

**BRIDGEWATER TOWNSHIP PLANNING BOARD**

**Special Meeting**

**Monday, May 12, 2014**

**—MINUTES—**

**1. CALL MEETING TO ORDER:**

Chairman Rusak called the meeting to order at 7:05 p.m. in the Bridgewater Raritan High School Auditorium, 600 Garretson Road, Bridgewater, New Jersey.

**2. OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT:**

Adequate notice of this special meeting has been given in accordance with the Open Public Meetings Act N.J.S.A. 10:4-6. On April 30, 2014 proper notice was sent to the Courier News and the Star-Ledger and filed with the Clerk at the Township of Bridgewater and posted on the bulletin board in the Municipal Building. Please be aware of the Planning Board policy for public hearings: no new applications will be heard after 10:00 pm and no new testimony will be taken after 10:15 pm. Hearing Assistance is available upon request.

**3. SALUTE TO FLAG:**

There was salute to colors

**4. ROLL CALL:**

Stephen Rodzinak – present

James Franco – present

Walter Rusak – present

Councilman Matthew Moench – present

Ron Charles – present

Barbara Kane – present

Mayor Dan Hayes – present

Tricia Casamento, Alt. #1 – **absent**

Others present: Board Attorney Thomas Collins, Board Engineer Robert C. Bogart, Traffic Engineer, Gordon Meth, PE, Recording Secretary Marianna Voorhees

**5. APPROVAL OF BOARD MINUTES:**

**April 28, 2014 Regular Meeting** – No action was taken

**6. MEMORIALIZATION OF RESOLUTIONS:**

Bridgewater Baseball and Softball, Prince Rodger's Field – *Courtesy Review* (pending) – No action was taken.

#14-012-PB Block 515 Lot 1

DECISION: Approved 4/28/14

10 Finderne Ave Solar, LLC - Finderne Ave between railroad and Raritan River (pending) – No action was taken.

#14-007-PB Block 304 Lot 1

Preliminary and Final Major Site Plan with Variances

DECISION: Approved w/conditions 4/28/14

**7. LAND DEVELOPMENT APPLICATIONS**

AlFalah Center – 1475 Mountain Top Road

Block 653 Lots 36 & 37

#01-11-PB, PRELIMINARY Major Site Plan and Conditional Use

Time: 5/30/14 per extension

See attached Transcription dated May 12, 2014. Prepared by: Diane M. Holmes, C.C.R. of  
Rizman Rappaport Dillon & Rose, 66 W. Mt. Pleasant Ave., Livingston, NJ 07039

**8. MEETING OPEN TO THE PUBLIC:**

There were no members of the public wishing to address the Board on any matter not listed on the agenda.

**9. ADJOURNMENT:**

It was the consensus of the Board to adjourn the meeting at approximately 10:10 pm.

Respectfully submitted,

Marianna Voorhees, Secretary to Engineering/Planning Division

**In The Matter Of:**

*In RE: Al Falah*

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*Transcript of Proceedings*

*May 12, 2014*

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*Rizman Rappaport Dillon & Rose*

*66 W. Mt. Pleasant Ave.*

*Livingston, N.J. 07039*

*(973) 992-7650*

*reporters@rizmanrappaport.com*

**Min-U-Script® with Word Index**

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1                               BRIDGEWATER TOWNSHIP  
2                               PLANNING BOARD

3               -----  
4               IN THE MATTER OF:                               TRANSCRIPT  
5               ALFALAH CENTER                               OF  
6               Applicant.                               PROCEEDINGS  
7               -----

8                               Bridgewater Raritan High School  
9                               600 Garretson Road  
10                              Bridgewater, New Jersey  
11                              Monday, May 12, 2014  
12                              Commencing at 7 p.m.

13 B E F O R E:

14                              BOARD MEMBERS

15                              RON CHARLES  
16                              JAMES V. FRANCO  
17                              DANIEL J. HAYES, JR., Mayor  
18                              BARBARA KANE  
19                              MATTHEW MOENCH, Councilman  
20                              STEPHEN RODZINAK  
21                              WALTER RUSAK, Chairman

22                              ROBERT BOGART, PE, Township Engineer  
23                              THOMAS COLLINS, ESQ., Board Attorney  
24                              GORDON METH, PE  
25                              MARIANNA VORHEES, Asst. Board Secretary

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

27                              ARCHER & GREINER, P.C.  
28                              Attorneys for the Applicant  
29                              1 State Route 12  
30                              Flemington, New Jersey 08822  
31                              BY: LLOYD H. TUBMAN, ESQ.

32                              Reported by: Diane M. Holmes, CCR

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1       CHAIRMAN RUSAK: Good evening and  
2 welcome. This is the Bridgewater Township Planning  
3 Board. I'd like to call the meeting to order.  
4       The Open Public Meeting Act  
5 announcement is adequate notice of this special  
6 meeting has been given in accordance with the Open  
7 Public Meeting Act, N.J.S.A. 104-60. April 30 -- on  
8 April 30, 2014, proper notice was sent to the  
9 Courier News and the Star Ledger and filed with the  
10 clerk at the Township of Bridgewater and posted on  
11 the bulletin board in the municipal building.  
12       Please be aware that planning board  
13 policy for public hearings, no new applications will  
14 be heard after 10 p.m. and no new testimony will be  
15 taken after 10:15 p.m. Hearing assistance is  
16 available upon request.  
17       Please rise to salute the flag.  
18       (Flag salute.)  
19       CHAIRMAN RUSAK: We would like to take  
20 a roll call.  
21       MS. VORHEES: Mr. Rodzinak.  
22       MR. RODZINAK: Here.  
23       MS. VORHEES: Mr. Charles.  
24       MR. CHARLES: Here.  
25       MS. VORHEES: Mr. Franco.

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1       MR. FRANCO: Here.  
2       MS. VORHEES: Councilman Moench.  
3       MR. MOENCH: Here.  
4       MS. VORHEES: Chairman Rusak.  
5       CHAIRMAN RUSAK: Here.  
6       MS. VORHEES: Mayor Hayes.  
7       MAYOR HAYES: Here.  
8       MS. VORHEES: Ms. Kane.  
9       MS. KANE: Here.  
10       MS. VORHEES: Ms. Casamento.  
11       CHAIRMAN RUSAK: The board minutes from  
12 April 22 and April 28 are still pending.  
13       We now would like to move on to the  
14 land development application of the Alfalah Center.  
15 Ms. Tubman, could you bring your next speaker  
16 please.  
17       MS. TUBMAN: Mr. Chairman, for the  
18 record, I'm Lloyd Tubman. I'm with Archer &  
19 Greiner, and this is the continuation of hearings on  
20 the Alfalah Center, a proposed mosque on Mountaintop  
21 Road.  
22       This evening we plan to conclude the  
23 questioning of Gary Dean, our traffic expert. We  
24 also have an additional report on parking for which  
25 we have a separate expert, Henry Ney, who will be

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1 introduced later this evening.  
2       Just as a matter of scheduling, we know  
3 we have some open items from first hearings and from  
4 hearings as they went on. We have kept a tally, as  
5 I've told you, on previous occasions, but for  
6 purposes of planning, I know your planner wanted to  
7 be here when our landscape architect will testify,  
8 and Brian Bosenberg will be -- we expect to be  
9 present at the hearing on June 30. George Folk of  
10 David Stires & Associates, our civil engineer, will  
11 be back for items within his purview also on June  
12 30, the agenda permitting. Ralph Finelli, our  
13 architect, has some issues that were raised when he  
14 testified and thereafter, and we expect too that he  
15 will be here on July 28. That is for planning  
16 purposes. We know it's not hard and fast.  
17       That said, I'd like to go back to Gary  
18 Dean, but to -- for the purpose for the information  
19 of the audience and for members of the board who may  
20 be more familiar with it, there were two issues  
21 raised in the context of traffic at the last  
22 hearing. One of which, and Mr. Dean testified to  
23 this, is safe ingress and egress from the property,  
24 and that has been demonstrated, and Mr. Dean at the  
25 last hearing testified as to the adequacy of site

<p style="text-align: right;">Page 5</p> <p>1 triangles as well as levels of service at those 2 driveways. 3 The other issue that was raised and on 4 which much time was spent was impact of traffic on 5 surrounding streets and intersections. That is an 6 entirely different topic. It is one that is used 7 not for purposes of whether or not an application 8 may or may not be approved, because if access can be 9 achieved safely, that is not the basis for denial of 10 an application. 11 Instead, off-site traffic impact is the 12 basis for computing, if it applies, the pro rata 13 share of an applicant to needed necessary off-site 14 roadway at intersection repairs -- improvements, not 15 repairs. Those that are generated by the proposed 16 use, not by traffic in general. So to the extent 17 that there was some confusion over the two issues, 18 the reason for this statement is to point out the 19 Dunkin' Donuts and Lionel cases which stand for the 20 proposition that off-tract traffic impacts are the 21 basis for off-tract improvements, if warranted, and 22 not the basis for decision on an application. 23 With that said, I would like to go back 24 to Gary Dean. 25 MR. EISDORFER: Just for the record,</p>	<p style="text-align: right;">Page 7</p> <p>1 M-E-K-E-E-L, and I live at 236 Leeham Avenue in 2 Bridgewater. 3 MR. COLLINS: Thank you, sir. Please 4 go ahead and ask your questions. 5 MR. MEKEEL: Before I ask a question as 6 such, I would like to set a little bit of a preface 7 of why I'm asking it. 8 I go back to I believe about 9 mid-December. I was going up to the Bedminister 10 shopping center to pick up a prescription. As I got 11 up to Brown Road, I noticed that there was some 12 traffic snarl that was relatively minor. People had 13 patience to let five or six cars go through whether 14 it was light controlled or not. There is maybe a 15 five or six car backup on the northbound lane of 16 202/206. 17 Approximately 45 minutes to an hour 18 later, I was southbound on that same road and now 19 traffic was backed up heading south on 202/206 north 20 and, in part, on Brown Road and a considerable 21 backup coming on the northbound lanes of 202/206. I 22 was not held up very long, but as I traveled down 23 202/206, that backup extended over 1.1 miles, and I 24 realize that it was somewhat of a religious holiday 25 for the temple, but I wondered how many people that</p>
<p style="text-align: right;">Page 6</p> <p>1 this is an issue that my clients will address in a 2 brief at an appropriate time. 3 MS. TUBMAN: And the record should 4 reflect that that is Steve Eisdorfer speaking, an 5 attorney for objectors. 6 MR. DEAN: Good evening, Gary Dean, 7 traffic consultant for the applicant. I recognize 8 that I'm still under oath. 9 MS. TUBMAN: We ended last evening with 10 on the clock. I don't know that there remained 11 questions from the public. Then you have a report 12 from Gordon Meth that you did not address. 13 CHAIRMAN RUSAK: Okay. We're going to 14 open the floor up to the public. If someone would 15 like to go up to the microphone, anyone else would 16 like to speak, we'd like you to sit in the front row 17 so we can move forward. Sir. 18 MR. COLLINS: Sir, were you previously 19 sworn? Do you swear or affirm to tell the truth, 20 the whole truth and nothing but the truth so help 21 you God? 22 MR. MEKEEL: Yes, I do. 23 MR. COLLINS: Please state your name 24 and address and spell your last name. 25 MR. MEKEEL: I'm John Mekeel,</p>	<p style="text-align: right;">Page 8</p> <p>1 were not going to the temple were involved in that 2 traffic delay. 3 Later on, I stopped to think about it, 4 and one thing that concerned me was suppose there 5 have been and there had been an emergency somewhere 6 not necessarily at the temple but somewhere where 7 the responders were trying to get from their home 8 and use or tried to use 202/206 up to where they got 9 the equipment and could man the equipment and let it 10 roll. 11 I also wondered what impact, once that 12 equipment was rolling, that same tie up would have 13 on the equipment, and I sort of satisfied myself in 14 the respect that, if they had to swing out of that 15 traffic lane and go into the opposing traffic lanes, 16 at least it was wide open. There's plenty of room 17 for them to do it, but I would hope that they didn't 18 have to do it. 19 Transposing that or moving forward, I 20 have the same concerns about first responders as 21 well as getting the equipment to the scene 22 regardless of whether it's traffic to the temple, an 23 emergency at the temple or anywhere else up on 24 Mountain Valley. 25 Foothill Road from either side of Mine</p>

<p style="text-align: right;">Page 9</p> <p>1 Road to the intersection is an upgrade. It's a  2 curve and it becomes a blind intersection. The  3 drivers of the rigs are not going to know what they  4 face until they get to that traffic light and can  5 peer around the corner. The traffic backups could  6 extend all the way up Mine Road, Crim Road as well  7 as the other Papen Road feeders, and that's what  8 bothers me, because that intersection and those  9 roads coming down that mountain are the main feeders  10 for people coming out of the valley going down into  11 Route 22 or Somerville or taking the back -- quote,  12 back way out of the mountains.  13 There are no sidewalks past or in front  14 of the mosque property, and I'm concerned about that  15 simply in the fact that I don't care what the  16 conditions are or how the applicant receives  17 permission, but we all know that somebody is going  18 to be walking those walks and those streets on the  19 day of worship. If it didn't happen, I could never,  20 ever think by the time that it wouldn't happen, and  21 in that respect, I would ask, if the applicant  22 were -- actually ask the traffic examiner whether  23 the applicant would accept as a condition of  24 employment the sidewalks being put in across that  25 property. There is sidewalk up there, but it seems</p>	<p style="text-align: right;">Page 11</p> <p>1 other -- any of the other neighboring properties.  2 MR. MEKEEL: The increased traffic,  3 though, I think would affect it.  4 MR. DEAN: Correct.  5 MR. MEKEEL: And there's still no  6 agreement or any sign of the applicant accepting  7 improvements to that intersection?  8 MR. DEAN: None have been requested by  9 the township, and the applicant at this point is not  10 creating the need for those improvements.  11 MR. MEKEEL: Initially, he may not, but  12 my question was, as I said, the traffic increasing,  13 would they assume part of the responsibility for  14 improvement then, the cost of the improvement?  15 MS. TUBMAN: Does the increased traffic  16 warrant improvements to that intersection?  17 MR. DEAN: No, it does not.  18 MR. MEKEEL: It does not.  19 MR. DEAN: It does not.  20 MR. MEKEEL: I disagree. But that's  21 not going to be taken care of here.  22 CHAIRMAN RUSAK: Thank you very much.  23 Next person.  24 MR. COLLINS: Please state your name.  25 MR. MECCA: It's James Mecca, and I was</p>
<p style="text-align: right;">Page 10</p> <p>1 to peter out. It's on the south side of the road.  2 MR. DEAN: The applicant is putting  3 sidewalks in across their frontage.  4 MR. MEKEEL: Okay.  5 MR. DEAN: It's part of the plan.  6 MR. MEKEEL: Secondly, I would request  7 or broach the point of intersection of Papen and  8 Mine, that is a wide intersection, and it requires a  9 rather sharp right turn to get onto Mountaintop Road  10 to go down to the proposed mosque property.  11 Has there been any agreement to  12 improving that intersection for the relief of people  13 making a right turn?  14 MR. DEAN: No. There are no  15 improvements proposed.  16 MR. MEKEEL: Would the applicant accept  17 improvements to that intersection as a condition of  18 granting the --  19 MS. TUBMAN: Let me answer that with a  20 question. Does the applicant's traffic warrant  21 improvements to that intersection?  22 MR. DEAN: No, it does not. There are  23 other users of the intersection who make that right  24 turn, and it's not a condition that was created by  25 virtue of the development of this property or any</p>	<p style="text-align: right;">Page 12</p> <p>1 sworn in previously.  2 MR. COLLINS: Spell your last name.  3 MR. MECCA: M-E-C-C-A, and I live on  4 Sherwood Road, Bridgewater.  5 I want to go back a little bit to last  6 week when I asked a couple of questions of the  7 traffic professional here. My concern is,  8 fortunately, the gentleman that was before me  9 brought up the issue of the ability to get emergency  10 vehicles in and where they have to go, and when I  11 was raising that issue, the response I got was,  12 well, the traffic will move out of the way for  13 emergency vehicles.  14 I spent a little time and watched the  15 traffic at the traffic light on the bottom of my  16 road, and it's roughly eight to 10 cars will go  17 through a green light before a red light, and my  18 concern is that with the departure from the mosque  19 of anywhere 60, 70, 80 people, and my ambulance  20 trying to get down Mine Road or Crim Road  21 effectively could get halted by about seven to 10  22 traffic lights before it gets to the bottom of the  23 hill. Going along with what his response says, the  24 traffic will move out of the way, that's a mere  25 impossibility.</p>

