

PLANNING BOARD
BOROUGH OF CLOSTER, NEW JERSEY
Minutes of Work Session & Special Meeting
August 7th, 2013
8:00 P.M.

Prepared & Submitted by:
Rose Mitchell
Planning Board Coordinator

PLANNING BOARD
BOROUGH OF CLOSTER, NEW JERSEY
Work Session & Special Meeting
Wednesday,
August 7th, 2013

Mr. Lignos, Chairman called the Work Session/ Special Meeting of the Planning Board of the Borough of Closter, New Jersey held on Wednesday, August 7th, 2013 in the Council Chambers of the Borough Hall to order at 8:00 PM. He stated that the meeting was being held in compliance with the provisions of the Open Public Meetings Act of the State of New Jersey and had been advertised in the newspaper according to law. He advised that the Board adheres to a twelve o'clock midnight curfew and no new matters would be considered after 11:00 P.M.

Mr. Lignos invited all persons present to join the Board in reciting the Pledge of Allegiance.

The following Planning Board members and professional persons were present at the meeting:

Mayor Heymann
Councilwoman Amitai
Mr. Lignos, Chair
Dr. Maddaloni, Vice-Chair-8:04 PM
Mr. DiDio
Mr. Sinowitz-8:05 PM
Ms. Isacoff
Mr. Pialtos
Ms. Stella- (alt # 1)
Mr. Nyfenger- (alt # 2)
Mr. Chagaris, Board Attorney
Mr. DeNicola, Board Engineer
Rose Mitchell, Planning Board Coordinator

The following Planning Board members and professional persons were absent from the meeting:

Mr. Baboo

Mr. Lignos read the correspondence list and asked if any members had any comments. Ms. Stella spoke of correspondence from HPC regarding Plaza sign.

Motion was made by Mr. DiDio & seconded by Ms. Stella to approve minutes of 05-30-13. All present were in favor of approval. Motion was made by Mr. DiDio & seconded by Ms. Stella to approve minutes of 06-05-13. All present were in favor of approval with the exception of Councilwoman Amitai who abstained. Motion was made by Mayor Heymann & seconded by Mr. DiDio to approve minutes of 06-27-13. All present were in favor of approval with the exception of Councilwoman Amatai who abstained. Ms. Stella & Mr. Sinowitz did not vote. Motion was made by Mayor Heymann & seconded by Mr. Pialtos to approve minutes of 07-11-13. All present were in favor with the exception of Councilwoman Amitai & Ms. Isacoff who abstained. Mr. Sinowitz did not vote.

Liaison's Reports- No Comments at this time.

Open Meeting to the Public- No Comments at this time.

Special Meeting Portion

Item # 1

Block 1607 Lot 1 (BL 1310/ L 2)
19 Ver Valen Street (7 Campbell Ave.)
Application # P-2013-03

Applicant: Closter Marketplace (EBA), LLC
Centennial AME Zion Church
Attorney: Mr. Basralian

*Refer to attached transcript.

Motion was made by Dr. Maddaloni & seconded by Ms. Isacoff to adjourn meeting. Meeting was adjourned at 11:06PM.

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STATE OF NEW JERSEY
COUNTY OF BERGEN
BOROUGH OF CLOSTER
SPECIAL MEETING

IN THE MATTER OF
The Application of:

TRANSCRIPT OF
PROCEEDINGS

CLOSTER MARKETPLACE (EBA), LLC.,
CENTENNIAL AME ZION CHURCH, BLOCK
1607, LOT 1 (BL 1310/L 2) 19 VER
VALEN STREET (7 CAMPBELL AVE.)
APPLICATION #P-2013-03

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BOROUGH OF CLOSTER MUNICIPAL BUILDING
188 Closter Dock Road
Closter, New Jersey
August 7, 2013
8:00 p.m., Volume IV

B E F O R E:

- PLANNING BOARD
- JOHN LIGNOS, CHAIRMAN
- SOPHIE HEYMANN, MAYOR
- VICTORIA RUTI AMITAI, COUNCILWOMAN
- MARK MADDALONI, BOARD MEMBER (8:04)
- IRENE STELLA, BOARD MEMBER
- LEONARD SINOWITZ, BOARD MEMBER (8:05)
- ROBERT DI DIO, BOARD MEMBER
- ADRIENNE ISACOFF, BOARD MEMBER
- DEAN PIALTOS, BOARD MEMBER
- PAUL NYFENGER, BOARD MEMBER
- ARTHUR CHAGARIS, ESQ., BOARD ATTORNEY
- NICK DENICOLA, P.E., BOARD ENGINEER
- ROSE MITCHELL, BOARD SECRETARY

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

- WINNE, BANTA, HETHERINGTON, BASRALIAN & KAHN, P.C.
- ATTORNEYS FOR THE APPLICANT
- BY: JOSEPH L. BASRALIAN, ESQ.
- SEGRETO, SEGRETO & SEGRETO, ESQS.
- ATTORNEYS FOR THE OBJECTORS
- BY: JOHN J. SEGRETO, ESQ.
- GINA M. LAMM, CSR/RPR, Court Reporter
- Job No. NJ1704623

1 CHAIR LIGNOS: Go right into the
2 special meeting portion this evening. Item No. 1,
3 block 1607, lot 1, also known as block 1310, lot
4 2, 19 Vervalen Street, also known as 7 Campbell
5 Avenue. Application P-2013-03. The applicant,
6 Closter Marketplace, LLC., and Centennial AME Zion
7 Church. Mr. Basralian is the attorney.

8 This is a subdivision site plan and
9 soil movement application, which was received back
10 on the 16th of May. Deemed perfected, with
11 mentioned stipulations, on June the 5th, 2013's
12 work session meeting. The application was
13 continued and received final perfection at the
14 June 27th, 2013, regular monthly meeting. A
15 special meeting regarding this application took
16 place on July the 11th and the 18th of 2013. The
17 application is here to be continued this evening
18 at this special meeting portion of our meeting
19 this evening.

20 Mr. Basralian, welcome once again.

21 MR. BASRALIAN: Good evening. Good
22 evening, Mr. Chairman, members of the board. I
23 would like to recall Conrad Roncati, who was sworn
24 on the meeting of July the 18th, to continue his
25 testimony and questioning period by the board and

1 the public.

2 Mr. Roncati.

3 MR. CHAGARIS: Mr. Roncati, you're
4 still under oath.

5 MR. RONCATI: Yes, sir.

6 MR. BASRALIAN: Mr. Roncati, at the
7 end of the meeting of July 18th, 2013, there were
8 questions by the board regarding a couple
9 additional -- additional elevations, and a
10 add/subtract diagram as to the difference in the
11 footprint between the existing, and what is
12 proposed by the applicant. I have those marked
13 and I have an exhibit list, which conforms with
14 what you requested the last hearing. I'll pass
15 those on to you. All the exhibits are -- well,
16 okay, hold on a second. I'll make it easy.

17 MR. RONCATI: I got it.

18 MR. CHAGARIS: I would call the
19 bailiff but we don't have a bailiff.

20 MR. BASRALIAN: Okay. We're
21 starting with Exhibits A-1 and A-2, were the power
22 point CD presentation. And the hard copy was
23 Exhibit A-2. And, so, we're starting with Exhibit
24 A-3. Mr. Roncati, would you go through the --
25 pardon me, the additional exhibits that were

1 prepared and submitted to the board ten days prior
2 to this hearing. If you're going to start with
3 your power point, let's start -- this is a revised
4 power point to include these revisions. But I
5 will mark that as Exhibit A-8. And I have a hard
6 copy, which is going to be marked as Exhibit 9,
7 okay.

8 MS. AMITAI: Excuse me just a
9 moment. I'm so sorry. Is this what you're
10 looking at now? This is what I have.

11 MR. RONCATI: That looks like the
12 bullet point that we prepared for the last
13 meeting.

14 MS. AMITAI: Is that what you're
15 going to be referring -- do I look at this now or
16 do I look at something --

17 MR. BASRALIAN: There are some
18 additional exhibits, Councilwoman, of which were
19 requested. So, those are in the new power point.
20 We have a new presentation for you with the
21 additional plans. I have ten copies for the
22 board, which shows the additional exhibits.
23 Everything that we're showing here, is the same,
24 except for where there have been additional
25 exhibits and one changed one.

1 MS. STELLA: So we can toss this.

2 MR. BASRALIAN: No, no, not at all.
3 Not at all. I have -- okay. Let me mark this.
4 This contains the additional exhibits which --
5 which will be referenced in the CD, and I will add
6 this as an exhibit as soon as Mr. Roncati
7 finishes.

8 CHAIR LIGNOS: So, those will all
9 accompany --

10 MR. BASRALIAN: Yes, they will
11 supplement them, yes.

12 CHAIR LIGNOS: Thank you.

13 MR. BASRALIAN: Mr. Roncati, please.

14 MR. RONCATI: Yes, good evening
15 everyone. We had been asked, by the board, at the
16 last hearing to create elevations of the east wall
17 of building C, which was the building that had
18 contained the restaurant area. This is the side
19 of the building that faces east, and faces Closter
20 Commons. We didn't have that elevation drawn. It
21 was considered the back of the building. But we
22 did present a rendering of a courtyard, that was
23 being used by a potential restaurant tenant in
24 that area, and the board, rightfully, asked what
25 that elevation might look like. And the board

1 asked what that elevation might look like, both
2 the facade of the building, and then how it would
3 present itself if we were on the Closter Commons
4 property looking at that elevation. And the
5 reason for that, was, we had proposed a fence or a
6 screen. And I think it was a reasonable question,
7 what does it look like if I'm in the courtyard,
8 and then what would it look like if I was standing
9 at Closter Commons looking back at the building.

10 So, what we have done --

11 CHAIR LIGNOS: Could we -- would you
12 get the lights, if you don't mind. Thank you.
13 Maybe leave the one row in the back. I would just
14 start -- start doing all of them and we'll figure
15 out which ones, please. That's fine.

16 MR. DENICOLA: That's good. That's
17 it.

18 MR. RONCATI: So, this is sheet
19 A-203, which was dated July 24th, 2013. We
20 submitted it on the 25th of July, to the board.
21 And, again, in response to the question, this was
22 a sheet that we had, we added the two elevations
23 that I was just referring to. So, if you look
24 inside this box here, this was the revision to
25 this drawing. This was revision No. 1. We have

1 the elevation of the building here. So, this is
2 the east wall of the elevation, as if we're in
3 that courtyard that's immediately adjacent to it.
4 And then below that we have the same elevation,
5 but with a fence that is being proposed. And that
6 fence would have struck the bottom portion of that
7 building if we were on the Closter Commons
8 property looking back at the Closter Plaza.

9 THE WITNESS: That's referenced on
10 the exhibit list as Exhibit A-3.

11 MR. MADDALONI: How high is that
12 fence?

13 MR. RONCATI: It's a 6-foot fence.

14 MR. MADDALONI: Thank you.

15 MR. RONCATI: Now, we have also
16 generated a color rendering of this. So, I don't
17 want to spend too much time here, because I
18 believe the color rendering, which is coming up in
19 a moment, is a little bit more illustrative of
20 what we're proposing. We were also asked to
21 prepare what we are referring to as an
22 add/subtract plan. This is slide 67, which is the
23 second slide that was added to the presentation.

24 MR. BASRALIAN: And this is known as
25 Exhibit A-5 on the exhibit list.

1 MR. RONCATI: It's noted as Exhibit
2 A-5. What we were asked, by the board, at the
3 last meeting, was, to prepare a drawing that would
4 graphically depict where we were adding to the
5 footprints of existing buildings, and where we
6 were subtracting or taking away. At the last
7 presentation you heard me talking a lot about
8 adding space. You heard me talk about subtracting
9 space, or taking space away, to either create
10 outdoor plazas, or other areas that we were trying
11 to promote within the -- within the site.

12 In this particular example we're
13 using a solid hatch pattern for the add areas,
14 which you can see behind retail F, which is the
15 K-mart building, in and around the proposed Whole
16 Foods location, at the front of the retail B, and
17 then on retail building D over by the theater
18 there are two areas of addition.

19 By way of subtraction, what are we
20 taking away: While we're taking away the east
21 side of retail B, it's a very small sliver of the
22 building, that is to accommodate the new parking
23 area that's on this side of the building between
24 us and the Burger King property. We're also
25 adding, at the end of building D, in front of

1 building D, and then of course we're -- we're
2 adding in the front, but the -- where the jewelry
3 building now will be -- also be subtracted.
4 There's a subtraction on the east side of the
5 building in the area that we were just referring
6 to for that restaurant/courtyard that we're trying
7 to promote. We're subtracting here, where Harmon
8 and Tiger Schulman is right now. And that is to
9 create that larger plaza area that we spoke about
10 at the last meeting. And, of course, the largest
11 subtraction of all, is to phase II, where we're
12 pushing back what is now the K-mart building, one
13 structural bay, and you can see all of that area
14 that will be reduced. So, this I think was a good
15 diagram in terms of describing exactly how the
16 existing footprint, which is in white, is being
17 added to or subtracted. So, we all have an
18 understanding of where the buildings are being
19 enlarged or reduced in size.

20 MR. MADDALONI: So, what will be the
21 net gain or loss in square footage?

22 MR. RONCATI: The aggregate net, I
23 don't have a total of what we're subtracting,
24 versus a total of what we're adding, but I could
25 get back to you later in the meeting if you'd like

1 to know --

2 MR. BASRALIAN: If I could answer
3 the question, the engineer will go through that.
4 We're subtracting 11,000 square feet from K-mart.
5 The present center is 211,000 square feet. At the
6 end of phase II it will be 208,000 square feet.

7 MR. MADDALONI: Okay. I'm just
8 looking at the solid versus the hatched and trying
9 to figure out which is more prevalent.

10 MR. RONCATI: If there's more gain
11 or loss, I could actually calculate that for you
12 and get back to you on that.

13 CHAIR LIGNOS: Mr. Roncati, just
14 because we happen to be at this point, and
15 Dr. Maddaloni has asked this question: On your
16 testimony last time, you actually testified that
17 the existing was 211,000 square feet. You also
18 testified that the new will actually be a
19 reduction at 207,000 square feet. This is what I
20 just -- my notes from your testimony. And, also
21 that you would have 100 new parking spaces. So, I
22 am assuming, whether you know or not know what the
23 actual subtraction is, and not know, and know what
24 the actual addition is, at the end of the day, the
25 total plaza would be 4,000 square feet than it is

1 today.

2 MR. RONCATI: Less.

3 CHAIR LIGNOS: Would be 4,000 square
4 feet less than it is today.

5 MR. RONCATI: That is correct.

6 CHAIR LIGNOS: Okay. Now, because I
7 need to put this on the record, the present
8 211,000 square feet of mall encompasses that whole
9 23,000 -- 23 1/2 thousand square feet of whatever
10 of site, of which you have now carved out a
11 portion. Okay. So, if -- obviously, you don't
12 know what size footprint would go into -- into
13 that carve out, correct? You don't know the
14 building --

15 MR. RONCATI: I'm sorry, I think I
16 lost you.

17 MR. BASRALIAN: I think I, in the
18 opening statement, I said that that 23,000 square
19 foot parcel is being subdivided out, and there are
20 no current plans for a structure on that site.

21 CHAIR LIGNOS: Correct. I just want
22 to understand, though, if you were -- if you were
23 to maximize that lot, in other words, if you were
24 to put a structure on that lot, without requiring
25 variances, what would be the square footage that

1 would be allowed on that?

2 MR. BASRALIAN: I think the engineer
3 can answer that better than -- better than this
4 witness. I believe, though, it's a maximum of
5 6,000 square feet.

6 CHAIR LIGNOS: Okay. So, we'll have
7 the engineer --

8 MR. BASRALIAN: Yes, right.

9 CHAIR LIGNOS: -- we'll ask that.
10 But if it's 6,000 square feet there's a potential
11 that this -- the center is 2,000 square feet more
12 at the end of the day than it is today.

13 MR. BASRALIAN: Yes, if it were
14 integrated into the center.

15 CHAIR LIGNOS: Right. Okay.

16 MR. RONCATI: Also, Mr. Chairman, if
17 I may, I have notes. I said I could probably
18 estimate this. There is approximately 17,000
19 square feet of space being deducted from existing
20 footprint. And approximately 15,000 square feet
21 going back, added.

22 MS. AMITAI: What was that number?

23 MR. RONCATI: 17,000 is being
24 reduced, and 15,000 square feet is being added.

25 CHAIR LIGNOS: Now, only because the

1 world considers us to be very good
2 mathematicians --

3 MR. MADDALONI: 2000 square feet --

4 MR. DENICOLA: Just for the board's
5 edification, this is all on sheet 2 of the
6 engineering plans.

7 CHAIR LIGNOS: Right. Right, but
8 because the world thinks of architects as being
9 good mathematicians, that turns out to be a swath
10 of 2,000 square feet. Where your opening
11 testimony was that there was a difference of 4,000
12 square feet.

13 MR. RONCATI: I may have missed a
14 number then.

15 CHAIR LIGNOS: Okay.

16 MR. RONCATI: I shouldn't have tried
17 to do it on the fly. But I could do it
18 accurately.

19 CHAIR LIGNOS: So, I'd rather you do
20 it when you --

21 MR. RONCATI: The site engineer was
22 the one that calculated it.

23 MR. BASRALIAN: He'll do the
24 calculations. It goes from 211, at the end of
25 phase II it will be 207,000 square feet and

1 change. So, it's more than 2,000, you're correct,
2 Doctor. But Mr. Thomas will address it
3 specifically, since it's on sheet 2 of the site
4 plan.

5 CHAIR LIGNOS: Mr. Roncati, since
6 again, since you're on this portion, and I just
7 want to, again, clarify for the record, to see if
8 I understand what I heard you saying: That in no
9 place do you have to demolish, anymore than 50
10 percent of any of these structures, in order to
11 put on your additions, am I correct? Is that what
12 you're showing us there, right?

13 MR. RONCATI: Yeah. This document
14 is depicting what is being added to the
15 footprints, and what is being subtracted to the
16 footprints, to get the ultimate proposed footprint
17 of the center that we're proposing.

18 CHAIR LIGNOS: Right. But in order
19 for you to get -- to put on the additional, in no
20 way are you demolishing any more than 50 -- no
21 more, 50 percent or more, you are not demolishing
22 50 percent of more of any of the individual
23 structures, nor the aggregate, in order to add
24 that addition?

25 MR. RONCATI: That's not being

1 contemplated at this time.

2 CHAIR LIGNOS: So, you are not doing
3 that? There will not be anymore than --

4 MR. BASRALIAN: I don't think that's
5 accurate. I'm sorry, Mr. DeNicola.

6 MR. DENICOLA: If you look at the
7 engineering plan, sheet 4, it actually shows what
8 portions of the building will be demolished. If
9 you add up to scale it's more than 50 percent of
10 the building, I think, in certain cases. But,
11 again, I think the engineer can testify --

12 MR. BASRALIAN: Yeah, the engineer
13 will testify. Primarily --

14 CHAIR LIGNOS: Wait a minute. Hold
15 on. Hold on. This is an architectural question.

16 MR. DENICOLA: But I'm saying that's
17 where it's shown, Mr. Chairman.

18 CHAIR LIGNOS: I respect that. I
19 respect that. But it's an architectural question.
20 It's a building at the end of the day. And it
21 sits on a site. And I respect that the site
22 engineer could talk about it. I am looking,
23 graphically, at hatched, solid and --

24 MR. RONCATI: White.

25 CHAIR LIGNOS: -- and white. Okay.

1 Are -- are you saying that in any of those pods,
2 any of those buildings, you have to demolish 50
3 percent or more of that building in order to put
4 on your addition?

5 MR. RONCATI: Yes.

6 CHAIR LIGNOS: You are?

7 MR. RONCATI: In fact, as an
8 example, retail building A, which is the Whole
9 Foods, this entire structure will come down. The
10 existing retail building A, depicted here in the
11 white, will come down to recreate the new Whole
12 Foods building.

13 MR. BASRALIAN: But in the
14 aggregate, Mr. Chairman, that's going to be one
15 building. So, it is less than 50 percent of the
16 total of that building. That structure is a --

17 CHAIR LIGNOS: That's a continuous
18 structure with what is next to it.

19 MR. BASRALIAN: Correct. But it's
20 all part of the same building.

21 CHAIR LIGNOS: That -- that -- okay.
22 That's why I'm trying to get a clarification, for
23 the record, that the Whole Foods is, even if you
24 took down that portion of Whole Foods, is it not,
25 and, again, I'm just trying to get that answer

1 from the architect, is it not less than 50 percent
2 of that whole pod?

