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BOARD OF ADJUSTMENT

THURSDAY, FEBRUARY 20, 2020

IN THE MATTER OF : TRANSCRIPT OF  
APPLICATION AND PUBLIC HEARING : PROCEEDING  
on Investigation and Adoption of :  
AUCC (RAY OF SUNSHINE FOUNDATION) : ZB2019-31

B E F O R E: :  
TOWNSHIP OF TEANECK BOARD OF ADJUSTMENT  
THERE BEING PRESENT:

JERRY BARTA  
ATIF REHMAN  
DANIEL WETRIN  
JAMES BROWN  
DANIEL WETRIN  
HARVEY ROSEN, Vice Chairman  
ZEV GREEN

DANIEL STEINHAGEN, ESQ.  
BOARD SPECIAL COUNSEL

ROSILAND McLEAN  
BOARD SECRETARY

DAN MELFI  
ZONING OFFICER

JOSEPH VINCE  
BOARD ENGINEER

FRANK FERRARO, ESQ.  
Attorney for the Applicant

Reported by: Angela (Angie) M. Shaw-Crockett  
Certified Court Reporter  
Registered Merit Reporter  
Certified Realtime Reporter

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1           VICE CHAIR ROSEN: The only application  
2           that's before the board tonight, a special  
3           meeting, which is ZB2019-31, AUCC (Ray of  
4           Sunshine Foundation). This is the application  
5           on the agenda tonight. We will hopefully go  
6           till no longer than 10:00, perhaps a few  
7           minutes after.

8           And before we begin, I would like to  
9           recognize Mr. Steinhagen, our attorney, who  
10          will bring us up-to-date on counsel for  
11          objectors.

12          MR. STEINHAGEN: So yesterday, the board  
13          received correspondence from Greg Asadurian, an  
14          associate at Price, Meese, Shulman & D'Arminio,  
15          which was representing the list of neighbors  
16          who have retained counsel in connection with  
17          this appeal -- in connection with this  
18          application. They had filed several appeals of  
19          decisions of the zoning officer and we're  
20          objecting to hearing -- or to the application  
21          rather. Mr. Asadurian advised that Price Meiss  
22          was withdrawing as counsel.

23          Mr. Ferraro, did you get a copy of that  
24          letter?

25          MR. FERRARO: I did, yes.

1           MR. STEINHAGEN: Are there any members of  
2 the public who are here tonight who were  
3 previously represented by Ms. Price from Price  
4 Meiss?

5           UNIDENTIFIED AUDIENCE MEMBER: Yes.

6           MR. STEINHAGEN: Is there an intent to  
7 retain new counsel?

8           UNIDENTIFIED AUDIENCE MEMBER: Not at this  
9 time.

10          MR. STEINHAGEN: Okay. So the residents  
11 have indicated that there's not an intent to  
12 retain new counsel.

13          There are some appeals filed by the  
14 residents. I don't know where we're going to  
15 get to tonight. I know we've been deferring  
16 the appeals filed by the objectors to their  
17 case in chief. I think that's a prudent  
18 course, we may want to defer it to an argument  
19 by one of the residents if they're not going to  
20 retain counsel?

21          Ms. Price did submit an appeal and my  
22 recollection is that your office submitted a  
23 legal brief indicating that it was out of time.

24          I think that's a threshold issue that we  
25 need to address first before we move on to the

1 substance of the appeal. We're not going to do  
2 it tonight is my recommendation to the board.  
3 We do have a full house in terms of your  
4 witnesses, the board's professionals.

5 So I think we should move on to that and  
6 if you conclude, we can deal with the appeals  
7 filed by the residents at that time.

8 MR. FERRARO: That would be perfectly  
9 fine. That makes sense.

10 VICE CHAIR ROSEN: So just so the public  
11 understands now sort of the ground rules of how  
12 this works. While the public was represented  
13 by -- while members of -- certain members of  
14 the public were represented by counsel, they  
15 could no -- they were not permitted to ask  
16 questions directly of any witnesses and all  
17 witnesses needed to be channeled -- all  
18 questions needed to be channeled through their  
19 counsel. That counsel is no longer at this  
20 meeting, so the public is now free to ask  
21 questions of any witness that has testified.

22 There was a witness. The engineer had  
23 concluded or had testified at the last meeting  
24 with the intent of opening up his testimony to  
25 counsel. That witness, Mr. Calisto Bertin,

1 will be here later hopefully. And his plans  
2 had not included the developments today.

3 So we will proceed now with Mr. Ferraro  
4 representing his traffic engineer.

5 MR. STEINHAGEN: Mr. Chairman, if I could?

6 VICE CHAIR ROSEN: Sure.

7 MR. STEINHAGEN: It was both Mr. Bertin  
8 and the applicant's architect who were not  
9 questioned by Ms. Price. The members of the  
10 public who were previously represented by  
11 Ms. Price -- well, let me back up.

12 Both of those witnesses were asked  
13 questions by the public not represented by  
14 Ms. Price.

15 MR. FERRARO: Correct.

16 MR. STEINHAGEN: Those two witnesses were  
17 to return for cross-examination by Ms. Price  
18 when she was representing the neighbors. They  
19 are still subject to cross-examination by those  
20 neighbors, but only by those neighbors. It's  
21 not going to be open to the public.

22 So anybody who was previously represented  
23 by Ms. Price would be allowed to ask questions.  
24 I have the list of the -- of Ms. Price's now  
25 former clients. Anybody who's on that list can

1 ask questions. But if they weren't on the  
2 list, then they're not going to be permitted  
3 because they had the chance.

4 That sounds accurate?

5 MR. FERRARO: Yes.

6 VICE CHAIR ROSEN: So, again, Mr. Ferraro  
7 will present his first witness, who is the  
8 traffic engineer. Upon the conclusion of his  
9 testimony, he will be open to questions from  
10 the public.

11 Please proceed.

12 MR. STEINHAGEN: Before we do that, we  
13 have two representatives from Stonefield who  
14 I'd like to swear in. Just one. Come on up.

15 Please put your name on the record.

16 MR. ISTRANYI: Sure. For the record, my  
17 name is Jonathan Istranyi, that's  
18 I-S-T-R-A-N-Y-I. I'm a principal with  
19 Stonefield Engineering Design, located at 92  
20 Park Avenue in Rutherford, New Jersey.

21 J O N A T H A N I S T R A N Y I,  
22 called as a witness, having first been  
23 duly sworn, was examined and testified as  
24 follows:

25 MR. STEINHAGEN: You're a principal of

1 Stonefield, licensed in New Jersey?

2 MR. ISTRANYI: Yes. Professional  
3 engineer. I'm duly licensed in New Jersey. My  
4 license is in good standing.

5 MR. STEINHAGEN: You've testified before  
6 land use boards?

7 MR. ISTRANYI: Absolutely.

8 MR. STEINHAGEN: Accepted as an expert?

9 MR. ISTRANYI: Absolutely.

10 MR. STEINHAGEN: One more thing. In  
11 reviewing my notes for the hearing tonight, I  
12 realized we neglected to mark -- or at least my  
13 notes indicate we neglected to mark the  
14 Phillips Preiss revised review letter from  
15 October 3rd.

16 MR. FERRARO: Okay.

17 MR. STEINHAGEN: The last thing I have is  
18 B-16. So I'm going to mark it as B-17 tonight.  
19 If my notes are wrong, then we can --

20 MR. FERRARO: There was a February 3rd --

21 MR. STEINHAGEN: Correct. That one --  
22 that was -- February 3rd was marked B-12.  
23 There was also a December 4. That was marked  
24 B-9.

25 MR. FERRARO: Okay, perfect.



E. Hough

1           MR. STEINHAGEN: We're going to mark the  
2 one revised on the 3rd as B-17.

3           (Exhibit B-17 was received and marked for  
4 identification, as of this date.)

5           VICE CHAIR ROSEN: Okay.

6           MR. FERRARO: Good evening again,  
7 Mr. Chairman, members of the board. Frank  
8 Ferraro here on behalf of the applicant, AUCC.

9           We're going to proceed where we left off  
10 on February 6, calling our traffic engineer.  
11 If you remember at the time, there was some  
12 requests actually by the objectors' attorney  
13 and that we provide a parking analysis. So  
14 that has been submitted to the board since the  
15 last meeting.

16           We've also submitted -- you should have a  
17 new architectural plan in your package which  
18 you'll see on the one side of the pool  
19 addition. We've removed all of the windows  
20 that were subject to much discussion last time.  
21 So increase the privacy and also noise  
22 buffering to the neighbors from the proposed  
23 pool.

24           But that's basically the new information  
25 in your packet. And we'd like to call Eric

E. Hough

1 Hough, who is our traffic engineer.

2 E R I C H O U G H,

3 called as a witness, having first been

4 duly sworn, was examined and testified as

5 follows:

6 VICE CHAIR ROSEN: Please spell your name

7 for the record.

8 THE WITNESS: E-R-I-C, H-O-U-G-H.

9 EXAMINATION

10 BY MR. FERRARO:

11 Q. Could you please review your background

12 and qualifications for the board and the public.

13 A. Yes. I graduated from Rutgers University

14 in 2006 with a bachelor's degree in civil

15 engineering. I have been working at Bertin

16 Engineering for the last 13 years as a design

17 engineer, primarily in traffic. And I'm currently

18 licensed in the state of New Jersey.

19 Q. And have you testified before land use

20 boards in the state of New Jersey previously?

21 A. I have. Not in front of this board, but

22 other boards, including Emerson. I've also done

23 Nutley, West New York, North Bergen, to name a few.

24 Q. Have you been accepted as an expert as a

25 traffic engineer in those municipalities?

E. Hough

1 A. I have.

2 MR. STEINHAGEN: Is there a license or  
3 certification for traffic engineering?

4 THE WITNESS: Yes. There's a further one  
5 which I don't have.

6 MR. STEINHAGEN: PTOE?

7 THE WITNESS: Yes, correct.

8 MR. STEINHAGEN: Thank you. I recommend  
9 he be qualified.

10 VICE CHAIR ROSEN: So ordered.

11 MR. FERRARO: Thank you.

12 BY MR. FERRARO:

13 Q. So I guess the first order of business,  
14 we'll mark in the exhibits that you have. You have  
15 a -- I guess it is a site plan entitled "Day-Care  
16 and Community Center."

17 MR. FERRARO: We'd like to mark that in as  
18 A-7. This is not in the board's packet.

19 (Exhibit A-7 was received and marked for  
20 identification, as of this date.)

21 BY MR. FERRARO:

22 Q. This has a last revision date of 12/5/19;  
23 is that correct?

24 A. Correct.

25 Q. And this was either prepared by you or

E. Hough

1 under your supervision?

2 A. Yes.

3 MR. STEINHAGEN: Mr. Ferraro, what's the  
4 date on that? I'm sorry.

5 MR. FERRARO: It is December 5, 2019.

6 BY MR. FERRARO:

7 Q. Also your office prepared the traffic  
8 impact study, which is dated September 19, 2019 and  
9 last revised November 8, 2019?

10 A. We did.

11 Q. And is this a copy of that report?

12 A. It is.

13 MR. FERRARO: I'd like to mark this as  
14 A-8.

15 (Exhibit A-8 was received and marked for  
16 identification, as of this date.)

17 BY MR. FERRARO:

18 Q. And was this report either prepared by you  
19 or under your supervision?

20 A. It was.

21 MR. STEINHAGEN: Mr. Ferraro, for  
22 clarification, at the last meeting we marked a  
23 set of engineering plans from Bertin  
24 Engineering. I had a last revision date of  
25 January 24, 2020. That one is 12/5. There

E. Hough

1           were changes made.

2           Are they -- are the two plans consistent?

3           THE WITNESS: Yes, they are. That  
4           exhibit, it only demonstrates the dropoff  
5           traffic.

6 BY MR. FERRARO:

7           Q. It reflects the most up-to-date site plan  
8           that the board has?

9           A. It does.

10          Q. Let me make clear for the record that this  
11          is just a single sheet essentially demonstrating the  
12          dropoff process and location.

13          A. Looks like a full set. This is an exhibit  
14          that it portrays everything from that set, but I  
15          added some traffic control features.

16          Q. Okay. And then finally your office also  
17          prepared a parking evaluation report dated  
18          February 10, 2020; is that correct?

19          A. That's correct.

20          Q. Is this a copy of that report?

21          A. Yes.

22          Q. And was this prepared by you or under your  
23          supervision?

24          A. It was.

25          MR. FERRARO: I'd like to mark this as

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1 A-9.

2 (Exhibit A-9 was received and marked for  
3 identification, as of this date.)

4 BY MR. FERRARO:

5 Q. Could you please share your --

6 MR. FERRARO: Are you good?

7 MR. STEINHAGEN: A-8.

8 MR. FERRARO: Should be A-9. A-8 is  
9 traffic impact study. A-9 is the parking  
10 study.

11 BY MR. FERRARO:

12 Q. Could you please share your parking  
13 analysis of the proposed project?

14 A. I was going to start with traffic.

15 Q. Yeah, start with traffic first.

16 A. All right. Bertin Engineering has  
17 performed a traffic impact study associated with the  
18 proposed development, which includes an inventory of  
19 the existing roads and traffic controls, traffic  
20 counts on both the Teaneck Road/Oakdene Avenue  
21 intersection and the Teaneck Road/Hillside Avenue  
22 intersection to determine the existing traffic in  
23 the area.

24 An estimate of the traffic to be generated  
25 by the project and analysis that the impact this

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1 traffic will have on the local traffic in the area.

2           The property is located in between Oakdene  
3 Avenue and Hillside Avenue at the intersection with  
4 Morningside Terrace. Teaneck Road is located  
5 approximately 300 feet east of the site.

6           Along the site frontage, Oakdene Avenue  
7 acts as a one-way roadway eastbound towards Teaneck  
8 Road, and Hillside Avenue acts as a one-way roadway  
9 westbound away from Teaneck Road.

10           The site has approximately 375 feet of  
11 frontage along both Oakdene Avenue and Hillside  
12 Avenue, with an existing access driveway on Hillside  
13 Avenue. A study of traffic activity was conducted  
14 at both the Teaneck Road/Oakdene Avenue intersection  
15 and the Teaneck Road/Hillside Avenue intersection  
16 during peak traffic conditions on September 10, 2019  
17 through September 12, 2019.

18           A majority of traffic travels southbound  
19 on Teaneck Road in the a.m. peak hour and northbound  
20 in the p.m. peak hour. The proposed site will have  
21 two access driveways. One two-way driveway along  
22 Hillside Avenue, located 347 feet from Morningside  
23 Terrace, and one two-way driveway along Oakdene  
24 Avenue, located at a distance of 113 feet away from  
25 Morningside Terrace.

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1           Since Oakdene Avenue is a local roadway  
2 and with a low traffic volume, I believe that the  
3 proposed site driveway is adequately located away  
4 from Terrace -- Morningside Terrace. The amount of  
5 traffic to be generated has been determined from  
6 data published from the Trip Generation, 10th  
7 Edition manual by the Institute of Transportation  
8 Engineers, ITE, using the recreational community  
9 center land use.

10           A total of 144 trips are anticipated in  
11 the a.m. peak hour and a total of 180 trips are  
12 anticipated in the p.m. peak hour. This is not  
13 accounting for any carpooling or transit use in the  
14 area.

15           The proposed site-generated traffic has  
16 been dispersed onto Oakdene Avenue and Hillside  
17 Avenue as per the existing traffic distribution and  
18 any anticipated movements. A capacity analysis has  
19 been performed to determine the operating conditions  
20 or level of service at both the Teaneck Road/Oakdene  
21 Avenue intersection and the Teaneck Road/Hillside  
22 Avenue intersection during both existing and  
23 proposed conditions.

24           It was found that the existing condition  
25 of Oakdene Avenue -- of the Oakdene Avenue eastbound



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1 approach to Teaneck Road currently operates at a  
2 Level of Service F. This is because of the  
3 difficulty of making a left turn onto Teaneck Road.  
4 This is an existing condition and is anticipated the  
5 site will only add a total of five left turns onto  
6 Teaneck Road in the a.m. peak hour and 11 turn --  
7 left turns in the p.m. peak hour.

8           This is because the site layout was  
9 specifically designed to allow motorists that desire  
10 to travel northbound to exit onto Hillside Avenue  
11 and they can proceed to Queen Anne Road to the west.  
12 So they're not forced to exit onto Oakdene Avenue  
13 and ultimately make that left onto Teaneck Road.

14           The level of service remains unchanged at  
15 the Teaneck Road/Hillside Avenue intersection. And  
16 a capacity analysis was also performed at both site  
17 driveways and will operate adequately upon the  
18 completion of the proposed development.

19           As far as site circulation, the proposed  
20 layout has a 24-foot-wide center drive aisle which  
21 is sufficient for two-way traffic. We did prepare,  
22 as in our site plan drawings, a vehicular  
23 circulation plan. And this demonstrates a fire  
24 truck accessing the site from both driveways. This  
25 plan has been reviewed by the fire department and

E. Hough

1 they are satisfied with the layout.

2           The peak period of day-care dropoff will  
3 be from 8:00 a.m. to 9:30 a.m. We have also  
4 prepared a day-care dropoff exhibit showing traffic  
5 control at this time frame, which is Exhibit A-7.

6           MR. FERRARO: A-7.

7           THE WITNESS: A-7.

8           A. Just to go through this exhibit, one  
9 possibility that we came up with with traffic  
10 control for day-care dropoff is --

11          Q. Eric, could you stand to the side of it  
12 and maybe -- yeah, other...

13          A. Other side.

14                 In this exhibit, the center drive aisle is  
15 coned off in the middle to restrict northbound  
16 internal traffic towards Oakdene Avenue. This will  
17 allow dropoff traffic to enter from Oakdene Avenue,  
18 drop off their children in the drive aisle and exit  
19 the site on Hillside Avenue.

20                 As shown on the exhibit, this will allow  
21 an on-site queue of approximately six vehicles.  
22 Employees will also be available to help facilitate  
23 the children dropoff process. This direction of  
24 circulation allows motorists to access the site from  
25 Oakdene and avoid traveling on Teaneck Road. We

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1 could switch the direction of the flow here, but  
2 that would force motorists to enter the site on  
3 Hillside Avenue, and therefore they have no choice  
4 but to utilize Teaneck Road.

5 So this circulation -- we came up with  
6 this circulation to avoid traffic or additional  
7 volume on Teaneck Road. They can access the site  
8 from Queen Anne Road and Oakdene Avenue. So that's  
9 why we showed this specific dropoff traffic control.

10 MR. BARTA: How far is it from the  
11 property to Queen Anne Road?

12 THE WITNESS: I would say it's 350 feet to  
13 Teaneck Road.

14 MR. BARTA: But the idea is to avoid  
15 putting people onto Teaneck Road. That's how  
16 it was designed.

17 How far is it for northbound travelers to  
18 get to Queen Anne Road, what sort of streets  
19 are they navigating?

20 THE WITNESS: The local streets they're  
21 navigating is Oakdene Avenue or they can exit  
22 and go to Queen Anne Road, they would just --  
23 local Hillside Avenue.

24 I would say it's about a quarter mile, if  
25 that, to Queen Anne Road, probably less than

E. Hough

1           that. It's not that far.

2   BY MR. FERRARO:

3           Q.    And the point of this circulation is to  
4   avoid the intersection of Oakdene and Teaneck where  
5   you have that level of service currently?

6           A.    That's correct.

7           Q.    We don't want to force everybody to be  
8   backed up at that intersection waiting to make a  
9   left or right. It's already difficult today.

10          A.    Correct.

11           MR. BROWN: It's probably more than a  
12   quarter of a mile. It's approximately a half  
13   of a mile from Teaneck Road to Queen Anne Road  
14   in that part of town.

15           MR. FERRARO: We'll take Mr. Brown's word  
16   for it.

17           MR. BARTA: Do those roads -- I don't want  
18   to forget. Do those roads -- I mean, that's  
19   local neighborhood street, I imagine?

20           THE WITNESS: Yes.

21           MR. BARTA: Two-way traffic?

22           THE WITNESS: The higher-volume roads are  
23   Queen Anne and Teaneck, and in between are  
24   local roads.

25           MR. BARTA: Those neighborhood roads, for

E. Hough

1           lack of a better term, those can handle this  
2           additional flow?

3           THE WITNESS: Yes. Those local roads,  
4           from the count we did on Hillside and Oakdene,  
5           are low-volume local roads, yes, that can  
6           handle the additional.

7           MR. REHMAN: This site was already  
8           operating previously as a school. Would this  
9           recirculation thereafter actually improve the  
10          flow to what it used to be?

11          THE WITNESS: It would improve the flow.  
12          From this exhibit, doing it this way, people  
13          can exit the site on Hillside and avoid Teaneck  
14          Road completely. So it would improve.

15          A. To proceed with site circulation, we do  
16          have a trash enclosure proposed at the southeast  
17          corner of the building addition near the Hillside  
18          Avenue site driveway. It is anticipated that trash  
19          collection will occur during off-peak hours when the  
20          parking spaces in front of the trash enclosures will  
21          be unoccupied, because currently there's two spaces  
22          in front of the trash enclosure. However, we could  
23          provide signage to restrict parking during these  
24          collection hours.

25                 At this point, I would like to discuss

E. Hough

1 parking. There will be a total of 100 parking  
2 spaces provided for the site, including 57 spaces  
3 located on the south side of the building and 43  
4 spaces located on the west side of the building.  
5 There will be 11 tandem parking spaces for  
6 employees, located on the south side of the  
7 building.

8 MR. BARTA: That's included in the 100?

9 THE WITNESS: It is.

10 A. The Township ordinance requirement for the  
11 community center is one space for every four  
12 occupants in the largest place of assembly. Using  
13 the proposed pool as the largest place of assembly,  
14 we'll require 118 spaces accounting for the 470  
15 people that can fit in pool area.

16 The applicant, however, has agreed to  
17 limit the pool addition occupancy to 150 people,  
18 which would reduce the required parking to 38  
19 spaces.

20 The parking breakdown also includes -- an  
21 additional parking requirement for the sanctuary  
22 room, fitness membership, and day-care. With the  
23 exemption of the day-care and the swim team, all of  
24 these uses will be for the same 300 anticipated  
25 members.

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1           There is also a zoning ordinance  
2 requirement for a recreational facility which is one  
3 space for every four members, which would require 75  
4 parking spaces accounting for the 300 anticipated  
5 members. When including the 22 parking spaces  
6 required for the day-care center, a total of 97  
7 parking spaces are required.

