

Regular Public Meeting of the Englewood Cliffs
Planning Board Minutes
April 10, 2025

The Regular Meeting of the Englewood Cliffs Planning Board was called to order by Chairman Porrino at 7:36 pm.

Roll Call:

Present:

Chairman Porrino
Vice Chairwoman Mrs. O'Shea
Ms. Kim
Mr. O'Shea
Mrs. Rizvi – 1st Alternate
Mrs. Zamecki – 2nd Alternate
Mr. Lee – Borough Representative
Mr. You – Mayor Designee
Councilwoman Biegacz

Absent:

Ms. Correa
Mrs. Villari

Present:

Thomas Randall Esq., of Randall & Randall, LLP, the planning board's attorney.
David Hoder, Hoder Associates the planning board's conflict engineer.
Michael Mistretta, Harbor Consultants the planning board's conflict planner.
David Horner, Horner & Cantor the planning board's conflict traffic expert.

Flag Salute

Public notice of this regular meeting has been given in compliance with the Open Public Meeting Law by advertisement in The Record, notification to The Press Journal, and posting of notice on the municipal website at www.EnglewoodCliffsNJ.org and posting on the entrance of the borough hall building at 482 Hudson Terrace, Englewood Cliffs, NJ.

Chairman Porrino requested a motion for the February 13, 2025, regular meeting minutes. The motion was made by Mrs. O'Shea and seconded by Councilwoman Biegacz with a roll call vote. (9) Ayes, Mrs. O'Shea, Mr. Kim, Mr. O'Shea, Ms. Rizvi, Mrs. Zamecki, Mr. Lee, Councilwoman Biegacz, Mr. You and Chairman Porrino. No Nays, No Abstentions.

Chairman Porrino requested a motion for the March 13, 2025, regular meeting minutes. The motion was made by Mrs. O'Shea and seconded by Mr. Lee with a roll call vote. (8) Ayes, Mrs. O'Shea, Mr. Kim, Mr. O'Shea, Ms. Rizvi, Mr. Lee, Councilwoman Biegacz, Mr. You and Chairman Porrino. No Nays, No Abstentions.

Old Business:

Application #325K - Residential Impervious Coverage Variance
Dr. & Dr. Goldenberg – 20 Lynn Dr. – Block 1003 Lot 16
Resolution – Approved

Chairman Porrino asked the board engineer to summarize the items that were open and asked Mr. Randall to revise the resolution to reflect those items and what would be included is that the applicant before getting building permits would need to submit the revised site plan that we were requested so that to move this from our laps and onto the borough's lap. I think that maybe the better way to proceed with it. So, we are going to carry this to the May 8, 2025, meeting.

Mr. Lee stated that there is a summons that has been issued and is now at the court. Chairman Porrino stated that there is not reason why we can't continue to finalize the process and hopefully it will all get settled.

Application #340K - Minor Subdivision w/Site Plan Approval & Variances
Dara Ye – 18 Seventh St. – Block 203 – Lot 10

Chairman Porrino stated this is an application that the board had started and the attorney for the applicant noticed the board that they are not ready to proceed this evening. We will carry this to the May 8, 2025, meeting with no further notice required.

New Business:

Application #343K – Minor Subdivision with Commercial Site Plan Approval
Tag Sylvan Corp. Ctr. & Tag New Sylvan Corp. Ctr., LLC
Englewood Cliffs JLUB
910-940 Sylvan Ave. – Block 1202 – Lots 9.03 & 9.04

See attached transcripts.

Chairman Porrino asked for a motion to open to the public for any matter. The motion was made by Mrs. O'Shea and seconded by Chairman Porrino and carried unanimously by voice vote.

No Comments.

Chairman Porrino asked for a motion to close the public portion. The motion was made by Mrs. O'Shea seconded by Chairman Porrino and carried unanimously by voice vote.

Councilwoman Biegacz left meeting at 10:08 pm.

Chairman Parrino requested that the resolution for executive session to be read which is incorporated herein as thoroughly stated and made a part hereof. Chairman Porrino made a motion for the board to go into executive session seconded by Mr. O'Shea and carried unanimously by voice vote.

Mrs. Scancarella read into the record the resolution to go into closed session. The board entered closed session at 10:10 pm.

Chairman Porrino requested a motion to come out of executive session and back into regular meeting at 10:51 pm. Motion was made by Mrs. O'Shea and seconded by Mr. You and carried unanimously by voice vote.

Chairman Porrino asked for a motion to adjourn the meeting at 10:52 pm. Motion was made by Mrs. O'Shea seconded by Chairman Porrino and carried unanimously by voice vote.

Respectfully submitted.

A handwritten signature in black ink, reading "Caterina Scancarèlla". The signature is written in a cursive style with a large initial 'C'.

Caterina Scancarèlla
Planning Board Administrative Secretary

ENGLEWOOD CLIFFS PLANNING BOARD
REGULAR MEETING – April 10, 2025 7:30 PM

10 Kahn Terrace, Englewood Cliffs, NJ

CALL TO ORDER

The meeting of the Englewood Cliffs Planning Board will come to order this (date). The time is (time).

FLAG SALUTE:

"OPEN PUBLIC MEETINGS ACT" STATEMENT

This meeting which conforms with the Open Public Meetings law, Chapter 231, Public Laws of 1975, is a regularly scheduled Planning Board meeting by advertisement in The Record, notification to the Northern Valley Press Journal, the Suburbanite, posting of notice on the municipal website at www.EnglewoodCliffsNJ.org, and at Borough Hall, 482 Hudson Terrace, Englewood Cliffs, NJ.

ROLL CALL

APPROVAL OF MINUTES:

February 13, 2025– Regular Meeting
March 13, 2025 – Regular Meeting

OLD BUSINESS:

- Application #325K - Residential Impervious Coverage Variance
Mr. & Mrs. Goldenberg – 20 Lynn Dr. – Block 1003 - Lot 16
Resolution – Approved
- Application #340K - Minor Subdivision w/Site Plan Approval & Variances
Dara Ye – 18 Seventh St. – Block 204 – Lot 10
Carry to the May 8, 2025

NEW BUSINESS:

- Application #343K - Minor Subdivision with Commercial Site Plan Approval
Tag Sylvan Corp. Ctr. & Tag New Sylvan Corp. Ctr, LLC
Englewood Cliffs JLUB
910-940 Sylvan Ave. - Block 1201 – Lots 9.03 & 9.04

COMMUNICATIONS:

EXECUTIVE SESSION:

Affordable Housing Information

COMMITTEE REPORTS:

PUBLIC COMMENTS OTHER THAN HEARING ON THIS AGENDA

ADJOURNMENT

BOROUGH OF ENGLEWOOD CLIFFS
 PLANNING BOARD
 THURSDAY, APRIL 10, 2025
 COMMENCING AT 7:37 P.M.

.....
 IN THE MATTER OF :
 Application #343K : TRANSCRIPT
 Minor Subdivision with Commercial Site: OF
 Plan Approval : PROCEEDING
 Tag Sylvan Corp. Ctr. & Tag New Sylvan:
 Corp. Ctr., LLC :
 Englewood Cliffs JLUB :
 910-940 Sylvan Ave - Block 1201 - Lots:
 9.03 & 9.04 :

B E F O R E:
 BOROUGH OF ENGLEWOOD CLIFFS PLANNING BOARD
 THERE BEING PRESENT:

RUSSELL PORRINO, CHAIRMAN
 MARY O'SHEA, VICE CHAIRWOMAN
 MARK PARK, MAYOR (ABSENT)
 SANGMIN YOU, MAYOR DESIGNEE
 JP LEE, BOROUGH REP (II)
 RIVKA BIEGACZ, COUNCIL REP(II)
 FRANCES CORREA, MEMBER (ABSENT)
 THOMAS KIM, MEMBER
 TIMOTHY O'SHEA, MEMBER
 MARIA VILLARI, MEMBER
 NASREEN RIZVI, ALTERNATE 1
 KINGA ZAMECKI, ALTERNATE 2

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
 CERTIFIED COURT REPORTERS
 201-641-1812
 LauraACaruccillc@gmail.com

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
 201-641-1812

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A L S O P R E S E N T:

CATHY SCANCARELLA, BOARD SECRETARY
 DAVID HODER, P.E., BOARD CONFLICT ENGINEER
 DAVID HORNER, P.E., BOARD TRAFFIC ENGINEER
 MICHAEL MISTRETTA, P.P., BOARD PLANNER

A P P E A R A N C E S:

THOMAS RANDALL, ESQUIRE
 Counsel to the Board

CAPIZZI LAW OFFICES
 BY: MATTHEW CAPIZZI, ESQUIRE
 205 Fairview Avenue
 Westwood, New Jersey 07675
 201-266-8300
 Counsel to the Applicant

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
 201-641-1812

1 CHAIRMAN PORRINO: Good evening, ladies
2 and gentlemen, I'd like to call the Englewood Cliffs
3 Planning Board meeting to order. Today is April 10,
4 2025, and the time is 7:37 p.m.

5 Would everyone please rise for the flag
6 salute.

7 (Whereupon, all rise for a recitation
8 of the Pledge of Allegiance.)

9 CHAIRMAN PORRINO: Thank you.
10 Cathy, could you please read the Open
11 Public Meetings Act statement?

12 SECRETARY SCANCARELLA: Yes.
13 This meeting which conforms with the
14 Open Public Meeting Law Chapter 231, Public Laws of
15 1975, is a regularly scheduled Planning Board meeting
16 by advertisement in The Record, notification to the
17 Northern Valley Press Journal, The Suburbanite,
18 posting of the notice on the municipal website at
19 www.EnglewoodCliffsnj.org and at the borough hall,
20 482 Hudson Terrace, Englewood Cliffs, New Jersey.

21 CHAIRMAN PORRINO: Thank you.
22 Roll call, please?

23 SECRETARY SCANCARELLA: Ms. O'Shea?
24 MS. O'SHEA: Here.

25 SECRETARY SCANCARELLA: Ms. Correa,
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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1 CHAIRMAN PORRINO: Thank you.
2 (Whereupon, the Englewood Cliffs
3 Planning Board conducts agenda items. The
4 public hearing on this matter begins at
5 7:41 p.m.)

6 CHAIRMAN PORRINO: New business, we
7 have Application 343K, which is a new application,
8 we'll call Tag Sylvan Corp., 910-940 Sylvan Avenue.
9 Counselor, welcome back.

10 MR. CAPIZZI: Thank you, Mr. Chairman,
11 good evening, Members of the Board. Matthew Capizzi
12 on behalf of the applicant.

13 Before I give a brief summary of what
14 the project is that's before the application --
15 before the board, I believe my notices are in order.

16 We have provided the required notice of
17 publication and green receipts. I just want to make
18 sure that procedural we're in good order.

19 SECRETARY SCANCARELLA: Yeah, it's all
20 received.

21 MR. CAPIZZI: Thank you.
22 So I'm just going to walk over to
23 Mr. Collazuol's site plan just so I can give a quick
24 summary of what the application involves.

25 SECRETARY SCANCARELLA: Mr. Capizzi,
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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1 absent.

2 Mr. Kim?

3 MR. KIM: Yes.

4 SECRETARY SCANCARELLA: Mr. O'Shea?

5 MR. O'SHEA: Here.

6 SECRETARY SCANCARELLA: Ms. Villari is

7 absent.

8 MS. Rizvi?

9 MS. RIZVI: Yes.

10 SECRETARY SCANCARELLA: Ms. Zamecki?

11 MS. ZAMECKI: Yes.

12 SECRETARY SCANCARELLA: Mr. Lee?

13 MR. LEE: Here.

14 SECRETARY SCANCARELLA: Councilwoman

15 Biegacz?

16 COUNCILWOMAN BIEGACZ: Here.

17 SECRETARY SCANCARELLA: Mayor Park is

18 absent.

19 Mr. You?

20 MR. YOU: Yes.

21 SECRETARY SCANCARELLA: And Chairman

22 Porrino?

23 CHAIRMAN PORRINO: Here.

24 SECRETARY SCANCARELLA: We have a

25 quorum.

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1 can you just turn the easel so some of the public can
2 also see it a little, like just angle it a little?

3 Thank you.

4 I think bring it in front of the door
5 there and then turn it so that --

6 CHAIRMAN PORRINO: You can keep going,
7 90 degrees is fine, Counselor.

8 SECRETARY SCANCARELLA: Yeah, that's
9 good.

10 MR. CAPIZZI: So approximately 19-acre
11 site in the Borough's B-2 zone.

12 It has frontage along Sylvan, Sage Road
13 and Johnson Avenue.

14 As the board is aware, it's an office
15 complex campus containing four buildings, the sum
16 total of which has about 250,000 square feet of
17 office space and is serviced by over -- let me just
18 get my notes here, 1,160 parking spaces.

19 We've done a parking study as part of
20 the preparation for tonight's presentation and the
21 peak parking demand was only 435 spaces. So we have
22 approximately 725 unutilized spaces on the campus.

23 Since we have essentially a large
24 parking field that exists along the southerly portion
25 of the site, you can see it's kind of a cup shape

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1 with a straw that comes out towards the left side of
2 the page, the straw portion of the cup contains a
3 large parking field that's underutilized and so what
4 we're proposing to do by way of this application is
5 construct a new two-story medical office building
6 that will be exclusively occupied by Englewood
7 Health.

8 The building will have a sublevel of
9 parking, two above grade levels of office and a
10 perimeter parking area to service the needs of that
11 building, as well as others visiting the campus and
12 we are making some improvements to other portions of
13 the campus to bring some additional stalls online
14 with the end result being a net increase of
15 approximately 40 spaces.

16 So we're not losing any parking, we are
17 actually bringing some parking online and given the
18 historical nature of how the four existing buildings
19 are utilized and how we know the new building will be
20 utilized, we believe that the new parking field of
21 approximately 1,201 spaces will be more than adequate
22 to service these five buildings at the campus.

23 Procedurally also, we were before the
24 board sometime ago in order to divide the property
25 into two lots for financing purposes. We're seeking

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1 aisle. The drive aisles on this are 24 feet in
2 width. The new drive aisles that are going to be
3 developed to service the new building will be in a
4 similar width, the same width as what exists
5 elsewhere on the campus being 24 feet in width.

6 So that requires a continued waiver
7 request as to drive aisle width and the parking
8 stalls are 9-by-18 where the borough requires 9-by-19
9 and, again, the permission to have stalls of 9-by-18
10 versus 9-by-19 was something that was previously
11 approved by the board in 2002 and something we're
12 seeking to carry forward relative to the new stalls
13 to service the overall campus.

14 That's my understanding of the variance
15 relief that's required strictly related to those
16 three parking items, site plan approval, preliminary
17 and final to allow us to bring on the new building
18 and modified parking areas and the consolidation of
19 the lot as I just discussed.

20 As far as the design team that we have
21 for discussion this evening, Steve Collazuol is our
22 civil engineer. He'll go through the site plan
23 components.

24 Dan Kaplan is our architect. He'll
25 talk to us about the new building.

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1 to undo that by way of this application, we're going
2 to consolidate the two lots and create one large
3 building lot that will contain all five buildings.
4 There was a reciprocal cross easement that will
5 remain in effect because a portion of that cross
6 easement agreement gave benefit to CNBC for 69 spaces
7 on our campus, which is something that be undisturbed
8 by way of this application and so while we are
9 consolidating the lots, that cross easement agreement
10 will remain in place and will not be modified.

11 As far as the variance relief that's
12 required, simply relates to parking-related items.

13 The building that we are proposing
14 conforms to the applicable setbacks and heights and
15 coverages. So no issues with the proposed building.
16 It's a matter of the parking field that is required
17 to service the five buildings. There have been
18 historical applications before this board where the
19 parking standard in the borough has been relaxed.
20 The most pertinent application was in 2002, at which
21 time a ratio of four per thousand or one per 250 was
22 granted by the board which led to the parking field
23 the exists today servicing the four buildings, as
24 well as variance relief as to the drive aisles, the
25 borough has a requirement for a 25-foot-wide drive

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1 Nicholas Kennedy is our traffic
2 engineer from Stonefield. His office has conducted a
3 parking study and he'll talk about the parking supply
4 versus parking demand and how what we're proposing by
5 way of supply is adequate.

6 Paul DeVitto from the Stonefield office
7 prepared a landscaping plan. He'll go through the
8 landscaping components for us.

9 And Paul Grygiel is our planner. When
10 it's appropriate, he'll go through the planning
11 justifications relative to the variances that I
12 discussed a moment ago.

13 Mr. Chairman, if it's agreeable, I can
14 start with Mr. Collazuol and work our way through the
15 witnesses as the board sees fit.

16 CHAIRMAN PORRINO: Please.

17 MR. CAPIZZI: Thank you.

18 MR. RANDALL: Please raise your right
19 hand.

20 Do you swear or affirm the testimony
21 you're about to give in regard to this application is
22 the truth and nothing but the truth, so help you God?

23 MR. COLLAZUOL: I do.

24
25

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1 STEVEN COLLAZUOL, P.E.
2 1610 Center Avenue, Fort Lee, New Jersey, having
3 been duly sworn, testifies as follows:

4 MR. RANDALL: Please give your name and
5 your business address for the record.

6 MR. COLLAZUOL: My name is Steven
7 Collazuol, C-O-L-L-A-Z-U-O-L.

8 Business address, 1610 Center Avenue in
9 Fort Lee, New Jersey.

10 CHAIRMAN PORRINO: Mr. Collazuol, is
11 your license in good standing in the State of New
12 Jersey.

13 MR. COLLAZUOL: Yes, it is.

14 CHAIRMAN PORRINO: I suggest we
15 recognize him as an expert in engineering. We know
16 him for collectively, individually for probably
17 around 30 years.