3 MR. BASRALIAN: That one I believe
4 that answer is correct. It's less than 50 percent
5 of the whole pod.

6 MR. CHAGARIS: What do you define as
7 the pod?

8 MR. BASRALIAN: Well, it would be
9 the entire building. It would be from --

10 MR. CHAGARIS: What do you mean by
11 entire building?

12 CHAIR LIGNOS: Yeah, can you put
13 that on the record.

14 MR. BASRALIAN: So, right now, as
15 you -- as you well know, that the K-mart and the
16 existing structures to the east are two separate
17 buildings. The amount of the building -- it's --
18 the -- I'm sorry, the current supermarket is
19 coming down. In its place will be Whole Foods,
20 and that will be one building. And in the
21 aggregate that's less than 50 percent of the
22 total.

23 CHAIR LIGNOS: Right. So, if I
24 understand --

25 MS. AMITAI: Less than 50 percent?

1 I didn't hear the last word.

2 MR. BASRALIAN: Less than 50 percent
3 of the total of that building.

4 CHAIR LIGNOS: If I understand, Mr.
5 Roncati, building A and B, are right now really
6 one structure.

7 MR. RONCATI: That's correct.

8 CHAIR LIGNOS: Okay. So, let's call
9 it, for the time being, structure AB.

10 MR. RONCATI: No problem.

11 CHAIR LIGNOS: When you remove part
12 A of structure AB, you will have removed less than
13 half of AB?

14 MR. RONCATI: That is correct.

15 MR. DENICOLA: Existing AB.

16 CHAIR LIGNOS: Existing AB.

17 MR. RONCATI: Yes, existing AB.

18 MR. DENICOLA: Because on the
19 engineering plan it shows more than that in my
20 opinion. You're saying only a portion of the
21 building on the east end of building B is being
22 removed. The engineering plan seems to show the
23 last -- stores 11, 12 -- well, 9 through 14 are
24 actually being removed. And I'm -- I need a
25 clarification. I wasn't sure.

1 MR. BASRALIAN: Mr. Thomas will --
2 let Mr. Thomas --

3 MR. CHAGARIS: I think this is --
4 you're really getting into specific numbers that
5 are beyond the scope of what the architect is
6 testifying --

7 MR. BASRALIAN: It's really an
8 engineering issue.

9 MR. CHAGARIS: -- I think it's
10 really going to be an engineering issue.

11 CHAIR LIGNOS: I respectfully have
12 to disagree with our own Counsel. It's an
13 architect's responsibility to know the size of his
14 building. As a matter of fact, he's nodding yes.
15 So, what I'd like to, and it doesn't have to be
16 done here, but I would like to put, for the
17 record, exactly, and it doesn't have to be
18 pictorially, it could be literally listed, the
19 square footage removed, and not just the
20 aggregate, but if you think you're going to remove
21 all of the existing structure A, which is part of
22 the overall structure AB, what is that square
23 footage, and does it represent 50 percent or less
24 than the whole building.

25 MR. CHAGARIS: Actually, if I could

1 ask, to make a different clarification, if it's
2 acceptable, Mr. Chairman, is we're really talking
3 about linear.

4 CHAIR LIGNOS: No. No.

5 MR. CHAGARIS: Well, because -- when
6 you squa -- when you're -- you're talking about
7 the outside exterior walls.

8 CHAIR LIGNOS: Yeah, he's going to
9 -- no, no, no, no, no.

10 MR. CHAGARIS: Are you taking down
11 the exterior walls?

12 CHAIR LIGNOS: Yes. Yes. And the
13 building.

14 MR. CHAGARIS: So, is it the linear
15 feet that's more than 50 percent? The square
16 foot, you're not taking down any part of the
17 inside --

18 MR. DENICOLA: Yes, he is.

19 CHAIR LIGNOS: Yes. Yes, he is. He
20 is taking down this building. So, that's why, for
21 the record, and we don't have to keep going here,
22 but, for the record, I'd like to put that at the
23 next meeting, the calculations for each one of the
24 pods, each one of the individual units, how much
25 is being taken away, how much is being put back,

1 in the aggregate. Not just -- I'm sorry, not just
2 the difference between the subtraction --

3 MR. RONCATI: Today and tomorrow.

4 CHAIR LIGNOS: Exactly. But how
5 much of the anticipated --

6 MR. RONCATI: How far back do we
7 need to go to get to the pod.

8 CHAIR LIGNOS: Correct. Correct.

9 MR. RONCATI: And then express it in
10 percentage terms.

11 CHAIR LIGNOS: Correct.

12 MR. BASRALIAN: If it isn't ready
13 for tomorrow, which is our next hearing, we'll
14 have it at the following hearing. Subsequent
15 hearing.

16 CHAIR LIGNOS: No, no, no, that's
17 fine.

18 MR. BASRALIAN: Yeah, okay, let's
19 move on to what the other things are. We
20 understand what you're asking now.

21 CHAIR LIGNOS: So, you can continue.
22 Thank you.

23 MR. RONCATI: The next slide is 68,
24 it's title. It was an 8/7/13 -- oh, I'm sorry, I
25 have this out of sequence. Is that slide 69,

1 Mark? 68. Slide 68, again, as I had mentioned,
2 we were developing, not only the 2-D black and
3 white elevation drawings to conform to the
4 submission requirements of the borough, but we
5 also generated the color elevations. So, again,
6 this is the east elevation of what we're hoping to
7 be the restaurant space, at the end -- east end of
8 building C. The top elevation is what you would
9 see from inside the courtyard. We have a brick --
10 proposed brick material. There's a small shaded
11 canopy over the windows to provide a little bit of
12 shade to the glazing. There are two large
13 openings of glazing in this scenario. And then
14 you'll see that there were three trees that are
15 located in that plaza. And then there is
16 landscape on the ground. And then wall mounted
17 landscaping, which is similar to the images that
18 we presented at the last hearing.

19 MR. BASRALIAN: All right, this
20 slide 68 is represented by Exhibit A-7 on the
21 exhibit list.

22 MR. RONCATI: And then at the bottom
23 we have repeated the plan that we had provided,
24 which is the landscape plan of that area. So, on
25 this landscape plan, east is to the bottom. These

1 are the three trees. This area here would be
2 Closter Commons property versus Closter Plaza.
3 And this dark black line is the edge of the
4 building. So, as we had shown in the renderings,
5 we're trying to promote an outdoor seating area
6 that's fully encased by landscape, and this
7 board-on-board fence, so that it becomes a
8 secluded private intimate dining area.

9 CHAIR LIGNOS: Mr. Roncati, just,
10 again, as a matter of understanding, your shadow
11 is the shadow that you anticipate from the canopy?

12 MR. RONCATI: The shadow is the
13 shadow that's coming off the building itself. So,
14 if you will recall, building C has a -- has a
15 shape that comes here, goes straight, and then
16 goes back down towards Vervalen, and back down
17 towards the theater space. So, this shadow line
18 is actually the shadow from this portion of
19 building C. And this shadow is the shadow, as if
20 the sun was to the west and casting a small shadow
21 on the actual courtyard itself.

22 MR. MADDALONI: Just help me with
23 one thing. The 6 foot fence you mentioned earlier
24 --

25 MR. RONCATI: It's right here. And

1 then turns the corner. So, it's here and here.
2 Right along this edge. Right along here. Right
3 near the property line.

4 MR. MADDALONI: But I don't see it.

5 MR. RONCATI: Well, as I said, I did
6 two renderings; one inside the fence, as if we
7 took the fence away and looked at it. The next
8 slide, if you will --

9 MR. BASRALIAN: Why don't you go to
10 Exhibit A-7, which would show the fence, and
11 perhaps that would help the board. The next
12 exhibit that you have.

13 MR. RONCATI: This is the next
14 exhibit. This is slide 69. And slide 69 now
15 shows the fence in place. So, if we can jump back
16 to 68, without the fence, which is the view inside
17 the courtyard, but in reality, if you're on
18 Closter Commons, you're going to see slide 69, the
19 fence.

20 MR. MADDALONI: I like the other
21 view better.

22 MR. RONCATI: We're proposing this
23 board-on-board fence with ivy on it. And, again,
24 it's the same --

25 MS. AMITAI: Is that natural? A

1 plant?

2 MR. RONCATI: It's a natural plant,
3 yes.

4 MS. AMITAI: A Plant. And would you
5 say that building is 25 feet high?

6 MR. RONCATI: This building, as
7 drawn, it's probably close to 25 feet, yes.

8 MS. AMITAI: And is that before or
9 after the -- the shield that houses -- that
10 shields the air conditioning?

11 MR. DENICOLA: That's before.

12 MR. CHAGARIS: That's before the
13 screening.

14 MS. AMITAI: That's before the
15 screening?

16 MR. RONCATI: The screening is not
17 shown in this rendering because it's actually set
18 back from this facade and this elevation. If we
19 go back to the other -- the other slides, I can
20 show exactly where we're proposing to put that
21 mechanical, but if you recall, that mechanical
22 had -- we had proposed a metal horizontal
23 screening in front of those units.

24 MR. MADDALONI: And --

25 CHAIR LIGNOS: Dr. Maddaloni, do you

1 have a question?

2 MR. MADDALONI: What's the purpose
3 of the fence again?

4 MR. RONCATI: The fence -- the idea
5 is that we're trying to promote a restaurant that
6 would have an outdoor area for dining that would
7 feel private, feel intimate, and feel enclosed.
8 And not a space where, as you were dining, you
9 were looking at the back of Closter Commons and
10 their dumpsters, their parking, their cars that
11 face head-in. So, if you're dining, and a car
12 pulls into a parking space their headlights are
13 going to be right in your face.

14 MR. MADDALONI: Okay. Thank you for
15 clarifying.

16 MS. AMITAI: So then from a safety
17 point of view, would there be something that would
18 prevent those cars from coming into the public
19 space? You know, like cement or -- cement
20 planters.

21 MR. RONCATI: I don't know what
22 Closter Commons has done to conform to code in
23 that regard. So -- I know they have a curb. I
24 don't know if they have wheel stops.

25 MS. AMITAI: So but the point, they

1 do have greenery on the side of the fence facing
2 Closter Commons?

3 MR. RONCATI: Yes. And we have room
4 to do that. We didn't push the fence immediately
5 to the property line.

6 MR. DIDIO: Excuse me. What's the
7 distance between the fence and the property line?

8 MR. RONCATI: I'd have to refer to
9 the site plan. I can get you that answer in a
10 moment, Mr. Didio.

11 MR. DIDIO: Okay.

12 CHAIR LIGNOS: Well, it would
13 suffice to say, it has to meet code so --

14 MR. RONCATI: My associate is here.
15 I'll try to have him look that up. It's about a
16 foot off the property line, I'm being advised.

17 MR. DIDIO: Thank you.

18 MR. RONCATI: The last exhibit that
19 we have tonight, was actually a typo that we're
20 correcting.

21 MR. BASRALIAN: Now, he's referring
22 to Exhibit A-3 on the August 7th, 2013, exhibit
23 list.

24 MR. RONCATI: The average grade
25 plain that was listed for buildings D and E, was

1 modified. We had used an incorrect number of
2 39.61 datum. And the average grade paying
3 existing, which was lower, was actually the number
4 we were supposed to be using, it was a typo, at
5 39.11. So, it was exactly .5 or 6 inches higher
6 in our original drawing. And we've corrected that
7 on this -- on this particular document. The
8 height of the building doesn't change because we
9 were limiting our height to no more than 27 feet,
10 5 inches from that average grade plain. It's just
11 that our reference, numerically, was incorrect.
12 So, we've made that correction. It's on this
13 sheet. And it was in the submission that we're
14 making to the board tonight. So, just a small
15 clerical change.

16 MR. BASRALIAN: Okay. If that
17 concludes the testimony with respect to the
18 exhibits that were requested at the last meeting
19 on -- in -- on July 18th, as well as the
20 correction on sheet A-203.

21 CHAIR LIGNOS: Mayor, leave those
22 off. Mayor, mayor, could you leave them off for a
23 little while, please. Because I'd like to use --
24 I'd like to use the drawings that are there for
25 any questions that the board may have, as opposed

1 to all of us opening up.

2 MR. BASRALIAN: Okay. I was just --
3 let me just reiterate for the reporter, who didn't
4 get it all, is that, what -- that concludes
5 Mr. Roncati's testimony for the exhibits that were
6 requested at the last hearing, on July 18th, plus
7 his testimony regarding sheet A-203, which is now
8 Exhibit A-3, to correct the height, which was a
9 typographical error on the original submission.
10 The elevation itself doesn't change. The height
11 is actually no different. It was just the
12 wrong -- the wrong height was put on the plans.
13 So, with that, his testimony, direct testimony, at
14 this point is concluded, and it's open for
15 questions from the board obviously.

16 CHAIR LIGNOS: Okay. I think the
17 best way to handle the questions from the board
18 would be to use your slides that represent the
19 drawings that you submitted.

20 MR. RONCATI: Okay. We can do that.

21 MR. CHAGARIS: This way we're all
22 looking at the same thing, including members of
23 the public. If you don't mind going to -- to
24 your -- let's begin, not necessarily with
25 renderings, but with actual architecturals.

1 MR. RONCATI: Okay.

2 CHAIR LIGNOS: Let's just make sure
3 that we -- okay.

4 MR. BASRALIAN: Just before you
5 start, if I may, Mr. Chairman, here are the
6 additional exhibits that were in the CD and I have
7 both marked the CD as Exhibit A-8, which comports
8 with the list, and I have one marked copy, and
9 additional copies for the board, showing Exhibit
10 A-9, with today's date, and then it's on the
11 exhibit list. The CD you have is the original,
12 plus the things that are now on the hard copy that
13 I've just presented. I have maintained a
14 duplicate of the same things I've given you.

15 Mr. Chairman, they're all up here,
16 so if you want to refer to them it's easier to
17 refer to them here, than it is to what you have in
18 front of you. If you're going to go to questions.

19 MR. CHAGARIS: Yeah, yeah, yeah.
20 Exactly. Okay. Is this your very first -- is the
21 slide that shows the rooftop units your first site
22 plan?

23 MR. RONCATI: Yes, this is A-101.

24 CHAIR LIGNOS: A-101. Okay.
25 Members of the board, I think what we'll do, is,

1 if you don't mind, just for the sense of being
2 thorough, let's ask questions specifically to
3 drawings. And then we'll move on. If you don't
4 have a question of a drawing, please, I would like
5 to -- I would like to move on, as far as questions
6 from the board. And then once we're finished with
7 our questions, I'm going to open up the meeting to
8 the public so they can ask the witness any
9 questions, and then the public can refer back to
10 the drawings, that they need to refer back to.

11 Okay. So, in particular we'll go
12 through, if you don't have a question, obviously
13 you wait for the drawings that you may have a
14 question about.

15 Okay. Any member of the board?

16 Mr. Roncati, what -- what I want to
17 clarify from your testimony, was that the gray,
18 the shaded areas, were, in deed, the only areas
19 that you believed, at this time, to be the
20 screening required for any rooftop units?

21 MR. RONCATI: Yes, that is correct.

22 CHAIR LIGNOS: Okay. Any bulkheads,
23 any -- any roof openings, any penetrations for
24 fans, anything else would be within these screened
25 areas?

1 MR. RONCATI: Yes.

2 CHAIR LIGNOS: Okay. Do you see the
3 necessity for access to roofs from internal --
4 from inside the building? Will you provide for a
5 roof access from the inside of the building?

6 MR. RONCATI: Yes, most likely there
7 would be interior roof access, which would be a
8 ladder and a hatch, a flush hatch to the roof.

9 CHAIR LIGNOS: Okay. So, any time
10 you have a roof change you would provide an
11 opening for that particular roof?

12 MR. RONCATI: If there was a roof
13 opening?

14 CHAIR LIGNOS: Yes. In other words,
15 if there's a roof change from one portion of the
16 building to another --

17 MR. RONCATI: Oh, I'm sorry.

18 CHAIR LIGNOS: -- you would -- you
19 would then provide roof openings in both of those
20 structures?

21 MR. RONCATI: Yes. I mean if it's
22 less than 4 feet, let's say, we might not need to.
23 But if it's significantly different, yes, we might
24 do that.

25 CHAIR LIGNOS: Okay. Any member of

1 the board having a question on this?

2 MS. AMITAI: I wonder is it possible
3 to get this in a little bit of a larger size? Can
4 anybody read that?

5 CHAIR LIGNOS: Well, I'm used to
6 reading those things, but, yes.

7 MR. RONCATI: We submitted them.

8 MR. BASRALIAN: Those were all
9 submitted in the major plans.

10 MS. AMITAI: Oh, okay. I just got
11 them tonight. I'm so sorry. Okay. So, these are
12 included in here, but I don't find that slide in
13 here.

14 CHAIR LIGNOS: No, because,
15 councilwoman, this is the supplement to the
16 presentation. I've asked, kindly, that we go
17 through the architect's complete list of drawings
18 so that any member, either of this board, or of
19 the public, that may have a question in particular
20 -- a sense -- renderings are really nice, because
21 they give you a sense of the honest
22 representation. These drawings are really the
23 ones that are signed and sealed by the architect,
24 and they provide a lot of the factual dimensions
25 and the such. So, if anybody has any questions,

1 these are the drawings I think we should --

2 MS. AMITAI: Are those the
3 architectural drawings that Nick referred to in
4 his letter when he asked for architecturals?

5 MR. DENICOLA: These are the
6 architectural drawings, yes.

7 MS. AMITAI: These are?

8 CHAIR LIGNOS: Yeah.

9 MS. AMITAI: This is? Is that this?
10 Do we have a copy of that in here?

11 CHAIR LIGNOS: It's between the
12 original set that you got, councilwoman, and this
13 revised set that you have. You would have one --
14 you would have that in one of those two sets.

15 MS. AMITAI: Okay.

16 MR. RONCATI: Full scale.

17 CHAIR LIGNOS: Right. Well, full --
18 still at some scale.

19 MR. RONCATI: Larger scale.

20 CHAIR LIGNOS: Because full --

21 MR. RONCATI: Not full scale.

22 Larger scale.

23 CHAIR LIGNOS: On this -- on this
24 site plan, Mr. Roncati, would you be so kind as to
25 point out the -- the dumpster areas that you had

1 in mind, if you could do it like on the screen.

2 MR. RONCATI: Sure. I have a
3 pointer.

4 CHAIR LIGNOS: Yes, perfect.

5 MR. RONCATI: So, this is Homans
6 Avenue at the rear of the site.

7 CHAIR LIGNOS: Right.

8 MR. RONCATI: There is one dumpster
9 location here, behind what is now the K-mart
10 building. There are two more dumpster locations
11 here, in the area between the Whole Foods building
12 and the remainder of that retail building. There
13 is a compactor that's located right here at the
14 rear wall of the proposed Whole Foods. There are
15 two other screened enclosures behind this building
16 B, which are here and here. And those are not
17 dumpster locations, but trash sorting and
18 collection areas. There is a dumpster here at the
19 entrance drive on the east side of the property
20 over by the Burger King common property line.
21 There is another dumpster here at this location,
22 which is behind retail building D. And then there
23 is one last location, and that's behind D and the
24 movie theater, in this location here, the existing
25 courtyard, if you will, behind the theater

1 building, just to the north of theater building E.

2 CHAIR LIGNOS: Okay. Would you
3 describe how, architecturally, you plan on
4 enclosing these dumpster locations.

5 MR. RONCATI: If we look -- we would
6 have to go back to the elevation drawings to do
7 that, because they are depicted there. But they
8 will be enclosed with solid enclosures.

9 CHAIR LIGNOS: Okay. Now --

10 MR. RONCATI: And the intent was to
11 screen them from Homans Avenue --

12 CHAIR LIGNOS: What materials were
13 you looking at for those -- for the screening of
14 those dumpsters?

15 MR. RONCATI: They're depicted --
16 they're -- they're --

17 CHAIR LIGNOS: And, again, just
18 description. We'll go to the drawing. So this
19 way we could discuss it. But what materials --
20 because I don't want to forget the question when
21 we get to it.

