

JOINT PLANNING BOARD  
TOWNSHIP OF RIVER VALE  
COUNTY OF BERGEN

-----X  
THE FAIRWAYS AT EDGEWOOD, LLC:  
BLOCK 1201, LOTS 5 & 6 :  
Major Site Plan and Major :  
Subdivision :  
-----X

Thursday, April 4, 2019  
Community Center  
628 Rivervale Road  
River Vale, New Jersey 07675  
Commencing 7:30 p.m.

B E F O R E:

- SCOTT LIPPERT, CHAIRMAN
- ROBERT FORTSCH, VICE CHAIRMAN
- ROBERT ADAMO
- MICHAEL BEUKAS
- MARK BROMBERG, COUNCILMAN
- GLEN JASIONOWSKI, MAYOR, absent
- GREGORY LOWE
- JOHN PUCCIO
- SUSAN VACCARO
- PETER WAYNE

- MARC LEIBMAN, ESQ., BOARD ATTORNEY
- CHRISTOPHER STATILE, P.E., BOARD ATTORNEY
- MARIA HAAG, LAND USE ADMINISTRATOR
- MARY VERDUCCI, BOARD SECRETARY

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1                   CHAIRMAN LIPPERT: We're about to get  
2 started, please. This is a special meeting of the  
3 River Vale Joint Planning Board on Thursday, April  
4 4th, 2019 and we're starting the meeting at about  
5 7:35.

6                   Salute to the flag, please.

7                   (Flag Salute)

8                   MR. LEIBMAN: Notice of this meeting was  
9 made in accordance with the Open Public Meetings Act  
10 of the State of New Jersey also known as the Sunshine  
11 Law.

12                   CHAIRMAN LIPPERT: If, if you would,  
13 please turn your cell phones off, I would appreciate  
14 that. Thank you.

15                   According to the minutes and my notes we, we  
16 stopped at the last meeting when Mr. Garrison was  
17 asking questions.

18                   Is Mr. Garrison still present?

19                   You didn't get to finish so --

20                   Oh, roll call. Sorry. Roll call.

21                   MS. VERDUCCI: Mr. Lowe.

22                   MR. LOWE: Here.

23                   MS. VERDUCCI: Mr. Beukas.

24                   MR. BEUKAS: Here.

25                   MS. VERDUCCI: Mr. Adamo.

1 Mr. Bromberg.

2 COUNCILMAN BROMBERG: Here.

3 MS. VERDUCCI: Mayor Jasionowski.

4 Mr. Fortsch.

5 VICE CHAIRMAN FORTSCH: Here.

6 MS. VERDUCCI: Mr. Wayne.

7 MR. WAYNE: Here.

8 MS. VERDUCCI: Ms. Vaccaro.

9 MS. VACCARO: Here.

10 Chairman Lippert.

11 CHAIRMAN LIPPERT: Here.

12 We'll do the minutes later on.

13 MR. WOLFSON: Good evening, Mr. Chairman.

14 Peter Wolfson, Day Pitney on behalf of the applicant.

15 And sitting next to me is Karl Pehnke. And as  
16 you indicated in your opening remarks continues with  
17 his cross-examination after completing his traffic  
18 testimony.

19 MR. PEHNKE: Again, for the record, Karl  
20 Pehnke and I remain under oath.

21 CHAIRMAN LIPPERT: So do you have any more  
22 questions?

23 MR. GARRISON: Sure. I didn't know the if  
24 the traffic expert would give us any --

25 Charles Garrison, G A R R I S O N, 521

1 Piermont Avenue, River Vale, New Jersey. I'm not  
2 certain where I ended last questionwise but I'd like  
3 to open up by going over a question relative to this.

4 CHAIRMAN LIPPERT: What are you referring  
5 to?

6 MR. GARRISON: I'm referring to the  
7 entrance to, the connections to Piermont Avenue from  
8 the site.

9 CHAIRMAN LIPPERT: Well, whose drawing is  
10 that?

11 MR. GARRISON: It's the architect, the  
12 developer's.

13 CHAIRMAN LIPPERT: Mr. Wolfson, would you  
14 help us identify that for the record, please.

15 MR. WOLFSON: This is a one page document  
16 sketch called alternate access sketch dated December  
17 19, 2018 and this was prepared by the applicant and  
18 submitted to Mr. Statile as part of the response to  
19 his review letter.

20 CHAIRMAN LIPPERT: Thank you.

21 MR. GARRISON: Has this gentleman speaking  
22 on traffic seen this and knowledgeable of it?

23 THE WITNESS: I am aware of it, yes.

24 MR. GARRISON: Okay. My question is and I  
25 don't know whether it's the applicant or you, the new

1 road that shows here seems to be double wide. I would  
2 assume that it's maybe the engineer can add a little  
3 light. Is this meant to have two-way traffic coming  
4 in and out?

5 MR. STATILE: Yes, for emergency services  
6 going in and exiting traffic from the development.  
7 That's what it is.

8 MR. GARRISON: Say it again.

9 MR. STATILE: It's going to be designated  
10 exiting only for the residents.

11 MR. GARRISON: Exiting only.

12 MR. STATILE: But it's also two-way for  
13 emergency services to come in for an emergency.

14 MR. GARRISON: Okay. And you still have  
15 this for emergency services also?

16 MR. STATILE: I really can't see that far.

17 MR. GARRISON: That's the one originally  
18 planned.

19 MR. STATILE: That's eliminated. There's  
20 only one road coming out of the development.

21 MR. GARRISON: So this will be eliminated  
22 with the stone pavers and grass in between?

23 MR. STATILE: Yes, they're going to  
24 reconfigure it.

25 MR. GARRISON: Is there going to be a gate

1 entry here that's controlled by a magnetic card.

2 MR. STATILE: Yes. It will be controlled.

3 MR. GARRISON: In and out?

4 MR. STATILE: Yes.

5 MR. GARRISON: This will be perpendicular  
6 to Piermont Avenue? At that time stat yes.

7 MR. GARRISON: And direct the flow to  
8 Rivervale?

9 MR. STATILE: I haven't seen the design --  
10 I haven't seen the final redesign yet so I'm waiting.

11 MR. GARRISON: All right. Because now you  
12 have, as we discussed before, we have a two lane road  
13 here and two lane coming out of Mark Lane and cross  
14 traffic here.

15 THE WITNESS: Correct. So in talking this  
16 through with Mr. Statile and the County, the idea and  
17 the correct approach is to align it opposite Mark  
18 Lane, again to minimize additional points of conflict  
19 to provide for an appropriate location for pedestrian  
20 crossings to Mark Lane and to provide for the  
21 emergency ingress opportunity at that location which  
22 would be controlled as an egress for the residents  
23 from leaving the development.

24 MR. GARRISON: Okay. The only other road  
25 similar to that around here and not necessarily a



1 County is they wind up putting a flashing light in the  
2 middle of the crossing lane and four stop signs  
3 stopping traffic east and west and stopping traffic  
4 north and south and all, whoever gets to the stop sign  
5 first on the right has the right of way.

6 Is that what's going to happen here?

7 THE WITNESS: No. This would be signed  
8 with a stop sign as it is today on the Mark Lane  
9 approach and it would have a stop sign on the exiting  
10 approach from the residential community.

11 MR. GARRISON: And, to your best  
12 knowledge, that doesn't create any additional hazards  
13 or safety issue?

14 THE WITNESS: No. It's a standard  
15 intersection and will meet County geometric  
16 requirements and sight line requirements and it will  
17 function fine.

18 MR. GARRISON: Okay. I'd like to just  
19 also go back. This was touched upon last week. This,  
20 again, is in the Fairways Environmental Impact Study  
21 of August 31st, 2018.

22 CHAIRMAN LIPPERT: Show it to Mr. Wolfson.

23 MR. GARRISON: It's --

24 MR. LEIBMAN: You still have to show it to  
25 him.

1                   MR. WOLFSON: I need to know what you're  
2 referring to.

3                   CHAIRMAN LIPPERT: He doesn't know that.  
4 Please show it to him.

5                   MR. GARRISON: Okay.

6                   MR. WOLFSON: Just for the record, it's an  
7 excerpt from the Environmental Impact Statement dated  
8 August 31, 2018, Page 5 of 26, and it appears that  
9 there is a highlight around a particular sentence  
10 contained in Section 5.1.3.

11                  MR. GARRISON: Can I read it? I'd like to  
12 read what's highlighted.

13                  CHAIRMAN LIPPERT: Well, do you have a  
14 question?

15                  MR. GARRISON: Yeah, I do.

16                  CHAIRMAN LIPPERT: Ask the question.

17                  MR. GARRISON: I got to read the statement  
18 and then ask the question.

19                  The statement states that the mean travel time  
20 to work in River Vale Township is 36.6 minutes which  
21 is approximately 20 percent higher than the figures in  
22 both Bergen County and New Jersey.

23                  Now you were unaware of this and yet your  
24 testimony is that the new development isn't going to  
25 add any further traffic or delay on Rivervale Road.

1           Is that correct?

2                   THE WITNESS: I think you have two  
3 questions here. I'm unfamiliar with that. I did not  
4 author that or am familiar with the static that's  
5 quoted in there or its source so I can't talk to that  
6 particular statement that you just read.

7           But with regard to the traffic impacts, that's  
8 not what I testified to. I absolutely testified to  
9 that project will add traffic to Rivervale Road. And  
10 I further testified to, as to the additional  
11 improvements that are going to be constructed at the  
12 cost of the developer to mitigate the impacts and to  
13 improve access from Rivervale Road into the Country  
14 Club.

15                   MR. GARRISON: I would like to move on to  
16 your testimony and your survey.

17           You did one day survey on Piermont and Rivervale  
18 Road, I would say, about traffic north and the south  
19 and how the turning was and based upon your study of  
20 the project, the houses in there you determined that  
21 in the morning there is 88 vehicles exiting and 20,  
22 excuse me, 27 entering. That would be the a.m. hours,  
23 and we're talking during the prime peak hours and then  
24 in the evening you had 51 exiting and 88 percent more  
25 returning.

1 My question is, what is that based on?

2 I know you touched on the word, the number of  
3 units, domiciles or what.

4 How did you phrase that?

5 THE WITNESS: As I testified to at the  
6 last meeting, transportation and traffic professionals  
7 utilize a data source which is published by the  
8 Institute of Transportation Engineers. It is known as  
9 trip generation. It's in the 10th edition.

10 It is an accumulation of traffic counts that  
11 have been conducted at all the various uses,  
12 residential, retail, office and so forth. It  
13 accumulates and provides that data source for use in  
14 transportation professionals in projecting traffic.

15 The data source utilizes the number of  
16 residential units as, as the independent variable in  
17 projecting the traffic flow. It is a very healthy  
18 data source. It's established and it's used  
19 throughout the country. It is the data source for  
20 preparing traffic projections.

21 MR. GARRISON: So you say it's a  
22 widespread and very diluted used throughout the  
23 country. It's not specific to Bergen County.

24 THE WITNESS: It includes New Jersey data  
25 and it includes data from across the country. But as

1 I further testified at the last meeting in detail, I  
2 did compare it to several recent monitorings, that  
3 opportunity, multi-family developments, specifically  
4 Holiday Farm right here.

5 And there was similar development down in the  
6 Princeton area, a multi town house development and the  
7 data, as I expected, was very, very representative.

8 MR. GARRISON: You used the term  
9 residents.

10 How do they allocate the number of vehicles per  
11 residences, cut it down to where it is the same?

12 THE WITNESS: It actually takes the data  
13 base and develops an equation relating it to the  
14 number of families -- the number of units in a  
15 community.

16 It's, the equation isn't a straight line  
17 average. It's actually a logarithmic evaluation.

18 MR. GARRISON: So you don't know whether  
19 the project is allocating one vehicle per residence or  
20 two?

21 THE WITNESS: That's, that's not the  
22 independent -- the independent variable that's used is  
23 the residents. So it inherently reflects the normal  
24 demographics of a multi-family development.

25 MR. GARRISON: My opinion is this would

1 have no relative opinion here.

2 CHAIRMAN LIPPERT: Well, you're asking  
3 questions here. You'll have time to give your  
4 opinions later.

5 MR. GARRISON: I hear you. The reason I'm  
6 stating that --

7 CHAIRMAN LIPPERT: You don't have to  
8 explain it. Just ask him another question.

9 MR. GARRISON: All right. The next  
10 question is going to be, we are told this is going to  
11 be a high end venture with a lot of senior citizens  
12 who are probably going to be affluent if they could  
13 afford the entry fees of 700,000 to a million dollars.

14 Now I would believe that the women in here  
15 should be as independent as the men and probably want  
16 their own vehicle. So I'm throwing --

17 CHAIRMAN LIPPERT: Very cheeky of them.

18 MR. LEIBMAN: What --

19 MR. GARRISON: Well, I'm asking, is it not  
20 reasonable to assume that there's going to be more  
21 than one vehicle per household?

22 THE WITNESS: I would expect this would be  
23 a typical residential community and it would be two  
24 vehicles per household. The parking is designed for  
25 that. And that is what is contained in the, you know,

1 other residential communities throughout the country  
2 and the State of New Jersey that have been monitored.  
3 So the data source we use is vetted. It is  
4 representative. It is an estimate. It could be  
5 lower, it could be a little higher. It's in the  
6 ballpark and it is appropriate for THE analysis that  
7 we prepared.

8 MR. GARRISON: Did I hear you say there  
9 could be two vehicles?

10 THE WITNESS: I would expect there would  
11 be two vehicles per household.

12 MR. GARRISON: You would?

13 THE WITNESS: Yes.

14 MR. GARRISON: Based upon that, do you  
15 feel 81 is still the proper number of vehicles that  
16 would be exiting?

17 THE WITNESS: Absolutely.

18 MR. GARRISON: So that's a very small  
19 percentage of the people who are going to be in there?

20 THE WITNESS: Correct. And that's what  
21 happens in residential communities. Not everyone gets  
22 in their car at 8:00 and drives out of the community  
23 and it is 15 minutes later. There is a flow of  
24 traffic that starts when people start to get ready for  
25 their normal business days. Residential traffic you

1 start to see noticing 5:30 to 6:00 in the morning and  
2 the flow continues throughout the day. It is not  
3 everybody leaving within a half hour or hour period.

4 And that is an established demographic traffic  
5 that occurs in every residential community.

6 MR. GARRISON: Okay. And you, again,  
7 touched earlier for the method of counting of the  
8 vehicles where, I guess, coming north and south on  
9 Rivervale Road which would be the main road. And how  
10 do you -- is a piece of equipment that clocks them as  
11 they go by rather than somebody with a mechanical  
12 device?

13 THE WITNESS: So what we did in this  
14 particular case and what we do for traffic counts  
15 these days is, we use a, we use a, a system known as  
16 MyoVision. It is actually a camera not unlike the  
17 little cameras you see on top of a traffic signal. It  
18 records the traffic going through the intersection.  
19 That traffic, that vehicle is then processed by an  
20 outside vendor and provides an accurate count on a 15  
21 minute basis of the traffic flowing through the  
22 intersection on each individual movement. It is  
23 actually a very highly accurate method as compared to  
24 when we used to do it five, 10 years ago.

25 MR. GARRISON: Okay. All right. That's



1 fine.

2 My question is, because I'm going to be asking  
3 different questions, how is the proper way to address  
4 you relative to a question? Do I say is it your  
5 opinion, is it your judgment or do you have a  
6 recommendation?

7 CHAIRMAN LIPPERT: That's not for him to  
8 answer. You just ask your question. He's not going  
9 to tell you how to ask your questions.

10 MR. GARRISON: No. No. Does he want me  
11 to use opinion, judgment or expertise?

12 MR. WOLFSON: You don't have to worry  
13 about that. He'll make a statement.

14 MR. GARRISON: Okay. Okay.

15 Well, as a traffic expert, I'm going to change  
16 the subject a little bit. I want to look at the  
17 logistics of the issue here mainly the property being  
18 developed.

19 Do you have a definition for logistics?

20 MR. WOLFSON: Mr. Chairman, most of the  
21 questions that have been asked so far by this member  
22 of the public asked for repetition of testimony that's  
23 already been given. In this instance the question is  
24 so broad and nonspecific and I can't discern how it  
25 could be related to his testimony that I would ask

1 that he just be directed to be specific and that it be  
2 pertinent to the testimony.

3 MR. GARRISON: Mr. Chairman.

4 CHAIRMAN LIPPERT: We have a limited  
5 amount of time.

6 MR. GARRISON: I understand.

7 CHAIRMAN LIPPERT: Let me finish. I'm  
8 trying to give you time to ask your questions.

9 But to ask him what the definition of logistics  
10 is doesn't seem to be leading to anything so just ask  
11 your questions, substantive questions.

12 MR. GARRISON: Well, it is because it's  
13 leading to traffic out of the site. It's not leading  
14 to the little box that he's speaking about of 225  
15 homes being dropped out the sky where he doesn't  
16 report and says traffic is going to be okay.

17 So logistics is basically the managing and the  
18 details of an undertaking.

19 MR. WOLFSON: Can you please have the  
20 member of the public ask questions.

21 CHAIRMAN LIPPERT: Now you're testifying  
22 so just ask questions.

23 MR. GARRISON: Okay.

24 CHAIRMAN LIPPERT: Assume he knows what  
25 logistics means.

1 MR. GARRISON: Okay.

2 No. 1, what is the primary responsibility in  
3 your profession?

4 MR. WOLFSON: Again, Mr. Chairman, that is  
5 overly broad and is not specific to his testimony.

6 CHAIRMAN LIPPERT: Yeah. I'll sustain  
7 that objection.

8 MR. LEIBMAN: Ask another question,  
9 please.

10 MR. GARRISON: Is your profession, is  
11 there a thing as liability insurance?

12 CHAIRMAN LIPPERT: That's -- how that's  
13 possibly relevant to this proceeding?

14 MR. GARRISON: Well, I want to talk about  
15 traffic that's --

16 CHAIRMAN LIPPERT: Ask him questions about  
17 traffic.

18 Why did you ask him a question about liability  
19 insurance?

20 MR. GARRISON: In your opinion is the  
21 judgment, from a safety point of view, that Piermont  
22 Avenue would not be a good vehicle approach to the  
23 site?

24 That's a question about traffic.

25 THE WITNESS: I'm not sure I understand

1 the question.

2 MR. GARRISON: Well, it's very clear you  
3 are going to have construction vehicles, construction  
4 traffic prior to the approval of this little  
5 development which everybody wants to put in a box and  
6 ignore what precedes it.

7 MR. LEIBMAN: Let's stop with the lead up.  
8 You're not going to create like a gotcha moment, a  
9 question about logistics and dropping a project out  
10 the sky.

