection particularly the accidents
14 associated with people trying to judge if somebody is
15 making a right on to Piermont so I can make my left or
16 coming through.

17 The channelization, that decision is going to be
18 taken out. You'll now be able to clearly discern
19 whether somebody is going through and continuing as a
20 conflict versus making a right. That will help that,
21 that particular situation.

22 The intersection improvements are laid out.
23 They are still subject to further detail design with
24 the County. Things that we will be refining are to
25 make sure we have all proper and safe sight lines at

1 our driveway at the intersection of Piermont and
2 Rivervale and that our driveways are on Piermont.

3 So all of that is, is in progress to be worked
4 out, incorporating many of the things that have been
5 discussed with regard to the pedestrian path and
6 ultimately the input from the County with final design
7 plans. It was all doable, it was all within our
8 control and in my opinion would result in improving
9 traffic conditions at this particular intersection and
10 at our main driveway.

11 CHAIRMAN LIPPERT: All right. What I want
12 to do is, I'm going to take a five minute break to
13 give our reporter, I mean five minutes because we're
14 going to go to 10:45 because the Board has a little
15 bit of other business to do. And I'll come back and
16 open it to questions from the public of our traffic
17 expert.

18 So let's take five minutes. Thanks.

19 (A recess is taken.)

20 All right. We're back on the record and let's
21 do roll call.

22 MS. HAAG: Mr. Lowe.

23 MR. LOWE: Here.

24 MS. HAAG: Mr. Beukas.

25 MR. BEUKAS: Here.

1 MS. HAAG: Mr. Bromberg.

2 COUNCILMAN BROMBERG: Here.

3 MS. HAAG: Mayor Jasionowski.

4 MAYOR JASIONOWSKI: Here.

5 MS. HAAG: Mr. Fortsch.

6 VICE CHAIRMAN FORTSCH: Here.

7 MS. HAAG: Mr. Wayne.

8 Mr. Puccio.

9 MR. PUCCIO: Here.

10 MS. HAAG: Mr. Lippert.

11 MR. LIPPERT: Here.

12 MS. HAAG: Ms. Vaccaro.

13 MS. VACCARO: Here.

14 MS. HAAG: Mr. Leibman.

15 MR. LEIBMAN: Yep.

16 MS. HAAG: Mr. Statile.

17 MR. STATILE: Here.

18 CHAIRMAN LIPPERT: Normally I would ask
19 the Board if, to post questions but I know people are
20 staying here late so I would rather hear, in the time
21 remaining, I would rather hear from the public so come
22 on up and ask questions.

23 MR. STATILE: Mr. Chairman, let me just
24 present something to the Board.

25 CHAIRMAN LIPPERT: Sorry.

1 MR. STATILE: That's fine. And the
2 applicant has got this as well.

3 What we did is to verify the applicant's trip
4 generation model that they used. We used the same
5 technology they do. We also took traffic counts at
6 another development about twice the size of this
7 development in that radius and that development has a
8 greater mix of single family dwellings.

9 We know traffic engineers generate more traffic.

10 So we took the traffic counts -- I'll pass this
11 out. We all have concern of traffic dealing with the
12 development. We did our own engineering analysis.

13 MR. LEIBMAN: Let's mark this into the
14 record.

15 CHAIRMAN LIPPERT: Does the applicant have
16 this?

17 MR. WOLFSON: You gave me a copy last
18 week.

19 MR. LEIBMAN: So what's this labeled A-5.

20 MR. WOLFSON: That's B.

21 MR. LEIBMAN: We should get a B label. I
22 think we have had B-1, we have a B-1 already so this
23 would be B-2, B-2.

24 MALE SPEAKER: Mr. Leibman, I think we are
25 up to B-4.

1 MR. STATILE: Yes.

2 MS. HAAG: We have B-1, 2 and 3.

3 MR. LEIBMAN: So we'll call it B-4, CPS.

4 Okay.

5 CHAIRMAN LIPPERT: Okay. Chris, the Mayor
6 has a question.

7 I want to ask you a question just before the
8 public comes out because I'm not a traffic expert and
9 I always rely on you and the Police Department when
10 there's a lot of statistics being sent around and, you
11 know, I'm glad we have this because, you know, I don't
12 think it's a fair comparison to compare Holiday Farms
13 to this development because of the mid rise, the mid
14 rise, predominantly less vehicles.

