

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

Prepared & Submitted by:
Rose Mitchell
Planning Board Coordinator

PLANNING BOARD
BOROUGH OF CLOSTER, NEW JERSEY
Special Meeting
Thursday,
August 8th, 2013

Mr. Lignos, Chairman called the Special Meeting of the Planning Board of the Borough of Closter, New Jersey held on Thursday, August 8th, 2013 in the Council Chambers of the Borough Hall to order at 8:01 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. BaBoo
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. Sinowitz

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 Ms. Isacoff & seconded by Mr. DiDio 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 8, 2013
8:00 p.m., Volume V

B E F O R E:
PLANNING BOARD
JOHN LIGNOS, CHAIRMAN
SOPHIE HEYMANN, MAYOR
VICTORIA RUTI AMITAI, COUNCILWOMAN
DAVID BABOO, BOARD MEMBER (8:07)
MARK MADDALONI, BOARD MEMBER
IRENE STELLA, BOARD MEMBER
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
GINA M. LAMM, CSR/RPR, Court Reporter
Job No. NJ1704625

1 CHAIR LIGNOS: I call to order this
2 special meeting of the planning board of the
3 Borough of Closter, New Jersey, being held on this
4 day, Thursday, August the 8th, the year 2013, in
5 the council chambers of the borough hall. This
6 meeting has been dully advertised in accordance
7 with the Open Public Meetings Act, State of New
8 Jersey. It is commencing, according to our
9 computer, at 8:01 p.m. The planning board adheres
10 to a 12 o'clock midnight curfew. No new matters
11 will be considered after 11 p.m. Please join the
12 board in the Pledge of Allegiance.

13 Ms. Mitchell, would you kindly take
14 attendance.

15 MS. MITCHELL: Sure.

16 Mayor Heymann.

17 MS. HEYMANN: Here.

18 MS. MITCHELL: Councilwoman Amitai.

19 MS. AMITAI: Here.

20 MS. MITCHELL: Dr. Maddaloni.

21 MR. MADDALONI: Here.

22 MS. MITCHELL: Mr. Baboo.

23 Ms. Stella.

24 MS. STELLA: Here.

25 MS. MITCHELL: Mr. Lignos.

1 CHAIR LIGNOS: Here.

2 MS. MITCHELL: Mr. Chagaris.

3 MR. CHAGARIS: Here.

4 MS. MITCHELL: Mr. DeNicola.

5 MR. DENICOLA: Here.

6 MS. MITCHELL: Mr. Sinowitz.

7 Mr. DiDio.

8 MR. DIDIO: Here.

9 MS. MITCHELL: Ms. Isacoff.

10 MS. ISACOFF: Here.

11 MS. MITCHELL: Mr. Pialtos.

12 MR. PIALTOS: Here.

13 MS. MITCHELL: Mr. Nyfenger.

14 MR. NYFENGER: Here.

15 CHAIR LIGNOS: Thank you very much.

16 Let the record show that the board has received,
17 nor has it sent out, any correspondence pertaining
18 to the Closter Plaza application. And, therefore,
19 we're going to go right into item No. 1, and only,
20 on our agenda, block 1607, lot 1, 19 Vervalen,
21 application 2013-03, Closter Market Place,
22 Centennial AME Zion Church.

23 Mr. Basralian is the attorney.

24 Again, this a subdivision site plan, soil movement
25 application, which was received on May the 16th,

1 2013. Was deemed perfected with mentioned
2 stipulations, on June the 5th, work session
3 meeting. The application was continued and
4 received final perfection at the June 27th, 2013
5 regular monthly meeting. Special meetings took
6 place on July the 11th, the 18th and August the
7 7th. Application is here again this evening, and
8 will be continued at this evening's special
9 meeting.

10 Members of the board, I'm going to
11 ask you to please, at best, whisper in silence,
12 because it gets picked up, and it's -- it's rather
13 difficult to hear. And we do have a court
14 reporter that is trying to do her very best. And
15 we just want to give her the courtesy of that.

16 Mr. Basralian, welcome again.

17 MR. CHAGARIS: Mr. Baboo has
18 arrived.

19 CHAIR LIGNOS: Oh, Mr. Baboo has
20 joined the board. The time now is 8:07.

21 MR. BASRALIAN: Thank you. Good
22 evening. We finished last night a little after 11
23 with Mr. Segreto's cross-examination. I presume
24 we'll pick up the balance of his cross-examination
25 of Mr. Roncati this evening.

1 CHAIR LIGNOS: Correct. Okay.

2 MR. RONCATI: And I just,
3 Mr. Chairman, had a couple of elaborations. After
4 last night I went back, and I reviewed a couple of
5 the items that were discussed, and that I had
6 presented last night, and at the prior hearing.
7 And just a few things I'd like to -- I'll say
8 they're clarification by way of elaboration.

9 Last night we discussed the utility
10 screening along Homans Avenue. There was some
11 discussion, and I just wanted to be clear with the
12 board, that those two areas that we are proposing,
13 and the two areas that I was speaking about, the
14 wood slats, if you'll recall, those are not trash
15 areas. I just wanted to make that clear. And I
16 hope I didn't confuse that point.

17 We have separate trash and refuse
18 areas, self-contained. And those are on Omland's
19 site engineering drawings. And he will be
20 testifying, that engineer, to the material that
21 surrounds those trash areas, where they're located
22 exactly.

23 The two areas that I was talking
24 about, and I have slide 59 up, this is a colored
25 elevation at the rear of the building. There are

1 two. There's one here. Again, this is the top
2 rendering starting with the Whole Foods in the
3 right-hand side, and moving eastward. And there
4 are two of these areas. These wood screening
5 walls; 1 and 2, east and west. The purpose of
6 these walls are to provide screening to the back
7 of the building. There are, behind those, on the
8 wall, would be service doors, that are the rear
9 entrances into stores. There will also be
10 screening, the electric and gas meters, which will
11 be mounted on the exterior of the building. So,
12 the purpose of these screens, and these two-sided
13 enclosures, are to provide visual screening, of
14 what would otherwise be messy; the meters,
15 electric meters, gas meters. Also, it provides a
16 space where a store would be able to offload into
17 that area. So, if they get a delivery of 6 or 7
18 boxes, they can deliver it behind that screen
19 wall, break it down, move it into the store, for
20 example so that we don't have a lot of commotion
21 and activity in the right-of-way, or in the back
22 of the store, with clear view to Homans Avenue.
23 So, the purpose of these are not for trash
24 collection. They're simply screens to visually
25 improve the back of the -- back of the building.

1 There are two of them. They're both 8 feet high.
2 They're both 5 feet deep. And that's the
3 dimension from the back of the building to the
4 screen. The one on the east side of the building,
5 so that's closer on the east side, is 20 feet in
6 length. And then the one on the west side, which
7 is the one closer to Whole Foods, is 30 feet in
8 length. So, these are very nicely detailed
9 screens that kind of clean up the back of the
10 building. So we're not looking at back of house
11 materials and meters and such.

12 Last night I also discussed the
13 fence that was at the east elevation of building
14 C. That's where we are encouraging that
15 restaurant. And I showed the rendering of that
16 building elevation with the fence in it. And I
17 also showed a plan, that had been generated of
18 that area, with trees located. And I testified
19 that the fence was 1 foot off the property line.
20 After looking last night, that fence is actually 2
21 feet off the property line. And that fence will
22 allow a 2 foot planted area so we can have that
23 vegetation and the ivy growing up the wall that we
24 depicted, and we'll be able to access it and water
25 it and maintain it. Also, that rendering was a

1 little bit off by way of the property line
2 relative to the fence and the trees. And there
3 was a comment made by a member of the public
4 about, the -- will those trees overhang into the
5 Closter Commons property. The reality is, is that
6 those trees, as shown, were actually 10 feet from
7 the property line between the plaza and Closter
8 Commons. So, in other words, we can have a tree
9 with a 20-foot diameter up above on the canopy and
10 still not be getting into overhanging into the
11 Closter Commons property. So, graphically the
12 trees are in the right location. The fence was
13 shown too close. And then when I mentioned the 1
14 foot, which was incorrect, it all seemed like it
15 was tighter than it was. So, the fence is 2 feet
16 off. The trees are 10 feet off the property line,
17 and we're not going to have that overhanging
18 condition and we have the area we need for the
19 planting.

20 Last night there was questions about
21 the lighting on the building. I, again, looked at
22 my drawings, as well as Omland's. I did show
23 representative decorative fixtures. But the
24 lighting that's building mounted, that is being
25 used for illumination, and the required

1 illumination, is part of Omland's plan. They have
2 very specific lighting specifications. And I'll
3 be reviewing that with Mr. Thomas, the engineer.
4 And then he will be making a presentation with
5 specifics to those lighting.

6 The electric service; I was not
7 entirely sure, so I didn't want to speak. I knew
8 we had some underground service. I didn't know if
9 we had all underground service. And, today, I've
10 confirmed with the site engineer, and just so this
11 board is aware, all of that overhead electric
12 service off Homans is going to be removed and it
13 will be all underground service. So, I know there
14 might be some time between this discussion and
15 Mr. Thomases' presentation, I just wanted the
16 board to -- to be aware of that.

17 I, also, wanted to speak about the
18 removal of a portion of building retail D. And I
19 described it as a portion of that building, D,
20 where the jewelry store was, and where the
21 chocolate store used to be, if anybody remembers
22 that, on the corner. And the reason why we're
23 removing that portion of building D, that section
24 of building D, is because we needed the area to
25 allow for the driveway that's coming in off

1 Homans, to now connect into the plaza. And at the
2 same time we need to create an area in front of
3 building D that was deep enough and wide enough to
4 accommodate a generous plaza with seating. And
5 when we looked at the plan, the way that
6 circulation needed to happen, that portion of
7 building D was in the way, of making that site
8 plan work, and that was the reason why that
9 portion of building D was then removed.

10 We also had discussions last night,
11 and today, following a comment or comments made by
12 the board, regarding the Closter Plaza pylon sign.
13 You know, we had discussed how we had intended on
14 re purposing the letters from the pylon sign into
15 the landscape in the main plaza, as I've called
16 it, just to the right of Whole Foods, but I wanted
17 to point out -- Mark, do you have that elevation?
18 I had forgotten, and it was called to my attention
19 this morning, that the proposed sign on the west
20 side of the building, and I have a slide 60 now,
21 from my presentation, this is the west wall of
22 what is now K-mart. This would be the west wall
23 that faces the church. And we were proposing a
24 sign that says, Closter Plaza. And if you look a
25 little bit more closely, you'll see that these are

1 the exact letters that are coming off the sign,
2 off the pylon sign. The pylon sign is two sides.
3 So, we have Closter Plaza on one side. And
4 Closter Plaza on the other. And it was our
5 intention to take half that signage, and move it
6 into the landscape. And then take the other half
7 and actually re purpose it on the building. So,
8 this is something we started to discuss last
9 night, about how else could we re purpose that
10 sign. I had forgotten that we had, in fact, done
11 that with half the signage.

12 Now, we haven't concluded yet, but
13 we started discussion today, with Edens, and with
14 their in-house architect, about the possibility of
15 taking the letters that we were placing in the
16 landscape at the plaza, and possibly relocating
17 those letters along, potentially, with the
18 geometric triangles to the rear of the building,
19 the rear, I mean on Homans Avenue, in one of those
20 sections of the well. So, we're in conversation
21 about how that might look. We want to make sure
22 that it would be appropriate before we reach a
23 conclusion. But we have started a discussion
24 about the possibility of reutilizing more of the
25 sign graphically as it now exists on the Homans

1 Avenue side of the building.

2 Thank you. That was just a few
3 clarifications.

4 CHAIR LIGNOS: Thank you. I think
5 we can continue with Mr. Segreto's
6 cross-examination. Is there -- right?
7 Mr. Segreto.

8 MR. SEGRETO: All right, thank you,
9 Mr. Lignos. I'll try to be brief.

10 EXAMINATION BY MR. SEGRETO:

11 Q Mr. Roncati I want to talk about the
12 rooftop screening, which you have on the first
13 page of your architectural plans. I believe your
14 testimony was, with regard to the Whole Foods,
15 this will be the actual location of the rooftop
16 mechanicals for the Whole Foods, is that correct?

17 A On sheet A-101 we show a roof plan
18 diagram, and I testified that the specific areas
19 identified in the area called Retail A, were the
20 exact locations of that mechanical screening.

21 Q And that's obviously the Whole Foods
22 building, right?

23 A Yes.

24 Q Now, I thought you indicated in your
25 testimony that some, if not all of the Whole Foods

1 mechanicals are 8 feet high, is that correct?

2 A No.

3 Q All right. How are the mechanicals
4 going to be on the Whole Foods building?

5 A I didn't say that all of the mechanical
6 equipment would be 8 feet high.

7 Q All right. Is some of the equipment
8 gonna be 8 feet high?

9 A Potentially, yes.

10 Q All right. Do you know in which box
11 that you depict where those mechanicals will be
12 8 feet high?

13 A Most likely on the northern side of the
14 building.

15 Q All right. Where -- where is that?

16 A On the north side.

17 Q I know, but in terms of that big box
18 near Homans?

19 A The Homans Avenue is on the north side of
20 the building.

21 Q All right. So, that's where you're
22 talking about, right? So, if the mechanicals are
23 going to be 8 feet high, how high is your
24 screening going to be?

25 A Eight feet high.

1 Q And that 8 feet high screening, is
2 that going to violate any of the ordinance
3 provisions with regard to fencing or screening?

4 A No.

5 Q And with regard to the other
6 buildings, those are the approximate locations of
7 where the mechanicals would be?

8 A What I had testified to was that we had
9 designated these specific areas for mechanical
10 screening. So, we are going to screen the roof in
11 the areas I've depicted on my plans, and then all
12 of the mechanical equipment will be purposely
13 located within those screened areas.

14 Q And it's your testimony that each of
15 these areas, for each of the buildings, represents
16 less than 25 percent of the roof square footage,
17 is that correct?

18 A Yeah, there are multiple areas on each
19 building. In the aggregate they're less than
20 25 percent.

21 Q Now, I want to go to, if you can
22 bring up your slide where you had the sign
23 guidelines. Now, am I -- am I correct that you're
24 asking the board to approve this set of guidelines
25 that the applicant will use when it ultimately

1 picks its users and sits down with those users to
2 discuss signs, is that correct?

3 A Yes.

4 Q All right. Do all of these
5 guidelines conform with the ordinance or are they
6 at variance with the ordinance?

7 A I believe that we're requesting a waiver,
8 not a variance.

9 Q Requesting a waiver. So, each one
10 of these guidelines requires a waiver, is that
11 correct?

12 A No.

13 Q All right. Tell me which ones do
14 and which ones don't.

15 A The max 36 square feet for facades less
16 than 50 feet; that 36 square feet, as a signage
17 area, conforms.

18 Q But other than -- other than that,
19 all the other guidelines require waivers, is that
20 correct?

21 A Yes, I believe so.

22 Q Now, we don't know how many users
23 there's going to be, correct?

24 A Correct.

25 Q And we don't know how many signs

1 there's going to be, right?

2 A One per user.

3 Q I understand that. Ultimately. So,
4 this board, if it approves it, is not going to
5 know how many waivers it's actually approving for
6 the signage, isn't that true?

7 A No. I think we're asking for a overall
8 waiver for -- for the project.

9 Q The -- how many -- it's four pylon
10 signs, is that correct?

11 A No.

12 Q How many?

13 A One pylon.

14 Q And there's three other monument
15 signs?

16 A Yes.

17 Q All right. Do any of those four
18 signs conform with the ordinance?

19 A No.

20 Q You're asking for waivers or
21 variances with regard to those signs?

22 A Waivers.

23 Q Now, the 23,000 square foot lot that
24 you're subdividing off of this property, you'll
25 agree with me that if you didn't subdivide that

1 piece of property off, you could create a very
2 large plaza, courtyard, or third place, like Eden
3 likes to call it, for the shopping center, isn't
4 that correct?

5 A No.

6 Q Couldn't do that?

7 A No.

8 Q You couldn't create a beautiful lawn
9 area with a gazebo, and gardens, and benches, and
10 plazas like you have shown on your plans?

11 A Well, you've asked about third place, and
12 I think that my testimony and the discussion of
13 that theoretical concept doesn't relate to
14 specific inclusions or amenities. It's a general
15 overall concept.

16 Q You don't think that -- you don't
17 think that what I've just described being used in
18 that 23,000 square foot lot, wouldn't tie in the
19 Closter Plaza to the -- to Main Street?

20 A No.

21 Q And it wouldn't create a great
22 gathering place for the residents of Closter --

23 A No.

24 Q -- as I've described it?

25 A No, I don't.

1 Q You think that your other plazas do
2 a better job at creating gathering place for
3 residents of Closter?

4 A Yes, I do.

5 Q And the total, I think you and I
6 went over it last night, the total plaza areas
7 that you have depicted is 24,400, correct?

8 A Correct.

9 Q I did the math. And I compared the
10 amount of plazas, that 24,400 square feet, to the
11 size of the lot, which is 639,884 square feet, and
12 it comes out to about 3.81 percent. Do you think
13 that's significant?

14 A I agree with you, that's a substantial
15 number for a project of this size.

16 Q So, it's your opinion that that's
17 substantial, 3.8 percent of the lot --

18 A Yes, I agree with you.

19 Q -- being used for plazas?

20 A I agree with you, yes.

21 Q And you indicated that the main
22 plaza was 5,000 square feet, correct?

23 A Approximately, yes.

24 Q All right. And if you do the math
25 on that one, that comes out to just over three

1 quarters of one percent of the lot. Do you think
2 that that's significant?

3 A Yes.

4 Q Okay. Now, taking a look at your
5 architectural plans, first page, I'll stick with
6 the first page to make it easy. Retail F that's
7 K-mart building on that first page, that shows it
8 in its finished condition, phase II, correct?

9 A Yes.

10 Q And approximately 10,000 square feet
11 of the front has been taken off?

12 A Yes.

13 Q From an architectural standpoint,
14 there's nothing prohibiting you from doing the
15 same thing to the rear of the K-mart building,
16 that is, taking 10,000 square feet off the back of
17 the building to open up that back area?

18 A It would be no benefit.

19 Q All right. Well, if you took
20 10 feet off of the back -- or not 10 feet. How
21 much linear feet of the front are you taking off
22 on the K-mart building?

23 A I don't know.

24 Q But it's 10,000 square feet, right?

25 A If you give me a moment --

1 Q Sure.

2 A -- I will double check that; 10,980.

3 Q All right. So, you say there would
4 be no benefit to taking 10,000 square feet off the
5 back of the K-mart building, is that correct?

6 A I'm sorry.

7 Q You said there would be no benefit
8 to taking 10,000 square feet off the back of the
9 K-mart building, right?

10 A Correct.

11 Q It would create a larger area for
12 the parking spaces and the loading docks back
13 there, wouldn't it?

14 A Well, we don't need any additional
15 loading. It functions perfectly. And I never
16 testified to removing space off the back of the
17 building.

18 Q I understand that. I'm just -- I'm
19 asking the questions. It would open up for you
20 could put, let's say, a substantial landscaped
21 buffer on Homans Avenue, wouldn't it?

