

BRIDGEWATER TOWNSHIP PLANNING BOARD

Special Meeting

Monday August 25, 2014

—Minutes—

1. CALL MEETING TO ORDER:

Chairman Walter Rusak opened the Planning Board meeting at 7:05 p.m. in the Bridgewater Municipal Courtroom located at 100 Commons Way, Bridgewater, New Jersey 08807.

2. OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT:

The Chairman read the Open Public Meetings Act, as follows: "Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act N.J.S.A. 10:4-6. On July 14, 2014, proper notice was sent to the Courier Newspaper 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 a salute to the flag.

4. ROLL CALL:

James Franco - Present	Chairman Walter F. Rusak - Present
Steve Rodzinak - Present	Ron Charles - Absent
Mayor Dan Hayes- Present	Councilman Matthew Moench- Absent
Barbara Kane- Present	Tricia Casamento- Present

Others in attendance were Robert C. Bogart, PE, Board and Township Engineer, Thomas Collins, Esq., Board Attorney, Scarlett Doyle, PP, Board and Township Planner, and Marianna Voorhees, Recording Secretary.

5. APPROVAL OF BOARD MINUTES

July 28th, 2014 Special Meeting – Motion by Mrs. Kane, second by Mr. Rodzinak, the foregoing minutes were adopted on the following roll call vote:

AFFIRMATIVE:	Mr. Rodzinak, Mr. Franco, Chairman Rusak, Mayor Hayes, Mrs. Kane, Mrs. Casamento
ABSENT:	Councilman Moench
NOT ELIGIBLE:	Mr. Charles

6. MEMORIALIZATION OF RESOLUTIONS:

GREY OAKS LLC - 270 Garretson Rd. – No Action taken

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: 9/30/14 per extension

See attached Transcription dated August 25, 2014. Prepared by: Denise C. Clark, C.C.R. of Rizman Rappaport Dillon & Rose, 66 W. Mt. Pleasant Ave., Livingston, NJ 07039

8. MEETING OPEN TO THE PUBLIC:

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

9. OTHER BOARD BUSINESS:

None.

10. ADJOURNMENT:

The Board concurred to adjourn the meeting at 9:04 pm.

Respectfully Submitted:

Marianna Voorhees

Recording Secretary

In The Matter Of:
In Re: Al Falah Center

Transcript of Proceedings
August 25, 2014

Rizman Rappaport Dillon & Rose
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Min-U-Script® with Word Index

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1 BRIDGEWATER TOWNSHIP PLANNING BOARD
2 Monday, August 25, 2014
3 7:00 p.m.
4
5
6 x - - - - -
7 RE: ALFALAH CENTER, Preliminary Major Site Plan
8 Block 653, Lots 36 & 37
9 x - - - - -
10
11 BOARD MEMBERS: WITNESSES:
12 DAN HAYES, Mayor GEORGE FOLK, PE
13 WALTER RUSAK, Chairman RALPH FINELLI
14 SCARLETT DOYLE, Member
15 JAMES FRANCO, Member
16 ROBERT BOGART, Member
17 STEPHEN RODZINAK, Member
18 BARBARA KANE, Member
19 TRICIA CASAMENTO, Member
20 THOMAS COLLINS, Attorney
21
22
23 A P P E A R A N C E S:
24
25 ARCHER & GREINER, P.C.
BY: LLOYD H. TUBMAN, ESQ.,
361 Route 31
Flemington, New Jersey 08822
Attorney for Applicant.

BY: DENISE C. CLARK,
CERTIFIED COURT REPORTER

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1 MR. RUSAK: Moving on to the
2 application for the AlFalah Center. They can bring up
3 their next witness.
4 MS. TUBMAN: Mr. Chair, for the
5 record I'm Lloyd Tubman. I'm the attorney for AlFalah
6 and I'm back here after a two-month absence. I am
7 doing very well, but hope that my voice is not a
8 distraction, that's the last to come back.
9 That said, when we finished in June George Folk
10 who is next to me, our civil engineer, had finished his
11 direct testimony. I did see in the record a little
12 confusion as to measurement of the sight distance.
13 I'll ask Mr. Folk to address that question, and
14 then he is open to the public for questions. I think
15 he's been sworn.
16 MR. COLLINS: Welcome back, Ms.
17 Tubman.
18 MR. RUSAK: Welcome back.
19 MR. COLLINS: Mr. Folk, you are
20 still under oath.
21 MR. FOLK: Okay. I believe the
22 question was from the town's traffic consultant about
23 the sight triangle and sight distance from Mine Road to
24 the driveway on the western side or northern side of
25 the property.

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1 There was a -- there was a question about the --
2 about the sight triangle and the sight distance from
3 Mine Road looking south on Mountain Top.
4 The sight triangle we measured from the traveled
5 way, 14 1/2 feet back from the traveled way, and 35
6 feet looking south on Mountain Top Road, and based on
7 that dimension the trees in question from the last time
8 at the last hearing that I was at are not within that
9 sight triangle or sight visibility issue, that's just
10 to rehash that there was a question about the sight
11 triangle that I would like to make clear to the board.
12 MR. COLLINS: That was the trees
13 that might be planted by the applicant in the
14 right-of-way on the opposite side of the driveway?
15 MR. FOLK: That's correct, sir.
16 MR. COLLINS: So when you measured
17 the sight distance, did you do that in the field?
18 MR. FOLK: They were, yes. Those
19 trees in question would not impact the sight triangle
20 or sight distance.
21 MS. TUBMAN: Mr. Collins, I also saw
22 in the transcript that Mr. Bogart discouraged to say
23 the least planting trees within the right-of-way, and
24 we are not proposing to plant within the right-of-way
25 for that reason.

<p style="text-align: right;">Page 5</p> <p>1 MR. COLLINS: But if you did plant 2 them you would plant them on the adjacent property with 3 the permission if it was granted of the property owner. 4 MS. TUBMAN: If that were the 5 appropriate solution, but this witness cannot answer 6 that question. 7 If there are no questions on that issue then Mr. 8 Folk is available for questions of the board, and then 9 if there are further questions or questions of the 10 public. 11 MR. RUSAK: Are there any further 12 questions from the board? If none, it will be open to 13 the public. 14 If the public has any questions of the civil 15 engineer please come forward to the microphone, say 16 your name, your address and be sworn in. Come forward, 17 please. 18 MS. OROZCO: Good evening. My name 19 is Kim Orozco. I've been sworn in at other meetings. 20 We talked about the trees on the adjacent 21 property across the street in from that driveway, and I 22 had met with the landscaper for the mosque and we were 23 discussing what would be appropriate for my yard, what 24 would not be appropriate, and I had requested about 100 25 -- it was 100 yards.</p>	<p style="text-align: right;">Page 7</p> <p>1 MR. FINELLI: Yes, sir. 2 MR. COLLINS: Spell your last name 3 for the record, please. 4 MR. FINELLI: Last name is "F" as in 5 Frank, i-n-e-l-l-i. 6 MR. COLLINS: Thank you. 7 MS. TUBMAN: You may need that to 8 stand up. 9 Back in May -- on May 10th we made a submission 10 to this board which was a floor plan drawing which 11 closed off the multipurpose spaces on the right-hand 12 side or on the northern side on this plan. This plan 13 should be I think marked A-5. It was not part of the 14 original plan drawings. 15 MR. COLLINS: That will be fine. 16 Mr. Finelli, can you just mark A-5 on the plan? Put 17 today's date, August 25, 2014, on it. 18 (Whereupon A-5 is marked for 19 identification and later corrected to A-6.) 20 MS. TUBMAN: And would you first 21 describe the hard wall closure that I briefly 22 described. 23 MR. FINELLI: Sure. Previously the 24 multipurpose areas were separated from the main worship 25 space by movable partitions that allowed it to open up</p>
<p style="text-align: right;">Page 6</p> <p>1 I may be mistaken, but it was quite a lengthy 2 space from the corner of my yard to where the driveway 3 lights would hit my windows into my bedroom and my 4 bathroom, and they were supposed to get back to me 5 about a week ago, few weeks ago, but I haven't heard 6 from them whether they were willing to put in actual 7 landscaping, not just a clump of trees. 8 I just wanted to know how would that affect the 9 sight triangle. If they agreed to do that, would that 10 have to be restudied? 11 MS. TUBMAN: That's really a 12 question for you. Is the yard outside of the 13 right-of-way farther from the sight triangle? 14 MR. FOLK: The entire property is 15 outside of the sight triangle. 16 MS. OROZCO: Okay, thank you. 17 MR. RUSAK: Next. Any questions? 18 Is there anyone else from the public that would like to 19 question? If none, we'll proceed to your next witness. 20 MS. TUBMAN: All right. My next 21 witness will be Ralph Finelli who is our architect. He 22 has also been sworn. He testified back on January the 23 28th and the 29th. 24 MR. COLLINS: Mr. Finelli, you 25 understand you are still under oath?</p>	<p style="text-align: right;">Page 8</p> <p>1 to the main space and expand the use of that. 2 After discussion we decided to close that space 3 off so the multipurpose spaces are open to the corridor 4 to the north. They are not open or openable into the 5 multipurpose space. 6 The partition between the multipurpose rooms and 7 main worship space is a regular full partition with 8 regular stud framing and regular finish on both sides. 9 So it is not openable. It is a solid partition. 10 MS. TUBMAN: Did you make that 11 change at my request? 12 MR. FINELLI: I did. 13 MS. TUBMAN: In consultation with 14 our parking consultant, correct? 15 MR. FINELLI: I did. 16 MS. TUBMAN: And the purpose of that 17 closure was to reduce the floor space available for 18 prayer; is that correct? 19 MR. FINELLI: Correct. 20 MS. TUBMAN: Would you describe the 21 additional change to this exhibit, A-5. 22 MR. FINELLI: Certainly. So the 23 rest -- the other change also is regarding the other 24 set of multipurpose rooms on the south side of the main 25 worship space between the main worship space and the</p>

<p style="text-align: right;">Page 9</p> <p>1 parking lot farther to the south. 2 Those spaces were intended for various uses 3 within our program, and one of them would have been and 4 is to expand the available prayer space so it's one 5 contiguous space. 6 In the original submission that plan was 7 separated from the main worship space again by movable 8 partitions or sliding partitions that go into pockets 9 and then open up the space into one big area. 10 This drawing shows that partition separation in 11 lines just to delineate where it will be when it is 12 closed, but it opens up the entire space and lays out 13 for your review a maximum amount of prayer mat spaces. 14 So we had a lot of discussion about occupancy and 15 how we calculated occupancy, and this drawing shows the 16 maximum occupancy of the entire space. The main 17 worship space as well as the multipurpose spaces open 18 up into one contiguous worship space. 19 MS. TUBMAN: And Mr. Finelli was not 20 here at the last hearing, but that was the available 21 worship space to which Henry Ney as our parking 22 consultant testified with the northern area closed off 23 and the southern area open. Would you also describe 24 the mat layout. 25 MR. FINELLI: Certainly. The mat</p>	<p style="text-align: right;">Page 11</p> <p>1 MR. FINELLI: Correct. 2 MS. TUBMAN: The number of southern 3 multipurpose spaces that declined from 97 to 70. Can 4 you explain that? 5 MR. FINELLI: Yeah. We accommodated 6 -- when we had this discussion and we were trying to 7 get to that number without going through a more 8 comprehensive drawing study we explained that the space 9 had to accommodate the means of egress. 10 The difficult calculation in this instance is 11 that all of our discussions whether it's been 12 discussions about parking or discussions about 13 occupancy we began a lot of these discussions using the 14 terminology "seating," how many seating spaces. So we 15 made this correlation of seating spaces to prayer 16 spaces. 17 The difficulty when it comes to the construction 18 code is that the construction code looks at seating 19 spaces based on chairs or based on width and the linear 20 feet of a pew in an assembly use or tables and chairs 21 in another type of assembly use. 22 The fact that we are having mats on the floor 23 requires some discretion. On one hand it's essentially 24 a standing room only calculation. I've chosen to look 25 at this conservatively as if there were chairs.</p>
<p style="text-align: right;">Page 10</p> <p>1 layout is based on a 2-foot wide by 4 1/2-foot long 2 footprint. 3 Each of those mats would be as you see on the 4 drawing you are looking at at a regular grade on the 5 drawing, and those mats would be side to side and end 6 to end and would effectively fill that worship space. 7 They would fill the available space in the multipurpose 8 rooms except for areas that are delineated as egress 9 aisles. 10 So the space that you are seeing is prayer 11 spaces. You count them up our main space is 220. The 12 multipurpose space had 70 spaces. The space devoted to 13 women's prayer space is 30 and that is unchanged with 14 or without the multipurpose space. So three areas 15 together are total prayer mat spaces. 16 MS. TUBMAN: I sent you today 17 excerpts of your testimony from the January 28th and 18 January 29th hearing, correct? 19 MR. FINELLI: Yes, ma'am. 20 MS. TUBMAN: And the number of 21 congregants in the main prayer area is unchanged from 22 that testimony; is that correct? 23 MR. FINELLI: Correct. 24 MS. TUBMAN: And the number of 25 women's prayer spaces is unchanged, correct?</p>	<p style="text-align: right;">Page 12</p> <p>1 So we've looked at this in the most conservative 2 aspect from a life safety issue, and therefore, we have 3 dedicated egress aisles from the space to the means of 4 egress. So that accommodation of a dedicated aisle 5 width for egress is what has reduced the actual number 6 of mat spaces on the floor. 7 MS. TUBMAN: I have no other 8 questions related to this exhibit. Does the board have 9 questions? 10 MAYOR HAYES: Ms. Tubman, the 11 question is when putting the wall in, will the 12 multipurpose room be used during prayer? Earlier it 13 was no. Is the answer still no? 14 MS. TUBMAN: The answer I think 15 consistently was after this exhibit was submitted on 16 May 10th the multipurpose room to the north, the three 17 rooms to the north -- can you point them out, please -- 18 will be closed off and will not be used for worship. 19 The ones to the south could be used for worship, 20 and they were included in the parking calculations and 21 the occupancy calculations. 22 MAYOR HAYES: Thank you. 23 MR. FRANCO: I just have a question. 24 I've been analyzing occupancy load. You really can't 25 see things like that. You have to look at the building</p>