8           MR. BARTA: Thirty-eight for the pool?

9           THE WITNESS: If we limit it to 150 per  
10 that -- the ordinance.

11          MR. BARTA: Seventy-five for the community  
12 center.

13          MR. STEINHAGEN: The recreation facility.

14          MR. BARTA: Right. Recreational facility.  
15 The 300-person membership and 22 for the  
16 day-care.

17          THE WITNESS: See, the community center  
18 and the pool, that's all one facility with the  
19 300 members with the exception of when they  
20 have a swim team there.

21          So I would say the more accurate parking  
22 would be using the amount of members for a  
23 recreation facility. And that would be 75 and  
24 the independent use of the day-care is 22 and  
25 that would be a total of 97 parking spaces.

E. Hough

1           VICE CHAIR ROSEN: What's the capacity of  
2 the pool stands for a meet?

3           THE WITNESS: I don't have that number.

4           MR. FERRARO: The architect testified to  
5 that last time.

6           MR. BARTA: 160?

7           MR. FERRARO: It was much less than that  
8 actually.

9           We were measuring how many people we can  
10 fit in 2 feet of space. It was between 80 to  
11 100. Our architect can come up and verify  
12 that.

13           MR. STEINHAGEN: My notes reflect that the  
14 bleachers have seating between 80 to 100. The  
15 plan had originally 165 seats based on 2 feet  
16 per seat. They were going to check the length  
17 of the benches. They said there were 36 to 1.

18           A. I do have further testimony about an  
19 additional parking I did for specifically swim meets  
20 that I'll get into later.

21           As far as other references, according to  
22 The Institute of Transportation Engineers, ITE,  
23 Parking Generation, 5th Edition, the average peak  
24 period parking demand for recreation community  
25 center is 2.07 vehicles per 1,000-gross square foot,



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1 for a total of 93 parking spaces for the  
2 44,780-gross-square-foot building.

3           The community center by itself only  
4 occupies 29,287 gross square feet, which would  
5 require 61 parking spaces at its peak, according to  
6 ITE.

7           Site investigations of existing community  
8 centers in the area were performed at the Richard  
9 Rodda Community Center, located at 250 Colonial  
10 Court in the Township of Teaneck here, and the YMCA  
11 facility located at 360 Main Avenue in the city of  
12 Hackensack, on Tuesday, July 30, 2019 and Wednesday  
13 July 31, 2019.

14           The Richard Rodda Community Center is a  
15 50,964-square-foot facility with two gymnasiums, a  
16 dance studio, and a variety of different-size  
17 multipurpose rooms, as well as the Sunshine Garden  
18 Learning Day-care Center.

19           We counted the existing parking lot  
20 consisting of 110 parking spaces during peak  
21 community hours at 10:00 a.m. in the morning and  
22 5:00 p.m. in the afternoon and found a total of 106  
23 parked vehicles in the a.m. and 36 parked vehicles  
24 in the p.m.

25           We also recounted this facility this week

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1 on Tuesday, February 25, 2020 and we found 72 parked  
2 vehicles in the a.m. and 34 parked vehicles in the  
3 p.m.

4 The auxiliary lot, which is located across  
5 Palisade Avenue, is also observed to have only one  
6 to two parked vehicles during these study time  
7 periods.

8 The Hackensack YMCA, which is a  
9 54,400-square-foot facility, that includes a  
10 day-care center and a swimming pool, which is for  
11 members only and does not hold swim meets, we  
12 counted the existing parking lot consisting of 79  
13 spaces, and found a total of 66 parked vehicles in  
14 the a.m. and 76 parked vehicles in the p.m.

15 It is planned to have swim meets at the  
16 proposed facility occurring approximately seven days  
17 a year after school, typically November to February.  
18 To investigate the parking demand that a high school  
19 swim meet requires, an additional parking study was  
20 performed at the Wyckoff YMCA, located at 691  
21 Wyckoff Avenue, during two separate swim meets.

22 The Wyckoff YMCA is a much larger facility  
23 that contains gymnasiums, indoor basketball courts,  
24 two swimming pools, and a day-care center. The  
25 parking -- the facility parking lot contains a total

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1 of 327 parking spaces located around the existing  
2 building.

3 The first swim meet was on Thursday,  
4 February 6, 2020 at 8:30 p.m. It was observed that  
5 the opposing team was bussed to the meet and there  
6 was a total of 30 visitors observed at its peak. At  
7 the start of the swim meet, there was a total of 129  
8 parked vehicles observed.

9 The second swim meet --

10 BY MR. FERRARO:

11 Q. You said 129 or --

12 A. 126.

13 Q. And when you said "30 visitors," is that  
14 30 spectators?

15 A. Yes, 30 spectators viewing the swim meet.

16 Q. Okay.

17 A. The second swim meet was on Friday,  
18 February 7, 2020 at 2:30 p.m. Again, it was  
19 observed the opposing team was bussed to the meet  
20 and there was a total of 11 observed at its peak.  
21 At the start of the swim meet, there was a total of  
22 136 parked vehicles observed.

23 Q. So that's 11 spectators at that particular  
24 meet at 2:30 --

25 A. Yeah, that was 2:30 during the day. So

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1 the were less visitors during that time.

2 Q. Are the swim meets that are proposed seven  
3 times a year, for this facility, are they to meet  
4 during the afternoon as well?

5 A. Yes. From my understanding, they will be  
6 after school between the hours of 3:00 and 5:00  
7 approximately.

8 So from the observed amount of swim team  
9 members and the visitors at the swim meet event, it  
10 can be estimated that approximately 35 to 45 parked  
11 vehicles were on site due to the swim meet, with the  
12 rest of observed parking from the other YMCA  
13 activities.

14 The YMCA -- Wyckoff YMCA is approximately  
15 90,000 gross square feet and has a much larger  
16 membership than the proposed Teaneck facility. When  
17 accounting for the larger size of the studied  
18 facility and the observed parking required at the  
19 study swim meets, it is my opinion that the 100  
20 parking spaces at the proposed facility is an  
21 adequate amount of parking for when they have a swim  
22 meet.

23 In conclusion, it has been anticipated  
24 that the different uses of the community center,  
25 such as the day-care facility and the swimming pool,

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1 will occur at different peak time periods and that  
2 the majority of day-care students and swim team  
3 members will either be dropped off at the site or  
4 car pool.

5 In my opinion, there is sufficient parking  
6 provided for the proposed community center when  
7 compared to these existing facilities in the area.

8 Q. Do we have an idea of how many members the  
9 Hackensack YMCA has?

10 A. Yes. I was told that the Hackensack YMCA  
11 has 1500 members compared to the 300 in the  
12 anticipated members of the proposed facility.

13 Q. Okay. And how many parking spaces does  
14 that facility have?

15 A. That facility has 79 parking spaces.

16 Q. And that facility is a larger community  
17 center than what's being proposed in this  
18 application?

19 A. It is.

20 MR. STEINHAGEN: How many square feet is  
21 that?

22 THE WITNESS: Approximately 50,000.

23 MR. FERRARO: 54,000 --

24 THE WITNESS: 54,400, I believe.

25 MR. STEINHAGEN: Because your report

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1       refers to the square footage of this site.

2       This is the building we're in right now and  
3       then calls Hackensack -- and 50,964 and then it  
4       refers to it as a smaller facility.

5               THE WITNESS:  It's a smaller facility than  
6       this facility.

7               MR. STEINHAGEN:  Right.  The facility is  
8       50,964.  How does 54,000 become less than that  
9       or smaller?

10              THE WITNESS:  See, at the time I wrote  
11       that, I didn't have the data, so I used an  
12       aerial to project it and I thought it was  
13       smaller.  Since then, we contacted and we got a  
14       better figure as far as square footage.

15              MR. FERRARO:  So the Hackensack YMCA is  
16       slightly bigger than the Rodda Center.

17              MR. REHMAN:  In the addendum to the  
18       application, there's an argument that the  
19       parking should be based on the maximum capacity  
20       of the community center.  But the number  
21       reference is 470.  Is the 300 number now a  
22       revised number?

23              MR. FERRARO:  So this goes back to really  
24       part of our appeal, which is what is the  
25       parking requirement for this particular use

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1       that's being proposed at the building. And I  
2       don't want to -- I don't want to speak for  
3       Mr. Melfi, but what I understood Mr. Melfi's  
4       letter of denial to outline all the possible  
5       parking requirements that could apply to this  
6       particular property. Not necessarily --  
7       correct me if I'm wrong -- not necessarily  
8       create what is the actual parking requirement.  
9       Basically, give the board the information and  
10      let the board and the experts obviously give  
11      their opinions as to what the parking  
12      requirements should be here.

13             Right now, the latest letter of denial we  
14      have from the zoning office is that the maximum  
15      number you can possibly require at this site is  
16      239 spaces. Now, that's almost 66 percent  
17      greater parking number than what the Rodda  
18      Center requires and this is a much larger  
19      facility.

20             So it's been our contention from the  
21      beginning that that number is not the  
22      appropriate parking requirement for this type  
23      of facility.

24             MR. REHMAN: I guess my question should  
25      have been if the maximum is 300 people, right,

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1       shouldn't then you base -- shouldn't you be  
2       arguing that your maximum should be based on a  
3       300 capacity as a opposed to a 470?

4               MR. FERRARO: Correct. There's a couple  
5       of ways that the code goes into calculating  
6       what the parking requirement is.

7               For a community center, it requires one  
8       space for -- I think it's every four people  
9       that could fit in a room of largest public  
10      assembly. Normally you don't have a pool  
11      driving that number because pursuant to the  
12      International Pool Code, which they base this  
13      on, that's almost 470 people that you can put  
14      shoulder to shoulder in the swimming room and  
15      kiddy pool area. And that's what drove the  
16      parking requirement of 118.

17              Then on the top of that, there's testimony  
18      that we have membership. So they took the 300  
19      members and there's a code section that says  
20      you need four spaces -- one space for every  
21      four members. That's 75 spaces. That got  
22      added on to the community center number. And  
23      then you had the childcare component. That  
24      goes by how many employees you have.  
25      Twenty-two employees were determined to be in



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1 the childcare. That got added on to the  
2 number.

3 Then there's a sanctuary room, interfaith  
4 prayer room. No one was quite sure how that  
5 was going to interrelate in the application.  
6 It's pretty clear now that it's an amenity of  
7 the community center. It's only open to the  
8 300 members that are going to be members of the  
9 community center. But despite that fact, it  
10 was given its own parking requirement of 22  
11 spaces.

12 So you add up all of these numbers and  
13 what you have is this 237-space requirement  
14 that we feel is obviously excessive. It  
15 double-counts the same people who are using the  
16 same building.

17 MR. REHMAN: On the 22 required for the  
18 childcare, I think the addendum also references  
19 NJSA4055D-66.6 and I think the argument is the  
20 22 spaces are not applicable pursuant to that  
21 code section?

22 MR. FERRARO: It's our position that  
23 having the parking requirement for a childcare  
24 center is statutorily not permitted.

25 Now, the ordinance of Teaneck reads

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1           differently. It doesn't require the parking  
2           based upon the square footage at the childcare  
3           center. It actually requires it based upon the  
4           number of employees you're going to have in  
5           that childcare center. So I think it was the  
6           Township's position that since it's couched in  
7           that fashion, the 22 parking spaces would  
8           apply.

9           It's our position that even though you're  
10          counting employees and not square footage,  
11          though, the goal and the purposes of that  
12          statute was not to provide a parking  
13          calculation for this type of childcare use.

14          MR. STEINHAGEN: I just have a follow-up  
15          question. I'm looking at 66.6. Is it your  
16          contention, then, in a building that was solely  
17          a childcare facility, that there's no parking  
18          requirement?

19          MR. FERRARO: If that was solely, then  
20          you'd have a parking requirement, my  
21          understanding. The square footage of the  
22          building.

23          MR. STEINHAGEN: Really? Okay. So  
24          there's no parking requirement for childcare?

25          MR. VINCE: No. If it's a stand-alone

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1 facility. You would have parking requirement,  
2 but the law is pretty clear that if it's a  
3 shared facility, then there's no parking  
4 requirement.

5 MR. STEINHAGEN: Okay.

6 VICE CHAIR ROSEN: What is your --

7 MR. FERRARO: But, but -- and the  
8 testimony you're hearing, it gets to this  
9 point. We make that legal argument and we  
10 think the statute is clear on that, but we also  
11 think that the site plan we are now presenting  
12 accommodates the 22, you know, parking  
13 requirements associated with the childcare if  
14 the Teaneck ordinance was enforced.

15 VICE CHAIR ROSEN: From your knowledge of  
16 the applicant's use of the facility, what is  
17 the most parking spaces that would be used at  
18 any one time?

19 I understand all of these activities are  
20 probably not going on at the same time. But  
21 what's the likelihood that several of them are  
22 going on at the same time, what would be that  
23 maximum scenario for parking use?

24 I will ask a question for your engineer,  
25 as well. Based upon the hours of operation,

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1 the likelihood of certain things going on at  
2 certain times of the day.

3 What is the maximum time?

4 MR. FERRARO: If I can just answer it this  
5 way. And tell me if this is enough. The  
6 testimony was that the estimated maximum amount  
7 of people in that building at one particular  
8 time would be 190.

9 Using the community center, using the  
10 day-care center, if there was -- assuming if  
11 there was a swim meet going on or swim  
12 practice, so you're assuming that all of those  
13 things are happening at one time. Our  
14 testimony is they're going to be staggered.

15 VICE CHAIR ROSEN: That scenario is likely  
16 to be late afternoon probably?

17 THE WITNESS: Yes, I would say that would  
18 be late afternoon.

19 VICE CHAIR ROSEN: So in that event, in  
20 that scenario, in that combination of events,  
21 what would be the parking requirement of all  
22 three activities going on at the same time  
23 compounded?

24 THE WITNESS: From my investigation at the  
25 existing swim meet, I would say that would be

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1 maximum when there's a swim meet in the p.m.,  
2 the day-care center is in full operation.  
3 There would be the facility with the membership  
4 in the gym. I would say it would occur after  
5 work when people get out of work, so that  
6 wouldn't be at full occupancy. I would say it  
7 would be around 80 to 85 vehicles.

8 MR. FERRARO: One thing, Mr. Chairman, the  
9 number that I gave you, 190, that's people in  
10 the building.

11 VICE CHAIR ROSEN: I get it.

12 MR. FERRARO: A lot of those people, if  
13 their kid is on the swim team, a lot are  
14 driving them.

15 We can have up to 110 children in the  
16 building. Those 110 children are not driving  
17 themselves.

18 VICE CHAIR ROSEN: So it's your contention  
19 now you have provided adequate parking for the  
20 worst -- or the maximum traffic condition of  
21 the applicant's operation?

22 THE WITNESS: Correct.

23 VICE CHAIR ROSEN: And in the scenario  
24 where all parking is taken for a unique event,  
25 what is the capacity of on-street parking?

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1           THE WITNESS: There is on-street parking  
2           available. There is a restriction from  
3           8:00 a.m. to noon on the northbound side of  
4           Oakdene, and on the southbound side of Oakdene  
5           there's a restriction until 4:00 p.m. for the  
6           majority of the roadway.

7           VICE CHAIR ROSEN: So you'd stipulate it  
8           will be a late afternoon/early evening maximum.  
9           You're still assuming that those two  
10          restrictions have been lifted for time.

11          What's the total maximum capacity of  
12          parking within a couple of hundred feet?

13          THE WITNESS: I didn't do that estimate,  
14          but from my observation and field studies,  
15          there was an abundance of on-street parking  
16          available.

17          VICE CHAIR ROSEN: Can accommodate 25  
18          cars, 50 cars?

19          THE WITNESS: 350 feet in that direction.  
20          So 15 and then on the other side --

21          MR. FERRARO: You have Hillside as well.

22          THE WITNESS: Same restrictions.  
23          8:00 a.m. to noon on the southbound side and  
24          8:00 p.m. to noon on the northbound side on the  
25          closer half towards Teaneck. And in front of

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1 our site it's until 4:00 p.m.

2 So similar restrictions on that side as  
3 Oakdene. And Morningside, there's also  
4 available parking and no restriction on  
5 Morningside as well.

6 BY MR. FERRARO:

7 Q. What's the linear square footage of that?  
8 And we can figure out what the parking availability  
9 would be roughly.

10 A. Fifteen on both sides, 15, 16.

11 MR. WETRIN: You've got houses on Hillside  
12 Avenue on the south outside and the north side  
13 of Oakdene.

14 THE WITNESS: So there's some driveways.

15 MR. FERRARO: Maybe we'll just count the  
16 north side of Hillside.

17 THE WITNESS: So 15, 15. And then on the  
18 other side on Morningside, I believe on both  
19 sides of the street, I would say, let's  
20 estimate 20, 20 more there. So a total of 50  
21 in the area I would say.

22 BY MR. FERRARO:

23 Q. So that would be similar in nature to the  
24 47-spots auxiliary lot, if you will, that the Rodda  
25 Center has across the street?

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1           A.     Correct.  And I don't foresee the  
2 on-street in need, but the worst case scenario, it  
3 is available.

4           VICE CHAIR ROSEN:  I'm talking about a  
5 dignitary.  A politician comes to speak at the  
6 community center, you've got 150 spaces to  
7 accommodate cars.  Is what you're saying?

8           THE WITNESS:  Correct.

9           MR. FERRARO:  Something like that,  
10 Mr. Chairman.  It would most likely happen  
11 7:00 p.m., 8:00 p.m. where the childcare is  
12 basically closed.

13          VICE CHAIR ROSEN:  Got it.

14          MR. VINCE:  I have some questions about  
15 the dropoff operation.

16                 Can you explain briefly how this dropoff  
17 operation is going to work?

18          THE WITNESS:  This particular situation,  
19 we have the center drive aisle coned off so  
20 there's no northbound internal traffic.  So  
21 basically the motorists will enter from Oakdene  
22 Avenue, drop off their children in the drive  
23 aisle where there will be employees waiting for  
24 the parents to hand off their children, and  
25 they will exit solely on the Hillside Avenue.



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1           And this southern parking lot will also be  
2 open, but we cannot provide do-not-enter signs  
3 so no one goes down north, down that aisle, and  
4 there will be no exiting onto Oakdene Avenue.  
5 Now, this is only through the peak hours of  
6 day-care dropoff, which is 8:00 a.m. to 9:30  
7 p.m. [sic].

8           MR. VINCE: So the children get dropped  
9 off on the opposite side of the street of the  
10 building?

11          THE WITNESS: Correct. That's why we're  
12 going to provide employees to help facilitate  
13 that. Now, this is only one option. We could  
14 open up the other exit. The reason we didn't  
15 do that, as I stated before, we didn't want to  
16 bring in more traffic from Teaneck Road. So  
17 that's why we did it this direction.

18          But yes, they will be dropped off right  
19 now in the drive aisle and then stop, go get  
20 your kid, walk them over to the employees who  
21 will walk them into the facility.

22          MR. FERRARO: Well, the employees actually  
23 come out to the car essentially.

24          MR. VINCE: How old are the children that  
25 are going to be attending this day-care?

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1 THE WITNESS: I believe they're pre-K.

2 MR. FERRARO: Preschool.

3 THE WITNESS: I assume a lot of them don't  
4 walk.

5 MR. FERRARO: There's going to be -- it  
6 was testified to there's going to be aides  
7 outside that will help the children out of the  
8 car, but walk them to the next person, who may  
9 be stationed either by the handicap ramp or the  
10 front door. That person will take them inside.

11 THE WITNESS: And previously, we had these  
12 three parking spaces for dropoff and there was  
13 concern about conflicts with cars backing up  
14 where there'll be a potential backup queue onto  
15 Oakdene. So we came up with this to help solve  
16 that problem basically. And I believe this  
17 does function more appropriately.

18 MR. STEINHAGEN: How do you handle the  
19 child in the front car who does not want to get  
20 out? I only asked because my kids refused to  
21 get out of the car.

22 So I guess the concern is the first car  
23 doesn't know where the car behind has to go,  
24 how much space do you have behind it -- how  
25 many cars do you expect to arrive -- there's a

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1 lot of questions, sorry.

2 But the real question at the heart of this  
3 is: What is -- how frequently are cars  
4 arriving in the morning for dropoff such that  
5 we're sure that the six spaces you have there  
6 are sufficient to avoid backing up a queue back  
7 out into Oakdene?

8 MR. VINCE: Or can they bypass?

9 THE WITNESS: Safety-wise, that's why we  
10 didn't show it.

11 According to ITE, if we use day-care only,  
12 there's a total of 75 trips in the a.m. So  
13 that is approximately 38 cars entering in the  
14 peak hour. So 38 cars in a peak hour, that's  
15 one every two minutes. I believe -- and right  
16 now we have a storage of potentially six  
17 vehicles.

18 VICE CHAIR ROSEN: Just for the public's  
19 knowledge, what's peak hours for the day-care  
20 center?

21 THE WITNESS: Peak hour for a day-care  
22 center is 8:00 to 9:00 approximately.

23 MR. FERRARO: For dropoff?

24 THE WITNESS: Dropoff.

25 MR. FERRARO: Also to Mr. Steinhagen's

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1 point, if one of the children won't leave the  
2 car, there are parking spots where the parent  
3 could drive into or walk their child inside,  
4 correct?

5 THE WITNESS: Yes.

6 MR. STEINHAGEN: The important testimony  
7 was, I think, you're getting a car slightly  
8 more than once every two minutes, right?

9 MR. FERRARO: Right.

10 MR. STEINHAGEN: And you have --

11 MR. FERRARO: Peak time.

12 MR. STEINHAGEN: And you have six spots.  
13 So if it's ten minutes, six cars in that length  
14 is expected over the course of ten minutes.

15 MR. VINCE: And the exhibits shows the six  
16 cars queuing are blocking the drive aisles so  
17 you can't access the parking spaces except for  
18 the three that are shown.

19 THE WITNESS: I do feel like that is an  
20 overestimate. That is for the peak-hour peak  
21 condition of the day-care center.

22 We also have a shuttle for some students  
23 to arrive. So that will lower the intensity  
24 for the people coming in as well. And I do  
25 feel like it is spread out over more than an

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1 hour and it's really depending on the parents'  
2 work schedule. I think it is more spread out  
3 than we realize as far as the day-care dropoff.

