

1 TOWNSHIP OF RIVER VALE STENOGRAPHIC
JOINT PLANNING BOARD TRANSCRIPT OF
2 REGULAR MEETING PROCEEDINGS
393 Rivervale Road
3 River Vale, New Jersey 07675
Wednesday, January 16th, 2019
4 Commencing at 7:35 p.m.

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5 B E F O R E:

- 6 SCOTT LIPPERT, Chairman
7 ROBERT FORTSCH, Vice-chairman
MAYOR GLEN JASIONOWSKI
8 ROBERT ADAMO
MICHAEL BEUKAS
9 COUNCILMAN MARK BROMBERG
GREGORY LOWE
10 JOHN PUCCIO
SUSAN VACCARO
11 PETER WAYNE

12
13
14 A L S O P R E S E N T:

- 15 MARC LEIBMAN, ESQ., Board Attorney
CHRISTOPHER STATILE, P.E., Board Engineer
16 MARIA HAAG, Land Use Administrator
17
18
19
20
21

22 TRANSCRIBED BY AND BEFORE:

23 Patricia A. Pucciarello, Professional Court
Reporter, and Notary Public of the State of New
24 Jersey
25

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

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Rivervale Holiday Farms Condominium Association

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I N D E X

WITNESS DIRECT CROSS REDIRECT RECROSS

STEVEN SANTOLA

By Mr. Wolfson: 22

By Mr. Van Eck: 36 84

DAPHNE GALVIN

By Mr. Wolfson: 86

E X H I B I T S

EXHIBIT NO. DESCRIPTION IDENT.

A-1 Woodmont Pamphlet 23

A-2 Aerial Overlay 90

A-3 Blowup of Aerial Overlay 91

(Exhibits retained by counsel.)

1 (On record at 7:35 p.m.)

2 CHAIRMAN LIPPERT: So before we start
3 our public hearing tonight, I just wanted to say a
4 few things about the nature of the proceedings.

5 This is a quasi-judicial hearing.
6 Everybody should conduct themselves as they would in
7 a courtroom. Everyone will have a chance to ask
8 questions, everyone will have a chance to make a
9 statement. You may want to defer asking the
10 questions and you're going to defer asking
11 questions, that is the members of the public, until
12 counsel have finished with cross-examination.
13 There's at least one attorney for an objector here.

14 You may find that it's difficult --
15 when it's time to ask questions, it's time to ask
16 questions, it's not time to make statements. You'll
17 have a different time to make a statement. It's not
18 the easiest thing in the world to ask questions of a
19 witness, and so if I find that you're making a
20 statement rather than asking questions, I'm going to
21 ask you to move on and allow the next person to ask
22 questions.

23 So what I'd like is for all counsel
24 to put in their appearances. Now, I know we have at
25 least one attorney for an objector.

1 Mr. Van Eck, you want to -- let
2 Mr. Van Eck put his appearance in first,
3 Mr. Wolfson.

4 MR. WOLFSON: Sure.

5 CHAIRMAN LIPPERT: And is there
6 anyone else here, any other attorneys representing
7 any of the parties here?

8 MR. VAN ECK: Mr. Chairman, Members
9 of the Board, Jameson Van Eck from the firm Verde
10 Steinberg & Pontell on behalf of the Rivervale
11 Holiday Farms Condominium Association.

12 CHAIRMAN LIPPERT: I'm sorry.
13 Mr. Wolfson.

14 MR. WOLFSON: Good evening,
15 Mr. Chairman, Board Members, Board Professionals,
16 Peter Wolfson of Day Pitney here on behalf of the
17 applicant.

18 CHAIRMAN LIPPERT: All right.
19 Mr. Wolfson, I'm just going to ask you to defer for
20 another minute because counsel reminds me that we
21 have to elect officers, so we're going to do that.

22 MR. LEIBMAN: Just so everybody in
23 the public knows if you're unfamiliar with this
24 process and procedure, all the members of this board
25 live in your town and volunteer their time to serve

1 all of you in the capacity as a board member. The
2 first meeting of every year is the reorganization
3 which involves swearing in those members whose terms
4 have expired and reappointing and swearing in new
5 members.

6 The next part of the reorganization
7 is the selection of board offices and selection of
8 board professionals. This is our first meeting of
9 the year, so that reorganization needs to happen
10 now. It's very quick.

11 So let's get it started. I would
12 suggest that somebody make a motion for board
13 chairman.

14 VICE-CHAIRMAN FORTSCH: I'll make a
15 motion that Scott Lippert continues as board
16 chairman.

17 MAYOR JASIONOWSKI: I'll second.

18 CHAIRMAN LIPPERT: We'll go with a
19 voice vote. All in favor?

20 (Unanimous Aye.)

21 CHAIRMAN LIPPERT: Any opposed?
22 The next one is secretary?

23 MR. LEIBMAN: Board secretary,
24 vice-chairman. It doesn't matter. Vice-chair. Is
25 there a motion for vice-chairman?

1 CHAIRMAN LIPPERT: I'm going to move
2 Robert Fortsch as the vice-chair of the board.

3 MAYOR JASIONOWSKI: I'll second it.

4 CHAIRMAN LIPPERT: All in favor?

5 (Unanimous Aye.)

6 CHAIRMAN LIPPERT: Any opposed?

7 Okay. And board secretary, do we
8 have a motion?

9 MR. ADAMO: I'll make a motion for it
10 be Susan Vaccaro.

11 CHAIRMAN LIPPERT: Susan Vaccaro.

12 The motion is Susan Vaccaro. I'll second it.

13 All in favor?

14 (Unanimous Aye.)

15 CHAIRMAN LIPPERT: Any opposed?

16 Okay. So we've done that. Now we've
17 got to appoint our professionals, right?

18 MR. LEIBMAN: Yes.

19 CHAIRMAN LIPPERT: Starting with

20 Mr. Leibman. I'll make a motion that we appoint

21 Mr. Leibman as board attorney. Do I hear a second?

22 VICE-CHAIRMAN FORTSCH: I'll second
23 it.

24 CHAIRMAN LIPPERT: All in favor?

25 (Unanimous Aye.)

1 CHAIRMAN LIPPERT: Any opposed?

2 Okay. And board engineer,

3 Mr. Statile. I will make a motion appointing him as
4 our board engineer. Do I hear a second?

5 COUNCILMAN BROMBERG: I'll second it.

6 CHAIRMAN LIPPERT: All in favor?

7 (Unanimous Aye.)

8 CHAIRMAN LIPPERT: Any opposed?

9 Okay. So we're done with our
10 housekeeping then, Mr. Leibman?

11 MR. LEIBMAN: Yes, you are.

12 CHAIRMAN LIPPERT: So, Mr. Wolfson,
13 you have the floor. Sorry for the delay.

14 MR. WOLFSON: Mr. Chairman, is it
15 okay if we use this table here?

16 CHAIRMAN LIPPERT: Sure, of course,
17 yes.

18 MR. WOLFSON: Good evening again. I
19 remain Peter Wolfson of Day Pitney here on behalf of
20 the applicant. As you recall, the public hearing on
21 this matter was originally scheduled for
22 December 20, 2018, and was carried to tonight's date
23 taking place here at the middle school. No
24 testimony was provided at the prior meeting. Just
25 for the record, notice was served and published in

1 accordance with the law for this hearing.

2 The township council adopted
3 Ordinance 332-2018 establishing zoning for the
4 property as part of its strategy to address the
5 township's affordable housing obligation.
6 Affordable housing has been a challenge for every
7 New Jersey municipality dating back to 1975 when the
8 New Jersey Supreme Court founded South Burlington
9 County NAACP versus Township of Mount Laurel, known
10 as Mount Laurel I, that municipalities in the state
11 of New Jersey exercising their zoning power had a
12 constitutional obligation to provide a realistic
13 opportunity for the construction of their fair share
14 of the region's low and moderate income housing
15 needs.

16 In the matter of the adoption of
17 third-round regulations N.J.A.C. 596 and 597 by the
18 New Jersey Council on Affordable Housing, the New
19 Jersey Supreme Court in 2015 found that the
20 administrative process implemented by COAH, the
21 state agency tasked with overseeing the creation of
22 affordable housing, had become nonfunctioning. As a
23 result, the New Jersey Supreme Court returned
24 primary jurisdiction over affordable housing matters
25 to New Jersey trial courts. This has heightened the

1 pressure on municipalities to address their
2 affordable housing obligation rather than risk
3 facing so-called builder's remedy in litigation.

4 The idea of golf course residential
5 development at Edgewood was discussed and made part
6 of the township's recent master plan review.

7 Subsequently, the property was one of the
8 developable parcels relied upon by the township in
9 its housing element and fair share plan to address
10 its affordable housing obligation. The applicant
11 has crafted its plan for the property carefully to
12 assist the town in implementing the fair share plan
13 and to comply with the township's rezoning of the
14 property for inclusionary residential development.

15 As the board may be aware,
16 Mr. McCanties (phonetic), the neighbor who shares
17 the driveway with Edgewood has retained counsel,
18 Beattie Padovano, to finalize and document our
19 agreement on the buffer between the parking area and
20 his property. The applicant had met with
21 Mr. McCanties directly prior to finalizing its plans
22 and has incorporated measures intended to address
23 the shared location. I received a letter on Friday
24 afternoon from Attorney Ira Weiner with Beattie
25 Padovano in which certain suggestions are made

1 regarding the plan. The applicant is reviewing the
2 suggestions and will be circling back to Mr. Weiner
3 and Mr. McCanties to continue the discussion.
4 Mr. Weiner asked that I report that he is reserving
5 all his rights on behalf of the client.

6 Without further ado, with me tonight
7 are Steven Santola of Woodmont Properties who will
8 be our first witness. I also have Daphne Galvin of
9 Partner Engineering and Science, project engineer
10 and planner. And then finally, Adam Alexander of
11 Spiezle Architectural Group, project landscape
12 architect.

13 So if it pleases the Chair, I'd like
14 to call Mr. Santola.

15 CHAIRMAN LIPPERT: Well, before we do
16 that, the board is in receipt of a letter dated
17 January 15, 2019, from Mr. Van Eck in which he makes
18 a variety of objections to the application. I'm
19 going to let him be heard now just solely on the
20 jurisdictional issues.

21 So Mr. Van Eck, if you want to come
22 up here.

23 And Mr. Wolfson, you'll have a chance
24 to respond to this.

25 MR. WOLFSON: Thank you.

1 MR. VAN ECK: Thank you. And again,
2 good evening.

3 MR. LEIBMAN: Mr. Van Eck, we have
4 here 14-page correspondence dated January 15th and
5 you raised some procedural issues there. Do you
6 have anything to add to what's in your
7 correspondence?

8 MR. VAN ECK: I mean, no. Generally,
9 what I've written is the position we have on some
10 preliminary matters. What I would like to do when
11 the time is appropriate is have my December 20th
12 letter and this January 15th letter admitted as
13 objectors exhibits.

14 MR. LEIBMAN: Okay. So both of these
15 letters are in the board's files and they are part
16 of the record of the proceedings at this time.
17 We've laid it out in, I think, detail there. So if
18 there's nothing you want to supplement the record
19 with, then your objections are duly noted.

20 MR. VAN ECK: There was, if I may,
21 one more issue and I do just want to have it placed
22 on the record. I was down at the town hall
23 reviewing the plans and there were two items that
24 were not made available to the public that were
25 referenced in both the application and Mr. Statile's

1 report, that being the traffic analysis and the
2 stormwater management report. So I do want to place
3 on the record an objection under 40:55D-10(b) which
4 says that all plans and records for approval must be
5 on file at least 10 days in advance and available to
6 the public. It sounds like the applicant's not
7 going to be addressing stormwater management or
8 traffic this evening; obviously, I would object if
9 they attempt to do that. Not having those records
10 on file does call into question some jurisdictional
11 issues. Obviously, we're all here and I'm not here
12 solely to delay and ask that this meeting be
13 adjourned, but I am reserving that as one of the
14 objections I have placed on the record.

15 MR. LEIBMAN: Okay. So we'll give
16 you an opportunity at the appropriate time if you so
17 desire to make a factual presentation in support of
18 what you've just said.

19 The application materials are
20 voluminous. They have been on file for more than 10
21 days in advance of the hearing. We conferred with
22 Mr. Statile today about that issue and he assured me
23 that they are, in fact, on file in borough hall. If
24 they were not produced to you or they were at the
25 bottom of a box of material that was produced to

1 you, I think I'd know that would be an effectual
2 dispute that we would have to flush out on the
3 record. It sounds like --

4 MR. VAN ECK: I mean, I am making
5 that representation as an officer of the court that
6 they were not provided to me and I did explicitly
7 ask for them both by name. I was advised they have
8 not yet been provided to this board and have not yet
9 been made available to the public, but again, I
10 assume we're not going to have testimony on that
11 this evening so that assuages some of my concerns.
12 I would object if there is going to be traffic or
13 stormwater testimony this evening.

14 MR. LEIBMAN: I don't think there's
15 going to be. In fact, I'm positive that there won't
16 be. And I do not want to be in a situation a year
17 half from now that you're standing up in front of a
18 judge and saying this process is going to have an
19 issue because you didn't get those documents when
20 you asked the clerk for them when you were there.
21 Are we clear?

22 MR. VAN ECK: Well, I am preserving
23 my objections. I mean, that's, you know, our right
24 as an objector. I am entitled to those records, it
25 was not given to me and I'm letting everyone be

1 aware of it.

2 MR. LEIBMAN: You've made your
3 representation as an officer of the court and I'm
4 going to confirm with the board secretary.

5 Are all of those items on file or no?

6 MS. HAAG: Yes, they are.

7 MR. LEIBMAN: Okay. Raise your hand
8 to be sworn.

9 (Witness sworn.)

10 MR. LEIBMAN: Are all of those items
11 on file at borough hall and have they been so since
12 the application was filed?

13 MS. HAAG: They are on file.

14 MR. LEIBMAN: Thank you, ma'am.
15 State your name, for the record, please.

16 MS. HAAG: Maria Haag.

17 MR. LEIBMAN: Thank you.

18 All right. We're going to proceed.

19 MR. VAN ECK: May I ask her a
20 question?

21 MR. LEIBMAN: Go right ahead.

22 MR. VAN ECK: Ms. Haag, do you recall
23 me appearing at town hall last Thursday?

24 MS. HAAG: Yes, I do.

25 MR. VAN ECK: And do you recall that

1 I was reviewing plans and documents?

2 MS. HAAG: Yes.

3 MR. VAN ECK: Do you recall that I
4 specifically asked for a copy of the traffic report
5 and the stormwater report?

6 MS. HAAG: You did ask. I told you
7 that wasn't given to the joint planning board yet,
8 but we do have it on file.

9 MR. VAN ECK: I'm certainly not --
10 that's -- I didn't want to public to attack
11 Ms. Haag. She's been nothing but cooperative with
12 me and polite with me and I have respect for her and
13 her position. I certainly didn't even want to come
14 here and name her as the person I spoke with, that's
15 why I just said they weren't available.

16 So, you know, she's doing the hard
17 work and doing her job, but I did ask for copies of
18 them and they were not provided.

19 MR. LEIBMAN: Just so everybody
20 understands, the items that were not shared with the
21 board members are engineering calculations regarding
22 stormwater calculations and other technical matters
23 that are going to be reviewed by the board's
24 professionals. Those items are all available for
25 inspection at borough hall by anybody who wants

1 them. Let's proceed with the application.

2 MR. VAN ECK: Thank you.

3 CHAIRMAN LIPPERT: All right. I'm
4 going to stop you right there. This is not a game
5 show, this is a proceeding as if you were in a
6 courtroom. We don't applaud, we don't boo, we don't
7 hiss. It's not a rally, it's a quasi-judicial
8 proceeding, so let's proceed accordingly.

9 MR. WOLFSON: Thank you,
10 Mr. Chairman. Mr. Chairman, you had invited Mr. Van
11 Eck to talk to jurisdictional matters. In my review
12 of his two extensive letters, the only
13 jurisdictional issue that I see is notice. And I
14 would just like for the record completeness, just to
15 address his objections relative to notice.

16 CHAIRMAN LIPPERT: Sure.

17 MR. WOLFSON: His objections as to
18 notice go to the fact that he identifies what he
19 says are additional points of relief that may be
20 necessary in connection with an approval of this
21 plan, and I just wanted, again, for the record to go
22 through the legal requirements as to notice so that
23 everyone's clear that there's no issue.

24 N.J.S.A. 40:55D-11 requires only that
25 notices, quote, "state the date, time and place of

1 the hearing, the nature of the matters to be
2 considered, and an identification of the property
3 proposed for development by street address, if any,
4 or by reference to lot and block numbers as shown on
5 the current tax duplicate in the municipal tax
6 assessor's office in the location and times at which
7 any map and documents from which approval is sought
8 are available," end quote.

9 To determine if notice provides a
10 sufficient, quote, "nature of matters to be
11 considered," end quote, New Jersey courts hold that
12 the, quote, "critical element has consistently been
13 found to be an accurate description of what the
14 property will be used for under the application,"
15 end quote. And that quote comes from Perlmart of
16 Lacey, Inc., the Lacey Township Planning Board, 295
17 N.J. Super 234, and that quote is at 238 and that is
18 an Appellate Division case of 1996.

19 The notice must describe the, quote,
20 "nature of the application in a common sense manner
21 such that the ordinary layperson could intelligently
22 determine whether to object or seek further
23 information," end quote. The importance and purpose
24 of the notice is to notify laymen and because,
25 quote, "few laymen have any idea of the difference

1 between a variance and other technical zoning
2 terms," end quote. The emphasis for notice is on,
3 quote, "accurately identifying the type of use or
4 activity proposed rather than the technical zoning
5 term for that use," end quote. And that's also
6 citing Pond Run Watershed Association v. Township of
7 Hamilton Zoning Board of Adjustment 397 N.J. Super
8 335 also an App. Div. case from 2008.

9 New Jersey courts have, quote,
10 "rejected contentions that the MLUL," the Municipal
11 Land Use Law, "required notice that specified all of
12 the particular variances required," end quote. That
13 comes from Shakoor Supermarkets, Inc v Old Bridge
14 Township Planning Board 420 N.J. Super 193, the
15 quote found at 202 also an App. Div. case from 2011.

16 See also Scerbo v Board of Adjustment
17 of City of Orange 121 N.J. Super 378, a law division
18 case from 1972. In that case, notice of an
19 application to construct a residential treatment
20 center was sufficient even if it did not state that
21 a special exception or variance was sought.

22 Going back to the Shakoor
23 Supermarkets case, Pearlmart -- it cites Pearlmart
24 stated that the notice should provide a, quote,
25 "common sense description of the nature of the

1 application such that the ordinary layperson could
2 understand its potential impact upon him or her."

3 See also Township of Stafford at 154
4 N.J. Super at 74. The notice need not be, quote,
5 "exhaustive to satisfy the standard." That's from
6 Pearlmart at 239. Indeed we rejected contentions
7 that the MLUL required notice that a conditional use
8 approval was sought and that specified all the
9 particulars -- and that specified all of the
10 particular variances required.

11 See also Scerbo, cited before. To
12 adequately inform, the notice must give, quote, "an
13 accurate description of what the property will be
14 used for under the application," end quote, rather
15 than rely upon references to technical zoning terms
16 for that use, Pearlmart at 238, 39, Pond Run
17 Watershed 355.

18 In re Hartz/Damascus Bakery, Inc. 404
19 N.J. Super 49 at page 62, active 2008 case, we
20 applied this, quote, "common sense standard" to
21 conclude that notice of, quote, "a continuous
22 production bakery," end quote, was sufficient to
23 permit an ordinary layman to make an informed
24 decision whether to participate.

25 Similarly in Scerbo at 121 N.J. Super

1 at 388, the description of the proposed use is a,
2 quote, "residential treatment center for drug
3 dependent persons," end quote, was sufficient even
4 though it did not state that a special exception or
5 variance was sought.

6 In each of these cases the proposed
7 use was described in terms that would permit an
8 ordinary layperson to understand how the property
9 would be used and would be sufficiently alerted to
10 the potential impact.

11 For those reasons, just again for the
12 record, notice is adequate and we reject the
13 objections that are made by Mr. Van Eck.

14 CHAIRMAN LIPPERT: So just so the
15 record is clear, you're satisfied that your notice
16 is adequate and you're ready to proceed
17 understanding the risks that that might entail?

