

BRIDGEWATER TOWNSHIP PLANNING BOARD
Regular Meeting
Tuesday September 8, 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.

August 24, 2015 - Motion by Mr. Lerner, second by Mr. Franco, the foregoing minutes were adopted as written on the following roll call vote:

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

ABSENT: Mrs. Casamento

6. MEMORIALIZATION OF RESOLUTIONS:

Toys R Us Inc. (Babies R Us)

Block 349 Lot 5

#15-026-PB, Minor Site Plan

Time: 9/17/15

Eligible to Vote: Mr. Rodzinak, Mr. Charles, Mr. Franco, Councilman Kurdyla, Mr. Rusak, Mayor Hayes, Mr. Lerner

DECISION: Approved with conditions 8/24/15

The foregoing resolution memorializing the approval with conditions on 8/24/15 was adopted as presented on the following roll call vote:

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

ABSENT: Mrs. Casamento

7. LAND DEVELOPMENT APPLICATIONS:

Al Falah Center

Block 477 Lot 17 & 18

#15-025-PB, Preliminary and Final Site Plan

Time: 11/14/15

See attached Transcription dated September 8, 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 28, 2015 at 7:00 p.m. 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. OTHER BOARD BUSINESS:

Motion by Mr. Franco, second by Mr. Charles, the Board approved the professional services resolution for Andrew Feranda of Shropshire Associates LLC for traffic review of the Chimney Rock Crossing LLC East and West application on the following roll call vote:

AFFIRMATIVE: Mr. Rodzinak, Mr. Charles, Chairman Rusak, Mayor Hayes, Councilman Kurdyla, Mr. Franco,

ABSENT: Mrs. Casamento, Mr. Lerner (left at 10:55)

10. ADJOURNMENT

It was the consensus of the Board to adjourn the meeting at approximately 10:50 pm.

Respectfully submitted,
Ann Marie Lehberger
Secretary to the Planning Division

In The Matter Of:
In Re: Al Falah Center

Transcript of Proceedings
September 8, 2015

Rizman Rappaport Dillon & Rose
66 W. Mt. Pleasant Ave.
Livingston, N.J. 07039
(973) 992-7650
reporters@rizmanrappaport.com

1 PLANNING BOARD
2 TOWNSHIP OF BRIDGEWATER
3 COUNTY OF SOMERSET
4 STATE OF NEW JERSEY

5 -----
6 IN THE MATTER OF: TRANSCRIPT
7 OF
8 AL FALAH CENTER PROCEEDINGS
9 BLOCK 477 LOT 5
10 #15-025-PB
11 PRELIMINARY AND FINAL
12 SITE PLAN
13 -----

14 Bridgewater Township Municipal Building
15 100 Commons Way
16 Bridgewater, New Jersey
17 Tuesday, September 8, 2015
18 Commencing approximately 7 p.m.

19 B E F O R E:
20 BOARD MEMBERS

21 RON CHARLES
22 JAMES V. FRANCO
23 DANIEL J. HAYES, JR., Mayor
24 ALLEN KURDYLA, Councilman
25 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.

1 CHAIRMAN RUSAK: We'll move on to the
2 next item of business and that is the land
3 development application of the Al Falah Center.
4 MS. TUBMAN: Thank you, Mr. Chairman,
5 board members. I'm Lloyd Tubman. I'm the attorney
6 for the applicant. I'm with Archer & Greiner in
7 Flemington, and this is a continuation of your last
8 hearing.
9 At the last hearing, you heard from our
10 engineer, Mr. Ardman. I'll wait a second. You
11 heard the testimony of Yasser Abdelkader who is the
12 president of Al Falah Center. We had questions by
13 the board of Mr. Abdelkader. We have -- we did not
14 have questions of the public. So that would be the
15 next order of business.
16 However, we have a correction to a
17 statement at the last hearing. Mr. Abdelkader
18 mistook -- misspoke on the number of intended
19 classrooms in a future school building. So we'll
20 correct that on the building now, and I'd like to
21 let the board member and the public know that our
22 architect is here this evening as is our traffic
23 engineer.
24 MR. ABDELKADER: Hello. Good evening,
25 everyone. Thank you very much for allowing me to

1	I N D E X	
2	EXAMINATION	PAGE
3		
4	YASSER ABDELKADER	3
5	RALPH FINELLI	39
6	GARY DEAN	100
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1 speak again.
2 What I wanted to correct is basically
3 the number of students that the school will -- can
4 take. Per my understanding, the school building
5 which is Phase II can accommodate -- based on total
6 square footage can accommodate 400 people. The
7 number that I gave as the number of students is 300.
8 This is based on two things, first our
9 estimate as what we feel or what we believe the need
10 will be by the community, and the second thing also
11 is that, of all the classrooms in the building, many
12 of them will be needed for activities such as
13 computer labs, science labs, art room, music room
14 and such.
15 So not every single room in that
16 building will be treated as a classroom with a
17 certain number of students, and that's why I
18 estimated 15 classrooms, 20 students that would be
19 300. Thank you.
20 MS. TUBMAN: But, in fact, the number
21 is 400, correct?
22 MR. ABDELKADER: Yes.
23 MS. TUBMAN: We just want the record
24 corrected, and before we --
25 CHAIRMAN RUSAK: So I'm correct on

<p style="text-align: right;">Page 5</p> <p>1 this, so the number of classrooms in the building 2 will be how many classrooms? 3 MR. ABDELKADER: The number of rooms in 4 the building is 24. So 24 rooms can actually 5 function as classrooms, but you can't have every 6 single room as a classroom. We will need multiple 7 ones that will actually be the classrooms. 8 CHAIRMAN RUSAK: I'm smiling because I 9 spent 35 years as a superintendent of schools. So I 10 do understand how classrooms can be used, but go 11 ahead. 12 What's your capacity for the student 13 body or the personnel in the building? The 14 capacity, that's the number of people that will -- 15 can be in the building. 16 MR. ABDELKADER: Four hundred. 17 CHAIRMAN RUSAK: Four hundred? 18 MR. ABDELKADER: Yes. 19 CHAIRMAN RUSAK: Okay. For the record, 20 it's 400 people and 24 rooms. 21 MR. COLLINS: Mr. Chairman, we should 22 open now to the public for questions or comments. 23 CHAIRMAN RUSAK: Anyone in the public 24 wish to cross-examine the witness and any concerns 25 that they had in dealing with his synopsis of the</p>	<p style="text-align: right;">Page 7</p> <p>1 sworn in as a witness. You are with -- 2 MS. COFFEY: I'm with Porzio, Bromberg 3 & Newman. 4 MR. COLLINS: Peter Wolfson was here at 5 the last meeting and you work with Peter. Is that 6 correct? 7 MS. COFFEY: That is correct. 8 MR. COLLINS: I don't think I've meet 9 you personally. So go ahead. 10 MS. COFFEY: Hello. I'm here on behalf 11 of Woodmont, a single owner of a single-family lot 12 dwelling as well as a hundred-unit rental community 13 in the area of the proposed site. We just have a 14 few questions. 15 One was I think there was testimony at 16 the last meeting that you'd anticipated a higher 17 attendance in the summer months when school is out. 18 MR. ABDELKADER: This is only for 19 Friday, for the Friday service, and that's going to 20 be -- yes. When school is out, you see more of the 21 children who don't need to go to school in the 22 summer. 23 MS. COFFEY: How much do you expect to 24 be worshipping in the summer on those Friday 25 occasions?</p>
<p style="text-align: right;">Page 6</p> <p>1 building? 2 MR. COLLINS: Or make a statement if 3 you'd like. 4 CHAIRMAN RUSAK: Or statements or 5 concerns. 6 MS. COFFEY: Good evening. 7 MR. COLLINS: Were you sworn in at the 8 last meeting? 9 MS. COFFEY: I was not. 10 MR. COLLINS: Please raise your right 11 hand. Do you swear or affirm to tell the truth, the 12 whole truth and nothing but the truth so help you 13 God. 14 MS. COFFEY: I do. 15 MR. COLLINS: Can you state your name 16 and spell your last name? 17 MS. COFFEY: The name is Katharine 18 Coffey, C-O-F-F-E-Y. 19 MR. COLLINS: Katharine, you're an 20 attorney, right? 21 MS. COFFEY: I am an attorney. 22 MR. COLLINS: I'm sorry. 23 MS. COFFEY: That's all right. I'll 24 tell the truth anyway. 25 MS. COLLINS: You don't have to be</p>	<p style="text-align: right;">Page 8</p> <p>1 MR. ABDELKADER: Probably 175 I believe 2 roughly speaking. 3 MS. COFFEY: And what is the maximum 4 capacity for the mosque, the building that is used 5 for worship? 6 MR. ABDELKADER: That, if you don't 7 mind, I'll leave for Ralph, our architect. He will 8 be better able to answer that. 9 MS. COFFEY: Okay. Thank you. 10 MR. ABDELKADER: Sure. 11 MS. COFFEY: Do you anticipate that 12 most of the folks coming to worship will be 13 traveling by car? 14 MR. ABDELKADER: Yes. 15 MS. COFFEY: I understand there will be 16 classrooms in the mosque in addition to the school 17 building? 18 MR. ABDELKADER: Well, the classrooms 19 in the mosque are basically going to be classrooms 20 in the meantime until school is available. So there 21 are some classrooms in the mosque that will be used 22 for Sunday school. 23 MS. COFFEY: And will their use be 24 limited to Sunday school only? 25 MR. ABDELKADER: No. They will be used</p>

<p style="text-align: right;">Page 9</p> <p>1 for Sunday school, Islamic school on Sunday. They 2 will be double -- you know, they would double as 3 rooms for the daycare. We plan to have a daycare 4 during weekdays, and they might also have some use 5 in the evenings by small groups of like adults for 6 adult education, small study groups and stuff, you 7 know, such functions. 8 MS. COFFEY: And is the intention of 9 the daycare to always be located in those classrooms 10 or will it eventually move over to the school 11 building? 12 MR. ABDELKADER: That we have not 13 really thought out yet, but most likely, the school 14 will be dedicated as a school once it's open. So, 15 most likely, it will stay in the mosque, in the 16 mosque building. 17 MS. COFFEY: Am I right that the plans 18 for the daycare to be open Monday to Friday 8 a.m. 19 to 7 p.m.? 20 MR. ABDELKADER: Again, the hours 21 haven't really been decided. I mean we will 22 basically see what's typical and what's normal for a 23 daycare and those normal hours of operation. 24 MS. COFFEY: And the daycare will be 25 available to members of the public. It won't be</p>	<p style="text-align: right;">Page 11</p> <p>1 MR. ABDELKADER: That we haven't -- we 2 haven't thought about that, but I mean we would -- 3 we would welcome people from the community, but that 4 it's not going to be rented or anything. 5 MS. COFFEY: And will there be some 6 sort of a process, if someone wanted to have a 7 soccer game, they would contact you? 8 MR. ABDELKADER: Yes, it will be 9 coordinated and scheduled. 10 MS. COFFEY: Thank you. 11 MR. ABDELKADER: You're welcome. 12 MR. COLLINS: You could just state your 13 name. 14 MR. ROBERTS: Chris Roberts, address 15 737 West Foothill Road in Bridgewater. 16 These questions are just for you. Am I 17 right? I can't make any statements or anything like 18 that? 19 MR. COLLINS: Now you can make a 20 statement. 21 MR. ROBERTS: The first question is the 22 last time you were here you under oath said the 23 soccer fields would only be for your people in your 24 community. Now you're saying it might be used for 25 the whole town, like travel team wants to use it.</p>
<p style="text-align: right;">Page 10</p> <p>1 restricted? 2 MR. ABDELKADER: Correct. 3 MS. COFFEY: One of my questions is how 4 many classrooms are in the school, and you covered 5 that. Thank you. 6 And what grade levels do you anticipate 7 will be at the school? 8 MR. ABDELKADER: The school is intended 9 to be full K through 12. However, we -- it's going 10 to be ramped up over probably many, many years 11 because we will start with the lower grades, and as 12 those generations start graduating, we will make the 13 higher grades open. 14 MS. COFFEY: And do I understand that 15 you are also planning to have playing fields, 16 soccer, volleyball, basketball at that rate? 17 MR. ABDELKADER: One of each, yes. 18 MS. COFFEY: And who will be using 19 those facilities? 20 MR. ABDELKADER: The school when it's 21 functional and for community for its community 22 members. 23 MS. COFFEY: When you say community 24 members, you mean members of your congregation or 25 the community of Bridgewater at large?</p>	<p style="text-align: right;">Page 12</p> <p>1 I specifically asked that question, and 2 you answered it, no, it's only for the people that 3 go to your mosque. That was your answer, and you're 4 already changing things the first time you're here. 5 MS. TUBMAN: I will check the 6 transcript, but I think I flinched when he said some 7 people from the public company use the field also. 8 MR. ROBERTS: No. He didn't. He 9 looked at that gentleman right there and he said no. 10 You can look at the transcript. That's what you 11 said, and that's a concern of the local people, 12 especially the people that live on West Foothill 13 Road. Okay. 14 I don't know how this turns from a 15 religious building to a school, okay, a K through 12 16 school. Is that -- I'm asking the board is that 17 allowed? 18 MR. COLLINS: Yes. Schools are allowed 19 as a conditional use in the zone. A place like 20 this, a house of worship, can have a school as well 21 on its premises, but it's going to be there 22 independently. 23 MR. ROBERTS: But you guys understand 24 my concern. If you look at the transcript, a 25 specific question was asked, and your answer was no,</p>

1 and my house is the one that's going to be the
 2 closest to that soccer field. I don't want to see
 3 that. Okay. It's a quiet, residential street.
 4 Okay.
 5 One other question I have for you is --
 6 MR. ABDELKADER: Can I address the
 7 question first?
 8 MR. ROBERTS: Sure.
 9 MR. ABDELKADER: The question was very,
 10 very specific by you and I remember it. If the
 11 field -- if the field or the courts will be rented
 12 to anybody or if there's going to be any leagues,
 13 available to any leagues, and the answer is still
 14 no. It hasn't changed.
 15 What I'm talking about is that if -- I
 16 mean we are not going to stand and say unanimously
 17 you're not allowed. That's not right to start with.
 18 If there's a friendly, friendly game, if there's a
 19 couple of people from the neighborhood, that's what
 20 I'm talking about. I'm not talking about renting
 21 it. I'm not talking about leagues. I'm not talking
 22 about anything extravagant.
 23 MR. ROBERTS: Well, I know their
 24 question about leagues because two of their lawyers'
 25 children play travel soccer. That's what their

1 question is. Okay.
 2 The second question I have -- I mean
 3 whatever. The second question I have is when you
 4 guys were going to go up on the Redwood Inn
 5 property, you were going to renovate, just renovate
 6 one building. Now, all of a sudden, you have this
 7 big, extravagant plan.
 8 I'm wondering is this because of the
 9 \$5.6 million settlement you're getting that you're
 10 able to do all this?
 11 I just -- I think that's a fair
 12 question. I mean going from a small plot of land
 13 you were going to renovate to this.
 14 MR. ABDELKADER: Can I --
 15 MS. TUBMAN: It's not really an
 16 appropriate question, but you can answer it.
 17 MR. ROBERTS: Why is it not an
 18 appropriate question?
 19 MS. TUBMAN: A source of funding is not
 20 a planning board concern.
 21 MR. COLLINS: That's an objection, Mr.
 22 Roberts, and the objection is correct. It's
 23 irrelevant what the source of funding is.
 24 MR. ROBERTS: Okay. My question is
 25 then -- I'm going to make a statement. Then I'm

1 going to make a statement.
 2 We know that the -- if this is -- this
 3 doesn't go through, it's going back to the -- it's
 4 going back to the Redwood Inn. Am I correct in
 5 saying that?
 6 So if this gets -- if this gets
 7 rejected by this group here, it automatically goes
 8 back to Redwood Inn property.
 9 MR. COLLINS: It could.
 10 MR. ROBERTS: It's written in black and
 11 white, Mr. Collins. It's written in black and
 12 white.
 13 MR. COLLINS: There's rights to appeal
 14 that denial, sir.
 15 MR. ROBERTS: Okay.
 16 MR. COLLINS: It's not --
 17 MR. ROBERTS: Mr. Hayes lives a mile
 18 away from the Redwood Inn property.
 19 MR. COLLINS: Why don't you focus on
 20 this case?
 21 MR. ROBERTS: I'm talking about this
 22 case right now.
 23 MR. COLLINS: No.
 24 MR. ROBERTS: I'm not. Now, you're
 25 telling me I'm not talking about this case. I live

1 300 feet away from that soccer field. I don't want
 2 it in my backyard. I live in a very quiet,
 3 residential street. Okay. You guys got -- the
 4 people up the Mountaintop got a whole load of people
 5 together. You guys changed the laws. These people
 6 sued you. Your insurance company told you
 7 litigation is going nowhere. You better settle, and
 8 this is what we were stuck with.
 9 Am I wrong in saying that, Mr. Collins?
 10 MR. COLLINS: Yes, you are wrong in
 11 saying that.
 12 MR. ROBERTS: I am. Well, I don't
 13 agree with you. Okay.
 14 MR. COLLINS: That's fine. Why don't
 15 you focus on what -- we understand you object to
 16 this site plan. That's what's relevant in this
 17 case. Focus on those statements.
 18 MR. ROBERTS: But you said I could make
 19 a statement. I wanted to make a statement to the
 20 board.
 21 MR. COLLINS: And I haven't stopped you
 22 from making that statement. You do have to focus
 23 your statements on this site.
 24 MR. ROBERTS: So I asked a question and
 25 I was told that he doesn't -- he can't answer it