4 MR. FERRARO: Some of the children are  
5 being bussed to the site, correct?

6 THE WITNESS: Correct.

7 MR. FERRARO: There's one bus, the  
8 testimony was.

9 MR. BROWN: How many children on that one  
10 bus?

11 MR. FERRARO: The testimony was maximum  
12 40. Was it that many?

13 MR. VINCE: What happens to cars that  
14 enter on Hillside Avenue by mistake?

15 THE WITNESS: For the day-care dropoff?

16 MR. VINCE: Yes. During the morning, you  
17 have it coned off. They enter off of Hillside  
18 Avenue. Where do they go?

19 THE WITNESS: They can park and walk their  
20 children over, but they should be instructed  
21 the procedure for day-care by the facility.  
22 But in the case they forget or they're not  
23 following orders, they can park in that  
24 southern parking lot and walk their children  
25 into the facility themselves.

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1           MR. FERRARO: So, Mr. Brown, to answer  
2           your question, 40 is the max that would be  
3           bussed. Currently right are now there's four  
4           being bussed. It's a small bus.

5           MR. BARTA: When we talk about day-care,  
6           are we using that interchangeably with the  
7           Board of Education arrangement?

8           MR. FERRARO: Correct.

9           MR. BARTA: So it's not a separate  
10          day-care. It's the Board of Education's --

11          MR. FERRARO: Correct. There will be  
12          children from the Board of Education and there  
13          will be children who are not from the Board of  
14          Education. So it will accommodate both.

15          MR. BARTA: Don't we still have -- even  
16          though we have the road -- the northbound drive  
17          aisle coned off, don't we still have the bypass  
18          danger that because the kids have to cross the  
19          street and you've got all of the -- you've got  
20          the cars now exiting the stacking lane, driving  
21          southbound while the kids are crossing that  
22          same southbound lane to get to the school?

23          THE WITNESS: I would say they would get  
24          dropped off in this drive aisle, which is only  
25          wide enough for one car, and the parents can

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1 get them out of the car, walk them in front of  
2 their vehicles when they would get handed off  
3 to --

4 MR. BARTA: Where are they entering the  
5 crosswalk, the marked crosswalk that's there?

6 THE WITNESS: Right here (indicating).

7 MR. BARTA: So you've got -- if that's  
8 where the parents are -- in the perfect world,  
9 is that where parents are crossing the street?

10 You've got the cars that are stacked  
11 behind them still driving southbound to get out  
12 to Hillside Avenue exit. You don't have that  
13 same bypass danger that you would have --

14 MR. FERRARO: Nobody is going to be  
15 passing anyone because it's going to be coned  
16 into one lane?

17 THE WITNESS: That's correct.

18 MR. BARTA: How do the cars leave?

19 MR. FERRARO: You have to wait. If  
20 there's a car in front of you, you wait for  
21 that car to pull forward.

22 MR. MELFI: If you force them to -- I  
23 don't have my pointer with me. I'm going to  
24 get up. If when they come in, if you force  
25 them to this side of the road and cone this

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1           because you can't get in here, then there's no  
2           danger with them crossing the road and this is  
3           technically only going to be one-way traffic in  
4           the morning when you're going to the day-care  
5           anyway.

6           THE WITNESS: During those hours.

7           MR. MELFI: So you can force them to the  
8           other side of the road because nobody is going  
9           to be on the other side of the road. They can  
10          cone this section. There's only one-way  
11          traffic here when they drop off. So they can  
12          force them to the side and then when they get  
13          to the end, they can still go out to where they  
14          have to go.

15          MR. BARTA: So instead of showing the cars  
16          on the left side of the drive aisle --

17          MR. MELFI: They can cone this and force  
18          the cars here (indicating). That way, you'll  
19          have no problem with them. There won't be any  
20          danger, of course, and nobody will be able to  
21          pass.

22          MR. FERRARO: Anecdotally, this is about  
23          the safest dropoff I've seen in years.  
24          Usually, a lot of times, you're dropping them  
25          off in the street at the curb. This is going



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1 to have its own dedicated lane that's going to  
2 be coned, that's going to be manned with  
3 personnel.

4 MR. BARTA: We love our children.

5 MR. FERRARO: We all do. And that's why I  
6 think everybody involved is going to be extra  
7 cautious when dropping off children.

8 MR. GREEN: In the case of a special  
9 event, there'd be overflow parking potentially  
10 in the basketball court area.

11 Could you just discuss that a little bit  
12 and describe how many spaces you would estimate  
13 for cars to be there?

14 And then just lastly, I think we  
15 underestimate the power the coaxing power of  
16 sugar products. So that also will help with  
17 the getting the kids out.

18 THE WITNESS: If we were going to use one  
19 of the courts as the surplus parking, one court  
20 could provide an additional 16 spaces  
21 approximately.

22 MR. FERRARO: And there's two courts  
23 there?

24 THE WITNESS: Two courts.

25 MR. STEINHAGEN: Is the basketball court

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1 going to have baskets then, pole and cement?

2 MR. FERRARO: Permanent basketball hoops.

3 MR. WETRIN: No fence around the  
4 basketball court?

5 MR. FERRARO: There's a fence.

6 MR. MELFI: 12-foot gate.

7 MR. FERRARO: 12-foot gate you can open  
8 and get access to.

9 MR. STEINHAGEN: Try not to hit the pole,  
10 I guess.

11 MR. FERRARO: You have to be careful.

12 MR. VINCE: I have a question. About the  
13 stacked parking, what kind of controls are  
14 going to be in place? I see they're designated  
15 as employee spaces?

16 THE WITNESS: Yes.

17 MR. VINCE: People come in the site, there  
18 may be some confusion. If they don't know that  
19 they can block those employees in and they  
20 don't want to show up and then you're that  
21 person that's going to be the one to block  
22 somebody.

23 Or if you get there, are you going to  
24 know, Do I pull all the way through, Do I stay  
25 back here?

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1           THE WITNESS: We can provide additional  
2           striping so they're clear. And then the  
3           facility can assign -- can assign the spaces in  
4           pairs of employees. So they can coordinate  
5           amongst themselves.

6           MR. VINCE: Something has to be done  
7           there.

8           MR. FERRARO: That's the plan.

9           VICE CHAIR ROSEN: You'll have adequate  
10          signage.

11          MR. STEINHAGEN: But all tandem spaces  
12          will only be occupied by the teachers, but what  
13          about during the weekend?

14          MR. FERRARO: The plan was to have  
15          striping there and signage, "Employee Parking  
16          Only." We don't want anyone parking behind the  
17          other who's not an employee. We don't want  
18          that to happen.

19          MR. VINCE: You don't want somebody using  
20          the community center to park behind an  
21          employee?

22          MR. FERRARO: Correct, yeah. So what --  
23          the goal and the plan was to assign those  
24          spaces to community center staff. They'll know  
25          who has the space in front of them, who has the

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1 space in the back.

2 MR. BROWN: Junior employees will get the  
3 front space.

4 VICE CHAIR ROSEN: Dozen parked spaces?

5 MR. FERRARO: Eleven. So the ones  
6 backing, 22.

7 VICE CHAIR ROSEN: Any further questions  
8 from members of the board?

9 Any questions you have --

10 MR. FERRARO: One last question, if I may?

11 BY MR. FERRARO:

12 Q. So just getting back to the point that was  
13 brought up regarding the parking requirement, do you  
14 believe that this site requires 237 parking spaces  
15 to function?

16 A. I don't. I agree with your assessment  
17 that it wasn't the intention of the ordinance  
18 requirement for the largest place of assembly to be  
19 a swimming pool of that nature. So I agree that 237  
20 is an overestimation, correct.

21 Q. And in your professional opinion, do you  
22 believe that the requirement applicable to  
23 recreation facilities would be more applicable to  
24 this application?

25 A. I believe it applies more.

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1 Q. Is that due to the membership number and  
2 limit that we have on the application?

3 A. Correct.

4 Q. So is it your professional opinion that  
5 the site plan can accommodate all the uses that are  
6 being proposed adequately?

7 A. It is.

8 MR. WETRIN: I have a question just about  
9 the members you think would be coming and the  
10 kids: Are any of them coming from the  
11 surrounding neighborhoods, anybody walking in  
12 to use the community center and the day-care?

13 MR. FERRARO: I'll let --

14 THE WITNESS: Yes. For a conservative  
15 analysis, we didn't use that in our report.  
16 But as far as ITE has a 5 percent reduction in  
17 trip generation in this type of area that's  
18 close to -- there's a bus rout on Teaneck Road.  
19 This reduction wasn't taken. So my report is  
20 conservative in that nature, yes.

21 BY MR. FERRARO:

22 Q. But we anticipate people to be using mass  
23 transportation to get to the site?

24 A. I would say some, yes.

25 Q. And there's a bike rack on the property,

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1 so essentially kids could ride their bike there?

2 A. There is.

3 VICE CHAIR ROSEN: Mr. Istranyi, do you  
4 have any questions?

5 MR. ISTRANYI: I just have a few  
6 questions. I know we've discussed this queuing  
7 exhibit at length.

8 I just want to confirm. Will there be any  
9 other operations for the community facility  
10 during this pickup/dropoff time, like other  
11 members showing up or employees that, you know,  
12 basically would have to take the other driveway  
13 down instead of taking --

14 THE WITNESS: At the time of the peak day  
15 you're saying?

16 MR. ISTRANYI: Yes.

17 THE WITNESS: It would be a minimum at  
18 that time.

19 MR. ISTRANYI: I know the board expressed  
20 some of these questions, as well, and I think  
21 you mentioned it during your testimony.

22 But have you done any sort of shared  
23 parking analysis with these overlapping uses  
24 between the day-care, the community facility,  
25 the swim meet?

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1           I know you anecdotally said that there  
2 would be a peak and the maximum share would  
3 occur during the afternoon, probably after  
4 school. But was there any traffic data or  
5 calculations used to back that up?

6           THE WITNESS: We didn't use a shared  
7 traffic analysis. We just estimated the peak  
8 time, which would be, as I said earlier, late  
9 afternoon.

10          MR. FERRARO: The peak times were  
11 testified to previously by the applicant.

12          MR. ISTRANYI: Regarding the parking  
13 studies that you did of the other community  
14 facilities, I know they're slightly larger than  
15 the ones that -- the one being proposed here  
16 today. The initial studies that you presented  
17 showed those lots being about 96 percent full.  
18 I know you went out there and you testified  
19 this week for the one site's -- the Teaneck  
20 community center and that parking a.m. peak  
21 demand drops by about 25 percent.

22          THE WITNESS: It did.

23          MR. ISTRANYI: Did you also recount the  
24 Hackensack site?

25          THE WITNESS: We didn't recount the

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1 Hackensack site. I recounted this site because  
2 I wanted to know if there was a difference  
3 between the summer counts that we did and the  
4 current counts. So I only counted the Richard  
5 Rodda facility.

6 MR. ISTRANYI: Would you anticipate that  
7 those facilities are, you know, depending on  
8 the season, underparked, because the count that  
9 you did showed the lot being full when you  
10 presented those data points?

11 THE WITNESS: Yes, I agree.

12 MR. ISTRANYI: So understanding that those  
13 facilities are a little bit larger, you still  
14 believe that the hundred parking spaces you're  
15 proposing is adequate for this facility?

16 THE WITNESS: I do.

17 MR. ISTRANYI: Okay. And then regarding  
18 the multimodal transportation options that I  
19 mentioned, mass transit, people walking through  
20 the neighborhood, would the applicant have any  
21 objection providing a train of access from  
22 Hillside? I know there's a sidewalk on  
23 Oakdene, but there is no sidewalk/pedestrian  
24 access on Hillside.

25 THE WITNESS: We can look into it. I



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1 would say pedestrians right now from Hillside  
2 would just walk in on the right side of the  
3 parking lot and access the sidewalk near the  
4 trash enclosure.

5 MR. ISTRANYI: Is there -- you know, we  
6 could probably sneak a sidewalk, maybe an extra  
7 crosswalk through the parking lot there at the  
8 driveway entrance where pedestrians don't have  
9 a walk.

10 THE WITNESS: I think we can do that.

11 MR. ISTRANYI: And then I want to confirm,  
12 I know you mentioned previously three parking  
13 spaces right off of the Oakdene Avenue  
14 driveway, closest to the pre-K childcare center  
15 were previously dropoff spaces. Those are no  
16 longer proposed as dropoff spaces only?

17 THE WITNESS: That is correct. We use  
18 this dropoff traffic control, yes.

19 MR. FERRARO: During times, correct?

20 THE WITNESS: Yes.

21 MR. ISTRANYI: Would there be any  
22 objection to limiting those parking spaces to  
23 employees? Some of them, particularly the one  
24 closest to Oakdene Avenue, when you back out of  
25 that space, you're more or less off the

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1 property into the driveway at that point.

2 MR. FERRARO: We can utilize those as  
3 employee parking. There's no objection.

4 MR. ISTRANYI: And then regarding the swim  
5 meet, understanding that it's only a handful of  
6 times a year, the visiting team will bus in the  
7 team and I don't know if they bus in the  
8 students and supporters as well.

9 What would the operations be? Because  
10 that would be a very finite peak demand. Are  
11 the buses parking in the lot, are they parking  
12 elsewhere after they drop off students?

13 THE WITNESS: Yes. I can say that the  
14 visiting bus can park in the provided loading  
15 zone, which is located on the northwest corner  
16 of the building. And he can either stay there  
17 during the swim meet and wait for the kids or  
18 he could go off-site and park somewhere else  
19 and wait and come back.

20 MR. FERRARO: The testimony previously was  
21 that we would have no objection requiring the  
22 bus to leave the site rather than stay there.

23 BY MR. FERRARO:

24 Q. Could the bus also park in the rear of the  
25 building as there's an access more in the back to

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1 the pool?

2 A. You're saying park in this lot?

3 Q. Correct.

4 A. It would occupy some existing parking  
5 spaces, but the study that the -- the swim meet I  
6 investigated in the Wyckoff YMCA, that's what they  
7 did. They occupied parking spots in the rear of the  
8 facility.

9 Q. But in this case, if they were to just  
10 drop off high school students, how long do you think  
11 that would take?

12 A. Five minutes to drop them off.

13 Q. And the bus could potentially leave the  
14 site?

15 A. Correct.

16 MR. ISTRANYI: One last question regarding  
17 the level of service at Teaneck Road for  
18 Oakdene Avenue.

19 Understanding that the level of service  
20 does not change, it remains as F. The timing  
21 does increase there. Would you believe that  
22 some of the operations that you're proposing  
23 between the student dropoff and the additional  
24 driveway access point is going to help maintain  
25 or keep that access level the same?

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1           THE WITNESS: Yeah, we specifically -- at  
2 first we only had an exit-only driveway on  
3 Oakdene Avenue and we specifically redesigned  
4 the site to have an entrance on there and to  
5 help facilitate all the motorists away from  
6 that level of service that's on Teaneck Road.  
7 So I believe this design does limit the amount  
8 of cars at that approach, correct.

9           MR. ISTRANYI: And then this is just for  
10 the board's reference. The applicant's  
11 engineer did mention the 4th Edition for  
12 parking in the report.

13           Just now, he referenced that there is new  
14 data out there, the 5th Generation [sic], that  
15 proves that there is lower parking demand for a  
16 community facility and that based on the  
17 traffic study that they do, those community  
18 centers do include a student -- like a pre-K or  
19 childcare component built into that demand.

20           So as stated, with the mix of the  
21 athletics and the childcare, that peak demand  
22 at 93 for a facility of this size is -- you  
23 know, we believe is adequate for this.

24           MR. STEINHAGEN: I actually had a question  
25 about that. What was the ITE code? Can you

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1 repeat the number?

2 THE WITNESS: 495.

3 MR. STEINHAGEN: And was it 2.17?

4 THE WITNESS: 2.07 for the 5th edition.

5 MR. STEINHAGEN: Thank you.

6 MR. VINCE: But that exhibit shows the  
7 queuing, is that for dropoff and pickup?

8 THE WITNESS: Just dropoff.

9 MR. STEINHAGEN: I do have a question: We  
10 had some testimony at the last meeting about a  
11 bus at dropoff time. You testified, I  
12 believe -- I think the testimony was that there  
13 will be up to 40 kids on a small school bus?

14 MR. FERRARO: Correct.

15 MR. STEINHAGEN: That means the bus is  
16 going to be making multiple trips to the site,  
17 correct?

18 THE WITNESS: The rest of the students  
19 would be dropped off by their parents.

20 MR. STEINHAGEN: The Teaneck Board of  
21 Education bus that's bringing children to day  
22 care, it's not going to be a 40 -- it's not  
23 going to be a big bus, but a small bus?

24 THE WITNESS: Correct.

25 MR. STEINHAGEN: So to bring 40 kids, it

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1 needs to come multiple times; is that fair?

2 THE WITNESS: That's fair to say. If  
3 there's that many students.

4 MR. FERRARO: If it's that many students.

5 MR. STEINHAGEN: And the bus is going to  
6 drop off in the loading area or in that  
7 three-space parking?

8 THE WITNESS: They can drop off in the  
9 loading area. And then when they need to  
10 leave, the aides would -- they can also remove  
11 a cone, hold traffic and -- while the bus  
12 departs from Hillside Avenue.

13 MR. STEINHAGEN: Okay.

14 VICE CHAIR ROSEN: Okay. I'm going to  
15 open this now to members of the public. If you  
16 have any questions, please approach the mic,  
17 and again, please come up to the mic, identify  
18 yourself, tell us whether you have been  
19 previously represented by Ms. Price's office,  
20 and I'll now -- you can just make a line down  
21 the middle aisle.

22 Only questions. This is only questions of  
23 this witness and his testimony. Traffic and  
24 parking.

25 MR. KIRTLEY: I'm Richard Kirtley,

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1 K-I-R-T-L-E-Y. I'm a resident on Oakdene  
2 Avenue, about 200 feet from the front door of  
3 the school.

4 VICE CHAIR ROSEN: Were you previously  
5 represented by Ms. Price?

6 MR. KIRTLEY: I was previously represented  
7 by Ms. Price.

8 I'll try to put these in some sort of  
9 order. I had a question regarding the study  
10 that was done of the Rodda Center and the  
11 Hackensack YMCA.

12 THE WITNESS: Yes.

13 MR. KIRTLEY: Was there one particular day  
14 and two particular times of that day that  
15 was --

16 THE WITNESS: Yes. According to the ITE,  
17 I chose the peak time of a community center and  
18 that's when it was studied for those  
19 facilities, correct.

20 MR. KIRTLEY: The Hackensack YMCA, how  
21 many single-family residences are immediately  
22 adjacent to that facility?

23 THE WITNESS: I don't know that number  
24 offhand.

25 MR. KIRTLEY: I do. There are none. It's

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1 in a commercial area.

2 So regarding -- is it okay if I approach?

3 VICE CHAIR ROSEN: Please, sure.

4 MR. KIRTLEY: So regarding the --  
5 basically the entrance coming -- regarding the  
6 dropoff in the morning, coming in off of  
7 Oakdene Avenue, and given the proximity of the  
8 entrance to this corner here (indicating).

9 Now, this part of Oakdene Avenue right in  
10 front of the school, it's all one way going  
11 east. West of that area is a two-way street.

12 MR. FERRARO: If he's going to be  
13 testifying --

14 MR. KIRTLEY: I'm building up to my  
15 question here. Is a two-way street and parking  
16 on both sides --

17 MR. FERRARO: I have to object because  
18 he's testifying.

19 MR. STEINHAGEN: You're trying to put  
20 facts on the record. Ask him is this one way,  
21 two way? If you want to get that information.

22 MR. KIRTLEY: Is this a one-way or two-way  
23 street?

24 THE WITNESS: It's a two-way.

25 MR. KIRTLEY: And is there parking on both



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1 sides of the street?

2 THE WITNESS: Yes.

3 MR. KIRTLEY: When two cars are  
4 approaching each other on that part of the  
5 street and there's currently parking on each  
6 side, are they able to pass one another?

7 THE WITNESS: It is tight or they would  
8 have to slow down and let the other vehicle  
9 pass, yes.

10 MR. KIRTLEY: Well, having lived there,  
11 you have to pull over and let the other people  
12 pass.

13 MR. FERRARO: I'll object. He answered  
14 the question.

15 MR. STEINHAGEN: You'll be given a chance  
16 to tell the board what you want to testify to,  
17 but not yet.

18 MR. KIRTLEY: Okay. All right. Thank  
19 you.

20 I have one other question.

21 What is to prevent the parents from  
22 pulling up in front of the school and dropping  
23 their kids off and just running in with the kid  
24 as opposed to following the rules and going in  
25 through Oakdene?

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1           THE WITNESS: Nothing is preventing them  
2           from doing it, but they will be instructed the  
3           proper procedure by the facility.

4           MR. FERRARO: Is that the purpose really  
5           of this, is to make sure we're dropping off on  
6           site and not having people drop off on --

7           THE WITNESS: That is the purpose -- that  
8           is the purpose of this traffic control.

9           MR. KIRTLEY: How will that be enforced?

10          MR. FERRARO: If it was on the street, I  
11          would assume the Teaneck Police would have  
12          jurisdiction.

13          THE WITNESS: It would be enforced by the  
14          aides out there and --

15          MR. STEINHAGEN: Only enforceable when  
16          there's no parking times. If you're allowed to  
17          park on the street, you're allowed to park on  
18          the street.

19          MR. FERRARO: Right.

20          MR. KIRTLEY: That's all I have. Thank  
21          you.

22          VICE CHAIR ROSEN: Who's next?

23          MR. BARTA: May I ask a question before  
24          you -- just one second. There's a little  
25          confusion amongst some of the members on the

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1 board.

2 How many total students between day-care  
3 and Board of Ed do you anticipate on a daily  
4 basis?

5 MR. FERRARO: Well, it's licensed for 107.  
6 That's the max. So it's conceivably --

7 MR. BARTA: 107.

8 MR. FERRARO: Right. Some in the morning,  
9 some might be in the afternoon. But the  
10 maximum number licensed for 107.

11 MR. STEINHAGEN: The maximum number of  
12 children is 107.

13 MR. BARTON: My name is Jesse Barton,  
14 J-E-S-S-E, B-A-R-T-O-N. I live on Oakdene  
15 Avenue. I was previously represented, but not  
16 now.

17 When we first started up, you were  
18 throwing some numbers around. There was a lot  
19 of noise back there and I just want to clarify  
20 some numbers.

21 Did you say 185 increase in traffic  
22 through the area during the course of the day?  
23 You mentioned 185. What was that in reference  
24 to?

25 THE WITNESS: The proposed trips

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1           anticipated in the p.m. peak hour is 180 trips,  
2           which is 90 vehicles in and 90 vehicles out.

