

BRIDGEWATER TOWNSHIP PLANNING BOARD
Regular Meeting
Monday August 24, 2015
—MINUTES—

1. CALL MEETING TO ORDER:

Chairman Rusak called the meeting to order at 7:00 p.m. in the Municipal Courtroom, 100 Commons Way, Bridgewater, New Jersey.

2. OPEN PUBLIC MEETINGS ACT ANNOUNCEMENT:

Adequate notice of this meeting has been given in accordance with the Open Public Meetings Act N.J.S.A. 10:4-6. On January 19, 2015, 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.

Accommodation will be made for individuals with a disability, pursuant to the Americans With Disabilities Act (ADA), provided the individual with the disability provides 48 hours advance notice to the planning department secretary before the public meeting." However, if the individual should require special equipment or services, such as a CART transcriber, seven days advance notice, excluding weekends and holidays, may be necessary

3. SALUTE TO FLAG:

There was salute to the flag.

4. ROLL CALL:

Stephen Rodzinak – present

James Franco – present

Chairman Walter F. Rusak – present

Councilman Allen Kurdyla – present

Ron Charles – present

Tricia Casamento – absent

Mayor Dan Hayes – present

Evan Lerner, Alt. #1 – present

Others present: Board Attorney Tom Collins, Board Engineer Robert C. Bogart, Board Planner Scarlett Doyle, Recording Secretary Marianna Voorhees and Diane M. Holmes CCR.

5. APPROVAL OF BOARD MINUTES:

August 11, 2015, Regular Meeting (pending)

The foregoing minutes will be presented for Board consideration when completed. No action was taken.

6. MEMORIALIZATION OF RESOLUTIONS:

None pending

7. LAND DEVELOPMENT APPLICATIONS:

Toys R Us Inc. (Babies R Us)

Block 349 Lot 5

#15-026-PB, Minor Site Plan

Time: 9/17/15

Attorney Donna Jennings was present to represent the applicant. Ms. Jennings described the proposal for minor site plan to modify the existing building façade for the Babies R Us store located at Promenade Blvd. and East Main Street. Ms. Jennings noted that no variances or waivers are required for these proposed improvements.

David P. Picot, Senior VP of property development for Toys R Us Inc. and Ahmed Youssef, architect were sworn in for testimony and accepted by the board.

Mr. Picot provided some background of the company and described their plans to update the store to make it a state of the art experience for families.

Ms. Jennings noted that they are no longer seeking to restripe the parking lot because the landlord will not allow them to touch the parking lot.

Mr. Youssef submitted exhibits that were marked into evidence as follows:

A-1 - 8/24/15 Google earth image of property

A-2 - 8/24/15 Photo of existing store front

A-3 - 8/24/15 Colored rendering of proposed new storefront

Mr. Youssef described the proposal which included changes to the façade of storefront. The updated design would include reducing the current sign from 339 square feet to 273 square feet. It would also include the installation of 2 new automatic doors, 3 new awnings and 4 wall sconces. He noted that the installation of bollards is proposed on the sidewalk adjacent to entrance and exits. Mr. Youssef stated that they are also asking for permission for 3 temporary trailers that would be located in the back of the building to use for the storing of fixtures during the construction. Mr. Youssef reviewed the reports of the township professionals with the board.

The meeting was open to the public. There were no comments or questions.

Motion by Mr. Franco, second by Mr. Charles, the foregoing application was approved with conditions on the following roll call vote:

AFFIRMATIVE:	Mr. Rodzinak, Mr. Charles, Mr. Franco, Councilman Kurdyla, Chairman Rusak, Mayor Hayes, Mr. Lerner
ABSENT:	Mrs. Casamento

Al Falah Center
Block 477 Lot 17 & 18
#15-025-PB, Preliminary and Final Site Plan
Time: 11/14/15

BRIDGEWATER TOWNSHIP PLANNING BOARD

Regular Meeting
Monday, August 24, 2015

—MINUTES—

See attached Transcription dated August 24, 2015. Prepared by: Diane M. Holmes, C.C.R. of Rizman Rappaport Dillon & Rose, 66 W. Mt. Pleasant Ave., Livingston, NJ 07039

The Al Falah Center application will be carried to September 8, 2015 with no additional notice required.

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

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

9. **ADJOURNMENT**

It was the consensus of the Board to adjourn the meeting at approximately 10:25 pm.

Respectfully submitted,
Ann Marie Lehberger
Secretary to the Planning Division

In The Matter Of:

IN RE: Al Falah

Transcript of Proceedings

August 24, 2015

Rizman Rappaport Dillon & Rose

66 W. Mt. Pleasant Ave.

Livingston, N.J. 07039

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Min-U-Script® with Word Index

PLANNING BOARD
TOWNSHIP OF BRIDGEWATER
COUNTY OF SOMERSET
STATE OF NEW JERSEY

IN THE MATTER OF:

AL FALAH CENTER
BLOCK 477 LOT 5
#15-025-PB
PRELIMINARY AND FINAL
SITE PLAN

TRANSCRIPT
OF
PROCEEDINGS

Bridgewater Township Municipal Building
100 Commons Way
Bridgewater, New Jersey
Monday, August 24, 2015
Commencing approximately 7 p.m.

B E F O R E:

BOARD MEMBERS

RON CHARLES
JAMES V. FRANCO
DANIEL J. HAYES, JR., Mayor
ALLEN KURDYLA, Councilman
EVAN LERNER
STEPHEN RODZINAK
WALTER F. RUSAK, Chairman

THOMAS F. COLLINS, JR., ESQ., Board Attorney
ROBERT BOGART, PE, Township Engineer
SCARLETT DOYLE, PP, Township Planner
MARIANNA VOORHEES, Board Secretary

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

ARCHER & GREINER, P.C.
Attorneys for the Plaintiffs
361 Route 31
Flemington, New Jersey 08822
BY: LLOYD H. TUBMAN, ESQ.

I N D E X

WITNESS

PAGE

MITCHEL ARDMAN
YASSER ABDELKADER

6
99

MR. COLLINS: Now we're going to start
the Al Falah Center.

CHAIRMAN RUSAK: Since we have some
members of the public that are here interested in
this project, if you could turn that map halfway so
the public could at least.

If you would like to move to this side
if you cannot see and want to see, please feel free
to do so at the present time.

MR. COLLINS: Mr. Chairman, we'll just
confirm for the record this is the next application
for preliminary/final site plan and conditional use
approval for Al Falah Center, and this is the
hearing tonight.

Now, this hearing has been made. The
board has jurisdiction to hear the application.
There are no variances from the conditions of the
conditional use and the use is a permitted use as it
is also a conditional use. Generally speaking, that
means that we are here to hear the hearing of the
applicant. We will hear the applicant's witnesses.
We will allow the public to comment and ask
questions after each witness, but we do need
courtesy to everyone from all people and we will
encourage that and we will expect it.

We now turn to the applicant for their
opening and they may proceed.

MS. TUBMAN: Mr. Chairman, board
members, members of the public, I'm Lloyd Tubman.
I'm with Archer & Greiner in its Flemington office,
and I'm here for Al Falah Center this evening.

As Mr. Collins told you, we are here
for a conditional use as well as major preliminary
and final site plan approval. We have no variances,
no deviations from the conditions of a conditional
use.

I will leave it to my engineer to go
through those specific conditions, but I'll identify
the property as Block 477, Lots 18 -- portion of Lot
18 which is in the process of subdivision --
subdivision has been approved. However, I don't
believe the deeds have been filed to perfect the
subdivision.

The property which is the subject of
this application is a 10.75 acre portion of the
entirety of Lot 18. There is a 6.02 portion of Lot
17 on which there will be a stormwater management
easement to which the owner of that property has
consented. The property is in the AAR zone which is
an active adult residential zone in which R40

<p style="text-align: right;">Page 5</p> <p>1 residential uses are permitted and we are following 2 the R40 residential standards. 3 This said, I have two witnesses this 4 evening, our engineer, Mitch Ardman, from the 5 Reynolds Group and Yasser Abdelkader who's 6 representing Al Falah Center. 7 My architect could not be here this 8 evening. That would logically be my second witness, 9 but he will be at the next hearing. 10 That said, perhaps you'd like to swear 11 the two witnesses for this evening. 12 MR. COLLINS: Yes, I would like to 13 swear both gentleman in. Please come forward, both 14 gentlemen, and raise your right hand. 15 Do you swear or affirm to tell the 16 truth, the whole truth and nothing but the truth so 17 help you God? 18 MR. ARDMAN: I do. 19 MR. ABDELKADER: Yes, I do. 20 (Mitch Ardman and Yasser Abdelkader 21 sworn.) 22 MR. COLLINS: Thank you. Starting on 23 my right, your left, please state your name, your 24 address and spell your last name. 25 MR. ARDMAN: First initial F. Mitchel</p>	<p style="text-align: right;">Page 7</p> <p>1 professional engineer. 2 And why don't we mark -- if you have a 3 colored rendering, we'll mark that as A-1 and you 4 can just identify what it is. 5 MR. ARDMAN: The first exhibit that I 6 mark in all these that I'll go through since, as 7 you've seen in our set, since it's a fairly large 8 property -- we have two sheets for several of our 9 sets. So they're oversized. So this is our 10 existing conditions plan EX-1, and we have -- this 11 is a colored version. It's the same as in your set 12 with a last revision date of 8/11/15. Okay. It's 13 as it's described, and you've heard this property is 14 lot -- proposed Lot 18.01, Block 477. It will be 15 10.75 acres. 16 The colored portion and then across to 17 this red line that I'm pointing to on the south end 18 here is that portion of the former Lot 18 which was 19 the subject of the subdivision here last month. We 20 have the state highway New Jersey 202/206 on the 21 right side of the plan. 22 The other color portion of this lot, 23 this is the portion of Lot 17 again described which 24 will have a drainage easement and agreement from the 25 owner of Lot 17 to use a portion of that property</p>
<p style="text-align: right;">Page 6</p> <p>1 Ardman, A-R-D-M-A-N, at 626 North Thompson Street, 2 Raritan. 3 MS. TUBMAN: Identify yourself please 4 and address. 5 MR. ABDELKADER: Yasser Abdelkader, 6 A-B-D-E-L-K-A-D-E-R, 256 Barrington Drive, 7 Bridgewater, New Jersey. 8 MS. TUBMAN: We will start with Mr. 9 Ardman. So perhaps he could state his 10 qualifications. 11 MR. COLLINS: He certainly may, but the 12 board recognizes and accepts Mr. Mitchel Reynolds 13 (sic) qualifications as a professional engineer but 14 that's he is accepted already but you could do it in 15 order for the public to know. 16 MR. ARDMAN: Yes. Just briefly for the 17 public, the board knows I'm a licensed professional 18 engineer in New Jersey as well as several other 19 states. I'm a licensed engineer for over 25 years. 20 I've testified throughout the state during that time 21 focusing on-site plan and subdivision matters and as 22 this one, and I've testified numerous times before 23 this board. 24 MR. COLLINS: We'll confirm that the 25 board recognizes and accepts his qualifications as a</p>	<p style="text-align: right;">Page 8</p> <p>1 for our stormwater detention. 2 You see on the right side here the 3 existing nursing home which is to our south. The 4 existing property conditions are basically that we 5 have a wooded area along the northerly boundary 6 line. That's also bounded by a stream that runs 7 from 202/206 westerly to the rear of the property. 8 You'll see the pond that exists on the 9 property now. That pond will stay as part of the 10 site development. The area -- basically, the full 11 center of this lot is open and cleared. 12 On the southerly end of lots -- a 13 portion of Lot 17 that we are using, this is a 14 wetlands channel through here with a 50-foot buffer 15 and then a wooded area to the south of that. 16 Again, to the property north is 17 straight, straight up on the plan running east to 18 west. The site slopes away from 202/206 basically 19 at a 2 to 6 percent slope. So no steep slopes on 20 the lot, and that pretty much characterizes the 21 portion of the property that we will be developing 22 as part of this application. 23 The next exhibit I have we want to give 24 an overview to the surrounding area as well. We 25 know there's interest of the neighbors that are</p>

1 here. So we -- I'll mark this A-2.
 2 MR. COLLINS: Yes, that will be A-2.
 3 MS. TUBMAN: And describe it please for
 4 the record.
 5 MR. ARDMAN: So this is basically
 6 another Google Earth image of the property with our
 7 proposed site plan superimposed on the site. This
 8 is EX-2. Aerial exhibit is the title of this
 9 exhibit that we have today. So I wanted to go
 10 through the surrounding areas on the plan that
 11 people know. Again, 202/206 on the right side of
 12 the plan.
 13 The Woodmont development as you can see
 14 in this picture was just under construction. I
 15 think that's why we -- the kind of brown area around
 16 it has not been landscaped yet, but you can see the
 17 three buildings that are part of that.
 18 You can see Harding Road just to the
 19 north and the cul-de-sac that comes off as it goes
 20 westerly basically to the rear corner of our
 21 property.
 22 A little further north and west you
 23 have the Hastings Court Road, and you can see the
 24 residences off of Hastings Court.
 25 To the south of our property, once

1 again, we have the nursing home, and between our
 2 proposed development and the houses on West Foothill
 3 is that nursing home. You come in West Foothill,
 4 and it comes to the cul-de-sac in the back of the
 5 property, and you can see the distance from the end
 6 of that cul-de-sac for proposed development, the
 7 full of Lot 18 before we got subdivided, the line
 8 just shows on the plan, but, basically, went all the
 9 way back to Foothill Road and up the area I'm
 10 outlining here to the west. So that's the area
 11 that's going to remain as township property, not
 12 part of this application, and it will not be -- it
 13 will remain undisturbed as part of this project.
 14 So you can see those relative distances
 15 basically from our development line through the
 16 nursing home properties 350 feet, again, separated
 17 by the nursing home to the first houses on West
 18 Foothill to the other properties from the -- from
 19 the rear property line to the proposed detention
 20 basin, and I'll describe that basin somewhat more
 21 from the rear property line. There's approximately
 22 230 feet, and, again, that's the wooded area.
 23 From the end of the West Foothill Road,
 24 basically, that's 350 feet across our development
 25 area coming to the property. So we show that we

1 have the pretty good separation between the proposed
 2 development which will be up in the front of the
 3 property here and the surrounding neighbors on all
 4 sides of us. So that's pretty much it for the
 5 surrounding areas.
 6 I think I'll just highlight here so you
 7 can see the stream corridor which comes to the north
 8 of our property, once again, the pond that will
 9 remain, and here you can see in the aerial in the
 10 backside which is the open fields. It's
 11 superimposed, but those fields are what comes up
 12 into the center of the site there.
 13 I'll mark this the third exhibit. This
 14 is the site plan exhibit. So this is basically
 15 pages 4 and 5 of your site plans combined onto one
 16 sheet, and it's color rendered again for this
 17 exhibit. This will be A-3. I'll use this plan to
 18 go into more detail of what we're proposing on the
 19 property.
 20 Once again, 202/206 in the front here.
 21 The house of worship main building that we have in
 22 the front of the site is 16,520 square feet. The
 23 gym or the school building which we will have a gym
 24 at the back end is 16,000 square feet and then you
 25 see the fields to the rear of the property.

1 Once again, this bottom portion is Lot
 2 17 which has been described with the detention
 3 basin.
 4 So for the design, we have the entrance
 5 drive coming into the properties at the north end of
 6 the site. As you come into that entrance drive,
 7 there's good, full circulation. This new drive
 8 which goes around both buildings, that provides both
 9 access for just general circulation as well as fire
 10 and rescue services for any emergency services that
 11 might be needed. The parking lot then, once you
 12 come into the site, is somewhat split into two
 13 areas, the first area here right up against the
 14 house of worship building and the school and the
 15 second portion of the parking area more to the rear
 16 with additional parking spaces.
 17 Each building that we show will have
 18 main access, the main entranceway. So there will
 19 be -- and the architect will go through in detail
 20 the view of the building. It will have a nice
 21 frontage facing 202/206, but the main entrance is
 22 this plaza area that we show just to the west side
 23 of the building. So you come off the parking area,
 24 come up into that plaza area and into the main
 25 entrance of the building. Secondary access we have

1 is on the 202/206 side of the building and then
 2 there are some emergency doors, et cetera, that you
 3 see basically on the westerly southwest corner.
 4 For the school building, the entrance
 5 will be as you come up between the two buildings.
 6 You come to a patio area and then you'll come into
 7 the main entrance of the school. The house of
 8 worship and the school will basically be on the same
 9 level, a plateau there in between the two buildings.
 10 The way we have these set up actually is that the
 11 house of worship sits down somewhat lower than the
 12 road. That will help for a couple of purposes.
 13 Basically, the grading to the back is
 14 somewhat necessary, but it will also help screen the
 15 parking area as it loops around and the headlights
 16 as you're on-site from 202/206. As I said, the site
 17 slopes off. So the entrance, the portion of the
 18 school that the rear here on the westerly portion of
 19 the property. Each of those main entrances have
 20 handicapped spaces associated with them and the
 21 total parking on the site is a number I want to
 22 clarify.
 23 There's 282 spaces on the site, and
 24 that is shown on our site plan. When we made the
 25 revision to come in for the completeness, we added

1 some islands in the parking lot, and I apologize. I
 2 neglected to update that on the cover sheet. The
 3 correct number is 282 spaces. Again, we'll update
 4 the numbers and we are well within compliance.
 5 Seven handicapped stalls are required for those
 6 number of parking spaces and we have eight provided.
 7 Also, as you see for orientation of the
 8 building in front, we have the distance of the front
 9 property line here, the 80-foot setback, but the
 10 building is also angled from there. So it really is
 11 only that one front point and it goes off quickly
 12 from there. So you won't see a solid wall as you're
 13 driving along 202/206. It will be flanked, and
 14 those will drop back as you see the side facades of
 15 the building.
 16 The other amenities that we have
 17 on-site are the sports facilities. We have courts
 18 to the back here. We'll have a volleyball court, a
 19 tennis court and a basketball court, and then it
 20 will drop down to the basically open field level
 21 where we've shown a soccer field in there. That
 22 will just be all open space.
 23 Again, to clarify, we'll get into the
 24 lighting discussions. It's not -- there's
 25 definitely no lighting anywhere near the soccer

1 field, and the only lighting in the sport court area
 2 are security lights, and those will be lowered and
 3 the parking lot lights as well, and I'll go into a
 4 little bit more detail on that.
 5 Further site amenities, as you circle
 6 around, we have the dumpster area located. I'm
 7 trying to kind of tuck it and hide it between the
 8 two buildings. There will be a full masonry
 9 enclosure around those dumpsters. We've also put an
 10 emergency generator to be shared between the two
 11 buildings located in that location, and that
 12 generator is a good distance from the property line
 13 with the neighboring nursing home who I can't swear
 14 but presumably will have a generator on their
 15 property. It will be sound attenuated and meet all
 16 the noise regulations.
 17 As far as signage on the property,
 18 there are -- the architect will go over the
 19 building, but just one site we have placed up near
 20 the entrance, it's to the south entrance. It's
 21 approximately a 30 square foot sign, and it meets
 22 all the setback requirements. It's really not meant
 23 to be a large sign there, just enough as you're
 24 driving to see right where that entrance drive is
 25 for this property.