15 And, it is a unique street. I know the traffic
16 engineers want to hear that, right. But from my
17 perspective as no a traffic engineer, as Mayor of the
18 township, it has, it could have -- if the application
19 is approved two town house developments, a swim club,
20 two schools, I know it's not the applicant's problem
21 but it's my problem. Right.

22 So in your expert opinion, you know, based on
23 what we provided here and what we saw, I mean, it does
24 what we see.

25 Is that accurate, in your opinion, that there

1 will be a reduction in the traffic at that
2 intersection?

3 MR. STATILE: A reduction, it will be an
4 increase in Level of Service, reduction of the backup
5 and queues. Level of Service meaning the, there would
6 be less delay, A, B, C. And it will be, have more
7 thru, the intersection will have more thru movement
8 because the drivers have more breaks, at the
9 intersection. Currently traffic, there's confusion in
10 the intersection, approaching vehicles, you're not
11 sure if they're going to turn, what they're going to
12 do, this division of land use, driving queue as to
13 what's happening which provides thru for the
14 intersection.

15 MAYOR JASIONOWSKI: You understand my
16 concern.

17 MR. STATILE: Absolutely. We're always
18 concerned about traffic.

19 MAYOR JASIONOWSKI: Thank you.

20 MR. STATILE: As I said, this particular
21 development, the Reserve in Oakland, twice the number
22 of units. It has single family houses as well as town
23 houses.

24 So we use that as kind of a test to see whether
25 or not the ITE manual which is what the applicants

1 use, accurately reflects traffic operations in New
2 Jersey specifically in Bergen County specifically
3 because the manual that we use takes traffic studies
4 from all over the country consolidates them and comes
5 up with average generations from different types of
6 uses, gas stations, retail standards and town houses,
7 et cetera. So this is really a Bergen County project,
8 Bergen County county road that we actually checked.

9 So if you look at the first page, keep it as
10 simply as possible, the top of the, top line, top of
11 the, the a.m. projected volume, the applicant had 52
12 vehicles coming in in the a.m., our analysis showed,
13 our actual count showed we had 35 units contributing
14 to, -- the applicant in this case is over, has over
15 estimated the amount of vehicles coming in.

16 In the p.m. the applicant projected that, 86
17 vehicles entering the site where our counts show 94.
18 That's a little bit lower than what we actually found,
19 really eight cars in an hour.

20 On the volume of vehicles leaving the
21 intersection in the a.m., the applicant projected 80
22 and our actual count showed 83 vehicles so it's pretty
23 much -- it's pretty close. In the p.m. leaving the
24 site the applicant projected 75 and we actually found
25 61 vehicles. So what it basically does is proves that

1 the applicant was conservative in their analysis of
2 the actual amount of vehicles being generated on the
3 site. We wanted to make sure that was correct.

4 What we -- we do manual counts because we also
5 happen to have bus stops so we actually counted them
6 with concern leaving the project because parents are
7 taking kids up to the bus stop, waiting for the high
8 school children, waiting for, but gives us a feel to
9 get a number of students that were actually utilizing
10 the larger development.

11 So that's my story in this matter.

12 CHAIRMAN LIPPERT: So you've run a
13 comparison, connected the applicant's data and you
14 find that their data is actually conservative at that
15 time, at that time is actually conservative.

16 Okay. All right. Anyone, any questions of this
17 witness? Come on up.

18 State your name and address, please.

19 MS. LAWRENCE: Marla Lawrence, 25 Holiday
20 Court. So I just want to know, I read the study. I'm
21 not a traffic engineer. It just looks like my concern
22 is making a left turn coming out of Holiday Farms onto
23 Piermont heading west. So I may be looking at wrong
24 numbers. It looks like we're going to go from an
25 average of 2.7 second to almost between 18 and 20.