3           MR. BARTON: 90 in, 90 out. So you're  
4           changing the entrance to enter on Oakdene  
5           Avenue?

6           THE WITNESS: Yes.

7           MR. BARTON: And to exit on Hillside?

8           THE WITNESS: Ideally we want to keep them  
9           from the high volume on Teaneck Road.

10          MR. BARTON: Right. You said something  
11          about either the current status or the status  
12          will be, and I'm trying to ask this question  
13          about this.

14          There was 11 left-hand turns off of  
15          Oakdene Avenue and there was eight right-hand  
16          turns or no -- eight and 11 at different times  
17          of the day.

18          THE WITNESS: Correct. We're increasing  
19          the amount of left turns we estimate by five  
20          additional left turns in the a.m. and 11 in the  
21          p.m.

22          MR. BARTON: Right. And how many are  
23          there right now before you add on to this,  
24          ballpark?

25          THE WITNESS: I would say there's not that

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1 many. I would say there's only about 20. I  
2 would have to look.

3 MR. BARTON: So, therefore, this quiet  
4 neighborhood street, quiet street where people  
5 live and everything, you're going to throw this  
6 extra traffic running down Oakdene Avenue.

7 For example, we haven't heard much talk  
8 about the swim team practices. We've been  
9 hearing a lot about the swim team meets. But  
10 the swim team practices will be a daily thing  
11 going on.

12 So I know we were all teenagers once. You  
13 could imagine all the teens will possibly be  
14 driving down, making teen noises, loud noises  
15 from the car and essentially disturbing the  
16 neighborhood on the way through. Is that  
17 accurate?

18 MR. FERRARO: I object.

19 MR. BARTON: No, that's my question.  
20 There will be an increase of traffic, including  
21 teens and noise-making cars?

22 THE WITNESS: I would say that the swim  
23 team members during practice, they will carpool  
24 and it's only three months out of the year,  
25 yes.

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1 MR. BARTON: Thank you.

2 MR. STEINHAGEN: Mr. Barton, so we're  
3 clear. The traffic report says 83 in at a peak  
4 hour and 97 out. There's 180 total, but  
5 just -- the witness indicated 90-90.

6 MR. BARTON: So I'm correct to think that  
7 the traffic on Oakdene and Hillside is going to  
8 increase by a significant amount; is that  
9 accurate?

10 MR. STEINHAGEN: I can't answer that.

11 MR. BARTON: Is that accurate?

12 THE WITNESS: It would --

13 MR. BARTON: By a multiple of how many  
14 times?

15 THE WITNESS: It has the capacity to  
16 handle that increase.

17 MR. BARTON: A dirt road has the capacity,  
18 but does it? By how many times will it be  
19 increasing the traffic on our street?

20 MR. FERRARO: From when?

21 MR. BARTON: Just period.

22 MR. FERRARO: Can I talk, sir? From the  
23 point that the building is vacant, is that the  
24 comparison you're talking about?

25 MR. BARTON: I'm talking about the people

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1           who live on the street 24/7, yes.

2                   So what time during -- at any time, what  
3           would be the increase?

4                   MR. FERRARO: He's trying to understand  
5           the comparison you're trying to make.

6                   MR. STEINHAGEN: Sir, the way the traffic  
7           engineers calculate traffic impacts is they  
8           say, What is the time of the day where there's  
9           the most cars coming from the site? Right.  
10          And I think that the witness testified there  
11          will be a certain number of cars coming onto  
12          Oakdene during that point. There may be cars  
13          at other times, but the most cars in a given  
14          hour is the peak hour and that's what the  
15          testimony was.

16                  MR. BARTON: So we don't know really how  
17          much is going to increase the traffic on this  
18          quiet, beautiful street?

19                  MR. FERRARO: We absolutely do. We have  
20          testimony and we have a traffic --

21                  MR. STEINHAGEN: I think Mr. Barton is  
22          asking: What's the total number of cars per  
23          day coming onto Oakdene?

24                  MR. BARTON: This quiet street.

25                  THE WITNESS: I only analyze the peak

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1 hours.

2 MR. STEINHAGEN: It is calculable.

3 MR. BARTON: I hope we'll calculate it  
4 when we're making our decisions.

5 MR. REHMAN: Just a question.

6 MR. STEINHAGEN: He's not testifying now.  
7 We could ask him questions and swear him in.

8 MR. REHMAN: That's fine.

9 VICE CHAIR ROSEN: Thank you.

10 MR. BARTON: Thanks.

11 MR. BARKSDALE: Good evening. My name is  
12 Kevin Barksdale, 84 Oakdene Avenue.  
13 B-A-R-K-S-D-A-L-E.

14 VICE CHAIR ROSEN: Were you previously  
15 represented by Ms. Price?

16 MR. BARKSDALE: Yes.

17 One of the questions I have to ask you:  
18 Are you familiar with the bus which -- the  
19 express bus goes into New York City, are you  
20 familiar with that bus?

21 THE WITNESS: From Teaneck Road? I'm  
22 familiar of it, yes.

23 MR. BARKSDALE: Do you know what number it  
24 is?

25 THE WITNESS: Not off the top of my head I



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1 don't.

2 MR. BARKSDALE: It's the 167 bus. I know  
3 it because I used to take it all the time.

4 Are you familiar with the last stop in  
5 Teaneck before the bus goes into the City?

6 THE WITNESS: No.

7 MR. BARKSDALE: The last stop is on  
8 Oakdene Avenue. The reason why I'm asking that  
9 question is because all of the commuters who  
10 have to go into during peak hours, they park  
11 along Oakdene Avenue, Hillside and Morningside  
12 Drive, so that they could take the last stop  
13 before the bus goes express into New York City.  
14 That makes sense, doesn't it?

15 THE WITNESS: Sure.

16 MR. BARKSDALE: Because they want the  
17 least amount of time on the bus.

18 Now, you mentioned with off-site parking,  
19 that there's going to be enough space for the  
20 parents to drop their kids off if the queue is  
21 full and then go into the area. I don't think  
22 that's possible.

23 MR. FERRARO: I'm not sure that's the  
24 testimony.

25 THE WITNESS: You don't believe there's

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1 enough on-site parking?

2 MR. BARKSDALE: I'm talking about off-site  
3 parking.

4 THE WITNESS: On-the-street parking?

5 MR. BARKSDALE: Yes, on-street parking.

6 MR. FERRARO: Any off-street parking being  
7 proposed for childcare dropoff.

8 THE WITNESS: Yeah, I did not investigate  
9 the on-street parking because I believe this  
10 facility has an adequate amount of on-site  
11 parking. I did observe then the on-street  
12 parking. From what I observed, there were  
13 availability on those roads.

14 MR. BARKSDALE: Another one of things that  
15 I saw that you said, you said that the delay  
16 on -- from Oakdene Avenue to Teaneck Road was  
17 six seconds in the morning.

18 THE WITNESS: An increase.

19 MR. BARKSDALE: An increase of six seconds  
20 in the morning. That's making a right-hand  
21 turn going south; am I correct?

22 THE WITNESS: No, that's the approach  
23 increase in delay overall.

24 MR. BARKSDALE: But, okay. So when a  
25 person is making a left turn going north, is

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1           that a six-second increase?

2           THE WITNESS: Yes.

3           MR. BARKSDALE: And then when a person is  
4           making a right turn going south, that's also a  
5           six-second increase?

6           THE WITNESS: I wouldn't say that the  
7           right turn wouldn't -- it's a combined, really.  
8           I would say -- if I had to say, there's an  
9           increase of maybe a second for the right-hand  
10          turn and five for the left-hand turn. It's a  
11          combination of the approaches.

12          MR. BARKSDALE: So then at rush hour, when  
13          everybody is rushing to Degraw Avenue, which is  
14          the next street from Hillside, and then Degraw  
15          Avenue leads to 95, which leads into the City,  
16          everyone is rushing to that light, you're  
17          saying it's only going to take one second, as  
18          far as the additional traffic, to make a  
19          right-hand turn?

20          THE WITNESS: Correct.

21          MR. BARKSDALE: And then you're saying  
22          that it's only going to take six seconds to  
23          make a left-hand turn going north?

24          THE WITNESS: From my analysis, yes.

25          MR. BARKSDALE: That's quite something

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1 different than what I observe other people  
2 have. In fact, actually what I observe. But  
3 that's a comment.

4 MR. STEINHAGEN: Can you give us the turn  
5 times or the wait times at the intersections?  
6 There may be a misconception as to what your  
7 testimony is. It's not actually six seconds.

8 THE WITNESS: No, it's an increase of six  
9 seconds.

10 MR. STEINHAGEN: So why don't you tell us  
11 what it is under the existing -- the no-built  
12 and the built. I think those are the numbers  
13 that are important.

14 We're on page 8 of your report?

15 THE WITNESS: Yes. For the eastbound  
16 approach on Oakdene Avenue, right now there's a  
17 current delay of 57.3 seconds. If you build up  
18 the traffic in the area which is in this area a  
19 1 percent increase in traffic over a year, that  
20 delay goes to 58.1. And then adding the  
21 site-generated traffic, the delay is 64.3  
22 seconds.

23 MR. STEINHAGEN: Just to clarify for the  
24 witness, the no-built, what that means is if  
25 this site is not developed, the turn that

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1 currently takes 57.3 seconds will next year  
2 will increase to 58.1?

3 THE WITNESS: Theoretically.

4 MR. STEINHAGEN: That's what DOT  
5 estimates?

6 THE WITNESS: Correct. That's the  
7 eastbound approach.

8 MR. BARKSDALE: That's the eastbound  
9 approach going south?

10 THE WITNESS: Making a right turn?

11 MR. BARKSDALE: Making a right turn, yes.

12 THE WITNESS: The overall level of service  
13 increased by 6.2 seconds in the a.m. peak hour.  
14 That's the overall approach level of service.

15 MR. BARKSDALE: Is that the difference  
16 between north going north or south?

17 THE WITNESS: I believe the --

18 MR. BARKSDALE: Are they combined?

19 THE WITNESS: They're combined. So I  
20 believe out of those 2.6 seconds, the majority  
21 would be an increased delay for left turns.

22 MR. BARKSDALE: At the maximum, you said  
23 the left hand will be a minute, perhaps, right?

24 THE WITNESS: Currently it is a minute,  
25 but it will be a little over a minute, yes.

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1 MR. BARKSDALE: The Hackensack Y survey,  
2 you did that in July; am I correct?

3 THE WITNESS: Correct.

4 MR. BARKSDALE: I'm a member of the  
5 Hackensack Y. And you said that the parking  
6 lot has a capacity -- was at 97 percent  
7 capacity?

8 THE WITNESS: Yeah, there was -- the  
9 existing lot has 79 current spaces. And at the  
10 time of the count, we counted 76 spaces.

11 MR. FERRARO: In p.m.?

12 THE WITNESS: In the p.m.

13 MR. BARKSDALE: The reason I'm asking that  
14 is because I'm also a member of the Votee swim  
15 club with myself and a lot of other people.  
16 And what happens is during the -- I guess  
17 during July, August and September --

18 MR. FERRARO: I'm going to have to object.

19 MR. BARKSDALE: Okay. Objection. I can  
20 understand.

21 So do you think that it's possible that  
22 people use the Hackensack Y less in July  
23 because they might be going to outdoor swimming  
24 clubs like the Teaneck swim or the Bogota Swim  
25 Club or the Votee Park Swim Club?

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1           THE WITNESS: It's possible. The point of  
2 the counts was to get a gauge of what -- how  
3 many spaces were occupied at that time. But  
4 it's possible.

5           MR. BARKSDALE: The count can be skewed  
6 because of the fact that there's less people  
7 going to indoor swimming during July in  
8 comparison to going outdoor swimming during the  
9 summer; am I correct?

10          THE WITNESS: It's possible.

11          MR. BARKSDALE: Okay. Great. There's a  
12 couple of other things I want to ask. The  
13 day-care. You mentioned that there's a  
14 day-care and a preschool.

15                 From what I gathered, the day-care is from  
16 six months to three years; is that correct?

17          THE WITNESS: The ages?

18          MR. BARKSDALE: The ages.

19          THE WITNESS: I believe so.

20          MR. BARKSDALE: And preschool is four and  
21 five years old; am I correct? Four years and  
22 five years?

23          MR. FERRARO: Three to five years.

24          MR. BARKSDALE: Three to five is  
25 preschool. Day-care is six months. Maybe even

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1 two months. So what the parents who have  
2 day-care with the infant, would they need more  
3 time to take their child into the classroom?

4 MR. FERRARO: Sir, it's three years old to  
5 five years old.

6 MR. BARKSDALE: So they're not doing  
7 day-care underneath three years?

8 MR. FERRARO: Childcare three years old to  
9 five.

10 MR. BARKSDALE: Okay. About the swim meet  
11 after school, you said that the swim meet is  
12 usually between the hours of 3:00 and 5:00; am  
13 I correct?

14 THE WITNESS: Correct.

15 MR. BARKSDALE: One of the things you said  
16 with the swim meet is the fact that the buses  
17 will drop off the kids and then the bus will go  
18 upon their merry way and come back and pick up  
19 the kids.

20 THE WITNESS: Could be a possible  
21 scenario, yes.

22 MR. BARKSDALE: That's the scenario. My  
23 son used to play basketball and went to a lot  
24 of meets. Usually, I think is what -- and  
25 maybe you could correct me -- don't the buses



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1 stay and wait until the meet is over to pick up  
2 the kids?

3 THE WITNESS: That is another alternative  
4 that they can do.

5 MR. BARKSDALE: But isn't that the usual  
6 alternative? Because the bus companies come  
7 from some other place and then the buses  
8 usually have to have the bus driver wait until  
9 the kids are finished and then leave?

10 THE WITNESS: The bus does stay. But we  
11 can make it a condition that the bus leaves  
12 during. But we do have a provided loading zone  
13 that the bus can --

14 MR. BARKSDALE: Are you going to make it a  
15 condition that the bus leave? Where would the  
16 bus go?

17 THE WITNESS: It would be worked with  
18 the --

19 MR. FERRARO: That's for the bus company  
20 to figure out.

21 MR. BARKSDALE: Okay. That's interesting.

22 Another thing is the fact that so then the  
23 swim meet is between 3:00 and 5:00 and that  
24 would be the max pickup time for the parents,  
25 as far as picking up their kids, right, during

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1 the swim meet; am I correct?

2 THE WITNESS: The max pickup?

3 MR. BARKSDALE: The parents pick up from  
4 day-care would be, I guess, after work. So  
5 that would be between the hours of maybe 5:00  
6 to 7:00, something like that?

7 THE WITNESS: The pickup is really spread  
8 out.

9 MR. FERRARO: The testimony was the  
10 full-day day-care.

11 MR. BARKSDALE: I saw something on-line  
12 where it said day-care from 7:00 to 7:00.

13 MR. FERRARO: The full day. If you drop  
14 them off in the morning, 2:30 is the pickup.  
15 You can, obviously, have aftercare if your  
16 child needs to stay later.

17 MR. BARKSDALE: Most parents, if they have  
18 day care, they have it because they're working  
19 and they will come perhaps to aftercare?

20 MR. FERRARO: Correct. If they work a  
21 full day, 5:00. If they work at night, maybe  
22 not.

23 MR. BARKSDALE: So 7:00 to 7:00. So  
24 that's right there in the middle of the swim  
25 meet; am I correct?

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1           MR. FERRARO: They're telling you -- the  
2 testimony was the full day ends at 2:30. The  
3 testimony of the traffic --

4           MR. BARKSDALE: Okay.

5           MR. FERRARO: They'll have an aftercare  
6 program available for people who have kids who  
7 need to stay there later. And the testimony of  
8 the traffic engineer is that the pickup is  
9 staggered.

10          MR. BARKSDALE: I guess that's the end of  
11 my questions for you. Thank you.

12          VICE CHAIR ROSEN: Thank you, sir.

13          MR. BARTA: You had said something --  
14 what's the Level of Service F?

15          THE WITNESS: The eastbound approach of  
16 Oakdene Avenue onto Teaneck Road.

17          MR. BARTA: F is the worst?

18          THE WITNESS: It is.

19          MR. BARTA: With these additional trips, I  
20 know we're talking about six seconds, how does  
21 that change the designation of the other  
22 streets if it's not going to get any worse, but  
23 what about the other streets?

24          THE WITNESS: It won't affect the level of  
25 services of the other streets significantly.

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1 MR. FERRARO: That's in the report, right?

2 THE WITNESS: Yes.

3 MS. BARKSDALE: I assume this is on. I'm  
4 Patty Barksdale, 84 Oakdene Avenue, Teaneck.

5 VICE CHAIR ROSEN: Were you previously  
6 represented by --

7 MS. BARKSDALE: Yes, I was. I'm really  
8 asking some questions just trying to get an  
9 understanding of the number of children that  
10 are being placed.

11 I know you said there's a maximum of 107.  
12 That's determined by the size of the building.  
13 Is that like the State has determined that you  
14 can only have maximum of 107 kids?

15 MR. FERRARO: The license from the State,  
16 licensed for 107 maximum.

17 MS. BARKSDALE: Of that, right now how  
18 many are from Teaneck?

19 MR. FERRARO: Right now I believe there's  
20 only approximately 36 kids in the program  
21 because it's -- the building is, obviously, not  
22 fully -- it's not completed.

23 MS. BARKSDALE: From that 36 that's  
24 currently in the building, how many are from  
25 Teaneck?

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1 MR. STEINHAGEN: Dr. Irving [sic]  
2 testified they were contracted to have 60.

3 MS. BARKSDALE: That's before the Eugene  
4 Field got renovated, right? So I'm just trying  
5 to determine if we have a maximum of maybe 107  
6 kids, I'm just trying to estimate how many  
7 actually come from Teaneck and then where would  
8 the other children come from?

9 Because that sort of has an impact of you  
10 saying whether they would jump on the bus or  
11 whether to take them or walk.

12 And on top of them, I know AUCC has been  
13 advertising.

14 MR. FERRARO: May I address the first  
15 question? This isn't really the right witness.  
16 I can get the answer from --

17 MS. BARKSDALE: It sort of leads into  
18 traffic, though. That's the only reason why  
19 I'm trying to get a feel of how many kids are  
20 actually -- I know he's not the -- I know  
21 you're not the expert of day-care.

22 MR. FERRARO: So currently --

23 VICE CHAIR ROSEN: Do we need to have the  
24 record reflect that Mr. Ferraro consulted with  
25 applicant?

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1           MR. FERRARO: So apparently 18, according  
2 to my client, are from the Board of Ed. And  
3 five of them are private residents of Teaneck,  
4 but not coming from the Board of Ed.

5           At the beginning, if you remember, the  
6 first hearing we had back in August, Dr. Irving  
7 testified that the goal was to have 60 kids  
8 from the Board of Ed go into the day-care  
9 because, obviously, we had the process with the  
10 application. The school year started. So the  
11 numbers here are lower. We're hoping for the  
12 next year, we'll be in a position to fully  
13 accommodate all of the Teaneck Board of Ed kids  
14 as well as some private citizens.

15           MS. BARKSDALE: That was the second part I  
16 was going to ask you. Since I know it had to  
17 be reduced and then Teaneck is opening up  
18 Eugene Field to take some of these kids as  
19 well, what is your anticipation for spring of  
20 2020? Do you really think that you're going to  
21 get a slew of kids from Teaneck that then will  
22 eat up you needing to market outside of Teaneck  
23 for kids? I am just trying to figure out the  
24 traffic flow again.

25           MR. FERRARO: Sure. We are anticipating a

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1 large majority coming from the Board of  
2 Education. And most of the kids coming from  
3 the Teaneck -- from Teaneck or, you know, the  
4 surrounding towns.

5 MS. BARKSDALE: When would you have that  
6 determination? Because once again, I think it  
7 goes right back into how the traffic flow is  
8 going to go. They have to sign a contract,  
9 right, or an agreement with you?

10 MR. FERRARO: Correct.

11 VICE CHAIR ROSEN: I have to ask. I  
12 really must insist that your questions be of  
13 this witness.

14 Your questions are good questions. But  
15 right now, we have this witness testifying.  
16 And if you can either frame your questions for  
17 this witness or ask questions of --

18 MS. BARKSDALE: Just so I understand, and  
19 it's difficult because, as you know, we don't  
20 have the lawyer now, so I know it will be  
21 streamlined.

22 But for me, I thought these questions sort  
23 of flow into his determination of how much  
24 traffic will be coming into --

25 VICE CHAIR ROSEN: If your question

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1 relates to the traffic and the parking and  
2 they're valuable, legitimate questions, but I'm  
3 not sensing those questions are about traffic.  
4 That's my concern.

5 MS. BARKSDALE: Sort of.

6 THE WITNESS: Right now, all of the  
7 traffic generated by the site, everyone is  
8 coming by vehicle. I didn't do a reduction for  
9 bus use or anything, so it's a conservative  
10 analysis.

11 MS. BARKSDALE: The other question I had  
12 is regarding -- this may be difficult to ask  
13 too because it's regarding the use of the pool.

14 Right now the swim team is in your  
15 calculation of the use of the pool, right, in  
16 terms of saying if they were bussed in for the  
17 tournaments, et cetera. That's really where  
18 some of the volume comes from.

19 Is there -- I don't know how to do this  
20 either -- is there a possibility that in order  
21 to maximize the use of the pool, that you would  
22 go after other swim teams outside of Teaneck in  
23 order for -- or is it just Teaneck will be the  
24 only swim team that will be using --

25 THE WITNESS: As far as I'm aware.



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1           MR. FERRARO: The testimony has been that  
2 the Teaneck High School girls and boys will be  
3 the only ones having practice there and --

4           MS. BARKSDALE: And when you did the  
5 traffic study and you took a look at the  
6 Hackensack area as well as Teaneck, I don't  
7 know if it's asked earlier, did you take into  
8 consideration the off-site parking?

9           Because in Hackensack, a lot of times  
10 people will park not just in the lots, they  
11 park on the street, they park in the  
12 fruit-and-vegetable place, they park in other  
13 places. And that's maybe some of the reasons  
14 why, you know, the spacing. So I wasn't  
15 sure --

16          THE WITNESS: I observed the amount of  
17 cars parked there and while I was observing, I  
18 didn't see many people walking to the facility  
19 from an off-site parking. But there, there  
20 probably is some, yes.

21          MS. BARKSDALE: I would think the same  
22 with the Rodda Center, that people don't only  
23 specifically park here. They may park street,  
24 as well?

25          THE WITNESS: Yes.

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1 MS. BARKSDALE: Okay. Thank you.