18 MR. COLLAZUOL: Thank you,
19 Mr. Chairman.

20 CHAIRMAN PORRINO: You're welcome.

21 DIRECT EXAMINATION

22 BY MR. CAPIZZI:

23 Q. Mr. Collazuol, I know we have a
24 colored sheet on your easel there, that's something
25 new for discussion this evening, correct?

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1 A. **Yes.**

2 Q. Can we just identify that real quick
3 and have it marked?

4 A. **Yes.**

5 **Essentially this is the same sheet,**
6 **which is labeled as Sheet No. 2, which the board has.**
7 **The only difference in this plan is that it's been**
8 **rendered in color in the developable areas.**

9 **We show the green areas around the**
10 **developable areas, which is going to get enhanced;**
11 **brown for the proposed building; tan for the proposed**
12 **changing of the parking areas that are being modified**
13 **of course.**

14 MR. CAPIZZI: Mr. Randall, can we mark
15 that as A-1.

16 MR. RANDALL: Yes.

17 MR. CAPIZZI: Thank you.

18 MR. RANDALL: A-1 with today's date.
19 (Whereupon, Color Rendering, Sheet

20 No. 2 is marked as Exhibit A-1 for
21 identification.)

22 BY MR. CAPIZZI:

23 Q. Mr. Collazuol, as far as going through
24 the existing conditions, you want to work with this
25 sheet or a different sheet?

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1 A. **We can work with this sheet with**
2 **respect to site plan and zoning, certainly, if you**
3 **don't mind.**

4 **I think it's very clear to the board to**
5 **see where the building is very easily.**

6 Q. That's fine.

7 A. **Okay. So as you indicated so well, the**
8 **proposed building is shown in the south field campus,**
9 **parking field. This is an open field, existing**
10 **parking. Pretty much what's shown here at the**
11 **perimeter, this beige area or tan area, inclusive of**
12 **this green area here in front of the proposed**
13 **building is all parking right now.**

14 **So this is a paved lot. What is green**
15 **right here on this right now currently is green and**
16 **what is tan on this parking area here currently is**
17 **green. There's a fire lane that's shown exiting to**
18 **Johnson Avenue.**

19 **So the architect, together with our**
20 **firm, designed a building that's situated in that**
21 **parking field and the zoning is shown in the upper**
22 **left-hand corner. Essentially the building fits very**
23 **well in this area and as far as the overall size of**
24 **the property with respect to coverages, building**
25 **coverages, it complies very, very well.**

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1 **We have notes on this plan that show**
2 **what's going to -- how it's going to be built.**

3 **The building is going to be built just**
4 **a little bit above the existing grade. The parking**
5 **field goes up towards the middle and then descends as**
6 **you go to the left or to the south and so the middle**
7 **of the building here is going to be about 2 feet**
8 **above existing grade.**

9 **There will be an underground parking**
10 **facility below the building with entrances right over**
11 **here on the north coming off of the existing common**
12 **driveway entrances in and out.**

13 **There's also, on the south end of the**
14 **building, three loading docks that have been**
15 **designed.**

16 **The main entrances to the building are**
17 **what I'm calling the east side of the building, north**
18 **arrow is pointed this way (indicating).**

19 **And also an entrance at -- at the rear.**

20 **Handicap spaces are shown on at grade**
21 **parking to provide the closest entrance to the**
22 **building.**

23 **On the -- what we're calling the**
24 **southwest area, this is an existing area, it's grass**
25 **and some wooded area.**

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1 We proposed in tan here incorporating
2 the fire lane, for the additional parking spaces,
3 with access from, again, the main common road with
4 access also to the rear, the rear lane that runs
5 across the whole rear parking field.

6 On the right-hand side, we're extending
7 the parking area towards Sage Road. There's a dark
8 line here (indicating) that I'm pointing at, that's
9 existing parking spaces to the left that are going to
10 remain but re-graded.

11 This 60-foot cell with these parking
12 spaces on either side of the drive aisle is what is
13 going to be improved within that wooded area
14 currently (indicating).

15 In addition, along the Sylvan Avenue
16 frontage, we're adding approximately 26 spaces in a
17 wooded area as well, but remaining with a 30-foot
18 buffer -- excuse me -- with a 30-foot wooded area
19 landscape area to both Sylvan Avenue and Sage Road.

20 I can move to the zoning and discuss
21 what's existing, what's required and what's proposed,
22 if that's appropriate.

23 Q. Please.

24 A. All right. So we have in the upper
25 left-hand corner the zoning and we start with the

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1 brown to the line of the property, which is adjacent
2 to, of course, the field at Johnson, Johnson Avenue.

3 The side yard requirement is 30 feet
4 one side. We have 58 feet, which was previously
5 approved and currently we're showing this as a side
6 yard, 88.2. So that side yard complies as well.

7 For both sides the requirement is
8 60 feet and we're indicating that it's really not
9 applicable as previously approved, but, however, we
10 combined the side yard off of Sage together with the
11 side yard, as I just mentioned earlier, we have
12 294.6 feet, so -- pardon me -- that would comply.

13 The maximum lot coverage allowed is
14 33-and-a-third percent. Currently the site with
15 existing buildings is 17 percent with the proposed
16 building, it's 24.6 percent. So the coverage for
17 buildings complies as well.

18 With respect to maximum building
19 height, the maximum requirement is two stories and
20 35 feet. Previously approved for the four buildings
21 was two stories and 35 feet and that's what this
22 proposal for this new building as well to the roof
23 height.

24 As you mentioned before, Mr. Capizzi,
25 the parking ratio requirement is one per 200 and what

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1 requirements.

2 The fact is that they come from
3 Table 1. The minimum lot area required for this zone
4 is 80,000 square feet.

5 As you mentioned, Mr. Capizzi, it's
6 practically 19 acres, which is 828,455 square feet,
7 so it's a rather large lot and, therefore, it
8 complies.

9 The minimum lot width required is
10 125 feet and we have 697 feet along Sylvan Avenue, so
11 that complies.

12 The minimum front yard requirement is
13 60 feet. Previously approved was 100 feet to this
14 portion of Building No. 930 and we have 61.2, which
15 is shown here on the drawing to the front of the
16 proposed building on the east side.

17 With respect to the minimum rear yard,
18 20 percent of the lot depth is required, but we
19 defined that this is -- there is no rear yard because
20 of the configuration of this lot. It has a frontage
21 on Sylvan, a frontage on Johnson, a frontage on Sage
22 and, therefore, it really didn't have a rear yard in
23 our opinion, so we said it wasn't applicable.

24 However, the building is set back 100.5
25 that portion of the building that we're showing in

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1 was previously approved for Phase II, that is
2 930 Sylvan and 940 was four per thousand, this
3 application is requesting three per thousand as noted
4 here in the upper left-hand corner of the plan
5 requiring a variance for that.

6 The building height, the impervious
7 calculations are shown here. We're at 24.6 percent.
8 The maximum -- the impervious coverage is
9 65.2 percent and the parking breakdown is shown here.

10 As you mentioned earlier the parking
11 design, we're seeking waivers or variances as
12 determined. Where 9-by-19 is required, we have
13 9-by-18 and, again, that was previously approved.

14 The driveway aisles are 25 feet on the
15 existing campus and previously approved is 24 and
16 this is showing a proposal of 24 feet as well.

17 There's no questions on that. I'll
18 continue with the grading and the drainage plan.

19 Q. Please.

20 A. I'll have to turn to the other side of
21 the board that's mounted. Give me a moment. I knew
22 something was going to happen.

23 What I have on the board now is Sheet
24 No. 3. Thank you. Which is a blow-up.

25 The other plan was at 50 scale. This
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1 is at a 30 scale. So it looks much larger now, but
2 it shows where the proposed building is going to be
3 and it shows the grading, the surface parking lot, as
4 well as the grading for the entrances into the
5 below-ground parking area.

6 So as I mentioned earlier, the
7 perimeter that I'm showing here along this line, this
8 is the existing parking field right now and this is
9 the common driveway, which accesses that parking
10 field right now.

11 So the plan is to excavate, which we're
12 showing as this dashed line, but the dashed line
13 continues along the front of the building.

14 So that would be excavated in this
15 fashion, would be a below-ground parking facility and
16 then the building is shown here on this sheet in
17 dark, dark gray, as I'm outlining, and that would be
18 at grade.

19 The building also has a cantilever,
20 which the architect will talk about and that's this
21 dashed line that goes around to this light gray area
22 over the loading area, it follows along the front in
23 a cantilever fashion and has an irregular shape,
24 which is part of the architectural design. The
25 grading for this site will fairly -- as I mentioned,

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1 throughout the plan showing top of curb, bottom of
2 curb and along this easterly side will be a low
3 profile wall about 2 to 3 feet, if I got it right,
4 above the existing grade along the back of one of the
5 CNBC buildings.

6 If there's no questions on that, I will
7 turn to the other plan.

8 CHAIRMAN PORRINO: Mr. Collazuol, just
9 a minute.

10 THE WITNESS: Yes.

11 CHAIRMAN PORRINO: Mr. Hoder -- our
12 engineer is Mr. Hoder this evening -- do you want to
13 address page by page or would you rather let him
14 finish his presentation and then bring up your
15 questions.

16 MR. HODER: No, I think I'd rather have
17 him finish his presentation.

18 CHAIRMAN PORRINO: Okay. Thank you.
19 Go ahead.

20 THE WITNESS: Turning to Sheet -- the
21 next sheet, which is Sheet No. 4.

22 This is, again, a blow-up or I should
23 say an enlarged at a 30 scale of the expanded parking
24 lot on the right-hand side of the site, which is
25 parallel to Sage Road.

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1 be a 2-foot elevation increase to accommodate the
2 design, but it will have that same high point where
3 this middle of the building is really a high point of
4 the parking area. You'll see the contours shown that
5 go down from the middle to the left or from the
6 middle to the left as I'm showing here.

7 This plan also shows the on-site
8 grading. We're showing the drainage system that's
9 being proposed where the -- there is existing
10 drainage in the wooded area currently. The parking
11 area is drainage as well into a drainage system that
12 runs alongside 910 and 930 around to the back.

13 As part of the project, Phase II, 930,
14 940, the existing drainage system that was put in in
15 1984 was expanded with infiltration trenches and so
16 the drainage after detention for what's improved will
17 run into that system.

18 We're showing a new sanitary sewer line
19 that's going to be placed along the common driveway
20 out to the current sanitary sewer, which in an
21 easement within the -- within the private property.

22 The other utilities are being served
23 from the gas, water and electric that's within the
24 common driveway.

25 There are various notes with elevations
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1 The -- this light gray area here, this
2 is existing parking that's going to be renovated and
3 a new parking facility is going to be placed here,
4 approximately 178 cars in total with new drainage
5 system. Sage Road has a high point about in the
6 middle of the distance between 9W and Johnson Avenue
7 and so we have two drainage systems that will be
8 placed and they're shown in these long tubes on the
9 plan in a medium gray. They'll have infiltration,
10 filtration and go -- going to existing storm drainage
11 facility which ultimately goes out into Johnson
12 Avenue, but there's a detention of the increase of
13 flow from each one of those -- from an increase of
14 flow from that increase in parking impervious areas.

15 Again, we show the contours here and
16 the site -- the site generally decreases from the
17 existing driveway alongside of 930 and -- pardon
18 me -- 920 and 940.

19 So the grade will be dropping down to
20 meet and get closer to the grade along Sage Road.

21 The next plan we have is the lighting.
22 I know there was a comment from the -- from your
23 board's consultant, but we did show a preliminary
24 plan here for lighting. Once again, the existing
25 parking field is lit up, which is shown on the

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1 boundary and topographic survey.
 2 Those lights are currently there.
 3 These lights now are going to be replaced with these
 4 type "B"s and, of course, we're planning on having
 5 shielding so that none of the lighting is portrayed
 6 or displaced over into the ball field. We're working
 7 with another consultant to satisfy Mr. Hoder's
 8 concerns about photometrics.
 9 We do have a sedimentation and control
 10 plan for the site. So any approval by Bergen County
 11 Soil Conservation District would be made prior to any
 12 application for a building permit for this project.
 13 Sheet 7 and 8 would be the construction
 14 details. We did submit a stormwater management
 15 report. It was only about 387 pages and I think
 16 everybody got it.
 17 If anybody has any questions about
 18 that, I'd be happy to explain that.
 19 And then there -- we do have a
 20 landscape plan that was enhanced by Stonefield, which
 21 Paul will discuss further.
 22 I think that's the concise introduction
 23 to the plan. I'd be happy to answer questions.
 24
 25 BY MR. CAPIZZI:

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1 There will be other comments later
 2 based on things that haven't been talked about yet.
 3 In terms of the lighting, I was looking
 4 for a -- for a point-to-point and you said that you
 5 will provide that?
 6 THE WITNESS: Yes.
 7 MR. HODER: Okay. That will give us --
 8 I mean, the lighting is good on the site, I think
 9 it's going to work, but the point-to-point plan will
 10 show lighting every 10 feet, every 20 feet, not just
 11 large circles of light of 0.5 or 1.0 footcandles and
 12 it will give us a better idea whether there's any
 13 problems or any spillage.
 14 Then I said we should have some
 15 shielding. He's going to -- he said he's going to
 16 agree to doing some shielding in the back so nothing
 17 goes back out into the ball fields or to the rear of
 18 the property.
 19 The ordinance does also talk about
 20 possibility of the use of dimmers. Do you think
 21 you'll be doing any dimmers? Will they be LEDs? All
 22 the lights will be LEDs, right?
 23 Yes, I'll answer the question. All the
 24 lights are LEDs.
 25 (Laughter.)

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1 Q. Mr. Collazuol, as far as Mr. Hoder's
 2 letter of April 7th, did you have an opportunity to
 3 review that?
 4 A. Yes, I did.
 5 Q. There were some technical items in
 6 there that required some minor modifications to the
 7 plan set, some updates.
 8 Can your office make any of those
 9 updates?
 10 A. Yes, we will make each and every one of
 11 those.
 12 It's a very routine type of letter of a
 13 letter of report and we will -- we concur with these
 14 comments and we'll satisfy his report.
 15 Q. Thank you, Mr. Collazuol.
 16 MR. CAPIZZI: I don't have any further
 17 questions, Mr. Chairman.
 18 CHAIRMAN PORRINO: Mr. Hoder, would you
 19 like to comment?
 20 MR. HODER: Yes, okay.
 21 Thank you.
 22 David Hoder, conflict engineer for the
 23 board. And I did a letter April 7th. I'm going to
 24 go over through the items that the engineer talked
 25 about tonight so far.

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1 MR. HODER: Sorry.
 2 THE WITNESS: I thing the answer was
 3 yes.
 4 MR. HODER: LEDs can be dimmed. They
 5 can also be changed in color.
 6 So from an amber kind of a light to a
 7 real bright harsh light, I would like to have that
 8 ability in case there's a problem with neighbors so
 9 that the lights can be changed a little bit,
 10 especially the color, because sometimes when it's so
 11 bright white, it's very glaring and a problem and
 12 then if you go back and you can do it -- you know,
 13 make it a little bit more amber or blue, it makes it
 14 more like daylight.
 15 Can that be done?
 16 MR. CAPIZZI: As far as adjusting the
 17 color scheme, no issue with that.
 18 The balance of the lighting in the
 19 campus is not dimmable.
 20 MR. HODER: Yes, I know.
 21 MR. CAPIZZI: So --
 22 MR. HODER: It's older stuff.
 23 MR. CAPIZZI: Yeah.
 24 To have some at a lower level than
 25 others may look out of place, but we'll certainly

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1 work with your office on that.
 2 MR. HODER: Okay.
 3 CHAIRMAN PORRINO: What we've done
 4 sometimes in that regard is we've requested a
 5 six-month lookback on lighting levels so that if the
 6 board and/or residents are seeing that the lumens are
 7 just too high, that there's adjustments where
 8 necessary and we've also asked for beyond a certain
 9 hour unless there's motion activation that the lights
 10 for security are maintained in the parking, but you
 11 don't need it lit up like daylight. So it's
 12 something that maybe the engineers can --

13 MR. HODER: Yeah.

14 I mean, the other thing is you can
 15 actually get a program that fits either on your
 16 laptop or your iPad and you can sit there and change
 17 the lighting right in front of you, you can stand
 18 there at night and that might be a positive thing
 19 because then what the chairman is suggesting can
 20 happen in real time.

21 MR. CAPIZZI: It will be a little bit
 22 of a learning experience, Mr. Chairman, in regards to
 23 how Englewood Health operates when their staff is
 24 there, when they're not, when patients are coming,
 25 when they're not, just to accommodate obviously their

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1 hours of operation and when people may be coming and
 2 going to the facility, but certainly we're not
 3 looking to impact any adjacent properties, so we'll
 4 adjust it so as not to impact anybody along the
 5 perimeter, but the site itself and, again, we'll
 6 collaborate with the municipality on what we can do
 7 to adjust lighting levels downward depending on the
 8 nature of the operation.