<p style="text-align: right;">Page 17</p> <p>1 although he wants to answer it. How do you go 2 from -- 3 MR. COLLINS: He answered the question, 4 and you can move on to the next question. 5 MR. ROBERTS: No, he didn't answer it. 6 I asked -- 7 MR. COLLINS: You can repeat it because 8 he certainly answered questions that were relevant. 9 I agree with the objection of the attorney that the 10 other statements are irrelevant. The number of 11 dollars is irrelevant. 12 MR. ROBERTS: You're ridiculous. You 13 really are. 14 MR. COLLINS: No, I'm not. 15 MR. ROBERTS: Well, I object to that 16 statement. How about that? 17 MR. COLLINS: Raise your right hand. 18 Were you sworn in the last meeting? You were? 19 MS. AMIN: You want my name? 20 MR. COLLINS: State your name. 21 MS. AMIN: Pushpa Amin, P-U-S-H-P-A 22 A-M-I-N. 23 MR. COLLINS: Ma'am, I don't think you 24 were. Please raise your right hand. Do you swear 25 or affirm to tell the truth, the whole truth and</p>	<p style="text-align: right;">Page 19</p> <p>1 are closer to their business and pray there for 2 Friday service. 3 MS. AMIN: So based on your present 4 structure, how many people do you expect at the 5 location where you will hold your service? 6 MR. ABDELKADER: Okay. It used to be 7 exact. Generally, we have around like between 100, 8 125 on Friday service which is one between 1 and 2 9 p.m. That's 100, 125, but during the summer, we see 10 the attendance get bumped up a little bit to roughly 11 175 because school is out and you see more family, 12 more mothers with children and things like that. 13 MS. AMIN: So, in future, you would 14 anticipate more people to be coming here because 15 it's a bigger space? 16 MR. ABDELKADER: We can't really tell. 17 No one knows the future really. 18 MS. AMIN: I'm more concerned for the 19 traffic and all that in that area, and that's the 20 reason why I'm going to this question, and the 21 second reason for asking this question is planning 22 why such a big place when are you -- with that 23 traffic based on the 200 at most? So the capacity 24 of this one, the new mosque, how big is it? 25 Space-wise, how many people can it hold?</p>
<p style="text-align: right;">Page 18</p> <p>1 nothing but the truth so help you God? 2 MS. AMIN: I do. How many people in 3 your congregation live in Bridgewater area in the 4 township? 5 MR. ABDELKADER: We don't track. We 6 don't have exact count of that. 7 MS. AMIN: Do you expect other people 8 from the surrounding areas to attend your church, 9 your mosque? 10 MR. ABDELKADER: Typically, people go 11 to the mosque nearest to their residence. I don't 12 know what the boundaries are going to be, but, 13 typically, people would look at -- anybody further 14 than probably 10, 15 minutes, they're bound to find 15 another mosque that is close to them, and, 16 typically, people go to the one that's closest to 17 them to worship with family and friends and 18 neighbors and people are not going to travel far. 19 MS. TUBMAN: On Fridays. 20 MR. ABDELKADER: On Fridays people who 21 are working in the vicinity would come to the Friday 22 service, and that's only because it's a workday and 23 it's closest to the place of business, but on the 24 flip side, residents of Bridgewater who work far 25 also will go to mosque. They will find mosques that</p>	<p style="text-align: right;">Page 20</p> <p>1 MR. ABDELKADER: Well, space-wise and 2 how many people it can hold, again, I will defer to 3 Ralph, our architect, who will be testifying after 4 me. He would be better -- he will speak to that a 5 lot better than me. 6 However, in terms of capacity and 7 growth, we have two services annually, twice a year. 8 The Eid service, for that one, we will receive 9 higher attendance, somewhere in the vicinity of like 10 300, 325, 350 people. So for that purpose. 11 MS. AMIN: I have a few questions of 12 the school. 13 MR. ABDELKADER: Sure. 14 MS. AMIN: You have mentioned that the 15 school would be used as a private school from up to 16 grade 12. 17 MR. ABDELKADER: Correct. Yes. 18 MS. AMIN: So are you going to bus the 19 students or will they be dropped off? 20 MR. ABDELKADER: This is -- I mean 21 just -- I'm not sure if you were here the last 22 hearing, but the school is going to be Phase II. 23 This is not going to be built for quite some time 24 due to a lot of logistics and funding and so forth. 25 So it hasn't really been even a subject</p>

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1 of discussed how the kids are going to be brought
 2 in, but it's going to be more or less like any other
 3 school.
 4 MS. TUBMAN: I can answer that question
 5 in part. I did look it up. Under the regulations
 6 governing school transportation in the school
 7 district, transports to a certain distance, any of
 8 its students, it's obligated to do the same for
 9 private school. If it does not provide bussing for
 10 students that were crossing municipal boundaries,
 11 then there is no obligation to provide busses.
 12 MS. AMIN: That's where I was leaning
 13 at was because some of the rules require that the
 14 township has to provide bussing in certain
 15 situations. The schools in our town would require
 16 it.
 17 MS. TUBMAN: That is what the
 18 regulations say.
 19 MS. AMIN: That puts an extra burden on
 20 us, the taxpayers.
 21 The next question I have is, the school
 22 itself, have you got the approval from the state
 23 education department on the application of what it
 24 is?
 25 MR. ABDELKADER: I'll defer to that.

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1 MS. TUBMAN: You don't know the answer
 2 to that. We've made no application to any outside
 3 agencies but a school here would have to be
 4 accredited.
 5 MS. AMIN: The next question I ask
 6 about the layout of the school is really for
 7 architect to answer. Does it meet the state
 8 requirements? That's the question?
 9 MS. TUBMAN: I cannot answer that
 10 question, nor can this witness, but the architect
 11 will.
 12 MS. AMIN: Okay. Thank you.
 13 MR. ABDELKADER: You're welcome.
 14 MR. KURZ: Robert Kurz, 775 West
 15 Foothill Road, and I was sworn at the last meeting.
 16 MR. COLLINS: You're still under oath.
 17 MR. KURZ: Sir, quick question I have.
 18 Is this the first property the town offered you for
 19 the arrangements? Whatever the arrangements would
 20 be, is this the first property?
 21 MS. TUBMAN: I can't say that the
 22 township offered any property. There was discussion
 23 of a number of properties.
 24 MR. KURZ: Then I ask the question does
 25 your mosque -- do they own that property now?

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1 MS. TUBMAN: Do you own the retract
 2 right now?
 3 MR. ABDELKADER: Not yet.
 4 MR. KURZ: So under what guise are you
 5 proposing to build this mosque?
 6 MS. TUBMAN: I think that's a question
 7 to me. We have the owner's consent to file the
 8 application.
 9 MR. KURZ: Have any of the owners of
 10 the Township of Bridgewater made an offer to the
 11 mosque to provide the facilities or provide land?
 12 MS. TUBMAN: Not to my knowledge.
 13 MR. ABDELKADER: No.
 14 MR. KURZ: Has this owner provided you
 15 any other facilities to look at to consider or was
 16 this the only property that was offered?
 17 MS. TUBMAN: I'm going to take issue
 18 with the word offer because there were a number of
 19 properties that were discussed.
 20 MR. KURZ: Okay. Then that answered my
 21 question.
 22 So clarify how many properties were
 23 discussed, two, four, six?
 24 MS. TUBMAN: Probably six along the
 25 way, but we are digressing from this site plan.

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1 MR. KURZ: Not completely because I'm
 2 going to ask you why is this site plan in better
 3 terms for your mosque than the other five?
 4 MS. TUBMAN: You can try to answer
 5 that.
 6 MR. ABDELKADER: Of all the other
 7 properties that were potential or possibilities,
 8 some were omitted because of environmental reasons,
 9 because of the amount of wetland or unusable area.
 10 Some were omitted because of economics. They were
 11 far, far to expensive and some were eliminated
 12 because of distance. They were just much too far
 13 for our community.
 14 MR. KURZ: But they were in the
 15 Township of Bridgewater?
 16 MR. ABDELKADER: A few feet from the
 17 border. So it's not really convenient. Bridgewater
 18 is very big.
 19 MR. KURZ: So you would say because
 20 this property met all of the criteria you needed is
 21 why you asked to start this procedure?
 22 MR. ABDELKADER: It was the most
 23 suited.
 24 MR. KURZ: In relation to the placement
 25 of the building and the size of the building, you

<p style="text-align: right;">Page 25</p> <p>1 had some input to the architect, correct?</p> <p>2 MR. ABDELKADER: Correct.</p> <p>3 MR. KURZ: You gave him ballpark</p> <p>4 figures let's say of how many people you'd like to</p> <p>5 have the capacity for or handle?</p> <p>6 MR. ABDELKADER: No. It wasn't really</p> <p>7 based on ballpark capacity and how many people we</p> <p>8 expect to handle because this would handle more than</p> <p>9 our current needs, but as far as what's allowed to</p> <p>10 build on this lot, that's within those parameters.</p> <p>11 MR. KURZ: So being that you now have a</p> <p>12 site, you just told the architect build it as big as</p> <p>13 you can get it?</p> <p>14 MS. TUBMAN: Sir, you were at the last</p> <p>15 meeting when our engineer testified as to coverage,</p> <p>16 square footage, floor area ratio, all of which are</p> <p>17 lesser than is permitted by ordinance.</p> <p>18 MR. KURZ: Yes, I was, but that's not</p> <p>19 the question I have.</p> <p>20 Did the gentleman give carte blanche to</p> <p>21 the architect and say build it as big as we are</p> <p>22 allowed and permissible or did you say -- I'll let</p> <p>23 you answer that question.</p> <p>24 MR. ABDELKADER: We basically looked</p> <p>25 at, again, what the ordinance allows and what we can</p>	<p style="text-align: right;">Page 27</p> <p>1 MR. KURZ: With your current</p> <p>2 congregation -- I apologize. I don't know the</p> <p>3 terminology. Your current congregation, if that was</p> <p>4 at a -- it's been how long, five years I think you</p> <p>5 said?</p> <p>6 MR. ABDELKADER: Five years.</p> <p>7 MR. KURZ: Five years. Do you believe</p> <p>8 you've reached your maximum capacity at the facility</p> <p>9 you have now?</p> <p>10 MR. ABDELKADER: We don't have a</p> <p>11 facility.</p> <p>12 MR. KURZ: I mean where you're at, the</p> <p>13 Holiday Inn, is that getting too crowded for you</p> <p>14 now?</p> <p>15 MR. ABDELKADER: It hasn't really</p> <p>16 changed a whole lot for the time we used it.</p> <p>17 MR. KURZ: I'll expand on that question</p> <p>18 then. Proportionately, how much larger would you</p> <p>19 expect your congregation and/or to have this</p> <p>20 facility and why did you decide to go with a larger</p> <p>21 facility?</p> <p>22 MR. ABDELKADER: Again -- and I</p> <p>23 apologize. I can't predict the future. I have no</p> <p>24 idea as to what the growth would be.</p> <p>25 MR. KURZ: And if you can't predict the</p>
<p style="text-align: right;">Page 26</p> <p>1 build and we decided to go with that.</p> <p>2 MR. KURZ: Okay. Now, under the guise</p> <p>3 of what you said there -- and I apologize. It was</p> <p>4 not you. I thought it was you. It might have been</p> <p>5 the landscape person.</p> <p>6 One of the remarks that was made was</p> <p>7 something to the effect, if people come because it's</p> <p>8 more -- it's larger or bigger, great. That's what</p> <p>9 my concern is.</p> <p>10 You may be starting out with an X</p> <p>11 amount of your congregation now, but as word gets</p> <p>12 around, it's a potential for growth. You know, two</p> <p>13 people tell two people, it gets larger. Would that</p> <p>14 not be correct?</p> <p>15 MR. ABDELKADER: Unfortunately, no one</p> <p>16 has a crystal ball. No one can tell the future. I</p> <p>17 don't know where those people would move. There's</p> <p>18 certain growth areas of the township. You can, I</p> <p>19 guess, use that as a measure of growth, but,</p> <p>20 basically, people tend to go to mosques that are</p> <p>21 within their vicinity.</p> <p>22 I mean they are not going to pick up</p> <p>23 and come here because -- I mean there are many</p> <p>24 mosques that are bigger and better and more</p> <p>25 established and so forth.</p>	<p style="text-align: right;">Page 28</p> <p>1 future, then you can't tell me when you intend on</p> <p>2 opening up the school?</p> <p>3 MR. ABDELKADER: No.</p> <p>4 MR. KURZ: But you have to have the</p> <p>5 property designed -- I'll ask the attorney. The</p> <p>6 property has to be designed. As long as that's in</p> <p>7 the plans, it's available. Is that correct?</p> <p>8 MS. TUBMAN: That's correct.</p> <p>9 MR. KURZ: Okay. Next question. The</p> <p>10 frontage on 202/206, did you have any say to the</p> <p>11 landscape -- landscape architect I believe that</p> <p>12 spoke.</p> <p>13 MS. TUBMAN: Our civil engineer also</p> <p>14 did the landscaping.</p> <p>15 MR. KURZ: Okay. Did you have any</p> <p>16 input as to how you wanted traffic to flow or did he</p> <p>17 provide you with what he said would be the best?</p> <p>18 MR. ABDELKADER: Well, we have --</p> <p>19 between our engineer, our architect and our traffic</p> <p>20 engineer, they -- they have designed it in the best</p> <p>21 way to allow good flow and, you know, reasonable --</p> <p>22 I don't want to venture into that. I'll also leave</p> <p>23 that to our architect and traffic engineer who is</p> <p>24 here also.</p> <p>25 MR. KURZ: I don't know. I believe I</p>

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1 asked this question once before.
 2 When the gentleman leaves here and the
 3 architect comes up, we're not allowed to ask this
 4 gentleman questions about a statement he makes. Is
 5 that correct?
 6 MS. TUBMAN: Generally, he will have
 7 finished his testimony. If something comes up where
 8 I feel it's necessary --
 9 MR. KURZ: You feel. What if I have a
 10 question?
 11 MS. TUBMAN: I think you should ask
 12 your questions now because it's based upon his
 13 testimony.
 14 MR. KURZ: That's what I want to find
 15 out. I don't want to jump the gun and ask a
 16 question I shouldn't be asking.
 17 The design as I have seen it calls for
 18 your mosque and your school. The mosque being a
 19 dome of 48 feet tall. Is that correct?
 20 How tall is the mosque going to be up
 21 at the Redmont facility? Is this larger? That's
 22 the question I'm asking.
 23 MR. ABDELKADER: Honestly, I don't
 24 recall at the Redwood Inn how high the dome was
 25 going to be.

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1 MR. KURZ: This projects calls for,
 2 there's some question, I'm not an architect, between
 3 five and six minarets. How many minarets were
 4 called for or designed into your Redmont or Redwood
 5 facility?
 6 MR. ABDELKADER: It's technically five
 7 for this facility.
 8 MR. KURZ: Architecturally, I counted
 9 six. I wasn't sure.
 10 MR. ABDELKADER: There's a big
 11 difference. There's a big difference. At the
 12 Redwood Inn we pretty much had a building that we
 13 had to work with and we had to make the design
 14 around that building. So we were bound by that.
 15 This is a brand new from the ground up
 16 facility. So we had the, I guess, ability to design
 17 it how we like it.
 18 MR. KURZ: I believe it was Mr. Lerner
 19 asked a question is there any reason that there's
 20 five minarets called for in this design?
 21 I saw a plan from the other design was
 22 only one minaret. Is there any reason for five
 23 versus one?
 24 MR. ABDELKADER: Well, I will -- you
 25 know, the architect will be able to answer that

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1 better.
 2 MR. KURZ: I'm asking you is there any
 3 reason, not why the architect did it, but for you?
 4 Obviously, I ask you the question and the architect
 5 is going to answer it.
 6 MR. ABDELKADER: It is Islamic icon and
 7 it's architecturally beautiful. That's how we
 8 intended it to be.
 9 MR. KURZ: But five are required?
 10 MR. ABDELKADER: They're not required.
 11 MR. KURZ: Again, I apologize for not
 12 knowing the religion. How many minarets are
 13 required under the --
 14 MR. ABDELKADER: There is no
 15 requirement. There is no religious requirement that
 16 basically says that you need X number of minarets.
 17 MR. KURZ: Okay. And as far as the
 18 height of the dome itself, is there any requirement
 19 under Islamic -- Muslim religion how high it be,
 20 because I've seen they're proportionate? In this
 21 direction it has to be so many feet high?
 22 MR. ABDELKADER: Again, there is no
 23 actual requirement, but in terms of proportion and
 24 architecture, I'll let Ralph speak to that.
 25 MR. KURZ: But I'm asking you as far as

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1 religious aspect, not architect, but religious
 2 aspect.
 3 MR. ABDELKADER: Correct, no religious
 4 requirement.
 5 MR. KURZ: When you were shown this
 6 site -- I correct myself.
 7 The building itself is going to be
 8 used, the mosque now, until such time as the need
 9 arises for the school is what you're saying?
 10 MR. ABDELKADER: Correct.
 11 MR. KURZ: So that will cover the
 12 daycare plus the religious education.
 13 MR. ABDELKADER: Correct. Religious
 14 education will be only on Sunday through the
 15 weekend.
 16 MR. KURZ: And part of your testimony
 17 last week was about the amount of cars -- amount
 18 cars coming and going. One of the reasons you based
 19 on your current attendance was the amount of cars
 20 proportionate to that, but you made no statement as
 21 far as the intent and/or amount of vehicles for the
 22 daycare.
 23 I know they're not staying there, but
 24 there would be more vehicles there because of the
 25 teachers or class aides and stuff like that. Am I

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1 not correct?

2 MS. TUBMAN: We have a traffic engineer

3 to answer that question this evening.

4 MR. KURZ: Okay. That's one question I

5 can move over to that side then.

6 All right. I'm just trying to think of

7 any questions, because if the gentleman leaves and

8 he brings up something over here, we're stuck out in

9 the wind because we can't go back and ask, well, why

10 would they want that. The architect is going to say

11 that's what we were told and then I can't ask is

12 that what they were told.

13 MS. TUBMAN: I can tell help you a

14 little bit. Do you have a board of directors that

15 consulted with your architect on the design of the

16 building?

17 MR. ABDELKADER: Yes.

18 MR. KURZ: I know that. I know you're

19 a professional. I don't mean you in particular. I

20 meant you as the congregation.

21 MS. TUBMAN: I'm trying to help you get

22 there.

23 MR. KURZ: Thank you. Question for the

24 board. In my limited reading --

25 MR. COLLINS: The board doesn't

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1 necessarily answer questions. The boards makes a

2 decision at the end of the case but maybe we can

3 help you.

4 MR. KURZ: Okay. Let me ask you a

5 question, quick question.

6 In previous applications, the board and

7 whoever the proper agency was has certain requests

8 of the applicants before they vote on things so that

9 the public can see what's going on. Is that not

10 correct?

11 MR. COLLINS: Yes, that's correct.

12 MR. KURZ: One of the things I can

13 bring up, and I don't know the exact details, was

14 the cell tower down at Green Knoll Firehouse.

15 MR. COLLINS: That's probably the

16 zoning board and not this board.

17 MR. KURZ: Okay. That's what I was

18 looking for, because if they're going to be doing

19 certain things, I would ask for the same things that

20 they got there which was balloons and stuff to show

21 how high things are.