<p style="text-align: right;">Page 13</p> <p>1 realistically and all the spaces at all the time. What 2 is the occupancy of the building? 3 MR. FINELLI: The occupancy number 4 is unchanged at 437 occupants. 5 MR. FRANCO: But I believe when you 6 came up with that number you discounted some of the 7 spaces on the northern side. There were classrooms and 8 things like that that you said would not be used during 9 those periods, but -- 10 MS. TUBMAN: All the way over. 11 MR. FINELLI: Are you talking about 12 these spaces? 13 MR. FRANCO: -- you really have to 14 analyze the whole thing realistically. So what would 15 be the total number? 16 MR. FINELLI: I believe we testified 17 that the entire building or the maximum occupancy of 18 the building is 437. 19 MS. TUBMAN: There was also 20 testimony that those other spaces would not be used 21 during prayers. 22 MR. FRANCO: Okay. 23 MR. RODZINAK: That is your actual 24 occupancy number? 25 MR. FINELLI: That will be our</p>	<p style="text-align: right;">Page 15</p> <p>1 certain portions of the buildings but not other 2 portions of the building. Have you done layouts for 3 the rest of the building? 4 MR. FINELLI: Have I done mat 5 layouts? 6 MR. EISDORFER: That's correct. 7 MR. FINELLI: No. 8 MR. EISDORFER: You previously 9 tested that there was no architectural obstacle to 10 using the other parts -- portions of the building for 11 streaming or audio transmission of the services. Has 12 your testimony on that changed? 13 MR. FINELLI: No, it has not. 14 MR. EISDORFER: Now you used the 15 figure nine square feet as your mat space; is that 16 correct? 17 MR. FINELLI: Correct. 18 MR. EISDORFER: Previously your 19 testimony was you picked that number because you did an 20 Internet search and that seemed to be a characteristic 21 number; is that correct? 22 MR. FINELLI: That is correct. 23 MR. EISDORFER: I would like to show 24 you some mats. I think, Mr. Chair, I am going to want 25 to mark them. I'm not sure how we are marking these.</p>
<p style="text-align: right;">Page 14</p> <p>1 posted occupancy number. 2 MR. RODZINAK: Big difference in 3 those two numbers. 4 MR. RUSAK: The posted occupancy 5 number is 437? 6 MR. FINELLI: 437. 7 MR. RUSAK: Any other questions from 8 the board? If not, can we open this up to the public? 9 MS. TUBMAN: Certainly. 10 MR. RUSAK: Okay. Anyone from the 11 public that would like to come forward? 12 MR. EISDORFER: With the board's 13 permission I would like to approach the exhibit for a 14 few minutes. 15 MR. RUSAK: Surely. 16 MS. TUBMAN: Give him the microphone 17 so he can identify himself. 18 MR. RUSAK: Place state your name 19 for the record. 20 MR. EISDORFER: My name is Stephen 21 Eisdorfer. I'm with the firm of Hill, Wallack, LLP. 22 I'm the attorney for the Running Brook Homeowners 23 Association and Manor at Running Brook Homeowners 24 Association. 25 Mr. Finelli, I see you have marked mat layouts in</p>	<p style="text-align: right;">Page 16</p> <p>1 MR. COLLINS: Use an "O" number. Do 2 you think you have any "O" numbers already? 3 MR. EISDORFER: I don't believe so. 4 MR. COLLINS: You can mark them 5 yourself, Mr. Eisdorfer, but do share them with Ms. 6 Tubman. We'll mark them at least now for 7 identification as O-1 through whatever. 8 MR. EISDORFER: They will be O-1 9 through O-4. 10 (Whereupon O-1 through O-4 are 11 marked for identification.) 12 MR. COLLINS: Maybe you can explain 13 to Ms. Tubman what they are, and if she has any 14 objections we can -- we can hear them. 15 MR. EISDORFER: Okay. I am going to 16 show you a series of web pages from a -- from the 17 companies that sell Islamic products, and I am going to 18 show you and Mr. Finelli some prayer mats that are 19 available on the Internet. We'll test how good his 20 research is since that is the basis of his testimony. 21 I have copies of these for members of the board 22 as well. This is O-1. I've given you one more than I 23 can afford to give up. 24 Mr. Finelli, let me show you the document to be 25 marked O-1 for identification, and I'll represent to</p>

<p style="text-align: right;">Page 17</p> <p>1 you that this is a website that I printed out today 2 from the Islamic Bookstore. Is this one of the mats 3 that you looked at in your research? 4 MR. FINELLI: No, it is not. 5 MR. EISDORFER: Okay. So if you 6 look at this this is a three-person mat, yes? 7 MR. FINELLI: It says, "Large style 8 prayer rug." 9 MR. EISDORFER: "3 or more people," 10 yes? 11 MR. FINELLI: (No verbal response.) 12 MR. EISDORFER: And it says -- if 13 you look down at the product description it says, "This 14 43-inch by 82-inch large style prayer mat is great when 15 you want to put your prayer rugs down for a group or 16 groups of people. Each rug easily handles 3 or 4 17 worshippers, 5 if they are slim and skinny. 18 "Constructed of very high quality by artisans 19 from Turkey. Aka large size prayer mat. Good for 20 home, schools, musallas, small mosques and more." So 21 this is -- this is a prayer mat that you had looked at? 22 MR. FINELLI: No, it is not. 23 MR. EISDORFER: Can you calculate 24 what the square inches per person would be for this 25 square mat if we laid it out on your plan?</p>	<p style="text-align: right;">Page 19</p> <p>1 MR. FINELLI: Oh, I've seen these 2 mats. I discounted them. 3 MR. EISDORFER: I see. Well, let me 4 show you another one. If you don't like that one let 5 me show you another one. I am marking this as O-3. 6 Ms. Tubman, Mr. Finelli, once again I'm going to 7 represent to you that I downloaded this from the 8 Internet today. This is from Amazon.com. 9 "Islamic travel prayer mat with pocket sized 10 carry bag." It says, "Each mat measures 22 by 40 11 inches. These travel mats make the perfect gift for 12 businessmen, students and anyone else on the move." Is 13 this one of the mats that you looked at? 14 MR. FINELLI: I would not have used 15 a travel mat in calculating prayer space, no. 16 MR. EISDORFER: Now it is true that 17 on Friday services people will be coming mostly from 18 businesses; is that correct? 19 MR. FINELLI: I can't testify to 20 that. 21 MR. EISDORFER: Well, let me show 22 you one more. Maybe this is one you've looked at. Mr. 23 Chairman, I'm marking this as O-4. 24 Once again I am going to represent to you that 25 this is a page I downloaded from the web today. It's</p>
<p style="text-align: right;">Page 18</p> <p>1 MR. FINELLI: I mean, of course I 2 could. This is really a futile exercise. This is not 3 to be intended to be family-style worship mats, okay? 4 Now we visited -- I mean, I will repeat myself 5 again. We visited at least seven mosques. I didn't 6 see a single instance where there was more than one 7 person on a prayer mat. 8 MR. EISDORFER: Well, let me show 9 you O-2. I'll mark this as O-2 for identification. 10 This document was marked as O-2 for 11 identification. I'll represent to you that I 12 downloaded this from SimplyIslam.com. 13 It is described as a travel pocket prayer mat 14 with a compass for determining the direction of east, 15 and it is 100 by 60 centimeters and I have done that 16 arithmetic. By my calculation it's 39.4 inches by 23.6 17 inches. 18 Can you determine what the number of square 19 inches is for that? Is this one of the prayer mats 20 that you turned up in your research? 21 MR. FINELLI: I wouldn't have used 22 this in calculating the number of people in the mosque, 23 no. 24 MR. EISDORFER: Well, this is not 25 one of the ones that turned up in your research?</p>	<p style="text-align: right;">Page 20</p> <p>1 from the Alhannah website and it is a two-person prayer 2 rug. 3 It is described as, "A high quality wide 2 person 4 prayer rug. The large size of this rug comfortably 5 accommodates 2 adults. Great for family prayer, prayer 6 rooms or mosque use. Available in your choice of blue, 7 red or green. Measures about 40 by 44 inches." First 8 of all, is this a rug that you looked at in your 9 research? 10 MR. FINELLI: No. 11 MR. EISDORFER: Can you calculate 12 how much the floor space is per person? 13 MR. FINELLI: On this rug I could, 14 yes. 15 MR. EISDORFER: But you chose not 16 to? 17 MR. FINELLI: That's correct. 18 MR. EISDORFER: You won't mind if I 19 do the calculations, would you? 20 MR. FINELLI: I'm sure you did. 21 MR. EISDORFER: I do think it is 22 pertinent, but let's ask the hypothetical question just 23 for a moment. 24 Let's suppose -- let's suppose that we tiled the 25 prayer space with this last O-4, what I have shown you,</p>

<p style="text-align: right;">Page 21</p> <p>1 O-4. I want to make sure I understood how one would do 2 it. 3 So what one would do if one wanted to know one 4 would calculate what the area is in inches or feet, and 5 with my calculation it is 1,760 inches which is 880 6 inches per person which is 6.11 square feet per person. 7 One would take that calculation and if -- and one 8 would ask how many of these per hundred square feet 9 would you get and compare that with your nine-foot, 10 square rug. Is that how I would figure out the 11 difference? 12 MR. FINELLI: Yes. 13 MR. EISDORFER: Tell me how. 14 MR. FINELLI: You want that for 15 skinny people or fat people? 16 MR. EISDORFER: I am going to assume 17 it is for two people which is what is described. 18 We understand that the larger rug is designed for 19 three people, four people. Fits easy for four and five 20 if skinny, but I am going to assume two. 21 MR. FINELLI: So let's start with 22 the gross square footage and let's deduct the gross 23 width of the aisle, and after I deducted what I'm 24 required to have for egress width that would give me a 25 net square footage. The net square footage is what I</p>	<p style="text-align: right;">Page 23</p> <p>1 MR. EISDORFER: Do the main prayer 2 space and we'll extrapolate. 3 MR. FINELLI: How about the women's 4 because the map is easier? Is that okay? 5 MR. EISDORFER: Sure. 6 MR. FINELLI: Women's is 26 by 20. 7 MR. EISDORFER: So then how much did 8 you take out for your aisle? 9 MR. FINELLI: I have 5 times 20, 10 that's 100 square feet. I have 4 times 26, that's 11 another 108 square feet and that's at least the minimum 12 egress width. 13 MR. EISDORFER: So what's your net 14 square footage? 15 MR. FINELLI: I'm doing it in my 16 head, you got the pencil. 520 minus 208, 412. 17 MR. EISDORFER: Okay. 18 MR. FINELLI: So take 412 and divide 19 by -- 20 MR. EISDORFER: Okay. So if I 21 wanted to figure out how many of O-4 would fit instead 22 of dividing by nine I divided by 6.11 and that would 23 give me -- 24 MR. FINELLI: Let's finish the 25 number first. So the 412 divided by nine is what?</p>
<p style="text-align: right;">Page 22</p> <p>1 would divide by my prayer space mats. 2 MR. EISDORFER: Have you done that? 3 MR. FINELLI: I did, that's how I 4 arrived at this number and that would give me a general 5 idea of what can fit in the space. 6 MR. EISDORFER: Okay. 7 MR. FINELLI: If I can finish I 8 think I can be clear about the number. That's just a 9 map. Again, that's taking gross square footage and 10 taking out egress width aisles, that is just square 11 footage. 12 If I take the gross square footage and divided by 13 nine it gives me a number, but that number may not be 14 what I calculated here because I still have to put 15 those prayer mats into the space. 16 So there is some leftover space. It's probably 17 the number of prayer mats here based on nine square 18 feet based on 2 by 4 1/2 feet. It is probably less by 19 a few than the simple mat that you have given me with 20 that ratio. 21 MR. EISDORFER: So what is the gross 22 square footage that you started with? 23 MR. FINELLI: If we are going to 24 talk about just the main -- do you want -- can we do 25 the main prayer space or --</p>	<p style="text-align: right;">Page 24</p> <p>1 A VOICE: 312. 2 MR. FINELLI: The nine divided by 3 312 was 33 give or take. 4 MR. EISDORFER: Yeah, roughly. 5 MR. FINELLI: 33 and I have 30 6 spaces in there. So I've lost some, that's that buffer 7 for the odd-dimension spaces. So now you want to take 8 the 312 and divide it by -- 9 MR. EISDORFER: -- 6.11. 10 MR. FINELLI: So it's roughly 50. 11 MR. EISDORFER: Okay. I have no 12 further questions. 13 MS. TUBMAN: I can start again? 14 When you were asked to do this mat layout, is that 15 because the ordinance does not address other than 16 benches and seats? 17 MR. FINELLI: Correct. 18 MS. TUBMAN: And were you trying to 19 extrapolate the equivalent of a bench or a seat? 20 MR. FINELLI: That's correct. 21 MS. TUBMAN: Were you -- does the 22 ordinance provide a width for seats? 23 MR. FINELLI: It does not. 24 MS. TUBMAN: Does it provide a width 25 for benches of 72 inches?</p>