11 Ask your questions about traffic. If you want  
12 to know how a construction vehicle is going to get in  
13 and out, is that going to be phased in some fashion,  
14 is the traffic going to be controlled during  
15 construction practice, those are questions you would  
16 like to ask.

17 MR. GARRISON: I would like that, yes.

18 MR. LEIBMAN: Ask those questions.

19 MR. GARRISON: Okay. How are the  
20 construction vehicles, because that's prior to the  
21 job, going to get in and out of the site?

22 THE WITNESS: So, so generally, prior to  
23 construction there is a coordination with the  
24 municipality, the professionals and the Police  
25 Department to establish new construction routes.

1           In this particular application we more than  
2 likely will use an existing access, probably the one  
3 on Piermont as the construction entrance to move  
4 vehicles in and out of the site.

5           It is a planned operation and it does involve  
6 the municipality in making sure that the movement of  
7 construction vehicles in and out of the site is both  
8 safe and appropriate.

9           More importantly it also incorporates whatever  
10 plan is needed to make sure the contractors keep the  
11 roads clean.

12           MR. GARRISON: Is that access you refer to  
13 a legal access recognized by the County?

14           THE WITNESS: It is an existing access.

15           MR. GARRISON: Is it meant for vehicular  
16 traffic like you're planning?

17           THE WITNESS: Construction entrances are a  
18 temporary impact and it's something that will be  
19 worked out with both the municipality and County.  
20 It's very technical as part of development project.

21           MR. GARRISON: Would the County feel  
22 that's a dangerous -- would you feel, as a safety  
23 expert, that that is a dangerous point of egress with  
24 large construction vehicles turning onto a Piermont  
25 Road which is 40 miles an hour speed limit?

1           THE WITNESS: No. Piermont Road is a  
2 public roadway. It handles all types of traffic and  
3 various levels of traffic throughout the day.

4           And any driveway that's established will be  
5 established in accordance with appropriate standards.

6           And, again, construction logistics is something  
7 that is coordinated with, with the involved agencies  
8 as you move construction to make sure safe ingress and  
9 egress is provided. That includes items such as  
10 tracking pads on-site to make sure that dirt is not  
11 carried out on to the roadway system. That's typical  
12 of any development.

13           MR. GARRISON: You say usual traffic on  
14 the road, certainly construction traffic that we are  
15 talking about here, this project is not usual, the  
16 size and amount of vehicles.

17           THE WITNESS: It is, it is a temporary  
18 impact and usually those vehicles are brought in when  
19 it's appropriate to be brought in. Then they're  
20 on-site doing the work they're doing. They're not  
21 generally on the grading operation. They're not  
22 leaving and exiting the site everyday. It's mostly  
23 the employees, the workers that are leaving.

24           MR. GARRISON: Would you feel, for this  
25 site, there's going to be a lot of concrete used,

1 foundation, roadways, et cetera.

2 THE WITNESS: At some point.

3 MR. GARRISON: At some point?

4 THE WITNESS: At some point in time.

5 MR. GARRISON: At some point there will be  
6 a lot of construction?

7 MR. LEIBMAN: Excuse me.

8 THE WITNESS: At --

9 MR. LEIBMAN: Excuse me. The court  
10 reporter can only type one person speaking at a time  
11 so when you ask a question, he starts to answer, you  
12 must let him finish the answer.

13 MR. GARRISON: I thought he did.

14 MR. LEIBMAN: He had not. Just be careful  
15 about that. That's an instruction for everybody.

16 MR. GARRISON: Okay.

17 At some point do you feel there is an extensive  
18 network of underground drainage system for storm  
19 water?

20 MR. WOLFSON: Totally outside of his  
21 expertise.

22 CHAIRMAN LIPPERT: Sustained.

23 MR. GARRISON: How about the  
24 appropriate --

25 MR. WOLFSON: There's been extensive

1 discussion about underground soil and water  
2 conditions, both from the applicant's experts as well  
3 as the Board's experts and that would be incredibly  
4 repetitive.

5 CHAIRMAN LIPPERT: And that's outside the  
6 scope of his testimony.

7 MR. GARRISON: Well, the developer should  
8 know.

9 CHAIRMAN LIPPERT: You're asking questions  
10 of the traffic expert now.

11 MR. GARRISON: I heard it's not limited to  
12 asking -- I can ask the engineer a question if I want.

13 Why can't I ask the developer a question?

14 CHAIRMAN LIPPERT: Because this witness is  
15 presented here now.

16 MR. GARRISON: No further questions.

17 CHAIRMAN LIPPERT: Thank you.

18 Anyone else?

19 MS. DARSA: Francine Darsa, D A R S A, 23  
20 Holiday Court.

21 My question is during the time that there will  
22 be vehicles, construction vehicles coming in, PSE&G  
23 people coming in, whatever, there's going to be a  
24 police presence I'm assuming.

25 Who pays for that?



1 THE WITNESS: So, so if it's part of the  
2 construction management plan that's, that's work,  
3 there will be occasions that police control is needed.  
4 That is paid for by the developer.

5 MS. DARSA: Okay. Thank you.

6 CHAIRMAN LIPPERT: Anyone else?

7 MR. VEDRAL: My name is John Vedral, 128  
8 Terbell Parkway, River Vale, New Jersey.

9 Good evening. Some of the things that I was  
10 going to discuss have already been covered. But I was  
11 interested in the future plans for the golf course. I  
12 understand the developer intends to make it a world  
13 class facility with exceptional family facilities.

14 Did you include or discuss with the developer  
15 what the impact will be there as far as vehicles,  
16 number of vehicles, what they anticipate it will be?

17 THE WITNESS: The developer is  
18 redeveloping this property. The application before  
19 the Board tonight is the element of the project that  
20 the developer is referring to and it's the residential  
21 project and we have addressed that in the traffic  
22 study.

23 MR. VEDRAL: Okay. I understand.

24 THE WITNESS: There is no application for  
25 expansion or change of the clubhouse.

1           MR. VEDRAL: But if I recall correctly, at  
2 the last meeting when you said you discussed or  
3 reviewed the traffic conditions that you might expect  
4 from the existing golf course, and what I'm asking is,  
5 did you have the opportunity to find out what the  
6 future plans were for the existing golf course which I  
7 understand is going to be world class?

8           When I hear world class I expect we're going to  
9 have a lot of people coming to this golf course.  
10 Therefore, I was wondering, did you consider that or  
11 have the opportunity to consider it on your traffic  
12 review?

13           THE WITNESS: No. To my knowledge, there  
14 is no proposed changes to the operation of the golf  
15 course aside from the addition of this site and the  
16 reconfiguration of the golf course and the  
17 anticipation that the provision for this residential  
18 development designed to be integrated to the golf  
19 course will enhance the operation and create  
20 membership for the golf course.

21           MR. VEDRAL: Okay. Then I must have  
22 misunderstood the plans.

23           THE WITNESS: There is no other plans  
24 before this Board.

25           MR. VEDRAL: Well, I, I thought that I had

1 read and seen things that they were going to try to  
2 make it a world class facility and improve the family  
3 activities and things like that but I must be wrong.

4 Sorry.

5 But, did you have the -- do you have any idea or  
6 did you have any idea how many of the residents  
7 they're projecting will actually join the golf course?

8 THE WITNESS: That would be beyond my  
9 expertise.

10 MR. VEDRAL: No. I'm not saying do you  
11 know. I'm saying did you ask or find out about that?

12 THE WITNESS: No. And I would have no  
13 need to have that knowledge.

14 MR. VEDRAL: Okay. I had no idea but I'm  
15 hoping or expecting, since it will be a high end  
16 development and people are pretty good means that some  
17 will be golfers and want to live next to a golf  
18 course.

19 So the question is, is there an access through  
20 the golf course directly from this development?

21 THE WITNESS: Yes.

22 MR. VEDRAL: Vehicle access?

23 THE WITNESS: Yes.

24 MR. VEDRAL: One-way?

25 THE WITNESS: Internal, two-way.

1 MR. VEDRAL: Okay. So that anyone who  
2 wants to play golf doesn't have to go out on the road?

3 THE WITNESS: That's correct.

4 MR. VEDRAL: Okay. Thank you. I wasn't  
5 sure if you had mentioned that last week.

6 Okay. Regarding the -- well, it was brought up.  
7 During construction it's going to be all kinds of  
8 construction vehicles, utility vehicles and people  
9 doing construction. You, at present, do not have a  
10 plan for that.

11 Is that correct?

12 THE WITNESS: That, that plan is generally  
13 worked out post approval as part of the condition of  
14 approval and it includes items such as where is the  
15 construction access, where is contractor parking, who  
16 to contact if there's an issue or concern, when and if  
17 police presence is required. So it is a coordinated  
18 effort. It is a planned effort and it is a managed  
19 effort.

20 MR. VEDRAL: So, at this time, it's not a  
21 plan, it becomes a plan when you start construction?

22 THE WITNESS: Who the contractor is and  
23 all that.

24 MR. VEDRAL: Let's see what else.

25 The plan which is, I believe, not your plan for

1 the intersection of Piermont and Rivervale Road but by  
2 the County to eventually widen?

3 THE WITNESS: That's, that's actually not  
4 correct.

5 As I testified at length at the last meeting,  
6 based upon our coordination with Mr. Statile and with  
7 Bergen County, in working with Bergen County, is to  
8 install the improvements at that intersection which  
9 includes significant widening including construction  
10 of a left turn lane into the County Club driveway.

11 Bergen County had input to the plan. They  
12 provided their direction on the plan as to how they  
13 want to see it, how they want to fit it into their  
14 standards. And we, we will ultimately complete the  
15 design of it but subject to their review and Mr.  
16 Statile's review and we will ultimately construct it.

17 MR. VEDRAL: Okay. So if I'm correct, by  
18 memory, going east on Piermont, you're going to have a  
19 left turn and a right turn lane.

20 THE WITNESS: Correct.

21 MR. VEDRAL: Okay. My limited experience  
22 is when you have queuing, quite a few vehicles and one  
23 on the left and one on the right, you slow down, no  
24 one can see, particularly with SUVs.

25 For instance I was, I go down in this town, I'm

1 on Brookside trying to pull out onto Rivervale Road,  
2 two, there's a right turn and a left turn. If I'm  
3 alone, I can make the right turn because I can see.  
4 If there's an SUV which there are a heck of a lot of  
5 them in this area, if there's an SUV I can't make a  
6 turn.

7 So now you put in two lanes, a right turn and  
8 left turn, both of them you can't see what's going on,  
9 the line of sight. I was wondering have you  
10 considered that that, without a traffic signal, that  
11 that might actually delay the traffic rather than  
12 increase the movement of the traffic?

13 THE WITNESS: No. It will -- the delays  
14 will be substantially reduced and the queues will be  
15 substantially reduced. It is a typical arrangement on  
16 an unsignalized approach to an intersection.

17 Future signalization by Bergen County, lines of  
18 sight are checked.

19 And, yes, when you're adjacent to a vehicle a  
20 motorist needs to make a decision based upon the  
21 particular environment that he's facing when he makes  
22 the left so if there's an unusual vehicle occluding  
23 your vision, that happens he have day. It's a  
24 function of driving.

25 MR. VEDRAL: But does that necessarily

1 speed up traffic?

2 THE WITNESS: The addition of the lanes  
3 and the ability to provide queuing will absolutely  
4 reduce the delays on that approach and it's in  
5 combination with the provision for the right turn lane  
6 from River Vale to Piermont so it's a combination of  
7 things that are going to improve the or reduce the  
8 delays at that intersection. And as part of the  
9 design, one of the design aspects is to ensure safe  
10 sight lines are provided so that there's nothing in  
11 the border areas that are occluding a driver's vision.

12 MR. VIDRAL: So when I pull up and there's  
13 no vehicles there because there's only one lane and I  
14 want to make a right turn, I make a right turn. Now I  
15 pull up and there's a vehicle on the left, I can't  
16 make a right turn because I can't see to the left. He  
17 can't make a right turn -- he can't make a left turn  
18 because he can't see to the right.

19 MR. WOLFSON: Mr. Chairman, this is  
20 repetitive and that statement has been made three  
21 times.

22 MR. VEDRAL: But you're saying that in  
23 your opinion it still will be quick?

24 THE WITNESS: Yeah. It's a standard  
25 design. It operates throughout the country. And, the

1 motorist needs to make his decision based upon what  
2 he's facing at the particular circumstances.

3 MR. VEDRAL: Okay. That's up to --

4 MR. STATILE: I want to assist you in this  
5 one second. You are from Hillsdale.

6 Right?

7 MR. VEDRAL: River Vale.

8 MR. STATILE: But you used to live in  
9 Hillsdale. You know at the other end of Piermont  
10 Avenue, the bank was constructed and the configuration  
11 changed from two to three lanes, almost identical to  
12 this configuration on the other end of Piermont  
13 Avenue.

14 As far as I know from the Hillsdale Police  
15 Department, I haven't heard of any difficulties that  
16 have been encountered with the two lane approach that  
17 you're speaking of. It's a good point to raise. I  
18 raised it when the bank was built in Hillsdale but in  
19 actual operation there's been no issues with the  
20 Police Department with that configuration.

21 So, it's a good question to raise.

22 MR. VEDRAL: I don't want to put you on  
23 the spot and I won't put you on the spot but I would  
24 like to have to address you.

25 MR. LEIBMAN: We're not going to take any



1 testimony.

2 CHAIRMAN LIPPERT: You're asking questions  
3 of this witness.

4 MR. VEDRAL: Okay. I'll ask the question.  
5 I'll ask the question.

6 Do you believe that a crossing guard can safely  
7 handle the crossing of children with that new design  
8 if there is no traffic signal?

9 THE WITNESS: Yes.

10 MR. VEDRAL: Okay. That's -- thank you.

11 CHAIRMAN LIPPERT: Thank you.

12 Mr. Manning come on up.

13 MR. STATILE: Mr. Chairman, just for a  
14 moment. There's been a couple questions raised that  
15 we should really discuss with the applicant before we  
16 conclude the hearings in terms of construction,  
17 operations, construction access as well as the timing  
18 that will be effected on the site which could effect  
19 construction vehicles getting out as well. So we'll  
20 do that after the witnesses are completed or the  
21 witness, they come up with another witness.

22 MR. LEIBMAN: We can address it briefly  
23 right now. And I'm sure the applicant would agree as  
24 a condition of approval to coordinate construction  
25 vehicles in phasing of the construction vehicles

1 on-site to be approved by you with the Police  
2 Department. So if a curb cut has to be put some place  
3 on the property to provide access for heavy earth  
4 moving equipment, whatever, you're going to coordinate  
5 that with the applicant so that you know when it's  
6 going to happen.

7 And if the road needs to be closed for some  
8 giant piece of earth moving equipment, I'm sure the  
9 applicant will let the Police Department and you know  
10 when they need to close the road. All right.

11 MR. STATILE: I'm more concerned, somewhat  
12 concerned about the fact that we're going to have two  
13 access points to the development, one through the  
14 County Club and one through Piermont Avenue.

15 MALE SPEAKER: Can somebody speak into the  
16 speaker? We can't hear back here.

17 MR. LEIBMAN: What's that?

18 MALE SPEAKER: You know I can't hear.

19 MR. LEIBMAN: I'll try and speak into the  
20 speaker. Sorry.

21 MALE SPEAKER: I appreciate it very much.

22 CHAIRMAN LIPPERT: Okay. I'm sorry. We  
23 didn't know you couldn't hear. We'll do better.

24 MALE SPEAKER: Okay. Better.

25 MR. STATILE: So my concern, there are two

1 access points to the development, Piermont Avenue and  
2 Rivervale Road. I don't want there to be a  
3 prohibition of the Rivervale Road access point where  
4 all vehicles, where all construction vehicles come  
5 out. There should be a slight dissolution of the  
6 vehicles leaving and entering the site to the access  
7 point.

8 I just want to make sure the applicant  
9 understands that during construction I don't want to  
10 hear we're not bringing vehicles to the existing  
11 County Club access point; no, that has been discussed.  
12 We have a problem with it. Everything is coming out  
13 of Piermont Avenue. There's a potential to split  
14 traffic up. Some construction vehicles will be going  
15 north and some people will be going north anyway on  
16 the construction site. So I don't want them  
17 necessarily entering through one. That's one of my  
18 concerns.

19 MR. LEIBMAN: Do you think that's  
20 something you can coordinate with the applicant?

21 MR. STATILE: I don't want to have a  
22 prohibition against anything.

23 MR. LEIBMAN: So would the applicant work  
24 with Mr. Statile to come up with a traffic plan during  
25 construction?

1 MR. WOLFSON: As we do with every project  
2 that we develop, yes.

3 MR. LEIBMAN: I expected that to be the  
4 answer.

5 Thank you.

6 CHAIRMAN LIPPERT: And, Mr. Statile, it's  
7 fair to say that we've had other fairly large  
8 construction projects in River Vale and you've been  
9 involved and you worked with the applicant and you  
10 made sure that it went as smoothly as possible.

11 Right?

12 MR. STATILE: Yes, we have and the Police  
13 Department as well.

14 CHAIRMAN LIPPERT: Okay. Your name?

15 MS. MUSKA: Stephanie Muska, 867 Rivervale  
16 Road, River Vale.

17 I have two questions. The first one though I  
18 believe -- well, this is a traffic question but it may  
19 not be the right time to ask it.

20 But while you're doing construction, at times  
21 there are detours and I have been -- I'm at the other  
22 end of town up Rivervale Road and there was a detour  
23 when they were doing a lot of construction on the  
24 road. And we almost had a child drown in our pool.  
25 And it took an immense amount of time for emergency

1 vehicles to get by.

2 Will there be, even with the detour, a way that  
3 emergency vehicles can just go straight and not have  
4 to go the detour because that delays people from  
5 saving people's lives.

6 THE WITNESS: So the nature of this  
7 particular construction, even the roadway work, I do  
8 not see a need to close either Piermont or Rivervale.

9 The widening is actually happening to the  
10 applicant's side of the property. So it is very  
11 likely, when we develop a traffic control plan for  
12 construction, that we will be able to maintain lanes  
13 and operations on the roadway as we work to the  
14 outside of the existing cartway and create the  
15 widening.

16 Times when we need to cut the road, for  
17 instance, to put conduits in for future traffic  
18 signalization or connect to a utility, typically  
19 that's done during off peak hours and that would  
20 probably be done with flagging operations that the  
21 road is open, the work is done and the road is closed,  
22 and if for some reason we need to take one lane to use  
23 a flagging operation during low traffic hours in order  
24 to process the traffic. So I don't think I'm seeing  
25 anything in any construction that we were doing on

1 Piermont and I think utilitywise I don't think I saw  
2 anything that will result in any reason to have to  
3 close the roads to create a detour.