9 CHAIRMAN PORRINO: Some testimony may
 10 be in order at some point too during the application
 11 in terms of the operation of the facility as well too
 12 and if there's going to be evening hours, potentially
 13 overnight hours, because it is Englewood Health.

14 So I look forward to some testimony on
 15 that as well.

16 MR. CAPIZZI: We don't have an operator
 17 from Englewood Health as part of the witness list,
 18 but certainly I'm sure the landlord has information
 19 on that and we can provide that either through
 20 counsel or through the landlord.

21 CHAIRMAN PORRINO: Thank you.

22 MR. HODER: Let's see, the next
 23 question would be, what kind of lighting is coming
 24 off the building, do you know?

25 Will there be lights on the building?

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1 Will the building be lit? Will there be lights at
 2 the entrances? There has to be by code.

3 THE WITNESS: I would defer to the
 4 architect with respect to the building-mounted
 5 lighting.

6 MR. HODER: And then that leads to
 7 another question, leading question, do you think
 8 you'll need any kind of bollards, you know, in the
 9 sidewalk areas?

10 Because they may not be as bright as
 11 you need for people to walk, so that's something that
 12 I think you should look at.

13 THE WITNESS: Certainly will.

14 MR. HODER: The next item having to do
 15 with refuse, can you kind of explain -- I think
 16 you're going to have an inside trash room; is that
 17 correct?

18 THE WITNESS: That's my understanding,
 19 yes.

20 MR. HODER: And do you know anything
 21 about it? Is it going to be -- you're going to have
 22 dumpsters inside there? Are trucks going to be able
 23 to enter into the lower area for the trash room or is
 24 it going to be over at the loading areas.

25 THE WITNESS: I'll let Dan, the
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1 architect, answer that.

2 MR. HODER: Okay. So we can talk about
 3 that in a minute, okay.

4 Will there be any new signs on the site
 5 or on the building?

6 MR. CAPIZZI: There will be new
 7 signage. It will be handled by way of a separate
 8 application.

9 MR. HODER: Oh, separate application,
 10 okay.

11 MR. CAPIZZI: The specifics on that
 12 haven't been worked out yet.

13 MR. HODER: So you'll be back.

14 MR. CAPIZZI: If it needs a variance.
 15 If it doesn't --

16 MR. HODER: Right, if you conform,
 17 different.

18 Okay. Now, on the grading, I have a
 19 couple of concerns about -- about the ramps going
 20 down below. I didn't see any zipper drains or trench
 21 drains and I may be mistaken, but I want to make sure
 22 that no water floods the lower level.

23 THE WITNESS: Understood.

24 If you -- if you refer to the grading
 25 plan, you'll note that the slope of the driveway goes

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1 up from the common driveway until you get to the
 2 building overhang.
 3 From that point, then it does descend.
 4 So we felt that we needed that trench drain --
 5 MR. HODER: Okay. And about how much
 6 in is the overhang compared to the -- to that slope
 7 change? Because, you know, obviously rain can run a
 8 little bit sideways.
 9 THE WITNESS: Yeah.
 10 We can make adjustments or place that
 11 trench drain at the bottom of the ramp if you felt it
 12 was necessary, but our anticipation was with the
 13 slope, that we have sufficient pitch to run the
 14 rainfall from that ramp out to the common area.
 15 MR. HODER: Yeah, no, and that's fine.
 16 I just want to make sure that you're
 17 not going to be flooding the lower area down there.
 18 Okay.
 19 And let's see, the other little
 20 comments, I'm not going to even talk about tonight.
 21 Do you have any problem with changing
 22 the guardrail, the wood guardrail to steel?
 23 THE WITNESS: I don't think that's a
 24 problem. I encourage steel as well.
 25 MR. HODER: Does the board have any
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1 problem with that, Mr. Chairman?
 2 CHAIRMAN PORRINO: Changing the --
 3 MR. HODER: The wood guardrail on the
 4 Sage side to steel? Wood is not really as strong.
 5 It's prettier, of course.
 6 CHAIRMAN PORRINO: I think it's more
 7 attractive and maybe that's more important than the
 8 longevity.
 9 MR. HODER: Well, that's why I'm
 10 asking.
 11 THE WITNESS: That's why we did place
 12 the wood, because it is -- it may get seen. I mean,
 13 there's a very generous landscape plan you'll see in
 14 a little while, but there may be a few spots where
 15 you can see through that wooded area during the
 16 winter and a wooden guardrail would probably look
 17 better.
 18 CHAIRMAN PORRINO: That wooden rail
 19 extends across all the parking spaces that face Sage?
 20 THE WITNESS: Yes.
 21 MR. HODER: There is a small retaining
 22 wall there that's a couple feet high, up to 4 feet --
 23 4-and-a-half-feet high.
 24 So there's going to be a little
 25 overhang, so there should be a rail there.
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1 CHAIRMAN PORRINO: I wasn't aware of
 2 that. Okay, thank you.
 3 MR. HODER: And then one question for
 4 you. Did you use the precipitation factors that were
 5 in the -- in the state DEP when you did your
 6 calculations, your drainage calculations.
 7 THE WITNESS: I saw that in your report
 8 and I will check that and I believe we did.
 9 MR. HODER: I couldn't find them, but
 10 that doesn't mean in 300-and-something pages it might
 11 have been there.
 12 Okay, so you're going to check that.
 13 Let's see, all the other stuff having
 14 to do with the drainage, basin, numbers and stuff and
 15 the water quality you're going to just take care of
 16 that, so I don't have to go through it tonight?
 17 THE WITNESS: Yes.
 18 MR. HODER: Okay. So I'm going to skip
 19 off a lot of my drainage comments and we'll work
 20 between offices on that.
 21 Okay. In terms of the parking, I
 22 really don't have a problem with the one foot less
 23 distance in the length of the parking spaces, nor do
 24 I have a problem 25 versus 24.
 25 Maybe Dave Horner would want to talk
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1 about that a little bit too, but so I don't -- except
 2 for what I just said, I'll skip over that.
 3 Are you willing to do some type of
 4 sanitary analysis to make sure that the flow for this
 5 project will not overtop any sanitary sewers?
 6 THE WITNESS: Yes.
 7 MR. HODER: Something we have to talk
 8 about in how you're going to do it. I think on-site
 9 it's probably steep enough where it's not a problem.
 10 THE WITNESS: That's why we changed it
 11 to a new line from the proposed building out to the
 12 main, it runs parallel to Sylvan.
 13 MR. HODER: Do you have any problem
 14 changing the pipe from 6 inch to 8 inch.
 15 THE WITNESS: No.
 16 MR. HODER: Okay. Not that I'm going
 17 to require you to do -- unless your over a certain
 18 gallonage, you don't have to go to the DEP. I don't
 19 know if you are or not.
 20 THE WITNESS: Well, when we did the
 21 rear buildings, we had to go to DEP. We had to get a
 22 TWA.
 23 MR. HODER: Right.
 24 THE WITNESS: It's Bergen County
 25 Utilities Authority. I didn't see a need for it
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1 there, but if it's the rule, we would have to do it.
 2 MR. HODER: I think you might have to,
 3 because it's -- the flow is 12,400.
 4 THE WITNESS: Uh-huh.
 5 MR. HODER: Okay. The only comment I
 6 have about water supply is that I want to see another
 7 hydrant on the back side of the building, because I
 8 think it's far enough away. It's almost 400 feet,
 9 not quite. I don't think the fire department said
 10 anything about it in their letter, but they did have
 11 a letter that was kind of critical of the lower
 12 parking area.
 13 Do you want to address that at all?
 14 CHAIRMAN PORRINO: If I may just
 15 interrupt for a second.
 16 We just heard a little while ago that
 17 the report that was issued by the fire -- fire chief,
 18 I think it is, has a potential business conflict with
 19 the applicant.
 20 So from my understanding, is that
 21 letter is going to be withdrawn and be redrafted by
 22 another individual. I guess it would be deputy
 23 chief.
 24 SECRETARY SCANCARELLA: Deputy chief.
 25 MR. HODER: Okay.
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1 CHAIRMAN PORRINO: Okay. So if it's
 2 okay, let's hold off on the fire department report
 3 for now.
 4 MR. HODER: Okay.
 5 CHAIRMAN PORRINO: It just came to
 6 light about an hour ago.
 7 MR. HODER: Okay. I have other
 8 comments having to do with the landscaping. I'll
 9 hold that for now. And then I have a bunch of other
 10 things, 1 through 10, other items. You said you're
 11 going to do most of those.
 12 THE WITNESS: Yes.
 13 MR. HODER: Do you have any that you
 14 have an exception for? I don't think so, right?
 15 It's all -- most of it's drafting.
 16 CHAIRMAN PORRINO: Dave, you lost me.
 17 1 through 10 on --
 18 MR. HODER: On page 13.
 19 CHAIRMAN PORRINO: Thank you.
 20 MR. HODER: Sorry.
 21 CHAIRMAN PORRINO: It's okay.
 22 MR. HODER: Sometimes even my wife
 23 tells me I go a little too fast, but, yeah, I'll stop
 24 for now and we'll talk in a minute after the other
 25 presentations.
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1 Thank you.
 2 CHAIRMAN PORRINO: Thank you.
 3 MR. CAPIZZI: Mr. Chairman, I had an
 4 opportunity to speak with my client regarding the
 5 nature of the operations here.
 6 Nothing out of the ordinary, by 7, 8:00
 7 at night business will have concluded, so if the
 8 board or the board engineer felt necessary for us to
 9 dim the lights down in that section of the campus, we
 10 can certainly accommodate that.
 11 CHAIRMAN PORRINO: And that may happen
 12 regardless in typical parking area lighting these
 13 days.
 14 MR. HODER: It can happen, yeah, it can
 15 be easily set up that way.
 16 CHAIRMAN PORRINO: In our community
 17 where we've got residential zones directly adjacent
 18 to the commercial zones, I think it's very important.
 19 MR. CAPIZZI: Understood.
 20 CHAIRMAN PORRINO: Okay. So I think
 21 it's appropriate, Counselor, unless you have
 22 something else for your witness to say or we'll open
 23 it up to the board for questions.
 24 MR. CAPIZZI: To the board,
 25 Mr. Chairman, is fine.
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1 CHAIRMAN PORRINO: Anyone from the
 2 board have any questions, comment for the engineer
 3 for the applicant.
 4 VICE CHAIRWOMAN O'SHEA: I just have
 5 one question about the underground parking. I'm
 6 aware of the other buildings in the complex.
 7 The underground parking is like half
 8 underground and half above ground. So like when you
 9 walk out the door from the parking, underground
 10 parking, you're level with the lobby.
 11 Will that be similar in this building
 12 or is it going to be totally underground, totally
 13 submerged.
 14 THE WITNESS: It will be mostly
 15 underground, yes.
 16 VICE CHAIRWOMAN O'SHEA: How many feet?
 17 THE WITNESS: It's the full height of
 18 the garage.
 19 VICE CHAIRWOMAN O'SHEA: The full
 20 height.
 21 THE WITNESS: Yes.
 22 VICE CHAIRWOMAN O'SHEA: And then is
 23 there going to be openings on the side to let air
 24 circulate down there.
 25 THE WITNESS: Well, there's ramps on
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1 the north coming off the common area. I'm not sure
2 how the architect has designed, if there's any air
3 wells or other areas to bring in air. I'll let the
4 architect speak to that at this point.

5 CHAIRMAN PORRINO: Mr. Collazuol, I
6 noticed that your contour line seems to be dropping
7 towards both ends of the garage. Might there not be
8 -- one side for the ramps, obviously, which is open.
9 Might not there be some openings from the other end
10 of the garage to the exterior or not really.

11 THE WITNESS: There may be. You're
12 talking about in the area of the loading dock,
13 correct.

14 CHAIRMAN PORRINO: Yes.

15 THE WITNESS: My understanding the
16 loading dock is going to serve the first floor. So
17 it wouldn't be serving the garage floor.

18 CHAIRMAN PORRINO: The loading dock is
19 at the elevation of the first floor.

20 THE WITNESS: I believe so, yes. You
21 have the ramps going up with steps going up to the
22 first floor.

23 So, I mean, we might be able to put
24 some windows there, yes, as well, but, again, I would
25 defer to the architect on the design area of the

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1 loading area.

2 MR. HODER: Mr. Chairman, you made me
3 think of something. Will there be any floor drains
4 in the -- in that lower level parking area.

5 THE WITNESS: I'm sure it's going to
6 have to be drained.

7 Vehicles come in with rainwater on
8 them, whether there's groundwater or not, I'm sure
9 there's going to have to be floor drains. Might have
10 to have pumps or --

11 MR. HODER: You're going to have to run
12 that to your stormwater system.

13 THE WITNESS: Yes.

14 MR. HODER: Which will then have to go
15 through the filters that you're doing in the parking
16 area.

17 THE WITNESS: Yes.

18 MR. HODER: Right?

19 Because it's a traveled surface with
20 oils and that kind of thing.

21 THE WITNESS: Right.

22 MR. HODER: I'm not sure if you have
23 the elevation to do that. You might have to do some
24 revisions of the elevation to get down that low.

25 THE WITNESS: Well, I think that it

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1 would be lower than our storm drains. So I think
2 it's going to be pumped.

3 MR. HODER: Pumped, okay, you did say
4 that, okay.

5 CHAIRMAN PORRINO: In other words, the
6 municipal storm drains that you will be using as
7 overflows, let's call them, right, in other words, if
8 your retention system is filled to capacity, it
9 overflows, but then excess water to dump into the
10 storm drain, I think it's on Sage, on the corner of
11 Sage?

12 THE WITNESS: We -- we'll have a
13 detention system.

14 CHAIRMAN PORRINO: Understood.

15 THE WITNESS: And now if your question
16 is related to Mr. Hoder's question, any of the drains
17 in the garage, the lower garage, would have to be
18 pumped, that would be pumped into the detention
19 system.

20 CHAIRMAN PORRINO: Understood.

21 THE WITNESS: And then in the rear of
22 the site, there's a filtration system in the
23 northwest corner.

24 So if you're talking about oil/water
25 separation --

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1 CHAIRMAN PORRINO: It's not a concern
2 as much as just an understanding in terms of
3 elevations.

4 The garage level is below the level of
5 the storm drain that you're planning on connecting to
6 --

7 MR. HODER: The proposed storm drain.

8 CHAIRMAN PORRINO: -- I call it
9 overflow, right, when all else fails, the detention
10 systems fill, which they will. There will be storms
11 and that will happen. That water from the detention
12 systems will then drain into the catch basin on the
13 corner of Sage Road; is that right?

14 THE WITNESS: Ultimately, yes.

15 CHAIRMAN PORRINO: And the parking
16 garage elevation is lower than the invert of that
17 storm drain that you're connecting to.

18 THE WITNESS: That's correct.

19 CHAIRMAN PORRINO: Okay. So you'll be
20 pumping -- the point is, I'm just processing through
21 it myself. That water is going to be pumped from the
22 garage.

23 If there's any water, it would be
24 minimal, because it's below grade, it's just
25 basically water coming down the ramp and flowing in

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1 literally from the ramp.
 2 Would it then be pumped up into your
 3 retention system, which then by gravity if it filled,
 4 would drain into the catch basin.
 5 THE WITNESS: That is correct, yes.
 6 CHAIRMAN PORRINO: You know, just
 7 putting -- trying to put it in layman's terms where
 8 the water is going to go, that's what I was trying to
 9 get to.
 10 THE WITNESS: Very good.
 11 CHAIRMAN PORRINO: Thank you.
 12 Mr. Hoder, go ahead.
 13 MR. HODER: That's it.
 14 CHAIRMAN PORRINO: Okay.
 15 So, Mary, was your question answered?
 16 VICE CHAIRWOMAN O'SHEA: No, that was
 17 it.
 18 CHAIRMAN PORRINO: Okay.
 19 JP?
 20 VICE CHAIRWOMAN O'SHEA: I was going to
 21 ask about the floor drains next.
 22 MR. HODER: Oh, I'm sorry.
 23 VICE CHAIRWOMAN O'SHEA: That's okay.
 24 (Laughter.)
 25 MR. LEE: You mentioned that there were
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1 69 spaces rented or leased to CNBC.
 2 Are they designated or are they shared?
 3 How are they -- what would be the proposed parking
 4 spaces.
 5 THE WITNESS: In the existing plan in
 6 this lower section here are the 69 designated spaces.
 7 So they will be redesignated in that
 8 area. There's a gate right here. You'll see this
 9 double line and that's where any of the pedestrians
 10 from CNBC come through to use those spaces, but
 11 generally that gate is locked and they really don't
 12 even use any of those 69 spaces.
 13 MR. LEE: Thank you.
 14 CHAIRMAN PORRINO: Anyone else from the
 15 board?
 16 (No Response.)
 17 CHAIRMAN PORRINO: I have a few, but
 18 anyone else, please, go first.
 19 COUNCILWOMAN BIEGACZ: Yeah, I have a
 20 question regarding parking spaces.
 21 How many people you think would work in
 22 the building plus visitors and you think you have
 23 enough spaces to cover this activity.
 24 THE WITNESS: That question and other
 25 questions like that will be answered by the traffic
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1 engineer.
 2 COUNCILWOMAN BIEGACZ: Okay, all right,
 3 no problem.
 4 CHAIRMAN PORRINO: Okay. I have a
 5 couple of questions.
 6 First, was your average grade
 7 calculation, was that done existing grades or
 8 proposed grades when you measured from existing?
 9 THE WITNESS: Proposed grades.
 10 CHAIRMAN PORRINO: Proposed grades?
 11 THE WITNESS: Proposed grades, yes.
 12 CHAIRMAN PORRINO: And I'll leave that
 13 to engineering and planning, I guess, to make sure
 14 that they feel that was the way it should be done.
 15 You have existing retainage, stormwater
 16 retainage on the property now to your knowledge?
 17 THE WITNESS: Yes.
 18 CHAIRMAN PORRINO: Could you identify
 19 where it is, please.
 20 THE WITNESS: Yes, Chairman, sure.
 21 There's a variety of detention systems
 22 on the site currently. There's a detention system in
 23 the northeast corner that captures a great deal of
 24 water from Building 910, 920, the parking areas, part
 25 of the common driveway, yard and lawn areas, as well
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1 as the easterly parking area to the high point pretty
 2 much of the site, which is common to the high point
 3 of Sage Road, that's one detention system here.
 4 There's another detention system that
 5 was built prior to the subdivision with CNBC and that
 6 detention system is off-site.
 7 It's in between the 900 building and
 8 the CNBC studio building. That was increased when
 9 they created that parking deck. I believe that plan
 10 came to this board and that takes pretty much the
 11 half of this parking field and drains that into that
 12 detention system.
 13 The other detention system that occurs
 14 or exists is in the back and it's beneath the rear
 15 parking field behind Building No. 940. When 930 and
 16 940 were developed, there was an existing detention
 17 system there that was increased in size, as well as
 18 due to the loading dock and infiltration system was
 19 put in for the -- for the roof water, as well as the
 20 loading dock area. There's an additional
 21 infiltration system for stormwater filtration at the
 22 back of 940.
 23 And, lastly, there's a small detention
 24 system in the middle of the site, which is comprised
 25 of seepage pits.
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1 So what our plan is doing now is we're
2 adding a detention system for this parking lot in the
3 southwest corner for the 40 parking spaces. We're
4 adding two detention systems in the front of the
5 proposed building, because, again, the site is pretty
6 much cut in half and so the left-hand side would go
7 to this detention system, they're labeled in the
8 stormwater report and the other, to the north side of
9 the building will go to this detention basin proposed
10 over this easterly portion.