<p style="text-align: right;">Page 25</p> <p>1 MR. FINELLI: Correct.</p> <p>2 MS. TUBMAN: Can benches be smaller</p> <p>3 or longer than 72 inches?</p> <p>4 MR. FINELLI: They can, yes.</p> <p>5 MS. TUBMAN: And would that impact</p> <p>6 the number of persons it might accommodate?</p> <p>7 MR. FINELLI: Yes.</p> <p>8 MS. TUBMAN: So did you do the best</p> <p>9 calculation you could to determine the seat or bench</p> <p>10 equivalency?</p> <p>11 MR. FINELLI: We did, yes. I don't</p> <p>12 have that number off the top of my head.</p> <p>13 MS. TUBMAN: No further questions</p> <p>14 here.</p> <p>15 MR. FRANCO: Mr. Chairman, if I can</p> <p>16 ask a question.</p> <p>17 MR. RUSAK: Sure.</p> <p>18 MR. FRANCO: Mr. Finelli, that is</p> <p>19 considered a place of assembly.</p> <p>20 MR. FINELLI: I didn't hear.</p> <p>21 MR. FRANCO: The worship place is</p> <p>22 considered a place of assembly, correct?</p> <p>23 MR. FINELLI: Yes, sir.</p> <p>24 MR. FRANCO: And as being that it is</p> <p>25 required to be separately posted, correct?</p>	<p style="text-align: right;">Page 27</p> <p>1 line is how many people will be there in the prayer</p> <p>2 room, that's the calculations you have to come up with.</p> <p>3 MR. FINELLI: You're correct in what</p> <p>4 -- your conclusion is correct, but the zoning ordinance</p> <p>5 recognizes occupancy and everything is working</p> <p>6 backwards from impact; the impact on the environment,</p> <p>7 the impact on the neighborhood, the impact on the</p> <p>8 streets and so parking is a strong consideration.</p> <p>9 Parking is based on how many occupants. The</p> <p>10 occupants in assembly use is based on typically how</p> <p>11 many seats there are. A restaurant is based on how</p> <p>12 many seats in a restaurant. A theater is based on how</p> <p>13 many seats in a theater. In a traditional church or</p> <p>14 temple it's based on the number of seats or pews in</p> <p>15 those spaces.</p> <p>16 So we have a space that just unfortunately hasn't</p> <p>17 been defined or qualified yet by the Land Use Ordinance</p> <p>18 so we have to give a comparison.</p> <p>19 We have to give our best understanding and try to</p> <p>20 bring the two together in a way that makes sense so we</p> <p>21 can then take that number and work backwards or work</p> <p>22 forwards to the occupancy and parking impact on the</p> <p>23 neighbor.</p> <p>24 MR. MALLELA: The only thing I</p> <p>25 understand the Hindu temple, for instance, there are no</p>
<p style="text-align: right;">Page 26</p> <p>1 MR. FINELLI: Yes.</p> <p>2 MR. FRANCO: And you set up your</p> <p>3 occupancy load as 320 utilizing all the spaces?</p> <p>4 MR. FINELLI: Yes, 220 plus 30 is</p> <p>5 250 plus 70 is 320.</p> <p>6 MR. FRANCO: By law that is the</p> <p>7 total?</p> <p>8 MR. FINELLI: That is, yes, sir.</p> <p>9 MS. TUBMAN: Are there questions of</p> <p>10 Mr. Finelli on this exhibit?</p> <p>11 MR. RUSAK: Are there any other</p> <p>12 questions from the public? Please come forward.</p> <p>13 MR. MALLELA: Shiv Mallela,</p> <p>14 M-a-l-l-e-l-a, last name.</p> <p>15 The question I have is you keep citing the talks</p> <p>16 about seats, the ordinance that talks about seats, but</p> <p>17 obviously that ordinance doesn't take into account that</p> <p>18 praying, you know, style or whatever is different for</p> <p>19 different religion.</p> <p>20 For instance, I go to the Hindu temple. There</p> <p>21 are no seats. You can stand shoulder to shoulder. So</p> <p>22 why do you frame everything in seats? Ultimately it's</p> <p>23 how many people, right?</p> <p>24 So my question to you is why do you keep saying</p> <p>25 you have to frame it in seats? I thought the bottom</p>	<p style="text-align: right;">Page 28</p> <p>1 seats. Nobody sits, everybody stands.</p> <p>2 To try to put a framework of a seat in an</p> <p>3 assembly where nobody sits, everybody stands shoulder</p> <p>4 to shoulder. How would you put a framework on that?</p> <p>5 How would you define the aisles or how would you define</p> <p>6 anything?</p> <p>7 MR. FINELLI: Unfortunately I am not</p> <p>8 working on Hindu temples.</p> <p>9 MR. MALLELA: You claim you are</p> <p>10 putting something here which doesn't exist.</p> <p>11 For instance, you said you allowed for five feet</p> <p>12 between aisle for the aisle width. So you are assuming</p> <p>13 one prayer mat, five feet of space, another prayer mat.</p> <p>14 How do you know that's the way that they do it?</p> <p>15 MR. FINELLI: Well, we are going to</p> <p>16 help them govern how they do it, that's what --</p> <p>17 MR. MALLELA: I'm sorry, go ahead.</p> <p>18 MR. FINELLI: How do we build</p> <p>19 anything? We have plans. They follow the rules. We</p> <p>20 have rules, they follow the rules. We are going to</p> <p>21 create a layout.</p> <p>22 It's no different than the parking lot. We have</p> <p>23 striped parking spaces and people park in the spaces.</p> <p>24 It's the same thing in the building.</p> <p>25 MR. MALLELA: There's no structure.</p>

<p style="text-align: right;">Page 29</p> <p>1 There's nothing fixed. You can make any assumptions 2 you want, but it doesn't mean anything. 3 For instance, have you seen pictures of how 4 people -- for instance, have you seen pictures of large 5 prayer gatherings where people put mats almost like -- 6 you know, I never seen five feet between mats. I can 7 show you pictures. You can go to the Internet and take 8 a look at pictures. 9 MS. TUBMAN: Just a minute. Ralph, 10 the speaker is assuming five feet between each mat. 11 MR. MALLELA: No, I am. 12 MR. FINELLI: There is a single 13 aisle that's five feet wide. 14 MR. MALLELA: How many rows are you 15 talking about? 16 MR. FINELLI: Then ten rows front to 17 back, 17 rows left to right. 18 MR. MALLELA: So you are assuming 19 the aisle. 20 MR. FINELLI: They're shoulder to 21 shoulder, front to back. 22 MR. MALLELA: I'm sorry. So you are 23 assuming aisle between -- 24 MR. FINELLI: No. 25 MR. MALLELA: Because when you first</p>	<p style="text-align: right;">Page 31</p> <p>1 two reasons. I'm not going to assume a slightly 2 smaller mat because we are not working in 3 hypotheticals. 4 We did a lot of studies and talked to a lot of 5 people, and the nine-foot, square mat is a relative 6 standard. It is a very common mat size. 7 Besides that, we've also testified and the answer 8 I just gave to the gentleman on the board we will have 9 a posted occupancy limit and that posted occupancy 10 limit in the assembly space will be 320 persons. 11 So it really shouldn't matter if they bring their 12 own mat if there is a pattern in the carpet. There 13 will be 320 persons and that will be the maximum number 14 of people in the space. 15 MR. MALLELA: You said your 16 calculation is conservative. 17 MR. FINELLI: Yes. 18 MR. MALLELA: What's conservative 19 about this? 20 MR. FINELLI: Conservative about 21 this is, as I said, without furniture in the space -- 22 without furniture in assembly space the maximum limit 23 can be based on standing room. 24 I did not do it based on standing room. I did 25 this based on actual prayer mat as a standard nine</p>
<p style="text-align: right;">Page 30</p> <p>1 testified the last time I thought your assumption was 2 based on almost like -- 3 MR. FINELLI: No. 4 MR. MALLELA: No? 5 MR. FINELLI: No. 6 MR. MALLELA: It was always this? 7 MR. FINELLI: It was always this. 8 We just didn't have a drawing. 9 MR. MALLELA: Thank you. Now let me 10 ask another question. 11 So basically you are saying that your 12 calculations now are the same as before in terms of 13 other than the fact that you eliminated certain -- a 14 certain part of the area per square foot. So occupancy 15 is still the same in your calculations? 16 MR. FINELLI: Well, the occupancy 17 didn't change and the square footage didn't change so 18 it's the same. 19 MR. MALLELA: It is the same? 20 MR. FINELLI: It is the same. 21 MR. MALLELA: Another question I 22 have is when you say "conservative" if you assume it's 23 a slightly smaller mat you can easily increase the 24 occupancy by another 10, 20 percent, right? 25 MR. FINELLI: Well, no, I can't for</p>	<p style="text-align: right;">Page 32</p> <p>1 square feet and a dedicated -- 2 MR. MALLELA: So conservative is 3 your number like a smaller number. What is the 4 minimum? 5 MR. FINELLI: It is a safer number. 6 My responsibility is to life safety. It's not parking 7 lot trip generations. It is the life safety inside the 8 building. So when I say "conservative," I mean it is 9 on the safe side of where that number could be. 10 MR. MALLELA: So are you saying that 11 the occupancy will be monitored by somebody? Will they 12 be counting seats or certain amount of people will be 13 turned away? 14 MR. FINELLI: I'm saying they will 15 -- like most assembly places they will have an idea of 16 how many people are in the space. They should, yes. 17 MR. MALLELA: Most of the time. 18 MR. FINELLI: I'm not going to tell 19 them to take tickets, but there should be -- there is 20 an assessment of how filled the space seems. 21 MR. MALLELA: I want to come back to 22 the partition now being an affixed wall rather than a 23 movable partition. 24 If at a later time it was decided to replace that 25 with a mobile partition, is that something you would</p>