4 MS. MUSKA: There was a detour today and  
5 it was only a little bit of line work. So I just want  
6 that to be something that's paid attention to because  
7 that can cause people's, people to lose their lives.

8 THE WITNESS: Yes. And we get very  
9 concerned with that when we design plans. We actually  
10 do very detailed traffic control plans. It's  
11 something the County would consider, certainly  
12 something Mr. Statile would look at and it would be  
13 coordinated with the Police Department.

14 MS. MUSKA: All right. My second question  
15 is, the mouth of Piermont is getting wider.

16 Correct?

17 THE WITNESS: Piermont is getting wider.  
18 Correct.

19 MS. MUSKA: Okay. That's a very  
20 precarious place to cross whether it's a child or a  
21 jogger, a biker, people. It's difficult currently.

22 With it getting wider, how will it be made  
23 safer?

24 THE WITNESS: So there's two aspects to  
25 the widening. The County has us installing a

1 channelizing island which will help to keep the width  
2 within reasonable crossing distance. Obviously, sight  
3 lines will be set correctly, properly, handicapped  
4 ramps and proper crosswalk markings will be put in  
5 place. And what the applicant has also agreed to is  
6 to enhance that pedestrian crossing with a rectangular  
7 flashing rapid beacon that can be operated by a  
8 pedestrian, pedestrian push button so it will be an  
9 enhanced crossing as compared to what's there today.

10 MS. MUSKA: That's it. Thank you.

11 CHAIRMAN LIPPERT: Thank you.

12 MS. MORGENSTEIN: Florence Morgenstein, 9  
13 Holiday Court.

14 I just want clarification. You quoted some  
15 statistics from the Police Department regarding  
16 accidents on both Holiday Farms, Piermont south,  
17 Piermont Avenue. Were those just car versus car or  
18 did they include pedestrians?

19 THE WITNESS: They reflect all reported  
20 accidents that we requested be provided from the  
21 beginning of 2016 to current. From just north of Old  
22 Tappan Road, south of the project area just to the  
23 west of the Piermont Avenue.

24 So those reports would be inclusive of animal  
25 hits, pedestrian and so forth.

1           With regard to anything involving pedestrian or  
2 pedestrian nature that was a bicycle hit, it was a  
3 minor incident, bicycles road away and that occurred  
4 in 2017.

5           MS. MORGENSTEIN: Well, as a reminder from  
6 the November 26 meeting at Edgewood, a woman's son was  
7 the one that was hit by a bicycle on Piermont and  
8 Rivervale Road who suffered a concussion and, who, to  
9 this day, said that he still has memory issues. So I  
10 don't know if that's included.

11           Would you know if that -- you said there was one  
12 bicycle and they road off so they're fine. I can't  
13 imagine somebody driving either 35 miles an hour down  
14 Rivervale Road or making a right onto Piermont which  
15 is 40, hitting a bicycle and the person just getting  
16 up and riding off.

17           THE WITNESS: It's -- that's the report  
18 that was made available. That was a published report.  
19 I would have to go back and review the details of it  
20 again to see if there was anything further than that  
21 but my recollection of that particular report was that  
22 the injury wasn't as you've just suggested. So it may  
23 not be the same and I don't know if that was reported  
24 or not. But these are reports provided by the  
25 Township.



1 MS. MORGENSTEIN: And before that time, I  
2 don't know how many years ago because I have lived  
3 here for 40 years, there was a woman found dead on  
4 Piermont Avenue who was hit by a car. So that was not  
5 included in that, was it?

6 THE WITNESS: I don't know if that  
7 occurred in the '16, '17, '18 time frame.

8 MS. MORGENSTEIN: No, it was before that.

9 THE WITNESS: Then it would not have been  
10 in there.

11 MS. MORGENSTEIN: So would you agree that  
12 a 40 miles an hour road is a pretty dangerous road to  
13 be crossing for either pedestrians, people dog  
14 walking, kids riding their bicycle?

15 THE WITNESS: At mid block locations,  
16 depending on the conditions of the road, the curvature  
17 of the road and the location, yes, it could be a  
18 dangerous condition, yes.

19 MS. MORGENSTEIN: Thank you.

20 CHAIRMAN LIPPERT: I saw this young lady  
21 first.

22 MS. QUINN: Lisa Quinn, Q U I N N, 7  
23 Holiday Court.

24 This is my first question. Just because the  
25 other traffic light, and I don't know if this is

1 relevant but someone came knocking on my door within  
2 the last two year asking about the traffic situation.  
3 I'm not sure that was relevant to anything because,  
4 obvious --

5 CHAIRMAN LIPPERT: I'm getting quizzical  
6 looks from the applicant so I don't think anyone who  
7 works for them did that.

8 MS. QUINN: No. It was you. You knocked  
9 on the door, doing a traffic survey.

10 MALE SPEAKER: I'm not a traffic engineer.

11 MR. WOLFSON: No.

12 MS. QUINN: Someone knocked on my door.  
13 All right. So my question is, well few questions but,  
14 are you looking at Piermont Avenue going west?

15 Just because it, Hillsdale is just 2 feet away.  
16 Are you looking that way because that, that way in the  
17 morning is backed up at least, going west. If you're  
18 going west --

19 THE WITNESS: Correct.

20 MS. QUINN: On Piermont Avenue in the  
21 morning, the traffic can back up half a mile going to  
22 the high school.

23 THE WITNESS: Okay. We haven't studied  
24 intersections in Hillsdale and to the west.

25 MS. QUINN: Because that has -- but that

1 effects the people coming, everybody coming to the  
2 high school in the morning from River Vale. So why  
3 wouldn't that have been?

4 THE WITNESS: Basically we set the study  
5 based on the sections the County wanted us to look at,  
6 based upon where traffic is most accumulated which is  
7 out our driveways, obviously, and at Piermont and  
8 Rivervale. As our, as our traffic moves away from the  
9 site it becomes diluted and has less of an impact.

10 That's not to say there would be additional  
11 vehicles contributing to that but in terms of an  
12 impact analysis generally when you start to get below  
13 100 trips per hour, even under the definition of State  
14 of New Jersey, Department of Transportation, it's not  
15 considered a significant impact.

16 MS. QUINN: Just because I was going  
17 somewhere last week at 8:00 in the morning, I was  
18 just -- I checked ways, just to look both directions  
19 at 8:00 in the morning. We're going four miles an  
20 hour on Piermont, east and west. It's a 40 mile an  
21 hour zone which is ridiculous as it is but these cars  
22 are going four miles an hour.

23 MR. WOLFSON: Do you have --

24 CHAIRMAN LIPPERT: You have to ask  
25 questions.

1 MS. QUINN: Okay. Were you aware -- I  
2 mean we, we live this. So we see it. So I don't know  
3 beyond what you're stating the traffic report, what  
4 time you're taking your traffic report.

5 Also, there are going to be 240, I'm just going  
6 to guess, a minimum 500 more cars. I don't understand  
7 how that, how traffic will be minimally impacted.

8 How is that a minimum impact when there are at  
9 least probably 500 cars?

10 CHAIRMAN LIPPERT: He's answered that  
11 repeatedly.

12 MS. QUINN: But I wasn't here last time.

13 CHAIRMAN LIPPERT: Let him answer that one  
14 quickly.

15 THE WITNESS: Sure. So, again, the  
16 traffic projections during the peak hours we are able  
17 to project based upon knowledge of how traffic flows  
18 for residential units and I don't think I've  
19 represented to this Board that there's a minimal or no  
20 impact associated with this project. In fact, I  
21 represented to this Board that the applicant and the  
22 traffic study certainly bears it out that there was  
23 some critical conditions on the roadway and that this  
24 applicant is stepping up and is installing, at their  
25 cost, a substantial roadway improvement, that not only

1 mitigates the impact which is really all we're  
2 obligated to do but also provides for an enhanced  
3 operation as compared to existing conditions.

4 It is not a developer's requirement,  
5 particularly on a permitted application to fix all the  
6 problems on the roadway but we are contributing to  
7 those solutions with the project that we are  
8 undertaking at this location. And, as a result, our  
9 traffic is mitigated, our driveways will operate  
10 safely and we are investing in public roadway and  
11 construction.

12 MS. QUINN: I understand you're writing a  
13 wrong but you're still putting a minimum, probably 500  
14 more cars on the road. Whether you're righting it or  
15 not, that's a lot more cars.

16 MR. WOLFSON: Do you have a question?

17 MS. QUINN: Thank you.

18 CHAIRMAN LIPPERT: Thank you.

19 Ladies and gentlemen, who was deferred before.

20 MR. D'ALESSANDRO: James D'Alessandro, 40  
21 Holiday Court.

22 I was reviewing the report. I'm just trying to  
23 understand traffic volumes. On Page 4 of your report,  
24 the very first paragraph, with regard to the present  
25 traffic volumes.

1           We arrange for manual turning movement traffic  
2 counts to be conducted during the morning and evening  
3 peak periods on a typical weekday at the studied  
4 intersections to examine traffic conditions on river  
5 site, specifically manual turning movement counts were  
6 conducted on Tuesday, May 1, 2018 one from 7:00 a.m.  
7 to 15 a.m. and 2:00 p.m. to 6:00 p.m..

8           What does manual turning movement traffic count  
9 mean?

10           THE WITNESS: It's, it's basically the  
11 observation of the intersection and counting the  
12 various turning movements through an intersection.  
13 It's actually done -- technically it's not done  
14 manually anymore. It's done through the technology  
15 that I stated.

16           MR. D'ALESSANDRO: This may sound like a  
17 stupid question. If a car is going straight through  
18 an intersection that counts also. It's not just the  
19 cars that turn.

20           THE WITNESS: Every car that goes through  
21 the intersection is counted.

22           MR. D'ALESSANDRO: And this is through the  
23 cameras that are set up at the intersections by the  
24 outside contractor?

25           THE WITNESS: That's correct.

1 MR. D'ALESSANDRO: Tri-state. Correct?

2 THE WITNESS: That's correct.

3 MR. D'ALESSANDRO: And it's not counted by  
4 human beings looking at the tape or I'm calling it a  
5 tape or video. That's how old I am.

6 THE WITNESS: It is, it is a firm that has  
7 developed proprietary software. They're located in  
8 Canada, actually, and it is done by software in the  
9 analysis of the tape. We do get the videos and we do  
10 manually check them ourselves. And our history has  
11 been great. They are highly accurate.

12 MR. D'ALESSANDRO: And so you also  
13 reviewed the video yourself, your firm?

14 THE WITNESS: We check them. We certainly  
15 don't count every hour but we do cross-checks or if  
16 we're seeing something that doesn't seem right or we  
17 suspect might be an error we're able to go to the  
18 video and check it. In this case there was nothing  
19 like that but we do have the ability and the record to  
20 do that.

21 MR. D'ALESSANDRO: So it leads to my next  
22 question. You prepared Figure 2 about the 2018  
23 existing traffic volumes so that's prepared by your  
24 firm?

25 THE WITNESS: Correct.

1 MR. D'ALESSANDRO: And it's based on the  
2 raw data that you get from Tri-state?

3 THE WITNESS: That's correct.

4 MR. D'ALESSANDRO: Plus your own review?

5 THE WITNESS: That's correct.

6 MR. D'ALESSANDRO: I'm probably reading  
7 this wrong but if you could walk me through something  
8 simple and maybe I can understand it. I'm just  
9 looking at the peak hour for the a.m., we'll just do  
10 the a.m.. And, I'm looking at traffic going east on  
11 Piermont and as it approaches Piermont Avenue South.  
12 There's 357 vehicles that go straight.

13 Do you see what I'm talking about?

14 THE WITNESS: Yes.

15 MR. D'ALESSANDRO: Okay. Good. And 17  
16 turn into Piermont Avenue South.

17 Is that correct?

18 THE WITNESS: Correct.

19 MR. D'ALESSANDRO: Okay. Then the 357  
20 continue on to the intersection with Rivervale Road  
21 joined by the 25 that turn out to the right to go east  
22 on Piermont Avenue.

23 THE WITNESS: Correct.

24 MR. D'ALESSANDRO: So 357 is joined by 25.

25 Is that correct?



1 Rivervale going east on Piermont.

2 Am I doing this correctly, and I get 382?

3 THE WITNESS: Correct.

4 MR. D'ALESSANDRO: And then we reach the  
5 intersection of Piermont Avenue and Rivervale Road,  
6 traffic going east on Piermont Avenue is 297 plus 99.  
7 When I add those two up, the ones that turn left, the  
8 267, the ones going south on Rivervale Road is 99.

9 THE WITNESS: Correct.

10 MR. D'ALESSANDRO: 267 and 99 is 366. So  
11 we went from 382 to 366. There's a 16 car under count  
12 at the intersection of Rivervale Road.

13 THE WITNESS: Correct.

14 MR. D'ALESSANDRO: All right. So 16,  
15 there could be an error plus or minus.

16 THE WITNESS: Could be activity at some of  
17 the residential driveways in between. It could be  
18 activity at Mark Lane. So, with that kind of  
19 variation which isn't that significant we don't tend  
20 to --

21 MR. D'ALESSANDRO: Worry about it?

22 THE WITNESS: -- worry about it. Correct.

23 And you'll see that throughout.

24 You know, we don't get too, too worried about  
25 it. Again, it's a snapshot condition of traffic

1 flows. The order of magnitudes are generally what  
2 we're concerned with.

3 MR. D'ALESSANDRO: And going back, just so  
4 I understand, I hate to be repetitious, the very first  
5 357 figure on traffic approaching --

6 THE WITNESS: Yes.

7 MR. D'ALESSANDRO: -- Piermont Avenue  
8 South and the 17 that turn, it's not 357 less 17 as  
9 you continue on.

10 THE WITNESS: No. Correct.

11 MR. D'ALESSANDRO: Where, where is the  
12 data -- is that attached anywhere to your report, the  
13 data that you actually used to draw up Figure No. 2  
14 just so I could understand it?

15 Would that be as part of B, Exhibit B or  
16 Appendix B.

17 THE WITNESS: It's in Appendix B. That's  
18 correct.

19 MR. D'ALESSANDRO: So I took the very  
20 first page of Appendix B and I was just trying to  
21 determine northbound traffic at Rivervale Road at the  
22 intersection of Old Tappan Road.

23 Is that to the extreme right of that very first  
24 page of Appendix B?

25 THE WITNESS: That's Rivervale Road

1 northbound with the intersection of Old Tappan Road.

2 MR. D'ALESSANDRO: Am I reading this  
3 correctly, it says Rivervale Road and Old Tappan Road,  
4 extreme right Rivervale Road northbound.

5 THE WITNESS: Correct.

6 MR. D'ALESSANDRO: And the peak hours are  
7 7:15 to 8:15?

8 Is that how you determined that?

9 Those are the peak hours you determined?

10 THE WITNESS: So when we go to develop a  
11 consolidated peak because intersections tend to have  
12 little fluctuations in their peak. We look for the  
13 highest system volume. So we look at all the  
14 intersections together in a spread sheet and look for  
15 the highest system volumes to develop a representative  
16 peak flow through the system.

17 MR. D'ALESSANDRO: So at 7:15 -- I'm just  
18 at the intersection of Rivervale Road and Old Tappan  
19 Road, just going north on Rivervale Road, I'm, am I  
20 understanding it correctly that 56 go through, 40 turn  
21 right, 19 turn right on red. That's to go up Old  
22 Tappan Road and that leads to the approximate total of  
23 115.

24 Do you see the line I'm referring to?

25 THE WITNESS: Yes.

1 MR. D'ALESSANDRO: Am I understanding it  
2 correctly?

3 THE WITNESS: Yes.

4 MR. D'ALESSANDRO: Okay. So if we add 115  
5 and then underneath is 156 and 148 and 143 and 155 we  
6 should have the total volume, the peak volume from  
7 7:15 to 8:15.

8 Am I doing that correctly if I add all those  
9 numbers?

10 THE WITNESS: If you run through those  
11 numbers, correct.

12 MR. D'ALESSANDRO: So that total is 717 to  
13 do the math. I think I'm right. And then when I  
14 look, when I go back to Figure No. 2, your diagram,  
15 that you prepared based on Tri-state raw data, it  
16 looks like there's 307 and 255 in this peak morning  
17 hour that either passed through or turn right to go up  
18 Old Tappan Road, 307 continue north towards, I guess  
19 it would be Montvale.

20 I add 307 and 255, I get 562 and I thought I  
21 just calculated the peak at 717 for that exact same  
22 spot. And that's not a 6 or 10 car difference.  
23 That's a significant difference.

24 THE WITNESS: It's actually the right  
25 turn, the right turn on red is not on these -- the

1 right turn on reds are actually part of the one, a  
2 part of the right so the right is what was observed  
3 and then what we do is we have them break out how many  
4 of those rights made a right.

5 MR. D'ALESSANDRO: So that's, so the right  
6 turn on reds are included in the, in the 256.

7 THE WITNESS: I believe that's correct.  
8 Yes.

9 MR. D'ALESSANDRO: But there is, there is  
10 a significant difference between the raw data and the,  
11 and what you have on Figure 2?

12 THE WITNESS: It's not, it's not what you  
13 call significant. Again, what we did is we take all  
14 the intersections and look for the system peak and  
15 then put that in to analyze it so we've got a high  
16 volume overall on all the movements through the  
17 intersection.

18 MR. D'ALESSANDRO: It seems you have under  
19 counted on your Figure 2, not over counted.

20 MR. LOWE: You're including the time slot  
21 from 8:15 to 8:30?

22 MR. D'ALESSANDRO: No.

23 MR. LOWE: You're including that 8:15  
24 line?

25 MR. D'ALESSANDRO: That could be then.

1 MR. LOWE: Yeah. If you calculate that  
2 out you come up with the correct numbers.

3 MR. D'ALESSANDRO: So the 8:15 line  
4 doesn't, doesn't count. So that would reduce 155.  
5 Correct?

6 Am I looking at it correctly?

7 MR. LOWE: Correct.

8 MR. D'ALESSANDRO: Which goes back to my  
9 other question, why, why isn't it 7:30 to 8:30 because  
10 155 is a significant number that's being -- it's not  
11 counted, it's not peak.

12 THE WITNESS: Each individual intersection  
13 had some differences in peaking characteristics. And  
14 we are, in general, trying to look at an overall  
15 system so we look at the system to develop when those  
16 hours come and then we work those numbers.

17 And basically, like I said, as I testified to in  
18 the last meeting, traffic varies every given day.  
19 We're looking to set and understand the patterns and  
20 the general variation. You're not going to see the  
21 exact same volumes every day but you're going to see  
22 the general order of magnitude of these volumes and  
23 that's what's key in evaluating it.