1 I want to know, if you're going to update the
2 document, across Mark Lane is going to have an egress
3 and have people coming from the town house complex,
4 coming and making a right onto Piermont which then
5 actually adds important track and makes it more
6 difficult to make a left coming out of Holiday Farms.

7 THE WITNESS: So with the addition of that
8 we would not change the analysis at Holiday Farms
9 because, in effect, all it's doing is the traffic
10 study already projected to come around Rivervale and
11 onto Piermont would now just come right out, right
12 across from Mark Lane so it's the same traffic
13 passing. It's just going to not be along Rivervale
14 and through the intersection.

15 So the section from our driveway, the existing
16 country club roadway driveway on Rivervale to the new
17 intersection at Mark Lane would be relieved of
18 probably about 30 to 40 vehicles per hour during the
19 morning peak hour so there would be no change.

20 MS. LAWRENCE: No change in number?

21 THE WITNESS: That would be passing, that
22 would be projected to pass Holiday Farms.

23 MS. LAWRENCE: Okay. Does it mean no, I
24 know because say it's like two minutes, whatever, does
25 it mean they're just going to be more congestion in a

1 shorter amount of time in that peak period between
2 7:00 and 8:00 a.m..

3 THE WITNESS: No.

4 MS. LAWRENCE: Because to you they don't
5 have to know this, they're coming right out and making
6 a right.

7 THE WITNESS: It doesn't change the amount
8 of traffic that would be projected to be going across
9 Holiday Farms. It actually will reduce the flow and
10 improve the Level of Service operation at Piermont and
11 Rivervale.

12 MS. LAWRENCE: That I understand. I don't
13 know if you understand my question.

14 THE WITNESS: I do. Yeah.

15 MS. LAWRENCE: So it's now shorter. They
16 have a more finite amount of time to actually go
17 because they're not going all the way around so it's
18 more finite in the crunch time period of the morning
19 rush hour and school time.

20 THE WITNESS: No, it doesn't change the
21 distribution as to when they leave their homes over
22 the course of an hour so it doesn't change the
23 analysis.

24 MS. LAWRENCE: Okay. Thank you.

25 CHAIRMAN LIPPERT: Chris, I take it you

1 just heard that exchange and you agree?

2 MR. STATILE: Yes. Absolutely. That's
3 correct.

4 MS. MORGENSTEIN: Florence Morgenstein,
5 M O R G E N S T E I N, Holiday Court.

6 So my question is, you said there was going to
7 be a left hand turn on Rivervale Road into the country
8 club or the golf course area or the town houses.

9 THE WITNESS: Correct.

10 MS. MORGENSTEIN: Will there be a left
11 hand turn onto Piermont as you're coming south of
12 Rivervale Road going north?

13 There's no left hand turn to go onto Piermont
14 only into the club?

15 THE WITNESS: Right. That's correct. The
16 reason being is the County had previously looked at
17 that. The problem is south of Piermont is, there is
18 no right-of-way so at some point in time to do that
19 the County looked at that in the past, you would
20 actually have to obtain property from the home owners
21 on both sides.

22 In this case up here we own all the property
23 along the west side so we're able to make the geometry
24 work and shift over to get that left turn lane in.

25 MS. MORGENSTEIN: Okay. That makes sense.

1 And then you are definitely considering the Mark Lane
2 exit or is that still up in the air?

3 THE WITNESS: We are amenable to it as a
4 recommendation of your Board professional and
5 presumably the Board.

6 MR. STATILE: The Fire Department.

7 THE WITNESS: The Fire Department and
8 Police Department. We are under the assumption right
9 now that is the direction the Board would like us to
10 proceed in.

11 MS. MORGENSTEIN: As a resident of Holiday
12 Farms I respectfully request that you put that
13 exit/entrance in. I think we all would appreciate
14 that and that would show real good faith.