11 And then due to the expansion of this
12 parking area, we have a detention system, which was
13 shown earlier on this grading plan with its own
14 overflow and filtration system to tie into the outlet
15 from the detention system that's predominately taking
16 most of the rear yard.

17 And then lastly, there's the detention
18 system that's proposed on the easterly side of this
19 expanded parking area, which will be filtered also
20 which falls to a catch basin at the northwest corner
21 -- pardon me, northeast corner of Sage and Sylvan and
22 that water flows into the state highway.

23 CHAIRMAN PORRINO: These are all
24 underground facilities that exist today.

25 THE WITNESS: Yes.

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1 created, no additional peak flows will be created and
2 that's done with underground detention basins, most
3 of them a very large pipe underground. He cannot put
4 -- some of that flow cannot go into the ground as
5 today's flow does, because today the old rules
6 allowed parking lot infiltration into the ground,
7 today it has to be only roof water, which is cleaner.
8 So now what he's doing is he's doing a couple of
9 manholes with filtering devices in them, manufactured
10 filtering devices to keep the water clean during a
11 water quality storm and allowing the water to flow
12 back through there first.

13 So he's relying on the fact that no
14 additional -- he has two ways of doing it. One is to
15 either reduce it or rely exactly on what is flowing
16 out now, that's what he's doing and in some cases
17 it's a little bit less.

18 So instead of 100 percent, it might be
19 75 or 89 or 92, that kind of a thing.

20 So there's a slight reduction in the
21 flows off the site based on those new detention
22 systems that are underground.

23 CHAIRMAN PORRINO: With including a new
24 detention system that is proposed?

25 MR. HODER: Because of the new

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1 CHAIRMAN PORRINO: Mr. Hoder, do you
2 have any questions on that.

3 MR. HODER: Yeah, I have one question.
4 I couldn't tell, on the plan there was a pipe that
5 seemed to flow from sort of parallel to Sage Road
6 from the, I guess, east to west.

7 Is that pipe there or is that -- does
8 that bypass any of the detention basins.

9 THE WITNESS: No, nothing is being
10 bypassed.

11 MR. HODER: Okay. Because I had a
12 comment in my letter about that, because I wasn't
13 sure, I couldn't tell from the lower part of that new
14 parking area to the top existing basins have a pipe
15 in between and I just wanted to make sure they're not
16 connected. There's nothing connecting them?

17 THE WITNESS: No.

18 MR. HODER: Okay.

19 THE WITNESS: No, they run -- this area
20 runs to the west into that detention system. This
21 area runs to the east into that detention system.

22 MR. HODER: Okay. Yeah, I may have to
23 get on the computer and blow it up a couple of times.

24 So, Mr. Chairman, this whole system is
25 relying on the idea that no additional flows will be

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1 detention system, yes.

2 CHAIRMAN PORRINO: Because there is an
3 increase in impervious.

4 MR. HODER: Yes, and there will be an
5 increase in stormwater flow, but because of the
6 basins underground, he's made a design, he's done a
7 design that allows it to be reduced at the peak flow.
8 That doesn't mean the water goes away, it's still
9 there.

10 It just flows out over a longer period
11 of time, hopefully not disrupting the downstream
12 systems.

13 CHAIRMAN PORRINO: And that's a concern
14 of this board and the entire borough. We've had
15 numerous events in the past year, let's call it,
16 where, you know, different residential neighborhoods
17 have flooded because of excess rainwater, bubbling up
18 of out of instead of into the catch basins throughout
19 the municipality, so it's something that we have to
20 be concerned with, but your opinion is that the
21 situation that they're creating with their new plan
22 and their new detention should be equal to or less
23 intrusive than what it was before.

24 MR. HODER: Slightly better than it
25 was, that's correct.

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1 CHAIRMAN PORRINO: I don't have
 2 anything else, I don't think, at this time.
 3 Now, each of your experts, I presume,
 4 you'll be bringing back to a future meeting, Counsel?
 5 MR. CAPIZZI: If we can avoid that,
 6 certainly we'd like to.
 7 If there's a need to bring a witness
 8 back --
 9 CHAIRMAN PORRINO: I think that's going
 10 to be a necessity, because there's going to be back
 11 and forth, as there always is, where we ask the
 12 architect and the architect says, well, it's really
 13 an engineering question.
 14 So I think an application of this size
 15 I would ask that you bring back your experts assuming
 16 we don't get done tonight.
 17 MR. CAPIZZI: Certainly.
 18 CHAIRMAN PORRINO: We have -- we don't
 19 even have reports issued yet by at least one.
 20 Mr. Horner, do you have your -- you
 21 don't have a report yet?
 22 MR. HORNER: I do not.
 23 CHAIRMAN PORRINO: Okay. So both
 24 traffic and planning reports are not done yet.
 25 So they'll be working on it, obviously,
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1 after tonight's meeting and hopefully be ready for
 2 the next hearing.
 3 Okay. Anyone else have any other
 4 questions for this witness?
 5 (No Response.)
 6 CHAIRMAN PORRINO: Okay.
 7 Counselor?
 8 MR. CAPIZZI: Thank you, Mr. Chairman.
 9 MR. RANDALL: Please raise your right
 10 hand.
 11 Do you swear or affirm the testimony
 12 you're about to give in regard to this application
 13 will be the truth and nothing but the truth, so help
 14 you God?
 15 MR. KAPLAN: Yes, I do.
 16 **DANIEL KAPLAN, RA**
 17 235 Duffield Street, Brooklyn, New York 11213,
 18 having been duly sworn, testifies as follows:
 19 MR. RANDALL: Please give your name and
 20 address and business address for the record.
 21 MR. KAPLAN: Daniel Kaplan, senior
 22 partner at FXCollaborative Architects, 235 Duffield
 23 Street, Brooklyn, New York 11213.
 24
 25 VOIR DIRE EXAMINATION
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1 BY MR. CAPIZZI:
 2 Q. Mr. Kaplan, can you give the board the
 3 benefit of your educational and professional
 4 experience, please?
 5 A. **Absolutely.**
 6 **And good evening and it's a pleasure to**
 7 **be here.**
 8 **Dan Kaplan, senior partner,**
 9 **FXCollaborative Architects.**
 10 **I graduated from Cornell University.**
 11 **I'm chair of the advisory board there of the**
 12 **architecture school.**
 13 **I'm a fellow of the American Institute**
 14 **of Architects.**
 15 **My firm is a 40-year-old firm.**
 16 **As I said, I'm a senior partner. We've**
 17 **authored many buildings. And I've led many buildings**
 18 **including office buildings all over the northeast and**
 19 **internationally.**
 20 **We are best known for our office**
 21 **building work in Times Square, 4 Times Square,**
 22 **3 Times Square, Eleven Times Square.**
 23 **I'm co-author -- co-architect of the**
 24 **New York Times building with Renzo Piano.**
 25 **I think from a New Jersey point of**
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1 **view, we are -- just finished approval last year of**
 2 **615 River Road in Edgewater on the waterfront.**
 3 **We are currently working on a plan in**
 4 **downtown Newark between the Pru Center and the train**
 5 **station and I think our biggest New Jersey claim to**
 6 **fame is the Liberty -- Statue of Liberty Island**
 7 **Museum, which the island is technically in New**
 8 **Jersey, so I'll claim it.**
 9 CHAIRMAN PORRINO: Sir, your license is
 10 active in the State of New Jersey?
 11 THE WITNESS: Yes, it is, sir.
 12 CHAIRMAN PORRINO: Thank you.
 13 I suggest that we accept him as an
 14 expert in the field of architecture.
 15 MR. CAPIZZI: Thank you, Mr. Chairman.
 16 DIRECT EXAMINATION
 17 BY MR. CAPIZZI:
 18 Q. Mr. Kaplan, what you have on the easel
 19 there is your plan set?
 20 A. **Yes, it is.**
 21 Q. Can you tell us the preparation or
 22 revision date and how many sheets we have for
 23 tonight?
 24 A. **It's 5th of March 2025 and we are**
 25 **presenting one, two, three, four, five, six, seven,**
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1 **eight, eight plans tonight.**

2 Q. Thank you, Mr. Kaplan.
3 Can you talk to us about the proposal,
4 please?

5 A. **Absolutely.**
6 **I'm just going to add a little bit on**
7 **the site plan from what Steve was -- Steve Collazuol**
8 **was saying.**

9 He already -- if you can see this, he's
10 already pointed out the existing four buildings and
11 the proposed fifth building. Just want to add that
12 there's visibility from Sylvan Avenue, there's about
13 100-foot gap between 910 and the CNBC building and
14 generally, as he said, it sits within the straw of
15 this site.

16 And then we've also added some angles
17 to the building to sculpt it and to reduce its
18 apparent length. I also want to add from a -- just
19 to clear up the site circulation point of view, we
20 are as Steve -- Steven said, we are using the
21 existing access drive.

22 There's a two-lane down ramp to the
23 below-grade parking and a two-lane up ramp from the
24 below-grade parking at the north end of the site.

25 As also was testified, it's primarily
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1 **again, working from right to left, from north to**
2 **south, the two ramps, there's approximately a 16-foot**
3 **overhang, the ramps go down. There are two blank or**
4 **solid walls, which I'll show you in the perspective**
5 **that really are the focus of the viewshed. The site**
6 **circulation goes around. There's a north suite, a**
7 **through lobby and a south suite, a potential third**
8 **lobby. Get back to the north lobby in a second.**
9 **Building services, a trash room at grade, three**
10 **loading docks at grade underneath the overhang.**

11 So that trash comes down through this
12 service elevator and out and does not -- the trucks
13 do not go below grade. There is a north lobby as
14 well that allows for access for people who are at the
15 north using the existing buildings to the north.

16 There's, as I said, a lobby in the
17 middle. There's a two-car lay-by lane.

18 There was a question about overhangs
19 and so forth. The ground floor is pulled in, is
20 cinched in allowing the second floor to hover over.
21 I'll show you that in perspective in a moment.

22 They're varying dimensions and also
23 provides some -- some coverage for -- for rain and so
24 forth.

25 So it's approximately 7 feet on the
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1 covered with a cantilever and then goes below grade.
2 I think I will move to -- oh, I will
3 show this on the below-grade plan, but this area of
4 the site plan on the west and to the south has the
5 below-grade parking level that extends out beyond the
6 footprint of the building.

7 I'm now turning to the cellar level
8 plan. It's the two ramps are to the right, to your
9 right. The two down -- a downward ramp, two lanes,
10 basically circulation and two ramps -- two-lane ramp
11 up. There are three cores that come down, each has
12 its own egress stair. There is ample egress for this
13 type of below-grade parking facility with travel
14 distance far less than as required by code because of
15 by virtue of the three of them.

16 As I said before, the sort of western
17 60 feet and the southern approximately 60 feet are
18 below the driveway and parking area above.

19 Those, of course, will be sized
20 structurally for a car, vehicle, truck, emergency
21 fire access around the building, it will be
22 structured for that. The below-grade space will be
23 -- conform to code with lighting, drainage, a
24 ventilation, CO2 monitoring and as I said, egress.

25 Turning to the ground floor plan,
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1 west side. There's entry recesses of approximately
2 15 feet on either side.

3 They're -- on the -- on the east side
4 it's approximately 10 feet and 16 feet at the end.

5 As I said before, the -- the building
6 overhangs the three loading docks on the south.

7 CHAIRMAN PORRINO: Sir, if I may, the
8 dotted line that surrounds the building, is that the
9 line of the floor above?

10 THE WITNESS: That is.

11 Thank you.

12 Yes, absolutely, which I'll turn to
13 now.

14 This is the floor above. This is the
15 main -- the second floor. It -- as was already
16 testified, conforms.

17 This is the largest extent of the
18 building and conforms to the setbacks, as I said,
19 also before there are three cores to be developed as
20 -- as the building is developed.

21 Also, the -- you can see here the
22 building form of the -- of the angle that receives
23 the viewshed here (indicating) of the angle that
24 receives the viewshed here (indicating).

25 And then the end is also angled, not
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1 only to conform to the -- the sight lines, but also
 2 to give the end a sculptural -- a sculptural finish.
 3 The roof plan, the proposal is there
 4 will be mechanical on the roof. It will be screened.
 5 It will be less than 25 percent of the footprint of
 6 the building below.
 7 It is substantially set back from the
 8 second floor, so it really visually will be recessed.
 9 The setbacks are approximately 25 feet and in this
 10 case substantially more, the east case substantially
 11 more.
 12 These are sections. They're maybe a
 13 little small to read from a distance. Just want to
 14 reiterate that we're talking about two-story
 15 building, 35 feet above the average grade. The
 16 parking is fully below. I know there was a question
 17 about the other existing buildings that are sort of
 18 semi-submerged. There really is no -- this is fully
 19 submerged. There won't be any sort of leakage. All
 20 of the ventilation will be mechanically ventilated.
 21 There will be exhaust supplied. It will be through
 22 the ramps. There might be some passive supply
 23 through gradings or the face of the building.
 24 I think this will sort of -- a picture
 25 will tell us a 1,000 words. We just want to share
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1 two renderings that we've done of the building.
 2 They're preliminary. This one Johnson Road is to
 3 your back, the ball fields are to the right. 930 is
 4 just to the left. This white area is the CNBC
 5 building. So you're heading basically east. You see
 6 here is the down ramp and the up ramp. That is the
 7 northern lobby. This is that solid panel I was
 8 telling you about. Potentially we'll come back for
 9 any signage. The ground floor is recessed. It's
 10 darker, it's more reflective. It's reflecting the
 11 foliage and so forth around it.
 12 The second floor is the main statement
 13 of the building. It looks like it's floating. It's
 14 lifted up. It's lighter. It will be a lighter
 15 material. What we're doing here with the façade is
 16 to break down the length of the building with a
 17 pattern of mullions and as I said before, the top
 18 mechanicals are deeply set back and will be of a
 19 recessive color that reduces the visual impact of any
 20 bulkhead.
 21 Q. Dan, can I just bother you to mark this
 22 as A-2, please?
 23 A. Yes.
 24
 25 (Whereupon, Rendering is marked as
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1 Exhibit A-2 for identification.)
 2 CHAIRMAN PORRINO: And do we have those
 3 renderings.
 4 THE WITNESS: This is new.
 5 CHAIRMAN PORRINO: And can we mark the
 6 other ones.
 7 THE WITNESS: And then we'll mark the
 8 next one A-3?
 9 MR. CAPIZZI: Please.
 10 (Whereupon, Rendering is marked as
 11 Exhibit A-3 for identification.)
 12 SECRETARY SCANCARELLA: Do you happen
 13 to have those in like a PDF form.
 14 MR. CAPIZZI: I'll send them to you
 15 tomorrow.
 16 THE WITNESS: Absolutely.
 17 SECRETARY SCANCARELLA: Thank you.
 18 I appreciate it.
 19 THE WITNESS: So this is from Sylvan
 20 looking west. That's at the corner of 910. This
 21 someone was talking about, the parking sticking out,
 22 that's what that is.
 23 This is the CNBC building. This is
 24 approximately 100 feet. So this is sort of the view
 25 you get as you -- you know, you get a glimpse of the
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1 building, but we wanted to give it some presence,
 2 some front door. That is the eastern panel and
 3 that's where the ramp comes up. It will have
 4 signage. That is the ground floor and the second
 5 floor. Most of the bulkhead will be south of the
 6 CNBC building so that you really only see really a
 7 stair and a bulkhead that comes up on the north side.
 8 MR. RANDALL: Is that A-3.
 9 MR. CAPIZZI: This would be A-3.
 10 THE WITNESS: This would be A-3, yes.
 11 That's the extent of my overview. I'm
 12 happy to answer any questions that you may have.
 13 CHAIRMAN PORRINO: Members of the
 14 board, questions for the architect?
 15 MR. YOU: Yeah.
 16 CHAIRMAN PORRINO: Mr. You?
 17 MR. YOU: Nice to meet you. I am an
 18 architect as well.
 19 THE WITNESS: Very nice to meet you.
 20 MR. YOU: I have a few questions from
 21 the first page --
 22 THE WITNESS: Sure.
 23 MR. YOU: -- of your presentation.
 24 THE WITNESS: Sure.
 25 MR. YOU: So you propose certain number
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1 of parking space.
 2 Do you have a plan to provide electric
 3 vehicle spots elsewhere?
 4 THE WITNESS: I'm sorry?
 5 MR. YOU: EV spots for parking?
 6 THE WITNESS: So -- okay. We -- we are
 7 not showing EVs right now. Yes, right.
 8 MR. CAPIZZI: We'll have to review the
 9 ordinances, the MLUL on that, Mr. Chairman, just to
 10 find out what the requirement is for a commercial
 11 project.
 12 I believe a portion of the new stalls
 13 --
 14 MR. YOU: Yes.
 15 THE WITNESS: Yes.
 16 MR. CAPIZZI: -- may have to be
 17 equipped.
 18 MR. YOU: Because you have 220 person
 19 --
 20 THE WITNESS: Yeah.
 21 MR. YOU: -- of the parking for spots.
 22 CHAIRMAN PORRINO: You may get credits
 23 as well.
 24 MR. CAPIZZI: Correct.
 25 MR. YOU: Yes.