<p style="text-align: right;">Page 33</p> <p>1 have to approach the board? 2 MR. FINELLI: You would have to 3 approach the board. It's just like taking any building 4 permit and you take drawings. 5 MS. TUBMAN: I am going to interrupt 6 because we would accept as a condition of approval that 7 that wall has to be fixed. 8 So in order to convert it to a movable partition 9 we would have to return to this board for relief of a 10 condition of approval. 11 MR. MALLELA: Now this is a question 12 I have about the mats like the gentleman was asking 13 about the larger mats with two people, three people. 14 You said you never seen that, but the fact that 15 they sell them mean somebody is buying them, right? 16 MR. FINELLI: I imagine somebody is 17 buying them, sure. 18 MR. MALLELA: For somebody buying 19 them could be people that come to this mosque too. 20 There's no reason to believe people who come to this 21 mosque would not be buying the larger mats, right? 22 MR. FINELLI: I have no idea what 23 they are buying. 24 MR. MALLELA: But it is possible 25 that the number could be larger.</p>	<p style="text-align: right;">Page 35</p> <p>1 duly sworn.) 2 MR. COLLINS: Please spell your last 3 name. 4 MS. SCATURRO: S-c-a-t-u-r-r-o. 5 MR. COLLINS: Thank you. 6 MS. SCATURRO: Sure. You mentioned 7 320 is occupancy now, but then earlier there was a 8 discussion of an occupancy number of 400 and change. 9 What was the difference between the two? 10 MR. FINELLI: The 320 is the number 11 for the main, for this space, the main prayer space. 12 The 437 was the entire -- the number for the entire 13 building. 14 MS. SCATURRO: So how does that -- 15 who monitors that? 16 MR. FINELLI: The assembly use has a 17 posted limit at every ingress and egress. When you 18 came through those doors and you saw that placard on 19 the wall that told whoever coming in how many people 20 are allowed in the space. 21 It is a passive monitoring system, but it is 22 monitoring the other spaces in the building by a 23 program that we had discussed and testified to 24 previously that will govern the occupancy of the rest 25 of the rooms, but if there are assembly rooms then they</p>
<p style="text-align: right;">Page 34</p> <p>1 MR. FINELLI: I understand, but the 2 bottom line is -- bottom line is that whatever they buy 3 there will not be more than 320 of them in that space. 4 MR. MALLELA: So you're saying that 5 no matter what the size of the mat they bring it's 6 limited to 320? 7 MR. FINELLI: That's correct. 8 MR. MALLELA: Even if all the aisles 9 and all that are maintained? Let's say they maintain 10 the same egress aisles. It still cannot be more than 11 317? 12 MR. FINELLI: That's correct. 13 MR. MALLELA: I guess that's all I 14 have, thank you. 15 MR. FINELLI: You're welcome. 16 MR. RUSAK: Any other questions from 17 the public? 18 A VOICE: I have a question. 19 MR. RUSAK: Come forward. State 20 your name. 21 MS. SCATURRO: My name is Elizabeth 22 Scaturro, 1178 Fairfield Road. 23 MR. COLLINS: Please raise your 24 right hand. 25 (Whereupon Elizabeth Scaturro is</p>	<p style="text-align: right;">Page 36</p> <p>1 will likewise be posted and the building itself will be 2 posted. 3 MS. SCATURRO: So I guess the 4 question for the township -- I don't know who this 5 would go to. 6 MR. COLLINS: Right now you have to 7 focus your questions on Mr. Finelli because he is the 8 witness we are addressing. You must address your 9 questions to Mr. Finelli. 10 MS. SCATURRO: Okay. Given this is 11 the first meeting that I've been to I haven't had an 12 opportunity to understand traffic flow, what's been 13 discussed there, but in prior experiences which I'm 14 sure you've looked at with this type of prayer setting, 15 do they seem to max occupancy? 16 Have you seen situations in the past whereby 17 occupancy limits have been exceeded and there have been 18 problems in terms of parking, congestion, et cetera? 19 MR. FINELLI: I can only tell you 20 what I saw and I'm repeating my previous testimony, but 21 I did seven other mosques with the leadership of 22 AlFalah granted. 23 We went on weekdays for midmorning to 24 midafternoon meetings. So I didn't go on a Friday or a 25 Saturday.</p>

<p style="text-align: right;">Page 37</p> <p>1 MS. SCATURRO: What's the most 2 popular? 3 MR. FINELLI: Friday. End of day 4 Friday is the -- or Saturday is the biggest. 5 MS. TUBMAN: It is Friday midday. 6 MR. FINELLI: Friday midday. So we 7 did go to a couple. The ones that I visited were never 8 maxed out, but that's just my own personal experience. 9 So it's, you know, hard to say. 10 MS. SCATURRO: That's all for now, 11 thank you. 12 MR. FRANCO: Mr. Finelli, you had 13 said this was analogous to a parking lot. Is it your 14 intent to stripe? 15 MR. FINELLI: We haven't discussed 16 how we would -- whether we would use a patterned carpet 17 or whether some other fashion. We have not assessed 18 that. 19 MR. FRANCO: But designating areas 20 where mats would go and egress aisles? 21 MR. FINELLI: Yes, we would do that. 22 The places we visited were both, some where the carpet 23 was patterned and some areas where the pattern was in a 24 larger sense. 25 MR. FRANCO: So if someone would</p>	<p style="text-align: right;">Page 39</p> <p>1 (Whereupon Samuel Coleman is duly 2 sworn.) 3 MR. COLLINS: Please spell your last 4 name. 5 MR. COLEMAN: C-o-l-e-m-a-n. 6 MR. COLLINS: Go ahead. 7 MR. COLEMAN: You mentioned that 8 what you have here is space for 320 people. 9 MR. FINELLI: In the prayer space, 10 yes. 11 MR. COLEMAN: If you can accommodate 12 320 people in the prayer space I would assume that's 13 320 people attending separately coming by cars. Do we 14 have parking spaces for 320 cars? 15 MR. FINELLI: I don't -- 16 MS. TUBMAN: You can't testify to 17 that. I'm sorry, sir. Mr. Coleman, we've had both 18 parking and traffic testimony and our architect can't 19 answer that question. 20 MR. COLEMAN: Can anybody answer it? 21 MR. COLLINS: Sir, that was part of 22 the hearing. You missed prior nights. It's already 23 been discussed. 24 MR. COLEMAN: Okay. 25 MS. JACKEWICZ: Hello, Brooke</p>
<p style="text-align: right;">Page 38</p> <p>1 come they know exactly where to put their prayer mat? 2 MR. FINELLI: Yes. 3 MS. CHAFOS: My name is Tammy 4 Chafos. 5 MR. COLLINS: Were you previously 6 sworn? 7 MS. CHAFOS: No. 8 (Whereupon Tammy Chafos is duly 9 sworn.) 10 MR. COLLINS: Please spell your last 11 name. 12 MS. CHAFOS: C-h-a-f-o-s. 13 MR. COLLINS: Go ahead. 14 MS. CHAFOS: I'm sorry, I haven't 15 been to a prior meeting, and I have one question in 16 regards to are there going to be speakers or some type 17 of communication system on the exterior of the mosque? 18 MR. FINELLI: The answer is no. 19 MS. CHAFOS: That's all I have, 20 thank you. 21 MR. COLEMAN: Samuel Coleman, 810 22 Papen Road. 23 MR. COLLINS: Sir, were you 24 previously sworn? 25 MR. COLEMAN: No.</p>	<p style="text-align: right;">Page 40</p> <p>1 Jackewicz. I've been sworn in in previous testimony. 2 Several months ago Mr. Ney had testified that his 3 study was based on 1.37 people per car. Now based on 4 the occupancy of 437 there would be a need for 518 5 spaces which we know the actual parking spaces for this 6 site is only 171. 7 How do you plan to kind of coordinate with the 8 parking? You said that your numbers, 437, are based on 9 the parking need, that is how you came up with the 10 occupancy, correct? 11 MR. FINELLI: No, no, we came up 12 with occupancy based on a program using spaces. 13 MS. JACKEWICZ: So I guess is your 14 occupancy going to be changed based on the parking or 15 is there some way for these -- other means for these 16 people to come to the building? 17 MR. FINELLI: I can't testify on Mr. 18 Ney's report. 19 MS. JACKEWICZ: I guess I'll have to 20 read back in the testimony because I really thought you 21 said that you based the occupancy of the building based 22 on the parking need or the parking spaces available. 23 MR. FINELLI: No, we designed the 24 building spaces and, you know, we actually have less 25 pavement than the previous use and things like that.</p>

<p style="text-align: right;">Page 41</p> <p>1 So I think I would have to look at Mr. Ney's report. 2 MS. JACKEWICZ: Is it possible for 3 you to speak with Mr. Ney or Mr. Folk, I'm not sure 4 parking/traffic-wise who really is responsible for 5 that, to come up with an answer to clarify how 437 6 people are going to fit into 170 spaces based on the 7 traffic study that was done? 8 MR. FINELLI: I'm sure his report 9 will address it. 10 MS. TUBMAN: The report is on file. 11 The testimony was last month and there is a transcript 12 available. 13 MS. JACKEWICZ: I understand that, 14 but even though there is a transcript available as I 15 stated the transcript says 1.37 people per car based on 16 170 spaces, that's not enough spaces as you know to -- 17 that's not enough spaces for 437 people. 18 So can you speak with Mr. Ney and figure out how 19 many people are going to be able to park at the 20 facility versus how many people allowed in the facility 21 and just elaborate a little? 22 If 437 people are allowed in the building to 23 occupy the building or any area of the building at any 24 time, how will they be getting there? 25 MR. FINELLI: I think we are going</p>	<p style="text-align: right;">Page 43</p> <p>1 testimony that you had from the architect, did you not 2 mention -- maybe I got it wrong -- that they put the 3 corridor and solid wall, and you had mentioned you did 4 that in reflection of -- 5 MS. TUBMAN: That's exactly correct. 6 Mr. Ney at the last hearing testified as to the parking 7 studies he did. We saw the preliminary numbers based 8 upon his testimony. 9 I directed Mr. Finelli to wall off the 10 multipurpose space to the north of the main prayer area 11 so that we would not have more prayer area than could 12 be accommodated for parking. 13 MAYOR HAYES: And was there a 14 quantitative discussion? 15 MS. TUBMAN: There was a square 16 footage correlation based upon Mr. Ney's parking 17 studies. 18 MAYOR HAYES: So do you have it at 19 your availability? It is an architectural change to 20 accommodate the number that is a result of the parking 21 study. 22 MS. TUBMAN: That is correct. 23 MAYOR HAYES: And do you have at 24 your ready the quantitative discussion there? I mean, 25 that seems to be what the question was related to.</p>
<p style="text-align: right;">Page 42</p> <p>1 to have to rely on Mr. Ney's testimony. I can't 2 elaborate further on his testimony. 3 MS. JACKEWICZ: Just one more time 4 though. His previous testimony does not cover this so 5 I'm asking in the future, can everybody get together 6 and figure it out? 7 MR. FINELLI: If the board wants 8 more information from Mr. Ney I'm sure they will 9 address it. 10 MS. JACKEWICZ: Ms. Tubman, can you 11 provide that or get that addressed? 12 MS. TUBMAN: As far as I can see 13 reading the transcript Mr. Ney has completed his 14 testimony. 15 MS. JACKEWICZ: So this will not be 16 answered? 17 MS. TUBMAN: Based upon the maximum 18 occupancy of the worship space. 19 MS. JACKEWICZ: So potentially I am 20 left to assume my neighborhood will be filled with cars 21 from the overflow for the 437 people occupancy. 22 MS. TUBMAN: I'm sorry, that is not 23 a question. 24 MS. JACKEWICZ: Got it, thank you. 25 MAYOR HAYES: Excuse me. The</p>	<p style="text-align: right;">Page 44</p> <p>1 MS. TUBMAN: The quantitative 2 discussion was based upon Mr. Ney's accounting that you 3 need so many parking spaces per 1,000 square feet. 4 It's reflected in last month's transcript, and 5 based upon the number of thousands of square feet of 6 prayer area in the initial submission at my direction 7 Mr. Finelli removed the three northern multipurpose 8 spaces from that calculation. 9 MAYOR HAYES: So then can we assume 10 that you brought those two numbers into agreement? 11 MS. TUBMAN: That is correct and 12 that was Mr. -- I'm sorry. 13 MAYOR HAYES: So the space meets the 14 traffic study number? 15 MS. TUBMAN: The space meets the 16 parking number and that was Mr. Ney's testimony last 17 month. 18 MAYOR HAYES: Thank you. 19 MR. RUSAK: Yes, sir. 20 MR. OROZCO: Wilson Orozco, 826 Mine 21 Road. So far it is my understanding that the scope of 22 your work that you've done so far is to the mat area 23 and how many occupants will fill the prayer room. 24 MR. FINELLI: For this drawing, yes. 25 MR. OROZCO: Having said that, are</p>

<p style="text-align: right;">Page 45</p> <p>1 you aware that -- has there been any kind of hint of 2 any off-site parking to mitigate any kind of parking 3 issues in order to be able to fill the prayer area with 4 occupants -- 5 MR. FINELLI: I am not aware of any. 6 MR. OROZCO: -- like off-site 7 parking or utilizing the mall as a staging area? 8 MR. FINELLI: I am not aware of any 9 of that. 10 MR. OROZCO: You are not aware of 11 any of those plans. Okay, thank you. 12 MR. MALLELA: Shiv Mallela. I just 13 wanted to ask questions based on this most recent 14 discussion. 15 Now you have no way of knowing whether the 16 parking spot or the number of seating that you came up 17 with, 437, will meet the parking spaces, right, you 18 have no way of knowing that? 19 MR. FINELLI: Based on the 20 information provided by our parking expert I would say 21 I do. 22 MR. MALLELA: Because the lady 23 pointed out -- I have in my notes Mr. Ney who was here 24 who observed the whole bunch of mosques and Cedar Brook 25 and a whole bunch of mosques, and his calculation was</p>	<p style="text-align: right;">Page 47</p> <p>1 other various experts are all together. They all jive. 2 The number of parking spaces and the occupancy 3 are based upon the same studies in every experts' area 4 of expertise. 5 MR. MALLELA: So let me understand 6 this. I thought the number that you cited was 437 per 7 maximum number of worshippers. 8 MR. FINELLI: No. 9 MR. MALLELA: No? 10 MR. FINELLI: No, no, 437 for the 11 entire building, the total building. The worship space 12 is 320 occupants and in the central space. 13 MR. MALLELA: The multipurpose area 14 which was eliminated, how many? I thought you had 15 about 70 seats. Am I wrong? 16 MR. FINELLI: You are wrong, yeah. 17 We added the southern multipurpose rooms to the worship 18 space. It's contiguous to the space. It's just on the 19 other side of a movable partition. 20 So if I expand the multipurpose space toward the 21 parking lot -- south toward the parking lot then it 22 becomes part of one contiguous, big space, that's the 23 additional 70 spaces, that's the additional space 24 necessary. 25 Our very first presentation we had multipurpose</p>
<p style="text-align: right;">Page 46</p> <p>1 that they observed occupancy per car of 1.37. I am 2 telling you what the gentleman said. 3 So if you have 437, you know, worshippers there 4 at 1.37 per car you are looking at at least 300 parking 5 spaces. 6 MR. FINELLI: But the worship space 7 is 320. 8 MR. MALLELA: I thought 437. 9 MR. FINELLI: 437 is the entire 10 building, worship space is 320. 11 MR. MALLELA: Even with 320 with 12 1.37 you still need about 220, about 200 at least, 13 right? 14 MS. TUBMAN: No, that was Mr. Ney's 15 testimony. Mr. Ney was the appropriate witness whom to 16 ask those questions at the last meeting. This witness 17 cannot, he is an architect. 18 MR. MALLELA: I am basing it on the 19 statement made that it meets current occupancy. 20 Current occupancy meets the parking spaces that you 21 have. 22 MR. FINELLI: What I'm saying is our 23 numbers jive. 24 The numbers that we were given to work with that 25 were arrived at in discussions with the board and the</p>	<p style="text-align: right;">Page 48</p> <p>1 rooms on the north side of the space that were also 2 separated by a movable partition. We eliminated that 3 partition. 4 It is a hard partition. It can't be breached. 5 So that space is no longer available for worship space 6 so it is limited to 320 persons. 7 MR. MALLELA: Now I'm totally 8 confused. I thought the original numbers were around 9 500. 10 MR. FINELLI: The only number that I 11 have testified to is 437 persons in the entire 12 building, and the only number that has changed is the 13 worship space because we've cut out the potential of 14 these northern multipurpose rooms to be used. 15 MR. MALLELA: How many spaces does 16 that eliminate? 17 MR. FINELLI: I forget the 18 difference, but our number at this point is 320 persons 19 in the worship space for maximum posted occupancy 20 limit. 21 MR. MALLELA: Okay. With 320 you 22 still are looking at about 230, 240 parking spaces. 23 MR. FINELLI: I really can't do 24 that, I don't know. I know inside. 25 MR. MALLELA: 320 divided by 240.</p>