24 And certainly the numbers in the analysis are  
25 representative of what we know is happening out there.

1 MR. D'ALESSANDRO: Even though you did it  
2 on just one day, May 1st?

3 THE WITNESS: Yes.

4 Again, as I indicated, we had the opportunity to  
5 compare it to prior data that the County provided and  
6 it was very consistent. The order of magnitude and  
7 the patterns in particular were very consistent.

8 MR. D'ALESSANDRO: Does it say that in  
9 your report that you compared it with County volume  
10 data?

11 THE WITNESS: I don't believe we did in  
12 this report but I have done that, yes, and that's  
13 typical.

14 MR. D'ALESSANDRO: And you did it in this  
15 case?

16 THE WITNESS: Yes.

17 MR. D'ALESSANDRO: Who do you communicate  
18 with at Bergen County, what department would that be?  
19 I'm just curious.

20 THE WITNESS: We go through planning who  
21 coordinates the efforts of the various departments  
22 that are to be involved.

23 MR. D'ALESSANDRO: All right. That's all.  
24 Thank you.

25 CHAIRMAN LIPPERT: Yes, ma'am.

1 MS. ADAMO: Kira Adamo, K I R A A D A  
2 M O, 466 White Birch Drive.

3 MS. ADAMO: At what point of the project  
4 do the road improvements go in?

5 THE WITNESS: I think that's probably a  
6 discussion as to how we're going to stage those  
7 improvements. I don't know that we figured out  
8 whether they're going to be coincidental right up  
9 front. They would be developed while construction is  
10 going on on the site because we would be using the  
11 same contractors.

12 MS. ADAMO: And will money be held in  
13 escrow for the developer's agreement?

14 THE WITNESS: I'll defer to the attorney  
15 to discuss the bonding arrangements that are required  
16 with the municipality.

17 MS. ADAMO: Okay. I ask if the project  
18 gets delayed and road improvements aren't put in.

19 THE WITNESS: So the general answer is  
20 part of any approval with the municipality and with  
21 the County that protections are created by bonding.

22 MS. ADAMO: Okay. There are, and I don't  
23 know how, if you are aware that there are large  
24 overhead wires that were put in several years ago on  
25 Piermont Road and Rivervale Road. So I presume those



1 are going to be moved.

2 THE WITNESS: Any utility relocations that  
3 are required, we would take care of.

4 MS. ADAMO: So that's part of, the  
5 developer pays for that.

6 THE WITNESS: It depends sometimes the  
7 utilities take care of it as a result of the County  
8 Master Plan or prior County requirement. But it could  
9 be a cost that the applicant has to bear.

10 MS. ADAMO: Okay. So do you know if it --  
11 on the plan I find it's difficult to see as, at that  
12 scale. I'm surprised why it's not on a larger scale  
13 so that the County could, community could see it  
14 better but how many overhead wires or how fewer  
15 overhead wire poles are there going to be?

16 THE WITNESS: I don't know that answer.

17 MS. ADAMO: Okay. Did you study -- oh,  
18 actually, mentioned this evening is the crossing  
19 beacon going to be on both sides of the street?

20 THE WITNESS: Yes.

21 MS. ADAMO: So is there an easement  
22 required for the crossing beacon on the south side?

23 THE WITNESS: From my review I believe we  
24 would be able to put it in the system right away.

25 MS. ADAMO: Okay. Did you happen to

1 study, as a traffic engineer, moving the site, moving  
2 the road into the site more so a traffic light  
3 wouldn't need an easement from the south side?

4 THE WITNESS: No.

5 MS. ADAMO: Okay. Do you think the  
6 traffic light is necessary there?

7 THE WITNESS: I think ultimately it's a  
8 potential solution. I think that the County wants to  
9 start with the geometric solution to see how that  
10 works because there are all positives and negatives  
11 with a traffic signal but it is something that has  
12 been studied through the years and it is certainly  
13 what is being planned in terms of implementing  
14 geometric improvement, putting in underground conduit  
15 to be receptive to that solution.

16 MS. ADAMO: Because an easement would be  
17 required then on the south side. You could just add  
18 it as a final planning, put in on the site or put it  
19 on that side rather.

20 THE WITNESS: I'm not sure I'm following  
21 the question.

22 MS. ADAMO: Well, if you put it on the  
23 site, if it just gets moved into the site then we  
24 wouldn't have to worry about an easement later digging  
25 up a road. You wouldn't have to worry about an

1 easement on the south side.

2 THE WITNESS: That's not necessarily true.  
3 You wouldn't realign all of Rivervale Road and  
4 Piermont into the site. That would be a fairly  
5 significant undertaking to, to shift the alignment of  
6 the road enough to create border areas.

7 So the more appropriate way to do it is to  
8 figure out what kind of easements will be needed for  
9 foundations and so forth.

10 MS. ADAMO: Okay. And did you study for  
11 sidewalks from Hillsdale coming into River Vale?

12 Did you study a cohesive design for the kids  
13 walking from Pascack Valley, the school? If a  
14 sidewalk is generated on the south side of Piermont it  
15 would continue from -- the kids would have to cross  
16 the road once as opposed to going back and forth.

17 So if the sidewalk is actually built out from  
18 say the Holiday Farms side, they wouldn't have to  
19 worry about doing a lot of crossing as they came from  
20 PV.

21 THE WITNESS: Our obligation and  
22 requirement is to deal with the property that we own  
23 on our side of the road. The site improvements is  
24 outside of our purview.

25 MS. ADAMO: Okay. Is there, I hate to say

1 a before and after plan but the existing trees that  
2 are on Rivervale Road, we have some old growth trees  
3 there. Are they going to stay or are they going to  
4 have to be raised?

5 MR. WOLFSON: I think that's a question  
6 for the landscape architect.

7 MS. ADAMO: I question it because the road  
8 is widened.

9 THE WITNESS: So in proximity to where the  
10 widening is occurring there are several trees that  
11 will have to be removed because we are widening on to  
12 the property. I don't have the specific count on  
13 that. They will be impacted.

14 The intent is to maintain, for the most part, as  
15 many of those trees as possible.

16 MS. ADAMO: On Rivervale Road?

17 THE WITNESS: On Rivervale Road.

18 MS. ADAMO: Okay. I think that just, it  
19 would be helpful and it would clarify for the public  
20 how the actual site is being changed, if you have --  
21 if you showed, you know, a demolition plan, a tree  
22 demolition plan.

23 THE WITNESS: There are plans on file with  
24 the township that have been reviewed by your engineer  
25 as well as the County and that shows the detail.

1 MS. ADAMO: Okay. It's just when you have  
2 a large sheet like this it's easier to understand when  
3 the general public could see it. But I don't think  
4 it's here that we're not going to lose a lot of trees.  
5 I think --

6 CHAIRMAN LIPPERT: Please ask questions.

7 MS. ADAMO: I'm sorry. I'm sorry.

8 It's not -- I feel that -- I don't feel  
9 anything.

10 I question whether, I wonder, as a professional,  
11 I'm having a hard time seeing on the plans where the  
12 trees are so I ask why you didn't do a larger, larger  
13 scale plan.

14 THE WITNESS: There are, there are  
15 detailed plans that include a lot of information on it  
16 that are on file with the Board.

17 MS. ADAMO: Okay.

18 THE WITNESS: You have the opportunity to  
19 go sheet by sheet through that, those plans but they  
20 are available for review.

21 MS. ADAMO: Okay. All right. Great.

22 Thank you very much for your time.

23 CHAIRMAN LIPPERT: Thank you.

24 Yes, ma'am.

25 Just so I get an idea, anyone else want to ask

1 questions of this witness?

2 FEMALE SPEAKER: I do.

3 CHAIRMAN LIPPERT: I know you do.

4 All right. So we'll, I think what we'll do is  
5 you ask your questions, then we'll take a little break  
6 and then have Mr. Van Eck ask his questions.

7 MS. QUIIAMEIGI: Chrissy Quiiameigi  
8 (phonetic), 3 Holiday Court.

9 I was just curious. You said they're not  
10 putting a traffic light in Piermont and Rivervale now.

11 THE WITNESS: The applicant is proposing  
12 to do roadway widenings but -- and we're putting in  
13 the underground conduit for future signalization BUT  
14 we are not installing the signal.

15 MS. QUIIAMEIGI: Moving forward, is there  
16 going to be money put aside in escrow or is that a  
17 taxpayer -- the taxpayers will have to pay?

18 THE WITNESS: That would be beyond the  
19 requirements of our mitigation so that is something  
20 that the County --

21 MS. QUIIAMEIGI: Thanks.

22 THE WITNESS: That wouldn't be ours.

23 CHAIRMAN LIPPERT: Okay. So let's take a  
24 brief break and come back at 9:00 and allow Mr. Van  
25 Eck to question.

1 (A recess is taken.)

2 CHAIRMAN LIPPERT: Okay. It's 9:00.

3 We're going to reconvene. Thank you.

4 Can we have a roll call.

5 MS. VERDUCCI: Mr. Lowe.

6 MR. LOWE: Here.

7 MS. VERDUCCI: Mr. Beukas.

8 MR. BEUKAS: Here.

9 MS. VERDUCCI: Mr. Adamo.

10 Mr. Bromberg.

11 COUNCILMAN BROMBERG: Here.

12 MS. VERDUCCI: Mayor Jasionowski.

13 Robert Fortsch.

14 VICE CHAIRMAN FORTSCH: Here.

15 MS. VERDUCCI: Mr. Wayne.

16 MR. WAYNE: Here.

17 MS. VERDUCCI: Mr. Puccio.

18 Ms. Vaccaro.

19 MS. VACCARO: Here.

20 MS. VERDUCCI: Mr. Lippert.

21 CHAIRMAN LIPPERT: Here.

22 Okay. So Mr. Van Eck, it's your turn.

23 MR. VAN ECK: Thank you. Jameson Van Eck,

24 Verdi, Steinberg & Pontell on behalf of River Vale

25 Holiday Farms Condominium Town House section.

1 I only have a few questions. I think the public  
2 did most of the things I was going to ask this  
3 evening.

4 I think that this is clear, I just want to make  
5 it clear for the record, the applicant is agreeing as  
6 a condition of approval to improve the intersection of  
7 Piermont and Rivervale.

8 Is that fair to say?

9 CHAIRMAN LIPPERT: Mr. Van Eck, can you  
10 move your microphone? It's hard to hear in this  
11 corner.

12 MR. VAN ECK: Certainly. Is this better?

13 CROSS-EXAMINATION BY MR. VAN ECK:

14 Q So as a condition of approval, the  
15 applicant will be making improvements to the Rivervale  
16 and Piermont intersection?

17 A As I have testified to, yes.

18 Q You would agree without that the traffic  
19 would be much worse if those improvements were not  
20 made and the project was built?

21 A Yes.

22 Q There was, I think there was some mention  
23 at the last hearing about dealing with the new second  
24 access point or second egress across from our, and I  
25 thought you might have said you were considering



1 restricting to right turns only.

2 Did I hear that right? Explain that a little  
3 bit.

4 A That was part of the discussions we had  
5 earlier but I believe Mr. Statile corrected it. Based  
6 on our meeting with the County we would propose to  
7 simply connect it and allow lefts and rights. I don't  
8 believe a lot of people would make a lot of lefts out  
9 of that but the County is comfortable with that and  
10 I'm certain, I believe it will work fine.

11 Q Is there any concern of people going  
12 straight across Mark Lane?

13 A No but you would have that potential. It  
14 would be like any standard four way intersection, you  
15 would have the option to do that.

16 Q Have you specifically analyzed what, as  
17 part of your traffic analysis, the second egress  
18 point?

19 A I have done a preliminary analysis, that's  
20 just to double check it before we met with the County.  
21 The predominant movement would be right turns out  
22 because that's really the entire line and we were  
23 finding it would work with the Level of Service.

24 Q Is there any concern people making a left  
25 turn going eastbound, if that's going to add more

1 volume to the intersection that you're trying to  
2 improve?

3 A It really comes down to how many would  
4 elect to make that left when you have the opportunity  
5 to get out to Rivervale directly.

6 So I don't expect there would be any significant  
7 movement given that you can have a direct connection  
8 to Rivervale and with that intersection. So it's a  
9 few vehicles. I don't think it would be a meaningful  
10 impact.

11 Q So you are not recommending right turns  
12 only?

13 A No. I think, based upon my recollection  
14 and Mr. Statile's clarification, it makes sense to try  
15 to not restrict it and just to allow it to come out at  
16 the right connection.

17 Q I believe you mentioned you performed a  
18 study May 1st.

19 Could you tell us what day of the week that was,  
20 2018?

21 A It was a Tuesday.

22 Q Is there any reason to pick a Tuesday?

23 A We also look to take a weekday traffic  
24 count. We look for Tuesday, Wednesday, Thursday. You  
25 want to do the mid week period.

1           Mondays can be odd because you're coming off a  
2 weekend and Fridays can also have some odd things with  
3 it. So we always look for midday weekdays.

4           Q           Is it not your experience that there's  
5 more traffic on Mondays, especially in the morning?

6           A           No, not necessarily, no. You could have  
7 different patterns and that's always a concern.

8           Q           Did you perform any studies on the  
9 weekend?

10          A           No.

11          Q           Would you on a Saturday afternoon?

12          A           No, you would do that for a shopping  
13 center not for a residential development.

14          Q           So you don't believe it's necessary for  
15 this?

16          A           No.

17          Q           I want to talk about, very briefly, the  
18 Piermont, south intersection with Piermont. I believe  
19 I want to look at Table 3 in your report.

20                 Can you tell us the current wait times and Level  
21 of Service of Piermont for people going north on  
22 Piermont south so people leaving Holiday Farms and  
23 entering onto Piermont out of it?

24          A           Sure. So exiting Holiday Farms which in  
25 the table under the no-build condition would be

1 representative of northbound left, right and currently  
2 it operates at Level of Service C and the calculated  
3 average waited delays are about 18.7 seconds for a  
4 vehicle in the morning and about 20.4 seconds for a  
5 vehicle in the evening.

6 Q Is that during the peak time of your  
7 study, 7:15 to 8:15?

8 A Peak time 7:15 to 8:15 and the 5:00 to  
9 6:00 in the evening.

10 Q And did you go out and independently  
11 confirm those times?

12 A They're done by the traffic counts. And  
13 that's where the peaking occurs.

14 So from the day that we collected that is when  
15 the peaks occur.

16 Q So you set up one of those cameras at this  
17 intersection?

18 A Yes.

19 Q And that was on the same day, May 1st?

20 A Right.

21 Q And with the build condition, what will  
22 the new wait times for people going north on Piermont  
23 south be?

24 A So it will stay a C. Level of Service and  
25 the average calculated day 24.9 seconds. And in the

1 evening it goes to, flips over to a D. at 28.5  
2 seconds, 28.5 seconds per vehicle.

3 Q So in the morning it stays at C. which is  
4 the current Level of Service?

5 A Yes.

6 Q And in the evening?

7 A It trips over the lines, yes.

8 Q The Level of Service for a C., 24.9  
9 seconds.

10 Correct?

11 A That's correct.

12 Q And that's 1/10th of a second away from  
13 being a Level D.

14 Correct?

15 A That would be correct.

16 Q So isn't it more fair to characterize --

17 A It's more in that lane, a C., D. lane and  
18 from what I'm hearing from the testimony tonight  
19 delays on those intersections and it's exactly what I  
20 would expect to see.

21 Q Are there any improvements being proposed  
22 to address that drop in service?

23 A No, there's really, at that particular  
24 location I don't think there's anything warranted in  
25 terms of changing the Level of Service. It's still

1 considered a good Level of Service.

2 Q For Bergen County or in general?

3 A In general in the State of New Jersey it's  
4 probably considered an excellent Level of Service.

5 Q What's causing that drop in service?

6 A It's basically the, a little bit of  
7 additional flow along Piermont. It could have a  
8 little bit of influence in the equations associated  
9 with the driveway across the street, the right turns  
10 out. There's a little more decision making and that's  
11 factored into the equations. So it's a combination of  
12 those factors that, that factor into the equations.

13 Q If the affordable housing was incorporated  
14 into the town house development and you could  
15 eliminate that driveway, would there be an impact on  
16 the Level of Service at this intersection?

17 A I don't think it would substantially  
18 change. And as I characterized at the last meeting, I  
19 don't think there's really going to be a perceptible  
20 change in the motorists, what they experience today.

21 MR. VAN ECK: Thank you.

22 That's all I have.

23 CHAIRMAN LIPPERT: Mr. Wolfson, what  
24 witnesses do you have for tonight?

25 MR. WOLFSON: Next we call the landscape

1 architect, Adam Alexander.

2 CHAIRMAN LIPPERT: Okay. I'm sorry. Come  
3 back.

4 I didn't ask the Board, does any Board members  
5 have any questions?

6 COUNCILMAN BROMBERG: I have one question.  
7 Southbound Rivervale Road turning right onto  
8 Piermont, did I misunderstand, and we're not having a  
9 right turn or we are having a right turn lane?

10 THE WITNESS: We are having a right turn  
11 lane, channelized into a receiving lane.

12 COUNCILMAN BROMBERG: Channelized.

13 THE WITNESS: Yes.

14 COUNCILMAN BROMBERG: Was any  
15 consideration given to a curbing to make or force  
16 people to actually carry out their right turn?

17 Is that something you would --

18 THE WITNESS: With the channelization it  
19 is actually curved in order to separate it and force  
20 the right, yes.

21 COUNCILMAN BROMBERG: With a somewhat  
22 physical barrier so a person couldn't decide to go  
23 straight at the last minute?

24 THE WITNESS: It is a raised island not a  
25 striped island.

1 COUNCILMAN BROMBERG: That is my question.

2 CHAIRMAN LIPPERT: Anyone else from the  
3 Board?

4 MR. WAYNE: Yeah. The right turn on  
5 Piermont Avenue onto Rivervale Road, how long of an  
6 area is that for cars to make a right turn on  
7 Rivervale Road off of Piermont Avenue?

8 How many feet is that turn lane.

9 MR. WOLFSON: So, Karl, you're looking at  
10 Exhibit --

11 THE WITNESS: A-4.

12 MR. WOLFSON: -- A-4.

13 THE WITNESS: So the left turn lane, the  
14 right -- so what happens in the design is the existing  
15 eastbound Piermont Road lane becomes the right turn  
16 lane and what we do is we taper and widen to create  
17 the left turn lane. So the left turn lane as designed  
18 is 175 feet in length so in effect you have two lanes  
19 175 feet in length.