<p style="text-align: right;">Page 13</p> <p>1 I mean I've been using this going into  2 my eighth year of attempting to get down into the  3 lower parts of Bridgewater as fast as possible with  4 the ambulance and there is no shoulders on the  5 roads. So traffic cannot effectively move out of  6 the way, and my concern is that, if an ambulance is  7 up in the area either on Mine Road or on Crim coming  8 down, we do not have a view of traffic coming up,  9 and so there's no logic in driving the left-hand  10 side of the road to get beyond 40, 50 cars without  11 great potential of a head-on crash. Even with the  12 sirens and the lights going, people coming up North  13 Bridge and wanting to make a right turn onto  14 Mountaintop Road will not know anything about the  15 emergency vehicle trying to get down.  16 So it is not an issue of vehicles being  17 able to get out of the way. It's an impossibility  18 for them to get out of the way, and I would just  19 like to know what his thoughts are about the ability  20 of emergency response in that environment once the  21 persons are departing.  22 MR. DEAN: My answer is the same as  23 last month is that emergency vehicles have right of  24 way in emergency conditions and that drivers are to  25 properly and legally yield to emergency vehicles.</p>	<p style="text-align: right;">Page 15</p> <p>1 and they are right at that traffic light and down  2 there they do yield. Honestly, some of them will go  3 through the red light and get off the road and get  4 out of the way so we can get down, but we have the  5 ability to get all the way down behind the sixth or  6 seventh car.  7 With the arrival of the parishioners  8 exiting the mosque, we could be backed up 40 cars,  9 50 cars.  10 MR. DEAN: I can't agree with that  11 assumption. That's just not proven in any of the  12 studies and findings that have been performed to  13 date. So that's why I can't agree with your  14 premise.  15 MR. MECCA: My question really is did  16 you do some work with respect to relief of traffic  17 with that traffic light?  18 MR. DEAN: Yes. We studied that  19 traffic light, its operation and its cuing or  20 backups.  21 MR. MECCA: And it will take --  22 MR. DEAN: It will continue to operate  23 at the same level of service with the addition of  24 the mosque traffic.  25 MR. MECCA: Okay. So you're agreeing</p>
<p style="text-align: right;">Page 14</p> <p>1 MR. MECCA: I understand that, but the  2 fact of the matter is, even if they attempt to do  3 it, there is nowhere for them to move to yield.  4 There's no shoulder. I mean if you look at Mine  5 Road, that's not wide enough even for two school  6 busses even to go up and down. They'd be taking the  7 mirrors off of each other. So there is no ability  8 to yield to emergency vehicle.  9 MR. DEAN: I will continue to repeat my  10 answer which is that's a condition that exists  11 today. It is not a circumstance that is created by  12 the applicant.  13 The traffic studies, even assuming that  14 more traffic comes to the site than can fit on the  15 site, still shows favorable levels of service with  16 cuing not dramatically different than exists today,  17 and so whatever cuing occurs is already impacting or  18 impeding emergency vehicle response, and, clearly,  19 that has not been the case. So it will continue to  20 operate safely as it does today.  21 MR. MECCA: What I'm trying to get  22 across to you is that I'm in that vehicle every  23 week, and with the normal traffic going down Mine  24 Road to the traffic light of Foothill Road, you have  25 backups of six, seven, eight, nine cars, whatever,</p>	<p style="text-align: right;">Page 16</p> <p>1 then that the mosque traffic could take six to 10  2 traffic lights to vacate.  3 MR. DEAN: No, not whatsoever.  4 MR. MECCA: How else would they get out  5 of there?  6 MR. DEAN: I've gone over that in  7 extensive testimony. Not all the mosque traffic  8 will come down to Foothill Road. There are multiple  9 routes to reach and depart the site, and traffic  10 will depart among a variety of travel options.  11 MR. MECCA: Yeah, but I remember what  12 you said last week about the volume of traffic  13 coming up and back down was pretty significant. I'm  14 sorry. I guess I won't ask that question again.  15 CHAIRMAN RUSAK: Thank you sir. Next.  16 MS. BOBOWICZ: Kristen Bobowicz,  17 B-O-B-O-W-I-C-Z. I live on Papen Road.  18 MR. COLLINS: Were you previously  19 sworn?  20 MS. BOBOWICZ: I was not.  21 MR. COLLINS: Do you swear or affirm to  22 tell the truth, the whole truth and nothing but the  23 truth so help you God?  24 MS. BOBOWICZ: I do.  25 My first question goes along with the</p>

<p style="text-align: right;">Page 17</p> <p>1 emergency vehicle question only I'm not so concerned  2 about the traffic light at the bottom of the hill.  3 I'm more concerned with the top of the mountain  4 which is where I live, and the three main feeder  5 roads, Mine Road, Crim Road and Mountaintop Road all  6 have steep drop-offs on one side of them.  7 I understand in theory that the cars  8 are supposed to get out of the way, but when I put  9 this law into the context of our Mountaintop  10 community, with an additional 500 people and however  11 many cars that is in actuality, I struggle to see  12 where the cars are supposed to go when there's a  13 steep drop-off on the side of three of these roads.  14 So my question to you is, again, where  15 are these cars supposed to go?  16 MR. DEAN: They will properly yield to  17 emergency vehicles.  18 MS. BOBOWICZ: I'm struggling with that  19 because I live there and I see the roads. I don't  20 see that.  21 My next question is that you testified  22 that cars generally like to make right-handed turns.  23 The quickest way down to Washington Valley Road if  24 you don't want to wait in a line of cars and make a  25 left-hand turn out of the Redwood Inn site to go to</p>	<p style="text-align: right;">Page 19</p> <p>1 that correct?  2 MR. DEAN: It's longer and slower than  3 taking Crim Road.  4 MS. BOBOWICZ: But wouldn't it be  5 quicker to make those two rights instead of waiting  6 in a line of cars to make a left-hand turn?  7 MR. DEAN: We're not forecasting any  8 kind of line of cars turning onto Crim. In fact, we  9 have levels of service A and B which are indicative  10 of very short delays, less than 10 seconds. So it's  11 not the type of delay that gives one an incentive to  12 seek an alternate longer and more circuitous path.  13 MS. BOBOWICZ: But there's going to be  14 close to 500 additional people at some point which  15 is going to be a parking lot full of cars. All of  16 those cars are going to line up and want to turn  17 somewhere.  18 MR. DEAN: Well, 500 attendees does not  19 equal 500 cars. There are 170 parking spaces in  20 this lot. That's the highest number of cars there  21 can be at any one time.  22 MS. BOBOWICZ: Right. You also  23 testified earlier that you've been involved with  24 many previous traffic studies in the area. Living  25 on Papen Road for the past 20 years, my experience</p>
<p style="text-align: right;">Page 18</p> <p>1 Crim Road would be to make a right-hand turn onto  2 Mountaintop, a quick right onto Running Brook and  3 then take that down to Crim Road.  4 If this is the case, why didn't you do  5 a traffic study of Running Brook and how will all of  6 the additional cars driving through Running Brook,  7 because they will want to make that right-hand turn,  8 effect the residents in that community?  9 MR. DEAN: Some may elect to travel  10 down Running Brook Road. In my opinion, given the  11 favorable levels of service at Mountaintop Road and  12 Crim Road and the fact that the travel through the  13 Running Brook Road neighborhood is fairly circuitous  14 and indirect, that using Crim Road is still the  15 fastest and most direct way to Washington Valley  16 Road, and our traffic assignment has reflected that,  17 and can I tell you that no one will ever turn down  18 Running Brook. No, I can't, but it is fairly  19 labyrinth to get through that neighborhood.  20 MS. BOBOWICZ: So I guess I'm a little  21 confused then because earlier you testified that  22 people like to make right-handed turns. So now  23 you're saying that they won't want to make that  24 right-handed turn because it's difficult and a  25 couple of extra moves to get down to Crim Road. Is</p>	<p style="text-align: right;">Page 20</p> <p>1 is that, as the area has changed, many serious  2 parking and traffic issues have also occurred,  3 especially, with the Jewish temple on Foothill Road,  4 the Gurudwara on Washington Valley which I have  5 pictures of getting stuck in that traffic with the  6 cars parked on the shoulder of the road and the  7 Hindu temples on Routes 202/206 which we heard  8 previously also cause severe traffic.  9 Were you involved with the traffic  10 studies for these locations, and if so, were your  11 estimates for traffic and parking correct?  12 MR. DEAN: I was not involved in any of  13 those sites.  14 MS. BOBOWICZ: You also testified  15 previously that you're a traffic engineer based in  16 Martinsville and that you're very familiar with the  17 area.  18 Speaking directly to traffic and  19 parking issues, in your opinion, would a use such as  20 the one proposed by the Alfalah Center with the  21 traffic and parking uses specified be better suited  22 for a location on a state highway or county road  23 such as the currently available location of the  24 Martinsville Inn?  25 MR. DEAN: That's not a question I can</p>



<p style="text-align: right;">Page 21</p> <p>1 answer. I am retained to evaluate the impacts  2 associated with this application, the uses permitted  3 on this site, and, therefore, my role is to evaluate  4 whether the traffic impacts create a substantial  5 detriment on operating conditions in the immediate  6 vicinity, and we've proven we've met that test.  7 I don't do comparative analyses.  8 That's speculation that goes beyond the scope of  9 this application.  10 MS. BOBOWICZ: So maybe you could  11 explain to me then why something that seems so  12 obvious to me as a wide road with shoulders that are  13 designed to handle a large volume of traffic is not  14 better than a shoulderless, curvy, narrow  15 mountaintop residential roadway like Mountaintop  16 Road?  17 MR. DEAN: You'd be surprised what  18 comes up in my profession, and some might argue that  19 a busy road -- there's too much traffic on that  20 road. It's impossible to get in and out. Why don't  21 you put your use on a quiet road where there's lots  22 of roadway capacity. That's the case we have here.  23 MS. BOBOWICZ: My last question is  24 related to the traffic buildup on Mountaintop Road  25 when leaving the Redwood Inn site and making the</p>	<p style="text-align: right;">Page 23</p> <p>1 intersections, and depending on the caliber of the  2 driver, it does permit the bypass of a left turning  3 vehicle. My study was based on knowing the site,  4 knowing the area.  5 MS. BOBOWICZ: I do have two pictures  6 here. One of which is my car trying to make the  7 left-hand turn and the car behind it right next to  8 the curb completely unable to get around, and I have  9 that picture from the front and the back just so you  10 could get a good view, and it is impossible to make  11 those left-hand turns and have other cars go around  12 which leads me to believe that there will be a large  13 backup even though previously I do think you  14 testified that the cars will turn quickly because  15 there aren't that many cars on the road.  16 Again, I question, once you have a  17 large number of cars there, if they'll all be able  18 to move, and I think these pictures prove that.  19 Thank you.  20 CHAIRMAN RUSAK: Thank you. Sir, you  21 were next.  22 MR. OROZCO: Wilson Orozco, 826 Mine  23 Road. Let me respectfully ask you to go to your  24 traffic impact analysis dated December 9, 2010.  25 MR. DEAN: I have it.</p>
<p style="text-align: right;">Page 22</p> <p>1 right-hand turn. You previously testified that the  2 road widens and cars would be able to go around any  3 cars waiting to make a left-hand turn onto Mine  4 Road.  5 Well, I actually live in that area, and  6 I tried this today to see if that would be correct,  7 because my experience from living so close to that  8 intersection is that the road does not widen in a  9 location for cars to go around other cars waiting to  10 turn. Sure enough, I'm correct.  11 I have pictures showing two cars trying  12 to get around each other. One making a left and the  13 other not having enough room to get around. That  14 means that traffic will backup while cars are  15 waiting to turn onto Mine Road.  16 When you testified that cars would be  17 able to go around those waiting to turn, had you  18 actually looked at the roadway or were you guessing,  19 because if you're guessing, that testimony makes me  20 question what else you testified on is incorrect?  21 MR. DEAN: During the conduct of our  22 study, I personally visited all of the roads and  23 intersections that were evaluated. There are  24 certain radii or geometric call them flares, for  25 lack of a better word, curbing that exists at</p>	<p style="text-align: right;">Page 24</p> <p>1 MR. OROZCO: If we freeze that day, is  2 this a very accurate analysis as it stands of that  3 day?  4 We're not talking about today. We're  5 not talking about a month later. We're just talking  6 about December 9th of 2010.  7 MR. DEAN: I don't see December 9  8 referenced in that report.  9 MR. OROZCO: Well, I'm looking at a  10 Dolan &amp; Dean traffic impact analysis for the  11 Chughtai Foundation, I think it's pronounced,  12 proposed worship center.  13 MR. DEAN: That's the date of the  14 report. I am sorry.  15 MR. OROZCO: So, once again, my  16 question is is that a fairly accurate report if we  17 froze that day?  18 MR. DEAN: I don't understand the  19 question. It was a report that was submitted -- if  20 I can finish, this was the report that was submitted  21 with the original filing of the application.  22 MR. OROZCO: All right. So my question  23 is, when this report was done, December 9th of 2010,  24 was it accurate and correct to the best of your  25 knowledge?</p>

<p style="text-align: right;">Page 25</p> <p>1 MR. DEAN: Yes.</p> <p>2 MR. OROZCO: And there were no</p> <p>3 mistakes?</p> <p>4 MR. DEAN: None to my knowledge.</p> <p>5 MR. OROZCO: All right. Well, the</p> <p>6 first thing that I saw, and I'm not going to go</p> <p>7 after the whole index, was that some of the dates on</p> <p>8 there were incorrect. On page 4, a Friday, November</p> <p>9 13th of 2010 is not a Friday. It's a Saturday.</p> <p>10 Saturday, November 14 is not a Saturday. It's a</p> <p>11 Sunday.</p> <p>12 So that's just -- what would you call</p> <p>13 that? What would you characterize that, a bad</p> <p>14 reference or an omission or a mistake?</p> <p>15 MR. DEAN: None of the above. A</p> <p>16 typographical error.</p> <p>17 MR. OROZCO: A typographical error.</p> <p>18 Okay. Let's stand by this typographical error if</p> <p>19 that is how we are to characterize it.</p> <p>20 MR. DEAN: I have the original traffic</p> <p>21 count sheets if that's of significance, and I have</p> <p>22 no doubt they bear the correct date.</p> <p>23 MS. TUBMAN: Why don't you find those</p> <p>24 sheets?</p> <p>25 MR. OROZCO: I'm sure that they were</p>	<p style="text-align: right;">Page 27</p> <p>1 MR. DEAN: I've responded.</p> <p>2 MR. OROZCO: You responded that it was</p> <p>3 an error, an omission or --</p> <p>4 MS. TUBMAN: He's saying did you say</p> <p>5 that there's a typo in the body of the report?</p> <p>6 MR. DEAN: Correct. I have confirmed</p> <p>7 that the counts were conducted on Friday, November</p> <p>8 12, and on Saturday, November 13. The counts, the</p> <p>9 volumes, the analyses are all accurate.</p> <p>10 MR. OROZCO: So there was a</p> <p>11 misreference.</p> <p>12 MR. DEAN: I will call it a</p> <p>13 typographical error. I have the data sheets.</p> <p>14 MR. OROZCO: So I typographical error</p> <p>15 on what I may become I guess a legal document on</p> <p>16 page 4.</p> <p>17 Let me ask you another question. Is</p> <p>18 there any other typographical errors on this report</p> <p>19 before it was revised?</p> <p>20 MR. DEAN: I'm sure you can find a</p> <p>21 semicolon out of place.</p> <p>22 MR. OROZCO: Okay. Is that a yes or a</p> <p>23 no? Is that a yes or a no?</p> <p>24 MR. DEAN: There could very well be,</p> <p>25 yes.</p>
<p style="text-align: right;">Page 26</p> <p>1 revised because you made several addendums already.</p> <p>2 My point was that the last time you and</p> <p>3 I had a discussion you snapped at me and you said</p> <p>4 that there were no errors on this particular report,</p> <p>5 and I'm pointing out otherwise. One point for me.</p> <p>6 Now, let me add --</p> <p>7 MS. TUBMAN: May he finish answering</p> <p>8 the question?</p> <p>9 MR. OROZCO: Absolutely.</p> <p>10 MR. DEAN: The traffic counts were done</p> <p>11 on Friday, November 12, 2010, and on Saturday</p> <p>12 November 13, 2010.</p> <p>13 MS. TUBMAN: And to what are you</p> <p>14 referring?</p> <p>15 MR. DEAN: I'm referring to the actual</p> <p>16 traffic survey sheets that were conducted by our</p> <p>17 field staff who performed the traffic counts, and</p> <p>18 they are designated appropriately.</p> <p>19 MR. OROZCO: So the report says Friday,</p> <p>20 but it should say Saturday, right?</p> <p>21 MR. DEAN: Friday, November 12,</p> <p>22 Saturday, November 13.</p> <p>23 MR. OROZCO: But I'm reading out of</p> <p>24 page 4. It says Friday, November 13, and Saturday,</p> <p>25 November 14.</p>	<p style="text-align: right;">Page 28</p> <p>1 MR. OROZCO: All right. Moving</p> <p>2 forward, I know that there were some addendums to</p> <p>3 the traffic impact report.</p> <p>4 Did you do a complete year analysis of</p> <p>5 that traffic to see when the traffic was high and</p> <p>6 low as it refers to Mine Road, Crim Road, Papen,</p> <p>7 Mountaintop, or did you just take a snapshot at a</p> <p>8 particular season or a particular hour?</p> <p>9 MR. DEAN: We did our counts on a</p> <p>10 specific day that is believed to be representative</p> <p>11 of typical conditions and not an aberration.</p> <p>12 MR. OROZCO: How do we know that?</p> <p>13 MR. DEAN: That's my professional</p> <p>14 opinion. It's now been buttressed by having done</p> <p>15 additional counts in 2013.</p> <p>16 MR. OROZCO: This did not take into</p> <p>17 account some of the traffic flow from soccer season,</p> <p>18 right?</p> <p>19 MR. DEAN: In my opinion, limited to</p> <p>20 one Saturday in the primary worship center activity</p> <p>21 is religious education. It would not change my</p> <p>22 findings.</p> <p>23 MR. OROZCO: All right. With your</p> <p>24 technical background and your professional</p> <p>25 expertise, you're familiar with Mountaintop Road</p>