22 MR. RONCATI: Right. They're
23 masonry and wood until -- and wood screening. So,
24 there was -- there was one that had wood screening
25 and another that had brick.

1 CHAIR LIGNOS: Okay. Would the
2 materials that you use on the building closest to
3 that dumpster then correspond to the materials you
4 had used for that dumpster or -- or is it just
5 brick and wood, depending on how you selected
6 them?

7 MR. RONCATI: We are not depicting
8 that it would be wood next to wood. We're
9 proposing, in our current elevations, wood
10 screening with brick or stucco behind it.
11 Depending on where it is on the building. It's
12 not proposed to be the same material at this time.

13 CHAIR LIGNOS: Okay. The fence that
14 is -- that was actually discussed here this
15 evening, between the commons and that -- the new
16 restaurant.

17 MR. RONCATI: Yeah, right here.

18 CHAIR LIGNOS: Well, that material
19 is -- is what?

20 MR. RONCATI: That was proposed to
21 be a board-on-board wood fence, 6 feet high.

22 CHAIR LIGNOS: Right. Okay. I'm
23 sorry.

24 MR. DENICOLA: That's a letter
25 "T" -- "T" on your designation, the board-on-board

1 fence?

2 MR. RONCATI: Is what? I'm sorry.

3 MR. DENICOLA: What is that, you
4 have a notation of the letter "T", is that the
5 letter "T"?

6 CHAIR LIGNOS: It says "T".

7 MR. DENICOLA: On your plans. It
8 has letter "T" with the building shown with a
9 square around it on the architectural plans. Is
10 that what you're referring to for the
11 board-on-board fence? Do you see where I'm
12 talking about?

13 MR. RONCATI: No.

14 MR. DENICOLA: If you look at the
15 northerly, north easterly egress, the Homans
16 Avenue, from the -- by building B, you'll see "T"
17 with a box around it. Is that what you're talking
18 about, the board-on-board fence is, or what's that
19 "T"?

20 MR. RONCATI: That comes from the --
21 the site engineer's drawing. I believe that's
22 telephone connection. Oh, transformer rather.

23 MR. BASRALIAN: The board-on-board
24 fence he was talking about, was on the easterly
25 side of retail D. Is that what you're talking

1 about?

2 MR. RONCATI: Mr. DeNicola is
3 pointing to a box that's here, and there's another
4 one here. I see that there are two. Those are
5 transformer locations.

6 CHAIR LIGNOS: Okay. The engineer
7 should be able to discuss those.

8 MR. DENICOLA: Okay.

9 CHAIR LIGNOS: From an esthetic
10 standpoint, and as the architect, I'm sure you had
11 selections on your lighting. What do you
12 propose -- what lighting do you propose for the
13 buildings themselves? And I don't mean site
14 lighting. But building lighting. Does the
15 building itself have.

16 MR. RONCATI: Well, we had -- yeah,
17 we had proposed a wall mounted wall pack to be
18 utilized on that back wall. For example, in the
19 area of those trash enclosures, potential retail
20 entrances, and then the back service areas
21 associated with Whole Foods.

22 CHAIR LIGNOS: Do you have any
23 lighting on the building in the front or will you
24 depend upon your site lighting?

25 MR. RONCATI: Well, we're --

1 we're -- in our last presentation we talked about
2 the introduction of decorative lighting.

3 CHAIR LIGNOS: Right.

4 MR. RONCATI: We, I believe that my
5 testimony was that the decorative lighting was not
6 necessarily to provide the ambient light and the
7 foot candles necessary to illuminate the site, but
8 were used for more decorative purposes.

9 CHAIR LIGNOS: Okay. But as far as
10 getting us to a level of a safe foot candles as
11 far as the pedestrian --

12 MR. RONCATI: Right.

13 CHAIR LIGNOS: -- what are you
14 counting on for that?

15 MR. RONCATI: It's a combination of
16 building lighting and site lighting. And the site
17 engineer has depicted those light diagrams on his
18 drawings.

19 CHAIR LIGNOS: Okay. But now for
20 purely esthetic, because we'll ask the site
21 engineer these same questions. The -- the actual
22 light fixture that you are proposing is -- is the
23 one that -- I don't remember seeing an actual
24 fixture. And I may be wrong.

25 MR. RONCATI: No, you're -- you're

1 correct. We didn't -- I did not depict a specific
2 light fixture on the building.

3 CHAIR LIGNOS: Okay. If you would
4 be so kind as to -- we'd like to see, ultimately
5 how you're going to marry the building lighting to
6 the site lighting. Is it a gull wing? Is it a,
7 you know.

8 MR. RONCATI: Counsel is advising
9 me, reminding me that I did show sconces, and I
10 did have fixtures shown in my presentation. I had
11 fixtures that were depicting the types of
12 lighting, and the variety of lighting that we were
13 going to have.

14 CHAIR LIGNOS: You showed some
15 shoeboxes.

16 MR. RONCATI: But there were not
17 specific light fixtures where we were identifying
18 the model number and the make and the model.

19 CHAIR LIGNOS: Yeah, I'm not so -- I
20 don't think the board is interested in the actual
21 model number, as it would be more of the kind of
22 type. There's something to be said about a
23 shoebox type with an open lens underneath and the
24 kind of light, throw it would have, as opposed to
25 something like a gull wing that, again, from an

1 esthetic standpoint, not from the engineering
2 standpoint -- --

3 MR. RONCATI: Right.

4 CHAIR LIGNOS: What did you -- how
5 did you see marrying what you're putting on the
6 building, with what is going on, on the site? You
7 showed some really interesting green fencing.
8 Some of that vertical green, more of a climbing --
9 those climbing fences.

10 MR. RONCATI: Yes. We showed it on
11 most of the colored elevations. So, here is an
12 example. This is the eastern wall of building B.
13 As you can see in the location diagram here. And
14 in this example we're showing ivy that's growing
15 up the wall. As I stated, we want to introduce
16 landscape, and the softness and the color and the
17 texture, not only on the horizontal plain, but
18 integrated into the walls. And if you look at any
19 of the elevations, frequently we showed, and
20 depicted that system.

21 CHAIR LIGNOS: Right.

22 Mr. Basralian, will you have an architect -- or a
23 landscape architect as part of your testimony?

24 MR. BASRALIAN: Yes.

25 CHAIR LIGNOS: You will?

1 MR. BASRALIAN: Yes.

2 CHAIR LIGNOS: So, they'll be able
3 to talk to the species and how they plan on
4 actually maintaining this kind of --

5 MR. BASRALIAN: Yes. It's -- it's
6 shown on the -- it's shown on exhibit sheet 16 of
7 the submission, and there's a supplemental sheet
8 that shows the number and variety of each and
9 every plant that's coming in. So, he will testify
10 --

11 CHAIR LIGNOS: But there will be
12 testimony?

13 MR. BASRALIAN: Yes, there will.

14 CHAIR LIGNOS: Great. Wonderful.

15 MR. NYFENGER: Mr. Chairman.

16 CHAIR LIGNOS: Yeah.

17 MR. NYFENGER: I have a question.
18 As depicted on the plans, is -- is retail building
19 B, is that brand new construction?

20 MR. RONCATI: I'm sorry.

21 MR. NYFENGER: Retail building B --

22 MR. RONCATI: Yes, sir.

23 MR. NYFENGER: -- is that -- is that
24 building new construction?

25 MR. RONCATI: No. There'll be

1 partially new construction. But it's not all new
2 construction.

3 MR. NYFENGER: Okay.

4 MS. AMITAI: So, what is it -- what
5 is it you're doing there? Interior of course will
6 be all new?

7 MR. RONCATI: Well, first -- first
8 as we've been discussing, it's a very old center.
9 It hasn't had the best maintenance over the past,
10 at least ten years. We're going to be taking this
11 on a case by case basis. Once we get into the
12 buildings, after a hopeful approval, we'll be able
13 to assess what is necessary to reconstruct these
14 buildings. Certainly we're going to be adding and
15 cutting back on the buildings. As I've indicated,
16 you don't simply cut 8 feet off a building or
17 5 feet off a building. You certainly have to go
18 back to the next structural bay, at a minimum, to
19 get to that column location. There might be
20 tenants that want more column free space, and we
21 will address that also. We may find conditions
22 that are not up to code and we may have to take
23 down more portions in order to repair it. So,
24 it's going to be something that develops as we get
25 into each of these buildings.

1 MS. AMITAI: So, that's really
2 difficult for us to approve something so
3 open-ended and conceptual.

4 MR. RONCATI: I'm not sure why it's
5 open-ended. We're giving you a footprint of a
6 building that we're proposing, and it's finite.
7 The dimensions of that final footprint, on
8 whatever building we're proposing, is not
9 changing. And whether a square foot is solely
10 reconstructed or removed and replaced with new
11 construction, in the end it's going to be the same
12 footprint. I'm not sure what's -- what's
13 open-ended.

14 MS. AMITAI: Well, the previous
15 application we saw, they were able to give us more
16 concrete kind of information about, if you're able
17 to do it for Whole Foods, why is it you're not
18 able to do it for the other spaces?

19 MR. RONCATI: Well, it's not that
20 we're able to do it. It's that until we know what
21 the tenancies are, and until we know where the
22 divisions of space are going to be, and how many
23 columns might appear in that space, and if the
24 tenant would like more or less, if there are
25 structural issues with the roof or not, the

1 foundation, the columns. It could be subjective,
2 depending upon who's going in and what the
3 condition --

4 CHAIR LIGNOS: Councilwoman, if I
5 may, and, please, tell me if I've misunderstood
6 your testimony, at the end of the day the square
7 footage shown, is the square footage that they're
8 going to be building to. As I understand it --

9 MR. CHAGARIS: If she has question
10 he'll answer it.

11 CHAIR LIGNOS: I apologize. You
12 can -- you can continue.

13 MR. RONCATI: Well, again, just to
14 reiterate, the square footage that we're
15 proposing, is what we're proposing. The
16 footprints of the building are what we are
17 proposing. We're not suggesting that they would
18 mutate or change in the future. So, what you look
19 at, at our drawings, architectural or civil, that
20 is the footprint of the center, a square foot
21 within that volume might be new. It might be old
22 and renovated, but it's still the same square
23 foot, and it's going to end up being the same
24 square footage on the aggregate.

25 MS. AMITAI: So, for a different

1 shop -- for different shops, how would we go about
2 calculating the square footage for instance, if we
3 don't -- not the square footage. The parking.
4 How would go about calculating what is enough
5 parking based on the different uses that we have
6 no --

7 MR. RONCATI: Well -- there's of
8 course a site engineer and a traffic consultant,
9 who will be testifying in this area, but quite
10 simply, we have a center, where we have square
11 footage of retail. And the ordinance in Closter
12 has prescribed that a certain amount of parking
13 spaces are needed per square foot of retail.
14 We've also said to the board and the community,
15 that we will have a limitation on the amount of
16 restaurant space. Restaurant space has a
17 different calculation. So, we've presumed that
18 limitation in our calculation. And all other
19 retail is the same. There's no difference in the
20 Closter ordinance.

21 CHAIR LIGNOS: Your testimony last
22 -- last time said that the maximum restaurant, for
23 instance, was 20,000 that you were --

24 MR. RONCATI: That's correct.

25 CHAIR LIGNOS: -- you were

1 maximizing restaurants to 20,000 square feet.

2 MR. BASRALIAN: Yes, and that's
3 specifically what the application says, maximum
4 20,000. The variances -- or the waiver requested
5 on parking is based upon that.

6 CHAIR LIGNOS: Right.

7 MR. RONCATI: So, the parking was
8 calculated strictly on retail, as per the
9 ordinance, and then in order to be reasonable
10 about the use of -- potential use of restaurants,
11 we've calculated that and capped it at 20,000 and
12 based the parking on that.

13 MS. AMITAI: Okay. So, then the
14 usage for services, would that be the same as for
15 restaurants or retail? Is that a Lenny question?

16 MR. CHAGARIS: What do you mean by
17 services?

18 MS. AMITAI: Because somewhere I
19 read in the documentation that there'll be retail,
20 there'll be restaurants, there'll be service uses.
21 Services. I don't know whether that means,
22 massage or dry cleaner or -- and I don't know
23 exactly what you mean by that. But would the
24 parking be the same for that use as well?

25 MR. BASRALIAN: If I may, the

1 parking is proposed to increase from 720 parking
2 spaces, that currently exist, to 820 parking
3 spaces, for the reduction in the size of the
4 center from 211 to 208. And in the calculations
5 that we presented, as part of the application, as
6 Mr. Roncati has stated, Roncati has stated rather,
7 it's retail, includes, plus maximum 20,000 square
8 feet of restaurant. So, the waiver we're asking
9 for is all in that calculation. And the proper
10 person to address that to is Eric Keller, who is
11 our traffic consultant, and will testify once we
12 finish with the civil engineer and the landscape
13 architect. But the square footage to -- I know
14 there's -- the square footage is 207,000 square
15 feet. It's not going to, whether we have to take
16 down an extra 50 feet of wall because it's
17 inadequate or that we have to get rid of columns
18 or we don't, the square footage is going to remain
19 identical. The perimeter of the building remains
20 just the way it is on the plans. There are no
21 changes -- as it is on the plans that we've
22 submitted. There would be no changes, whatsoever
23 in those.

24 CHAIR LIGNOS: And no structures, at
25 the same time, if I understand correctly, will be

1 demolished more than 50 percent?

2 MR. BASRALIAN: Well, you've asked
3 us to address that and -- and we've got to address
4 that. So -- I thought we were, you know --

5 CHAIR LIGNOS: No, no, no, I'm
6 saying, including -- including that when you do --
7 when you are able to calculate it --

8 MR. BASRALIAN: Yeah --

9 CHAIR LIGNOS: -- as part of that.

10 MR. RONCATI: Yes, we will do that.

11 MS. AMITAI: So, one last question.

12 So, the 207 square footage relates -- does that
13 include or not include the building on the
14 southwest corner, the blank white space there?

15 MR. BASRALIAN: There is no building
16 proposed for that so it does not --

17 MS. AMITAI: No building proposed.

18 MR. BASRALIAN: Right now there's no
19 building proposed for it. We're not seeking site
20 plan application for that.

21 MR. RONCATI: There's no parking on
22 it.

23 MR. BASRALIAN: And no part of that
24 land is included in the parking calculation
25 either. That building will comply with the --

1 that parking on that property will comply with
2 what's required for whatever building goes up
3 there in the future. So, everything we're talking
4 about is the entire shopping center, less the
5 23,000 square feet. And that results in 100 more
6 parking spaces that currently exist, with 207,000
7 square feet versus 211 at the end of phase II.

8 MS. AMITAI: I hope every one of
9 them will be full.

10 MR. BASRALIAN: Well, it's every
11 retailer's shopping center owner's dream that that
12 be true.

13 MS. AMITAI: Thank you.

14 CHAIR LIGNOS: Counselor, is there
15 anything else?

16 MS. AMITAI: Not now.

17 CHAIR LIGNOS: Again, if I can -- if
18 I can continue. One of the nice things that I
19 heard you say in your opening remarks, is that --
20 you used three nice words: Notable, iconic and
21 sustainable.

22 MR. RONCATI: Yes.

23 CHAIR LIGNOS: Which I thought were
24 rather nice. Because we've lived with a less than
25 iconic, and we've lived with less than notable,

1 and certainly less than sustainable. As the
2 architect, what, specifically, can you address as
3 far as the sustainable? Meaning, what -- what
4 parts of the design directly relate to your desire
5 to bring to the center, a center that is
6 sustainable?

7 MR. RONCATI: Well, first and
8 foremost in that category, there were several
9 things that we did discuss. We discussed the
10 exterior materials of the center. And in that
11 regard we talked about natural or renewable
12 resources. We talked about stone. We talked
13 about tile. We talked about wood being used as
14 exterior materials. So, I think that the
15 intention of the exterior materials is certainly
16 in the spirit of sustainability. We also talked
17 about systems. We talked about energy management
18 systems. We talked about lighting management
19 systems that -- that I went into some detail about
20 how the lighting can be monitored by computer. It
21 could be monitored for usage so that we're using
22 less energy.

23 CHAIR LIGNOS: When you say, "can",
24 do you mean will?

25 MR. RONCATI: It will, yes.

1 CHAIR LIGNOS: Okay.

2 MR. RONCATI: So, that it's a
3 manageable system. In other words, now the lights
4 go on, they're on a timer. They go off. In the
5 center that we're proposing, if there's activity
6 around the theater and the food centric areas
7 within the -- within the plan, the lighting could
8 be kept on and maintained in those areas while
9 light levels on the west side of the center might
10 dim, you know, still secure levels, but we're
11 using less energy and less power. We're going to
12 be replacing all of the mechanical equipment in
13 all the buildings. So, we're going to be going
14 with higher efficiency equipment. And then we've
15 also talked about sustainable in terms of the
16 landscape and the site with materials, and
17 landscape materials that require very little
18 water, somewhat self sustaining so we weren't
19 wasting a lot of water on irrigation also.

20 CHAIR LIGNOS: Now, obviously you
21 have a tremendous amount of roof. If you would go
22 back to that site plan. Was any thought given to
23 a photovoltaic solution or a photovoltaic -- a
24 solar roof --

25 MR. RONCATI: Yeah, we had -- we

1 had, of course, in the last go-around of the
2 presentation, we had talked about the white roof
3 or the reflectivity so they weren't absorbing a
4 lot of heat. We did talk about the possibility of
5 solar. We haven't -- we're not in a position
6 where we can commit to that at this point, but it
7 was something that was being discussed.

8 New Jersey is in a state of flux
9 with respect to tax credits and other initiatives.
10 And that's been changing very, very rapidly. It's
11 difficult to predict a month, let alone six months
12 or a year into the future. But that is something
13 that Edens has incorporated on other projects.
14 And if it's viable here, I can tell you it would
15 be strongly considered.

16 CHAIR LIGNOS: Is it -- on other
17 projects, is it a thin sheet within the roofing or
18 is it actual photovoltaic cells?

19 MR. RONCATI: I don't believe
20 they've done the integrated roofing system. I
21 know they've done surface mounted, more
22 traditional solar installation.

23 CHAIR LIGNOS: And if that was the
24 case you would be -- be able to shield them or
25 hide them?

1 MR. RONCATI: Yes.

2 CHAIR LIGNOS: All though you'd be
3 defeating the purpose.

4 MR. RONCATI: Right. If the
5 shield --

6 CHAIR LIGNOS: Obviously with this
7 amount of rooftop you have a possibility of water
8 collection.

9 MR. RONCATI: Yes.

10 CHAIR LIGNOS: Any thought given to
11 water collection here, to be able to reuse, as
12 part of your irrigation?

13 MR. RONCATI: We had not discussed
14 that, no.

15 CHAIR LIGNOS: Is it something that
16 maybe the landscape architect can perhaps address?

17 MR. BASRALIAN: Well, the decision
18 to do that is really with Edens, and not the
19 landscape architect. And what he's proposing, is,
20 the type of materials that are drought resistant
21 and -- and irrigation where it's necessary for
22 various aspects of what is being proposed. It's
23 not within his province to make a determination
24 about that.

25 CHAIR LIGNOS: No, of course not.

1 MR. BASRALIAN: It really -- no, the
2 answer is that that consideration has not been
3 given at this point.

4 CHAIR LIGNOS: Which means there's
5 always hope that it will. Because of Whole Foods
6 always being a very green conscious retailer, is
7 there anything that's green, as part of the Whole
8 Foods portion of this site?

9 MR. BASRALIAN: Design. Well, their
10 design -- remember these are very highly insulated
11 buildings, versus what they are today, which
12 reduces the resources and energy necessary for air
13 conditioning and cooling and heating. And so that
14 goes to a long aspect of what this building or
15 this structure or these structures do not now
16 contain. And all of those go into it. But it is
17 Whole Foods who dictates what Whole Foods has on
18 its site -- in its building. And, so, we have
19 worked with Whole Foods to that end.

20 CHAIR LIGNOS: Mr. Roncati, is there
21 any aspect of this building that you thought or
22 considered lead certification? Just out of
23 curiosity, was that discussed at all?