22 A I think we have a substantial landscape
23 buffer now.

24 Q But it would allow you to do a more
25 substantial, wouldn't you agree?

1 MR. BASRALIAN: Excuse me. I got to
2 object to the line of questioning because he's
3 already answered that he believed it's not
4 necessary. All we're doing is asking the same
5 question another way. I think its been asked and
6 answered.

7 MR. CHAGARIS: I agree. If you're
8 gonna -- Mr. Segreto, if you're going to bring
9 your own witness on to testify what is the better
10 design, that's fine. But not to cross-examination
11 about --

12 MR. SEGRETO: I can't -- I can't do
13 --

14 MR. CHAGARIS: Wait, let me finish.
15 Mr. Segreto.

16 MR. SEGRETO: Yeah, I'm sorry.

17 MR. CHAGARIS: He already testified
18 as to what his plan is, and you can cross-examine
19 him as to the voracity and viability of his plan.
20 And if you want to have a different plan, you can
21 bring your own witness on for a different plan.
22 But to ask this witness about what a different
23 plan would be, he's not testifying about a
24 different plan.

25 MR. SEGRETO: He --

1 MR. CHAGARIS: Mr. Segreto, please.
2 He's testifying about this plan. So, if you want
3 to cross-examine him about this plan, you can do
4 so. But I think going over what could or might
5 be, or some other plan, I don't think is
6 appropriate of this witness.

7 MR. SEGRETO: Isn't it their burden
8 in this application to prove to you that they're
9 offering a better zoning alternative for the
10 property? Isn't that their burden?

11 MR. CHAGARIS: Well, wait a minute.
12 We're talking about your question of this witness.
13 And I'm just talking about the question that
14 you're asking this witness. They have a burden of
15 proof. We understand that. I'm talking about
16 your cross-examination of this witness. And he's
17 already testified about what his plan is. If you
18 have another plan, you can bring your witness on
19 and testify about the other plan.

20 MR. SEGRETO: I can't establish, in
21 my cross-examination, with their witnesses, that,
22 there is a better zoning alternative, that is --

23 MR. CHAGARIS: Not through their
24 witnesses.

25 MR. SEGRETO: Not through their -- I

1 can't do it through their -- all right. Well,
2 that's fine.

3 MR. CHAGARIS: Well, no, you can do
4 it through your own witness.

5 MR. SEGRETO: But I can't do it
6 through their witnesses?

7 MR. CHAGARIS: That's correct. You
8 can cross-examine them about their plan.

9 MR. SEGRETO: All right.

10 BY MR. SEGRETO:

11 Q All right, let's move onto the Whole
12 Foods building. You're going to remove the 27,000
13 square foot Stop and Shop building, is that
14 correct?

15 A Yes, we're removing a portion of that
16 building to prepare it for the new construction.

17 Q You're removing the entire 27,000
18 square foot space that was used by the prior
19 supermarket?

20 A Of that building, yes.

21 Q All right. And you're replacing it
22 with the 41,000 square foot Whole Foods?

23 A We're adding 41,000 to that building.

24 Q From an architectural standpoint you
25 could add just 30,000 square feet, correct? And

1 still have a supermarket, right?

2 A Not the one that we're planning, no.

3 Q I understand it's not the one that
4 you're planning, but you could, from an
5 architectural standpoint --

6 MR. CHAGARIS: Again --

7 Q -- replace the 27,000 square foot
8 supermarket with a 30,000 square foot supermarket
9 instead of the 41,000 square foot supermarket,
10 couldn't you do that, sir?

11 MR. CHAGARIS: You don't have to
12 answer that question. You don't have to answer
13 that question.

14 MR. SEGRETO: All right. And if I
15 asked the same questions with regard to each
16 buildings, Mr. Chagaris, he doesn't have to answer
17 those questions?

18 MR. CHAGARIS: That's correct.

19 BY MR. SEGRETO:

20 Q You'll agree with me, that when you
21 reduce the amount of retail square footage on the
22 project, that you reduce the amount of parking
23 that is necessary on the project.

24 A If I agree with you?

25 Q Yeah, do you agree with that

1 statement?

2 A If there's less retail there's less
3 parking requirements by the ordinance, yes.

4 Q And that if you put less retail, you
5 could put more plazas, more open space, more
6 courtyards, and more green areas, isn't that true?

7 MR. BASRALIAN: You know, the plan
8 speaks for itself. If you demolished everything
9 and turned it into a park you'd have more green
10 area too, but that's not what the application is
11 about.

12 MR. CHAGARIS: The objection is
13 sustained.

14 BY MR. SEGRETO:

15 Q The application is about increasing
16 the square footage in phase I, isn't that so, sir?

17 A Who are you asking?

18 Q I'm asking you, sir.

19 A Yes, there is a -- in phase I there is an
20 increase followed by a decrease in phase II,
21 overall.

22 Q And there's nothing that prevents
23 this applicant from reducing the square footage
24 from 211,000 square feet to let's say 161,000
25 square feet?

1 MR. BASRALIAN: Objection. Again,
2 the plan is before us.

3 MR. CHAGARIS: Sustained.
4 Sustained.

5 Q Now, when you just spoke in your
6 testimony tonight about removing part of building
7 D, are you referring to the building that was
8 designated on the plans as building C? Did you
9 just misspeak?

10 A No, building D.

11 Q Are we talking about the same area
12 that there was a building in front of retail
13 building B?

14 A Building D, on our plan, is in front of,
15 to the south of building B --

16 Q Right. I see that.

17 A -- and I testified that -- I was
18 explaining -- I thought I was elaborating on why
19 we were removing that western portion of building
20 D, and the rationale behind it, with respect to
21 the need to have area to create the drive and the
22 plaza in front of building D.

23 MR. CHAGARIS: Do you have another
24 question, sir?

25 MR. SEGRETO: I'm reviewing my

1 notes, Mr. Chagaris.

2 BY MR. SEGRETO:

3 Q Do you know whether or not Whole
4 Foods has any restrictions as to the types of uses
5 that can be put in the shopping center?

6 MR. BASRALIAN: Objection.
7 Objection.

8 A No, I don't.

9 MR. SEGRETO: No further questions.

10 CHAIR LIGNOS: Okay. Any other
11 member of the public have a question of this
12 witness. You -- you -- you -- we're going for a
13 second turn. You had your -- you had questions.

14 MR. ROSENBLUME: I have two
15 questions.

16 CHAIR LIGNOS: You have another one?

17 MR. ROSENBLUME: Yeah.

18 CHAIR LIGNOS: Okay. Could you just
19 do me a favor, let's -- let's see if we can start
20 wrapping up on this.

21 MR. ROSENBLUME: Jessie Rosenblume.

22 MR. CHAGARIS: Mr. Rosenblume, it's
23 got to be on a new area, and just to one question.
24 Because otherwise everybody is going to go around
25 three or four times. So --

1 MR. ROSENBLUME: No, no, I'm -- I'm
2 not repeating. Yesterday you couldn't give me an
3 answer for what type of shopping center this is.
4 So, I did some research. Is it fair to say that
5 this is a community shopping center?

6 MR. CHAGARIS: I'm going to have to
7 sustain the objection. He didn't testify about
8 what kind of shopping center it is or it isn't.
9 He just testified about the building that --

10 MR. ROSENBLUME: Yeah, I know he
11 didn't testify. But, as I mentioned before,
12 shopping centers come with different designations.

13 MR. BASRALIAN: The only -- if I
14 could interject. Mr. Rosenblume, the questions
15 you can ask, are related to his direct testimony.
16 Not something that's outside of the record.

17 MR. CHAGARIS: If you want to bring
18 your own witness as to what kind of shopping
19 center it is, or not, then that's fine. But you
20 can only cross-examine him about his testimony.

21 MR. ROSENBLUME: Sure. The other
22 question is: Does he consider the Closter Plaza
23 project an extension of the Closter Dock Main
24 Street Shopping District?

25 MR. CHAGARIS: Yeah, he's not a

1 planner. He just designed this building. So, he
2 would not be the appropriate person to ask that
3 question to. He didn't testify about that.

4 MR. ROSENBLUME: Okay. Thank you.

5 CHAIR LIGNOS: Thank you. Any other
6 mem -- yes, sir. Please step forward.

7 MR. ISAACSON: Steve Isaacson, 97
8 Columbus. Regarding this spin-off lot, I believe
9 we all know that we're -- that this project is
10 maybe 50 percent deficient by ordinance, in
11 parking. And I'm just curious, how many parking
12 spots that spin-off lot represents.

13 MR. CHAGARIS: Again, the architect
14 didn't testify about those parking spots.

15 MR. ISAACSON: No, but that was in
16 the application. It was actually -- it was in
17 something I read that I got from the planning
18 board.

19 MR. CHAGARIS: I think -- they're
20 going to have a traffic expert who is going to
21 testify about the parking.

22 MR. ISAACSON: Okay. So then let's
23 just ask the question. That lot represents how
24 many parking spots?

25 MR. BASRALIAN: Excuse me. He

1 doesn't have the ability to answer that. He is
2 the architect. He didn't do the site plan, nor is
3 anything planned for that property at the present
4 time.

5 MR. ISAACSON: I understand. But
6 when I looked at the site plan, there was a
7 rectangle, and there were parking spots in that
8 rectangle. I'm just asking a simple question.

9 MR. BASRALIAN: Excuse me, that site
10 plan shows present conditions. If you look at the
11 completed --

12 MR. ISAACSON: No, it doesn't. I'm
13 sorry. I beg to differ.

14 MR. BASRALIAN: If you look at the
15 proposed plan, it shows no parking on that site to
16 be utilized for the shopping center.

17 MR. ISAACSON: Okay, once again, if
18 you look at the color site plan, that I saw in the
19 planning board, took pictures of it, in the
20 office, that was submitted by you, to the planning
21 board, it clearly indicates that there's a
22 rectangle and parking spots.

23 MR. CHAGARIS: Well, maybe you
24 should --

25 MR. DENICOLA: That's existing.

1 You're talking about existing parking spots.

2 MR. ISAACSON: No. No, the
3 rectangle is not existing.

4 MR. DENICOLA: No, the parking spots
5 are existing. The rectangle --

6 MR. ISAACSON: The parking spots
7 were for the rectangle. Whatever the rectangle is
8 gonna be. All I'm asking is a question: How many
9 parking spaces could fit in that space?

10 MR. CHAGARIS: Again, I think the
11 traffic expert would be the one to answer that
12 question.

13 MR. ISAACSON: Then I will be back.
14 Thank you.

15 MR. CHAGARIS: Perfect.

16 CHAIR LIGNOS: Any other member of
17 the public having a question of this witness? I
18 see and hear no members of the public having
19 questions of this --

20 MR. BASRALIAN: I have two questions
21 on redirect. That's all.

22 CHAIR LIGNOS: Yes, very good.
23 Wait. Before -- I want to close this portion of
24 the meeting to the public, since there are, and we
25 see no more questions from the public.

1 Now, Mr. Basralian, please go ahead.

2 EXAMINATION BY MR. BASRALIAN:

3 Q Yeah, I'm not sure whether I
4 understood one of your responses correctly. So, I
5 just want to clarify it.

6 A Certainly.

7 Q It is in fact, that retail D, as its
8 designated on the -- on the lot -- on the site
9 plan rather, is one structure, not two structures?

10 A That's correct.

11 Q Thank you. The other thing, is,
12 Mr. Segreto, in his cross-examination, asked you
13 questions about reference to your use of the
14 reference to anchor, allegedly, as a reference to
15 an anchor store. I have here the transcript from
16 the July 18th, 2013 hearing, and I'm referencing,
17 in particular, page 40 of that -- a transcript --
18 a copy of the transcript has been provided to the
19 board, where there is a reference to that word,
20 anchor. I'd like you, if you would, to read the
21 area that's in brackets here, starting on line 17
22 through line 24.

23 MR. SEGRETO: Objection. If it's in
24 the record it's in the record. Why -- you know,
25 why are we wasting time, Mr. Chairman, you want to

1 move this along, where you have to have the
2 witness read his own testimony.

3 MR. BASRALIAN: I'll have a
4 proffer -- that's fine. I'll have a proffer then
5 of page 40 of the transcript, lines 19 through 24,
6 where the reference to lower case "a" anchor, was
7 made by Mr. Roncati, not in connection with anchor
8 stores, but an anchor concept on something
9 other -- on some other issue. That's all.

10 MR. CHAGARIS: Thank you.

11 CHAIR LIGNOS: Okay. Members of the
12 board, based on what Mr. Basralian has asked the
13 witness, and how the witness has answered, do you
14 have any questions?

15 MR. CHAGARIS: Just as to --

16 CHAIR LIGNOS: -- on just those two
17 issues.

18 MR. CHAGARIS: These last five
19 minutes or less.

20 CHAIR LIGNOS: I see and hear none.

21 Members of the public, in particular
22 to those two issues that Mr. Basralian has
23 addressed Mr. Roncati with, any questions? I
24 see -- I'm sorry, there is one. Okay.

25 MR. ROSENBLUME: I saw the mission

1 statement that was submitted by --

2 MR. CHAGARIS: That wasn't part of
3 the question.

4 CHAIR LIGNOS: No, we're talking
5 specifically to those two issues.

6 MR. ROSENBLUME: Yeah, related to
7 anchor.

8 MR. CHAGARIS: He didn't testify as
9 to anchor. He just referenced the transcript
10 where the word anchor was used. He didn't define
11 it. He didn't characterize it. It just
12 referenced it --

13 MR. ROSENBLUME: Yeah, but yesterday
14 he addressed --

15 MR. CHAGARIS: We're not talking
16 about testimony yesterday. We're just talking
17 about what he said today.

18 CHAIR LIGNOS: Any other member of
19 the public having a question on those two issues
20 that Mr. Basralian has addressed the witness?

21 I see and hear none, therefore, I
22 close the portion of the meeting to the public,
23 and Mr. Basralian, I assume you have other
24 witnesses.

25 MR. BASRALIAN: Yes. I'd like to

1 call Charles Thomas, our civil engineer.

2 MR. RONCATI: Thank you all for your
3 time.

4 CHAIR LIGNOS: Thank you.

5 The board will take a five minute --
6 as a matter of fact, let's call it a seven minute
7 so we come back at 8:45. Give the chance to the
8 witness to set up. The time now is 8:39.

9 (A recess was taken.)

10 CHAIR LIGNOS: Okay. I call the
11 meeting back to order. The time now is 8:45 and
12 we're going by what's on the computer time. It is
13 8:45.

14 Before we go to the next witness,
15 will the board -- I'd like to have a motion that
16 we continue the next two special meetings on Sept
17 -- Thursday, September the 12th, Thursday
18 September the 19th, with our regular public
19 hearing on the 26th.

20 MR. DIDIO: Motion.

21 CHAIR LIGNOS: Motion is made by
22 Mr. Didio. Would somebody like to second the --

23 MS. HEYMANN: Second.

24 CHAIR LIGNOS: The mayor seconds.
25 Discussion. I see and hear none. Ms. Mitchell,

1 can you kindly poll the board.

2 MS. MITCHELL: Sure. If I could
3 just clarify, this application will also be heard
4 on the 29th, right?

5 CHAIR LIGNOS: No.

6 MR. BASRALIAN: Yes. August 29th,
7 we've already set as a special hearing date.

8 MS. MITCHELL: They are on for
9 August 29th, yes.

10 MR. DENICOLA: It's a regular public
11 hearing. It's a regular public hearing?

12 CHAIR LIGNOS: Yeah. Yeah. No, no,
13 no, we have -- that's correct. And that's already
14 on the 29th.

15 MR. BASRALIAN: Right, that's
16 already scheduled.

17 CHAIR LIGNOS: That's our regular
18 monthly meeting. Thank you very for clarifying.
19 And I apologize. We have a motion for the 12th of
20 September, the 19th of September, special meetings
21 for this application. I see no discussion.

22 Ms. Mitchell please poll the board.

23 MS. MITCHELL: Mayor Heymann.

24 MS. HEYMANN: Yes.

25 MS. MITCHELL: Councilwoman Amitai.

1 MS. AMITAI: Yes.

2 MS. MITCHELL: Dr. Maddaloni.

3 MR. MADDALONI: Yes.

4 MS. MITCHELL: Mr. Baboo.

5 MR. BABOO: Yes.

6 MS. MITCHELL: Ms. Stella.

7 MS. STELLA: Yes.

8 MS. MITCHELL: Mr. Lignos.

9 CHAIR LIGNOS: Yes.

10 MS. MITCHELL: Mr. DiDio.

11 MR. DIDIO: Yes.

12 MS. MITCHELL: Ms. Isacoff.

13 MS. ISACOFF: Yes.

14 MS. MITCHELL: Mr. Pialtos.

15 MR. PIALTOS: Yes.

16 MS. MITCHELL: Mr. Nyfenger.

17 MR. NYFENGER: Yes.

18 CHAIR LIGNOS: And, again I'm going
19 to remind you, that, please, any cross talking
20 gets picked up, and it's rather difficult. So,
21 please. The other point that I'd like to make,
22 Mr. Basralian, after this witness, is your
23 traffic, is that correct?

24 MR. BASRALIAN: No, landscape
25 architect. When I get a feel for when we will

1 have our traffic consultant, will be after the
2 landscape architect, I told Mr. DeNicola I would
3 tell him in advance so that the planning board's
4 consultant could be present.

5 CHAIR LIGNOS: Exactly. Thank you
6 very much. You can read minds too.

7 MR. BASRALIAN: No, I can't, I was
8 asked that question.

9 CHAIR LIGNOS: Very good. Thank you
10 very much. Okay. Please continue.

11 MR. BASRALIAN: Would you swear in
12 this witness, please.

13 MR. CHAGARIS: Do you swear to tell
14 the truth, the whole truth and nothing but the
15 truth?

16 MR. THOMAS: I do.

17 MR. CHAGARIS: Will you state your
18 name and your address.

19 MR. THOMAS: Certainly. Charles
20 Thomas Jr. at 54 Horse Hill Road, with Omland
21 Engineering in Cedar Knolls, New Jersey.

22 CHAIR LIGNOS: Now, you have
23 presented and testified before this board before?

24 MR. THOMAS: Yes, I have.

25 MR. BASRALIAN: As a licensed

1 professional engineer of the State of New Jersey.

2 MR. MADDALONI: Move to accept his
3 credentials.

4 CHAIR LIGNOS: Moved by
5 Dr. Maddaloni. Seconded by Ms. Isacoff.

6 Does anyone have any objection?
7 Members of the board, none? And, therefore,
8 please continue.

9 EXAMINATION BY MR. BASRALIAN:

10 Q Mr. Thomas, Omland Engineering --
11 did Omland Engineering prepare the site plan
12 presented with this application consisting of 34
13 sheets, as enumerated in the application and in
14 the site plan and subdivision, major subdivision
15 application, included within the submission from
16 Omland Engineering?

17 A Yes, we did.

18 Q And were you principally in charge
19 of the application or the preparation of the site
20 plan and the subdivision plan?

21 A Yes, I am.

22 Q All right. With respect to the
23 project, since you are well aware of it, and have
24 been working with it, would you please, first go
25 to existing conditions, which has been marked as

1 exhibit -- Exhibit A-6. I'm sorry, Exhibit A-10,
2 which is noted on the exhibit list I presented to
3 the board, as a colorized aerial photograph of
4 existing conditions, Closter Plaza Shopping
5 Center, New Jersey, dated -- Closter, New Jersey,
6 dated October 12th, 2000 -- I'm sorry,
7 October 2012, prepared by New Jersey Graphics
8 Network.