20 MS. VACCARO: I have a question.

21 Was there any consideration given, looking at  
22 Cedar Lane?

23 Cedar Lane feeds into Piermont effecting traffic  
24 going to Pascack Valley High School.

25 THE WITNESS: I'm not sure I follow the



1 question.

2 MS. VACCARO: Cedar Lane is going west, is  
3 coming onto Piermont. Was there any consideration at  
4 all given to looking at Cedar Lane which is parallel  
5 to Rivervale Road?

6 THE WITNESS: We haven't studied that.

7 MS. VACCARO: Okay. Thank you.

8 COUNCILMAN BROMBERG: We have another  
9 question.

10 Going back to Rivervale Road southbound, the  
11 straight lane, is that going to be relatively straight  
12 going down River Vale or are you going to have to make  
13 a sort of like a queue? I know there are some  
14 sections, the one going straight. You have to kind of  
15 shift left and right otherwise you'll be facing  
16 oncoming traffic.

17 THE WITNESS: Referring to A-4.

18 COUNCILMAN BROMBERG: I could see the  
19 picture of the actual roadway where the lines are and  
20 all that.

21 THE WITNESS: So, so, again, the main line  
22 lane, as you travel south on Rivervale is the thru  
23 lane so you're not coming down and jogging left to  
24 continue. You're jogging, making the decision to move  
25 right to make the right turn.

1 COUNCILMAN BROMBERG: So basically it  
2 would be approximately where it is now?

3 THE WITNESS: Roughly. The curb actually  
4 gets flattened a little bit in order to introduce the  
5 left lane into the County Club.

6 COUNCILMAN BROMBERG: That was the second  
7 part of my question. At that end, the straight lane  
8 is going to be still the straight southbound lane, is  
9 going to be relatively straight where it is now or is  
10 it going to get shifted westbound?

11 THE WITNESS: So that will be shifted  
12 towards the County Club. So what, what we have the  
13 advantage of happening here, because there's this  
14 curvature in this road where what we're able to do is  
15 actually take that curvature, flatten the radius a  
16 little bit in order for the car to shift towards the  
17 County Club. That gives us the ability to introduce  
18 the left turn lane and bring that curvature to bring  
19 it back to where we start.

20 COUNCILMAN BROMBERG: Because now there  
21 was a big project years back where they straightened  
22 north of this, they straightened that and there was a  
23 lot -- and I want to make sure that was going  
24 straight. Basically the same thing on Piermont, east  
25 and west, the straight away is going to be pretty much

1 the dead straight and the break off lanes to make a  
2 right turn in or a left turn in from going, to be the  
3 ones where you will have to shift the traffic pattern.

4 THE WITNESS: So heading eastbound on  
5 Piermont as you approach the intersection, you will  
6 naturally be aligned in the right turn lane and you  
7 will shift left into the left turn slot.

8 COUNCILMAN BROMBERG: Okay. I'm sorry. I  
9 meant for the left turn into the affordable housing is  
10 coming eastbound.

11 THE WITNESS: There is no widening at that  
12 location so that stays exactly as it is today.

13 COUNCILMAN BROMBERG: But there will be a  
14 left turn lane.

15 THE WITNESS: No.

16 COUNCILMAN BROMBERG: Okay. Thank you.

17 CHAIRMAN LIPPERT: Other Board Members?  
18 Okay. Thank you.

19 THE WITNESS: Thank you.

20 MR. LEIBMAN: Please raise your right hand  
21 to be sworn.

22 Do you swear the testimony you're about to give  
23 is the truth, the whole truth, nothing but the truth  
24 so help you God?

25 THE WITNESS: Yes.

1                   MR. LEIBMAN: State your name, spell your  
2 last name and give us your business address.

3                   THE WITNESS: Business address?

4                   My name is Adam Alexander, A L E X A N D E R,  
5 1395 Yardville Hamilton Road, Hamilton, New Jersey.

6 DIRECT EXAMINATION BY MR. WOLFSON:

7                   Q           Can you provide us with a brief background  
8 of your education, experience and qualifications?

9                   A           Yes, sir. Good evening, Board, Chairman,  
10 Board Members and Board professionals.

11                   Once again my name is Adam Alexander, Director  
12 of Landscape Architecture at Spiezle Architectural  
13 Group, Bachelor of Science in landscape architecture  
14 from West Virginia University and I am a licensed  
15 landscape architect in the State of New Jersey as well  
16 as New York, Pennsylvania, Connecticut.

17                   I've been practicing landscape architecture for  
18 over 20 years and I've been licensed for 12 years.

19                   I provided landscape architectural testimony in  
20 many municipalities in New Jersey including Jersey  
21 City, West Orange, Long Branch, Mountainside, Franklin  
22 to name a few.

23                   MR. WOLFSON: We ask he be accepted as an  
24 expert in the area of landscape architecture.

25                   CHAIRMAN LIPPERT: We accept his

1 credentials in landscape architecture.

2 MR. WOLFSON: Thank you.

3 Q So, Adam, in connection with your  
4 retention by the applicant, you were involved in the  
5 design of landscape features of the project?

6 A Yes, sir.

7 Q And relating improvements?

8 A Yes, sir.

9 Q Could you lead us through those aspects of  
10 the project?

11 A Absolutely.

12 CHAIRMAN LIPPERT: Just make sure you talk  
13 into the mike.

14 THE WITNESS: Will do.

15 A So I've been here at all the hearings.  
16 I've been listening closely to all the testimony and  
17 comments so I've been trying to gauge what information  
18 to share and try to respond to everything accordingly.

19 So in reviewing the ordinance in preparing these  
20 plans, I recognize the importance of the landscape as  
21 it plays a force in the community.

22 So our landscape plan was designed to meet the  
23 intent of the Ordinance 331-2018, Section 142-224.5  
24 landscaping and Section 142-224-6 landscape buffers  
25 and 142.24224.7 vegetation size standards.

1 I would like to first provide an overview of the  
2 landscape plan, our Exhibit A-3, which I will  
3 periodically refer to.

4 So all of the landscape species that are  
5 proposed for the project are native to New Jersey and  
6 River Vale, indigenous and native. We've provided  
7 extensive landscaping throughout the property. I'm  
8 going to go through just some of the proposed  
9 quantities just to give you an idea.

10 We're proposing 160 evergreen trees. Typical  
11 species are spruce and fir, 8 to 10 foot height, 433  
12 deciduous trees, 2 1/2 inch caliper. Examples are  
13 maple, oak and elm.

14 67 ornamental trees ranging in caliper size from  
15 1.5 to 2.5 inches caliper, species such as redbud and  
16 serviceberry, 3,628 evergreen and deciduous shrubs and  
17 ground cover at various heights.

18 In addition to all of those plantings, we're  
19 also proposing extensive foundation landscaping for  
20 each of the units. They're also mixed deciduous and  
21 evergreen.

22 We preserved as many mature trees as possible  
23 throughout the site, specifically the maple trees and  
24 the evergreens along Piermont Avenue and also internal  
25 to the site, the greater design was created to try to

1 keep as many of the existing trees as possible.

2 We're also supplementing the existing trees  
3 along Piermont to provide a complete buffer of the  
4 affordable units and the maintenance area.

5 We are providing landscaping around the trash  
6 enclosure. We are also providing a walkable community  
7 with two locations for amenities, a games pavilion,  
8 meditation garden which are both connected with  
9 walking paths and also a series of concrete walkways  
10 that are part of the site design.

11 The walking paths are a nice amenity to the  
12 community as they provide a naturalized walking  
13 experience throughout the inside of the development.

14 So I want to move to the lighting because I was  
15 also responsible for the lighting design. The light  
16 fixtures were selected to be decorative in nature but  
17 also provide, compensate for illumination levels while  
18 reducing sky glow, light spillage, glare, within the  
19 residential neighborhood.

20 There was mention by the Board engineer to  
21 potentially reduce the amount of fixtures and we are  
22 open to discussing that further as we go forward with  
23 the plans.

24 So there's, there's a very unique buffer  
25 ordinance that was created specific to this project.

1 So I'd like to speak to the landscape buffer and the  
2 planting calculations just so that the Board can  
3 refresh on the requirement.

4 We also created some, some renderings that I  
5 would like to add, enter as exhibits.

6 MR. LEIBMAN: I think we're up to A-6.

7 MR. WOLFSON: A-5.

8 MR. LEIBMAN: 5.

9 THE WITNESS: So A-5.

10 MR. LEIBMAN: Just put your initials and  
11 today's date on it, please.

12 A Now this one is View 1.

13 Q Do you want to just describe what the view  
14 is?

15 A Can I just enter them in first?

16 Q Whatever you're more comfortable with.

17 A This is View 2.

18 MR. LEIBMAN: Mark that as A-6.

19 A And View 3.

20 MR. LEIBMAN: That will be A-7.

21 Just put your initials and today's date.

22 Thanks.

23 A So in responding to this unique buffer  
24 ordinance that was created specifically for this  
25 project we understand the importance of the buffer to



1 the town. We intentionally designed the landscape  
2 buffer to meet and exceed the requirement.

3 The landscape buffer considers the following,  
4 the buffer is measured 25 feet from the property line.  
5 The total length of the buffer along Piermont Avenue  
6 is 2,226 linear feet. We are required to provide a  
7 1.2 points per linear foot. So we are required to  
8 provide 2,670 points.

9 The proposed total points equals 4,090 or 1.8  
10 points per linear foot of buffer.

11 So if we take the total points which is 4,090  
12 and we divide that by the length, 2,226, that is how  
13 we get to 1.8 points which exceeds the 1.2 per linear  
14 requirement.

15 MR. LEIBMAN: I'm at a total loss.

16 Q So in Section 6 of the ordinance, Section  
17 6 of the ordinance that you referred to earlier,  
18 that's entitle titled landscape buffers?

19 A Correct.

20 FEMALE SPEAKER: How about in English?

21 Q There is a method under Subsection C for  
22 calculating the number of required plantings.

23 Right?

24 A Yes.

25 Q And then there are points accorded to

1 various categories of plantings?

2 A Correct.

3 Q Okay. Do you want to just read that  
4 section of the ordinance?

5 A Plant type points.

6 Q Wherever you're comfortable.

7 A So this is section -- this is Letter C,  
8 calculating required plantings from your ordinance.

9 The total amount required landscaping within the  
10 required buffer shall be calculated based on point  
11 system. The point system, as established below,  
12 ensures a minimum level of landscaping is achieved  
13 during development while maintaining flexibility. The  
14 calculated points or quantity of plants round up to  
15 the higher whole number. And it talks about, for each  
16 specific plant that you are putting in, you get  
17 points.

18 CHAIRMAN LIPPERT: Give an example of a  
19 point and how many points.

20 THE WITNESS: All right. So a large tree  
21 is 12 points, a small tree is 6 points, a large shrub  
22 is 3, a medium shrub is 2 and a small shrub is 1.

23 CHAIRMAN LIPPERT: And what was the total  
24 number of points that you said?

25 THE WITNESS: We have 4,090 total points.

1                   CHAIRMAN LIPPERT:  And that's a  
2   combination of larger trees and smaller trees?

3                   THE WITNESS:  Correct.  It's a combination  
4   of evergreen, deciduous trees and shrubs.  It's an  
5   aggregate and that's divided by the total length of  
6   the buffer.

7                   CHAIRMAN LIPPERT:  And how -- I don't mean  
8   to jump ahead or anything but how many points did you  
9   calculate are required under the ordinance?

10                  THE WITNESS:  Well, we're required to  
11   provide 1.2 points per linear foot and we're providing  
12   1.8.

13                  Q            So almost 50 percent more than required.  
14                                Right?

15                  A            A little less -- yeah, 4,467 so, yes.

16                  Q            Thank you.

17                  MR. LEIBMAN:  Chris, did you confirm those  
18   numbers?

19                  MR. STATILE:  Yes, it's been confirmed.

20                  MR. LEIBMAN:  It has been confirmed?

21                  THE WITNESS:  Correct.  Yes.

22                  MR. LEIBMAN:  Because I'm not doing the  
23   math.

24                  MR. STATILE:  We already, did this already  
25   a couple months ago.

1           A           We are preserving much of the existing  
2 trees as possible in the development as I mentioned  
3 and we are supplementing the existing buffer with  
4 evergreens and shrubs.

5           As I mentioned, I've been at all the hearings  
6 thus far. There's been some discussion about adding  
7 curbing along Piermont Avenue. It's my professional  
8 opinion that curbing along Piermont would be a  
9 detriment to the existing trees that we are trying to  
10 preserve.

11           The next -- so what I wanted to do is maybe  
12 share some of the, some of the renderings that we  
13 created. So View 1 --

14                   MR. WAYNE: Excuse me. Could I just ask  
15 you a question about the trees along Piermont Avenue?

16                   THE WITNESS: Yes, sir.

17                   MR. WAYNE: Have you taken a survey of  
18 those trees, what shape they're in?

19                   THE WITNESS: I have visually inspected  
20 them. I'm not a forester but they seem to be in  
21 relatively good shape. The maple trees are starting  
22 to push their buds so they seem to be okay.

23                   MR. WAYNE: I'm sorry.

24                   THE WITNESS: They seem to be okay. They  
25 are old in age.

1           MR. BEUKAS:  Have you seen those trees in  
2 full bloom when you were doing your study?

3           THE WITNESS:  I have.

4           MR. BEUKAS:  There's a few trees on that  
5 street that are in pretty rough shape.

6           THE WITNESS:  There are.

7           MR. WAYNE:  I would like to see a survey  
8 done and if the trees are in poor condition they  
9 should be taken down and replaced.

10           You're going to be doing the work there.  Who  
11 knows what's going to happen to them.  I think we  
12 should be looking at those.

13           I know you were talking about curbing, the  
14 curbing will inhibit the roots and stuff but the trees  
15 that are there, you are taking some down for the  
16 widening of Piermont and Rivervale Road.

17           THE WITNESS:  Correct.

18           MR. WAYNE:  Which is six, seven trees you  
19 have to take down there, somewhere around there.

20           THE WITNESS:  At the intersection that  
21 question came up recently.  There is approximately  
22 seven or eight larger trees that are coming down and  
23 then there's a handful of smaller evergreen pine  
24 trees.

25           MR. WAYNE:  But the trees that are still

1 along Piermont Avenue, I think we should look at those  
2 and if any of those have to come down, to be taken  
3 down.

4 MR. WOLFSON: Yeah. The applicant will do  
5 that at the time of construction when it settles down  
6 and then will either perform maintenance to those that  
7 needed maintenance or would replace trees that just  
8 weren't worthy of maintenance.

9 MR. STATILE: I think, if it's a concern,  
10 which I believe I have a concern for them, too, we can  
11 have a forester check those trees and make a  
12 determination which ones should come down.

13 MR. BEUKAS: That's one of the questions I  
14 would have is would your opinion change if the  
15 majority of those trees needed to be taken down, would  
16 that change your opinion with regard to the curbing if  
17 the issue of the curbing is disturbing the root  
18 systems on unhealthy trees.

19 THE WITNESS: If the trees are a safety  
20 issue for pedestrians and vehicles, then that's  
21 something to be considered.

22 MR. BEUKAS: I have a hypothetical.  
23 There's 10 trees and six of those are in very bad  
24 shape, would that change your opinion at the end of  
25 the day as to whether or not you would consider

1 putting curbing in if those trees had to be removed.

2 THE WITNESS: Maybe. Right now we look at  
3 those trees as an asset because they are part of the  
4 character of the roadway and the development. They  
5 seem to be in good shape.

6 All trees do have a life span, though. So at  
7 any time any tree could come down but they don't seem  
8 to be in like extreme disrepair or hazard. Otherwise,  
9 the County may also get involved, right, because  
10 they're in the right-of-way.

11 MR. LEIBMAN: We discussed, I think a  
12 couple meetings ago, about having Mr. Statile go out  
13 to the site. We discussed a couple meetings ago Mr.  
14 Statile having to go out to the site with the  
15 applicant and walk down Piermont and identify areas  
16 that you suggest a metal curb instead of a curb.

17 Did that meeting occur?

18 MR. STATILE: Yes. And in furtherance of  
19 that meeting, I also spoke with the County as well so  
20 we're going to have a meeting with the County to  
21 discuss the curb line.

22 The trees, yes, there are several trees are  
23 distressed and probably should be considered for  
24 removal. But, again, I'm not an arborist or forester,  
25 you could just look up and see. Perhaps we shall have

1 somebody look at those 15 or so trees and give us a  
2 determination as to whether or not --

3 MR. LEIBMAN: Does the County have  
4 somebody that can do that with you?

5 MR. STATILE: I don't believe they do.  
6 The town might do a tree inventory. I'm not sure if  
7 we use a --

8 MR. LEIBMAN: I see the applicant standing  
9 up, Mr. Wolfson.

10 Do you want to talk to your client?

11 MR. SANTOLA: I'm still under oath.

12 Our impression and understanding from the very  
13 beginning, the municipality wanted to preserve as many  
14 of those trees as possible so that's sort of been our  
15 goal.

16 To the extent that that goal changes, we're more  
17 than willing to cooperate.

18 I would suggest to you if you need an arborist  
19 from the escrow, in order to move this along, we would  
20 be more than willing to agree to that.

21 If in fact the majority of the trees needed to  
22 come down, would that alter the opinion of a curbing?  
23 Certainly we would. I think right now, given where  
24 the engineers have been through Mr. Statile's letter,  
25 probably the only issue that still exists among us and



1 our, in large part because it's our fervant belief the  
2 town wanted to preserve as many of those trees as they  
3 could. If, ultimately, that position changes we're  
4 more than willing to cooperate in how we go forward  
5 from there.

6 MR. LEIBMAN: Thank you very much, Mr.  
7 Santola. I think Mr. Beukas's point, the majority of  
8 them, is this where you're going, it may make sense to  
9 take them all down, plant all new matching ones a  
10 uniform distance apart so you can create a beautiful  
11 landscape that you can drive past.

12 MR. STATILE: Gateway.

13 MR. LEIBMAN: A gateway to the community  
14 for the future.

15 MR. STATILE: The suggestion to employ an  
16 arborist to make a survey of the trees and give us an  
17 idea what they're like.

18 MR. LEIBMAN: Things should start budding  
19 soon so you'll know just from driving down the road  
20 within the next month or so which of these trees  
21 are --

22 MR. STATILE: The arborist does more than  
23 just -- they look at the bark, maybe core it out, do  
24 it the professional way.

25 MR. LEIBMAN: So do you have an arborist

1 in mind, Mr. Statile, that you can engage.