2 VICE CHAIR ROSEN: Good evening.

3 MS. TUMIPAMBA: Hi, name is Rosa  
4 Tumipamba, T-U-M-I-P-A-M-B-A. My address,  
5 Oakdene Avenue.

6 So I think some questions were asked.  
7 Just trying to get an idea of where you show  
8 where the cars are going to line up. But where  
9 exactly is going to be the dropoff point?  
10 Where is the attendant going to be?

11 THE WITNESS: I would say that fluctuates  
12 depending on how many cars are entering. They  
13 see more cars entering, it would be further  
14 down to increase the queue lengths, so that  
15 fluctuates.

16 MS. TUMIPAMBA: Are the kids being taken  
17 into the front door, are they going up the  
18 ramp? Where is the lineup exactly?

19 THE WITNESS: I would say ideally they  
20 would be dropped off by the crosswalk, walked  
21 over by the parents, and taken by the aides on  
22 the sidewalk or right outside the vehicle on  
23 the crosswalk. And they can enter the day-care  
24 center either via the ramp or the front door.

25 MS. TUMIPAMBA: What's the official

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1 entrance?

2 MR. FERRARO: It has two. It has a  
3 handicapped entrance and it has a front  
4 entrance, both facing Oakdene for the  
5 childcare.

6 MS. TUMIPAMBA: What's the closest  
7 entrance for attendant? Since they're going to  
8 be dropped off and the child is going to be  
9 walked, there's going to be one attendant and  
10 he or she is going to walk towards where, how  
11 long is that going to take? Is there going to  
12 be a second attendant waiting in the wings for  
13 the next child to be walked?

14 THE WITNESS: Yeah, I would say there  
15 would be multiple aides there.

16 MR. FERRARO: The testimony previously was  
17 three to four outside at each station. Some  
18 aides will help take the children out of the  
19 car, walk them over to either the ramp or the  
20 front door, where another aide would take them  
21 then into the building.

22 THE WITNESS: The idea is to always have  
23 an attendant there waiting outside.

24 MR. FERRARO: And if it was raining, they  
25 would probably be under the gazebo.

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1 MS. TUMIPAMBA: So that if it's raining,  
2 they're more likely to go up to the front of  
3 the school. If it's snow, they're going to go  
4 up to the front of the school.

5 So more than likely, my -- correct me if  
6 I'm wrong -- the assumption would be that  
7 they're going to line up before the crosswalk  
8 as opposed to all the way down where you show  
9 three more cars?

10 THE WITNESS: Ideally, because the walk is  
11 shorter, but if they see a lot of cars coming  
12 in the --we ought to keep them off of --

13 MS. TUMIPAMBA: We understand that. But  
14 if they're blocking the kids, are you going to  
15 have a separate person to be directing the  
16 traffic or are the same attendants going to be  
17 waving people in while walking the child to the  
18 door?

19 THE WITNESS: I would say if we had three  
20 or four attendants, one could be in charge of  
21 traffic.

22 MS. TUMIPAMBA: Again, back to the weather  
23 issues. If someone is all the way parked at  
24 the front, but they're going to be pushed to  
25 line up a little bit further in, you may or may

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1 not get six cars like you have them because  
2 they're bumper to bumper. Nobody really parks  
3 that close to each other. So the possibility  
4 would be there would be three cars, maybe four  
5 inside. They can't block the sidewalk so they  
6 would not be on the sidewalk.

7 THE WITNESS: The crosswalk.

8 MS. TUMIPAMBA: At the very top of  
9 Oakdene. They can't block that sidewalk we're  
10 assuming, but we don't know because no one --

11 MR. FERRARO: I'd just have to ask the  
12 question.

13 MS. TUMIPAMBA: Okay. I digressed, sorry.  
14 I asked you about the attendant, about the  
15 second attendant.

16 So how long will it take to check the  
17 child in the school before they come and  
18 retrieve the next child? Because that goes  
19 into the queue and how long people are going to  
20 sit on that queue in order to get through and  
21 how many cars then begin to line up.

22 So what's the assumption of the time  
23 frame?

24 THE WITNESS: Probably --

25 MS. TUMIPAMBA: Biometrics -- does someone

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1 have to --

2 MR. FERRARO: Let's allow him an  
3 opportunity to answer.

4 VICE CHAIR ROSEN: If you don't know, just  
5 say --

6 MR. STEINHAGEN: I think that the witness  
7 is not going to be testifying about operational  
8 security. The school can testify about how  
9 long pickup/dropoff time is, if he knows.  
10 But...

11 THE WITNESS: I would say it would be an  
12 estimation on my part. But I would say two  
13 minutes. Two to three minutes tops, depending  
14 on the child.

15 MS. TUMIPAMBA: So this hasn't been tested  
16 out? You just assumed?

17 THE WITNESS: We tried to optimize how  
18 many the queue is and get them off of Oakdene  
19 Avenue, but, yes.

20 MS. TUMIPAMBA: Someone timed it?

21 THE WITNESS: It hasn't been timed yet,  
22 no.

23 MS. TUMIPAMBA: So it's based on an  
24 assumption, then?

25 THE WITNESS: Yes.

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1 MS. TUMIPAMBA: So I think you already  
2 answered the average age range of the child,  
3 three to five?

4 THE WITNESS: Correct.

5 MS. TUMIPAMBA: So there are not going to  
6 be any child that needs to be carried in, young  
7 kids that cannot walk by themselves?

8 THE WITNESS: Not to my knowledge.

9 VICE CHAIR ROSEN: I'm not sure it's a  
10 question for this witness.

11 MS. TUMIPAMBA: Okay. Sorry. I'm just  
12 going through the ones that have been answered.

13 Okay. So you mentioned that there are  
14 parking spots -- well, in the drawing that we  
15 got, parking spots that were for the employees  
16 were labeled and those were the ones closest to  
17 the back of the building.

18 Are those still the employee parking  
19 spots?

20 THE WITNESS: Yes. There's 11 tandem  
21 spots for employees.

22 MS. TUMIPAMBA: Are those the only parking  
23 spots for the employees?

24 THE WITNESS: Right now, but there was  
25 talk before of making three additional

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1 employee --

2 MS. TUMIPAMBA: So back to the parking  
3 spots in the back of the building. You  
4 mentioned they're tandem with nonemployee  
5 parking spots. And when --

6 THE WITNESS: Nonemployee? All of the  
7 tandem ones are for employees.

8 MS. TUMIPAMBA: So they're actually, what,  
9 22 then?

10 THE WITNESS: Sure. Eleven tandem spots  
11 for a total of 22.

12 MS. TUMIPAMBA: So 22 parking spots, and  
13 those are all going to be labeled so that  
14 people can't park there?

15 THE WITNESS: Correct.

16 MS. TUMIPAMBA: That leaves, what, about  
17 80 parking spots less than 80 for the public?

18 THE WITNESS: Correct.

19 MS. TUMIPAMBA: You were mentioning that  
20 with the 100 calculation, is that solely for  
21 the people attending grade school?

22 THE WITNESS: Employees are all accounted  
23 for in that parking generation. So yes.

24 MS. TUMIPAMBA: Back to that same tandem.  
25 Are the people that are going to be



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1 parking closest to the building, are they going  
2 to be required -- the people that park behind  
3 them, are they going to be required to hand  
4 their keys over to someone? Obviously, if  
5 there's an emergency or fire, how do people get  
6 out?

7 VICE CHAIR ROSEN: It's not quite a  
8 question for the traffic engineer. He can only  
9 testify to what he knows. That would be a  
10 question for the people running the school.

11 MS. TUMIPAMBA: We'll have an opportunity  
12 to ask that to someone else?

13 MR. STEINHAGEN: They were here in August.

14 MR. FERRARO: And opened up the questions  
15 form the public at that time.

16 He can answer your question, but there was  
17 testimony there's going to be a sign so  
18 employees will know which spots belong to who.

19 MS. TUMIPAMBA: They will be able to get  
20 out in the case of a fire?

21 MR. STEINHAGEN: You probably won't have  
22 employees driving away, I hope not.

23 MS. TUMIPAMBA: Right. Back to the  
24 parking. You mentioned that who would be  
25 enforcing if there is parking in front of the

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1 building or blocking the sidewalk.

2 How is that going to be handled? Is  
3 that -- is it up to the neighbors to report  
4 that people are parking and then we have to get  
5 the police involved or how is that --

6 THE WITNESS: On-street parking on the  
7 street?

8 MS. TUMIPAMBA: On the front. Obviously,  
9 in the morning, they can't park in the front of  
10 the building.

11 THE WITNESS: If they're illegally parked,  
12 I would say it's up to the police to ticket  
13 them.

14 MS. TUMIPAMBA: So it's up to the  
15 neighborhood?

16 MR. FERRARO: The applicant is going to  
17 tell them, Don't do that. The whole purpose of  
18 this plan is to make dropoff on the site, which  
19 I imagine historically would probably happen  
20 mostly on the street. So we're trying to take  
21 all of that activity and put it on the site to  
22 limit how many people are actually parking --

23 MS. TUMIPAMBA: In order to kind of  
24 enforce the fact that the cars are coming in  
25 from Oakdene and going out Hillside, wouldn't

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1           it just be easier to take out -- the exit out  
2           into Oakdene and prevent people from coming out  
3           that way in some weird -- someone forgets to  
4           put a cone?

5           THE WITNESS: It's a possibility we could  
6           lose that driveway. I don't think it's  
7           necessary.

8           MR. FERRARO: Or does it make site  
9           circulation easier to lose that?

10          THE WITNESS: No, it doesn't. It actually  
11          complicates site circulation because people  
12          can't exit that way during non-peak hours when  
13          this isn't in place. They would have to circle  
14          around. So it complicates site circulation.

15          MS. TUMIPAMBA: Okay. I don't know if I  
16          can ask this, but...

17          I'm a resident of the street and I know  
18          that from experience, people that -- especially  
19          now that the exit is being located closer to  
20          Teaneck on Hillside, it's already happened  
21          before, but there would be a tendency for cars  
22          to come out from Hillside and turn down  
23          towards --

24          VICE CHAIR ROSEN: You're actually giving  
25          us testimony now.

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1 MS. TUMIPAMBA: I am?

2 VICE CHAIR ROSEN: There will be time to  
3 do that, but right now confine yourself to  
4 questions.

5 MS. TUMIPAMBA: That might be my  
6 questions. In the winter with snow and ice,  
7 what's the average dropoff? That's going to be  
8 a little different than summer?

9 THE WITNESS: The dropoff time, during icy  
10 conditions, I would say it would be a little  
11 bit longer, but I don't have the exact number.

12 MS. TUMIPAMBA: Well, then could we get  
13 the exact number?

14 THE WITNESS: I don't know if there's data  
15 for that specifically.

16 MR. FERRARO: You think it would be a  
17 substantial difference?

18 MS. TUMIPAMBA: How many cars are going to  
19 queue up when it snows versus when it's nice --

20 THE WITNESS: I don't think it will be a  
21 substantial difference, but...

22 MS. TUMIPAMBA: Okay. If there is a child  
23 being walked to school, is there going to be a  
24 crossing guard at each major crossing since  
25 this is now a school again?

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1           VICE CHAIR ROSEN:  It's not a question for  
2           him.

3           MS. TUMIPAMBA:  That's not a question for  
4           him.  Okay.

5           MR. FERRARO:  There's no crossing guards.

6           MR. STEINHAGEN:  That would be a Board of  
7           Education police issue.

8           MS. TUMIPAMBA:  They would have to figure  
9           that out.

10          VICE CHAIR ROSEN:  They can answer your  
11          question, but the applicant doesn't have  
12          control over that operation.

13          MS. TUMIPAMBA:  All right.  I think I  
14          already asked the question, but just about the  
15          cars not blocking the sidewalk and how it's  
16          going to be enforced.

17          THE WITNESS:  I don't foresee a backup  
18          blocking the sidewalk at all.  I don't believe  
19          that will happen.

20          But as far as being enforced, that's why  
21          the aides are out there, and one specifically  
22          for traffic control can move cars up to get off  
23          of the sidewalk and off of Oakdene Avenue.

24          MR. FERRARO:  The people that come to the  
25          day care, childcare, will be given procedures.

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1 They'll be handed out so they will know ahead  
2 of time what they're supposed to be doing, this  
3 is not what you're supposed to be doing.  
4 They'll park on Oakdene and drop off their  
5 kids, bring them up --

6 THE WITNESS: And I would say if backed up  
7 a little bit, people can make that assessment  
8 and then turn into the parking lot on this  
9 side, park their cars and walk their children  
10 in.

11 MS. TUMIPAMBA: I guess the reason I'm  
12 asking, obviously, it was a public school and,  
13 you know, the school was beholden to the laws.  
14 This is now a private entity business that is  
15 utilizing this property. And we're trying to  
16 make sure that that is followed.

17 MR. FERRARO: Absolutely. You're subject  
18 to the laws.

19 MR. STEINHAGEN: Did we ask about Title 39  
20 at the last --

21 MR. FERRARO: We did.

22 MR. STEINHAGEN: So the applicant agreed  
23 as a condition of approval that they would  
24 allow the Teaneck Police Department to enforce  
25 the traffic laws on site just as they would on

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1 a street.

2 So you can't park in a fire lane. If you  
3 park in handicapped spaces, that's a problem.  
4 Things like that. That's how you deal with the  
5 on-site issues.

6 MS. TUMIPAMBA: All right. Thank you.

7 VICE CHAIR ROSEN: Folks, I have to ask  
8 now that we're going to adjourn for about a  
9 ten-minute recess. I should say for no more  
10 than ten minutes. We're going reconvene at  
11 9:10.

12 Those of you who are on the line, please  
13 remember where you are and protect your place  
14 so no one takes it.

15 We will pick up again at 9:10 p.m.

16 (At 8:59 p.m. a recess was taken.)

17 (At 9:12 p.m. the meeting resumes.)

18 MR. DEVRIES: Good evening. Rudolph  
19 DeVries, R-U-D-O-L-P-H, D-E-V-R-I-E-S, 107  
20 Hillside Avenue, Teaneck. Yes, I once was and  
21 no longer am represented.

22 VICE CHAIR ROSEN: He was once represented  
23 by Ms. Price and no longer is. Thank you.

24 MR. DEVRIES: The dropoff times, again,  
25 that was an estimate, the two minutes?

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1 THE WITNESS: Yes.

2 MR. DEVRIES: Considering all of the  
3 things that everyone has brought up about that,  
4 including things like snow, ice, rain, you  
5 think it's still a good estimate?

6 THE WITNESS: The day-care might be closed  
7 if it's extreme weather, as well.

8 MR. DEVRIES: Diverting the traffic onto  
9 the side streets to free up Teaneck Road, up  
10 Hillside, down Oakdene, did you do a study on  
11 that at all?

12 THE WITNESS: We didn't do a study going  
13 down all the way to Queen Anne Road, but the  
14 amount of trips I'm having going down that way  
15 is under -- well under 100. So I don't believe  
16 a study is needed for that far down the road.  
17 I do believe it's way less detrimental to have  
18 cars go that way than Oakdene Avenue and to  
19 that approach that is existing.

20 MR. DEVRIES: So no study on how long it  
21 would take to make a left onto Queen Anne,  
22 then, or how many kids live on the side of  
23 Oakdene Avenue?

24 THE WITNESS: I'd say most know if you're  
25 going down to Queen Anne, make a right turn



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1           because you want to travel northbound.  If you  
2           want to travel southbound, you would make the  
3           right onto Oakdene.

4           MR. DEVRIES:  That's an assumption.  You  
5           didn't do any studies?

6           MR. STEINHAGEN:  No, it's an assumption.

7           Before you go on, can you explain the  
8           significance of the 100 trips for the board and  
9           the public?

10          THE WITNESS:  It's State regulation for  
11          DOT that you don't have to analyze an  
12          intersection if it's less than 100 new trips to  
13          the intersection.

14          MR. STEINHAGEN:  Are there less than 100  
15          trips even without this or was it just based on  
16          this?  Because I don't know if you're adding  
17          100 trips anywhere.

18          THE WITNESS:  No, we're not adding 100  
19          trips anywhere to one specific approach.

20          MR. DEVRIES:  There's no requirement for  
21          the study and so you didn't do one.  So you  
22          don't know, okay.

23          Same with the parking.  The off-street  
24          parking, there's no study on that.  You're just  
25          guessing there's 50 spots?

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1 THE WITNESS: Yes. That was an estimation  
2 and I did do an on-street parking study because  
3 I believe the site has enough spaces on site to  
4 accommodate.

5 MR. DEVRIES: And if they didn't, you were  
6 suggesting 50 spots?

7 THE WITNESS: I was suggesting there would  
8 be approximately --

9 MR. DEVRIES: There's no study on the  
10 number of houses. There's no data, you do  
11 off-street or short driveways, et cetera --

12 THE WITNESS: No, there's no on-street  
13 study.

14 MR. DEVRIES: And then, again, too, in  
15 inclement weather, it's going to snow, there's  
16 zero off-street parking.

17 Well, there's three spots on Hillside  
18 Avenue in front of my house. It's kind of  
19 claimed.

20 So then -- so then it's just pretty much  
21 all guessing as far as the street affects and  
22 the parking.

23 MR. FERRARO: I object. We've done a  
24 parking study. We've done a traffic study.

25 THE WITNESS: We analyzed the most

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1 impactful intersections.

2 MR. DEVRIES: Thank you very much.

3 MR. FISCHLER: Steven Fischler. I was  
4 represented by counsel.

5 VICE CHAIR ROSEN: Sir, I just want you to  
6 spell your name for the record.

7 MR. FISCHLER: F-I-S-C-H-L-E-R.

8 You directed the traffic, your plan out to  
9 exit on Hillside, and you testified before to  
10 get up to Queen Anne Road. I live on Hillside  
11 and I know that's a very congested  
12 intersection.

13 Has there been any traffic study at the  
14 impact of that traffic on Queen Anne Road?

15 THE WITNESS: There was no study done at  
16 that intersection. We are -- the site was  
17 designed to give the people the ability to go  
18 that way. I do not believe it's a significant  
19 impact on that intersection for the amount of  
20 site-generated I anticipate going that way.

21 MR. FISCHLER: I have a bunch of  
22 questions, but only one more for you.

23 In terms of the parking space allocations,  
24 all the different formulas, 300 members,  
25 25 percent, what I didn't see a reference in

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1 any of the documents were parking spaces for  
2 the employees who work at the recreational  
3 facility, the trainers, the receptionist. I  
4 mean, are those -- did you calculate parking  
5 spaces for those people?

6 THE WITNESS: All of the requirements,  
7 that's counted in and built into those  
8 equations. So employees are accounted for.

9 MR. FISCHLER: So the 19 employees are --  
10 which you've defined as day-care employees are  
11 also recreational facility employees?

12 THE WITNESS: It's all accounted for, yes.

13 MR. FISCHLER: Okay. Thank you.

14 VICE CHAIR ROSEN: Thank you.

15 MS. JOHNSON: Melissa Johnson. I was not  
16 represented by counsel.

17 I have two or three questions.

18 And I'm unclear from what you testified  
19 earlier, you mentioned that your study, this is  
20 a traffic study?

21 THE WITNESS: Uh-huh.

22 MS. JOHNSON: Was based only on peak  
23 hours?

24 THE WITNESS: Yes, because that's the most  
25 impacted time period. Everything else will be

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1 less significant.

2 MS. JOHNSON: Okay. So will there be a  
3 study for ongoing traffic outside of the peak  
4 areas? And I only ask that because we're  
5 looking at peak area for --

6 MR. FERRARO: Peak hours.

7 MS. JOHNSON: Peak hours -- sorry -- for  
8 the day-care center. We're looking at peak  
9 hours for which other activities?

10 THE WITNESS: The community center as a  
11 whole.

12 MS. JOHNSON: As a whole. So I received  
13 some postcards several -- I don't know if the  
14 planning board had seen the literature that's  
15 gone out from AUCC to basically get business.

16 It mentioned an adult center. It  
17 mentioned educational rooms. It mentioned  
18 summer camp. I think that would be more  
19 activity on top of the day-care. Birthday  
20 parties and pool parties.

21 So I kind of am wondering will there be a  
22 study conducted for ongoing traffic for a  
23 facility that's open from 6:00 a.m. to  
24 10:00 p.m. seven days a week?

25 THE WITNESS: Well, I used the Institute

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1 of Transportation Engineers, ITE, which their  
2 definition --

3 VICE CHAIR ROSEN: Explain what that  
4 means.

5 THE WITNESS: Sorry. It's the ITE, is  
6 what is as far as the traffic engineer, it's  
7 our go-to resource as far as making a  
8 traffic -- performing a traffic study. And the  
9 definition in ITE for a recreation community  
10 center incorporates all of those uses, day-care  
11 and all of those uses. And there's specific  
12 peak hours that are studied that it's only  
13 going to get less impactful on those other time  
14 periods. So I believe the peak hours are all  
15 that needs to be studied.

16 MS. JOHNSON: And what were they again?

17 THE WITNESS: They were -- the peak hour  
18 traffic incorporated 7:00 to 9:00 in the  
19 morning and then 4:00 to 6:00 in the afternoon.

20 MS. JOHNSON: So the answer is no.

21 VICE CHAIR ROSEN: He testified that he  
22 studied what he's required to study and that's  
23 peak hours and he told you what peak hours are.

24 MS. JOHNSON: So the ITE study, does it  
25 matter -- it is for recreational centers, you

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1       said. Does it matter where that center is  
2       located? I mean, would it be different if it  
3       was in a rural area versus where we're sitting  
4       in a residential area completely surrounded and  
5       also with parking for most of those streets on  
6       both sides of the street parking?

7               I mean, as I drive down Hillside from --

8               MR. FERRARO: The question is: Is it  
9       different in a rural area?

10              MS. JOHNSON: Is it standard for wherever  
11       that center is? Is there a variation?

12              THE WITNESS: The peak hours are standard,  
13       yes.

14              MR. FERRARO: Regardless of location?

15              THE WITNESS: Yes.

16              MR. STEINHAGEN: Is there a different land  
17       use code for urban/semi-urban, rural recreation  
18       centers?

19              THE WITNESS: I would have to check with  
20       the ITE. There might be a different land use  
21       breakdown, but I believe this -- I used the  
22       most conservative trip generation.

23              MR. STEINHAGEN: And, okay.

24              MS. JOHNSON: How will we know in the  
25       future? "He believes."

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1 MR. STEINHAGEN: That's why we have -- the  
2 board has its own traffic consultant.