9 Would you please confirm that is, in
10 fact, what is up there, and what it contains, and
11 what has been done to it to demonstrate existing
12 conditions.

13 A Certainly. This is an aerial photograph.
14 This is in fact a photograph that Mr. Basralian
15 just described. It is an aerial photograph. This
16 comes off of the New Jersey Warehouse Supply. The
17 photograph -- what's special about this, is it's
18 an orthogonal photograph. That means it's to
19 scale, unlike Bing maps that you get off the
20 internet. You can't lay a scale across it. You
21 have to approximate it. In these cases the
22 orthogonal aeriels lay out flat, and you're able
23 to scale accurately from one side to the other.
24 So, if I was to scale from this side of the aerial
25 to this side, and then go out and physically

1 measure it, it would be the same.

2 CHAIR LIGNOS: Now, Mr. Basralian,
3 for the record, you mentioned colorized. It is
4 predominantly black and white, but you -- but,
5 again, it's because I see some shades of green or
6 try to be green, on the top. It's -- it's meant
7 to be that way, correct?

8 MR. BASRALIAN: Yes, it is.

9 MR. CHAGARIS: Can we have this
10 marked as --

11 MR. BASRALIAN: Yes, I was just
12 going to mark it. I did not do that. I'm sorry.

13 MS. AMITAI: Do we have a copy of
14 that?

15 MR. BASRALIAN: No.

16 MR. CHAGARIS: Put today's date as
17 the number, and your initials, please,
18 Mr. Basralian.

19 MR. THOMAS: The reason it is --

20 MR. BASRALIAN: Excuse me, one
21 second.

22 MR. CHAGARIS: What exhibit is that?
23 Is that Exhibit 8 is it, A-8?

24 MR. BASRALIAN: Exhibit A-10. It's
25 marked and initialed with today's date.

1 MR. CHAGARIS: Thank you.

2 MR. THOMAS: The reason for the
3 color, is, it's taken when the leaves are down.
4 Obviously, predominantly gray and black rooftops
5 and pavement area. You can see some green areas
6 from lawns that exist. The wooded areas are gray
7 as well during the wintertime from the air.

8 We're going to be talking about lot
9 1, which is the shopping center itself, which
10 consists of 15.24 acres. And we're also going to
11 be talking about the church property, which is lot
12 2.

13 MR. MADDALONI: Can I just ask one
14 quick -- you said this was taken in October?

15 MR. THOMAS: It's dated October --
16 it could have been -- I'm sorry.

17 MR. MADDALONI: There's no foliage
18 on those trees and that just seems odd.

19 MR. THOMAS: It was taken between
20 2012 and 2013. So, probably during -- it's dated
21 that time. So, it I could have been -- it's
22 obviously during the winter.

23 MR. MADDALONI: The winter, yeah.

24 MR. BASRALIAN: Yeah, my reference
25 to October, is, that's what's on the -- on the

1 photograph.

2 MR. THOMAS: And we talked about the
3 church lot, lot 2, as well. The property itself
4 is obviously 93.7 percent impervious right now.
5 The property -- the property drains, north being,
6 as you know, going diagonally across. Vervalen is
7 at the bottom of the drawing. Homans is at the
8 top of the drawing. The property drains across,
9 going northerly, through a series of internal
10 drainage systems, and then eventually crosses
11 underneath K-mart and around K-mart, and then is
12 discharged into a brook on the other side. The
13 property drops through the parking lot, as well as
14 through the front and across. The areas -- we
15 have existing lading out there, approximately 35
16 feet high. It is sewerred. Sewer system runs
17 through the property, out to Lewis Street. Also
18 has water and electric, as we all know, from our
19 discussion on above-ground electric.

20 There is 720 spaces on the property.
21 And then -- and very minimal landscaping, as you
22 can see. And that's the existing conditions at
23 this time.

24 Q Okay. Would you next, referring to
25 Exhibit A-12, which is the overall -- it's sheet

1 16 of 30, for overall landscape plan, defined on
2 the exhibit list dated April 26th, 2013, prepared
3 by Omland Engineering. And let me just,
4 appropriately --

5 MS. MITCHELL: Is that A-11 or A-12?

6 MR. BASRALIAN: A-12. I skipped
7 over. We will get to A-11.

8 MS. MITCHELL: Okay. Thank you.

9 MR. CHAGARIS: It will be 8-12 and
10 13 or A-12A and A-12B?

11 MR. BASRALIAN: This is going to be
12 marked -- it really should be A -- A-11-- A11-1
13 same date.

14 MR. CHAGARIS: I thought you just
15 said 12.

16 MS. MITCHELL: Twelve.

17 MR. BASRALIAN: No. I'm sorry, A-12
18 I'm sorry. A-12.

19 MR. CHAGARIS: A12-1 and A12-2.

20 MS. MITCHELL: Okay. Thank you.

21 MR. BASRALIAN: Okay appropriately
22 marked, initialed and dated.

23 MR. CHAGARIS: Thank you.

24 BY MR. BASRALIAN:

25 Q Okay. Would you describe what's

1 before the board in terms of how it references the
2 sheets that were presented by Omland Engineering,
3 which consists of a phase I and phase II caption
4 on the plan.

5 A Certainly. If you look at the bottom
6 you'll see phase I. This drawing represents where
7 we'll be after completion of phase I. The
8 yellow -- the orange buildings, in these blocks,
9 represents the new construction that will occur.
10 The existing bank will be remaining though. This
11 shows what's in phase I, as part of -- as part of
12 the construction. To the left, as you look,
13 you'll see that the black building, rooftop over
14 here, that is the K-mart. This area is not going
15 to be improved at this time in front of the
16 K-mart. What will be improved though, is, part of
17 the church. We'll be putting in a sidewalk, some
18 landscaping, diagonal parking for them. It will
19 be a two-way street. And, as you know, on the
20 side of the K-mart there's an existing compactor
21 that's to remain at this time. There'll be
22 landscaping. At this time, as you all know, the
23 building coverage will increase from 31.9 percent
24 up to 34 percent. Thirty-five percent is
25 permitted in this zone. The max impervious at

1 this time will go from 93.7 percent to 91.42
2 percent. So, we'll have also, an increase -- I'm
3 sorry, decrease in impervious at this time.

4 Now, what happens in here, is, this is
5 going to be a phase project. We also have new
6 driveway openings that we're going to placed off
7 of Vervalen. There were 4. 1 -- and we continue
8 to keep 4; 1, 2, 3 and 4 behind the theater. On
9 Homans there were 5. And we'll continue to have 5
10 off of Homans. 1 -- I'm sorry, 1, 2 and 3, until
11 we get to the K-mart space. So, at this time
12 we'll shut down by 2.

13 Included in our plan at this time, we will
14 be raising the parking lot from 720 to 730. So,
15 we'll have 10 additional spaces in this phase I.

16 We're including, as part of our
17 improvements, as we all know, the plaza areas. We
18 have plaza area in front of the Whole Foods. At
19 B. In front of B. In front of D. At D. On the
20 side of D. And also by E. And by the theater
21 area.

22 Part of the -- also, improvements for the
23 circulation on site, are tabletops. These are
24 going to be concrete areas that rise up in the
25 aisleways, and the driveways. So, now they come

1 up, and they're level, and there's a reason we
2 talk about this, is, they're going to come up and
3 be flat with the sidewalk in front of the stores,
4 particularly Whole Foods. And as part of the area
5 D, and then also in the area adjacent to area E.
6 So, those two things, it's a bit of a traffic
7 calming device. And it also allows for you to
8 enter the sidewalk with carts or handicap. Items
9 like that.

10 We have whatever ADA. We're in compliance
11 with the 2010 accessibility guidelines for -- for
12 handicapped stalls.

13 We also have checked this site, your fire
14 department, is one of the unusual fire
15 departments, due to the fact that they provide us
16 with templates of their fire trucks. So, they
17 give us a template. They give us the turning
18 radii. It's a 60 -- I'm sorry, it is a 45-foot
19 ladder truck, that they ask us to use to make sure
20 they can circulate through the site. And that's
21 what we do, we have a tool, it's called, Auto
22 Turn, and the young engineers tend to like it a
23 lot because in Auto Cab they can drive a truck
24 through here, mimicking, because we put in all the
25 turning parameters of the fire truck. So, then

1 they come in, and they can make sure the radiuses
2 all work properly and come around. So, the fire
3 truck is designed to come through the property and
4 exit out, and also come up through the front and
5 exit out. So -- so, we know that we have adequate
6 circulation for the fire department.

7 With respect to loading, we're also going
8 to continue the loading in the back. We have
9 several loading spots. They're 40 feet long. We
10 have a double loading spot behind retail A, which
11 is potentially the Whole Foods. We have a
12 compactor associated with the Whole Foods.

13 We have circulated, through the back here,
14 and also we'll talk briefly on the -- on the phase
15 II, we have circulated what is called a WB-67.
16 It's a tractor trailer. "WB" stands for wheel
17 base. It just goes from the front tires to the
18 back tires. The tractor is actually -- the truck
19 is actually longer than 67 feet. And we circulate
20 that. That actually has a pretty good turning
21 radiuses. People don't realize it because it's
22 articulated. So, a bus would have a hard time
23 going through. But since the ladder truck is so
24 large, we know that that will circulate real well.

25 Q Could you just describe the

1 direction of the traffic on the Homans side
2 adjacent to the buildings?

3 A Certainly. We have angled parking in the
4 back here. So, it's going to become a one-way
5 circulation. The trucks will come in, back in,
6 these trucks will have the option of turning right
7 out, or to continue straight. All the cars that
8 park along here, and any loading trucks, will have
9 to continue to go straight through, and continue
10 out onto Homans.

11 We're showing several dumpsters along the
12 back of the site, 1, 2. We'll have larger ones as
13 well. These are 24 X 10's; 1, 2 and 3 behind
14 retail -- or behind retail E, or by the theater
15 and building E. These are located specifically
16 with the fire department guidelines. They have to
17 be 15 feet away. There is a compactor but that is
18 an enclosed container. The dumpster -- I'm sorry,
19 the dumpster area, the enclosure, are going to
20 be -- we talked about, you heard Mr. Roncati talk
21 about that, they're going to have ground faced
22 block associated with that. There's different
23 type of block that you can use for retaining
24 walls, and also for dumpster, for these type of
25 structures. Some are called split face, and

1 actually that's exactly what it is, you just chip
2 of the face, and it has a very rough look. This
3 one Edens likes to use, which is called ground
4 face. It's a higher quality. Much more expensive
5 block. And it's a very, very nice looking block.
6 So, particularly, since it's closer to the street,
7 they wanted that to look nicer. The doors will be
8 metal gates, which will be colored to compliment
9 the buildings themselves.

10 Grading and drainage, again, we can't
11 change the grading very much. Remember how the
12 site works, we're pinned. We have the theater
13 over here. We have K-Mart over here. And we're
14 not changing those floor elevations. So,
15 everything has to be brought to tie in from one
16 end to the other. So, we don't have a lot of
17 flexibility. We don't want a lot of flexibility.
18 We don't want to be digging all over the place.
19 So, we're pretty much mimicking the grades that
20 our out there, up and down. Very minor out there.

21 We are improving the drainage. As you
22 know, water just sits out there. We're putting
23 more inlets in. That will collect into a drainage
24 system. And we can tie into the existing system
25 out in that area.

1 With lighting --

2 Q Just before -- before you go to
3 lighting. You were talking about access. There
4 has been a change so as to allow a connection from
5 the west northerly part of the shopping center to
6 what is now a dead end parking area just adjacent
7 to retail B. Would you describe the ingress and
8 egress and how that functions.

9 A Certainly. When you're coming off of
10 Homans now or come through -- through the site, we
11 now have supplied an additional parking area,
12 which is offset from detail B, and behind retail
13 D. We also have provided a loading area, and a
14 compactor area. So, we have parking in this
15 special parking little island, that's been
16 created. In this area we have trees and
17 landscaping. So, as you come through, we're
18 trying to create a little corridor through here.
19 With the turn, we put the speed table to help slow
20 people up as they come around the corner, make
21 sure that all the pedestrians are safe in that
22 area. And this will allow people who did not --
23 were not able to come from Homans through, now
24 will be able to enter the site, or once they
25 leave, if they would like to go out, back to

1 Homans, either way, they can still be able to do
2 that.

3 Q So, you're creating -- you've
4 created -- the plan creates a connection through
5 that easterly side, which doesn't currently exist,
6 because it dead ends in the parking lot, and
7 doesn't permit an automobile, presently, from the
8 main lot to traverse to Homans via -- via the
9 easterly access point?

10 A That's correct.

11 I'm going to touch on lighting now. The
12 lighting itself is going to come down. So, we're
13 going to lower it ever so slightly. We're going
14 to have 41 poles. There will be metal halide
15 lights in the parking lot. Those lights are going
16 to be round heads. Little deeper. Recessed.
17 Called dark night. So, they are cut off. It's
18 called full cut off. So, the lights are recessed
19 up in the heads so the light doesn't shine out or
20 up. That's the point of that. So, we'll have
21 round headed lights, metal halide that will
22 illuminate the parking lot. And, also, we're
23 going to have a much more decorative light along
24 the sidewalks. Now, this light will also be
25 round. It will be a thin, almost like a gold look

1 to it, that will come along and light up along the
2 sidewalk here. That will be down lower. The ones
3 in the parking lot are 25 feet. The ones along
4 the sidewalk will be 14 feet. So, there will be a
5 softer look lighting along the sidewalks and
6 pedestrian ways.

7 CHAIR LIGNOS: Do you have any
8 samples of that? Will you be showing some of that
9 in your testimony?

10 MR. THOMAS: There is a drawing.

11 CHAIR LIGNOS: Just so -- but you
12 don't have them up?

13 MR. THOMAS: No, I don't have them
14 up. They are in the drawings though. We can flip
15 through the pages.

16 MR. BASRALIAN: If at the conclusion
17 if you wanted to go through it, then we will go to
18 page and we'll add it as another exhibit, although
19 it's part of the sheets.

20 CHAIR LIGNOS: Right.

21 MR. THOMAS: We did change the light
22 along here. So, that's a new -- the light along
23 the sidewalk is a new -- a new light that we have
24 to submit. That is not in the current package.

25 CHAIR LIGNOS: Okay. So, maybe what

1 we'll do, Mr. Basralian, since that's the case,
2 we'll do the whole thing at the time when that
3 light is -- is submitted. Maybe just do it as a
4 lighting package.

5 MR. BASRALIAN: We can continue that
6 at the next hearing.

7 CHAIR LIGNOS: Yeah. Yeah. Just
8 for that portion. We don't need to --

9 MR. BASRALIAN: Right. Right.

10 MR. THOMAS: Okay that light. We
11 also have wall sconces on the back of the
12 buildings. These will be set 14 feet high as
13 well. These are round fixtures as well, to
14 illuminate. Those will also be metal halides.
15 Let me finish before we -- and go on a little bit
16 more. We have lighting underneath the canopy in
17 front of Whole Foods, and then we have lights
18 throughout the -- building mounted lights,
19 sconces, if you will, different style sconces.

20 Now, going back, there was a lot of
21 talk about metal halide, LED, what's more
22 appropriate, should you use it, how does that
23 work. In this case, Edens is ahead of the curve
24 in lighting design. And while we're showing,
25 point out predominantly, metal halides, we do have

1 some LED wall sconces. They even told me that by
2 the time we get to construction, we will probably
3 change almost all the building lighting to LED.
4 But we all agree, us, as designers, that is, is
5 that the parking lot lighting should stay metal
6 halide. And there is a couple of reasons. First,
7 is that LED lighting, over large areas, tends to
8 have a glow to it, that is a glare and a glow that
9 is a little distracting. It is not clear. Metal
10 halide is clear white light that illuminates very
11 sharp, and you can easily project it, and spread
12 out over a larger area. LED, you need -- and it's
13 getting better. So, who knows, in one year from
14 now somebody is going to come out and say they're
15 identical, metal halide and LED. But right now,
16 for large parking lot, expansion areas, we
17 recommend the metal halide. Nice white color.
18 Then once we get inside, like I said, Edens is
19 seriously contemplating, because they do have it
20 at other facilities, going the LED around it. But
21 right now, just so you know, it is metal halides
22 with 1, 2 sconces -- 1 sconce for sure, that is a
23 LED. And they have no issue -- they have nothing
24 against LED. But at this time we're showing metal
25 halide.

1 Now, the next part of the whole
2 lighting program that will be for both, is, an
3 energent management system that they're going to
4 put in. This goes hand-in-hand with their
5 security lighting. What this is, I think
6 Mr. Roncati spoke to this in his testimony. This
7 energy management is to take the lights down.
8 It's programmable off site. So, we have a couple
9 -- we have lights out here that have multiple
10 heads on them. That they're able to control the
11 heads individually. So, as the facility starts
12 shutting down, lights start shutting down for
13 cost. They can even time it, so let's say the
14 theater is the last operating facility, they can
15 set it up so after one hour after theater lets
16 out, because obviously employees stay to clean,
17 then the system starts powering down, the parking
18 lots start darkening up. There will be security
19 lighting. But they can turn off a lot of heads.
20 Speaking with Edens, they had found that using
21 this energy system, this energy management system,
22 they save between 25 and 30 percent. So, it's a
23 good system. They want to implement it and get it
24 to work. And, again, remember, they can do this
25 off site. So, if they call up and say, listen,

1 we're going to be, you know, movie madness, we're
2 starting at midnight, to show a movie or something
3 like that, they can, from South Carolina, they can
4 just power these up and make sure they stay on for
5 them. So, it's a nice system. You don't have to
6 have somebody running around going crazy.

7 I'm going to jump over -- well, I'm
8 just -- everything I pretty much just said with
9 respect to site improvements is the same for phase
10 II, but let me just talk about --

11 Q Let's just reference, would you read
12 off the exhibit number. You were Exhibit A --

13 A Okay, I'm jumping over to phase II,
14 Exhibit A-12.

15 Q That uses the ident -- photograph
16 with the phase II improvements located, correct?

17 A That's correct.

18 In phase II, we'll be having -- this is
19 where the K-mart gets cut back. This is an 11,000
20 square foot reduction. So, now we take it, we
21 went from 2,011 up to 2,019. Now we cut it back
22 to 2,008 square feet of building area. With that
23 also we bring up the parking lot count from 730.
24 We now go up to 820. All right. We also -- I'm
25 sorry, I just want to double check that before I

1 said that.

2 Now, also our impervious is going to go --
3 remember we started at 93.7. We go to 91.42 in
4 phase I, and then we go to 93.02. So, let me say
5 that again. Let me just jump from the beginning;
6 93.7. Phase II will be at 93.02. So, we've
7 dropped -- from existing conditions, we've dropped
8 almost 5,000 square feet of impervious material.

9 So, our final project has less building
10 area, more parking, less -- less impervious area.
11 So, what this -- what we're doing here, is, we're
12 getting quite -- developing the site, reducing as
13 much as we can, the impervious on the site, and
14 increasing the parking count.