24 MR. RONCATI: No, we didn't -- we
25 didn't discuss trying to secure any specific lead

1 certification for this building. But I will say,
2 that in my practice, sensible selections, high
3 efficiency equipment, proper glazing, reuse of
4 existing sites, dealing with recyclable materials
5 upon demolition, that although we may not be
6 seeking lead, that this project would probably
7 come close to a lead certified execution.

8 CHAIR LIGNOS: If it was to be --

9 MR. RONCATI: If it were to be put
10 on that track. You know, again, it has all the
11 hallmarks of a -- of a minimum lead certified
12 capable project. But it isn't -- was not, and is
13 not a part of the formal --

14 CHAIR LIGNOS: The lighting itself,
15 LED? Or have you discussed your site lighting to
16 be LED lighting?

17 MR. RONCATI: I would defer to the
18 site engineer on the light specifications.

19 CHAIR LIGNOS: Okay. Any member of
20 the board having -- having any other questions?
21 Councilwoman.

22 MS. AMITAI: I have a question --

23 CHAIR LIGNOS: Okay. We'll go
24 around.

25 MS. AMITAI: -- regarding the other

1 five Whole Foods locations that Edens has. Were
2 any of those buildings green or using water
3 gardens or sustainable in any way?

4 MR. RONCATI: I don't know the
5 answer to that question. There was a discussion
6 about reclaiming rooftop water, but in some of the
7 municipalities that Edens has worked, the
8 municipalities required potable water for
9 irrigation. So, they -- so their discussions in
10 that regard were not fruitful.

11 MR. BASRALIAN: Councilwoman,
12 Mr. Roncati wouldn't be able to tell you what
13 those other sites, they're spread all over the
14 country. Most of them in the south. And they're
15 all different. So, he really couldn't address
16 what they did in those sites. What he is
17 addressing, is, what Whole Foods wants for this
18 particular site. And that's all we can -- all we
19 can really address.

20 MS. AMITAI: Yeah. Thank you.

21 CHAIR LIGNOS: Okay. Can we go
22 to -- do you have one of this slide? Do you have
23 one of this slide.

24 MR. DENICOLA: No.

25 CHAIR LIGNOS: You want to go to the

1 next. Anybody on the board have any questions on
2 elevations? I would imagine when you say glazing,
3 that's a low "e"?

4 MR. RONCATI: Yes, low "e" glazing.

5 CHAIR LIGNOS: And I would assume
6 that your -- your materials are an anodized
7 aluminum of some sort with a 1 inch insulated --

8 MR. RONCATI: Yes, it's insulated
9 double glazed low "e" storefront glazing.

10 MR. MADDALONI: Could you give the
11 low "e" lingo?

12 CHAIR LIGNOS: Could you -- I think
13 it should come from the architect. Can you just
14 explain to the board.

15 MR. RONCATI: Certainly. Clear
16 glass allows sunlight to travel through it.
17 Allows heat to go through it. And it doesn't
18 reflect back any of the UV rays or any of the
19 radiant heat that's generated. A low "e" glass is
20 a coated glass, that allows the light through, but
21 reflects and reduces the amount of solar gain
22 that's getting into -- in through the glass
23 system. So, when you have low "e" glass,
24 you're -- you're creating a very efficient glazing
25 system, that is both insulated from heat and

1 cooling being extracted to the exterior, while at
2 the same time keeping the solar gain down from --
3 from sun that's shining down on the glass itself.

4 CHAIR LIGNOS: Now, Mr. Roncati, do
5 you have different color aluminum because of the
6 different materials you're using? Would you also
7 be changing around the framing systems?

8 MR. RONCATI: Yes. We had -- do you
9 have that slide, Mark? I just -- Mr. Chairman,
10 I'll look for the slide that had the material
11 pallets.

12 CHAIR LIGNOS: There you go.

13 MR. RONCATI: So, this was slide 40
14 from the original presentation. And on the upper
15 right-hand side, there is a list of four different
16 colors, the glazing frame finishes. These are the
17 four potential colors that were, again, in our
18 pallet of potential colors. So, they range from
19 black, to brown, to bronze, to a color that's tan,
20 and is called champagne. So, there is a closely
21 grouped pallet of colors of potential glazing
22 frame finishes.

23 CHAIR LIGNOS: The top two are
24 powder coated, right?

25 MR. RONCATI: Yes.

1 CHAIR LIGNOS: And the bottom two
2 are true -- or are you powder coating all of them?

3 MR. RONCATI: The bottom -- I
4 believe that, yeah, we do have the materials on
5 the board. I believe that they are all powder
6 coated.

7 CHAIR LIGNOS: Are they?

8 MR. RONCATI: Yeah.

9 CHAIR LIGNOS: Usually the black and
10 the bronze are.

11 MR. RONCATI: Right.

12 CHAIR LIGNOS: Good luck on the top
13 two.

14 MR. RONCATI: Okay.

15 CHAIR LIGNOS: In today's market.
16 So, you'll be interchanging them depending on the
17 surrounding materials?

18 MR. RONCATI: Again, on the
19 tenancies and the customization of each tenant in
20 the storefront.

21 CHAIR LIGNOS: Okay. Can we go back
22 to the -- oh, do you have a question on this
23 particular --

24 MS. AMITAI: Well, since this slide
25 is up.

1 CHAIR LIGNOS: Yes.

2 MS. AMITAI: Could you just point
3 out what it is you would be finishing all those
4 dumpster containers with?

5 MR. RONCATI: It would be in the --
6 in the wood grain here. Most likely would be the
7 darker color.

8 CHAIR LIGNOS: Now, you mentioned
9 before there was also some brick --

10 MR. DIDIO: And stucco also.

11 MS. AMITAI: Wood doesn't last very
12 well. You know we seen oftentimes that it
13 deteriorates. The sun bleaches it.

14 MR. RONCATI: We had talked at the
15 last meeting, if you will recall, that a lot of
16 the wood that we want to use is actually encased
17 in a --

18 MR. BASRALIAN: Excuse me. Excuse
19 me, Mr. Chairman, I'd like to interject, because
20 as you will see on the plans that will be
21 discussed by the engineer, we're using a ground
22 face block and metal for the enclosures. Not
23 wood. So, I'm not quite sure what has happened,
24 but you will see it on the plans when Mr. Thomas
25 testifies, and he will address exactly the

1 materials that are being use.

2 MS. AMITAI: Okay. Thank you.

3 MR. RONCATI: It might be that
4 you're referring to the actual free-standing
5 dumpster location. And that's what Mr. Thomas may
6 have advised you is in the block. What I'm
7 referring to here are the architectural components
8 that are attached to the building, the trash
9 screening areas.

10 MR. BASRALIAN: Okay. Distinction
11 then. I apologize. But there are two separate
12 issues to deal with, okay.

13 MR. RONCATI: So, there are
14 free-standing trash locations that I think it is
15 logically more in the purview of the site engineer
16 to discuss. But those enclosures are part of his
17 site plan. Those perhaps are block masonry. But
18 what I'm referring to are the trash screening
19 areas that are noted and detailed on my plans.

20 MS. AMITAI: Attached to the
21 buildings?

22 MR. RONCATI: Correct. And as I was
23 saying, the wood that we would use for these areas
24 could be similar to a Trespa product, which we
25 discussed, and is on the board from the last

1 meeting, which is a resonant preganated wood. So,
2 you get the appearance of wood, it's real wood,
3 but it's durable, washable, scrubbable, doesn't
4 fade, doesn't chip.

5 MS. AMITAI: That's what they're
6 making decks of these days?

7 MR. RONCATI: Similar materials in
8 terms of durability. But that's a pure acrylic
9 plastic PVC material. This is actually veneered
10 wood that's encased in a resonant product.

11 MS. AMITAI: So, how -- what is the
12 longevity of that kind of product?

13 MR. RONCATI: Hundred years.

14 MS. AMITAI: Really? And you'll be
15 here to prove it?

16 MR. RONCATI: Sure I'll be here.

17 MR. NYFENGER: I have a question. I
18 mean these questions that we're asking are
19 interesting, from a curiosity standpoint. But are
20 they relative to our decision as to whether we
21 approve this or not? I mean if the materials
22 they're using are within the construction code, is
23 it really necessary that we get to this level of
24 detail? I'm just curios why we are asking these
25 questions.

1 CHAIR LIGNOS: I think there is. I
2 think there is. And the reason I'm asking, all
3 right.

4 MR. NYFENGER: Yeah.

5 CHAIR LIGNOS: I think certain
6 materials age gracefully. Others don't.

7 MR. NYFENGER: Right.

8 CHAIR LIGNOS: And if they don't, do
9 you want to look at them? I don't. So, I'm not
10 asking whether I like the material or not. That's
11 not my business.

12 MR. NYFENGER: Right.

13 CHAIR LIGNOS: That a material is
14 appropriate for a particular use is part of my
15 responsibility as a member of the planning board.
16 To that end, I also want to know that, for
17 instance, my next question was going to be some of
18 the landscaping material, as far as equipment,
19 like trash compactors, and bicycle stands, and
20 benches, what those materials are going to be.
21 Because certain benches will last 20, 30 years.
22 And we're all going to be proud to go and sit and
23 meander and use the plaza. Other benches are --
24 are worthless in about five years. So, I think
25 those are relevant, at least to me. I don't know

1 if it's to any other member of the board. So,
2 that's why I'm asking.

3 MR. NYFENGER: But if they want to
4 use -- if they want to use benches that die in
5 five years, does that mean that we don't approve
6 it? I'm curious.

7 CHAIR LIGNOS: You can -- you can
8 decide to approve or not approve. Because my
9 next -- my concern would be, how is all that
10 maintained. And whether I approve something or
11 not, may have some relevance in that regard as far
12 as maintenance is concerned.

13 MR. NYFENGER: I see.

14 CHAIR LIGNOS: Is -- is the -- are
15 the site benches and bicycle stands, are all those
16 metal products as well?

17 MR. RONCATI: They're metal. What I
18 have -- what I have seen in other Edens projects,
19 as I explained to the board, the last time I went
20 to visit several Edens projects, and what I saw by
21 way of site furniture, was high quality. It was
22 wood. It was metal. And it was durable
23 materials. I didn't see, you know, plastic
24 benches. I saw very, very durable materials.
25 Those are things that I believe can be better

1 addressed by the site engineer. Perhaps the
2 landscape architect also.

3 CHAIR LIGNOS: He's making those
4 selections?

5 MR. RONCATI: Yes.

6 CHAIR LIGNOS: Okay. Okay. Could
7 we go back to the elevations. Does any other
8 member of the board have questions of the
9 elevations?

10 MR. DENICOLA: I just have a
11 clarification on the one elevation. It's on
12 actually, I think the last elevation sheet. I'm
13 not sure if it was corrected in the submission.
14 There was a note regarding the height of the
15 cinema being increased from 30 to 35.5. I think
16 it was a clarification, said that was the actual
17 screening. Not the new building.

18 MR. RONCATI: As I mentioned at the
19 last hearing, the theater building is not changing
20 at all. We're not adding to the height. It's not
21 growing in height.

22 MR. DENICOLA: So, did you revise
23 that on that new submission?

24 MR. RONCATI: What drawing was that,
25 A-20 --

1 MR. DENICOLA: A-203. Proposed new
2 height of cinema.

3 MR. RONCATI: It doesn't say new.
4 And, again, I think that was to cover the height
5 of the screening. The height of the theater
6 itself is 30 feet 5 inches, existing. And that
7 remains unchanged in the new proposal. We were
8 simply showing that height because it had to do
9 with the existing equipment on the roof. And the
10 fact that we wanted to replace the chain link
11 fence screening, which is not esthetically
12 pleasing, to be consistent with the screening
13 material that we were proposing.

14 MR. BASRALIAN: Clarification, you
15 testified last month, or on July 18, that the type
16 of screening that would be utilized throughout the
17 center. And is your answer that you're proposing
18 to replace the chain link enclosures that now
19 exist on top of the movie theater, to screen its
20 HVAC equipment with the same materials that you're
21 using elsewhere in the shopping center?

22 MR. RONCATI: Yes.

23 MR. DENICOLA: All I'm saying, is,
24 it should be rectified, because when you say
25 proposed new height, increasing by 5 feet that

1 triggers --

2 MR. BASRALIAN: All right, let's un-
3 you can make the change. Let's understand that
4 the building height of the theater remains
5 absolutely the way it is, and what is referred to
6 is the screening around it. So, we'll correct
7 that. But there is no -- no change in anything
8 that we're doing.

9 CHAIR LIGNOS: Okay. Any other
10 member of the board have questions of elevations?
11 Can we go to the next elevation, please.

12 Mr. Roncati --

13 MR. RONCATI: Yes.

14 CHAIR LIGNOS: One of our pet
15 peeves --

16 MR. RONCATI: Yes.

17 CHAIR LIGNOS: -- that I have heard
18 from the board in the past, is the elevations on
19 Homans.

20 MR. RONCATI: Yes.

21 CHAIR LIGNOS: There's some
22 wonderful 1950's glazed block there. There's some
23 painted block, for lack of --

24 MR. DENICOLA: Painted block.

25 MR. BASRALIAN: Oh, you mean

1 historic materials.

2 CHAIR LIGNOS: Some very historic
3 materials.

4 MR. BASRALIAN: With a small "h"
5 Yes.

6 CHAIR LIGNOS: Don't say that
7 because we may ask you to save it. What I'm --
8 what are you planning on doing? Because some of
9 these materials, as I understood them, were to
10 remain as existing from your drawings.

11 MR. RONCATI: Yes.

12 CHAIR LIGNOS: And I'm scared. I'm
13 scared that they may remain.

14 MR. RONCATI: There's -- there's
15 some -- there's some existing decorative masonry
16 veneer materials. For example, that we're
17 indicating here in this -- which is the eastern
18 portion of the Homans elevation. We looked at the
19 entire elevation at the top of the sheet. This
20 would be all the way from the west side by the
21 church. This is the back of what is now the
22 K-mart building going into Whole Foods. This
23 area, for example, has that textured block and --

24 CHAIR LIGNOS: Painted block.

25 MR. RONCATI: -- painted block. But

1 a geometric shape. And we had talked about
2 refinishing that, which would mean stripping it
3 and cleaning it. But essentially it's the same
4 exposed material.

5 MS. AMITAI: So, you're going to
6 strip the paint and what will happen to it then?

7 MR. RONCATI: We're going to --
8 well, it was painted. So, we're going to repaint
9 it.

10 CHAIR LIGNOS: Have you -- could you
11 give some consideration, and, again, you don't
12 have to answer us today, after you perhaps discuss
13 it with your client, that you could parch coat
14 that, and take out the texture, and take out the
15 1950's geometric relief from that and even stucco
16 it out? But that's something you guys can discuss
17 and maybe come back.

18 MR. RONCATI: Right after the
19 meeting I'll sit with them and we'll have an
20 answer for you at the next meeting.

21 CHAIR LIGNOS: We don't want -- I,
22 as one member of this board, would hate for us to
23 go buy a whole new suit and realize that, you
24 know, that the shoes are, you know, still have
25 holes in the soles. So, it's an opportunity for

1 us to, in a creative way, to find a way to -- find
2 a way to --

3 MR. BASRALIAN: I think your
4 question is understood. It won't be tomorrow.
5 But we'll back on that, okay?

6 CHAIR LIGNOS: I have a feeling
7 you'll be back. And on the K-mart side --

8 MR. RONCATI: Well, this is here,
9 this particular drawing is the back of the current
10 K-mart area, which, again, on the entire elevation
11 is the west side.

12 CHAIR LIGNOS: The white part of
13 that material, is that the existing?

14 MR. RONCATI: No, that would be a
15 new stucco finish --

16 CHAIR LIGNOS: That would be new
17 stucco. Okay.

18 MR. RONCATI: -- and then we're
19 going to do, introduce vertical bands --

20 CHAIR LIGNOS: Gotcha.

21 MR. RONCATI: -- of masonry to break
22 up that facade.

23 CHAIR LIGNOS: Good. Okay.

24 MS. AMITAI: When you say, masonry,
25 what does that mean?

1 MR. RONCATI: Could be any type of
2 masonry. It could be a brick. Could be some
3 other masonry unit, even a tile of sorts.

4 MS. AMITAI: So, that would be the
5 north side of the building?

6 MR. RONCATI: Most likely it would.
7 That is the north side of the building, correct.

8 MS. AMITAI: How will the stucco
9 hold up? I mean might it get moldy on the north
10 side of the building? Or, you know, that green
11 stuff that grows on the north side of buildings
12 when it doesn't get enough sun.

13 MR. RONCATI: Well, that's -- that's
14 really a maintenance issue that can occur whether
15 it's masonry or stucco. And that would just be a
16 matter of cleaning and maintaining the materials.
17 So, no matter what you put there, on the north
18 side of a building, you have less sun, a little
19 bit more moisture, and that can certainly occur.
20 But it's less of a selection and more of a
21 maintenance issue.

22 CHAIR LIGNOS: Any other questions
23 on these elevations?

24 MR. DIDIO: There seems to be a ton
25 of wires running along the back of the building

1 from one end to the other end.

2 CHAIR LIGNOS: Existing.

3 MR. DIDIO: -- existing. Do you
4 plan to encapsulate them or hide them or what's
5 your plans with that?

6 MR. RONCATI: I believe the number
7 of overhead service locations are going to be
8 reduced. There's also the introduction of new
9 transformers at the rear, that we were talking
10 about earlier, those square boxes with the "T"
11 that's on the plan. But, again, I think that's
12 something that the site engineer could give you an
13 exact count of how many service entrances there
14 are going to be along Homans. I would agree with
15 you though, that existing condition, there's a lot
16 going on.

17 MR. MADDALONI: So, is there any
18 discussion about burying some of these lines?

19 MR. DENICOLA: Site engineer.

20 CHAIR LIGNOS: That's really a --
21 okay. Could we go to the next elevation, please.

22 MR. RONCATI: The next elevation is
23 slide 55. And it's drawing A-203.

24 CHAIR LIGNOS: Any member of the
25 board have a question on this? Okay. Go to the

1 next one, please.

2 MR. RONCATI: Did we miss one, Mark?
3 So, this is the amended drawing, 203, which is
4 slide 71. This is building D and E. And this was
5 the drawing that we referred to before with the
6 amended elevations or the -- rather the additional
7 elevations of the east side of building D.

8 MS. AMITAI: So, what is the
9 elevation there now? You said amended.

10 MR. RONCATI: This is the drawing
11 that we talked about in the beginning of this
12 evening, where the board asked me to create the
13 elevation of the end wall facing Closter Commons.
14 So, we're back to that sheet --

15 MS. AMITAI: Okay, 25 feet, yeah.

16 MR. RONCATI: So, all four
17 elevations are essentially the same as before, and
18 we've added this information here. So, this
19 ranges in buildings D and E, from the south
20 elevation of building D, all the way to the
21 elevation here, which I'm indicating on the slide,
22 of what you'll see from Vervalen, with the theater
23 here on the right-hand side, and the newer section
24 of retail on the left.

25 CHAIR LIGNOS: Mr. Roncati, I'm

1 sorry, councilwoman, anything else?

2 MS. AMITAI: No.

3 CHAIR LIGNOS: Mr. Roncati, can you
4 go to your slides as they relate to signage,
5 please?

6 MR. RONCATI: Yes.

7 CHAIR LIGNOS: We received, today,
8 from -- a letter -- you had in mind to maintain
9 parts of that original sign in the plaza itself.

10 MR. RONCATI: Yeah. On slide 57 we
11 have a portion of a rendering in the upper
12 right-hand corner, where we were going to re
13 purpose the letters from the current Closter Plaza
14 pylon sign, into the landscape in the plaza, the
15 large main plaza, immediately to the east of the
16 Whole Foods store.

17 CHAIR LIGNOS: Would those be lit?

18 MR. RONCATI: No.

19 CHAIR LIGNOS: No. They would be
20 literally just sculptural in the sense of --

21 MR. RONCATI: That's correct.

22 CHAIR LIGNOS: -- as a reminder of
23 what was the sign.

24 MR. RONCATI: Right.

25 MS. STELLA: And attached?

1 MR. RONCATI: We would take the
2 letters and set them on pins and then set them
3 into concrete bollards, if you will, to set them
4 into the landscape. The idea was to not throw
5 away the sign but --

6 CHAIR LIGNOS: Re purpose it.

7 MR. RONCATI: Create a remanent of
8 it within the center and recall it in a landscape
9 element.

10 MS. AMITAI: So, the back view would
11 be backwards, looking at it from the other side?

12 MR. RONCATI: Yes.

13 MS. AMITAI: Would be reversed?

14 MR. RONCATI: Yes.

15 CHAIR LIGNOS: Now, as far as the
16 signage on the individual stores, obviously you're
17 proposing that those will all be in accordance
18 with our zoning?