1 Again, once again, on the grade that I
 2 discussed, so the main building will be set down
 3 about four feet from road level, as I said, and then
 4 it drops off about 10 feet, comes around the back of
 5 the school building. That's why the gym will be at
 6 a lower level. It will almost be benched into the
 7 site and that will work well with the property and
 8 then it will continue to slope and flow back towards
 9 the rear of the parking area, and then as the
 10 natural grade goes back, the field will just be
 11 level for a playing field and again towards the rear
 12 or to the west of the property.
 13 Regarding utilities on the site,
 14 they're all available for this property. So that
 15 worked out well. There are no long utility
 16 extensions for the project. There's also a water
 17 main in 202/206. We'll be bringing that into the
 18 property. That will loophole to the front side and
 19 also to the parking lot side.
 20 Both buildings will be sprinklered. We
 21 provided hydrants throughout the parking lot. We
 22 provided sprinkler connection to the building to the
 23 fire -- fire department connections. I'll go over.
 24 There were some comments from your fire official,
 25 but I think we've actually covered the bulk of those

1 with the design that we have on-site.
 2 For sanitary sewer service, again,
 3 there's a line on the highway and then it makes a
 4 turn to the west and goes down along the stream. We
 5 will be able to tie into that just behind the curb
 6 line on 202/206 and pipe to that location. Gas and
 7 electric are also readily available to the site.

8 The next point I'd like to hit is
 9 regarding drainage, stormwater runoff. That's
 10 always a concern, and, obviously, neighbors are
 11 here. So I'd like to discuss that in some detail.
 12 Again, we're going to provide a full
 13 series of drainage throughout the property. It will
 14 be inlets all through the parking lots as well as
 15 surrounding the buildings. All the roof drains from
 16 the buildings will be tied directly into those
 17 inlets. So there will be no spillage or runoff into
 18 the parking area. They'll all be tied directly in.

19 Those series of inlets will be piped
 20 together and then piped into the stormwater
 21 detention basin that we show. Again, that basin is
 22 on the rear portion easement of Lot 17. That
 23 location and that basin and the design basically is
 24 a wet pond is almost identical as the board
 25 remembers the townhouse project that was approved

1 here previously. So as a wet pond, it will have a
 2 liner in it to keep water in it full-time.
 3 There will also be an aerator that we
 4 provide to make sure it doesn't get stagnant water,
 5 and in the case of long-term drought condition,
 6 there will be a water supply line to make up water.
 7 So we can make sure that the pond from an aesthetic
 8 point viewpoint and nuisance doesn't become that.
 9 It will have an aerator fountain and it will have
 10 the water in it consistently. So it will be a nice
 11 pond amenity to the property. It will also be
 12 landscaped all around, and I'll get to that, but as
 13 far as the stormwater control portion of that, as
 14 you've heard many times, the state and the township
 15 have requirements to collect the stormwater and
 16 reduce the flow and the impact off-site.
 17 So not only do we have to reduce it to
 18 what's there on the property now, but we have to go
 19 below that level. So, obviously, when you have an
 20 open field, you have left water that once we pave it
 21 water runs off. So we'll collect that. It will go
 22 into the stormwater retention basin and we'll let it
 23 out slowly. It's kind of like filling up the
 24 bathtub. It comes in fast. It's going out slow.
 25 So it will fill up. Eventually, it will all go out

1 but at a slower rate than it comes in.
 2 For that rate that we're allowed to
 3 pipe it out at, we try to do a conservative design
 4 to this basin. We have the room. We're building
 5 the basin in. So we built some extra volume in and
 6 inductions in there, and since we were at it, since
 7 we were going to be spending that time and effort to
 8 do it. Basically, the state and the township say
 9 you have to reduce those flow levels as I described.

10 So to give you some relative numbers,
 11 you design for certain design storms, a two-year, a
 12 10-year and a hundred-year storm, and a hundred year
 13 is supposedly a storm that happens once every
 14 hundred years or one percent chance of happening.
 15 Now, it feels to everybody like that happens more
 16 often, but those are the design storms that we have.

17 So flowing off the site now and going
 18 downstream, we design it in cubic feet per second is
 19 the flow, the metric of the flow. So we're just
 20 over 10 cubic feet per second. We have to reduce
 21 that. So we're allowed 6.6, but we've actually
 22 reduced it even further to 6.2. So we're reducing
 23 those numbers. That was the two year.

24 In a 10-year storm where we have just
 25 under 23 CFS flowing off-site now, we're allowed

1 18.7. We're reducing that all the way down to 12.1,
 2 and for the hundred-year storm, we're 50 -- just
 3 over 50 CFS flow off-site, and we're allowed to have
 4 42.9. We're reducing that to 35.8 CFS.

5 So I know it's a lot of numbers in one
 6 shot, but the intent of my giving you these numbers
 7 is to show you that we didn't just meet the minimum
 8 criteria. We took it down another 10, 15. In the
 9 case of the 10-year storm, almost a third less than
 10 we're allowed. We've even knocked it down more than
 11 that. So based on all the calculations and those
 12 numbers, I'm confident saying that we will not be an
 13 impact downstream after the development of this
 14 property.

15 Landscaping on the site, again, it's a
 16 visible property, 202/206 with the neighbors. So
 17 from the beginning when I was brought into the
 18 project with the applicant and the architect, that
 19 was something that came up early and that we focused
 20 on. One of the things that we looked at from the
 21 beginning were from the view on 202/206. We wanted
 22 to see the building, but then we noticed there are
 23 some nice mature trees up front there. There's a
 24 lot of dead stuff and some scrub in there, but
 25 there's a handful of nice maples and oaks there that

1 are 40 to 50 feet high, and we show on the plan
 2 those are the lighter shaded trees that we have on
 3 the plan. That whole row is going to stay with this
 4 application.
 5 We proposed then to expand as you put
 6 more of those hard woods or deciduous trees as we go
 7 north along the property, and as we come to the
 8 south, we're going to add some evergreen trees on
 9 the corner there to kind of -- in the back to
 10 supplement those deciduous trees. Along our
 11 neighbor, since we're the closest neighbor to the
 12 nursing home, and as we're working for them, we put
 13 in the solid evergreen screen in that location.
 14 That will really -- you know, the driveway is there,
 15 and we wanted to mute the view and also just the
 16 driving noise through there. So we decided to put a
 17 solid evergreen screen through there, and that's
 18 going to have the Spruce and the Leyland Cypress and
 19 those are all going to grow together and be solid.
 20 Around the building then we did a
 21 mixture of plantings. We'll have shade trees around
 22 the building. We're going to have ornamental trees
 23 for flowering, especially in the springtime, and
 24 we're going to have a series of shrubs along the
 25 building as well.

1 We continue that through the parking
 2 lot. There will be shade trees as you see here in
 3 all the islands, throughout the parking lot and
 4 rimming the outside, and then on some of the
 5 locations along the property lines also we've added
 6 shrubs along there.
 7 At the detention basin between us, once
 8 again, and the nursing home, there's a line of
 9 evergreens and shrubs in that location. The full
 10 basin also on the edges will be landscaped, and that
 11 will have basically a mixture of native and wetlands
 12 species that will grow naturally around that basin
 13 so it doesn't look kind of like an out of place
 14 man-made structure that was cut in there. It will
 15 look much more natural in the environment with those
 16 landscaping, with those plantings growing in.
 17 We'll get to some of the review
 18 comments. I know Ms. Doyle had some comments and
 19 was looking for additional plantings, and I'll talk
 20 more in detail, but the overview is that we don't
 21 have an issue in finding some places and adding some
 22 plantings on the plan.
 23 Lighting is the next detail portion of
 24 the plan. Again, we took a look at the surrounding
 25 and tried to provide an even and low intensity

1 light. So these are going to be relatively low
 2 20-foot high poles that are going to be on the
 3 property, and they're going to be LED lights. With
 4 the newer style LED lights, we're able to get in a
 5 really even pattern distribution on the property.
 6 They have benefit of longer lasting and less energy
 7 use as well. They'll provide a good even
 8 distribution on the property, and, again, it's 20
 9 feet in height, and they're all kind of the same
 10 shoebox style. As you've heard over time, they're
 11 all shining straight down. No spotlights anywhere
 12 on the property. They're actually even thinner than
 13 the old shoebox style. So they look, you know,
 14 pretty slim up there.
 15 Regarding around the buildings
 16 themselves, we added some bollards, the 42-inch
 17 high. It's 42-inch high light bollards. So that
 18 will supplement the walkway areas, and that will
 19 provide a more intimate lighting scale around the
 20 plaza areas around the building, and, once again,
 21 the last lights in this back area that will serve
 22 for overflow and security. The parking light will
 23 be 20-foot high, and these are lower than 16-foot
 24 high, and there's really one in the back here by the
 25 court area for security purposes.

1 For the project, obviously, we're here
 2 for approval. We have several outside agencies.
 3 We're submitting to the Department of
 4 Transportation, Soil Erosion Control, the county as
 5 well. For DEP, as I mentioned, there's some
 6 wetlands on the property along this corridor as well
 7 as the northerly one. The letter of interpretation
 8 is still valid that it goes with this property from
 9 DEP. We've done a stream corridor analysis of the
 10 flood plain that's recent, and we have that corridor
 11 set now as well, and so we know we're not impacting
 12 the valley. We're nowhere near on those buffer
 13 lines in any development in that section of the
 14 property.
 15 The permit we will need is for the
 16 detention basin or that outfalls. That will need a
 17 DEP permit, because whenever you're outfalling to a
 18 stream area, you will need that, and we'll seek and
 19 provide that approval to the township as well.
 20 So that's pretty much the overview of
 21 what we're planning on this property, again, the
 22 building locations, the traffic flow and the
 23 lighting and landscaping that we've developed with
 24 the architect and the applicant on this project.
 25 There were the zone criteria which my notes hit the

1 middle there somewhere, but I skipped over. So I
2 should deal with those now.

3 So as Lloyd said, even though we are in
4 the AAR zone, but the specific criteria, we're in
5 the conditional use apply fall in the category of
6 the R40 conditional use zone, and on our zone chart,
7 you can see that we're well within compliance of all
8 those standards. The lot area calculation comes up
9 that we need 5.69 acres and we have 10.75 acres.

10 All our front yard widths and setbacks
11 are all well within the standards. The side -- two
12 sides and the rear yards, basically, with the
13 conditional use, you had to increase those by twice
14 the standard, and even with that, we're well within
15 the zone requirements.

16 Regarding impervious and lot coverage,
17 we're well aware that's kind of a measure of how
18 intense you're using the site versus how much you're
19 allowed, and FAR would be in that category as well,
20 and we are well below what is permitted. You're
21 allowed 55 percent impervious coverage, and we are
22 at 34 percent. As far as lot coverage, that's
23 buildings, you're allowed 18 percent, and we're just
24 at 5.4, and for FAR, you're allowed .15 and we're at
25 .07. So just half that FAR. So with all those

1 numbers, I think you can see that we try not to just
2 go there and pave everywhere on-site as much as
3 possible, what was practically needed by the
4 applicant, leaving the open space and green areas on
5 the site and we meet those zoning requirements.

6 In regards to parking, as well, where
7 the number of spaces, there's a requirement for the
8 prayer service space. It's one parking space per 30
9 square feet of prayer service space. In that area
10 of prayer service in the building, and, again, the
11 architect will go into the use of the building in
12 more detail, but it's 6750 square feet. Based on
13 that number, 225 spaces are required, and as I said,
14 282 spaces are provided. So we're well in excess of
15 the number required for parking on the site.

16 I think that hits all the direct items
17 I have, staff comments and any questions from the
18 board.

19 CHAIRMAN RUSAK: Okay. Any questions
20 from the board members in reference to this site
21 plan?

22 MR. LERNER: If I heard you right, the
23 grade goes high on 206, low on the western side.

24 MR. ARDMAN: Correct.

25 MR. LERNER: How does the water get

1 from the field to the pond?

2 MR. ARDMAN: The field does not. The
3 sheet flows natural. Basically it's open space now
4 and all we're going to do is grade it out so it
5 works for a field and then it will flow to the back,
6 and any of the other water that will go into the
7 pond, and that's about a wash, there might be
8 slightly more water over there, but when the water
9 came in from the detention basin to the detention
10 basin from the parking, we were able to hold back a
11 much higher percentage of it.

12 So, basically, all that water from all
13 these points comes down to the same location here
14 where they all meet up, and we made sure that,
15 besides being no increase, there's that decrease
16 that I described to you.

17 MR. LERNER: Okay. So is there a
18 different way to develop the portion? It all goes
19 to the basin and the nondeveloped or what you're not
20 building on stays kind of that end?

21 MR. ARDMAN: Correct.

22 MR. LERNER: The other question I have
23 is does a center like this have a certain number of
24 families -- you're probably not the right person to
25 ask the question to, but is there a limit on

1 membership?

2 I know there's a square footage to
3 parking space, but I'm wondering families to parking
4 space.

5 MS. TUBMAN: It's not a question this
6 witness could answer, but we will address it.

7 MR. LERNER: Okay.

8 MS. TUBMAN: I can't testify to it. I
9 do have a witness who can.

10 MR. LERNER: That's all I have.

11 CHAIRMAN RUSAK: Anyone else here?

12 MR. KURDYLA: A thought that I have is
13 the number of parking spaces to the house of
14 worship. How does the -- can you explain how that
15 works with the school?

16 MR. ARDMAN: Sure, a good question.

17 There are no parking criteria specifically in
18 Bridgewater for schools as most schools are kind of
19 by right and they do their own. We did look at, you
20 know, potential use for the school. You'll hear
21 testimony from the applicant as a potential upset
22 number what that might be.

23 So we figured, with the extra spaces,
24 we have well over 55 spaces for the number of
25 classrooms in that building that -- so we have more

1 than enough parking. What we've seen is that
 2 the times when -- with any religious institution in
 3 maximum use of the building, be it a mosque or a
 4 church or a temple, that's the big holiday, and
 5 that's when the school will not be in session.
 6 So you'll hear, you know, again from
 7 the applicant, but just a fraction of these spaces
 8 will be used on a day-to-day level, and it will be
 9 more than ample room for the parking for the school,
 10 and on those big days, Christmas, et cetera, there
 11 will be no school, and that will be all available
 12 for the mosque, and there will be still from my
 13 calculation 55 extra spaces.
 14 MR. KURDYLA: Fifty-five extra spaces?
 15 MR. ARDMAN: Yeah.
 16 MR. KURDYLA: Okay. Thank you.
 17 MR. CHARLES: Just a clarification.
 18 You had mentioned going through the point-by-point
 19 on the -- what we get on that.
 20 MR. ARDMAN: Yes. Yes.
 21 CHAIRMAN RUSAK: Anyone else?
 22 Okay. At this time, if anyone in the
 23 audience, any members of the community would like to
 24 come up and question the first witness directly to
 25 what he presented?

1 MR. COLLINS: We'll also even allow
 2 comments and questions, but we will -- everyone will
 3 be sworn because we must have you sworn for the
 4 record. It's a verbatim recording which is a
 5 required record.
 6 So if anyone would like to either come
 7 forward and make a statement or ask questions of Mr.
 8 Ardman, this would be a good time to do that now.
 9 Good evening, sir. Please raise your
 10 right hand. Do you swear or affirm to tell the
 11 truth, the whole truth and nothing but the truth so
 12 help you God?
 13 MR. ROBERTS: I do.
 14 MR. COLLINS: Please state your name
 15 and address.
 16 MR. ROBERTS: Chris Roberts, 737 West
 17 Foothill Road, Bridgewater.
 18 MR. COLLINS: Chris, do you swear or
 19 affirm to tell the truth, the whole truth and
 20 nothing but the truth so help you God?
 21 MR. ROBERTS: I do. You want me to do
 22 it again?
 23 MR. COLLINS: Do you swear to tell the
 24 truth, the whole truth and nothing but the truth so
 25 help you God?