18 MR. WOLFSON: We are.

19 CHAIRMAN LIPPERT: Good. Okay.
20 Let's go.

21 MR. WOLFSON: Thank you very much.
22 I'd like to call Steve Santola.

23 Mr. Santola is handing out a pamphlet
24 that we will explain, and we'd like to mark that as
25 Exhibit A-1.

1 CHAIRMAN LIPPERT: Are there any
2 copies available to the public?

3 MR. SANTOLA: I made one available to
4 Mr. Van Eck.

5 CHAIRMAN LIPPERT: Okay. Are there
6 any other ones we could circulate?

7 MR. SANTOLA: Yes.

8 UNIDENTIFIED SPEAKER: Steve, put
9 three out there.

10 (Witness sworn.)

11 MR. LEIBMAN: Please state your name,
12 spell your last name and give us your business
13 address for the record.

14 MR. SANTOLA: Good evening, my name
15 is Steven Santola, I'm executive vice president and
16 general counsel of Woodmont Properties. The last
17 name is spelled, S-A-N-T-O-L-A. Our address is 100
18 Passaic Avenue in Fairfield, New Jersey.

19 DIRECT EXAMINATION

20 BY MR. WOLFSON:

21 Q. Steve, do you want to just explain
22 your position with Woodmont and your experience?

23 A. Certainly. As I mentioned, I'm the
24 executive vice president and general counsel; as
25 such, I'm involved in most of the planning and

1 structuring of our residential and commercial
2 projects. For purposes of the record and to put
3 both the objectors and the board at ease, we
4 certainly will not proceed with any stormwater or
5 traffic this evening with the understanding that
6 there may have been some type of confusion with the
7 plan. I wasn't planning on testifying to either of
8 those things since we need special brains and
9 intelligence that I don't possess either one of.

10 So we handed out a book for all of
11 you that's a little bit about Woodmont as well as
12 the project that that we're proposing.

13 MR. WOLFSON: We're going to mark
14 that as A-1.

15 (A-1, Woodmont Pamphlet, was marked
16 for identification.)

17 MR. SANTOLA: On behalf of the
18 country club, I'd like to thank you as well for
19 making the time and this space available so that we
20 can proceed and everybody can be in the room and be
21 heard.

22 Woodmont is the selected developer of
23 the residential golf component and Woodmont has been
24 around since 1963. We were formed like many New
25 Jersey real estate companies as a single-family

1 tract home developer as well as light commercial and
2 office. Since that time, we have evolved
3 significantly and beginning in the '90s we started
4 to do multifamily communities both luxury townhomes
5 as well as apartments with the focus on downtown
6 redevelopment as well as what I'll call luxury empty
7 nester townhome communities. We typically do not
8 have what's called starter home communities, we
9 leave that for others.

10 So if you'll open the book to the
11 first couple pages, I'm just going to walk you
12 through this real quickly because I think it's
13 important that you understand who Woodmont is and
14 what our track record is. On the left-hand side
15 you'll just see a smattering of some of the
16 residential communities that we've done recently.

17 At the top and the middle you might
18 notice and recognize the Morristown Vail Mansion.
19 That used to be the town hall in Morristown.
20 Originally it was built back 1908 or '9 by Theodore
21 Vail, the first president of AT&T, he passed away
22 before he could live there. It subsequently fell
23 into the hands of the municipality. They used it as
24 town hall for decades. Ultimately, they determined
25 it was no longer viable for their various uses.

1 They created a redevelopment zone and we ended up
2 acquiring it and built a condominium with two wings
3 you see both on the left side and the right side was
4 built in 2008, 2009. So they didn't exist, but we,
5 obviously respecting the historical nature, we also
6 pulled up every limestone and brick in the park and
7 front, numbered them, cleaned them and put them all
8 back down as part of what we really consider
9 signature and very special redevelopment project
10 that we worked on.

11 The one just to the right of that,
12 the Red Bank mixed-use transit village, that's
13 exactly what we're proposing at the Edgewood County
14 Club. I'm kidding, of course, that was a community
15 that was built just a few years ago in Red Bank. It
16 was an architectural design and style that they
17 wanted to see from the west coast. We brought in a
18 west coast architect and moved forward with what we
19 consider to be a really unique transit-oriented
20 development.

21 I'm going to get to a little bit more
22 in depth with some of the townhome communities, but
23 as you can see, we were the developers of the Saddle
24 River Grand in Saddle River, as well as some other
25 townhome communities in Morristown.

1 On the right-hand side very quickly
2 we also have a commercial arm. We've built a number
3 of office buildings, hotels, as well as Woodmont
4 Industrial, which is heavily involved in the
5 burgeoning and really exploding industry of
6 warehouse distribution and that is in New Jersey and
7 Pennsylvania.

8 The great concentration of what we've
9 done over the years is in New Jersey, I'll call it
10 80 percent. We do have a presence in the Lehigh
11 Valley and also Rockland County and we just also
12 started a commercial division outside of Atlanta.

13 I ask you to turn to the next page.
14 As you can see, one of the two communities that
15 we've built, we'll use these because they are Bergen
16 County communities and we feel are similar to the
17 style and the texture of what we're proposing here
18 in River Vale, the Enclave at Montvale.

19 Interesting story about how this came
20 about, it's next to the old Toys-R-Us headquarters
21 and it went through a series of machinations over
22 time, but ultimately we developed and sold this
23 community I think to very, very high returns from
24 the neighbors and from the people who bought there.
25 I think they feel like they were, you know, they

1 live in a special place.

2 On the right-hand side you'll see
3 some interior, just to give you a sense, give you a
4 sense of the quality and what we're proposing here
5 and these will obviously be 2019/2020 townhomes.
6 That means vaulted ceilings, spacious master suites,
7 walk-in closets, stall showers, you know, any number
8 of bathrooms. And you can see all of those various
9 amenities here on the right-hand side.

10 If you turn the page one more time
11 the, Saddle River Grand is there. Most of these are
12 actual photos that's right in Saddle River right off
13 the parkway. These are 68 townhomes, a little
14 larger than what we're proposing here in River Vale,
15 but again, enormously successful. We sold out in
16 about seven months and the community was an enormous
17 success, I think both within Saddle River as well as
18 within the residents who live there now and who were
19 fortunate enough to buy there.

20 On the right-hand side are the
21 interiors, there's some interior photos. Again, you
22 see the level, the quality of the kitchens, the
23 highest end appliances and so on.

24 Turning the page again, I think most
25 of you probably know the story of the Edgewood

1 Country Club. It's been here for 70 or 80 years and
2 it fell on hard times, not unlike many other country
3 clubs and golf communities all over America,
4 particularly in the Northeast because they were --
5 so many of them were built over the years. So what
6 was a club of 27 holes that had upwards of 350, 375
7 members at one time had dropped down well below that
8 into the low 200s and they could no longer continue
9 to finance what was happening there.

10 I also tell the story, in fact it's
11 just sort of anecdotal that after we acquired the
12 club, we were trying to integrate their computer
13 systems with our accounting systems and we learned
14 that they hadn't upgraded their computer system
15 since 2018. So these were the kinds of costs that
16 were being cut that were really lowering quality of
17 what was going on at the club. And then frankly,
18 they had a bankruptcy petition ready to be filed as
19 different suitors were coming along and looking to
20 purchase the club.

21 As many of you also I suspect know
22 and it's been very public, a number of companies
23 were interested in buying the club and developing or
24 attempting to develop all 27 holes and shutting down
25 the club. This is not in any way unusual right here

1 in Bergen County. Apple Ridge closed and was
2 subsequently developed or is planning to be
3 developed with 80 large single-family homes as well
4 as 70 affordable homes. High Mountain Golf Club
5 also closed and that is scheduled for, I believe,
6 over 200 townhomes and 55 affordable units.

7 So we came up with the idea of, well,
8 what if we can create a golf community like you
9 might find in Hilton Head or Florida where there's
10 actual golf course living where you can walk for a
11 swim, you can walk to your golf, you can walk for
12 lunch and actually create a mixed-use environment
13 that involves, you know, food, beverage, spa. We
14 have a fitness center at the club as well as golf.
15 And what if we could create that in an environment
16 that doesn't make you move 3, 4, 500 miles away from
17 your children and your grandchildren or your friends
18 or your doctors and that you could do that and have
19 that lifestyle right here in New Jersey. And what
20 we found both in Montvale as well as Saddle River as
21 well as, you know, being involved in the industry
22 here in New Jersey, that there are many, many, many
23 empty nesters 55, 60, 65, 70 that don't necessary
24 want to move south, that want to be here and they're
25 being terribly underserved by the real estate

1 community and by the market.

2 So we thought, let's preserve 18
3 holes and develop only nine of the holes with this
4 golf course mixed-use resort lifestyle. And so,
5 that required some vision from the board at the
6 club, it required some vision from Woodmont, and it
7 required some vision from the municipality.

8 So working with the administration,
9 we were able to come up with a plan that didn't
10 originally look like this, it frankly originally had
11 a lot more homes on it, to really save the golf
12 course and develop something that would be a special
13 attribute and a special community not only here in
14 River Vale but in Bergen County and frankly all of
15 northern New Jersey.

16 So in order to do that, some of what
17 we had seen and was early sketched on were straight
18 line townhome communities that you might, you know,
19 find around the state that were built 10, 15,
20 20 years ago looking to maximize density and not
21 looking to maximize the amenity and the pleasurable
22 surroundings of the community. So we actually went
23 out of state and engaged a recreational planner,
24 that I'll call, in Colorado who designs communities
25 around lakes, ski mountains, golf courses, et

1 cetera, and we showed him the parcel that we were
2 looking at, where we thought the development might
3 work best, which nine holes we thought would work
4 best and then they come with a very imaginative
5 design that was an effort to maximize views, create
6 interesting streetscapes, and create an environment
7 that lends itself to really the higher end mixed-use
8 lifestyle that we were shooting for.

9 So that's how we ended up with what
10 you see on your page. There's two images here. One
11 on the left side shows the community amongst the
12 entire leftover remaining 18 holes as well as the
13 clubhouse and the pool so you can see how it all
14 kind of snaps together. And then the page on the
15 right-hand side is what I'll call a blowup of the
16 exact same community, but it brings it in a little
17 tighter so you can get a better feel for the streets
18 and the winding aspects of it and so on.

19 We did design the community and when
20 the ordinance first came down I'm sure many of the
21 board members here will remember that creating a
22 substantial buffer around the community, and if you
23 go visit Saddle River and the Saddle River Grand the
24 extensive buffer that's there, creating a buffer
25 here along Piermont is both important for the

1 community as well as, frankly, our future residents.

2 And so when the ordinance came back
3 from the planning board after its review, it had
4 five pages of landscaping additions with the point
5 system and the opaque buffering requirements and so
6 on which we carefully followed, excuse me, and we'll
7 have landscape architectural testimony that will
8 demonstrate how that buffer looks.

9 In fact, if you turn the page we
10 actually had some renderings done along Piermont
11 showing that buffer particularly in the area
12 furthest down Piermont where the maintenance is and
13 the affordable homes are. So you can see if you
14 follow along the photos, each of them are numbered
15 as you go down Piermont to try and demonstrate what
16 the buffer is going to look like and what our goals
17 are.

18 So I mentioned just a moment ago the
19 affordable housing and I think Mr. Wilson read into
20 the record after we started, this community as the
21 conversations evolved with the municipality, it
22 became apparent there was a significant affordable
23 housing need for River Vale as there is everywhere
24 in Bergen County and all around the state, the
25 municipalities are working feverishly to try and

1 figure out how to meet their affordable housing
2 needs. You don't have to do much more that weed
3 through any of the Bergen County newspapers to see
4 what's happening in the neighboring communities that
5 are trying to meet their affordable housing needs.
6 So we have attempted to be part of that solution as
7 well as there is an affordable housing building
8 here, and we're also participating in other aspects
9 of your affordable housing plan.

10 I'll note just briefly, and the
11 engineer is going to get into this, that the
12 density, forgetting the rest of the golf course but
13 just on the areas we are, there's a little over five
14 units per acre. That is a relatively low density
15 for townhomes. And across the street, in fact, at
16 Holiday Farms it's 11 units per acre.

17 So we think it fits nicely. It's a
18 nice, transitional use. It's located on two county
19 roads, at the intersection of two county roads, not
20 bringing any traffic on any of the local streets.

21 And as part of the project as well,
22 we'll be doing significant improvements to the
23 intersection at Piermont and River Vale. We will
24 have extensive traffic testimony that will go over
25 those improvements, the meetings that were had with

1 Bergen County and how they arrived at what we've
2 done. So I'm not providing any testimony on that,
3 I'm just sort of the laying the groundwork because I
4 want everybody in the room to know that's going to
5 be discussed extensively.

6 So the last two pages in the book are
7 some renderings of what we -- we wanted to show you
8 what we'll be using, the natural materials,
9 obviously the pitched roof, the gables, the dormers.
10 The first image that you see is actually, my
11 mistake, this is the quadplex building that you see
12 on your plan. This is not a townhome building, you
13 can tell it has the four garages. All the homes
14 are, again, with the effort to reach the empty
15 nester resident, all the homes are either equipped
16 with an elevator or master suites down, which we
17 found both to be equally popular. Particularly in
18 Saddle River, people do love the master suite on the
19 first level because it allows really one floor
20 living except for when, you know, you may have
21 visitors, your grandchildren come over then you can
22 use the bedrooms upstairs.

23 The second page is one of their
24 townhome buildings that you can see. We obviously
25 have created some side entries as well to create

1 some diversity amongst the facades. And again,
2 they're very, very spacious. I think it's been made
3 quite public that our goals here are to hopefully be
4 in the sales range of between 800,000 and 950,000 to
5 a million, depending on your views and so on.

6 So again, aiming for real high
7 quantity top of the market and the goal is that
8 many, many, many of our homeowners will then belong
9 to the club and that will property up the club
10 financially to make sure it is a growing concern for
11 years to come. And they'll be incentives, they'll
12 be, you know, existing members are already, you
13 know, wondering what's happening, but they'll also
14 be new members will be incentivized to join the
15 club. We'll be offering, you know, fitness
16 memberships and spa memberships and so on. So they
17 go hand-in-hand in creating a lifelong environment
18 that will help the club live, you know, hopefully
19 forever.

20 That concludes pretty much everything
21 that I had hoped to say. And I'd be very happy --
22 oh, by the way, one other point that I would make
23 that the municipality was insistent on, and this is
24 somewhat unusual, but given the -- how special we
25 think this site is and the community is, what we

1 agreed to is none of these townhomes will have more
2 than three bedrooms and the quadplexes will be
3 mostly two bedrooms.

4 So we -- you note on the plan there
5 isn't a playground, there's not a clubhouse, there's
6 not a pool. All of the amenities are being pushed
7 to the club and they're all being geared towards an
8 empty nester, a buyer, a resident who is looking to
9 sell a home in the general River Vale central
10 northern Bergen County area that wants to buy
11 something like this and live in a community like
12 this.

13 CHAIRMAN LIPPERT: Any more questions
14 for this witness?

15 MR. WOLFSON: None.

16 CHAIRMAN LIPPERT: All right. I'm
17 going to have Mr. Van Eck cross-examine him.

18 CROSS-EXAMINATION

19 BY MR. VAN ECK:

20 Q. Good evening, Mr. Santola.

21 A. Good evening.

22 Q. The first line of questions I have is
23 to try to get an understanding of the various
24 players that are involved in the ownership.

25 I understand you're here for Woodmont

1 Properties, correct?

2 A. That's correct.

3 Q. Is Woodmont going to be an owner of
4 -- I mean -- first question: Who is the owner of
5 the golf course lot?

6 A. The golf course lot is owned by
7 Mr. Eric Witmondts who is the CEO and the principal
8 at Woodmont properties and Bruce Shoenbaum
9 (phonetic).

10 Q. Are they going to be testifying, do
11 you know?

12 A. They will not be testifying.

13 Q. One of the questions I had was under
14 the amended A1 Zoning Ordinance, in order to have
15 the townhomes and the affordable housing, you have
16 to have an 18-hole golf course. You can't have one
17 without the other. Is that how you understand it?

18 A. I --

19 Q. If the ordinance allows. Is the
20 owner of the golf course property willing to have a
21 deed restriction filed so that no further
22 development can be done on the remaining 18-hole
23 course?

24 A. Well, that's a conversation that we
25 would have with the town. I think right now the

1 zoning doesn't permit it, so it would be a question
2 of is the town council prepared to made those
3 changes down the road. So I don't frankly think
4 it's necessary, but it's certainly a conversation
5 that we would have with the town.

6 Q. One of the concerns we have is that,
7 you know, obviously someone can come forward in five
8 years or 10 years and file a use variance
9 application and ask to develop those 18 holes.

10 A. They better have some very good
11 reasons to do that. As a land use attorney, I'm
12 sure you know that.

13 Q. True, it is a high burden to meet,
14 but you never say never.

15 MR. VAN ECK: Rivervale Holiday Farms
16 would request that this board impose a condition
17 bearing approval that the 18 holes remain preserved
18 as a golf course or open space so that it can't be
19 further developed. I think that's a reasonable
20 request.

21 BY MR VAN ECK:

22 Q. I want to go through -- well, also on
23 membership I believe you're creating a separate lot
24 for the affordable housing building, correct?

25 A. That's correct.

1 Q. Is there anyone who is in line to own
2 that property? Is that going to be the same owner
3 as the golf course?

4 A. No, that would be owned by Woodmont
5 Properties. We own -- currently we own, manage and
6 operate in 160 or 70 affordable homes around the
7 state. We certainly didn't want to burden the
8 Homeowner's Association with the townhomes -- the
9 Homeowner's Associates of the townhomes, say that
10 three times fast, with obligation to continue to
11 manage what is not easily managed in an affordable
12 housing community. So we would keep that
13 obligation.

14 Q. And then I assume the third lot, the
15 luxury townhome lot, is going to be eventually given
16 over to the Condominium Association?

17 A. Absolutely.

18 Q. I just want to confirm in the Exhibit
19 A-1 that you have provided, there are several
20 drawings, again, the last 4 or 5 pages. I just want
21 to confirm that you personally were not involved in
22 the layout of this. So if I have questions about
23 these specific drawings and details, that it's not
24 appropriate that I address them to you, that I
25 should address them to other witnesses?

1 A. No, I was involved in some of this.
2 I'm certainly not a planner, but we will provide
3 other testimony, so.

4 Q. But the actual images themselves were
5 not created by Woodmont Properties?

6 A. They were not. They were not.

7 MR. VAN ECK: I will save those
8 questions for those appropriate witnesses.

9 Those are all the questions I have
10 for this witness.

11 CHAIRMAN LIPPERT: Any member of the
12 public have any questions for this witness?

13 Any members of the board? Oh, sorry,
14 we have someone from the public.

15 If you want to ask a question, come
16 on up to the podium, state your name and address.

17 MR. TOWEY: Sure. James Towey,
18 T-O-W-E-Y, 539 Piermont Avenue in River Vale.

19 CHAIRMAN LIPPERT: Now remember,
20 questions, not statements.

21 MR. TOWEY: Questions, yes.

22 What is the expected or likely
23 increase in population as a result of this?

24 MR. SANTOLA: We have a demographic
25 study that will be presented by a professional

1 planner later on in the application.

2 CHAIRMAN LIPPERT: Yeah, I wouldn't
3 ask this witness that question.

4 MR. TOWEY: Okay. What is the
5 current population? In other words, what percent
6 increase is expected in the population in River
7 Vale?

8 CHAIRMAN LIPPERT: Well, again,
9 they're going to present a lot of testimony about
10 demographics. That's not an appropriate question
11 for this witness.

12 MR. TOWEY: Just a general estimate,
13 because we have --

14 CHAIRMAN LIPPERT: I understand that,
15 but you need the right person.

16 MR. TOWEY: -- we have high density
17 right now with Holiday Farms, you're adding another
18 high-density development across the street. Just
19 curious about what, you know, what increase in the
20 overall population in River Vale will result.

21 MR. LEIBMAN: Mr. Chairman, just give
22 me a moment.

23 There's an order to these proceedings
24 that if you don't live in this land use world,
25 people are unfamiliar with it. So let me just take

1 a moment to explain how it's going to go.

2 The witnesses are going to be
3 presented in whatever order the applicant's counsel
4 wants to present them. They're going to get asked
5 questions by objector's counsel, the board and
6 members of the public. Sometimes a witness will
7 offer some testimony that goes a little bit astray
8 maybe from their area of expertise or you may think
9 that witness has an answer to a question that you're
10 just burning to ask. It's important that you limit
11 your questions to the testimony that was offered.
12 You don't want to ask the engineer planning
13 questions. You don't want to ask the planner
14 engineering questions. You don't want to ask the
15 architect engineering questions and the engineer
16 architectural questions.