15 Let's go back and think about. What was
16 the parking demand at -- when this site -- how
17 this site is running right now. Okay we have 720
18 parking spaces. We have 720 parking spaces and we
19 have 211,000 square feet.

20 Q Okay. Just -- just for the record,
21 just reference the exhibit, please.

22 A I'm sorry, we're going back to Exhibit
23 A-10. On this exhibit A-10 we have 720 spaces.
24 So, let's walk through this. We have 211,000. So
25 that parking demand is -- the parking supply is

1 3.4 cars per thousand square feet. Okay. With
2 this phase II, we've reduced the impervious. We
3 have knocked down the building area from 211 to
4 208. We have increased the parking. And our
5 parking supply, where it was 3.4 is now 3.9 cars
6 per thousand. So, we have increased the parking
7 supply.

8 Mr. Keller, who is the traffic engineer,
9 he'll get into how this works in greater detail.
10 But I just wanted to put that out there early on.

11 Again, when we get into K-mart now, I'm
12 going over to -- back to A-14 -- I'm sorry, A-12.

13 CHAIR LIGNOS: A-12.

14 MR. THOMAS: A-12. You know, it was
15 funny, just before I left from the office, one of
16 the young engineers goes, last time you testified
17 you probably had more hair and didn't need your
18 glasses. I said, yeah, you're right. Yeah. So,
19 anyway --

20 CHAIR LIGNOS: He still works for
21 you?

22 MR. THOMAS: He's buying my lunch
23 tomorrow.

24 MR. BASRALIAN: But not tomorrow.

25 A So, with K-mart, when we bring this in

1 again, we're going to cut it back 11,000 square
2 feet. We'll be, at that time, building additional
3 parking that will be head-in along the front.
4 Now, this is where we have a drive-in along the
5 side of K-mart between the church and -- and I
6 keep calling it K-mart. Let's call it retail F,
7 because it's no longer a K-mart. This is F, will
8 now have a drive-thru that will allow for, let's
9 say a pharmacy pick-up or something along those
10 lines. We flip the traffic as well. In phase I
11 it's a two-way. In phase II it will be a one-way
12 in only. That's because now we do have this --
13 this drive-thru. So, that will be the biggest
14 circulation change that you see out there.
15 Otherwise, the driveway cuts all stay the same.
16 We now have additional driveway cuts for behind
17 retail F. A one-way circulation pattern. A right
18 out only, as well, behind there.

19 And this site will just also, the grading
20 and the drainage and utilities will also be
21 supplied. We talked about electrical. And there
22 are power lines that run along Homans, and they
23 come to the building. All taps off of the
24 building will run to our transformers underground.
25 And then from the transformers underground, to

1 supply the site. There will be no aboveground
2 wires you see on our prop -- on the Eden's
3 property, going forward. And that's it. The
4 lighting system will be expanded, that we talked
5 about, over into this additional area. And that
6 is it.

7 Q As the engineer, you've designed a
8 number of islands in the shopping center for
9 plantings. And I'd like you to just refer back to
10 the original exhibit on the existing conditions,
11 and compare what is being proposed for islands and
12 plantings, within the parking lot, which don't
13 currently exist. And just contrast it to and
14 point them out to the board.

15 A Certainly. A-10, which is the existing
16 conditions that we talked about, as you see, there
17 are very few trees that are located in the thin --
18 the thin parking aisle. There are trees located
19 along -- in front of the theater that are -- most
20 of them -- most of them are to remain. Some of
21 them will be removed in that area. But there is
22 limited vegetation, at all, across the site.
23 There is some trees located behind the K-mart as
24 well. We're going to bring in now, and we're
25 going to bring in these additional trees, we're

1 bringing in the landscaped islands, the parking
2 islands, we're trying to green it up, shade it up,
3 if you will. Mr. Hamilton is our landscape
4 architect, he'll be going over the landscaping in
5 greater detail.

6 Q Just -- just indicate all the
7 islands that are being constructed for plantings
8 which don't currently exist.

9 A Sure.

10 Q And, if you know the number of how
11 many new trees will be treated in this -- by the
12 completion of phase II, rather than the species,
13 which Mr. Hamilton will address.

14 A I will look that up for you. Over a
15 hundred trees. Let me just double check that. I
16 apologize. There is -- okay, you're right. So,
17 about 120 trees, additional trees, will be
18 installed, between shade and ornamental.

19 Q And just point them out, if you
20 will, on the phase II exhibit, where those islands
21 and the trees will be located, generally.

22 A Certainly. They're located through the
23 parking lot, along -- close along -- right along
24 Homm -- I'm sorry -- Vervalen. Along -- through
25 the parking islands, along the westerly side of

1 the parking lots, in front of the stores we have
2 shade trees that we're doing. Trying to create
3 that corridor, as you come through, shade tree
4 corridor. We have more shade trees in the parking
5 lots to the west. These round circles all
6 represent trees that are proposed. Along Homans
7 in the back we have shade trees -- or trees that
8 we're proposing. And also into -- in the plaza
9 area adjacent to D, and adjacent to the theater.

10 Q Thank you. There are a number of --
11 there are several variances and a number of
12 waivers that are being requested. Would you just
13 indicate where the variances are on the plans,
14 please.

15 A Certainly. We have six variances. And
16 I'll just identify them for you. The first one is
17 a maximum impervious coverage. Eighty percent is
18 required. Remember we started at 93.7.

19 Q Does that represent existing
20 conditions?

21 A Existing. We go down to 91.42. And then
22 we lowered it -- then we go to 93.02.

23 Q That's in phase II?

24 A Phase II. So, even though we go up
25 slightly from phase I, we're still lower than what

1 we started with. Also, for the church property,
2 they have a maximum impervious coverage. They
3 have 80 percent. And that'll be at 83 percent
4 ultimately.

5 Q That's to accommodate the parking
6 that doesn't currently exist?

7 A Right. I apologize. I didn't point that
8 out. There's no parking on the church right now.
9 We are going to be constructing additional
10 sidewalk, shade trees, and giving -- and striping
11 out 14 stalls for them. We're widening, put them
12 out there. So, we're going to include sidewalks
13 around there. It was all part of an agreement. I
14 don't know all the details to that.

15 Q So, let me just -- so to make sure I
16 understand this. So, the church is currently at
17 80 percent, by the addition of 14 parking spaces,
18 which -- where none currently exist?

19 A No, no, they were 83. We're not changing
20 any impervious.

21 Q Okay. So, with the -- the parking
22 spaces that are being provided to the church, and
23 the sidewalks, it will still remain at 83 percent
24 impervious versus 80 permitted under the -- under
25 the ordinance. So, it remains the same, but with

1 the additional space, is that correct?

2 A That's correct.

3 Q Okay. Thank you.

4 A Thank you. Front yard setback are 10.
5 Existing site has 11.4. We have a 4 foot
6 setback. That is because of the proposed loading
7 dock ramp for -- for Whole Foods. So, that comes
8 off the side of -- at the rear along Homans, and
9 that is within 4 feet of the right-of-way.

10 Q But otherwise the setbacks are as
11 currently existing?

12 A They're all compliant, that's correct.

13 MR. DENICOLA: Can you repeat that
14 one more time? Can you repeat that one more time?

15 MR. THOMAS: Four foot for the
16 loading ramp for Whole Foods.

17 MR. DENICOLA: Okay.

18 MR. BASRALIAN: When we submit an
19 application and/or a variance, it has to be at the
20 most extreme, in which case it's for this one, but
21 otherwise, as Mr. Thomas testified, it remains as
22 it is under current conditions.

23 CHAIR LIGNOS: Does that hold true
24 for phase II, Mr. Thomas?

25 MR. THOMAS: That's correct, yes,

1 that's phase I and phase II.

2 CHAIR LIGNOS: So, that, the piece
3 that you're expanding on phase II, is today,
4 K-mart, that has what kind of setback?

5 MR. THOMAS: K-mart along here?

6 CHAIR LIGNOS: That piece right
7 there is?

8 MR. THOMAS: Is 15 feet. Ten feet
9 is required.

10 CHAIR LIGNOS: Gotcha. Okay.

11 MR. THOMAS: One item I just wanted
12 to check. The ramp eventually comes down. I just
13 wanted to let everybody know that it is
14 approximately 15 feet from the curb line. So,
15 even though we're 4 feet from the right-of-way
16 line, we're still almost 15 feet from the curb
17 line. So, just -- and you all know, the front
18 yard, the right-of-way line, which is the property
19 line, is not necessarily the curb line. But we
20 just want to let you know that there's still a
21 buffer in front of there.

22 Number of principal buildings, well,
23 we know what that is, that's 4 currently exist and
24 then we'll have 3 in phase I and 3 in phase II.

25 Maximum retail area for a store,

1 45,000 square feet. 84,000 square feet. K-mart
2 currently exists. At the end we'll have a box
3 area of 73,000 square feet. That will be in phase
4 II.

5 Building height, we have 25 feet is
6 allowed in this zone. The K-Mart, is 29.88 feet.
7 So, that would be, in phase I, a variance. Then
8 also the theater, which is 33.79, will also be a
9 variance.

10 Q So, those are existing conditions
11 for those, correct?

12 A Correct, those are existing conditions.

13 Q All right. Would you address what
14 the height will be of K-mart in phase II.

15 A K-mart will then be 27 feet or 27.5, is
16 that correct? 27.5 inches.

17 Now, Whole Foods as well, 27.5 as well.
18 So, this is where, again, 25 feet. In phase I, 25
19 is permitted. Retail A, which is Whole Food, will
20 be 27.5. The theater will exceed, as well, at 33
21 feet, 33.79.

22 Q That is -- let's just clarify.
23 That's what it -- is that what it currently is?

24 A That is what it is today.

25 Q And after phase II it will remain at

1 the same height it is today, there is no increase
2 or decrease in height?

3 A Correct. Correct. So, that will be the
4 only one that stays above 27 1/2 feet.

5 Q And just to reiterate, the K-mart is
6 coming down from its current height, in phase I,
7 to a lower 27.5 inches in phase II, correct?

8 A Correct.

9 The next variance is for front yard
10 parking. Ten feet is required. We have 5 feet
11 from Vervalen in the front. We also have -- and
12 then we have 3 feet --

13 Q I'm sorry, you said variance. Do
14 you not mean design waivers?

15 A Design waivers. I'm sorry, I wrapped
16 up -- I apologize. With the building height I
17 wrapped up the variances. So --

18 Q I just wanted to ask it before
19 Mr. Segreto did. That's all.

20 A Okay, yeah, the six variances again:
21 Impervious, impervious for lot 1, impervious for
22 1.01. Front yard setback, number of principal
23 buildings, maximum area of a retail store, and
24 building height. Those were the six.

25 The -- now, we're going on to design

1 waivers. We have 19 design waivers. So, bear
2 with me. The front yard parking lot, front yard
3 parking setback is 10 feet. We have 5 feet from
4 Vervalen. And we have 3.6 feet from Homans
5 property line. These are the property lines
6 again. So, it's actually 20 feet from Vervalen
7 curb line to our parking spaces, is 20 feet from
8 there.

9 Q And what are the existing site
10 conditions?

11 A Along the front are 5 feet in front.

12 Q Well, it's 0 feet if you look at
13 your zoning blocks.

14 A Oh, yeah, it's 0 feet.

15 Q Thank you. So, you're saying that
16 you have 0 set back today under existing
17 conditions, and we'll go to 5 feet on Vervalen,
18 and 3.6 feet on Homans, is that correct?

19 A That's correct.

20 Q Thank you.

21 A Side yard parking setback is currently
22 requires 5 feet. We have 0. It is 0. As you can
23 see on the existing conditions along the common
24 property line with -- in front of the K-mart, we
25 have the same condition here, this curb out there,

1 the aisle is part of a parking area. So, that is
2 why we have a parking setback.

3 The front yard of the church, front yard
4 parking is 0. So, we have parking in the church
5 area, because they are encroached into the front
6 yard on their side as well. It's really not
7 applicable. We have -- that is really just a
8 handicap stall that encroaches into the front yard
9 on their lot.

10 The number of stalls at the parking -- for
11 the shopping center itself, what is required
12 was -- I'm sorry. In phase I, 1,524. We have
13 730.

14 Q You have seven -- when you say, we
15 have 730, you mean under existing conditions?
16 Just be explicit.

17 A 720 is existing conditions.

18 Q Right.

19 A Okay. 730 is proposed for phase I. And
20 phase II, 1,461 stalls are required. And we have
21 820.

22 Q That's an increase, you're saying,
23 of a hundred parking stalls between existing
24 conditions and completion of phase II?

25 A Correct.

1 Q And that's along with a smaller area
2 --

3 A Of building.

4 Q -- of buildings. Thank you.

5 A That's correct.

6 We have for the church, 16 stalls existing
7 for the church.

8 Q No --

9 A I'm sorry, 0 stalls exist for the church.
10 16 are required. We initially had 15. We are
11 providing 14 due to a revision that was requested,
12 to pull us a little further away from the driveway
13 entrance. So, 16 was required, 14 are proposed.
14 The length of the church stalls are 20 feet, where
15 18 feet is required. Parking stall size for the
16 shopping center, is, 200 feet is required. We
17 have 9 X 18 exists. And we have 106 parking
18 stalls at 16 X 9. Those are located primarily
19 along the Homans, in the back, along behind -- in
20 phase II also, along Homans as well as along
21 Vervalen head-in parking are the 16 feet. We'll
22 have 119 16 foot in phase II.

23 Q So, they're also -- that doesn't
24 include the 2 foot overhang, does it, that will
25 exist?

1 A No, that does not include, that's correct.

2 Q Would you please, just -- just
3 illustrate where that will be.

4 A The 16 feet with the 2 foot overhang along
5 Homans and Vervalen. This is Vervalen. This
6 Homans. So, you will have a 2 foot overhang for
7 those 16 foot stalls.

8 The remaining parking stalls on the
9 property will be 9 X 18, with the two-way
10 driveways. Your ordinance requires 30 to 50.
11 Currently on site are 24. And our's vary between
12 24 and 36, depending on the driveways and aisle
13 accesses. The main drives are 26. And they neck
14 down to 24. The internal circulation aisles are
15 at 24 feet.

16 You have a curb return radii waiver --
17 requirement of 35 feet. Currently, there is a
18 5-foot. These are curb return radii.

19 Q Just explain what they are, please.

20 A This is just the -- as the curb intersects
21 with another curb, instead of creating a 90 degree
22 angle, it's rounded. So, as a car pulls out,
23 obviously it comes out on a curve. So, you don't
24 catch the end of the curb. Thirty-five feet is
25 required. We have 15 feet at the Vervalen

1 entrance. At the -- at the front of the theater,
2 and also behind the theater, we have 15 feet.

3 Sidewalk around the building is required.
4 Under your ordinance we have none. Around the
5 buildings -- but we don't circulate completely
6 around any of the buildings. We have pavement
7 around buildings. But we have sidewalks -- but we
8 don't have sidewalks completely around any of the
9 buildings. This is because we have loading. The
10 doors access out into the parking areas in the
11 back. So, we are looking for a waiver from that.

12 Q Is that an existing condition as
13 well?

14 A Yes, that is also an existing condition.

15 Q And that's what's proposed for phase
16 I and phase II as well?

17 A That's correct.

18 Q Thank you.

19 A You also have a provision, sidewalks must
20 be at least 6 inches above. That's obvious, you
21 want your sidewalk to go to curb. I spoke to the
22 tabletops before, we raise the access drives
23 through this areas up 6 inches. So, you'll come
24 up. It's also a calming device. Then it gets
25 flush. This allows for access out, and for -- we

1 also have it set up for ADA as well as -- so, you
2 can wheel your carts out for loading in those
3 areas. So, we're looking for relief from
4 6 inches, it's a technical variance, in those --
5 at these tabletops.

6 Q Let's just be specific so that I
7 understand this. It's 6 inches everywhere except
8 for the tabletops are, for the reasons you've
9 stated?

10 A That's correct. That's correct.

11 Q Thank you.

12 A Number of off-street loading bays in phase
13 I --

14 Q Well, how many are required of the
15 shopping center and the current conditions?

16 A Eight exist today. For phase I, 16 would
17 be required. We have 10 proposed at this time.
18 We have 1, 2, 3, 4, 5, 6, 7, 8. I'm sorry; 1, 2,
19 3, 4, 5, 6, 7, 8, 9. Okay. And -- oh, yeah, 10.
20 Did I count that, 6, 7, 8, 9 -- I counted them
21 just this morning.

22 Q Your plan indicates though, so
23 you're counting them out that there are 10
24 proposed for phase I. What is proposed for phase
25 II?

1 A Phase II, we have 11 loading bays proposed
2 under phase II. So, that would be 1,2,3 -- other
3 3 here, 3, 4, 5, 6, 7, 8, 9, 10, 11, okay. So, I
4 miscounted. There is 3 located behind the retail
5 area --

6 Location of loading bays, rear side yard.
7 We have them -- currently there is 5 in the front
8 yard. We will have 7 in the front yard, that is
9 located along Homans. Front yard setback is
10 located from the building in this case, to the
11 street. So we have 7 in phase I. And then -- I'm
12 sorry, 7 right behind here. And then 8 in -- 8 in
13 the front yard under phase II. So, it will be
14 doing that.

15 Number of allowable ground signs. We have
16 there's currently 1 permitted. There is 1 that
17 exists, and we will have 5 ground signs. They
18 will be located at the corner of Homans. That's
19 the westerly entrance to Homans. At the westerly
20 entrance to Vervalen. At the main entrance off of
21 Vervalen. And at the easterly entrance off of
22 Vervalen.

23 MR. MADDALONI: You had them in
24 reverse. That's the east and that's the west.

25 MR. THOMAS: I'm sorry, east.

1 You're right. I had it backwards.

2 Q I realize that they're noted on the
3 -- your plans as monument signs. But that
4 includes what we've commonly referred to as the
5 pylon sign at the front of the building, is that
6 correct? It's a monument sign because it's
7 connected, but we've used the term pylon through
8 the testimony.

9 A Right, we call this a monument sign, but
10 this is the pylon sign. That's the large sign
11 there.

12 Q And I think you indicate, so there's
13 that monument pylon sign, plus 4 more monument
14 signs, is that correct? I think --

15 A That's correct.

16 Q -- Mr. Roncati referred to 3 of
17 them, but you're saying on the plans, 4 are
18 designated?

19 A That's correct.

20 Q Thank you.

21 A We have the maximum height of the sign,
22 that will be this monument -- I'm sorry, the pylon
23 sign, at the front, the current sign out there is
24 45 feet high. This sign that we're proposing will
25 only be 23 feet high.

1 We have maximum sizeable wall sign,
2 currently it should not exceed 36 feet. We have
3 wall signs out there now that exceed 36
4 square feet. Proposed is 150 square feet.

5 Q And is that in accordance with the
6 proposed signage plan that was submitted to and
7 discussed by Mr. Roncati?

8 A Yes, it is.

9 Q Thank you.

10 A And last, but not least, is our
11 methodology for measuring available sight
12 distances. Your ordinance requires sight distance
13 be measured from the driver seat, 10 feet behind
14 the right-of-way line. Our -- our measurements
15 are taken more in standard with -- the traffic
16 engineer will get into that -- 14 feet behind
17 extended curb line, which is a standard that we
18 use in this industry. And that's where our sight
19 distance lines are measured. So he'll go into
20 greater detail. And that's it for the variances.
21 I mean waivers.