1 MR. ROBERTS: I do. Can you go back to
 2 the other one, the Google map one if you don't mind?
 3 MS. TUBMAN: And that is exhibit --
 4 MR. ARDMAN: E-2.
 5 MR. ROBERTS: Can I walk over to the
 6 map?
 7 MS. VOORHEES: Use the microphone.
 8 MR. ROBERTS: I don't need the mike.
 9 This is my house right here. Okay. This is my
 10 house. Now, in the plans that we were able to get,
 11 there was a mention of a stone marker found in the
 12 back of the house, back of the property which I went
 13 to over the weekend and found it, and it's
 14 approximately here, right here. To me, this is a
 15 little closer than 300 feet as you described
 16 earlier. Okay. This is exact opposite from
 17 mid-field of the soccer field.
 18 Now, if any of you people have been
 19 down our block at all, you notice it is a very quiet
 20 residential street. Okay. Now, what I'm assuming,
 21 maybe I'm assuming wrong, that on Christmas, when
 22 you say everybody is out of school, all of us that
 23 live here are at home. Okay. So if you have 250
 24 people, cars, I'm sure they're not all one person in
 25 each car, in here, and there's overflow, where's

1 overflow going to go?
 2 Just like the temple further up the
 3 road, they all went to the side streets. Okay.
 4 That's one of my concerns.
 5 Secondly, when they have a festival, is
 6 this where they're going to have a big party? This
 7 is a very, very, very quiet cul-de-sac as you guys
 8 can imagine. Okay. That's a main concern of mine.
 9 There is no way this is 300 feet from the edge of my
 10 property. No way.
 11 MR. ARDMAN: I'll clarify. It's not.
 12 MR. ROBERTS: And the second question I
 13 have, when you were talking, Mr. Lerner asked a
 14 question about runoff, and you're saying all the
 15 runoff is going to go towards the end of the
 16 property. When they -- the first time they bulldoze
 17 all the trees that used to be here, it created a
 18 river in my backyard and my neighbor's backyard who
 19 lives right here.
 20 Okay. If you do more of this grading
 21 as you're saying, I would imagine it's going to
 22 create more of a runoff, less than a runoff. You're
 23 an engineer. You can tell me. Okay.
 24 And the third point I have, I don't
 25 think it's for you. Maybe it's for the people who

1 plan on building this. In the Mountaintop Road
2 there's supposed to be one building, no sports
3 facilities, no recreation facilities, and my concern
4 is go by Brown Road. Everyone knows what happened
5 up there. Who says that's not going to happen here?

6 Like I said, this is a very quiet
7 residential street with about 20 little kids five
8 and under. Okay. All I can see is -- and you all
9 know this road. You're all Bridgewater residents.
10 Two hundred cars coming in and out of here on a
11 weekend. Are you kidding me? Do you know what
12 that -- it's hard enough getting out of these
13 streets now. You want to add that on a weekend or a
14 weekday. You'll never be able to get out of the
15 block. Okay.

16 I mean I know there's a big lawsuit,
17 and there's land swap, and people on this road in my
18 opinion got screwed by this deal you guys made. So
19 I have three basic questions.

20 This is not 50 feet -- this is not 300
21 feet. What are you going to do with the runoff and
22 what's -- maybe you can answer this question. On
23 Christmas day or Thanksgiving day, whenever their
24 festivals are, where are they going to hold this,
25 and how did this become from one building to all

1 this other with the recreation facilities?

2 MR. ARDMAN: First, just the numbers
3 that you -- and I apologize. So it's from the rear
4 of the lot to the paved parking lot. So that is
5 different, but I probably went through that quick,
6 and I should have been more clear. So from the rear
7 corner to the paved parking lot is 300 feet. You
8 are correct.

9 It's about from the corner -- the back
10 corner to the property line is 150 feet. Basically,
11 the width of what was that old lot section there
12 that the township is going to have. So from your
13 back corner to that property line is 150. From your
14 back corner to the parking is 300, and, again, from
15 your house corner to this -- the property -- the
16 nearest property corner is about -- that's about 190
17 feet. So just --

18 MR. ROBERTS: When I stood in my
19 backyard, the grass part of my backyard, there is
20 some woods. I assumed I was looking at the 18 yard
21 marker on the back end of that soccer field. I
22 don't want to look at that. I like the wooded area.

23 You know, your original plan was for a
24 building, a worship house up on Mountaintop Road.
25 Now it's become, you know, a lot more than that, and

1 I mean was that part of the deal that all this extra
2 stuff would be added, and the traffic, I mean it's
3 going to be a nightmare. You're an engineer. You
4 make plans. You make thoughts about what the
5 traffic is going to be like.

6 MS. TUBMAN: Mr. Chairman, I know we're
7 discussing both questions and comments, but if they
8 could be broken up so Mr. Ardman gets a chance to
9 address the portions of the questions, I think it
10 would be more efficient for the board and for you,
11 sir.

12 MR. ARDMAN: So from the traffic
13 standpoint, we do have a traffic engineer who looked
14 at it. You'll hear the testimony that with a lot of
15 religious institutions the parking is for the larger
16 days. On the peak days there's always
17 accommodations made for off-site, if necessary. If
18 and when they grow big enough that they would need
19 that, that's standard accommodation for any
20 religious institution.

21 As far as the traffic goes, you'll hear
22 it's not a weekend peak. The applicant will go to
23 that, what daytime hours that they're here most of
24 the time.

25 For stormwater runoff, again, we really

1 did take a lot of time to look at this because we
2 understand your concerns. It's really just going to
3 level. It's not going to change the patterns. It's
4 going to do what you want, just the field is not
5 uneven there so kids can run around and kick a ball.
6 That's it. It's not going to change a lot of
7 drainage patterns there. We're not touching woods.
8 You know, any of this woods stays in the township,
9 the property now, so you have that full added --
10 wooded -- that won't be touched.

11 There's actually wetlands, swales
12 through there. I know those questions came up at
13 the prior hearing with the subdivision with the DEP
14 regulations. There's virtually no way to touch any
15 of those wooded areas and wetlands buffer areas that
16 are going into the future on this. So, you know, in
17 summer, I'm confident the numbers we have in the
18 stormwater. Like I said, we oversized that
19 stormwater detention basin on purpose.

20 MR. ROBERTS: Can you show me where the
21 stormwater detention basin is? How is that going to
22 affect where the soccer field is going to be?

23 MR. ARDMAN: That's going to -- as the
24 board member asked, that water naturally goes now,
25 and we're just going to level it. We're not

1 changing any patterns. That won't go to the basin.
 2 I agree on that, but all this will and that all
 3 eventually made it down here same point here as
 4 well.
 5 So since we're slowing that down, it's
 6 going to slow down the combination of all the water
 7 coming here, and we've held back 10, 20, 30 percent
 8 more than we had to do which is already a lower
 9 number than today's number. So that I'm confident
 10 that will handle the stormwater on the site, and,
 11 again, as for uses on the property, I was not
 12 involved in the last project either.
 13 These are kind of standard in religious
 14 institutions and schools that go with them, some
 15 play fields. I understand you're on a cul-de-sac,
 16 but we've tried in our design to push things up
 17 towards the highway as much as possible recognizing,
 18 you know, all the neighbors, but, specifically, the
 19 western neighbors are the closest, and also off of
 20 Harding, those neighbors there.
 21 MR. COLLINS: Please raise your right
 22 hand. Do you swear or affirm to tell the truth, the
 23 whole truth and nothing but the truth so help you
 24 God?
 25 MS. ROBERTS: I do.

1 MR. COLLINS: Please state your name
 2 and address and spell your last name.
 3 MS. ROBERTS: Dawn Roberts,
 4 R-O-B-E-R-T-S, 737 West Foothill Road.
 5 My question is -- and I know your
 6 intentions aren't having any kind of water damage or
 7 anything like that, but if in the event, I know
 8 you're trying to take every precaution, that it does
 9 come and it does affect our neighbors, we are then
 10 left with the cost of trying to clean up a mess that
 11 maybe had been created. I know your intentions
 12 aren't that, and with the maintenance and everything
 13 of the basin, who's responsible for that?
 14 MR. ARDMAN: It will be the applicant,
 15 the future owner's responsibility as opposed to
 16 years gone by where some of these basins kind of got
 17 overgrown and neglected. There's actually a full
 18 manual that goes with it and then gets filed with
 19 the property.
 20 So there's basically a legal report
 21 that goes through that says you have to make sure
 22 you clean out these pipes X times of year. You have
 23 to make sure you keep all the outlets clear. You
 24 have to make sure that there's not erosion
 25 downstream. Those types of things are fully written

1 out, and they're basically a legal document that go
 2 with the property.
 3 MS. ROBERTS: So they're inspected
 4 yearly or by the town or by pipe inspectors?
 5 MR. ARDMAN: It's the responsibility of
 6 the homeowner. The township, I think the wording
 7 is, has the right but not obligation if something
 8 goes awry with the basin to come onto the property.
 9 So it is the property owner's responsibility, and
 10 they have to keep a log.
 11 There are things to do quarterly,
 12 things to do yearly and then there's another list to
 13 do if you have a severe rain even if you have one
 14 three weeks in a row. After each of those, you're
 15 supposed to go out and maintain it.
 16 MS. ROBERTS: Who do they report to?
 17 MR. ARDMAN: That is to keep the log on
 18 their own.
 19 MS. ROBERTS: Nobody is watching that
 20 basin besides them?
 21 MR. ARDMAN: Right.
 22 MS. TUBMAN: There is also an ordinance
 23 requirement for a conservation easement that allows
 24 the township to come in and maintain the basin if it
 25 is not maintained and charge the cost of that

1 maintenance back against the property owner.
 2 MS. ROBERTS: So after it's all created
 3 and everything and it's all settled, over time it
 4 settled, so my work would eventually -- it will
 5 deteriorate. If we see something going on
 6 contributing that we think it's not properly
 7 maintained, we're getting more water than usual, do
 8 we complain to the town or do we complain to the
 9 homeowner?
 10 MS. TUBMAN: I would say both.
 11 MS. ROBERTS: Can anyone else answer
 12 that on the board?
 13 MR. BOGART: I think Ms. Tubman
 14 answered that.
 15 MS. ROBERTS: Both. I'm just saying we
 16 feel that it's not being maintained properly, it's
 17 causing whatever, and then you will send somebody
 18 over to inspect it. Is that the protocol of it?
 19 MR. BOGART: Most likely or the owner
 20 has to give us a report.
 21 MS. ROBERTS: Would they get fined or
 22 would they have to correct it?
 23 MR. BOGART: I'm sorry.
 24 MS. ROBERTS: They would just get fined
 25 or would they have to correct it and be inspected?

1 MR. BOGART: That becomes an issue
 2 between the town and DEP.
 3 MS. ROBERTS: While we're taking water
 4 buckets out of our basements, that's what our worry
 5 is. We have water. We looked into when we moved in
 6 to put a pool in when we first moved in. Our
 7 grading in our backyard -- you keep talking about
 8 grading. That grading keeps on going down into our
 9 properties, and even though ever so slightly, we
 10 have a very slight grading on our backyard, and the
 11 reason we didn't grade it the way we wanted to is
 12 because we have a lot of natural springs. There's
 13 natural springs all over those parts of the wood.
 14 There's some soggy areas and, of course, the
 15 wetlands are there, but there's natural springs.
 16 So us disturbing it, we found out
 17 disturbing it would cause a heck of a lot of
 18 problems and cost to us. So we showed them that we
 19 didn't do that. We didn't grade it, and so that in
 20 itself, as a property owner, we made that decision.
 21 So when it's being made all around us, we have no
 22 control over, putting french drains, extra pumps,
 23 we're going to have to accommodate, that is a cost
 24 to us that we don't want to spend on that.
 25 That is our concern. I know it's not

1 your intention, but what if it does happen. That is
 2 a really big problem for all of us. We're very
 3 concerned with that because water is so damaging.
 4 We all know that, and that is one of our big
 5 concerns. That is one of our basic concerns. So
 6 what is it that -- what can we do if it does cause a
 7 problem?
 8 MR. ARDMAN: I think it was said come
 9 to the property owner, come to the township, and the
 10 way it's designed, if anything is going awry, there
 11 are mechanisms to fix what's going on there, but I'm
 12 cautious, and I tell applicants this, that I'll
 13 overdesign a basin, because in the end, it's going
 14 to come back to me as the engineer on the project.
 15 So your mechanism is to complain to the
 16 applicant and to the township, and regarding the
 17 springs, I agree with you. Once you start messing
 18 with them, you don't know how it's going to go, and
 19 that's why we made a conscious decision not to go
 20 into any of the regulated areas. When we have on
 21 our property -- on both sides on the easement area
 22 and on top, we have wetlands and then a buffer with
 23 that, you know, you're supposed to stay out of the
 24 buffer, but you can go into the buffer if you get a
 25 permit from DEP, but we made the decision we're just

1 going to leave that. We're going to fit everything
 2 outside those regulated areas because we didn't want
 3 to get into that same situation. So we're trying to
 4 disturb as little as possible. Okay.
 5 MS. ROBERTS: Okay. And I know those
 6 wetlands are supposed to be protected, but I know
 7 that the DEP does give some permits for certain
 8 things like roads and stuff like that.
 9 Now, rumor, I've heard they do want to
 10 break through our cul-de-sac to make another outlet,
 11 and our concern is that if they need another one way
 12 in, another one way out, I know you have another for
 13 emergency vehicles or is it just one driveway?
 14 MR. ARDMAN: There's one driveway for
 15 everybody to get out of the highway, but there's a
 16 road that loops all the way around the building for
 17 circulation, and I can tell you unequivocally that
 18 we will not be able to go out there once this is
 19 done because the property in the back is owned by
 20 the township, not the applicant. So they won't be
 21 able to go through that back property.
 22 MS. ROBERTS: They won't be able to
 23 apply for a permit to get some sort of road leading
 24 to their property?
 25 MR. COLLINS: No. Everyone, that rumor

1 you heard is incorrect. There will not be a
 2 driveway or roadway to West Foothill.
 3 MS. ROBERTS: There will be no permits
 4 granted?
 5 MR. COLLINS: Not to the house of
 6 worship or this property at all.
 7 MS. ROBERTS: It won't.
 8 MR. COLLINS: No.
 9 MS. ROBERTS: And we're talking about
 10 the schools other events it might have or any kind
 11 of worship, what they want to do. I know in our
 12 church we want more the merrier. We want to build
 13 our faith or our community.
 14 So although you have that many cars in
 15 there, the ultimate goal is to have more and more
 16 and more people come. That is, of course, what
 17 everybody wants.
 18 When there is an overflow, where are
 19 you going? You said there are other provisions.
 20 Where are those cars going to go?
 21 MS. TUBMAN: Mitch really should not
 22 have spoken to overflow because we have -- first, we
 23 have another witness to testify as to the capacity
 24 of the building. Mitch really can't do that
 25 testimony. We also have parking standards and we

1 will have testimony on that.
 2 MS. ROBERTS: So you don't know how
 3 many people can fit in the parking lot?
 4 MS. TUBMAN: We do know, but the civil
 5 engineer can't speak to the building. The architect
 6 will be here at the next hearing.
 7 MS. ROBERTS: They have to -- you can't
 8 answer even if you know?
 9 MS. TUBMAN: He doesn't really know.
 10 MS. ROBERTS: Well, basically, around
 11 how many?
 12 MR. COLLINS: No. The witness that
 13 deals with the square footage of the building --
 14 MS. ROBERTS: Is not here?
 15 MR. COLLINS: By operation of law is an
 16 architect. This gentleman is an engineer. It's a
 17 little bit beyond his scope, but they will be
 18 calling their architect.
 19 MR. CHARLES: You'll have another
 20 opportunity to come up and question that witness,
 21 and then when there's another witness, you'll have
 22 an opportunity to question that witness.
 23 MS. ROBERTS: This is that process when
 24 people come to ask those type of questions and they
 25 can answer that properly.

1 MS. TUBMAN: He's not generally allowed
 2 to answer questions. I'm not allowed to.
 3 MS. ROBERTS: That's all I can ask you
 4 then. All right. Thank you very much.
 5 MR. COLLINS: Sir, please raise your
 6 right hand.
 7 MR. KURZ: My is Robert Kurz, K-U-R-Z,
 8 775 West Foothill Road.
 9 MR. COLLINS: Do you swear or affirm to
 10 tell the truth, the whole truth and nothing but the
 11 truth so help you God?
 12 MR. KURZ: I do.
 13 MR. COLLINS: Thank you, sir. Go
 14 ahead.
 15 MR. KURZ: Couple questions I have for
 16 this design. Let's address the water runoff first.
 17 I live right where that detention basin
 18 is going to be. I've walked that back lot back
 19 there right about where you are at now. There is a
 20 casement there now which has a pipe which I presume
 21 is coming out of the nursing home.
 22 Has your runoff calculations factored
 23 in what the runoff is coming from the nursing home?
 24 MR. ARDMAN: Yes. They actually have
 25 drains around their nursing home and then into more

1 of the ditch area.
 2 MR. KURZ: Right, like a swale.
 3 MR. ARDMAN: Yeah. That water won't go
 4 into our basin. That goes basically into this swale
 5 area, and our basin is up to the north of that. So
 6 we did see that. We walked through that woods and
 7 peaked through that brush, yeah. So we know that.
 8 MR. KURZ: The question I have is
 9 you're saying the overage from your detention basin.
 10 Where does that go?
 11 MR. ARDMAN: Yeah. A pipe will go out
 12 and goes towards that ditch then.
 13 MR. KURZ: So the same ditch?
 14 MR. ARDMAN: Yes.
 15 MR. KURZ: So what I'm asking is your
 16 factors of overage are taking into account what the
 17 overage would be from the nursing home?
 18 MR. ARDMAN: Right. So we don't have
 19 to take care of their stormwater.
 20 MR. KURZ: If they're putting in X
 21 amount of gallons, as you're factored downstream
 22 taken in -- I mean I know you're saying, hey, we're
 23 only putting out X gallons. Well, what's the Y
 24 gallons going to be added to that X gallons?
 25 MR. ARDMAN: Yes.