17 So the questions that you're asking
18 are really good questions and you will get answers
19 to them, we'll make sure that you do, but they're
20 really questions that there professional planner
21 should be the one to address.

22 MR. TOWEY: Okay. I came to this
23 meeting with three questions, the first two have
24 already been deferred to another date, don't know
25 when, don't know where, but they're referred to the

1 storm management issues and traffic, increase in
2 traffic along Piermont Avenue. I have grandchildren
3 I'm very concerned about, they all go to school.

4 MR. LEIBMAN: Okay. So now you're
5 making a statement and the time for statements is at
6 the end.

7 MR. TOWEY: Just as an ordinary
8 citizen, I don't know --

9 UNIDENTIFIED SPEAKER: Seriously.

10 CHAIRMAN LIPPERT: Just hold on.
11 This proceeding is going to have a lot of witnesses
12 and provide a lot of information. This was the
13 first witness, he presented some introductory
14 information and you want to race to the end and get
15 all the conclusions. We're just at the beginning.
16 You have to allow us to go through the process and
17 all of your questions will be answered. Undoubtably
18 there's going to be more hearings than tonight, and
19 so we'll go through the whole process and you'll get
20 to ask every witness whatever relevant questions you
21 have. That's all I can tell you.

22 MR. TOWEY: That would be great.

23 CHAIRMAN LIPPERT: Anyone else with
24 questions of this witness? Come on up.

25 MS. LASKIN: Hi, I'm Susan Laskin. I

1 reside in River Vale.

2 CHAIRMAN LIPPER: State your address,
3 please.

4 MS. LASKIN: 742 Beechcrest Drive.

5 MR. WOLFSON: Excuse me,
6 Mr. Chairman.

7 CHAIRMAN LIPPERT: Yes.

8 MR. WOLFSON: It would be helpful to
9 the court reporter if the people could spell their
10 last name.

11 MS. LASKIN: S-U-S-A-N, L-A-S-K-I-N,
12 742 Beechcrest, that's B-E-E-C-H-C-R-E-S-T, in River
13 Vale, with a capital V, New Jersey.

14 So I was very impressed by what
15 you've said. You articulate some very interesting
16 points regarding empty nesters who are going to want
17 to come and perhaps reside in this area. So my
18 question to you is, are you going to, as people who
19 are understanding of the needs of empty nesters,
20 ensure that the community will address the needs of
21 empty nesters by making sure that the units you're
22 selling are going to have master suites on the main
23 level?

24 MR. SANTOLA: The home buyer will
25 have the option of whether they want the maser suite

1 on the main level or they'll be at least probably
2 two models of each type, we will have architectural
3 testimony of that later, or they'll be an elevator
4 option which we found that in Saddle River there was
5 interesting -- there was also interest in that
6 because they didn't want to necessarily if you
7 entertain more, you might want to preserve more of
8 the first floor space, but they wanted the
9 convenience of the elevator up to --

10 MS. LASKIN: Yeah, most people didn't
11 purchase the elevators at Saddle River Grand, I just
12 think a few of them did, but most of them did have
13 master suites on the main level, because the concern
14 then is --

15 CHAIRMAN LIPPERT: Susan, Susan,
16 Susan, you're making statements, you're not asking
17 questions.

18 MS. LASKIN: So my question is if you
19 are addressing the needs of empty nesters, then are
20 most of these units -- I mean, you have
21 configurations for them yet?

22 MR. SANTOLA: Sure, we have
23 configurations and it's a very complicated
24 explanation, but there are foundation blocks that
25 can then be snapped together with different types of

1 units. The more master suites there are sought for
2 in the market, the more we will build. It's all
3 about delivering on what the home buyer would like.

4 MS. LASKIN: And how many square feet
5 are we to these units, approximately?

6 MR. SANTOLA: The units will vary
7 depending on, you know, the configurations. I think
8 they're anywhere between 29 and 3300, average
9 around.

10 MS. LASKIN: Are they going to have
11 fully excavated basements as well?

12 MR. SANTOLA: Again, we'll have
13 architectural testimony and I won't have to guess or
14 try to remember.

15 MS. LASKIN: All right. I think a
16 number of concerns are just that if empty nesters
17 were to move in, perhaps there would be fewer
18 children going into the schools. And if you're
19 addressing the needs of seniors who want to move
20 into River Vale and those of us who perhaps may want
21 to after a certain age move from a home to a
22 townhome, my question to you is are you actually
23 going to be addressing that need?

24 MR. SANTOLA: We will 100 percent be
25 addressing that need, and let me explain real

1 quickly already what you're seeing.

2 So first of all, as I mentioned
3 before, you'll be tagging each, excuse me, each home
4 at three bedrooms, something that, you know, most
5 townhomes this size want to be four bedrooms.

6 Like we indicated, they'll be
7 elevator options, they'll be master suite options.
8 We are adjacent to a golf course where the amenities
9 will be located. There's no playgrounds, there's no
10 outdoor pool, there's no clubhouse here. This is a
11 community designed to interact as much as possible
12 with the country club. So all of what we're doing
13 is pointing towards an empty nester buyer. It is
14 imperative that we meet that market because that's
15 where all of our eggs are.

16 MS. LASKIN: Okay. Thank you.

17 CHAIRMAN LIPPERT: Anyone else
18 questions for this witness, come on up.

19 MR. VEDRAL: My name is John Vedral,
20 V-E-D-R-A-L, and I live at 128 Terbell Parkway,
21 River Vale, New Jersey.

22 I just have a few questions. One is
23 if this, in fact, is going to be for empty nesters,
24 why is there more than one bedroom?

25 MR. SANTOLA: Well, I don't think in

1 today's market anybody is building a one-bedroom
2 home. I know some of them from Holiday Farms are
3 and I'm guessing most of those people wish they had
4 another bedroom.

5 So the goal here is to create, you
6 know, not to just stuff as many one bedrooms in as
7 we can, but to create a beautiful home. So the
8 second and third bedrooms aren't -- they may be
9 guest rooms, they may be dens, they may be fitness
10 rooms, they may be art studios, they may be home
11 offices. A lot of empty nesters are semiretired or
12 they start to work from home, they don't want to go
13 in Manhattan five days a week. So all of that space
14 is useable for many, many reasons.

15 MR. VEDRAL: Is this zoned for home
16 office?

17 CHAIRMAN LIPPERT: Home office?

18 MR. SANTOLA: When I say home office,
19 I don't mean a physician or a lawyer, I mean
20 somebody who does work at home.

21 MR. VEDRAL: Okay. So we have one
22 bedroom, apparently, and two or whatever it is. Is
23 there going to be age restrictions?

24 MR. SANTOLA: There is no planned age
25 restriction.

1 MR. VEDRAL: Okay. I understand that
2 this is the A1 zone, which I believe is -- requires
3 40,000 square feet per unit. Why are you not
4 building to that standard?

5 MR. SANTOLA: 40,000 square feet per
6 unit?

7 MR. VEDRAL: Yes.

8 MR. SANTOLA: That's a big home. You
9 mean lot? I'm sorry.

10 MR. VEDRAL: The lot.

11 MR. SANTOLA: Yeah, so this was a
12 specific ordinance designed to create a golf course
13 community. That is not part of the 40,000
14 square-foot lot.

15 MR. VEDRAL: I'm not allowed to
16 comment, but I know others where their lots are
17 vacant and they have a golf course, but I'm not
18 allowed to comment. Thank you.

19 CHAIRMAN LIPPERT: Thank you.

20 MR. SANTOLA: Thank you.

21 MS. WALDES: Good evening, Lorraine
22 W-A-L-D-E-S, 797 Westwood Avenue in River Vale.

23 MR. LEIBMAN: Tell me your name
24 again.

25 MS. WALDES: Lorraine,

1 L-O-R-R-A-I-N-E. Last name Waldes, W-A-L-D, as in
2 David, E-S, as in Sam.

3 MR. LEIBMAN: Thank you.

4 MS. WALDES: Where has the
5 presumption that this is going to be an empty, you
6 know, attract empty nesters come from, what research
7 or what demographics or how did you come up with
8 that without putting a 55 year old restriction on
9 it, that this is going to be empty nesters?

10 MR. SANTOLA: Well, I think it
11 started with what the buyer that we saw both at our
12 Montvale community as well as Saddle River, also in
13 the analyzing the market and who's buying townhomes
14 in Bergen County.

15 There's no question in the real
16 estate community, and I haven't been qualified as an
17 expert, but that where our aging population, myself
18 included, is going to reside next. And that empty
19 nester, and that's just a term, all it basically
20 means is somebody who is moving into their fifties
21 whose children are out of the house or moving out of
22 the house soon, where are they going to reside if
23 they don't want to shovel the snow, rake the leaves,
24 you know, deal with the basketball hoop falling off
25 the garage and that market is not being met, all of

1 our research shows that.

2 So given that we're on a golf course,
3 which by all accounts is played by more of an aging
4 population, unfortunately, it snaps together
5 beautifully with what we think is a huge hole in the
6 market, particularly in the northern part of the
7 state. Once you get down to, you know, Monroe and
8 the south, you see much more empty nester homes, but
9 lots of people here, yourself included, don't want
10 to move to Monroe. You want to live here where
11 you've lived the last 35 years of your life and
12 raised your children.

13 So we're a hundred percent confident,
14 and as I just mentioned to the last questioner,
15 we've designed that community, this community
16 specifically around that home buyer.

17 MS. WALDES: By not having
18 playgrounds and pools? I mean, I don't have a
19 playground and pool in my house and I'm not an empty
20 nester.

21 MR. SANTOLA: No, but I think I
22 mentioned, you know, the number of the bedrooms, the
23 master -- do you have an elevator? Do you have --

24 MS. WALDES: Do you not feel that
25 equally that the second or third bedroom could be

1 used to have children in the house?

2 MR. SANTOLA: They could certainly.

3 MS. WALDES: So there's no guarantee
4 that there's not going to be an influx of children?

5 MR. SANTOLA: There is no guarantee
6 that there won't be some families. In fact, I'm
7 pretty sure there will be some families. The bottom
8 line is that what you're targeting and what you're
9 marketing is what you're going to attract, and so
10 that is the goal. I can't sit here and, you know,
11 under oath and tell you that we're going to build
12 200 townhomes and no families are going to move in,
13 but we don't think we're building a very attractive
14 family-oriented community. You don't have your own
15 backyard, they will be, as you heard, relatively
16 expensive homes. So you can buy a home in River
17 Vale for that price and have your backyard and have
18 your basketball court and the more things that are
19 an indicia of family living. And the market
20 generally goes in that direction.

21 MS. WALDES: Will there be any
22 accommodations or any funds put to address the
23 influx of children into the school either by bussing
24 or accommodating them space-wise? I know, for
25 instance, the high school is pretty near -- I know

1 there's been some decline in the elementary schools,
2 but that could change at any moment. Part of your
3 demographic study, would that be about young parents
4 who are in this town with children?

5 MR. SANTOLA: There will be a
6 school-aged portion of that testimony, although as
7 I'm sure you're aware, the River Vale school-age
8 population like almost every community in New
9 Jersey, has been decreasing what I'll call
10 relatively significantly over time. So while I know
11 it's a good school system, whatever we're drawing
12 it, it may even be families that currently live here
13 that are just relocating, I think they'll be, you
14 know, the testimony will be there's more than enough
15 room to accommodate them.

16 MS. WALDES: I look forward to
17 hearing that study because I think as quickly as it
18 declines, you'll get an increase. So I think we
19 have to be looking forward to accommodate the
20 children.

21 MR. SANTOLA: I think the River Vale
22 school district has looked forward. If you go on
23 their website, they have a demographic study.

24 MS. WALDES: That was done five years
25 ago.

1 MR. SANTOLA: Right but, you know,
2 children are born when they're born and they tend to
3 go year by year. So I think every municipality is
4 looking at that and we're seeing that there's no
5 bubble that's coming any time soon. It's not in the
6 demographics of New Jersey, I'll represent that it's
7 not in the demographics of River Vale, and it's not
8 in the demographics of most of the United States
9 unless you're in a state where you're getting a lot
10 of influx like a Texas or North Carolina, but
11 they're not a population bubble.

12 MS. WALDES: Okay. Well, I look
13 forward to seeing that demographic study.

14 CHAIRMAN LIPPERT: Anyone else? Come
15 on up. Please state your name and address for the
16 record and please spell your last name.

17 MS. MUSKA: Sure. Stephanie Muska,
18 867 Rivervale Road in River Vale. The last name is,
19 M-U-S-K-A.

20 Okay. You were talking about other
21 properties that you developed, I believe it was
22 Saddle River and Montvale, and that they went over
23 well in communities. However, those towns are much
24 larger than River Vale. River Vale I think is about
25 one mile wide, four miles long.

1 Have you done any studies on the
2 impact of a huge development like this on a town the
3 size of ours?

4 MR. SANTOLA: Sure. I think we've
5 already testified that they'll be a demographic
6 study and we have a traffic study as well that will
7 be provided by the traffic engineer.

8 MS. MUSKA: Right, there will be, but
9 have you already done anything?

10 MR. SANTOLA: No, no, no, those are
11 done.

12 CHAIRMAN LIPPERT: You're going to
13 hear extensive testimony about demographics, but
14 this is -- excuse me -- this is just not the witness
15 who's presenting that testimony.

16 MS. MUSKA: But he did say earlier
17 that the communities were impacted well by the
18 addition of those developments, and that's what I
19 wanted to know.

20 MR. SANTOLA: No, I think what I said
21 was I said they were well received.

22 MS. MUSKA: They were well received.
23 Clearly, that doesn't seem to be the case here.
24 Okay. Well, then I suppose I'll be waiting for that
25 information to come out. Thank you.

1 MR. SANTOLA: Thank you.

2 CHAIRMAN LIPPERT: Anyone else with
3 questions, come on up.

4 MR. FRIEDHOFF: My name is Lawrence
5 Friedhoff. That's F-R-I-E-D-H-O-F-F, Lawrence with
6 a W. I live at 525 Rivervale Road in River Vale.

7 This development came about as a
8 result of the financial problems that the golf
9 course ran into over many years. And I'm just
10 wondering, and maybe this is a question just to be
11 put on the table, the real estate market in the
12 United States is starting to turn down now. This is
13 a big development, it's going to be very expensive
14 to build.

15 To what extent does the town or do we
16 get a guarantee that the project will actually be
17 completed and that it will, you know, what will
18 happen if the real estate market turns down like it
19 did in 2008 and we end up with a lot of vacant
20 units? Is any of that going to be addressed? Are
21 there any funds that are required? For example --

22 CHAIRMAN LIPPERT: Mr. Leibman will
23 answer your question.

24 MR. LEIBMAN: That's a good question.
25 So when a project like this, assuming this project

1 is approved, a condition of any approval is going to
2 be that the applicant enter into a developer's
3 agreement with the municipality and that
4 development's agreement will require substantial
5 bonding, because you never want to be in a situation
6 where public improvements are left unconstructed,
7 and this is something that River Vale does routinely
8 even on relatively small projects. So if someone is
9 going to build a cul-de-sac or a roadway or install
10 curbing, any public improvement is going to require
11 bonding including landscaping.

12 So if tree is installed and it dies,
13 then a bond would go then to replace that tree if
14 necessary, and those bonds exceed the cost of the
15 actual improvements by 20 percent to make sure that
16 there's adequate funding to do it. And the amount
17 of bonds are determined by the borough's engineer
18 and they are attached to the developer's agreement.
19 So that's how we make sure that the borough is
20 protected.

21 MR. FRIEDHOFF: Okay. Thank you.

22 CHAIRMAN LIPPERT: Anyone else?

23 MS. ABLOLAFIA: Hi, my name is
24 Barbara Ablolafia, A-B-L-O-L-A-F, as in Frank, I-A.
25 I live at 3 Chris Avenue in Hillsdale on the back of

1 the golf course, so our houses are off Baylor and we
2 see the back of your golf course.

3 So my question is, I haven't seen any
4 maps, where is the exit and the entrance to this
5 development or multiexits and entrances?

6 MR. SANTOLA: Right now the plan is
7 to substantially use the existing access point of a
8 club to River Vale. There is an access for the
9 maintenance building and the affordable homes out
10 onto Piermont.

11 MS. ABLOLAFIA: So both the entrance
12 and the exit will be on Piermont road?

13 MR. SANTOLA: No, on River Vale.

14 MS. ABLOLAFIA: Oh, River Vale. Has
15 there ever been or there will be a plan to have any
16 kind of access either walking or driving on Kent
17 Road in Hillsdale?

18 MR. SANTOLA: There is not.

19 MS. ABLOLAFIA: Okay, good.

20 MR. SANTOLA: I'm glad I could make
21 somebody happy.

22 MS. ABLOLAFIA: And are we able to
23 see maps that you're all looking at but none of us
24 can see back there?

25 MR. SANTOLA: Absolutely.

1 MS. ABLOLAFIA: Will you be giving
2 little copies out at the borough hall or something?

3 MR. SANTOLA: These images will be
4 available at borough hall once they're marked during
5 the pendency of the hearing, but we'll be hanging
6 around after tonight and you'll be welcome to come
7 up and look at whatever you need to look at.

8 MR. LEIBMAN: I'm sorry, but we were
9 just -- I was chatting with the Chairman off the
10 record, let me just put it on the record.

11 We were discussing putting the
12 exhibits in the electronic format on the borough
13 website so that anybody in the public could get
14 access to everything easily from the convenience of
15 their own home. So we'll follow up on that
16 conversation. The mayor suggested that we do that,
17 so we'll talk about that.

18 I'm sorry, sir, go ahead, tell us
19 your name and address.

20 MR. WOLF: My name is Bill Wolf, I
21 live at 600 Sunnyhill Terrace. I'm a recent
22 resident of the town who moved here about year, a
23 year ago.

24 If I may ask, you've mentioned that
25 there were financial issues with Edgewood and that

1 was the reason the plan was being submitted here.
2 Have there been restructuring efforts made for
3 membership or external outreach to members of the
4 community to increase membership, various prices --

5 MR. SANTOLA: That's an excellent
6 question, and I apologize, I did not have that
7 conversation. I did not mention that in my
8 conversation.

9 So a part of the conversation that
10 we've been having with the town is some significant
11 upgrades to the club. So I'm happy to report that
12 the club is very much on the upswing from a
13 membership point of view. We did establish some new
14 membership types, and the clubhouse has been
15 significantly renovated including the dining room
16 and the food and beverage facilities. The pool area
17 has been significantly upgraded and there's
18 additional upgrades that are planned as well.

19 So I'm going to say that and, you
20 know, I'm sure everybody in the room is going to
21 check me on this, everyone who is a member and who
22 has been a member for the past two years will verify
23 the improvements at the club and the significant
24 effort that the owners have made to increase
25 membership and improve the facility, and that will

1 only be further coming down the road as the
2 financial picture gets better and better.

3 MR. WOLF: So not to make a
4 statement, so they have chosen the membership
5 parameters to opening up to expand its membership
6 capabilities as a means to increase revenues for the
7 property?

8 MR. SANTOLA: Significantly.

9 MR. WOLF: Okay. Thank you. I
10 appreciate it.

11 CHAIRMAN LIPPERT: Any other
12 questions? Okay. Yes, sir.

13 MR. SICA: My name a Richard Sica.
14 It's spelled, S-I-C-A, and I live at 667 Handweg
15 Drive.

16 A couple of questions regarding the
17 affordable units. I'd like to know, those are your
18 rentals or condos?

19 MR. SANTOLA: Those will be rentals.

20 MR. SICA: And have you identified
21 the targeted median income for those residents?

22 MR. SANTOLA: Yes, we have, but
23 that's a state-run program. The UHAC regulations
24 establish -- I don't want to dive too deep on them
25 here, but there are COAH regions within the state

1 and each of those regions has established incomes
2 for both median and low. They vary depending on
3 what -- obviously what's happening in Salem County
4 isn't what's happening in Bergen County so --

5 MR. SICA: I think the area of median
6 income with Bergen is about 90,000 to 100,000 for a
7 family of four.

8 MR. SANTOLA: I have a chart, but
9 that's probably pretty close to right. And so, to
10 qualify for an affordable home, you have to be both
11 credit checked to make sure, a, that your credit is
12 decent and that you have income verification.