22 Q Okay. Would you -- would you review
23 the subdivision. Because part of the application
24 causes -- relates to a subdivision of the
25 property. Please discuss that since it's

1 referenced in your plans and in our application.

2 A Right. We're proposing a subdivision that
3 will take out at the westerly -- the southwesterly
4 corner of the property. It will be .54 acres, or
5 25,000 square feet, that have been carved out.
6 That's approximately -- it's 100 -- it's a weird
7 number. It's 198 X 119. 120 X 200, but that's
8 approximately the dimensions that you'll see
9 there. There is no proposed improvements. We're
10 going to leave it, as is. We've done some minor
11 grading. So, while it's being left there, the
12 drainage will continue and we won't have standing
13 water or anything like that out there.

14 Q I know you referenced storm water
15 management, but that's part of our application.
16 Do you want to reference that, because we're
17 asking for --

18 A Sure. Let's talk about that.

19 Q Okay.

20 A Storm water management here, your
21 ordinance goes hand-in-hand with the DEP. I'm
22 sorry, the state storm water management. State
23 storm water management being 7:8A. And your's is
24 174, I believe. And your's is the same thing.
25 What it requires, is -- your ordinance is 170.

1 I'm sorry. And what your's requires, us to do is
2 follow, just like I said, the state regulations.
3 There's 3 things you have to do with storm water,
4 is, you have to reduce, comply with, look at rate,
5 look at volume, look a quality of runoff for your
6 process. And you're allowed to do that in
7 different ways. One of them, is, that you can
8 prove that you're not increasing the rate of
9 runoff from your site. Show us math, empirically,
10 through calculations, that the rate of runoff is
11 not being increased as it leaves your property for
12 the 2 the 10 and the 100 year storm event. The
13 second way you can do that, is, you can look at it
14 regionally. You can study the whole area
15 regionally, and just see if you have any
16 downstream impacts, which is a very costly. You
17 would do that if you're just doing a major
18 drainage study. Which is a very difficult thing
19 to do. And then the third option, which you
20 probably see all the time here, is, put a
21 detention basin in. And just reduce the rates of
22 your 2, 10 and 100 year storm.

23 Going back to the first one, we just had
24 to prove that we were not increasing the rate of
25 the runoff from the site. And by doing that,

1 again, we talked about we've reduced the amount of
2 impervious from our site. So, by reducing the
3 amount of impervious, we have more area that
4 allows the ground to absorb water. So, because of
5 that, we reduce it. We do our models. And we
6 look at the two different models, and how they can
7 check with each other. And we're able to show,
8 mathematically, that we are not increasing water.
9 So, that's why you don't see a detention system
10 all the time. We're using the existing. And
11 that's typical when you see an entire site
12 improved like this already. And that's where we
13 are. Since we're not increasing -- now, let's
14 talk about, that was the rate.

15 Let's talk about quality. We are not
16 increasing the site impervious by a quarter acre.
17 That's what triggers water quality, that you must
18 address. So, since we are reducing impervious on
19 the site, we're not obligated, under your
20 standards or state standard, to do any more
21 additional water quality than what's there. So,
22 again, we're using the existing system that's out
23 there, because of our reduction in impervious.
24 Again, quarter acre increase triggers the rules.
25 We're not increasing. We're actually reducing.

1 The last part, is, volume. Because this
2 is a developed site, in what's known as planning
3 area I, we are not obligated to do recharge out
4 here. And recharge is just to put some of the
5 groundwater back in the ground. As obviously,
6 that's not happening in here. So, we're not
7 proposing it at this time as part of the
8 regulations since they allow it to do.

9 Q So, what you're doing -- what you're
10 proposing, complies with the regulations after the
11 redevelopment of this property?

12 A We comply with the state and we comply
13 with the borough code, correct.

14 Q Thank you. I know you've had an
15 opportunity to view Mr. DeNicola's letter from
16 Boswell Engineering. And I know you've addressed
17 a number of those things. Would you just briefly
18 state what discussions you've had with
19 Mr. DeNicola, and what -- and what is just left
20 unresolved, if it takes a modification of the
21 plans.

22 A We have a -- we've resubmitted plans to
23 the board, and to Mr. DeNicola. I spoke with him.
24 We have open items still. We addressed a
25 majority, and I don't want to put words in his

1 mouth, but we did address a majority of his items.
2 And I asked him about a memo, and he said, well --
3 and he's right, there are still items that have to
4 be addressed. So -- and those are items that were
5 kind of out of our quick turnaround. So, we
6 wanted to get this back into you after the last
7 meeting, very quickly. And that has to do with
8 some lighting that has to be adjusted. It has to
9 do with some other plans, some other calculations
10 that he had asked for. Some minor calculations.
11 Nothing -- nothing crazy. So, he said -- and
12 we're fine with it. He said, get me the rest of
13 the stuff, and that way we'll have a little bit of
14 an easier review. And that's fair.

15 Q I think what the translation is,
16 that there are certain items that have to be done
17 on the plans, pursuant to Mr. DeNicola's
18 instructions. We'll revise the plans. They'll be
19 submitted to Mr. DeNicola for his review, and he
20 can comment on our compliance with all the
21 other --

22 CHAIR LIGNOS: Can he do those for
23 the deadline of August 19th, so that they would be
24 in time for the next meeting, which is the 29th?

25 MR. THOMAS: That is our goal, yup.

1 CHAIR LIGNOS: Okay. This way we
2 keep going.

3 MR. BASRALIAN: Yes. Absolutely.

4 MR. THOMAS: Okay. I believe
5 that's --

6 MR. MADDALONI: Excuse me,
7 Mr. Chairman, do we have a meeting next Thursday?

8 CHAIR LIGNOS: No. The next one is
9 the 29th of August. You have two weeks off.
10 Enjoy them.

11 MR. BASRALIAN: I have no further
12 questions of this witness at this time,
13 Mr. Chairman.

14 CHAIR LIGNOS: Okay. If it's okay
15 with the court reporter, I'd like to go till ten
16 and then maybe we'll take a break, is that --

17 MR. BASRALIAN: Just five minutes is
18 all she needs. If you can do a five minute break
19 before we --

20 CHAIR LIGNOS: You want to do it
21 now?

22 MR. BASRALIAN: Yeah, please.

23 CHAIR LIGNOS: Fine. Then we'll
24 take a ten minute break. The time now is --

25 MS. MITCHELL: 9:41.

1 CHAIR LIGNOS: 9:41. We'll be back
2 here at 9:51.

3 (A recess was taken.)

4 CHAIR LIGNOS: Okay. The time now
5 is 9:51. Exactly ten minutes was our recess. I
6 appreciate everyone getting back to their seats.
7 I thank you very much.

8 Mr. Basralian, I understand that you
9 are through with the witness, and we can now ask
10 questions from the board?

11 MR. BASRALIAN: Correct, sir.

12 CHAIR LIGNOS: Okay. Members of the
13 board, questions of -- of this witness? I'll
14 start, and what we'll do, is, we'll go around.
15 And if you would be so kind, if you've already
16 heard the answer, because someone else has asked
17 the question, let's not ask it again.

18 Mayor.

19 MS. HEYMANN: I have a few
20 questions. First of all, and I'm trying to go
21 along with your presentation, and you started off
22 with the lighting. And I was wondering whether
23 you were aware of the fact that we already had LED
24 lighting on Vervalen. And you were sort of
25 downgrading the potential LED. And the borough

1 has had Orange and Rockland install LED lighting
2 right there on Vervalen and it's been working very
3 well. So, I'm curious to know why you were so
4 antagonistic to that.

5 MR. THOMAS: Well, we're not. We're
6 absolutely not. It's a nice lighting system.
7 What we're trying to do is be efficient with the
8 spread of the lighting. We have requirements by
9 the shopping -- by Whole Foods. Industry
10 standards are typically a brightness level that
11 you need to have out there. Our site -- a typical
12 shopping center is lit up to 6 foot candles. All
13 right. That's a -- that's a number. Brightness
14 in here is probably around 30 foot candles, if
15 you're trying to understand what that is. The --
16 our standard -- Whole Foods wants 5-foot candles.
17 Probably along your street, most street lighting
18 is much darker. Usually it's not even a foot
19 candle. So, we're trying to illuminate this so
20 people feel confident in going to the shopping
21 center. This site's average is 5.6 foot candle.
22 So, remember, shopping centers are typically a
23 high end 6, and we are just slightly below that at
24 5.6. And that's why we do that. Again, we're
25 not-- we're not saying we're against LED. This is

1 just an efficient lighting system for brightness
2 and industry standards that we needed there.

3 MS. HEYMANN: Okay. My next
4 question. You didn't go into this at all, but are
5 you investigating the viability and quality of the
6 subterranean issues that you already have? I
7 mean, in other words, underground drainage,
8 underground wiring. Are you checking any of that?

9 MR. THOMAS: Absolutely. You're
10 referring to the pipe that goes under the center?

11 MS. HEYMANN: Right.

12 MR. THOMAS: Absolutely.

13 MS. HEYMANN: And how.

14 MR. THOMAS: For those of you who
15 are not aware, there are pipes that go underneath
16 the site, that we have pipes that cross the site.

17 MR. BASRALIAN: Just read the plan
18 you're referring to. The exhibit number.

19 MR. THOMAS: I'm sorry, let's go
20 right to phase II, which is Exhibit A-12. And
21 maybe if I sit down and use the pointer. See if
22 my hand doesn't shake too bad. We have two pipes
23 that cross -- oh, forget it. We have two pipes
24 that cross the site. We have a 44 X 72 and a 27 X
25 40 pipe. These are elliptical pipe, corrugated

1 metal pipe, that cross the site. And then both
2 pipes go underneath K-mart, come to a chamber at
3 the back end of Homans. I'm sorry, behind K-mart
4 at Homans, and then crosses over, and discharges,
5 if you go out there, you'll see a brook behind, on
6 the other side of Homans. The pipes we had
7 videotaped. Put the camera in and go through it.
8 And the pipes are in very good condition. We did
9 find some dents and settlements of the pipe bends
10 a little bit. We found one area that has to be
11 repaired. There's no question about that. It's
12 located under the K-mart near the back of the
13 K-mart. It will need to be repaired. It's
14 stable. It's at a seam. What happens in
15 corrugated metal pipe, if you know -- if you know
16 what corrugated metal pipe is, it's -- if you look
17 at the side, it goes up and down, up and down, up
18 and down. And then they put the seams together,
19 and that's where almost all the failures occur.
20 And that's what happened here. It bent down at
21 the seam, and when the camera went underneath and
22 looked, it saw that there was some rocks wedged in
23 there. So, that's an area that has to be
24 repaired. No question about that. And the best
25 way to do a pipe that's underground such as this,

1 is to dig it from the top down. You can't go in
2 and fix one of these pipes from inside. Even
3 though you think it's a pretty big pipe.

4 When K-mart moves out, they're going
5 to take -- since it looks so stable, it has to be
6 monitored or continue to be monitored. The plan
7 is to go in, cut the floor out, repair the pipe,
8 and make sure it's safe.

9 MS. HEYMANN: Okay. Thank you.
10 Next question: The borough is hoping to be able
11 to change the bus route to go along Vervalen. I
12 mentioned that earlier. Is there anything in your
13 plan that would allow for a bus stop? And where?

14 MR. THOMAS: We don't have a bus
15 stop proposed at all along Vervalen.

16 MS. HEYMANN: Well, that's why I
17 asked.

18 MR. THOMAS: Oh, where would we put
19 one? Is that what you're asking? I would
20 probably -- the widest area we have would be near
21 the theater and building detail D. I can't speak
22 for the owner. But that would be the location I
23 guess that we would work with them.

24 MS. HEYMANN: It would be a problem
25 on your part to put one it, in other words?

1 MR. THOMAS: It is kind of -- this,
2 would, again, once you come in and start pinching
3 in toward the building, I guess it would be a
4 pull-off, and then you start -- you might start --

5 MS. HEYMANN: That's exactly what
6 I'm asking, is if it's a pull-off, is there any
7 place that you can do that?

8 MR. THOMAS: No, that would be tough
9 to do along here. You would be pulling in --

10 MS. HEYMANN: What would your
11 suggestion be to deal with that?

12 MR. THOMAS: To put a bus stop in?
13 I have to think about it. But Vervalen is a
14 pretty wide street. You could just put a bus
15 stop. And just stop traffic in one of the lanes.
16 But I don't know -- I don't know how that would
17 work.

18 MS. HEYMANN: It wouldn't be a pull
19 in, it would just be on Vervalen?

20 MR. THOMAS: It would be right on
21 the curb, yeah. I don't know if there's any other
22 way to do that. You kind of catch me, you know --
23 would have to --

24 MS. HEYMANN: Okay. Next question.
25 On your parking stalls, you had mentioned

1 different sizes. And I was curious to know what
2 are the sizes of those stalls.

3 MR. THOMAS: We have 9 X 18's and 9
4 X 16's. Your ordinance requires 10 X 20's.

5 MS. HEYMANN: Right.

6 MR. THOMAS: Okay, 9 X 18's are all
7 internal. We use the 9 X 16 feet, that go head-in
8 to curbing and grassed islands. So the car can
9 overhang 2 feet to get that 16 plus 2 to get --

10 MS. HEYMANN: In other words, 16
11 plus the 2 feet of overhang?

12 MR. THOMAS: Correct. Right.
13 That's how we're looking at it.

14 MS. HEYMANN: Okay. And then how
15 did you determine the number of stalls that were
16 required? What was your calculation based on?
17 Since different uses would have different numbers
18 of stalls required, and you don't know what the
19 uses are going to be, how do you come to those
20 figures?

21 MR. THOMAS: Well, we talked
22 about -- or Mr. Roncati spoke briefly, what
23 happens is we came up with a certain amount of
24 square footage for restaurant, which you have a
25 parking calculation that generates how many

1 stalls, based on what they -- what Edens would
2 like to see utilized with respect to restaurants.
3 So, that gives us one number. The remaining is
4 retail, which is what, not all -- I'm sorry, the
5 traffic engineer will go into this in much more
6 detail. But just to touch on it. Right, it's
7 retail, restaurant, bank, theater and church.
8 Those were the different requirements. So,
9 obviously the church we know. The theater we
10 know, which is based on seats. The bank we know.
11 Okay. So, that leaves, retail and restaurants.
12 So, that's left of our unknown. So, here we come
13 up with a plan of the square footage that's out
14 there. So, they look at it and say, all right,
15 Eden comes up, and they do that voodoo they do,
16 and they figure out how much restaurant that they
17 feel they can support on this site. And then the
18 rest is retail. So, now we back into -- now we
19 know how much restaurant, the remaining is retail,
20 and that gives us the number of parking stalls.
21 Because we know what's left over for retail.
22 That's how that's done.

23 MS. HEYMANN: Okay. Now, finally,
24 this is an observation. Mr. Roncati talked a lot
25 about the variation of the buildings and the

1 esthetic part of that. I'm looking at the surface
2 and the walks, the sidewalks, and roadbeds, and
3 I'm wondering how you're going to deal with some
4 of those sidewalks. Are they going to be with
5 pavers, as we have in our main street? How is
6 Vervalen going to be handled? And how are the
7 internal sidewalks going to be handled?

8 MR. THOMAS: Okay. We are not going
9 to be using pavers. Part of the guidelines in
10 2000 -- 2010 guidelines state that -- it's new.
11 Your's happened awhile ago. Under the curb
12 regulations, you should not, per accessible
13 pathways, you should not put a surface down that
14 provides for excessive vibrations to a person in a
15 wheelchair. So, people interpret that
16 differently. One of those interpretations is a
17 paver. So, what we're looking at, is doing
18 concrete out here. Now, there's different ways
19 you can address -- still address that, and not
20 have excessive vibrations. But right now we're
21 proposing concrete sidewalks on site. The
22 sidewalks along Vervalen are going to be wider.
23 If you're out there now, the sidewalks on Vervalen
24 are 6 feet. We're proposing 6-foot wide sidewalk
25 out there.

1 Q I'm sorry, you just -- you said 6 --
2 they are 6 feet and you're proposing 6 feet.

3 A Right. We're replacing them.

4 Q Are they going to be wid -- okay.
5 Just be explicit. Thank you.

6 A Okay. As well as along the back, along
7 Homans, we're going to be putting in 6 foot wide
8 sidewalk. We're also going to be putting in a
9 sidewalk to Campbell. And we're going to be
10 striping Lewis Street as well, to show that.
11 Coming out along the theater, we're showing a
12 sidewalk, a wider sidewalk in that area as well,
13 coming out on both sides.

14 MS. HEYMANN: If the borough is
15 particularly interested in pavers, is that a
16 negotiable item?

17 MR. THOMAS: We could look into it
18 and make sure that it's the type -- I guess we
19 would have to look at it and see if --

20 MS. HEYMANN: There are different
21 ways of dealing with that?

22 MR. THOMAS: Right. To make sure
23 that we find a way that it conforms. There's cert
24 -- there's very specific standards, particularly
25 in right-of-ways. Now, you've jumped into --

1 there's two sets of ADA guidelines. There's the
2 2010 guidelines, and then there is what's called
3 the PROACT, which is Public Right-of-Way
4 Accessibility Guidelines, that when you're in a
5 public right-of-way, they're very specific with
6 the Department of Transportation, what you can and
7 can't do. And they're the ones that talk about
8 the vibrations, and they're the ones that we would
9 have to definitely sit down and talk to about
10 that. All right. And get their input.

11 MS. HEYMANN: Thank you.

12 CHAIR LIGNOS: Is that it, Mayor?

13 MS. HEYMANN: Yes.

14 CHAIR LIGNOS: Thank you.
15 Councilwoman.

16 MS. AMITAI: Yeah, I have some
17 questions. Could you show me where the fire truck
18 would not be able to go?

19 MR. THOMAS: I think we ran it
20 everywhere, but I have the templates here. We ran
21 the fire truck -- we ran the fire truck along
22 K-mart, along the front, down out the front,
23 across the front out to Homans. We ran the fire
24 truck along the back of all these vehicles. We
25 ran the fire truck into and around this way, into

1 the site, coming all the way across there. We
2 didn't go up. We just went across here and down.

3 MR. CHAGARIS: Mr. Thomas, you're
4 looking at a document. Can you tell us what --
5 describe for the record what that is.

6 MR. THOMAS: This is truck turning
7 template, Closter Plaza. This hasn't been
8 submitted. This is just our model.

9 MR. BASRALIAN: That's a-- that's an
10 internal document they do it to design, and they
11 run the template. So, when he testifies, he's
12 testifying they ran the templates and this is what
13 they can do with the fire trucks since your
14 department does provide those templates.

15 MR. THOMAS: I can provide this to
16 Mr. DeNicola.

17 MR. DENICOLA: Okay. That's fine.

18 MR. THOMAS: That's not a problem.

19 MS. AMITAI: So then building retail
20 D could be taken care of either from the back or
21 from the front, from the southern edge of the
22 building, or from entering from Homans Avenue to
23 the northern edge. I mean God forbid that was on
24 fire --

25 MR. THOMAS: Right.

1 MS. AMITAI: -- they would be able
2 to access -- they would be able to --

3 MR. THOMAS: Right. Our goal -- I'm
4 sorry, I didn't say this. Our goal is to make
5 sure that a fire truck can access at least three
6 sides of the building at all times. That's our
7 goal when we design.