22 A lot of people have discussion what's

23 78 feet? You know, I live right in addition to the

24 pond, and I have certain people, my wife included,

25 saying we're going to be looking at the tower. It's

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1 so close there. No. I try to explain. No, we're

2 on an angle. I'm looking to see if we can have some

3 input.

4 That would be zoning board. If he gets

5 the approval here to be build, then they go to

6 zoning board for asking for variances?

7 MR. COLLINS: No, they're here, and

8 their application, generally speaking, is just a

9 conditional use and the ordinance of the township.

10 MR. KURZ: So how would we go about

11 asking for that?

12 MR. COLLINS: You can ask them. That's

13 your request of them. If you want to ask that, you

14 should ask that.

15 MR. KURZ: Yeah. The attorney or

16 yourself, this may come under the architect, is that

17 a lot of concern is the height. In other

18 applications they've had balloons up to show people

19 exactly how high it is. Tree lines or the rest of

20 the people have misconceptions of how high 78 feet

21 is. That I think would waylay some fears and plus

22 the amount.

23 I mean you put up one balloon. They

24 are going to say one balloon. Put up six balloons.

25 People are going to see what six 78 feet towers are

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1 going to look like and you might lessen some

2 concerns. That's something I'm considering

3 broaching, but that's all I have for the gentleman.

4 Thank you very much, sir.

5 MR. ABDELKADER: Thank you.

6 MS. TUBMAN: Does the board have

7 further questions?

8 CHAIRMAN RUSAK: Anyone else of the

9 public have questions? Yes, sir.

10 MR. MC NALLY: I just have a small

11 statement. My name is Thomas Mc Nally. I live at

12 842 --

13 MR. COLLINS: Raise your hand.

14 MR. MC NALLY: I didn't know I was

15 swearing. I thought that came after. I live at

16 842 --

17 MR. COLLINS: Do you swear or affirm to

18 tell the truth, the whole truth and nothing but the

19 truth so help you God?

20 MR. MC NALLY: Yes, I do.

21 MR. COLLINS: Please state your name

22 and address.

23 MR. MC NALLY: My name is Thomas Mc

24 Nally. I live at 842 Carnoustie Drive, Bridgewater,

25 New Jersey.

<p style="text-align: right;">Page 37</p> <p>1 Carnoustie Drive is a dead end area, 2 and the only thing I have to say by way of a 3 statement is I hope all of the people who are going 4 to church there realize how much they're taking 5 their lives into their hands. The people who drive 6 202/206 are nuts. They're genuinely nuts. 7 We have been hit twice at the very same 8 area within a two-month period. We were coming up 9 north on 202/206. My wife has the directional 10 signal on. We're in the turn to make -- to go into 11 Carnoustie and ba-boom. Somebody comes up on our 12 right side. We send it to the auto people to take 13 care of the collision and repair the car. Really 14 looked good. 15 Two weeks later my wife is making a 16 right turn into Carnoustie Drive. The signal of her 17 right-hand signal is on and she got hit again. 18 They're nuts. They come up there at the rate of 55 19 to 60 miles an hour without any concern with regard 20 to people, whether they live there or not, whether 21 they're on the road there or not. 22 So your people are going to have to be 23 extremely concerned, and I would suggest that they 24 take a few runs up and down just to see how bad it's 25 going to be, but it's nuts.</p>	<p style="text-align: right;">Page 39</p> <p>1 CHAIRMAN RUSAK: Anyone else from the 2 public, the board? If none, next witness please. 3 MS. TUBMAN: All right. The next 4 witness is Ralph Finelli who is our architect. 5 MR. COLLINS: Mr. Finelli, please raise 6 your right hand. Do you swear or affirm to tell the 7 truth, the whole truth and nothing but the truth so 8 help you God? 9 MR. FINELLI: I do. 10 MR. COLLINS: Please state your name 11 and address. 12 MR. FINELLI: Ralph Finelli, F, as in 13 Frank, I-N-E-L-L-I, Post Office Box 144, 14 Sergeantsville, New Jersey. 15 MS. TUBMAN: The exhibit that is up 16 there is A-2. It's superimposition on a Google map. 17 It was introduced last time. The next exhibit would 18 be A-4. 19 MR. FINELLI: I'll mark that with 20 today's date. Is that correct? 21 MS. TUBMAN: Yes. 22 MR. COLLINS: That would be fine, and 23 just describe what it is. 24 MR. FINELLI: Exhibit A-4 is a floor 25 plan.</p>
<p style="text-align: right;">Page 38</p> <p>1 The only comment we had from the fellow 2 who repaired the car the second time is too bad they 3 didn't hit you on the left side. You would have had 4 a new car almost, the two kids, and it's -- the 5 first time I ever addressed this, the group was for 6 some other thing that they were putting up, and I 7 said to the people -- the people there that drive at 8 8 o'clock to 9 o'clock in the morning are going to 9 work, they love their jobs because they won't give 10 an inch. They'll kill you in order to get to their 11 job. They love it. 12 I know this is rather humorous, but 13 it's not so humorous when you're in the condition on 14 a regular basis, and when I consider anybody making 15 a left turn into your one entrance and exit, be 16 careful. Be careful. It's a poor, poor 17 determination to be putting all of these additional 18 properties and building on them and increasing the 19 population. Not in terms of the whole population. 20 I think the number of people who will be making 21 these turns will be very mild, but the number of 22 people driving that road are not mild neither in 23 temperament, nor in amount. 24 Thank you very much. 25 MR. ABDELKADER: Thank you.</p>	<p style="text-align: right;">Page 40</p> <p>1 MS. VOORHEES: Can you use the 2 microphone please. 3 MR. FINELLI: Exhibit A-4 is a floor 4 plan of the Phase I building referring to the site 5 plan that the engineer provided. The mosque itself 6 is a Phase I building. It's comprised of 16,520 7 square feet of space. Within that space is the 8 mosque itself. 9 The classrooms have been already 10 described to you that would serve as either Sunday 11 school rooms weekend or daycare rooms during the 12 week, a couple of office space and, of course, the 13 service and utility aspects of the building, 14 restrooms, corridors and things like that. 15 MR. COLLINS: Mr. Finelli, if you can 16 just confirm for the record that you are a license 17 architect? 18 MR. FINELLI: Yes, sir, I am. 19 MR. COLLINS: And the board recognizes 20 and accepts Mr. Finelli's qualifications as a 21 licensed architect. Please go ahead. 22 MR. FINELLI: Thank you. 23 MS. TUBMAN: Thank you, Tom. 24 MR. FINELLI: Okay. The next sheet 25 called A-5 --</p>

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1 MR. COLLINS: That will be A-5, and
 2 just describe what it is.
 3 MR. FINELLI: And that's the same floor
 4 plan, but when I rendered this floor plan is the
 5 area that's devoted to primary worship space and
 6 then the area that could be potentially devoted to
 7 worship space.
 8 As you know, we worked out and we've
 9 described our parking count as well as our occupancy
 10 parking counts, of course, based on the ordinance
 11 standard of 30 square feet of gross building parking
 12 space and occupancy is a function of -- actually, of
 13 the building code and assembly use. Assembly uses
 14 are defined in the building code.
 15 There are really are three qualifiers,
 16 whether a space has tables and chairs, whether a
 17 space has chairs only and whether a space is
 18 standing room only. Those areas are based on net
 19 square footage. So we would take a space really
 20 similar to this room and we'd subtract the egress
 21 corridors and things like that to come up with a net
 22 square foot number. That would be the number used
 23 for occupancy. The numbers that the building code
 24 uses, again, refer to tables and chairs or chairs or
 25 standing room.

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1 My prior testimony we've established
 2 the fact the occupancy and the prayer space is
 3 really going to be defined as one person per nine
 4 square feet. So the information we're providing for
 5 the occupancy load that we will provide and that we
 6 will have posted in the building ultimately, the
 7 maximum occupancy will be based on nine square feet
 8 net of worship space or potential worship space.
 9 That is the largest and most intense
 10 use of the building, and I can go through these
 11 numbers with you, but if we look at the building as
 12 the prayer space and the daycare or Sunday school
 13 and office space, if we tally up all of those
 14 occupancies based on the different uses, we have a
 15 lower number than the more intense use of all of the
 16 potential worship space being divided by nine square
 17 feet of net space.
 18 So I established that our occupancy --
 19 our maximum occupancy in the building is 600. The
 20 area devoted to the primary worship space that's
 21 rendered crosshatched here in blue and on the floor
 22 plans it's the primary prayer space is 3675 square
 23 feet. That translates to 2760 square feet of net
 24 space, again, subtracting out means of egress,
 25 corridors and things like that. Twenty-seven sixty

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1 divided by nine is 306. That prayer space -- the
 2 main prayer space as described on all these plans
 3 will have a compliant occupancy of 306 persons.
 4 We designed the structure so that in
 5 the event of the couple of times a year that have
 6 already been described to you where there would be
 7 an extraordinary amount of celebrants rather than
 8 the traditional or the typical expected Friday
 9 afternoon prayers. We've designed the structure so
 10 that we can accommodate a larger gathering.
 11 The areas that are devoted to the
 12 community room and to the gym recreation space,
 13 those partitions that separate this central core of
 14 the building would be movable partitions, removable
 15 partitions, sliding partitions so that we'd have one
 16 large worship space. That space totals 6750 square
 17 feet of gross square footage and the net square foot
 18 number is it's 5400 square feet divided by that same
 19 nine square feet of net space is 600 occupants in
 20 the building. That's our maximum number.
 21 We looked at this, as I mentioned
 22 before, as a function of a combination of different
 23 spaces. A daycare space by building code is one
 24 occupant per 35 square feet of net space. So we did
 25 the calculation where we divided up these rooms that

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1 were listed as educational classrooms that were
 2 planned. If they were used for daycare, which is
 3 the intent, they'll be used as daycare during the
 4 week. At 35 net square feet, we'll have 50
 5 occupants in those rooms.
 6 As education rooms, the standard for
 7 education is 20 square feet net per person. Using
 8 those same rudiments as Sunday school rooms, we'll
 9 have 70 occupants available to us in those rooms.
 10 Office space, office space is a hundred
 11 square feet of gross space per person. So we tally
 12 up all of these. If we tallied up individual uses,
 13 we'd have 591 occupants. If we use the worship
 14 space as the most intense use of the space, we have
 15 600 occupants. So we'd be using the higher number,
 16 more conservative number to establish the occupancy
 17 of the building.
 18 And, again, besides the worship space,
 19 as has been previously mentioned, the building is
 20 available to the general public. There is a
 21 community room, the Sunday school rooms, the daycare
 22 rooms, the gym and recreation space would be open to
 23 the general public as a matter of just the
 24 community's relationship with the congregation.
 25 The next sheet is -- we'll call this

1 A-6.
 2 MR. COLLINS: That would be A-6. Can
 3 you just describe?
 4 MR. FINELLI: A-6 contains the east
 5 elevation and the west elevation of the building.
 6 So, generally speaking, even though we're not
 7 parallel to the road, I would call it the east
 8 elevation, the front elevation. It's what most
 9 faces Route 202/206. The west elevation faces the
 10 rear of the property.
 11 And as there have been some discussion
 12 about -- about how the design evolved, yes, we had
 13 plenty of meetings with the building committee, a
 14 very fun group of interested people, interested in
 15 architecture, obviously, history of how architecture
 16 represents their faith, and we designed really
 17 together a building that I think I would
 18 characterize more as a traditional -- as a
 19 traditional mosque, traditional elements, shapes and
 20 forms. The building will be stucco, glass, also
 21 muted with glass, but largely just those two
 22 materials, just glass and stucco building.
 23 To confirm some of the questions that
 24 were brought before, just to read this off, the
 25 height to the top of the dome is 48 and a half feet

1 and the height to the top -- to the peak of the
 2 minarets is 78 feet. There are various layers of
 3 flat roof around the worship space, obviously, is
 4 the highest space in the building. There are
 5 various flat roofs at different elevations that sort
 6 of concentric to that main space.
 7 A-7 is the north and south elevations
 8 which I would simply characterize as the site
 9 elevations of the building. The south side sort of
 10 has an oblique presentation of 202/206. The north
 11 side is really very visible at the vehicular
 12 entrance to the site, and the areas that we're
 13 seeing here in the center and further reinforce in
 14 the site plan are the principal pedestrian entry to
 15 the building. So you can see we have one-way
 16 traffic here, a bank of our --
 17 MS. TUBMAN: You're referring to what?
 18 MR. FINELLI: I'm sorry. I'm referring
 19 to --
 20 MS. TUBMAN: A-2.
 21 MR. FINELLI: -- A-2. So most closely
 22 adjacent to the north and south elevations where the
 23 pedestrian entrances are would be our ADA parking
 24 spaces. We have large covered entry to protect the
 25 elements before entering the building.

1 MR. COLLINS: Please mark A-7 as A-7.
 2 MR. FINELLI: Correct, A-7.
 3 MR. COLLINS: All of these marked
 4 Exhibits are deemed to be in Evidence.
 5 MS. TUBMAN: And they're not colored
 6 are also in the plan sets that were submitted with
 7 the application.
 8 MR. FINELLI: Right. Exhibit A-9, the
 9 floor plans for Phase II.
 10 MR. COLLINS: That's A-8.
 11 MR. FINELLI: A-8.
 12 MR. COLLINS: We're up to A-8. Just
 13 describe again what that is.
 14 MR. FINELLI: Yes. This is the floor
 15 plan of the Phase II building which is primarily a
 16 school building and, again, as has been testified
 17 to, they're 24 classroom spaces. We have called
 18 them all classrooms because, in fact, they may well
 19 be all classrooms, but as testified to, we expect to
 20 have science labs, computer labs. We expect to have
 21 educational aspects there. So they may not be K
 22 through 12 educational classrooms, but they are
 23 educational spaces.
 24 Nonetheless, we have also used the same
 25 20 square feet of net space per occupant, had to

1 come up with our occupancy, maximum occupancy load
 2 for that building. In addition to the classrooms
 3 themselves, we have a gymnasium. That's a two-story
 4 high space at the far south end of the building.
 5 We've also used that space in our calculations as
 6 additional educational space, again, to be really
 7 extra conservative when it came to our occupancy
 8 numbers.
 9 Taking all of those into account, the
 10 actual number is 383. It's been testified it's 400.
 11 It's a round number. We'll leave it at 400. I
 12 think that's perfectly fine. If I take -- if I take
 13 each one of these individual rooms and provided a
 14 means of egress and all of that, really, the number
 15 is shaved down just an incremental amount. So 400
 16 is certainly more than accurate.
 17 This building would be equipped with an
 18 elevator. It's a two-story building. We have
 19 accessible means of egress for both levels, and if I
 20 point to Exhibit A-2, as was described in Mr.
 21 Ardman's testimony initially, based on the way that
 22 the lot slopes, the upper floor of the school
 23 building is essentially flush with the main level of
 24 the mosque. So most of our access points, that's
 25 the primary entrance to the school is really on the

<p style="text-align: right;">Page 49</p> <p>1 second floor.</p> <p>2 Now, we're at A-9. A-9 contains the</p> <p>3 exterior elevations of the school building, again,</p> <p>4 similar materials, similar fence striations, similar</p> <p>5 fence patterns, but much more muted in terms of its</p> <p>6 three-dimensional elements. It will always be</p> <p>7 designed to be subordinate to the mosque visually.</p> <p>8 So it's a two-story building, flat roof. Again,</p> <p>9 we're bringing the same colors, materials and glass</p> <p>10 pattern.</p> <p>11 And then A-10 is a rendering of the</p> <p>12 project. This view of the building of the property</p> <p>13 site, this is our main ingress/egress drive. This</p> <p>14 is 202/206 in the foreground. So that gives you an</p> <p>15 idea of the view of the building. It really -- I'm</p> <p>16 point to go A-2, the view of the bidding just</p> <p>17 immediately north to the vehicular ingress. It's a</p> <p>18 stucco building, cream earth tones, pale blue glass.</p> <p>19 The dome, of course, is yellow. You can see the</p> <p>20 school building off -- off to the right, the</p> <p>21 suggestion of the parking, parking lot lights,</p> <p>22 recreation fields in the back. That is a colored</p> <p>23 rendering of the property fully developed.</p> <p>24 I think that's about it.</p> <p>25 MS. TUBMAN: Questions of Mr. Finelli.</p>	<p style="text-align: right;">Page 51</p> <p>1 MR. FINELLI: As classrooms, while they</p> <p>2 are classrooms, again, education is one occupant per</p> <p>3 20 net square feet of space. We have 10 rooms,</p> <p>4 seven occupants per room, 70 occupants. As daycare,</p> <p>5 it's a little less intensive. One occupant per 35</p> <p>6 net square feet, ten rooms. That would be five</p> <p>7 occupants per room, 50 occupants.</p> <p>8 I didn't specifically mention the</p> <p>9 community and gym before, if we break them out, but</p> <p>10 I'll break them out for you now. The community</p> <p>11 room, net square footage is 880 net square feet of</p> <p>12 space. Now, that's --</p> <p>13 MS. TUBMAN: Point that out.</p> <p>14 MR. FINELLI: Sure. The community room</p> <p>15 is this next largest space across the hallway from</p> <p>16 the main prayer space. Its overall dimensions are</p> <p>17 49 feet by 29 feet three inches. The net square</p> <p>18 footage of that space is 880 square feet. When it's</p> <p>19 not being used as part of this overall worship</p> <p>20 space, it would be a general assembly space much</p> <p>21 like this one.</p> <p>22 So if it were tables and chairs, we</p> <p>23 would use that 15 square foot per occupant</p> <p>24 standards. At 15 square feet per person, that's 59</p> <p>25 persons. If chairs only, similar to the way this</p>
<p style="text-align: right;">Page 50</p> <p>1 MR. LERNER: I have one. If you could</p> <p>2 go back to the black and white with the two blue</p> <p>3 with the green shading? I don't remember the</p> <p>4 number.</p> <p>5 The question I think I heard you say</p> <p>6 that the occupancy is 600 maximum based on using</p> <p>7 both the blue and green.</p> <p>8 MR. FINELLI: Correct. You're correct.</p> <p>9 MR. LERNER: My question is, if you</p> <p>10 have that as 600 and you have the classroom</p> <p>11 perimeter rooms occupied simultaneously, is that a</p> <p>12 different -- would that lead you to a different</p> <p>13 occupancy number?</p> <p>14 MR. FINELLI: Well, they wouldn't be</p> <p>15 occupied simultaneously. So as has been testified</p> <p>16 to in terms of the general worship practices, at</p> <p>17 those events, the Eids prayer, the other twice a</p> <p>18 year, those sorts of -- those events, there wouldn't</p> <p>19 be school.</p> <p>20 MR. LERNER: It's always an either or.</p> <p>21 MR. FINELLI: It's always an either or,</p> <p>22 correct.</p> <p>23 MR. CHARLES: What is the capacity of</p> <p>24 each of those rooms since there's 10 shown as</p> <p>25 classrooms?</p>	<p style="text-align: right;">Page 52</p> <p>1 was set up, that's seven square feet, and that's 126</p> <p>2 people. When I did that occupancy comparison, I</p> <p>3 used the 126. I always use the highest number for</p> <p>4 comparison.</p> <p>5 The gym, likewise, if it were used as</p> <p>6 other than accessory to the daycare education. So</p> <p>7 if we use it as an assembly, it would be a more</p> <p>8 intense use. The overall dimensions of the gym is</p> <p>9 49 by 21.3. That net square footage is 610 square</p> <p>10 feet. Using the same assembly standards at 15</p> <p>11 square feet net, that would get 40 occupants. At</p> <p>12 seven square feet net, that would be 87 occupants.</p> <p>13 So, again, just to belabor the point,</p> <p>14 we use a higher number at every point. We're still</p> <p>15 a higher occupancy based on the overall use of the</p> <p>16 space as worship space.</p> <p>17 MR. CHARLES: Just for clarity, I see</p> <p>18 the ground floor plan which includes what you're</p> <p>19 looking at right there. I don't see it, this second</p> <p>20 story plan in this.</p> <p>21 MR. FINELLI: On the mosque -- on the</p> <p>22 mosque there is no second story.</p> <p>23 MR. CHARLES: Okay. Just the school,</p> <p>24 that building there has no second story.</p> <p>25 MR. FINELLI: Correct.</p>