13 You also then have a criminal
14 background check in order to get clearance pursuant
15 to the UHAC rules. So to your point, the rents are
16 then pegged off of the median and low income.

17 MR. SICA: Pardon me. You answered
18 my question about the area of median income. How
19 would the tenant selection be there, has that been
20 established yet? How will the other units be
21 marketed and who will handle the rental?

22 MR. SANTOLA: Again, that is very
23 carefully dictated by a state by the Council on
24 Affordable housing and UHAC regulations. So the
25 goal is that who knows who doesn't necessarily

1 qualify first. The municipality is compelled to --
2 we're compelled to advertise regionally and then
3 there are submissions, then there's a lottery and
4 then you start to work down the list of qualified
5 people, and the first qualified people get first
6 choice and so on and so forth.

7 So it's a process every municipality
8 has to have an affordable housing administrator and
9 then we hire our own administrator who works
10 hand-in-hand with the town's administrator to assure
11 compliance. And the reason for that is that the
12 town has an affordable housing requirement that we
13 talked about earlier. And so, if any of those homes
14 get rented outside of those parameters, that home
15 doesn't count for the town's count. So then the
16 town's really mad at us and it doesn't -- and
17 they're mad at themselves. So we both have an
18 administrator that will work together to make sure
19 that we're capturing and following every rule to
20 keep all of those homes in compliance.

21 MR. SICA: Will any of the apartments
22 be set aside for River Vale residents?

23 MR. SANTOLA: That's illegal. I wish
24 it weren't, I think it would make more sense if it
25 weren't, but it's not. The reality is based on the

1 way the advertising works, you'll tend to get a fair
2 amount of River Vale residents there because the
3 advertising is going to be in the immediate area and
4 word of mouth works a lot better within the town
5 than it does three towns over, but you can't set
6 aside and limit River Vale, no.

7 MR. SICA: Thank you very much.

8 CHAIRMAN LIPPERT: Any other
9 questions?

10 MR. FUTTERMAN: Hi. Lisa Futterman,
11 36 Holiday Court, F-U-T-T-E-R-M-A-N, and Holiday
12 Farms is right there.

13 I'm not sure if the residents that
14 are here know that the properties that you talk
15 about that are well received one is 20 units, I
16 believe, and the other is 60 units.

17 MR. SANTOLA: No, the Montvale
18 community is 40 altogether, but the single-family
19 homes that were on the other side wanted
20 single-family homes. Back then it was originally
21 designed for much more than that and Saddle River is
22 68.

23 MS. FUTTERMAN: How did you come up
24 with 224 units?

25 MR. SANTOLA: Well, those are much

1 smaller lots. The properties are much smaller.

2 MS. FUTTERMAN: I understand, but
3 224 units on -- I mean, these units in Montvale are
4 like on a commercial -- it's like --

5 MR. SANTOLA: They're on a county
6 road, just like --

7 MS. FUTTERMAN: Yeah, but this is in
8 the middle of commerce and lots of bustling areas,
9 not smack in the --

10 MR. SANTOLA: Well, no, I have to
11 disagree with you there. I think both Montvale and
12 Saddle River back up to single-family homes in the
13 area.

14 MS. FUTTERMAN: How did you come up
15 with 224 units?

16 MR. SANTOLA: As I mentioned, the
17 numbers started north of that. We certainly feel
18 like five homes per acre is not a significant
19 density in the townhome community. We think this
20 plays out well. Obviously, you can see the
21 intricate road patterns. You can do a much more
22 efficient design that would create many more homes
23 on the site. And so, you know, the municipality
24 pushed back, they wanted the number lower and that's
25 where it went.

1 MS. FUTTERMAN: If you could describe
2 for us something. When you made your presentation
3 at Edgewater that Monday night, you kind of
4 confirmed that this was a done deal and we had a
5 meeting where it was said that it really wasn't a
6 done deal. Can you confirm if it is, in fact, a
7 done deal or not?

8 MR. SANTOLA: Well, certainly I
9 wouldn't -- and I'll challenge the fact that I said
10 it was a done deal. That wouldn't affect -- why in
11 the world, frankly, would I say that?

12 MS. FUTTERMAN: Was anybody here at
13 that meeting?

14 CHAIRMAN LIPPERT: Wait, wait, wait,
15 please. Ask the witness questions.

16 MR. SANTOLA: I'm certain there was a
17 number of things --

18 MS. FUTTERMAN: I did. I just did.

19 CHAIRMAN LIPPERT: No, you asked the
20 audience a question.

21 MR. SANTOLA: I think what you're --
22 and again, it was a long, long night with lots and
23 lots of questions, but I think where the
24 conversation may have come up was the zoning and not
25 the project. It's not a done deal. I've been doing

1 this for 25 years, I understand this process. The
2 zoning was passed and that was the conversation.

3 MS. FUTTERMAN: That really wasn't
4 the conversation, but okay, I'll take that for now.

5 MS. MARTINEZ: My name is Margaret
6 Martinez, M-A-R-T-I-N-E-Z, 50 Yardley Court in River
7 Vale.

8 The initial being made aware of this
9 project, like, it didn't come with a map. Then we
10 got the second one that came with a smaller version,
11 and then the certified letter all seemed to be
12 different.

13 I understand what kind of went around
14 the buffer that you're putting between the residents
15 and the affordable housing is just that, a buffer
16 between the residents and the affordable housing.
17 Can you answer me where the affordable housing
18 occupants will be exiting onto Piermont Avenue?

19 MR. SANTOLA: Yeah, the affordable --

20 MS. MARTINEZ: Directly in front of
21 the opening to Holiday Farms, correct?

22 MR. SANTOLA: At the Holiday Farm
23 driveway, yes.

24 MS. MARTINEZ: Right. So you think
25 that that's a wise thing to do when you have a high

1 school, a swim club and whole affordable housing
2 800 feet from there end to another school and this
3 town hall you could hit with a rock, and you're
4 equating Piermont road with Chestnut Ridge Road? I
5 don't understand how you get to the thought process
6 where that would be wise where you have children --
7 there's no curb. You have a high school track team
8 that runs down the street.

9 MR. LEIBMAN: Ma'am, ma'am, ma'am.
10 You need to ask --

11 MS. MARTINEZ: I'm just -- how could
12 you compare Piermont to Chestnut Ridge?

13 MR. SANTOLA: I'm not --

14 MS. MARTINEZ: You said -- yes, you
15 did. Yes, you did. And you also did say that it
16 was a done deal when we went to the meeting.

17 When are this issues going to be
18 clarified, you're pooling water in the back, which
19 --

20 CHAIRMAN LIPPERT: Let me please stop
21 you there. Could I please -- madame, madame, may I
22 stop you there?

23 MS. MARTINEZ: Sure.

24 CHAIRMAN LIPPERT: You're going to
25 have extensive testimony from engineers and traffic

1 experts.

2 MS. MARTINEZ: But when?

3 MR. SANTOLA: As soon -- if we can
4 get finished with this witness, we'll put another
5 one on.

6 MS. MARTINEZ: Respectfully when he
7 met with us, it was -- we were told it was a done
8 deal. Please don't disrespect me when you were not
9 there, thank you, for the record.

10 CHAIRMAN LIPPERT: Okay. Any other
11 questions? Good.

12 Let's move on to our next witness,
13 Mr. Wolfson.

14 MR. WOLFSON: Thank you very much.

15 MR. SANTOLA: Thank you very much.

16 CHAIRMAN LIPPERT: Oh, sorry.

17 Forgive me. Questions from members.

18 Any board members have any questions?

19 MR. ADAMO: So one of the statements
20 that you made when you were referring to five units
21 per acre, you made a statement about five units per
22 acre and you're referring to Lot B on the map, which
23 is the condominium townhouse property.

24 MR. SANTOLA: Correct, correct.

25 MR. ADAMO: So could you explain when

1 you mentioned that in the ordinance specifically the
2 332-2018, you mentioned that there would be a
3 conversation with the town regarding the fact that
4 it mentions in the ordinance about one lot and this
5 is broken out into three lots. You have the Lot A
6 is the golf course, Lot B is the townhomes and Lot C
7 is the affordable.

8 What did you mean when you said that
9 we would be understanding or the town would be
10 understanding reference to -- the ordinance it
11 mentions one lot and this is broke up into three
12 lots. Can you clarify that?

13 MR. SANTOLA: No, I think the -- I
14 think the ordinance, and I'd have to look through
15 it, but I'm almost positive that the ordinance
16 specifically says that the townhomes would be
17 located on their own lot. And the reason for that
18 is because in order for the Department of Community
19 Affairs, what's known as the DCA of New Jersey to
20 approve the HOA the Homeowner's Association the
21 budget, it needs to be in its own lot. So if it
22 were tied to the budget of the golf course, let's
23 say, and if there was a foreclosure at the golf
24 course, what would happen to these lots?

25 So it was always understood that the

1 townhomes would have to exist on their own lot to
2 get insurance, to get financing and to get DCA
3 approval. So that was -- and I'm pretty sure it
4 says the townhomes can be located on their own lot.
5 So that was really always the intent and I think the
6 early concept plans shared that.

7 Right. So Section 2A says that court
8 shall be held under separate ownership and
9 subdivided from the residential units provided
10 herein --

11 MR. ADAMO: Okay. Thank you for
12 that.

13 MR. SANTOLA: -- for the reasons that
14 I indicate. I mean, it's imperative that they
15 inspect it.

16 MR. ADAMO: Okay. So the concept is
17 is that the recreational facilities that are on the
18 golf course property lot are shared to the residents
19 of Lot B?

20 MR. SANTOLA: The concept is that
21 they would be members of a club. Now, whether or
22 not there's some free time that's provided to a
23 buyer, we haven't gotten there yet and what the DCA
24 is going to permit, but no, I don't mean to leave
25 this impression. Just because you buy a home,

1 doesn't mean you can be using the country club.

2 MR. ADAMO: So from a marketing
3 standpoint, Lot B is technically a stand-alone lot
4 then?

5 MR. SANTOLA: Correct.

6 MR. ADAMO: And residents of Lot B in
7 order to have any amenities, right, because there
8 are no amenities on the property?

9 MR. SANTOLA: Correct.

10 MR. ADAMO: Perhaps a few walking
11 paths that we've seen in our application, but
12 there's no amenity space for them. It's essentially
13 a single-family townhome permitted in the community
14 without any amenities. So is your thought that for
15 members to go from Lot A to, I'm sorry, from Lot B
16 to Lot A, they would walk? They would drive?

17 MR. SANTOLA: Take a golf court.

18 MR. ADAMO: Take a golf cart. Okay.
19 So in analyzing this, we should be thinking about
20 pedestrian/vehicular traffic between the two lots.

21 MR. SANTOLA: Certainly. And I think
22 we've tried to accommodate that, but that would be
23 the goal, like, dump for lunch, walk up. I mean,
24 it's obviously not that great a distance, but to
25 integrate the two in a safe pedestrian-friendly,

1 bicycle-friendly, golf-cart friendly environment.

2 MR. ADAMO: Thank you.

3 MAYOR JASIONOWSKI: Mr. Santola, a
4 couple of questions and if they're not for you,
5 please let me know because I want to make sure I
6 address them with the right folks.

7 I met with over a couple hundred
8 residents and I want to make sure that I represent
9 them accurately. So a lot of the questions are
10 going to be for your experts, especially around
11 traffic, location and density.

12 But a couple questions I want to ask
13 you. Was there any thought on the location of the
14 development and why the area, like, is there any
15 thought into pushing it back further into the golf
16 course?

17 MR. SANTOLA: We did analyze a number
18 of different locations based upon all of the
19 existing hub of the course, the pro shop, the
20 clubhouse, the existing parking, you know, there are
21 banquet facilities and so on, as well as the stream
22 that runs along the lower part of the course which
23 obviously creates difficulties. Plus, frankly, we
24 really wanted to try and preserve what I'll call, I
25 don't want to insult anybody who plays the course a

1 lot, but the better or the best 18 that we could.
2 And this area was flat, it was adjacent, it fed well
3 into the access and it didn't require any
4 significant relocation of the existing club
5 facility.

6 MAYOR JASIONOWSKI: Okay. As far as
7 the chosen locations for the entrances, would I be
8 better addressing that to you or to the traffic
9 expert and the planner?

10 MR. SANTOLA: You could try both.

11 MAYOR JASIONOWSKI: Okay. So let's
12 start with the, you know, the entrances. Why have
13 the entrance right across from the entrance to
14 Holiday Farms, you know, what's the negative of
15 moving it down further down the street or, you know,
16 having it if you're looking at your plan come in by
17 the edge of the parking lot, not being directly
18 across. I ask because I've had, you know, at least
19 over a hundred people request that, you know, it's a
20 bad intersection to date, okay, you know, why does
21 it need to be there?

22 MR. SANTOLA: Well, I'll let our
23 experts answer that. What I can tell you is that
24 everybody is going to tell you that it would line up
25 either with mac or with the drive aisle. To set it

1 in the middle is only going -- that's not good
2 traffic and engineering testimony. I mean, we did
3 look at various points, so you'll hear that from
4 them.

5 Not that it can't be relocated, but
6 the point being that we found that to be the most
7 effective and safest place for it, because if you
8 put it in between mac and the driveway, now you've
9 introduced a whole other term in an area where there
10 isn't.

11 MAYOR JASIONOWSKI: All right. So
12 I'll come back and revisit that with traffic experts
13 because I really want to spend a lot of time in that
14 one.

15 MR. SANTOLA: Yes.

16 MAYOR JASIONOWSKI: And then the last
17 question I have for you, because everything else is
18 for the experts, is I want to be clear: If someone
19 buys one of the townhouses, not the affordable
20 units, is it going to be mandatory to become a
21 member of the club in the facility or is that an
22 optional choice?

23 MR. SANTOLA: It will not be
24 mandatory, it will be incentivized. I don't think
25 -- we're still studying this. I don't think as a

1 matter of law we can make it mandatory, because
2 you'd have -- everyone would have to pay to the HOA
3 and then HOA would have to play the club and you'd
4 get involved with, well, if the club goes under or
5 whatever would happen. If the club wants a huge
6 capital assessment, can you pass that back to the
7 HOA as a surprise number. So the HOA budget is
8 approved as part of the condominium documents
9 initially and the state doesn't like the HOA be
10 paying money out to a third party provider that is
11 outside of the association's condominium control.
12 You follow me? So that would almost certainly be
13 illegal, but again, our goal and what we're trying
14 to figure out how to make sure it's done legally
15 would be to incentivize the membership whether it's
16 through some type of free period or discount or
17 something like that.

18 MAYOR JASIONOWSKI: Thank you, sir,
19 I'll come back with my other questions when your
20 experts come up.

21 MR. SANTOLA: Thank you. And I'll be
22 here, obviously.

23 CHAIRMAN LIPPERT: Any other board
24 members?

25 VICE-CHAIRMAN FORTSCH: Yes, sir. I

1 have a question about the golf component. Edgewood
2 will remain a private golf course, will it not?

3 MR. SANTOLA: It will.

4 VICE-CHAIRMAN FORTSCH: Now, my
5 experience with private golf courses, you need
6 someone to propose you, someone to second you.
7 Sometimes you need as many as five letters of
8 recommendation. Now, what happens if someone buys
9 one of these units with the intention of becoming a
10 member and they don't want that person?

11 MR. SANTOLA: Well, the club is no
12 longer run like the country clubs of the '80s and
13 the '90s. There's no membership committee. It's
14 privately owned. So it will be the decision of the
15 owners of who is a member and who's not a member.
16 So it will be predetermined based upon the purchase.
17 There's won't be any membership committee or
18 application fee or come to the cocktail party
19 necessarily as part of the process, as it is now, by
20 the way.

21 MR. FORTSCH: How many people are
22 playing the club if anybody can join?

23 MR. SANTOLA: Well, not anybody can
24 join, there's just not a membership committee in a
25 normal country club process that you're used to.

1 MR. FORTSCH: The other thing about,
2 you know, golfing, I've been around golf all my
3 life. So this is not the best part of the county
4 for golf, we do get winters. And I'm thinking that
5 this has a Florida feel to it and we're not in
6 Florida.

7 And the other thing that's going on
8 I'm real happy to say our golf course in River Vale
9 is doing very well, but many golf courses are
10 hurting. The, you know, millennials are not playing
11 as much golf. Golf is expensive, it's very time
12 consuming and it's hard. How many golfers do you
13 project in this?

14 MR. SANTOLA: Well, let me start out
15 by saying we agree with you. We've done three golf
16 communities already and we think that what you're
17 seeing, the natural attrition of the clubs is now
18 creating more mass for everybody else. You know, a
19 typical, I'm not qualified as an golf expert, but we
20 probably both know that a typical 18-hole golf
21 course wants to have like 250 full-time equivalence,
22 right, so that you have senior members, you have
23 Florida members, you have all these different type
24 of members and some of them combined to reach
25 full-time equivalence. So that would be the number

1 that we would want to be at as often as possible and
2 it's consistently possible to do that.

3 VICE-CHAIRMAN FORTSCH: Well, I know
4 when Apple Ridge closed it was a godsend to the
5 Tuxedo county club because their average age was 64.
6 And while that's young to me, it's not really young
7 for him. About 40 members went over from Apple
8 Ridge to Tuxedo and they're smiling at Tuxedo, and
9 that, I think gives, you an example of, you know,
10 golf sounds in trouble right now.

11 MR. SANTOLA: There's no question and
12 that is exact -- you're -- I think you're saying
13 exactly what I was trying to say, you're saying it
14 probably more articulately, that by offering
15 something that doesn't exist anywhere else while
16 some of these other clubs are closing maybe clubs
17 that don't have a history or don't have their
18 facilities or don't have such a good track, we're
19 going to have all of those things. And we're
20 certainly positioning ourselves to be one of the
21 last standers, one of winners.

22 VICE-CHAIRMAN FORTSCH: Okay. I
23 think you mentioned the club was 70 or 80 years old.
24 I believe the club was built in 1959.

25 MR. SANTOLA: '59, yeah, they may be

1 in the '50s at some point, yeah.

2 VICE-CHAIRMAN FORTSCH: That's closer
3 to 60 years than 70 or 80, so.

4 MR. SANTOLA: I apologize. I think
5 your point was that it has some history in the area
6 and it's had some generational membership.

7 COUNCILMAN BROMBERG: Not being a
8 golfer, that did partially answer one of the
9 questions that I had, but the other one was, I do
10 want to confirm that that area blue on all the maps
11 is not a pool, it is a pond-like natural body of
12 water?

13 MR. SANTOLA: Yes, you're going to
14 hear extensive testimony that is a newly created
15 retention pond that will be used to irrigate the
16 course. So it's much bigger than what a normal
17 detention pond would be required here so it would be
18 keeping more stormwater on-site than would otherwise
19 be required and the goal would then be to use that
20 gray water, in you will, to reirrigate the golf
21 course, so that saves on the taxing of your own
22 water resources in town, plus it puts the water back
23 into the ground and they'll be testimony on that.

24 COUNCILMAN BROMBERG: Thank you.

25 CHAIRMAN LIPPERT: Any other board

1 members?

2 MR. STATILE: Question for you, when
3 you purchased the property of course the total club,
4 looking at the application I will say what if you
5 had just followed the A1 standards the A1 zoning
6 standards, how many single-family homes, excluding
7 the environment areas, et cetera, do you think that
8 the site could accommodate if you erased the club
9 and you just started from scratch?

10 MR. SANTOLA: We did that analysis
11 and I apologize, I don't have it with me, but I'll
12 get it for you. It's a good question, though, and
13 the analysis was done by a lot of different people
14 when the club was started.

15 MR. ADAMO: Will you be bringing a
16 golf course designer as part of your presentation to
17 show what changes for the course are going to be
18 there to make it more successful for your club?

19 MR. SANTOLA: No, we hadn't planned
20 on bringing a golf-course designer. A lot of club
21 changes have already been made, the course changes
22 as far as traps and so on, they don't require site
23 plan approval. So I don't think that was part of
24 the anticipated testimony.

25 MR. ADAMO: So previously the

1 previous owner had come before for variances for the
2 zoning board because the driving range was
3 undersized.

4 So you've been talking tonight about
5 the fact that you have a 27-hole course and that you
6 need the make it more successful so you changed your
7 dues and membership, a residential component is
8 necessary to keep an 18-hole golf course thriving.