<p style="text-align: right;">Page 49</p> <p>1 MR. FINELLI: That's not my area of 2 expertise. 3 MR. MALLELA: It's just math, but 4 I'm saying in a statement that meeting is something 5 that I guess somebody has to come back. 6 MR. FINELLI: There is a lot of 7 discussion between the board professionals and our 8 professionals and that revision to the plan reflected a 9 decision that would help bring those numbers -- 10 MR. MALLELA: So that means somebody 11 discussed with the board and everybody? 12 MR. FINELLI: We had a lot of 13 testimony. 14 MR. MALLELA: I have notes from the 15 testimony, thank you. 16 MS. TUBMAN: If there are no more 17 questions -- 18 A VOICE: I have one. 19 MS. TUBMAN: Sorry. 20 MS. CILLO: My name is Marianne 21 Cillo. I'm at 1174 Staffler Road. I haven't testified 22 before. 23 MR. COLLINS: Please raise your 24 right hand. 25 (Whereupon Marianne Cillo is duly</p>	<p style="text-align: right;">Page 51</p> <p>1 around and check and say nobody can be in these other 2 rooms? 3 MR. FINELLI: Well, the worship 4 space is solely used for worship function so there 5 wouldn't be people in those spaces. 6 MS. CILLO: I understand there 7 wouldn't be people. 8 I understand that the worship space -- from what 9 I understand the worship space is 320 for people, and 10 there is a little space over there, 30, for women 11 assuming maybe some of those 30 go with their husbands 12 so 320 total. I don't know what the other 70 is. I 13 assume the other south space of 70 is only male. 14 So it's only 30 for the women, but while the 15 assembly is going on, what stops the other 100-some 16 people being in the other rooms? Does somebody 17 physically go around and force people out? 18 What prevents people during worship -- I know 19 there is a wall. I want to know what prevents people 20 from being at this facility so that it's not 437 21 people. 22 MR. FINELLI: It's just this 23 program, you know, and the programmed use of the 24 building. 25 It's no different than this space. If you read</p>
<p style="text-align: right;">Page 50</p> <p>1 sworn.) 2 MR. COLLINS: Please spell your last 3 name. 4 MS. CILLO: "C" as in Charles, 5 i-l-l-o. 6 MR. COLLINS: Yes, ma'am. 7 MS. CILLO: I just have one question 8 I can't understand. 9 How do you control -- if the maximum occupancy is 10 437 and I understand that it's 320 for worship, how do 11 you control that 437 people are not in the room? 12 Are they going to, you know, lock these 13 multipurpose rooms? Is someone going to chase 14 everybody? How? I mean, how does that get controlled 15 if the maximum occupancy is 437? 16 MR. FINELLI: Well, the 437 is for 17 the entire building -- 18 MS. CILLO: I understand. 19 MR. FINELLI: -- and the 320 is for 20 the assembly space and it is posted. 21 MS. CILLO: I understand it is 22 posted, but that says to me 320 can be in the assembly 23 space. 24 Is there physically people removed from those 25 other spaces during the assembly? Does somebody go</p>	<p style="text-align: right;">Page 52</p> <p>1 the very first meeting that we tried to have in this 2 building there were more people. 3 MS. CILLO: I was here. 4 MR. FINELLI: The meeting got 5 cancelled and rescheduled to another day. So there is 6 a responsibility of the owners. 7 MS. CILLO: So what are the 8 guarantees that when 320 people are in this building, 9 you know, that nobody else enters? How does that get 10 monitored? 11 MR. FINELLI: Well, I mean, it's by 12 design. 13 It's by design of the program, it's by design of 14 the schedule and it's by the practice of how all of 15 these spaces function. They don't -- you know, it's 16 like overbooking a restaurant. They don't overbook the 17 building. 18 So the prayer spaces are designed for use at 19 those prayer times during the day, and those times 20 during the day with the midday Friday as an example 21 where the expectation is the largest congregational 22 prayer meeting of the week then the other rooms are not 23 scheduled for use. 24 MS. CILLO: I understand they are 25 not scheduled for use. I am asking what is the actions</p>

<p style="text-align: right;">Page 53</p> <p>1 that happen to prevent people being in those spaces?</p> <p>2 MR. FINELLI: It's just -- it is the</p> <p>3 management of the schedule of the use of the building</p> <p>4 like any other building.</p> <p>5 MS. CILLO: Now I have a question</p> <p>6 for the board because I understand you can't talk about</p> <p>7 parking.</p> <p>8 How does this work? How does it work if people</p> <p>9 weren't here for the parking testimony or when this</p> <p>10 other gentleman is doing the mathematical?</p> <p>11 MR. COLLINS: Ma'am, basically you</p> <p>12 are in a hearing and there is a record of that hearing,</p> <p>13 and you are entitled to look at that record.</p> <p>14 It's long, but it's verbatim by a</p> <p>15 transcriptionist, by the stenographer to your left. So</p> <p>16 they're expected to -- if you want to read it and to</p> <p>17 know that that's part of the record.</p> <p>18 So everything said to date is part of the record,</p> <p>19 and the remainder of the hearing will be on the record</p> <p>20 and that is a hearing. You have to stay for the</p> <p>21 hearing and that's what hearings are.</p> <p>22 MS. CILLO: But if there are further</p> <p>23 questions on this topic since they reengineered the</p> <p>24 space --</p> <p>25 MR. COLLINS: This is the last</p>	<p style="text-align: right;">Page 55</p> <p>1 now, but you have to ask within the next minute or two.</p> <p>2 MS. CILLO: I guess that's my only</p> <p>3 question. I guess I don't understand about parking,</p> <p>4 but I know I can't ask this gentleman parking so I'll</p> <p>5 leave it at that. I still don't understand 437 either,</p> <p>6 but --</p> <p>7 MR. RUSAK: Yes, sir.</p> <p>8 MR. OROZCO: Mr. Orozco. As the</p> <p>9 architect, what would your recommendation be if all of</p> <p>10 a sudden every single mat was being occupied and it was</p> <p>11 -- and you didn't have any more space for people that</p> <p>12 were coming in? What would your recommendation be to</p> <p>13 the AlFalah Center?</p> <p>14 MR. FINELLI: Plant another worship</p> <p>15 center somewhere else.</p> <p>16 MR. OROZCO: Or another service?</p> <p>17 MR. FINELLI: You asked my</p> <p>18 recommendation. My recommendation would be build</p> <p>19 another worship center somewhere else.</p> <p>20 MR. OROZCO: Wouldn't -- would it --</p> <p>21 wouldn't it be more prudent to tell them have a second</p> <p>22 service?</p> <p>23 MR. FINELLI: That might be your</p> <p>24 recommendation.</p> <p>25 MS. TUBMAN: I'm not certain whether</p>
<p style="text-align: right;">Page 54</p> <p>1 witness as far as we know. So if you have any</p> <p>2 questions about this witness you should try to finish</p> <p>3 it now.</p> <p>4 MS. CILLO: No, I think my question</p> <p>5 is --</p> <p>6 MR. COLLINS: No, there's no</p> <p>7 other --</p> <p>8 MS. CILLO: But they've reengineered</p> <p>9 --</p> <p>10 MR. COLLINS: You have to ask any</p> <p>11 questions you have of this witness now unless he gets</p> <p>12 called back down, but I doubt he will be called back</p> <p>13 again.</p> <p>14 So take a minute, compose your thoughts,</p> <p>15 focus your questions and ask them, that's the way it</p> <p>16 works.</p> <p>17 MS. CILLO: You reengineered the</p> <p>18 space so maybe it is to the attorney here.</p> <p>19 MR. COLLINS: No, it is to --</p> <p>20 MS. CILLO: I just don't understand.</p> <p>21 He reengineered the space, right? You are saying go</p> <p>22 back and look at the record and that's where you get</p> <p>23 the counsel on the parking.</p> <p>24 MR. COLLINS: No, you can ask</p> <p>25 whatever question is relative to this proceeding right</p>	<p style="text-align: right;">Page 56</p> <p>1 you were at the hearing at which the president</p> <p>2 testified, but he said that a second service was</p> <p>3 certainly an option. I do recognize you from prior</p> <p>4 hearings.</p> <p>5 MR. OROZCO: I recognize you also.</p> <p>6 MS. TUBMAN: Well, I'm happy to be</p> <p>7 back.</p> <p>8 MR. OROZCO: I'm happy too.</p> <p>9 MR. COLLINS: We're happy you're</p> <p>10 back.</p> <p>11 MR. OROZCO: So your response would</p> <p>12 be that you would tell them to get another building,</p> <p>13 right?</p> <p>14 MR. FINELLI: That would be my</p> <p>15 recommendation.</p> <p>16 MR. OROZCO: And if getting another</p> <p>17 building for your client wasn't feasible and as the</p> <p>18 president of the AlFalah Center said it probably be</p> <p>19 advantageous to open up a second service.</p> <p>20 I keep going back to the question how would the</p> <p>21 parking be handled, but I know it is not your scope,</p> <p>22 correct?</p> <p>23 MR. FINELLI: Correct.</p> <p>24 MR. OROZCO: And since it is not</p> <p>25 your scope I think the way to mitigate that would be to</p>