1 MR. KURZ: So then it comes into your
 2 factoring before.
 3 MR. ARDMAN: Yes.
 4 MS. TUBMAN: We can only have one
 5 person speak at a time.
 6 MR. KURZ: I apologize.
 7 MS. TUBMAN: We need the court reporter
 8 to take it down.
 9 MR. KURZ: I apologize.
 10 So when the swale is now -- basically,
 11 it's a little swale, but all the water that any
 12 runoff from the applicant's property will go into
 13 that swale. Can you show where that swale goes and
 14 how far -- I mean where's the drainage for that
 15 swale?
 16 MR. ARDMAN: Once it comes
 17 downstream -- so here's the swale. Our basin, our
 18 outlet at that location here enjoins to the other
 19 swale and it comes back to the west here and past
 20 the end of the Foothill Road and keeps heading west
 21 towards 287, and that's where it basically connects
 22 together with the screen and comes towards the end
 23 of our property and ties together.
 24 Basically, the swale is straight west
 25 as the other homeowner says past the end of the

1 Foothill Road lots.
 2 MR. KURZ: With the two joining there,
 3 as of a landscape person, the wetlands have been
 4 created prior to any development. Would that not
 5 signify that the water is staying in that area
 6 normally?
 7 You're going to be adding more water.
 8 The water coming off is going to be added to that
 9 area?
 10 MR. ARDMAN: That's the same way it's
 11 always gone. It will keep the same pattern.
 12 MR. KURZ: It will keep the same
 13 pattern, keep the same wetness to the ground?
 14 MR. ARDMAN: Correct.
 15 MR. KURZ: Next question I have for
 16 you, as the property lays out now, single property
 17 exit, I presume there's no plans for traffic lights
 18 for the property?
 19 MR. ARDMAN: No.
 20 MR. KURZ: I don't mean to say it
 21 sarcastically, but have you ever tried to turn going
 22 north on 202/206 into the nursing home, West
 23 Foothill, Harding to know the traffic at certain
 24 times of the day granted, but you're not talking
 25 about the holiday times. We're talking about a

1 daily event and morning rush hour, afternoon rush
 2 hour, because normally, literally, afternoon, you
 3 have to wait three, four minutes.
 4 If you're going to be adding X amount
 5 of traffic there, is there any consideration that
 6 the state has come in and said that would be too
 7 much traffic flow in this area?
 8 MS. TUBMAN: I don't really want to
 9 interrupt you, but we will have a traffic engineer.
 10 MR. KURZ: That answers my question.
 11 MS. TUBMAN: There's also a DOT access
 12 permit that will be required. We are -- our traffic
 13 engineer can talk about the timing of traffic, the
 14 anticipated state review, but this engineer cannot.
 15 MR. KURZ: I asked the question. You
 16 answered it for me. I appreciate it.
 17 The last question as far as traffic.
 18 Again, I don't know whether this can be answered.
 19 The board is considering an applicant on the other
 20 side by where the Lynn's farm stand is where 40 --
 21 40-unit condo or townhouse or something like that.
 22 MR. BOGART: This board is not aware of
 23 that. It might be the board of adjustment.
 24 MR. COLLINS: There's not an
 25 application.

1 MR. KURZ: My neighbors across the
 2 street received mail from the town saying there is a
 3 applicant looking to put in 40 townhouses.
 4 MR. BOGART: Could be board of
 5 adjustment.
 6 MR. KURZ: Somewhere in the process is
 7 40 units going across the street? I'm saying would
 8 that be taken into consideration with the traffic
 9 engineer?
 10 MS. TUBMAN: We have no knowledge of
 11 that.
 12 MR. KURZ: I'll ask the board this
 13 question. In that issue that we've been made aware
 14 of something is going to be built on the other side
 15 of our street, but, yet, they're not aware of it,
 16 how do we make them officially aware so they take
 17 that into their consideration?
 18 MS. TUBMAN: The Department of
 19 Transportation governs. This is a state highway and
 20 they would be aware of one permit application and
 21 another if it comes later.
 22 MR. KURZ: And are they coming to
 23 testify?
 24 MS. TUBMAN: No.
 25 MR. KURZ: The question is how do we

1 make this applicant directly aware that there's
 2 going to be more traffic put into our area by
 3 another applicant because it would possibly affect
 4 their decision on how to design their roadway?
 5 MR. COLLINS: You can't, sir. Only the
 6 DOT has jurisdiction over driveway access to state
 7 highways, not the town, not the township, not any
 8 township, not this board.
 9 So even if you were to make this board
 10 aware of something about the subject, it's not
 11 within the jurisdiction of a local planning board to
 12 determine whether DOT does or doesn't grant a
 13 permit.
 14 That being said, that's where the forum
 15 is at the DOT, but this property did receive a DOT
 16 permit before any 39-unit townhouse development. So
 17 it was the subject of prior approval of the DOT
 18 permit.
 19 So if that helps you understand how it
 20 works, that's basically how it works, but that
 21 doesn't mean you can't ask questions about -- of
 22 this witness about the site plan or of the traffic
 23 consultant when he testifies about what his opinions
 24 are.
 25 MR. KURZ: I don't know whether you can

1 testify, sir, because you're the attorney.
 2 MR. COLLINS: I didn't testify.
 3 MR. KURZ: The question I have, you
 4 broached it, is the previous applicant had been
 5 approved. What was the parking space total for that
 6 previous applicant?
 7 MR. COLLINS: I don't know the number.
 8 MR. KURZ: This is what I'm asking.
 9 Who would I go to?
 10 MR. COLLINS: It's a very substantial
 11 number of cars per day. I can assure you of that.
 12 MR. KURZ: They're calling for 285 I
 13 believe you said parking spaces.
 14 MR. COLLINS: Thirty-nine townhouses
 15 was a very large number of parking spaces as well.
 16 MR. KURZ: Okay. I don't dispute that
 17 it's very large, but what is the number? Is there a
 18 way to find out?
 19 MR. COLLINS: You could look at the
 20 file. That's the DOT permit.
 21 MR. KURZ: There's been previous
 22 reference to what the -- and I was at the site plan
 23 thing the other day. There's been previous
 24 reference to what was approved already, but it's
 25 apples and oranges if we don't know what it is.

1 MR. BOGART: It's all in the file.
 2 MR. KURZ: So we can go down and get
 3 the previous file also, same as I applied for this
 4 file?
 5 MR. BOGART: If you're interested, you
 6 can file an OPRA request and get whatever you want.
 7 MR. KURZ: Okay. Thank you.
 8 MR. COLLINS: Sir, just to help you
 9 understand, any approval of this house of worship
 10 site plan application will be subject to NJDOT
 11 approval of the highway access permit, and that's
 12 what Ms. Tubman said.
 13 MR. KURZ: She did say there's going to
 14 be a traffic engineer coming.
 15 MR. COLLINS: She did say that.
 16 MS. TUBMAN: I did say that.
 17 MR. COLLINS: Please raise your right
 18 hand. Do you swear or affirm to tell the truth, the
 19 whole truth and nothing but the truth so help you
 20 God?
 21 MR. MOEN: Yes, I do.
 22 MR. COLLINS: State your name and spell
 23 your last name.
 24 MR. MOEN: Ed Moen, M-O-E-N, and I'm at
 25 750 West Foothill Road.

1 Question on the basin. Where is that
 2 release? Is it still up or are you taking it down
 3 further?
 4 MR. COLLINS: Maybe it would be helpful
 5 to give one quick overview of how you captured all
 6 the water and direct it to the basin and where you
 7 let it out.
 8 You did describe that before, but I
 9 think a brief summarization of that might help.
 10 MR. ARDMAN: Sure. So I'm going back
 11 as it's blown-up a little better Exhibit A-3 which
 12 is the site plan. So in all the gray area that we
 13 have on-site on this rendering, that's all pavement,
 14 and then the school building and the house of
 15 worship are the tan. All that water is going to get
 16 piped into a series of inlets. The inlets in the
 17 parking lot -- I guess the parking lots and all
 18 these drains will go right in there.
 19 All those pipes come together in the
 20 series, come to one final point in the southwest
 21 corner of the parking lot and get piped into this
 22 detention basin wet pond here and are held in that
 23 pond. Then there's a pipe that goes out from there
 24 and then comes down stream to this point. The point
 25 is, as I said, on Lot 17 and is on the southerly

1 side of Lot 17 along the wetland swale that cuts
 2 through that property.
 3 So that's where it is in relationship
 4 to its downstream on our site, downstream of the
 5 nursing home property.
 6 MR. MOEN: Has there been any thought
 7 of extending that pipe so it's closer to the stream
 8 versus the chance of it hitting the neighbors down
 9 there?
 10 MR. ARDMAN: We can't pipe it besides a
 11 few feet practically to the end of the shaded area
 12 here. That's where we have our easement. That's as
 13 far as it goes.
 14 MR. MOEN: Okay. Thanks.
 15 MR. FRANCO: Can I ask you a quick
 16 question, Mr. Ardman? The site as it exists now,
 17 how does it drain?
 18 MR. ARDMAN: It drains in east to west.
 19 So from 202/206 basically straight to the back.
 20 There's kind of a ridge in the property where some
 21 of it goes to the stream on the north side and some
 22 of it comes to the stream on the outside.
 23 So, again, they all flow in that
 24 direction and then meet up, those two channels meet
 25 up down just by the end of West Foothill.

1 MR. FRANCO: And you're going to be
 2 controlling two-thirds of the woods previously to --
 3 MR. ARDMAN: That's correct.
 4 MR. COLLINS: Sir, please raise your
 5 right hand. Do you swear or affirm to tell the
 6 truth, the whole truth and nothing but the truth so
 7 help you God?
 8 MR. WEINGLASS: I do.
 9 MR. COLLINS: Please state your name
 10 and address and spell your last name.
 11 MR. WEINGLASS: Dan Weinglass,
 12 W-E-I-N-G-L-A-S-S, 5 Crestwood Drive, Bridgewater,
 13 New Jersey. My question is there's a call to prayer
 14 five times a day. Yes?
 15 MS. TUBMAN: We will have a witness
 16 here this evening who can answer that question.
 17 MR. WEINGLASS: Okay. So there is a
 18 call of prayer five times a day. You have a
 19 potential of 280 cars going into your parking lot
 20 every single day five times a day and leaving five
 21 times a day. That's one thing.
 22 You also say that there is ample space
 23 for your school and your house of worship at the
 24 same time because during high holidays there
 25 wouldn't be any school. Ramadhan is a month long.

1 Okay. It's a high holiday. There's a high turn out
 2 for prayer. You're going to have a high influx of
 3 people there and school children at the same time.
 4 That's another thing.
 5 Another thing is what have you --
 6 you're wiping out the entire green field there and
 7 putting in parking lot and buildings. As it is now,
 8 Bridgewater is over -- what are you going to do to
 9 protect 202/206 from the wildlife that's displaced
 10 and is going to run across the road now.
 11 Okay. These are the questions that I
 12 have.
 13 Also, it's a good size school. More
 14 than likely, you won't have people bringing kids in
 15 with cars because I'm not -- I'm not part of the
 16 community, the Muslim community in the area. I
 17 don't know what the size of the community is, but,
 18 most likely, they'll be bussing students in. I
 19 don't see that this parking lot is really suited for
 20 school busses, and, again, you're going to have
 21 someone else just talk about the DOT and the access
 22 and entrance and exit from 202/206. So you can't
 23 answer that, but cars, busses and all that five
 24 times a day.
 25 Those are the questions I have. I'm

1 not directly affected in none of this, but that's
 2 what I have. I do travel the road.
 3 MS. TUBMAN: Let me start if I may.
 4 This witness can answer perhaps a little bit of that
 5 question, but he cannot address your assumption that
 6 five times a day the parking lot will be filled. He
 7 cannot address it. The next witness will be able
 8 to.
 9 MR. WEINGLASS: I can only assume, if
 10 you build it, they will come. So you have to assume
 11 that the facility will be used to its totalitarian.
 12 You're not going to overbuild something and then not
 13 use it. You have to assume that it's going to be
 14 used. You know, that's the way I look at it.
 15 MR. ARDMAN: Regarding the use of the
 16 site, I can say we've worked with the board for the
 17 house of worship for many months here, and, again,
 18 they will address the specific times and number of
 19 people, but in all our discussions, the number of
 20 parking spaces that we've provided and reviewed with
 21 them has always been ample for what they project to
 22 be their use, and they can talk about that in a
 23 little more detail.
 24 Again, with the school, there will be
 25 discussion on that, but regarding circulation, we

1 actually did set this up to be a drop off of parents
 2 or school busses that as you come into the site that
 3 you could come down this last aisle from the end of
 4 the entrance drive that runs south and then turn in
 5 front of the school and then the students would be
 6 dropped on the correct side on the passenger side in
 7 front and then you could loop straight back out and
 8 go out there. So as far as a circulation pattern,
 9 the busses or with parental drop off, actually, that
 10 flow we did take a look that that would work out
 11 good on that site.
 12 MR. WEINGLASS: That's all I have. I
 13 just want the board to consider if I'm not here for
 14 the next traffic witness. Thank you.
 15 MR. COLLINS: Sir, please raise your
 16 right hand. Do you swear or affirm to tell the
 17 truth, the whole truth and nothing but the truth so
 18 help you God?
 19 MR. FIORENDINO: I do.
 20 MR. COLLINS: Please state your name
 21 and address.
 22 MR. FIORENDINO: James Fiorendino, 730
 23 West Foothill.
 24 MR. COLLINS: Spell your last name.
 25 MR. FIORENDINO: F, like Frank,

1 I-O-R-E-N-D-I-N-O.
 2 MR. COLLINS: Thank you, sir.
 3 MR. FIORENDINO: As I am to understand,
 4 the retention basin debris -- I live on the very end
 5 of the cul-de-sac where that swale is right next to
 6 my house. That's my property, and which is a bone
 7 of contention I've had with the town. Since we've
 8 had many storms, there's dead trees, thatch,
 9 everything is piled up in that ditch right now. I'm
 10 constantly hit with sandy water. It just doesn't go
 11 anywhere.
 12 I've gone to the engineer's office many
 13 times asking for relief of this situation. I've
 14 been three years. Nothing has been done, not one
 15 stick has been removed. I want the town to do
 16 something about that and clear it. More water is
 17 going to run off and it's a dam and it's going to
 18 affect my property with rodents and insects. So
 19 what's going to be done with that?
 20 MR. ARDMAN: That I can't speak for the
 21 town. That's downstream.
 22 MR. FIORENDINO: Well, you're going to
 23 be adding to it.
 24 MR. ARDMAN: Again, my testimony and my
 25 calculation show, although the water is going to in

1 that direction, it's the same direction it goes in
 2 now. It will be less intense once it goes to our
 3 basin. It will slow it down.
 4 MR. FIORENDINO: How will the town ease
 5 my concerns? If you come down, take a look. I'll
 6 take you on the property and show you. It's
 7 standing water from trees that have fallen since
 8 Hurricane Sandy, even some before that.
 9 I've tried to go out and move
 10 everything to get the water going and I can't, and
 11 then I have rodents coming on my property and then
 12 sometimes on warm day we're besieged with bugs from
 13 the water.
 14 MAYOR HAYES: Can you have a response?
 15 MR. BOGART: Yes, it's difficult,
 16 because as a matter of policy and legality, the
 17 town --
 18 MR. FIORENDINO: The town has an
 19 easement on the part of my property to that.
 20 MR. BOGART: To allow them to go there,
 21 but not to require them to go there.
 22 MAYOR HAYES: Let's find out. We will
 23 respond to you. We will look at -- we will look up
 24 who's responsible for that, and if the township is
 25 responsible, we will respond.

1 We will respond either way, but we will
 2 meet our obligation if we have an obligation, and
 3 what I hear the engineer saying is that obligation
 4 is unclear, but we'll take a look at it.
 5 MR. FIORENDINO: I'd like to know what
 6 that answer is.
 7 How many -- I know you might not be
 8 able to answer this question. How many students are
 9 going to be at that school?
 10 MS. TUBMAN: I need to be the one who
 11 keeps saying he is not the right witness. He will
 12 be here. He's here this evening if we get to it.
 13 MR. FIORENDINO: Okay. Thank you.
 14 MR. COLLINS: Any further questions or
 15 comments?
 16 Sir, please raise your right hand. Do
 17 you swear or affirm to tell the truth, the whole
 18 truth and nothing but the truth so help you God?
 19 MR. REIS: I do.
 20 MR. COLLINS: Please state your name
 21 and address and spell your last name.
 22 MR. REIS: Joe Reis, R-E-I-S, and it's
 23 15 Hastings Court.
 24 I see that there's a -- it's like a
 25 field back there. Right now there's nothing there.

1 So the ground is pretty mushed and water is let in.
 2 With the soccer field, you're going to have more
 3 packing. So the water is going to run faster.
 4 How are you going to stop that water,
 5 because my house is right after that, and by now, I
 6 have a lot of water and I would like to know what's
 7 going to happen?
 8 MR. ARDMAN: Sure, and I do understand
 9 the concerns of water on the property. So as it
 10 flows off the site, the way this is graded in the
 11 back, it goes to the ditch to the south we've been
 12 talking about onto the hill or the stream on the
 13 north side, and it will follow in one of those two
 14 corridors and go on where it's going now.
 15 So you're on Hastings?
 16 MR. REIS: Yes.
 17 MR. ARDMAN: So it should remain in
 18 that stream corridor and not flow onto your
 19 property.
 20 MR. REIS: Again, sure.
 21 MR. COLLINS: Let the witness -- he's
 22 not really done. Let him explain.
 23 MR. ARDMAN: So with that, we've taken
 24 into account how that flow does go all down that
 25 stream and goes in those points, and that's the

1 point I'm making about the stormwater design, and
 2 all this goes -- flows to the back at this point and
 3 it's uncontrolled.
 4 We're going to be controlling it now
 5 with this basin.
 6 MR. REIS: I'm sorry. That basin is
 7 on -- south and east of the soccer field.
 8 MR. ARDMAN: Right. It's still cutting
 9 off all this other water. So a chunk of this water
 10 does flow in your direction now. So we're catching
 11 all this water, though, and getting it into this
 12 pond and reducing the flow.
 13 Yeah. This is going to be created as a
 14 basin, and there will be a slight change, but it's
 15 going from brush to lawn. We're not paving back
 16 there. If we were paving back there, it would be a
 17 different story.
 18 MR. REIS: Soccer field, I know how
 19 tough that field is means it's compounded. So the
 20 water is going to run much faster, you know, in that
 21 area. So who's going to stop that water?
 22 MR. ARDMAN: Again, all I can say is we
 23 took all that into account in the design because
 24 that water all came from the top side there and went
 25 there before. So you have to reduce the area that's

1 going there. So you had a chunk of this north
 2 portion of our property that went straight back and
 3 was not controlled at all.
 4 Now that's all going to be taken away
 5 from flowing there. So you'll have a little more
 6 are of the basin that you're saying is changing from
 7 the brush in the field, but all this other area that
 8 also flowed back is going to the basin. So we're
 9 taking a chunk of drainage away from you. That's
 10 how we balanced it out to show that we're not
 11 impacting it.
 12 MR. REIS: Did anybody measure the
 13 water table in that area?
 14 MR. ARDMAN: There were soils test
 15 taken.
 16 MR. REIS: No. I'm talking on the west
 17 side.
 18 MR. ARDMAN: Down by the field?
 19 MR. REIS: Yes, at the end of the
 20 field.
 21 MR. ARDMAN: Yeah. There were soils
 22 tests taken throughout pretty much the whole site,
 23 and, yeah, there's --
 24 MR. REIS: Do you know the level of the
 25 water table?