9 Would it be possible to receive testimony about the
10 viability of the new 18-hole course with an

11 undersized driving range? I can see based on the
12 map that some of the holes are being covered over by
13 the new development, so I'm assuming that some holes
14 have to be relaid out in order to keep it 18. And
15 since the viability of 225 units fixes the club
16 through surviving, how do we know that the club is
17 being retrofitted properly to survive?

18 MR. SANTOLA: Well, I don't know
19 precisely what happened with the driving range it's
20 fully operational and being used by everybody.

21 There are -- I can't reach, but apparently some
22 people can hit it over the net, so there's
23 restricted-flight balls and I think that's working
24 fine. To do a full size driving range you would
25 need, you know, land we don't have. And I think

1 we're working well with that neighbor and I think
2 the driving range is working.

3 We could certainly provide a little
4 testimony or certain testimony. We're not changing
5 -- I think maybe just one of the greens.

6 We're not relocating any of the
7 existing 18 holes?

8 So we're not relocating any of the
9 existing 18 holes. What you're seeing covering over
10 are the nine holes that is are being eliminated.

11 MR. ADAMO: So the current driving
12 range being short the compression-reduction balls in
13 that very tall net that you had to be put up, that's
14 not a problem for members?

15 MR. SANTOLA: I think everybody would
16 prefer a full-size range, but there's lots of clubs
17 that don't have any range at all, so we think it's
18 working fine. That's where our lessons are given,
19 that's where everybody can warm up. And I think
20 it's really only when to start with your drivers
21 that you're really, you know, hitting the net.

22 MR. ADAMO: Okay. Thank you.

23 MR. SANTOLA: And I've been out there
24 to the driving range, and I can't hit it over with a
25 driver.

1 CHAIRMAN LIPPERT: Any other board
2 members with questions?

3 All right. Seeing none, I guess it's
4 time for your next witness.

5 MR. VAN ECK: I have two follow up
6 questions that were raised, if I can ask?

7 CHAIRMAN LIPPERT: If you really
8 think it's essential.

9 MR. VAN ECK: Well, they are based on
10 additional testimony having to do with the ordinance
11 and the number of lots that are being created. You
12 indicated, and I do agree with you, it says that
13 there will be a separate golf course lot. Does the
14 ordinance call for a separate lot for the affordable
15 housing or does it even permit a separate lot --

16 UNIDENTIFIED SPEAKER: Talk into the
17 microphone, please.

18 MR. VAN ECK: Sure.

19 RE CROSS EXAMINATION

20 BY MR. VAN ECK:

21 Q. My question was, does the ordinance
22 call for or even permit a separate lot for the
23 affordable housing buildings? I did agree with the
24 testimony that it calls for a separate lot on a golf
25 course.

1 A. Well, now I folded up my notes. I
2 think -- let me look through it. I think it was
3 broader than that it said residential.

4 Q. It says, "The course shall be held
5 under separate ownership and subdivided from the
6 residential units provided for herein."

7 A. Right, the residential units provide
8 for herein. So the ordinance contemplates 24
9 affordable units as well. So I think the intent,
10 and that was part of the drafting, was that the
11 affordable using must be in their own lot. Whether
12 they were joined as one or two, I don't think was
13 permitted.

14 Q. So you're relying on the same
15 paragraph at this point, and certainly you can have
16 other experts testify?

17 A. Sure, absolutely.

18 Q. Was any consideration given to having
19 the affordable units located within the townhouse
20 community? The ordinance seems to call for a
21 separate building for affordable housing. Was there
22 any consideration given to having that included with
23 the overall residential development?

24 A. No, as I think I stated before, the
25 cost and the management of 24 affordable homes put

1 on a homeowner's association would be
2 extraordinarily expensive as well as run the risk
3 for the municipality to be more likely to lose
4 credits because it's not an easy thing to do, and it
5 requires folks that have a lot of experience to do
6 them. So leaving it behind with the HOA would be a
7 terrible mistake.

8 MR. VAN ECK: Thank you for indulging
9 me.

10 CHAIRMAN LIPPERT: Okay.

11 MR. SANTOLA: Thank you again.

12 MR. WOLFSON: Mr. Chairman, I would
13 call Daphne Galvin, our project engineer and
14 planner.

15 (Witness sworn.)

16 MR. LEIBMAN: Please state your name,
17 spell your last name and give us your business
18 address.

19 MS. GALVIN: Daphne Galvin,
20 G-A-L-V-I-N. Business address Partner Engineering
21 at 611 Industrial Way West in Eatontown, New Jersey.

22 DIRECT EXAMINATION

23 BY MR. WOLFSON:

24 Q. Daphne, for the benefit of the board
25 and the public and the record, could you please

1 provide a brief background on your educational and
2 professional experience and your licensures?

3 A. Sure. I have a bachelor of science
4 in civil engineering from Lafayette College. I also
5 have a graduate certificate from NJIT. I obtained
6 my engineering license, my professional engineering
7 license in New Jersey in 1989 and my professional
8 planner's license in 1990. I have almost 35 years
9 of experience in all aspects of site development
10 from due diligence and site feasibility through
11 design, permitting and construction on residential
12 commercial, and industrial projects, both private
13 and public clients.

14 I've been accepted as an expert
15 witness and provided testimony in front of dozens of
16 boards throughout New Jersey. In this general area
17 I've been in Rockleigh, Closter and a little further
18 south, East Rutherford, Jersey City, Hoboken and
19 dozens of towns below that.

20 MR. WOLFSON: We'd ask that she be
21 accepted as an expert in the areas of planning and
22 engineering.

23 CHAIRMAN LIPPERT: Any objections,
24 Mr. Van Eck?

25 MR. VAN ECK: No, I have no

1 objection.

2 CHAIRMAN LIPPERT: Okay. So you are
3 accepted, Ms. Galvin, as an expert in the field of
4 civil engineering.

5 MR. WOLFSON: And planning as well?

6 CHAIRMAN LIPPERT: She's a
7 professional planner as well?

8 MR. WOLFSON: Yes.

9 CHAIRMAN LIPPERT: Okay.

10 MR. WOLFSON: Thank you.

11 BY MR. WOLFSON:

12 Q. Can you lead us through the location
13 of the project, the surrounding properties and the
14 existing condition?

15 A. Sure.

16 CHAIRMAN LIPPERT: See if you can
17 turn the board a little bit so more of the members
18 of the audience can see it, if you don't mind.
19 Yeah, that's better.

20 A. Okay. The overall site is known as
21 the Edgewood County Club, it contains approximately
22 187 acres. 160.4 of those acres is located within
23 River Vale and the remaining 26.6 acres is located
24 in Hillsdale.

25 Although a part of the overall

1 property is located within Hillsdale, the proposed
2 project is completely within River Vale. There are
3 no improvements proposed within Hillsdale. The
4 River Vale lots are known as Lots 5 and 6 within
5 Block 1201, and the Hillsdale lots are known as Lots
6 26 and 31 and Block 2201 and Lot 1 in Block 2001.
7 The Holdrum Brook forms the town line between River
8 Vale and Hillsdale. The Rivervale Brook is located
9 in the northeasterly corner of the property and
10 there are several existing ponds scattered
11 throughout the site.

12 The site fronts on Piermont road and
13 Rivervale Road, both which are in the jurisdiction
14 of Bergen County. The overall site right now is
15 developed with the country club, which is inclusive
16 of a 27-hole golf course, clubhouse, pool and tents
17 facilities, along with parking, maintenance
18 facilities and other uses ancillary to the country
19 club.

20 The site is surrounded by residential
21 uses in both River Vale and Hillsdale and there's a
22 small portion of a Hillsdale school that abuts the
23 southwesterly corner of the property.

24 The existing main access to the site
25 is located along Rivervale Road between Piermont

1 road and Old Tappan Road. The golf course
2 maintenance access is currently provided along
3 Piermont between Mark Lane and Piermont Avenue
4 South.

5 The two streams that I mentioned, the
6 Holdrum Road and River Vale Brook, both have
7 associated flood hazard areas and wetlands and some
8 of the ponds within the tract also have wetland
9 areas. The limits of the area is regulated by the
10 state Flood Hazard Area Act and Wetlands Act were
11 approved by the state in late 2015.

12 BY MR. WOLFSON:

13 Q. So you're going to be referring to
14 the exhibit that's on the easel?

15 A. Yes, and that exhibit is actually
16 what was in the handout that Mr. Santola spoke of a
17 few minutes ago.

18 MR. WOLFSON: Okay. So we're up to
19 A-2. I'm going to mark this A-2.

20 CHAIRMAN LIPPERT: What are we
21 calling the next one?

22 MR. WOLFSON: I guess we can call it
23 aerial overlay, conceptual overlay.

24 (A-2, Aerial overlay, marked for
25 identification.)

1 MR. WOLFSON: You can take that up to
2 the stand if it's easier for you.

3 We're going to mark this A-3 and can
4 you describe that?

5 MS. GALVIN: Sure, A-3 is a blowup of
6 the development portion of A-2.

7 (A-3, Blowup of aerial overlay, was
8 marked for identification.)

9 BY MR. WOLFSON:

10 Q. Okay. You're giving the latest to
11 what is proposed at this point, right?

12 A. Yes. One of the items that came up
13 with Mr. Santola's discussion was the access point
14 for the project. On A-3, the existing driveway that
15 currently serves as the country club is going to be
16 expanded to allow for access to both the county club
17 and the proposed development, it's located on the
18 right side here. Rivervale Road is along the right
19 side of the page, along the bottom of the page is
20 Piermont road.

21 So again, that existing driveway that
22 serves as a country club will be expanded to allow
23 for access off to the right to the country club and
24 off to the left of the project itself, for the
25 townhouse project.

1 The access drive is boulevard setup
2 right now, I'm sure everybody's familiar with it,
3 that's going to be widened to accommodate the
4 additional traffic associated with the townhouse
5 development.

6 There's also an emergency access
7 proposed along Piermont. This location right here
8 that's where the existing maintenance road is right
9 now, that's going to be utilized or that was planned
10 to be utilized as an emergency access on Piermont.
11 We felt that it was an appropriate location for
12 emergency access to the site. We did receive some
13 comments from Miss Statile and through emergency
14 services in River Vale requesting that the emergency
15 access be shifted to the east and line up with Mark
16 Lane just slightly to the east to allow for access
17 at that point. Based on that configuration, there's
18 the potential if the borough was desirous of it to
19 allow for an egress also at that point, as opposed
20 to it being just limited to emergency access, it
21 could also be provided for egress from the site onto
22 Piermont road. And if this access is required by
23 the board, we would incorporate sidewalks from the
24 site out to that location for connection to the Mark
25 Lane recreational area and the township bike path.

1 The on-site roadway configuration,
2 all of the roadways are 24-foot wide and
3 curvilinear. They can accommodate the fire trucks
4 as we're shown on the submitted fire truck routing
5 plan. We've also proposed the mounting of curbs
6 throughout the site to also allow for emergency
7 access, better emergency access. Again, based on
8 some input from Mr. Statile and the emergency
9 services, we're going to make some minor
10 modifications to the alignment, including things
11 like the curb radii at the intersections, cutting
12 back the entry island slightly at the main entrance.
13 And other minor adjustments to the configuration
14 with Castleton Circle to allow for better emergency
15 access.

16 We did also discuss with Mr. Statile
17 potential for increasing the radii of the
18 cul-de-sacs that are proposed up in the northwest
19 corner, but agree that those cul-de-sacs are
20 currently in conformance with the Residential Site
21 Improvement Standards and we will not be enlarging
22 those.

23 Those based on the ordinance
24 amendment there's some residential design guidelines
25 in Section 142-224(a)4 Paragraph P, the proposed

1 layout is shown on the rendering provides golf
2 course views for the homes along the northerly and
3 westerly property lines of the townhouse development
4 area. There's also internal open space quarters to
5 the project that are interior to the site in this
6 area through here. And there's also neighborhood
7 clusters, again, consistent with the residential
8 design guidelines within the ordinance.

9 With respect to signage, again, in
10 the ordinance there's signage that is permitted as
11 an accessory to both the golf course itself and also
12 relative to the townhouse development.

13 With respect to the golf course, the
14 ordinance allows for one monument ID sign and also
15 directional signage throughout the area, all to be
16 approved by the planning board.

17 Currently there are wall signs along
18 the entrance wall at the main entrance on Rivervale
19 Road, those will be modified to allow for the
20 widening of that entrance drive. The signs
21 themselves will be very consistent with what the
22 existing signage is, so really it's just a
23 modification to those two signs, but that could be
24 technically considered two monument signs when only
25 one is permitted by the ordinance.

1 If a variance is determined to be
2 required, it's going to be -- we're requesting it
3 based upon to proposal again to just modify the
4 existing signs that are at the entrance.

5 Directional signs within the golf course area also
6 exist and will be modified as needed to accommodate
7 the development.

8 The other portion of the ordinance
9 allows for signage as an accessory use relative to
10 the residential use. It also permits one ID sign
11 and other directional signage as approved by the
12 board.

13 The project currently proposes two ID
14 signs. There's one sign at the entrance after you
15 come into the main entrance past the gate house
16 there's a monument sign at that location to direct
17 people to the left into the development. That sign
18 is 33-and-a-half feet long by 6 feet high. It also
19 has a decorative 14-foot high waterfall. Total sign
20 area is approximately 220 feet, square feet. There
21 is a detail for that sign on the plans.

22 The second monument sign is proposed
23 at the intersection of Piermont and River Vale, in
24 this area right here. That sign is 30 feet long, 5
25 feet high to match the fence that's proposed along

1 River Vale and Piermont. The total square footage
2 of that sign is approximately 150 square feet. We
3 believe a variance is also required on that sign
4 because it's the second sign when the ordinance only
5 allows for one sign.

6 With respect to parking for the
7 project, parking is provided throughout the site in
8 accordance with the Residential Site Improvement
9 Standards for the townhome and the quad buildings
10 which are spread throughout the main portion of that
11 area.

12 Parking is provide within the
13 garages, within the driveways, and perpendicular
14 parking spaces along the roadways. All of the units
15 have two-car garages and double-wide driveways.
16 Parallel parking along the roadways is prohibited;
17 so again, parking is limited to just garages,
18 driveways and perpendicular spaces that are proposed
19 along the roadway.

20 There are separate parking areas
21 dedicated to the affordable housing building and the
22 maintenance facility located in the southwest corner
23 off of Piermont road. As requested by Mr. Statile,
24 we'll be reviewing the distribution of some of the
25 parking spaces including the Area 3 parking spaces

1 to be sure we've got a consistent distribution
2 throughout the site.

3 With respect to the actual number of
4 parking spaces, we've calculated the requirement
5 based on the Residential Site Improvement Standards
6 for the townhome and the quad units which totalled
7 225 units. There's a total of 529 spaces required
8 including 113 visitor spaces. We're actually
9 proposing 787 parking plus an additional 149 visitor
10 spaces. The reason that the 787 spaces sound so
11 high is because we get credit for three and a half
12 parking spaces per unit due to the combination of
13 the two-car garage and the double-wide driveway. So
14 we inherently get a high credit for each of those
15 units just based on the driveway garage
16 configuration.

17 Let's see. Just to go over the
18 actual requirements through our Residential Site
19 Improvement Standards, the townhouse parking
20 requirements are based on the number of bedrooms.
21 For every one-bedroom unit, we need 1.8 parking
22 spaces, for every two-bedroom unit we need 2.3
23 parking spaces. Three-bedroom units require 2.4
24 parking spaces. So again, we're actually getting
25 credit for three-and-a-half parking spaces just

1 based the garage and the driveway configuration.

2 The quad units have a slightly
3 different requirement for parking. Again,
4 one-bedroom units in this case require 1.8 parking
5 spaces. Two-bedroom units require 2 parking spaces
6 per unit, and three-bedroom units require 2.1 spaces
7 per unit. Again, they have the driveway garage
8 combination also.

9 With respect to the affordable units
10 in the southwest corner, 48 parking spaces are
11 required for the 24 units there, that's the provided
12 in a service parking lot. We would agree based on a
13 comment from Mr. Statile to review the parking
14 configurations in that lot with respect to access
15 aisles for lining up the main entrance to the
16 building. We're going to modify the parking
17 striping a little bit to provide better access to
18 those front entrance doors.

19 With respect to the golf course which
20 also has a parking requirement, the ordinance
21 requires a total of 84 parking spaces in the
22 existing parking lot off of Rivervale Road. There's
23 approximately 156 parking spaces in the proposed
24 condition with the expansion of the parking lot.
25 There is a total of 349 spaces, so there's a net

1 increase of 193 spaces which is necessary to service
2 the golf course facility.

3 One of the comments that Mr. Statile
4 raised regarding parking relative to the townhouse
5 units and the quad units was the length of the
6 parking stalls. The Residential Site Improvement
7 Standards and the ordinance required that the stalls
8 be 18 feet long. Mr. Statile's comment in the
9 review letter requested that driveways that have
10 sidewalks directly behind them be increased in
11 length to accommodate potential space between the
12 face of the garage and the front of the car.

13 We feel that the 18-foot length is
14 adequate. Many units just based on the
15 configuration already exceed that requirement.
16 We're reluctant to push the units back further which
17 decreases rear-yard setbacks and reduces backyard
18 areas.

19 We do have a suggestion that the
20 board may want to consider that in the locations
21 where we've got sidewalks in front of the units
22 because we only have sidewalks on one side of the
23 roadways, in those locations we have proposed a
24 configuration such that there's a 2-foot landscaped
25 strip between the back of the curb and the front of

1 the sidewalk.

2 What we'd be able to do is shift the
3 sidewalk so that it's immediately adjacent to the
4 rear of the curb, thereby resulting in an additional
5 2-foot in length in the driveway which may satisfy
6 Mr. Statile's concern regarding the length of the
7 parking spaces within the driveways.

8 With respect to -- I want to go to
9 the zoning table. The zone table is on sheet 2 of
10 the site plans that the board has. I'm just going
11 to run through the standards at an A1 Zone quickly.
12 We're in compliance with most of the requirements.

13 The minimum tract area required for
14 the project is 150 acres. As I previously noted,
15 the overall site is 187 acres and 160 of those acres
16 are within River Vale.

17 There's a minimum lot width
18 requirement of 200 feet. We are providing 306
19 and-a-half feet for the minimum lot width. There's
20 a requirement for maximum number of market-rate
21 units. That maximum allowed by ordinance was 226
22 and we're proposing 225. We're got a series of
23 setbacks that the structures are supposed to meet.
24 The setback between the principal building and
25 public streets is a minimum of 50 feet. We've

1 actually got one building backing up onto Piermont
2 road that's at 51 feet, so we meet that requirement.

3 There's a requirement for the setback
4 of an accessory building to a public street, that
5 requirement is 25 feet. We actually have 76 feet
6 for the existing pump house over next to the
7 affordable building, the southwest corner.

8 There's a setback requirement for the
9 principal building which would be the residential
10 buildings to an internal street, that requirement is
11 22 feet along these driveways and that requirement
12 is based on an 18-foot-long driveway plus the
13 typical 4-foot sidewalk which we're willing to
14 increase based on Mr. Statile's comments.

15 Another one of the ordinance
16 requirements for dimensional minimums is the
17 distance from the front of the building to the front
18 of an adjoining building, generally across the
19 street. The minimum requirement for that is
20 supposed to be 50 feet and we have 75 feet.

21 Building dimension from side to side
22 of any building, the minimum allowed is 50 feet,
23 we're proposing 25. The minimum distance from the
24 front of one building to the side of another
25 building is 15 feet. We've got 71 feet for that

1 dimension. The minimum distance from the rear of
2 the building to the rear of another building is
3 30 feet and we're proposing 43 feet, and then the
4 minimum distance from the side of the building to
5 the rear of the building is required to be 20 feet
6 and we've got 33 feet.

7 I'll discuss briefly the maximum
8 building height, which will be further discussed by
9 the architect. The townhouses are maximum of
10 2-and-a-half stories and 45 feet high, we meet that
11 requirement. The affordable building is 3 stories
12 high at 50 feet, and we meet that requirement. And
13 the accessory building is allowed to be 1 story,
14 25 feet and I believe they'll be further discussion
15 about that with the architect regarding the
16 interpretation of the height of the accessory
17 building.

18 We already spoke about the parking
19 requirements. We meet the -- actually, we exceed
20 the town's requirement for the townhouse parking,
21 but that's because we're subject to the Residential
22 Site Improvement Standards for the parking anyway.

23 Also the parking required for the
24 golf course as I mentioned before based on the town
25 standard is only 84 space and we exceed that based

1 on a total of 349 spaces proposed.