19 MR. BASRALIAN: No, what we -- no,
20 that's not correct.

21 CHAIR LIGNOS: I'm sorry.

22 MR. BASRALIAN: -- we had asked
23 for -- there was a general plan of square footage,
24 depending upon the frontage of each facade.

25 CHAIR LIGNOS: Correct.

1 MR. BASRALIAN: Okay. So, we have a
2 whole plan of sign waivers, depending upon whether
3 it's a 50 foot or 25 foot, 50 foot frontage, 100
4 foot frontage, or 150 foot frontage. That's based
5 upon that slide, correct.

6 MR. RONCATI: We said that -- we
7 said that there was, on this slide, which is 44,
8 we said with the wall signs, 2 square feet of sign
9 for every linear foot of store facade, max 36
10 square feet for facades less than 50 feet. And
11 then 75 square feet for facades between 50 and
12 100 feet wide. And then a max 150 square foot for
13 facades 100 feet and greater. What I did say,
14 Mr. Chairman, if you recall, is that we believe
15 that the vast majority of our tenants will be 50
16 feet or less. And, therefore, the majority of
17 those -- therefore, those signs, would in fact
18 conform to the borough ordinance. So, the borough
19 ordinance is 36 square feet. And, again, we felt
20 the majority of our retailers would have 50 feet
21 or less. And, therefore, I stated that we felt
22 that the majority of the signs would conform
23 anyway.

24 MR. BASRALIAN: Just to clarify,
25 however, there was a very specific plan, and

1 that's what we're requesting.

2 CHAIR LIGNOS: The picture there
3 shows the stalls.

4 MS. HEYMANN: Lenny has a question
5 about that.

6 CHAIR LIGNOS: I'm sorry. I
7 apologize. Go ahead.

8 MR. SINOWITZ: That sculpture, using
9 Closter Plaza lettering, can that be construed as
10 another ground sign? Or can that be construed as
11 decorative sculpturing? I mean from a waiver
12 point of view. I mean, how are you going to
13 classify that Closter Plaza ground sign on the
14 ground?

15 CHAIR LIGNOS: Be careful. They may
16 just hand it back to us.

17 MS. AMITAI: It's artwork.

18 MR. RONCATI: We did see it as being
19 decorative, a landscaping installation or art. It
20 was not intended to be seen as a branding, or a
21 sign for the facility. It's not necessary, except
22 to provide a reference to what was there at one
23 time.

24 MR. BASRALIAN: At ground level it
25 is not going to be announcing that it's Closter

1 Plaza. Okay. It is there for decorative purpose,
2 to preserve part of the old into the new.

3 MR. SINOWITZ: So, you can put flags
4 on it if you want?

5 MR. BASRALIAN: I don't know about
6 that, but who knows.

7 MR. DIDIO: And the fact that it's
8 not lit.

9 MR. BASRALIAN: I beg your pardon.

10 MR. DIDIO: The fact that it's not
11 lit --

12 MR. BASRALIAN: Right. That's
13 correct.

14 MR. RONCATI: And also in the
15 presentation we discussed the side or rear signs,
16 blade signs. The theater, we even got into some
17 of the information about being allowed to put
18 posters and promotional materials, and that
19 existing tenants would be entitled to maintain
20 existing sign areas.

21 CHAIR LIGNOS: The sign on the
22 right, Anthropology, is a rear lit --

23 MR. RONCATI: Hallo lit channel
24 letter sign.

25 CHAIR LIGNOS: Is that what you see

1 as the majority of your proposed tenants?

2 MR. RONCATI: We think that that
3 could be a very common sign that's used. It's
4 also the sign that we're proposing on our monument
5 sign B. So, when we look at our ground-mounted
6 signs, those entrance ground-mounted signs, here
7 on slide 47, this letter against the masonry, like
8 Gross Hill, which is a photograph from another
9 project, would have that halo lit fixture. So,
10 it's -- it's backlit. It's soft. It's halo
11 illuminated. It's not illuminated letters, which
12 would be very pronounced, versus this option.

13 CHAIR LIGNOS: And the pylon is
14 definitely lit, it's not -- it's not projection
15 lit, it's actually self?

16 MR. RONCATI: It's self internally
17 illuminated on a -- with a masonry solid base, and
18 then translucent panel up above.

19 MS. AMITAI: So that would be
20 plastic?

21 MR. RONCATI: Yes. With silk screen
22 graphic. They're acrylic panels.

23 MR. DIDIO: With regard to your
24 blade signs --

25 MR. RONCATI: Yes.

1 MR. DIDIO: -- are they going to be
2 attached to the facade of the building or an
3 overhang?

4 MR. RONCATI: It depends upon that
5 particular storefront and that tenancy. It might
6 be that they're wall mounted and project
7 horizontally. It might be --

8 MR. DIDIO: Because I'm looking for
9 consistency. That's what I'm trying to get at.

10 MR. RONCATI: Well, I think that the
11 whole point of all of this is that we're trying to
12 create a pallet of options, but we are trying to
13 introduce variety. So, we're not looking for
14 every sign to be exactly the same, same color,
15 same mounting location, same mounting hardware.
16 We would like there to be a little bit of a
17 variety. And that's why I say, traditionally
18 they're wall mounted. But they might hang from a
19 canopy. But more likely, as you'll see here,
20 these are all wall mounted signs that project out.

21 CHAIR LIGNOS: Did I understand your
22 testimony last time, that part of this kind of
23 eclectic or different types of signage, types of
24 materials, was to mimic our Main Street in a sense
25 that there were different forms of materials along

1 that?

2 MR. RONCATI: Right. We, again,
3 it's the idea that each tenant has an identity and
4 that the center, like a downtown, any downtown,
5 grows through evolution. And it grows through
6 independent expression of each building, and each
7 tenancy. And the idea here is that we want to
8 promote that. We want each tenant to express
9 their own identity. Again, within a reasonable
10 range and pallet of materials and colors, which
11 we've -- which we've shown to this board in the
12 two nights that I've been up here. But, yes, we
13 are looking for that variety. We're looking for
14 it to evolve as it's tenanted, just like our
15 downtown. Just like every downtown. And we would
16 encourage that. And, in fact, it might change
17 over time. You know, as a tenant goes out,
18 somebody new comes in. And, again, there's going
19 to be a, you know, a slight modification to that
20 particular storefront.

21 MR. DIDIO: Do you foresee the blade
22 signs being lit?

23 MR. RONCATI: I don't foresee them
24 being internally illuminated, no.

25 MR. DIDIO: Okay.

1 MR. RONCATI: And, again, these
2 are -- these are not things you see from the
3 street. These are really for the pedestrian
4 that's walking, and they're trying to head to a
5 specific location, or, says, oh, a shoe store.
6 And they move another 100 feet down to go to that
7 location.

8 MS. AMITAI: I have a question.
9 Could you give us the -- show us some examples of
10 the projection lit signs?

11 MR. RONCATI: Protection lit sign?

12 MS. AMITAI: Yeah. If there was an
13 arm with a light hanging down focused on the -- on
14 the sign as opposed to --

15 MR. RONCATI: I don't think we've
16 shown anything like that.

17 MS. AMITAI: So, you don't
18 anticipate having any of that?

19 MR. RONCATI: No. I mean we're
20 giving a few examples from other Eden's projects,
21 of the types of signs there would be. And, as you
22 can see from these examples, there are no board
23 signs with lights or gooseneck lights shining on
24 them horizontally.

25 CHAIR LIGNOS: Okay, Mr. Roncati,

1 would you be the person to ask questions of the
2 pedestrian path from Vervalen or Homans on to the
3 site? Or would it be the site engineer?

4 MR. BASRALIAN: It's really the
5 traffic engineer.

6 CHAIR LIGNOS: Okay. All right.
7 Now, any other member of the board having
8 questions of the architect? Mayor.

9 MS. HEYMANN: Yeah. On the pylon,
10 you have a limit of how many merchants you're
11 going to be placing on there? Because the way
12 you've got the distribution there on the sample it
13 may not include everyone you have in there.

14 MR. RONCATI: I'm sorry, I didn't
15 know if that was the -- what we're depicting here,
16 graphically, is what we're proposing. Let me be
17 more specific. The size of the sign is not
18 changing. In other words, the overall height and
19 width that we're showing here is not going to
20 change. We show, for example, four divisions of
21 the bottom panel. The Lewis and Clark outfitters,
22 again, a made up name, that would be divided into
23 two. And that panel could be divided into four.

24 MS. HEYMANN: Okay. So, in other
25 words, you visualize having to change the space on

1 the location?

2 MR. RONCATI: This could change.
3 But the overall size would not change. And we
4 certainly know that the Whole Food sign is going
5 to be that size.

6 MS. HEYMANN: Okay. I have another
7 question for you. On the perpendicular wall
8 hanging signs --

9 MR. RONCATI: Yes.

10 MS. HEYMANN: -- what kind of
11 specifications for fastening them and making those
12 secure?

13 MR. RONCATI: Well, they --
14 typically -- typically these signs are -- are --
15 attached to steel plates. And then those steel
16 plates are either attached by bolts or by
17 expansion bolts into masonry, or by bolts into
18 steel plates, that are there to receive them. So,
19 as you can see from the examples up on the slide
20 46, you know, all of the armitures and all of the
21 signs are either steel pipe, steel tube or
22 aluminum tube. So, they would be durably affixed
23 to the building.

24 MS. HEYMANN: I asked the question
25 because I didn't visual that. Some of them are

1 fastened differently from other's.

2 MR. RONCATI: Right. And, again,
3 that has more to do with the esthetic of the sign.
4 You know, the baker, Chirico sign, is a very, you
5 know, clean black and white, but horizontal sign.
6 That makes due with two very small pipes that
7 attach it to a steel plate. That's just the
8 esthetic of the sign. The other one, with the
9 stationary store, you know, that's a solid square
10 tube that comes out and then the sign is dropped
11 from two small chains. So, the type of sign, the
12 esthetics of the sign, all go to its mounting and
13 it's frame. And every sign will be different.
14 We're not prescribing one particular mounting
15 style.

16 MR. BASRALIAN: But the attachment
17 will be, whether it's one style or another, the
18 attachment will still be generally the same way
19 you've described it, with the steel plates into
20 bolts or expansion bolts into the masonry, into
21 the --

22 MR. RONCATI: Into the super
23 structure itself, yes.

24 CHAIR LIGNOS: Members of the board,
25 does anyone else have a question of the architect,

1 or his presentation, or any of the drawings,
2 before I open up the meeting to the public?

3 MR. DENICOLA: All the plaza areas,
4 that's a site engineering issue, right? The plaza
5 areas?

6 MR. BASRALIAN: Yeah, the plaza
7 areas, the description of them comes from the site
8 engineer. The landscaping will come from the
9 landscape architect. We're prepared to address
10 all of those things.

11 CHAIR LIGNOS: What we would like,
12 is Mr. Roncati to be available, not at every
13 meeting, but if we need him to come back.

14 MR. BASRALIAN: Just let me know and
15 we'll make sure he's available.

16 MS. AMITAI: I have one question.

17 CHAIR LIGNOS: Okay. Yes.

18 MS. AMITAI: So, when somebody
19 leaves the plaza--

20 MR. RONCATI: A tenant.

21 MS. AMITAI: A tenant leaves and a
22 new person comes in. So, then are they -- are
23 they hooked into doing the same kind of sign in
24 the same kind of place?

25 MR. RONCATI: No.

1 MS. AMITAI: So, somehow you repair
2 the wall and you give them whatever he wants for
3 his sign?

4 MR. RONCATI: Well, there would be a
5 discussion for each tenant that comes in. Again,
6 the evolution of the center, the evolution of the
7 design, and that tenant would work with us, work
8 with Edens, to create a new facade, and a new sign
9 package, a new blade sign. It could be the same.
10 Most likely it would change.

11 CHAIR LIGNOS: Okay. If there are
12 no more questions from the board, I'd like to open
13 up this portion of the meeting to the public.
14 Does any member of the public have questions,
15 specific architectural questions of the architect?
16 Please step forward and state your name for the
17 record. And, then, again, I'm going to ask you
18 that specifically they're questions, and they're
19 questions for the architect.

20 MR. BASRALIAN: And I would just
21 like to, if the chairman would, that the questions
22 are related to his testimony and all the subjects.

23 CHAIR LIGNOS: Yeah. Yeah, related
24 to the testimony. Sir, one more time.

25 MR. ROSENBLUME: Jessie Rosenblume,

1 65 Knickerbocker Road. You mentioned that there
2 would be space set aside for restaurants. Does
3 that include fast foods?

4 MR. RONCATI: I'm not sure what your
5 definition of fast food is.

6 MR. ROSENBLUME: Like the popular
7 family food chains.

8 MR. RONCATI: What I've worked with
9 the client, is, to create up to 20,000 square feet
10 of restaurant, whatever that might be, within the
11 center.

12 MR. ROSENBLUME: So, basically
13 restaurant means all types of food establishments?

14 MR. RONCATI: It could be any type
15 of food establishment.

16 MR. ROSENBLUME: Okay. Did you
17 personally go into all of the stores or spaces?

18 MR. RONCATI: I've been in most of
19 them, yeah.

20 MR. ROSENBLUME: Not all. And as
21 part of that question --

22 MR. RONCATI: I didn't answer my
23 question yet. I believe that I've been in every
24 store except the party planning store over by the
25 theater, over here.

1 MR. ROSENBLUME: Okay. Did you talk
2 to any of the store operators as to any problems
3 they have with the space?

4 MR. BASRALIAN: I don't think that
5 relates to his testimony at all.

6 CHAIR LIGNOS: That doesn't relate
7 to the testimony.

8 MR. ROSENBLUME: Okay. There are
9 about five different types of shopping centers
10 based on where they draw their customers, or the
11 size of the property. How would you describe this
12 shopping center?

13 MR. RONCATI: I don't know what
14 those five centers are. I mean I'm not familiar
15 with that.

16 MR. CHAGARIS: He didn't give any
17 testimony about that.

18 MR. ROSENBLUME: Well, we're talking
19 about a shopping center, and there's a book with
20 numerous definitions of land use, and whatever,
21 and they describe --

22 MR. CHAGARIS: This is the
23 architect. He is describing what the architecture
24 of the shopping center that's going to be built is
25 going to be.

1 MR. ROSENBLUME: Okay. The
2 subdivided lot, would that be considered phase I
3 or phase II?

4 MR. RONCATI: It's not a part of
5 this application.

6 MR. ROSENBLUME: Not a part. Yet
7 according to the drawing, the owner of that
8 subdivided lot will be using the plaza for entry,
9 et cetera.

10 MR. RONCATI: I don't know that.

11 MR. ROSENBLUME: Okay. Can this
12 board come up with a determination of this
13 project, not knowing what will become of the
14 subdivided lot, plus the K-mart? In other words,
15 based on the tenants that might come into the
16 subdivided lot and the K-mart, we could have a
17 situation where the tail wags the dog, because
18 that subdivided lot, plus the K-mart adds up to a
19 lot of retail space.

20 MR. BASRALIAN: I would -- I would
21 say that this is really an irrelevant question,
22 because the subdivision only talks about the
23 vacant lot. There's no projected building. And
24 so, there's nothing that this -- Mr. Roncati could
25 respond to that question.

1 MR. CHAGARIS: He didn't testify
2 about that.

3 CHAIR LIGNOS: Mr. Basralian, do I
4 understand correctly, you have to come before this
5 board anyway for --

6 MR. BASRALIAN: For a site plan for
7 that property, yes.

8 CHAIR LIGNOS: For a site plan for
9 that property?

10 MR. BASRALIAN: That's correct.

11 MR. ROSENBLUME: All of the slides
12 that you've discussed, and the space that will be
13 removed, would any of that be considered the
14 demolition list that was discussed at the prior
15 meeting?

16 MR. RONCATI: I don't recall a
17 demolition list being discussed.

18 MR. ROSENBLUME: Okay. Would you
19 consider that a demolition plan?

20 MR. RONCATI: We discussed at the
21 last meeting, and it was my understanding what the
22 board was asking me to do, was, do a comparative
23 analysis of the current footprint, what would be
24 deducted from the footprint, and what would be
25 added in the aggregate, so that the board had an

1 overall understanding of what it is today, and
2 what it will be tomorrow in terms of an overall
3 footprint. And that was what that diagram was
4 conveying.

5 MR. ROSENBLUME: Okay. When it
6 comes to the time to remove portions of the
7 buildings and add additional, and you mentioned
8 you would have to find a supporting wall or add a
9 wall, would that be changing the square footage
10 that you will retain, and the square footage you
11 will remove? Everything will stay the same?

12 MR. RONCATI: We will end up with
13 the same square footage no matter what happens in
14 the end.

15 MR. ROSENBLUME: Okay. Thank you.

16 MR. RONCATI: Sure.

17 CHAIR LIGNOS: Okay. Yes, sir.
18 Please state your -- please come forward and state
19 your name for the record.

20 MR. ISAACSON: Steve Isaacson, 97
21 Columbus. According to the slide that you had of
22 the restaurant area, it appeared that the trees
23 that were, I guess abutting the wall, were
24 overhanging into Closter Commons. But when you
25 showed the wall, it did not show the trees

1 extending past that wall. So, which way is it
2 going to be?

3 MR. RONCATI: It takes awhile for it
4 to warm up.

5 MR. ISAACSON: If you want, I'll
6 come back to that question.

7 MR. RONCATI: I'm sorry, we turned
8 the projector off. I'd be happy to pull up that
9 slide that showed that landscape area so we could
10 talk.

11 MR. ISAACSON: Okay. We can revisit
12 that. I'm concerned about the space between
13 Homans Avenue and the back of the buildings. How
14 much -- how far is the distance from the back of
15 the buildings to the edge of your property?

16 MR. BASRALIAN: Excuse me. I would
17 be happy to have someone answer Mr. Isaacson's
18 questions. But that's the site engineer who is
19 going to testify as to the distances.

20 MR. CHAGARIS: Well, actually I
21 think that was foundation. Did you have another
22 question?

23 MR. ISAACSON: Well, the reason why
24 I'm asking, is, because how big are those
25 enclosures going to be? The dumpster enclosures.

1 And will this be -- I know it's probably the
2 traffic engineer would testify, is this going to
3 be a parking plus two-way road in between the
4 property and the end of the building, and then
5 with the trash enclosure? I'm just trying to
6 figure out how much space --

7 MR. CHAGARIS: Now you're getting
8 into the site engineering. But I thought you were
9 talking about the wall there.

10 CHAIR LIGNOS: But he could answer
11 the dumpster location, what size were you, in
12 your -- in your mind, were you contemplating as
13 far as the dumpster?

14 MR. RONCATI: I believe that they're
15 8 feet from the face of the building to the
16 parallel wall of that screening area. And the --
17 although I would defer with -- for exact specifics
18 on dimensions, to the site engineer, that traffic
19 that's being planned behind the building, between
20 Homans and the building, in that parking area, is
21 one way. So, it's not -- you asked -- inquired
22 whether it was two-way traffic or one-way traffic.
23 And what this site engineer has laid out, and
24 again, we can bring this up later with him, it's
25 one-way traffic. It's, in both cases, heading

1 eastbound, and there's diagonal parking on the
2 Homans Avenue side, the north side of that parking
3 area.

4 MR. ISAACSON: Yeah. Because I
5 believe it says, trash enclosures cannot be set
6 closer to the building than 15 feet as per the
7 fire department. And that was my concern, that
8 the size of the receptacle area, and the distance
9 between the dumpsters and the building, will that
10 allow 15 feet?

11 MR. RONCATI: Yes. The answer to
12 that, is, yes.

13 MR. ISAACSON: Okay. You talked
14 about the possibility of putting solar panels up
15 on the roof. Possibility. Will these building be
16 constructed to support that much weight?

17 MR. RONCATI: They would be. But,
18 again, and I don't want to mislead anyone, we're
19 not proposing that, but what I found with this
20 client, is that if there's something sustainable
21 that's reasonable and cost effective to do, they
22 have considered it.