1 MR. ARDMAN: I don't have the numbers
 2 with me, but, in general, they're high, and there's
 3 not good permeability in the soil.
 4 MR. REIS: The water table is not going
 5 to rise?
 6 MR. ARDMAN: Yeah, the water table will
 7 not rise.
 8 MR. REIS: And if it does, who do I
 9 sue?
 10 MR. ARDMAN: Yeah. It's not going to
 11 rise.
 12 MR. REIS: Well, they said the same
 13 thing with Woodmont, and I got more water than there
 14 was before, and it comes down that little stream,
 15 and, Mayor, I already talked to you about that too.
 16 You saw the pictures of my yard. It's all flooded.
 17 You guys didn't do nothing about it.
 18 So this is going to be increasing more water into
 19 this side. Does anybody --
 20 MR. COLLINS: The testimony is that it
 21 fully complies with the NJDEP requirements and, in
 22 fact, exceeds the NJDEP requirements for induction
 23 and flow in all storm events. That's a very
 24 substantial real thing and it's direct testimony
 25 from the witness. The review reports confirm it.

1 Technically, people don't have to do
 2 more than the DEP standards. They're doing more
 3 than the DEP standards. That's good.
 4 MR. REIS: In other words, they're
 5 going to guarantee me there's going to be less.
 6 MR. COLLINS: You don't hear that
 7 testimony more often. You heard it and the review
 8 reports confirm it. That is in excess. It's
 9 improving existing condition.
 10 MR. REIS: And that's guaranteed.
 11 MR. COLLINS: It's guaranteed as far as
 12 it goes in the sense of this field, yes, because
 13 compliance with NJDEP requirements is the minimum
 14 required. They're proposing more than the minimum.
 15 MR. REIS: I hope so. Thank you.
 16 MS. ROBERTS: Can I come up for one
 17 more question please? Dawn Roberts again.
 18 We have -- as you recall, we have to
 19 put a fence around. Does that require to have some
 20 kind of fence around any water.
 21 MR. ARDMAN: Our retention basin?
 22 MS. ROBERTS: Yes.
 23 MR. ARDMAN: Yes. The new pond, we
 24 have a fence around it.
 25 MS. ROBERTS: Four foot, six foot?

1 MR. ARDMAN: Four foot.
 2 MS. ROBERTS: What kind of fence?
 3 MR. ARDMAN: It's going to be a split
 4 rail fence with a mesh around it. So it basically
 5 has to meet the same criteria as a pool fence.
 6 MS. ROBERTS: As a pool fence. Okay.
 7 And so any questions regarding what type of
 8 schooling or the flow of traffic, we have to come
 9 back. You have to take later. The witness is here?
 10 MS. TUBMAN: I have a witness here this
 11 evening to speak to the operations of the mosque and
 12 the school and attendance.
 13 At the next hearing I will have an
 14 architect to speak to the building, and if we get to
 15 it, the traffic engineer to speak to traffic.
 16 MS. ROBERTS: All right. After your
 17 witness, then we can ask the questions.
 18 MS. TUBMAN: Yes.
 19 MS. ROBERTS: Okay.
 20 MS. TUBMAN: I'm trying to organize it
 21 so it's logical. I would ordinarily have my civil
 22 engineer and then the architect, but he couldn't be
 23 here this evening. So operations is the next
 24 logical testimony.
 25 MS. ROBERTS: Okay. I thought he would

1 be here before we all got up and had questions and
 2 might have to ask questions again. I thought it
 3 would be helpful and have his testimony just so we
 4 could ask the question and give the testimony and
 5 ask questions.
 6 MS. TUBMAN: Yes.
 7 MS. ROBERTS: Do I -- I don't know the
 8 question. Is everybody sworn in, the board members,
 9 anybody?
 10 MR. COLLINS: No. The board members
 11 are sworn an oath of office. Every witness, as you
 12 came up, is sworn. You will be. You all will be,
 13 and if you'd like to make a statement, because it's
 14 hard sometimes to make a question without the
 15 statement, it will be part of the record that you
 16 made a statement and your name is of the record.
 17 You do have to when you come forward
 18 again state your name and address again so the
 19 record reflects that name. We recognize you, but
 20 paper does not recognize you. So -- but try to do
 21 it all at the -- in other words, try to come up with
 22 all your questions and at the same time so you don't
 23 have to come back down.
 24 MS. ROBERTS: No, of course. Thank
 25 you.

1 MR. COLLINS: Do you swear or affirm to
 2 tell the truth, the whole truth and nothing but the
 3 truth so help you God?
 4 MS. FIORENDINO: I do.
 5 MR. COLLINS: State your name and
 6 address and spell your last name.
 7 MS. FIORENDINO: Cheryl Fiorendino, F,
 8 as in Frank, I-O-R-E-N-D-I-N-O, 730 West Foothill
 9 Road, Bridgewater, of course.
 10 I may be the last one to speak on this.
 11 I'm not really sure. We've had a lot of questions,
 12 but, again, to the runoff issue, obviously, it's a
 13 common theme. It is a grave concern to the people
 14 at the end of that street. Everything naturally
 15 flows down there.
 16 I do understand that you're making a
 17 good amount of accommodations for the runoff at that
 18 portion and then you are tying into a preestablished
 19 stream, whatever it's called, that already exists
 20 that we're telling you is not working.
 21 What is your accountability in making
 22 that piece improved if you are now going to be
 23 tapping into it, because, clearly, it's not
 24 efficient or effective as it is?
 25 MR. ARDMAN: The two parts. First, the

1 state requires for us to handle the water on our
 2 site as we've described and not make it worse.
 3 What we're doing for an improvement is
 4 reducing it as I testified to, and you just heard
 5 from the board's attorney beyond the DEP standard
 6 and well beyond. We're not just meeting it, not
 7 just a fraction. If I was going to do this, I was
 8 going to do it right. It wasn't a surprise to us a
 9 few days ago that there were drainage issues at the
 10 end of West Foothill Road. We were aware of this.
 11 We took the time and effort to design
 12 the basin to get as much reductions as possible
 13 there. So I think the applicant was more than
 14 willing to take that extra step to do that. So
 15 that's how we're addressing, you know, over and
 16 above minimum standard.
 17 MS. FIORENDINO: Understood, but we're
 18 also advising, and you can certainly come to the
 19 property again and revisit that, that existing piece
 20 of drainage is not working. That must be addressed
 21 because you're adding to it and the present user is
 22 inefficiently managing it.
 23 We are suffering at the end of the
 24 street and you're adding to it. That requires
 25 additional attention. I need to have that on record

1 because that is a concern.
 2 MR. BOGART: It's been indicated a
 3 while ago we will look at it.
 4 MS. FIORENDINO: I understand. I need
 5 to make that point. If you are using something
 6 that's not working, you need to do more than what
 7 you've already said because now you're using
 8 something that's already established that needs to
 9 be --
 10 MR. COLLINS: That's an interesting
 11 statement, but you have to ask the witness a
 12 question about what is it that he's doing.
 13 MS. FIORENDINO: I want to know what
 14 will they do.
 15 MR. COLLINS: They don't have to do
 16 anything.
 17 MS. FIORENDINO: They don't have to add
 18 to anything if they're tapping into it.
 19 MR. COLLINS: They do not have to add
 20 to off-tract drainage. They connect their pipe to
 21 existing swales. That is the duty of somebody in
 22 New Jersey under the New Jersey DEP regulations and
 23 township regulations --
 24 MS. FIORENDINO: Okay.
 25 MR. COLLINS: -- for the applicant.

1 There may be some other property owner that will
 2 have to be investigated, and the township will be
 3 working with the mayor and the engineer to look at
 4 the swale off this property owner's tract, but
 5 that's not for this case.
 6 MS. FIORENDINO: Okay. And you've
 7 actually gone out to those wetlands and you've
 8 measured the degree of wetness that is currently
 9 there nonstop 24/7. I mean it is a swamp. Again,
 10 grave concern with that issue and we will take it
 11 off-line. Thank you.
 12 MR. WOLFSON: Good evening. Peter
 13 Wolfson from Porzio, Bromberg & Newman. I'm here
 14 with Woodmont Properties, adjacent property owner.
 15 I just have a few questions for Mitch. Hi, Mitch.
 16 MR. COLLINS: We'll confirm for the
 17 record, Mr. Wolfson is an attorney and is here as an
 18 attorney. He's not testifying and, therefore, is
 19 not testifying.
 20 If he'd like to testify, he may, but
 21 please go ahead.
 22 MR. WOLFSON: Correct. Mitch, is the
 23 soccer field going to be located on township
 24 property?
 25 MR. ARDMAN: No.

1 MR. WOLFSON: Can you just show us
 2 where the township property extends?
 3 MR. ARDMAN: It will be the red line
 4 here I'm showing to the south is to the end of the
 5 property of this applicant. The subdivision which
 6 was the prior application a month or so ago with the
 7 township's application, it's harder to see, but
 8 that's a black line through here on the property.
 9 So that kind of dog leg or L-shape property is what
 10 will remain with the township.
 11 MR. WOLFSON: Do you know how the use
 12 of the soccer field is going to be run or is that an
 13 operation question?
 14 MS. TUBMAN: It's an operation
 15 question.
 16 MR. WOLFSON: In terms of the driveway,
 17 is it left in, left out?
 18 MR. ARDMAN: No. Right now it's shown
 19 as open operation.
 20 MR. WOLFSON: So there's no
 21 restriction?
 22 MR. ARDMAN: Right, again, subject to
 23 DOT review.
 24 MR. WOLFSON: And is the application
 25 pending with DOT?

1 MR. ARDMAN: Yes.
 2 MR. WOLFSON: And what's the status of
 3 that?
 4 MS. TUBMAN: There's an application
 5 about to be pending because we are waiting for one
 6 more owner's consent to the application.
 7 MR. WOLFSON: As to the detention basin
 8 of Lot 17, you indicated you have the consent of the
 9 owner of Lot 17?
 10 MS. TUBMAN: Yes, we do. I can answer
 11 that.
 12 MR. WOLFSON: And how is that consent
 13 memorialized?
 14 MS. TUBMAN: In an easement agreement
 15 similar to that for your client with his
 16 development.
 17 MR. WOLFSON: The easement is executed?
 18 MS. TUBMAN: Yes, it is.
 19 MR. WOLFSON: Is it recorded?
 20 MS. TUBMAN: It is.
 21 MR. WOLFSON: Thank you. Mitch, I
 22 noticed in looking at the board professional review
 23 memos that I had a chance to look at you are
 24 receiving a number of design waivers.
 25 MR. ARDMAN: Yes, we received a few of

1 them.
 2 MR. WOLFSON: Right. And one of them
 3 is for the size of the parking stalls?
 4 MR. ARDMAN: That's correct.
 5 MR. WOLFSON: You're seeking to be
 6 allowed to do 9-by-18?
 7 MR. ARDMAN: That's correct.
 8 MR. WOLFSON: The ordinance talks about
 9 9-by-18 for employee spaces only, correct?
 10 MR. ARDMAN: Yes.
 11 MR. WOLFSON: Did you do an analysis of
 12 how many spaces you could fit on the property if you
 13 conformed to the ordinance size requirements?
 14 MR. ARDMAN: I have not.
 15 MR. WOLFSON: Do you have an opinion as
 16 to what it would be?
 17 MR. ARDMAN: I could do that off-line
 18 and get a number for you.
 19 MR. WOLFSON: Can you explain how the
 20 number of spaces in terms of the need is calculated
 21 other than speaking to your client?
 22 MS. TUBMAN: I can answer that
 23 question. It was calculated by ordinance
 24 requirement which is one space per 30 square feet of
 25 worship area.

1 MR. WOLFSON: Did you consider the
 2 other uses including the ball field at the school?
 3 MS. TUBMAN: This is not the ordinance
 4 standard.
 5 MR. WOLFSON: What is the ordinance
 6 standard for those uses?
 7 MS. TUBMAN: The ordinance standard
 8 is -- there is no standards for school. There is no
 9 standard for ancillary ball fields. There is a
 10 standard wholly for house of worship, worship space.
 11 MR. WOLFSON: So your client didn't
 12 consider any parking needs relative to the school or
 13 soccer field?
 14 MS. TUBMAN: I'm talking, Peter, to the
 15 ordinance standard. You asked how was it
 16 calculated.
 17 MR. WOLFSON: Now I'm asking whether
 18 your client considered the traffic that would be
 19 generated to the parking needs.
 20 MS. TUBMAN: I can't answer that
 21 question.
 22 MR. WOLFSON: You did not discuss that
 23 with him?
 24 MS. TUBMAN: I did not.
 25 MR. WOLFSON: So in terms of the

1 worship area, it's based on three seats or enough
 2 seats, a certain number of inches?
 3 MS. TUBMAN: The ordinance standard is
 4 Ordinance 1103 which specifically takes into account
 5 worship space where there are no seats.
 6 MR. WOLFSON: So you based it on the 72
 7 inches.
 8 MS. TUBMAN: No. It's 30 square feet
 9 per ordinance.
 10 MR. WOLFSON: Section 126169 talks
 11 about one space per three seats or one space if
 12 there are not seats.
 13 MR. COLLINS: That was amended by
 14 ordinance --
 15 MS. TUBMAN: 1103.
 16 MR. COLLINS: -- 1103 to allow the one
 17 per 30 square feet where no pews or seats are
 18 provided.
 19 MS. TUBMAN: My ordinance, I'm sorry,
 20 is more current than yours.
 21 MR. WOLFSON: I was online.
 22 MS. TUBMAN: Right.
 23 MR. WOLFSON: So if that's not current,
 24 that's where I got it from.
 25 MS. TUBMAN: No criticism, Peter. We

1 know each other.
 2 MR. COLLINS: It actually wasn't really
 3 objected to.
 4 MR. WOLFSON: Mitch, the site lighting,
 5 do you have plans for that to be extinguished at a
 6 certain time of day?
 7 MR. ARDMAN: We talk about on the plan
 8 that after the use it will be turned off and just
 9 emergency or security lighting on -- there has not
 10 been a specific time set on that yet. That's
 11 referenced on our lighting plan.
 12 MR. WOLFSON: Did you have any
 13 discussions with your client about a time that it
 14 would be extinguished?
 15 MS. TUBMAN: We --
 16 MR. WOLFSON: I asked Mitch.
 17 MR. ARDMAN: About a specific time, no.
 18 MR. WOLFSON: Can you talk about the
 19 buffer to the street frontage, what you have planned
 20 there?
 21 MR. ARDMAN: Sure. Right now we're
 22 showing the mature trees which I discussed which
 23 will remain, a mixture of pines and oaks. We're
 24 going to put street trees, additional street trees
 25 along that frontage as well. That's right on the

1 frontage. On the house of worship side of the
 2 driveway, we're going to add street trees to all
 3 these foundation plantings which will be shrubs
 4 along the building as well as along the driveway.
 5 MR. WOLFSON: And one of the design
 6 waivers you're seeking is the number of trees.
 7 MR. ARDMAN: Correct.
 8 MR. WOLFSON: I'm sure you said your
 9 client is amenable to increasing the number of
 10 plantings?
 11 MR. ARDMAN: That's correct.
 12 MR. WOLFSON: Do you think the
 13 additional trees would be planted along the street
 14 frontage?
 15 MR. ARDMAN: Yes, that was a specific
 16 request of Ms. Doyle and I would say yes.
 17 MR. WOLFSON: In terms of the height,
 18 what is the permitted height for your project?
 19 MR. ARDMAN: The height per the
 20 ordinance is 35 feet.
 21 MR. WOLFSON: And there are five
 22 minarets at 78 feet?
 23 MR. ARDMAN: Yes. In the elevation
 24 that is shown, there's a distinction in the
 25 ordinance for what is accounted for height. I think

1 the architect is going to get into this in more
 2 detail.
 3 MR. WOLFSON: Did you ever discuss in
 4 terms of your client why 78 feet?
 5 MR. ARDMAN: No. The architect was
 6 involved with that.
 7 MR. WOLFSON: That's all I have. Thank
 8 you.
 9 MR. ROBERTS: Can I ask one more
 10 question real quick that was caused by his question?
 11 Chris Roberts, 737 West Foothill Road.
 12 That attorney just had some interesting
 13 questions about the use of that soccer field. Is
 14 there a plan to rent it out for like a travel team
 15 or something like that?
 16 MS. TUBMAN: You can't answer that
 17 question, but I could say, yes, there is not.
 18 MR. ROBERTS: Is it grass or turf
 19 field?
 20 MS. TUBMAN: I can't answer that.
 21 MR. ARDMAN: I can answer that it is
 22 grass.
 23 MR. ROBERTS: Okay. Thanks. And is
 24 there a time ordinance when the little kids can
 25 start running around on the soccer field? Will

1 there be like on a Saturday morning 6 o'clock in the
 2 morning? It's a legitimate question.
 3 MR. ARDMAN: I don't know that my
 4 client has any time set here as to the time
 5 ordinance.
 6 MR. ROBERTS: Is there an ordinance, a
 7 noise ordinance?
 8 MR. COLLINS: I don't believe -- well,
 9 first of all, there's no -- no, there's not a noise
 10 ordinance for school age children and their voices.
 11 MR. ROBERTS: I don't think it's funny
 12 at all.
 13 MR. COLLINS: That's a very good
 14 question. There is no ordinance, and there is no
 15 even state regulation of the human voice. That's an
 16 amazing thing. Okay. But there is probably an
 17 ordinance about when can someone play on a ball
 18 field. Maybe the applicant will tell you something
 19 about their expected hours.
 20 MR. ROBERTS: I mean you understand my
 21 concern based on that question.
 22 MR. COLLINS: We tried to answer your
 23 question.
 24 MR. ROBERTS: Thank you. That's a good
 25 question.