<p style="text-align: right;">Page 29</p> <p>1 where it comes together with Papen and Running Brook  2 and Mine Road. Did you do a dimensional analysis of  3 that intersection?  4 MR. DEAN: I don't know what that is.  5 MR. OROZCO: Did you measure the road?  6 MR. DEAN: Yes.  7 MR. OROZCO: How wide is Mountaintop  8 south or northbound as it comes to that  9 intersection?  10 MR. DEAN: We measured 14 feet  11 northbound and 10 feet southbound.  12 MR. OROZCO: I live across the street.  13 I measured Mountaintop southbound. Southbound is  14 exactly 10 feet zero inches. The northbound is 152  15 inches, 12 feet 8 inches wide. If you move towards  16 the fire hydrant, if you know where it is, the road  17 becomes nine feet.  18 So if you come out of the mosque and  19 you make a right-hand turn and you're going north,  20 you have nine feet. With your background and your  21 expertise, what's the average width of a car or,  22 better yet, what's the width of an emergency  23 vehicle?  24 MR. DEAN: It varies by the vehicle.  25 MR. OROZCO: It varies by the vehicle.</p>	<p style="text-align: right;">Page 31</p> <p>1 only 12 and a half feet of road width, and having  2 said that, there's a trench on Block 15.  3 How is a car going to yield to an  4 emergency vehicle when they have no place to go?  5 MR. DEAN: It will do so exactly as it  6 does today.  7 MR. OROZCO: Can you enlighten me?  8 MR. DEAN: I've never witnessed it. So  9 I can't provide firsthand accounting, but to the  10 extent that there is traffic on Mountaintop Road and  11 an emergency vehicle needs to travel northbound, it  12 will circumvent that traffic as it does today. It's  13 not a condition that the applicant created.  14 MR. OROZCO: So we should take comfort  15 that the traffic is going to move because you say  16 it's going to move or it has moved somehow.  17 No further questions for now. Thank  18 you.  19 CHAIRMAN RUSAK: Thank you, sir. Next.  20 MR. MALLELA: My name is Shiv Mallela.  21 Last name M-A-L-L-E-L-A, and I have been sworn  22 before. Hi.  23 I read through the transcripts from the  24 last meeting. So most of my questions will be based  25 on what Mr. Dean has said at the last meeting.</p>
<p style="text-align: right;">Page 30</p> <p>1 So it goes from nine feet to 12 feet and eight  2 inches. Like my previous neighbor, I fail to see  3 how a car is going to get around with -- around  4 that -- around a vehicle. I'm trying to understand,  5 if the road goes from nine feet wide to 12 and a  6 half feet, how is a second vehicle going to get  7 around?  8 MR. DEAN: I measured the road at 24  9 feet. I don't know where you measured the road. I  10 should also identify that the applicant, as part of  11 the site development, will be widening their  12 frontage along Mountaintop Road and improving the  13 overall cartway.  14 MR. OROZCO: Does that mean that the  15 place where the fire hydrant is located is going to  16 be moved?  17 MR. DEAN: I don't know where the fire  18 hydrant is located.  19 MR. OROZCO: You're the traffic  20 engineer. You should know.  21 MR. DEAN: I know. I'm not the fire  22 official.  23 MR. OROZCO: I'm trying to understand  24 how an emergency vehicle is going to get around on  25 the northbound -- how it's going to get around with</p>	<p style="text-align: right;">Page 32</p> <p>1 Okay. The first thing is -- Mr. Dean,  2 you are listening. The first thing is like, when it  3 comes to your estimates as to how many cars coming  4 which direction, even though you admitted that you  5 didn't review any membership information in terms  6 of, you know, where the worshippers are going to  7 come from or whatever, what is the basis for your  8 assumption? Is it like pretty much assuming even  9 distribution when there's no basis for assuming even  10 distribution?  11 MR. DEAN: The basis for my  12 distribution, and if you have the transcript --  13 MR. MALLELA: Yes, from last week.  14 MR. DEAN: -- I covered that at the  15 last meeting, but it was based on the routes of  16 approach and departure for two major corridors or  17 roadways in the site vicinity, and to the north and  18 to the west lies Bedminister and Pluckemin and out  19 towards Branchburg and points in that direction,  20 Washington Valley Road carries traffic originating  21 from the east on Route 78 or further east into  22 Warren and that Mine and Crim Roads, obviously, lead  23 to Foothill, and that traffic on Foothill has the  24 option to continue north or south or west or east.  25 So there are a variety of routes to</p>

<p style="text-align: right;">Page 33</p> <p>1 reach the site. There was even some discussion that  2 some modest amount of traffic could elect to arrive  3 on Mountaintop Road. So it takes into consideration  4 the Route 22 corridor, Route 202/206, Route 78  5 regionally and how that traffic comes to the site.  6 MR. MALLELA: Okay. The reason I'm  7 asking the question is you can make a lot of  8 different assumptions.  9 For instance, if I assume that most of  10 the people will be coming from Bridgewater, since we  11 are Bridgewater, would you say that the majority of  12 the traffic could come up my route?  13 MR. DEAN: No.  14 MR. MALLELA: Why not?  15 MR. DEAN: I don't know that there's  16 anything presented in the testimony to date that the  17 majority of worshippers originate from within  18 Bridgewater.  19 MR. MALLELA: But there's nothing to  20 say they're going to come uniformly from all the  21 neighboring areas either.  22 MR. DEAN: There will be an outreach  23 into the community and surrounding communities as  24 does any house of worship, and that residents or  25 should I say worshippers, particularly, those coming</p>	<p style="text-align: right;">Page 35</p> <p>1 words. So you did use an even distribution.  2 MR. DEAN: In response to a particular  3 question.  4 MR. MALLELA: This has to do with  5 the -- your statement says, certainly, if you  6 notice, the general arrival patterns are very  7 similar. In other words, there's 44 vehicles that  8 come south on Crim Road, 43 that comes south on  9 Papen as we discussed, 42 vehicles using Mine, 33  10 coming up Crim. So it's a fairly even distribution.  11 That's what you said.  12 MR. DEAN: Our study has showed that 25  13 percent of the traffic would arrive and depart on  14 Papen Road, 5 percent from the south on Mountaintop,  15 25 percent to the east on Crim Road and 20 percent  16 to the west on Crim Road and 25 percent to the west  17 on Mine Road. So that's 45 percent of the site  18 traffic coming essentially down the hill, if you  19 will, however you want to characterize that or take  20 my testimony.  21 MR. MALLELA: The question I had was  22 so, in your opinion, then this represents the worst  23 case also. For instance, what are the 170 cars --  24 let's assume worst case, 80 percent come on Mine  25 Road, come up, you know, Mine Road. What would it</p>
<p style="text-align: right;">Page 34</p> <p>1 midday on Friday will principally presumably be  2 coming from places of employment, and that also  3 affects those regional nodes of population and the  4 radius from which the center would draw.  5 So assuming that all of the traffic  6 comes, for example, on Foothill Road, I can't  7 support that assumption. There's no basis for it.  8 MR. MALLELA: So, basically, there's no  9 worst case analysis. Just even distribution. No  10 worst case analysis.  11 MR. DEAN: It's not an even  12 distribution as has been covered, and the worst case  13 analysis has been completed at the request of the  14 board's reviewing consultant which assumes that more  15 traffic comes to the site than can fit on the site  16 by virtue of the number of parking spaces.  17 So we have done not only a worst case  18 analysis, but I would characterize as a hyper worst  19 case analysis in terms of traffic getting to the  20 site. If I were to rely on the projections made by  21 the applicant, the overall traffic would probably be  22 about a third or a half of what I used in the study.  23 MR. MALLELA: Let me back up one  24 minute. I can show you your own testimony which  25 says so. It's a fairly even distribution, your</p>	<p style="text-align: right;">Page 36</p> <p>1 do to your numbers?  2 MR. DEAN: It would not change them.  3 Because of the amended analysis, I assumed there  4 would be 257 cars coming to the site which is --  5 when we go through the math is probably close to 80  6 percent of 170.  7 MR. MALLELA: Okay. What happens to  8 the remaining 87 cars in your opinion? If 257 cars  9 come there, where do the 87 cars go?  10 MR. DEAN: That's why I don't believe  11 that's a proper analysis. The parking lot can only  12 accommodate 170 cars.  13 MR. MALLELA: So in your experience  14 then, have you ever been to any place where there  15 was a spillage in terms of the number of people  16 coming would not sufficiently have sufficient  17 parking and you just saw people turn and leave? Is  18 that your experience?  19 MR. DEAN: Yes.  20 MR. MALLELA: Really. Geez, you know  21 what? I don't know what to believe really. I'm  22 just saying that in the years that I've been around  23 here that doesn't happen. People find parking on  24 the side streets unless you live in some  25 extraordinary place. I mean I'm just saying there</p>

<p style="text-align: right;">Page 37</p> <p>1 are certain things that are common sense stuff and  2 you seem to think not. Okay. I'll move on.  3 Okay. So you said you did the worst  4 case also. All right. Now, one of the other things  5 you said is you had -- for the different  6 intersections, you had Bs for the intersections,  7 whatever we called it. Level of service, right?  8 MR. DEAN: Which analysis? Which  9 report?  10 MR. MALLELA: This was based on I think  11 questions from Mr. Moench. You had responded about  12 the -- for instance, that the Mine -- the  13 intersection of Mine Road and Mountaintop, I think  14 you had mostly As and sometimes you had B level of  15 service.  16 MR. DEAN: Well, again, depending on  17 the analysis.  18 MS. TUBMAN: Which report are you  19 referring?  20 MR. MALLELA: I'm just looking at the  21 question. I can show you your testimony if you  22 want.  23 MR. DEAN: That's correct. As and Bs.  24 MR. MALLELA: Okay.  25 MS. TUBMAN: You're referring to which</p>	<p style="text-align: right;">Page 39</p> <p>1 grabbed something on the web. I have here something  2 which is from the Highway Capacity Manual about  3 level service and what the times and the letters  4 represent.  5 According to what I see here, I can  6 show you this paper if you want. The level of  7 service criteria for unsignalized intersections, A  8 is less than or equal to 10 seconds controlled delay  9 per vehicle. B is greater than 10, less than or  10 equal to 15.  11 Okay. Now, your take is that, if this  12 facility comes into picture, then the level of  13 service at the Mine Road and Mountaintop, Papen  14 would be B. That's what you said.  15 So you're saying that, even if like 40  16 cars are coming up Mine Road, if I am stuck behind  17 them, I will be able to make my turn on Papen Road  18 in less than or equal to 15 seconds.  19 MR. DEAN: Correct.  20 MR. MALLELA: Really. I have 40 cars  21 ahead of me, and I'm going to make a turn in 15  22 seconds.  23 (Audience clamor.)  24 MR. DEAN: Well, our study doesn't  25 assume 40 cars.</p>
<p style="text-align: right;">Page 38</p> <p>1 report?  2 MR. DEAN: Any report.  3 MR. MALLELA: This would be for the  4 unsignalized intersection, right?  5 MR. DEAN: I didn't hear you. I'm  6 sorry.  7 MR. MALLELA: This is for the  8 intersection without a signal.  9 MR. DEAN: There are many without a  10 signal.  11 MR. MALLELA: What I'm saying, when you  12 say As and Bs, the numbers you're going to talk  13 about, I imagine the numbers change whether it's in  14 terms of the control delay for vehicle or something.  15 Are the numbers different depending whether there's  16 no signal or there's a signal, correct?  17 MR. DEAN: The letters in terms of  18 service are still the same. The parameters used to  19 characterize those levels of service are different.  20 MR. MALLELA: Okay. Now --  21 MR. DEAN: The delays -- there's a  22 greater tolerance for longer delays at a traffic  23 signal.  24 MR. MALLELA: Okay. Now, I have here  25 something -- I'm not a traffic engineer. So I just</p>	<p style="text-align: right;">Page 40</p> <p>1 MR. MALLELA: Okay. How many cars do  2 you assume?  3 MS. TUBMAN: I've asked Mr. Dean to  4 please be courteous. Would the audience also please  5 be courteous. I hate to say that. I've never done  6 it before, but Mr. Dean should not be heckled.  7 MR. MALLELA: I'm just trying to  8 understand if I was not courteous. I'm sorry.  9 MS. TUBMAN: I was not referring to  10 you.  11 MR. MALLELA: Okay.  12 MR. DEAN: Over the course of one hour,  13 we have estimated 42 cars coming up Mine Road, not  14 in a minute, in an hour which is about one car every  15 minute and a half, minute and 20 seconds. So if you  16 happen to be driving up the hill in that minute that  17 you occupy time, there might be one car ahead of you  18 which is why your delay as a driver at less than 15  19 seconds is absolutely reasonable.  20 MR. MALLELA: But the thing is we're  21 talking about an event like a prayer service  22 happening at a certain time. Okay. It's like any  23 place I've gone to. I go to temple, anywhere,  24 usually, most of the cars come just around the time.  25 People are not going to come distributed over an</p>

<p style="text-align: right;">Page 41</p> <p>1 hour's time. I mean, again, somehow your 2 assumptions are not matching my reality. 3 I mean, for instance, if there's a 4 baseball game at 1 o'clock, you think people are 5 going to be coming over the next four or five hours. 6 No. Most people are coming closer to the game time. 7 I go to temple. I go to temple service. People 8 come closer to that time. That's what I'm saying. 9 I'm saying you made these statements, 10 and I looked at these numbers and what you said, and 11 they don't seem to match because I have to make a 12 left turn from my road to Papen, and if I'm stuck 13 behind a whole lot of cars, there's no way it's 14 going to be level of service B. Absolutely no way. 15 Even now if I come there in the evening, sometimes I 16 have to wait for sometimes 30 seconds, 40 seconds 17 depending on number of cars. So, again, reality and 18 your statement don't seem to match to me, but let me 19 move on. 20 Okay. Now, you said that you did 21 analysis where you assumed greater than 170 cars 22 coming. I can show you on a particular page here, 23 page 23 here. Please bear with me. Okay. You said 24 we have done extra traffic analysis to consider that 25 every space on the parking lot is filled, and then</p>	<p style="text-align: right;">Page 43</p> <p>1 MR. DEAN: It was done at the request 2 of the board's consultant to leave no doubt that the 3 roadway system can accommodate the traffic without 4 creating a detrimental impact. In my opinion, we've 5 satisfied that test. 6 MR. MALLELA: I'm sorry. I fail to 7 understand how a study done in Canada can 8 demonstrate what is going to be happening on 9 Mountaintop Road. 10 MR. DEAN: That was pretty much my 11 point in one of our responses to the board, but we 12 wanted to be responsive on a purely technical 13 academic basis to assume for -- that traffic can 14 somehow get to this site and will fit on this site 15 even though there's no place to put them. 16 MR. MALLELA: Where do they fit? I'm 17 sorry. I'm missing something. 18 MR. DEAN: They don't fit. That's 19 precisely my point, but we did the analysis anyway 20 to show that the intersections and the roads and the 21 levels of service will still be within acceptable 22 levels, but they can't fit. You're right. 23 MR. MALLELA: Again, what you're saying 24 conflicts with my reality. If I go somewhere, 170 25 cars and 87 cars waiting to get in, people will go</p>
<p style="text-align: right;">Page 42</p> <p>1 the request of your consultant, we've assumed that 2 the parking lot capacity's exceeded, and there are 3 even more cars on the site than can physically fit, 4 and all of those analyses conclusively demonstrate 5 the absence of any material or detrimental impact on 6 the roadway system. 7 Now, you're telling me that you did 8 calculations assuming that there are 257 cars at the 9 site at one time. That mean there are 170 cars 10 parked and 87 cars around and no effect. Where do 11 they go? 12 MR. DEAN: That's precisely my point. 13 They can't get -- they can't be accommodated on the 14 site. 15 MR. MALLELA: So are they waiting to 16 make a left turn into the -- 17 MR. DEAN: It was an academic exercise 18 done to satisfy the board's consultant on a 19 projection of traffic that was extrapolated from 20 data collected at one mosque site in Canada that's 21 less than half the size of the proposed facility. 22 MR. MALLELA: So it has nothing to do 23 with this particular site, nothing to do with the 24 roads that are at this particular site. It's based 25 on something done in Canada.</p>	<p style="text-align: right;">Page 44</p> <p>1 in and try to look for parking and people -- traffic 2 will be backed up on the street. I don't understand 3 what numbers and what things you're saying because 4 it doesn't make -- it doesn't make sense to me. 5 MR. DEAN: I agree. It doesn't make 6 sense to me either, but we did the analysis. 7 MR. MALLELA: How can you present 8 something that doesn't make sense to you? 9 MR. DEAN: It was done to be responsive 10 to the board. 11 MR. MALLELA: I would hope you present 12 something that makes sense. Just because the board 13 asks you, you don't present something to them makes 14 no sense. 15 MR. DEAN: I can't predict what the 16 outcome of that response would have been. We wanted 17 to be responsive to the board's professionals. 18 Whether it's a hyper academic, nonsensical analysis, 19 I'll leave that to you to decide. 20 MR. MALLELA: You're expert. 21 MR. DEAN: And the analysis shows that 22 the volumes still work at the off-site 23 intersections. 24 MR. MALLELA: Okay. Now, another 25 question came up. In terms of egress, again, you're</p>

<p style="text-align: right;">Page 45</p> <p>1 assuming that people will go back the same way that 2 they came, right? 3 MR. DEAN: By and large, correct. 4 MR. MALLELA: Now, the question I have 5 is why would you think -- again, let me look at it 6 from the common sense point of view as the earlier 7 person pointed out. You come out of the site, the 8 Redwood Inn site. I've lived there for 25 years. 9 So I know that area. The best thing to do is make a 10 right onto Mountaintop, make a left onto Mine 11 because you certainly don't want to make a left onto 12 Mine from Crim Road. Nobody wants to do that if 13 they can avoid. 14 Okay. Why would you assume that 15 everybody is going the same way they came, just to 16 get the numbers to make sense? 17 MR. DEAN: No, because at that time of 18 day, the midday service hours, there are absolutely 19 no constraints with level of service. So there is 20 no perceived advantage at that time of day of one 21 route over the other. 22 MR. MALLELA: Okay. Now, again, when 23 you -- this is another question I have. When you do 24 the level of service and you see how traffic is 25 moving, do you take into account the fact that, in</p>	<p style="text-align: right;">Page 47</p> <p>1 some safety concerns, right? 2 MR. DEAN: Well, again, given the times 3 of day when people are coming at midday but for, you 4 know, the occasional individual who's repaving his 5 driveway, there's more than enough room on that 6 street given the low volumes to accommodate this 7 traffic. 8 MR. MALLELA: Now, you did midday 9 analysis because that represents the highest traffic 10 at the mosque, right? 11 MR. DEAN: Typical traffic, but for the 12 holidays, correct. 13 MR. MALLELA: Okay. But that doesn't 14 say anything about traffic -- for instance, I didn't 15 see -- maybe I missed the meeting, but there could 16 be heavy traffic at other times too during other 17 prayer sessions. There's nothing to preclude that. 18 MR. DEAN: We looked I think at four 19 different peak hours, morning peak hour, midday peak 20 hour on Friday, evening peak hour during -- these 21 are weekdays, and then we also looked at Saturday 22 even though it's not a peak time of site traffic. 23 Because of the religious education component, there 24 may be children who are brought to the site for that 25 type of education. So I didn't need to study it</p>
<p style="text-align: right;">Page 46</p> <p>1 residential areas, Papen Road, people park on the 2 street because, for instance, if I am, you know, 3 sealing my driveway, I park my cars on the street. 4 Landscapers are there. 5 So in terms of traffic, do you see any 6 impact from these cars that are parked on the street 7 in terms of your safety issues or things like this, 8 this many cars on those roads? 9 MR. DEAN: Well, on-street parking is 10 permitted. 11 MR. MALLELA: Right. 12 MR. DEAN: When we made our counts, 13 if -- I don't even recall if someone reobserved 14 because the counts are done at intersections. 15 Generally, there's no parking permitted at the 16 intersection, but I don't recall any one of the 17 field staff saying there were 30 cars parked on the 18 side of the road. Nothing of that ilk. 19 I suspect, I don't know, but I suspect 20 that if one is having their driveway resealed or 21 entertaining guests that, because it is permitted 22 and not restricted, that absolutely residents can 23 park if they choose to. 24 MR. MALLELA: So what I'm saying is, 25 when you have this many cars going, there could be</p>	<p style="text-align: right;">Page 48</p> <p>1 because I did study the worst, but we felt it was 2 prudent and we'd be remiss if we omitted it. 3 MR. MALLELA: Now, another question I 4 have, you also indicated that you didn't perform any 5 analysis at the end of service when the parking lot 6 is empty. 7 MR. DEAN: No, that's not true. We did 8 what we call a departure peak hour which are those 9 conditions as worshippers leave the site which is a 10 different pattern than arriving. 11 MR. MALLELA: Okay. And just let me 12 just read this. It's -- again, I'm just reading 13 whatever I have. The question was what would be 14 your expectation for the parking lot to empty at the 15 end of a service. Mr. Dean, I didn't perform such 16 an analysis. 17 MR. DEAN: Correct. 18 MR. MALLELA: So what analysis -- I'm 19 sorry. 20 MR. DEAN: That was a question posed by 21 objecting counsel, Mr. Mc Namara, and I'm sure the 22 transcript reflects that, and he inquired as to 23 whether I had done an analysis of how long it would 24 take for the parking lot to empty. 25 MR. MALLELA: I'm sorry. I</p>