23 MR. ISAACSON: Also, the dumpster
24 that you had by the restaurant area, how is that
25 going to be emptied? I mean is there any way --

1 because it seemed like, according to the plan,
2 that there was no truck access to get to that
3 dumpster.

4 MR. RONCATI: We have -- you're
5 saying restaurant area. I assume you are talking
6 about the -- the two dumpsters that are near
7 retail building D and theater E.

8 MR. ISAACSON: Right. I think it's
9 actually, you had them by the outdoor eating area,
10 between the outdoor eating area and the building.

11 MR. RONCATI: There's -- and, again,
12 we're looking at slide 52. This is the site plan.
13 There is one container here, one dumpster location
14 here. And that's accessed from the drive that
15 goes from Vervalen down the east side of the
16 theater, and into that area for pick-up, and then
17 there was one more back on the north side of
18 building D, which is, you know, immediately on the
19 drive aisle for pick-up.

20 MR. ISAACSON: Okay. So, basically
21 it's just like four or five dumpsters, 8 X 8, for
22 the entire shopping center?

23 MR. RONCATI: No, these are -- these
24 are -- these three, 1, 2, 3 dumpster locations,
25 are at least 8 X 20. The site engineer has that

1 dimension. Those are very, very large. The one
2 behind what is now K-mart looks to be 8 X 15. And
3 then of course Whole Foods has a compaction
4 system. So, the need for large massive containers
5 is reduced through compaction. But the restaurant
6 in building D, if there is a restaurant on this
7 end cap, there's a sidewalk that -- a service
8 sidewalk that goes right down to that container.
9 So, they would be able to go out, down a walk, and
10 right over to that container.

11 MR. ISAACSON: That compaction
12 center is going to need a compactor and an area to
13 store all the compacted materials.

14 MR. RONCATI: For the Whole Foods?

15 MR. ISAACSON: Yeah.

16 MR. RONCATI: That would just be
17 emptied. It would compact and then be emptied by
18 the hauler.

19 MR. ISAACSON: Right. But how often
20 would they empty it? And where would they
21 store -- I mean you're talking --

22 MR. RONCATI: Well, typically when a
23 compactor compacts, it's then emptied by the
24 hauler. It's not like a cardboard bailer.

25 MR. ISAACSON: You mean it could be

1 like a big container?

2 MR. RONCATI: Right.

3 MR. ISAACSON: So, it will just get
4 compacted into that?

5 MR. RONCATI: Right.

6 MR. ISAACSON: Could we would go
7 back to that slide behind the restaurants where
8 the trees are? I mean it just seems like, that
9 the trees are going on Closter Commons. And I
10 just was curious about that. Yeah, see the way
11 how they extend past the black line. And that's
12 Closter Commons, correct?

13 MR. RONCATI: Well, this would be
14 our property line. And the way the landscaper
15 rendered this, you're right, the tree looks like
16 it overhangs into Closter Commons.

17 MR. ISAACSON: Because the trees
18 that are above it don't look anything like the
19 trees that are those circles.

20 MR. RONCATI: Well, graphically
21 that's how you depict it. You know, this width of
22 this tree, matches the width of this circle. You
23 know, these are not large evergreen trees. These
24 are deciduous trees.

25 MR. ISAACSON: Okay.

1 MR. RONCATI: So, you know, as
2 maturity, the canopy of this, as depicted, would
3 come over into Closter Commons, we can certainly
4 take this planting location and just push it back
5 and I would say that we could certainly make sure
6 that the trees and the canopy stay within the
7 Closter Plaza property.

8 MR. ISAACSON: Okay. And one last
9 question regarding the electrical wiring. I
10 thought it was my understanding that any new
11 construction has to have buried wiring, is that
12 correct?

13 MR. CHAGARIS: I think the site
14 engineer will be able to talk about that.

15 MR. RONCATI: I don't know the
16 answer to that.

17 MR. BASRALIAN: That's an issue
18 that's really addressed there. But that's not
19 correct. If you're talking about subdivisions,
20 three or more, that's blocks that require buried
21 line. It doesn't relate to same to commercial
22 properties.

23 MR. ISAACSON: Well, like I thought
24 if you were going to be demolishing the Whole
25 Foods, and that's a huge user of electric, it

1 might be good to just bury those lines. I mean if
2 we're concerned about the future of Closter,
3 getting rid of those overhead lines would
4 definitely help. Thank you.

5 CHAIR LIGNOS: Okay, any other
6 member of the board having a question of this
7 witness?

8 MS. AMITAI: Did you say board?

9 CHAIR LIGNOS: I'm sorry. I
10 apologize. No, the board better not have a
11 question of this witness.

12 MS. AMITAI: I have -- I have --

13 CHAIR LIGNOS: Any --

14 MS. AMITAI: When you're done.

15 CHAIR LIGNOS: I really don't want
16 to open up to the public again, councilwoman,
17 that's the reason I asked for questions from the
18 board, members of the public, any other member of
19 the public have a question of this witness?

20 Yes, sir.

21 MR. SEGRETO: Yes, John Segreto. I
22 have a question.

23 Mr. Roncati, as part of your
24 engagement, did you review the plans that were
25 approved by this board in 2010?

1 MR. RONCATI: No.

2 MR. SEGRETO: I'm a little confused
3 about the designation of buildings and what's
4 going to be demolished and not. So, I'd like to
5 ask you some questions about that.

6 In the prior application the
7 buildings were identified a little differently
8 than you identify the buildings. On your plans
9 you indicate that the K-mart building is retail F,
10 is that correct?

11 MR. RONCATI: Yes.

12 MR. BASRALIAN: I don't have any
13 objection to asking any questions about his
14 testimony, but the designation of buildings under
15 the prior application is irrelevant to this one.

16 MR. CHAGARIS: It was just
17 foundational. That's why he's asking what the
18 designations are for this --

19 MR. SEGRETO: All right, but with
20 all due respect to Counsel, the Irony's were the
21 prior applicant, and my understanding is that the
22 Irony's still have an interest in our -- our
23 applicants, aren't they?

24 MR. CHAGARIS: Could you speak
25 louder, please. Could you speak louder, please.

1 MR. SEGRETO: Yeah, I said, with all
2 due respect to Counsel, the Irony's were the prior
3 applicants, and the Irony's are still the
4 applicants herein. They have an interest in this
5 property, is that correct?

6 MR. BASRALIAN: They are not the
7 applicants. The applicant is the named party on
8 the application. We've -- we've disclosed who the
9 ownership interests are, as required by law.
10 That's all. They are not the applicants.

11 MR. CHAGARIS: Regardless -- wait,
12 just a second. Regardless of how it was
13 designated before, why don't you direct your
14 question -- I think because before you were just
15 giving a foundational premise as to why you were
16 asking the questions. So, just why don't you ask
17 the question.

18 MR. SEGRETO: All right. The K-mart
19 building is a free-standing building, is that
20 correct, sir?

21 MR. RONCATI: Yes.

22 MR. SEGRETO: As it exists now. And
23 there's a driveway between the K-mart building and
24 the existing, I guess it was Stop and Shop
25 building, is that correct?

1 MR. RONCATI: Yes.

2 MR. SEGRETO: And that Stop and Shop
3 building is going to be demolished, isn't that
4 true?

5 MR. RONCATI: What was the Stop and
6 Shop building will be demolished in this plan.

7 MR. SEGRETO: Right. And that
8 existing building has four walls, is that right,
9 that support a roof?

10 MR. RONCATI: I believe that is
11 correct.

12 MR. SEGRETO: And each one of those
13 four walls and the roof are going to be removed,
14 isn't that true?

15 MR. RONCATI: Yes.

16 MR. SEGRETO: And that will leave
17 building B, before you build the new Whole Foods,
18 with four walls supporting a roof system, isn't
19 that correct, sir?

20 MR. CHAGARIS: Could you repeat that
21 question, sir.

22 MR. SEGRETO: Yes. Before the Whole
23 Foods building is constructed, and after the Stop
24 and Shop building is demolished, you will have the
25 retail building B, which you depict on your plans,

1 with four walls and a roof, correct?

2 MR. RONCATI: I am not sure.

3 MR. SEGRETO: Well, why aren't you
4 sure? You're the architect, correct?

5 MR. RONCATI: Because I haven't
6 gotten into the construction drawings. I don't
7 know if the -- the wall that is there between the
8 two buildings is one independent or two fused
9 walls. That's something that will have to be
10 determined upon a field inspection.

11 MR. SEGRETO: You haven't -- you
12 haven't inspected that Stop and Shop building?

13 MR. RONCATI: No.

14 MR. SEGRETO: Is that the reason why
15 the prior application depicted the Stop and Shop -
16 the Stop and Shop as --

17 MR. RONCATI: I have no idea what
18 the prior application depicts.

19 MR. SEGRETO: All right, well, maybe
20 the board will remember this, that the Stop and
21 Shop building was building A and then the rest of
22 that was building B. They showed it as two
23 separate buildings.

24 MR. CHAGARIS: Well, that was a
25 different application. Just ask a question about

1 this application.

2 MR. SEGRETO: I know but it was the
3 same property. We're talking about the existing
4 conditions.

5 MR. CHAGARIS: Yeah, but this is a
6 different application. Mr. Segreto, just ask a
7 question about what this man testified and about
8 this application. What prior application occurred
9 or didn't occur. There are different board
10 members. Different applications. Different
11 testimony. This is this application.

12 MR. SEGRETO: It's the same property
13 and the same buildings, right?

14 MR. CHAGARIS: Well, it's not --
15 it's a different application. We're not talking
16 about the property. We're talking about an
17 application.

18 MR. SEGRETO: I'm talking about the
19 existing buildings. They didn't change.

20 MR. CHAGARIS: Ask your question,
21 sir.

22 MR. SEGRETO: Now, there was a
23 building, that protruded into the parking lot in
24 front of the retail building B, and that's going
25 to be removed, correct?

1 MR. RONCATI: You're talking about
2 the section of the building that currently houses
3 the jewelry store?

4 MR. SEGRETO: Well, that's what I
5 don't know. That's why I thought it was so much
6 easier in the last application, they denoted that
7 --

8 MR. CHAGARIS: Well, maybe it was
9 easier but just ask a question about this
10 application.

11 MR. SEGRETO: I know, but this
12 applicant has building C. So, the question, is --

13 MR. CHAGARIS: No, just direct your
14 question to this application.

15 MR. SEGRETO: All right. Well, it's
16 your representation that there's a jewelry store
17 in that building that protrudes -- presently
18 protrudes out into the parking lot?

19 MR. RONCATI: You're saying
20 protrudes. There's a building now that contains a
21 jewelry store. It used to contain a chocolate
22 store. It's free-standing. In our project it is
23 being removed in its entirety.

24 MR. SEGRETO: But that was a
25 free-standing building, right? Separate from

1 building D, that you show on your plans?

2 MR. RONCATI: Yes.

3 MR. SEGRETO: And you're removing
4 that building?

5 MR. RONCATI: Yes. Still.

6 MR. SEGRETO: Now, your retail
7 building D, makes a right angle, is that correct?

8 MR. RONCATI: Retail building D, is,
9 I would describe it an "L" shape.

10 MR. SEGRETO: "L" shape form. Isn't
11 it true that it's actually two buildings connected
12 by a canopy roof?

13 MR. RONCATI: No, it's one building.

14 MR. SEGRETO: The top portion of
15 that retail D building, it has four -- four
16 separate walls, is that correct? Which support a
17 roof?

18 MR. RONCATI: No.

19 MR. SEGRETO: It doesn't?

20 MR. RONCATI: No, it has a column
21 frame in the building.

22 MR. SEGRETO: I'm talking about four
23 exterior walls.

24 MR. RONCATI: Does it have four
25 exterior walls?

1 MR. SEGRETO: Yeah. That support
2 its current roof and creates an enclosure, doesn't
3 it?

4 MR. RONCATI: I'm not sure what
5 you're asking. Building D is an "L" shaped
6 building.

7 MR. SEGRETO: I'm talking about
8 right now, the top portion of the existing
9 building D.

10 MR. RONCATI: The top portion,
11 existing building D, has 1, 2, 3, 4 exterior
12 walls.

13 MR. SEGRETO: Which supports a roof,
14 right?

15 MR. RONCATI: A portion of a roof of
16 building D.

17 MR. SEGRETO: And creates an
18 enclosure?

19 MR. RONCATI: The entire building is
20 an enclosure.

21 MR. SEGRETO: And you're showing on
22 your architectural plans, a canopy roof, is that
23 correct?

24 MR. RONCATI: No.

25 MR. SEGRETO: Well, in one of

1 your -- in one of your slides you show the plaza
2 that's in that area --

3 MR. RONCATI: Correct.

4 MR. SEGRETO: -- did you not? And
5 you showed a picture looking through that plaza,
6 and you can see straight through?

7 MR. RONCATI: Correct.

8 MR. SEGRETO: So, there's no
9 building in the way, right? There's just a canopy
10 with an opening.

11 MR. RONCATI: A building has a roof.
12 It's one building. It's an "L" shaped building
13 that wraps from where the building was being
14 removed, the jewelry store, eastward towards
15 Closter Commons, turns at a right angle, as you
16 mentioned before, and extends down all the way to
17 Vervalen, connecting to the theater building. One
18 structure.

19 MR. SEGRETO: You're showing it as
20 one structure on the architectural plans?

21 MR. RONCATI: Yes.

22 MR. SEGRETO: And it's your
23 testimony that the existing condition is one
24 structure forming an "L"?

25 MR. RONCATI: As it exists today?

1 MR. SEGRETO: Yes.

2 MR. RONCATI: Yeah, it's still --
3 it's a building today, and it's one building as
4 proposed.

5 MR. SEGRETO: That part of retail
6 building D that you're showing, that's adjacent to
7 the theater, is it attached to the theater
8 building?

9 MR. RONCATI: It's adjacent.

10 MR. SEGRETO: It's not attached?

11 MR. RONCATI: Structurally, no.

12 MR. SEGRETO: I'm talking about its
13 current condition.

14 MR. RONCATI: I believe it's
15 structurally independent.

16 MR. SEGRETO: And when the
17 improvements are made it's going to continue to be
18 structurally independent?

19 MR. RONCATI: Yes.

20 MR. SEGRETO: And you're telling me
21 that the retail building D that's in an "L" shape
22 is going to be structurally dependent in that "L"
23 shape?

24 MR. RONCATI: I don't know.

25 MR. CHAGARIS: What was your word,

1 sir, dependent?

2 MR. SEGRETO: Structurally
3 dependent.

4 MR. RONCATI: I don't know how to
5 answer that question. It doesn't make sense to
6 me.

7 MR. SEGRETO: And the retail
8 building D, that forms an "L", if you take out
9 that canopy roof over the plaza, can both -- can
10 you form two buildings that are structurally
11 dependent of one another? Or do you need that
12 canopy roof to complete?

13 MR. RONCATI: I don't know how
14 something could be structurally dependent of each
15 other.

16 MR. SEGRETO: You used the word
17 about being independent. So, I'm talking about
18 being dependent.

19 MR. RONCATI: I said it was
20 structurally independent. You're mixing words
21 that don't make sense to me now. Structurally
22 dependent -- dependent from each other makes no
23 sense to me.

24 MR. SEGRETO: All right. If you
25 removed the canopy roof that's over that plaza,

1 could those two sections of the building stand
2 dependent of one another?

3 MR. BASRALIAN: But before you
4 answer that -- excuse me. Excuse me.

5 MR. SEGRETO: Are they structurally
6 independent. I'm sorry.

7 MR. BASRALIAN: I'm sorry. It's a
8 hypothetical. And you have to address the plans,
9 which show building D as one structure, from --
10 running from north to south and east to west.
11 And, hypothetically, if you chop the building in
12 to four pieces you would have four buildings. But
13 that's not what the plan shows.

14 MR. SEGRETO: That's not what I'm
15 asking.

16 MR. BASRALIAN: But you're asking a
17 hypothetical -- to address the board. He's asking
18 a hypothetical question.

19 MR. SEGRETO: If you remove --

20 MR. BASRALIAN: Excuse me. You can
21 talk, but let me ask. He's asking a hypothetical
22 question, that if you remove part of it, wouldn't
23 it be multiple buildings. And that's not what's
24 on the plan.

25 MR. CHAGARIS: Mr. Segreto, can you

1 rephrase your question?

2 MR. SEGRETO: Yeah. The canopy roof
3 that goes across the plaza, if you remove that,
4 could both parts of retail building D stand
5 independent of one another?

6 MR. RONCATI: Can you ask that
7 question again?

8 MR. SEGRETO: Yeah. If you remove
9 the canopy roof that is over that open plaza
10 there, could the two buildings stand independent
11 from one another, from a structural standpoint?

12 MR. RONCATI: No.

13 MR. SEGRETO: The canopy roof is
14 needed for them to stand structurally?

15 MR. RONCATI: It's not a canopy
16 roof. It's an integral part of the building.
17 You're asking if you can excise a portion of a
18 building and make two pieces from it, is that your
19 question?

20 MR. SEGRETO: I'll withdraw the
21 question. All right. You indicated that you've
22 been working on this project approximately one and
23 a half years, is that correct?

24 MR. RONCATI: Yes.

25 MR. SEGRETO: And your engagement

1 was to create a town center?

2 MR. RONCATI: My engagement was to
3 be the architect on a repositioning and a
4 renovation of this Closter Plaza.

5 MR. SEGRETO: All right. Was your
6 goal to create a town center?

7 MR. RONCATI: My goal was to
8 renovate Closter Plaza.

9 MR. SEGRETO: You indicated that you
10 were, or you needed to make a striking design, is
11 that correct?

12 MR. RONCATI: I don't recall saying
13 that.

14 MR. SEGRETO: Now, you told us
15 about, that you're involved, and your
16 concentration as an architect is with unique
17 retail projects, is that correct?

18 MR. RONCATI: I don't recall saying
19 that was my concentration.

20 MR. SEGRETO: Okay. You talked
21 about Lord and Taylor, Elizabeth Arden, Century
22 21, as being anchor stores that have been in your
23 projects, is that correct?

24 MR. RONCATI: I did not mention that
25 they were anchor stores in any way. I gave a

1 description of some of my retail experience.

2 MR. SEGRETO: Well, would you
3 consider stores like Lord and Taylor, Elizabeth
4 Arden, Century 21, anchor stores --

5 MR. RONCATI: No.

6 MR. SEGRETO: -- for a shopping
7 center?

8 MR. RONCATI: No.

9 MR. SEGRETO: Are supermarkets the
10 only type of retail stores that would be
11 considered anchor stores?

12 MR. RONCATI: I don't know what your
13 definition of anchor store is.

14 MR. SEGRETO: Well then I'm asking
15 what your definition of anchor store is then.

16 MR. CHAGARIS: Did you use that word
17 anchor stores if your testimony, sir?

18 MR. RONCATI: I don't believe that I
19 did.

20 MR. CHAGARIS: I don't think that's
21 really relevant Mr. Segreto.

22 MR. SEGRETO: It's not relevant?

23 MR. CHAGARIS: No, he didn't use
24 that word in his testimony.

25 MR. SEGRETO: Is the Whole Foods

1 store that you proposed an anchor store for this
2 shopping center?

3 MR. RONCATI: I think it's an
4 important component of this center.

5 MR. SEGRETO: But it's not an anchor
6 store?

7 MR. RONCATI: Again, not knowing
8 what your definition of anchor store is, it's hard
9 to answer the question.

10 MR. SEGRETO: Are you telling me --
11 are you telling me, as an architect, you never
12 heard the term, anchor store?

13 MR. RONCATI: I didn't say I didn't
14 hear the term. I said I don't know what your
15 definition is. If you would like to tell me what
16 your definition is I could --

17 MR. SEGRETO: Don't worry about me.
18 I want to know -- you tell me what your definition
19 of an anchor store is.

20 MR. RONCATI: I don't have one.

21 MR. SEGRETO: You don't have one?

22 MR. RONCATI: No.

23 MR. SEGRETO: Now, you told us that
24 you and your design staff did a study of Closter.
25 Do you remember telling us that?

1 MR. RONCATI: Yes.

2 MR. SEGRETO: Was that a written
3 study?

4 MR. RONCATI: No.

5 MR. SEGRETO: I guess your design
6 people did research and then reported back to you?

7 MR. RONCATI: We did it collectively
8 and independently. It was mostly photographic and
9 verbal. And we presented the photographs in
10 our -- in my presentation at the last hearing.