15 Also you said you did a study in Princeton.
16 What road was that coming out onto?

17 THE WITNESS: Yeah. So I wanted to
18 provide a reference like Mr. Statile did to an actual
19 New Jersey count. So the project is known as Barclay
20 Square. Barclay Square is part of a major
21 development. It's actually in Plainsboro. It's done
22 by Princeton University, the development. It is in a
23 development known as Forest Hill Center, large mixed
24 use development and Barclay Square actually connects
25 to what's known as Seminary Drive which connects to U.

1 S. Route 1. So it is a town house development, rather
2 high end town house development serving that
3 Plainsboro, Princeton community.

4 MS. MORGENSTEIN: And isn't it true that
5 Route 1 is two or three lanes in both directions, with
6 lights at all the intersections that exit from that
7 town house development?

8 THE WITNESS: That section of New Jersey
9 is way different than this section of New Jersey.

10 MS. MORGENSTEIN: No, I know. Well,
11 that's what I'm saying.

12 So what I'm trying to point out in comparison to
13 what you're talking about, we have literally two
14 east/west roads Piermont and Prospect and one
15 north/south, Rivervale Road. So it's not like going
16 onto Route 1 where every intersection there's a light
17 that delays traffic and the left turn and right turn
18 lanes and roundabouts and all that.

19 THE WITNESS: With regard to how they flow
20 is one thing. What we're interested in knowing is
21 what does a town house community of 220 units
22 generate. And that's the comparison, that's the data
23 we selected and, and compared to and it's, it is a
24 data point that is very comparable to this site.

25 MS. MORGENSTEIN: Just one more. How do

1 you predict that there's only going to be seven cars
2 coming out of the affordable housing?

3 THE WITNESS: It's based upon the number
4 of units, the 24 units proposed and the data base we
5 use which are based upon counts of similar facilities.
6 So we're able to -- the ITE data base basically --
7 let's say this facility was built and existing, what
8 the ITE data base is no more than somebody going out
9 there, counting that and it's submitted and it becomes
10 part of the data base.

11 For instance, as part of the on-going process
12 how to take the data I collected at Holiday Farms, I
13 will submit that to ITE and that will become part of
14 the data base and it's just a collection of traffic
15 counts at similar residential communities that are
16 gathered and made available to the engineering
17 community.

18 MS. MORGENSTEIN: Okay. One more easy
19 question.

20 How many parking spaces are in the affordable
21 housing which could accommodate -- what's the maximum
22 cars that could be accommodated in that parking lot?

23 THE WITNESS: Based upon regulations, the
24 affordable housing is required to have 48 parking
25 spaces and there is provided 48 parking spaces.

1 MS. MORGENSTEIN: Okay. Thank you.

2 THE WITNESS: You're welcome.

3 CHAIRMAN LIPPERT: Anyone else?

4 MS. CATANESE: Dana Catanese, C A T A N E
5 S E, 601 Piermont.

6 So the question I have, several questions, is
7 the hours of the study you did. You said 8:00 to 9:00
8 was the peak morning hours.

9 THE WITNESS: So the surveys are done to
10 isolate what we know as traffic engineers, roadways
11 generally peak between 7:00 in the morning and 9:00 so
12 we do our counts from that period. Your roads
13 actually peak from 7:15 to 8:15 which, again, is
14 typical and what I would have expected.

15 In the afternoon we elected to do more than what
16 we normally would count, from 4:00 to 6:00, because
17 you have the high school and you have the middle
18 school and we decided to count from 2:00 to 6:00.

19 We have a whole series of school in the area so
20 we extended the counts from 2:00 to 6:00 and what we
21 found is the roadway was still peaking between 5:00
22 and 6:00 so there is an earlier peak, you know, when
23 you expect some school activity but it's not as high
24 as that 5:00 to 6:00 commuter hour. So we still use
25 that for the design hour period.