1 MR. CHARLES: And the capacity in the
2 prayer space with the doors closed is -- just one
3 more time. I want to make sure.
4 MR. FINELLI: The prayer space with the
5 doors closed, the overall dimensions for that are 49
6 feet by seven feet. The net square footage of that
7 space -- well, the gross square footage is 3675.
8 The net square footage is 2760. So I take that 2760
9 divided by nine, I have 306 occupants.
10 MR. CHARLES: Three hundred and six.
11 MR. FINELLI: Correct.
12 MR. CHARLES: And then with the doors
13 open it's 600.
14 MR. FINELLI: Correct, and by doors
15 open, we mean open all the way.
16 MR. CHARLES: Straight down.
17 MR. FINELLI: Correct.
18 MR. FRANCO: What are the stairs used
19 for?
20 MR. FINELLI: I'm sorry. I didn't
21 hear.
22 MR. FRANCO: You show the stairs on the
23 plan. Is that to mechanical access?
24 MR. FINELLI: Yes.
25 MR. FRANCO: Is that to the basement?

1 MR. FINELLI: Yes, basement. We will
2 likely have -- it's a big space, a lot of volume.
3 We will likely have some rooftop, but primarily most
4 of the utilities would all be basement.
5 MR. CHARLES: The relationship between
6 the height of the dome and the height of the
7 minarets, what factors went into that decision to be
8 30 feet high?
9 MR. FINELLI: We're looking now at
10 Exhibit A-10 which is a colored rendering. It's
11 very much a study of proportion. It's very much a
12 study of proportion of the main structure and the
13 dome, the height of the dome, the width of the dome,
14 whether it is elliptical or semi-circular and the
15 relationship of that part of the building to the
16 minarets, and we -- I really can't count how many
17 iterations we looked at to be honest with you, but
18 there is no -- there is no rule of thumb. There is
19 no -- there is no standard. It really is a
20 subjective assessment of incremental adjustment
21 until it looks right.
22 MR. CHARLES: Was there a consideration
23 for the height of other buildings within the
24 township knowing that this would probably be an area
25 of discussion?

1 MR. FINELLI: There's always
2 consideration, but we also start with the ideal. So
3 knowing that the -- knowing that the specific
4 exception to building height is for buildings of
5 this type, knowing that we really have the full
6 license of design to present to the board a facility
7 that looks proportionate and looks appropriate,
8 that, yes, there's always consideration, but, again,
9 we always do start with the idea.
10 MR. CHARLES: More specifically, seeing
11 as Bridgewater is such a diverse community with
12 temples and churches and synagogues, did you take a
13 look and see what the highest church steeple was,
14 how high the JCC, you know, synagogue is and things
15 like that?
16 MR. FINELLI: I did drive through. I
17 drove quite a lot. I didn't see anything that I
18 would guess was 78 feet tall. I did not, no, and I
19 did not go out with a tape measure.
20 MR. FRANCO: I guess the only concern I
21 had was pretty much the number of minarets. Now,
22 looking at other mosques, I did research that. The
23 majority of them had two. The most I saw was four.
24 I guess my greatest concern was were
25 those minarets that are on the site is the elevation

1 183, the back of the site is the elevation 44. That
2 would put that at 117 feet above the rear of the
3 site which is where the residential properties
4 occur, and I know, given the contentious nature of
5 these cell towers, this kind of falls into that same
6 realm.
7 MR. FINELLI: Well, dimensionally, but
8 design-wise, really, they couldn't be more
9 different. I know the point you're talking about.
10 I'm pointing to Exhibit A-2. The rear of the
11 building we're talking about is here.
12 MR. FRANCO: That's at elevation 23.
13 MR. FINELLI: The nearest residence --
14 I mean the nearest residence might be a thousand
15 feet away. So I understand -- I understand your
16 question.
17 MR. FRANCO: But looking uphill a lot
18 of that is cleared away. It's been cleared away for
19 drainage and parking.
20 MR. CHARLES: And more will be cleared
21 away for the soccer fields.
22 MR. FINELLI: I understand the
23 question.
24 MR. CHARLES: I think the one question
25 that your client will be asked to ponder is reducing

<p style="text-align: right;">Page 57</p> <p>1 the height of the minarets. So I don't know if 2 that's the time to have that discussion or if that's 3 something you need to consult with your client with. 4 I think that's a question that needs to be asked. 5 MR. FRANCO: Or the number as well. 6 MR. CHARLES: And the number. 7 MR. FINELLI: Let me just address the 8 number. You mentioned you visited sites where you 9 saw two or four and maybe you said predominantly 10 four. The one thing I will tell you, as a design 11 determinant in a lot of Muslim architecture, 12 geometry is a very strong determining factor. 13 We have -- one of the issues in this 14 particular site was, of course, our worship space 15 needs to face that way, and we have the relationship 16 with the road. Really, none of the planning 17 assumptions that we often have where the front of 18 the building would be parallel to the road. We have 19 the geometry and we have a configuration where the 20 five-sided figure became -- you know, became the 21 geometry that, you know, that we put all of our 22 decision-making through. So that's why they are 23 five minarets and not three or four or some other 24 number. 25 I think the -- you know, as far as</p>	<p style="text-align: right;">Page 59</p> <p>1 about will support an occupancy of 50 people. 2 MS. COFFEY: You said the daycare will 3 never be in operation at the same type as the 4 worship space? 5 MR. FINELLI: No. I didn't say that. 6 I said that there are specific -- there are specific 7 worship events throughout the year that have been 8 testified to earlier, the Eids prayers, for example, 9 and the Ramadhan, for example. Those times where 10 really the full function of the building will be as 11 a worship space. Those are the only times where it 12 would preclude the use of any other function in the 13 building. 14 MS. COFFEY: Is there a scenario where 15 the membership of the congregation were to expand 16 the gym and the community room would ever be 17 expanded to full-time worship shape? Could that be 18 done? 19 MR. FINELLI: To full-time worship 20 space? 21 MS. COFFEY: They would be having 22 services to routinely accommodate members 23 essentially up to 591 people? 24 MR. FINELLI: Well, we've designed the 25 space and all of our occupancy and parking, restroom</p>
<p style="text-align: right;">Page 58</p> <p>1 height, I mean we'll certainly talk that over. 2 Again, there is no -- you know, there is not a 3 standard. It's not -- there's not a rule of thumb. 4 There's not a standard. It is a subjective 5 determination. 6 MR. CHARLES: And I don't know if going 7 into those discussions it might make sense to meet 8 with the township to get those other actual heights 9 of the church and synagogue and whatnot just as a 10 frame of reference. 11 MR. FINELLI: Certainly. 12 MR. CHARLES: Thank you. 13 CHAIRMAN RUSAK: Any other questions of 14 the board? If none, questions from the public. 15 MS. COFFEY: Good evening. A few 16 questions. 17 With regard to the maximum capacity for 18 the daycare, you said the maximum capacity was 50 19 occupants? 20 MR. FINELLI: Yes. 21 MS. COFFEY: And it's my understanding 22 that previously you anticipated it to be up to a 23 hundred people in the daycare, but that's going to 24 be limited to 50. Is that right? 25 MR. FINELLI: The rooms we're talking</p>	<p style="text-align: right;">Page 60</p> <p>1 facilities, egress capacity, suppression systems, 2 everything will be designed for that maximum number. 3 Whether it's used for that or not, we would 4 anticipate it being used for that at those specific 5 times of the year. 6 MS. COFFEY: But if, for example, they 7 were so fortunate that their congregation were to 8 grow beyond the numbers they have now or even beyond 9 that 306, could they be having their regular 10 services in that whole space? 11 MR. FINELLI: It's really a question 12 for the congregation, what they're comfortable with, 13 whether it's typical of any other congregation, 14 their growing pains. Growing pains usually result 15 in our facilities. The congregation spreads. It 16 divides. It grows a building someplace else, but 17 that's really a practice -- excuse me, an 18 administrative question, not so much a building. 19 The building will accommodate it and the parking 20 will accommodate it. 21 MS. COFFEY: Where I'm headed with this 22 is it's my understanding the daycare is going to be 23 open Monday through Friday from morning to evening. 24 So there would be potentially a scenario, if they 25 were to grow routinely, that expansion space where</p>

<p style="text-align: right;">Page 61</p> <p>1 you have the daycare and the expansion space in 2 operation which would be potentially 640 people. 3 MR. FINELLI: Well, again, if you look 4 at the numbers that were provided at the earlier 5 testimony, the last testimony, the heaviest use of 6 the building would be Friday midday prayers. So 7 there would be perhaps one two-hour period during 8 the week where the building would be maxed out. So 9 the daycare is a subordinate use in the building, a 10 subordinate use to Al Falah and then we have -- 11 MS. COFFEY: If the daycare were open 12 full-time to the public presumably and they were at 13 full capacity with their expansion space, that would 14 be up to 640 people? 15 MR. FINELLI: You know, I don't see it 16 happening that way, but if you use the same numbers, 17 you know, it would be that overlap for a two-hour 18 period a week. 19 MS. COFFEY: And then in terms of 20 the -- what portion -- I'm not sure if I'm going to 21 use the right terms. 22 What portion of the roof is occupied by 23 the dome? How much of the roof is the dome? 24 MR. FINELLI: I'm looking at Exhibit 25 A-5. That floor plan you will see concentric</p>	<p style="text-align: right;">Page 63</p> <p>1 a question. Mr. Finelli, is there any intent to 2 light the minarets? 3 MR. FINELLI: I'm sorry. I didn't 4 hear. 5 MR. FRANCO: Is there any intent to 6 light? 7 MR. FINELLI: The light? 8 MR. FRANCO: To put lights in the 9 minarets. 10 MR. FINELLI: The minarets have -- we 11 have some glass in the minarets. There will be -- 12 when the building is occupied, the interior space 13 lights on the inside will be on. The minarets are 14 not occupiable. There is no space. There is no 15 floor. You can't go in there, but as a matter of 16 lighting, they will have a low level light. 17 MR. FRANCO: Up lighting on each level? 18 MR. FINELLI: From the outside you're 19 talking about? 20 MR. FRANCO: From the outside. 21 MR. FINELLI: From the outside, of 22 course, we would have lighting over the covered 23 entrance. The points of entry would be lit. 24 As far as the building itself, that 25 side of the building that faces the primary drop off</p>
<p style="text-align: right;">Page 62</p> <p>1 circles centered over the main worship space. So 2 the smallest circle is the actual dome itself. It's 3 tiered up a couple of tiers, but that is the entire 4 space of the dome. So the dome itself is a 40-foot 5 diameter. 6 MS. COFFEY: And what's the diameter of 7 the rest of the roof or the total roof? 8 MR. FINELLI: Well, the building is 9 16,520 square feet, and the dome at 40 feet, right. 10 Pi R squared, 400 times three, 1250 square feet of 11 space is the dome. Let's call it 1300 square feet. 12 Less than 10 percent. 13 MS. COFFEY: And you said that the dome 14 is in concentric circles? 15 MR. FINELLI: Correct. 16 MS. COFFEY: At its highest, how high 17 is the ceiling from the inside? 18 MR. FINELLI: The dome would be open to 19 the dome. 20 MS. COFFEY: It would be 48 feet high? 21 MR. FINELLI: Besides minus the 22 construction. 23 MS. COFFEY: Thank you. 24 MR. FINELLI: You're welcome. 25 MR. FRANCO: Mr. Chairman, I just have</p>	<p style="text-align: right;">Page 64</p> <p>1 and faces the front of 206, I would anticipate very 2 low level building wash. Yes. 3 MR. FRANCO: But on the minarets 4 themselves, as you go up in each tier -- 5 MR. FINELLI: No. 6 MR. FRANCO: No lighting? 7 MR. FINELLI: We would be expecting 8 ground mounted lighting so that we're talking about 9 that primary facade, and then above that level, 10 again, window, window, and I have lighting up there, 11 very muted lighting, but very small proportion of 12 the lights. 13 MS. DOYLE: Mr. Chairman. 14 CHAIRMAN RUSAK: Yes. 15 MS. DOYLE: A simple question on that. 16 Is there any kind of translucent characteristics of 17 the dome that there would be a glow from the dome if 18 the lights were on inside or outside? 19 MR. FINELLI: That there would be a 20 glow from the dome? 21 MS. DOYLE: Is there a translucency so 22 you can see interior lighting? 23 MR. FINELLI: No. The dome is solid 24 roof. 25 MS. DOYLE: It's opaque.</p>

1 MR. FINELLI: Solid.
 2 MS. DOYLE: Thank you.
 3 MR. KURZ: Robert Kurz, 775 West
 4 Foothill Road.
 5 Sir, the town ordinance from what I
 6 understand is maximum of 35 feet for height?
 7 MR. FINELLI: Correct.
 8 MR. KURZ: No. Yeah, 35 feet. You're
 9 over top of that. Why are we going over top of the
 10 maximum height that is allowed?
 11 MR. FINELLI: Well, 35 feet for the
 12 roof, and exception, the ordinance has an exception
 13 specifically for this type of rooftop appurtenance,
 14 domes, fire, belfries, bell towers has an exception
 15 for that, and that exception is there is no
 16 limitation to the height. So the limitation is to
 17 the flat roof or -- well, it would be the roof.
 18 MR. KURZ: Now, as far as the lighting,
 19 you're kind of contradicting yourself. There is
 20 glass inside the minarets. Is that correct?
 21 MR. FINELLI: Correct.
 22 MR. KURZ: Will there be light inside
 23 the minaret shining out through that glass?
 24 MR. FINELLI: I said yes.
 25 MR. KURZ: Well, there's been two

1 different discussions. The woman asked the same
 2 questions. You said, no, there would be no
 3 lighting, and then you said there would be lighting.
 4 MR. FINELLI: I'll very clear. I said
 5 there would be a light inside the minarets. There
 6 are windows in the minarets.
 7 MR. KURZ: How many levels? I see
 8 three levels.
 9 MR. FINELLI: That is correct.
 10 MR. KURZ: Three levels.
 11 MR. FINELLI: There are three levels of
 12 windows, ground level, mid level and upper level.
 13 MR. KURZ: Is there going to be any
 14 ground lighting up from the ground shining up onto
 15 them?
 16 MR. FINELLI: Again, I'm repeating
 17 myself. Yes, there would be a low level wall wash
 18 only at the ground level up at the building, just
 19 the primary facade.
 20 MR. KURZ: Okay. I didn't understand
 21 your phrasology when you said it before. You said
 22 this low level thing. I interpreted that to mean
 23 sidewalk.
 24 MR. FINELLI: No.
 25 MR. KURZ: There's no spotlights going

1 up into the minarets or the dome?
 2 MR. FINELLI: No.
 3 MR. KURZ: From on top of the roof
 4 shining onto the dome or anything like that?
 5 MR. FINELLI: No.
 6 MR. KURZ: As far as the -- I don't
 7 know whether you have this answer or not. Phase I
 8 is the mosque. Phase II would be the school.
 9 As the mosque is built, will the
 10 parking lot be built completely?
 11 MR. FINELLI: Yes.
 12 MR. KURZ: So even though the school is
 13 not built yet, the full parking lot is going to be
 14 built?
 15 MR. FINELLI: Correct. All of the
 16 infrastructure -- all of the infrastructure is
 17 completed as part of Phase I.
 18 MR. KURZ: Including plumbing and stuff
 19 for the school?
 20 MR. FINELLI: Roughing.
 21 MR. KURZ: I mean roughing.
 22 MR. FINELLI: Right. You'll bring the
 23 main to, you know, five feet or 10 feet from the
 24 foundation. So when the school does get built,
 25 we're not trying to park the parking lot to bring

1 the utility lines through.
 2 MR. KURZ: Thank you.
 3 MS. AMIN: Pushpa Amin. The question
 4 is about the height of the minarets. Is there a
 5 criteria that you used for selecting the height?
 6 MR. FINELLI: No.
 7 MS. AMIN: The minarets are a certain
 8 height that are projecting even above the dome to a
 9 certain extent, right?
 10 MR. FINELLI: That's correct.
 11 MS. AMIN: What is the height of the
 12 minaret?
 13 MR. FINELLI: Seventy-eight feet to the
 14 apex of the minaret.
 15 MS. AMIN: Is there a criteria for
 16 selecting the height?
 17 MR. FINELLI: There is not a criteria
 18 for selecting the height. By that, I assume you
 19 mean an objective criteria for selecting the height.
 20 There is not, no.
 21 MS. AMIN: And the number of minarets
 22 are decided on a certain basis or architectural
 23 feature?
 24 MR. FINELLI: It's an architectural
 25 feature, yes.