2 Let's talk about the improvements to
3 sidewalk and fencing along River Vale and Piermont.
4 Right now the River Vale bike path extends southerly
5 along River Vale, across the project frontage and
6 then down Piermont in westerly direction and
7 continues to the recreation area at Mark Lane. That
8 walkway right now is a 7-foot concrete walkway.
9 It's a combination of concrete and asphalt and it's
10 shared by both bicycles and pedestrians.

11 To accommodate the widening of River
12 Vale and Piermont, which is required by the County,
13 the bike path will be reconstructed and beginning at
14 the northeasterly end of the project on Rivervale
15 Road and then continuing through the wider portion
16 of intersection and then headed west on Piermont
17 down to the existing connection at Mark Lane.

18 Beyond Mark Lane there's an existing
19 asphalt path that's about 3 to 4 feet wide and that
20 continues to a point approximately 150 feet past the
21 maintenance building. That walkway will be
22 maintained and will not be wide except in the areas
23 where we had to install the proposed driveway for
24 access to the maintenance buildings and the
25 affordable unit.

1 There is an existing postural fence
2 along Piermont in front of that path starting at
3 River Vale at the intersection of River Vale and
4 then heading west to the intersection at Mark Lane.
5 This will be eliminated where it conflicts with the
6 widening of Piermont in that section right there.

7 There's also an existing 6-foot chain
8 link fence along Piermont and River Vale behind the
9 path. That's going to be replaced with a decorative
10 aluminum fence and pier configuration, that's only 5
11 feet high. And that new fence will be extended all
12 the way down to the westerly end of Piermont at the
13 end of the maintenance building. So any chain link
14 fence in that area will be eliminated.

15 This fence and pier upgrade is also
16 parred with a required buffer treatment to provide a
17 year-round visual screen and separation from the
18 public streets. We think that the new fence is
19 aesthetically more pleasing than the existing chain
20 link fence, and it's also 1 foot lower than the
21 chain link fence; however, fences in the front yard
22 according to the ordinance are limited to 3 feet in
23 height. If a variance request is required, then
24 we're requesting same based on the fact that it's
25 lower than the existing fence and more ascetically

1 pleasing.

2 There was a request by Mr. Statile to
3 locate the fence behind the existing row of trees
4 along Piermont. We've tried to maintain most of
5 those trees along Piermont except where they
6 conflicted with the widening, but we think that
7 placing the fence and piers behind the trees
8 essentially hides the fencing piers, which we think
9 is actually pleasing from a visual standpoint.

10 Mr. Statile had also requested
11 installation of curb along the existing pavement on
12 Piermont. There's a long stretch in here where
13 there's no curb apparently.

14 Due to the proximity of those larger
15 trees, we feel that the disturbance associated with
16 installation of curb may compromise the health of
17 those trees. This will be discussed a little
18 further by the landscape architect.

19 In addition, based on our stormwater
20 management design, we're going to be actually
21 reducing the amount of runoff along the edge of
22 Piermont road so that the potential for erosion is
23 being reduced by redirecting some of that drainage.

24 There was some discussion earlier
25 about the golf course improvements, that the

1 existing -- that 18 of the existing holes will be
2 retained. One of the first parts of the design
3 layout that had to be addressed by the applicant was
4 how to deal with the golf course being immediately
5 adjacent to the residential area and they had to
6 determine the limits of what's known as the golf
7 course safety zone. So in the early staging of
8 design process they collaborated have with various
9 planners and golf course designers and designed a
10 golf course safety zone that's based on a 100-foot
11 radius around the adjacent tee, which would be over
12 here. That radius has been expanded out to 175 feet
13 as we work further down the fairway in an easterly
14 direction, and then that 175-foot dimension is also
15 provided with a radius around at the actual green.

16 So this determination of a golf
17 course safety zone was actually used to then set
18 that subdivision line to separate the remaining golf
19 course lot from the proposed development site.

20 In addition there's substantial
21 landscaping proposed on the development property to
22 further the separation or to improve the visual of
23 the separation between the golf course and the
24 residential development.

25 In addition to the golf course safety

1 zone that I just described, the National Association
2 of Forensic Engineers Journal included a paper
3 outlining other acceptable guidelines for the safety
4 planning for golf courses. The narrative figures
5 outlined in that process to determine the safety
6 envelope such as the adjacent residences are set
7 outside of the envelope. The recommendations for
8 the safety envelope begin at the back of the tee and
9 expand out at 18 degrees from the fairway as you
10 work your way up the fairway until they reach an
11 offset of 150 feet from the fairway centerline which
12 is less than 175 feet I mentioned at the previous
13 safety zone. That centerline also continues all the
14 way to the green where another 150-foot radius is
15 provided around the green itself.

16 So the golf course safety zone that I
17 first described and which utilizes the designed
18 subdivision line is more conservative than what was
19 recommended in the Association of Forensic
20 Engineers' Journal.

21 The golf safety zone is in accordance
22 with the ordinance and does not conflict with any
23 state or federal building codes. The applicant also
24 used this exact standard for the design of a luxury
25 apartment community in West Windsor, which is being

1 built next to an adjacent golf course approved
2 earlier this year by the West Windsor Planning
3 Board.

4 I mentioned earlier that the project
5 is subject to the Residential Site Improvement
6 Standards. The project is consistent with those
7 standards with one exception, the one exception
8 being that the RSIS standard requires providing
9 sidewalks on both sides of the interior streets
10 which is required when a development is within two
11 miles of a school. Mr. Statile indicates that this
12 is acceptable and that a de minimis exception under
13 RSIS can be issued.

14 The project proposes the sidewalks
15 there on just one side of the street plus an
16 internal walkway throughout the center of the site
17 that's approximately 2,000 feet long. In
18 Mr. Statile's comments, he had calculated that the
19 additional approximate length of sidewalk required
20 had to go put sidewalk on both sides of the street
21 at about 5400 lineal feet of sidewalk. This
22 resulted in increased impervious area, which was not
23 designed because of the increase in additional
24 stormwater runoff. So the applicant is respectfully
25 requesting that the exception be approved without

1 having to make a contribution in lieu of
2 constructing the additional sidewalk.

3 We also agree, based on Mr. Statile's
4 comments, to provide some minor adjustments to the
5 sidewalk alignment to provide smoother turns and
6 also to include the technical warning surface for
7 accessibility purposes.

8 MR. WOLFSON: Excuse me, Daphne,
9 excuse me.

10 Mr. Chairman, would it be okay if we
11 took a short break for our court reporter?

12 CHAIRMAN LIPPERT: Yeah, I was --
13 yeah, not just for her.

14 MR. WOLFSON: It might work for some
15 of the rest of us as well.

16 CHAIRMAN LIPPERT: I was thinking
17 about that, actually. That'd be fine.

18 Let's take 10 minutes.

19 MR. WOLFSON: Thank you,
20 Mr. Chairman.

21 (Break taken at 9:42 p.m. to 9:53
22 p.m.)

23 CHAIRMAN LIPPERT: All right. Thank
24 you. We want to recall the meeting to order.

25 Mr. Wolfson, I just want to ask you a

1 couple of procedural things. Do you intend to call
2 any more witnesses tonight?

3 MR. WOLFSON: We have our landscape
4 architect available depending on what the pleasure
5 of the board is.

6 CHAIRMAN LIPPERT: Yeah, we'll see
7 how it goes because I don't want to go past 11:00
8 tonight. I think I want to call an end at that
9 point. So let's see how we do with your engineer,
10 because I want to have time for the board member
11 questions and public questions of your engineer.
12 How much longer do you think you have on your
13 direct?

14 MR. WOLFSON: Not a lot. We're not
15 going to go into stormwater this time. We would
16 propose to do all the engineering testimony, have
17 cross tonight, and then bring her back for the
18 limited purpose of discussing stormwater.

19 CHAIRMAN LIPPERT: And at the next
20 meeting, can we anticipate that you'll have your
21 traffic experts and your planner and your architect?

22 MR. WOLFSON: I believe all of our
23 experts are available at the next meeting, yeah.

24 CHAIRMAN LIPPERT: Because members of
25 the public are asking.

1 MAYOR JASIONOWSKI: We'd like to be
2 able to put that up on the website.

3 MR. WOLFSON: I can confirm that to
4 the office tomorrow.

5 CHAIRMAN LIPPERT: Okay. So let's
6 continue with Ms. Galvin's testimony.

7 MR. LEIBMAN: You want to take a roll
8 call?

9 CHAIRMAN LIPPERT: Mr. Leibman always
10 keeps me on a straight-and-narrow path.

11 Let's take a role call.

12 (Roll is called and Members Adamo,
13 Beukas, Bromberg, Fortsch, Lippert, Lowe, Puccio,
14 Vaccaro, Wayne and Mayor Jasionowski are present.)

15 CHAIRMAN LIPPERT: Okay.

16 BY MR. WOLFSON:

17 Q. Go ahead, Daphne, please continue
18 with your testimony.

19 A. The next item that I wanted to
20 mention was relative to site distances along the
21 roadways. Based upon comments from Mr. Statile and
22 preliminary comments that we've already received
23 from Bergen County regarding the project, we're
24 going to add the site distance information at the
25 intersection for review by the County and

1 Mr. Statile. Those site lines near the widened
2 intersection will likely require modification to the
3 fence and the wall that's proposed through the
4 intersection and push those back a little bit to
5 keep them out of the site line at the intersection.
6 This will also be discussed by the traffic engineer
7 in more detail.

8 Another item we wanted to discuss is
9 the affordable -- the trash enclosure at the
10 affordable building off of Piermont road. The
11 proposed enclosure is going to be constructed of a
12 solid white line of fence as the applicant
13 constructs at most of their developments based on
14 it's appearance and it has easy maintenance. We
15 feel that the location relative to the access for
16 the residents appropriate.

17 As requested by Mr. Statile, we're
18 going to modify the configuration of the trash
19 enclosure to provide additional space adjacent to it
20 in the parking lot so it has better access to that
21 trash enclosure.

22 In addition we're going to add a
23 separate mandate to prevent residents from having to
24 open and close the large swing gates in the front of
25 the trash enclosure, so we'll work that into the

1 design also and we'll also beef up the landscaping
2 that's proposed to better screen the trash
3 enclosure.

4 Another comment that was raised by
5 Mr. Statile had to do with providing a level area
6 behind the outside rear of the units to accommodate
7 rescue ladders. A lot of the units already have
8 flat patios and are relatively flat in the rear
9 where it's grass. We're going to review other
10 locations to see if we can make some minor grading
11 adjustments to accommodate that request for the flat
12 areas.

13 It's noted that these units are all
14 two stories in height, these are not extremely high
15 buildings, but we will take a look at the request to
16 flatten out those areas.

17 This comment regarding the fence
18 along the adjoining property owner. I know that
19 applicant had met with the property owner regarding
20 the improvements along that area right there. We're
21 going to revise that fence that's currently shown as
22 chain link and make it a solid wood fence. There's
23 also existing vegetation in that area to help the
24 buffering, but we're going modify that fence to help
25 create an improvement buffer in that area.

1 A question came up from Mr. Statile
2 regarding the affordable housing units having direct
3 access to Piermont road which is directly across
4 from Piermont Avenue South. We've also -- we're
5 going to agree with Mr. Statile's comments about
6 modifying the sidewalk that's proposed around the
7 existing pump house within that area just to provide
8 adequate spacing to avoid some conflicts with the
9 electrical meters and other equipment there.

10 Let's see. The existing maintenance
11 facilities that are located in the northwest corner
12 of the site in this area here, they're going to be
13 removed to accommodate the development and then the
14 new maintenance facilities proposed in the southwest
15 corner which would share the access road with the
16 affordable housing building.

17 Also the intersection of River Vale
18 and Piermont, that's going to be widened based on input
19 that we've received from the County. We've already
20 met with the County and have submitted a formal
21 application to the County and we will be submitting
22 revised plans to them, detailed plans relative to
23 that intersection improvement. This will be
24 discussed in further detail by the traffic engineer.

25 I'm going to talk a little bit about

1 grading, the site grading. The goal of the proposed
2 site grading, there's a couple of goals that we keep
3 in mind, one is to maintain as much of the -- as
4 many of the existing trees as we can within the
5 development area. In particular we have the trees
6 along Piermont road that we're trying to save.

7 Another goal of the grading plan is
8 to try to balance the earthwork so that we can
9 minimize either the material being removed from the
10 site or the material coming into the site so that we
11 can minimize trucking material to and from the site.

12 Another goal of the drainage design
13 is to maintain existing drainage patterns of the
14 area. We don't like to redirect drainage. And also
15 just a general comment about the irrigation which
16 Mr. Santola mentioned earlier is that we tried to
17 grade the site to concentrate the flow of stormwater
18 to the proposed pond in the rear because that
19 proposed pond is also going to be used to provide
20 irrigation to the existing golf course. So that was
21 one of the goals to the proposed grading plan.

22 So with respect to the earthwork I
23 mentioned beforehand to try to minimize the material
24 coming into the site or off the site, we've got some
25 preliminary calculations that we performed and we

1 estimate somewhere around 6,000 cubic yards of
2 material would be required to come into the site to
3 get the site to balance.

4 We are going to be modifying the pond
5 based on comments from Mr. Statile. So we will
6 rerun those calculations and then provide those
7 updated earthwork calculations to Mr. Statile for
8 his review.

9 We're proposing soil erosion and
10 sediment control measures during construction and
11 that includes thing such as silt fence, inlet
12 protection, stabilized destruction entrances. The
13 project will require certification from the Bergen
14 County Soil Conservation District and also a New
15 Jersey stormwater general permit as part of that
16 process, and both of those will be obtained prior to
17 any site disturbance.

18 Just back to the grading. The
19 overall site is relatively flat, it's a golf course.
20 There's some very limited areas where there's some
21 isolated steep slopes that's mostly associated with
22 the construction of the golf course in the past, so
23 mostly manmade. Due to the fact that these are in
24 very limited areas, we're requesting a submission
25 waiver from submitting a steep slope analysis. We

1 just, we don't see any benefit to providing that
2 analysis for such limited areas that are impacted by
3 the steep slope environment.

4 And then Mr. Statile also requested
5 that we review the grading proposed for the
6 affordable building and the maintenance facilities
7 down in the southwest corner to generally bring
8 those areas down so that they're not elevated as
9 much off of Piermont road. So we've agreed we think
10 that's a good idea and we'll take a look at that and
11 try to get that to work and still accommodate the
12 drainage that we had to deal with in that area.

13 With respect to utilities, the
14 project will be serviced by Bradley Sewer System
15 that's out in Piermont road and will connect right
16 to the western end into the existing system.

17 Mr. Statile requested capacity
18 analysis of that existing sewer. He also wants to
19 have his office witness pressure testing of the new
20 system, and we agree to provide both the analysis
21 and to allow him or notify him going to the pressure
22 test. He's also requested that the existing country
23 club sanitary sewer be rerouted into the proposed
24 storm sewer related to the development because
25 there's been some issues in the past about grease

1 clogs on Rivervale Road. The applicants already
2 reviewed this issue with the facility staff at the
3 country club and would determine that one of the
4 kitchen sinks was not routed for the grease trap, so
5 that connection is going to be modified.

6 At this point, we are not proposing
7 to reroute the clubhouse discharge into the new
8 system. We think that the modifications internally
9 should satisfy the issues with the previous problems
10 with the grease trap.

11 Potable water is also proposed to the
12 site by SUEZ Water. We already have an application
13 for service pending with them and we expect comments
14 back shortly. We are going to upgrade the water
15 main and main lines that come into the site as
16 requested by Mr. Statile to a 10-inch line, so we'll
17 agree to that upgrade.

18 All the utilities, as typically
19 required, would be installed underground. The
20 hydrant locations have already been reviewed by the
21 fire department and they've asked for, within
22 Mr. Statile's letter, some modifications to the
23 location of hydrants and we will provide those.
24 We'll accommodate those requests.

25 To summarize, there were two

1 variances from the zoning ordinances; one regarding
2 the replacement fence along Rivervale and Piermont
3 roads. If the board does confirm that a fence is
4 required to allow for the 5-foot height in the front
5 yards where only 3 is allowed, we are requesting
6 that variance. We feel that the 5-foot decorative
7 fence is an improvement over the existing 6-foot
8 chain link fence and is also required as part of the
9 buffer treatment along the roadways. It's an
10 aesthetic improvement and it's a benefit to the
11 development and the surrounding community.

12 The second variances that I mentioned
13 earlier had to do with the signage and the fact that
14 the second monument sign associated with the golf
15 course as well as the second monument sign
16 associated with the residential development, a
17 variance is required because only one sign is
18 permitted for each use.

19 Due to the residential development
20 utilizing the main golf course access drive in lieu
21 of having its own dedicated entrance off of Piermont
22 and Rivervale, we think it's important that there be
23 two signs to identify the community itself; one out
24 of the intersection of Piermont and Rivervale and
25 one just as you come in the main entrance drive.

1 The golf course signs near the main
2 entrance along Rivervale, in that area right there
3 along the existing wall, those are just to be
4 modified to accommodate the fact that the walls are
5 being pushed back, so those signs are really just
6 being replaced from their existing condition.

7 There were also -- the one waiver
8 that we had requested relative to the steep slope
9 analysis, the limited areas of the steep slope are
10 mostly related to the manmade slopes at the time of
11 the golf course development, and we don't see any
12 benefit to performing that analysis so we're
13 requesting a waiver.

14 And then the last item was the di
15 minimis exception from the residential site
16 improvement standards regarding the provision of
17 only sidewalks on one side of the interior roadways
18 where the RSIS requires it on both side because of
19 the proximity to the school. We think the exception
20 is justified due to that inclusion of that secondary
21 walkway through the center of the site which is used
22 by all the residents and we don't think that the
23 additional lane of sidewalk along the roadways is
24 appropriate because of the result in the increase in
25 the stormwater runoff for the sidewalk.

1 Just a general comment regarding
2 Mr. Statile's letter, I think that I've addressed
3 the site engineering comments within the letter.
4 They'll be other testimony regarding some of his
5 other comments. The only thing I haven't mentioned
6 yet was the fact that his last comment provides a
7 list of required approvals from other regulatory
8 agencies; Soil Conservation District of the County,
9 DEP, et cetera, et cetera. And we agree, the
10 applicant agrees to obtain those approvals and
11 submit copies of them to the town.

12 CHAIRMAN LIPPERT: If I could, I want
13 to ask Mr. Statile, so there was a pretty long list
14 of items where it sounded like the applicant was
15 going to require the recommendations. There were
16 some items where it sounded like the applicant was
17 asking for waivers or were stating reasons why they
18 felt compliance with what you were requesting was
19 not required. You want to address those open items
20 now or you want to wait and hear the rest of the
21 testimony?

22 MR. STATILE: There's a number of
23 items that while the applicant's engineer talked
24 about them, she didn't agree with them. So going
25 over is fine, but we've had a couple meetings with

1 the applicant as well and their office and with the
2 County, we also brought the County in. We also
3 talked to the fire department. We also talked to
4 the police department as well.

5 So yeah, there were a number of items
6 that I believe there -- I've seen as failures in
7 other developments because I've done a lot of
8 reviews, and I think those need to be addressed. So
9 I can do that now if you want or holistically
10 perhaps or on a larger scale of things and we'd work
11 our way down. It's up to you, if you want to hear
12 from the audience --

13 CHAIRMAN LIPPERT: Well, no, so I
14 think if we don't need to -- I think maybe it's
15 better to hear everything first and then you can
16 give us your -- some guidance about what you think
17 or we ought to do about some of these open items.

18 MR. ADAMO: Mr. Chairman, would it be
19 acceptable to have the applicant respond to
20 Mr. Statile's letter so we could see a response per
21 item, because there did appear to be a number of
22 items that they disagreed with.

23 MR. LEIBMAN: It sounds like
24 Mr. Statile and the applicant's engineer have been
25 meeting, conferring, there is revisions that are

1 being considered and some revisions that are most
2 certainly being made, and I have no doubt we're
3 going to get a new set of plans that show some
4 revisions.

5 I think the idea of getting a regular
6 response to Mr. Statile's exceptionally-detailed
7 review letter, maybe, Mr. Statile, if you could send
8 it over in a word processing format so they could
9 respond on it in bold with their response to each of
10 your comments so that we could easily call out
11 things that are agreed to, things that are disagreed
12 to so that the board can decide on an item-by-item
13 basis with what it agrees. You can make a 501 if
14 you want, and then the board can make a decision
15 piece by piece on that.