1 MR. COLLINS: Next.
 2 CHAIRMAN RUSAK: Anyone else from the
 3 public wish to speak to answer a question -- to ask
 4 a question? Anyone else from the public wish to ask
 5 a question?
 6 MR. KURZ: Can I ask another question?
 7 The next question comes forward relates to this.
 8 Are we allowed to go back and ask this?
 9 MR. COLLINS: No, you are not. No.
 10 This is the time to ask questions of Mitchel Ardman,
 11 professional engineer, civil engineer or give a
 12 statement. So the next witness is --
 13 MS. TUBMAN: Just briefly, we still
 14 have some comments by the board's professionals that
 15 Mitch would like to address.
 16 MR. COLLINS: Sure.
 17 MR. ARDMAN: We got the staff package
 18 of comments. I'll touch on those briefly as an
 19 overview. Mr. Bogart and Ms. Doyle can correct me
 20 if I'm wrong. I don't see any issues in here that
 21 we will be discussing or agreeing to that will
 22 significantly change the design that we have shown
 23 here tonight.
 24 Basically, we have no issue with the
 25 bulk of the comments. We were asked to testify and

1 clarify some of them. So the first one here in the
2 packet I believe is the engineering memo of August
3 14. The first few pages just give you background
4 and property description. So I was going to start
5 with the technical items on page 5, and, again, just
6 general, one, the discussion about the field, we'll
7 talk more about the hours of operation, but as it
8 regards the lighting, just to re-emphasize, there's
9 no lighting for sport lighting on any of those
10 fields.

11 Regarding the plat details, B, those
12 are technical comments regarding the detention basin
13 design and some of the details for construction. We
14 don't have any issue with complying with any of
15 those details and providing some more information.

16 This was brought up, item D, accessways
17 of parking. That is one waiver that we are seeking
18 for the nine-foot light stalls as opposed to the
19 nine and a half foot wide by ordinance.

20 Stormwater management is item E, and a
21 lot of these numbers coincide with the testimony
22 that I provided. I believe Mr. Bogart can speak
23 that the numbers I came up with I think they agreed
24 were accurate and also cited the reductions over and
25 above the minimum DEP standards that we are

1 providing.

2 There is one requirement E-4 with the
3 pond. It's often stocked with some fish, and, of
4 course, we'll make sure that there are fish and
5 amphibian stock in there. That's not an issue.

6 And, again, we agree with the rest of
7 the comments and items in E on the stormwater that
8 continues on page 8 that are discussed and the
9 number of questions raised and the DEP permits that
10 have been issued for the property as referenced in
11 item E-7 and we'll provide all those to the
12 township.

13 MS. TUBMAN: They have been provided.

14 MR. ARDMAN: Yes. I think there was
15 one stray hole that dealt with one. So we'll make
16 sure we get them all.

17 Lighting, again, it appears that it
18 concurs that the lighting of the property line is
19 well below the allowed minimum and the average is
20 inadequate. I'll address that and Ms. Doyle's
21 comments as well.

22 We believe we have good lighting to the
23 site, and we'll agree to the standard testing
24 requirement once the lights are up and operational
25 for this project. Again, F, no lighting for night

1 use.

2 For the environmental impact
3 statements, I think the only things to clarify on
4 that are requirements for if there's any variances
5 for working the drainage conservation easement for
6 the town, and just as far as clarification on that
7 goes, the existing pond, that pond was part of a
8 prior LOI and I believe that provided information to
9 the township that was specifically excluded from
10 having a buffer. So we're not performing any work
11 in any DEP area relating to that. So I believe that
12 50-foot requirement is not -- does not affect this
13 property, does not pertain to that set of wetlands.

14 MR. CHARLES: So does the township
15 agree that that variance -- that is not a variance?

16 MS. TUBMAN: That is a man-made pond.
17 It was an irrigation pond at one point, and I
18 believe your ordinance requires -- states that you
19 regulate it if the state doesn't. The state says it
20 does not.

21 MR. CHARLES: I'm just looking at the
22 wording of the township that says we have no
23 objection to a variance for that, but should that be
24 reworded in that there is no variance required for
25 this on page 9, and the same -- I'm assuming it's

1 the same on the next item also just to be clear
2 whether or not there is or isn't variances required.
3 That's all.

4 MR. ARDMAN: Yes.

5 MS. DOYLE: That's Mr. Bogart's letter,
6 not mine.

7 MR. CHARLES: Bob, is that -- should
8 that be --

9 MR. BOGART: I need to look at that
10 some more because, traditionally, in situations like
11 this, we have required them.

12 MR. CHARLES: So that will be an
13 area --

14 MR. BOGART: Mitch and I can discuss it
15 with the staff.

16 MR. CHARLES: Great. I just wanted to
17 know at some point in time whether there is a
18 variance there or not.

19 MR. ARDMAN: Our reasons for the
20 variance would be similar that it is man-made and
21 the DEP does not have jurisdiction.

22 MR. CHARLES: Right. I understood
23 that.

24 MR. ARDMAN: Right. I want to go on
25 the record with that if that is the determination.

1 MR. BOGART: An analogy for that, Ron,
2 might be that, on steep slopes, we improve the steep
3 slope calculation is man-made slopes. So it's
4 similar to that. We'll work it out. Either way,
5 it's not a --

6 MR. ARDMAN: I believe that is a
7 summary of the engineering comments, and for the
8 record, we will comply with the technical
9 requirements of that.

10 Scarlett's letter is next, again,
11 August 14. Also, the first two pages, given the
12 background, zoning and descriptions of the project
13 and her chart on the third page, again, cites the
14 zoning analysis that I gave for the property.
15 Reviewing that, again, an agreement or no variance
16 is required for the development of the lot, as I
17 described it, would be basic underlying R40 zone of
18 the house of worship standards.

19 The only item cited on there, again, is
20 the design waiver from the stall size and for the
21 free-standing sign as well with the calculation of
22 30.25 feet. The only difference there could have
23 waiver. I would request we issue just to get the
24 sign above the ground enough and to be no -- we're
25 not looking for a large sign but just noticeable

1 enough that that extra little two and a half feet
2 basically gets it high enough that a plant won't be
3 growing in front of the sign. It will have good
4 visibility. So I would respectfully ask for that
5 design waiver.

6 Regarding the landscaping, they are,
7 again, noted as design waivers. My staff landscape
8 architect has worked with Scarlett. We have no
9 issue with supplementing the planting that we have
10 shown. When we looked at the plan, I think
11 questions got raised along 202/206. There's one
12 question from the audience and that was also cited
13 in Scarlett's review, and that would be a good place
14 and other locations to supplement the plantings.
15 I've discussed with the applicant. We don't have an
16 issue with working that out.

17 MR. CHARLES: Just to be clear on that,
18 Scarlett, you'll work with the applicant to note --
19 to me, this is a pretty significant waiver that's
20 being requested. It's over 50 percent reduction.
21 So you'll work with them to reduce that as you do
22 with all our applicants.

23 MS. DOYLE: Yes. I would appreciate a
24 little guidance with that, but I think Mr. Ardman
25 has accurately stated our conversation. He intends

1 to maximize as much as possible and get as close to
2 compliance.

3 MR. CHARLES: All right. Thank you.

4 MR. ARDMAN: As far as the technical
5 requirements of notes on the plan, noninvasive
6 species, those are all fine.

7 On page 5, item four, clarification
8 that was picked up, that's a good point, the
9 enclosure for the dumpster will be a maximum height
10 of 6 feet. So we will not need any waivers or
11 variances for that, and I will clearly show that on
12 the detail. Again, the architect will address item
13 five which, again, deals with minarets.

14 On page 6 it continues with shrubbery
15 and we'll again work those out. Item 9, the
16 lighting, I did address that, and I'll more clearly
17 note on the plan it was the 16 feet height for the
18 lights towards the rear in the court area, and 12
19 deals with requests for testimony on the pedestrian
20 lighting and the vehicular movements and safety,
21 and, again, we'll put that note on the plan for
22 testing.

23 We looked at this information
24 thoroughly. I'm confident in the lighting plan we
25 put together here. I have no problem putting that

1 note on the plan so the construction can be
2 verified. Any other notes or questions or details,
3 we will provide supplemental notes on the plan.
4 Of course, we'll provide number 17, the
5 stormwater management plan. That goes with one of
6 the questions from the neighbors, how do we ensure
7 that this is kept up. That is a requirement as Mr.
8 Bogart has also provided that stormwater management
9 plan. We will do so.

10 If there's any parking areas, the
11 intent is not to have a waiver on that for item 18
12 on page 7. To make sure that note is correct, if
13 there's any head-in parking of the sidewalk, that it
14 be a minimum of 16.5 feet wide.

15 Questions about the fencing, 23 and 24
16 around the basins. So any area where it's just kind
17 of a general fence as you might have, it would just
18 be a wood split rail fence. Anything of a safety
19 around a water body, either the existing pond or the
20 new wet ponding we'll provide with the mesh on there
21 so kids aren't crawling through the fence as well.
22 And, again, any details required we'll provide, and,
23 of course, item 27, all the outside agency
24 approvals.

25 Okay. Design waiver for lighting,

1 there's a technical waiver on that. The ordinance
 2 states that it has to be 1.5. It's not 1.4 or 1.6.
 3 It's just the way it states. It's not a min or max.
 4 It has to be 1.5. So we'll show the average
 5 maintained is safe and adequate, and we'll back that
 6 up with the field testing, but it does require a
 7 technical waiver, and there is another waiver for
 8 retaining wall which I should have discussed as the
 9 site, as we discussed, drops off to the back and the
 10 field is down lower. So that's the one spot that
 11 will have a wall to separate the courts that are up
 12 in the parking lot when it drops down to the field
 13 level.
 14 So that wall is over the 6-foot
 15 maximum. So we'll require a design waiver. It's
 16 not for the whole length of the wall but for a
 17 chunk, and the reason for that is so that we're not
 18 filling more area in the field and then we would
 19 have to start disturbing more potentially into the
 20 wooded areas. We want to keep that grade basically
 21 having completed grade as much as possible. So we
 22 have sunk down the field at the easterly end so that
 23 the westerly end of the field is basically right at
 24 the existing grade because we don't need the grade
 25 end into the wooded area. So that's why we're

1 adjusting that height waiver on the wall.
 2 MAYOR HAYES: Just a quick question.
 3 So we're going to extend the fence to prevent
 4 someone falling off the wall?
 5 MR. ARDMAN: Yes.
 6 MR. CHARLES: Just so we're on that,
 7 what is the distance towards the upper left corner
 8 of the field and the property line? Go down, yeah,
 9 that, right there.
 10 MR. ARDMAN: And the end property line?
 11 MR. CHARLES: Yeah. What's that
 12 distance there? It seems my picture --
 13 MR. ARDMAN: It's a little over 15
 14 feet.
 15 MR. CHARLES: And then the distance
 16 behind the goal on the right side that's near the
 17 retention pond, the back of the goal and the fence
 18 that's shown there. It looks to me like about 4
 19 feet.
 20 MR. ARDMAN: That fence -- that's a
 21 good point. That fence needs to move to the edge of
 22 the grading there to get more room. You're correct
 23 there. That would be to keep at least the same 15
 24 feet, and there's room to do that and stay out of
 25 the wooded area. That's a good point.

1 MR. CHARLES: So it will be 15 feet.
 2 MR. ARDMAN: Yes.
 3 CHAIRMAN RUSAK: One other question.
 4 Where is the basketball courts and tennis courts?
 5 Where are they going to drain off to?
 6 MR. ARDMAN: That drainage is all
 7 picked up. We have inlets in that area that will go
 8 to the --
 9 CHAIRMAN RUSAK: Pond.
 10 MR. ARDMAN: Pond, yes. All the paved
 11 areas go to the pond.
 12 Back to review comments. Chris
 13 Poulsen's letter, again, no issue with his comments
 14 about DEP comments, final details. The only thing,
 15 we'll provide and work with Scarlett, again, the
 16 tree species. The only place we'd like to keep is
 17 in the solid evergreens as opposed to hard woods is
 18 again along our neighbor here that we worked with
 19 with the nursing home. Along with that, we'll mix
 20 and match as requested.
 21 MS. TUBMAN: And I was involved with
 22 that. That was a specific request from the nursing
 23 home owner to buffer them.
 24 MR. ARDMAN: Review comments from
 25 Richard Reich.

1 MS. VOORHEES: Is your microphone on?
 2 MS. DOYLE: Would you address two items
 3 in my report, number 10 and number 21?
 4 MR. ARDMAN: Specifies the areas of the
 5 security lights on the property. Yeah. We'll
 6 designate those so you're aware which ones are
 7 security lights.
 8 MS. DOYLE: The question of -- perhaps
 9 I didn't word it as eloquently as I could have. The
 10 issue is whether or not lights on the property, but
 11 more importantly, in the playground area will be
 12 extinguished when they're not in use.
 13 My question would be then are there any
 14 security lights you're proposing to have on at night
 15 that are in the area of the playground area?
 16 MR. ARDMAN: Yeah. There's one light
 17 in that area.
 18 MS. DOYLE: Would you point that out?
 19 And why is it necessary to have that light on?
 20 MR. ARDMAN: There's just a concern
 21 actually if kids are hanging around back there at
 22 night for security.
 23 MS. DOYLE: And the other was item
 24 number -- item number 21.
 25 MR. ARDMAN: Operational.

1 MS. TUBMAN: I think our architect has
2 to talk about the building lighting.
3 MS. DOYLE: Okay. This is the signage
4 as well.
5 MS. TUBMAN: Facade signs on the
6 building. You didn't design them.
7 MS. DOYLE: Yeah. The facade signs,
8 he'll address.
9 MS. TUBMAN: Yes.
10 MS. DOYLE: Okay. Thank you. No other
11 questions.
12 MR. CHARLES: And I assume, Scarlett,
13 your comment with the ordinance requires reduction
14 of illumination on these off hours. Probably the
15 operations discussion will have this discussion as
16 to what are off hours.
17 MS. TUBMAN: Exactly, yes.
18 MS. DOYLE: I think in both cases the
19 board should be made aware of the interior, the
20 exterior, any of the -- I believe the monument sign
21 is going to be illuminated as well. So when the
22 architect comes, we should probably focus on that.
23 MR. ARDMAN: Bob Reich, these are sewer
24 and technical in manner. We will comply with all of
25 them regarding flow and flow allocation. That is in

1 part with the architect and part in my office.
2 We'll get them a flow calculation there.
3 Any DEP permits that are needed, if
4 we're above the threshold, we'll provide, but all
5 the technical issues, sewer connections, et cetera,
6 we take no objection to providing those, and the
7 last one I mentioned from the fire, I believe a good
8 portion of these are actually noted on our plan
9 already where a fire department connections, sewer
10 connections. I have no problem with any of these
11 comments. I will sit with him just to review where
12 we place them. That's fine. Any other notes or
13 requirements in the report as well are fine, and
14 we'll add the notes and details in the plans as
15 needed.
16 I think that hits the staff reports.
17 Any other comments?
18 CHAIRMAN RUSAK: We're going to try to
19 straighten out our sound system here. So what we'd
20 like to do is take a five-minute break and we'll
21 resume at 9:25 according to that clock in the back
22 of the room. So we'll have a five-minute recess.
23 (Recess taken.)
24 MR. COLLINS: We're restarting
25 everyone.

1 CHAIRMAN RUSAK: Please go ahead, Ms.
2 Tubman.
3 MS. TUBMAN: Mr. Chairman, board
4 members, my next witness is the president of Al
5 Falah Center's board of directors. State your name
6 please for the record, and I introduced you, but
7 tell your position to the board.
8 MR. ABDELKADER: Hello. My name is
9 Yasser Abdelkader. I am the president of the board
10 of Al Falah Center.
11 CHAIRMAN RUSAK: Could you please spell
12 your name?
13 MR. ABDELKADER: First name
14 Y-A-S-S-E-R. Last name A, as in apple, B, as in
15 boy, D, as in David, E, as in Edward, L, as in
16 Larry, K-A-D, as in David, E-R.
17 MS. TUBMAN: Now, I'm not going to take
18 you through a series of questions. Why don't you
19 give the public and the board an idea of the
20 operations and how a mosque operates and a little
21 bit about the religious practices?
22 MR. ABDELKADER: If you all don't mind,
23 I'm just going to stand up. I think it will be --
24 this way everyone can see me and I can speak to
25 everybody.

1 Well, members of the board, Mr.
2 Chairman, Mr. Mayor, members of the public and our
3 neighbors, good evening, and salaam alaikum, peace
4 be upon you. It gives me a pleasure and honor and a
5 privilege to speak before you today and I thank you
6 for this. Thank you very much. It's great that I'm
7 discussing our application with you to build our
8 first worship -- house of worship, mosque in
9 Bridgewater, and thank you for giving us this
10 opportunity. Thank you for working with you and
11 everyone to address any questions and to satisfy all
12 conditions and all requirements.
13 Well, very, very briefly and just in a
14 couple of sentences to let you know about myself.
15 I've been a resident of Bridgewater since 1997.
16 That's when I moved to Bridgewater. I've been
17 living in Bridgewater ever since I'm a professional,
18 IT. I have been married, beautiful wife sitting
19 right there, and two children in the public school
20 system in Bridgewater. So, basically, I've been in
21 Bridgewater roughly 18, 18 plus years.
22 I've been the board president,
23 president for the board of Al Falah since it was
24 established, and I'm basically here to discuss with
25 you the application.