1 MS. AMIN: Will there be lighting on
2 top of the minarets?
3 MR. FINELLI: No.
4 MS. AMIN: Only the light from the
5 ground will be shining?
6 MR. FINELLI: And the light within the
7 window within the minaret.
8 MS. AMIN: And will that go off at a
9 certain time?
10 MR. FINELLI: Yes. If the building is
11 not occupied, the lights will not be on.
12 MS. AMIN: The question regarding the
13 school, you said there are 24 classrooms?
14 MR. FINELLI: Yes.
15 MS. AMIN: Based on the previous
16 testimony, I understand that would like to have up
17 to 12 grade at school. So is that going to be like
18 a suitable space with labs and classroom and
19 cafeteria and kitchen and all that?
20 MR. FINELLI: Yes.
21 MS. AMIN: So there will be delivery
22 trucks coming, all those kind of things?
23 MR. FINELLI: There may be.
24 MS. AMIN: Okay. So how many students
25 did you say would be occupying that school at full

1 capacity?
2 MR. FINELLI: We said the maximum
3 capacity of the school is 400 persons.
4 MS. AMIN: Four hundred school. And I
5 ask question before bussing. I guess you're not the
6 right person to ask this question, but do you have
7 like the building is designed that there is a
8 building plan for waiting of the children in the
9 front of the building?
10 The design of the building is set up so
11 that the children will be loaded and unloaded from
12 busses so that they can get into the school?
13 Generally, there is a space where the
14 busses stand and load and unload the children and
15 the children get off the busses, right? Is your
16 building designed for that kind?
17 MR. FINELLI: Well, the parking lot has
18 been designed for safe circulation, for safe pick up
19 and drop off. That's been testified to by the
20 engineer, and the traffic expert will even more
21 specifically be able to answer questions about
22 stacking spaces and things like that, but the
23 building itself, yes, the building is fully ADA
24 compliant. So it's an accessible means of ingress
25 and egress from both buildings from a common main

1 entry plaza.
2 MS. AMIN: And last question along the
3 same lines is it a requirement for you to go and get
4 some kind of approval from the State Department of
5 Education or anything on your building design? Are
6 you required to get approval from the State
7 Department of Education?
8 MS. TUBMAN: Wait a minute. Only one
9 person can speak at a time.
10 MS. AMIN: It's designed for that?
11 MR. FINELLI: There is an accreditation
12 process that will be pursued at the appropriate
13 time, but from the building code perspective for
14 definition of education use for means of egress, for
15 plumbing fixture count, for safety, for aisle
16 widths, for stair widths, for all of the aspects
17 that the building code defines, the building as
18 drawn is compliant with public codes.
19 MS. AMIN: That's all I have. Thanks.
20 MR. FINELLI: You're welcome.
21 MR. MC NALLY: Same name. Same
22 address. Same me. Thomas Mc Nally.
23 You stated that there's no standard by
24 any kind of Islamic requirement for -- I could give
25 a hoot about the height of those things, but there

1 are a lot of people seem to have some concern about
2 something.
3 If there's no standard Islamic
4 requirement or Islamic law or anything, I disagree
5 that there are other standards, and the other
6 standards have been mentioned by some of the people
7 today that, you know, there's a standard of
8 community. There's a standard of accommodation.
9 There's a standard of newness in an area. There's a
10 standard of rural acceptance, and I guess I would
11 hate to see a minaret put up at a given height by
12 someone's determination that is stick in your face,
13 and I was glad to hear you say that the height of
14 the minarets is going to be based on what's been
15 presented, that the height of the minarets is going
16 to be of some concern in the determination of the
17 offering here tonight by the people of this project.
18 Thank you again.
19 MR. ROBERTS: One question. When
20 you're coming south on 202/206 there, is that going
21 to be the view? Is there going to be more
22 landscaping there or is that going to be the direct
23 view, like wide open?
24 MR. FINELLI: When we rendered the
25 site, when we rendered this building, we have the

1 trees to replace the landscape architecture, and if
2 I took that view and showed it to you, you couldn't
3 see the building. I took some trees away so I could
4 show the building.

5 MR. ROBERTS: You said that the school
6 building is not going to be until stage two or
7 whatever.

8 How about the basketball court,
9 volleyball court, soccer court field, is that all
10 going to be built initially or is that also going to
11 be built in a later phase?

12 MR. FINELLI: When I mentioned
13 infrastructure, I meant the physical improvements,
14 drainage, lighting and those sort of things. As
15 part of that infrastructure, that area back there,
16 the intention is to do all of the grading so that
17 you can set up for that.

18 There's very little improvements back
19 there other than grading. The soccer field is
20 grass. A soccer field is a field. The area is
21 graded for volleyball and things like that. There
22 are some measures that have to be done because
23 they're part of the grading. There are some
24 retaining walls and things like that, but there's
25 very little real improvement back there other than

1 the field.

2 There's no light. There's no light
3 stanchions. So it's really -- it really is -- you
4 know, on a scale, it's probably no different than
5 your backyard except it's a backyard for a 16,000
6 square foot building, but that's really -- you know,
7 that's really what it is.

8 So, again, to be clear, utilities are
9 definitely a part of the infrastructure. Grading
10 will be part of the infrastructure. Anything that
11 has to do with safety on the property for conveyance
12 of stormwater. So retaining walls, fencing, we have
13 to do fence in certain areas, that's all a part of
14 Phase I.

15 MR. ROBERTS: One question, if I may,
16 up here, last meeting my neighbor had asked about
17 that drainage ditch, and we talked about grading the
18 drainage ditch. You guys were going to look into
19 who was in charge of cleaning that out.

20 MR. BOGART: That had already been
21 cleaned out.

22 MR. ROBERTS: Is it a state or town
23 just so we know. It will be cleaned out?

24 MR. BOGART: It will be cleaned out by
25 the town.

1 MR. ROBERTS: So it is a town
2 responsibility?

3 MR. BOGART: I didn't say that, but the
4 town will clean it out.

5 MR. ROBERTS: Can I know who is
6 responsible for it?

7 MR. BOGART: It's on land that is a
8 result of a subdivision and will be part of the town
9 land.

10 MR. ROBERTS: When the purchase is
11 made. Okay. Thank you.

12 MR. KURZ: Robert Kurz again.

13 Sir, one thing you said before, and I
14 didn't think about it when you said it, about the
15 towers, you said the closest house was about a
16 thousand feet away or something like that.

17 MR. FINELLI: I was guessing. I could
18 measure it.

19 MR. KURZ: You pointed down to that
20 lower west corner there. What about the houses
21 directly across the street and the houses on West
22 Foothill Road?

23 MR. FINELLI: I think these are
24 commercial if I'm not mistaken but I could measure
25 that if you want.

1 MR. KURZ: The immediate house maybe,
2 but, you know, that's all residential area there.
3 I'm just pointing that out --

4 MR. FINELLI: Right.

5 MR. KURZ: -- for the sake of the
6 board.

7 MR. FINELLI: My response in a
8 contexted conversation we were talking about the
9 view from back here. We were sort of looking
10 upgrade.

11 MR. KURZ: I think the question was as
12 far as the view from any grade.

13 MR. FINELLI: Yes.

14 MR. COLLINS: Slow down. Maybe ask him
15 again.

16 MR. KURZ: What I'm asking is -- I'm
17 just clarifying is his statement was from that one
18 distance was a thousand feet.

19 MR. COLLINS: Every question is in the
20 context of his prior question. So just take a
21 minute. Take your time and ask him.

22 MR. KURZ: What's the closest residence
23 to where the towers are?

24 MR. FINELLI: We might as well measure
25 it to be accurate, right?

<p style="text-align: right;">Page 77</p> <p>1 MR. KURZ: I'm not asking you for exact 2 footage but approximately. You quoted a thousand 3 feet before. I'm just asking you now. 4 MR. FINELLI: South on 202 there is at 5 least 500 feet from the building corner to the 6 nearest residence. 7 West there is roughly a thousand square 8 feet. 9 Across the street, since I don't really 10 know what the use of those buildings is, I would 11 just tell you that directly across the street we're 12 probably about 200 feet. 13 MR. ROBERTS: That's a house there just 14 so you know. 15 MR. FINELLI: I don't know if it's a 16 residence or not. 17 MR. ROBERTS: That's her house. 18 MR. FINELLI: I wasn't sure. Okay. 19 That's about 200 feet. 20 MR. KURZ: As far as I asked before, is 21 there any consideration being given in all this 22 review from counselor or the mosque to show people 23 how high 78 feet is? 24 MR. FINELLI: I think what we discussed 25 and what I'd probably rather do is to -- amongst</p>	<p style="text-align: right;">Page 79</p> <p>1 MR. FINELLI: Excuse me? 2 MR. KURZ: Light. 3 MR. FINELLI: Not lighted. We have 4 windows. 5 MR. KURZ: With lights behind them. 6 MR. FINELLI: Turned off when the 7 building is not occupied. 8 MR. KURZ: The building would be 9 occupied approximately 5 o'clock in the morning and 10 then again later at night after dark. 11 MR. FINELLI: The hours of operation 12 were testified to. 13 MR. KURZ: Yes, before -- right after 14 dawn and then after dark. Okay. I want to clarify 15 that, and as far as the -- thank you. 16 MS. AMBLER: Diane Ambler. I live at 17 861 U.S. Highway 202/206. 18 MR. COLLINS: Were you previously 19 sworn? 20 MS. AMBLER: No. 21 MR. COLLINS: Do you swear or affirm to 22 tell the truth, the whole truth and nothing but the 23 truth so help you God? 24 MS. AMBLER: I do. 25 MR. COLLINS: State your name and spell</p>
<p style="text-align: right;">Page 78</p> <p>1 myself and talk about how we'd modify the design and 2 I think at the board's suggestion use other 3 buildings in the township as a point of reference, 4 and I think that -- I really think that's -- I don't 5 want to say that's all we have to do, but I think 6 that the whole idea of loading balloons in the air 7 seems so out of place. 8 MR. KURZ: We did it for the cell 9 tower. 10 MR. FINELLI: Cell tower is a 11 completely different animal. This is 78 feet. You 12 know, 200, 300, whatever the cell tower is. 13 MR. KURZ: I can't quote the exact 14 height. I don't believe it was that high, but still 15 78 feet is an area -- 16 MR. FINELLI: Two-story building has to 17 be 35 feet for residence and 35 feet is measured 18 from the eave of a peak of a two-story house on one 19 of the newer let's say, you know, late '80s to 20 mid-'90s homes is probably 40 to 40 feet. That's 21 probably what we are talking about. So -- and 22 that's a bulk of footprint that might be a 2500 23 square footprint as opposed to something that is 24 eight feet in diameter and 78 feet tall. 25 MR. KURZ: Light.</p>	<p style="text-align: right;">Page 80</p> <p>1 your last name. 2 MS. AMBLER: Diane Ambler, A-M-B-L-E-R, 3 861 U.S. Highway 202/206. 4 So you talked about the Phase I of the 5 project, and I wanted to know what would be like the 6 duration of that construction? What would Phase I 7 entail, a time period, and I don't mean the start 8 date or end date, but like a duration? 9 MR. FINELLI: I think it's probably 10 every bit of that about 18 months, 18, 20 months. 11 MS. AMBLER: How much time between that 12 and your Phase II? 13 MR. FINELLI: That time span is not -- 14 you know, really a function of the growth of the 15 congregation and demand of the growth. There is no 16 real timetable. 17 MS. AMBLER: You mentioned before 18 accreditation of the school. Does that have to 19 happen before you build your school or does that 20 happen as you start enrollment and try to get 21 accredited? 22 MR. FINELLI: The typical process is to 23 review the -- review everything about the entity for 24 the state. So we honestly have to -- the building 25 is going to be part of it, but, no, there's not a</p>

<p style="text-align: right;">Page 81</p> <p>1 matter -- it's not a question of would it. It's 2 just a matter of how we implement it. 3 MS. AMBLER: The question about the 4 building and then the minarets. From where my 5 property is located, I wanted to know what part of 6 the building where the lighting where the minarets I 7 would be able to see from where my residence is. 8 MR. FINELLI: Okay. If you don't mind 9 pointing out your residence, I might be able to help 10 you. 11 MS. AMBLER: Sure. Can I walk over 12 there? 13 MS. TUBMAN: Sure. 14 MS. AMBLER: I am that property here 15 which is on the corner of 206 and West Foothill 16 Road. 17 MR. FINELLI: This is your house, 18 correct? 19 MS. AMBLER: Uh-hmm. You mentioned 20 about one of the minarets being I thought 118 feet. 21 So I'm not exactly sure where this is going to land. 22 MR. FINELLI: You're about 600 feet 23 from the nearest minaret, and I'm not really -- I 24 guess I probably should ask the engineer if he has 25 an idea of the grade, but the grade continues to go</p>	<p style="text-align: right;">Page 83</p> <p>1 level, anything on this level of the mosque is at 2 the ground level. 3 MS. AMBLER: So those lights from the 4 minarets will be on from before prayer until after 5 the last prayer? 6 MR. FINELLI: I would say likely that. 7 MS. AMBLER: So after 10 o'clock at 8 night and before 5 o'clock in the morning? 9 MR. FINELLI: In general, we'd treat 10 the building as one. So I would say, yes, as part 11 of -- 12 MS. AMBLER: I do have a concern about 13 that. 14 MR. FINELLI: I understand. It's part 15 of fine tuning that aspect of how the building is 16 illuminated and what part of it is, what time of 17 day. I'm sure it's something we can refine more, 18 but in a general sense, yes. When the building is 19 occupied, it will be on. 20 MS. AMBLER: I have a question about 21 parking. 22 MR. FINELLI: Sure. 23 MS. AMBLER: You said full capacity 600 24 people. 25 MR. FINELLI: Sure.</p>
<p style="text-align: right;">Page 82</p> <p>1 down. So I don't know if I can answer that. Can 2 you see -- can you see Woodmont? 3 MS. AMBLER: Absolutely not. 4 MR. FINELLI: Can you see the nursing 5 home? 6 MS. AMBLER: Every day and every bit of 7 that light. 8 MR. FINELLI: Well, good. They'll 9 shield that. Don't worry about it. 10 MS. AMBLER: I know from previous talks 11 that the lighting was going to be like a low 12 grading. I don't know what the nursing home got 13 approved for, but that's not a low grade lighting. 14 So at 5 o'clock in the morning, those lights are on 15 24/7, the nursing home. Ambulances in and out of 16 there all the time. So that lighting is in my face 17 all day. 18 So I'd like to know, in addition to 19 that, you know, how much more lighting is going to 20 be coming in that way? 21 MR. FINELLI: I really don't -- I have 22 to look at the topography, but if this is your 23 building and the nursing home is there, you know, 24 you may see -- you may see lights from these -- from 25 these small upper windows, but anything on the first</p>	<p style="text-align: right;">Page 84</p> <p>1 MS. AMBLER: I understood from my 2 understanding of what's in the news before, what's 3 on the website, these are our doctors, these are our 4 scientists, these are our co-workers from areas 5 around that come when they can, you know, from their 6 workplace to pray either in the morning or in the 7 evening. 8 So, to me, that's one gentleman at a 9 time coming from his workplace to his place of 10 worship. That's 600 cars. So how does -- how does 11 that work, 600 versus the 290-ish for the parking? 12 MR. FINELLI: I think, again, the 13 traffic expert will explain that more fully, but I 14 think the simplest way to look at it, the way the 15 worship day was testified to at the last meeting 16 that there were a handful, 12 and 20 people during 17 those regular daytime prayer services. 18 We are talking about -- when we're 19 talking about the full capacity occupancy, it's 20 similar to a Sunday service at a church, a Saturday 21 service at temple. It's that one time. It's not, 22 you know, that there are five prayer times a day. 23 It's not five times a day that there are 600 people, 24 and, again, the traffic expert will give you 25 examples of other -- just how this works in a</p>

1 typical mosque, but it would not be the 600 cars.
 2 It just wouldn't happen.
 3 MS. AMBLER: There's a plan if there
 4 are 600 cars?
 5 MR. FINELLI: Actually, it would not be
 6 600 people five times a day.
 7 MS. AMBLER: No. You said full
 8 capacity would be for the high prayers.
 9 MR. FINELLI: Correct.
 10 MS. AMBLER: I understand that.
 11 MR. FINELLI: And at those particular
 12 times, you know, those -- again, it's the same thing
 13 as was testified to last time. It's varies like
 14 Christmas or Easter service. Those are expected to
 15 be and intended to be family celebrations. So it
 16 wouldn't be the one person coming in the middle of
 17 the workday because it's the midday prayer. It
 18 would be the family coming in on that particular
 19 holiday.
 20 MS. AMBLER: Okay. So there's no
 21 concern that extra people who come for worship are
 22 going to be finding, you know, every side road that
 23 they can to park on similar to how it is in
 24 Somerville for the churches and how it is for
 25 Raritan for the churches?

1 I mean that's the way it works for the
 2 churches that I attended. If the lot is full,
 3 people just park all over the place and walk to the
 4 church to get to mass on time.
 5 So is that what the extent of the plan
 6 is or is there a plan for 350 plus extra people who
 7 might be coming say during Ramadhan in the winter,
 8 in the dark on all of these side roads, or is there
 9 a better plan than that for all of these extra
 10 people to come?
 11 MR. FINELLI: Were you here at the last
 12 meeting or no?
 13 MS. AMBLER: For part of it.
 14 MR. FINELLI: So what was testified to
 15 last time was, in the event that the congregation
 16 outgrew the space as designed, that they have a
 17 couple of considerations. They have rented space in
 18 the past and they would continue to rent space in
 19 the future so that this facility would not be used.
 20 That was one option.
 21 The second was to have multiple
 22 services. That's the second option. The third
 23 option was to have some parking plan where there is
 24 valet parking. There are at least three
 25 alternatives that are available.

1 MS. AMBLER: The third alternative is
 2 really what you're talking about if they wanted to
 3 open up, the prayer was full, right, and not have
 4 the wall and then you have up to 600 people could be
 5 in that area so that that plan would also be for
 6 valet parking.
 7 MR. FINELLI: Yeah. That plan -- that
 8 plan was used to generate the maximum number of
 9 parking. So that plan -- that 600 -- 600 people in
 10 the worship space would be supported by the number
 11 of parking spaces that we had in the parking lot.
 12 MS. AMBLER: Isn't that like 290?
 13 MR. FINELLI: The exact number is 282.
 14 MS. AMBLER: I'm sorry. I'm not
 15 hearing the difference. I'm hearing 282 and I'm
 16 hearing 600.
 17 MR. FINELLI: Two hundred eighty-two
 18 parking spaces, 600 occupants. That's correct.
 19 MS. AMBLER: So you're feeling that
 20 multiple people are going to come in a vehicle?
 21 MR. FINELLI: Correct. Two hundred
 22 eighty-two parking spaces would mean a little more
 23 than two people per car. I think that's pretty
 24 reasonable.
 25 MS. AMBLER: Okay. Thank you.