11 MR. SEGRETO: Well, what were your
12 conclusions about Closter? What were your
13 conclusions in that study?

14 MR. RONCATI: They have not changed
15 since my last presentation. Stayed the same.

16 MR. SEGRETO: I don't know. You
17 told us about the study, but you didn't tell us
18 what your conclusions were. What I'm asking you,
19 is, what were your conclusions about Closter?

20 MR. RONCATI: I believe in my
21 testimony I stated what our conclusions were. If
22 you have a question about a specific statement
23 that I made?

24 MR. SEGRETO: No, because I take
25 very good notes, sir. And I didn't hear any

1 conclusions about your study. And that's why I'm
2 asking the question, because you told us you did a
3 study, but you didn't tell us what your
4 conclusions were. What did you conclude about
5 Closter as it related to your design of this
6 project?

7 MR. RONCATI: Well, those are two
8 separate things. Which one are you asking me
9 about?

10 MR. SEGRETO: I'm asking you , 1,
11 what your conclusions were, and how did you take
12 those conclusions and use them to design the
13 project.

14 MR. RONCATI: My conclusions, after
15 looking closely at all the buildings in town,
16 mostly in the downtown commercial corridor,
17 concentrating on those areas, and surrounding this
18 property, including properties along Homans, the
19 golf driving range, Closter Commons, downtown
20 proper, as I depicted in my presentation, was that
21 there was a rich variety of architectural styles,
22 and there wasn't a dominant esthetic in the
23 community.

24 MR. SEGRETO: Now, you indicated
25 that food is going to be the driving force in the

1 redevelopment of the Closter Plaza, is that
2 correct?

3 MR. RONCATI: I don't know if I used
4 those exact words. But I said that the
5 incorporation of food and restaurants was going to
6 be an important component of this reimagined
7 center.

8 MR. SEGRETO: All right. And the
9 applicant is stipulating that the maximum amount
10 of square footage for the restaurant will be
11 20,000 square feet, is that correct?

12 MR. RONCATI: Yes.

13 MR. SEGRETO: But you'll agree with
14 me, that the parking requirements for restaurants
15 concerns the number of seats, and it concerns a
16 number of employees, isn't that true?

17 MR. RONCATI: Yes.

18 MR. SEGRETO: Well, how does this
19 board know how many seats there's going to be in
20 this 20,000 square feet, how many employees
21 there's going to be? How did they calculate the
22 parking requirement when they're looking at these
23 variances for parking?

24 MR. RONCATI: I didn't provide any
25 testimony on the parking requirements of the

1 proposed facility.

2 MR. SEGRETO: You didn't answer --
3 you didn't answer my question.

4 MR. CHAGARIS: Well, could you
5 repeat the question, sir.

6 MR. SEGRETO: Yeah. The question
7 is, that you're proposing 20,000 square feet, and
8 the parking requirement concerns seats and
9 employees. The question is: How does the board
10 determine what the requirement would be for
11 parking for your 20,000 square feet of restaurant
12 space?

13 MR. CHAGARIS: I think he said that
14 the traffic engineer is going to be talking about
15 that.

16 MR. BASRALIAN: Yes, in addition --
17 in addition, the application sets forth the ratio,
18 the number of seats, the employees, and the
19 parking requirements. And that's set forth in the
20 application. This -- this witness did not testify
21 about the parking at all.

22 MR. SEGRETO: So, I have to ask the
23 traffic engineer, is that correct?

24 MR. CHAGARIS: Yes, sir.

25 MR. SEGRETO: Now, you indicated

1 restaurants are important to Edens, right? They
2 play -- they play a major role --

3 MR. RONCATI: Yes.

4 MR. SEGRETO: -- in shopping
5 centers. Do they have a commitment from any
6 restaurant chains for this shopping center?

7 MR. RONCATI: Not that I know of.

8 MR. SEGRETO: Isn't it true that the
9 only commitment they have is from Whole Foods?

10 MR. RONCATI: Not that I know of.

11 MR. SEGRETO: They don't have a
12 commitment from Whole Foods?

13 MR. CHAGARIS: Your question was:
14 Was that the only commitment. And he said that's
15 not what he knows.

16 MR. SEGRETO: They have a commitment
17 from Whole Foods, is that correct?

18 MR. RONCATI: I've been advised that
19 they have a commitment from Whole Foods.

20 MR. SEGRETO: Do they have a
21 memorandum of lease or do they have a signed
22 lease?

23 MR. BASRALIAN: Excuse me. That's
24 not within the scope of what he testified to at
25 all.

1 MR. CHAGARIS: Sustained.

2 MR. SEGRETO: He testified that
3 there's going to be a Whole Foods. And I can't
4 ask him questions about how there's going to be a
5 Whole Foods?

6 MR. CHAGARIS: He designed it for a
7 Whole Foods. But he didn't testify about any
8 lease or memorandum of a lease or what is
9 contained in the lease, or anything of that sort.

10 MR. SEGRETO: And I can't ask the
11 architect if he knows of any?

12 MR. CHAGARIS: Right.

13 MR. SEGRETO: All right. You talked
14 about public spaces being very important, is that
15 correct?

16 MR. RONCATI: Yes.

17 MR. SEGRETO: And the public spaces
18 depicted on your architectural plans are plazas,
19 is that right?

20 MR. RONCATI: They're outdoor
21 spaces, yes.

22 MR. SEGRETO: All right. Other than
23 the plazas are there any other public spaces?

24 MR. RONCATI: I'm sorry, sir, could
25 you please repeat that.

1 MR. SEGRETO: Other than the plazas
2 are there any other outdoor public spaces?

3 MR. RONCATI: No.

4 MR. SEGRETO: Do you have any idea
5 of the plans that were approved in 2010, how many
6 square feet -- how much square feet of plazas that
7 approved plan had?

8 MR. RONCATI: As I mentioned
9 earlier, I had not reviewed those drawings.

10 MR. SEGRETO: All right. I want to
11 talk about each of the plazas that you have on
12 your architectural plans.

13 CHAIR LIGNOS: If we may, I think
14 the board needs to take a break. Our court
15 reporter needs to take a break. Let's take a ten
16 minute recess. We will pick it up again at 10:30.

17 Mr. Segreto, do you have an idea of
18 the time frame of your questioning?

19 MR. SEGRETO: No, I don't. It seems
20 like a lot of questions can't be answered so it
21 might go quick.

22 CHAIR LIGNOS: The time now is
23 10:22.

24 (A recess was taken.)

25 CHAIR LIGNOS: The time now is 10:32

1 and this hearing is back in session. I am -- I
2 have gotten a general feel from the board,
3 Mr. Basralian, we're going to wrap this up this
4 evening at around 11:00 because we have to be
5 right back here for a repeat performance tomorrow
6 night. And, although we are very high paid
7 individuals at these positions, I think we got to
8 get some sleep to go to our day jobs and do it
9 again tomorrow night. So, let us continue.
10 Mr. Segreto was asking questions of the witness,
11 and Mr. Segreto, if you would be so kind as to
12 continue where you left off.

13 MR. SEGRETO: All right. Thank you,
14 Mr. Chairman. All right, I was asking about the
15 plazas, the public spaces. And I'm looking at
16 your first sheet, sir, and there's the plaza
17 indicated in front of retail F. It's at the
18 corner of the Whole Foods building and the retail
19 F building. Do you see that plaza?

20 MR. RONCATI: There are two separate
21 plazas, one by the theater and one by Whole Foods.

22 MR. SEGRETO: No, I'm talking about
23 retail F. The plaza that's at the corner of
24 retail F and retail A.

25 MR. RONCATI: I thought you said

1 theater. I'm sorry. Yes.

2 MR. SEGRETO: All right. What's the
3 size of that plaza? In square feet.

4 CHAIR LIGNOS: Mr. Roncati, if you
5 would be kind enough, once you locate it, to also
6 show it -- yeah, laser pointer please, for the
7 board.

8 MR. RONCATI: Sure. I believe we're
9 talking about this plaza here.

10 MR. SEGRETO: Yeah, that's the plaza
11 I'm talking about. Exactly.

12 MR. RONCATI: That's to the west of
13 Whole Foods entrance.

14 MR. SEGRETO: Right. All right.
15 I'm only a lawyer but --

16 MR. RONCATI: It's approximately
17 2,500 -- I'm sorry, 2,200 square feet.

18 CHAIR LIGNOS: Now, you mentioned
19 two of them, Mr. Segreto. Which one was the other
20 one?

21 MR. SEGRETO: No, no, no, I want to
22 talk about them one at a time.

23 CHAIR LIGNOS: Okay.

24 MR. SEGRETO: All right. That's
25 2,200 square feet. And there seems to be some

1 amenities there. What's -- what's there on that
2 plaza?

3 MR. RONCATI: Seating and benches
4 and landscaping.

5 MR. SEGRETO: All right. How much
6 seating is provided there?

7 MR. RONCATI: It's undetermined at
8 this time.

9 MR. SEGRETO: How many benches are
10 there?

11 MR. RONCATI: I don't know.

12 MR. BASRALIAN: Excuse me. I don't
13 want to stop him from asking his questions, but
14 these would be properly addressed to the engineer,
15 who can give more precise details on -- on square
16 footage. Not this witness, who talked about
17 plazas in the development of the shopping center,
18 but didn't go into detail about their size and
19 dimensions. The next witness will be the
20 engineer, hopefully and you can ask all those
21 questions of him.

22 MR. SEGRETO: He talked about the
23 important goals creating public spaces. He talked
24 about the plazas. He showed us how beautiful the
25 plazas are going to be, and then when I want to

1 ask questions about the plaza I can't ask
2 questions about the plazas?

3 MR. BASRALIAN: No, I'm only
4 relating to the square footage since the
5 calculation comes from the engineer.

6 MR. CHAGARIS: He didn't talk about
7 the square footage.

8 MR. BASRALIAN: I -- didn't talk
9 about the square footage. He can talk about the
10 design of the plaza and what is proposed.

11 MR. SEGRETO: I know but these
12 architectural plans are to scale, aren't they,
13 sir?

14 MR. RONCATI: Yes.

15 MR. SEGRETO: And you did the plans?

16 MR. RONCATI: I did the
17 architectural portion and worked with Omland on
18 the site integration.

19 MR. SEGRETO: Right. Which includes
20 these plazas that you're showing.

21 MR. RONCATI: They're technically
22 part of the site plan. But they are on my drawing
23 as it relates to coordination between architecture
24 and site.

25 MR. SEGRETO: Right. And they're

1 drawn to scale, correct?

2 MR. RONCATI: Yes.

3 MR. SEGRETO: All right. And this
4 plaza is not going to be built in phase I. This
5 plaza is going to be built in phase II, isn't that
6 correct?

7 MR. RONCATI: No. This will be
8 built in concert with the Whole Foods. It will
9 then be modified and enlarged in phase II.

10 MR. SEGRETO: Well, this first page
11 of your architectural plans, you're showing what
12 the K-mart building is going to look like after
13 phase II, aren't you? Because you're removing the
14 whole front portion of the K-mart.

15 MR. RONCATI: Yes. So, as I said,
16 it will be constructed, and then later in phase II
17 it will be enlarged and modified.

18 MR. SEGRETO: All right. But how
19 can it be constructed in phase I, when the K-mart
20 building is going to occupy the very space where
21 that plaza is located?

22 MR. BASRALIAN: Just for
23 clarification, Mr. Segreto, there are two plazas
24 on the plans, one to the right of Whole Foods or
25 to the east of Whole Foods, which I believe you're

1 talking about, and there's a second one to the
2 left, or to the west of Whole Foods. If you would
3 ask the question as to which will be built when, I
4 think that would be -- elicit the response you're
5 looking for.

6 MR. SEGRETO: I know. But the
7 gentleman used his pointer to point to the plaza
8 that we're talking about, and I continue to talk
9 about that same plaza. I don't know why there's a
10 problem. That's the plaza I'm talking about.

11 MR. RONCATI: A portion -- my answer
12 was, a portion of that plaza will be constructed,
13 and then when phase II happens it will be expanded
14 and modified to a dimension of approximately 50 X
15 47 in depth to an area of approximately 2,200
16 square feet in phase II. It will not be that
17 large in phase I.

18 MR. SEGRETO: Do you know when phase
19 II will be constructed?

20 MR. RONCATI: No.

21 MR. SEGRETO: Do you know when the
22 K-mart lease expires?

23 MR. RONCATI: I do not.

24 MR. SEGRETO: You'll agree with me,
25 at the end of phase I there's going to be retail

1 footprint on this plan of in excess of 219,000
2 square feet, isn't that true?

3 MR. RONCATI: Yes.

4 MR. SEGRETO: And if you include the
5 3,000 square foot mezzanine in the Whole Food
6 store there will be 222,000 square feet of retail,
7 isn't that correct?

8 MR. RONCATI: I have no knowledge of
9 a mezzanine.

10 MR. SEGRETO: You'll agree with me,
11 however, that at the end of phase I of this
12 project, and before phase II is completed, you
13 will have an increase in the retail square footage
14 from roughly 211,000 to 219,000, isn't that
15 correct?

16 MR. RONCATI: Yes.

17 MR. SEGRETO: And aren't you
18 increasing the intensity of the retail use as of
19 the end of phase I?

20 MR. RONCATI: There will be an
21 increase in the retail square footage.

22 MR. SEGRETO: All right. And you're
23 not prepared to say that it's an increase in the
24 intensity of the retail use?

25 MR. RONCATI: No.

1 MR. SEGRETO: All right. I want to
2 move then to the plaza on the other side of the
3 Whole Foods.

4 MR. RONCATI: This one right here,
5 Mr. Segreto?

6 MR. SEGRETO: Yes. I think you
7 identified that as being the main plaza in the
8 shopping center, is that correct?

9 MR. RONCATI: Yes, I did, yes.

10 MR. SEGRETO: What is the square
11 footage of that plaza?

12 MR. RONCATI: Approximately just shy
13 of 5,000 square feet.

14 MR. SEGRETO: And, again, you're
15 showing various amenities in that plaza. Looks
16 like there's planters there, is that correct?

17 MR. RONCATI: There are landscaped
18 planters. There are tables and chairs. There are
19 benches, trash receptacles. And, if you ask me
20 for each of the plazas, we might be going through,
21 the answers would be the same for all of them.
22 So, all of the things that I just mentioned are
23 consistent in each and every plaza that is being
24 proposed.

25

1 MR. SEGRETO: Well, you calculate
2 that plaza as being 5,000 square feet. How far
3 are you going?

4 MR. RONCATI: I said it was less
5 than 5,000, but close.

6 MR. SEGRETO: Right.

7 MR. RONCATI: And I've taken it from
8 the edge of Whole Foods, back to the third setback
9 where we were showing site furniture. Setback in
10 the building.

11 MR. SEGRETO: All right.

12 MR. RONCATI: So, if I could point,
13 without vibrating too much, from the eastern edge
14 of Whole Foods, and the plaza ends at the third
15 one, two, third jog, as there was proposed seating
16 in this area also.

17 MR. SEGRETO: That's fine. And then
18 if you continue along with that in front of the
19 building that's retail B, do you consider that to
20 be plaza in front of what's --

21 MR. RONCATI: Where I'm on
22 indicating on my exhibit here?

23 MR. SEGRETO: Yes. Again, same site
24 furniture, landscape materials, seating, benches.
25 That is approximately 2,800 square feet with a

1 depth of almost 30 feet at its maximum point. And
2 I took that to a length of 120 feet back from this
3 corner, back 120 feet, and it varies in depth.
4 And then you have another plaza at the corner of
5 retail building B near the driveway, is that
6 correct? Is that included in your 2,800 that you
7 just gave us?

8 MR. RONCATI: I'm not sure where
9 you're referring to.

10 MR. SEGRETO: All right, I'm
11 referring to the edge of retail building B, and
12 there's a driveway out to Homans.

13 MR. RONCATI: That is the plaza
14 we've been discussing, yes.

15 MR. SEGRETO: All right. So, that
16 plaza in front of the corner of that building is
17 included in the 2,800.

18 MR. RONCATI: That is the plaza,
19 period.

20 MR. SEGRETO: All right. Then I
21 want to move down in the "L" shape building that
22 you call retail building D, there is another
23 plaza, is that correct?

24 MR. RONCATI: Yes.

25 MR. SEGRETO: And how many -- how

1 many --

2 MR. MADDALONI: Can you highlight
3 that?

4 MR. RONCATI: That plaza is here, in
5 the "L" shape of the building. So, it is this
6 area here, goes to the edge of the building, and
7 then follows down towards Vervalen to the south,
8 along this edge, but does not include the private
9 public restaurant space at the rear --

10 MR. SEGRETO: All right, let's talk
11 about --

12 MR. RONCATI: -- on the other side
13 of the building.

14 MR. SEGRETO: Right. Let's talk
15 about that area where you indicate you think
16 there's going to be a restaurant, or you hope that
17 there's going to be a restaurant, with restaurant
18 seating, is that correct? That's not going to be
19 open to the public?

20 MR. RONCATI: Well, it's open to the
21 public because anybody from the public could
22 patronize the restaurant. So, yes, it is open to
23 the public.

24 MR. SEGRETO: You indicated that you
25 believe Rudy's Pizzeria is going to remain in the

1 shopping center?

2 MR. RONCATI: I have been advised
3 that they are remaining, yes.

4 MR. SEGRETO: All right. So,
5 someone who's going to the shopping center, goes
6 into Rudy and gets a couple of slices and a soda,
7 they can't walk to that seating behind where you
8 think the restaurant is going to be, and sit down
9 and have Rudy's Pizza and that soda, that's going
10 to be reserved for customers of the restaurant,
11 isn't that correct?

12 MR. RONCATI: It's open to the
13 public, and patrons of the restaurant, yes, I
14 agree with you.

15 MR. SEGRETO: I know. But the
16 example I just gave is that I can't get a couple
17 of slices at Rudy's --

18 MR. BASRALIAN: He just responded by
19 saying he agrees with you.

20 MR. SEGRETO: All right. Very good.
21 So, we don't consider that to be plaza public
22 areas, correct?

23 MR. RONCATI: I consider it to be a
24 public area. I don't consider it one of the
25 plazas that we've been discussing, no.

1 MR. SEGRETO: All right, that plaza
2 that we're discussing in the -- near the "L"
3 shaped retail D building, what's the square
4 footage of that plaza?

5 MR. RONCATI: Approximately 4,400
6 square feet.

7 MR. SEGRETO: And that's from
8 building to curb, correct?

9 MR. RONCATI: Well, it's curb -- the
10 curb is radius'd. So, it has a maximum dimension
11 of approximately 50 feet, by approximately 45, and
12 then most 100 feet in length. But it's an odd
13 shape. So, it's not easy to describe.

14 MR. SEGRETO: Are there going to be
15 planters at that curbed edge to separate the
16 public from cars that will be traveling in the
17 parking lot?

18 MR. RONCATI: They're not depicted.
19 Those type of -- those type of landscape planters
20 were depicted elsewhere. They've not been
21 depicted here. And I think that has a lot to do
22 with some of the other site fixtures, small lawn
23 area, and the location of the seating. But
24 there's no requirement to have landscape planters.

25 MR. SEGRETO: I'm not talking about

1 the requirements. I'm talking about, you, as the
2 architect, what are you planning on doing to
3 separate the public, who are in those plazas, from
4 the macadam where cars are driving?

5 MR. RONCATI: You're talking about
6 in general, or specific to this specific plaza?

7 MR. SEGRETO: I'm talking about --
8 let's talk about in general.

9 MR. RONCATI: There's a curb.

10 MR. SEGRETO: Other than that,
11 you're not going to have anything that separates
12 it?

13 MR. RONCATI: Well, no, I've already
14 said that in some cases there are landscape
15 planters.

16 MR. SEGRETO: And in other cases
17 there's not?

18 MR. RONCATI: Other case there's the
19 curb.

20 MR. SEGRETO: All right. Other
21 than -- let's move down the project, and other
22 than that plaza, is there another plaza?

23 MR. RONCATI: Yeah, there is a plaza
24 that is along Vervalen between building D and
25 Vervalen, and in front of the movie theater. That

1 has an area of approximately 10,000 square feet.
2 And, again, similar seating areas, landscape,
3 trees, site furniture, benches, tables, chairs.