8 MS. AMITAI: Only three sides?

9 MR. THOMAS: At least three sides.

10 MS. AMITAI: Okay. All right. The
11 dumpsters that you talked about, the 5 dumpsters
12 along the back of -- let's say on the Homans side.
13 So, then are they all going to be ground face
14 block?

15 MR. THOMAS: Yes.

16 MS. AMITAI: And the metal gates,
17 can you see through them or are they --

18 MR. THOMAS: They are solid.

19 MS. AMITAI: Solid. And these green
20 lines, are they low growing shrubs? All that
21 green line stuff that I see.

22 MR. THOMAS: I'm going to defer to
23 the landscape architect.

24 MS. AMITAI: That's fine. I'll save
25 that question. I don't know what the lights we

1 have downtown Closter. Maybe someone else can
2 tell us. But they're such a horror. They're very
3 glaring. And I don't know the difference between
4 LED and halide. But I would hope that they're not
5 that kind of light that we have in our downtown
6 Renaissance district.

7 MR. THOMAS: Our's are metal
8 halides. I believe -- you have an induction light
9 system, I believe it was, that I was told about.
10 We are metal halide. So, our's is a white light.
11 And that's one of the reasons we picked that, is
12 to -- to be a very clear white light. That's what
13 we did.

14 MS. AMITAI: I trust someone knows
15 what they're doing regarding the lights. Let's
16 see. Will Homans Avenue have to close for the
17 electrical underground work that you're doing?

18 MR. THOMAS: If, temporarily, but I
19 don't believe so. There will be -- the power
20 lines along Homans, the main power lines, and they
21 would come down off the pole on our side, and then
22 go underground to our transformer.

23 MS. AMITAI: Oh, I see. So, there
24 will be poles on your side?

25 MR. THOMAS: They already are. They

1 exist.

2 MS. AMITAI: Yeah. Do they have to
3 exist? Or could you go under the road and take it
4 from the pole, on the other side of the street?

5 MR. THOMAS: Their power is on our
6 side.

7 MR. DENICOLA: Are you asking them
8 to put it underground?

9 MS. AMITAI: So, I see, there isn't
10 a pole on the other side of the street. The pole
11 is only on the -- on Vervalen, the south part of
12 Vervalen.

13 MR. BASRALIAN: It's on the -- it's
14 on the south side of Homans.

15 MS. AMITAI: On the south side of
16 Homans.

17 MR. BASRALIAN: That's where the
18 pole is. There's nothing on the north side of
19 Homans. So, they go onto their power from the
20 existing power lines that are there. I think
21 clarification, is what Mr. Thomas was saying, that
22 all power coming from those overhead lines to the
23 center will all go underground.

24 MR. DENICOLA: So, the service will
25 be underground?

1 MR. BASRALIAN: The services to the
2 shopping center will be underground.

3 MR. THOMAS: That's correct.

4 MS. AMITAI: Okay. The plantings,
5 the islands, can you tell us a little bit about
6 the size of the islands and how many there will
7 be? Or is that the landscape architect?

8 MR. THOMAS: Well, the islands are
9 5 feet wide. I can tell you that. And the
10 plantings are, again, I'll go back to the
11 landscape architect.

12 MS. AMITAI: Five feet by what?

13 MR. THOMAS: Five feet by
14 thirty-six.

15 MS. AMITAI: Three feet by
16 five feet?

17 MR. THOMAS: No, 5 feet by 36 feet.

18 MS. AMITAI: Oh, okay, 5 feet by 36

19 --

20 MR. THOMAS: Thirty-eight feet. I'm
21 sorry. Thirty-eight feet. Five by thirty-eight.

22 MS. AMITAI: Okay.

23 MR. DENICOLA: Thirty-six.

24 MR. THOMAS: Thirty-six. Eighteen,
25 I'm sorry. Yeah.

1 MS. AMITAI: Oh, 18 not 38?

2 MR. THOMAS: Eighteen and eighteen,
3 right, thirty-six.

4 MS. AMITAI: How many are there?

5 MR. THOMAS: How many islands?

6 MS. AMITAI: Yeah. So, they're 5
7 feet X 18 feet --

8 MR. THOMAS: By 36 feet. Five X
9 thirty-six. Thirty-two of that size. And then
10 the single island, which would be 5 by 18: 1,2,
11 3,4, 5, 6,7,8, 9, 10, 11, 12, 12 -- 13.

12 MS. AMITAI: Okay. You and I
13 talked about a buffer behind the K-mart in phase
14 II.

15 MR. THOMAS: A buffer?

16 MS. AMITAI: You talked about a
17 buffer on Homans Avenue between -- behind Whole
18 Foods in phase I, and then in phase II, the
19 K-mart.

20 MR. THOMAS: Okay.

21 MS. AMITAI: Was that a green
22 buffer?

23 MR. THOMAS: There's landscaping
24 behind -- behind it, yes, that's correct. That's
25 located right in this area.

1 MS. AMITAI: And then also behind
2 Whole Foods?

3 MR. THOMAS: Whole foods has a
4 green -- a green space as well.

5 MS. AMITAI: Okay.

6 MR. DENICOLA: In the right-of-way,
7 correct?

8 MR. THOMAS: It's part of the
9 right-of-way, that's correct.

10 MS. AMITAI: And then you talked
11 about the building height being 27.5.

12 MR. THOMAS: Right, 27 6 inches,
13 right.

14 MS. AMITAI: How high would a
15 building have to be to have a second story on it?

16 MR. THOMAS: I'll -- I'll go with
17 the architect on that one. I don't do buildings.

18 MS. AMITAI: Okay. The age of the
19 pipes, you said they were in pretty good
20 condition. What do you think the longevity of
21 those pipes would be?

22 MR. THOMAS: Corrugated metal. That
23 has a range, depending on scouring. They can go
24 80 or more years. These apparently are
25 approaching 50 years. That is the best that we

1 can come up with on a date.

2 MS. AMITAI: And what are they using
3 these days, if you were to build something from --
4 from the ground up?

5 MR. THOMAS: What would they use
6 now?

7 MS. AMITAI: Yeah.

8 MR. THOMAS: There's different
9 materials that are available. There's plastic,
10 that's pretty durable depending on how deep you
11 load it. There's concrete that you can put in the
12 ground. That's the most common.

13 MS. AMITAI: Concrete, it doesn't
14 crack with the difference in temperature?

15 MR. THOMAS: No. No.

16 MS. AMITAI: Okay.

17 MR. THOMAS: Corrugated metal is
18 still used today, by the way, just so you know.

19 MS. AMITAI: And the number of cars
20 for parking, would the number require change if it
21 were a retail fast food restaurant as opposed to a
22 gourmet restaurant, would it be greater?

23 MR. THOMAS: I don't know. I would
24 have to look -- the traffic engineer would know
25 that. So, if you wanted to talk -- we can go down

1 -- he's the one that will be going into greater
2 details with the parking calculations.

3 MS. AMITAI: The loading -- the
4 loading bays, are they all hidden?

5 MR. THOMAS: They're not -- they're
6 not behind any screening. There's trees along
7 Homans, but -- but there's no -- no screen for
8 them. A wall, is that what you're referring to?

9 MS. AMITAI: Yeah.

10 MR. THOMAS: No, there's a small
11 wall on -- on the -- K-mart --

12 MS. AMITAI: Meaning a short wall?

13 MR. THOMAS: A short wall on K-mart
14 and then there's a ramp that would hide -- not
15 hide, but there's a ramp along behind Whole Foods.

16 MS. AMITAI: The ramp goes up?

17 MR. THOMAS: The ramp goes up.

18 MS. AMITAI: How many feet?

19 MR. THOMAS: I believe 4. That's so
20 instead of a loading dock you can go around and go
21 to the side of the building and bring it up.
22 About 4 feet.

23 MS. AMITAI: Could you explain what
24 you just said about --

25 MR. THOMAS: When you have a loading

1 dock --

2 MS. AMITAI: Yeah --

3 MR. THOMAS: -- the trucks are
4 4 feet high, the back of the truck. And they back
5 up to the dock.

6 MS. AMITAI: Yeah --

7 MR. THOMAS: And sometimes they're
8 small deliveries that are made, that they don't
9 back up to a dock. So, then they just take the
10 material and go up the ramp into the side of the
11 building.

12 MS. AMITAI: Oh, so, it's a walking
13 ramp.

14 MR. THOMAS: It's a walking ramp,
15 correct.

16 MS. AMITAI: Oh, I thought the truck
17 went up the ramp.

18 MR. THOMAS: No.

19 MS. AMITAI: Oh, I feel much better
20 now. That's all I have right this minute.

21 CHAIR LIGNOS: Thank you
22 councilwoman. Dr. Maddaloni, do you have any
23 questions?

24 MR. MADDALONI: Yes, I have two.
25 Could I borrow your laser pointer, Mr. Thomas?

1 MR. NYFENGER: Is that one of the
2 two questions?

3 MS. AMITAI: Oh, I do have one more
4 question.

5 MR. BASRALIAN: That was a question
6 by the way.

7 CHAIR LIGNOS: Go ahead.

8 MS. AMITAI: And that is, could we
9 have a copy of these? Even smaller. It doesn't
10 have to be that big. Can we have a copy of those
11 three?

12 MR. THOMAS: Sure. Absolutely.

13 MS. AMITAI: Thank you.

14 MR. MADDALONI: Done now?

15 MS. AMITAI: Yes.

16 MR. MADDALONI: So, you mentioned
17 the tabletops. I think here is one, right?

18 MR. THOMAS: Yes.

19 MR. MADDALONI: So, this is probably
20 going to be an area where there would be a lot of
21 pedestrian traffic passing through, correct?

22 MR. THOMAS: That's correct.

23 MR. MADDALONI: From this side to
24 this side and it's the tabletop. Now, is there
25 any concern with possibly obstructed vision of

1 cars coming through here as a lot of people are
2 passing back and forth right here, because of this
3 building, the way it's located?

4 MR. THOMAS: We looked at that.
5 That's one of the reasons we did do a tabletop
6 there. That is one of the traffic -- for that
7 reason, to know that once -- they'll see this
8 coming around, and once you get to this point you
9 have good sight line through here.

10 MR. MADDALONI: Okay, because of the
11 plaza?

12 MR. THOMAS: Right. Yeah, there is
13 a large radius in this area too. And that's one
14 of the reasons we get a fire truck in and out of
15 here too, because we've opened up that radius.

16 MR. MADDALONI: So, the other
17 question regarded the impervious. So, there is a
18 lot of new construction materials available. I
19 work for the EPA. And I've seen it in our own
20 facility down in Edison, where they have these new
21 aggregates that allow for at least, partially,
22 pervious surfaces. And have you considered using
23 any of those in your parking lot, which would have
24 a tremendous impact on reducing water runoff?

25 MR. THOMAS: We did not look into

1 that. We did not look into that.

2 MR. MADDALONI: I mean that would
3 certainly go with a green, you know, principle.

4 MR. THOMAS: Right.

5 MR. MADDALONI: Yeah. Okay. Those
6 are my questions.

7 MR. THOMAS: Okay.

8 CHAIR LIGNOS: Mr. Baboo, do you
9 have any -- thank you, Dr. Maddaloni. Mr. Baboo,
10 questions?

11 MR. BABOO: Yeah, I have a few
12 questions. I know you stated that this, I guess
13 phase II has less impervious area, reduced
14 building area, increased parking supply. Does
15 that include or exclude the subdivision?

16 MR. THOMAS: That includes the
17 subdivision. My new numbers, yes.

18 MR. BABOO: That excludes the
19 subdivision, but that assumes there's no building
20 on it.

21 MR. THOMAS: It assumes there's no
22 building on it.

23 MR. BASRALIAN: Excuse me, I think
24 the correct question should clarify. The parking
25 that's proposed, going up 100 parking spaces from

1 720 to 820, does not include any parking on the
2 subdivided area.

3 MR. BABOO: That's what I'm trying
4 to figure out. Okay.

5 MR. BASRALIAN: I wasn't sure he
6 understood the question. That's why I clarified.

7 MR. BABOO: Okay. So, all these
8 assumptions are just assuming the subdivision is
9 just empty. No parking, no building, no nothing?

10 MR. THOMAS: That's correct.

11 MR. BABOO: Okay. Does the current
12 site have underground transformers or transformers
13 on -- on the ground?

14 MR. THOMAS: There is wires overhead
15 to the building, and into the back. Pole mounted
16 on the back. And I know the theater is definitely
17 pole mounted.

18 MR. BABOO: I'm just curious because
19 I mean you did mention you would put underground
20 transformers and I'm not sure about the water
21 table.

22 MR. DENICOLA: Not transformers.

23 MR. BASRALIAN: No, underground --

24 MR. DENICOLA: Underground services.
25 Big difference.

1 MR. BABOO: Oh, okay. So, there
2 won't be underground transformers?

3 MR. THOMAS: No, no, no --

4 MR. DENICOLA: No, underground
5 services.

6 MR. BABOO: Oh, underground
7 services. Okay. Okay. So, I misheard that. The
8 third question was, along the lines of fires. Are
9 there firewalls or any type of partition between
10 the buildings, if there is a fire, to control the
11 spread?

12 MR. THOMAS: You have to ask the
13 architect that question.

14 MR. BABOO: Okay. The last question
15 I have, I was walking on the site maybe a month
16 ago, and I noticed that there was some sort of
17 environmental remediation on the site from a dry
18 cleaner, is that going to affect anything with --

19 MR. THOMAS: No.

20 MR. BABOO: Okay.

21 MR. THOMAS: No, that there has been
22 documentation dealing with that. And is that
23 completely closed now? I'm not sure. About the
24 remediation that the wells are closed.

25 MR. BASRALIAN: Part of the

1 regulations require, whenever there's any
2 remediation of any type on a property, that notice
3 go up, and what's there are monitoring wells. The
4 remediation is completed. They're monitoring
5 wells to make sure that the water is clean. And
6 that's what they are there for. There's no
7 ongoing remediation of the site. That was long
8 since -- that's long since been accomplished.
9 That's the problem with having dry cleaners of the
10 old type on any property.

11 MR. BABOO: Gotcha. So, that's
12 closed and that's not even a concern. Okay. And
13 the last final minor question, is, would we have
14 bicycle stalls or anything for people who cycle
15 there from the neighborhood?

16 MR. THOMAS: Bicycle racks are going
17 to be provided, that's correct.

18 MR. BABOO: Okay. Great. Thank
19 you. That's it.

20 CHAIR LIGNOS: Ms. Stella.

21 MS. STELLA: Are you replacing or
22 changing the sidewalks next to the church at all?

23 MR. THOMAS: We are -- yes, we are
24 putting new sidewalks in next to the church as
25 they come from Homans, correct.

1 MS. STELLA: In the exact same place
2 where they are now or closer to the church?

3 MR. THOMAS: No, same spot.

4 MS. STELLA: Exactly the same spot?
5 And only the part that goes around the tree is
6 new?

7 MR. THOMAS: We're going to go
8 around the tree, that's correct.

9 MS. STELLA: Okay. That's --
10 everything else I had has been answered.

11 CHAIR LIGNOS: Thank you. I'm going
12 to start this way and go back again.

13 MR. NYFENGER: Oh, thank you. Yes,
14 the 14 spots that you referred to as being next to
15 the church, are those counted in your
16 calculations?

17 MR. THOMAS: No.

18 MR. NYFENGER: No. Okay. Thank
19 you. You mentioned, I believe, in the rear,
20 Homans Avenue, is a right turn only coming out?

21 MR. THOMAS: Yes, on -- on our --
22 right turn only from the K-mart -- I'm sorry,
23 retail F at this point, phase II?

24 MR. NYFENGER: Yes.

25 MR. THOMAS: And then only the

1 trucks will have the option for Whole Foods to
2 make a right out. Otherwise all other cars have
3 to come, and then they can make a left or a right
4 at this point from Homans Avenue.

5 MR. NYFENGER: I understand. As
6 someone that hates to not be able to make a left
7 when it's quite possible to make a left, what was
8 the reasoning behind that?

9 MR. THOMAS: This one had -- I'm
10 sorry, the one behind retail F, it had to do
11 with -- for two things: It was more for a sight
12 line. We wanted to make sure that you could pull
13 out, see cars coming easy enough. We wanted to
14 make sure, the ramp, we didn't want to worry about
15 a conflict, if you were to make a left, if there
16 was any sight lines. This to the right we were
17 concerned about that. So, we said we'll just make
18 a right turn only out of here. And that's --
19 that's fine, because that's really mostly going to
20 be loading and employees back there. That's what
21 we think. Over here, again, the trucks, you will
22 be able to make a left turn, after you're behind
23 Homans over here.

24 MR. NYFENGER: I mean I just -- I
25 envision someone who is coming from the -- I guess

1 the west side, who does park in there, and wants
2 to go back where they came from. Basically
3 they're going to have to come out and go back in.

4 MR. THOMAS: Right.

5 MR. NYFENGER: You know, go back in
6 your next entrance behind Whole Foods, and then go
7 back out. Is this a definite or are you willing
8 to change that?

9 MR. THOMAS: I'm sorry, say that
10 again.

11 MR. NYFENGER: Is this a fixed
12 decision or are you willing to change that?

13 MR. THOMAS: Right now this is what
14 we're going with. This is what we feel
15 comfortable with. Again, remember this is
16 primarily going to be employee and loading back
17 here. That's what we think.

18 MR. NYFENGER: Okay. I think I
19 might have misunderstood. When you referred,
20 earlier, to the impervious coverage, going down,
21 my understanding at that time, was that would be
22 based on the new lot, the main lot. But in
23 practicality the impervious coverage is going to
24 go up at some point. Are you going -- are you
25 going to remove the macadam in the subdivided

1 20,000 square foot area?

2 MR. THOMAS: No. Our calculations,
3 if you had seen our previous -- our numbers
4 actually all went up a little bit because when we
5 subdivided and we took that property out, they no
6 longer -- that area is no longer in our -- in our
7 total area. So, we -- our numbers in phase II
8 drop. We do not include anything from that
9 subdivision part, out. That's not part of our
10 overall calculations.

11 MR. NYFENGER: Okay. I gotcha
12 there. Okay. That's it. Thank you.

13 MR. THOMAS: Okay. Thank you.

14 MR. PIALTOS: You had mentioned a
15 speed table being installed at the Homans
16 entrance?

17 MR. THOMAS: Tabletops we call them.
18 We are installing one at -- for the pedestrian
19 crossing at -- in front. There is one -- Homans
20 has one, you're correct, on that side, yes.

21 MR. BASRALIAN: No, that's Vervalen.

22 MR. PIALTOS: No, that's Vervalen.

23 MR. THOMAS: I'm sorry. Oh, Homans
24 I'm sorry. Okay. We have none in the back here.
25 There's no tabletops, if that's what you're

1 referring to back there.

2 MR. PIALTOS: Okay. And then for a
3 speed bump then, also, will anything be put on --
4 off of Vervalen coming in front of the theater
5 there?