2 MR. STATILE: Yes. I'll talk to the town  
3 administration.

4 MR. LEIBMAN: Thank you very much.  
5 Sorry to ruin your landscaping.

6 THE WITNESS: That's okay.

7 MR. STATILE: He wants to plant more  
8 trees.

9 A So I just wanted to point out we created  
10 some additional simulations, renderings of the  
11 existing conditions and what they would look like with  
12 our proposed plantings.

13 So View 1, referencing A-5, is a depiction of  
14 the existing trees as best as we could, the ornamental  
15 fencing along Piermont as well as the proposed trees.

16 You'll also see in the background the piers.  
17 This is the entrance to the affordable that are --

18 MR. STATILE: I think if the audience  
19 wants to come around and stand there to look at the  
20 exhibit, don't be shy. You can stand and look at the  
21 exhibits.

22 THE WITNESS: I can turn this.

23 CHAIRMAN LIPPERT: Just, just so we're  
24 clear to maybe anticipate some of the questions that  
25 might be asked. These are not photographs.

1 Right?

2 THE WITNESS: No.

3 CHAIRMAN LIPPERT: These are -- what are  
4 they and how did you produce them?

5 THE WITNESS: So we were able to create a  
6 model using software of the roadway and the buildings.  
7 We did not model the entire site but specifically the  
8 affordable COAH units.

9 We tried to show the plant, the existing plant  
10 materials as accurately as possible. The software is  
11 called SketchUp.

12 CHAIRMAN LIPPERT: So how do you know  
13 what's existing and what's not?

14 THE WITNESS: So what's existing in these  
15 renderings is the larger trees along the roadway and  
16 behind them are the trees that we're supplementing.  
17 Some of them are the existing evergreens that are  
18 there but what these renderings are showing you is how  
19 the buffer may look.

20 View No. 2 is the roadway access into the  
21 affordable area. You see on either side are  
22 decorative piers and the fencing.

23 Exhibit A-7, View 3, is a typical condition of  
24 the, of what the buffer will look like, the existing  
25 trees supplemented with fencing, piers and proposed

1 evergreen trees, shrubs.

2 A Okay. So I'm going to move to the tree  
3 replacement requirement of the project.

4 There's also another calculation on here. We  
5 are removing 286 trees on this project. Our plan  
6 actually exceeds the requirement for tree replacement  
7 to require to replace trees on a two-to-one basis. So  
8 that we would be required to install 570 new trees and  
9 we are replacing 637.

10 The buffer plantings that I previously discussed  
11 are not included in that calculation.

12 So the fence and the piers that are along the  
13 roadway, the fence is a black picket ornamental fence.  
14 It is 55 feet high. There are piers that are 6 feet  
15 high. They are 2-by-2 and they are clad with brick  
16 and they are at approximately 150 feet intervals along  
17 the fence.

18 We're also involved in the signage on the  
19 project. There is one internal sign we're calling a  
20 feature. It's internal to the site. And you cannot  
21 see it from the roadway. The sign on the feature is  
22 17 feet long and 4 feet high.

23 The location of the sign on Exhibit A-2 is in  
24 this general location on the entrance off Piermont --  
25 Rivervale, yeah, off of Rivervale. It's internal to

1 the site.

2 I also want to speak about the entrance  
3 monument.

4 CHAIRMAN LIPPERT: Is that a new exhibit?  
5 This is A-8.

6 MR. LEIBMAN: With today's date.

7 CHAIRMAN LIPPERT: And what is this?

8 THE WITNESS: This is a, an illustrative  
9 depiction of the monument signs.

10 So the original plans that we provided showed  
11 the signs a little closer to the roadway. Based on  
12 concerns on the previous hearings we've actually  
13 scaled down the size of the entrance signs, the fence  
14 and the size will be pulled off the curb at the  
15 intersection about 30 feet and still kind of  
16 discussing that with the town the final location to be  
17 discussed with the Board engineer.

18 The sign that I'm presenting to you now is  
19 modeled after the Holiday Farms signs. We're  
20 proposing three entrance monuments. Two are at the  
21 entrance on Rivervale and one is at the intersection  
22 of Piermont and Rivervale.

23 All three monuments are the same. They are  
24 revised to be smaller in size than previously  
25 proposed. The current design is a 19 foot long with

1 two piers with an overall height of 6 feet. The signs  
2 of the monuments include Edgewood Country Club sign  
3 and a Fairways at Edgewood sign.

4 The monument will be clad with brick and a  
5 decorative cap stone.

6 So on Exhibit 8A the top, the top image is the  
7 entrance off of Rivervale. Here's the boulevard that  
8 leads into the development. You'll see the sign is on  
9 either side of the road with the ornamental fence on  
10 either side.

11 This is the same software, SketchUp, where we  
12 create a model of the space so that you can see what,  
13 what it's going to look like in the proposed  
14 condition.

15 The image at the bottom of the page on 8A is  
16 actually the intersection of Piermont and Rivervale,  
17 the same monument sign set back off the curb. This is  
18 the walkway that runs along. There's a green space  
19 between the sign and the walkway.

20 MR. STATILE: You're showing along the --

21 THE WITNESS: The fencing is a decorative,  
22 ornamental picket fence. About 150 feet along the  
23 fence are the piers that will kind of mimic that same  
24 characteristic of the sign.

25 MR. WAYNE: How large are these signs?

1 THE WITNESS: So this sign is 19 feet  
2 long, it has two piers on either side so that's  
3 included in that total length. The piers are 6 feet  
4 tall.

5 MR. STATILE: Sign size or the monument  
6 size?

7 THE WITNESS: The monument.

8 MR. WAYNE: Do you have a sign on the  
9 monument and is this lit?

10 Would there be lights on the sign?

11 THE WITNESS: Yeah, there will be lights  
12 on the sign.

13 MR. WAYNE: I'm sorry.

14 THE WITNESS: Ground illuminated lighting.

15 I don't have the exact specific dimensions of  
16 the sign but I can, I can get that for you.

17 MR. WAYNE: Do we need any type of  
18 variance or on this, on the signs?

19 MR. STATILE: Yes. Caroline is going to  
20 give us that. Yes.

21 I have to admit I suggested the corner sign  
22 would be identification of the area.

23 CHAIRMAN LIPPERT: Talk into the mike.  
24 They're not going to hear you. A little slower.

25 MR. STATILE: I suggested to the applicant

1 they consider the sign at the corner as you approach  
2 up Rivervale Road to give the intersection a kind of a  
3 place itself, opposite the other intersection. This  
4 is an ornament. We might also -- it would be nice to  
5 have that corner spot.

6 What you see in the corner is the utility pole  
7 but it's going to be a nice touch as sort of an  
8 introduction. That's all. Yes.

9 COUNCILMAN BROMBERG: I don't know if this  
10 is an opportunity to get the County to --

11 MALE SPEAKER: Speak into the microphone,  
12 please.

13 COUNCILMAN BROMBERG: I apologize.

14 Any chance of getting the County to redo those,  
15 have the utilities underground while we're doing all  
16 this construction and conduits?

17 MR. STATILE: That would be up to Public  
18 Service. I have only seen one place in my life time  
19 that that's occurred and that's because I think it was  
20 the head of Public Service himself. So it's a  
21 difficult, you know, hat trick to pull off. It's  
22 expensive.

23 I don't see any harm in the Mayor reaching out  
24 to the Public Service CEO and making that suggestion,  
25 at least to the corner anyway. We have five or six



1 utility poles. I think it may take an appeal to the  
2 CEO of the Public Service.

3 MR. BEUKAS: Chris, with the widening of  
4 the radius from Rivervale Road to Piermont, what's  
5 going to happen with those existing poles?

6 MALE SPEAKER: Speak into the microphone,  
7 please.

8 MR. BEUKAS: With the existing radius from  
9 Rivervale Road to Piermont, the existing poles and  
10 utilities there, what is being proposed?

11 What is going to happen with those specific  
12 utilities if the underground is not being proposed?

13 MR. STATILE: I would assume Public  
14 Service will shove those poles back off the sign. I  
15 don't know. I don't have the exact design.

16 MR. WOLFSON: That concludes his  
17 testimony.

18 CHAIRMAN LIPPERT: Any Board Members have  
19 questions for this witness?

20 Seeing none, anyone in the public have  
21 questions?

22 Yes, ma'am.

23 MS. DARSA: Francine Darsa, D A R S A, 23  
24 Holiday Court.

25 The reference -- it's okay if I go over here?

1 Let the audience see it.

2 THE REPORTER: Speak up.

3 MS. DARSA: I will.

4 CHAIRMAN LIPPERT: Use the mike.

5 MS. DARSA: I was under the impression  
6 that the fencing around the property was going to be  
7 higher, in previous testimony, than 5 feet high.  
8 That's what I thought I heard. It could be a mistake.

9 But I'm a little confused. If this is 5 feet  
10 high, I don't see anything back here that's 10 feet  
11 high. That looks much higher to me.

12 So my question is, how many years did it take  
13 for what we're looking at to grow to that height that  
14 can't possibly be what they're going to be planting.  
15 Some of it may exist.

16 But, do you follow my question?

17 THE WITNESS: Yes. So we're trying to  
18 show the existing trees the same size that they are in  
19 reality. The proposed trees are shown 4 to 5 years  
20 from the time of installation to show what the buffer  
21 will become. Okay.

22 We, we plant trees at a smaller size for a lot  
23 of different reasons, the survivability of those trees  
24 and they will grow over time into beautiful, mature  
25 plants to fill in that buffer.

1 But there are existing trees along that.

2 MS. DARSA: During the testimony you  
3 mentioned that some of your plantings would be one  
4 foot high.

5 Am I correct?

6 Is that what you said originally?

7 THE WITNESS: There are specific  
8 requirements for shrubs and we have to hit those  
9 minimums and specific minimums for the size of  
10 evergreen trees and specific minimums for the caliper  
11 of certain trees.

12 MS. DARSA: I don't know if you can do  
13 this for the members here that are concerned but I  
14 think perhaps it would be more realistic to have these  
15 pictures, these renderings to look like what they're  
16 going to look like when you first put them in because  
17 some of us may not even be living here in town 10  
18 years from now or 5 years from now.

19 So these pictures could look great in 5 or 10  
20 years but we want to see what it looks like, you know,  
21 right out the gate.

22 THE WITNESS: So, just a consideration.  
23 Obviously, we could create that but keep in mind that  
24 we have to put the landscaping plants in and they have  
25 to grow.

1           If we created, put the trees, put them all next  
2 to each other, they would all grow into each other and  
3 they would decline. So we could show them but just  
4 keep in mind when we're doing landscape design for  
5 buffers, we're looking a little bit into the future on  
6 the placement of those plants so that they do turn  
7 into a healthy buffer.

8           MS. DARSA: No, I have taken many botany  
9 classes so I'm aware of that. But what I'm saying is,  
10 this is not really realistic for us, those of us who  
11 live across the street, down the road. This is not  
12 what it's going to look like.

13           THE WITNESS: Yeah. Well...

14           CHAIRMAN LIPPERT: Anyone else?

15           MS. MORGENSTEIN: Florence Morgenstein, 9  
16 Holiday Court.

17           I have a few questions. Can you remove  
18 that top one and show the entrance? The entrance,  
19 yeah. Up on top.

20           I'm under the impression there's going to be  
21 some kind of guardhouse since it's an up-scale  
22 community.

23           Correct? Am I correct?

24           THE WITNESS: Correct.

25           MS. MORGENSTEIN: Then why isn't that

1     pictured on there?

2                   MR. SANTOLA:   Just quickly, since that's  
3     an operational issue, I think we covered this.  The  
4     guardhouse would be internal to the site back here.  
5     It won't be out on Rivervale Road.

6                   MS. MORGENSTEIN:  Will it be in between  
7     the two entrances?

8                   MR. SANTOLA:  No.  No.  This is where we  
9     meet Rivervale Road, the guardhouse.

10                  MS. MORGENSTEIN:  It would be further in?

11                  MR. SANTOLA:  Correct.

12                  MS. MORGENSTEIN:  Also that corner of  
13     Piermont, to put that additional that you suggested,  
14     you were talking about the PSE&G possibly moving those  
15     poles.  They just put those poles in within the last  
16     year.

17                  Do you think they're really going to come back  
18     and move the poles?

19                  MR. STATILE:  If that's the desire,  
20     they'll move the poles.

21                  MS. MORGENSTEIN:  Yeah.  Well, do you feel  
22     that that sign on the corner is necessary on Piermont  
23     and Rivervale Road?

24                  THE WITNESS:  It's currently on the  
25     proposed plans.

1 MS. MORGENSTEIN: That's not what I asked.

2 Do you find it to be necessary?

3 THE WITNESS: Yes.

4 MS. MORGENSTEIN: Okay.

5 CHAIRMAN LIPPERT: Anyone else?

6 MR. HEPPER: Bill Hepper, H E P P E R, 497  
7 Piermont Avenue South.

8 Now you talk about berms being put up along --  
9 what is the height of the berms going to be, 5 feet,  
10 10 feet, 15 feet, 2 feet?

11 THE WITNESS: There are berms but the  
12 civil engineer did the gradings on them.

13 MR. HEPPER: What was that again?

14 THE WITNESS: The civil engineer is  
15 actually the one that did the gradings on it of the  
16 site.

17 CHAIRMAN LIPPERT: He's saying he doesn't  
18 know the answer to your question.

19 MR. HEPPER: So we wouldn't know how high  
20 the berm is going to be?

21 THE WITNESS: It varies so it could be  
22 scaled off the drawings but I, personally, did not  
23 develop the plans to be able to answer your question.  
24 It also varies along the roadway.

25 MR. WOLFSON: They are shown on the

1 grading plan.

2 MR. HEPPER: On the grading plan?

3 MR. WOLFSON: Yes.

4 MR. HEPPER: When, when do we see the  
5 grading plan?

6 MR. WOLFSON: You can see the grading plan  
7 any time. It's on file and has been with the office  
8 of the Borough Hall.

9 MR. HEPPER: Oh, okay. Thank you.

10 CHAIRMAN LIPPERT: Anyone else?

11 Yes, ma'am.

12 MS. ADAMO: My name is Kira Adamo, 466  
13 White Birch Road.

14 As a landscape architect, do you deal with earth  
15 movement and grading?

16 THE WITNESS: Yes.

17 MS. ADAMO: Could you make an educated  
18 guess at the height that the grade will be at for  
19 those off of the road?

20 THE WITNESS: They vary.

21 MS. ADAMO: Could you tell us the  
22 variation?

23 What's the lowest elevation and highest  
24 elevation?

25 THE WITNESS: I have to refer to the set

1 of documents to be able to --

2 MS. ADAMO: Okay.

3 THE WITNESS: So, as I mentioned, it does  
4 vary along the roadway. It varies between 5 and 7  
5 feet in elevation.

6 MS. ADAMO: Okay. I'm not going to ask  
7 the other -- okay. So -- and then the height of the  
8 -- well, I can't ask you that. I'm sorry.

9 I don't -- I was taking notes while you were  
10 talking so they're a little disjointed.

11 There is an existing bike path that runs along  
12 Piermont Avenue and Rivervale Road. How are you going  
13 to address that with the requirements of the width, I  
14 think it's the New Jersey requirements, if there's a  
15 bike path?

16 Is that going to continue or are you going to  
17 discontinue the bike path?

18 MR. SANTOLA: I think that was discussed  
19 at length at one of the earlier hearings.

20 MS. ADAMO: I don't remember that. I'm  
21 sorry.

22 MR. SANTOLA: -- be reinstalled each -- up  
23 where the roads widen by the intersection. It's going  
24 to be pushed back onto our property.

25 MS. ADAMO: The new, the new bike path



1 standards?

2 MR. SANTOLA: I don't know what those are  
3 but it will be what Mr. Statile makes it be.

4 MS. ADAMO: Okay. Do you deal with any  
5 sort of storm water runoff as a landscape architect?

6 THE WITNESS: I do but I was not involved  
7 in the storm water design of this project.

8 MS. ADAMO: In your opinion, does curbing  
9 help with storm water runoff to catch basins?

10 THE WITNESS: It depends what application  
11 is used. Sometimes surface runoff works better.

12 MS. ADAMO: Surface, does surface runoff  
13 end from soil -- does surface runoff from soil and  
14 pavement contain more sediment than just surface  
15 runoff from pavement, generally?

16 THE WITNESS: I don't, I don't know.

17 MS. ADAMO: Okay.

18 THE WITNESS: I don't know.

19 MS. ADAMO: Okay. Sorry. I was doing  
20 this while people were asking.

21 The lighting that you designed, will that be  
22 privately paid for or is that something that the town  
23 will be required to pay for if it's considered street  
24 lighting?

25 THE WITNESS: I was involved in the design

1 of the lighting. The agreement, I don't believe, is  
2 something for me to answer.

3 MR. STATILE: I could answer the question  
4 for you. If it is considered street lighting the  
5 municipality has to pay for the cost of the  
6 electricity. And the town is not going to have, is  
7 not going to, I don't believe, have light poles of 50  
8 feet. I think there would be some in moderation.

9 If you go up to the town houses up on Poplar  
10 Road, the units up there, there's only three street  
11 lights in the entire property that the town pays for.  
12 We're not going to illuminate it.

13 MS. ADAMO: Right. So how many street  
14 lights are on this plan that the town is required to  
15 pay the electricity for?

16 My question is, as someone pointed out, that  
17 most streets in River Vale don't have street lighting.

18 MR. STATILE: That's correct. We located  
19 the lights for the development. We took a survey of  
20 the spacing of the lights on municipal streets, about  
21 300 feet apart, would probably be the standard as  
22 well.

23 MS. ADAMO: And that all depends on the  
24 height and type of land.

25 Correct?

1 MR. STATILE: What's that?

2 MS. ADAMO: That depends on the height of  
3 the luminary and the land?

4 MR. STATILE: The spacing and probably at  
5 most -- again, it's all -- they will, they pay the  
6 bill, they decide what they want to encumber.

7 COUNCILMAN BROMBERG: I'm going to  
8 interject with that and something you said.

9 Also we sometimes then get the issue of  
10 complaints that this is a double edge sword. Some  
11 people want an area illuminated and other people who  
12 live there, people on Piermont they may not want to  
13 see it constantly lit throughout.

14 MS. ADAMO: I prefer less lighting but  
15 that's testimony so...

16 Do you deal with sidewalks as a landscape  
17 architect and curbing, how it effects, how ADA  
18 requirements effect that?

19 THE WITNESS: I was not involved in that  
20 on this project.

21 MS. ADAMO: Okay. As a landscape  
22 architect, do you deal with the meets and bounds of  
23 sites?

24 THE WITNESS: I do not.

25 MS. ADAMO: Okay. So do you deal, as a

1 landscape architect, with property boundaries and how  
2 yards are determined?