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1 MR. YOU: If you go to the sections,
 2 can you provide the additional dashed line, how much
 3 angle from the ground floor through the edge of the
 4 building and -- yes.
 5 So like to see how much the everything
 6 space will be hidden.
 7 THE WITNESS: You're saying like that.
 8 MR. YOU: Yeah.
 9 THE WITNESS: We can certainly -- we
 10 can certainly provide that for you, absolutely.
 11 MR. YOU: I see, because if you -- if I
 12 can see the rendering, next page.
 13 THE WITNESS: Yes.
 14 MR. YOU: Even when you try to make the
 15 hidden, kind of, everything space above the roof, but
 16 it is very exposed for me.
 17 So maybe are there any way to make more
 18 hidden type of the everything space above the roof
 19 because it looks pretty much ugly compared to your
 20 building.
 21 THE WITNESS: So what I understand
 22 you're saying, is there any way to reduce the impact
 23 of mechanical screening from the street. We'll take
 24 a look at it.
 25 MR. YOU: Yeah, because it is very

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1 And the next question is, if you go to
 2 second level floor plan.
 3 THE WITNESS: Sure.
 4 MR. YOU: Just curious, are there any
 5 reason why you do not have two columns is missed on
 6 the right-hand side, two columns? Yes.
 7 THE WITNESS: Why don't we have?
 8 MR. YOU: Two columns.
 9 SECRETARY SCANCARELLA: Two columns.
 10 THE WITNESS: At the corners?
 11 MR. YOU: Yes, just right in front of
 12 the core.
 13 Yes, right-hand side.
 14 THE WITNESS: Oh, this one. Okay.
 15 So this is a very preliminary
 16 structural plan.
 17 MR. YOU: Yes.
 18 THE WITNESS: This is right over the
 19 ramp and so this is well within spans, but I fully
 20 expect the column grid to be refined as we go through
 21 the detail design process, but the reason those are
 22 not there is because of the ramp.
 23 MR. YOU: That's true. All right.
 24 And the next page.
 25 THE WITNESS: Yup.

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1 exposed from the street and from our community park.
 2 THE WITNESS: A couple points.
 3 One is we have set the mechanical
 4 screen wall back at a minimum of 27-and-a-half feet,
 5 which is substantial compared to -- it's almost
 6 2-to-1, it's more than 2-to-1; Number 2, we will
 7 choose a sort of handsome, but sort of recessive
 8 material; and 3, it's, you know, the other four
 9 buildings on the campus actually have these large
 10 mechanicals and we would -- I mean, you have to have
 11 them for a modern like medical office building.
 12 It's to make it work. So we'll do our
 13 best to reduce the impact.
 14 MR. YOU: Okay.
 15 THE WITNESS: And we'll certainly
 16 provide the sight lines.
 17 MR. YOU: All right.
 18 And last question is: Will you keep
 19 developing the exterior and interior of your
 20 building.
 21 THE WITNESS: Yes, these are
 22 preliminary.
 23 MR. YOU: I see.
 24 Because it looks like very fancy, but
 25 it is kind of too much shiny.

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1 So maybe, yeah, if you update more,
 2 than maybe we can think about those later.
 3 That's it. Thank you.
 4 THE WITNESS: Okay. Thank you.
 5 CHAIRMAN PORRINO: Anybody else?
 6 VICE CHAIRWOMAN O'SHEA: I just wanted
 7 to clarify, the parking below level extends out
 8 beyond the building how far.
 9 THE WITNESS: Approximately 60 feet on
 10 the west.
 11 VICE CHAIRWOMAN O'SHEA: How far.
 12 THE WITNESS: Sixty, 6-0 on the west.
 13 VICE CHAIRWOMAN O'SHEA: Sixty feet.
 14 THE WITNESS: Yes.
 15 And approximately 60 feet on the south,
 16 approximately.
 17 VICE CHAIRWOMAN O'SHEA: Below out --
 18 beyond the building.
 19 THE WITNESS: Yes, yes.
 20 So underneath here, if you --
 21 underneath all of those spaces is basically a
 22 basement or a cellar that's below.
 23 So these cars are parking on the roof.
 24 VICE CHAIRWOMAN O'SHEA: On the roof of
 25 the parking.

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1 THE WITNESS: Of the parking below.
 2 VICE CHAIRWOMAN O'SHEA: Okay. All
 3 right.
 4 THE WITNESS: And that's what I said
 5 before, it would be all, of course, the structure
 6 that would have to be sized for vehicles, obviously,
 7 and fire trucks.
 8 VICE CHAIRWOMAN O'SHEA: Fire trucks,
 9 garbage trucks.
 10 THE WITNESS: Yup, exactly, yes.
 11 VICE CHAIRWOMAN O'SHEA: And it will
 12 hold -- and the weight of all the cars.
 13 THE WITNESS: Correct.
 14 VICE CHAIRWOMAN O'SHEA: And it will
 15 hold it all up.
 16 THE WITNESS: Yes.
 17 It's no different than --
 18 VICE CHAIRWOMAN O'SHEA: Huh.
 19 THE WITNESS: It's really -- for the
 20 cars it's no different than any parking structure
 21 that has a stack.
 22 It's the -- but you are correct to
 23 point out there's an increase for the fire trucks,
 24 but that we have the ceiling height below to
 25 accommodate that and we've anticipated that and it

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1 will be designed into the structure.
 2 VICE CHAIRWOMAN O'SHEA: Okay.
 3 Now, the second floor, that also
 4 extends out how far beyond the first floor.
 5 THE WITNESS: So it varies.
 6 At this side from the edge it's
 7 16 feet.
 8 On this side, it's approximately
 9 7 feet.
 10 And on the east side it's approximately
 11 10 feet.
 12 VICE CHAIRWOMAN O'SHEA: Seven feet on
 13 the west side?
 14 THE WITNESS: On the west and 10 on the
 15 east.
 16 VICE CHAIRWOMAN O'SHEA: Ten on the --
 17 THE WITNESS: Yes.
 18 And we've done plenty of cantilevered
 19 structures before and that's well within -- well
 20 within the realm of, you know, conventional
 21 structures.
 22 VICE CHAIRWOMAN O'SHEA: Because the
 23 diagram that you have with the profile of the
 24 building, the boxes, the part that's on the roof for
 25 the mechanical closets seems very big, that box on

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1 the top.
 2 THE WITNESS: Yeah, here.
 3 VICE CHAIRWOMAN O'SHEA: That.
 4 THE WITNESS: Yeah.
 5 So that box is 13-foot tall and it's to
 6 hide and accommodate the elevator overrides and the
 7 mechanical that's on the roof of the building.
 8 As I said, we'll make every effort to
 9 reduce the height. I don't think the developer is
 10 interested in spending more money on screen walls
 11 than we are and as we develop the building we will
 12 make every effort to reduce the size that's
 13 appropriate.
 14 CHAIRMAN PORRINO: Anything else, Mary?
 15 VICE CHAIRWOMAN O'SHEA: That's it.
 16 CHAIRMAN PORRINO: Anyone else?
 17 (No Response.)
 18 CHAIRMAN PORRINO: Okay. I have a
 19 couple of questions while you have that page up.
 20 THE WITNESS: Yes.
 21 CHAIRMAN PORRINO: Actually if you
 22 could, could you go to your roof level, please?
 23 THE WITNESS: Sure, absolutely.
 24 CHAIRMAN PORRINO: Thank you.
 25 We have a color version here. I see

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1 three different colors.
 2 Maybe in your handout you have it.
 3 Blue, whites, gray. What do those areas indicate,
 4 please.
 5 THE WITNESS: Okay.
 6 So, and this is the extent, this outer
 7 line and this outer line is the extent of the screen
 8 wall.
 9 Within the screen wall we anticipate
 10 having some enclosed mechanical and some open
 11 mechanical and that mechanical would be in this case
 12 screened.
 13 CHAIRMAN PORRINO: Such as a cooling
 14 tower.
 15 THE WITNESS: Correct, or rooftop HVAC
 16 units, yes.
 17 MR. YOU: 3,500 square foot, it means
 18 the left-hand side only or total?
 19 THE WITNESS: Total.
 20 CHAIRMAN PORRINO: Of the area that we
 21 show shaded in blue?
 22 THE WITNESS: Blue.
 23 This is -- so that blue was a mistake
 24 and it's now gray for mechanical and basically the
 25 15,000 square feet is anything that's over 10-feet
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1 tall and this we would anticipate being 13-feet tall.
 2 If we can make it less, we will, but at
 3 this early stage before we finalize our work with
 4 Englewood Health, we would like to have the
 5 flexibility.
 6 CHAIRMAN PORRINO: But that section in
 7 the middle is not enclosed.
 8 THE WITNESS: Correct.
 9 CHAIRMAN PORRINO: It just has a
 10 screen.
 11 THE WITNESS: This, yes, correct,
 12 correct.
 13 CHAIRMAN PORRINO: And what's the
 14 height of the screen, is this 13 feet around.
 15 THE WITNESS: Thirteen.
 16 CHAIRMAN PORRINO: How about the
 17 structure itself that's holding or housing
 18 mechanicals, is that 13 feet or lower.
 19 THE WITNESS: You mean this portion or
 20 -- the 13 feet would be the enclosure.
 21 So anything either -- it would be in
 22 the gray areas would be in a room that's 13-feet tall
 23 or this -- these two lines would be like a wall
 24 that's 13-foot high and this would be like an open
 25 space inside for mechanical.
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1 CHAIRMAN PORRINO: So walls only?
 2 THE WITNESS: Correct.
 3 CHAIRMAN PORRINO: It's the same screen
 4 -- same screen, it's actually part of the structure.
 5 THE WITNESS: Correct.
 6 So from the outside you won't know the
 7 difference whether it's enclosed or not. It will all
 8 be unified.
 9 Our intention is not to -- is to try to
 10 keep the farm calm and not have a lot of -- a lot of
 11 like houses on top and so that's why we -- that's why
 12 enclosed it.
 13 CHAIRMAN PORRINO: Can you go to the
 14 ground floor plan, please?
 15 THE WITNESS: Sure, absolutely.
 16 CHAIRMAN PORRINO: So, again, that
 17 dotted line around the perimeter of the building is
 18 the --
 19 THE WITNESS: Second floor.
 20 CHAIRMAN PORRINO: Is the second floor
 21 and the dotted line outside of that, is that the --
 22 what does that signify?
 23 In other words, outside of the parking
 24 spaces there's another dotted line.
 25 THE WITNESS: This one.
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1 CHAIRMAN PORRINO: Is that set back.
 2 THE WITNESS: That's the property line.
 3 CHAIRMAN PORRINO: That's the property
 4 --
 5 THE WITNESS: Yes, that's the property
 6 line. The double dot dash is the property line and
 7 that really is -- you know, the land surveyor,
 8 engineer, that's really -- that really is his work
 9 and this is really shown in relationship to that.
 10 CHAIRMAN PORRINO: Can you explain now,
 11 it looks like a lobby, potential PH lobby and
 12 elevator. What would that be for?
 13 THE WITNESS: So that would be for if
 14 there was a separate south side of the second floor
 15 that would have -- it's wanted to have a separate
 16 tenant possibly for -- to be carved out of that, you
 17 know, a few thousand square feet if Englewood doesn't
 18 use all of -- Englewood Health doesn't need all of
 19 the space.
 20 CHAIRMAN PORRINO: So it would be a
 21 separate access point --
 22 THE WITNESS: Yes.
 23 CHAIRMAN PORRINO: -- for a different
 24 tenant --
 25 THE WITNESS: Correct.
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1 CHAIRMAN PORRINO: -- than is occupying
2 the rest of the facility.

3 THE WITNESS: Correct.

4 Or maybe it may also be for a user
5 within Englewood Health that might want its own
6 separate spot.

7 CHAIRMAN PORRINO: Okay.

8 Can you give us a little more clarity
9 on what you're thinking of the cladding of the
10 building and the exterior.

11 THE WITNESS: Sure.

12 It's very preliminary, but the ground
13 floor, we would like to make it as sort of --
14 primarily glass, which I think is shown fairly
15 accurately here as mainly glass and as you know glass
16 is perceived it's red and it reads as dark, so it
17 would -- the idea behind these two panels on either
18 side, they would be a dark material, a masonry of
19 some kind so that it will all blend together and up
20 above we are looking at some sort of metal panel or
21 other rain screen material that would work with
22 curtain wall or with the window wall, I should say.
23 That will be here, so it would all feel very
24 integrated.

25 CHAIRMAN PORRINO: How about the --
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1 I'll call it the mezzanine.

2 THE WITNESS: So that would be a metal
3 panel, painted metal panel for the bulkheads.

4 CHAIRMAN PORRINO: I believe another
5 application that we heard maybe last year where they
6 were talking about screening, I think it was one of
7 the cell tower applications where they were using a
8 material that would almost appear or disappear based
9 upon the sun.

10 I'm not sure exactly what color they
11 were talking about.

12 MR. RANDALL: It was a silver-ish
13 color. It totally almost blend in.

14 CHAIRMAN PORRINO: Yeah, have you seen
15 that experience with trying to make them almost
16 disappear --

17 THE WITNESS: Yes.

18 CHAIRMAN PORRINO: -- through the
19 horizon.

20 THE WITNESS: As you can imagine, it's
21 something we think about a lot.

22 So what one looks for is something that
23 is -- if you make it too light, it catches your eye.
24 You want it to basically be the same value as the
25 sky.

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1 If you make it too dark, it catches the
2 eye. So we tend to look at like light pewter color
3 metals, paints and, again, our intention is to make
4 it as quiet and as recessive as possible.

5 CHAIRMAN PORRINO: There's no windows,
6 correct, up there.

7 THE WITNESS: No, there's no windows.

8 CHAIRMAN PORRINO: Okay. I don't have
9 anything else.

10 Anyone else?

11 MR. HODER: Mr. Chairman, three quick
12 things.

13 CHAIRMAN PORRINO: Yes, sir.

14 MR. HODER: Just my follow-up on the
15 lights, are there lights under the canopy?

16 How are you lighting the building?

17 THE WITNESS: So there will be some
18 soffit lighting. We will provide you with more
19 detail. I also would like to note that Englewood
20 Health has lighting requirements that they have from
21 -- from a regulatory point of view that we will
22 provide the details that we have at this point. We
23 might not have 100 percent of them.

24 MR. HODER: And that probably will not
25 affect the sight lighting, it will only affect the

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1 lighting underneath the canopies.

2 THE WITNESS: Correct, yes, that's
3 correct.

4 MR. HODER: In terms of the EV parking,
5 the state has done some regulation to say that you
6 got to do possibly some make-ready spots and may not
7 have to do the full one.

8 So you have to do some research on
9 that?

10 THE WITNESS: Yes, sir.

11 MR. HODER: Which means put in some of
12 the wiring and get it ready and have spots available
13 for a future post for an electrical vehicle.

14 The last thing I have is -- and I don't
15 have the answer, I'm just going to pose the question.

16 Would there be a setback variance
17 needed for the underground garage since it's a lot
18 closer to the property lines and it is a structure
19 and to me it's a building, but I don't know how
20 Englewood Cliffs usually handles that, because it's,
21 what, within 26 feet or so of the back and maybe less
22 -- I'm not sure if I got that number right.