6 MR. THOMAS: Yes, there is one right
7 in front of the theater.

8 MR. PIALTOS: And on the other side
9 too, behind the theater?

10 MR. THOMAS: Back here?

11 MR. PIALTOS: Yeah.

12 MR. THOMAS: No, we have nothing
13 back there. That's really just access for loading
14 and service.

15 MS. AMITAI: And dumpster, right?

16 MR. THOMAS: And dumpster, right.

17 MS. AMITAI: So, our garbage truck
18 will be able to make the turn?

19 MR. THOMAS: Yup, they do now.
20 We're not changing it. We're actually making it a
21 little easier for them to get in. As a matter of
22 fact, if you look, there's an inlet on the left.

23 MR. PIALTOS: Are there going to be
24 any type of generators being put in, due to the
25 fact that we're getting these blackouts that we're

1 getting?

2 MR. THOMAS: We have no generators
3 proposed.

4 MR. PIALTOS: So what about the
5 lighting then, how does the lighting work for the
6 whole lot if something -- if we do have a
7 blackout?

8 MR. THOMAS: They'll go out.

9 MR. PIALTOS: It will go out?

10 MR. THOMAS: Yeah. We don't have
11 a -- right now we have no backup generator
12 planned.

13 MR. PIALTOS: For lighting up that
14 whole plaza, will just be dark.

15 MR. THOMAS: It would be -- right,
16 the whole neighborhood -- yes, you would have
17 emergency lighting in the buildings obviously that
18 let people get out to the parking lot.

19 MR. PIALTOS: Can they put something
20 there for the outside?

21 MR. THOMAS: A generator you mean?

22 MR. PIALTOS: Some type of generator
23 that would light up the outside lights for safety.

24 MR. THOMAS: Yeah, we can look at
25 that. We'll talk about it and see. Right now we

1 have no plans, but we can ask the owner.

2 MR. PIALTOS: The way the weather
3 has been changing.

4 MR. THOMAS: Yeah, everybody wants a
5 generator. It's a good question because why not
6 propose, you know, if it's going to be sooner or
7 later or something. You're right. But we'll talk
8 about it and see how they want to handle it.

9 MR. BASRALIAN: If the power goes
10 out everything is closed. So, really isn't any
11 shopping going on at the center.

12 MR. BABOO: But I remember when we
13 had Sandy and A&P was open. At least we had
14 access to purchase non perishable foods. That was
15 a lifesaver. That prevented -- that prevented a
16 town panic actually. So -- their refrigeration
17 wasn't on, but they had enough power just to open
18 the doors and to run the cash registers, which is
19 fine.

20 MR. PIALTOS: And some of the stores
21 had the emergency lighting something people are
22 around, just safety through the lot.

23 MR. THOMAS: We'll definitely look
24 into that.

25 MR. PIALTOS: Thank you.

1 CHAIR LIGNOS: Okay Mr. Pialtos.

2 Thank you. Ms. Isacoff.

3 MS. ISACOFF: Yes, so, I know I'm
4 not supposed to repeat, but I'm not going to ask
5 about the lighting, but would you consider having
6 a generator that would not only handle the
7 lighting, but handle either Whole Foods or even a
8 restaurant? Again, because hundred year floods
9 are now yearly.

10 Secondly, very small matter, is, I
11 just wanted to understand the electric car
12 charging station, which I see reflected in little
13 symbol in this little booklet that was handed out.
14 And is that something that is really going to
15 occur, that you're going to have --

16 MR. THOMAS: Yes, it is.

17 MS. ISACOFF: And the location where
18 it's shown right now, seems to be near the
19 theater, which doesn't, to me, is not making
20 sense. And I was wondering if you would consider
21 putting it, you know, in a place that is easier
22 for car to actually remain for a number of hours,
23 perhaps, on the Homans side?

24 MR. THOMAS: We are absolutely open
25 to suggestions. We were just talking about that

1 the other day, that they have not -- they're not
2 married to that location, and absolutely we can
3 look into that and talk about it for sure.
4 Absolutely.

5 MS. ISACOFF: Okay. That's it.

6 CHAIR LIGNOS: Mr. Didio.

7 MR. DIDIO: It's my understanding
8 that you stated that they were going to replace
9 the sidewalks on Vervalen and Homans?

10 MR. THOMAS: That's correct.

11 MR. DIDIO: On Homans Avenue, I'm
12 pleased to hear that you are taking the wires and
13 putting them underground.

14 MR. THOMAS: We're taking the wires
15 that go to the building and they are going
16 underground.

17 MR. DIDIO: Right. Right. My
18 question is: Since you're replacing the
19 sidewalks, and there is a lot of telephone poles
20 and overhead wires, would it be possible to take
21 that whole service and put it underground?

22 MR. THOMAS: It would be an
23 exorbitant cost. And it's also not their system.
24 They would have to -- it's not on their property.
25 And it's not their system. So, I would think --

1 and -- and the phone -- the power company will
2 never do it on their own. That's for sure. So, I
3 would have to say, no, I don't think --

4 MR. DIDIO: Okay. Thank you.

5 CHAIR LIGNOS: Okay. Mr. DeNicola,
6 do you have any questions?

7 MR. DENICOLA: I have a couple of
8 questions. The transformers, in the past, we had
9 site plans showing a little transformer and, you
10 know -- has it been sized? Because what happens,
11 is they grow, and before you know it, you have an
12 eyesore rather than a little "T" in a box.

13 MR. THOMAS: Right, right, right.

14 MR. DENICOLA: Are they properly
15 sized at this point in time?

16 MR. THOMAS: They're approximate
17 size. That's correct. Approximate.

18 MR. DENICOLA: They're approximate,
19 not properly, approximate?

20 MR. THOMAS: No, we have not set
21 down calculations.

22 MR. DENICOLA: Okay. Because being
23 right on the road it's going to be -- we have had
24 situations before where it's actually three times
25 the size than on the plan. Which is, you know, a

1 shocker. Maybe you can get a better idea from the
2 electric company, what would be required
3 size-wise. So, it's probably zoned actually
4 between -- we know what we are getting into before
5 it gets installed.

6 MR. THOMAS: Okay. Fair enough.

7 MR. DENICOLA: I guess the ground
8 faced block. You know, if you look at samples of
9 it, you can get very nice samples. There's also
10 samples that actually look like a cinder block, a
11 concrete block too. Is there a sample board you
12 have, or an idea what is going to be installed as
13 ground face block? Because there's a wide
14 variety. And some of them look horrible and some
15 of them beautiful.

16 MR. BASRALIAN: The sample board did
17 not include the ground face block.

18 MR. DENICOLA: Right. I know.

19 MR. BASRALIAN: I'll get that.

20 CHAIR LIGNOS: Can we include it and
21 then also make it part of the --

22 MR. DENICOLA: Exhibit.

23 CHAIR LIGNOS: -- exhibit?

24 MR. BASRALIAN: I'm sorry, yes,
25 we'll include that as part of the -- of the sample

1 board. We'll have a sample of, I don't know that
2 you can mount the block but we'll have a sample of
3 the ground face, yeah. It runs about twice the
4 size -- twice the cost of anything else. So,
5 Edens really likes to have a nice look to it and
6 that's why they prefer, I got to tell you,
7 personally, from my own experience, that's why
8 they go with the ground face rather than anything
9 else.

10 MR. DENICOLA: I agree. But the
11 ground face comes in different varieties.

12 MR. BASRALIAN: We'll -- we'll get a
13 sample of the variety proposed to be used and
14 we'll add it to the board for the next meeting,
15 okay?

16 MR. DENICOLA: And same with the
17 metal gate, what is -- is that going to be
18 colorized metal gate? What are we looking at?

19 MR. THOMAS: Yes, it's going to
20 be --

21 MR. DENICOLA: Powder coat.

22 MR. THOMAS: Right.

23 MR. DENICOLA: Powder coated what
24 color?

25 MR. THOMAS: Exactly. It's -- we

1 haven't called it out on the plans.

2 MR. DENICOLA: I understand. Okay.

3 MR. THOMAS: The color will be --

4 MR. DENICOLA: It says, match
5 building.

6 MR. THOMAS: Right. It is -- we'll
7 bring a sample as well.

8 MR. DENICOLA: Good. That's it for
9 now.

10 CHAIR LIGNOS: Okay, Mr. Chagaris.

11 MR. CHAGARIS: I have no questions.

12 MS. AMITAI: I have one.

13 CHAIR LIGNOS: Well, you'll have to
14 wait until I get a turn.

15 MS. AMITAI: Okay.

16 CHAIR LIGNOS: It's nice to be last
17 because your questions got answered already. So,
18 let's just set, for the record, what we would like
19 to see from, what we understand you will provide
20 for the next meeting, with the deadline of the
21 19th.

22 MR. BASRALIAN: Other than the
23 sample board, which we'll bring.

24 CHAIR LIGNOS: Well, yes, other than
25 the sample board. Let's get a resolution on the

1 generator, and if it's going to happen, where it
2 will go, and show an appropriate path for it.
3 Let's get a final resolution, in your mind, as far
4 as car charging. Ms. Isacoff, sometimes these
5 chargers don't necessarily need to have major
6 times associated for use, and it might be more
7 feasible to be on the public side as opposed to an
8 employee side. So, I think it will be best that
9 the applicant makes a recommendation.

10 We are hoping, along with you and
11 Edens, that this will become a very successful
12 place for people to shop. And, therefore, bus
13 traffic is something I think you, as the
14 applicant, would be happy to have. So, therefore,
15 without having a deceleration/acceleration lane
16 for a bus, can you kindly show where you would
17 propose a bus shelter. Along with your color
18 materials, could you kindly show us -- I'm sorry,
19 along with your lighting fixtures, would you
20 kindly show us your anticipated bike racks and
21 hard-scape for the landscape, i.e., the benches,
22 the trash receptacles. Mr. Roncati talked about
23 wood and metal. Can we just see what those would
24 look like?

25 Finally, I want to set, once and for

1 all, the parking calculated -- the parking
2 calculation method. And I understand, I think
3 you've explained it very clearly. Can we see that
4 in an outline for me., i.e., we anticipate "X"
5 square feet of retail, and, therefore, have
6 allocated "X" parking spaces.

7 MR. BASRALIAN: It's already on --
8 it's already on the plans.

9 CHAIR LIGNOS: No, but what I'm
10 getting at, is, yes, I saw that on sheet 2. When
11 it comes to the restaurant counts, if you're going
12 to allocate "X" parking spaces, are you saying
13 that once the tables have been set, because the
14 calculation is based on tables and employees, once
15 that's set, once you've reached that limit, that
16 you would be coming back to the board and asking
17 for relief from that?

18 MR. DENICOLA: You would have to.

19 MR. BASRALIAN: If we exceeded what
20 we proposed, then we would have to be back here to
21 change that.

22 CHAIR LIGNOS: So, so, the number
23 that is on sheet 2 allocated to restaurants, if
24 this application was to be looked upon favorably,
25 could be made part of the resolution as far as

1 parking is concerned?

2 MR. BASRALIAN: Yes. Yes, it would
3 be. Of course.

4 CHAIR LIGNOS: No, that's fine.
5 Then scratch the question. Okay. Now, these are
6 my questions. LED versus halide, as far as the
7 color of the light, as far as the whiteness and
8 the color index, you are going to, I'm assuming,
9 match the color of the bulb, whatever -- whatever
10 system is used, whether it's the halide or the
11 LED, so that there's a uniformed color to the
12 light, am I correct? I mean I don't see the
13 building having one color bulb.

14 MR. THOMAS: I have -- we have to
15 sit down and get into that. That's an interesting
16 point.

17 CHAIR LIGNOS: That's a very -- if
18 you've ever seen lighting in the side -- I'm
19 sorry, on the parking lot levels, worst case
20 condition, go to sodium, and be yellow while the
21 rest of the building has a white light. It's very
22 unpleasant.

23 MR. THOMAS: Well, right now
24 everything is white light.

25 CHAIR LIGNOS: Right. But there's a

1 color to the bulb. Temperature to the bulb, that
2 obviously you can see the difference. Obviously
3 you can have a cool bulb and a warm bulb and --
4 would you be so kind as to maybe look at it for
5 the next presentation and give us an idea of how
6 you're going to tighten that range.

7 MR. BASRALIAN: We'll do that.

8 MR. THOMAS: Okay.

9 CHAIR LIGNOS: There may be a need,
10 either for emergency purposes, or future use, that
11 the commons, and this site may want to have a
12 physical interaction, a physical connection, would
13 you be so kind as to show us how, if that was to
14 be required, or desired at some point, how that
15 could happen at what point? I would imagine it
16 would be roughly where one of the dumpsters are
17 presently located.

18 MR. THOMAS: Well, right now you
19 want me to do it?

20 CHAIR LIGNOS: No, no, no.

21 MR. BASRALIAN: There's two types of
22 connections. One is a walk-in connection.
23 Another is a vehicular. It is not -- can't be a
24 requirement, because it requires -- it would,
25 therefore, require an adjacent property owner to

1 agree, but certainly we've always been open to
2 exploring it, but it wasn't proposed now because
3 there's nothing more for us to do at this point.

4 CHAIR LIGNOS: And I'm not asking
5 you to -- to physically do it. The only thing I'm
6 asking, is, could you kindly show us, if that was
7 to be desired, or required, at some point in the
8 future, how it may be done.

9 MR. BASRALIAN: And if it's
10 possible.

11 CHAIR LIGNOS: And if it's possible.

12 MR. BASRALIAN: Right.

13 MR. THOMAS: Okay.

14 CHAIR LIGNOS: Can I assume that
15 your parking stalls are going to be hairpin?

16 MR. THOMAS: Yes.

17 CHAIR LIGNOS: Okay.

18 MR. MADDALONI: What does that mean?

19 CHAIR LIGNOS: You know the lines
20 between the stalls are the wider hairpin looking
21 with the semicircular so you have a little bit
22 more room for the doors.

23 MR. MADDALONI: Yeah, it's nice,
24 yeah. Reduces dings.

25 CHAIR LIGNOS: Exactly. It's still

1 calculated the same way. It doesn't affect your
2 parking. But --

3 MR. BASRALIAN: No, I was just
4 asking if they were. I didn't see them. But
5 okay. Yeah, I know what a hairpin is.

6 CHAIR LIGNOS: Right. Would you
7 kindly look at the phase II, there's a bump out at
8 the existing K-mart in the rear, that isn't part
9 of the K-mart today.

10 MR. THOMAS: Oh.

11 CHAIR LIGNOS: Could you just point
12 to that, please. Right. Now, I find it
13 interesting that there is a generic floor plan,
14 but when it comes to that area there's a bump out.
15 Do you have a particular user in mind for that --
16 for that piece?

17 MR. THOMAS: I have no idea. I
18 don't know.

19 CHAIR LIGNOS: So, you didn't come
20 up with that. It was part of the program
21 generated by the client?

22 MR. THOMAS: Correct. Yes.

23 CHAIR LIGNOS: And I apologize for
24 breaking my own rule, but I need to clarify in my
25 own mind once and for all. When you calculated

1 impervious, when you calculated building coverage,
2 you did not include the subdivision?

3 MR. THOMAS: That's correct.

4 CHAIR LIGNOS: And when it came to
5 all your parking counts, you didn't include those
6 attributed to the church, nor any that could
7 possibly be attributed to that subdivided lot?

8 MR. THOMAS: Correct.

9 CHAIR LIGNOS: Thank you. Finally,
10 when do you see phase II beginning?

11 MR. THOMAS: I'm not sure. That
12 would be a question for the owner. I know that
13 there is a contractual obligation with K-mart,
14 and I'm not sure how they will fall together.

15 CHAIR LIGNOS: Mr. Basralian --

16 MR. BASRALIAN: I can respond.

17 CHAIR LIGNOS: Is it possible --

18 MR. BASRALIAN: K-mart -- the K-mart
19 lease runs until mid 2015, assuming we're in the
20 ability to build, and we have gone forward on
21 phase I, it would happen almost simultaneously as
22 soon as phase I is done. It is the intention to
23 do that right away.

24 CHAIR LIGNOS: Okay. If this
25 application was to be looked upon favorably,

1 and -- would you be willing to stipulate a date
2 for that? A required date that that construction
3 happens.

4 MR. BASRALIAN: Pardon me. I would
5 have to consult with my clients specifically. It
6 assumes that I don't spend nine months in Bergen
7 County subsequent to any approval of this, and
8 then the appellate division, that might exist.
9 So, it's very hard to do a stipulation. It's when
10 we're finally able to build that we would be able
11 to --

12 CHAIR LIGNOS: That's what's
13 wonderful about being an architect, I don't have
14 to worry about Hackensack or Bergen County or --

15 MR. BASRALIAN: I don't worry about
16 it. I just know what is a reality and what isn't.

17 CHAIR LIGNOS: But at some point I'd
18 like -- we'd like to -- I would imagine that this
19 application would be looked upon favorably that --
20 that the town knows that that work will get done.
21 Whatever date it is. But will get done. Because
22 we've heard so much in the testimony of how
23 there's an improvement in impervious, improvement
24 in the parking, when that phrase II happens we'd
25 hate to think that all of this improvement that we

1 were all looking forward to just never happened.
2 So, that's the reason I'm asking.

3 MR. BASRALIAN: Okay. I can assure
4 you that it is going to be done. When it could be
5 done depends upon factors that are not all within
6 the applicant's control, and certainly not before
7 the end of the K-mart lease.

8 CHAIR LIGNOS: Of course. Of course
9 not before the K-mart lease. But how far after is
10 it going to be is the thing I would be interested
11 in.

12 Finally, and this may be for the
13 landscape architect, we have a really nice
14 opportunity to berm or hedge some of the parking
15 and not see a sea of cars. Both on Homans and on
16 Vervalen. So, whether it's you, Mr. Thomas, next
17 meeting, or whether it's the landscape architect,
18 I would like to hear how that may be possible.
19 Here is an opportunity for us to hide a sea of
20 cars. And if it requires that we lose five cars
21 or eight cars to do it, this board would love to
22 hear what it would -- what would be the cost.
23 Cost meaning as far as loss of cars, if that was
24 to happen. Okay.

25 Now, only because you asked, both --

1 okay, you asked for a question and then I'll ask
2 the mayor. Go ahead. Those are all my questions
3 and I thank you very much.

4 Oh, I apologize, I'm doing exactly
5 what I -- pedestrian walkways. We're all trying
6 to get more fit in Closter. So, we're gonna
7 potentially be walking to this center. How do I
8 walk along Homans? I'm sorry, how do I walk along
9 Vervalen and safely get into the major plaza as
10 far as sidewalks and walkways transversing the
11 parking lot?

12 MR. THOMAS: We have our traffic
13 engineer. He's been geared up to do that.

14 CHAIR LIGNOS: He'll talk to that.
15 Very good. Okay, I'm sorry now --

16 MS. AMITAI: Couple of questions.
17 Do all the stores have egress and ingress? I mean
18 is that fire code? Is that a must?

19 MR. THOMAS: Yes. Well, again
20 that's an architectural question.

21 MS. AMITAI: So, we'll ask you
22 later.

23 MR. BASRALIAN: Councilwoman, they
24 will all comply with code. You can do it no other
25 way. They will all comply with code. That's what

1 is required, it will be. Whatever the code
2 requires will be provided, at least, as a minium.