3 THE WITNESS: No. Typically a surveyor --

4 MS. ADAMO: I didn't mean you surveyed  
5 them. Do you understand --

6 I guess I'm asking, do you understand the  
7 difference between a front yard, side yard and rear  
8 yard?

9 As a landscape architect, do you deal with that?

10 THE WITNESS: Generally speaking.

11 MS. ADAMO: And the zoning for River Vale,  
12 do all front yards require a certain height for  
13 fencing?

14 MR. WOLFSON: We're going to have a  
15 professional planner come and testify at a future  
16 session and that's the right witness to answer that  
17 question.

18 MS. ADAMO: Do you know the height  
19 requirement for the fence that you designed according  
20 to the zoning?

21 THE WITNESS: What's acceptable, is that  
22 what you're asking me?

23 MS. ADAMO: Yes. The ordinance, what the  
24 ordinance requires for your design.

25 Did you design to the ordinance?

1 THE WITNESS: For the fence?

2 MS. ADAMO: Yes.

3 THE WITNESS: It doesn't -- it's a  
4 variance request so we're proposing 5 feet.

5 MS. ADAMO: Okay. Are you aware that the  
6 actual height of a front yard fence is 3 feet?

7 THE WITNESS: Yes.

8 MS. ADAMO: Okay. And how high is that  
9 Piermont Road, how high is that some sort of monument,  
10 how high is that monument? It looks like it's higher  
11 than the fence.

12 THE WITNESS: It doesn't exceed 6 feet.  
13 The piers are 6 feet.

14 MS. ADAMO: Not the piers, the large  
15 monument, the sign.

16 THE WITNESS: Less than 6 feet.

17 MS. ADAMO: The one at the bottom.

18 THE WITNESS: So there's like a curb there  
19 at the top. It's less than 6 foot. The tallest  
20 points are the two caps.

21 MS. ADAMO: Is that something you design  
22 or is engineering required for anything over 4 feet?

23 THE WITNESS: As far as the structural  
24 design?

25 MS. ADAMO: Yes.

1 THE WITNESS: That's out of my expertise.

2 MS. ADAMO: Okay. So you don't design  
3 that. That's not being put on the signed and sealed.

4 THE WITNESS: Just the graphic,  
5 illustrative graphic engineering showing -- yes, it  
6 would be, the footing design would be designed by the  
7 structural engineer.

8 MS. ADAMO: And would the height --  
9 testimony is the variances would be required for that  
10 plan if it is a variance required for the fence if it  
11 exceeds the 3 foot for a front yard. I'm just asking.

12 MR. WOLFSON: He said that we need a  
13 variance.

14 MS. ADAMO: And is the fencing going to  
15 continue the entire length of Piermont Road at 5 feet  
16 or is it your design that it continues 5 feet the  
17 entirety of Piermont Road and Rivervale Road?

18 THE WITNESS: I believe it goes all the  
19 way down Piermont and ends at the entrance into River  
20 Vale.

21 MALE SPEAKER: Hillsdale.

22 MS. ADAMO: Rivervale Road --

23 THE WITNESS: And it turns into the site.

24 MS. ADAMO: That's Piermont Road on the  
25 bottom.

1 THE WITNESS: Piermont is at the bottom  
2 and that's Rivervale at the top.

3 MS. ADAMO: Piermont terminates at  
4 Hillsdale. Will that fence continue all the way to  
5 Hillsdale is my question. As a new road -- I'm sorry,  
6 as a new fence.

7 MS. ADAMO: Your thumb was right on  
8 Hillsdale, essentially.

9 THE WITNESS: It ends, essentially, the  
10 property boundary.

11 MS. ADAMO: That's it.

12 MR. STATILE: The site is existing.

13 MS. ADAMO: On Rivervale Road where the  
14 tennis court is, is that going to be a cohesive design  
15 and have the same type of fencing on that side?

16 THE WITNESS: No. The fencing actually  
17 turns into the site.

18 MS. ADAMO: By the tennis court?

19 THE WITNESS: And the monument sign on the  
20 side.

21 MS. ADAMO: By the tennis court or the  
22 putting -- driving range?

23 THE WITNESS: Over here?

24 MS. ADAMO: Well, it's more -- it's on  
25 Rivervale Road.

1 THE WITNESS: No, there will not be any  
2 fencing.

3 MS. ADAMO: So the existing kind of  
4 dilapidated chain link fence on Rivervale Road will  
5 stay existing or will it, I should say not it will.

6 THE WITNESS: Yes.

7 MS. ADAMO: Okay. So there won't be at  
8 least a design throughout the entire site. Will there  
9 be a cohesive design with the landscape, landscape  
10 fencing throughout the Edgewood County Club?

11 THE WITNESS: The fencing, as I mentioned,  
12 the decorative fencing will be from the entrance into  
13 the property, along the intersection of the two roads  
14 down to the property along Piermont.

15 MS. ADAMO: Okay. So I'm asking, will  
16 there be any new fencing by the tennis court and the  
17 driving range to make a cohesive landscape design?

18 MR. WOLFSON: He answered that.

19 MS. ADAMO: I didn't hear the answer. I  
20 heard --

21 MR. SANTOLA: The answer, I think, was at  
22 the other hearing. We agreed to repair the fencing  
23 that's down that way along the tennis court but there  
24 is not a plan to do new fencing along that section of  
25 the property.



1 MS. ADAMO: Do you agree, as a landscape  
2 architect, on the overall site to not have a cohesive  
3 design?

4 THE WITNESS: The design I put forth is,  
5 is what we accept or what we believe is appropriate.

6 MS. ADAMO: Okay. Do you ever design  
7 tennis courts on properties as a landscape architect?

8 THE WITNESS: Yes.

9 MS. ADAMO: Are you familiar that there is  
10 an existing tennis court on this property on one of  
11 the lots if the lot gets subdivided --

12 THE WITNESS: Yes.

13 MS. ADAMO: -- the proposed lot.

14 And are you aware of the zoning requirements for  
15 a tennis court in River Vale?

16 THE WITNESS: Can you repeat the question?

17 MS. ADAMO: Are you aware of the zoning  
18 requirements for a tennis court in River Vale?

19 THE WITNESS: I was -- I am not. It's an  
20 existing tennis court. I was not involved.

21 MS. ADAMO: The existing -- are tennis  
22 courts generally allowed in front yards?

23 MR. WOLFSON: Again, that's a planning  
24 question. And, we're going to have a professional  
25 planner here.

1 MS. ADAMO: I asked if he testified or he  
2 has done tennis courts before.

3 MR. WOLFSON: He designs them but now  
4 you're asking zoning questions.

5 MS. ADAMO: Well, he cited them. That's  
6 what that means.

7 MR. SANTOLA: Just for the record, we have  
8 no intention to relocate the tennis courts as to where  
9 they are now. And this witness was not asked to look  
10 at that or to site them.

11 MS. ADAMO: Okay. All right. Let me get  
12 to vegetation.

13 Oh, before that -- I'm sorry. By the COAH  
14 housing why are the piers, that you're calling them,  
15 so much smaller and less grand than the other  
16 stanchions that are located throughout the site?

17 THE WITNESS: All the piers are the same,  
18 6 feet high 2-by-2 clad with brick.

19 MS. ADAMO: Maybe it's just in the  
20 artist's rendering it doesn't appear that way.

21 THE WITNESS: They're all the same.

22 MS. ADAMO: At the entry to the COAH  
23 housing?

24 THE WITNESS: Correct.

25 MS. ADAMO: Okay. You established you do

1 not show the telephone poles and how it actually will  
2 look on Piermont Road with those large telephone  
3 poles?

4 THE WITNESS: The telephone poles are not  
5 currently shown.

6 MS. ADAMO: Are you aware that River Vale  
7 has a Shade Tree Committee?

8 THE WITNESS: Yes.

9 MS. ADAMO: Did you contact them in  
10 reference to this project and the existing large, old  
11 growth trees that are in River Vale?

12 THE WITNESS: I have not spoken with the  
13 Shade Tree Commission nor did I receive any  
14 correspondence from them.

15 MS. ADAMO: The landscaping by the  
16 dumpsters, is that in the COAH housing?

17 THE WITNESS: Yes.

18 MS. ADAMO: And are you considering to do  
19 a hardscape cover for that, for the dumpsters as I  
20 know it was brought up in other meetings?

21 THE WITNESS: I believe it was addressed  
22 in other testimony.

23 MS. ADAMO: That's part of the landscape  
24 plan.

25 Right?

1 THE WITNESS: No, it is not.

2 MS. ADAMO: So you generally don't design  
3 around dumpsters any hardscapes as a landscape  
4 architect?

5 THE WITNESS: On this project I was  
6 responsible for adding plantings around the trash  
7 enclosure.

8 MS. ADAMO: If the trees had to be removed  
9 -- well, I presume all the trees on Rivervale are  
10 removed in order to widen the road. And there are  
11 some large trees on there, do you agree with that,  
12 large tree that are being removed?

13 THE WITNESS: In what location?

14 MS. ADAMO: On Rivervale Road.

15 THE WITNESS: There are a few trees being  
16 removed to accommodate the roadway expansion.

17 MS. ADAMO: Are you aware of the diameter  
18 of those trees?

19 THE WITNESS: They are notated on the  
20 plans.

21 MS. ADAMO: Could you tell us what those  
22 diameters are approximately?

23 THE WITNESS: Yeah. Upon -- in the set of  
24 plans, one, and two, all of the existing trees are  
25 depicted on those plans, the tree removal plan.

1 MS. ADAMO: There's no large --

2 THE WITNESS: There's -- I can tell you  
3 the ones that are immediately in the roadway and they  
4 range from 20 inches to 30 inches, 16 inches, 6  
5 inches.

6 Does that answer your question?

7 MS. ADAMO: Yes.

8 And, generally speaking, how long do 1 1/2 inch  
9 diameter trees take to grow to like a diameter of 16  
10 to 30 inches?

11 THE WITNESS: It depends on the type of  
12 tree.

13 MS. ADAMO: Is it possible that you could  
14 exceed the requirements of diameter of the ordinance  
15 to put larger scale trees in?

16 THE WITNESS: We're meeting the  
17 requirement of the ordinance.

18 MS. ADAMO: Is it possible to put in  
19 larger trees is the question.

20 THE WITNESS: At this point we're putting  
21 in, as far as deciduous trees, 2 1/2 caliper tree as  
22 required by the ordinance.

23 MS. ADAMO: And how long is the guaranty  
24 by the developer for all of the landscaping?

25 THE WITNESS: I don't recall. I would

1 have to go back to the general answer, it's one or two  
2 years.

3 MS. ADAMO: So if the tree dies after one  
4 or two years is there any requirement to, after, to  
5 guaranty --

6 MR. WOLFSON: We'll meet any requirement.

7 MS. ADAMO: It's two years.

8 THE WITNESS: Thank you.

9 MS. ADAMO: Two years.

10 Are the signs -- are there only two signs that  
11 need a variance or are all three signs that need a  
12 variance?

13 CHAIRMAN LIPPERT: Again, that's a  
14 question of the planner.

15 MS. ADAMO: Okay. I think that's it.  
16 Thank you.

17 CHAIRMAN LIPPERT: Thank you.

18 MR. WOLFSON: Thank you.

19 CHAIRMAN LIPPERT: Thank you.

20 Anyone else?

21 Okay, Mr. Van Eck, you're up.

22 CROSS-EXAMINATION BY MR. VAN ECK:

23 Q Would you agree with me that, because you  
24 indicated you agree with the ordinance with regard to  
25 the landscape buffers so I'm going to start with the

1 buffer. Okay.

2 You would agree with me that the ordinance  
3 requires a 25 foot wide buffer.

4 Correct?

5 A Correct.

6 Q It has to provide year round screening.

7 Correct?

8 A Yes.

9 Q It has to completely visually separate the  
10 residential component of the project.

11 Correct?

12 A Yes.

13 Q And it has to be opaque.

14 Correct?

15 A Correct.

16 Q Let's start with the 25 foot width. I  
17 believe you testified that it starts at the property  
18 line.

19 Correct?

20 A Yes.

21 Q Along Piermont Avenue is the property  
22 line, does it match up with the edge of pavement, has  
23 it varied?

24 A I believe so.

25 Q You believe it matches up with the edge of

1 pavement?

2 A Yes.

3 Q On your landscaping plans do you show the  
4 delineation of the buffer, the width of the buffer on  
5 any of the plans that you prepared?

6 A Specifically it was not required.

7 Q So no, it's not on any of your plans?

8 A No, not specifically.

9 MR. WOLFSON: But your testimony is that  
10 the buffer would be 25 feet?

11 THE WITNESS: Correct.

12 Q Let's start with -- I'm referring to Page  
13 L4 of your landscaping plans. I believe that shows  
14 the western portion of the property. Page L4.

15 Does that show the western portion of the  
16 property?

17 A Yes.

18 Q If we start at the left side where lot,  
19 where the town house lot joins the COAH lot. Okay.  
20 Do you see that demarcation of where the two lots are  
21 separated?

22 A Correct. Yes.

23 Q Looking to the right of that portion,  
24 doesn't it appear that most of the buffer is beyond 25  
25 feet from the edge of the roadway?



1 A No.

2 Q How about in the center of the page,  
3 beneath units 101, 102, 103 and 104?

4 A We are providing a landscape buffer.

5 Q Okay. As you indicated, it's measured  
6 from the property line. So my question is, are those  
7 plantings adjacent to 101, 102, 103 and 104 within 25  
8 feet of the roadway or property line?

9 A There's existing trees. There's also a  
10 fence and piers and we're supplementing it with  
11 additional landscaping to create a landscape buffer to  
12 satisfy the requirement of 25 feet.

13 Q So those plantings behind that building  
14 that are shown as new plantings are not part of the  
15 buffer?

16 A I believe they are.

17 Q But they're outside of the 25 feet?

18 A Maybe. Maybe not. I don't know. I'd  
19 have to measure it.

20 Q When you designed the plan did you try to  
21 place the buffer within 25 feet of the property line?

22 A The, the plantings that are shown were  
23 also shown to not damage the existing trees that are  
24 to remain. So we very carefully placed any additional  
25 landscaping along there to be sensitive to the root

1 zone of the existing trees.

2 Q There's a requirement that the buffer be  
3 opaque and continuous, correct, along the entire  
4 length of Piermont?

5 A Correct.

6 Q If we look to the left of the Unit 101,  
7 isn't there a gap between the plantings so that you  
8 can see through?

9 A Yes.

10 Q Okay. Same thing on the right side of  
11 104, there's a large gap.

12 Correct?

13 A No.

14 Q There is not a gap between the edge of 105  
15 over to almost the edge of the property line within  
16 the 25 foot area?

17 A There's existing trees, fencing --

18 Q How many --

19 A -- and berm.

20 Q There's a berm in that location?

21 A There's existing trees and fencing and  
22 supplemented with existing evergreen trees behind it  
23 to create a complete buffer.

24 Q Does Exhibit L4 show those existing trees?

25 A Yes.

1 Q Tell me how many existing trees are in  
2 that area on the right side?

3 A Between -- well, from what location?

4 Q Between the edge of 105 to the right  
5 portion of the page, within the 25 foot buffer from  
6 the edge of the roadway.

7 A Between 105 and 213? Is that what you're  
8 asking me?

9 Q Yes.

10 A There's currently three existing -- three,  
11 four, five existing trees which are supplemented with  
12 additional evergreens, berm and fence.

13 Q You would agree the additional evergreens  
14 are beyond 25 feet from the edge of property?

15 A The additional plantings that are shown  
16 outside the 25 foot buffer are to increase the buffer  
17 and also be esthetically pleasing for both the  
18 residents inside the property and outside the  
19 property.

20 MR. WOLFSON: Mr. Van Eck, do your clients  
21 object to the additional plantings?

22 MR. VAN ECK: We object to there not being  
23 a buffer of the 25 foot width on the property line to  
24 the 25 foot demarcation which should happen. The  
25 ordinance calls for a 25 foot buffer.

1 MR. BEUKAS: To your point, I just want to  
2 back up one second to your point. You raised a  
3 question.

4 To the left of 101, is that a roadway or a  
5 walkway being proposed?

6 Is that why there's a break in the continuity?

7 MR. STATILE: That was the former  
8 emergency access that's been reconfigured.

9 MR. BEUKAS: Okay. So that is not --

10 COUNCILMAN BROMBERG: That is not staying.  
11 Correct?

12 MR. STATILE: It's going to move over.

13 MR. BEUKAS: To the extent it's not  
14 staying, there would be continuity for the buffer.

15 MR. STATILE: There's going to be a break  
16 for the emergency access way.

17 MR. BEUKAS: I just wanted to get  
18 clarification.

19 Q So if that access way is being moved, the  
20 buffer will be filled in from where it's being taken  
21 away.

22 MR. WOLFSON: Yes. We testified we're  
23 going to comply with the buffer requirement.

24 MR. VAN ECK: Saying you're going to  
25 comply and showing you're going to comply are two

1 different things.

2 CHAIRMAN LIPPERT: We don't have to argue.  
3 Just ask your question.

4 Q I want to look at Exhibit L7, Page L7 of  
5 your report.

6 It may be you may not have an answer to this but  
7 based on the look of this exhibit and this sheet of  
8 your landscaping plans, there appears to be a gap in  
9 the center. There is a medium shrub and a high shrub.  
10 Correct?

11 But there are not public plantings in that area.  
12 Can you explain that a little more, please.

13 A There's a continuous landscape buffer in  
14 that area consisting of existing trees, proposed trees  
15 and evergreen and deciduous shrubs.

16 Q You can see on Page L7 where there is a  
17 gap.

18 Correct?

19 Where I'm referring to between the last red  
20 maple and the first Douglas fir you can see a gap of  
21 large trees in that area.

22 Correct?

23 A I do not.

24 Q Well, what do you see in that area?

25 A I see a complete buffer. I see where

1 there's existing trees supplemented with additional  
2 evergreen trees and shrubs.

3 Q You're looking at Page L7?

4 A L7 is an enlargement of the landscape plan  
5 on L4.

6 Q I'm going to try to help you out here.  
7 I'm just trying to gather some information.

8 On L7 you were talking about existing trees. I  
9 do not see any existing trees on Page L7.

10 A There are existing trees shown.

11 Q On Sheet L7 you're showing existing trees.  
12 Is that what you're saying?

13 A There are existing trees shown there.

14 Q Maybe if you could hold this up and show  
15 us what existing trees you're talking about.

16 A I would like to enter another exhibit  
17 which is --

18 CHAIRMAN LIPPERT: Why don't you take the  
19 mike over there so we can hear what you're talking  
20 about.

21 MR. LEIBMAN: What are we up to, A-9?

22 THE WITNESS: A-9.

23 MS. HAAG: A-9.

24 MR. STATILE: A-9.

25 A To better illustrate, A-9 is the same

1 depiction as shown on A-7 -- L7 on the landscape plan  
2 which shows the existing trees along the frontage,  
3 proposed evergreen trees and additional shrubs along  
4 the frontage, deciduous shrubs. It creates a complete  
5 buffer.