16 But before we ask you any more
17 questions, I want to swear you in for the sake of
18 the record before you offer any extra testimony.

19 MR. STATILE: Sure.

20 (Witness sworn.)

21 MR. LEIBMAN: So you're sworn in for
22 the balance of the matter.

23 CHAIRMAN LIPPERT: So I think we'll
24 defer having Mr. Statile comment any further at this
25 point.

1 What I'd like to do is have any
2 members of the public who want to ask questions of
3 this witness on the civil engineering testimony.

4 MR. ADAMO: Mr. Chairman, I have a
5 question. I'm sorry to interrupt. Is there a
6 reason why you're deviating from our normal standard
7 of the board asking questions prior to opening up to
8 the public?

9 CHAIRMAN LIPPERT: Yes, because
10 there's so many people here who want to ask
11 questions and, members of the public, this meeting
12 is a little different than maybe what we've had.
13 And I think if we hear the concerns of the public in
14 their questions, it may inform some of the questions
15 that we're going to ask. So we'll have our chance
16 to ask questions.

17 Yes, sir.

18 MR. MILLER: My name is Elijah
19 Miller, I am a resident of River Vale. I have a
20 question.

21 CHAIRMAN LIPPERT: Could you just
22 spell your name for the record, please.

23 MR. MILLER: Elijah, E-L-I-J-A-H,
24 Miller, M-I-L-L-E-R.

25 MR. WOLFSON: Excuse me, your

1 address, sir.

2 MR. MILLER: 536 Rivervale Road in
3 River Vale.

4 I have a question, one, regarding
5 signage, why it's so big here and again at the
6 entrance of Rivervale Road? If you look at Holiday
7 Farms, it's a small sign. You want a large sign a
8 hundred feet --

9 MS. GALVIN: No, no, no. The sign
10 proposed at the intersection of Piermont and
11 Rivervale, I think it's 150 square feet --

12 MR. MITCHELL: That's still, that's
13 huge.

14 MR. WOLFSON: Can you please let her
15 finish and then you can ask other questions.

16 MR. MILLER: Well, no, I asked a
17 question. I asked why so large.

18 MR. WOLFSON: And she's trying to
19 answer you.

20 MR. MILLER: Okay.

21 MS. GALVIN: So the signage proposed,
22 it's 5 feet high and 30 feet long to identify the
23 project. It matches the fence that's being replaced
24 in that area which is also 5 feet high. There's a
25 detail for it on the plans if you want to see what

1 the sign actually looks like.

2 MR. MITCHELL: I know the size. Have
3 you seen the Holiday Farms sign?

4 MS. GALVIN: I've seen the sign.

5 MR. MITCHELL: It's nowhere near
6 that. River Vale is a small town. If you have a
7 sign here, you can't get in here. You have to go on
8 Rivervale Road and come in the entrance.

9 MS. GALVIN: Correct.

10 MR. MITCHELL: Edgewood County Club
11 sign, small adjacent sign, but a 30 by 5-foot sign
12 is huge, huge. And the question is, why do you have
13 to have such a large sign in regard to signage here,
14 people coming down Piermont Road and Rivervale road
15 at that point here?

16 MS. GALVIN: One of the concerns is
17 that because the project itself, the townhouse
18 development does not have a direct access onto
19 Rivervale, we want to make the location very obvious
20 for people that are coming down either Piermont or
21 coming from the other direction.

22 MR. MILLER: It's the other way
23 around. You don't have access from Piermont, but
24 you have access from Rivervale Road.

25 MS. GALVIN: Correct.

1 MR. MILLER: You just said it the
2 other way around.

3 MS. GALVIN: I'm sorry. I meant
4 direct access from Piermont. That's correct, there
5 is no direct access --

6 MR. MILLER: Right, and you cannot
7 get -- so why a sign at the corner right here that
8 is 30 feet by 5 feet at the intersection of Piermont
9 and Rivervale Road?

10 MS. GALVIN: We think that's
11 necessary to identify the location of the project.

12 MR. MILLER: And you're going to have
13 another sign here for the golf course which is small
14 and subdued for the country club as well as
15 community, and the only access is from Rivervale
16 Road at that point. And what I'm suggesting is that
17 you have something smaller, not unlike Holiday Farms
18 so that we have these huge poles now, which are an
19 eyesight at this point in time, at this corner and
20 you want to put a sign here. This is not a
21 commercial-type area with neon signs, that's what it
22 speaks of.

23 And the question I have with that is
24 why not just have the one sign at the entrance and
25 exit of Rivervale Road at that point? They're not

1 going to get lost going into here if they see the
2 sign, correct?

3 MS. GALVIN: Correct. So we will
4 reconsider the sign, the proposed signage.

5 MR. MITCHELL: There's only two ways
6 of getting in a two-way road, north and south here
7 on Rivervale Road. Did you consider an entrance
8 from Hillsdale?

9 MS. GALVIN: The stream separates the
10 --

11 MR. MITCHELL: Bridges.

12 MS. GALVIN: There are environmental
13 constraints relative to the stream. There's a flood
14 hazard area, there's wetlands constraints. So if
15 crossing --

16 MR. MITCHELL: But --

17 MR. WOLFSON: Excuse me, Mr. Miller,
18 she wants to answer your questions. Please let her
19 finish.

20 MR. MITCHELL: But she hasn't --

21 MR. WOLFSON: Please let her finish.

22 MR. MITCHELL: I will let her finish.
23 I haven't asked a question of you at this point in
24 time.

25 MR. WOLFSON: I'm not a witness.

1 MR. MITCHELL: I understand.

2 MR. WOLFSON: But she's trying to
3 answer your --

4 CHAIRMAN LIPPERT: Wait your turn.

5 MR. LEIBMAN: She's answering the
6 questions. Let's just slow it down a little bit so
7 the court reporter can capture it all and she's
8 going to answer your questions.

9 MS. GALVIN: I think it's highly
10 unlikely that, relative to the environmental
11 constrains, that we could even obtain a permit to
12 cross that area.

13 MR. MITCHELL: Have you tried to get
14 a permit?

15 MS. GALVIN: No.

16 MR. MITCHELL: Have you considered a
17 permit?

18 MS. GALVIN: No.

19 MR. MITCHELL: So you don't know?

20 MS. GALVIN: It's highly unlikely --

21 MR. MITCHELL: You don't know?

22 MS. GALVIN: That's correct.

23 MR. MITCHELL: Thank you. Those are
24 the two questions I have with regard to signage and
25 regard to access from Rivervale Road as opposed to

1 another side because of the traffic. I want to talk
2 to the traffic engineer later about the volume.

3 Thank you.

4 CHAIRMAN LIPPERT: Yes, ma'am.

5 MS. LAWRENCE: Mala, M-A-L-A,
6 Lawrence, L-A-W-R-E-N-C-E, 25 Holiday Court, River
7 Vale.

8 I'm going to have the benefit of
9 living right across from the affordable housing and
10 now I understand a trash dump. I'd like to know,
11 one, I thought that the height requirements were
12 35 feet, but I've now heard we're going to have the
13 50-foot affordable housing across the street. What
14 is the actual height requirement?

15 MR. LEIBMAN: Are you asking a
16 general zoning question?

17 MS. LAWRENCE: I'm asking a general
18 question. She said it's going to be 50 feet. I'm
19 asking is 50 -- the question is, is 50 feet within
20 the zoning requirements?

21 MR. WOLFSON: That's more probably
22 answered by our architect who will be available.

23 MS. LAWRENCE: Okay. All right. So
24 questions tabled to a later time.

25 MR. ADAMO: Mr. Chairman, I have a

1 question on that. She was sworn in as a planner as
2 well, and I think that the height of the structures
3 as we're hearing about roadways and planning of the
4 property, I think addressing where the heights are
5 coming from in the ordinance I think can be
6 addressed by our planner.

7 MR. LEIBMAN: If she's prepared to
8 answer that question or Mr. Statile is prepared to
9 answer the question. I think the height limitation
10 is 50 feet.

11 MR. STATILE: That's correct, it's
12 50 feet.

13 MS. LAWRENCE: Okay. So my next
14 question is --

15 MS. GALVIN: I just want to clarify,
16 the maximum height is 50 feet.

17 MS. LAWRENCE: Okay. Because when I
18 look it up it says 35 feet on our town website, just
19 so you know.

20 The next question is the buffers. I
21 know some of the buffers that you have on the other
22 developments are like block as opposed to black
23 aluminum fence. I think a block would be nicer to
24 block a trash dump that is going to be across the
25 street as opposed to a see-through fence with some

1 trees that you're trying to maintain and frankly, do
2 you really think you're going to be able to maintain
3 all of them with all of the construction that's
4 going on?

5 MS. GALVIN: The trash enclosure that
6 you're referring to is surrounded by a solid fence,
7 so it's not an open fence that you can see through.
8 Visually it's solid, you can't see through it.

9 MS. LAWRENCE: So we're going see a
10 white solid fence and then a black fence right in
11 front of -- from Piermont? The way it's positioned
12 here, you have it here, you have the black fence and
13 then you have the white down here.

14 MS. GALVIN: That's correct.

15 MS. LAWRENCE: So it's literally
16 right on Piermont?

17 MS. GALVIN: Well, it's about
18 50 feet. I can check the dimensions.

19 MS. LAWRENCE: Okay. So I'm just
20 registering a concern. You know, it's one thing to
21 have 225 homes and 34 affordable, but now we have
22 trash in front of us and a 50-foot eyesore building.

23 MR. LEIBMAN: Do you have a question?

24 MS. LAWRENCE: Do I have a question?
25 Yes, I'd just like to know, again, how this got

1 through. I'll rephrase somebody else's: How they
2 approved -- and it's not for her, it's in general --
3 225 homes and 34 homes without anybody really
4 knowing. We're here tonight because we all have
5 concerns, that's why people are here.

6 MR. LEIBMAN: Do you have a question
7 for this witness?

8 MS. LAWRENCE: All right. So my
9 other concern is --

10 UNIDENTIFIED SPEAKER: Hold on. The
11 question was what is the distance, so let's let her
12 answer the question.

13 MS. GALVIN: It's actually
14 approximately 48 feet. I just scaled it.

15 MS. LAWRENCE: Okay. So my other
16 question is there's one access or is there two
17 access? There's an affordable home access and is
18 that connected? Can people from the townhouses come
19 through?

20 MR. LEIBMAN: Okay. So this is how
21 it works.

22 MS. LAWRENCE: Well, it's a question.

23 MR. LEIBMAN: Stop, stop, please.
24 You ask a question, you wait for an answer. You ask
25 another question, you wait for another answer. You

1 don't shoot four questions in a row. You don't ask
2 what we call multiple questions. The witness has to
3 answer the question.

4 MS. LAWRENCE: So my first question
5 is, is the entrance to the affordable home connected
6 to the rest of the complex?

7 MS. GALVIN: No.

8 MS. LAWRENCE: So it's only for the
9 affordable home and the maintenance?

10 MS. GALVIN: That's correct.

11 MS. LAWRENCE: Okay. Thank you.

12 Okay. Second question, the buffer,
13 the trees, you said you were going to try to
14 maintain what could be maintained. When you -- are
15 you going to be put in additional trees as buffer?

16 MS. GALVIN: Yes, and that will be
17 testified to by the landscape architect.

18 MS. LAWRENCE: Okay. So we'll ask
19 the landscape architect more questions about the
20 aesthetics about those trees. Thank you.

21 MR. WOLFSON: Mr. Chairman, just to
22 go back because it is going quickly, the maximum
23 height for the affordable building is 50 feet and
24 3 stories.

25 CHAIRMAN LIPPERT: And that complies

1 with the ordinance.

2 MR. WOLFSON: Correct.

3 CHAIRMAN LIPPERT: Yes, sir.

4 MR. GARRISON: John Garrison, 521
5 Piermont Avenue, G-A-R-R-I-S-O-N.

6 A question, define the lots again?
7 This is going to be lot what, what designation, A,
8 on the subdivision?

9 MS. GALVIN: The subdivision
10 identifies that as Lot A.

11 MR. GARRISON: And this is going to
12 be --

13 MS. GALVIN: Lot B.

14 MR. GARRISON: B and --

15 MS. GALVIN: Lot C.

16 MR. GARRISON: Lot C, okay. Am I
17 right in assuming that Lot B is to a certain extent
18 landlocked?

19 MS. GALVIN: No, Lot B actually has
20 frontage along Piermont road and also along -- just
21 along Piermont road.

22 MR. GARRISON: But no access?

23 MS. GALVIN: No, only emergency
24 access.

25 MR. GARRISON: No access to the

1 residents?

2 MS. GALVIN: No access to the
3 residents right now.

4 MR. GARRISON: Do you need an
5 easement, then, through here?

6 MS. GALVIN: Yeah, they'll be
7 cross-access easements to satisfy both the golf
8 course facility as well as the residential
9 developments.

10 MR. GARRISON: In the document that's
11 going to be presented, I don't think it's in the
12 application.

13 MS. GALVIN: Probably because it
14 hasn't been prepared yet, but that would be
15 required.

16 MR. GARRISON: Was it missed?

17 MS. GALVIN: No, it wasn't missed,
18 it's just really, it's too early to process what
19 we're going to do with that.

20 MR. WOLFSON: Excuse me,
21 Mr. Chairman, I mean, those sort of easements, as
22 I'm sure the board realizes, are administerial in
23 nature and they would be a condition of any approval
24 that might be granted and they would be subject to
25 the review of the engineer and your attorney.

1 MR. LEIBMAN: That's correct.

2 MR. GARRISON: So the liability of
3 the town is not an issue? I mean, it's not a
4 serious issue?

5 CHAIRMAN LIPPERT: What liability are
6 you concerned with?

7 MR. GARRISON: Well, if somebody
8 decides to say, hey, you can't cross Lot A.

9 CHAIRMAN LIPPERT: They'll be
10 recorded easements there, sir.

11 MR. GARRISON: Aren't they normally
12 asked for along with the variances?

13 CHAIRMAN LIPPERT: No.

14 MR. GARRISON: Okay. That's one.

15 Next question, we've been throwing
16 around the different brooks Rivervale and Holdrum, I
17 don't know whether that's the correct nomenclature.
18 I believe the brook that comes down through here is
19 called Hillsdale and the Holdrum Brook comes from a
20 high school on the south side of Piermont Avenue,
21 that goes through here. Any clarification on that?
22 Anybody agree, disagree?

23 MR. WAYNE: As far as I know, Holdrum
24 Brook runs north and south along the property and
25 I've been in town for many years and it's always

1 been Holdrum Brook.

2 MR. GARRISON: Well, Holdrum Brook
3 actually is -- comes in front of the high school and
4 on the south side of Piermont Avenue. It's on
5 public documents.

6 MR. WAYNE: Well, on the tax maps in
7 River Vale it's Holdrum Brook.

8 MR. GARRISON: Well, what's the brook
9 that runs down here called?

10 CHAIRMAN LIPPERT: Sir, sir, we're
11 asking this witness questions. If she knows, she
12 knows.

13 Do you know the answer to the
14 question?

15 MS. GALVIN: My understanding is that
16 the brook that runs right through here which
17 separates River Vale from Hillsdale is known as the
18 Holdrum Brook, and I think that was verified with
19 our flood hazard area verification by the deed.
20 Maybe there's another name for it.

21 CHAIRMAN LIPPERT: Okay.

22 MR. GARRISON: I'm not going to
23 question Google, but Google doesn't call it that.

24 MR. STATILE: You have two Hillsdale
25 -- brooks in Hillsdale, east branch and west branch.

1 This is the Holdrum. This is the Holdrum.

2 MR. GARRISON: What's the brook then
3 that runs south of Piermont Avenue?

4 MR. STATILE: You mean from the high
5 school?

6 MR. GARRISON: From the high school.

7 MR. STATILE: That's the Hillsdale
8 Brook, that's why they call it east branch and west
9 branch.

10 MR. GARRISON: Okay. The next
11 question would be -- oh, I know, again, we haven't
12 talked about stormwater, but I understand the
13 impervious surface is going to be generated here and
14 I think according to documents, 21 acres?

15 MR. WOLFSON: We're going to defer an
16 answer to that, sir, because that gets into the area
17 of stormwater. So we're going to come back for
18 stormwater and we'll answer that at that time.

19 MR. GARRISON: Okay. You mentioned
20 soil removals or you bring -- is the general
21 consensus that part of this area being redeveloped
22 will need soil to be removed from the site?

23 MS. GALVIN: No, based on the current
24 calculations, it appears that we will need to bring
25 material into the site to get the grading plans to

1 work.

2 MR. GARRISON: Okay. That's it,
3 folks.

4 CHAIRMAN LIPPERT: Thank you. Anyone
5 else?

6 Yes, ma'am.

7 MS. ADAMO: My name is Kira
8 McKeown-Adamo, M-C-K-E-O-W-N, A-D-A-M-O. I live at
9 466 White Birch Drive in River Vale.

10 I'm going to start since we were just
11 talking about the brooks, but I can't want to see,
12 do you have any other maps or any other plans to
13 show where the actual waterways are on this for
14 today? Is there anything that the public can see?

15 MS. GALVIN: There's an actual --

16 MS. MCKEOWN-ADAMO: There's a site
17 plan? Because that wasn't passed around. I just,
18 if you don't mind, I wanted to take a look at this.

19 UNIDENTIFIED SPEAKER: Can you move
20 that to the other easel so we can see it?

21 MS. MCKEOWN-ADAMO: Okay. So I just
22 want to start with the brook. I'm concerned. I'd
23 just like the know what type of studies have been
24 done for those brooks? Because the fact that we're
25 having a conversation about different names of it

1 makes me concerned because there are designations
2 for any sort of brook in New Jersey.

3 MS. GALVIN: Correct.

4 MR. MCKEOWN-ADAMO: So what type of
5 studies has been going on?

6 MS. GALVIN: There was back in late
7 2015 the site received a flood hazard area
8 verification from the state Department of
9 Environmental Protection for the flood hazard area
10 associated with the Holdrum Brook and the Rivervale
11 Brook which is off on the northeast area of the
12 site.

13 MS. MCKEOWN-ADAMO: Okay. And have
14 the flood hazard maps been amended since then? I
15 believe the whole Region 2 has been amended or
16 they're being changed.

17 MS. GALVIN: I believe the
18 preliminary maps -- are you talking about FEMA maps?

19 MS. MCKEOWN-ADAMO: Yup.

20 MS. GALVIN: Okay. So the
21 preliminary FEMA maps I believe were issued prior to
22 2015 --

23 MS. MCKEOWN-ADAMO: That's true, but
24 haven't they --

25 CHAIRMAN LIPPERT: Don't cut her off.

1 You cut her off mid-sentence. Let her answer.

2 MS. GALVIN: I don't think that they
3 had been officially adopted yet to make it --

4 MR. STATILE: The FEMA maps are
5 probably two years out on the document, but they are
6 being used by the New Jersey DEP, though, currently.

7 MR. MCKEOWN-ADAMO: Which ones are
8 being used by New Jersey DEP?

9 MR. STATILE: The drafts federal maps
10 are being used by DEP; however they went out and
11 read the determinations by the DEP and they put in
12 that error because DEP knows they use the federal
13 maps.

14 MS. MCKEOWN-ADAMO: Who read the
15 determination?

16 MR. STATILE: The applicant.

17 MS. GALVIN: We did.

18 MS. MCKEOWN-ADAMO: But I thought the
19 flood hazard map was done in 2015. When did you get
20 the determination?

21 MS. GALVIN: We got -- the flood
22 hazard area verification was issued in late 2015,
23 November or December 2015.

24 MR. STATILE: And that's valid for
25 five years.

1 MS. MCKEOWN-ADAMO: Okay. So in
2 regards then with brooks to preparing rates, what
3 categories are those brooks?

4 MS. GALVIN: They're a Category 1 so
5 they have a 300-foot repairing buffer.

6 MS. MCKEOWN-ADAMO: Okay. So you
7 show the 300-foot buffer on that? I only see a 150
8 foot.

9 MS. GALVIN: There's 150-foot wetland
10 transition area which is what you're seeing here.

11 MS. MCKEOWN-ADAMO: Right, but the
12 brook is right there, so how are you not approaching
13 300 feet?

14 MS. GALVIN: We are not encroaching
15 on a repairing buffer, it's difficult to see on this
16 map, but the repairing buffer which is measured
17 300 feet from the top of the slope of the brook.

18 MS. MCKEOWN-ADAMO: So where is this
19 150? It just needs clarifying because that -- where
20 is 150-foot wetland buffer starting from?