1 MR. FINELLI: You're welcome.
 2 MR. FRANCO: Mr. Finelli, just as a
 3 point of reference and maybe might help people
 4 understand the height you're talking about, the
 5 four-story nursing home, your best guess, nothing we
 6 can hold you to, what would you estimate the height
 7 of the building?
 8 MR. FINELLI: The nursing home is four
 9 stories?
 10 MR. FRANCO: Correct.
 11 MR. FINELLI: Forty-four to 45 feet
 12 tall.
 13 MR. FRANCO: Okay.
 14 MR. FINELLI: So it's going to be as
 15 tall as the dome or the dome is going to be as tall
 16 as the nursing home.
 17 MR. CHARLES: Just for clarity sake --
 18 I'm sorry.
 19 MR. FINELLI: That's all that's
 20 visible.
 21 MR. CHARLES: Just for clarity sake, we
 22 had asked -- last week I had asked if, in fact, for
 23 whatever reason the parking lot is full, would the
 24 mosque consider arrangements similar to what some of
 25 the -- I think the Green Knoll Grill has on Saturday

<p style="text-align: right;">Page 89</p> <p>1 nights where there are a lot of industrial buildings 2 up 206 where they would have entered into an 3 agreement with them to, you know, bus accordingly or 4 have people park there and would the congregation be 5 told ahead of time, once it's built, that, you know, 6 if the parking lot is full, you know, to not park on 7 side streets, and I think there was a nod that that 8 conversation would take place? 9 MS. TUBMAN: The answer was yes. 10 MR. CHARLES: Okay. Thank you. 11 MS. TUBMAN: If there are no other 12 questions for Mr. Finelli, I have a question for him 13 which is a follow-up to Ms. Coffey's questions. 14 When you looked at building height, you 15 looked at the ordinance section that specifically 16 excludes spires, domes, et cetera. Did you not? 17 MR. FINELLI: Correct. 18 MS. TUBMAN: And the question was then 19 asked by Ms. Doyle, because of the general 20 definition of heights in the ordinance, whether 21 there was specific -- were there specific coverage 22 issues for domes, mechanicals, et cetera, and as a 23 result of that question, I went and responded to Ms. 24 Doyle and to you, and by doing so, I went to an 25 ordinance history. Do you recall that?</p>	<p style="text-align: right;">Page 91</p> <p>1 four ordinances that addressed church steeples and 2 then added mechanicals and then added parapets did 3 not amend in the definition the exception for domes 4 and steeples but instead mixed them altogether. So 5 it looked as if there were a coverage limit for 6 spires and steeples. 7 MR. FINELLI: Correct. 8 MS. TUBMAN: And based on those 9 ordinances, is it correct that none of those 10 intervening amendments that were folded into the 11 definition apply to steeples and domes? 12 MR. FINELLI: Agreed. 13 MS. TUBMAN: Okay. I wanted that on 14 the record because of the question that was asked. 15 It's not clear in the ordinance unless you go 16 through the revision recitals at the end of each 17 ordinance section as to how the general definition 18 of height became at best confusing in the ordinance. 19 MR. COLLINS: Let us confirm for the 20 record that I reviewed the subject and I'm satisfied 21 that they are within the height exception when they 22 talk about the domes or the spires or minarets, but 23 we may have a dialogue with the applicant and the 24 applicant committee about whether there's some 25 accommodation that might be considered on the height</p>
<p style="text-align: right;">Page 90</p> <p>1 MR. FINELLI: Yes, I did. 2 MS. TUBMAN: And the original ordinance 3 excepted from the measurement of height domes, 4 spires, et cetera, with no qualifications, correct? 5 MR. FINELLI: Correct. 6 MS. TUBMAN: And then there was a 7 subsequent ordinance that was adopted, let's see, in 8 Ordinance 832 and two specific other amendments 9 placed a limit on height of mechanicals above a flat 10 roof of 10 feet. Is that correct? 11 MR. FINELLI: Correct. 12 MS. TUBMAN: And placed a limit on the 13 coverage of mechanicals? 14 MR. FINELLI: Correct. 15 MS. TUBMAN: And placed a limit on the 16 height of parapets to shield those mechanicals, 17 correct? 18 MR. FINELLI: Correct. 19 MS. TUBMAN: And none of those as we 20 went through affected the definition of heights for 21 spires, domes, steeples, et cetera? 22 MR. FINELLI: Correct. 23 MS. TUBMAN: And the conclusions, if 24 you will agree with me, based on those ordinances 25 that I distributed, are that the codifier took the</p>	<p style="text-align: right;">Page 92</p> <p>1 of the minarets. 2 MS. TUBMAN: We have not precluded 3 that, but there is no single person who could make 4 that decision. So that we hear your concern and we 5 have said we will discuss it. 6 MR. COLLINS: Thank you. 7 MR. CHARLES: And since we're 8 clarifying things, there's one thing that I haven't 9 gotten straight in my mind. 10 We've used the word classroom and 11 school. It's a little bit confusing to me because 12 of the two buildings. So we have a school which is 13 the separate building, and that's where you'll go 14 through -- that would be Phase II. There will be 15 accreditation with the state as to making sure 16 that's ready to go. That's where busses -- the 17 question of busses will be involved. 18 The classrooms that are adjacent to the 19 house of worship, that's really right now intended 20 to be the space for daycare, you know, which 21 probably has its own types of approvals and all that 22 type of stuff, but that's part of Phase I. 23 MR. FINELLI: Correct. 24 MR. CHARLES: All right. I just wanted 25 to be clear. Daycare and religious education will</p>

<p style="text-align: right;">Page 93</p> <p>1 be taking place in there just to be clear. 2 MR. FINELLI: Yes. 3 MR. CHARLES: Okay. Thank you. 4 MR. ROBERTS: One more question. This 5 is more for the attorney. You just said -- Chris 6 Roberts. 7 You just said that no one person can 8 make that decision about the heights. Could you 9 clarify what you mean by that? 10 MS. TUBMAN: Yes. We have a board of 11 directors. We have a congregation. We have a 12 building committee, and I can't turn around to Mr. 13 Abdelkader and say will you make a decision. He has 14 to consult. 15 MR. ROBERTS: No. No. I understand 16 that. Don't these guys make a final decision if 17 that's allowed or not? 18 MS. TUBMAN: No, because it's not 19 within the definition of height in the ordinance. 20 We are complying. 21 MR. ROBERTS: The building next door is 22 three stories by the way, not four, and that would 23 be considered like eight stories. I hope you would 24 consider the area around there. The highest 25 building is three stories, not four stories.</p>	<p style="text-align: right;">Page 95</p> <p>1 back to my architect because there is a rationale in 2 the proposal we will make. 3 MR. FINELLI: So I'm referring to 4 Exhibit A-7 that was the north and south elevation 5 and we see all the minarets there. So what we were 6 discussing and what we're proposing to do is to 7 reduce the height of the minarets by 10 percent. So 8 it's roughly a eight-foot reduction in height as you 9 look at the plan. 10 Now, it really means it would be the 11 elimination of this upper shaft brings the whole 12 minaret down eight feet. As you're look at the plan 13 in front of you or looking at this plan, that's the 14 reduction in building height. It's a 10 percent 15 reduction. It's an eight-foot reduction. That's a 16 significant change in the design without adversely 17 affecting the proportion. So I think we can do 18 that. 19 The other thing that we will -- that we 20 are proposing to do, as it was mentioned sort of 21 that -- the relative height of these minarets 22 from -- as they're perceived from different parts of 23 the property, and from the back of the property, as 24 the topography continues to go down, the relative 25 height of this particular minaret seems quite tall.</p>
<p style="text-align: right;">Page 94</p> <p>1 You know, not that you know that, but I 2 hope you consider what is around there. Everything 3 else is one story, two stories tops, and that would 4 be more like eight stories. So I hope you and your 5 group would consider that. 6 Thank you. 7 CHAIRMAN RUSAK: Any other questions 8 from the public? 9 If none, maybe we'll just take a 10 five-minute break, and we'll come back at 9:15 with 11 the traffic consultant. 12 MR. COLLINS: Traffic consultant is the 13 next witness. 14 (Recess taken.) 15 CHAIRMAN RUSAK: Are there any other 16 questions for this witness or can we move on to the 17 next witness? 18 MS. TUBMAN: Before we do, Mr. 19 Chairman, when I'm sitting here, I can't see anybody 20 who is behind me. When I turn around, I have at 21 least a bare quorum of my building committee behind 22 me and we were able to caucus in the hall and we 23 would like to discuss minaret height. 24 CHAIRMAN RUSAK: Thank you. 25 MS. TUBMAN: And for that, I would go</p>	<p style="text-align: right;">Page 96</p> <p>1 So, in addition to reducing the height of the 2 minarets by 10 percent, we can eliminate that 3 minaret in its entirety. So from all of the back 4 portion, you know, that minaret, that, relatively 5 speaking, would be the tallest will be -- will 6 disappear from the proposal. We will excise that 7 from the proposal, and we'll reduce the height of 8 the remaining four minarets by eight feet. 9 MS. TUBMAN: Would you just expand a 10 little upon why a greater than 10 percent reduction 11 would negatively impact your design? 12 MR. FINELLI: As we talked about this 13 early on, every aspect of this design really is 14 subjective. It's a matter of proportion and what 15 looks good and what looks good to the eye between -- 16 as you blend all of these elements. 17 So the top of the dome is 48 feet. The 18 top of the minaret is 30 feet above that. So it's 19 one and three-quarters times the height of that. At 20 those proportions, those proportions are -- they're 21 elegant proportions. We're reducing it by 10 feet. 22 As a percentage, you know -- I mean it will be 23 visible to me. To be perfectly honest, it probably 24 won't be visible to many others. 25 I think we have so play in that number.</p>

<p style="text-align: right;">Page 97</p> <p>1 It's not a hard and fast number. There are no 2 objective standards. We've got some play. There's 3 some malleability in that number as we go higher and 4 lower. So we can reduce it by that which is 5 effectively this top shaft dimension and still look 6 the way the building is designed to look. 7 MR. RODZINAK: So you're going from 8 five to four. 9 MR. FINELLI: Correct. 10 MR. RODZINAK: From 78 to 70. 11 MR. FINELLI: Correct. 12 I'm looking at Exhibit A-2. The one 13 we're eliminating is the one on the back of the 14 building in that entry plaza between Phase I 15 building and Phase II building, and as we're looking 16 at Exhibit A-7 on the south elevation, it would be 17 the one all the way to the left. 18 MR. RODZINAK: Thank you. 19 MR. KURZ: Can you show the crowd 20 because his body was blocking each time he pointed? 21 MR. FINELLI: Sure. So on the site 22 plan, Phase I building, Phase II building. There is 23 a minaret on the -- in the center, the back facade 24 of the Phase I building. This is the one that we 25 had talked about as being relatively feeling the</p>	<p style="text-align: right;">Page 99</p> <p>1 substantial building. Is it not? 2 MR. FINELLI: The nursing home, even if 3 we're correct that it's a three-story building, it's 4 a brick and block building, typical floor to floor 5 construction would be about 11 feet, 11 foot four 6 would be in block coursing. That building is in all 7 likelihood 33- to 34-, 35-foot height, and as a 8 point to illustrate, that 35 feet is the top tier 9 that supports the dome. 10 So that's our 35 feet, because in 11 design, we consider that the roof, and as mentioned 12 previously when questioned by the attorney for 13 Woodmont, that represents less than 10 percent of 14 the roof area. The primary roof area on this entire 15 building is the parapet is 26 feet. So it's lower 16 by perhaps maybe as much as 10 feet than the nursing 17 home next door and by far lower residential units 18 towards the north. 19 MR. COLLINS: And you're being very 20 conservative in your estimate of the nursing home, 21 correct? 22 MR. FINELLI: Yes. 23 CHAIRMAN RUSAK: Go back to the nursing 24 home. Also, if I'm not mistaken, it was testified 25 either the first or second week that there will be a</p>
<p style="text-align: right;">Page 98</p> <p>1 tallest since we're downgrade here and looking up at 2 the building. This is the one that we're 3 eliminating. 4 As we're looking at the architectural 5 plan sheet, excuse me, Exhibit A-7, this top drawing 6 is the south elevation. That's the elevation 7 essentially facing the nursing home property, the 8 one to your far left is the one that will be 9 eliminated. 10 MR. COLLINS: Approximately how high 11 will the highest light in the minarets be if you 12 make the proportional adjustment like that to the 13 highest of the three -- I guess there were three 14 lights -- three levels of lights? You'll still use 15 the design. You're just going to lower it. 16 MR. FINELLI: Proportionately, right. 17 MR. COLLINS: So about how high are the 18 highest lights? 19 MR. FINELLI: The top of that is 20 about -- once we shrink this a little bit, the top 21 of that window will be approximately the same height 22 as the top of the dome. So it will be in that 23 48-foot neighborhood plus or minus. 24 MR. COLLINS: Okay. You don't have the 25 details of the nursing home. The nursing home is a</p>	<p style="text-align: right;">Page 100</p> <p>1 landscape berm between the temple and the nursing 2 home? 3 MR. FINELLI: Yeah. If I refer to 4 sheet A-2, it's not a berm, but there is a landscape 5 buffer really extending from about midway on the 6 Phase II building almost all the way to the front. 7 That's a very dense visual buffer. 8 Now, it is, honestly, more designed to 9 shield any ambient light that we might generate from 10 the nursing home residence, but, clearly, it will 11 have that effect to anyone downhill. 12 CHAIRMAN RUSAK: Thank you for your 13 considerations. 14 If there are no other questions, we can 15 move on to the next witness. 16 MR. FINELLI: You're welcome. 17 MS. TUBMAN: Next witness is Gary Dean 18 who is our traffic engineer. I know you've been 19 here, but state your name and -- 20 MR. DEAN: Gary Dean, D-E-A-N. 21 MR. COLLINS: Mr. Dean, please raise 22 your right hand. Do you swear or affirm to tell the 23 truth, the whole truth and nothing but the truth so 24 help you God? 25 MR. DEAN: Yes, I do.</p>

1 MR. COLLINS: And please restate your
2 name and your address.
3 MR. DEAN: Gary Dean, professional
4 address 792 Chimney Rock Road in Martinsville, New
5 Jersey.
6 MR. COLLINS: The board recognizes and
7 accepts Gary Dean's qualifications as a traffic
8 engineer.
9 MR. DEAN: Thank you.
10 As requested by the applicant, we have
11 reviewed a number of components of this particular
12 project, most notably, the means of ingress and
13 egress that are proposed to Route 202/206.
14 By way of background, I've been
15 involved with a number of properties along the
16 corridor over the past 25 years including the
17 Woodmont apartment building that was approved and
18 constructed some years prior that's immediately to
19 the north of the site, the Bridgewater veterinarian
20 office to the south at Foothill Road and Route
21 202/206, and I represented the township probably 15
22 or so years ago in the design of the traffic signal
23 that was installed at Talamini Road, and our office
24 is also involved with the Center of Excellence
25 project further to the north on the Sanofi campus as

1 well as a number of other projects on the corridor.
2 We also represented the Recharitable
3 Trust who appeared before this board seeking amended
4 site plan approval for 39 townhouses on the subject
5 property that under the age conversion bill were
6 subsequently approved for market rate units. As
7 part of that application, our office working with
8 Mr. Ardman's office, who was the site engineer, we
9 obtained a New Jersey Department of Transportation
10 approval for a driveway on this particular property.
11 However -- and I'd like to refer to -- I don't know
12 how it's been marked, but Exhibit 2, the aerial
13 exhibit --
14 MS. TUBMAN: A-2.
15 MR. DEAN: I'm sorry. There it is.
16 A-2, and I'm going to point that the driveway
17 approved by DOT within the past I think it's year,
18 year and a half was slightly further to the south
19 than is proposed under the current application, and
20 we met with the applicant as well as Mr. Ardman to
21 evaluate the value in either retaining or saving
22 that DOT approval for the driveway or to consider as
23 it is depicted now on the site plan which was to
24 relocate it slightly to the north, and you can see
25 the massing of the buildings and how the access

1 extends on the northerly side of the lot.
2 It was better in terms of the location
3 of the buildings. I evaluated site distance along
4 the highway, and we will have to do some clearing
5 within the right of way for site visibility, but in
6 terms of consistency with the design of the adjacent
7 driveways along the corridor, that the modest
8 relocation -- and when I say modest, I think it's
9 about 75 to a hundred feet to the north, my
10 expectation is that it too -- when I say it, the
11 current or the proposed driveway design will also be
12 approved by the New Jersey Department of
13 Transportation. The design meets all of the
14 dimensional criteria I will say is virtually
15 identical in terms of radii, width, alignment, how
16 it's perpendicular to the highway as to the driveway
17 that's already been approved.
18 In terms of traffic, any development on
19 the site is going to generate traffic activity on
20 the highway. We're aware of that. As we've seen
21 from our neighboring development properties, those
22 uses obviously contribute highway. One of the more
23 unique aspects of the proposal is the fact that its
24 primary traffic activity, much like any house of
25 worship, occurs at off-peak times, and traffic

1 engineers customarily talk about peak hours which
2 are the commuting rush hours, generally, somewhere
3 between seven to nine in the morning and four to six
4 in the afternoon.
5 While this use will generate or has the
6 potential to generate some traffic during those
7 hours, it is generally far less than the peak
8 activity that would occur during the week which is
9 Friday around noon for the more highly attended
10 prayer services and then the uses on the weekends
11 and, of course, holidays. So if there's a -- to a
12 degree, a benefit, it's the fact that the use,
13 including the daycare and the school, as it comes
14 online with the expectation of bussing that the
15 overall traffic will be fairly modest, limited to
16 maybe a dozen or two vehicles during the peak rush
17 hours, but that the primary activity occurring,
18 again, on roughly Friday at noon to 1 o'clock which,
19 if I recall the testimony correctly, would have
20 about 125 worshippers throughout the majority of the
21 year with a slight increase during the summer
22 months.
23 As part of our evaluation of this
24 application, we perform traffic counts along the
25 highway. As expected, the commuter rush hours, the