1 MS. CATANESE: Okay. You're saying even
2 the increase of potentially the families, the school
3 hours.

4 THE WITNESS: Would still be lower than
5 the high peaks, yes.

6 MS. CATANESE: Do you have any idea how
7 many school age children would be moving in?

8 THE WITNESS: I would have to leave that
9 -- I don't know.

10 MS. CATANESE: Do you know where children
11 in this development would be going to elementary
12 school?

13 THE WITNESS: I don't know how your
14 district works.

15 MS. CATANESE: Can I ask the question?

16 MR. LEIBMAN: This is traffic. He doesn't
17 know about schools.

18 MS. CATANESE: Okay. So my --

19 MAYOR JASIONOWSKI: That will be a
20 determination by the Board of Education. It's current
21 but it hasn't always been that. So it has moved over
22 the time. That will be a determination by the Board
23 of Education based on population. But I will say that
24 when, when we had these other developments in town so
25 the ones on Poplar Road.

1 MS. CATANESE: And the other one going up
2 did also.

3 MAYOR JASIONOWSKI: We know those were
4 done.

5 MS. CATANESE: The one that's being built
6 in the River Vale Country Club.

7 MAYOR JASIONOWSKI: No. No. The ones on
8 Poplar Road years ago they added a total of 11 kids
9 from K. through 12 and it was 156 units, around there.
10 So really they didn't move the lines at all.

11 Right. So they kept everything and, you know, as of
12 today it's Piermont north, right, north of Piermont.

13 MS. CATANESE: And south of Piermont.

14 MAYOR JASIONOWSKI: Is Roberge and
15 Piermont north, the north side of Piermont is
16 Woodside.

17 MS. CATANESE: Correct.

18 MAYOR JASIONOWSKI: I'm more than happy to
19 ask the superintendent if he has any intention of
20 changing that.

21 MS. CATANESE: That would be --

22 MAYOR JASIONOWSKI: I'll take that, I'll
23 ask the superintendent if they plan on changing that.

24 MS. CATANESE: And if there's any other
25 large buildings going on in town is that additional

1 changes?

2 MS. CATANESE: The easement you talked
3 about Piermont, the residents on Piermont, there is
4 like four houses right by the corner before you turn.
5 Could did you explain that?

6 THE WITNESS: No. The project we're
7 proposing will all be on property we control, no
8 easements are required.

9 What I was referencing is the County previously
10 tried to lay out an improvement here that was actually
11 obtaining easements.

12 What I did reference is when the County proposes
13 to signalize this intersection, there are likely going
14 to be needed some additional easements for the
15 location of foundations.

16 MS. CATANESE: Can I look? It's hard to
17 see exactly where you're pointing.

18 THE WITNESS: So when you design a traffic
19 signal --

20 MS. CATANESE: So this is the existing?

21 THE WITNESS: Referring to A-4 on the
22 southern side of Piermont Avenue what you see in the
23 dashed, along that is the existing right-of-way line
24 along the south side of the roadway. And there it is
25 also pretty coincidental with the existing curb line

1 and it's not moving.

2 MS. CATANESE: It's not moving.

3 If the town and County were to provide a light
4 it would most likely move?

5 THE WITNESS: No. What would happen with
6 a traffic signal basically we would need to find a
7 location in each of the four quadrants where we need
8 to install a foundation and signal pole, the general
9 conditions of a traffic signal because the
10 right-of-way is so tight at each of those quadrants
11 there may be little easements needed beyond the
12 existing right-of-way to encompass the foundations and
13 the signal equipment and underground conduit at those
14 locations so it's not a big imposition but there's
15 certainly areas where it looks like in order to
16 install that equipment it would exceed, it would need
17 something outside the existing right-of-ways.

18 MS. CATANESE: Thank you.

19 THE WITNESS: What we would be doing in
20 the interim is putting in underground conduit,
21 junction boxes and that we can do within the existing
22 right-of-way so that it's there.

23 CHAIRMAN LIPPERT: Anyone else? Okay.

24 Then -- I'm sorry.

25 MR. GARRISON: Charles Garrison, G A R R I

1 S O N, 521 Piermont Avenue.

2 Have you really alleviated any of the northbound
3 River Vale problem which wants to make a left turn
4 onto Piermont as opposed to the eastbound Piermont
5 wanting to turn northbound on Rivervale Road?