<p style="text-align: right;">Page 49</p> <p>1 misunderstood that. I'm sorry.  2 Okay. Now, another thing you said --  3 this is something that you said. Let me make sure I  4 have the right page. Okay. You basically said  5 that, you know, the installation of the traffic  6 signal, levels of service, you know, which are the  7 descriptive terms we use at all peak hours will  8 remain even under fitting 80 more cars, 86 more cars  9 on the site, we can still maintain a level of  10 service C which is what it is today.  11 Now, this is the thing which I find  12 interesting. Again, I'm going back to the numbers.  13 According to these numbers here, for a signalized  14 intersection, the level of service C represents a  15 controlled delay per vehicle greater than 20 and  16 less than and equal to 35 seconds.  17 So you basically stated that right now  18 the traffic light at Mine and Foothill is a level of  19 service C and will remain that even if there are 80  20 cars waiting in line.  21 MR. DEAN: There's no basis to assume  22 that there are 80 cars waiting in line.  23 MR. MALLELA: Why not? Because you  24 said -- let's see how many cars are going down Mine  25 according to you. I think 70 -- whatever. In fact,</p>	<p style="text-align: right;">Page 51</p> <p>1 MR. DEAN: Ninety cars cannot  2 physically leave at once.  3 MR. MALLELA: Why not?  4 AUDIENCE: What about the people in the  5 area?  6 MR. DEAN: There are two driveways and  7 90 cars cannot exit at the exact same time.  8 MR. MALLELA: No, but I'm saying one  9 after another. Have you never seen, for instance,  10 from any place cars leaving one after another?  11 I mean right now there are a lot of  12 cars parked at the high school parking lot. We'll  13 be going one after another. You think we're going  14 to wait for one hour for the cars to empty?  15 MR. DEAN: I think the testimony was  16 that not everyone leaves at once.  17 MR. MALLELA: The problem is you can  18 make any arbitrary assumptions you want. I can make  19 up any assumptions. I can give you any numbers and  20 come to any conclusion. It has to make sense.  21 People -- according to you, people have been coming  22 from the place of employment. You think people who  23 work for a living can just happen to stand around  24 and hang around for as long as they want? It  25 doesn't make sense.</p>
<p style="text-align: right;">Page 50</p> <p>1 your words are 80 or 86. I can show you the  2 transcript. I didn't make up these numbers. I'm  3 just reading whatever you said.  4 MR. DEAN: The volume used in the  5 traffic studies submitted with the application is 64  6 vehicles in an hour, not at once, in an hour.  7 MR. MALLELA: We're talking about when  8 people are leaving, right?  9 MR. DEAN: We're talking about a peak  10 hour between 1:30 and 2:30.  11 MR. MALLELA: We are talking about when  12 people are leaving after the service.  13 MR. DEAN: Correct.  14 MR. MALLELA: Okay. Now, there will be  15 traffic from the mosque which could be -- you know,  16 let's assume everybody came up Mine Road is going  17 back Mine Road. This is all people coming from  18 their places of employment. They're not going to  19 stand there and just gossip. They have to get back  20 to work. Okay. So if I assume that even 80 cars  21 are going down, there could be other cars too. We  22 all have to drive also. So let me add 10 people for  23 people who live around the area, 90 cars.  24 How many traffic light changes would it  25 take for 90 cars to go through the traffic light?</p>	<p style="text-align: right;">Page 52</p> <p>1 MR. DEAN: I can only rely on the  2 testimony that was put in as part of this  3 application that the scenario you described of 90  4 vehicles leaving at once will not occur. It cannot  5 occur.  6 MR. MALLELA: And people are coming  7 from work. I don't know what places they work for.  8 I'm sorry.  9 MS. TUBMAN: I'm sorry. This has  10 become argument. Questions please.  11 MR. MALLELA: Then let me make a  12 statement. Let's assume there are 90 cars over  13 there. Do you think the level of service is C?  14 Let's assume it's going to be 90 cars.  15 You may not believe it. Other people might believe.  16 Tell me what the level of service would be.  17 MR. DEAN: I have not done that  18 analysis because there's nothing in this application  19 to support it.  20 MR. MALLELA: That's the question I'm  21 asking as an expert. I'll give you a number.  22 MR. DEAN: The answer is I have not  23 studied it.  24 MR. MALLELA: There's nothing to study.  25 You've driven. This is not rocket science.</p>



<p style="text-align: right;">Page 53</p> <p>1 (Audience clamor.)</p> <p>2 MR. MALLELA: The traffic, 80 cars,</p> <p>3 signal change. How many cars go through the light</p> <p>4 changes? Eight cars, nine cars, 80 people. Come</p> <p>5 on, please. You have to work with me on this one.</p> <p>6 Okay. All I am saying is I'm trying to</p> <p>7 be reasonable. I'm just saying let's use common</p> <p>8 sense. You know, you haven't done this study. You</p> <p>9 haven't done that study.</p> <p>10 CHAIRMAN RUSAK: Are there any other</p> <p>11 questions?</p> <p>12 MR. MALLELA: Yes, I have more</p> <p>13 questions.</p> <p>14 CHAIRMAN RUSAK: There will be a</p> <p>15 question and then we're going to take a break.</p> <p>16 Okay.</p> <p>17 MR. MALLELA: Okay. I only have couple</p> <p>18 more questions. Can I finish or not?</p> <p>19 CHAIRMAN RUSAK: No. We'd like to ask</p> <p>20 this question and then we will take a break.</p> <p>21 MR. MALLELA: I don't want to come back</p> <p>22 and continue the questions then. I can stop here if</p> <p>23 you want. All right. I'm sorry. Let me -- there's</p> <p>24 another.</p> <p>25 CHAIRMAN RUSAK: Okay. Why don't you</p>	<p style="text-align: right;">Page 55</p> <p>1 MR. DEAN: Certainly, and that's the</p> <p>2 precise reason we perform what I'll call the before</p> <p>3 and after level of service analyses, because if</p> <p>4 there was a significant increase in delay and</p> <p>5 attendant decrease level of service exclusively</p> <p>6 attributed to the impacts of this site, that</p> <p>7 arguably could be construed as a detrimental impact,</p> <p>8 but the litmus test in traffic engineering is that</p> <p>9 comparative analysis to show the impacts of the</p> <p>10 additional traffic, and it has not demonstrated, in</p> <p>11 my opinion, that there will be a negative traffic</p> <p>12 impact, that the roadway system and the</p> <p>13 intersections have the capacity to accommodate more</p> <p>14 traffic.</p> <p>15 MR. MALLELA: Again, when you say</p> <p>16 capacity, how does that relate to wait time</p> <p>17 meaning -- again, I'm coming back to the traffic</p> <p>18 light at Foothill and Mine. Again, let's just</p> <p>19 assume, humor me, right now it takes me less than 40</p> <p>20 seconds to make a left turn and it ends up taking me</p> <p>21 five minutes to do it. Let's assume. Would that be</p> <p>22 a detrimental affecting your opinion or not?</p> <p>23 MR. DEAN: Well, I can't speak to your</p> <p>24 specific circumstances as to whether you would</p> <p>25 consider that to be detrimental.</p>
<p style="text-align: right;">Page 54</p> <p>1 organize your thoughts, and we'd like to take a</p> <p>2 10-minute break and we'll resume at 8:30.</p> <p>3 MR. MALLELA: Okay. Thank you.</p> <p>4 (Recess taken.)</p> <p>5 CHAIRMAN RUSAK: If I can have your</p> <p>6 attention, if we can please take our seats to</p> <p>7 resume. Thank you.</p> <p>8 I would ask your cooperation in that,</p> <p>9 although you agree with your cross-examination from</p> <p>10 the public members, that we do not have any outburst</p> <p>11 or cheers or outbreaks to be courteous to the</p> <p>12 testimony on both sides. So we'd appreciate if you</p> <p>13 could respect them and their opinions.</p> <p>14 We'll now continue with your questions</p> <p>15 and testimony. Thank you.</p> <p>16 MR. MALLELA: This is not on. Excuse</p> <p>17 me. This is not on. Okay. I got it. Okay. Mr.</p> <p>18 Dean, I have a couple questions.</p> <p>19 Last week you also testified that you</p> <p>20 were going to stick to your conclusions which is</p> <p>21 this particular application, given the anticipated</p> <p>22 operation and the testimony that has been presented</p> <p>23 will not have a detrimental impact on traffic</p> <p>24 conditions, can you just define what do you mean by</p> <p>25 detrimental?</p>	<p style="text-align: right;">Page 56</p> <p>1 MR. MALLELA: What you would --</p> <p>2 MR. DEAN: I'm trying to find the</p> <p>3 comparative level of service worksheets that measure</p> <p>4 that delay increase, and I just -- it will take me a</p> <p>5 long time to find them, but they show that, within</p> <p>6 that level of service C range, between 20 and 35</p> <p>7 seconds, that's still level of service C, but today</p> <p>8 it could be at 22 seconds on the low end of the</p> <p>9 spectrum, and with the additional site traffic, it</p> <p>10 could rise to 34.9.</p> <p>11 MR. MALLELA: Okay.</p> <p>12 MR. DEAN: But it's still level of</p> <p>13 service C.</p> <p>14 MR. MALLELA: But if I go to F, would</p> <p>15 that be detrimental?</p> <p>16 MR. DEAN: Well, it means that there is</p> <p>17 a greater demand than the system can accommodate,</p> <p>18 that the delays are longer, yes.</p> <p>19 MR. MALLELA: But if -- let's assume,</p> <p>20 see, in any -- any kind of traffic studies where you</p> <p>21 have events, the result is not a continuous impact</p> <p>22 but bursts, you know, bursts when you have impact,</p> <p>23 right?</p> <p>24 I mean what I'm trying to say, when you</p> <p>25 think of highways, traffic is flowing, but when you</p>

<p style="text-align: right;">Page 57</p> <p>1 think of events, for instance, like say a ball game  2 lets out or like some event lets out, whatever  3 impact is felt in a short duration like a burst,  4 right?  5 MR. DEAN: Well, that's why traffic  6 engineers and the uniform measure of standard is  7 peak hour, because within that hour, there will be  8 short bursts where there may be greater traffic  9 increases, but also within that same hour, there may  10 be a valley, there may be a dip in traffic, and that  11 it is an averaging over the course of that hour, but  12 the analyses take into consideration within the peak  13 hour, the peak 15 minutes.  14 MR. MALLELA: So the question is, when  15 you talk about detrimental effect, are you talking  16 about the entire hour or can you -- can it be  17 detrimental for 10 minutes or not?  18 MR. DEAN: The analyses are predicated  19 on the experience within the 15-minute interval  20 assuming that it occurs the entire hour which isn't  21 realistic, but that's just the analysis.  22 MR. MALLELA: So basically --  23 MR. DEAN: We've done that test, yes.  24 We've looked at a -- it's not a 10-minute burst, but  25 it's a 15-minute burst.</p>	<p style="text-align: right;">Page 59</p> <p>1 MS. TUBMAN: You didn't ask me that  2 question. I can't answer that question, nor do I  3 think this witness can answer that question.  4 MR. MALLELA: Okay.  5 MS. TUBMAN: You are making assumptions  6 and then asking him to draw a conclusion based on  7 assumptions that are not in his testimony or his  8 report.  9 MR. MALLELA: So -- but the thing is,  10 as I read this, there was nowhere in here which  11 talked about all cars that are coming in. They are  12 all leaving over a space of an hour even though  13 they're all coming from places of employment.  14 That's okay. I'll let it go.  15 All right. Now, this is my final  16 question. You had made a statement at some point I  17 guess in your first day, and then it was brought up  18 last week saying that the area -- area traffic-wise  19 is going to benefit by this facility as opposed to  20 what it was before traffic-wise. The area will  21 benefit by having this facility compared to the  22 Redwood Inn that was there before.  23 Do you take that back or do you still  24 stand by it?  25 MR. DEAN: Well, the use is no longer</p>
<p style="text-align: right;">Page 58</p> <p>1 MR. MALLELA: So, basically, then, if I  2 have to make a left at that light that I mentioned,  3 there are a boat load of cars there and it takes me  4 like six, seven minutes to make the left and I miss  5 my train, that's not detrimental as far as you're  6 concerned?  7 MR. DEAN: I don't know anything of a  8 six-minute or seven-minute delay. There's nothing  9 in any of these studies of that standard.  10 MR. MALLELA: What you didn't give me a  11 number when I said 90 cars.  12 MR. DEAN: I told you that the level of  13 service remained the same.  14 MS. TUBMAN: I've said this before.  15 When you make that assumption that there are 90  16 cars, this witness can't address that question.  17 Please don't argue with me.  18 MR. MALLELA: Okay. So, basically,  19 this witness is saying that cars will leave over a  20 space of an hour. So anything less than that,  21 you're not willing to give me an answer, right?  22 MR. DEAN: I don't understand the  23 question.  24 MR. MALLELA: Is that what he's saying,  25 ma'am?</p>	<p style="text-align: right;">Page 60</p> <p>1 there. It was a commercial banquet facility that  2 presumably had hours of operation later in the  3 evening. I don't have firsthand experience of that,  4 but it's typically how those uses function.  5 So in terms of a comparison with that  6 use to the house of worship as proposed, I think  7 with the traffic impacts limited to daytime hours  8 and even then during off-peak daytime hours, in my  9 opinion, from a traffic engineer -- as a traffic  10 engineer, that's a good thing for infrastructure  11 management for better use of the capacity as opposed  12 to simply adding more cars at commuter rush hour.  13 MR. MALLELA: So based on your  14 analysis, how many cars enter this facility per day?  15 MR. DEAN: I have no idea. We haven't  16 calculated that.  17 MR. MALLELA: So what you're telling me  18 is that you are basing what we are doing on your  19 assumptions that the peak traffic will be in the  20 afternoon even though there could be continuous  21 traffic during the day.  22 MR. DEAN: Well, continuous is  23 relative. I would expect, as I would with any house  24 of worship, throughout the week that the traffic  25 activity is fairly benign and that there is one day</p>

<p style="text-align: right;">Page 61</p> <p>1 per week where there is a worship service.  2 MR. MALLELA: What happens during the  3 holy month of Ramadhan?  4 MR. DEAN: I don't know.  5 MR. MALLELA: That could be the biggest  6 traffic impact time.  7 MR. DEAN: Correct.  8 MR. MALLELA: You should have some  9 numbers for that. No?  10 MR. DEAN: We have the analysis of how  11 many cars can fit in the parking lot.  12 MR. MALLELA: We are going to keep  13 going back to that.  14 MR. DEAN: Correct.  15 MR. MALLELA: The whole assumption --  16 that's the problem I have -- I have personally which  17 is you're making assumptions that whoever comes fit  18 into the park lot. Otherwise, they say, oh, too  19 bad, I'm leaving, and in terms of traffic, you don't  20 have any numbers for what happen, and, also, any  21 numbers you give me right now are numbers for at  22 this moment an assumption, but as you yourself said  23 in last week's testimony, things can change.  24 Demographics can change. A lot of changes can  25 happen.</p>	<p style="text-align: right;">Page 63</p> <p>1 the roadway system.  2 MR. MALLELA: So in your opinion then,  3 if let's say 200 cars were coming in and out of the  4 facility every two hours, your engineering  5 calculations, would they consider that a detrimental  6 impact or no?  7 MR. DEAN: I haven't studied it.  8 MR. MALLELA: I mean you've been a  9 professional 30 years or whatever. Everything  10 doesn't have to be studied. Your experience will  11 tell you, if you take right now 200 cars coming in  12 for a service, leaving within an hour, it's not  13 going to be a detrimental effect. If the same thing  14 is repeated every two hours, would that be  15 detrimental?  16 MR. DEAN: That has no bearing on this  17 application and I haven't studied it.  18 MR. MALLELA: It could because you  19 don't know how many cars are going to come into  20 service.  21 MR. DEAN: We can't fit any more than  22 170.  23 MR. MALLELA: You know, anyway,  24 that's -- now, my final thing, which I must say this  25 is absolutely final, when it came to the Redwood</p>
<p style="text-align: right;">Page 62</p> <p>1 So my question to you is what level of  2 traffic do you think would cause a detriment in your  3 opinion based on your studies? You've done a whole  4 bunch of studies in this area, right?  5 You've looked at roads, traffic and so  6 on, and you've concluded that this level of 170 is  7 not detriment. What number do you think will be a  8 detriment?  9 MR. DEAN: There is no one defining  10 number. Each application, each site has its own set  11 of characteristics, and there could be a site where  12 a thousand vehicles is not a detrimental impact and  13 there could be a site where two might be perceived.  14 MR. MALLELA: But this specific site --  15 MR. DEAN: I haven't studied what  16 constitutes a detrimental impact because that's very  17 subjective. From the absolute measure of traffic  18 engineering which is level of service which is the  19 universal standard, the legal standard by which  20 these various case laws have evaluated traffic  21 impacts, it is level of service and capacity, and  22 without any question in my mind, even considering  23 the worst case and a hyper worst case, there is  24 still not a significant change in level of service  25 that tells me that this has a detrimental impact on</p>	<p style="text-align: right;">Page 64</p> <p>1 Inn, you were making -- according to the statements  2 out here, you admitted that you didn't know -- that  3 you had no history as to the Redwood Inn. You also  4 admitted that you have no idea in version of the  5 facts, but, yet, you have still been able to make  6 statements the Redwood Inn vis-à-vis the current  7 facility in terms of traffic impact. I found it a  8 little troubling that you didn't know anything and  9 you're making statements.  10 The Redwood Inn didn't operate every  11 day. So, therefore, you take a facility that's  12 going to operate every day to a facility that's  13 going to operate twice. Hopefully, you know, the  14 fact about you make the statement, that's just a  15 statement. Thank you.  16 MR. DEAN: Thank you.  17 MR. MOENCH: Can I ask a question,  18 quick question? Excuse me. Mr. Dean, I'm going to  19 ask this one quick question. I may have more later,  20 but I know there's a lot of people that are waiting  21 to testify.  22 You mentioned in answering the last  23 gentleman's question two things that I just want to  24 make sure I'm clear on, the rest of the public is  25 going forward. You mentioned something first called</p>