<p style="text-align: right;">Page 57</p> <p>1 have alternate parking, and then the parking of cars 2 going in and out would be mitigated because you will 3 have people parking in alternate locations such as the 4 mall or maybe by the Little League or everybody will 5 carpool, drive in and drop off, and then you will be 6 able to fill those two services. Does that sound 7 feasible or am I off base? 8 MR. FINELLI: Way off base. 9 MR. OROZCO: Really? How come? 10 MS. TUBMAN: He can't answer that 11 question. 12 MR. OROZCO: But is it possible? 13 MR. FINELLI: It seems -- it seems 14 like a bad idea to me. 15 Take other instances where a facility is used for 16 more than one service. They don't stack one after the 17 other. There's a couple hours off and couple hours on 18 so you give the facility a chance to completely empty, 19 get the building -- give the building a chance to 20 completely empty, give the parking lot a chance to 21 completely empty and couple hours later they come back. 22 It's like a split doubleheader. There would be 23 doubleheaders every Sunday, that doesn't happen 24 anymore. Seats are completely empty, the parking lots 25 have completely emptied and couple hours later they're</p>	<p style="text-align: right;">Page 59</p> <p>1 Is it possible or is it planned to put 2 loudspeakers or is it not going to be permitted to put 3 loudspeakers in the other rooms which would enable 4 additional worshippers since you do have occupancy 5 allowance of over 400? 6 MR. FINELLI: We have testified to 7 that previously. The testimony was that will not be 8 the case. 9 MS. GROSS: So you will have only 10 maximum 320 in the building at any time? 11 MR. FINELLI: No, I didn't say that. 12 I said the maximum amount of occupants in the worship 13 space is 320, that is the -- that will be the time the 14 building itself is most heavily used. 15 MS. GROSS: That's 320 persons at 16 the same time? 17 MR. FINELLI: We were asked to give 18 a calculation of the entire building based on the uses 19 of all the spaces. Based on the uses of all the spaces 20 that occupancy limit is 437 people. 21 MS. GROSS: So if you have 437 22 people in there you are actually -- I understand you 23 can't talk about the parking spaces, but actually 24 really prayer is five times a day. 25 MR. FINELLI: Correct.</p>
<p style="text-align: right;">Page 58</p> <p>1 filled back up. 2 MR. OROZCO: Is that truly the way 3 it is going to happen? 4 MR. FINELLI: I have no idea. You 5 asked my recommendation. My recommendation is to build 6 another building. 7 MR. OROZCO: Okay, thank you. 8 MS. GROSS: My name is Judy Gross. 9 I live at 977 Rector Road, Bridgewater. 10 MR. COLLINS: Were you previously 11 sworn? 12 MS. GROSS: No, I wasn't. 13 MR. COLLINS: Please raise your 14 right hand. 15 (Whereupon Judy Gross is duly 16 sworn.) 17 MS. GROSS: I apologize, I was 18 detained and I didn't hear the beginning of your 19 testimony. I have a question. 20 As I understand it from the time I came in there 21 is a wall now so that it restricts to 320 worshippers 22 at one time, correct? 23 MR. FINELLI: Correct. 24 MS. GROSS: Well, there are other 25 rooms that are available.</p>	<p style="text-align: right;">Page 60</p> <p>1 MS. GROSS: And you will have -- you 2 will be having people come in and out five times a day 3 with maximum of 320 each time, but you will have other 4 things going on at the same time. 5 MR. FINELLI: See, this is why the 6 numbers are -- this is why just looking at the numbers 7 it's not explaining the use of the building. 8 There's been a lot of testimony. So, you know, 9 if you're interested I would go back and read the 10 testimony, but there is a schedule. 11 There is a schedule to every part of the 12 building. Prayer is not the only thing on the 13 schedule. There are scheduled uses for all the rest of 14 the building. Not only was there testimony to that, 15 there is also testimony to the expectation of occupancy 16 at those other prayer times. 17 Yes, the prayers are five times a day, but there 18 is no expectation that this worship space is going to 19 be filled at sunrise on a Tuesday morning, that's just 20 the reality. There's no expectation of that. 21 So I think you have to read all the testimony 22 rather than just look at the numbers and assume I am 23 going to have 437 people vying for space within a 24 building. 25 MS. GROSS: I've seen many mosques</p>

<p style="text-align: right;">Page 61</p> <p>1 and I've lived in the Middle East and often every 2 prayer session is filled. 3 So when you say "expectation," I question whether 4 the expectations are applicable or not applicable to 5 Bridgewater, New Jersey. Thank you. 6 MR. LU: William Lu, L-u, from 7 Bridgewater. My question is when was that architecture 8 reengineered? 9 MR. FINELLI: I can tell you the 10 date of submission that we have posted on here is 11 August the 4th, that's just the date the drawing was 12 published. 13 MS. TUBMAN: There was a drawing. 14 Mr. Lu, if I can finish answering your question there 15 was a -- there was a drawing submitted that did not 16 have the mat layout but did have the hard wall 17 partition, that was submitted to the board with a 18 letter listing other exhibits as well on May 10, 2014. 19 So it's been in the record since then. 20 MR. LU: Okay. Is this consistent 21 with testimony of the president of AlFalah? 22 He was saying if the parking space occupied or 23 the building was fully occupied if they were exceed the 24 posted number of people in the building they will have 25 volunteer standing in the entrance to turn people away</p>	<p style="text-align: right;">Page 63</p> <p>1 service? 2 MR. FINELLI: Correct. 3 MS. OROZCO: Then why the need for 4 space for 437 people? What kind of activities would 5 you use that for? 6 The other question is during worship services, 7 would that mean if they have a daycare that they would 8 remove the children from the building for the worship 9 service and bring them back? I didn't understand that 10 part. 11 MR. FINELLI: I would just refer you 12 to previous testimony. 13 There is a schedule. There is a program of 14 functions and activities on and a daily schedule in the 15 testimony and that was given by others. I would refer 16 you to that. 17 MS. OROZCO: I was around for one of 18 the meetings when somebody talked about that, but I 19 didn't see anything like a posted document that 20 actually laid out the plans for the daily use of the 21 building and the times. 22 I guess I would be concerned if children were in 23 the building, and then they had worship services and 24 the children have to come out of the building. So what 25 accommodations would be made?</p>
<p style="text-align: right;">Page 62</p> <p>1 or send people to the close mosque which is 30 minutes 2 away. 3 MS. TUBMAN: Mr. Lu, you were there 4 at that hearing and you heard that testimony. This 5 witness was not. 6 MR. LU: So you are not aware of 7 that? 8 MS. TUBMAN: Were you here when 9 Yosef testified? 10 MR. FINELLI: No, I was not. 11 MR. LU: Okay. 12 MS. TUBMAN: Thank you. 13 MS. OROZCO: Kim Orozco. I wanted 14 to clear up a couple things I didn't understand and you 15 may not be able to answer. 16 You did say the building holds slightly over I 17 think 430 people maximum occupancy in every space that 18 is possibly available. 19 MR. FINELLI: 437. 20 MS. OROZCO: If you use 1.37 people 21 per car it's about 329 parking spaces that will be 22 required, but you are assuring the board and the 23 residents that you are not going to exceed the 320. 24 MR. FINELLI: 320. 25 MS. OROZCO: 320 for the worship</p>	<p style="text-align: right;">Page 64</p> <p>1 I may not understand and possibly in that faith 2 they wouldn't run a daycare on a Friday. So you are 3 saying that schedule would be in a record somewhere? 4 MR. FINELLI: Yes. 5 MS. OROZCO: Is there a way to pin 6 down what meeting that would have been discussed? 7 MR. COLLINS: You have to ask the 8 witness questions. 9 MS. OROZCO: Is there a way to 10 pinpoint which meeting that was discussed so I have a 11 time frame? 12 MR. FINELLI: It wasn't my 13 testimony. 14 MS. OROZCO: And I know it wasn't 15 clear. If it was the meeting I am thinking about it 16 wasn't quite that specific because I'm just -- I 17 realize everybody here and myself are a bit confused. 18 We understand what you are saying about the 19 worship service and how many people can fit, but the 20 number of occupancy for the whole building is much 21 larger. 22 So that calls into question what other purpose 23 would it be used where you might exceed the parking lot 24 space based on 1.37 people per car significantly 25 because I think you only had -- I forgot how many you</p>

<p style="text-align: right;">Page 65</p> <p>1 had, but nowhere near 300. 2 MR. RUSAK: Any other members of the 3 public want to come forward? Any questions? 4 MR. FRANCO: I guess I'm just a 5 little confused. I just feel like we have a 6 disconnect. 7 We redesign the facility and that impacts parking 8 or it was created by the impact of the parking. We've 9 been given testimony with ratios and you are now giving 10 testimony, and we have to relate that information that 11 we received before to the testimony we are receiving 12 now. When you do that there is a bit of a disconnect, 13 and I don't know how we can fix this disconnect. 14 Do we need to get Mr. Ney back for testimony 15 because when I do the math for the 320 we need 233 16 parking spaces? I understand you can't address 17 parking, but how do we address it because it is a 18 rather large disconnect? 19 MS. TUBMAN: That is a question that 20 I hear. 21 MR. FRANCO: Okay. Then perhaps we 22 have to get Mr. Ney back for testimony. 23 MS. TUBMAN: We will consider that. 24 We hear you. I hear the questions that are being asked 25 and I hear your statement.</p>	<p style="text-align: right;">Page 67</p> <p>1 MR. FINELLI: They do count in 2 occupancy and they don't drive, right. 3 MS. JOSEFFRACK: Okay. So I guess 4 my question to you is that assuming all occupants are 5 adults is an erroneous assumption. 6 MR. FINELLI: That's correct. 7 MS. JOSEFFRACK: Thank you. 8 MS. TUBMAN: If there are no further 9 questions on this mat layout we do have -- 10 MS. CILLO: I have a follow-up to 11 this woman's question. Marianne Cillo. I just 12 testified or asked questions earlier. 13 I just don't understand children. I understand 14 they don't drive and they do count in the occupancy, 15 but what is the proportion because I still go back to 16 the fact that you only have space for 30 women and 290 17 men? 18 So if you are making assumptions on families I 19 struggle with the balance to this gentleman not making 20 the calculations work to the parking spaces. I can't 21 make it work either. Sounds like other people can't 22 make it work. 23 So I get it that children don't count. I get it 24 30 women might be traveling with their husbands. I 25 can't get it on the rest of the occupants. So what is</p>
<p style="text-align: right;">Page 66</p> <p>1 MR. FRANCO: Okay, thank you. 2 MS. TUBMAN: But this witness can't 3 address it. 4 MR. FRANCO: But his testimony has 5 created the syntax. He created this disconnect. 6 MS. TUBMAN: I'm not going to 7 comment on that. 8 MR. FRANCO: Okay. 9 MR. RUSAK: Any other questions? 10 MR. FRANCO: No questions. 11 MS. JOSEFFRACK: My name is Susan 12 Joseffrack and I was previously sworn. 13 MR. COLLINS: What's your last name 14 again? 15 MS. JOSEFFRACK: Joseffrack, 16 J-o-s-e-f-r-a-c-k. 17 MR. COLLINS: Thank you. 18 MS. JOSEFFRACK: What comes to my 19 mind in the discrepancy here is accounting for children 20 and dropping off as part of the program. 21 I don't know if that helps to get our heads 22 around how there can be 400 people in the building when 23 there's only parking spaces for the occupancy of the 24 worship space. Children don't drive and children do 25 count in the occupancy; is that correct?</p>	<p style="text-align: right;">Page 68</p> <p>1 the percentage of children that would be in that 320? 2 MR. FINELLI: I can't answer that. 3 MS. CILLO: No further questions. I 4 think that is a valid question to figure out if 5 children count. 6 MR. FRANCO: I think there was 7 testimony there's going to be 40 children maximum in 8 the daycare; is that correct? 9 MR. FINELLI: I didn't hear you, I'm 10 sorry. 11 MR. FRANCO: I said wasn't there 12 testimony given that there is going to be 40 children 13 maximum for daycare? 14 MS. TUBMAN: You wouldn't know that 15 answer and I don't have the transcript in front of me. 16 MR. LU: Do you know what kind of 17 program? 18 MR. RUSAK: Please state your name 19 for the record. 20 MR. LU: William Lu. I previously 21 testified. Do you know what kind of program will be on 22 the schedule for the facility at whole time? 23 MR. FINELLI: That's been testified 24 by others and it is in the record. 25 MR. LU: Okay. And how many of</p>