3 MS. AMITAI: Okay. That's fine.
4 Ballpark, any idea how many employees, if you're
5 figuring parking calculations based on use, and
6 number of employees in the store, how many
7 employees does it take to run a shopping center
8 like this?

9 MR. THOMAS: The calculations take
10 into account employee parking when we do that.

11 MS. AMITAI: How many? Ballpark.
12 Can you throw out a number?

13 MR. BASRALIAN: There was a -- the
14 application contained existing and proposed, but
15 what we're -- what Mr. Thomas was about to say, is
16 that parking calculations for property include
17 employees, except where it's a different ratio for
18 restaurants, and that's all been calculated in the
19 parking presentation that will be made by
20 Mr. Keller.

21 MS. AMITAI: Okay. So, we'll wait
22 for him for the answer then. And the church
23 driveway, something you said before, did you say
24 at the end of phase II it will be a one way
25 driveway?

1 MR. THOMAS: That is correct.

2 MS. AMITAI: Going which way?

3 MR. THOMAS: Into the site.

4 MS. AMITAI: Oh, into the site?

5 MR. THOMAS: Yes.

6 MS. AMITAI: So, you can turn into
7 the site. Okay. That makes sense. And how wide
8 is it after the bump out to the CVS over there, to
9 the parking where the church is, how many feet?

10 MR. THOMAS: Twenty-four feet.

11 MS. AMITAI: Twenty-four feet?

12 MR. THOMAS: Yeah, it's 24 feet. We
13 actually -- yeah, 24 feet.

14 MR. BASRALIAN: There is no change
15 in that width from --

16 MR. THOMAS: No, I'm sorry, 18 feet,
17 over there.

18 MS. AMITAI: Eighteen feet.

19 MR. BASRALIAN: For one way.

20 MR. THOMAS: Yeah, 18 feet, correct.
21 That was if we don't have the drive-thru. That's
22 what you and I -- yeah, we were talking about
23 this. It's 18 feet one way in.

24 MS. AMITAI: So, from the bump out,
25 to where the parking spot begins, is 18 feet?

1 MR. THOMAS: Yes, there is 18 feet.
2 Once phase II happens there will be an island to
3 separate the drive-thru, there will be 18 feet
4 along behind --

5 MS. AMITAI: Can you just tell us
6 about the island?

7 MR. THOMAS: The island separates
8 for the cars to pull off so they can que up to the
9 teller -- the --

10 MS. AMITAI: So, what is it, like a
11 curb?

12 MR. THOMAS: Yeah, it's a curb
13 island exactly.

14 MS. AMITAI: Okay. Thank you.

15 CHAIR LIGNOS: Mayor, you had -- and
16 then -- I don't think there is anybody else,
17 right?

18 MS. HEYMANN: I want to go back to
19 Dr. Maddaloni's comment about pervious surfaces.
20 And I think throughout the presentation, I've been
21 somewhat concerned over the fact that, you -- as a
22 project, on building sustainability, into the
23 project, to the extent that we would expect an
24 organization that's up to date with the Whole
25 Foods, that emphasis its green aspects. And I

1 want to go back to the point that I had made about
2 using pavers for some of the walks, or all of the
3 walks, which are pervious, and would add to the
4 pervious level that you have in meeting your
5 variance anyway. But I was wondering whether we
6 could emphasize more sustainability in this
7 project all together, and this is one way of
8 certainly providing that. There are different
9 kinds of pavers, and different kinds of materials
10 that can make a parking lot more pervious, as
11 Dr. Maddaloni pointed out. And I wish you could
12 work something out in the plans that way, that
13 would meet Closter's wishes and Closter's looking
14 toward the future, and making sustainability and
15 water retention important issues here. I'm sure
16 you're aware of the fact that the water table here
17 is very high, and the level above sea level is
18 virtually zero. We do have flash floods and water
19 problems in the area. And on the long term basis
20 it would only suit you to have more pervious
21 materials.

22 MR. THOMAS: Okay.

23 MS. AMITAI: On that subject then,
24 what about those blocks that have grass growing?
25 Is that not a possibility? I've seen it on

1 highways in Europe. I mean on rest stops in
2 Europe, you know.

3 MR. MADDALONI: You don't even need
4 grass there. There are other materials that the
5 water goes right through.

6 CHAIR LIGNOS: I'm going on. Why
7 don't you answer that one and then we'll go with
8 Mr. Chagaris for the final questions. If you
9 want -- she's talking about a grass --

10 MS. AMITAI: A grass block.

11 CHAIR LIGNOS: Grasscrete.

12 MR. BASRALIAN: I think in all
13 fairness we'd have to investigate it. I don't
14 know that he can -- certainly do it.

15 CHAIR LIGNOS: If you would be so
16 kind to do so for the next meeting.

17 MS. HEYMANN: We have grass blocks
18 right along the Palisades Parkway. Going into the
19 Palisades Parkway on entrance No. 2. Those blocks
20 are right there.

21 CHAIR LIGNOS: There's a -- there's
22 a trade name by Grasscrete. I believe it's
23 Grasscrete. It's a concrete paver with grass --

24 MR. THOMAS: Grass growing out of
25 it, sure.

1 CHAIR LIGNOS: All right. Mr.
2 Chagaris.

3 MR. CHAGARIS: Two questions.
4 Mr. Basralian, also for the engineer, on the
5 question that Mr. Lignos raised about the second
6 phase, I presume you would be willing to bond for
7 that work on phase II, depending on what time
8 table we're talking about.

9 MR. BASRALIAN: We're going to be
10 bonding for the site work in any case. Not for
11 the building removed. We're bonding for the site
12 work. That's a condition. If we don't do it then
13 certainly the municipality has the right to do
14 that. I don't have an answer for you. All I can
15 tell you, is, that if it were possible to do it
16 from the getgo, from the very first day, we would
17 be doing it all simultaneously.

18 MR. CHAGARIS: So, okay --

19 MR. BASRALIAN: There's no intent,
20 no desire to delay that. It is an integral part
21 of the plan that we've been presented. It will be
22 done. We want to do it. And it has to be done.

23 MR. CHAGARIS: And as far as the,
24 again, I'll follow up with Mr. Lignos' question,
25 when you -- when you talk about the 720 currently

1 existing parking spaces, am I correct in
2 understanding that does not include any spaces
3 attributable to the carved out piece?

4 MR. THOMAS: No, the 720 existing is
5 also part of that.

6 MR. CHAGARIS: It does include?

7 MR. THOMAS: Yeah, that.

8 MR. CHAGARIS: But that the 730 in
9 phase I and the 820 in phase II does not include?

10 MR. THOMAS: Correct.

11 MR. CHAGARIS: Okay. Thank you.

12 CHAIR LIGNOS: Okay. Members of the
13 board, if we've all had a chance to ask our
14 questions --

15 MR. BASRALIAN: One clarification.
16 When -- there's a question to Mr. Thomas. When he
17 talked about the height, he inadvertently said 27
18 1/2 feet. Was it not correct that you meant 27
19 feet 5 inches?

20 MR. THOMAS: Twenty-seven feet five
21 inches, right.

22 MS. HEYMANN: You were off by --

23 MR. BASRALIAN: Well, there's a
24 difference between 27 1/2 feet, under the
25 ordinance --

1 CHAIR LIGNOS: It's called the
2 zoning board and the planning board.

3 MR. BASRALIAN: That's the
4 difference. So, I just wanted to clarify to
5 anticipate any questions that it's 25 feet, 5
6 inches, not 25 1/2 feet -- 27 rather -- I'm doing
7 it again. 27 -- 27 point -- 27 feet 5 inches
8 versus 27 1/2 feet. Right.

9 CHAIR LIGNOS: Okay. Obviously the
10 purpose of that is to keep it below 10 percent
11 above the building height.

12 MR. BASRALIAN: That's correct.

13 CHAIR LIGNOS: At this point we have
14 a few minutes. I'd like to ask: Is there any
15 member of the public that has a question of this
16 witness? Let me -- let me start -- Mr. Isaacson,
17 would you like to come forward?

18 MR. ISAACSON: Sure. I have to get
19 up at 4:30 so thank you very much. Steve Isaacson
20 still at 97 Columbus --

21 CHAIR LIGNOS: By the way, we pass
22 each other at the bus. So, you know that I'm also
23 up at that time.

24 MR. PIALTOS: I get up early too.

25 MR. CHAGARIS: Me too.

1 MR. ISAACSON: Okay. It's great,
2 right? All right, we're talking about the
3 building height, 27.5. We're actually talking
4 about 35.5 with the screening, correct? You said
5 there was an 8 foot screen on top of the 27 foot 5
6 inch building, correct?

7 MR. THOMAS: That was spoken --

8 MR. ISAACSON: That's what you said.
9 As a matter of fact, it was hiding that 8-foot box
10 on top of Whole Foods.

11 MR. BASRALIAN: That was really
12 addressed to -- but that was really a statement by
13 the architect. It wasn't this witness.

14 THE WITNESS: Well, okay, then I'll
15 bring it up again later. But 27.5 is just the
16 height of the building.

17 CHAIR LIGNOS: Well, let me -- let
18 me ask you this, Mr. Basralian, the screen is not
19 part of your --

20 MR. BASRALIAN: It's not calculated
21 as part of the height, no.

22 CHAIR LIGNOS: Okay. So, it's
23 possible, that if there's a 27 foot 5-inch
24 building, which has an 8 foot screen, that
25 Mr. Isaacson's comment may be correct?

1 MR. BASRALIAN: Yes, it would be
2 correct for that thesis.

3 MR. ISAACSON: Thank you very much.

4 MR. CHAGARIS: Only for this part of
5 the screen. The definition --

6 CHAIR LIGNOS: Correct.

7 MR. ISAACSON: No, but, you know,
8 from the street, you look at something, it's going
9 to be --

10 MR. BASRALIAN: I think, with all --
11 and I don't mean to be disrespectful, you
12 mentioned a building height of 30 some odd feet,
13 and that's not the building height.

14 MR. ISAACSON: No, no, I stand
15 corrected. I just say, the appearance would be a
16 structure, plus a screen, that would finish --
17 that would be 33. -- 33 feet 5 inches. Okay let's
18 go back to Homans Avenue. I appreciate the fact
19 that you're putting parking back there, but with
20 the lack of the road that is going to be filled
21 in, how will people get to the front of the
22 shopping center, if they park back there?

23 MR. THOMAS: Well, we feel that it's
24 primarily just for loading and for employees. If
25 they do want to go, they will have to walk around

1 the building.

2 MR. ISAACSON: Okay.

3 MS. AMITAI: There's a sidewalk.

4 MR. THOMAS: Well, there is a
5 sidewalk out on Homans, that's correct.

6 MR. ISAACSON: But will there be
7 anything in between the parking spaces --

8 MR. BASRALIAN: His question is how
9 do cars get back there.

10 MR. THOMAS: Oh, how do cars get
11 back there? I'm sorry, what's your question?

12 MR. ISAACSON: I mean, no, how would
13 people walk around?

14 MR. THOMAS: They walk around the
15 edge -- there's a sidewalk. They would come out,
16 they walk along the sidewalks that started out on
17 the westerly -- it's the northwesterly corner of
18 the property -- easterly. West easterly then you
19 can walk around.

20 MR. ISAACSON: No, I appreciate
21 that, but is there anything between -- where those
22 trees are on the Homans border? Is there going to
23 be a fence there?

24 MR. THOMAS: Yeah, there is a
25 sidewalk all along Homans.

1 MR. ISAACSON: Okay. So, my other
2 question would be, the dumpster enclosures, what
3 are they going to look like from Homans?

4 MR. THOMAS: They're going to be --
5 well, we're bringing a sample board. There will
6 be a block built --

7 MR. ISAACSON: So, there won't be a
8 fence or a screen or anything? Just be a finished
9 box.

10 MR. THOMAS: It will be a very nice
11 finished block wall.

12 MR. ISAACSON: Okay. Also, after
13 phase II, when that one roadway, I think you
14 mentioned CVS, that's going to be over there --

15 MR. BASRALIAN: That wasn't me.

16 MR. ISAACSON: No, no, when Vicky --
17 I'm sorry, Councilwoman Amitai mentioned CVS. So,
18 the only way to get out of the shopping center to
19 Homans will now be only on the western -- on the
20 eastern side of the project, right?

21 MR. THOMAS: What they'll do, come
22 out through Campbell Ave. as well.

23 MR. ISAACSON: You could do that.
24 But most people probably will go out the other
25 way, correct? Well, they might. I'll have to ask

1 the traffic guy. Okay. Do feel that with all
2 these trees that you're planting, 120 trees, that
3 the signage will be able to be read from Vervalen
4 Street? The signage on these -- on all these
5 stores?

6 MR. THOMAS: Yes.

7 MR. ISAACSON: How tall will the
8 trees be?

9 MR. BASRALIAN: Our -- he'll --
10 he'll --

11 MR. ISAACSON: Talk about it with
12 the landscape architect.

13 MR. BASRALIAN: -- he'll address
14 that.

15 MR. ISAACSON: Also, I just want to
16 appreciate the fact that you're building the
17 pervious -- I mean you're reducing the impervious
18 slightly. But it still exceeds the 80 percent.
19 And even though you say you're increasing the
20 parking by 100 spaces, in reality you're shrinking
21 the spaces from 10 X 20 down to 9 X 18. So, in
22 actuality every 9 spaces that exist now will
23 become 10 spaces. So, if you take the 720 and
24 divide it by 9, that's 80. And then you times
25 that by 100, you have 800 -- you have 800 spaces.

1 So, you're not really adding spaces. You're just
2 making the spaces smaller and creating more
3 parking spaces, is that true?

4 MR. THOMAS: We are creating -- we
5 are reducing -- we are efficient -- using the
6 existing impervious area much more efficiently is
7 what we're doing. And the board recognizes --
8 hopefully will recognize that.

9 MR. ISAACSON: But am I right in
10 saying that every 9 spaces that exist now, will be
11 equal to 10 spaces in the future?

12 MR. BASRALIAN: What he's asking,
13 is, if you reduce a 10 X 20 space by a foot you're
14 increasing it. But your testimony was that
15 currently the spaces are 9 X 18.

16 MR. THOMAS: Yeah.

17 MR. BASRALIAN: They're not 10 X 20.

18 MR. THOMAS: We're not changing --
19 we're not changing --

20 MR. ISAACSON: Oh, they're not 10 X
21 20.

22 MR. BASRALIAN: No.

23 MR. THOMAS: That's the ordinance.

24 MR. ISAACSON: Oh, that's the
25 ordinance. So then I stand corrected. Thank you

1 very much.

2 CHAIR LIGNOS: Ma'am.

3 MS. HARTWELL: Rhea Hartwell, 1
4 Bradley. I had missed a lot of this discussion
5 but can you tell me what is the purpose of
6 subdividing a piece of the parking lot from
7 K-mart? With this discussion, what is later on
8 you're planning on putting another building or
9 something there? I mean I just don't understand
10 why you would take a piece of parking lot and
11 subdivide it.

12 MR. THOMAS: They are creating this
13 lot for future use, that's correct.

14 MS. HARTWELL: To get around some
15 restrictions you have now? And is it going to
16 make it easier to do this?

17 MR. BASRALIAN: I can respond; it is
18 a conforming lot. It meets all the requirements
19 of the code and so --

20 MS. HARTWELL: In the middle of a
21 parking lot?

22 MR. BASRALIAN: Well, it's adjacent
23 -- it's adjacent to Vervalen. It is a conforming
24 lot. It meets the code requirements as to size.
25 It would meet the code requirements for any

1 structure that's put there in the future with
2 respect to the parking as well for that building.
3 So, the applicant has elected to subdivide this
4 particular parcel out at this time with no
5 present -- no present plans for development.

6 MS. HARTWELL: Okay. It just
7 doesn't make any sense to me.

8 CHAIR LIGNOS: All right it is --

9 MS. HARTWELL: I just have one more
10 question.

11 CHAIR LIGNOS: Yeah. I'm sorry.

12 MS. HARTWELL: Can -- maybe they can
13 come back next time, with -- Vicky had asked this,
14 the height of a building, if you were to put a
15 second floor on it.

16 MR. BASRALIAN: We're not proposing
17 any second floors though.

18 MS. HARTWELL: No, I just wanted to
19 know the height of a building. I'm just curious
20 of that.

21 MR. CHAGARIS: That's not part of
22 this application.

23 CHAIR LIGNOS: Yeah, that's --
24 that's really not part of this application.

25 MS. HARTWELL: So, 27 1/2 foot

1 building you couldn't put a second floor?

2 CHAIR LIGNOS: During the colonial
3 period you could -- you could put a second story,
4 but that's the whole point. The point is, how --
5 how tall a second story would want to be. There
6 are heights of 7 1/2 and 8-foot stories, in which
7 case you can probably get them into 20, 22 feet.
8 But, that's -- again, there is no part of this
9 testimony that was ever -- that has ever brought,
10 into testimony, a second story.

11 MS. HARTWELL: Okay, but I'm just
12 saying, I'm asking the question, if the 27 1/2
13 foot building, is it possible, at a later date, to
14 put a second story?

15 CHAIR LIGNOS: Okay. Can you
16 perhaps --

17 MR. BASRALIAN: Excuse me. There
18 are a couple of things. Remember, it's the top of
19 the parapet wall that's from one building other
20 than the ones that preexisting, which is 27 1/2.
21 The roof lines are lower than that, as testified
22 by Mr. Roncati at the last -- not last, the
23 July 18th hearing. So, it's the roof lines are
24 much lower than that. It's the top of the parapet
25 wall that you're measuring for Whole Foods and the

1 two existing nonconforming. The rest will all be
2 not greater than the 25 feet.

3 CHAIR LIGNOS: Okay.

4 MR. BASRALIAN: And since it's not
5 permitted in the zone to go higher than that, then
6 25 feet, except in this instance --

7 CHAIR LIGNOS: And for the record,
8 we have heard nothing about a second story. And
9 there is no attempt -- there is no intent to have
10 a second story at any part of this plaza?

11 MR. BASRALIAN: That's correct.

12 CHAIR LIGNOS: Okay. Thank you.
13 All right, it's after 11 o'clock. I know there is
14 more questions from the public. If the board
15 wishes, I'd like to stop the meeting here at this
16 point. Start; I would imagine Mr. Segreto you
17 have questions.

18 MR. SEGRETO: Yes.

19 CHAIR LIGNOS: We'll pick them up on
20 the 29th. Any other member of the public having
21 questions? There -- how many do you have?

22 MR. ROSENBLUME: Four or five.

23 CHAIR LIGNOS: Four or five. Let's
24 -- we're going to start them on the 29th. At this
25 point there is -- there are no other applications

1 for the 29th, other than this one. So, we should
2 be able to get started very soon.

3 MR. BASRALIAN: Mr. Chairman if you
4 would announce that it will be at 8 o'clock on the
5 29th -- August 29th, without any further notice,
6 I'd appreciate it.

7 CHAIR LIGNOS: Thank you very much.
8 This meeting will be continued on August 29th, at
9 8 o'clock. There will be no further notice.

10 Motion to adjourn by Ms. Isacoff.
11 Seconded by Mr. DiDio. All in favor.

12 THE BOARD: Aye.

13 CHAIR LIGNOS: Hearing and seeing no
14 objection, this meeting is now adjourned at 11:06.

15 (Meeting adjourned.)
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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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