<p style="text-align: right;">Page 65</p> <p>1 a peak 15 minutes which I guess is a concept that I 2 don't recall you having mentioned before. If you 3 did, I don't recall it now, and there was a question 4 about the number of people entering and leaving the 5 site. 6 Just so I'm clear, with regard to, for 7 instance, Figure 11 in your report where you talk 8 about Friday departure time and you have 170 cars 9 exiting this site and then you have it broken up 10 over the various intersections, and I'm not going to 11 go over each one specifically, but you have, for 12 instance, 85 cars that will exit the site, and also 13 may use the Mountaintop, Crim Road intersection. 14 Over what period of time are you basing 15 your calculations on that those 85 cars that are 16 going to leave the site, that this is the site 17 generated traffic? I'm not talking about your 18 other -- your examination figures, but what period 19 of time are you assuming that those 85 cars are 20 using that intersection? 21 MR. DEAN: As is stated on the figure, 22 that's a period from 1:30 to 2:30 p.m. 23 MR. MOENCH: Okay. Now, have you done 24 or has your analysis considered -- have you looked 25 at how quickly the parking lot or done any estimates</p>	<p style="text-align: right;">Page 67</p> <p>1 that the entire site leaves in a 15-minute time 2 period? 3 MR. DEAN: No, it does not. 4 MR. MOENCH: What is the worst case 5 scenario you've used in your analysis with regard to 6 the factor that you just discussed? 7 MR. DEAN: I don't recall the specific 8 parameters. It is a computer program developed by 9 the Transportation Research Board, and it is 10 prepared to evaluate intersections and make these 11 types of analyses uniform as to the operating 12 parameters, the assumption of delay and how long 13 people are waiting. 14 MR. MOENCH: But that's not site 15 specific to this site or to mosques or houses of 16 worship. 17 MR. DEAN: Within the modeling, there 18 are ways to make adjustments within that 15-minute 19 parameter to assume that there is a window of we'll 20 say saturated conditions, and that was done. We 21 recognized that certain uses such as a school or a 22 house of worship tend to exhibit a slightly higher 23 concentration of either entering or exiting traffic 24 over a shorter time frame. 25 MR. MOENCH: What factor did you</p>
<p style="text-align: right;">Page 66</p> <p>1 or studies about how quickly you anticipate that 2 parking lot will empty out following a Friday 3 service if it had 170 cars? 4 MR. DEAN: No. 5 MR. MOENCH: Okay. And when you talk 6 about a peak 15-minute window or time period, that 7 has -- your study has not considered specifically 8 any 15-minute period specifically with regard to 9 when that traffic would be exiting the site, 10 correct? 11 MR. DEAN: There is no way to predict 12 within a 15-minute window when that traffic will 13 occur. The analyses include an adjustment factor 14 which take the volumes you see on the figure and 15 they essentially divide it into a 15-minute interval 16 and then increase them above and beyond the 17 predicted value because of a higher concentration of 18 either arrivals or departures, and that adjustment 19 factor in the analysis is assumed to occur over the 20 entire peak hour. So that the modeling that is used 21 is to assume the worst case conditions in a 22 15-minute period as though they occurred over the 23 entire hour. 24 MR. MOENCH: So is your worst case -- 25 is your assessment of worst case scenario assuming</p>	<p style="text-align: right;">Page 68</p> <p>1 increase it by in this case? 2 MR. DEAN: Well, it's built into the 3 model, but what the site affects doesn't -- it 4 flattens the average out over the entire 5 intersection. In other words, there's a certain 6 uniformity within the intersection itself, but only 7 those movements coming to and from the site are 8 affected. The rest of the intersection, for 9 example, the other nine movements in a standard 10 four-way intersection are not affected by that 11 saturation. 12 So they tend to average and soften that 13 peaking out because we are considering the 14 uniformity of the intersection operation and not 15 just one movement. 16 MR. MOENCH: Sure. And I don't mean to 17 sound redundant here, but so I'm clear, you didn't 18 break this down and say that the site traffic 19 between -- that this site is going to empty out at 2 20 o'clock or 1:30 or 1:45 and it's going to take 10 21 minutes for all those cars to enter, and during that 22 15- or 10-minute window, this is going to be the 23 impact on the traffic intersection. 24 MR. DEAN: Correct, because that has 25 not been the testimony. People remain on-site and</p>

<p style="text-align: right;">Page 69</p> <p>1 they arrive earlier than the service or the worship  2 or the prayer time begins.  3 MR. MOENCH: But you don't have any  4 calculations as to how many people, what percentage  5 of people typically do that at any given time.  6 MR. DEAN: No, I don't have that.  7 MR. MOENCH: All right. Thank you.  8 MR. AVENOSO: My name is Joseph  9 Avenoso, A-V-E-N-O-S-O, and I live on Crim Road.  10 MR. COLLINS: Please raise your right  11 hand. Do you swear or affirm to tell the truth, the  12 whole truth and nothing but the truth so help you  13 God?  14 MR. AVENOSO: Yes, I do.  15 MR. COLLINS: All right.  16 MR. AVENOSO: So I just came back from  17 college. It's my first meeting. I haven't looked  18 at the reports so to say, but I have some personal  19 experiences that so happened a couple hours ago that  20 I think should shed some light, and then I have  21 questions coming out of this. I have --  22 MR. COLLINS: Sir, you have to shape  23 your statement into a question.  24 MR. AVENOSO: I do have a question. I  25 do. My question is regarding the expected cars that</p>	<p style="text-align: right;">Page 71</p> <p>1 let alone one car and me running. There is no room.  2 So I'm just curious on how you would deal with that.  3 MR. DEAN: The applicant is proposing  4 to widen Mountaintop Road and install a sidewalk.  5 MR. AVENOSO: How?  6 MR. DEAN: Across their frontage.  7 MR. AVENOSO: Across the frontage?  8 MR. DEAN: Correct.  9 MR. AVENOSO: On the one side is the  10 cliff. They would extend it on the other side?  11 MR. DEAN: On their frontage.  12 MR. AVENOSO: That would allow parked  13 cars on both sides plus emergency vehicles because I  14 have a question regarding that. So here's an  15 extreme example, and here's where my question is  16 coming through. Let's say, God forbid, this could  17 happen anywhere, someone during service has a heart  18 attack and you have parked cars. That ambulance  19 can't get through now with a person on the side or  20 cars parked. Ambulances are huge. How is it -- is  21 that ambulance going to come and save that person  22 that is minutes away from death?  23 As far as I can see, you have five or  24 less cars parked, not even, right? Now that person  25 is going to die. I don't see -- I was just</p>
<p style="text-align: right;">Page 70</p> <p>1 will be parked and such because I was jogging on  2 Mountaintop today, and besides the fact that there's  3 a blind turn that I had to work around, I don't know  4 how a hundred so or 50 cars or whatever would deal  5 with that. There was barely any room for cars to  6 let me run.  7 If you run on normal streets and you  8 run in the shoulder of the road, cars don't really  9 have to move for you because there's room for both,  10 let alone cars coming the opposite way, but on  11 Mountaintop, what happens is, if you're running near  12 the grass, cars still have to move to the other side  13 where they shouldn't be. So there's not enough room  14 for me, little, five foot six kid, and the car  15 coming the opposite way let alone two cars coming  16 and maybe another jogger or parked cars coming both  17 ways which is legal because there is not a sign that  18 prohibits cars parking.  19 So my question is how will you account  20 for this? Are you going to make the road twice the  21 size or could you do that because there's a cliff on  22 the other end? So I don't see how the road can get  23 any larger, per se. So I was just curious on how  24 you would deal with that because there is no room  25 for parked cars let alone cars parked, cars driving</p>	<p style="text-align: right;">Page 72</p> <p>1 wondering if this was accounted for because my guess  2 is the applicant is assuming that no one years and  3 years and years after this mosque is built will have  4 a life-threatening situation or condition. Nothing  5 will happen. Things will be impeccable for years,  6 because the moment something happens and cars are  7 parked or someone standing on the side or people  8 can't get through, people are going to die. The  9 mosque is going to be sued. Someone's going to get  10 in trouble. People are going to get upset. I was  11 wondering whether this is going to be accounted for.  12 MS. TUBMAN: That's not a question Mr.  13 Dean can answer. His testimony is to the roadway  14 capacity as it exists.  15 MR. AVENOSO: Okay. Will this be  16 considered?  17 MR. DEAN: The applicant --  18 MR. AVENOSO: Can this be passed on to  19 the applicant, because whatever happens, people's  20 lives have to be considered, and if cars can't be  21 parked, if I can't run with a car moving practically  22 to the other edge, how is an ambulance going to come  23 through and save somebody?  24 The odds of someone having a heart  25 attack are slim. I know I'm assuming, but it's a</p>

<p style="text-align: right;">Page 73</p> <p>1 possibility, and in this day and age of suing and  2 people always getting upset, people -- like why  3 can't this be considered or anything along those  4 lines?  5 MR. DEAN: Well, as I stated, the  6 applicant is widening Mountaintop Road on their  7 frontage and putting in a sidewalk which will  8 presumably accommodate your athletic needs and will  9 make the road wider for increased capacity and  10 improve vehicular travel.  11 MR. AVENOSO: So there will be room.  12 This little road is going to be made large enough to  13 park cars, parked cars, an ambulance, anything else.  14 What if there's like, I don't know, a gas leak,  15 right, and everyone has to leave? Is that going to  16 work out?  17 MR. DEAN: That's beyond my expertise.  18 MR. AVENOSO: Beyond your expertise.  19 Okay. I was just making a worst case scenario  20 because these things happen and people -- things  21 happen. Okay. Thank you. Just curious.  22 MR. VILLANI: Hello. My name is John  23 Villani. I live on Fairfield Road. That's spelled  24 V, as in Victor, I-L-L-A-N-I.  25 MR. COLLINS: John, were you previously</p>	<p style="text-align: right;">Page 75</p> <p>1 and parked on both sides of the road.  2 Can you please clarify what you meant  3 by leaving when the parking lot is full? Is that  4 what you meant, they'll leave and park on both sides  5 of the road?  6 MR. DEAN: They cannot be physically  7 accommodated on the site itself.  8 MS. BOBOWICZ: But --  9 MS. TUBMAN: The question you've asked  10 is, if they cannot be accommodated on the site, will  11 they be parked on both sides of Mountaintop Road?  12 MR. DEAN: I can't predict where  13 they'll park. If it's legal to do so, then that is  14 one opportunity. The premise is that they will  15 actually show up in the first place which is  16 contrary to all of the testimony that's been offered  17 to date.  18 MS. BOBOWICZ: But I'm going to reality  19 because I know that the man previously was saying  20 that reality is important, and when I drive down the  21 road and the cars had to leave the parking lot for  22 the Gurudwara and are parked on the both sides of  23 the road to the point where I almost got hit in my  24 car because a woman stopped and backed up because  25 she was trying to park on the shoulder of the road</p>
<p style="text-align: right;">Page 74</p> <p>1 sworn?  2 MR. VILLANI: No, I was not.  3 MR. COLLINS: Do you swear or affirm to  4 tell the truth, the whole truth and nothing but the  5 truth so help you God?  6 MR. VILLANI: I do. Yes.  7 MR. COLLINS: Thank you.  8 MR. VILLANI: I just have one question  9 of Mr. Dean regarding your professional experience.  10 Were you removed as the traffic engineering  11 consultant from the Wyckoff, New Jersey, Planning  12 Board in April 2012 due to an alleged conflict of  13 interest?  14 MR. DEAN: I was asked to step down so  15 that there would not be a conflict of interest which  16 the court ultimately held there was none.  17 MR. VILLANI: Thank you.  18 MS. BOBOWICZ: Christine Bobowicz,  19 B-O-B-W-I-C-Z, Papen Road. I just have one quick  20 question.  21 So going back to your previous  22 testimony that cars will leave a site if the parking  23 lot is full, I have a photo here of cars who are  24 going to the Gurudwara on Washington Valley and they  25 left because the parking lot was full. They left</p>	<p style="text-align: right;">Page 76</p> <p>1 and now we're all putting this traffic into a  2 community where the roads can't handle it, I have a  3 huge concern, and I feel, again, my photo has  4 contradicted what your testimony is saying that cars  5 will be leaving and going elsewhere.  6 MR. DEAN: My testimony is they'll  7 actually never get to the site, but we responded to  8 a request from the board's consultant. Obviously,  9 the issue as it relates to on-street parking is  10 something that can readily be addressed by the  11 governing body of the township.  12 So if instances manifest themselves in  13 enough of a traffic situation, there are remedies  14 available, but it is not my expectation that that  15 volume of traffic will come to the site. It's not  16 the applicant's expectation as was testified. It  17 was a hypothetical academic exercise.  18 MS. TUBMAN: And just for  19 clarification, when Mr. Dean says that that's  20 something that can be addressed by the governing  21 body, the governing body, if it receives a problem,  22 can by ordinance post the road against parking.  23 There is presently no signage.  24 MS. BOBOWICZ: Right, but then that  25 affects the community members who live there and who</p>

<p style="text-align: right;">Page 77</p> <p>1 might need to use the side of the road for times 2 when they might want to actually pave their 3 driveway. 4 My one last clarification is on your 5 testimony before about how the applicant will be 6 increasing the frontage area in front of the Redwood 7 Inn site. That is purely the area in front of their 8 property, correct? It doesn't actually go down the 9 road. 10 MR. DEAN: That's correct. 11 MS. BOBOWICZ: So, again, we're going 12 back to that blind curve that's just a little 13 further down that's not going to be widened because 14 there's a cliff on one side, and that's not their 15 property. So we're still dealing with the roadway 16 that can't handle a jogger and cars coming from the 17 location. 18 MR. DEAN: The roadway can handle the 19 cars, and it can handle the jogger. It does so 20 today. It will be improved along the applicant's 21 frontage with pedestrian amenities. That's the 22 applicant's and I believe the ordinance obligation 23 for those frontage improvements. 24 MS. BOBOWICZ: Right. But when, again, 25 you're bringing all of those cars into this</p>	<p style="text-align: right;">Page 79</p> <p>1 stop sign. The joggers not being able to run on the 2 roads. 3 MR. DEAN: If I understand the 4 testimony correctly, the joggers are jogging on the 5 road. If there's people running stop signs, there's 6 an enforcement issue. Whether it requires 7 additional striping or signage or simply 8 enforcement, that is something that is endemic to 9 that intersection. That has nothing to do with this 10 application. So it would be in your community's 11 best interest to ask for that assistance today if 12 it's enough of a chronic problem. 13 MS. BOBOWICZ: We don't actually need 14 it today. We'll need it when all the cars are 15 there. Thank you. 16 MR. SCHWARTZ: Milton Schwartz, 17 S-C-H-W-A-R-T-Z, 1521 Mountaintop Road. I have been 18 sworn, but I'm willing to do so again. 19 MR. COLLINS: You're still under oath, 20 sir. 21 MR. SCHWARTZ: I've been on my property 22 for a very brief 37 years, and I agree with Mr. Dean 23 that making a right-hand turn is easier, and in my 24 situation, it's actually possibly preserving of my 25 own life, because to make a left out of my driveway</p>
<p style="text-align: right;">Page 78</p> <p>1 community, I don't see how the roadway can handle 2 it. Right now it can handle it because those cars 3 aren't there, but when those cars are there, it's a 4 different situation. 5 MR. DEAN: With all do respect, they 6 were there when the Redwood Inn was in operation and 7 they had 208 parking spaces. 8 MS. BOBOWICZ: For 20 years those cars 9 were not there. They weren't. So I know you're 10 saying that, and that's not the case. 11 (Audience clamor.) 12 MS. TUBMAN: Please let the questioner 13 ask a question, and please let Mr. Dean answer the 14 question. 15 MS. BOBOWICZ: I've experienced the car 16 accidents at the intersection of Mine and Papen and 17 Mountaintop because people run that stop sign. 18 MR. COLLINS: Ms. Bobowicz, you have to 19 shape your statements to be questions. So will you 20 please move on with a question? 21 MS. BOBOWICZ: I'm going to. When all 22 of those additional cars are there, do you foresee 23 these instances decreasing or increasing? 24 MR. DEAN: What are these instances? 25 MS. BOBOWICZ: The people running the</p>	<p style="text-align: right;">Page 80</p> <p>1 with limited site, I live just south of the curve on 2 Mountaintop Road, it's impossible for me to see 3 traffic coming from the north to the south. 4 So I make a right-hand turn, and I 5 wonder if Mr. Dean, as I'm supposed to phrase what I 6 say in the Interrogatory -- I wonder if Mr. Dean 7 would be surprised to know that I drive through 8 Running Brook, and my apology to my neighbors on 9 Running Brook. I drive to Running Brook to get to 10 Crim Road, and I do that on a routine basis. You 11 said earlier that you doubted that folks would do 12 such a thing. 13 MR. DEAN: Correct. The people who are 14 coming to this site I don't believe would have 37 15 years experience and intimate knowledge of the 16 roadway system that would have the background that 17 you do or for whatever reason you're assuring the 18 use of Crim would do so. 19 MR. SCHWARTZ: I think you're wrong. 20 MS. THARP: Margaret Tharp. 21 MR. COLLINS: Please raise your right 22 hand. Do you swear or affirm to tell the truth, the 23 whole truth and nothing but the truth so help you 24 God? 25 MS. THARP: I do.</p>