21 MS. GALVIN: It's measured from the
22 wetlands line, it's all set from the wetlands line.

23 COURT REPORTER: Can you use the
24 microphone? I can't hear you.

25 MS. MCKEOWN-ADAMO: The 300 feet, the

1 repairing buffer is not clear on those drawings.

2 MS. GALVIN: So this is Sheet 5 of
3 the set where you can see both the lines. The
4 150-foot wetland transition area is measured from
5 the wetland line which is shown right here. The
6 300-foot repairing buffer is this line right here
7 and is measured 300 feet from the top of the bank of
8 the stream. So it's measured from a different point
9 in the wetlands transition area line.

10 MS. MCKEOWN-ADAMO: Okay. It's not
11 called out on the plan, so it's not clear.

12 Now, Edgewood Country Club someone
13 mentioned a prior variance that they actually
14 received regarding the driving range and I tend to
15 read the website and all of the resolutions and
16 apparently that there are trees on Rivervale Road,
17 and this a question -- there's a question in this.
18 There are trees on Rivervale Road and they were
19 supposed to be maintained. So how -- which there
20 are many of them that have fallen down and have not
21 been replanted.

22 So we heard in testimony tonight if a
23 tree died, it would be replanted. How are we
24 supposed to -- this might not be a question for you.
25 This is a landscape architect question, so I take it

1 back.

2 Okay. So how much chain link fence
3 is going to be used on the new site and will it be
4 in the public view? Because presently --

5 MR. LEIBMAN: That was a question.
6 Let her answer.

7 MS. MCKEOWN-ADAMO: Will chain link
8 fence be in the public view?

9 MS. GALVIN: Right now there's no
10 proposed chain link fence for the project, we're
11 actually removing chain link fence that's existing.
12 We're removing chain link fence along Piermont and
13 replacing that with the decorative aluminum and pier
14 fence starting right there.

15 MS. MCKEOWN-ADAMO: Okay. Because
16 they says chain link.

17 MR. WOLFSON: Take the mike with you.

18 MS. GALVIN: Sorry. The new fence
19 starts generally in the westerly end of the
20 maintenance facility and then will continue easterly
21 along Piermont road and we will remove the chain
22 link fence that's in that area.

23 MS. MCKEOWN-ADAMO: So the chain link
24 fence that existing here will remain on Piermont
25 road?

1 MS. GALVIN: Yes.

2 MS. MCKEOWN-ADAMO: Okay. Because
3 that's kind of in disrepair so I mean, it would be
4 nice if going forward -- I guess I can't make a
5 statement. Never mind.

6 MR. LEIBMAN: Well, we could say
7 would the applicant agree if this application is
8 approved to remove that chain link fence and install
9 decorative fencing.

10 MS. MCKEOWN-ADAMO: Yeah, my
11 question --

12 MR. LEIBMAN: I'm asking that
13 question.

14 MR. SANTOLA: I think that was an
15 issue raised by Mr. Statile.

16 MR. LEIBMAN: That was in
17 Mr. Statile's letter?

18 MR. SANTOLA: It's a permitting
19 issue, and so we'll respond to that in a letter.

20 MS. MCKEOWN-ADAMO: Is the letter
21 available for public view?

22 MR. LEIBMAN: It absolutely is.
23 We're going to take some steps to try and get all of
24 these items put on the borough website so that
25 everybody can see what's going on. Mr. Statile is

1 the borough engineer, for those of you who don't
2 know.

3 Raise your hand so they can see.

4 Mr. Statile issued an exhaustive
5 review letter analyzing this project. I think there
6 was over 70 individual items that he analyzed and
7 has required responses from the applicant. So a lot
8 of the questions the public has, the board has the
9 same questions and Mr. Statile had the same
10 questions. So we'll make sure that that gets up on
11 the website so everybody can see it and these
12 concerns can all be flushed out.

13 MS. MCKEOWN-ADAMO: My next question
14 is were there any -- some of this will maybe go into
15 stormwater. So if this goes too far into it, I'll
16 take it back.

17 We're there any soil tests done to
18 confirm the water table height?

19 MS. GALVIN: I believe that there was
20 some older geotechnical investigation performed, it
21 was not an exhaustive study relative to the
22 determination of the high water table.

23 MS. MCKEOWN-ADAMO: Because as you
24 know -- okay.

25 So would it be prudent that water

1 table heights be studied because there's a retention
2 pond over here and if we have a high water table
3 then you're going to be filling it up with water
4 from below.

5 MR. STATILE: I'll answer the
6 question for you. They have done some work over
7 that area, but we're also asked -- maybe its going
8 to be done again so we can --

9 MS. MCKEOWN-ADAMO: Correct.

10 MR. STATILE: You don't want the
11 water coming back from the groundwater stormwater
12 pond, so that's also requested in my prior report as
13 well.

14 MS. MCKEOWN-ADAMO: Thank you. And
15 then where -- this is a stormwater runoff question.
16 Okay.

17 Where will that be -- okay. Hold on.
18 So if it's used for irrigation, the stormwater
19 retention pond, is there any overflow that will go
20 into any other water body, any overflow?

21 MR. STATILE: Only for emergencies
22 should, you know, we have some usual storm.
23 Currently, my understanding of the drainage report
24 is everything is contained on-site.

25 MS. MCKEOWN-ADAMO: So there's no

1 culvert to the other brooks?

2 MR. STATILE: No.

3 MS. MCKEOWN-ADAMO: And then this
4 might be more stormwater-area question. So my
5 question is is that are there -- existing now we
6 have pretty much impervious -- we have impervious
7 area, that's what's existing there. This proposes
8 quite a bit of impervious area and would it be
9 correct to say that there will be more pollutants
10 because there is more impervious area and now will
11 be having vehicular traffic, garbage on the site?

12 MR. WOLFSON: Respectfully, that's a
13 stormwater question.

14 MS. MCKEOWN-ADAMO: Okay. That's
15 fine.

16 MR. STATILE: I think the applicant's
17 engineer can answer that question under the rules,
18 the state rules. Why don't you just answer that if
19 you understand it.

20 MS. GALVIN: The state's
21 stormwater-management regulations require that we
22 treat the stormwater runoff to meet their water
23 quality standard.

24 MS. MCKEOWN-ADAMO: In what way?

25 MS. GALVIN: There are different

1 approaches to addressing the water quality storm --
2 the water quality design. One of the approaches is
3 to use a pond that dilutes the runoff coming into
4 the basin.

5 MS. MCKEOWN-ADAMO: Is that pond
6 located on the plans?

7 MR. STATILE: It's all there.

8 MS. MCKEOWN-ADAMO: There's a
9 secondary pond for like a --

10 MR. STATILE: Read my report. My
11 report also goes into that as well. There's new
12 arrangement of that, yes.

13 MS. MCKEOWN-ADAMO: Okay. Because
14 it's not there. It's hard when you're the public
15 and you don't see it all and there are things that
16 aren't addressed at the time of the meeting.

17 MR. STATILE: It's a good question.
18 It's fine.

19 MS. MCKEOWN-ADAMO: Okay. So I'd
20 like to know what then, or may I ask if you know to
21 what extent will the water have pollutants in it to
22 now irrigate the property, will it be potable water,
23 essentially?

24 CHAIRMAN LIPPERT: These are all
25 stormwater questions. Why don't we have the direct

1 stormwater testimony first. I've asked folks to
2 limit themselves to five minutes, I've given you a
3 lot more than that. See if you can wrap it up.

4 MS. MCKEOWN-ADAMO: Okay. So which
5 areas are impacted by the steep slope requirements?

6 MS. GALVIN: There's some very
7 limited areas such as a sand trap as a steep edge of
8 the slope. There's some other areas in there also,
9 but in general the site is relatively flat.

10 MS. MCKEOWN-ADAMO: I was just asking
11 where they were, though. I mean, I didn't -- all
12 right. So you want to see on the topographic map?

13 MS. GALVIN: This is Sheet 14 of the
14 site plan set. There's a ditch in the rear where
15 the proposed maintenance facility is and there's
16 contour lines in here. Where the contour lines are
17 really close together, that's where there's a steep
18 slope.

19 MS. MCKEOWN-ADAMO: Okay. I missed
20 some of the testimony and I apologize, but is there
21 a variance needed for the sign that was referenced
22 before to have that size sign? I missed that part.
23 I apologize.

24 MS. GALVIN: There's not a variance
25 required for the size of the sign. The board can

1 approve the size of the sign, there's no maximum.
2 However, there's a variance required for the fact
3 that there are two proposed signs associated with
4 the residential development and only one is
5 permitted.

6 MS. MCKEOWN-ADAMO: Okay. That I
7 understand. And then on the lot over -- the small
8 lot, I don't know if it's Lot C where you were
9 proposing the solid fence. Is solid fence permitted
10 on Rivervale Road at that height?

11 MS. GALVIN: The limitation on the
12 fence height in the front yard is 3 feet.

13 MS. MCKEOWN-ADAMO: But the solid
14 fence, is that permitted?

15 MS. GALVIN: I don't believe that
16 there's a restriction on the fact that it's solid,
17 but I believe since it's located within the front
18 yard, there is a height limitation on it.

19 MS. MCKEOWN-ADAMO: Is that something
20 the board can answer?

21 CHAIRMAN LIPPERT: Yes. Chris, you
22 want to answer that?

23 MR. STATILE: Yes, it's required to
24 be open. There are picket fences open. The
25 ordinance wants it to be open. There's a

1 requirement to be 50 percent open, I believe.

2 MS. MCKEOWN-ADAMO: Okay. Because
3 the testimony was solid fence.

4 MS. GALVIN: Relative to the trash
5 enclosure.

6 MR. STATILE: Excuse me?

7 MS. GALVIN: The trash enclosure
8 fence.

9 MR. STATILE: Oh, the trash
10 enclosure.

11 MS. MCKEOWN-ADAMO: I wasn't
12 referencing the trash enclosure, it was the property
13 where the single-family house was. Before you had
14 said you were going to put solid fence by the
15 parking lot. Is that -- that's what I heard.

16 MS. GALVIN: The only location where
17 there's a solid fence proposed is around the trash
18 enclosure along Piermont road.

19 MS. MCKEOWN-ADAMO: All right. So
20 over by the single-family house with that small lot,
21 that's now being -- you served in the proposal or on
22 your proposed plan, there wasn't solid fence
23 buffering that parking lot to the single-family
24 house?

25 MS. GALVIN: Yup.

1 MS. MCKEOWN-ADAMO: The single-family
2 house here? I believe you said there was solid
3 fencing going around it.

4 MS. GALVIN: Yeah, originally we had
5 proposed chain link fence in that area, but the
6 applicant met with the property owner of the
7 residential house and requested a solid wood fence
8 in that area.

9 MS. MCKEOWN-ADAMO: Okay. But that
10 is on -- I believe I'm asking if that's on the main
11 road, would that require an additional variance?

12 MS. GALVIN: I don't believe it's
13 within the front yard which is where the variance
14 issue comes in. It's technically either a side or a
15 rear yard for that residential lot, so I don't
16 believe that a variance is required for it. We can
17 double check.

18 MR. STATILE: If it's behind the
19 front setback of the doorway, it's not --

20 MS. MCKEOWN-ADAMO: So if it's not on
21 Rivervale, it's not required?

22 MR. STATILE: It's actually
23 perpendicular to Rivervale.

24 MS. MCKEOWN-ADAMO: So that solid
25 fence would then lead into some sort of open fence

1 on Rivervale?

2 MR. STATILE: Yeah.

3 MS. MCKEOWN-ADAMO: All right. Thank
4 you.

5 CHAIRMAN LIPPERT: Thank you. Yes,
6 ma'am.

7 It's now 11:45 -- sorry 10:45. It
8 only feels like 11:45. We're going to stop in five
9 minutes because we have a few other things we have
10 to do.

11 MS. QUINN: My name is Lisa Quinn,
12 Q-U-I-N-N 7 Holiday Court, River Vale.

13 My first question is -- well, let's
14 stick with the water questions. When we had the
15 developer's meeting, they said they didn't take into
16 account across the street where we are where there's
17 terrible runoff. Is that going to -- all that
18 runoff is still within -- the streams connect. So
19 is that going to effect us?

20 MR. WOLFSON: Respectfully, I think
21 that's a stormwater question.

22 MS. QUINN: Okay. The other
23 question, the existing sidewalk on Piermont, during
24 construction is that going to remain because people
25 -- there are kids who, you know, who walk home from

1 school, people that live on Piermont Avenue that
2 cross the street to walk their dogs, like, does that
3 sidewalk remain during construction?

4 MS. GALVIN: Yes, portions of the
5 sidewalk are going to be replaced as part of the
6 project. I think that the applicant would agree to
7 minimizing the amount of time that the sidewalk is
8 not accessible due to the reconstruction of the
9 sidewalk, but a large portion of the sidewalk along
10 Piermont is going to be replaced.

11 MS. QUINN: Okay. And as far as the
12 affordable housing and their entrance, how does it
13 make sense to put it across from Holiday Farms when
14 we can hardly get out of our entrance as it is. It
15 takes a few minutes to make a left turn sometimes.

16 MS. GALVIN: That's going to be
17 addressed in detail by the traffic engineer, but as
18 a general comment, there's always a desire to line
19 up streets across from each other as opposed to
20 having offset intersections, but I'll let the
21 traffic engineer discuss that.

22 MS. QUINN: All right. Thank you.

23 CHAIRMAN LIPPERT: Okay. You'll be
24 our last questioner, sir.

25 MR. BIENER: Good evening, my name is

1 Alex Biener, B-I-E-N-E-R. I live at 512 Piermont
2 Avenue South just south of here.

3 My question is regards -- have you
4 had a chance to understand the traffic patterns in
5 the area as it relates to police reports?

6 MR. WOLFSON: That's the traffic
7 expert, he's going to appear later.

8 MR. BIENER: Okay. My question is in
9 regards to has there been any thought in your
10 planning of the area to put a traffic light -- it's
11 the same?

12 MR. WOLFSON: Same answer.

13 MR. BIENER: Okay. So my question
14 is, is this something that -- do you know was it
15 thought about, or was it something that is a new
16 question to you?

17 MS. GALVIN: It's not a new question,
18 but it will be discussed in detail by the traffic
19 engineer.

20 MR. BIENER: Okay. Thank you very
21 much.

22 Well, I would just add that I would
23 hope that you have a chance to review police records
24 to understand there was a fatality within a short
25 distance of that area so that future traffic

1 projections will need to be taken into account.

2 CHAIRMAN LIPPERT: I'm sure they will
3 be. Thank you very much.

4 So, Mr. Leibman, what are we going to
5 do in terms of housekeeping and continuing the
6 hearing?

7 MR. LEIBMAN: All right. So we need
8 to pick a date for a continued hearing and I've had
9 some communications with the board secretary and we
10 need to pick a location that's big enough to do it.
11 And at the last meeting when we rescheduled for this
12 location, we didn't know we were going to cancel two
13 basketball games for students in this room, but we
14 did and here we are, but we don't want to do that
15 again.

16 So the plan is to convene
17 February 28th at the community center.

18 UNIDENTIFIED SPEAKER: I'm sorry,
19 could you say that again?

20 MR. LEIBMAN: February 28th at the
21 community center. I don't know the address of the
22 community center.

23 UNIDENTIFIED SPEAKER: Will that
24 location be able to accommodate any number of
25 people?

1 MAYOR JASIONOWSKI: It can
2 accommodate more than were here tonight.

3 UNIDENTIFIED SPEAKER: Thank you.

4 CHAIRMAN LIPPERT: What is that, 620
5 Rivervale Road?

6 MR. LEIBMAN: So this meeting is
7 going to be adjourned to February 28th, 2019, at 620
8 Rivervale Road to commence at 7:30. There will be
9 no further notice, you will not get anything in the
10 mail, it will not be published in the newspaper.
11 This is your notice. The applicant had reserved
12 consents to waive time between now and that time for
13 the purposes of calculating time under --

14 MR. WOLFSON: I just have a question
15 first. Is there any availability on your regularly
16 scheduled meeting?

17 MR. LEIBMAN: That's a good question.
18 When is our next regularly scheduled
19 meeting?

20 MS. HAAG: February 20th.

21 MR. LEIBMAN: February 20th. Do we
22 have any applications?

23 MS. HAAG: We have one that's
24 pending.

25 MR. STATILE: That application will

1 be ready to go for public hearing.

2 MR. LEIBMAN: I couldn't understand
3 him.

4 MS. HAAG: We have one application.

5 MR. STATILE: It's complete. I think
6 it's a fence application, I can't remember what it
7 was. It was one application, but it can be heard by
8 the board. I don't have it with me tonight.

9 MS. HAAG: In addition to setbacks.

10 MR. LEIBMAN: Okay. So do we know if
11 the community center is available on the 20th?

12 MS. HAAG: I would have to check
13 that. I have it booked for the 28th.

14 MR. LEIBMAN: We have to announce the
15 date now. So my suggestion is that we go with the
16 28th, conduct our regular business on the regular
17 meeting night, and as we discussed informally, some
18 of us, my recommendation is that we schedule one
19 special session per month on this application until
20 it's concluded, and if we have regular meetings that
21 have light agendas, then we should hear the
22 application on those nights also.

23 I just don't want to be in the
24 position that we tell you yes, come on the 20th, 120
25 people show up and we have to cancel the meeting.

1 That's just terribly unfair.

2 So I think the board will accommodate
3 you as quickly as we can and if we're able to, we
4 may be able to schedule more than be one special
5 meeting per month also, that may not be difficult to
6 do, but let's start with the 28th and Marie and I
7 will communicate by e-mail and we'll communicate
8 with counsel and we'll try and start to line up some
9 more date and maybe we can schedule two dates in
10 March to try to accelerate that process.

11 MR. WOLFSON: So we appreciate that.
12 Towards that end, if we could just check on the
13 availability of the community center for your
14 regularly scheduled March meeting.

15 MR. LEIBMAN: Tentatively we started
16 looking ahead to March just so everybody knows and I
17 think it was March 28th.

18 MS. HAAG: I have February 28th and
19 March 28th.

20 MR. WOLFSON: But we're now going to
21 check on the 20th, which is your regularly scheduled
22 March date as well?

23 MS. HAAG: We have a meeting
24 scheduled February 20th and March 20th for regular
25 meetings.

1 MR. WOLFSON: Right, so the request
2 is is that you just check on the availability of the
3 community center for the March 20th.

4 MR. LEIBMAN: Yeah, if it's available
5 and we don't have to have another special meeting,
6 let's do that and try to get two meetings in one.

7 All right. So for clarity of the
8 record, the community center I'm told is 628
9 Rivervale Road, it's behind the fire house, which I
10 drive past when I got to work every day and I think
11 is says 620 Rivervale Road. Everybody know where
12 the community center is? That's where the meeting
13 is going to be.

14 MAYOR JASIONOWSKI: We'll make sure
15 the correct address and directions are on the
16 website.

17 MR. VAN ECK: I won't object if you
18 misstate the wrong number.

19 MR. LEIBMAN: I've tried that case.

20 MR. VAN ECK: I have two logistical
21 questions. Was the applicant going to provide a
22 copy of the transcript to the board? I didn't know
23 if --

24 MR. WOLFSON: I don't know if it will
25 be before the next meeting.

1 MR. VAN ECK: And were there going to
2 be revised plans submitted at this point? I didn't
3 know if I heard it through testimony.

4 MR. WOLFSON: We don't expect to
5 before the next meeting.

6 MR. VAN ECK: Thank you.

7 CHAIRMAN LIPPERT: Okay. So we'll
8 see everybody.

9 MR. SANTOLA: Thank you very much,
10 Mr. Chairman. The question is the boards, the two
11 exhibits that have been marked, would you like to
12 keep them at town hall?

13 CHAIRMAN LIPPERT: Yeah.

14 MR. WOLFSON: So, Mr. Chairman, my
15 Google search says 628 Rivervale Road.

16 CHAIRMAN LIPPERT: 628 Rivervale
17 Road?

18 MR. WOLFSON: Yes.

19 (Matter concluded at 10:54 p.m.)
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C E R T I F I C A T E

I, PATRICIA A. PUCCIARELLO, a shorthand reporter and Notary Public of the State of New Jersey, do hereby certify that the foregoing is a true and accurate transcript of the testimony as taken stenographically by and before me at the time, place and on the date hereinbefore set forth, to the best of my ability.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in this action.



Notary Public of the State of New Jersey
My commission expires March 12, 2019
License No. 2383485

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