1 I'm going to start basically just going
 2 to have this piece of paper this way. I have some
 3 reference and some numbers, but just to tell -- to
 4 speak in general about the services, the worship
 5 services that will be offered by Al Falah Center,
 6 I'm going to start with the daily prayers.
 7 We have five daily prayers and
 8 people -- it's not obligatory to go and perform the
 9 prayers at the mosque. It's completely by choice,
 10 and a lot is governed and affected by people's
 11 schedules, people's work schedule, people
 12 availability and so forth. So, in general, the
 13 number of people that you would see in the five
 14 daily prayers, the five times a day, is anywhere
 15 between five and 15 people, five and 15 people. I
 16 just want to repeat that, because it's very, very
 17 deceiving, and it's, you know, kind of confusing to
 18 see a parking lot this big.
 19 So please don't imagine that there is
 20 going to be 280 cars driving in and out five times a
 21 day. No. It's five to 15 people driving in five
 22 times a day. There's the daily prayers that we
 23 have. Just on a small tangent to go -- you know, to
 24 explain the reason for this parking lot is two days
 25 out of the year equivalent of Christmas and Easter

1 day, our two celebrations, which is twice a year,
 2 and I will go through that in details later. So,
 3 realistically, two-thirds of this parking lot will
 4 not see a car except for two days of the year.
 5 The five daily prayers in terms of the
 6 timing, the first prayer is at dawn, and that's
 7 roughly between 30, 30 minutes to an hour prior to
 8 sunrise. That's the time that this prayer is
 9 performed. The next one is noon or midday prayers.
 10 That's roughly around 1:30 p.m. We try to keep it
 11 constant. There is a range.
 12 Now, for each prayer there is a window
 13 of time where you can perform these prayers. So
 14 it's arranged, but we typically try to -- at least
 15 this one, for the noon prayer, we make it constant
 16 at 1:20 or 1:30. This way, you know, it's
 17 respectful to people's schedule at work. Those who
 18 wants to come over to perform the prayer, they know
 19 the time. It's fixed. It's predictable for like a
 20 lunch break and so forth.
 21 The following prayer, the third one of
 22 the day is like the afternoon prayer. That comes
 23 roughly three to four hours after high noon. So
 24 it's -- it's probably like -- it can fall anywhere
 25 between 2:30 or 3 p.m. all the way until 6 p.m., and

1 the reason for this is that our prayers and our
 2 calendar, the whole thing is based on the sun and
 3 the moon. It's a lunar calendar, and it's based on
 4 the location -- I mean the position of the sun in
 5 the horizon. It's very simple to explain. Look at
 6 the sunset. Sunset can be 8:30 p.m. in the
 7 summertime. It can be 5 p.m. or even earlier than 5
 8 p.m. in the winter, and our entire prayer schedule
 9 moves, shifts back and forth during the day based on
 10 that. So it moves around just a little bit.
 11 The fourth prayer is at sunset, and the
 12 last prayer is roughly an hour and a half to two
 13 hours after sunset.
 14 Those are the five daily prayers, and,
 15 again, the numbers that we have seen from experience
 16 for the last five plus years where we perform those
 17 daily prayers now is between five and 15 people, and
 18 that varies because of time of the day, because of
 19 work, because of school, because of family and so
 20 forth.
 21 Excuse me. I just want to make sure I
 22 didn't forget anything. That's -- that's regarding
 23 the five prayers.
 24 Now, the next one I want to speak about
 25 is our weekly service, weekly Friday prayers. It's

1 basically in Arabic. It's Jumah, J-U-M-A-H, and
 2 that's our weekly service. This service is -- you
 3 can think of it as the equivalent of Sunday morning
 4 service at the church. That's pretty much what that
 5 is. It's on Fridays midday. It's like between
 6 roughly 1 p.m. and 2 p.m. That's the time of our
 7 Friday prayer. The start of the service is actually
 8 at 1:10. It basically consist of a sermon. It's
 9 about 25, 30-minute sermon, mass, and then followed
 10 by the actual prayer itself which lasts probably 10
 11 minutes.
 12 Oh, by the way, I apologize. I'm going
 13 to backtrack a little bit for the daily prayers.
 14 Those daily prayers are roughly anywhere between 10
 15 and 20 minutes, and the 20 minutes comes from the
 16 actual act of prayers probably is no more than 10
 17 minutes and then you add to it some socializing and
 18 probably some extra prayers and/or extra worship
 19 that people like to make that expands it just
 20 slightly.
 21 Back to the Friday, the Friday service,
 22 the Friday prayer. The -- the service starts at
 23 1:10. There is a sermon that's roughly 25, 30
 24 minutes and then the prayer at 1:35. So it's
 25 concluded by roughly 1:45. The whole -- the service

1 from 1:10 to 1:45. Again, we try to always adhere
2 to these times out of respect for people's schedule.
3 I apologize. I'm looking at this
4 direction. I'll be switching back and forth. We
5 stick to these times because we need to respect
6 people's schedule, and it needs to be predictable
7 and known when the prayer starts and when it ends
8 because people want to time it with their lunch
9 break or with a -- you know, a known time of the
10 day. So, basically, it's the time and that doesn't
11 change.

12 We basically -- as I mentioned, there's
13 a window of time when the prayer happens. The
14 latest time of the year and the longest daytime of
15 the day it is 1:10. That's why we keep it at 1:10.
16 We don't shift back and forth and we change it
17 throughout the year.

18 Attendees -- well, we see from
19 experience -- so far we've been seeing anywhere
20 between a hundred and 125 people who attend the
21 Friday prayer. That doesn't translate to 120 cars,
22 by the way, because there are families that come.
23 So you might have three, four people in a car.
24 There are work -- work mates or people who work in
25 the same company who come together in the same car.

1 So it's not a one-to-one correlation as far as
2 people versus cars.
3 People start arriving as early as 30
4 minutes prior to the service because some people go
5 in to help with the setup. We usually need to roll
6 out prayer rugs because we -- you know, it needs to
7 be a clean area that we perform our prayers. So
8 people start arriving as early as 30 minutes prior
9 and then they also -- it's not everyone comes for
10 the sermon itself. Some people still coming in a
11 trickle manner up until the time of the prayer
12 itself which is 1:35.

13 So over a span of about 50 minutes,
14 that's where the -- your hundred to 125 people come
15 in, and it's like a very trickle manner. We do see
16 an increase in this number during the summer. The
17 reason for that is that school is out. So now you
18 see the high school kids. The mom would bring the
19 kids with them to the prayer, and then you'll see
20 more people during the summer, but during when
21 school is in session, it's roughly around a hundred,
22 125. Again, that's on Friday between one to 2 p.m.
23 That's the time of the service on Friday.

24 Let's see. I think that's pretty much
25 it as far as Friday service, and if I remember

1 anything else or if there are any other questions,
2 you know, we'll definitely address them, and as far
3 as answering questions, obviously, because the way
4 the hearing works, and I'll answer all the questions
5 after my full statement, but beyond that, after they
6 close the building, I'll be back out in the parking
7 lot until 3, 4 o'clock in the morning answering any
8 questions you want just so you know.

9 As far as the next worship type of
10 service I'm going to discuss is the one that we
11 perform during the month of Ramadhan. The month of
12 Ramadhan is our holiest month of the year. It's one
13 month. It's like -- roughly, it's 29 days, and
14 during that month we do extra worship and extra
15 prayers and that happens in the evening, and that's
16 called Taraweeh prayer, T-A-R-A-W-E-E-H. That's in
17 Arabic what the prayer name is.

18 This is basically -- again, it's not an
19 obligatory prayer. It's completely selective, and
20 that's why not everyone goes. It's completely up to
21 the person. It depend on their schedule, how busy
22 they are, their family, their health, their
23 circumstances, their work. So there's a lot of
24 factors and a lot of, you know, moving parts or
25 parts of the equation that affects who attends and

1 who comes.

2 So far, again, this is all -- all based
3 on the last five years, five years of operations
4 since the inception or the establishing of the Al
5 Falah Center and starting to provide these services,
6 and by the way, so far we rent space. So up until
7 now, for the last five years we rent space to
8 perform these holy services, and if I just backtrack
9 for -- go back for just a couple of -- for just a
10 minute, the Friday prayer, our Friday service that
11 happens weekly on Friday between one and two, please
12 don't quote me exact dates, this is just a rough
13 idea.

14 The last two years we've been praying
15 at the Days Inn, the Days Inn on Route 22 across
16 from the diner next to the Mercedes-Benz dealership.
17 That's where we perform our daily -- our Friday
18 prayer. The two years or three years prior to that
19 we were at the Green Knoll Firehouse, the hall that
20 we rent out. That's where we perform our service.
21 There has been not a single incident, no issues,
22 and, again, because of the trickle manner that
23 people come in -- and they also leave in the same
24 way by the way. They don't all jump up and run to
25 the cars. People stay for extra prayers, for extra

1 worship, for socializing, for talking around. So
 2 it's not like, you know, sprinting blocks out to the
 3 door.
 4 Now, I'll go back to the Taraweeh
 5 prayer. This prayer is -- as far as timing, it is
 6 roughly -- I mean we try to actually make it
 7 immediately following the last prayer of the day,
 8 the evening prayer. So if the evening prayer is 8
 9 p.m., we start Taraweeh prayer after we pray that
 10 prayer. We pray right after that. It lasts about
 11 two hours. Two hours roughly, more or less. It's
 12 about two hours, and, again, because I -- because I
 13 explained it's not obligatory, not everyone attends,
 14 and not only that, those who attend, they are free
 15 to leave, and they normally leave whenever they
 16 want. Some people stay -- you know, let's say that
 17 we make 20 prayers. Some people pray four, some
 18 people pray six, some people pray eight. From what
 19 we've seen, by mid -- like through half of the
 20 prayers, 90 percent of the people are gone, and the
 21 people who actually continue the second hour is
 22 probably 20 people, if that.
 23 For the last five years, we have been
 24 hosted by our extremely gracious wonderful
 25 supporting friends at the Christ Presbyterian Church

1 on the corner of Washington Valley and Crim Road.
 2 That's where we have been performing the Taraweeh
 3 prayers for the last five years. The numbers, just
 4 to give you a sense, we roughly have maybe around a
 5 hundred people that perform the prayers, and as I
 6 mentioned, it drops to like 20 people after one
 7 hour, and, again, all these people come in in a
 8 very, very like a slow trickle manner. Same thing
 9 when they leave because they're socializing and they
 10 stand around and you talk and so forth.
 11 So we see roughly a hundred people
 12 during weekdays and probably goes up to a hundred
 13 twenty-five during week nights. That's for the
 14 evening. Again, the prayer is performed after the
 15 last prayer of the day in the evening, you know,
 16 probably no earlier than 8 p.m., and it goes
 17 actually later than that, again, depending on the
 18 time of the prayer because of the moon, the moon and
 19 the sun and so forth. Let's see. I think that
 20 covers Taraweeh prayer.
 21 During -- during Ramadhan, for the day,
 22 for the rest of the day, from like morning until
 23 evening, no change. There is no change. There is
 24 no extra services. There's no extra prayers. There
 25 is nothing. It's just your normal five day prayers.

1 It's a normal day just like any other day. The
 2 extra worship and the prayers come in the evening
 3 after the last prayer.
 4 Now, the next worship I'd like to talk
 5 is our Eid, E-I-D. Those are our two major
 6 celebrations of the year. We have two of them. One
 7 comes at the end of Ramadhan. Following the last
 8 day of Ramadhan, we have one Eid celebration, and
 9 the next one comes roughly two and a half months
 10 after that. So after the first Eid. So they're
 11 roughly two and a half months apart. One at the
 12 ends of Ramadhan and one roughly two and a half
 13 months later.
 14 These are -- basically, it's a family
 15 event. It's a celebration. It's a happy occasion.
 16 It's a family event. It's a place for all the
 17 families to get together and to hang out with close
 18 friends and neighbors and family and so forth. Just
 19 to explain that service for you, it starts roughly
 20 at 9:30 a.m. -- well, Eid can fall on any pretty --
 21 pretty much any day of the year. Just to explain --
 22 I'm sorry. I might be going on tangents, but when I
 23 speak about certain things, it brings up certain
 24 other things in my mind.
 25 As I indicated, we -- our calendar is a

1 lunar calendar similar to like the Jewish calendar.
 2 The only difference is we don't make any
 3 adjustments. We allow everything to shift normally
 4 and to move -- to move throughout the year. So
 5 Ramadhan, right now it's in August. Every year it
 6 will come 11 days earlier and it will simply keep
 7 rolling throughout the entire year. It was 30 years
 8 ago that Ramadhan was in August. It takes pretty
 9 much 30 years for it to literally roll around and
 10 move back again to the same time of the year.
 11 So that Eid -- the Eid prayer is at
 12 9:30 a.m. The attendance so far from what we've
 13 seen over the last five years is anywhere between
 14 300 and 350. Three hundred to 350, that's our Eid
 15 prayer, and the reason for -- the reason that
 16 there's always a range when I talk about the Friday
 17 or this or that or Taraweeh, there's always a range
 18 because it all depends on whether that day happens
 19 to fall on a weekend, it happens to fall on a public
 20 holiday, it happens to fall on a weekday because we
 21 don't control that, and we don't make any adjustment
 22 for that.
 23 So if Eid falls on a Saturday, you
 24 know, typically, you see slightly different
 25 attendance than when it falls on a Monday or a

1 weekday because, you know, some people, not
2 everyone, can take off. Most people try to. I mean
3 my guess would be 90 percent of people take that day
4 off and spend it with family and you see the whole
5 family at the service, but not everyone can do that
6 or does that, and some people need to go to work,
7 and they don't come or they only come for the prayer
8 and leave right away.

9 Eid prayer is 9:30. I think I said
10 that about 10 times right now. The service itself
11 is a short sermon. No. I'm sorry. With Eid
12 prayer, the sermon comes after the prayer. We pray
13 first, and the prayer begins about 10 minutes max
14 and then it's followed by a 25-minute sermon given
15 by the clergy or the person who is giving the sermon
16 and then after that it's -- that's done. As far as
17 the service is concerned, it's done.

18 Then it's socializing. It's, you know,
19 people standing around, greeting each other,
20 talking, socializing. Typically, you know, people
21 would be there until 11:30 noon. That's when
22 probably the last person -- that's when we leave to
23 clean up.

24 The Eid prayer, again, just to
25 reiterate, it's twice a year. That's when you would

1 see the 300 people, and that's when you -- when we
2 would probably use half of that parking lot. To the
3 rest of the year, daily prayer is five, 15 people.
4 Jumah, the Friday prayer's hundred, 125 people.

5 Now, Sunday school, we offer Sunday --
6 religious school on Sunday, and it's typically from
7 10:30 a.m. to 1:30 p.m. We have -- again, like with
8 same as all our other services, we rent space or
9 currently for the last three or four years we have
10 and been renting the William Annin School in Basking
11 Ridge. We use that. We use about seven to 10 of
12 their classrooms. Again, that range seven to 10
13 because of attendance or sign up or enrollment.

14 It depends on how many kids you have.
15 It depends on how the distribution and based on the
16 age, based on on the ability, how we divide them,
17 that varies from year to year. So it depends on
18 that. It might be seven or 10 classrooms. It terms
19 of the number of children, number or students, it's
20 roughly anywhere between 60 to 110 students. That's
21 on Sunday from 10:30 to 1:30 p.m. I'm sorry. From
22 10:30 a.m. to 1:30 p.m.

23 For our proposed project, we plan to
24 have a daycare. The daycare will be no different
25 from any daycare that's run and provided by, you

1 know, the church or a temple or a synagogue. It
2 will probably be run normal hours, normal day, you
3 know, whatever the daycare hours would be, that's 8
4 a.m. to 7 p.m., whatever the needs are weekdays, and
5 we anticipate or we were projecting that we'll
6 probably have 100, 100 children.

7 Let's see. And, again, I should have
8 said this from the beginning or I'll say it now.
9 With any of these services, it is not a whole lot
10 different from any of the services that you would
11 find provided by your local church or synagogue.
12 Basically, the only difference is this is for the
13 Muslim community. That's the only difference, and
14 I'm talking as far as the prayers, the performing of
15 prayers, the timing. Obviously, they cater there
16 for our faith. That's about the daycare.

17 The school is the second building here.
18 What we need to explain -- and I apologize. I'm not
19 sure if Mitch explained this. The house of worship
20 and the mosque is Phase I. This is what's going to
21 be -- what's going to be built initially, but for
22 the purpose of the application, we need to explain
23 everything. We need to explain everything that's
24 going to go and -- but the school itself, we have --
25 we don't really know when that's going to be built.

1 There's a lot of factors and a lot of -- factors is
2 the best word that will affect when that school
3 would get built.

4 We're not -- we're not finished. There
5 are requirements, you know, road requirements.
6 There's obviously budget issues. So we don't know
7 when the school is going to be in operation, but
8 when it does, when it starts, you know. Hopefully,
9 it's -- it has roughly 15 classrooms. We're
10 projecting 20 kids per classroom.

11 So we're looking at 300 students,
12 something to that effect, and we'll operate, and
13 even that number, the 300 students, is going to be
14 phased in over a long period of time because, most
15 likely, what we'll find or what we plan to do is to
16 eventually open up enrollment for the lower grades,
17 kindergarten, first, second, third and fourth, and
18 as those kids graduate and move up the years, you
19 know, the studying years from second grade, third,
20 fourth, we will start opening up other classes and
21 allow them to obviously go up the, you know,
22 academic years.