6 Q Some of the confusion I have is my L7 does  
7 not look like that and does not show existing trees.  
8 But what's more important is that that does show  
9 existing trees.

10 Correct?

11 A Correct.

12 Q On the left side there are six trees.  
13 We're still on the COAH lot.

14 Do you see those?

15 What type of trees are those?

16 A Which?

17 Q The six trees on the side of the COAH lot.  
18 They are labeled A. R..

19 A I believe A. R. are red maple.

20 Q Is that a deciduous tree?

21 A That is a deciduous tree.

22 Q And do deciduous trees have leaves  
23 full-time, year round?

24 A They lose their leaves but have ornamental  
25 features without their leaves.

1 Q Will that, in the wintertime, when the  
2 leaves are fallen will there be an opaque buffer that  
3 completely, visually screens the COAH building from  
4 the street in that location?

5 A Yes.

6 Q How so?

7 A There are additional evergreen trees in  
8 front of it.

9 Q Existing evergreen trees?

10 A There are existing evergreen trees  
11 supplemented with additional evergreen trees and  
12 shrubs, evergreen shrubs.

13 Q And the existing evergreen trees are the  
14 four areas along the front of the property line that  
15 you're showing on your Exhibit A-9?

16 A Actually --

17 Q Can you point them out?

18 A No, they don't -- the existing trees are,  
19 these are the four additional -- four existing larger  
20 trees. These are the existing evergreen trees  
21 supplemented with the maple trees and then there's  
22 shrubs behind that.

23 Q I appreciate you explaining that.

24 I'm talking about the COAH lot to the right.

25 A It's the same scenario, existing deciduous



1 trees that are to remain, existing evergreen trees  
2 supplemented with maple trees and shrubs.

3 Q I just want to come over and join you.

4 Can you just point to me, again, the existing  
5 evergreen trees.

6 Those are the small black dots?

7 A Correct.

8 Q And how many of them are there?

9 A 16, 18.

10 Q Do you know what type of tree that is?

11 Is it Douglas fir?

12 A I believe they're pine trees but I would  
13 have to look at the plans.

14 Q Do you know what height they're at by the  
15 way?

16 A They're very tall. I don't know the  
17 specific height. They are older, mature so they are  
18 limbed up. That is why we are supplementing it with  
19 additional shrubs behind it.

20 Q What size shrubs are you putting behind  
21 it?

22 A The shrubs are 2 to 3 1/2 feet in height.

23 Q What is the expected mature height of  
24 those shrubs?

25 A It varies.

1 Q Is there a berm along the front of the  
2 COAH property?

3 A There's no berm.

4 Q Now you indicated that you had reviewed  
5 the ordinance in advance. I want to read to you  
6 Section 142-224 A(1)(f)5(a).

7 It reads as follows. The following minimum  
8 buffer planting standards shall be used to provide  
9 year round opaque screening.

10 No. 1, a planted earthen berm 4 feet high from  
11 the existing ground surface.

12 So in that location you do not meet element No.  
13 1 of the ordinance.

14 Is that correct?

15 A I believe you have an option for that  
16 buffer. A combination of berm and/or plantings and/or  
17 fencing which we are providing all three.

18 Q Section A(1)(f)5(a) where it says the  
19 following standards shall be used. Item No. 1 says  
20 planted earthen berm. There's no mention of fencing  
21 in that section.

22 You're referring to a different section.

23 Correct?

24 A I'm referring to 6(a), buffer shall  
25 consist of natural vegetation, earthen berms,

1 evergreen and pine trees, shrubs, deciduous trees,  
2 decorative walls, fencing or combinations thereof  
3 designed to provide a year round visual screen and  
4 separation from the public road.

5 MR. WOLFSON: So if you choose to use  
6 berms then they have separate standards.

7 MR. VAN ECK: Okay.

8 Q You're reading a different section than I  
9 am. I am reading Section 5(a)(1) which tells you what  
10 must be included in the screening. It lists three  
11 items, an earthen berm, 4 foot planted.

12 I could point it out to you.

13 MR. LEIBMAN: Read it into the record,  
14 please.

15 MR. VAN ECK: Again, this was (f)5(a), the  
16 following minimum planting standards shall be used to  
17 provide year round opaque screening.

18 1, planted earthen berm 4 feet high from the  
19 existing ground surface.

20 2, minimum number of large and small trees, one  
21 per 40 linear feet.

22 3, minimum number of points per linear feet of  
23 buffer equals 1.2.

24 MR. WOLFSON: Perhaps it's the hour.  
25 Could I see your copy of the ordinance compared to

1 ours?

2 MR. LEIBMAN: Obviously, the  
3 interpretation, the interpretation of the ordinance is  
4 within the province of the Board.

5 MR. VAN ECK: As an issue of law. That is  
6 the ordinance I printed from the Town's website.

7 MR. WOLFSON: Is this the rezoned  
8 ordinance?

9 MR. VAN ECK: That is the codified  
10 ordinance.

11 MR. SANTOLA: If you put a berm along the  
12 whole thing you will kill half the existing trees so  
13 that can't be the intention of the ordinance. It's an  
14 option.

15 MR. VAN ECK: I do agree with Mr. Leibman  
16 that, you know, it's an issue of law that the Board  
17 can decide in the first instance and proceed. I just  
18 wanted to get it on the record as you did indicate.

19 CHAIRMAN LIPPERT: Mr. Leibman till take a  
20 look at that and by the next meeting we'll have his  
21 scholarly opinion.

22 MR. LEIBMAN: Probably not by the next  
23 meeting.

24 CHAIRMAN LIPPERT: Mr. Van Eck, I'm not  
25 limiting you in any way. Just we do want to wrap up

1 soon so how much more do you think you have?

2 MR. VAN ECK: I do have several topics I  
3 want to discuss with the landscaping, the lighting so  
4 it's up to the Board when you want to break.

5 CHAIRMAN LIPPERT: Have you finished with  
6 your analysis of the berm?

7 MR. VAN ECK: The berm, yes.

8 CHAIRMAN LIPPERT: What's your next  
9 subject?

10 MR. VAN ECK: I'm going to continue on  
11 with the buffering.

12 CHAIRMAN LIPPERT: Can you finish that in  
13 five minutes?

14 MR. VAN ECK: Sure.

15 CHAIRMAN LIPPERT: All right. Let's give  
16 you another five minutes and then we'll stop.

17 MR. VAN ECK: Thank you, Mr. Chairman.

18 Q I'm going to throw you a softball. I'm  
19 going to waste my five minutes.

20 Do you have at least one tree every 4 feet?

21 A Yes.

22 Q Okay. Are your calculations for the point  
23 system, are they shown on any of the plans?

24 A Yes.

25 Q Just reference what sheet they're shown

1 on.

2 A Calculations for buffer planting  
3 calculations are shown on L5.

4 Q Basically what you did do that is you  
5 added them up, you itemized all the trees, plantings  
6 you were going to use.

7 Correct?

8 A Correct.

9 Q You ascribed a point system to them.

10 Correct?

11 A Yes.

12 Q And then you took the linear feet of the  
13 frontage along Piermont and used that to determine the  
14 points?

15 A Yes, as I previously explained in my  
16 testimony.

17 Q Did you do a specific point calculation in  
18 front of the affordable housing lot?

19 A It's not required.

20 Q It is a separate piece of property.

21 Correct?

22 A That's a question for the planner.

23 Q But you, but you can say you did not run a  
24 separate calculation along that frontage?

25 A We looked at the frontage all scattered.

1           Q           The answer is no, you did not look at the  
2 calculation for the COAH lot specifically?

3           A           No.

4           MR. VAN ECK: This is a good place to  
5 break, Mr. Chairman, if that's okay.

6           CHAIRMAN LIPPERT: Okay.

7           MR. LEIBMAN: When is our next meeting?

8           CHAIRMAN LIPPERT: Before we do that, I  
9 just have a couple things. This is to the applicant.

10          So Ms. Darsa asked a question about how the  
11 impervious coverage was calculated on the golf course,  
12 the whole, the separate lots and I don't think we ever  
13 got an answer to that. So, Mr. Wolfson, for the next  
14 meeting can you get us an answer for that, please?

15          MR. WOLFSON: Yes, sir.

16          CHAIRMAN LIPPERT: Okay. Thank you.

17          Now, before we talk about, when is our next  
18 meeting?

19          MS. HAAG: SO we want to confirm 30th.

20          MR. WOLFSON: Mr. Chairman, just before we  
21 confirm a date, give the notice, can we just confirm  
22 that cross of Mr. Alexander is complete but for Mr.  
23 Van Eck finishing up?

24          CHAIRMAN LIPPERT: Yes.

25          MR. WOLFSON: So we won't reopen it up?

1                   CHAIRMAN LIPPERT:  Yes.  So, so the cross  
2 of Mr. Alexander is complete except Mr. Van Eck has to  
3 complete his cross.

4                   MR. WOLFSON:  Thank you.

5                   MR. LEIBMAN:  So let's try and schedule  
6 some dates so that we can bring this matter to a  
7 conclusion.  And we're talking about April 30th and  
8 we're talking about some other dates in May.

9                   But I'm also hearing, when do you think you  
10 would be able to get revised plans in because we have  
11 discussed a lot of some very substantial changes to  
12 the plans.  And this Board, as you know, maybe a year  
13 or two ago, changed its bylaws so that the Board  
14 really does not want to vote on any application until  
15 the final plans are in front of them.

16                   The Board is uncomfortable voting to approve  
17 things conditioned on plans being amended unless it's  
18 something that's really minor.

19                   And we've got changes to the basins and changes  
20 to the access.  I think some of the subdivision lines  
21 may change.

22                   So I'd like to get an idea when you think you  
23 would be able to submit new plans?

24                   MR. WOLFSON:  Revised plans will be  
25 submitted in at least 10 days in advance of April



1 30th.

2 MR. LEIBMAN: Okay.

3 COUNCILMAN BROMBERG: Mr. Chairman, I take  
4 it there's no chance of using the April 17th date?

5 MR. LEIBMAN: We've had some discussion  
6 about that -- sorry.

7 MR. WOLFSON: We're not going to be able  
8 to get the plans done.

9 MR. LEIBMAN: Yeah. Well, there's that  
10 and I think there's two --

11 MS. HAAG: Two other applications.

12 COUNCILMAN BROMBERG: There are.

13 MR. LEIBMAN: And the thought of the  
14 applicant, I don't want to guess what the hourly  
15 burden is for them to sit and watch two fence  
16 applications, residents.

17 COUNCILMAN BROMBERG: Understood. I  
18 wasn't sure if we had any other applications.

19 MR. LEIBMAN: So we'll have business to  
20 do.

21 Besides the 30th, what are the other dates that  
22 you have?

23 MS. HAAG: So in May our regular meeting  
24 is May 15th. I don't know if we want to do the 14th  
25 or the 16th, do a special meeting right next to each

1 other.

2 I also reserved May 22nd as a possibility.

3 MR. WOLFSON: Mr. Chairman, our relevant  
4 witnesses are available on the 8th and the 16th for  
5 May dates.

6 MS. HAAG: I'm not available the second  
7 week in May so we have to get someone else to do all  
8 this.

9 CHAIRMAN LIPPERT: So the 8th would be no  
10 good for you.

11 MS. HAAG: I can't be here the second week  
12 in May.

13 MR. BEUKAS: The New Jersey conference is  
14 the 8th, 9th and 10th.

15 MR. LEIBMAN: So we won't do May. We're  
16 good for April 30th.

17 Everybody is good for April 30th.

18 MS. HAAG: Yes.

19 MR. WOLFSON: How about the 16th?

20 MR. LEIBMAN: May 16th?

21 MR. WOLFSON: Yep.

22 MS. HAAG: So May 15th is our regular  
23 meeting.

24 CHAIRMAN LIPPERT: So May 15th is?

25 MR. LEIBMAN: Two days in a row?

1 CHAIRMAN LIPPERT: No.

2 MR. LEIBMAN: No.

3 MS. HAAG: Unless you want to push our  
4 regular meeting, push it to the 16th.

5 CHAIRMAN LIPPERT: Do we have anything --

6 MR. LEIBMAN: As of right now we have  
7 nothing scheduled for May 15th on the regular  
8 schedule.

9 MR. STATILE: We have two applications.

10 MR. LEIBMAN: For the 15th? What are  
11 they?

12 Is there any reason we can't push that  
13 subdivision from the May 15th meeting to the June  
14 meeting?

15 Have they been deemed complete yet?

16 MR. STATILE: We have to do the one in  
17 May.

18 MS. HAAG: The one.

19 MR. LEIBMAN: It has to be done?

20 MR. STATILE: With time.

21 MR. LEIBMAN: Has it been deemed complete?

22 MR. STATILE: No.

23 MR. LEIBMAN: No? Is it complete?

24 MR. STATILE: It's not. It's on my desk.

25 I think it's complete.

1 MR. LEIBMAN: It's a subdivision?

2 MR. STATILE: Subdivision.

3 MS. HAAG: No, it's an addition.

4 MR. STATILE: It's an addition.

5 MR. LEIBMAN: So don't we have --

6 MR. STATILE: 45 days when you deem it  
7 complete.

8 MR. LEIBMAN: 90 days. So we can push it  
9 from May into June.

10 MR. STATILE: The applicants are kind of  
11 edgy.

12 MR. LEIBMAN: This is a big application.

13 MS. HAAG: The application was submitted  
14 in --

15 MR. STATILE: There was problems with the  
16 engineer.

17 MR. LEIBMAN: We can't push them back a  
18 month? They're going to come banging on your door?

19 MS. HAAG: Every week.

20 MR. LEIBMAN: Okay. What else?

21 MS. HAAG: I think we could still hear  
22 them and this -- Marc, they only need a half hour.

23 MR. LEIBMAN: Do you think it's a good  
24 half hour?

25 MR. STATILE: It's pretty straight

1 forward.

2 MS. HAAG: Just put them on.

3 MR. LEIBMAN: Okay.

4 CHAIRMAN LIPPERT: Let's do that. The  
5 15th.

6 MS. HAAG: The 15th, our regular meeting,  
7 move it to the 16th and hear it.

8 CHAIRMAN LIPPERT: They haven't, they  
9 haven't noticed yet?

10 MS. HAAG: No, they haven't.

11 MR. LEIBMAN: All right. So we're talking  
12 about doing that one application on the 15th and this.

13 MS. HAAG: Just the one application which  
14 shouldn't take too long and add this.

15 CHAIRMAN LIPPERT: And it will be on the  
16 16th?

17 MS. HAAG: Yes.

18 CHAIRMAN LIPPERT: That's when the  
19 indication is that the witnesses are available.

20 MR. WOLFSON: Correct.

21 MR. LEIBMAN: The 15th doesn't work for  
22 you?

23 MR. WOLFSON: Yes.

24 MR. SANTOLA: It doesn't work for our  
25 witnesses.

1 MR. WOLFSON: Witness.

2 MR. LEIBMAN: We're not going to get to  
3 your witnesses.

4 CHAIRMAN LIPPERT: That will be June.

5 COUNCILMAN BROMBERG: So we have this  
6 location available Wednesday night, May 15th.

7 MS. HAAG: If we want to have it here,  
8 yes, we would have to move some people out.

9 MR. VAN ECK: As long as the transcript  
10 would be made available for my witness.

11 MR. LEIBMAN: Are we printing the  
12 transcripts?

13 MS. HAAG: Yes.

14 MR. LEIBMAN: I don't think you could be  
15 any more transparent.

16 MR. VAN ECK: You're doing a good job on  
17 that. I appreciate it.

18 MR. LEIBMAN: What's the preference of the  
19 Board, the 15th or the 16th?

20 COUNCILMAN BROMBERG: The 15th.

21 CHAIRMAN LIPPERT: Does the 15th work for  
22 everybody?

23 COUNCILMAN BROMBERG: The 15th for this  
24 applicant?

25 CHAIRMAN LIPPERT: And one other

1 application.

2 COUNCILMAN BROMBERG: And one other  
3 applicant.

4 VICE CHAIRMAN FORTSCH: One other  
5 applicant.

6 COUNCILMAN BROMBERG: May 15th, Wednesday.  
7 We already had it in the schedule that night so we  
8 would move to this location.

9 MR. LEIBMAN: That one minor matter and  
10 consider this application.

11 Makes sure you tell the people that they have to  
12 use this address.

13 MS. HAAG: Yes.

14 COUNCILMAN BROMBERG: And then you're  
15 saying consider them the regular Planning Board  
16 meeting on May 16th?

17 Forget that? Great.

18 MR. FORTSCH: April 17, April 30 and May  
19 15th.

20 MR. LEIBMAN: These meetings, these guys  
21 won't be on.

22 Okay. So this meeting is being adjourned until  
23 April 30th at 7:30 p.m. in this room. There will be  
24 no further notice.

25 I presume the applicant will waive the time

1 limit under the Land Use Law until after that time.

2 MR. WOLFSON: We do, sir.

3 MR. VAN ECK: I do just want to say if  
4 there is going to be planning testimony on the 15th of  
5 May my planner would not be here and it is customary  
6 for the planner to be able to observe the other  
7 planner.

8 Maybe we can address that on the April 30th.

9 COUNCILMAN BROMBERG: Put this on the  
10 record.

11 MR. LEIBMAN: Your planner is highly  
12 skilled. He can read the transcript.

13 MR. WOLFSON: That's what the transcript  
14 is for.

15 MR. LEIBMAN: Provide appropriate  
16 testimony.

17 MR. VAN ECK: Thank you.

18 MR. WOLFSON: Thank you. Mr. Chairman.

19 MR. STATILE: Wait. Hold it.

20 MR. LEIBMAN: Maybe we won't do anything  
21 the 15th.

22 (Chitter-chatter/speaking at the same  
23 time).

24 MR. VAN ECK: My planner is not available.

25 (The hearing adjourns 10:45 p.m.)



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C E R T I F I C A T E

I CERTIFY that the foregoing is a true and accurate transcript of the testimony and proceedings as reported stenographically by me at the time, place and on the date herein before set forth.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney or 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.

\_\_\_\_\_  
DONNA LYNN J. ARNOLD, C.C.R.  
LICENSE NO. XI00991  
MY COMMISSION EXPIRES 08/04/19

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