4 MR. SEGRETO: All right, is there a
5 centered landscaped area in that -- in that plaza?

6 MR. RONCATI: Center?

7 MR. SEGRETO: Well, I see -- I see
8 a --

9 MR. RONCATI: There's lots of
10 landscaping. It's spread around. It's a U-shaped
11 plaza. It's somewhat linear and wrapping in a
12 U-shape so --

13 MR. SEGRETO: All right. Right near
14 the -- right near that entrance off Vervalen, is
15 there a -- is there a part of a building there?

16 MR. CHAGARIS: Could we have a
17 proffer --

18 MR. RONCATI: I'm sorry, I should be
19 pointing.

20 MR. CHAGARIS: Mr. Segreto, could we
21 have a proffer as to what you're -- where you're
22 going with the redescription of the plazas? In
23 other words, you testified as to the plazas, and
24 now he testified as to the description of plazas.

25 MR. SEGRETO: No, I moved on to this

1 plaza, and I can't ask questions about what this
2 plaza has --

3 MR. CHAGARIS: I know, but he's
4 already testified about them. Do you have a point
5 that you're trying to make with your questioning?

6 MR. SEGRETO: Yeah, I'm trying to
7 establish how much square footage --

8 CHAIR LIGNOS: Can we just ask that
9 question then so we can get to that point?
10 Because I think we're just getting into
11 retestifying again.

12 MR. SEGRETO: Retestifying?

13 CHAIR LIGNOS: Yeah. In other
14 words, he's already put this on the record. At
15 least I have heard it. And now I'm hearing it for
16 the second time.

17 MR. SEGRETO: We have -- we have no
18 testimony about the square footage of plazas. And
19 in the last application this board asked many,
20 many questions, and was very --

21 CHAIR LIGNOS: Again, I don't know
22 about the last board --

23 MR. SEGRETO: I know, sir, but can I
24 just answer -- very concerned about the size of
25 the plazas. And it's my recollection that -- it's

1 my recollection that as the -- as the application
2 progressed you got more and more plazas, because
3 that's what the board was concerned with. And he
4 did not testify about the size of all the plazas.
5 The board didn't ask any questions about the
6 plazas. And now I'm asking about the size of the
7 plazas and the public spaces.

8 MR. BASRALIAN: I'd like to deject
9 that it was in his original testimony, in
10 Mr. Roncati's testimony, that he talked about the
11 square footage of the respective plazas. So, it's
12 already in the testimony. And there's no reason
13 to repeat it. If there are specific questions
14 about them, then ask those questions, rather than
15 the square footage all over again.

16 MR. SEGRETO: He only mentioned one
17 plaza that he said was approximately 5,000 square
18 feet.

19 MR. CHAGARIS: Well, the record --
20 the record will speak for itself. But are you
21 challenging him on any questions about the plazas?

22 MR. SEGRETO: No, I'm just asking
23 him questions about his architectural plans and
24 about the project.

25 MR. CHAGARIS: Yeah, but it's a

1 repta -- you know, you can ask him questions but
2 --

3 MR. SEGRETO: It's not repetitive,
4 come on.

5 MR. CHAGARIS: Yeah, it is. The
6 record will speak for itself. Mr. Basralian
7 identified it. This witness identified it. The
8 chairman identified it. So, can you get to your
9 questions.

10 MR. SEGRETO: Other than the plazas
11 that you and I have just talked about and their
12 size, is there any other public plaza areas on the
13 project?

14 MR. RONCATI: No.

15 MR. SEGRETO: Now, you were the
16 author of the 2012 plans that were submitted to
17 this board, isn't that correct?

18 MR. BASRALIAN: No. If you're
19 asking him -- ask him what specifically what
20 plans. A lot of plans were submitted to the
21 board.

22 MR. SEGRETO: Well, the plans that
23 were submitted with the 2012 application.

24 MR. BASRALIAN: Are you asking about
25 the architectural plans? The engineering plans?

1 MR. SEGRETO: Yes, of course the
2 architectural plans I'm asking about. He's the
3 architect. Did you do the architectural plans?

4 MR. RONCATI: Yes.

5 MR. SEGRETO: And you'll agree with
6 me that those plans contained a retail building
7 G --

8 MR. BASRALIAN: Excuse me, I'm going
9 to object because those plans are not before the
10 board. I have no objection to you asking the
11 question whether he was the architect. But I do
12 about the details of those plans.

13 MR. CHAGARIS: Sustained.

14 MR. SEGRETO: I can't ask him
15 whether or not they had a retail building G where
16 they're now proposing a subdivision?

17 MR. CHAGARIS: No. I sustained the
18 objection. Do you have another question, sir?

19 MR. SEGRETO: Yes. Can you tell me
20 why that retail building G was removed and now it
21 is being proposed to subdivide that property?

22 MR. BASRALIAN: I object to the
23 question.

24 MR. CHAGARIS: Sustained.

25 MR. SEGRETO: All right, you

1 indicated that one of Edens principles was to
2 create a third place. Do you remember that
3 testimony?

4 MR. RONCATI: Yes, sir.

5 MR. SEGRETO: And do you think that
6 you met Edens criteria in creating a third place
7 with these plazas?

8 MR. RONCATI: Yes.

9 MR. SEGRETO: It looks like you're
10 proposing around 23,000 square feet of plazas, is
11 that correct?

12 MR. RONCATI: I didn't add them up.

13 MR. SEGRETO: Well, I just added
14 them up. Is that approximately what your believe
15 your architectural plans depict?

16 MR. CHAGARIS: What's your question?
17 The plans speaks for themselves. And we went
18 through this. What is your question about how
19 ever many square feet there are there.

20 MR. RONCATI: About 24,000 square
21 feet.

22 MR. SEGRETO: All right. And the
23 lot is approximately -- now that it's being
24 subdivided, 637,000 square feet, is that correct?

25 MR. RONCATI: I don't know.

1 MR. SEGRETO: You don't know what
2 the lot size is?

3 MR. RONCATI: Not in front of me
4 right now, and I didn't testify to that.

5 MR. SEGRETO: Do you have any
6 courtyards with gardens on your plans?

7 MR. BASRALIAN: Excuse me, the plans
8 speak for themselves. You've just gone through
9 all the plazas. The plans speak for themselves.

10 MR. CHAGARIS: Whatever is there is
11 there.

12 MR. SEGRETO: There's no gardens?

13 MR. CHAGARIS: You don't have to
14 answer the question. The plans are what they are.

15 MR. SEGRETO: Now, you said that
16 Edens is environmentally sensitive, is that
17 correct?

18 MR. RONCATI: I believe they have an
19 interest in sustainable and environmentally
20 sensitive practices, yes.

21 MR. SEGRETO: Are you're not
22 providing any green roofs, right?

23 MR. RONCATI: No.

24 MR. SEGRETO: And you're not
25 proposing to recycle any of the storm water?

1 MR. RONCATI: No.

2 MR. SEGRETO: You're only proposing
3 a white roof, right, on the Whole Foods?

4 MR. RONCATI: We're not only
5 providing that, no.

6 MR. SEGRETO: Other than the new
7 mechanicals that are going to be energy efficient,
8 what other environmentally sensitive or green --

9 MR. BASRALIAN: Again, the testimony
10 was already in the record about that. And, again,
11 tonight he went over the same thing. There was a
12 question directed to him by the chairman about
13 environmentally sensitive sustainability. He has
14 already answered that.

15 MR. SEGRETO: Other than the white
16 roof and the now energy efficient mechanicals, are
17 there any other --

18 MR. RONCATI: No more than I've
19 mentioned before, no.

20 MR. SEGRETO: All right. Now, you
21 talked about the Cross Hill project in South
22 Carolina, that's an Eden's project that has a
23 Whole Foods, is that correct?

24 MR. RONCATI: Yes.

25 MR. SEGRETO: Do you know the size

1 of the Whole Foods in that project?

2 MR. RONCATI: No, I do not.

3 MR. SEGRETO: And you talked about
4 four other Edens centers that have Whole Foods.
5 And you used this word, as the anchor, do you know
6 the size of those Whole Foods?

7 MR. RONCATI: No, I don't.

8 MR. SEGRETO: The Whole Foods that's
9 being proposed in this plan is a little over
10 41,000 square feet, right? Building footprint?

11 MR. RONCATI: Yes.

12 MR. SEGRETO: And you told us you
13 don't know anything about there being a mezzanine,
14 right?

15 MR. RONCATI: No, I don't.

16 MR. SEGRETO: All right. Did Whole
17 Foods specifically state they needed a 41,256
18 square foot retail building?

19 MR. RONCATI: My client, Edens,
20 provided me with the footprint that they wanted me
21 to incorporate.

22 MR. SEGRETO: So, Edens selected the
23 size, as far as you know?

24 MR. RONCATI: I didn't say that.

25 MR. SEGRETO: Is there any magic to

1 the 41,250 square feet?

2 MR. BASRALIAN: He's already
3 testified -- excuse me, about the square footage
4 that's there, and that's what he's provided for.
5 There's nothing about -- there's nothing magic to
6 testify about.

7 CHAIR LIGNOS: Anything else,
8 Mr. Segreto?

9 MR. SEGRETO: Yes.

10 CHAIR LIGNOS: Could you please move
11 along, please.

12 MR. SEGRETO: Mr. Chairman, you
13 know, his direct testimony was not even
14 question/answer. It was three hours of a
15 monologue, plus additional testimony tonight. I
16 think I've been asking questions for maybe 35
17 minutes.

18 CHAIR LIGNOS: It's not the ques --
19 it's not how many minutes of questions that you're
20 asking questions. You're asking questions that
21 have already --

22 MR. SEGRETO: I know. I mean you
23 guys are never interested in the -- never
24 interested in my questions. I understand that.

25 CHAIR LIGNOS: If you don't cut me

1 off -- if you don't cut me off, I'll be more than
2 happy to explain what my problem is.

3 MR. SEGRETO: All right.

4 CHAIR LIGNOS: The problem, is, that
5 we're asking questions that were asked before.
6 And I'm -- I'm starting to wonder whether there's
7 a reason for that.

8 MR. SEGRETO: Well, what do you
9 think the reason is?

10 CHAIR LIGNOS: I don't know. I just
11 wonder what the reasoning is because we're asking
12 questions that have been asked before.

13 MR. SEGRETO: Well, I'm here to do a
14 job, sir, and I'm here to do my cross-examination.
15 And if you think --

16 CHAIR LIGNOS: Please go ahead and
17 do it.

18 MR. SEGRETO: -- my
19 cross-examination is not relevant, or I'm taking
20 too much time, you can do whatever, you know, you
21 want to do.

22 MR. CHAGARIS: Why don't you ask
23 your question.

24 MR. SEGRETO: All right. Well,
25 that's what I'm trying to do.

1 Now, on much of your slides that
2 depicted the plazas, I don't see any trees or
3 bushes. I see mainly concrete structures. Now,
4 is the applicant planning on putting in trees and
5 bushes in those plaza areas?

6 MR. RONCATI: I don't know what you
7 mean by concrete structures to begin with, and my
8 answer, is, yes, there is a lot of landscape
9 elements in these areas. Including a lawn in one
10 of them. A green lawn.

11 MR. SEGRETO: All right. I was
12 asking about, you know, green gardens and green
13 lawns. And I wanted to find out where in the
14 plazas they're depicted. Because I didn't see
15 them.

16 MR. RONCATI: A lawn is not a
17 garden. When you kept saying garden, I thought
18 you were talking about like a tomato garden.

19 MR. CHAGARIS: Yeah, I think also
20 there's a landscape architect who will be
21 testifying to that. So maybe your questions would
22 be better posed to that witness.

23 MR. SEGRETO: All right. Now, in
24 the plaza that you depict at the corner, or the
25 end of the retail B building, in your slide

1 presentation you show that there was a bakery
2 there. And you show people in the front of that
3 bakery using that plaza. Is that going to be like
4 the outdoor seating behind the restaurant, that is
5 not open to the public, but open to patrons of,
6 let's say a bakery, or another type of food use
7 that's going to be there?

8 MR. RONCATI: I believe my testimony
9 was that we were depicting a bakery, but it was
10 simply a placeholder, and that it wasn't
11 necessarily a bakery. Whether it's food or not,
12 that plaza will have seating for the general
13 public and be usable by everyone.

14 MR. SEGRETO: Now, on the back
15 corner of retail building B you showed that the
16 building facade, and this is what your words were,
17 will look pretty, same as the front of the
18 building. Do you remember that testimony?
19 Because you're going to wrap around and use the
20 same type of architectural amenities, and wrap it
21 around to the back of that portion of the
22 building?

23 MR. RONCATI: I remember testifying
24 that I wanted the board to understand that we
25 weren't treating the Homans Avenue side like the

1 rear of a building, and not addressing it
2 esthetically. And I remember testifying that
3 Homans Avenue was no longer the back, or a service
4 road. That was actually now a viable and busy
5 street, and that we took care to make this
6 elevation, and these facades, have architectural
7 treatment that was somewhat consistent with the
8 front, in terms of its pallet of materials.

9 MR. SEGRETO: Right. But that --
10 those architectural amenities stop at a certain
11 point around that corner, correct?

12 MR. RONCATI: No. They run the
13 whole entire facade.

14 MR. SEGRETO: Can you pull up
15 that -- that slide that has back corner that you
16 showed us?

17 MR. RONCATI: Sure. You're
18 referring to the color rendering?

19 CHAIR LIGNOS: It's the one before.

20 MR. BASRALIAN: You just had it up.

21 CHAIR LIGNOS: You passed it.

22 MR. SEGRETO: Yeah. You had an
23 elevation. Yeah, but you had an actual color
24 rendering that showed elevations with all the
25 amenities, showed people walking in and out of it.

1 MR. RONCATI: Are you talking about
2 a 3-dimensional rendering? Not a 2-dimensional
3 color rendering like this, correct?

4 MR. SEGRETO: Yeah, I guess -- I
5 guess you referred to it as 3-dimensional.

6 MR. RONCATI: Okay. To answer your
7 question, you can see in this rendering, which is
8 slide 23, that there is a consistent use of the
9 pallet of materials on the back of the building.

10 MR. SEGRETO: Right. I see that.
11 But in that rendering you don't show how there's
12 going to be loading zones right back there where
13 you depict on your plans you have loading zones.

14 MR. RONCATI: Loading zones are just
15 striped areas on the pavement. They have nothing
16 to do with the architecture of the building.

17 MR. SEGRETO: All right. And that
18 -- that type of facade with those architectural
19 amenities is going to continue the entire length
20 of retail building B?

21 MR. RONCATI: Yes. And I agree with
22 you, that it's a consistent treatment of materials
23 and esthetics.

24 MR. SEGRETO: Right. And is that
25 going to continue for the back of the Whole Foods

1 building?

2 MR. RONCATI: Yes. The same
3 materials. What you see in that rendering would
4 be consistent through the back. They would
5 change. Just like the front does. But there's
6 that consistent pallet of materials, as depicted,
7 not only on this rendering, but two other slides,
8 and two other submissions, which are the black
9 line elevation drawings, and then the colored 2-D
10 elevations that depict the colors and the textures
11 that will be on that wall.

12 MR. SEGRETO: Do you have a similar
13 type of rendering to show the back of the Whole
14 Foods and how that's going to be treated?

15 MR. RONCATI: No. We didn't render
16 every portion of the building or of the -- of the
17 entirety of the center.

18 MR. SEGRETO: And do you have a
19 rendering of what the back of the K-mart building
20 is going to look like?

21 MR. RONCATI: Yes.

22 MR. SEGRETO: And the materials --

23 MR. BASRALIAN: We've already --
24 excuse me. Excuse me. We did already go through
25 this. There was an elaborate amount of discussion

1 about the rear of -- or the area facing Homans
2 Street, the treatment and the pallet, and we went
3 through that. Unless there are questions
4 specifically about the materials that wasn't
5 discussed here, it's already been testified to.

6 MR. SEGRETO: Well, I heard
7 testimony about it being painted masonry, and that
8 you're going to strip the paint and repaint it.
9 And that doesn't sound to me like the same kind of
10 treatment that's being shown in this rendering.

11 MR. RONCATI: It is. It is
12 consistent, yes, with the rendering.

13 MR. SEGRETO: That's why I'm asking
14 the question.

15 This rendering doesn't show refaced,
16 repainted masonry, does it?

17 MR. RONCATI: Yes, it does.

18 MR. SEGRETO: It does?

19 MR. RONCATI: Mm-mm.

20 MR. SEGRETO: And it also shows ivy
21 growing up the walls?

22 MR. RONCATI: Yes, it does.

23 MR. SEGRETO: And that's what it's
24 going to look like behind the Whole Foods?

25 MR. RONCATI: I didn't say there was

1 ivy behind the Whole Foods. But I said that it
2 does show those items that you just mentioned. I
3 answered in the affirmative, yes, it does show
4 those materials.

5 MR. SEGRETO: Do you have those --
6 do you show any -- any elevation of the back of
7 Whole Foods that shows how, what the loading zones
8 of the loading docks and zones will look like?

9 MR. RONCATI: Yes. But no different
10 than what I presented at my last presentation.

11 MR. SEGRETO: Well, I don't know
12 what that means. Do you have one so that I can
13 see it right now?

14 MR. RONCATI: It means that it
15 hasn't changed since my last presentation.

16 MR. SEGRETO: Well, I don't know
17 what that means.

18 MR. CHAGARIS: Well, what he means
19 is that whatever the plans are the plans are.

20 MR. SEGRETO: I know, but what does
21 that mean, Arthur? I want to see it for myself.
22 I don't have a recollection of seeing it.

23 MR. CHAGARIS: I don't know what it
24 means. It's what the architect presented. If you
25 have a question about what the drawing shows --

1 MR. SEGRETO: Yeah, I want to see --
2 I want to see his rendering of the -- of what the
3 back of the Whole Foods looks like.

4 MR. CHAGARIS: Well, you had an on
5 opportunity to look at them from the public
6 record. He doesn't have to show you his drawings.
7 Point something to him that's in the record and
8 ask him a question about it. He's not here as
9 your witness. Unless you want to make him your
10 witness, you can do that, but he presented
11 testimony --

12 MR. SEGRETO: How do I make him my
13 witness, Arthur?

14 MR. CHAGARIS: Then you can vouch
15 for his credibility and his testimony.

16 MR. SEGRETO: Oh, please.

17 MR. CHAGARIS: So, if you have a
18 question about a drawing that's in your record,
19 ask the question. But you can't direct this
20 person to show you something. You show him what
21 you want to ask a question about. Do you have any
22 idea how much longer you're going to be,
23 Mr. Segreto?

24 MR. SEGRETO: I'm looking at my
25 notes.

1 MR. CHAGARIS: I know you're looking
2 at your notes, but my question was: Do you have
3 any idea how much longer you're going to be?

4 MR. SEGRETO: No, I don't.

5 CHAIR LIGNOS: If that's the case
6 then, it's after 11 at this point. We're gonna --
7 we're gonna conclude here for tonight, and we ill
8 pick up at this point tomorrow at 8:00.

9 MR. BASRALIAN: Yes. Would you just
10 please announce again that it will be 8 p.m.
11 tomorrow night, and no additional notice is
12 required.

13 CHAIR LIGNOS: Right. 8 p.m.
14 tomorrow night and there will be no additional
15 notice.

16 Members of the board, chairman will
17 entertain a motion that we adjourn for this
18 evening.

19 MR. MADDALONI: Motion.

20 CHAIR LIGNOS: Motion is made by
21 Dr. Maddaloni. It's seconded by Ms. Isacoff.

22 All in favor.

23 THE BOARD: Aye.

24 CHAIR LIGNOS: I see no objection.
25 I hear no objection. And, therefore, this meeting

1 is now adjourned at 11:06.

2 (Meeting concluded.)

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C E R T I F I C A T E

I, GINA MARIE VERDEROSA-LAMM, a Certified Shorthand Reporter and Notary Public of the State of New Jersey, certify that the foregoing is a true and accurate transcript of the deposition of said witness(es) who were first duly sworn by me, on the date and place hereinbefore set forth.

I FURTHER CERTIFY that I am neither attorney, nor counsel for, nor related to or employed by, any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed in this action, nor am I financially interested in this case.

GINA MARIE VERDEROSA-LAMM, C.S.R.
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