3 MS. JOHNSON: They're here tonight?

4 MR. STEINHAGEN: They're here tonight and  
5 they have reviewed the traffic study and they  
6 did not indicate that there was an issue with  
7 the ITE code and if there was, of --

8 THE WITNESS: I believe I used the most  
9 appropriate.

10 MR. STEINHAGEN: That's correct,  
11 Mr. Istranyi?

12 MR. ISTRANYI: To clarify, the ITE does  
13 have a breakdown of general suburban and urban  
14 areas. The calculation that he used was based  
15 on a suburban area.

16 MR. STEINHAGEN: And you feel that's  
17 appropriate?

18 MR. ISTRANYI: Yes, based on the  
19 characteristics of the neighborhood. It  
20 actually could be a blend depending on how you  
21 interpret the definition in the ITE regarding  
22 suburban and urban. You could really kind of  
23 blend into either. Urban actually has a  
24 lower parking --

25 (Reporter interruption.)



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1           MR. ISTRANYI: There's more modes of  
2           transportation outside of a personal vehicle.  
3           So there is availability of mass transit here.  
4           The idea is that I would say, more than  
5           50 percent of people would still use their  
6           cars. So the idea is that it would be a  
7           suburban environment and the 5th Edition that  
8           he referenced does have that 2.07 parking  
9           demand based on the area of the building.

10          MR. STEINHAGEN: Do you want to just  
11          explain for the public what it is the ITE does  
12          and how they create this data? Because it's an  
13          important --

14          MR. ISTRANYI: Absolutely. So while the  
15          engineer did touch upon it, what the ITE is a  
16          Professional Association of Transportation  
17          Engineers.

18          What we do is that we have numerous  
19          studies throughout different areas of different  
20          square footages and they take these studies and  
21          they generate averages based on that. And  
22          that's based on characteristics of where the  
23          building is located. Like I said, you'll have  
24          a rural, suburban, urban, as well as they'll  
25          look at it and break it down by -- depending on

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1 the use -- the square footage, employees,  
2 number of kids, any sort of factors depending  
3 on what that use is.

4 The code -- the land use code that he's  
5 referring to for a community center is based on  
6 the square footage. So it would be 2.07  
7 parking spaces per thousand square feet. And  
8 that's based on X amount of studies that were  
9 done recently.

10 The reason I bring up the difference  
11 between the 4th Edition and 5th Edition, is  
12 that the 5th Edition came out recently and has  
13 more data and more updated data that helps  
14 clarify some of the uses.

15 So as I stated earlier, this community  
16 center use that's used in reference to ITE,  
17 that includes childcare facilities, gyms, swim  
18 clubs, athletic facilities, all mixed together,  
19 that you would typically see at a YMCA-type  
20 facility.

21 MS. JOHNSON: We use the 4th or the 5th  
22 Edition?

23 MR. ISTRANYI: He did clarify in his  
24 testimony and we note it in our reference  
25 letter that the 5th Generation does have a

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1 lower parking demand. So based on the size of  
2 the facility, which is about 44-, 45,000-square  
3 feet, there will be a parking demand of 93  
4 parking spaces. Whereas on site, the proposing  
5 100, keeping in mind that 11 of those are  
6 tandem spaces.

7 MR. STEINHAGEN: Now, the ITE number, the  
8 2.07 per thousand, that's now the median?

9 MR. ISTRANYI: It's not an average of the  
10 study. It's the 85th percentile. So they  
11 generate a curve based on the data points and  
12 this is the 85th percentile of that. So it's  
13 not saying -- it's not even a median. It's  
14 even more conservative than that.

15 MR. STEINHAGEN: What that means -- is it  
16 a standard deviation or is it that 15 percent  
17 of the facilities would require more than that  
18 number and the 85 would not or how does it  
19 work?

20 MR. ISTRANYI: That is correct, yes.

21 MS. JOHNSON: Okay. I was sitting on the  
22 right side. I couldn't see the map when you  
23 were speaking regarding the streets. And the  
24 50 spaces, the 50 off-street parking spaces  
25 that you said would most likely be available,

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1           where were they?

2           THE WITNESS: That was a rough estimate of  
3           the parking available on Oakdene Avenue in  
4           between Morningside Terrace and Teaneck Road.  
5           On Hillside Avenue between Morningside Terrace  
6           and Hillside Road and also Morningside Terrace  
7           in between Hillside and Oakdene.

8           MS. JOHNSON: So just the perimeter of the  
9           property only?

10          THE WITNESS: Correct, and further to the  
11          east.

12          MS. JOHNSON: Did your study include the  
13          adjacent Morningside between Hillside and  
14          Degraw?

15          THE WITNESS: No. That was just an  
16          estimation we did right now. But no, we didn't  
17          include that.

18          MS. JOHNSON: Nor did it include Oakdene  
19          or Hillside further up? I think I other heard  
20          that it didn't include Oakdene Avenue to  
21          Hillside going up.

22          THE WITNESS: Oakdene to Hillside?

23          MS. JOHNSON: From Morningside going --  
24          Just that.

25          THE WITNESS: Yes, yes.

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1           MR. FERRARO: That was in relation to a  
2 question from the board: How many spaces do  
3 you feel are on the perimeter of the property?

4           The testimony is being that we feel we're  
5 providing enough on-site parking.

6           MS. JOHNSON: I'm speaking about off-site.

7           Are you aware of the number of two-family  
8 homes on Morningside?

9           THE WITNESS: I am not.

10          MS. JOHNSON: There are three of them and  
11 they have 14 parking spaces.

12          VICE CHAIR ROSEN: Just to clarify, it was  
13 my question: The applicant is testifying that  
14 they have enough spaces. But my question  
15 related to what happens in the event of a  
16 special event? And then I gave the case some  
17 celebrity or a politician will sell out the  
18 community. It's a widespread community  
19 interest and everybody shows up.

20          And I wanted to know in that event, what  
21 would happen and how many spaces would be  
22 available on the street? That was my question.

23          MS. JOHNSON: Absolutely. So my question  
24 is -- and I don't know the exact times that you  
25 did your study. What happens every evening

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1           when homeowners come home from work and there's  
2           no parking and they use that Morningside  
3           between Oakdene Avenue and Hillside because  
4           there's no parking until the commuters come  
5           back and get their cars?

6           THE WITNESS: I don't anticipate any  
7           on-street parking related to this facility.  
8           But it's there just in case, but I don't  
9           anticipate that.

10          MS. JOHNSON: You're confusing on-street  
11          and off-street.

12          MR. FERRARO: We're not anticipating a  
13          need to park on the street.

14          MS. JOHNSON: On the street.

15          MR. FERRARO: We're not. The whole point  
16          of this application, we've added, I think,  
17          originally 63 or 64 spaces at the site and we  
18          brought it up to 100 spaces just to make sure  
19          that we can accommodate all of the people who  
20          were coming to the site on the property.

21          MS. JOHNSON: So is it no longer true that  
22          the facility, according to the planning board,  
23          requires more than 100 spaces?

24          MR. STEINHAGEN: Wait, wait, wait. Okay.  
25          So the testimony from the applicant is we

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1        have 100 spaces. We think we have enough. The  
2        board's traffic consultant indicated, based  
3        upon one metric for calculating what the true  
4        demand is, they're going to need approximately  
5        93 parking spaces. They say they have 100,  
6        including the 11 that are tandem.

7                So it's 89 fully accessible spaces and  
8        then 11 that could have a car behind. The  
9        board has to decide, based on all of the facts,  
10       the fact that they need a use variance, the  
11       fact that there's parking, a number of  
12       potentially different parking requirements as  
13       part of its deliberations on the entire case,  
14       what the parking requirement is, and then is  
15       there enough, number one. And if there's not  
16       enough, do they get a variance for it? And  
17       that has not happened yet because we don't have  
18       all the evidence and testimony yet.

19               MS. JOHNSON: The testimony is 93 and 100  
20       now.

21               MR. STEINHAGEN: The numbers that we have  
22       is there are 100 parking spaces on-site. There  
23       are 11 tandem spaces. There are ordinance  
24       requirements. There is the estimate from the  
25       ITE which is the standard in the industry for

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1           what all transportation engineers, including  
2           the board's engineer, utilizes, evaluating what  
3           the parking demand is.

4           MS. JOHNSON: So the 90 spaces are  
5           inclusive of the employee parking spaces?

6           MR. STEINHAGEN: The ITE estimates that  
7           this facility, based upon the most current  
8           data -- when did the ITE 5th Edition for the  
9           parking data first come out?

10          MR. VINCE: October.

11          MR. STEINHAGEN: Usually the ITE studies  
12          have dozens of their own parking studies.  
13          Actually, what they do is they go out and  
14          actually count real-life facilities and say  
15          this is how big it is, this is the parking  
16          requirement for it. These are the types of  
17          components that are typically inside. And this  
18          is what it needs and this is what they have.

19          MS. JOHNSON: Okay.

20          MR. STEINHAGEN: That's what it is. And  
21          that's what engineers rely on.

22          MR. FERRARO: So our point is 93 spaces.  
23          We're providing 100 on-site spaces. That's why  
24          we didn't do an on-street parking study.

25          MS. JOHNSON: So an on-street parking



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1 study will not be done?

2 VICE CHAIR ROSEN: It's not required.  
3 Again, my question related to that unusual  
4 event that may or may not happen where, again,  
5 some unique event draws an enormous amount of  
6 people out of the ordinary.

7 The idea that I gave you was a politician  
8 or a celebrity or, God forbid, some community  
9 tragedy and the entire place is taken up.  
10 We're not asking him to make the street  
11 available, but I just wanted to get a sense of  
12 what would happen.

13 MS. JOHNSON: I get that. But looking at  
14 the proposed usage of the building, in my mind,  
15 it just seems like there's going to be more  
16 people because we were constantly talking about  
17 a swim meet. And from the testimony back in  
18 August from the --

19 MR. FERRARO: We're getting into  
20 testimony.

21 MS. JOHNSON: No, no. I'm telling you  
22 what was said. When we have a swim meet, it's  
23 not with one school. It's with a minimum of  
24 two. We have two school buses that we're  
25 worrying about that may stay on site, that may

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1 not stay on site.

2 MR. FERRARO: There's not two. The  
3 testimony was Teaneck does not bus their  
4 students to a home game.

5 MS. JOHNSON: No, no. they're two visiting  
6 teams.

7 MR. FERRARO: No. There's only going to  
8 be Teaneck. The testimony has been --

9 MS. JOHNSON: That wasn't the testimony.

10 MR. FERRARO: Teaneck High School will  
11 swim against one other team.

12 MS. JOHNSON: He said one, sometimes two.  
13 That's what the swim coach said.

14 MR. FERRARO: We agreed that there will be  
15 a dual meet swim --

16 MS. JOHNSON: He's stating there's going  
17 to be two: Teaneck and one other school.

18 What was testified is there's going to be  
19 two schools.

20 VICE CHAIR ROSEN: I don't recall one way  
21 or the other.

22 MS. JOHNSON: I guess you have to look  
23 back at the transcript.

24 MR. FERRARO: There's no readables. We're  
25 stipulating that there's only going to be

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1 Teaneck High School and a visitor.

2 VICE CHAIR ROSEN: That's that.

3 MR. STEINHAGEN: And if the board acts  
4 favorably on the application, there will be a  
5 stipulation that it cannot be. And it would be  
6 a violation, if it's approved, to have more  
7 than one team, one of which will be Teaneck.

8 There's not going to be -- I don't think  
9 this facility is going to be hosting meets for  
10 two schools that are not related to Teaneck.  
11 That was the whole genesis for agreeing to cap  
12 the number 150, was based upon two swim teams  
13 being there. If you had three, that number  
14 could become unrealistic.

15 MS. JOHNSON: In that same testimony, it  
16 was also stated that the practices are from  
17 October to March. Someone said three months.

18 MR. FERRARO: November to February.

19 VICE CHAIR ROSEN: Teaneck swim season.

20 MS. JOHNSON: For the season.

21 VICE CHAIR ROSEN: Right.

22 MS. JOHNSON: My other questions were  
23 basically for the on-street parking, the  
24 multiple houses without driveways, the  
25 two-family homes and the shared driveways.

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1 MR. FERRARO: Mr. Chairman, at this point,  
2 this is repetitive questioning and I'm almost  
3 getting the feeling that we might be asking the  
4 same questions over and over again.

5 MS. JOHNSON: I don't have a driveway in  
6 my house. This is important to me and I have  
7 neighbors.

8 THE BOARD SECRETARY: One at a time  
9 please. The stenographer.

10 VICE CHAIR ROSEN: As far as making the  
11 point that your questions seem to be coming  
12 back to on-street parking, they're legitimate  
13 questions, but I believe that they've answered  
14 the question. Already been asked about  
15 parking. That on-street parking. That  
16 on-street is not required, nor are they stating  
17 they need on-street parking. And, again, the  
18 only reason it was brought up is my question  
19 related to that unique event, where there's  
20 overflow requirements. They are not saying  
21 that it's going to happen, but what would  
22 happen. And that was my question.

23 MS. JOHNSON: So what would happen? Do we  
24 get a traffic study when there's a problem next  
25 year or in the future after the building is

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1 built. What is the repercussion for the  
2 taxpayers?

3 MR. STEINHAGEN: The board considers the  
4 application as it's presented. The applicants  
5 present testimony and evidence based on a  
6 professional engineer. The board has its  
7 engineer. The board was expecting to have  
8 potentially contrary evidence from another  
9 traffic engineer.

10 The board would receive that evidence and  
11 it would weigh all of that evidence. If  
12 anybody wanted to bring someone to give that  
13 evidence, put it that way. But the board needs  
14 to act -- it can't focus --

15 MS. JOHNSON: It can't focus on on-street  
16 parking and how it impacts?

17 MR. STEINHAGEN: The board has testimony  
18 from an expert. The board can't say there's a  
19 case from Bernardsville where the residents  
20 were concerned about the traffic testimony that  
21 the applicant's traffic engineer put on.  
22 That's not true. You should ignore. And the  
23 board did. They didn't have any contrary  
24 expert testimony and when the applicant took  
25 them to court, the court reversed them and

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1       said, You improperly ignored the applicant's  
2       traffic testimony without any competing or  
3       contrary testimony.

4               So if the board wants to disregard it and  
5       needs a reason to do it, and typically the way  
6       that that happens -- and I'm not saying that  
7       the board would in any event, because I don't  
8       make that decision.

9               If you want a traffic study about the  
10       availability or the lack of availability of  
11       on-street parking as it relates to impacts to  
12       the neighborhood, that's something that the  
13       board would accept, but it's not going to go  
14       out and do it, particularly because the  
15       applicant has presented testimony to say "We  
16       don't need any on-street parking."

17              The board's traffic consultant agrees. If  
18       there's a reason that someone misses something,  
19       it needs to be presented to the board.

20              MS. JOHNSON: Is there an opportunity  
21       later on to -- or is this the opportunity to  
22       speak to this? This gentleman is from -- is  
23       supporting Teaneck, right?

24              MR. STEINHAGEN: Correct. So he hasn't  
25       testified yet. After the applicant has

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1 presented its case, after any members of the  
2 public testifies or presents a witness, the  
3 board's professionals will be asked questions  
4 and testify. At that time they will  
5 theoretically be open to the public for  
6 questioning also.

7 MS. JOHNSON: Thank you.

8 MR. ISTRANYI: For the record, I've got  
9 the two manuals. The earliest date of the 5th  
10 Edition is February of 2019, not October. So  
11 still recent, just a minor clarification for  
12 the board.

13 MS. GOTTFRIED: My name is Erica  
14 Gottfried. That's G-O-T-T-F-R-I-E-D, as in  
15 David. I live at 184 Hillside Avenue and I was  
16 previously represented. One question. And I'm  
17 not sure it can be answered.

18 This question is directed to the issue of  
19 the time that it will take to bring the  
20 children in from being dropped off. And it  
21 should be answerable because what I want to  
22 know is how many childcare workers are  
23 currently employed at the center? Is that  
24 something you can answer?

25 THE WITNESS: No.

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1 MS. GOTTFRIED: So who can answer that?

2 VICE CHAIR ROSEN: I believe that the  
3 applicant has already testified as to their  
4 operations. I don't know if we would call them  
5 back, but...

6 MS. GOTTFRIED: That's germane to the  
7 question, how long it will take, because we  
8 only have the applicant's word for it that  
9 there will be people to do it or not people to  
10 do it.

11 MR. FERRARO: We can address that through  
12 another witness.

13 MS. GOTTFRIED: Okay. That would be good.

14 MR. STEINHAGEN: Is he here tonight?

15 MR. FERRARO: No, not tonight.

16 MS. GOTTFRIED: Okay. Thank you.

17 MS. McCLURE-IANACONE: Sabrina

18 McClure-Ianacone, M-C-C-L-U-R-E,

19 I-A-N-A-C-O-N-E. I'm at 114 Oakdene Avenue.

20 VICE CHAIR ROSEN: Were you represented by  
21 Ms. Price before?

22 MS. McCLURE-IANACONE: No, I wasn't. I'm  
23 new to the process, so I'm not sure if you're  
24 the right person to ask this to. I often go to  
25 work on down Oakdene Avenue to Teaneck Road.



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1           And I have to turn right on the Teaneck  
2 Road. Because it's a one-way street, sometimes  
3 I have a lot of issues with people who want to  
4 turn left and for some reason they go all the  
5 way to the right to turn left.

6           THE WITNESS: That's just rude.

7           MS. McCLURE-IANACONE: I don't know if  
8 this is a question for you. Is there anything  
9 that we can do to help with that?

10          MR. STEINHAGEN: That's a Teaneck --that's  
11 the police or DPW if they could stripe it or  
12 something like that.

13          MS. McCLURE-IANACONE: So let's say  
14 everything goes through the way it is or  
15 there's some changes or, you know, everything  
16 goes through and as neighbors, we have issues  
17 with either parking or traffic or lights. Who  
18 do we go to?

19          VICE CHAIR ROSEN: Is your applicant  
20 willing to have a liaison?

21          MR. FERRARO: That goes back to the first  
22 meeting in August of last year where Mr. Salem  
23 testified that we would provide a community  
24 liaison so that when there are issues, there's  
25 a point of contact so that they can contact us

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1 or we can be made aware of it.

2 MS. McCLURE-IANACONE: I mean, I  
3 understand if it's lights or things like that,  
4 but what if it's parking or --

5 VICE CHAIR ROSEN: It's a great question  
6 and it's done all the time where the applicant  
7 in this case, the community center, will  
8 provide a liaison or make that person aware of  
9 the community, perhaps a backup number too so  
10 you can get in touch with that person if  
11 there's an issue.

12 MS. McCLURE-IANACONE: And what if they  
13 don't resolve it? Is there -- I don't know --  
14 an arbitrator? Is there --

15 VICE CHAIR ROSEN: You have -- if the --  
16 if you feel that the applicant is now breaking  
17 the law or not living up to the commitment that  
18 they made, then you can certainly -- you would  
19 report to municipality or building department,  
20 police department, whoever would be involved in  
21 that issue. They would look into it and  
22 investigate. It's not something this board --

23 MS. McCLURE-IANACONE: No, I understand  
24 that. But I was just trying to understand  
25 what -- if everything goes through and --

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1           VICE CHAIR ROSEN: Depends on what the  
2 issue is. Is it a fire issue, is it a traffic  
3 issue? What department of the Township.

4           MS. McCLURE-IANACONE: Okay.

5           MR. FERRARO: Let us know if something's  
6 going on, we want to know that.

7           MR. MELFI: That's why there's a liaison  
8 between all of the --

9           MS. McCLURE-IANACONE: Okay. Thank you.

10          MS. RIVERA: Ellen Rivera, 87 Oakdene.  
11 R-I-V-E-R-A, Ellen.

12           I had one question: Did you study the  
13 traffic study? Did you take into account that  
14 Teaneck has private garbage collection and we  
15 sometimes have four companies pick up garbage  
16 on the street, different days at various times?  
17 A lot of that falls within the peak time.

18           Also, what about when there's recycling  
19 collection on a one-way street? Is that taken  
20 into account?

21          THE WITNESS: I didn't witness any garbage  
22 or any recycling during my study. But I would  
23 say if they would pick it up on the side of the  
24 road, there's enough room for cars to pass. If  
25 not, then they would have to wait.

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1           MS. RIVERA: A lot of times they stop  
2           right in the middle of the street and come back  
3           and forth and there's four different garbage  
4           companies that come and pick up on our street.  
5           Same thing happens with recycling. You have  
6           one recycling for the plastic and the glass and  
7           then somebody else separate comes for the  
8           paper.

9           VICE CHAIR ROSEN: I think you're making a  
10          good point. I'm just not sure it's --

11          MS. RIVERA: I just wonder if that's taken  
12          into account?

13          VICE CHAIR ROSEN: I believe he said that  
14          he didn't witness that happening, so he can't  
15          testify to something that he didn't see.

16          MS. RIVERA: Also our block is the last  
17          straight one that comes through. There's also  
18          a firehouse there on Teaneck Road -- it's on  
19          the corner of Fenimore and Teaneck Road. They  
20          come down that block, I would say, a good four  
21          times a week. That's their back-and-forth as  
22          they're going to Teaneck Road.

23          Take that into account. Like he's parking  
24          on both sides of the street and all of this  
25          extra going on, how are they going back and

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1           forth? You know, garbage trucks, recycling and  
2           everything.

3           VICE CHAIR ROSEN: Do you see your  
4           application being impacted in any way by --

5           THE WITNESS: From a level-of-service  
6           standpoint, it's not affected by garbage  
7           trucks, and that's an existing condition of the  
8           local traffic.

9           MS. RIVERA: With the extra added traffic  
10          getting on to Teaneck Road --

11          VICE CHAIR ROSEN: That's the question  
12          that I asked. Whether this application will  
13          add more traffic and compound any situation  
14          that you're --

15          MS. RIVERA: It already causes a little  
16          bit of a thing sometimes. You might not have  
17          been there. We know you can't be there 24/7.  
18          We live there. But I'm just saying that it  
19          does happen and if you have this extra activity  
20          going on during these peak periods and that  
21          falls into a lot of times when they do the  
22          recycling.

23          THE WITNESS: There might be an increase  
24          of two or three -- two cars impacted, but  
25          nothing significant.

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1 MS. RIVERA: I was wondering if that was  
2 taken into account, because a lot of times it  
3 does block us even getting out of the driveway.  
4 You think, oh, hey, that's a part of life.