<p style="text-align: right;">Page 69</p> <p>1 those are children involved?</p> <p>2 MR. FINELLI: I think you should</p> <p>3 look at the record and you will find it. I can't</p> <p>4 testify to that and I don't know it off the top of my</p> <p>5 head.</p> <p>6 MR. LU: Are you aware when asked --</p> <p>7 the question was asked of the president of AlFalah what</p> <p>8 kind of program they are planning he had no idea what</p> <p>9 kind of program they have?</p> <p>10 MR. FINELLI: I wasn't.</p> <p>11 MS. TUBMAN: You were not at that</p> <p>12 hearing.</p> <p>13 MR. LU: Thank you.</p> <p>14 MR. OROZCO: I have a copy from one</p> <p>15 of the reports, can't really put a date on it.</p> <p>16 The question is if I can show it to you, will you</p> <p>17 be able to tell me if you seen it before? Is that all</p> <p>18 right since I don't want to start calling numbers out</p> <p>19 without you looking at it?</p> <p>20 MR. COLLINS: Go ahead, sir, show</p> <p>21 him the document. Go ahead and show him the document</p> <p>22 you would like to ask him questions about and ask if he</p> <p>23 recognizes it.</p> <p>24 MR. FINELLI: It looks like a</p> <p>25 general rule of scheduled events.</p>	<p style="text-align: right;">Page 71</p> <p>1 are those estimated attendees going to be affected by</p> <p>2 the number that you have there?</p> <p>3 MS. TUBMAN: Mr. Chairman, I don't</p> <p>4 understand what this report is. May I see it?</p> <p>5 MR. OROZCO: Absolutely.</p> <p>6 MS. TUBMAN: Garden Associates was</p> <p>7 our prior landscape architect.</p> <p>8 This is a response to Scarlett Doyle on</p> <p>9 landscaping only, and behind it is a schedule that I</p> <p>10 believe was marked Exhibit A-2 to which a</p> <p>11 representative of AlFalah testified, it is in the</p> <p>12 record, but it is not something that our architect</p> <p>13 prepared or participated in or could speak to.</p> <p>14 MR. COLLINS: Well, then let's refer</p> <p>15 to it as Exhibit A-2 because that's what you would</p> <p>16 agree, Mr. Orozco, that is Exhibit A-2 from the prior</p> <p>17 meetings?</p> <p>18 MR. OROZCO: If she says so I will</p> <p>19 go with what she said.</p> <p>20 MR. COLLINS: You got it somewhere</p> <p>21 and it is not your document right now so you have to</p> <p>22 help the witness know.</p> <p>23 MS. TUBMAN: It is listed in the</p> <p>24 Land Use administrator report as Exhibit A-2 dated</p> <p>25 February 24, 2014. It's misidentified in this listing</p>
<p style="text-align: right;">Page 70</p> <p>1 MR. COLLINS: Now can you just</p> <p>2 identify what that is, Mr. Orozco, so that the record</p> <p>3 is clear?</p> <p>4 MR. OROZCO: It is page 35 of 36,</p> <p>5 and as I work my way back I have a title of this page</p> <p>6 called "Garden Associates Landscape Architecture,"</p> <p>7 February 8th of 2011. It was sent to Scarlett Doyle,</p> <p>8 that's all I have here, and as I go back it's all the</p> <p>9 other titles.</p> <p>10 Having said that, the reason why I wanted to ask</p> <p>11 if you seen these in this table they show the daily</p> <p>12 activities, right? I'm assuming that at some point you</p> <p>13 must have seen something similar to this I guess. I</p> <p>14 don't know if you saw this particular one.</p> <p>15 MR. FINELLI: I can't testify to</p> <p>16 that particular one. There's nothing identifying that</p> <p>17 as being ours. It looks, like I said, like a general</p> <p>18 schedule of daily events.</p> <p>19 MR. OROZCO: Fair enough. If I may</p> <p>20 read a couple lines in here.</p> <p>21 It says, Activity. Worship daily. Prayer daily</p> <p>22 one hour before sunrise, and I'm sure a lot of us seen</p> <p>23 this. Estimated attendees five to 20.</p> <p>24 I am going to read it because they're going to</p> <p>25 increase in volume, and my question is going to be how</p>	<p style="text-align: right;">Page 72</p> <p>1 as a schedule of prayer times.</p> <p>2 MR. COLLINS: So, sir, sounds like</p> <p>3 the two documents are disconnected. They're not</p> <p>4 related. A-2 in evidence is a record exhibit.</p> <p>5 You have the right to cross-examine this witness</p> <p>6 as to that exhibit, but I think he's telling you his</p> <p>7 answer that he hasn't recognized it.</p> <p>8 If you want to get that on the record go ahead</p> <p>9 and get it clearly on the record if you want to. If</p> <p>10 you have a question about a particular phrase of it you</p> <p>11 might be able to ask a question without using the</p> <p>12 document. Ask questions.</p> <p>13 MR. OROZCO: Do you have that record</p> <p>14 available?</p> <p>15 MR. FINELLI: I do not.</p> <p>16 MR. COLLINS: Mr. Finelli, do you</p> <p>17 even recognize A-2, the page with the list of</p> <p>18 activities and people?</p> <p>19 MR. FINELLI: I do not recognize it</p> <p>20 as specific to our project, no.</p> <p>21 MR. COLLINS: So, Mr. Orozco, you</p> <p>22 have to move away from the exhibit. He doesn't</p> <p>23 recognize the exhibit. You might be able to ask him</p> <p>24 questions, but that is exhausted.</p> <p>25 MR. OROZCO: Well, since you don't</p>

<p style="text-align: right;">Page 73</p> <p>1 recognize it, do I reserve the right to get my hands on 2 the document and have you come back and answer it? 3 MS. TUBMAN: He cannot testify to 4 this document. He didn't prepare it. 5 MR. OROZCO: I'm not talking about 6 this document, whichever document he does recognize. 7 Do I reserve the right to come back and answer my 8 questions? 9 MR. COLLINS: You don't. It's not 10 the question. You have the right to ask questions now. 11 MR. OROZCO: Only now? 12 MR. COLLINS: You can ask questions 13 that are not based upon an exhibit that he doesn't 14 recognize. You can just ask him questions about some 15 words -- 16 MR. OROZCO: Okay. 17 MR. COLLINS: -- that you might be 18 concerned about. 19 MR. OROZCO: You do not recognize 20 the document, but -- okay. Are you aware of the daily 21 prayers and the schedules that they are going to be 22 having here? 23 MR. FINELLI: Generally, yes. 24 MR. OROZCO: Which are? 25 MR. FINELLI: Five times a day.</p>	<p style="text-align: right;">Page 75</p> <p>1 one to two is estimated attendees of 250 with an 2 estimated parking of 150, but that has nothing to do 3 with you, not in your scope of work. Ramadan, when is 4 that held like the time schedule? 5 MR. FINELLI: I have no idea. 6 MR. OROZCO: Any idea about the 7 number of attendees? 8 MR. FINELLI: No. 9 MR. OROZCO: Estimated? 10 MR. FINELLI: Nope. 11 MR. OROZCO: Okay. I am getting 12 about 150. Eid prayers, do you know how often that's 13 held? 14 MR. FINELLI: I think the service is 15 maybe twice a year. 16 MR. OROZCO: That's correct. And 17 the estimate of the number of attendees? 18 MR. FINELLI: Nope. 19 MR. OROZCO: I'm getting here 500, 20 but then how is that going to affect your occupancy? 21 MR. FINELLI: We did testify 22 previously on the record that this very congregation 23 has rented space before at the Redwood Inn, and we also 24 testified that for those -- for those functions those 25 couple of times a year where they expect greater than</p>
<p style="text-align: right;">Page 74</p> <p>1 MR. OROZCO: Five times a day. What 2 would be the estimated attendee number? 3 MR. FINELLI: That I can't answer. 4 I can tell you when the least attendance and greatest 5 attendance is, but I can't tell you fact numbers. 6 MR. OROZCO: Okay. Friday prayers. 7 Are you aware of when Friday prayers? I mean, what 8 time? 9 MR. FINELLI: Same, five times a 10 day, yes. 11 MR. OROZCO: Are you aware of any 12 estimated number of attendees? 13 MR. FINELLI: Estimated? 14 MR. OROZCO: On Friday prayers. 15 MR. FINELLI: You know, current 16 projections? 17 MR. OROZCO: Yeah, projection. 18 MR. FINELLI: Yeah. 19 MR. OROZCO: Okay. The answer to my 20 first question is back to based on the document that 21 you don't recognize. The answer to the second question 22 is 250. Third question -- 23 MR. FINELLI: And is that -- all 24 five times a day, is that early in the morning, midday? 25 MR. OROZCO: The Friday prayer from</p>	<p style="text-align: right;">Page 76</p> <p>1 320 that they have services elsewhere. They would not 2 have services at this facility. It's testimony that is 3 on the record. 4 MR. OROZCO: They wouldn't split it 5 half earlier and half hour later? 6 MR. FINELLI: That's not testimony 7 on the record. 8 MS. TUBMAN: Yes, it is. 9 MR. FINELLI: Was it? 10 MS. TUBMAN: There is also a 11 possibility of splitting services, but it came up in 12 the context of the Friday midday prayer, but it's -- 13 I'm sorry, this is not a witness who can answer these 14 series of questions based upon a document of which he 15 has no knowledge. 16 MR. OROZCO: I understand that. I 17 understand that. 18 MR. COLLINS: Ms. Tubman's objection 19 is sustained. 20 This witness cannot testify as to a document he 21 doesn't recognize, and you can move on to any questions 22 that he might be able to answer without reference to 23 that document. 24 MR. OROZCO: It is my understanding 25 that the school part of the AlFalah Center was removed</p>

<p style="text-align: right;">Page 77</p> <p>1 from the application; is that correct?</p> <p>2 MR. FINELLI: Yes.</p> <p>3 MR. OROZCO: But the daycare will</p> <p>4 stay, right?</p> <p>5 MR. FINELLI: Correct.</p> <p>6 MR. OROZCO: No further questions,</p> <p>7 thank you.</p> <p>8 MS. GRANETZ: Arlene Granetz. I was</p> <p>9 previously sworn. G-r-a-n-e-t-z.</p> <p>10 MAYOR HAYES: Just speak in the</p> <p>11 microphone so we can hear you, you're low.</p> <p>12 MS. GRANETZ: Do you want me to</p> <p>13 repeat my name?</p> <p>14 MAYOR HAYES: No, she got it.</p> <p>15 MS. GRANETZ: Are you the gentleman</p> <p>16 that had proposed the minaret be put in because you had</p> <p>17 done other mosques and felt that it was appropriate to</p> <p>18 have it built with this mosque?</p> <p>19 MR. FINELLI: Yeah, I designed the</p> <p>20 building with the minaret, yes.</p> <p>21 MS. GRANETZ: Much testimony before</p> <p>22 at other meetings.</p> <p>23 There was a question I believe whether it was</p> <p>24 going to be -- you were going -- someone was going to</p> <p>25 discuss whether it would be eliminated or not. Was</p>	<p style="text-align: right;">Page 79</p> <p>1 present or future for sound or light in the minaret.</p> <p>2 MS. GRANETZ: Yet it is built on top</p> <p>3 of the electrical system of the building.</p> <p>4 MR. FINELLI: No, it's built on top</p> <p>5 of what's currently the electric room. I mean, I'm not</p> <p>6 sure what that means. Doesn't mean anything.</p> <p>7 MS. GRANETZ: I'm not either. I</p> <p>8 just don't know why it had to be in that section if</p> <p>9 it's never going to be used.</p> <p>10 MS. TUBMAN: With electricity?</p> <p>11 MR. FINELLI: Well, I don't -- if</p> <p>12 you want to rehash design philosophy.</p> <p>13 MS. GRANETZ: No, I'm asking about</p> <p>14 the minaret.</p> <p>15 MR. FINELLI: That's the best place</p> <p>16 for it.</p> <p>17 MS. GRANETZ: In the electrical</p> <p>18 area?</p> <p>19 MR. FINELLI: No, that's the best</p> <p>20 place for it on the building and on the site, that is</p> <p>21 the best place there.</p> <p>22 MS. GRANETZ: And what is around</p> <p>23 that area that is proposed to be built?</p> <p>24 MR. FINELLI: The space you are</p> <p>25 talking about is here.</p>
<p style="text-align: right;">Page 78</p> <p>1 there anything done about that?</p> <p>2 MS. TUBMAN: There was a question at</p> <p>3 one of the first hearings that this witness cannot</p> <p>4 address and that is whether AlFalah would consider</p> <p>5 reducing the height of and possibly eliminating the</p> <p>6 minaret, a possibility of lowering the dome.</p> <p>7 It's not -- these are policy questions. They are</p> <p>8 questions that go right to the definition of this as a</p> <p>9 Muslim house of worship, and it is not appropriate to</p> <p>10 ask the architect to make --</p> <p>11 MS. GRANETZ: I believe the</p> <p>12 architect is the one that decided he would put it in,</p> <p>13 but AlFalah did not ask for it.</p> <p>14 MS. TUBMAN: Is that correct, did</p> <p>15 AlFalah not ask for a minaret?</p> <p>16 MS. GRANETZ: That's what you</p> <p>17 testified.</p> <p>18 MR. FINELLI: The design is not.</p> <p>19 AlFalah asked me to design the building, yes.</p> <p>20 MS. GRANETZ: All right. One other</p> <p>21 question about it because you designed it. Am I</p> <p>22 correct in saying that it will never be electrified?</p> <p>23 MR. FINELLI: The minaret?</p> <p>24 MS. GRANETZ: Yes.</p> <p>25 MR. FINELLI: There is no provision</p>	<p style="text-align: right;">Page 80</p> <p>1 Everything to the south is the parking.</p> <p>2 Everything to the north is the building, the one-story</p> <p>3 building. Everything to the east is the public road.</p> <p>4 MS. GRANETZ: In that little room,</p> <p>5 that little rectangle or square.</p> <p>6 MR. FINELLI: That is the electrical</p> <p>7 equipment room.</p> <p>8 MS. GRANETZ: Thank you.</p> <p>9 MR. MCNAMARA: Good evening. My</p> <p>10 name is Patrick McNamara. I am an attorney with the</p> <p>11 law office of Scarinci, Hollenbeck. I am here on</p> <p>12 behalf of Mr. and Mrs. Rinaldo who are property owners.</p> <p>13 Mr. Finelli, when I asked you a series of</p> <p>14 questions at the hearing on January 29th one of the</p> <p>15 subjects I brought up at that time was an evaluation as</p> <p>16 to the fire rating that was necessary for the movable</p> <p>17 walls where daycare areas had been demarcated.</p> <p>18 Have you had the opportunity to review the</p> <p>19 International Building Code for fire requirements in</p> <p>20 that regard?</p> <p>21 MR. FINELLI: I have not.</p> <p>22 MR. MCNAMARA: Is it still your</p> <p>23 position those walls with the movable features still</p> <p>24 meet those requirements and do not require hard walls</p> <p>25 with a fire rating of 24 hours for daycare operation?</p>