6 THE WITNESS: Well, it does actually
7 alleviate a little bit because today, again, that
8 northbound approach has to choose against a combined
9 thru right turn lane.

10 MR. GARRISON: Right.

11 THE WITNESS: So now the way the County
12 asked us to lay this out is there is two receiving
13 lanes. The right turn lane would come down into its
14 own lane. So as somebody coming northbound that
15 basically, going against, I think it's almost half the
16 volume, let me actually just check that. So it's even
17 less because the majority of the traffic is making a
18 right so, for instance, somebody coming north today
19 that wants to make that left really sees, is seeing
20 about 700, 800 cars an hour coming at them which is
21 compounding of thru right now choosing a gap about 375
22 cars so almost half the cars.

23 MR. GARRISON: Well, why do you -- the
24 same cars are going to go straight or peel off to the
25 right and go on Piermont.

1 THE WITNESS: Okay. But they come into
2 their own lane so a vehicle northbound actually has
3 the opportunity to turn into its own lane.

4 MR. GARRISON: Yeah. But he's still got
5 to worry about the southbound traffic.

6 THE WITNESS: Then they merge together,
7 yes.

8 MR. GARRISON: He can't even make the turn
9 because he's got the southbound coming 40 miles an
10 hour at him.

11 THE WITNESS: No. You've got two separate
12 lanes so the right turn channelized comes into a lane
13 and there's another lane out here so this vehicle can
14 move into its own lane and the County specifically had
15 us do that to operate that way.

16 MR. GARRISON: You're ignoring the
17 southbound thru traffic.

18 THE WITNESS: No.

19 MR. GARRISON: You just ignore the
20 southbound thru traffic?

21 THE WITNESS: Oh, the southbound thru
22 traffic.

23 MR. GARRISON: Who's going to worry about
24 that?

25 THE WITNESS: You always do.

1 MR. GARRISON: They see basically --

2 THE WITNESS: What you've done is you
3 improved your gap choices because the right turn
4 volume which is the heavier volume is removed from the
5 decision making.

6 MR. GARRISON: But basically a little
7 flexibility. But, again, eastbound on Piermont
8 wanting to turn north has the same problem as the
9 southbound thru traffic and the northbound River Vale
10 that wants to turn into it. That nesting is --

11 THE WITNESS: That traffic, that thru
12 traffic and northbound traffic, what's different is
13 that very heavy right which you're also trying to
14 choose your gap against is now being channelized and
15 will be able to understand it so, so your movement --
16 so what that does is it creates the faster movement on
17 the left out.

18 You're getting better gaps.

19 MR. GARRISON: I was just going to say the
20 southbound traffic for the most part is pretty good at
21 directional signals, pretty good. So that gives the
22 driver wanting to make that left turn a little bit of
23 an edge.

24 THE WITNESS: And this will just make it
25 that much more secure because it's not only somebody

1 trusting that somebody has got their right turn, he's
2 now in his own lane and actually being channelized.

3 MR. GARRISON: He can't change his mind
4 and go straight.

5 THE WITNESS: Right.

6 MR. GARRISON: Getting back to the exit
7 off of the project down by the new one proposed across
8 from Mark Lane --

9 THE WITNESS: Yes.

10 MR. GARRISON: -- that's a full --

11 MR. LEIBMAN: Can we cut the chitchat in
12 the back. It's distracting.

13 MR. GARRISON: That's a full four way
14 intersection, four roads if you want to call it that?

15 THE WITNESS: It would be aligned with
16 Mark Lane.

17 What Mr. Statile requested is that we provide
18 for right turns out at that location so you would be
19 able to make a right out and that emergency vehicles
20 and emergency vehicles could get in but regular
21 vehicles would not be able to get in.