23 MR. COLLAZUOL: It's 28.3.

24 MR. HODER: What is it?

25 MR. COLLAZUOL: 28.3.

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1 MR. HODER: Yeah, so.
 2 And I'm just raising it. Maybe the
 3 planner will be better off later at a later date to
 4 talk about that.
 5 CHAIRMAN PORRINO: I'd like a little
 6 clarity too just so we know what variances would be
 7 granted if this application were approved, if it's
 8 reasonable for the board to consider, there not to be
 9 a rear yard in this application or should there be
 10 one.
 11 MR. HODER: Well, that's correct. That
 12 also makes it in flux a little bit.
 13 CHAIRMAN PORRINO: I think the planner
 14 --
 15 MR. HODER: I'm just raising the
 16 question, I'm the engineer, that's all, so I'll stick
 17 to my drainage.
 18 (Laughter.)
 19 CHAIRMAN PORRINO: Well put, sir.
 20 MR. CAPIZZI: We can have out planner
 21 reach out to Mr. Mistretta and talk about those two
 22 items and see if we can reach a consensus.
 23 MR. HODER: Thank you, Mr. Chairman.
 24 CHAIRMAN PORRINO: Any other questions
 25 for the architect?

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1 MR. LEE: The question is: So do you
 2 know what kind of use the office space will be
 3 primarily designed for?
 4 Meaning, like are they going to be like
 5 offices or clinics or seeing patients or just back
 6 office.
 7 MR. CAPIZZI: It will be a combination
 8 of things.
 9 MR. LEE: So it will be -- will there
 10 be designated areas for the patient treatment section
 11 and whatnot? I mean --
 12 MR. CAPIZZI: The tenant space plan has
 13 not been designed.
 14 CHAIRMAN PORRINO: It's a reasonable
 15 question, though, and, you know, part of that is
 16 planning, obviously, but if you know what the
 17 internal --
 18 MR. LEE: Makeup.
 19 CHAIRMAN PORRINO: -- you know, physical
 20 makeup of the building looks like, and if you don't,
 21 it's okay, but if you have a feel for, you know, what
 22 is going to go where, you have, for instance,
 23 imaging, potential imaging equipment there, et
 24 cetera, I think that's a relevant question.
 25 If it's more to planner, I leave it to

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1 you all to decide who you want to address the
 2 questions. I'm just throwing out imaging as a -- I
 3 have nothing against imaging, example.
 4 THE WITNESS: This is what I would say,
 5 every one of these type of buildings we've done, the
 6 most important thing is they change.
 7 The inside turns and changes and we
 8 even during the design phase Englewood or any other
 9 hospital or any other user will tell you in the
 10 beginning what they need and halfway through
 11 designing they will change their mind.
 12 So that's number one, it's got to be
 13 flexible and it's got to accept it's a dynamic
 14 organization that's in the business of health care
 15 and so they really see this as like a vehicle would
 16 do that.
 17 Second, it will be a mix is I think the
 18 most that we can really definitively say at this
 19 point.
 20 MR. CAPIZZI: When the traffic report
 21 was prepared -- and Mr. Kennedy will be testifying
 22 next -- we did not take any credits for significant
 23 loss factors.
 24 So if we had an imaging center, for
 25 example, we'd have a large area dedicated to an MRI

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1 machine.
 2 So we haven't done that, because we
 3 want to give ourselves flexibility in how the space
 4 is laid out.
 5 So it was a very conservative analysis
 6 of the parking assessment not taking into
 7 consideration -- you know, your typical loss factor
 8 in most office buildings is about 15 percent.
 9 In a medical office building, it may be
 10 even larger given the extent of an imaging center,
 11 that could be a part of it and we anticipate that
 12 there will be that kind of programing here, but to
 13 what extent has yet to be determined.
 14 CHAIRMAN PORRINO: Your planner will be
 15 commenting on some level as to the usage of this
 16 building.
 17 MR. CAPIZZI: Well, it's a permitted
 18 use, so no.
 19 CHAIRMAN PORRINO: I think a little
 20 more detail could be generated, if possible, to
 21 satisfy board members' questions.
 22 MR. CAPIZZI: To the extent we're able
 23 to, certainly.
 24 We're not trying to be coy.
 25 CHAIRMAN PORRINO: Understood.

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1 I think it was a reasonable question
 2 and I understand, you know, it may be for another
 3 witness.
 4 JP, anything else?
 5 MR. LEE: No, that's it.
 6 CHAIRMAN PORRINO: I have nothing else,
 7 unless someone else does.
 8 (No Response.)
 9 CHAIRMAN PORRINO: Again, you may have
 10 -- because our other experts are not up to speed,
 11 that's why I humbly request that all the experts come
 12 back because I presume there will be some questions
 13 for each of your experts.
 14 MR. CAPIZZI: Understood, understood.
 15 Mr. Chairman, before the next witness,
 16 can we just take two or three minutes?
 17 CHAIRMAN PORRINO: Sure.
 18 MR. CAPIZZI: Thank you.
 19 CHAIRMAN PORRINO: So let's take a
 20 three-minute recess.
 21 Thank you.
 22 (Whereupon, a brief recess is held.)
 23 CHAIRMAN PORRINO: Okay. We're back on
 24 the record.
 25 Counselor, you have another witness?
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1 MR. CAPIZZI: Yes, our traffic
 2 engineer, Nicholas Kennedy.
 3 CHAIRMAN PORRINO: Okay. Sir, please
 4 raise your right hand. He seems a little slow
 5 tonight.
 6 (Laughter.)
 7 MR. RANDALL: Do you swear or affirm
 8 the testimony you're about to give in regard to this
 9 application will be the truth and nothing but the
 10 truth, so help you God?
 11 MR. KENNEDY: I do.
 12 N I C H O L A S K E N N E D Y, P.E.
 13 92 Park Avenue, Rutherford, New Jersey, having
 14 been duly sworn, testifies as follows:
 15 MR. RANDALL: Give your name and
 16 business address for the record, please.
 17 MR. KENNEDY: Sure.
 18 It's Nicholas Kennedy, K-E-N-N-E-D-Y.
 19 I work for Stonefield Engineering and
 20 Design at 92 Park Avenue in Rutherford, New Jersey.
 21 VOIR DIRE EXAMINATION
 22 BY MR. CAPIZZI:
 23 Q. Mr. Kennedy, tell the board a little
 24 bit about yourself.
 25 A. **Sure.**
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1 **Again, I'm a licensed professional**
 2 **engineer in the State of New Jersey.**
 3 **My license is current and in good**
 4 **standing.**
 5 **I hold a bachelor of science in civil**
 6 **engineering from the University of Hartford.**
 7 **I've prepared over 300 traffic studies**
 8 **throughout the state.**
 9 **And I've been qualified as an expert in**
 10 **the field of traffic and transportation engineering**
 11 **in front of multiple boards throughout the state,**
 12 **including multiple in Bergen County: Saddle Brook;**
 13 **Paramus; Maywood; as well as a few others throughout**
 14 **the state.**
 15 CHAIRMAN PORRINO: Counselor.
 16 MR. RANDALL: He's accepted.
 17 CHAIRMAN PORRINO: Okay. You're
 18 accepted as an expert in traffic engineering.
 19 MR. CAPIZZI: Thank you, Mr. Chairman.
 20 THE WITNESS: Thank you.
 21 DIRECT EXAMINATION
 22 BY MR. CAPIZZI:
 23 Q. Mr. Kennedy, did your office prepare a
 24 report dated February 28 of this year?
 25 A. **That's correct.**
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1 Q. And that report is an assessment of the
 2 proposed project and some of the traffic concerns
 3 generated from this project?
 4 A. **Correct.**
 5 Q. As you're aware, part of the
 6 applicant's request is to adjust the parking ratio
 7 from four per thousand to three per thousand.
 8 Does your report discuss an assessment
 9 of that request and why it's appropriate?
 10 A. **Correct, it does.**
 11 Q. Can you take us through your
 12 assessment, your findings, please?
 13 A. **Sure.**
 14 **So, again, the Borough ordinance**
 15 **requires -- I'll go through a number of parking**
 16 **calculations we did.**
 17 **I'll try to keep it without too many**
 18 **numbers to get jumbled up, but the borough requires**
 19 **five parking spaces per thousand square feet for**
 20 **business and professional offices.**
 21 **They require 6.6 parking spaces per**
 22 **thousand square feet for medical and dental clinics.**
 23 **I think that what was previously**
 24 **testified to, the office buildings that exist there**
 25 **now, had a parking requirement of four spaces per**
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1 **thousand square feet.**
 2 **So anyone who's driven through the**
 3 **site, by the site probably knows that this is a site**
 4 **that has a lot of parking available, a lot of parking**
 5 **that is not used.**
 6 **Specifically the location of the**
 7 **proposed building, what I'll call Building 5 on the**
 8 **site is pretty much a vacant parking lot as it exists**
 9 **today.**
 10 **What our office sought to do is to gain**
 11 **an understanding of what the parking requirement for**
 12 **the existing buildings on-site, what that parking**
 13 **demand actually is.**
 14 **Again, the ordinance has a requirement**
 15 **of 5 or 6.6, some range of that for office buildings.**
 16 **What we wanted to do is get an understanding of what**
 17 **this office building specifically requires as far as**
 18 **parking demand.**
 19 **We went out, we actually did counts on**
 20 **the site for two days and what we found is that the**
 21 **existing office building parks at a rate of 1.63**
 22 **parking spaces per 1,000 square feet.**
 23 **Significantly lower than the ordinance**
 24 **requirement. Just for numbers sake, the total**
 25 **parking utilization at the highest hour or the**
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1 **maximum parking was 435 spaces utilized out of over a**
 2 **thousand spaces.**
 3 **So, again, that just goes to show how**
 4 **much parking on the site actually today is**
 5 **unused.**
 6 CHAIRMAN PORRINO: Excuse me for a
 7 minute. The 1.63 spaces, could you define that
 8 again, please?
 9 THE WITNESS: Sure.
 10 So there's 435 parking spaces that are
 11 occupied today when we did our parking counts.
 12 Out of the 200 plus thousand square
 13 feet of office space, that equates to a parking ratio
 14 of 1.63 spaces per thousand square feet of existing
 15 office space.
 16 CHAIRMAN PORRINO: Thank you.
 17 THE WITNESS: No problem.
 18 What we then obviously wanted to do was
 19 analyze what the parking requirement of our building
 20 would be, what the new building would be.
 21 What we did was we took that 1.63
 22 spaces per thousand square feet, we grew it to
 23 account for the difference between medical and
 24 general office space.
 25 Typically you're going to see medical
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1 offices have a higher parking demand than general
 2 offices. We grew the parking demand that we found
 3 1.63, we grew that by 45 percent using some different
 4 calculations and what we rounded up to was a parking
 5 ratio of three spaces per thousand square feet for
 6 the proposed building.
 7 Again, this was using real count data.
 8 It's being conservative in rounding numbers up and
 9 that's what we found as far as what the proposed
 10 medical office would need as far as parking demand.
 11 When you take the numbers that we
 12 counted, the 435 parking spaces, and you take the
 13 three spaces per thousand square feet for this
 14 building, what we came out to was a parking
 15 requirement of 848 parking spaces, whereas, 1,201
 16 parking spaces are proposed.
 17 So, again, this took a conservative
 18 approach on how much parking is needed for our
 19 building.
 20 It took real count data of the existing
 21 building and what you're going to find is still that
 22 you have ample parking for the proposed building and
 23 the existing buildings out there today.
 24 BY MR. CAPIZZI:
 25 Q. Nick, as far as the existing ratio of
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1 the approximately 1.63, that was based upon a
 2 100-percent occupied four buildings, correct?
 3 A. **Correct, the buildings are fully**
 4 **occupied today.**
 5 Q. Thank you.
 6 As far as some of the other traffic
 7 considerations, the sufficiency of the drive aisles
 8 being 24 feet in width versus 25 and the stall depth
 9 being 18 versus 19, can you discuss the
 10 appropriateness of that, please?
 11 A. **Yup, starting with the drive aisles,**
 12 **24 feet is a typical drive aisle width requirement,**
 13 **essentially 12-foot lanes in each direction.**
 14 **It's going to maneuver any design**
 15 **vehicle, any emergency vehicle into and out of the**
 16 **site and throughout the site and as far as the**
 17 **parking space size, 9-by-18, again, that's a pretty**
 18 **typical parking space size.**
 19 **It fits your sedans, your SUVs, your**
 20 **pickup trucks. Typically when we're designing sites**
 21 **like this, office buildings, residential buildings,**
 22 **24-foot aisle and 9-by-18 parking spaces is pretty**
 23 **typical.**
 24 Q. Have you had an opportunity to access
 25 the ability for an emergency vehicle to traverse the
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1 site?
2 A. We have.
3 We've assessed the radii and the drive
4 aisles for emergency vehicles. We'd be happy to
5 provide that.

6 Q. Thank you, Nick.

7 MR. CAPIZZI: I don't have anything
8 further, Mr. Chairman.

9 CHAIRMAN PORRINO: Okay.
10 Our expert has not yet written a
11 report. Would you like to comment in terms of, you
12 know, what you heard so far in testimony or would you
13 want to reserve until --

14 MR. HORNER: I do have a couple of
15 comments/questions.

16 Good evening, Mr. Kennedy.

17 THE WITNESS: How are you?

18 MR. HORNER: So I appreciate the fact
19 that you counted the existing parking demand. It's
20 always good to have real data as opposed to just
21 theoretical every time.

22 What strikes me is how extremely low it
23 is to end up with, what did you say, 1.56.

24 THE WITNESS: 1.63.

25 MR. HORNER: 1.63 ratio.

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1 MR. HORNER: So just to make sure the
2 numbers are clear on the record, so your calculation
3 suggests that there's -- was it 848 parking demand
4 needed once you made your assumptions for the 1.63
5 and then growing that 45 percent for the new
6 building.

7 THE WITNESS: Correct.

8 With the new building and then the
9 existing buildings, 848 parking spaces.

10 MR. HORNER: Okay. And how many
11 parking spaces in total once the building is
12 constructed and the parking changes are made, how
13 many total parking spaces are there?

14 THE WITNESS: 1,270 total with a caveat
15 that 69 are dedicated to the property to the south.
16 So 1,201 for these five buildings.

17 MR. HORNER: So the 1,201, what is the
18 total ratio then? It's not -- it's no longer 1.63 --
19 well, it's not, it was never 1.63, that's just the
20 demand ratio.

21 So the 1201 divided by the total future
22 building square footage, what is that -- where does
23 that fall?

24 THE WITNESS: I don't think I have that
25 calculation on hand.

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1 So I guess the first question is: And
2 I think this information is in your report, but what
3 was the occupancy, tenant occupancy in the existing
4 building, there's 100 percent.

5 THE WITNESS: Correct.

6 The building was 100 percent occupied
7 when we did our counts.

8 MR. HORNER: So, and only speculation,
9 I guess, is this perhaps just the leftover
10 post-COVID, people working from home, a very low
11 ratio and maybe it will continue in perpetuity, it's
12 just --

13 THE WITNESS: Totally understand that.
14 It seems like an extremely low ratio.

15 I think what we found in a obviously post-COVID
16 world, not necessarily everybody goes into the office
17 every day.

18 I think that's why we did counts on two
19 days and this is the highest parking ratio that we
20 found.

21 So, you know, we didn't want to leave
22 it to one day where maybe two of the office buildings
23 decided our employees don't come in on Tuesdays or
24 Thursdays. That's why we did two days of counts and
25 we utilized the highest of those two days.

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1 MR. HORNER: It's the only one you
2 didn't do, right.

3 (Laughter.)

4 THE WITNESS: I did a lot of
5 calculations. I don't -- I could do it real quick.

6 MR. HORNER: But what is the total
7 building square footage with this new building
8 included? It's probably somewhere in the documents.
9 I just don't have that handy.

10 THE WITNESS: The existing building is
11 200 or existing buildings are 267,408 square feet.
12 The proposed office building is 104,700.

13 Very quickly calculate this, I'm sorry
14 for breaking out my phone calculator.

15 MR. HORNER: That's 372,108, something
16 like that?

17 THE WITNESS: 372,108.

18 MR. HORNER: So while you have your
19 calculator out, if you take 1201 divided by the
20 372.108, what does that come out to be?

21 Not a test, I'm just...

22 (Laughter.)