<p style="text-align: right;">Page 81</p> <p>1 MS. TUBMAN: There is a mistake in 2 that question. The daycare rooms are hard wall at this 3 point. 4 MR. MCNAMARA: They are all now hard 5 wall? 6 MS. TUBMAN: Yes. 7 MR. MCNAMARA: Thank you. 8 MR. COLLINS: Is that shown on this, 9 A-5? 10 MR. FINELLI: Yes, sir. 11 MR. COLLINS: The daycare rooms that 12 are -- are the same rooms where you said the new or the 13 fixed wall will be built instead of the partition wall? 14 MR. FINELLI: Yes, sir. 15 MR. COLLINS: And are they going to 16 be of the rating that Mr. McNamara was asking about for 17 the International Building Code for fire rating? I 18 think he said 24 hours. 19 MS. TUBMAN: You are making an 20 assumption as to what the International Code says, and 21 I don't know that that's the appropriate -- 22 MR. COLLINS: Will they be of -- is 23 there a special rating because of the daycare? 24 MR. FINELLI: I would say they will 25 meet the building code.</p>	<p style="text-align: right;">Page 83</p> <p>1 MR. FINELLI: They would not be. 2 MS. JACKEWICZ: They couldn't be in 3 that area where the removable partition is or they 4 could be? 5 MR. FINELLI: I think that is a 6 matter of how they manage the facility. 7 There's probably a preference that there is not 8 food in all those areas, although there may be, but I 9 will tell you the main prayer space would not. 10 MS. JACKEWICZ: So I guess my second 11 question is just I'm trying to determine if there were 12 a banquet or some kind of ceremony or something like 13 that, what could be the max occupancy for that given 14 the space it is allowed to be in? 15 MR. FINELLI: The occupancy assembly 16 use is 320 and is the greatest intensity of assembly 17 use for that space. So whatever it is it will be less 18 than that number. 19 MS. JACKEWICZ: So it doesn't 20 matter. 21 MR. FINELLI: I don't know what that 22 number is. 23 MS. JACKEWICZ: I thought like per 24 room. 25 MR. FINELLI: No, it's always going</p>
<p style="text-align: right;">Page 82</p> <p>1 MR. COLLINS: Whatever the code is 2 you'll meet it? 3 MR. FINELLI: Whatever the code is, 4 yes. 5 MS. JACKEWICZ: Brooke Jackewicz. I 6 just have two more questions. The multipurpose rooms 7 that are opened up they are going to be opened up to 8 the whole space now? 9 MR. FINELLI: They can be. They 10 will not always be open. 11 MS. JACKEWICZ: So they have the 12 removable partition? 13 MR. FINELLI: Correct. 14 MS. JACKEWICZ: So is it your 15 understanding the main prayer floor is only for prayer 16 service? 17 MR. FINELLI: That's correct. 18 MS. JACKEWICZ: So it will not be 19 used for say banquet functions? 20 MR. FINELLI: Correct. 21 MS. JACKEWICZ: The banquet 22 functions can only happen in which multipurpose rooms? 23 MR. FINELLI: Well, they wouldn't be 24 in here. 25 MS. JACKEWICZ: Okay.</p>	<p style="text-align: right;">Page 84</p> <p>1 to be -- there is no use -- there is no assembly use 2 that is greater than this assembly use. 3 So whatever is in there like tables and chairs 4 take up more space than no tables and chairs. Chairs 5 take up more space than no chairs. 6 MS. JACKEWICZ: I thought that space 7 was only going to be used for prayer? 8 MR. FINELLI: This space is only 9 going to be used for prayer. You are asking about some 10 assembly use other than a prayer space. 11 MS. JACKEWICZ: Yes. 12 MR. FINELLI: Like dinner, a 13 wedding. 14 MS. JACKEWICZ: Yes. 15 MR. FINELLI: Whatever it is it is 16 going to be less than 320 because I'm not using this 17 space. 18 MS. JACKEWICZ: So it has to be less 19 than 320. 20 MR. FINELLI: Has to be less than 21 320. 22 MS. JACKEWICZ: Thank you. 23 MR. RUSAK: Any other members of the 24 public? Any questions from the board? 25 MS. TUBMAN: Then, Mr. Chairman,</p>

<p style="text-align: right;">Page 85</p> <p>1 from one of the very early, early meetings there was 2 one other question for this witness and that was at a 3 ratio of one square foot of building per 20 square feet 4 of land area, how much larger could this mosque be made 5 and that is a hypothetical question because any 6 enlargements would require a new site plan application 7 and a return to this board, but there was submission 8 interest that we asked Mr. Finelli to look at. 9 So how much building addition could be put on 10 this building and remain within the ratio of building 11 to land area permitted as a conditional use which is 12 the limit of this board's jurisdiction? 13 MR. FINELLI: Okay. So the amount 14 of square footage. We did that ratio of lot size to 15 building area, and there was approximately 1,140 square 16 feet of space that was unaccounted for. 17 MS. TUBMAN: Before you go on, why 18 don't we mark these A-7A, B and C, and they are 19 alternative building expansions? 20 MS. VOORHEES: I would say A-6. 21 MS. TUBMAN: Alternative building 22 expansion plans. 23 MS. VOORHEES: Did we skip 6? 24 MR. COLLINS: We have A-5. Do we 25 already have A-6?</p>	<p style="text-align: right;">Page 87</p> <p>1 preliminarily, and they're listed here by the title 2 "Block Preliminary A," "Preliminary B," "Preliminary 3 C." They'll be exhibits A-7A, A-7B, A-7C. 4 In Plan A we simply extended the corridor and at 5 the -- let's see. At the northeast corner of the 6 building that corridor is served on both sides by 7 daycare/multipurpose rooms. 8 We added a one-story addition in that corner of 9 39 feet, 2 inches by 29 feet, 3 inches, that is one 10 potential expansion of the space. 11 Preliminary B, this will be A-6 -- excuse me, 12 A-7B, extends the space in the same area. The 13 difference is as you recall from initial testimony we 14 have a covered concourse around the entire perimeter of 15 the building, that coverage counts as building 16 coverage. 17 So we had to take away from the enclosed space to 18 create the covered space. So the square foot -- 19 overall square footage is the same, but that enclosed 20 interior space is 39, 2 inches but doesn't accommodate 21 the corner, but the square footage is still ultimately 22 the same I think, same numbers. 23 Then last option, Option C, that will be A-7C, 24 and in this we just filled in the empty corner of the 25 building behind the prayer space into the north of the</p>
<p style="text-align: right;">Page 86</p> <p>1 MS. TUBMAN: I believe A-6 should 2 have been the map with the mat layout. 3 MR. COLLINS: I thought that was 4 A-5. 5 MS. TUBMAN: I marked as A-5 the May 6 10th submission to the board because that was in the 7 package but not in the original submission. 8 The mat layout is A-6, my oversight, and A-7A, B 9 and C are potential building expansions. 10 MR. COLLINS: A-5 would be the May 11 submission? 12 MS. TUBMAN: May 10th submission to 13 the board, and there was a transmittal letter which is 14 how I dated it. 15 MR. COLLINS: That's fine, thank 16 you. 17 MS. TUBMAN: And I will leave a copy 18 with your secretary. 19 MR. COLLINS: Thank you. 20 (Whereupon A-5 is corrected to A-6 21 and A-7A, B and C are marked for identification.) 22 MR. FINELLI: So we have 1,140 -- 23 little bit more -- over 1,140 square feet of space to 24 add to the building. 25 There are three options that I looked at</p>	<p style="text-align: right;">Page 88</p> <p>1 building services and that space is 69 feet, 4 inches 2 by 16 feet, 6 inches. 3 Then in any of the cases they would be one-story 4 construction. There would be access and extension of 5 this corridor and would require another extension of 6 that same egress corridor, and again, in all three 7 cases there would be multipurpose -- 8 daycare/multipurpose space in extension of that part of 9 the building. 10 MR. COLLINS: None of these are 11 proposed. This is just the answer to the question 12 where might 1,140 square feet be located. 13 MS. TUBMAN: The specific question 14 is how much larger can you make the building, and can 15 you show us some examples of how you might? 16 MR. COLLINS: Thank you. 17 MR. FINELLI: So in all three cases 18 the addition is in the back of the building. It is 19 away from the road view, away from the parking lot. 20 It is about the only area that's essentially 21 buildable without affecting parking, driving, wetlands, 22 side yard setbacks, rear yard setbacks, that's the only 23 spot. 24 MR. RUSAK: We would like to open 25 the floor for any other questions.</p>

<p style="text-align: right;">Page 89</p> <p>1 MR. EISDORFER: Stephen Eisdorfer. 2 Mr. Finelli, you indicated that in one of your 3 alternatives you had to remove the canopy; is that 4 correct? 5 MR. FINELLI: No, I didn't remove 6 the canopy. I just didn't extend the canopy. 7 MR. EISDORFER: Okay. The canopy 8 has to be counted in the coverage; is that correct? 9 MR. FINELLI: Correct. 10 MR. EISDORFER: And what -- 11 MS. TUBMAN: Sidewalks, under roof 12 count. 13 MR. EISDORFER: And what's the -- 14 can you tell us what the square footage of the area 15 covered by the canopy is? 16 MR. FINELLI: I can't break that out 17 for you now. 18 MR. EISDORFER: Now I noticed that 19 in your third alternative you have a room that is 20 contiguous with the prayer space, but you have it shown 21 as a possibility of opening that up to the prayer 22 space. Why haven't you? 23 MR. FINELLI: I don't show it 24 opening up to prayer space. Is that the question? 25 MR. EISDORFER: That's the question.</p>	<p style="text-align: right;">Page 91</p> <p>1 you have to add parking? 2 MS. TUBMAN: Parking is based wholly 3 on prayer spaces in all houses of worship in 4 Bridgewater. 5 MR. MALLELA: But then this 6 multipurpose -- I mean, technically then you can place 7 -- do parking based on prayer space and fill up the 8 rest of the building with whole bunch of other 9 activities, that's what he's saying. It doesn't make 10 sense, does it? 11 MR. FINELLI: You're making a 12 statement. 13 MR. MALLELA: No, I'm asking the 14 question. 15 I'm saying if you base it only on the prayer 16 space you can put -- you can add this and put 300 other 17 people, but parking doesn't have to increase because 18 it's only based on the prayer space, that's what I'm 19 hearing. Am I right or wrong? 20 MR. FINELLI: The ordinance for this 21 and all other houses of worship is based upon prayer 22 space occupancy, yes. 23 MR. MALLELA: Okay. So then does it 24 make sense? It doesn't make sense, but okay, thanks. 25 MR. RUSAK: Any other questions from</p>
<p style="text-align: right;">Page 90</p> <p>1 It's contiguous with the prayer space. Why not include 2 it with the prayer space? 3 MR. FINELLI: Well, for a couple 4 reasons. 5 The first I think it goes to the question we 6 discussed the first time about the possible expansion, 7 and one reason we would not obtain the expansion is the 8 parking impact and other impact. So any increase in 9 square footage triggers a lot of things that we have no 10 intention of triggering. 11 The second question -- the second part of that 12 question is any space behind where the Mohammed would 13 stand would alter the entire function and use of that 14 space. So we would not create additional prayer space 15 behind the speaker. 16 MR. EISDORFER: Okay, thank you. 17 MR. MALLELA: Shiv Mallela. Just a 18 question. 19 Is it possible to add these additional 1,140 20 square feet without increasing occupancy or if you add 21 1,140 will it automatically increase the occupancy? I 22 mean, you can use it for something so more people can 23 be coming. 24 So technically if you add anything you have to 25 add parking, right? Even if you put 200 square feet</p>	<p style="text-align: right;">Page 92</p> <p>1 the public? Any questions from the board? 2 MR. COLLINS: This witness is 3 finished. Ms. Tubman, did you want to present another 4 witness tonight? 5 MS. TUBMAN: Not this evening. Mr. 6 Bosenberg committed at the last -- at his last 7 appearance to meet with Ms. Doyle and to come back with 8 additional landscaping comments. He is not available 9 this evening so he will have to come to our next 10 hearing. 11 MR. COLLINS: We'll be carrying the 12 case to September 22nd. 13 MR. RUSAK: 22nd? 14 MR. COLLINS: Regular meeting. 15 MS. DOYLE: 22nd? 16 MR. COLLINS: September 22nd meeting 17 at seven p.m. at this meeting space and room. 18 There will be no further notice, and it is 19 expected that Mr. Bosenberg will be testifying at that 20 meeting, the landscape architect, and perhaps other 21 witnesses for the objectors may start unless Ms. Tubman 22 has another witness at that point. 23 So people should start preparing for the next 24 meeting as to possible testimony. So there will be no 25 further notice. The matter is carried to September</p>

1 22nd, seven p.m.
2 MR. RUSAK: Motion to adjourn?
3 MR. RODZINAK: So moved.
4 MR. RUSAK: Second?
5 MR. FRANCO: Second.
6 MR. RUSAK: Thank you.
7 (Whereupon the matter is adjourned
8 for the evening.)
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4 CERTIFICATE
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9 I, DENISE C. CLARK, a Certified Court
10 Reporter and Notary Public of the State of New Jersey,
11 hereby certify the foregoing to be a true and accurate
12 transcript of the proceedings as taken stenographically
13 by me on the date and place hereinbefore set forth.
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16
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18 DENISE C. CLARK, CCR
19 License No. XI 02138
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22
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24 My Commission expires
25 November 14, 2017.