22 MR. GARRISON: But basically is a right
23 turn going to be recognized --

24 MR. STATILE: I don't have an objection
25 making lefts.

1 THE WITNESS: I don't either and that's a
2 final decision to the Board.

3 MR. GARRISON: I think they're open to
4 head-on collisions during the summertime when Mark
5 Lane is packed with sports activities, soccer, people
6 wanting to come at 3:00, 4:00, 5:00 in the afternoon.

7 THE WITNESS: That's why you align
8 intersections so that you have a proper alignment and
9 people can, as a licensed driver make the appropriate
10 judgement that they're supposed to make and that's a
11 typical four way intersection anywhere in the country.

12 MR. GARRISON: Appropriate, you know,
13 right-of-way is always the guy on the right
14 theoretically but basically east/west traffic is the
15 right-of-way.

16 THE WITNESS: Yeah. In this case,
17 east/west traffic is the right-of-way, yes.

18 MR. GARRISON: Going back to the number of
19 people exiting during the rush hour, I think I have,
20 you said morning trips would generate 88 exiting in
21 the morning, between 7:00 and 9:00.

22 Now do we know whether most of them are going to
23 turn north or south?

24 THE WITNESS: No. So based upon our, our
25 demographic analysis, 60 percent of our traffic wants

1 to head to the west on Piermont.

2 MR. GARRISON: Okay.

3 THE WITNESS: Approximately 8 percent of
4 our traffic wants to head to the south on River Vale.
5 Approximately 9 percent is heading on Old Tappan Road
6 and the remaining about 23 percent is continuing north
7 on Rivervale. And that's not too different than what
8 your existing residential development and pattern
9 seems to be suggesting.

10 MR. GARRISON: Right. Now, again, I know
11 part of what the statement says that the proposed
12 development will not significantly alter traffic
13 operations in the area during peak hours. However, we
14 are adding 88 vehicles coming, moving either north or
15 south.

16 THE WITNESS: You are adding 88 vehicles
17 but also doing a very expensive and substantial
18 roadway improvement so I'm not sitting here saying
19 we're adding a development and there's no impact and
20 everything is fine. We're at the table with a very
21 significant improvement both at our driveway and at
22 the intersection of Piermont and Rivervale.

23 MR. GARRISON: Okay. Because traffic is
24 quite an issue currently and it's not going to get any
25 better statistics and, again, I don't know whether you

1 generated the environmental impact study --

2 THE WITNESS: No.

3 MR. GARRISON: -- of August 31.

4 THE WITNESS: No.

5 MR. GARRISON: There's a section in here
6 which under demographics which is on Page 5 goes on to
7 state that the mean travel time to work in River Vale
8 Township is 36.6 minutes which is approximately 20
9 percent higher than the figures of both Bergen County
10 and New Jersey.

11 Now right now I don't know where these people
12 are going in 36 minutes. They're not going to the
13 City but wherever they're traveling, wherever that
14 determination is made, we're 20 percent higher for
15 people getting out of our town. I can't believe that
16 we're not going to impact that to a greater extent.
17 These people try to go to work, wherever they're
18 going.

19 THE WITNESS: I'm not familiar with that
20 statistic or basis or whether it's true or not.

21 MR. GARRISON: It's a study submitted and
22 I'm sure everybody has it.

23 The other part, going back to the number of
24 people exiting in the morning, what is the criteria
25 for -- you said 200 -- well, I'm going to use the

1 residents, 225 homes. What's the number of vehicles
2 that are going to be in that development, the number
3 of vehicles determined?

4 THE WITNESS: It's related, from a traffic
5 engineering standpoint we've always related our data
6 collection to units, to the number of units because it
7 has always proven to be the best independent variable.
8 So that is what the industry has chosen to use so for
9 residential it's always been based upon the number of
10 units, for retail it's based upon the gross lease
11 area. So depending on the land use you've selected
12 and used a consistent independent variable.

13 CHAIRMAN LIPPERT: So we have gone past
14 11:45. Now I'm not cutting you off in the sense that
15 in the next session feel free to ask more questions.