<p style="text-align: right;">Page 105</p> <p>1 peak hours, if you will, are fairly I would 2 characterize it -- I'll call it very busy. During 3 the morning peak hour, there are roughly 1500 4 vehicles per hour traveling in both directions on 5 Route 202/206. During the evening peak hour, rush 6 hours, if you will, that volume jumps up to just 7 under 1900 vehicles per hour. 8 However, during the midday hours when 9 the highest attendance -- highest attended prayer 10 services would occur, that volume is hundreds of 11 vehicles less, roughly 1250 vehicles per hour during 12 that Friday midday hours. So with there being 13 hundreds of vehicles or fewer vehicles along the 14 highway, we expect during those hours that the 15 highway will be able to accommodate the traffic from 16 worshippers leaving at say the conclusion of a 17 service, 1 o'clock, 1:15, 1:30 in the afternoon, and 18 then, of course, as the school is dismissed slightly 19 later, maybe around 3 o'clock, we would expect the 20 same, but very little traffic impact would occur 21 during the traditional commuter peak hours, and for 22 that reason, I find that it is a use, yes, that will 23 generate traffic, but it won't be of such a 24 magnitude say like an office use or something that 25 would generate its peak activity during the commuter</p>	<p style="text-align: right;">Page 107</p> <p>1 anything I've overlooked, Ms. Tubman, please let me 2 know accordingly, but, otherwise, I'd be happy to 3 answer any questions the board has or the public. 4 MR. KURDYLA: Mr. Dean, if I understand 5 your testimony correctly, while there will be 6 traffic generated from the site and so on, the main 7 thing that you keyed on in any recommendation to 8 this site is that most of the activity is off hours? 9 MR. DEAN: Correct. The peak activity 10 of the use is off hours, yes. 11 Obviously, with a school and daycare 12 component, there's an expectation that there will 13 be, as I said, a dozen, maybe two dozen vehicles 14 actually during the peak hour. 15 MR. KURDYLA: For the daycare. 16 MR. DEAN: Correct, or the school 17 itself as that comes online. Not so much in the 18 evening, but, obviously, in the morning at whatever 19 time school starts, 7:30, 8 o'clock in the morning, 20 fairly coincident with rush hour. 21 MR. KURDYLA: If my next question is 22 naive, please forgive me, but if -- not if, but when 23 the time comes that the school is -- the school 24 project is moved, with the width of 202/206 and the 25 thought that there might be school busses turning</p>
<p style="text-align: right;">Page 106</p> <p>1 hours. 2 In terms of overall site circulation, 3 again, as I've indicated I've reviewed the design of 4 the driveway and I've concluded that that would be 5 safe and efficient as proposed. The internal 6 circulation, I have to commend Mr. Ardman. It is 7 rather ideal in terms of providing a 8 counterclockwise circulation pattern that would 9 allow for drop off, and I'm not pointing to A-2, but 10 to the school gym building. It would allow maximum 11 use of the curb frontage and the sidewalk on the 12 northerly side of the building to facilitate pick up 13 and drop off activity as we would expect and is 14 highly desirable for any school. 15 To the extent that it became busy, the 16 site design allows for even more stacking and 17 circulation all the way to the westerly side 18 basically following the perimeter of the parking lot 19 to maximize stacking. So I feel that there is no 20 potential for spilling or encroachment out onto the 21 highway and that all of the traffic queuing, 22 stacking and activity can occur self-contained on 23 the property. 24 That's really all I have from a traffic 25 perspective. If there are specific questions or</p>	<p style="text-align: right;">Page 108</p> <p>1 into that property, if I'm going north and I'm 2 turning across the southbound lane, is the -- was 3 any thought given to the width of the road, whether 4 it's adequate for that? 5 MR. DEAN: Quite a bit actually, and 6 this came up as part of the DOT's review of the 7 veterinary application which is somewhat puzzling to 8 me but perhaps beneficial in the long-term. I'm 9 pointing again to A-2, but in the bottom right-hand 10 corner of the exhibit, you'll see some yellow 11 striping on Route 202/206 which begins the left turn 12 lane allowing for movements onto Foothill Road. 13 MR. KURDYLA: The center lane? 14 MR. DEAN: Correct. It's southbound 15 left-turn lane to turn east on Foothill Road. 16 Because of the physical width of the blacktop on the 17 highway, it requires merely restriping for that 18 lane, and we did the exact same thing for the vet's 19 office just south of Foothill Road. We took the 20 existing blacktop, got rid of the lines that were 21 there and then created this transition area and the 22 dedicated turn lane for the vet's office. 23 To answer your question, yes, we did 24 consider a similar treatment for the site driveway. 25 The challenge is you'll note just how much physical</p>

1 space the transition has taken as a function of the
2 speed on the road. It then creates an issue with
3 the access to the nursing home and Arthur Road. The
4 shoulders are wide enough to allow bypass of any
5 stopped traffic turning as occurs in all the other
6 driveways. I didn't I'll say predict or anticipate
7 the DOT would want the turn lane, but I could expect
8 that issue to surface during their review, and if
9 DOT concludes that the lane would be appropriate,
10 then the applicant will provide it. There's no
11 question.

12 I just -- I can't stand here and say
13 it's a good idea or not a good idea. Just it's the
14 state's highway. Given that they did it for a small
15 vet's office, I could infer they might ask for it,
16 but every week is a new adventure with the DOT. I
17 don't mean to be livid, but it literally is.

18 MR. KURDYLA: I understand, but we were
19 talking, you know, worship service, and what sort of
20 gets into the mix is the fact that it's going to be
21 a mixed use between worship, and our last meeting
22 the numbers -- the number of people who would be
23 worshipping during the day are pretty low, quite
24 honestly, but my concern is, once the daycare was
25 mentioned, I could think of, you know, 7 o'clock in

1 the morning, right in the middle of rush hour
2 between seven and eight people waiting to turn to
3 bring the children into the daycare. So that's a
4 concern that I have.

5 MR. DEAN: If I heard Mr. Finelli's
6 testimony correctly, I believe the daycare
7 enrollment was limited or I guess that the space of
8 the classrooms was about 50, and having represented
9 hundreds of daycare operators, they don't all come
10 in at once. Some start showing up at six and they
11 go up until nine.

12 Again, it is a volume of maybe 15 to 20
13 per hour. In other words, they don't all show up at
14 7:30, and, you know, one car coming in, even if they
15 all came from the south say every four or five
16 minutes, that would be the kind of frequency.

17 MR. KURDYLA: What I'm concerned about
18 are the ones going north and cutting across the
19 southbound lane.

20 MR. DEAN: As we make the road wider
21 and there are two southbound lanes or at least wider
22 transition for a northbound turn lane, it's more
23 distance for that individual to turn left. So
24 that's why I said I don't have all the answers
25 because so much is dependent on how the state

1 evaluates the patterns of development along the
2 corridor.

3 You'll note that Woodmont I think there
4 were -- I want to say there were about a hundred
5 units in there. There was no turn lane required.
6 So, you know -- and the volume of traffic coming
7 into those apartments at night is probably on the
8 order of 30 to 40 turning left, and, again, that's
9 akin to the same volume we might expect for the
10 daycare center. The daycare would be roughly half
11 or less.

12 So if we try to compare it, if it
13 wasn't warranted or required at that location -- and
14 as I said, the challenge is -- and I'm not saying it
15 can't be done, is to create a small refuge turning
16 lane for the site that then allows for a transition
17 for a left-turn lane into Arthur which then also
18 allows for shifting the center line for a transition
19 for a left-turn lane into the daycare -- I'm sorry,
20 the nursing home center.

21 So it physically can be done, and it's
22 striping. It's not tearing up blacktop or moving
23 curbed lines because -- I know I'm pointing and it's
24 difficult to see from the dais, but the pavement
25 width itself is very wide. So it's literally a

1 matter of eradicating the white yellow lines.

2 MR. KURDYLA: Like I said, it's my
3 concern. I'd like to see it addressed. That's all.
4 How you do it, I'm not an expert on it.

5 MR. DEAN: It can be done, but we just
6 have to wait to get through that process unless Mr.
7 Bogart has a specific recommendation. I don't mean
8 to put you on the spot. We can accommodate it.

9 MS. TUBMAN: You're the one to deal
10 with DOT.

11 MR. BOGART: I pay no attention to
12 someone whispering in my ear for the overpass.

13 MR. CHARLES: What exactly is the
14 process?

15 MR. DEAN: With the state?

16 MR. CHARLES: Yeah, from here going
17 forward. Obviously, I mean every site along this
18 highway people are concerned about traffic. Every
19 person who lives on the east side can't make a
20 left-hand turn on 206. You know the situation.

21 So specifically to this application,
22 how does it work now? How does it go?

23 MR. DEAN: The application is filed
24 with the DOT. They review it for completeness which
25 is much like your process, and then they have 90

1 days, and within that period, there is an
 2 opportunity for the municipal engineer to opine, the
 3 county planning board to weigh in, and, obviously,
 4 the DOT takes into consideration much -- sort of the
 5 same process I went through, how many other
 6 driveways and intersections are affected, and as a
 7 policy, the state agency, should they be looking at,
 8 on this applicant's dime so to speak, putting in
 9 some of those improvements much like has already
 10 occurred at Foothill.

11 So the process is they review it. They
 12 send it back to us for changes both in the geometry,
 13 the striping, and we revise it and refile and so
 14 forth.

15 MR. CHARLES: Could they come back with
 16 something as significant as the installation of a
 17 traffic light here?

18 MR. DEAN: I would say the type of
 19 application that was filed is for -- there's really
 20 three types in DOT, what's called a minor which are
 21 for home office conversions, single-family home
 22 driveways, things of that nature that are low
 23 traffic generators, a major permit which are typical
 24 highway commercial, you know, small to mid-size
 25 office buildings, a CVS, and it's a function of

1 traffic generation, and then they call major
 2 planning, and something like the Sanofi campus,
 3 because of the land mass, the acreage and the
 4 development size, that requires a more comprehensive
 5 review by the state.

6 We are simply a major. So falling into
 7 that category means it's not the type of use that
 8 generates enough traffic for a signal. You know,
 9 for years, I know consideration -- you know, we
 10 looked at -- not we, but I know consideration was
 11 given to Foothill, and there is a concern that it
 12 would act as a magnet and possibly draw more traffic
 13 through that neighborhood that necessarily might be
 14 avoiding it today, and we went through the same
 15 process with Talamini.

16 The short answer, not that I can do
 17 that, is it takes a sufficient amount of traffic
 18 sustained over eight hours of the day for the DOT to
 19 say we need a light, and for one, maybe two hours
 20 for a use such as a house of worship, it wouldn't
 21 qualify.

22 MR. COLLINS: Mr. Dean, I don't think
 23 you said this. So if you just would confirm this,
 24 you worked on this with the design engineer and the
 25 architect and with the applicant and Ms. Tubman and

1 you're satisfied that the proposed parking is
 2 sufficient for the number of maximum expected and
 3 population for both uses. Is that correct?

4 MR. DEAN: I am. I recall the question
 5 that was proposed by the public, and the short
 6 answer is, with 282 parking spaces that are
 7 proposed, and I believe 20 or so are -- I don't know
 8 if you're still doing that, are banked?

9 MS. TUBMAN: No.

10 MR. DEAN: They're all to be
 11 constructed. It's designed to accommodate that
 12 maximum service loading that Mr. Finelli described
 13 of 600, and following your ordinance requirements of
 14 one per 30 square feet and then added to that was
 15 the school use, I am convinced that, obviously, we
 16 satisfy your ordinance, but that it also provides an
 17 appropriate number, and the reason that occurs is
 18 that, much like other religions, during high holy
 19 days that are attended more by families, there's a
 20 greater ridership per vehicle.

21 Whereas, weekly services may attract
 22 principally single occupant vehicles. As we get to
 23 those limited two, three days a year as families
 24 attend, the ridership goes up to two and a half,
 25 three, four people per car. So just going through

1 the math, say three people per vehicle with a 600
 2 space capacity is 282. So I am convinced, to answer
 3 your question, Mr. Collins, that an appropriate
 4 number of parking spaces are provided and will serve
 5 this site for many years into the future.

6 Obviously, a lot of infrastructure into
 7 the parking is being constructed once for economic
 8 reasons rather than have to tear up the site and
 9 revisit these issues at some point down the road.
 10 So it does provide excess capacity to accommodate
 11 the future.

12 MS. TUBMAN: There was one question
 13 asked at the last meeting which -- to which we said
 14 we would provide an answer.

15 The question from the audience was how
 16 many parking spaces would be lost if we were to
 17 eliminate the design waiver for nine width wide
 18 stalls as opposed to nine and a half. The answer is
 19 16 stalls. So we are still significantly
 20 overparked.

21 MR. RODZINAK: That's based on
 22 municipal ordinance, correct?

23 MS. TUBMAN: Correct.

24 MR. RODZINAK: I just wanted to make
 25 that clear.

<p style="text-align: right;">Page 117</p> <p>1 MR. COLLINS: On that subject, Mr. 2 Dean, you're satisfied the proposed parking width is 3 an adequate width for the proposed uses? 4 MR. DEAN: Nine by 18 is the standard. 5 I don't know how it's left. If it's the board 6 preference to adhere to your ordinance requirement 7 at nine and a half, you have your answer as to how 8 many spaces would be lost, and I assume that the 9 applicant is willing to comply. 10 It does allow it, and I will say it is 11 a good way to start a site, and however many years 12 down the road, if parking ever becomes an issue, you 13 may or may not revisit your ordinance standards 14 depending on what happens to cars and oil prices and 15 those types of issues, but you have the benefit of 16 knowing that the lot can always be restriped subject 17 to the requisite proofs to add 16 more spaces. 18 MS. TUBMAN: But at present, we are 19 asking for a design waiver to have them designed 20 nine by 18 which is a standard size in my 21 experience. 22 MR. DEAN: Correct, for commercial. 23 I'll say for residential, commercial parking with 24 the exception of things like Home Depot and 25 supermarkets where large parcels it's beneficial to</p>	<p style="text-align: right;">Page 119</p> <p>1 fender twice, two different incidents making the 2 same turn, and they really are traveling at very 3 high rates of speed. They can't stop, and, yet, 4 your signal is on, and I've seen this like with 5 people coming out when they have to make a left-hand 6 turn or if they're traveling on 202/206 and they 7 have to make a left-hand turn, regardless whether 8 they're going to make a left-hand turn over the 9 southbound lane or whether they're making a 10 right-hand turn. 11 Cars are not stopping. They're acting 12 very carelessly in how they're passing, and I 13 don't -- I don't -- there's too many streets that go 14 into 202/206 where people have to make a left-hand 15 turn, and there are mornings where we have to wait 16 10 minutes before we can get out onto 202/206.the 17 traffic is just too much in that area. 18 How many of you really -- is there 19 anyone on this board that ever travels 202/206 20 during the day in that area? No. 21 Is there any testimony to what kind of 22 traffic patterns are there and how they're coming 23 out onto the streets and how people have to wait to 24 get out if they're going to make a left-hand turn? 25 Neighbors make a right-hand turn to</p>
<p style="text-align: right;">Page 118</p> <p>1 have wider spaces. 2 CHAIRMAN RUSAK: Any other questions of 3 the board? 4 If none, any questions from the public 5 or comments? 6 MS. MC NALLY: My name is Pat Mc Nally, 7 and I live at 842 Carnoustie Drive, and, no, I have 8 not been sworn in. 9 MR. COLLINS: Please raise your right 10 hand. Do you swear or affirm to tell the truth, the 11 whole truth and nothing but the truth so help you 12 God? 13 MS. MC NALLY: I do. 14 I'm concerned because I think we're 15 looking at this in isolation, just the one property, 16 and I'm very concerned living on Carnoustie Drive, 17 and as my husband said before, being hit twice 18 making a left-hand turn traveling north. I mean a 19 right-hand turn, I'm sorry, a right-hand turn 20 traveling north. 21 That's not even going across the other 22 lane of traffic, but because people are in such a 23 rush and travel at such a high rate of speed, they 24 pass you on the right. There's not that much of a 25 shoulder and they've hit me in the right front</p>	<p style="text-align: right;">Page 120</p> <p>1 make a left-hand turn in order to get onto 202/206, 2 go around the block to come out to make a right-hand 3 turn. I don't think that's fair to the community, 4 and that's not anything in opposition to this 5 particular testimony because I'm not opposed to the 6 temple, but I don't think the township has done a 7 very good job in terms of traffic control, and I 8 would look to the mayor and council in terms of your 9 master plan and what you're doing in terms of 10 rectifying that particular condition. 11 Carnoustie Drive is a dead end. I mean 12 there's no other egress for entrance onto 202/206. 13 You can't go across the back roads like you can if 14 you're on Stella or Arthur. So you're stuck. You 15 they have to use 202/206, and every day that you use 16 that you're taking your life in your hands, and, 17 yet, you keep approving more and more large 18 development along 202/206. I don't get it. I don't 19 understand that. I just don't understand it, and 20 it's because you're looking at everything in 21 isolation instead of looking at it as a total plan 22 for the township. Like what does the master plan 23 say? 24 And then when you put the light on 25 Talamini -- and it's interesting that you were the</p>

1 one who planned that. Why that was picked over
2 Foothill Road -- well, I have an idea why it was,
3 but now Foothill -- that just allows Foothill Road
4 to feed down onto 202/206 further compounding the
5 traffic on that road.

6 And people talked about Woodmont and
7 how that wouldn't interfere because that was going
8 to be for the older generation. Well, guess what?
9 There's cars that constantly come out of there, and
10 they're trying to make a right-hand turn. That's
11 okay, but when they have to make a left-hand turn,
12 as they come out, that creates a problem for them,
13 and so you have people coming out making a left-hand
14 turn from the other side of the street coming south,
15 that want to go south, and then you have the people
16 on the -- I'm sorry, people on the north who want to
17 make a left-hand turn to go south and people on the
18 south side who want to make a left-hand turn to go
19 north and all of these streets are not that far
20 apart.

21 So if somebody decides that they want
22 to make -- to pass the person who's making the
23 left-hand turn to go into Woodmont and somebody's
24 trying to come out of Carnoustie and they're just
25 zooming by into the -- on the shoulder of the lane

1 which is very narrow, I don't understand how you
2 think that 202/206 is wide, because in my estimation
3 it isn't, and I would suggest that all of you before
4 you make a decision that you get out there on
5 202/206 and take a look at that and not just listen
6 to testimony from an applicant who all too often,
7 when applicants come in, they're biased in terms of
8 what they're doing, because they're trying to get an
9 applicant approved by a board, and I know this.
10 I've sat on boards, but there's also I think a duty
11 of the planning board to also protect the residents
12 of the township.