5 THE WITNESS: It wasn't taken into account  
6 because it wasn't observed.

7 MS. RIVERA: Well, they do pick up  
8 garbage.

9 MS. FRECK: My name is Jean Freck.  
10 J-E-A-N, F-R-E-C-K. I live on Hillside Avenue  
11 and I was previously represented by the  
12 attorney.

13 I wanted to ask you, when you say you did  
14 this traffic study and you observed, what did  
15 you actually do?

16 THE WITNESS: We counted the amount of  
17 cars in a two-hour window, a peak in the  
18 morning and in the afternoon, 7:00 a.m. to  
19 9:00 a.m. and then 4:00 p.m. to 6:00 p.m., of  
20 two impacted intersections.

21 In this case, it was the Oakdene  
22 Avenue/Teaneck Road intersection and the  
23 Hillside Avenue/Teaneck Road intersection.

24 MS. FRECK: So when you say you  
25 "observed," do you mean you actually parked

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1           somewhere and watched?

2           THE WITNESS: Correct.

3           MS. FRECK: Have you ever tried driving  
4           these intersections and seeing what you have to  
5           do?

6           THE WITNESS: I have. I have been back  
7           and forth to the site, maneuvering  
8           significantly.

9           MS. FRECK: And you noticed that there's  
10          two gas stations, right, at the end of Oakdene  
11          there and that sometimes it interferes with the  
12          traffic?

13          THE WITNESS: Yes.

14          MS. FRECK: When you say "neighborhood,"  
15          how far does the neighborhood extend that you  
16          do your traffic study for?

17          THE WITNESS: We try to pick out the  
18          intersections that will be impacted the most.

19          And in this case, there's really only two  
20          intersections to count. And then you  
21          disperse the site -- proposed trips to that  
22          intersection to see if there's a significant  
23          increase in delay of any kind.

24          MS. FRECK: So you really haven't gone up  
25          to Queen Anne Road by Hillside to see what's it

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1       like to do that either, or to turn on the side  
2       streets out to Degraw where some of the parents  
3       or participates in this city in this community  
4       center would drive to see what the difficulties  
5       are?

6               THE WITNESS: I haven't analyzed every  
7       turn in the neighborhood.

8               MS. FRECK: Well, I don't know if you see  
9       what I see because there are a lot of danger  
10      spots. And with a lot of increased traffic,  
11      there's buses also on Queen Anne Road making a  
12      right onto Queen Anne Road is no fun. Even a  
13      left sometimes isn't.

14              So there's a lot of bad areas. Also  
15      Morningside. People barrel up Hillside over  
16      Morningside. And I tried to back out of my  
17      driveway --

18              MR. FERRARO: Respectfully.

19              MS. FRECK: I want to know if you ever  
20      looked at things like that? Because this is  
21      part of the whole neighborhood.

22              MR. FERRARO: If you could just frame it  
23      in the form of a question that he can respond  
24      to.

25              MS. FRECK: That's what I am asking you.



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1 I think some of the things really need to be  
2 looked at. So that's why I'm asking you, if  
3 you really traveled around or asked people  
4 where they feel the problem spots are and maybe  
5 how to avoid some of these.

6 With more traffic on Hillside and no  
7 stop --

8 MR. STEINHAGEN: Could you let him answer  
9 the question?

10 THE WITNESS: I didn't specifically study  
11 those intersections and questions because  
12 they're not as impacted as the ones that we did  
13 study. But it's really -- from the sound of  
14 it, it's not a volume issue with delays.

15 MS. FRECK: Well, why don't you think it  
16 might be impacted if other people think it  
17 might be impacted? I'm not trying to get  
18 antagonistic --

19 MR. FERRARO: You have to give him a  
20 chance to answer. He didn't finish.

21 MS. FRECK: I think he's already given the  
22 answers already.

23 VICE CHAIR ROSEN: The nature of a traffic  
24 engineer is to go out and do a study and that's  
25 what he does. Based upon an accepted practice

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1 of trip generation of what he witnesses. It's  
2 not his job to go out in the community and find  
3 the trouble spots in the community. That's not  
4 the nature of what an engineer does.

5 You may have a valid point on those key  
6 issues, but it's not the nature of what we ask  
7 an engineer to do and to study the traffic, a  
8 situation.

9 MS. FRECK: So the neighborhood, it's just  
10 this little block? It's an area that's a block  
11 or two?

12 MR. STEINHAGEN: The purpose of the  
13 traffic study in this context, because the  
14 applicant is seeking a use variance. Where  
15 you're proposing a permitted use, the amount of  
16 traffic that's generated from the use is  
17 anticipated by the zoning. The purpose of this  
18 inquiry is to determine by doing something not  
19 contemplated by the zoning. Is the traffic  
20 generated from this development going to it and  
21 out from it going to impact the road network in  
22 a substantial way that would be detrimental to  
23 the neighborhood.

24 The fact there are people on the roads now  
25 doing things that are disfavorable is not

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1 within the board's purview as it relates to the  
2 granting of the variance relief that's sought  
3 here.

4 MS. FRECK: I'm not talking about  
5 "disfavorable." I'm just talking about how the  
6 area is as it is physically. And I just --

7 MR. FERRARO: I think we've defined it.

8 MS. FRECK: -- wonder why these areas  
9 aren't considered? You said there's 180 trips  
10 in the p.m.; is that correct?

11 THE WITNESS: Yes. The total trips,  
12 that's including ins and out to the site.

13 MS. FRECK: Do you think that's a lot of  
14 traffic for an area that doesn't have this  
15 traffic now and people -- maybe do you think  
16 people will try all of these different ways and  
17 it's going to be crazy and accidents?

18 THE WITNESS: I do not believe the  
19 increase in traffic due to our development will  
20 significantly impact those roadways.

21 MS. FRECK: Well, then I disagree. Is  
22 there a time later we can --

23 VICE CHAIR ROSEN: Yes, at the end of the  
24 application when all the testimony --

25 MR. STEINHAGEN: Just remember that the

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1        thing that I talked about while you were  
2        waiting on line. The fact that -- I don't mean  
3        this disrespectfully. He's an expert and he's  
4        giving an expert opinion. A layperson's  
5        disagreement is not a reason for the board  
6        to -- it's not a valid reason for the board to  
7        not consider that opinion.

8                If you have evidence, that's different.  
9        But just disagreement without a reason, I mean,  
10       a scientifically based reason that can be  
11       analyzed by the board and its professional...

12               You're free to give it. I'm just telling  
13       you how the board has to evaluate it. That's  
14       not to say that we don't value your opinion,  
15       but those are the rules that the courts of New  
16       Jersey have imposed on land use boards.

17               MR. FERRARO: One question: Do you  
18       recognize that while this is a use variance  
19       application, some of the permitted uses on this  
20       property are public schools, administrative  
21       facilities, recreational facilities, libraries,  
22       and other public buildings and structures?

23               So those are permitted uses on the  
24       property which, other than the fact they're  
25       public and not private, are extremely similar

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1 to what's being proposed in this application,  
2 in our opinion.

3 MS. FRECK: I don't know if this is my  
4 place to answer you. I assume when schools are  
5 set up and other places and libraries are set  
6 up, all of these things are taken into  
7 consideration. You're saying it's  
8 grandfathered in, from what I'm hearing,  
9 correct?

10 MR. FERRARO: I was listening to the other  
11 permitted uses.

12 MR. STEINHAGEN: What the board has to  
13 consider with the increase in traffic is that  
14 if there is one, it's a substantial detriment  
15 to the neighborhood.

16 MS. FRECK: I'm just talking volume, not  
17 talking about kids.

18 MR. STEINHAGEN: I understand.

19 MS. FRECK: Thank you.

20 DR. POWERS: Chuck Powers, Teaneck. I'm  
21 going to ask a couple of questions related both  
22 to the parking and to the traffic and focus  
23 more on the traffic questions.

24 I remain confused throughout. So if you  
25 know again, as have some of your predecessors,

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1           cited 300 members of this -- of this community  
2           center as "the number." And I want to  
3           understand from your understanding, that means  
4           300 separate human individuals, including  
5           children, spouses, parents?

6           THE WITNESS: That is my understanding,  
7           yes.

8           DR. POWERS: Also, no member will be  
9           permitted to bring anyone else from their  
10          family who is not a member; is that correct?

11          THE WITNESS: As my understanding.

12          MR. FERRARO: This was testified to  
13          previously. 300 members. 300 individuals will  
14          have membership, not 300 family memberships,  
15          which equates to 1200 people.

16          DR. POWERS: Everything, yes, on that 300  
17          number being -- so I remain very confused about  
18          the possibility of some unusual event having  
19          some huge additional crowd.

20          Is that -- which has, in fact, been  
21          suggested by the Chair, is that something that  
22          you understand could not happen by virtue of  
23          the definition you just gave me about the  
24          membership?

25          THE WITNESS: From the anticipated events

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1           that I'm aware of this facility, I believe  
2           there's adequate parking.

3           DR. POWERS: No, no. That's not the  
4           question. The question is: Whether or not  
5           there could, given the limitation of 300  
6           separate individuals, would the only people who  
7           are being accounted for either in terms of  
8           traffic generation or in terms of -- or in  
9           terms of parking need, I don't understand how  
10          there could be an unusual event which would  
11          draw a huge number of additional people. So  
12          either it needs to be stipulated it never  
13          happened or it's part of the discussion.

14          THE WITNESS: It's not all the 300. Not  
15          all based on the 300 members. There's also the  
16          ITE that was based on gross square footage of  
17          the building. So those are studies for similar  
18          gross square footages of the building that  
19          might be having these events as well. And  
20          there's actual studies done to get these  
21          numbers.

22          DR. POWERS: They relate to traffic  
23          generation, as well?

24          THE WITNESS: Yes.

25          DR. POWERS: I want to know -- actually,

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1           some of the specificity of my questions relate  
2           to the fact that I'm a recent full professor in  
3           the Department of Civil Environmental  
4           Engineering at Vanderbilt University.

5           188 in the evening in that peak period,  
6           per hour?

7           THE WITNESS: Yes, peak hour.

8           DR. POWERS: And 144 in the a.m. per hour?

9           MR. FERRARO: In the peak hour.

10          DR. POWERS: In the peak hour.

11          THE WITNESS: Correct.

12          MR. FERRARO: Not per hour.

13          DR. POWERS: Well, in the peak hours which  
14          are accounted for in his two-hour sequences; is  
15          that correct?

16          MR. FERRARO: Correct.

17          DR. POWERS: What is the algorithm used to  
18          calculate that there will be an additional only  
19          five people trying to turn left onto Teaneck  
20          Road?

21          THE WITNESS: Yes.

22          DR. POWERS: The algorithm, not your guess  
23          about it. I want to know -- I don't want you  
24          to --

25          MR. FERRARO: I think he understands the



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1 question.

2 THE WITNESS: Yes. There was no algorithm  
3 to determine that. That was anticipated from  
4 the traffic distribution. That's the closest  
5 thing to a mathematical formula that I used.

6 But basically, we designed the site to  
7 minimize cars going to that problematic  
8 approach. That is why we designed the site  
9 this way.

10 DR. POWERS: You would close the center  
11 about 5:00. How did you get 5:00?

12 THE WITNESS: A combination of --

13 DR. POWERS: Tell me the algorithm.

14 MR. FERRARO: Let him answer the question,  
15 sir.

16 THE WITNESS: It's the combination of the  
17 trip generation in the area and how we  
18 anticipate the proposed trips dispersing in the  
19 traffic network. I don't feel like people will  
20 wait on that left turn when there's a means of  
21 going another direction.

22 DR. POWERS: We'll get to that. The issue  
23 of 58.1 seconds per left turn onto Teaneck  
24 Road, given what will now be 100 -- five  
25 additional people making that turn, how many

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1 people do you think make that turn now?

2 MR. FERRARO: 105 additional people?

3 DR. POWERS: I said five additional.

4 THE WITNESS: Right now, there were 14  
5 cars turning left onto Teaneck Road from  
6 Oakdene Avenue.

7 DR. POWERS: And that occurred when, only  
8 once?

9 THE WITNESS: In the study peak hour.

10 DR. POWERS: Was that the average?

11 THE WITNESS: No, that was the study peak  
12 hour.

13 DR. POWERS: The entire peak hour. You  
14 only found 14 people -- I've been on that.

15 MR. FERRARO: Asked and answered.

16 DR. POWERS: That was -- and then again,  
17 how did you get to five?

18 THE WITNESS: I used the combination of  
19 the existing traffic distribution and  
20 anticipated movements.

21 DR. POWERS: That was a guess you were  
22 making about people going up Hillside?

23 THE WITNESS: Yes. I like to think  
24 traffic is almost like water. It travels the  
25 path of least resistance.

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1 DR. POWERS: Let's go back to some  
2 questions rightly asked of you earlier.

3 What is the level of traffic on Queen Anne  
4 headed north?

5 THE WITNESS: I did not --

6 DR. POWERS: Oh.

7 MR. FERRARO: He's testified to that.

8 THE WITNESS: That is a half mile down the  
9 road. I did not --

10 DR. POWERS: I know that.

11 THE WITNESS: I did not analyze.

12 DR. POWERS: I'm asking you how did you --

13 THE BOARD SECRETARY: Dr. Powers, Dr.  
14 Powers.

15 DR. POWERS: I'm sorry.

16 THE BOARD SECRETARY: You're going to want  
17 to listen to the CD, I know. So one at a time.

18 DR. POWERS: You don't know what the level  
19 of traffic is on Queen Anne during peak hours?

20 THE WITNESS: We did not study Queen Anne  
21 Road.

22 DR. POWERS: But you are saying that that  
23 has a lesser volume of traffic without knowing,  
24 without looking at it?

25 THE WITNESS: No, I'm saying people that

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1 go to Queen Anne Road will not make -- most of  
2 them will not make a left-hand turn. They will  
3 turn right because they can easily go onto  
4 Oakdene and make a right on Teaneck to travel  
5 southbound.

6 DR. POWERS: What if Queen Anne is just as  
7 congested as Teaneck Road is?

8 THE WITNESS: We tried to design the site  
9 to make it possible to make right-hand turns  
10 onto those problematic streets.

11 DR. POWERS: That's not the question I  
12 asked.

13 THE WITNESS: What was the question?

14 DR. POWERS: The question was: How do you  
15 know what the level of traffic was and whether  
16 or not it's less than on Teaneck Road?

17 THE WITNESS: I believe we're not  
18 generating enough traffic onto Queen Anne Road  
19 to warrant an analysis.

20 MR. FERRARO: Why is that?

21 DR. POWERS: What you're saying, it's  
22 easier, people are going to -- water is going  
23 to flow, but you don't know what it has -- what  
24 the flood waters is -- it has to get past in  
25 order to get onto Queen Anne Road; is that

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1 right?

2 That's only a portion of mine. I'm going  
3 to come back to your half mile in a minute.  
4 The half mile you're going to take us from,  
5 from Morningside on up to -- on up to Queen  
6 Anne Road.

7 You did acknowledge that there's traffic  
8 on both sides of that road?

9 THE WITNESS: Traffic on both sides --

10 DR. POWERS: Parking on both sides of that  
11 road.

12 THE WITNESS: Correct.

13 DR. POWERS: Have you -- and you proposed  
14 without any -- so far as I can tell --  
15 scientific analysis or observation that people,  
16 when they are encountering traffic coming down,  
17 which one can very well assume they may well be  
18 doing trying to get to Teaneck Road and its  
19 considerable volume coming off Queen Anne,  
20 right?

21 Where are people supposed to pull off in  
22 order to let the people go by?

23 THE WITNESS: My answer to that --

24 DR. POWERS: Adding 100 cars per hour --

25 MR. FERRARO: Hold on, sir.

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1           THE WITNESS: Not in every direction. It  
2           is spread out the best of our ability as  
3           designers of this site.

4           DR. POWERS: Wait a second. Say it again.  
5           I did not understand that.

6           THE WITNESS: You said there was 100 trips  
7           in one intersection or one road. We are  
8           spreading out.

9           DR. POWERS: You have said that Hillside  
10          is going to be where, because of the traffic  
11          flows like water, it's going to be 100  
12          additional cars going up Hillside Avenue in  
13          order to take the pressure off the turns onto  
14          Teaneck Road.

15          THE WITNESS: There won't be 100  
16          additional cars.

17          DR. POWERS: Well, that's what you said,  
18          sir. It's your own testimony.

19          THE WITNESS: I said I would like to  
20          hear -- if I said that, I misspoke. There's  
21          not 100 cars --

22          DR. POWERS: That's what you said. So are  
23          you denying --

24          MR. FERRARO: Honestly, could we allow --  
25          is the point to badger him or is it to get --

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1           elicit answers from him?

2           DR. POWERS: I'm trying to figure out the  
3           difference between --

4           MR. FERRARO: But he's trying to figure  
5           out your question. You've got to give him an  
6           opportunity to answer.

7           DR. POWERS: What question does he not  
8           know about?

9           THE WITNESS: What's the current question?

10          DR. POWERS: You surmised that the reason  
11          there will not be severe impact, traffic  
12          impact, in that community during those peak  
13          hours is because people with traffic, like  
14          water, are going to flow north up toward Queen  
15          Anne, whose actual level of traffic you haven't  
16          looked at and who must get there by way of a  
17          road that can't possibly allow two people to  
18          pass each other.

19          MR. FERRARO: So you're testifying?

20          DR. POWERS: No. Am I right -- I'm  
21          testifying to what he testified about that.

22          MR. FERRARO: You can't testify. It's a  
23          question.

24          DR. POWERS: Okay. I'm questioning.  
25          Well, he already has testified to that.

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1           VICE CHAIR ROSEN: Okay. You've both made  
2 your point.

3           Ask your question.

4           MR. FERRARO: Ask a question instead of  
5 telling him what he's testified to.

6           DR. POWERS: What reason do we have for  
7 you to make the generalization that 100 cars  
8 can usefully try to get the additional half  
9 mile up to Queen Anne Road in order to relieve  
10 the excessive traffic pressure on Teaneck Road?

11          THE WITNESS: Right now, we have in the  
12 a.m. approximately 50 cars going that direction  
13 on Hillside to Queen Anne. And in the p.m., we  
14 have 77 cars going in that direction.

15          State standards are, you do not have to  
16 analyze an intersection if you're not  
17 net-increasing 100 trips. So that is why we  
18 did not analyze that intersection.

19          DR. POWERS: All I'm saying is I  
20 questioned what is the basis for your  
21 generalization from which you have no data.

22          VICE CHAIR ROSEN: I believe he answered  
23 the question. Let's move on to your next  
24 question.

25          DR. POWERS: I want to ask a question.



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1 It's very clear to me and I understand it that  
2 your task is to talk about traffic performance,  
3 not the impact on the community.

4 Am I correct about that? That's why you  
5 look only at peak hours. That's why you refuse  
6 to answer any questions about the right --

7 MR. FERRARO: Are you dictating --

8 DR. POWERS: I'm asking. Why is it you  
9 wouldn't answer the question about the 24-hour  
10 impact? And you --

11 THE WITNESS: Because --

12 DR. POWERS: That's not part of your job?

13 THE WITNESS: -- it's our standard as  
14 traffic engineers to analyze the most critical  
15 peak hours.

16 DR. POWERS: Am I right that the board  
17 should only be concerned with your testimony in  
18 relationship --

19 VICE CHAIR ROSEN: That's not a question.

20 MR. FERRARO: He can't testify to what the  
21 board --

22 VICE CHAIR ROSEN: I will --

23 DR. POWERS: I'm trying to figure out what  
24 his generalizations look like, sir.

25 VICE CHAIR ROSEN: He has answered your

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1 question as to what his testimony is. Now  
2 continue.

3 DR. POWERS: I want to ask you, have I not  
4 pointed out that there are areas in which you  
5 have made generalizations for which you don't  
6 have either sufficient algorithms to actually  
7 justify what you've said tonight?

8 THE WITNESS: I do not believe Queen Anne  
9 Road intersections need to be analyzed, because  
10 we're not generating 100 trips to that  
11 intersection. And I have gone and made a right  
12 turn at that intersection during peak hour.

13 DR. POWERS: This trip for a half hour was  
14 comfortable and easy and didn't involve all  
15 kinds of deviations to get by --

16 THE WITNESS: It was not significant.

17 VICE CHAIR ROSEN: At this point, I have  
18 to close the questioning period.

19 MS. JOHNSON: Just one.

20 MR. FERRARO: They've had an opportunity  
21 to ask questions and they've had a fair  
22 opportunity to participate.

23 VICE CHAIR ROSEN: I really have -- I must  
24 limit asking questions. The applicant is  
25 entitled to put his next witness on. We've

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1 already gone past 10:00. Can you accomplish  
2 anything in 20 minutes?

3 MR. FERRARO: Yeah.

4 MS. JOHNSON: One question.

5 MR. FERRARO: I object to the banter.

6 MS. JOHNSON: One question he should be  
7 able to answer.

8 MR. FERRARO: Mr. Chairman, no more  
9 questions.

10 VICE CHAIR ROSEN: Mr. Ferraro, I've  
11 already stated my position and I have to agree  
12 with it that there's been sufficient time.

13 Mrs. Eliyahu.

14 MS. ELIYAHU: Hi, my name is Debbie  
15 Eliyahu. My question, I have basically  
16 questions about the winter conditions and  
17 multiple dropoffs.

18 Have you considered what happens when  
19 somebody is dropping off more than one child?  
20 Because in a day-care, it is not inconceivable  
21 that somebody would have more than one child  
22 that needs to be dropped off and how would that  
23 impact the queuing?

24 THE WITNESS: I do think it will take a  
25 little bit longer with two children. But as

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1 far as the impact, I do think there's enough  
2 queuing on site. And if there's enough  
3 attendees walking the kids into the school, I  
4 believe this traffic control will work.

5 MS. ELIYAHU: And have you gone to any of  
6 the other day-care facilities in the area that  
7 use this kind of system of dropoff where  
8 somebody picks up in the winter, under snow or  
9 ice conditions, and seen what it does to the  
10 time that it takes to get a child out?

11 I'm talking from experience here. And I'm  
12 also talking to somebody who, not at that time,  
13 fell and shattered an ankle.

14 VICE CHAIR ROSEN: No testimony. Please  
15 ask your questions.

16 THE WITNESS: I have not witnessed those  
17 conditions, but I imagine it would take a  
18 little more time.

19 MS. ELIYAHU: Would it not be worth  
20 finding out how much it adds to the time?

21 THE WITNESS: Considering it hasn't snowed  
22 so much this year, I don't know how I can  
23 observe that.

24 MR. FERRARO: The testimony previously was  
25 that -- your opinion was it would not be a

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1 significant delay, correct?