23 Let's see. Additional -- additional
24 community services. Again, forgive me for being
25 repetitive or boring. Just as with any church or

<p style="text-align: right;">Page 117</p> <p>1 any temple or any synagogue, there are community, 2 you know, services that will be provided to support 3 the community. Just as an example for these 4 services, for example, you know, we would have like 5 young -- young adult and family functions and 6 seminars, after school youth services, senior 7 citizen, social youth or session functions, adult 8 evening study groups, occasional funeral services 9 and counseling, seminars or clinics such as health 10 and nutrition or healthy habit clinics or seminars, 11 well being and mental and physical healthy living, 12 health clinics and blood pressure screening, and, 13 obviously, we would have occasional guest speakers, 14 guest speakers to come and address the community. 15 These are all -- all secondary services that are for 16 like the support of the community. 17 Now, as far -- one important thing, and 18 it's always a question that always comes up. As far 19 as the call for -- there will be no call for prayers 20 outside. We will not have any speakers, external 21 speakers. The call for prayers will only be done 22 internally inside the buildings. If you are 23 literally standing outside the building, just 24 outside the building, you wouldn't hear it. The 25 door would have to be open. You would have to be</p>	<p style="text-align: right;">Page 119</p> <p>1 and so forth. They will also primarily be 2 associated with the school. 3 So during when school is in session, 4 school hours, they're just for the students at the 5 school. For the adults of the community and the 6 children and the youth, they would be used after 7 hours, off hours, and it will always be, you know, 8 coordinated and scheduled and organized. It's not 9 going to be like open for anybody. 10 Let's see. I think I am done. Did I 11 forget anything? 12 MS. TUBMAN: There was one specific 13 question. 14 MR. ABDELKADER: Sure. 15 MS. TUBMAN: One member of the audience 16 and all of them want the answer will you be leasing 17 that soccer field to outside entities? 18 MR. ABDELKADER: No. I'm only gone as 19 far as the statement that I'm making and whatever 20 I'm explaining and obviously right now. 21 MS. TUBMAN: Next step is questions by 22 the board. 23 MR. ABDELKADER: Exactly. Exactly. 24 Sure. Yes. 25 CHAIRMAN RUSAK: Okay. Councilman, go</p>
<p style="text-align: right;">Page 118</p> <p>1 standing outside the door to literally hear the call 2 for prayer just so you know. 3 As far as the sports field, volleyball, 4 basketball and tennis and the field, the soccer 5 field, as Mitch testified before me, there are 6 not -- there's no lighting at all. So as far as 7 their operation, when there's light, during daylight 8 hours, that's when they will be used, and even at 9 that, there's going to be, you know, a lot of 10 limitations. It's too cold. It's too hot. It's 11 raining, and so forth, the usual, just like the 12 usual with any sports complex or sports activity. 13 These are also -- could very well be 14 deferred. They might not be planning from part of 15 the day one. We're not sure yet. It's going to 16 depend on a lot of factors. 17 Again, we have to explain the entire 18 application and the entire thing now and, you know, 19 to apply for the approvals and get it. It doesn't 20 mean -- as far as we're concerned, the parking lot 21 and the mosque, that's what's going first and the 22 rest will come later based on need and budget and so 23 forth. This will be -- these are primarily going to 24 be used for the community. There's probably going 25 to be access to the public, you know, the neighbors</p>	<p style="text-align: right;">Page 120</p> <p>1 ahead. 2 MR. KURDYLA: I just have one question. 3 You mentioned the daycare center. 4 MR. ABDELKADER: Yes. 5 MR. KURDYLA: Now, most applications 6 across the state, the concern about daycare centers 7 is the hours and, obviously, the impact of traffic 8 and so on and so forth because you're dropping 9 children off during rush hour, picking them up 10 during rush hour. 11 What do you anticipate as far as the 12 use of the daycare center and that would be in the 13 house of worship? 14 MR. ABDELKADER: Yes. The house of 15 worship -- the house of worship with prayer, and I 16 believe I'm not -- I believe I know that next 17 hearing Ralph Finelli, the architect, he will have a 18 complete like very detailed layout of the floor plan 19 and what it looks like, and he'll discuss that in 20 details, but, basically, we have like the prayer 21 area up front with like bathrooms and service areas 22 to the left and to the right, and around the 23 perimeter of the building in the back there's going 24 to be classrooms. There's roughly 10, 12 25 classrooms.</p>

1 Those will serve as Sunday school, you
2 know, on Sunday. They will serve as the daycare
3 rooms for the various ages during the weekdays, and
4 they will serve as for the community. If there's a
5 adult study group or a meeting or something like
6 that, they will take one of these rooms.

7 MR. KURDYLA: Do you have an estimate
8 of how many children will need daycare? Are there
9 any plans or what do you anticipate?

10 MR. ABDELKADER: It's extremely tough
11 to try to guess because we really don't know. It's
12 going to be -- it's supply and like demand depending
13 on demand, but I mean what we are bound by is the
14 capacity of these rooms and fire code and safety and
15 whatever it allows. We can't really -- we don't
16 have a good way of projecting or guessing or
17 thinking, you know, or anticipating how many
18 children we have.

19 On that note, I'm sorry if I'm going to
20 go on a small tangent, we do not have membership for
21 our community. We don't have membership. We don't
22 have listings or we don't track, you know, what
23 families come and go. In our faith, you go to the
24 nearest mosque in your area, your comfort area.
25 Wherever your driving distance, that's the mosque

1 you go to. So I mean we estimate. We estimate that
2 we have roughly 150 families in our community, but
3 it's going to be based on that and the need, and,
4 obviously, the daycare is going to be open not just
5 for our Muslim community. It's open for the public.

6 MR. KURDYLA: I do anticipate that, but
7 I was just -- from everything that I heard, that was
8 the one question that I do have is I would hope that
9 the traffic consultant has addressed daycare
10 question because, to me, with your daily operation,
11 while worship service does not have, you know,
12 tremendous amount of people traffic-wise and so
13 forth, I think the operation of a daycare would
14 conflict with the traffic on the highway more than
15 anything.

16 MS. TUBMAN: I've made a note for the
17 traffic engineer and our architect to address those
18 questions.

19 MR. LERNER: I'm going to ask one.
20 Have you figured out how many people your two
21 holidays -- how many people your code allows you to
22 occupy your house of worship and how that relates to
23 your parking lot? How many people can fit there and
24 how many cars you extrapolate for that number?

25 MS. TUBMAN: Can I interrupt to break

1 your question in half?

2 MR. LERNER: Sure.

3 MS. TUBMAN: And that is, when you are
4 having your significant prayers, is the building
5 used for any other purpose?

6 MR. ABDELKADER: No.

7 MS. TUBMAN: That's why I wanted to
8 break the question in half because building code and
9 occupancy are two things because of the religious
10 significance of the prayer.

11 MR. ABDELKADER: When there is -- when
12 there is a service like a Taraweeh prayer, it would
13 be a holiday. It would be a holiday for the school
14 that's in operation. It most likely will have like
15 an early -- an early enough announcement like that
16 day we will not have a daycare in operation.

17 MR. LERNER: Let me rephrase if I can.

18 MR. ABDELKADER: Sure.

19 MR. LERNER: If you're -- I'm going to
20 use arbitrary numbers. If a house of worship can
21 hold a thousand people to code, how many cars does
22 that translate, but I don't know if that thousand is
23 right.

24 You probably know what that number is.

25 How many people can worship at a time in your chapel

1 and then how many cars does that relate to?

2 MS. TUBMAN: The architect will have to
3 speak to the maximum occupancy.

4 MR. LERNER: Okay.

5 MS. TUBMAN: Your ordinance addresses
6 parking demand based upon square footage.

7 MR. LERNER: I'm talking --

8 MS. TUBMAN: We will have Mr. Finelli
9 here. First witness here next week. I would
10 ordinarily have him before Yasser.

11 MR. LERNER: I understand.

12 MR. CHARLES: Just a couple of
13 questions. If, in fact, the parking lot is getting
14 filled on the holidays and special days, will you --
15 you know, will you agree to arrange for off-site
16 parking?

17 We are actually not far from there.

18 There's a night club full, and they make
19 arrangements to go to a number of corporate areas
20 around where cars can be parked in the corporate
21 lots and people bussed to that location.

22 Would you agree to arrange for that,
23 communicate no parking on residential streets to
24 your members?

25 MR. ABDELKADER: I'm glad you asked

1 because now I can use my laser pointer. Actually,
2 if I may, I'm going to bring this.

3 MS. TUBMAN: Give the exhibit number
4 for the record.

5 MR. ABDELKADER: Sure. It's exhibit
6 number A-2. Just so you know, our driveway is right
7 here. Anything closer to this is going to be the
8 Woodmont apartments. No one is going to be parking
9 there, and the distance to West Foothill is just
10 completely not conducive to someone going and
11 parking there and walking this distance as this is
12 just not going to happen.

13 Now, having said that, even if this
14 parking lot somehow, you know, get filled or we
15 observe that we are coming near this happening,
16 which I don't believe is going to happen in my
17 lifetime, we would simply make two services. That's
18 it.

19 So I mean we can basically have a
20 second -- just like -- again, just like Christmas
21 day, you would have multiple services. That will
22 alleviate the problem and some of the issue, and,
23 again, from experience, while I know other mosques
24 that have two Friday services, they just simply --
25 they need -- they have high attendance. Then they

1 have two services, and I have attended several
2 services in other mosques where they do have it, and
3 it -- I mean, magically, it turns out that the
4 submission becomes almost 50/50. It just happens
5 that way. People simply, you know based on work
6 schedule and convenience and so forth, you'll find
7 that the distribution will work itself out that it
8 will even out so you wouldn't have two services, and
9 as I explained, people arrive over a span of 15
10 minutes and leave over a span of 70 minutes.

11 So, again, it's not all rushing through
12 the door and rushing to the car. So it's going to
13 be like a controlled slow driving in and driving
14 out, and on top of all of this, and we have done
15 this in the past on like major holidays or when we
16 anticipated an issue, we have community members and
17 board members standing out there directing traffic
18 and making sure everything is safe and directing
19 people where to park.

20 MR. CHARLES: So I think from your
21 numbers, the Eid --

22 MR. ABDELKADER: Yes.

23 MR. CHARLES: -- those two events are
24 the areas where you have the risk where you would
25 go, and the one service is 9:30 to roughly 1:30.

1 You'd then have an afternoon service to break that
2 up.

3 MR. ABDELKADER: Yes, and we go back to
4 your question. We would make arrangements for
5 off-site parking or to renting space. There's
6 also -- there's another possibility. We find this
7 is going to be too much. We -- I mean other
8 institutions and other mosques for Eid prayers,
9 those two twice a year, they rent. They rent like
10 the Marriott Convention Center and they make their
11 prayers there, and that's that.

12 MR. CHARLES: We talked a bit about the
13 lights, and I think from your testimony the early
14 morning, again, I'm thinking about the wintertime,
15 30 minutes before sunrise.

16 MR. ABDELKADER: Correct.

17 MR. CHARLES: And then the latest,
18 obviously, would be the most, what -- what
19 arrangements -- I think, you know, Ms. Doyle brought
20 it up. You may not have -- maybe the architect
21 talking about really what is the minimum amount of
22 lighting you would need during that -- during that
23 time.

24 Again, so I don't know if you have an
25 answer to that, but I think it will be something

1 that comes up in terms of lighting.

2 MS. TUBMAN: You're going to have your
3 normal parking lots in the building when the
4 building is normally occupied.

5 MR. CHARLES: Well, I guess the problem
6 with normal is that what he's just described is
7 there's a different normal for each prayer service.

8 MS. TUBMAN: That is true.

9 MR. CHARLES: What I'm trying to figure
10 out is, when you have the capability when there's
11 five to 15 people there at 5 o'clock in the morning,
12 is the parking lots going to be just those lights on
13 the north area that keeps the lighting to a minimum?

14 MR. ABDELKADER: Exactly. This is
15 actually -- this is something that I actually
16 discussed with Mitch and, basically, I told him that
17 just like my house might have two or three or five
18 zones for heating, I told him like literally beyond
19 this row of parking immediately in front of the
20 mosque --

21 MR. CHARLES: Right.

22 MR. ABDELKADER: -- that would be
23 sufficient for the daily prayers, all of them. So
24 this will be on one switch, you know, maybe half of
25 this area would be on another switch, the other half

1 on another switch and so forth. Here's -- like I
 2 said, realistically, realistically, this section of
 3 the parking lot will be used twice a year. So it's
 4 a waste of energy, waste of, you know, money to
 5 illuminate it when it's not in use. So I agree.
 6 MR. CHARLES: And just a clarification
 7 on the sports fields. The soccer field, volleyball
 8 and the basketball, you're saying that it will only
 9 be used during daylight hours. Once it gets dark,
 10 pretty much that's it.
 11 MR. ABDELKADER: Correct. It's not
 12 illuminated. So --
 13 MR. CHARLES: Just my last question is
 14 are there any religious minimums in the faith with
 15 regard to height of minarets or number of minarets?
 16 MR. ABDELKADER: No, there isn't. It's
 17 esthetics and it's design and it's beauty.
 18 MR. CHARLES: Got it. Thank you very
 19 much.
 20 MR. ABDELKADER: Sure.
 21 CHAIRMAN RUSAK: Anyone else?
 22 Just before the public comes to the
 23 microphone, I just want to clear up a couple of your
 24 statements and make sure the public is aware of
 25 them.

1 Number one, the field will not be
 2 rented out. It will only be used by your school and
 3 congregation, correct?
 4 MR. ABDELKADER: Correct.
 5 CHAIRMAN RUSAK: Number one. Number
 6 two, we're not interested in putting lights up on
 7 that field.
 8 MR. ABDELKADER: No.
 9 CHAIRMAN RUSAK: One final question,
 10 will the field be only soccer or will it be used as
 11 a field day activity? Will it be used as a mosque
 12 picnic area or whatever? Will that ever take place?
 13 MR. ABDELKADER: Thank you for asking.
 14 I forgot to mention that.
 15 I don't want to draw comparisons, and I
 16 remember from the Redwood Inn hearings and the
 17 previous application that people always, always
 18 mentioned the Hindu temple and telling me -- further
 19 telling me and so forth.
 20 It's a completely different faith.
 21 It's a completely different -- you know, services.
 22 It's comparing two completely different things. We
 23 don't have any celebrations or any events that
 24 requires us to be outdoors. We don't need to be
 25 outdoors for that. In fact, our Eid prayers are

1 Friday prayers and so forth all happen inside the
 2 building.
 3 A community picnic, there might be a
 4 community picnic, but how many times of year is that
 5 going to be, two times a year, but I also still
 6 don't see that happening in the field. I can't -- I
 7 don't have a crystal ball and I can't predict or
 8 promise anything, but just -- it's just too far.
 9 It's going to be mostly used for sports.
 10 I mean there's plenty -- there's plenty
 11 of protected area between the mosque and the school
 12 or to be the school in this area. There's a lot of
 13 open space and a lot of parking.
 14 CHAIRMAN RUSAK: I understand. I just
 15 wanted to clear that up so we can move forward. The
 16 time is 10:20, and, normally, we stop at 10:15. Can
 17 you come back to answer the public questions?
 18 MR. ABDELKADER: Absolutely.
 19 CHAIRMAN RUSAK: Okay. Is that okay,
 20 Ms. Tubman?
 21 MS. TUBMAN: Absolutely. Thank you for
 22 your generosity.
 23 CHAIRMAN RUSAK: I apologize to the
 24 public for not having you up this evening. However,
 25 it gives you some time to digest. Yasser will

1 answer questions like he said in the lobby and maybe
 2 that will eliminate some of your concerns so you
 3 don't have to go back and come forward.
 4 MR. COLLINS: We will schedule another
 5 evening. So don't leave until we pick the date and
 6 time.
 7 MR. ABDELKADER: Sorry to interrupt.
 8 Thank you very much.
 9 MS. TUBMAN: I think my schedule said
 10 September 8.
 11 MR. COLLINS: September 8 is a
 12 possibility. We do have something else that night
 13 too, and we were thinking of a special. One of the
 14 special nights that we actually have that we could
 15 perhaps use because the meeting room is available is
 16 September 22.
 17 CHAIRMAN RUSAK: And you would be the
 18 only --
 19 MR. COLLINS: The only thing that
 20 night.
 21 CHAIRMAN RUSAK: The only thing that
 22 night.
 23 MS. TUBMAN: I'm out-of-town.
 24 MR. COLLINS: The other night that's
 25 available is September 30.

1 CHAIRMAN RUSAK: September 30.
 2 MR. COLLINS: Which is the fifth
 3 Wednesday.
 4 MS. DOYLE: I'm not available for that
 5 meeting.
 6 MR. COLLINS: Apparently, Scarlett is
 7 not available that night.
 8 MS. TUBMAN: Scarlett's not available.
 9 CHAIRMAN RUSAK: Scarlett's not
 10 available.
 11 MR. COLLINS: What's our regular night,
 12 the 28th?
 13 CHAIRMAN RUSAK: The 9th or the 28th.
 14 MS. TUBMAN: The 9th and the 28th of?
 15 CHAIRMAN RUSAK: September.
 16 MR. COLLINS: September 8th.
 17 CHAIRMAN RUSAK: September 8th and
 18 September 28th.
 19 MS. TUBMAN: September 8th we are
 20 available, and I know my architect and traffic
 21 engineer are also available on the 8th.
 22 MR. COLLINS: For the 8th.
 23 CHAIRMAN RUSAK: On the 8th we have you
 24 scheduled till 9 p.m. We'll see if we can get with
 25 Bridgewater Accessory Associates. Is that our other

1 group we have to hear? We'll see if we can massage
 2 that and see if we can get you the entire evening so
 3 we don't keep the public going to and from.
 4 It's only for the board that, you know,
 5 it's another night out for us, but we'll try to get
 6 as much done as we can for you.
 7 MR. COLLINS: We could have the
 8 architect and the traffic. Do you have both
 9 available on the 8th?
 10 MS. TUBMAN: Yes, I do.
 11 MR. COLLINS: Okay. This Al Falah
 12 Center application will be carried without
 13 additional notices to the September 8 meeting at 7
 14 p.m. here at the municipal building. There will be
 15 no further notice.
 16 CHAIRMAN RUSAK: Sorry. There will be
 17 no other public comments. We'll carry that to the
 18 next meeting which is the 8th, and if we can have a
 19 motion to adjourn.
 20 MR. CHARLES: Motion.
 21 MR. KURDYLA: Second.
 22 CHAIRMAN RUSAK: Okay. Councilman
 23 Kurdyla seconded. All in favor.
 24 (Proceedings conclude at 10:25 p.m.)
 25

CERTIFICATE OF OFFICER

1
 2
 3
 4 I CERTIFY that the foregoing is a true
 5 and accurate transcript of the testimony and
 6 proceedings as reported stenographically by me at
 7 the time, place and on the date as hereinbefore set
 8 forth.

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

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