<p style="text-align: right;">Page 81</p> <p>1 MR. COLLINS: State your name and spell 2 your last name. 3 MS. THARP: Margaret Tharp, T-H-A-R-P. 4 I think you answered this question, but I just want 5 to be clear. Your traffic study did not assume the 6 widened road in front of the mosque. Is that 7 correct? 8 MR. DEAN: It's part of the application 9 that frontage improvements will be made. The 10 traffic study doesn't necessarily take that into 11 consideration, but we've recognized that it's part 12 of the improvements of the roadway and the site 13 access. 14 MS. THARP: Will that improve -- if 15 that were never done, would the situation be any 16 worse in terms of any of the studies that you did 17 and the statistics that you provided? 18 MR. DEAN: It's apples and oranges. 19 What you see on the exhibit and the improvement to 20 site distance and selective clearing and the 21 physical widening of the road have a benefit. 22 They're making the road better, but the study 23 doesn't -- there's not an adjustment factor for it. 24 There's not a special calculation with and without 25 those improvements.</p>	<p style="text-align: right;">Page 83</p> <p>1 MS. THARP: Okay. 2 MR. DEAN: It's based on the building 3 and how many people may attend on a given service 4 like trying to predict how many people will go 5 shopping on a Saturday, and there are certain 6 indices and estimates that we use. 7 In this particular case, and 8 recognizing the sensitivity, the question that's 9 often posed to me as a traffic engineer which is 10 the, well, what if and did you consider or would you 11 assume that the parking lot is full. How do you 12 know it will only be 50 people showing on a Friday 13 for a worship service? Even though that may be the 14 applicant's expectation, how do I know? 15 So to address that concern, our study 16 assumed that every space in the parking lot could be 17 filled. Now, that's exceeding the applicant's 18 testimony and expectation, but in my opinion, it is 19 an analysis that looks at the worst case situation. 20 The board's consultant has identified one study of a 21 mosque in Ontario that, if we were to extrapolate 22 the data that's been collected from that one study 23 for this building, it could yield I think it's 267 24 trips, not 170. 25 Now, my initial reaction to that is I</p>
<p style="text-align: right;">Page 82</p> <p>1 MS. THARP: Okay. So that implies that 2 that won't really make a difference to the traffic 3 burden at the various intersections or on that road. 4 MR. DEAN: Correct. 5 MS. THARP: This part, because it's 6 only a section of the road. 7 MR. DEAN: That's absolutely correct. 8 MS. THARP: Okay. You mentioned you 9 did part of your study at the request of the board 10 involved looking at the situation of 280 some odd 11 cars, right? 12 MR. DEAN: Slightly less, but that's 13 216. 14 MS. THARP: Well, way more than what 15 the parking lot could accommodate. 16 MR. DEAN: Correct. 17 MS. THARP: But you assumed that none 18 of those were going to park on the road and, 19 therefore, impact the road conditions because you -- 20 the applicant has said that more than -- no more 21 than 175 cars are expected. Is that right? 22 MR. DEAN: It's the nature of traffic 23 studies and that is, in my practice, one does not 24 perform a traffic study based on size of the parking 25 lot.</p>	<p style="text-align: right;">Page 84</p> <p>1 wouldn't credibly do an analysis of 280 trips 2 because they can't fit on the site, and it's 3 certainly not consistent with all of the testimony 4 that's been laid out by prior witnesses. 5 MS. THARP: I'm sorry. Prior witnesses 6 being applicants? 7 MR. DEAN: I'm sorry. But we did the 8 analysis anyway to underscore and to completely 9 ascertain that the roadway system, that the 10 intersections and the levels of service and that the 11 impacts associated with even that hyper unrealistic 12 scenario could still work and they do. 13 Now, the next questions are where do 14 you fit the overflow of cars. That's not my 15 premise. My premise is they'll never get to this 16 site. 17 MS. THARP: Let me start by saying I 18 think the mosque should be allowed, but I'm curious 19 why you say that they'll never get to the site. Is 20 it because the roads won't accommodate or because 21 the applicant says there just won't be that many 22 people coming or what? 23 MR. DEAN: The applicant has set forth 24 their experience and history with -- if I can call 25 it a congregation and their experience, and they're</p>



<p style="text-align: right;">Page 85</p> <p>1 expecting -- even though they've been worshipping in 2 this community for a number of years and they 3 understand their outreach as they develop a 4 permanent home, logically, it could attract new 5 parishioners. 6 MS. THARP: Right. 7 MR. DEAN: Now, based on their 8 experience currently and even looking at an 9 expectation of future growth, I don't think anyone 10 is expecting 170 cars fitting in that parking lot. 11 A traditional Friday worship service, and much like 12 the way design is done for uses, we plan for 13 Christmas at the mall and office buildings that are 14 putting people in cubicals and very rarely is every 15 parking space ever filled, but we've done our 16 analysis under the case that cars fit on this site, 17 and I recognize and we've acknowledged that cars are 18 allowed -- currently allowed and permitted to park 19 on the street. 20 If that practice is curtailed, either 21 by the recommendation of the planning board or by 22 governing body action, they can't park on the 23 street, and, therefore, they can't get to the site, 24 and, therefore, these traffic lines can never 25 materialize. So we've tried to be responsive and</p>	<p style="text-align: right;">Page 87</p> <p>1 MS. THARP: Okay. I live on Crim Road, 2 and I obviously have to navigate the various 3 intersections that most of which you've -- most of 4 the intersections that you've talked about, and I do 5 remember that on Foothill Road when the -- before I 6 guess some planning board or some governmental 7 agency stepped in, there used to be a serious 8 problem during holidays with vehicles parking along 9 the side of the road. There certainly was overflow, 10 and there certainly were many more people there than 11 the parking lot could accommodate. 12 This was actually a question I wanted 13 to ask the board at some point when you can address 14 it. I was curious how that problem was resolved 15 because it was and whether such a resolution could 16 be accommodated, but my question for you is whether 17 there was any assumption that the mosque would 18 provide traffic control people to help to direct the 19 traffic during peak times when there are lots of 20 cars trying to leave? Was that any part of the 21 study? 22 MR. DEAN: Because of the very 23 favorable levels of service and the fact that the 24 peak traffic impacts occur I'll say generally noon 25 on a Friday when the ambient traffic; that is, the</p>
<p style="text-align: right;">Page 86</p> <p>1 look at all these worst case scenarios, but, 2 realistically, there are a number of controls and 3 measures that can be implemented to ensure that the 4 traffic associated with this site is capped, and 5 that's by the number of parking spaces. 6 MS. THARP: Okay. So if I understand 7 what you're saying, the applicants don't believe 8 they're going to even fill 175 spaces, but that's 9 what their parking lot will accommodate, and nobody 10 believes -- well, nobody -- the applicants are -- 11 you believe that there will be 260 odd people coming 12 even during holidays and times when it's atypical. 13 Is that right? 14 MR. DEAN: Understand there is a 15 difference between people and vehicles. 16 MS. THARP: Let me rephrase that. 17 Vehicles coming, because I mean, the midday 18 services, those are going to be mostly single 19 occupant vehicles, right? 20 MR. DEAN: I don't know that to be the 21 fact, but I don't think that's an unreasonable 22 expectation. There may be ride sharing of 23 co-workers and the like, and you'll hear from the 24 parking expert who will present more statistics on 25 that finding.</p>	<p style="text-align: right;">Page 88</p> <p>1 neighborhood traffic is much lower, we haven't 2 identified any need for that, but as with any use, 3 be it a school or an industrial plant or an 4 institutional use, when traffic problems -- if they 5 occur, there are remedies for that, and if it comes 6 down to traffic control, certainly, that's something 7 that's not out of the realm of possibility, but it's 8 not anything we're forecasting as necessary at this 9 time. 10 MS. THARP: Okay. Is there any 11 accommodation in the parking area for busses, vans, 12 large capacity vehicles? 13 MR. DEAN: Not that I recall, no. I 14 mean vans, there are van accessible, handicapped 15 spaces, but their uses is obviously regulated by 16 Department of Motor Vehicles and having the 17 appropriate placards, but there are no provisions 18 for bus parking or any oversized vehicle. 19 MS. THARP: Does that mean that, for 20 example -- and I'm not familiar with worship 21 practices in a mosque. So forgive me if this is a 22 stupid question, but based only on my experience 23 with churches, sometimes we have visiting 24 congregation and they come in a bus. 25 Would that bus be able to be parked</p>

<p style="text-align: right;">Page 89</p> <p>1 somewhere in that area even though it's not designed 2 to accommodate busses? 3 MR. DEAN: I don't believe there's any. 4 MS. THARP: Or is that way out of the 5 scope of your report? 6 MR. DEAN: Well, I've not been aware of 7 any busses that are planned for this site or 8 operation, but to answer your question, and, again, 9 there is no provision within the site plan for bus 10 parking. 11 MS. THARP: Okay. Let's see. Are 12 there Friday evening prayers and is that not a time 13 when there would be a lot of traffic normally or 14 more traffic? 15 MR. DEAN: There was testimony provided 16 as to the services throughout the day, and during 17 later evening hours, I believe it's after 7:30, 18 several hours after sunset, and I believe there 19 might have been -- even been testimony that that 20 service would be 8 o'clock. 21 MS. THARP: I see. 22 MR. DEAN: There would be some service. 23 MS. THARP: But there's no sunset 24 services you're saying. 25 MR. DEAN: Correct.</p>	<p style="text-align: right;">Page 91</p> <p>1 MR. DEAN: Well, that adjustment 2 factor, and it's a good observation, is made based 3 on the peak 15 minutes, but what we need to consider 4 is that, as the traffic from the mosque is then 5 added to the traffic that's already on the road, 6 that is more uniform, and so the percentage impact 7 is less. 8 In other words, we're averaging it over 9 the existing traffic as well. 10 MS. THARP: I understood you to say 11 that you basically think there's potentially no 12 traffic on that road. 13 MR. DEAN: Oh, no, quite the contrary. 14 We studied and we acknowledge within our reports 15 that, depending on the movements, some of these 16 volumes are 200 vehicles per hour or even more. I 17 mean particularly along Foothill Road. 18 So we very clearly acknowledge -- here 19 we go. Evening peak hour, from five to six, 339 20 vehicles in one hour turning left from Mine onto 21 Foothill Road. So there's substantial traffic 22 occurring today. 23 MS. THARP: But I thought you said 24 Friday evening prayers weren't going to be during 25 that.</p>
<p style="text-align: right;">Page 90</p> <p>1 MS. THARP: You mentioned a program 2 that was used to develop I guess it was the one-hour 3 analysis. Is that right? 4 MR. DEAN: The methodology for 5 evaluating intersection capacity is codified in a 6 book, and based on the equations and formula within 7 the book itself, a computer modeling program has 8 then been developed, and that is what is customarily 9 used to calculate these levels of service. 10 MS. THARP: What are the inputs to that 11 program, to that model? 12 MR. DEAN: Oh, hours, number of turns, 13 bus, truck percentages, grades of the roads, which 14 road has the stop condition. 15 MS. THARP: Is that 15-minute peak -- 16 peak number one of the inputs? 17 MR. DEAN: Yes, it is. 18 MS. THARP: And when you described 19 that, it wasn't clear to me whether you took the 85 20 vehicles going down one road during the course of 21 the hour and divided that evenly and said that the 22 nominal peak, 15-minute peak was a quarter of that, 23 and there were, you know, adjustments to that to 24 come up with the worst case, but was that the base 25 assumption?</p>	<p style="text-align: right;">Page 92</p> <p>1 MR. DEAN: No, no, no. That's all 2 traffic. 3 MS. THARP: I know. But why does that 4 even enter into it if that's not a time when the 5 mosque traffic is going to be present? 6 MR. DEAN: I understand that which is 7 why the mosque traffic that occurs at off-peak hours 8 has less of an impact and were not aggravating 9 traditional commuter rush hours with additional 10 traffic activity. 11 MS. THARP: So it's still true that the 12 assumption is, essentially, there's very little 13 ambient traffic during the periods of time that the 14 mosque will be empty. Is that a fair statement? 15 MR. DEAN: Well -- 16 MS. TUBMAN: Did you understand that 17 question? 18 MR. DEAN: I did. For example, on Mine 19 Road at Foothill Road, without the mosque, there is 20 still about 550 vehicles between 1:30 and 2:30 in 21 the afternoon. 22 MS. THARP: Okay. 23 MR. DEAN: That's not an insubstantial 24 volume. 25 MS. THARP: No, and, yet, if I</p>

<p style="text-align: right;">Page 93</p> <p>1 understood you, that tends to even out the surge of  2 traffic from the mosque. Is that right?  3 MR. DEAN: Well, by contrast, during  4 the evening peak hour when the mosque has very  5 little traffic, there are about 850 vehicles per  6 hour traveling on Mine Road. So if we look at the  7 Friday when the worship service ends and we look at  8 the existing traffic and we add the mosque traffic,  9 even though that's their peak, it's still less  10 traffic that goes up and down Mine Road at evening  11 rush hour.  12 MS. THARP: I see. I see. Okay. I  13 think that's the end of my questions. Thank you.  14 MR. DEAN: You're welcome.  15 MS. HOLZAPFANO: Hi. Carol Holzapfano.  16 I live on 1695 Mountaintop Road, and I was sworn in  17 many months ago.  18 MR. COLLINS: You're still under oath.  19 MS. HOLZAPFANO: H-O-L-Z-A-P-F-A-N-O.  20 Those figures that you were giving was from what  21 year? I'm sorry.  22 MR. DEAN: Those are traffic that is  23 essentially existing traffic today and traffic that  24 will be --  25 MS. HOLZAPFANO: From what year?</p>	<p style="text-align: right;">Page 95</p> <p>1 activities going on.  2 MS. TUBMAN: Were you asking Mr. Dean  3 when he did take his actual counts?  4 MS. HOLZAPFANO: Yes. Yes.  5 MS. TUBMAN: That's all I'm trying to  6 do. When did you do your actual counts?  7 MR. DEAN: Those counts were conducted  8 in 2013.  9 MS. HOLZAPFANO: Not during prime times  10 in the community, right?  11 MR. DEAN: Yes, prime time during the  12 community. They were conducted throughout November.  13 MS. HOLZAPFANO: Yeah, which was after  14 soccer season and baseball season.  15 MR. DEAN: They were conducted on  16 weekdays.  17 MS. HOLZAPFANO: So what I'm asking you  18 is that, in this area and being a parent who lives  19 on Mountaintop Road who has a child now coming of  20 age who's going to be driving, did you factor in the  21 additional two to 300 kids that are going to be  22 driving in that area with this criteria that you're  23 setting up for them now as far as an obstacle adding  24 to the volume of traffic which you did not factor in  25 which I'm sure for your projected forecasts for</p>
<p style="text-align: right;">Page 94</p> <p>1 MR. DEAN: In 2015.  2 MS. HOLZAPFANO: What year was that?  3 MR. DEAN: 2015 without the mosque.  4 MS. HOLZAPFANO: I'm asking what year  5 did you evaluate the number of cars coming down the  6 hill?  7 MR. DEAN: The numbers that I just  8 read --  9 MS. HOLZAPFANO: Yes.  10 MR. DEAN: -- were predictions.  11 MS. HOLZAPFANO: Okay. What year were  12 the actual predictions?  13 MR. DEAN: Of future traffic in 2015  14 that exclude the mosque.  15 MS. HOLZAPFANO: Okay. But there's  16 other factors that need to be taken --  17 MS. TUBMAN: I'm sorry.  18 MS. HOLZAPFANO: I'm asking to see what  19 it was.  20 MS. TUBMAN: Is your question answered?  21 MS. HOLZAPFANO: No. I'm asking what  22 year and what year these numbers were because there  23 were a couple of factors that need to be taken into  24 place. We already pointed out that it wasn't taken  25 into consideration in times that the community had</p>	<p style="text-align: right;">Page 96</p> <p>1 2015, because you're just adding what's locally  2 going on.  3 MR. DEAN: Well, what's locally going  4 on is what is occurring at the intersections and  5 presumably will continue to exist. I have no  6 knowledge or basis to add any specific demographic  7 group but for a general background traffic growth  8 rate which was applied to our 2013 counts to  9 forecast into 2015.  10 MS. HOLZAPFANO: What did you use as  11 the criteria for that though? Did you take on the  12 growth of the students in the area that were going  13 to be getting their license and who are going to be  14 driving?  15 MR. DEAN: Well, I have no basis for  16 that. I also don't know how many people are  17 retiring and not driving.  18 MS. HOLZAPFANO: Well, which is minor  19 for the area. The growth of the school is a major  20 thing as far as people going behind the wheel.  21 People retiring is minor compared to the number of  22 kids who are getting their license in the area and  23 graduating.  24 MR. DEAN: What we look at and the  25 growth rates are based on population forecasts that</p>