23 THE WITNESS: 3.22.

24 MR. HORNER: All right.

25 So, basically, the ordinance requires

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1 five per thousand for general office and 6.5 per
 2 thousand for medical. The prior variance for the
 3 site reduced that to four per thousand, right.
 4 THE WITNESS: Correct.
 5 MR. HORNER: And now the overall will
 6 be 3.22.
 7 THE WITNESS: Correct.
 8 MR. HORNER: Okay. I just want to make
 9 sure the numbers were clear on the record. I
 10 understood --
 11 THE WITNESS: Completely understand.
 12 MR. HORNER: I think that's all I have
 13 in terms of questions right now.
 14 As I said, I haven't issued a report,
 15 haven't completed my review.
 16 So there may be more questions or
 17 statements.
 18 CHAIRMAN PORRINO: And you'll get into
 19 more of the driveway configuration, the emergency
 20 vehicle, I'm not sure if that was in your purview or
 21 not.
 22 MR. CAPIZZI: We have turning templates
 23 we can discuss with the board, Mr. Chairman.
 24 CHAIRMAN PORRINO: Yeah. I don't know
 25 if there's been communication with our fire
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1 department for their truck turning radiuses and all
 2 that business.
 3 MR. CAPIZZI: We've confirmed that on
 4 our own that it's adequate and we had the fire
 5 department letter.
 6 CHAIRMAN PORRINO: We would encourage
 7 there to be a conversation with them before --
 8 SECRETARY SCANCARELLA: Yeah, because
 9 there's some new -- I know they have new trucks, they
 10 have a new truck.
 11 MR. CAPIZZI: That's fine.
 12 CHAIRMAN PORRINO: Typically a
 13 conversation to determine what those trucks turning
 14 radiuses are.
 15 Anyone have any questions for this
 16 expert?
 17 (No Response.)
 18 CHAIRMAN PORRINO: So you'll be ready
 19 at the next meeting.
 20 MR. HORNER: Yes.
 21 MR. MISTRETTA: One question.
 22 CHAIRMAN PORRINO: Mike.
 23 MR. MISTRETTA: Just one quick
 24 question.
 25 CHAIRMAN PORRINO: Mike Mistretta.
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1 MR. MISTRETTA: Just one quick
 2 question. I think by your calculations you're
 3 suggesting that you have -- it's going to be at your
 4 peak overparked by approximately 353 parking spaces,
 5 if I got the numbers close.
 6 Was there any -- if that's the case,
 7 was there any consideration for -- you show the
 8 expansion on -- along, was it Sage.
 9 THE WITNESS: Yeah, along Sage Road in
 10 the back or I guess to the north.
 11 MR. MISTRETTA: So you still think that
 12 expansion is required even though you think there's
 13 going to be a surplus of 350 parking spaces?
 14 And I'm just throwing out the idea, did
 15 you consider banking any of those parking spaces,
 16 trying to keep some of it green, if that was
 17 something that the board would consider.
 18 CHAIRMAN PORRINO: I'm going to just
 19 jump in right here. Mr. Mistretta, I would think if
 20 these numbers are reasonably accurate, that could be
 21 a win/win, you know, for both the applicant not
 22 having to spend the money and the time to create
 23 these additional parking spaces; from the borough's
 24 perspective, you know, leaving that landscaped area
 25 as it exists today, something that we'd love to see
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1 and I know that it's been done in the past, not by
 2 this board, but by previous boards where there can be
 3 approvals granted and within that approval is the
 4 right of the applicant to add the additional parking
 5 as depicted on the site plan without them having to
 6 come back to the board again.
 7 So it's just a thought.
 8 Thank you, Michael. That's a thought
 9 for obviously the applicant to consider, it's not for
 10 us, but for the applicant to at least think about.
 11 MR. CAPIZZI: Certainly will.
 12 CHAIRMAN PORRINO: It would be, I
 13 think, very beneficial. And even if -- if 53 is not
 14 the magic number, you need 250. There's ways to, I'm
 15 sure you could reconfigure what you're going to
 16 provide now versus in the future if you see that you
 17 need it.
 18 THE WITNESS: We can look into what
 19 that number is and like you said land bank an
 20 appropriate number.
 21 CHAIRMAN PORRINO: It's a good problem
 22 to have, I think.
 23 THE WITNESS: Yeah.
 24 Usually it's the other way.
 25 CHAIRMAN PORRINO: Mike, you get a star
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1 for that one.

2 Anything else? I don't think so from

3 anybody else on the board.

4 So what was your next -- were you

5 bringing up another witness now?

6 What was your plan?

7 MR. CAPIZZI: Our landscape architect,

8 he'll be brief, Mr. Chairman.

9 CHAIRMAN PORRINO: Yeah, no, it would

10 be good if we can get him done tonight. We have a

11 hard shut off at 10:30 this evening, okay, just so

12 you're aware.

13 We have to open to the public for a

14 brief time as well.

15 MR. CAPIZZI: Understood.

16 MR. RANDALL: Raise your right hand,

17 please.

18 Do you swear or affirm the testimony

19 you're about to give in regard to this application is

20 the truth and nothing but the truth so help you God?

21 MR. DeVITTO: I do.

22 P A U L D e V I T T O, III, LA

23 92 Park Avenue, Rutherford, New Jersey, having

24 been duly sworn, testifies as follows:

25 MR. RANDALL: Please give your name,
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1 spell it and your business address.

2 MR. DeVITTO: Paul DeVitto,

3 D-e-V-I-T-T-O, with Stonefield Engineering and

4 Design, located at 92 Park Ave, Rutherford, New

5 Jersey.

6 VOIR DIRE EXAMINATION

7 BY MR. CAPIZZI:

8 Q. Mr. DeVitto, you're a landscape

9 architect?

10 A. **Yes.**

11 Q. Can you go through your qualifications,

12 please?

13 A. **Sure.**

14 **So I'm a licensed landscape architect**

15 **in the State of New Jersey.**

16 **Graduated from West Virginia University**

17 **in 2010 with a bachelor's of science in landscape**

18 **architecture.**

19 **I've testified before prior planning**

20 **and zoning land use boards throughout the State of**

21 **New Jersey.**

22 **My license is in good standing.**

23 **Additionally I hold licenses in Detroit, Florida,**

24 **Massachusetts, and Ohio.**

25 **Currently all those licenses are also**
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1 **in good standing.**

2 MR. RANDALL: I'm sorry, what towns in

3 Bergen County, New Jersey.

4 THE WITNESS: I have worked in Bergen

5 County, I probably testified 20 or so times.

6 Ho-Ho-Kus, Pequannock, Cranford, West Orange.

7 MR. RANDALL: We'll accept him.

8 CHAIRMAN PORRINO: Accepted as an

9 expert in landscape design.

10 MR. CAPIZZI: Thank you, Mr. Chairman.

11 DIRECT EXAMINATION

12 BY MR. CAPIZZI:

13 Q. Mr. DeVitto, I see you have an exhibit

14 there on the easel. Can you describe that for us,

15 please?

16 A. **Yes.**

17 **So this is a new exhibit.**

18 Q. That will be A-4.

19 (Whereupon, Aerial Exhibit is marked as

20 Exhibit A-4 for identification.)

21 BY MR. CAPIZZI:

22 Q. Can you just identify that for us,

23 please?

24 A. **Yes.**

25 **This is the area -- it's entitled**
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1 **"Aerial Exhibit."**

2 **This is Sheet 1 of 1. North is to the**

3 **top right corner of the page.**

4 **And this is just an aerial imagery**

5 **taken from GoogleEarth of the existing site as it is**

6 **today.**

7 **Just like to kind of walk around the**

8 **site just to get the existing condition of the trees.**

9 **So the site inspection was performed**

10 **on-site to review those tree species, take a look at**

11 **the forest cover.**

12 **Along Johnson Avenue there is a dense**

13 **forest.**

14 **Moving down towards Sage Avenue, that**

15 **same condition exists along Sylvan Avenue.**

16 **There are existing mature trees which**

17 **seem to be in good condition.**

18 **And then throughout the site through**

19 **interior as is right now, there are parking lot trees**

20 **within the parking islands and mature shrubbery**

21 **throughout.**

22 **Adjacent to the ball fields there are**

23 **-- there are a mix of evergreen and shade trees and**

24 **that's spanning the property line through that area.**

25 **So existing species that were spotted**
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1 on-site, they were mainly pin oak, white oak, spruce,
 2 sweetgum, sassafras and maple.
 3 We did spot some invasives in the form
 4 of vines, poison ivy, Boston ivy and multiflora rose.
 5 So that was pretty much it for the aerial.
 6 So this is -- this is a new exhibit, I
 7 guess.

8 Q. Yes.

9 MR. RANDALL: A-5.

10 THE WITNESS: This is A-5.

11 (Whereupon, Proposed Landscape Plan

12 Colorized Rendering is marked as Exhibit A-5
 13 for identification.)

14 CHAIRMAN PORRINO: Counselor, if you
 15 can also distribute this PDF to Cathy, please.

16 MR. CAPIZZI: Yes.

17 THE WITNESS: So this is a colorized
 18 rendering of the existing -- or the proposed
 19 landscape plan.

20 So really it's a comprehensive
 21 landscape plan that we're proposing to provide varied
 22 all season interest.

23 Along Johnson Avenue, this forested
 24 area is to remain and undisturbed.

25 Moving along towards Sage Avenue, we

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1 are proposing a dense screen of evergreen buffer
 2 plantings. These are mature trees that spruce,
 3 arborvitae, holly, so these are large shade trees and
 4 the intent here is to shade or screen the proposed
 5 expanded parking.

6 Moving along the frontage of Sylvan
 7 Avenue, these -- this area is to remain mostly
 8 undisturbed as we deemed it in good, clean condition.

9 Looking west of the proposed building,
 10 we are looking to supplement the existing ever -- or
 11 the existing deciduous and evergreen trees and
 12 supplement those with a row of large mature shade
 13 trees, as well as evergreen -- those same evergreen
 14 tree species that will grow large in kind of a
 15 staggered arrangement just to provide that 365 day
 16 all season buffer.

17 The intent of this buffer is to shield
 18 on-site movement and headlight glare.

19 Foundation plantings are proposed
 20 around the perimeter of the building where we are
 21 able to do so.

22 Same goes for some shade trees to kind
 23 of break up and decrease the scale.

24 Overall, the planting pallet, it's
 25 heavily native. So we're proposing American holly,

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1 eastern red cedar, pine, oak, maple, sycamore, and
 2 there's a couple of subspecies within there.

3 In total we're proposing 33 shade
 4 trees, 203 evergreen trees and 141 shrubs and
 5 grasses.

6 BY MR. CAPIZZI:

7 Q. I know Mr. Hoder had some comments on
 8 your landscaping plan. Did you have an opportunity
 9 to review those comments?

10 A. Yes.

11 Q. Can you take us through your position
 12 as to those comments, please?

13 A. Sure.

14 THE WITNESS: So I guess Item No. 1
 15 within the buffer category, I believe the request is
 16 that we add additional trees to this buffer area
 17 adjacent to the proposed building.

18 I think we would agree to do that, work
 19 with your office to create a density that --

20 MR. HODER: Yeah, I just think,
 21 Mr. Chairman, that during the winter there's going to
 22 be the need for additional plantings in that back
 23 area between the ball field and this new building,
 24 essentially because of the lights and cars and et
 25 cetera.

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1 CHAIRMAN PORRINO: Yeah, I noted the
 2 plantings there as well.

3 I see there were quite a number of
 4 deciduous trees that were planted which are fine and
 5 attractive especially from the commercial side, but I
 6 noticed that there were several groupings of
 7 evergreens.

8 I think they may have been arborvitae.
 9 My suggestion would be to increase those denser --
 10 doesn't have to be a complete screen, but just those
 11 denser groupings of arborvitae or Leyland cypress,
 12 whatever species you think is appropriate, because
 13 they will be -- the cars will be relatively close to
 14 the walking path around the field.

15 THE WITNESS: Sure, yeah, we'd be happy
 16 to do that.

17 CHAIRMAN PORRINO: Is that consistent,
 18 Dave, with what you were suggesting?

19 MR. HODER: Yes.

20 The next item, 3, is just a comment and
 21 then Number 4, I think looking at everything that
 22 I've seen tonight, I don't think you really need to
 23 do any additional buffering in the back of the
 24 existing buildings.

25 I don't think the board concurs with

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1 that, but that's something to think about.
2 CHAIRMAN PORRINO: By the back of the
3 building, you mean, where?

4 MR. HODER: Back of the existing
5 buildings on the north side. It's pretty thick,
6 so...

7 CHAIRMAN PORRINO: Yeah.
8 I'm going to make a comment. I'm not
9 sure if I'm stealing your thunder, Dave.

10 Did you have anything else regarding
11 buffering or no?

12 MR. HODER: No, nothing with buffering,
13 just maybe one more comment on landscaping.

14 CHAIRMAN PORRINO: Go ahead.

15 MR. HODER: I just made a comment about
16 maybe infusing some additional lower plantings,
17 smaller plantings, rather than just the grasses and
18 shrubs and maybe even try to get something around the
19 building, because that's kind of -- it's sort of
20 naked right now.

21 There's really not much -- and I'm not
22 sure if that's because of the need for sidewalks or
23 the type of material that -- do you know what's
24 around the building?

25 Is it all concrete.

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1 commercial property obviously and my concern is that
2 the folks that live especially on the corners, the
3 opposite corners of Johnson Avenue are going to have
4 -- thank you -- almost an obstructed view of some of
5 these parking spaces.

6 In the winter, 100 percent. Even in
7 the summertime, I think with the plantings that
8 you're suggesting.

9 So I would ask for and, again, this is
10 just one person on the board, you know, there be an
11 evergreen screen provided.

12 I'm not saying all the way along Sage,
13 all the way along Johnson, but I think, you know,
14 starting from the corner of Sage and Johnson going,
15 let's say, 100 feet in each direction, there should
16 be an evergreen screen there so those folks are not
17 seeing the cars, you know, in the winter or the
18 summer and if you look, if you've been to the site,
19 this board approved an application we called the
20 lighthouse application right across from Sage and you
21 see the applicant in that case had agreed to provide
22 an evergreen screen across the entire back of that
23 property, which I think would be an unreasonable ask,
24 quite frankly, in this case, but it's something I
25 would ask for the applicant to consider.

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1 THE WITNESS: Sure.
2 So adjacent to the building there are
3 portions of sidewalk that are going to, you know, be
4 deemed for access.

5 In any area that -- I believe it's the
6 new fire code that's going into effect next month,
7 but any portion of the building within 2 feet needs
8 to be stone.

9 MR. HODER: And not mulch?

10 THE WITNESS: And not mulch.

11 So the detail next to the building
12 would be stone and then if we have plantings, mulch,
13 if not lawn, but, you know, we can work with your
14 office again to just increase some plant diversity in
15 that area.

16 MR. HODER: Okay. That's it,
17 Mr. Chairman.

18 CHAIRMAN PORRINO: Okay.

19 I would like to touch on the corner of
20 Sage and Johnson for a moment.

21 We have a buffer ordinance in town and
22 I believe it states that the residential properties
23 are afforded in this location, 120-foot buffer from
24 the commercial use.

25 The buffer to be located on the

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1 THE WITNESS: Sure.

2 So we could take a look and consider
3 that, just based on the density of this wooded area,
4 opportunities to kind of plant trees within that
5 space is -- it can be limited, so it might be
6 something that we would have to, you know, walk the
7 site or kind of pick particular opportunity points to
8 make sure that the plants have enough room to grow,
9 it's going to be limited sunlight. It's a difficult
10 growing condition.

11 In that instance, there are a limited
12 number of plants that we can kind of propose within
13 that area that can tolerate the lower sunlight.

14 So -but, you know, we're open to it.

15 CHAIRMAN PORRINO: And we had the same
16 conversation with another applicant, different
17 attorney a number of years ago and we found the means
18 of doing that. I think they planted on the outside
19 and maybe even some of those trees if they needed to
20 be, were over on the Borough line and I believe in
21 that case we had granted an approval for them to do
22 so with the mayor and council's consent, obviously,
23 but if there was a reason why they couldn't be
24 planted so that they would not just be planted but
25 would survive, they could be nudged, you know,

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1 somewhat onto the Borough right-of-way as long as
2 visibility wasn't being impacted, because it's an
3 active corner.

4 So if you visit the site, for those
5 that haven't been there, you'll see a pretty much
6 identical situation directly across the street is
7 what I'm referring to.

8 Mary?

9 VICE CHAIRWOMAN O'SHEA: I want to try
10 to shield the parking from the residents as much as
11 possible and in the winter when the trees are bare,
12 you need the evergreens in there to cover and like
13 chairman said on the lighthouse property, which is
14 across Sage Road and along Johnson Avenue, you'll see
15 all the evergreens that they planted and some of them
16 are in the right-of-way, but they will be maintained
17 by the applicant in perpetuity to make -- if any die,
18 they'll be replaced, they'll be maintained and
19 they've grown a bit and they really look very good.
20 It really is a big improvement there.

21 And also, you know, you have to
22 understand, right now going in from 9W along Sage
23 Road, there's a very wide buffer which is going to be
24 eliminated with your parking spaces and I personally
25 believe that when one of the early applications came

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1 in for this property, it was the Cali (phonetic)
2 project at the time, they said that they had to
3 maintain a wide buffer along Sage because they didn't
4 want the people that were going into the residential
5 area to feel like they're going through a commercial
6 area.

7 So they wanted the greenery there to
8 like soften the entrance into the residential area.

9 So I don't know if that's -- I read through the old
10 resolutions, I couldn't find it, but I have sort of a
11 memory of it and I would like to see more along the
12 Sage Road line with trees and I know we need the
13 parking, but we also need trees.

14 COUNCILWOMAN BIEGACZ: I think they
15 have extra parking.

16 VICE CHAIRWOMAN O'SHEA: Don't
17 interrupt.

18 COUNCILWOMAN BIEGACZ: I'm sorry.

19 MS. ZAMECKI: Mr. Chairman?

20 CHAIRMAN PORRINO: Yes.

21 MS. ZAMECKI: We just heard that maybe
22 we won't need that parking along Sage Avenue, because
23 we already have --

24 CHAIRMAN PORRINO: I think there's
25 going to be a conversation amongst the applicant and

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1 the professionals.