16 MR. GARRISON: The next session we'll
17 start off with traffic?

18 CHAIRMAN LIPPERT: The Board hasn't asked
19 any questions yet. Any other questions, I'm guessing
20 may have one or two questions.

21 MR. GARRISON: Fine.

22 CHAIRMAN LIPPERT: Let's end it.

23 MR. GARRISON: Do we have a date?

24 MR. LEIBMAN: We're going to talk about
25 scheduling right now. Let's talk about scheduling.

1 MR. WOLFSON: So, Mr. Chairman, our
2 understanding is that we're back here on the 4th in
3 this room. And then there's a question as to the
4 location on the 17th.

5 I know that we were going to look and see
6 whether this room would be available on the 17th. I
7 don't know if that's been verified yet.

8 MR. LEIBMAN: I had an opportunity to
9 speak with the Board secretary a little earlier about
10 scheduling this room and I know we spoke about it a
11 few weeks ago and I think it's smart that we try to
12 stay here in case the crowd demands it. That would be
13 a terrible waste of everybody's time to use Borough
14 Hall.

15 Maria, what are the dates?

16 MS. HAAG: April 17th is not, this room is
17 not available that night but we can do April 30th or
18 May 2nd.

19 MR. LEIBMAN: I can't do the 2nd.

20 MS. HAAG: April 30th.

21 MR. LEIBMAN: Yeah. 30th.

22 CHAIRMAN LIPPERT: Is that all right? Is
23 that okay?

24 MR. STATILE: The planner can't make it
25 that night, I can.

1 MR. LEIBMAN: That's fine. Chris, so long
2 as you're here.

3 All right. So as of right now, for everybody
4 who wants to leave, our next meeting on this
5 application is going to be on April 4th at 7:30 p.m.
6 in this room. And there will be no further notice.
7 This is your notice.

8 MR. WOLFSON: And then, Mr. Chairman, we
9 had coordinated some --

10 CHAIRMAN LIPPERT: Please. We're still
11 conducting some business so please be quiet when you
12 leave.

13 MR. WOLFSON: We hat coordinated in our
14 team some potential meeting dates in May. Could I
15 just throw those out there. Perhaps if not tonight
16 before the 4th check those out, the 7th, 8th and 14th.

17 MR. LEIBMAN: I cannot do the 7th.

18 MS. HAAG: The regular meeting is the
19 15th.

20 MS. HAAG: I have Thursday, May 16th
21 available here.

22 MR. LEIBMAN: All right. You know, let's
23 not go crazy with this. We have a meeting next week.

24 Why don't you drop me, Maria, an email with the
25 dates?

1 MR. WOLFSON: I will copy you.

2 MR. LEIBMAN: And we'll try and circulate
3 them among the Board. Nobody violates the public
4 meetings act.

5 MR. WOLFSON: Thank you very much.

6 CHAIRMAN LIPPERT: Before you leave, how
7 are we on time? Do we need an extension?

8 MS. HAAG: Yes. The first review was
9 October 25th. I believe we need an extension.

10 MR. WOLFSON: Yeah. I'm happy to grant an
11 extension to what date?

12 MR. LEIBMAN: We're not going to finish
13 the next meeting. Let's just go to April 4th for now.

14 CHAIRMAN LIPPERT: We'll deal with it
15 April 4th.

16 MR. WOLFSON: Thanks very much.

17 CHAIRMAN LIPPERT: Is that acceptable?

18 MR. WOLFSON: Absolutely. We consent to
19 the extension. Thank you.

20 MR. LEIBMAN: Don't worry.

21 MR. WOLFSON: Thanks for your time.

22 MR. LEIBMAN: Nobody is getting an
23 automatic.

24 MR. WOLFSON: No.

25 (The hearing adjourns 10:53 p.m.)

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C E R T I F I C A T E

I CERTIFY that the foregoing is a true and accurate transcript of the testimony and proceedings as reported stenographically by me at the time, place and on the date herein before set forth.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney or 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 this action.

DONNA LYNN J. ARNOLD, C.C.R.
LICENSE NO. XI00991
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