<p style="text-align: right;">Page 97</p> <p>1 are based on census track data. So they're not  2 developed in a vacuum. They're based on the  3 demographics of the county and, if available, in the  4 municipality.  5 MS. HOLZAPFANO: You base your  6 background being a professor at Lehigh Valley,  7 right?  8 If your student was to provide you with  9 this project of evaluating this traffic study for  10 the school, what would you give them as an overall  11 criteria with no impartial stand?  12 If they were to take into consideration  13 and abide by the fluctuation and given accurate  14 synopsis to this in a write-up, what would you give  15 them as a grade?  16 MR. DEAN: I can't even begin to answer  17 that question.  18 MS. HOLZAPFANO: Have you given  19 children -- students a C for not taking into  20 consideration the whole aspect of the community?  21 You're not going to go there, right?  22 MR. DEAN: Those types of --  23 MS. HOLZAPFANO: I mean there's  24 major --  25 MR. DEAN: I'd like to finish if I</p>	<p style="text-align: right;">Page 99</p> <p>1 We are talking about the overall  2 curriculum, and we're talking about an education  3 that evaluates the whole situation and goes from  4 there. So what you're studying is the whole key  5 situation and every criteria.  6 MR. DEAN: Is there a question?  7 MS. HOLZAPFANO: Yeah. I'm asking you  8 would you give them a C if you presented -- if they  9 presented a paper like you presented to us?  10 Let's put it that way, because I  11 personally feel that the paper that you've presented  12 to us is below a C because it did not cover the key  13 criteria of the community. Did you not take into  14 consideration the community's key sports activities  15 and the children coming up and driving and the key  16 volume on that intersection and going down that hill  17 and in that location?  18 And I just want to give you the  19 opportunity to say, okay, if you evaluated and  20 looked at it on an outside point, can you honestly  21 state that you evaluated everything to the possible  22 extreme and that's a feasible explanation as to what  23 you gave us?  24 Be honest because you have to back it  25 being a professor and we could always ask for your</p>
<p style="text-align: right;">Page 98</p> <p>1 could.  2 MS. HOLZAPFANO: Yeah, but there's  3 major aspects of this project that were left out  4 that took into consideration the community and key  5 times of this community that waited on the traffic  6 study, and if you're saying that you're a professor  7 at Lehigh Valley or you were a professor at Lehigh  8 Valley and educated students to evaluate a situation  9 and they left out key components of what was  10 important to that community on their traffic flow, I  11 can't really surmise that you would give them  12 anything below possibly average, if not below that,  13 because they left out key factors in the current  14 situation.  15 MR. DEAN: Well, if they followed  16 standard professional practice --  17 MS. HOLZAPFANO: Wait a minute. We are  18 talking about school study. No, but you're talking  19 about state law and standard whatever. We're  20 talking about an overall school education on the  21 knowledge of traffic study and then you fluctuate  22 that to the community in the state that you're in  23 and abide by that law. That's one particular thing,  24 but Lehigh, Pennsylvania, has different traffic  25 study laws than other states.</p>	<p style="text-align: right;">Page 100</p> <p>1 grades that you gave.  2 MS. TUBMAN: Is the question what  3 criteria were --  4 MS. HOLZAPFANO: If he was to grade  5 this in a classroom as a professor in traffic study,  6 does he feel that he met the criteria of his -- if  7 he was a student for his class for this situation  8 that's being presented to him.  9 MS. TUBMAN: I'm sorry. I really don't  10 even know how to rephrase that question so he could  11 answer it. He can try.  12 MR. DEAN: I give myself an A. That's  13 standard of quality and work and I put into all of  14 my reports.  15 (Audience clamor.)  16 MS. HOLZAPFANO: Okay.  17 MR. AGARWAL: Hi. Alok Agarwal,  18 A-G-A-R-W-A-L, A-L-O-K.  19 MR. COLLINS: Please raise your right  20 hand. Do you swear or affirm to tell the truth, the  21 whole truth and nothing but the truth so help you  22 God?  23 MR. AGARWAL: I do.  24 MR. COLLINS: Sir, please state your  25 address.</p>

<p style="text-align: right;">Page 101</p> <p>1 MR. AGARWAL: It's 1243 Crim Road. The 2 question is how do you predict the number of 3 worshippers that we should expect on the peak days 4 of worship that is Friday? What was the methodology 5 used? 6 MR. DEAN: I assume that every space in 7 the parking lot would be filled. 8 MR. AGARWAL: Suppose -- I'm an 9 engineer by profession. So that's my question. So 10 suppose this was a building where two parking spots. 11 So we would assume that there would be two people 12 coming in to visit this house of worship. I'm just 13 assuming. How do you predict how many people coming 14 into the building? 15 MR. DEAN: I don't predict people 16 coming into the building. I predict automobile 17 traffic. 18 MR. AGARWAL: How many vehicles would 19 come in as relation to the number of people? So 20 vehicle has a capacity of four people who can travel 21 in the average if you exclude larger vehicles. So 22 there has some correlation to the number of vehicles 23 and the number of people coming in at some time. 24 MR. DEAN: That may be, and you will 25 hear from our parking expert defining those numbers,</p>	<p style="text-align: right;">Page 103</p> <p>1 over one day and forecasting it, extrapolating it 2 proportional based on the building size has yielded 3 this estimate of 267. 4 MR. AGARWAL: Okay. Now, have you 5 looked at, for example, a typical house of worship? 6 And it's different than other houses of 7 worship because there are fewer of these in the 8 State of New Jersey. Have you looked at the 9 catchment area in the State of New Jersey and seen 10 how many worshippers say live in a 15-mile radius 11 because that's typical? 12 If I wanted to go to a house of worship 13 and the nearest one would be 70 miles, I probably 14 would not go, but if it was 15 miles, I would go. 15 Do we know how many worshippers live in a 15-mile 16 radius or how many other places of worship this is 17 competing with so we can predict the number of 18 vehicles coming into the mosque? 19 MR. DEAN: Well, by using 170, that 20 fills the lot. I have not done any study of 21 competing mosques or any population demographic 22 studies. 23 MR. AGARWAL: I'm sorry. That's a 24 flawed assumption. If you look at the parking 25 capacity size and not look at the catchment</p>
<p style="text-align: right;">Page 102</p> <p>1 but as the traffic engineer, I just looked at the 2 number of spaces in the parking lot and assumed 3 every one would be filled. 4 MR. AGARWAL: What would be the rate of 5 capacity of the building and grounds if used to 6 maximum capacity? Do you know that? 7 MR. DEAN: It's an architectural 8 question. I have no idea. I believe there's been 9 testimony on that issue. 10 MR. AGARWAL: Okay. I moved in 11 recently. So I don't know all the facts. Maybe I 12 missed. So in case it's repetition, have you looked 13 at those? 14 I believe a reference there was a 15 mosque in Canada that was used for utilizing a 16 comparative study and looking at 267 cars. Is that 17 right? We looked at a mosque in Canada where we 18 looked at possibly 267 cars coming in as possible. 19 So that was the case study that was used. 20 MR. DEAN: No. The case study that was 21 used was substantially less traffic because that 22 particular mosque was less than half the size of 23 this facility. 24 MR. AGARWAL: Okay. 25 MR. DEAN: So simply taking that data</p>	<p style="text-align: right;">Page 104</p> <p>1 material, the number of worshippers and the 2 competing facilities, then I think we are making a 3 wrong assumption. The basic assumption is flawed. 4 From any engineering standpoint, it has 5 to be the number of people the building can 6 accommodate, how many people want to come here. 7 There has to be some basis of the number of vehicles 8 because people drive these vehicles. These are not 9 Google cars. They are not going to drive 10 themselves. I wish they were Google cars. Somebody 11 is driving these. 12 How do we base -- how do we come up 13 with the number that 170 is the number of vehicles 14 that will come in just because on a parking capacity 15 that's very fluid in engineering terms. 16 MR. DEAN: As I said, because I can't 17 fit any more vehicles on the site, That's the cap 18 that can come to the site. You'll hear, again, from 19 the parking expert I believe, and if you weren't 20 here, the applicant introduced their experience in 21 how many typical attendees are coming and how many 22 they expect, and it is substantially less than 170. 23 MR. AGARWAL: That could be an 24 assumption, because if you look at other houses of 25 worship -- because if you look at the temple in</p>

<p style="text-align: right;">Page 105</p> <p>1 Bridgewater or the Gurudwara in Bridgewater, if you  2 look at the mosque on Route 1 in the Brunswick area,  3 that is -- that is not a good assumption because  4 people do park on the side, and as places grow, they  5 tend to generate a lot more traffic with outstrips,  6 what I call linear road. You could see exponential  7 growth depending on the demographics, the changing  8 patterns in New Jersey, the competing facilities.  9 Canada is very sparsely populated  10 compared to New Jersey, and the demographics of  11 Canada are way different. So I'm trying to  12 understand what is the basis of this, because I  13 listened to this for two hours, and I don't  14 understand. The basic question has to be how do we  15 come up with this capacity analysis?  16 If you're analyzing -- I'm sure we  17 spent a lot of time. I was talking to a gentleman  18 says this has been going on for many months and  19 years. So there's a lot of time involved. There is  20 a lot of money involved. I understand that, but the  21 basic assumption is I need to understand that  22 assumption because I want to understand how did the  23 applicant or yourself come up with that assumption,  24 scientifically or on an engineer basis.  25 MR. DEAN: Again, I don't know if you</p>	<p style="text-align: right;">Page 107</p> <p>1 point.  2 The point is should it be in a  3 residential area? The traffic was impacted. If it  4 was on Washington Valley or 202, it would not make a  5 difference, but the basis of driving 170 vehicles I  6 believe is flawed. Would you agree or disagree?  7 MR. DEAN: I disagree.  8 MR. AGARWAL: Thank you.  9 MR. OROZCO: Wilson Orozco, 826 Mine  10 Road. A college student who is I guess home was  11 jogging like he was saying before. How was his  12 jogging going to be accommodated?  13 And I'm trying to remember what you  14 said to him. You said that his jogging would be  15 accommodated. Can you refresh my memory?  16 MR. DEAN: No, I can't.  17 MR. OROZCO: I didn't think so. You  18 did say his jogging would be accommodated as well as  19 any kind of car going south or north. Can you tell  20 me how the car that's going to go south and another  21 one that's going to go north on a street that's only  22 nine feet wide -- how is a pedestrian or a jogger or  23 a walker going to be accommodated?  24 MR. DEAN: There are no streets that  25 are nine feet wide surrounding this site.</p>
<p style="text-align: right;">Page 106</p> <p>1 were here for the applicant's testimony. They have  2 experience on this site conducting worship services,  3 prayer services. They have experience in this  4 community I believe at the Green Knoll Fire Station  5 with this prayer group. So Canada has less  6 relevance. I think the testimony of the applicant  7 as to their current worshippers is more relevant,  8 and as I said, the traffic activity based on that  9 testimony is far less than 170.  10 MR. AGARWAL: Have you looked at the  11 growth of houses of worship in the Bridgewater area  12 or the New Jersey area, for example, the temple, and  13 I can speak of that personally because I've been  14 there a couple of times, and if you look at the size  15 and the redesign that's gone on, it's grown beyond  16 linear terms. So when -- in my personal experience,  17 has that been a factor, because if things are done  18 at ad hoc facilities and they're done in smaller  19 facilities, people kind of get the word this is a  20 smaller facility and try to stay away, because if  21 you can't park your car, how do you get there, but  22 once you go into a larger facility with parking  23 spaces -- and I support. I mean I think there  24 should be. Bridgewater is a great place. I think  25 we have all houses of worship here. That's not the</p>	<p style="text-align: right;">Page 108</p> <p>1 MR. OROZCO: It's actually 19 feet  2 wide. When I said nine feet, I mean the northbound.  3 Nine feet the southbound. So, once again, the  4 question is -- since I have to ask, the question is  5 how is a pedestrian or a jogger or various persons  6 walking on Mine Road going to be accommodated when  7 there's two cars that are passing each other on Mine  8 Road essentially around the area -- especially  9 around the area where there's a huge ditch?  10 MR. DEAN: They will do so in the exact  11 same manner that they do today.  12 MR. OROZCO: If some -- okay. Next  13 question. It is my understanding that the owner of  14 this lot are going to widen up the lot to  15 accommodate for a line of site. Yes, no?  16 MR. DEAN: I don't understand your  17 question.  18 MS. TUBMAN: If I can clarify, the  19 applicant is going to widen Mountaintop Road along  20 its frontage consistent with the ordinance. We had  21 separate testimony from Mr. Dean on site triangle  22 easements which is clearing for visibility from the  23 driveways.  24 MR. OROZCO: How much is that clearing?  25 MR. DEAN: We had an exhibit at the</p>

<p style="text-align: right;">Page 109</p> <p>1 last exhibit (sic) that showed the extent of the  2 site triangle. I covered those dimensions. I don't  3 recall them offhand. It extends approximately  4 200 -- 225 feet east of the site driveway -- of the  5 eastern site driveway.  6 MR. OROZCO: That was calculated under  7 what speed assumption?  8 MR. DEAN: Thirty-five miles per hour.  9 MR. OROZCO: Now, is there a proposal?  10 Is there a plan to put sidewalks on that frontage?  11 MR. DEAN: Yes.  12 MR. OROZCO: But it's only going to go  13 on Lot 36.  14 MR. DEAN: On the lot frontage,  15 correct.  16 MR. OROZCO: So that means that the  17 rest of Mine Road where it curves and where it's  18 only between 18 to 19 feet wide, nothing is going to  19 happen. It's going to be like a funnel basically.  20 MS. TUBMAN: The ordinance allows the  21 planning board to ask for frontage improvements and  22 we're providing them.  23 MR. OROZCO: So you're going to request  24 that the town pays to fix the road.  25 MS. TUBMAN: No. We are -- at our</p>	<p style="text-align: right;">Page 111</p> <p>1 road or for a car to bypass a car that's going  2 northbound as he comes to Mine Road, Papen and  3 Running Brook, and I'm still waiting to try and find  4 out how a road that's only 152 inches -- how a  5 second car is going to try to get around.  6 MR. DEAN: I explained that at the last  7 meeting. At the intersection, it flares. It widens  8 for Running Brook, and it allows the bypass of a  9 vehicle.  10 MR. OROZCO: But how is two cars going  11 to fit on the road that's only 152 inches wide?  12 MR. DEAN: In that section of the road  13 it is a single lane of traffic.  14 MR. OROZCO: So if it's a single lane  15 of traffic, are you saying that a second car can't  16 bypass it? Is that what you're saying?  17 MR. DEAN: I'm saying at the  18 intersection where it's wider, a bypass can occur.  19 MR. OROZCO: But you mean -- I'm trying  20 to understand. Here the road is 152 inches. You  21 come to the intersection. So you pass the car right  22 at the center of the intersection. That's what  23 you're saying?  24 MR. DEAN: Correct, where the car is  25 waiting to turn.</p>
<p style="text-align: right;">Page 110</p> <p>1 expense, we'll be widening the road along our  2 frontage which is the ordinance requirement if the  3 planning board so desires.  4 MR. OROZCO: What about the rest of the  5 continued road past Lot 16?  6 MR. DEAN: No. There are no  7 improvements proposed as part of this application.  8 MR. OROZCO: Is there a plan to ask for  9 that?  10 MR. DEAN: I defer that to the  11 municipal engineer.  12 MR. OROZCO: No. I'm asking you.  13 MR. DEAN: There are no proposed  14 improvements other than the frontage improvements  15 with this application.  16 MR. OROZCO: So the road that's only 19  17 feet wide, if there's a pedestrian or a jogger get  18 hit or they get hurt, who's going to be liable?  19 MR. DEAN: That's a legal question.  20 MR. OROZCO: It's a valid question. If  21 somebody gets hurt and you're saying the traffic is  22 going to be hunky-dory and the road can accommodate  23 this and can accommodate that, somebody is going to  24 have to be held accountable for it because you  25 testified that there was going to be enough room for</p>	<p style="text-align: right;">Page 112</p> <p>1 MR. OROZCO: That's not what you said  2 the last time. Now, you just said, I don't know if  3 I misheard you or not, that there is going to be no  4 evening service.  5 MR. DEAN: I did not say that.  6 MR. OROZCO: So I misheard that. All  7 right.  8 MS. TUBMAN: There were previous  9 witnesses who testified as to the services and the  10 times of the services. Those transcripts have all  11 been provided to the board, and they're all  12 available in the municipal building, but this  13 witness can't testify. That's not his area of  14 expertise.  15 MR. OROZCO: I understand. Thank you.  16 MR. MALLELA: Shiv Mallela. I just  17 have a couple questions.  18 Mr. Dean, I'm a little confused. You  19 had indicated that you don't expect more than 170  20 cars, but then you have also said things like legal  21 to park on the road. So people can park. So,  22 technically, then there's nothing to prevent  23 people -- if they're more like 170 cars coming in,  24 nothing to prevent them from parking on either side  25 of Mountaintop, Papen, right?</p>

<p style="text-align: right;">Page 113</p> <p>1 MR. DEAN: At this particular moment, 2 that's correct. 3 MR. MALLELA: So will that change 4 anything in terms of your traffic analysis? 5 For instance, on Papen Road, if you had 6 two rows of cars, one on this side, one on the other 7 side parked, would that make any difference at all 8 in terms of the service? 9 MR. DEAN: I don't understand the 10 relationship. 11 MR. MALLELA: The way the traffic flows 12 for anybody -- for instance, if I were to drive and 13 there were a bunch of cars on either side on that 14 road, would that pose any safety issues or anything 15 in your opinion? 16 MR. DEAN: Well, it's a narrow road, 17 and if cars park on both sides of the road, at some 18 point that could become an issue. Yes. 19 MR. MALLELA: Okay. So if that were -- 20 so that means the inflow of cars into this facility 21 could pose a condition which causing driving issues 22 for people, could. I'm not saying it will. 23 MR. DEAN: No, not at all. You asked 24 about parking on Papen Road, on both sides of the 25 road.</p>	<p style="text-align: right;">Page 115</p> <p>1 MR. MALLELA: Well, I'm just asking you 2 if you were asked. 3 MS. TUBMAN: There was testimony that, 4 if the mosque were not sufficiently sized to 5 accommodate all of the Friday midday worshippers, 6 would there be the possibility of a second service, 7 and the president of the board said that's always a 8 possibility. 9 MR. MALLELA: So I was curious. Was 10 there any -- any analysis done in terms of your 11 traffic flow for that kind of possibility? 12 Obviously not. 13 MR. DEAN: No. 14 MR. MALLELA: Okay. So maybe that 15 could pose a problem. People coming in, that would 16 be a little more complicated in terms of traffic 17 flow, right, if you have one service letting out, 18 another service coming in. 19 MR. DEAN: It's not complicated. It's 20 just more traffic. 21 MR. MALLELA: More traffic, complicated 22 traffic-wise. 23 Okay. And the final thing, this is 24 more of a statement than anything. You were 25 mentioning to the gentleman that, you know, taking</p>
<p style="text-align: right;">Page 114</p> <p>1 MR. MALLELA: I'm talking, for 2 instance, if there's 265 cars coming in let's say, 3 some of them could park. In your analysis, you 4 didn't take into account the fact that they could 5 park on the road, right? 6 MR. DEAN: My analysis that was done at 7 the request of the board engineer assumed that there 8 were 260 cars trying to get to the site. I didn't 9 do an analysis as to where they would park. That 10 wasn't part of the analysis. It was to assure that 11 the intersections and roads and the traffic signal 12 can accommodate that traffic. 13 MR. MALLELA: Okay. Got it. Second 14 question I have is, in one of the earlier 15 testimonies, there was some talk of possibly having 16 a second service if there were too many people 17 because they want to make sure that the number of 18 cars and all people and all that and possibly the 19 mosque could have a second service. 20 Now, in the -- in any of the analysis 21 you were asked to perform, was there anything asked 22 of you in terms of your analysis to take into 23 account a second service? 24 MR. DEAN: I don't recall the testimony 25 being that there would be a second service.</p>	<p style="text-align: right;">Page 116</p> <p>1 Running Brook, you know, because he's lived here for 2 37 years, he knows how to do it. These days of 3 GPS's and Google maps and all that, you surely don't 4 think that people can't find their way, do you? 5 MR. DEAN: I don't believe there's an 6 advantage to taking that route. 7 MR. MALLELA: There is if you have to 8 take a left on the Mountaintop at Crim. Again, I 9 live in this area. If a whole bunch of people are 10 going that way and I have to make a left to go onto 11 Crim, I just make a right and go on Running Brook. 12 That's common sense. 13 Okay. Thank you. 14 CHAIRMAN RUSAK: Is there anyone else 15 in the audience who wish to come up and question? 16 Mr. Moench will have a few follow-up. Okay. Sir. 17 MR. SEDDIQ: Hello. My name is Adil 18 Seddiq. I live at 115 West Cliff. 19 MR. COLLINS: Sir, please raise your 20 right hand. Do you swear or affirm to tell the 21 truth, the whole truth and nothing but the truth: 22 MR. SEDDIQ: Yes. 23 MR. COLLINS: Spell your last name. 24 MR. SEDDIQ: S-E-D-D-I-Q, A-D-I-L. 25 MR. COLLINS: Your address, sir.</p>