2 MS. ZAMECKI: If this is the fact, we
3 don't have to worry about the trees that --

4 CHAIRMAN PORRINO: Well, we haven't
5 heard it yet, so stay tuned.

6 They have, you know, a decision that
7 they will make and if they decide to change, revise
8 their application, we'll be the first to --

9 VICE CHAIRWOMAN O'SHEA: If they park
10 in the back by Sage Road, where do they go into the
11 building?

12 Do they got to walk all the way around
13 to the front of the building.

14 SECRETARY SCANCARELLA: That's for the
15 other buildings.

16 CHAIRMAN PORRINO: Counselor, can you
17 answer that.

18 MR. CAPIZZI: There's entrances for the
19 four buildings on the northerly side, there's various
20 entrance points, some of which are proximate to that
21 new parking field --

22 VICE CHAIRWOMAN O'SHEA: Yeah, the
23 entrances in the back.

24 MR. CAPIZZI: On the north side,
25 correct.

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1 VICE CHAIRWOMAN O'SHEA: Thank you.
2 Okay.

3 CHAIRMAN PORRINO: I presume the
4 parking, it's not for this witness, but the parking
5 or the place where various visitors and/or occupants
6 where they parked before may be a little bit
7 different after this building is constructed. Right?

8 There will be an rearrangement of where
9 people choose to park because they want to park as
10 close to their office as they can.

11 MR. CAPIZZI: Well, I mean, the parking
12 field that we're putting the building on is
13 essentially not utilized.

14 So it's not -- putting that building
15 there isn't going to disrupt where anybody was
16 parking because nobody is parking there now.

17 This may provide -- the parking field
18 on the north may provide additional opportunities to
19 park closer to where their entrance point is.

20 CHAIRMAN PORRINO: Right.

21 And the existing buildings may very
22 well be served by these new spaces along Sage Road?

23 MR. CAPIZZI: Correct.

24 CHAIRMAN PORRINO: Anything else, Mary?

25 VICE CHAIRWOMAN O'SHEA: That's it.

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1 MR. LEE: This does not have to do with
2 anything with the landscaping, but it just hit me
3 that while the building is being constructed, will
4 there be any parking spaces that will be eliminated
5 or not being utilized so that the number will be
6 reduced from what's been, I guess --

7 MR. CAPIZZI: We're going to certainly
8 lose portions of -- again, we have 1100 spaces today
9 with only about 450 being used.

10 So the loss of that parking field,
11 again, we don't believe is going to be an operational
12 issue for us, because it's not utilized today.

13 CHAIRMAN PORRINO: Anyone else?
14 (No Response.)

15 CHAIRMAN PORRINO: Experts, no?
16 (No Response.)

17 CHAIRMAN PORRINO: Counselor?

18 MR. CAPIZZI: Just give me one minute,
19 Mr. Chairman.

20 (Whereupon, a brief recess is held.)

21 MR. CAPIZZI: Mr. Chairman, we have our
22 planner here this evening. It's up to the board
23 whether you want to hear from him now.

24 Typically I would prefer to have him
25 testify after the other witnesses have re-testified

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1 future date, the expectation would be to have
2 follow-up testimony as necessary from the
3 professionals that testified this evening, as well as
4 testimony from Mr. Grygiel.

5 CHAIRMAN PORRINO: Okay. We tried to
6 give you some feedback, especially with regard to the
7 landscaping.

8 I think that's something that really
9 we'd appreciate taking a hard look at.

10 MR. CAPIZZI: Understood.

11 CHAIRMAN PORRINO: Anything else?
12 (No Response.)

13 CHAIRMAN PORRINO: Any members have any
14 questions or comments? Otherwise we'll see you at
15 the --

16 SECRETARY SCANCARELLA: Motion to open
17 to the public.

18 CHAIRMAN PORRINO: Yeah. It will be
19 the May -- what's the date.

20 SECRETARY SCANCARELLA: May 8th. Give
21 me a second. May 8th.

22 CHAIRMAN PORRINO: And we will open to
23 the public, Counselor, if you just want to sit tight
24 and let's see if anyone wants to speak to this
25 application.

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1 to the extent necessary to address comments from the
2 board's professionals, but certainly if the board
3 wants to here from Mr. Grygiel, he's here and ready
4 to testify.

5 CHAIRMAN PORRINO: Let's just hear from
6 Mr. Mistretta first.

7 Mike, what are your thoughts?

8 MR. MISTRETTE: I agree with his
9 recommendation. If there's going to be any back and
10 forth, I think it would be in the best interest of
11 everybody that their planner would go at the end
12 after everybody is finished with their testimony.

13 CHAIRMAN PORRINO: Then you'll have a
14 chance to also --

15 MR. MISTRETTE: And in between I'll
16 have an opportunity to speak with him and clear up a
17 lot of the questions that we have.

18 CHAIRMAN PORRINO: Okay.

19 I agree that to put the planner off for
20 the next meeting would be wise.

21 MR. CAPIZZI: Thank you, Mr. Chairman.

22 CHAIRMAN PORRINO: Who else do you have
23 for this evening?

24 MR. CAPIZZI: Mr. Grygiel is our last
25 witness that we have and when we come back at a

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1 So can I have a motion, please, to open
2 this matter to the public, this matter only?

3 VICE CHAIRWOMAN O'SHEA: So moved.

4 CHAIRMAN PORRINO: Second.

5 All in favor?

6 (Whereupon, all present members respond
7 in the affirmative.)

8 CHAIRMAN PORRINO: Anyone from the
9 public wish to be heard, please come on up, state
10 your name and address.

11 Could someone just move that microphone
12 back?

13 MS. GEIGER: Carin Geiger, 270 Alfred.
14 A few points.

15 First I want to thank the developer for
16 coming in with this plan. It's a vast improvement as
17 far as I'm concerned with the -- from the prior plan.
18 I love the idea that it's 35-foot high and that it's
19 maintaining a commercial character, which is
20 consistent with the other development along the 9W
21 corridor to the north.

22 Just an incidental comment about the
23 traffic around the parking spaces. I believe Own is
24 one of the companies that currently leases space.
25 Own runs a bus for its employees into Manhattan.

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1 So, or at least it did last year. So
2 that might be one of the reasons why you don't have
3 that much parking being used. There are many people
4 who come in from Manhattan, take the bus in and take
5 the bus back. Just something I know.

6 The concern I have -- I have concern
7 for the engineer. When you redesigned or came up
8 with your new design for the two-story building, can
9 confirm that the top layer, the roof layer, the top
10 layer of the building is not constructed so that in
11 the future it can hold more stories? I assume it's
12 designed to be a two-story building with your
13 mechanicals on top, but is it structured --

14 MR. CAPIZZI: It probably will be set
15 up that way. If trends are towards lower vehicle
16 ownership and lower parking needs, we will -- at some
17 point we may seek to put another floor on the
18 building.

19 MS. GEIGER: So the building is being
20 designed so that it can hold --

21 MR. CAPIZZI: I can't -- I couldn't
22 say, but certainly we're not -- we're not going to
23 prohibit ourselves from potentially coming back
24 before the board for another story at some point in
25 time.

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1 So since we're building the building,
2 we'll probably set it up to allow us that flexibility
3 should it be necessary, should we think it's
4 appropriate to come back in the future.

5 MS. GEIGER: But at that point you'd be
6 looking for a height variance, because you would be
7 exceeding the height that's allowed by ordinance.

8 MR. CAPIZZI: Potentially yes, unless
9 there's an ordinance change.

10 MS. GEIGER: Okay. And the parking, I
11 just want to corroborate the feeling of residents,
12 the residents that I know that we prefer to have the
13 Sage Road parking maintained as greenery to the
14 extent it's possible.

15 I've lived in this community for over
16 40 years and the one thing that we take very much for
17 granted and we're very proud of is the entrance on
18 Sage, which is just volume of trees as you come into
19 our community and that's something that to the extent
20 it's possible I would like to see preserved in some
21 way. I think that's consistent --

22 (Whereupon, cellphone ringing.)

23 MS. GEIGER: I'm sorry. I think that's
24 consistent with what Mr. Mistretta said when he very
25 correctly noted that you have -- you have a surplus

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1 of parking spaces that are needed right now for the
2 number of people, the number of cars that you will be
3 having.

4 Another question I had had to do with
5 the underground parking. I'm sorry.

6 CHAIRMAN PORRINO: That's okay. We can
7 hear you.

8 MS. GEIGER: The underground parking.
9 If you extended the footprint underground, could you
10 eliminate parking above ground.

11 MR. CAPIZZI: We don't want to go
12 further below grade. We don't want to do two levels
13 of parking --

14 MS. GEIGER: No, I didn't mean deeper.
15 I understand that we have rock and nobody wants to
16 blast more than they have to. I'm talking about
17 wider.

18 MR. CAPIZZI: I think we gone as wide
19 as we'd like to go.

20 MS. GEIGER: Okay. Oh, there are no --
21 in the presentation that you did, there are no views
22 of the building from the west side.

23 So there's nothing that you've
24 presented so far that shows us at least that I've
25 see, that shows us how it will look from Johnson

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1 field. We've seen the front from Sylvan Avenue and
2 the vistas in from Sylvan sort of how the building
3 will look from there, we can see how it will look
4 coming off of Sage.

5 Well, hopefully you'll keep some of
6 those trees, but they -- and we can see there's a
7 very large 100-something buffer that exists on the
8 property or on the Borough property as it hits
9 Johnson, but what we don't see is the view of the
10 building from Johnson Field and Johnson Field is the
11 primary residential -- it's used by the residents.
12 It's our primary park and the walking path is used by
13 many, many residents.

14 So I would like to see in the future,
15 if that isn't a picture, a rendering of how we would
16 expect to see from within our community as we look
17 out at the building from the park.

18 MR. CAPIZZI: That's something we
19 probably could not produce, because we don't have
20 off-site grades and I'm not sure we want to go
21 through --

22 MS. GEIGER: You have the picture of
23 how --

24 MR. CAPIZZI: We provided -- one of the
25 renderings we had marked this evening was a view of

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1 the westerly elevation. It wasn't from the viewshed
2 that you're referring to. It was from inside the
3 parcel, but we can see what we can do to provide a
4 picture --

5 MS. GEIGER: Something so residents can
6 see how the building is going to look when we see it.
7 I mean, others see it from Sylvan, but the way we see
8 it is from within the park looking at it.

9 MR. CAPIZZI: We can work on a view
10 angle from on the property, our property on a further
11 southerly on the westerly elevation, I think is what
12 you want to see, because we were looking essentially
13 at the northerly portion of the buildings.

14 So we'll give you a view on-site
15 further southerly of the westerly elevation.

16 MS. GEIGER: Right. So we can see how
17 it would look from the park.

18 The other thing that you were talking
19 about was the lighting of the building and I would
20 strongly suggest that you talk to the police chief in
21 Englewood Cliffs about lighting on that site because
22 when we were doing the park and considering lighting
23 for the park, which we just redid, the police chief
24 had very definite opinions about what would be the
25 best way and how much light you want in that park.

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1 So I know you want to shield light and you're talking
2 about shielding, but he may not want or he may want
3 more depending on his view of how it affects the park
4 in terms of lighting. We are putting in all brand
5 new lights in the park.

6 MR. CAPIZZI: We did receive a review
7 letter from the police department. It was a general
8 letter of no comment and no issue, no concerns on the
9 project, but certainly we can have someone from our
10 team --

11 (Whereupon, cellphone ringing.)

12 MS. GEIGER: Sorry.

13 MR. CAPIZZI: No problem. You're
14 popular, good for you.

15 MS. GEIGER: At night.

16 (Laughter.)

17 MR. CAPIZZI: If you think there's a
18 thought that, perhaps, there's a benefit to having
19 some light spillage onto the ball field.

20 MS. GEIGER: Or that you may not have
21 to shield it as much as you -- either way, I'm not
22 sure, but I know that we had discussions with the
23 police chief when we were talking about lighting the
24 park and at the time he did not want it that well lit
25 at night, basically to discourage people from

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1 gathering in the park when it was closed.

2 MR. CAPIZZI: Understood.

3 MS. GEIGER: So it just might be
4 beneficial to you.

5 MR. CAPIZZI: Understood.

6 CHAIRMAN PORRINO: Thank you,
7 Ms. Geiger.

8 MS. GEIGER: Thank you.

9 CHAIRMAN PORRINO: Anyone else from the
10 public wish to be heard?

11 (No Response.)

12 CHAIRMAN PORRINO: Seeing none, hearing
13 none, motion to close the public portion.

14 VICE CHAIRWOMAN O'SHEA: Motion to
15 close the public portion.

16 MR. LEE: Second.

17 CHAIRMAN PORRINO: All in favor?
18 (Whereupon, all present members respond
19 in the affirmative.)

20 MR. CAPIZZI: Mr. Chairman, just as far
21 as scheduling, I may have another, essentially what
22 amounts to almost a court-mandated matter on May 8th.

23 CHAIRMAN PORRINO: Sounds serious.

24 MR. CAPIZZI: Yeah, well, it's just got
25 to get done. If that happens to take place that

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1 evening, would I be able to impose upon the board to
2 schedule a special meeting date to finish up the
3 application?

4 Again, I would be in a better position
5 to let you know in two or so weeks from now, but is
6 there --

7 CHAIRMAN PORRINO: Would you be looking
8 for a date post May 8th or before May 8th.

9 MR. CAPIZZI: I mean, if the board
10 could entertain us earlier, that would certainly be
11 preferred depending on what the board's availability
12 is.

13 CHAIRMAN PORRINO: And I know our
14 experts need some time to prepare their reports.
15 They came in pretty cold in terms of not being -- you
16 know, not having the reports started yet.

17 So it's up to the board if you want to
18 consider having a meeting.

19 Cathy, I know you had some scheduling
20 issues, right? Is there a week when you're around.

21 And when will you know, Counselor, if
22 you're going to be available or not?

23 MR. CAPIZZI: Well, what I can do
24 tomorrow is I can send you the dates that I'm
25 definitely available for the balance of April and May

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1 and then run that past the board's secretary to float
 2 those dates towards Mr. Randall and the balance of
 3 the team to see what dates of that pile of dates
 4 works for everyone.
 5 SECRETARY SCANCARELLA: The last week
 6 in April -- the next two weeks I'm very busy. I have
 7 family matters and stuff. A lot of different things
 8 going on. So it would have to be starting the last
 9 week of April, the 28th.
 10 CHAIRMAN PORRINO: When will you know
 11 about your meeting date on May 8th.
 12 MR. CAPIZZI: I'll try to get back to
 13 the board within the next five days.
 14 CHAIRMAN PORRINO: Okay. So I don't
 15 think we're able to set a date tonight.
 16 Counsel, do you want to circulate dates
 17 that you're available, as you suggested and then we
 18 can poll the board?
 19 SECRETARY SCANCARELLA: E-mail me
 20 whatever you have and then I'll send an e-mail out to
 21 the members.
 22 MR. CAPIZZI: Well, if we can carry to
 23 May 8th just without further notice.
 24 In the event that I'm not able to do
 25 that date, then we have to set an alternate --

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1 CHAIRMAN PORRINO: May the 8th.
 2 Okay. Anything else, Counselor?
 3 MR. CAPIZZI: That's it for this
 4 evening.
 5 Thank you, Mr. Chairman. Thank you,
 6 Members.
 7 (Whereupon, this matter is continuing
 8 at a future date. Time noted: 10:04 p.m.)
 9

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1 SECRETARY SCANCARELLA: And then if we
 2 have to do a special meeting, then we have to set it
 3 for a special meeting and we'll have to deal with --
 4 MR. CAPIZZI: Correct.
 5 CHAIRMAN PORRINO: May 8th they can be
 6 first. There will be nothing else that --
 7 SECRETARY SCANCARELLA: No, we have
 8 that one, but yeah, we --
 9 CHAIRMAN PORRINO: So we would have
 10 you, you know, first up on the 8th if you are
 11 available.
 12 MR. CAPIZZI: Understood.
 13 Thank you. So tomorrow I'll circulate
 14 dates and we'll see what works. But you're saying
 15 starting from April 28th.
 16 SECRETARY SCANCARELLA: 28th, because
 17 the next two weeks I -- almost every day I have
 18 something.
 19 CHAIRMAN PORRINO: So as of now this
 20 matter is being carried to the May 8th meeting with
 21 no further notice.
 22 VICE CHAIRWOMAN O'SHEA: May 8th, you
 23 said.
 24 CHAIRMAN PORRINO: May 8th, yes.
 25 SECRETARY SCANCARELLA: Yes, May 8th.

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CERTIFICATE

1
 2
 3 I, LAURA A. CARUCCI, C.C.R., R.P.R., a Remote
 4 Online Notary Public, Notary ID. #1810618, Certified
 5 Court Reporter of the State of New Jersey, and a
 6 Registered Professional Reporter, hereby certify that
 7 the foregoing is a verbatim record of the testimony
 8 provided under oath before any court, referee, board,
 9 commission or other body created by statute of the
 10 State of New Jersey.

11 I am not related to the parties
 12 involved in this action; I have no financial
 13 interest, nor am I related to an agent of or employed
 14 by anyone with a financial interest in the outcome of
 15 this action.

16 This transcript complies with
 17 regulation 13:43-5.9 of the New Jersey Administrative
 18 Code.

19 _____
 20 LAURA A. CARUCCI, C.C.R., R.P.R.
 21 License #XI02050, and RON Notary
 22 Public Notary ID. #1810618, Notary
 23 Expiration Date May 27, 2028

24 Dated: _____
 25

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