2 THE WITNESS: Correct.

3 MS. ELIYAHU: Thank you.

4 VICE CHAIR ROSEN: Call your next witness.

5 THE BOARD SECRETARY: Before he calls the  
6 next witness, have we agreed on a date?

7 VICE CHAIR ROSEN: We're going to have to  
8 carry this. So I guess the next --

9 MR. BARTA: One more question. Maybe you  
10 can walk me through it. Maybe you answered  
11 already. I'm not sure.

12 So according to the code, are the  
13 applicants required to provide 237 spaces?

14 MR. FERRARO: No. Our position is that is  
15 not accurate.

16 MR. BARTA: I understand. Okay.

17 MR. STEINHAGEN: There's an interpretation  
18 of the code. The most conservative, which the  
19 applicant has indicated that they are appealing  
20 to the extent it's applicable, and they're  
21 asking the board to make a determination using  
22 its interpretive powers under the ordinance.

23 MR. BARTA: But our code enforcement  
24 officer has told us -- has told the board that  
25 237 spaces are required.

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1 MR. FERRARO: No.

2 MR. BARTA: He has not. That's on the  
3 denial letter.

4 MR. FERRARO: That's not my understanding.

5 MR. MELFI: The space -- the spaces were  
6 broken down by square footage of the building  
7 and by different use. That's how we broke it  
8 down. How they use it, it was a worst-case  
9 scenario, because that's what I have to do to  
10 protect the town.

11 The board has to kind of pick and choose  
12 the uses of what they think is appropriate for  
13 the building and then kind of go from there.

14 We broke down the day-care versus the  
15 square footage of the building. We broke down  
16 the community center and what we thought based  
17 on the building plans that they gave us to the  
18 square footage of the building. We broke down  
19 the sanctuary rooms.

20 The code has different formulas for  
21 different uses. It doesn't mean that all uses  
22 are going to be used at a maximum use all at  
23 the same time. I could only take the book, and  
24 my job is to do worst case to protect the town,  
25 to give the board the information of the

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1       worst-case scenario.

2               And like what was testified here, it's up  
3       to the board to decide how and when they're  
4       going to use the building.

5               MR. BARTA: I understand. I get it. But  
6       237, if you take all the uses, it requires 237.  
7       So my question then --

8               MR. MELFI: Which it basically comes out  
9       to more than 300 people in the building. So  
10       you could either base it on the square-footage  
11       ratio versus the parking, or they can agree to  
12       a restriction of X amount of number of members  
13       and base it on numbers of members versus  
14       parking spaces.

15              MR. BARTA: Again --

16              MR. STEINHAGEN: We first have to decide  
17       what it is before we determine how much they  
18       need.

19              MR. BARTA: No, because I find that a  
20       little troubling. If the code -- if you take  
21       all of the uses and add them up and that comes  
22       out to 237 -- not suggesting that you're going  
23       to need 237 -- but the code, if you add up all  
24       the uses, it says 237. My question for  
25       Mr. Hough, my question for Mr. Hough was, Walk

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1 me back from the 237 to explain to me why 100  
2 works?

3 Show me where the -- whether it's a time  
4 of day, whether it's a membership limitation,  
5 whether it's whatever, take me down below --

6 MR. FERRARO: Can I assist in this? It's  
7 a legal question more so than a traffic  
8 question or a parking question.

9 MR. BARTA: It is.

10 MR. FERRARO: In my opinion, yes, it's how  
11 you interpret the ordinance for you to back off  
12 that number. Maybe I can give it a try.

13 So 237 parking spaces is, as Mr. Melfi  
14 indicated, if you took every use possible,  
15 definable use that was shown on the plans and  
16 consider them to be individual uses, individual  
17 traffic generators. You come to a number of  
18 237 spaces.

19 So you have what we're saying is the  
20 biggest traffic generator is 118 spaces for the  
21 pool. Because the pool is based upon the  
22 maximum occupancy of the room, biggest public  
23 assembly for a community center. In this case,  
24 it's the pool. That's the biggest room.  
25 That's the most amount of people they're going



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1 to put in there.

2 But how do you figure out how many people  
3 you're going to put in a pool? So the code  
4 says you look at the capacity requirements and  
5 you look at the International Pool Code and see  
6 how many people you could legally put in a pool  
7 of this size, right. So that's -- and  
8 including the bleachers and including the kiddie  
9 pool and all of that.

10 That's 480 people. By code, you could put  
11 that many in there. Practically, it would  
12 never happen, but -- so you have 118 spaces for  
13 the community center.

14 MR. BARTA: For the pool.

15 MR. FERRARO: For the community center.

16 The community center is based upon the --

17 MR. BARTA: The largest generator.

18 MR. FERRARO: Which is the pool. So we  
19 have 118. Now, we had testimony that we have  
20 enough membership, 300 members. So you have a  
21 provision in the ordinance that says  
22 recreational facilities directly assign the  
23 number of parking spaces per member.

24 So if it's one space for every four  
25 members. So that's a 75-space requirement. So

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1 the analysis is you're a community center, you  
2 have members. So you could also possibly be a  
3 recreational facility. So now let's add 118 to  
4 75 and you have that number. All right. Don't  
5 make me do it.

6 MR. BROWN: 193.

7 MR. FERRARO: So the next use you have, we  
8 have an interfaith prayer room/sanctuary room  
9 which also qualifies that mission-wise  
10 potentially as a house of worship. A house of  
11 worship is was also a previously approved use  
12 at the property.

13 That alone, a house of worship has its own  
14 parking requirement. And that's based upon the  
15 square footage of the room. It requires 22  
16 parking spaces. So that got added.

17 Then you have the day-care facility. Our  
18 argument was that per statute, when it's in a  
19 building like this and not a stand-alone use,  
20 the statute prohibits you from adding a parking  
21 calculation for the childcare. Regardless of  
22 that, the Teaneck ordinance requires 22 parking  
23 spaces for that use.

24 So you add all of those up, you get to  
25 297 -- 237. It's our position that some of

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1           these uses that are being -- they're being  
2           described as stand-alone uses, stand-alone  
3           parking generators are actually amenities of  
4           the facility.

5           MR. STEINHAGEN: Is it then that you're  
6           saying to the board, Don't double count? For  
7           instance, the sanctuary room, because it's  
8           already being included into the community  
9           center?

10          MR. FERRARO: The sanctuary room is only  
11          available to community center members, of which  
12          there are 300. So why would you have 75 spaces  
13          for the community center and then an additional  
14          22 spaces? So it's not a separate use. It's a  
15          separate room that's utilized by the same  
16          membership.

17          MR. BARTA: So I get it. So if we have --  
18          so the people who are using the gym facility,  
19          the people who are using the pool other than  
20          the swim meet, the people who are using the --  
21          they're limited to 75 parking spaces, not  
22          limited to 75 parking spaces, but the  
23          requirement of 75 applies to the people who are  
24          swimming. The same 75 applies to the people  
25          who are finished swimming and now on the

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1 treadmill. So I get that.

2 You have another however many, 38 or  
3 something, for the pool?

4 MR. FERRARO: Correct. If you use the  
5 pool as a separate generator of traffic, then  
6 based upon 150 people max --

7 MR. BARTA: It's a separate generator  
8 because it's for the swim meet. It's not  
9 related to the -- it's not related to the  
10 membership.

11 MR. FERRARO: Correct, correct. It's a --

12 MR. BARTA: Separate generator.

13 MR. FERRARO: It's seven days a year there  
14 will be a swim meet, yes.

15 MR. BARTA: Plus some training?

16 MR. FERRARO: I guess, yeah.

17 MR. BARTA: And so the other separate  
18 generator not related to membership is the  
19 day-care or the --

20 MR. FERRARO: The day-care, yes.

21 MR. BARTA: At least that portion of the  
22 day-care that comes from the Board of Ed.

23 MR. FERRARO: No, it's a licensed  
24 childcare. So it falls under the statute for  
25 the exemption for the parking requirement, in

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1 our view.

2 MR. BARTA: So it's not part of the -- so  
3 you're saying there is no --

4 MR. FERRARO: By statute, you're not  
5 permitted to assign a parking requirement to a  
6 licensed childcare center that's in a building  
7 with another use.

8 MR. STEINHAGEN: For the floor area.

9 MR. FERRARO: Floor area, correct.

10 MR. STEINHAGEN: So what the statute says  
11 is that "The floor area occupied in any  
12 building or structure as a childcare center  
13 shall be excluded in calculating any parking  
14 requirement otherwise applicable to that number  
15 of units or amount of floor space as  
16 appropriate under state or local law or  
17 regulations adopted thereunder."

18 MR. FERRARO: Correct.

19 MR. STEINHAGEN: It's your position that  
20 the day-care itself doesn't have a parking  
21 requirement and you're also not calculating the  
22 parking based on the square footage of that  
23 portion of the building?

24 MR. FERRARO: Correct.

25 MR. STEINHAGEN: I don't know if I agree

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1 with that.

2 MR. MELFI: It basically comes down to two  
3 choices. Once again, my job is to give a  
4 worst-case scenario. The board has to decide  
5 whether they want to use the number of  
6 occupants per square foot or they want to use  
7 the number of occupants that are actually  
8 occupants.

9 MR. BARTA: And I understand that the 300  
10 numbers can't be doing two things at once and  
11 so they're either going to be in the pool or on  
12 the treadmill. But not going to be in the pool  
13 and the treadmill. It's not a separate parking  
14 generator.

15 MR. FERRARO: Right.

16 MR. BARTA: Okay. So if we add up the  
17 parking generators, what number do you come up  
18 with?

19 MR. FERRARO: There's two questions. Per  
20 the ordinance or per the traffic engineer's --

21 MR. BARTA: It's not traffic. It's a  
22 legal thing. It's not a --

23 MR. FERRARO: There's been testimony that  
24 93 is the number for a community center this  
25 size.

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1           MR. STEINHAGEN: That's what the demand  
2 should be. The requirement is different.

3           MR. FERRARO: Correct. What I think makes  
4 sense, the board has to decide for themselves.  
5 You have membership here. So you can determine  
6 how many parking spaces are based on  
7 membership. That makes sense.

8           If you have 300 members, then you should  
9 have 75 parking spaces per the code. That's a  
10 reasonable equation to make. To require 118  
11 spaces based upon 480 people in a pool, that  
12 doesn't make a lot of sense to me.

13           So 75 for the recreation center makes  
14 sense to me.

15           MR. BARTA: What's my other parking  
16 generator?

17           MR. FERRARO: Your other parking generator  
18 on the site, you're going to have a day-care  
19 facility.

20           MR. BARTA: Twenty-two.

21           MR. FERRARO: Twenty-two per the code.  
22 Right there you have 97 spaces. So that --  
23 those are the two biggest parking generators on  
24 a daily basis. Now, you're going to have a  
25 swim team that's using it three months out of

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1 the year, four months out of the year, during  
2 non-peak hours when the day-care is not  
3 operating that well -- or the community center  
4 is not operating at its peak.

5 So the question I think the board has is,  
6 Do you add an additional 38 for 38 parking  
7 spaces for the pool, given the limited use of  
8 the season, the time that it's used, the fact  
9 that all of these uses aren't overlapping.

10 So I think the number, if you're asking  
11 me, it's either 97 or max 113, which will take  
12 you to --

13 MR. STEINHAGEN: 75 plus 38?

14 MR. FERRARO: Yes, 113, which would take  
15 care of the day-care, would take care of the  
16 recreational facility membership or community  
17 center membership, and give you extra parking  
18 spaces for the swim team, swim meets, if all of  
19 these things happened at once.

20 MR. BARTA: Let me ask you a question. I  
21 apologize, but obviously parking and its impact  
22 is one of the big issues here. So I just want  
23 to make sure I get it right.

24 So if it's 75 and 38, 75 for the  
25 membership, 38 -- four months a year for the



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1 swim meet, why do you not add the 22 to the  
2 113?

3 MR. FERRARO: Because the peak times of  
4 when they happen are different, right. There's  
5 a swim team is going to be in the afternoon  
6 3:00 to 5:00, where the peak time of the  
7 day-care is in the morning from 8:00 to 9:30.

8 MR. BARTA: That's just a pickup and  
9 dropoff.

10 MR. FERRARO: Correct.

11 MR. BARTA: It's not the usage. People  
12 are -- the employees are going to be there.

13 MR. FERRARO: Correct. The testimony has  
14 been the peak time for the day-care in the  
15 morning. You assign the 22 spaces.  
16 Conceivable, a lot of those spaces can be  
17 utilized for the swim team. That's the way  
18 it's calculated. It's calculated by employee.

19 MR. STEINHAGEN: But they're going to be  
20 there.

21 MR. BARTA: They're going to be there all  
22 day.

23 MR. FERRARO: But the recreational center  
24 itself, in that number, you assume also an  
25 employee count as well.

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1           MR. VINCE: The community center, if you  
2           didn't have the swimming pool, what would be  
3           the next -- the occupants in the next largest  
4           place of assembly?

5           MR. FERRARO: Would be the sanctuary room.

6           MR. VINCE: How many people could you fit  
7           in there?

8           MR. FERRARO: I guess it would -- I looked  
9           at that. I think it was somewhere around 22,  
10          24.

11          MR. VINCE: People?

12          MR. FERRARO: Twenty-four spaces.

13          MR. MELFI: It's on the denial letter.

14          MR. FERRARO: Twenty-two spaces for the  
15          sanctuary.

16          MR. VINCE: No, you didn't count it as a  
17          house of worship. If that's an accessory to  
18          the community center and the community center  
19          has one space for every four allowable  
20          occupancy in the largest place of assembly.

21          So if you don't count it as a house of  
22          worship, what's the maximum occupancy of the  
23          room?

24          MR. FERRARO: I'm not sure what the  
25          occupancy of the room is.

E. Hough

1           VICE CHAIR ROSEN: Okay. Mr. Barta, are  
2 you finished? We don't have the time to go  
3 further.

4           MR. FERRARO: This would take two seconds  
5 to put the architect up just to reintroduce --  
6 there's the new plan that we made one change.  
7 We honestly can do direct in five minutes.

8           VICE CHAIR ROSEN: I've been told we have  
9 to close at 10:30, which is --

10          MR. FERRARO: I promise you this will be  
11 brief.

12          THE BOARD SECRETARY: We need another date  
13 to carry to March.

14          MR. FERRARO: March 5.

15          MR. STEINHAGEN: We'll put you on.  
16 There's no guarantee you're going to be heard.  
17 What's going to have to happen, it's the  
18 regular meeting. Mark Madaio is handling the  
19 first half. I'm handling the Walzman  
20 application. They will probably go first on  
21 March 5, at the end. And then you guys,  
22 without guarantee, get heard, but we can put  
23 you on.

24          THE BOARD SECRETARY: 4/2 has only two  
25 applications.

E. Hough

1           MR. FERRARO: I am authorized to carry the  
2 application to March -- to the March meeting.  
3 But not authorized to carry it further.

4           MR. STEINHAGEN: We'll put you on. We're  
5 not sure we can hear you.

6           MR. FERRARO: Understood.

7           MR. STEINHAGEN: You have to understand  
8 that the board has other matters on. The board  
9 has heard this application now for -- we've had  
10 five and a half hours for the last two weeks.  
11 So we can put you on, but not guarantee we'll  
12 make the progress we've had at this meeting.

13           MR. FERRARO: We're going to request to be  
14 heard, obviously. I understand what you're  
15 saying.

16           THE BOARD SECRETARY: Will we have a  
17 transcript for the members not here?

18           MR. FERRARO: Of course. I have my  
19 architect who's going to testify to an  
20 elevation and --

21           MR. STEINHAGEN: The architect hasn't been  
22 the subject of questioning by anybody.

23           MR. FERRARO: Yes, he was. I checked the  
24 transcript. He was open to the people who were  
25 not represented by Ms. Price.

N. Almkhtar

1 MR. STEINHAGEN: It's not listed on the  
2 cover sheet of the transcript.

3 MR. FERRARO: I went through there. It  
4 was actually opened to people.

5 MR. STEINHAGEN: I know that Dr. Powers  
6 said that he hadn't been able to ask questions  
7 of that witness. So we'll have to work that  
8 out.

9 MR. FERRARO: Okay. And then I have the  
10 planner and that's it.

11 MR. STEINHAGEN: We have to have the  
12 decision -- talk about -- you've made a legal  
13 argument that the residents' appeal should not  
14 be heard because it's untimely. We're going to  
15 need to address that and I don't know if one of  
16 the residents wants to speak to it in lieu of  
17 Ms. Price, but we should have someone talk if  
18 they want.

19 MR. FERRARO: If they want to.

20 So may I, Mr. Chairman, very quickly?  
21 Thank you.

22 VICE CHAIR ROSEN: Yes. As long as it  
23 will take only a limited amount of time.

24 THE WITNESS: Thank you. Good evening.

25 N A S S I R A L M U K H T A R,

N. Almkhtar

1 called as a witness, having first been  
2 previously sworn, was examined and testified as  
3 follows:

4 VICE CHAIR ROSEN: For the record, state  
5 your name.

6 THE WITNESS: My name is Nassir Almkhtar.  
7 N-A-S-S-I-R, last name A-L-M-U-K-H-T-A-R.

8 EXAMINATION

9 BY MR. FERRARO:

10 Q. Obviously, you've been sworn in at the  
11 prior hearing.

12 A. Yes.

13 Q. And you're a licensed architect in the  
14 state of New Jersey?

15 A. Yes.

16 Q. So we submitted revised architectural  
17 drawings to the board in advance of this meeting; is  
18 that correct?

19 A. That's correct.

20 Q. Could you please note the last revision  
21 date on these plans?

22 A. February 7, 2020.

23 Q. And we're going to mark this as A-10?

24 MR. STEINHAGEN: A-10.

25 MR. FERRARO: I'll mark it collectively as

N. Almkhtar

1           A-10. And this is consisting of how many  
2           sheets?

3                   THE WITNESS: Three.

4                   (Exhibit A-10 was received and marked for  
5           identification, as of this date.)

6 BY MR. FERRARO:

7           Q.    Could you, just for the board and the  
8           public, can you just explain the change in this plan  
9           from the last time you testified?

10           A.    Sure. So there's not much -- I'll make it  
11           really quick. Commissioner Wetrin raised the  
12           question of having windows on the easterly side,  
13           which would be facing the residential portion.

14                   And there was concern about noise and  
15           privacy. So we eliminated those windows on that  
16           side and there's no more windows there. There's  
17           windows facing the north and facing the south,  
18           Oakdene basically.

19           Q.    And you have an a elevation view of that?

20           A.    Yes. So if we turn --

21                   THE BOARD SECRETARY: Could you back up a  
22           little bit so they can see?

23                   THE WITNESS: Sorry.

24           A.    So the east elevation, in lieu of the  
25           windows, we added some decorative patterns to it.

N. Almkhtar

1 There will be some half columns and some stucco  
2 surfaces with reveals. So it wouldn't be just a  
3 solid surface throughout. It would lighten the look  
4 of it.

5 This will -- obviously, this will decrease  
6 the daylight to the swimming pool, but we can add  
7 artificial lighting into the interior space to make  
8 up for that lost daylight.

9 Q. Will this, in your opinion, increase the  
10 privacy to the neighbor?

11 A. Definitely sound and privacy visual.

12 Q. Were there any other changes to the  
13 architectural drawing?

14 A. Nothing major. I labeled the elevations  
15 of the facade, you know, northeast to make it more  
16 clear.

17 Q. Any substantive changes other than  
18 remove --

19 A. No, just relocated some door to enhance  
20 the access to the swimming pool. That's about it.

21 MR. MELFI: You substituted the material  
22 for glass block? It would almost do the same  
23 thing. You would get lighting but it would  
24 kill the sound and everything else.

25 THE WITNESS: We could do that, but the



1 glass block has less sound transmission.

2 MR. MELFI: A lot less than insulated  
3 piece of glass.

4 THE WITNESS: Correct, yeah. But this  
5 will have total insulation.

6 MR. MELFI: If you wanted to get light  
7 into it, the glass block would be the next best  
8 thing.

9 MR. STEINHAGEN: Put up top too.

10 THE WITNESS: That's true. And we can  
11 also do some skylights. While designing the  
12 HVAC equipment, we can do some skylights there.

13 MR. MELFI: Or do them high up on the top  
14 of the building where it wouldn't be a privacy  
15 issue. I'm trying to get you light into your  
16 building.

17 THE WITNESS: Yeah, but we're concerned  
18 about the noise also factor. We don't want to  
19 have any chance for that. We want to satisfy  
20 that requirement.

21 MR. FERRARO: So seven days out of the  
22 year, there will be a meet there. But we've  
23 taken every step we can.

24 VICE CHAIR ROSEN: Anything else to add?

25 THE WITNESS: That's it.

1           MR. STEINHAGEN: He's going to come back  
2           for questions.

3           VICE CHAIR ROSEN: We've gone five minutes  
4           past the closing of the building. So thank you  
5           for the extra few minutes. I need to suspend  
6           Good and Welfare for tonight. Thank you all  
7           and good night.

8           MR. STEINHAGEN: Where are we on the 5th?  
9           Are we in this room?

10          THE BOARD SECRETARY: Right here.

11          MR. STEINHAGEN: So members of the public,  
12          if you're here on the application of AUCC for  
13          50 Oakdene, this matter is being carried  
14          without further notice to March 5, 7:00 in  
15          these chambers, which is Rodda Center, 250  
16          Colonial Court. No further notice is going to  
17          be provided.

18          I want to caution the public, we don't  
19          know when this matter is going to be going on.  
20          It will be towards the end of the meeting. We  
21          don't know how much time will be devoted to it.

22          (Hearing continues - Next page)

23

24

25

1           MR. STEINHAGEN: Mr. Ferraro, you've set a  
2 time for the board to act until March 5, 2020?

3           MR. FERRARO: Until March 5, 2020.

4           THE BOARD SECRETARY: Motion to carry.

5           VICE CHAIR ROSEN: Motion to close.

6           (Time noted: 10:35 p.m.)

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C E R T I F I C A T E

I hereby certify that the proceedings herein are from the notes taken by me in this matter of the aforementioned case; and that this is a correct transcription of the same.

---

Angela (Angie) M. Shaw-Crockett  
Certified Court Reporter  
Registered Merit Reporter  
Certified Realtime Reporter  
License No. XI102184