<p style="text-align: right;">Page 117</p> <p>1 MR. SEDDIQ: It's 115 West Cliff 2 Street. It's in Somerville. May I ask a question? 3 MR. COLLINS: Absolutely, sir. Go 4 ahead. 5 MR. SEDDIQ: Okay. Just really 6 quickly, the regulations and the standards for the 7 worst case, pretty much those were all accounted 8 for, right? 9 MR. DEAN: In my opinion, because we 10 used the physical capacity of the parking lot, yes. 11 It represents a volume of traffic greater than has 12 been testified to by the applicant and in my opinion 13 represents a worst case analysis. 14 MR. SEDDIQ: Were any -- based on legal 15 requirements and types of assessments and done for 16 other types of buildings, were any major aspects 17 left out? 18 MR. DEAN: To the best of my knowledge, 19 there are no regulations that dictate the content or 20 parameters of a traffic study. 21 MR. SEDDIQ: So the expert from the 22 board, did he have any questions or information that 23 the expert from the municipality asked for that were 24 not done? 25 MR. DEAN: No. I believe we've been</p>	<p style="text-align: right;">Page 119</p> <p>1 have been examined at that time principally because 2 we've already examined the worst case scenario. 3 So beyond that, I don't have any other 4 comments on Mr. Meth's report. 5 CHAIRMAN RUSAK: Okay. We just have a 6 couple questions from Mr. Moench. 7 MR. MOENCH: Good evening, sir. Just a 8 few follow-up questions from your testimony tonight. 9 You've testified a few times this 10 evening that the 170 number, of course, you got just 11 from -- that's the parking spaces that are available 12 on the site. Assuming in the future that the number 13 of parking spaces on the site changed for whatever 14 reason, more property was acquired, a zoning board 15 application was made, any change to the number of 16 parking spaces, then your analysis would be 17 different, correct? 18 MR. DEAN: We would evaluate the 19 traffic conditions at the time of that application 20 as your ordinance requires. 21 MR. MOENCH: You haven't done that now. 22 Now, you've used the 170 that's in front of you, 23 correct? 24 MR. DEAN: That's what's in front of 25 this board, correct.</p>
<p style="text-align: right;">Page 118</p> <p>1 responsive to all elements of the concerns which is 2 why we undertook this additional analysis that 3 exceeded the parking lot capacity by roughly 50 4 percent. 5 MR. SEDDIQ: So that's more. 6 MR. DEAN: Correct. 7 MR. SEDDIQ: Okay. That's all. Thank 8 you. 9 MS. TUBMAN: Are there any other 10 questions in Mr. Meth's report that you have not 11 gotten to yet? 12 MR. DEAN: There were a few comments 13 principally pertaining to parking that Mr. Ney will 14 discuss because they relate to trip generation. I 15 believe the facts that trip generation that equals 16 the parking lot capacity is certainly a reasonable 17 call it sensitivity analysis for the worst case 18 scenario, and other than that, I believe we have 19 satisfied everything with one exception, and that 20 pertains to the evening peak hour service that both 21 the Institute of Transportation Engineers as well as 22 the applicant indicate will occur after rush hour 23 and approaching 7:30 to 8 o'clock at night, and 24 that's correct. It has been -- it's a factual 25 statement, but no analysis of the traffic impacts</p>	<p style="text-align: right;">Page 120</p> <p>1 MR. MOENCH: However, there are other 2 numbers that you use for calculating potential 3 traffic volumes for the Saturday times and for the 4 weekday numbers which are -- which is not 170 for 5 Saturday morning. You used 90 entering and exiting 6 the site, and then I think you used 16 and 18 for 7 the weekday morning and afternoon numbers. 8 How did you arrive at those numbers? 9 MR. DEAN: It's described in the 10 traffic study, but because there is a daycare center 11 component, we used industry standard trip rates, ITE 12 as it's known, for a 40 enrollment childcare center. 13 MR. MOENCH: Okay. 14 MR. DEAN: And those constitute our 15 weekday a.m. and p.m. peak hours, and then for 16 Saturday midday, there's a notation that the 17 enrollment could be as high as 120 students at 18 maximum size, you know, for full growth, and that 19 with an assumption of not everyone attending or a 20 certain amount of siblings or friends ride sharing 21 at 25 percent, that's how we arrived at 90 vehicles. 22 MR. MOENCH: Okay. And that's using 23 standard numbers for Saturday school or daycare type 24 facilities. 25 MR. DEAN: Well, that's using, as I</p>

<p style="text-align: right;">Page 121</p> <p>1 described, assuming that 120 students, and if  2 there's a 25 percent ride sharing factor between  3 siblings, friends or even there's just fewer  4 attendees, that that would yield 90 vehicles. So  5 it's I'd say akin to assuming the parking lot is  6 full type analysis.  7 MR. MOENCH: Were those numbers based  8 off of any data that was inputted specific to this  9 site?  10 MR. DEAN: Yes. I asked the applicant  11 what would be the maximum enrollment for Saturday  12 religious education, and given the number of  13 classrooms looking at the architectural standards,  14 it would be 120 students.  15 MR. MOENCH: Okay. With regard to --  16 we can use Friday. People talked about that the  17 most, and it's the large service.  18 Using that as an example right now,  19 when you observed the counts at the intersection of  20 Crim and Mountaintop, did you do any calculations  21 based on the time cars that had to wait to make a  22 left hand, a right hand or to go straight across the  23 intersection?  24 In other words, right now if I were  25 to -- if you were to pull up at 1:30 on a Friday,</p>	<p style="text-align: right;">Page 123</p> <p>1 MR. DEAN: It is an average because  2 some vehicles will experience virtually no delay,  3 and some vehicles may experience a 30-second delay,  4 and, obviously, turning left typically encounters  5 more delay than turning right.  6 So all of that weighted averaging is  7 what's used to derive the levels of service, and so  8 you, as a motorist, might experience 30 seconds, but  9 the person immediately behind you shadows you as you  10 make your turn and he experiences virtually no  11 delay. So it is an averaging.  12 MR. MOENCH: That's based off of the  13 same formula that you described to me earlier with  14 regard to the number of cars at the intersection and  15 trip generation for peak hour, correct?  16 MR. DEAN: Correct, and the procedures  17 are the same once we superimpose site traffic onto  18 that intersection. So that it's a uniform standard  19 of measure.  20 MR. MOENCH: Sir, a few times about  21 your testimony comments were made either by yourself  22 or by members of the public regarding the Redwood  23 Inn and its previous site.  24 Just so I'm clear, you've done no  25 studies with regard to the average number of events</p>
<p style="text-align: right;">Page 122</p> <p>1 there's no cars in front of you. You just pull up.  2 What's the average time it takes to make a turn  3 there?  4 MR. DEAN: Well, on Figure 7 of our  5 January 6, 2014, report, you will see a figure that  6 is entitled 2013 existing levels of service and the  7 delay in level of service at Crim and Mountaintop  8 were calculated for each of the five different peak  9 hours. So that that delay time is between -- now  10 I've forgotten, but level of service B. I think  11 it's 10 to 15 seconds on average.  12 MR. MOENCH: Is that number calculated  13 from the time it takes to -- when you're the first  14 car on the cue?  15 So when I'm the guy that's ready to  16 make my turn, is that saying that right there it's  17 going to take me 10 to 15 seconds to make the turn  18 or does it account for how many cars may be cued up  19 behind that?  20 So in other words, if there's three  21 cars waiting to make a left-hand turn, does each  22 car -- it's 10 to 15 seconds for the first car, 10  23 to 15 seconds for the second car. So the third car  24 is waiting 30 seconds to 45 seconds. How does that  25 calculation work?</p>	<p style="text-align: right;">Page 124</p> <p>1 that the Redwood Inn held at any given time  2 throughout the year when it was active, correct?  3 MR. DEAN: I have not.  4 MR. MOENCH: You've done no study with  5 regard to the number of traffic that has given that  6 a given event tracked to hours of operation or  7 number of cars in and out of the site, correct?  8 MR. DEAN: At some point in our  9 background, I don't believe it was published in any  10 reports, we used the same ITE trip generation data  11 to model a restaurant banquet facility because  12 that's what's on the premises.  13 Because it's been out of operation for  14 so long, I didn't include it in our study, but as  15 a -- as an existing land use, it certainly at one  16 point generated traffic.  17 MR. MOENCH: But my question to you,  18 sir, is whether you've looked at any data specific  19 to the Redwood Inn itself with regard to number of  20 cars in and out of the site or the number of cars  21 tracked to given events when the Redwood Inn was in  22 operation?  23 MR. DEAN: That's correct.  24 MR. MOENCH: No further questions.  25 Thank you.</p>

<p style="text-align: right;">Page 125</p> <p>1 MS. GRANETZ: I have not been sworn in.  2 My name is Arlene Granetz, G-R-A-N-E-T-Z.  3 MR. COLLINS: Please raise your right  4 hand. Do you swear or affirm to tell the truth, the  5 whole truth and nothing but the truth so help you  6 God?  7 MS. GRANETZ: I do.  8 MR. COLLINS: Can you spell your last  9 name?  10 MS. GRANETZ: G-R-A-N-E-T-Z. I have a  11 couple of questions. One question -- and because,  12 Mr. Dean, you've been referring to the daycare  13 children as students, I feel that I can ask you the  14 question.  15 Why are you referring to them as  16 students when there is no school that's going to be  17 there?  18 MR. DEAN: It's a euphemism. The  19 industry standard is call them enrollees if that's  20 more preferable. I'm using the term generically,  21 but it is the number of --  22 MS. GRANETZ: Children.  23 MR. DEAN: -- children who will be  24 attending a care facility that is proposed on the  25 site.</p>	<p style="text-align: right;">Page 127</p> <p>1 30-second delay.  2 MR. LU: Okay. That's very  3 theoretical. In reality, at the traffic light, when  4 the light turn green, not everybody like robot, step  5 off the gas -- brake and push on the gas pedal and  6 go forward. There's always a delay because we are  7 human. We are not robot. We are not machine.  8 MR. DEAN: I'm sorry. Is there a  9 question?  10 MR. LU: My question is your -- what  11 you are talking about is theoretical. It's not in  12 reality.  13 MR. DEAN: Is that a question?  14 MR. LU: Is that a question? That's  15 my -- no. That's my -- I want the public to be  16 aware what Mr. Dean was talking about was just  17 theoretical and in reality is totally different.  18 MS. TUBMAN: That's not a question.  19 MR. LU: I didn't say there was  20 question.  21 CHAIRMAN RUSAK: Okay. Are there any  22 other questions from the audience? The hour is --  23 MR. COLLINS: Mr. Chairman, I do have a  24 question. I have a question for Mr. Dean. I just  25 want to make sure I understand your testimony.</p>
<p style="text-align: right;">Page 126</p> <p>1 MS. GRANETZ: I think that word should  2 be used instead of students.  3 MR. DEAN: I will.  4 MS. GRANETZ: Thank you.  5 CHAIRMAN RUSAK: Any other questions  6 from anyone in the audience? Yes, sir.  7 MR. LU: William Lu from Bridgewater.  8 MR. COLLINS: Sir, were you previously  9 sworn?  10 MR. LU: Yes.  11 MR. COLLINS: You understand you're  12 still under oath?  13 MR. LU: Yes.  14 MR. COLLINS: Thank you.  15 MR. LU: Mr. Dean, in last question,  16 can you just clarify when you talk about there's no  17 delay, the second car? Was that in the traffic  18 light situation?  19 MR. DEAN: No. I was describing it  20 Mountaintop and Crim Road, a scenario that occurs at  21 virtually every stop sign intersection where --  22 given the circumstances, where one vehicle can  23 proceed through the intersection, the second vehicle  24 often will, in essence, shadow that vehicle and  25 complete his turn and not encounter the same</p>	<p style="text-align: right;">Page 128</p> <p>1 It's your opinion that the parking lot  2 will be sufficient for the proposed activities so  3 that there will be no need for on-street parking.  4 Is that your testimony?  5 MR. DEAN: Well, my focus has been  6 related to traffic and traffic impacts. Mr. Ney, as  7 you're aware, is here to opine on the sufficiency  8 and adequacy of the parking lot which to a degree  9 has been designed in accordance with the municipal  10 ordinance.  11 In my opinion, it's appropriately sized  12 for the anticipated use such that on-street parking  13 will not be necessary, but my testimony has been  14 that the municipality always reserves the right  15 to -- the governing body to curtail that practice if  16 it's deemed appropriate and necessary.  17 MR. COLLINS: And if parking were to  18 occur on the neighborhood streets on a regular basis  19 for people attending the mosque, would it be your  20 recommendation that the township post the streets  21 with no parking signs pursuant to an ordinance to be  22 considered and adopted in the future?  23 MS. TUBMAN: I can't see who's  24 speaking.  25 MR. COLLINS: It's Mr. Collins asking</p>

1 the question.

2 MS. TUBMAN: Okay. Mr. Collins, that  
3 would, from my perspective, be an appropriate  
4 recommendation by the planning board if it's the  
5 planning board's concern. I don't think Mr. Dean  
6 has prepared any recommendation as to what the  
7 governing body ought to do about on-street parking  
8 except to observe that there are no shoulders.

9 MR. COLLINS: I appreciate the comment,  
10 but I think it's still appropriate for the witness  
11 who is the witness testifying about the safety,  
12 adequacy of the roadways in the neighborhood to  
13 explain whether he has an opinion or not of what  
14 should be done if parking regularly occurs on the  
15 neighborhood streets by people attending the mosque.

16 MR. DEAN: Well, as I've stated, it's  
17 contrary to my expectation, certainly, the  
18 applicant's and presumably Mr. Ney's because  
19 adequate parking will be provided on-site. I don't  
20 believe in preemptively solving problems that have  
21 not proven to occur, and as I've stated, if the  
22 municipality deems control of on-street parking  
23 necessary, for whatever reason, whether it's from  
24 the mosque or the residents, they are certainly --  
25 it would be an appropriate exercise of their power

1 as the governing body.

2 MR. COLLINS: But you expect there will  
3 be no on-street parking, correct?

4 MR. DEAN: Correct.

5 MR. COLLINS: And although you are not  
6 the witness here on this record testifying about the  
7 adequacy of the parking lot, you have opined in this  
8 case in your expert report that the parking lot is  
9 adequate. Have you not?

10 MR. DEAN: Correct.

11 MR. COLLINS: And that parking lot  
12 number is still approximately 170 parking spaces,  
13 correct?

14 MR. DEAN: Correct.

15 MR. COLLINS: And you base that opinion  
16 on calculations on maximum expected occupancy of I  
17 believe 500 for prayer service, isn't that correct,  
18 that prior opinion of yours?

19 MR. DEAN: I believe the testimony has  
20 been that the maximum occupancy for services, and I  
21 don't have the exact figure, is less than 500, but  
22 the ordinance requirement of one space for every  
23 three attendees, that that 170 parking spaces  
24 complies with that standard.

25 MR. COLLINS: Okay. Thank you, Mr.

1 Dean.

2 MR. DEAN: You're welcome.

3 CHAIRMAN RUSAK: No further questions.  
4 We'd like to have a motion to adjourn.

5 MR. MOENCH: I'll make it.

6 MR. CHARLES: So moved.

7 CHAIRMAN RUSAK: Mr. Charles.

8 MR. MOENCH: I'll second it.

9 CHAIRMAN RUSAK: Second it. All in  
10 favor.

11 (All respond aye.)

12 CHAIRMAN RUSAK: Thank you very much  
13 for your attendance. The next meeting we will have  
14 will be tomorrow evening. Thank you.

15 MR. COLLINS: On this case, the next  
16 meeting.

17 MS. TUBMAN: Mr. Chairman, will you  
18 announce the continuation date for the benefit of  
19 the public please?

20 MR. COLLINS: Yes. This case is  
21 carried without additional notices to the June 30  
22 meeting at the high school at 7 p.m. There will be  
23 no further notice. So this case, Alfalah site plan,  
24 is carried to June 30 at 7 p.m. No further notice.

25 (Proceedings conclude at 10:10 p.m.)

1 CERTIFICATE OF OFFICER

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5 I CERTIFY that the foregoing is a true  
6 and accurate transcript of the testimony and  
7 proceedings as reported stenographically by me at  
8 the time, place and on the date as hereinbefore set  
9 forth.

10 I DO FURTHER CERTIFY that I am neither  
11 a relative nor employee nor attorney or counsel of  
12 any of the parties to this action, and that I am  
13 neither a relative nor employee of such attorney or  
14 counsel, and that I am not financially interested in  
15 the action.

16

17 DIANE M. HOLMES, C.C.R.  
18 Certificate No. XI01660  
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