13 And now it's granted there are not as
14 many out here at this meeting as you had from
15 Redwood Inn or maybe Tectonic when the applications
16 were not approved, but as far as I'm concerned, this
17 traffic issue is the primary issue that this
18 application should be denied, and I'm not saying I'm
19 against the temple, because I am not, but something
20 has to be done with the traffic, and I don't think
21 just because a driveway was approved for a previous
22 applicant, that that has any bearing on what is
23 before this board tonight.

24 So I would ask that you really look at
25 this particular application for what it is in terms

1 of traffic, and I don't know. Is there anything
2 that's going to be done about drainage? I don't
3 hear drainage being addressed at all.

4 MR. COLLINS: It was addressed at the
5 last meeting by the professional engineer and civil
6 engineer.

7 MS. MC NALLY: I'm sorry. I missed
8 that, but I am -- my biggest concern is traffic
9 having seen too many accidents in this particular
10 strip of 202/206, and now they're talking about
11 there's going to be that other Hovnanian application
12 before you. You approved this and then you approved
13 that. How many more cars are you going to put onto
14 the road?

15 I think it's time for the township to
16 take a look at their master plan and what should be
17 allowed. Thank you.

18 MR. KURZ: Robert Kurz again. Your
19 traffic count, where was the positioning of when you
20 did your traffic count? Where do they set up to
21 count cars?

22 MR. DEAN: One was at Foothill and one
23 was at Arthur.

24 MR. KURZ: Do they count just traffic
25 on the highway or do they count turning left and

1 right?

2 MR. DEAN: Counted turnings left and
3 right.

4 MR. KURZ: So I can prestigiously thank
5 you for not being able to turn in my street because
6 you were the one that created that left-hand turn
7 lane, because prior to that left-hand lane, it was
8 hard to turn into my street. Now with the left-turn
9 lane, I have to cross two lanes to make a left-hand
10 turn.

11 MR. DEAN: Correct.

12 MR. KURZ: Now, anybody who has gone
13 down West Foothill Road or turns into West Foothill
14 Road going north, people try to be courteous and let
15 you turn in front of them not understanding that
16 traffic is flowing, as the woman said, very fast at
17 45 miles an hour southbound, and I'm a pretty good
18 judge. I'm a retired police officer, and I can see
19 what traffic is really like.

20 You're talking potential a left-hand
21 lane for northbound traffic is what you're saying?

22 MR. DEAN: Not at all. It's subject to
23 the state.

24 MR. KURZ: I'm saying potential. If
25 the state comes along, you think they would probably

1 ask for a left-hand turn lane for the northbound
2 traffic?
3 MR. DEAN: If they follow in suit as
4 they did with the veterinary application, it's
5 conceivable, but it can't be done in isolation
6 because it affects Arthur Road and the entrance for
7 the nursing home. So the transitions and the
8 impacts on abutting lane uses are always of
9 consideration to the state.

10 MR. KURZ: Okay. Was consideration
11 given, and I'm going to throw this out, at Arthur
12 Road much like the temple up at Brown putting a
13 traffic light in there allowing egress and entering
14 and exiting into the mosque property with the
15 potential of also allowing access in and out of the
16 nursing home?

17 MR. DEAN: The short answer is there's
18 not enough traffic from any of those driveways or
19 access points including the nursing home, Arthur or
20 the temple to justify the installation of a signal.

21 I mean many driveways and the public
22 and board's often feel we need a light here, we need
23 a light here, we need a light here. The state's
24 policy is every light disrupts highway flow, and
25 their whole objective is we want to keep traffic

1 moving on the highway.

2 So they become very stingy with their
3 approval of signals, and just having designed and
4 installed literally hundreds, none of these
5 locations would be a candidate. So consideration
6 was given, but I also temper it with practical
7 experience.

8 MR. KURZ: I was just asking if you had
9 considered it or not.

10 MR. DEAN: Yes.

11 MR. KURZ: And the traffic flow rate,
12 although not -- I think you said add about 15 cars
13 per hour or something like that, approximation?

14 MR. DEAN: Correct.

15 MR. KURZ: But add that hour time span,
16 15 extra cars on the highway attempting to make a
17 left-hand turn, how does that apply to your
18 rationale of saying there's no problem?

19 MR. DEAN: Well, again, yes. For
20 example, during the morning peak hour, there are 10
21 vehicles we counted currently turning left into the
22 nursing home. Five vehicles turning left into
23 Arthur. That's on scale with what I would expect
24 the mosque to generate. On an average, again, that
25 occurs over 60 minutes.

1 That's one car every say four minutes.
2 You would sit there for four minutes. It seems like
3 an eternity when you're waiting at a stop sign, but
4 that is the frequency of vehicles, and it's a very,
5 very low volume from a traffic perspective.

6 So we've considered that. It's
7 certainly in character with the adjacent streets and
8 driveways, and I would even say not dissimilar to
9 West Foothill. I think even peak hour we counted 20
10 cars turning left into West Foothill.

11 MR. KURZ: I ask the board to truly
12 consider that left-hand turn situation. Anybody who
13 lives on West Foothill Road, anybody who is trying
14 to turn onto Arthur going south, it is impossible, I
15 don't care whether it's rush hour, during the day or
16 not, to make a left-hand turn in a reasonable amount
17 of time.

18 I understand what you're saying. Four
19 minutes is not a lot, but when you're sitting on
20 that road facing northbound and you have traffic
21 coming at you behind you and you don't know how many
22 times I've sat there and said this is the one,
23 because they're just flying north on 202/206, and I
24 know this is going to be the one that's going to run
25 into me.

1 I've had cars skid by me. With my turn
2 signal on, I've had cars skid by me on the shoulder,
3 go up on that little ramp, not ramp, but berm, go up
4 on that turn, not stop and just keep on going. So
5 the left turn situation is the primary focus on the
6 traffic for me, you know, as far as what's going on
7 here.

8 I don't care what's built there. It's
9 just I don't want anything built there because the
10 traffic is just atrocious, and if you have any input
11 to the state, I would ask you to put that input to
12 the state that the public is saying that they're
13 concerned with the traffic, not what the numbers
14 say, not what this gentleman has to offer as his
15 expertise, but just the practical knowledge of what
16 you see there and how you try to drive that road.

17 I will invite any one of you gentlemen
18 to come over for a glass of ice tea, women included,
19 at 4:30 in the afternoon, come north on 206. You
20 tell me what kind of traffic that is.

21 Thank you.

22 MS. AMIN: Pushpa Amin. I did read one
23 article says the corner house and my property both
24 from the point where actual lot about 330 feet.

25 So my question is, if the DOT plans or

1 decides to put a left-turn lane into that property,
 2 will there be enough width from highway to create
 3 that lane? That's my question.
 4 MR. DEAN: Yes.
 5 MS. AMIN: There will not be any
 6 encroachment on my property?
 7 MR. DEAN: Where the blacktop ends
 8 today is my expectation of where it will continue in
 9 the future, and I know -- I mean I stare at these
 10 things all day, but looking at the aerial map and
 11 the width of the ribbon, the gray ribbon that
 12 represents the highway, it's consistent from West
 13 Foothill and Foothill all the way up past Woodmont.
 14 So it can easily accommodate the restriping for a
 15 turn lane with no widening.
 16 MS. AMIN: And let's say you have a lot
 17 of busses going into that property. How far will
 18 they line up? Will they line up to Arthur Road?
 19 Let's say in the morning you have four or five
 20 busses lined up.
 21 MR. DEAN: I can't predict how far that
 22 might extend. It depends on the origin of the
 23 students who are being picked up, whether there's
 24 more to the north, more to the south, the routes
 25 they travel, whether they come down Brown Road and

1 travel south or come down Foothill or say further
 2 off 287. I can't predict.
 3 Expectation is that at -- I think the
 4 maximum capacity I believe was 400. Forty or so
 5 students fit on a bus, maybe 10 busses, and if I
 6 took five from the north and five from the south,
 7 just for discussion purposes, at 35 feet a bus, it
 8 won't encroach to Arthur, quick math, but they don't
 9 all show up at the same time.
 10 MS. AMIN: True.
 11 MR. DEAN: They are staggered a few
 12 minutes apart. That's just the nature of
 13 operations.
 14 So I understand your concern that,
 15 sure, it could block Arthur. I just don't envision
 16 it for this site. Four hundred students is a lot
 17 of -- it's a big school.
 18 MS. AMIN: That's all I have. Thanks.
 19 MR. DEAN: Thank you.
 20 MR. CHARLES: Just real quick, for
 21 clarification, when the state reviews this, do they
 22 look at it -- the entirety of the application with a
 23 full school in terms of looking at your traffic
 24 counts and their assessment or is it just Phase I?
 25 MR. DEAN: Right now it's just Phase I.

1 MR. CHARLES: So the state would just
 2 look at Phase I, and then later on when the school
 3 is added, the state would come back and look at it?
 4 MR. DEAN: Absolutely correct.
 5 MR. ROBERTS: Chris Roberts. To what
 6 Mr. Charles just said, if it's already there, how
 7 would the state disapprove it if it's already there?
 8 MR. DEAN: It's not already there. It
 9 requires a separate application.
 10 MS. TUBMAN: Before the school would be
 11 built. I think the answer was misleading.
 12 MR. ROBERTS: Okay. Thank you. You
 13 said before about the shoulder, that people go
 14 around on the shoulder.
 15 MR. DEAN: Yes.
 16 MR. ROBERTS: You know that's illegal,
 17 right?
 18 MR. DEAN: No, it's perfectly legal.
 19 MR. ROBERTS: My son has gotten a
 20 ticket for driving on the shoulder on 202/206 going
 21 around a car that was pulling into the old age home
 22 there. Got a ticket and the Bridgewater policeman
 23 told him it's illegal.
 24 I checked with my cousin who is a
 25 policeman. Maybe I'm wrong. He also told me it is

1 illegal to drive on the shoulder across that white
 2 line.
 3 Okay. All right. My main question
 4 here is, when you did the study, did you do it
 5 during school hours or was it done during the summer
 6 of the traffic pattern?
 7 MR. DEAN: I don't know when schools
 8 let out in Bridgewater, but the counts were done in
 9 June of this year and it was late June.
 10 MR. ROBERTS: School is out by then.
 11 The reason why I ask is if you could have them maybe
 12 do another study is that, as you come north, as you
 13 know, on 202/206 just before the old age home, it's
 14 a blind hill.
 15 Okay. Now, our kids when they were --
 16 my kids, when they were younger, the bus stop is at
 17 the end of our block which is still there, and like
 18 I said in previous testimony, there are many young
 19 kids on our block now. So the traffic -- I think
 20 you should demand he does -- they do a survey during
 21 school hours, you know, morning, rush, evening rush
 22 when there's a lot of school busses around because
 23 the schools are making a left on Foothill.
 24 They're going up 202/206 north.
 25 It's -- you know, do what other people say. It's a

1 nightmare getting out of our street, out of Stella,
 2 out of Carnoustie, out of all those roads. I know
 3 everybody considers it a highway, but in my opinion,
 4 it's just my opinion, Route 22 is a highway.
 5 202/206 here is a two-lane road, one lane each way.
 6 It should not be considered a highway.
 7 The way you're talking to me is more
 8 and more the reason why they should have just left
 9 it at the Redwood Inn. If there's so little traffic
 10 worry, why not leave it at the Redwood Inn?
 11 This is a nightmare. This is an
 12 absolute nightmare. I'm telling you right now.
 13 MS. AMBLER: Diane Ambler. You
 14 mentioned about the striping. Can you rewrite
 15 through that again about how the striping was done
 16 to get that left-turn lane towards that West
 17 Foothill Road so people had an access to go onto
 18 Foothill?
 19 You mentioned that was part of the
 20 veterinary practice.
 21 MR. DEAN: The striping was already
 22 there for Foothill. It predates the vet, and there
 23 was a prior application. Because of the transitions
 24 that occur with the yellow I call it zebra striping
 25 or crosshatch, south of Foothill Road, the through

1 traffic had already been I'll say transitioned.
 2 The state recognized an opportunity to
 3 essentially -- I'm pointing again. I'm in the lower
 4 right-hand corner of A-2. The state recognized an
 5 opportunity to extend the Foothill Road left-turn
 6 lane essentially to the vet's property, and they did
 7 it by getting rid of the double yellow line where it
 8 was, shifting it a little bit to the east, getting
 9 rid of the white lines that were there and shifting
 10 them to the east to create a third lane but --
 11 MS. AMBLER: So you're talking where,
 12 south of Foothill Road?
 13 MR. DEAN: South, north. They're all
 14 the same width. The highway is the same width.
 15 It's just where the stripes go. It's just a matter
 16 of whether they're laid more to the right or more to
 17 the left, and it creates a shift in the center line
 18 that it no longer runs down the center of the
 19 highway, but it's skewed in the case of Foothill
 20 slightly to the east to create two southbound lanes.
 21 MS. AMBLER: Southbound --
 22 MR. DEAN: Correct.
 23 MS. AMBLER: -- but not northbound?
 24 MR. DEAN: Correct.
 25 MS. AMBLER: So when the state came in

1 and told Sanofi Aventis that they had to put that
 2 left-turn lane on say the Highway 202/206 on their
 3 property giving directions south on 202/206 to use
 4 Foothill Road for a back way to get into their other
 5 Sanofi Aventis building, they had to put that lane
 6 in there and they took away the state property, it's
 7 not mine, but it's six feet of my property went from
 8 a nice curve where we could actually cut our lawn to
 9 pretty much a vertical and they took piping that was
 10 coming up from my yard and they tied it all in nice,
 11 so great for drainage, but when they put that lane
 12 in coming southbound, people can come down and over
 13 that hill and sit there and turn left onto Foothill
 14 Road and people can pass quite fast because it is
 15 quite wide enough.
 16 So coming northbound on 202/206, that
 17 road is falling apart because people come by there
 18 so fast and use that tiny little bit of shoulder all
 19 the time that the road is falling apart.
 20 MR. DEAN: I can't speak for the
 21 maintenance of the highway. That's a different
 22 issue. That's endemic and has nothing to do with
 23 this site.
 24 MS. AMBLER: All right. Let me talk
 25 about another point, busses. Tomorrow's the first

1 day of school. From 10 minutes to seven until
 2 quarter to nine are the bus stops for all the
 3 schools.
 4 So the first bus stop is going to stop
 5 at West Foothill Road at 10 minutes to seven, the
 6 kids from parochial school are going to get on 7:05,
 7 the high school kids are going to get on. That
 8 traffic is going to back up past -- it's got to be
 9 to Woodmont apartments. Northbound there's a house
 10 across the street from mine at 862. One person gets
 11 on that bus. That bus is stopped 45 seconds, and
 12 that traffic is backed up all the way to Talamini to
 13 get that kid on that bus and belted in, and that bus
 14 stopped, shuts the door and turns the lights on, I
 15 can see all the way down the highway and now
 16 Foothill Road is all backed up. Talamini is coming
 17 up, right? Light's changing, people are coming, and
 18 it's -- that's the way it is from 7 o'clock until
 19 quarter to nine throughout the whole school year.
 20 Now, with 10 more busses coming to
 21 bring all those kids to school on time, I can't
 22 imagine 10 busses coming five in each direction
 23 trying to turn into that property. They're going to
 24 be down to Green Knoll Grill and up to the new over
 25 55 community or beyond. Two hours every day.

<p style="text-align: right;">Page 137</p> <p>1 MR. DEAN: State law requires motorists 2 to stop for school busses. That's safety, prime 3 safety concern. 4 MS. AMBLER: Thank goodness, because 5 people would just go around them. 6 MR. DEAN: And it creates congestion. 7 MS. AMBLER: There's going to be a 8 school. Fine. There's got to be some 9 consideration. It's got to be talked about about 10 what reality is. It isn't 20 cars turning into West 11 Foothill. It isn't 12 cars going down to Arthur or 12 whatever the number is. It's hectic. 13 I sit and try to come home, how I'm 14 going to come home from work depending on what the 15 traffic is going to be. I don't leave work until 16 6:30 now because I'm not sitting on 202/206 trying 17 to make a left-hand turn at any time that it's going 18 to be rush hour. You know, people say to me, you 19 know, there's a nice, new grocery store up in there 20 in Pluckemin. I said, sorry, I don't make a left, 21 and that's reality. That's the way I'm driving 22 today. 23 So all these new people coming into 24 this community, you just have to know it, you know. 25 It's a lot of traffic, it's a lot of people and</p>	<p style="text-align: right;">Page 139</p> <p>1 the safety of the people coming and going from that 2 property during the school year -- 3 MR. DEAN: Safety is my number one 4 concern. I'm sorry. It's my number one concern 5 which is why we evaluate site distance, and we look 6 at the safety and efficiency, ingress and egress, 7 and make sure that it is conventional, logical, 8 easily understood by the traveling public and 9 subject to an opinion as to whether an improvement 10 such as a turning lane might be beneficial, and 11 we're certainly willing to do that. 12 There's no reluctance to make that 13 improvement. I just can't predict it, and if I were 14 to say we'd do it and the state would say no, we'd 15 be back before you. So this application is subject 16 to state approval as well. 17 MS. AMBLER: So one other thing. The 18 property at one time, I don't know the name of the 19 company, was it all owned by Woodmont at one time 20 where they were going to have two areas of housing? 21 MR. DEAN: It was never owned by 22 Woodmont. They had a contract, an option to buy 23 what is known as the Retract or the Recharitable 24 Trust property to do 39 townhouse units. That 25 option expired. Woodmont did not exercise it, and</p>
<p style="text-align: right;">Page 138</p> <p>1 there's a lot of people on weekends too where they 2 don't know where they're going, you know. 3 MR. DEAN: And that's precisely -- 4 MS. AMBLER: It's not an easy 5 navigation. Somebody mentioned before about, if I 6 want to go left, I actually am going to go right. I 7 might even go Foothill and go around some of the 8 back roads to get here. I'm not going to go left 9 out of my street. 10 I don't know how all these people 11 coming out of the mosque -- it all lets out at the 12 same time. You can have a hundred people wanting to 13 leave the mosque all at the same time. They are 14 going to be sitting there three, four minutes at a 15 time if they want to go left. 16 MR. DEAN: I would hope under those 17 circumstances if it ever exceed the expectations of 18 the applicant that those people would follow the 19 same rationale as you do in that perhaps 7 a.m. is a 20 bad time to visit the mosque and that they will 21 adjust accordingly much in the same way you do and 22 they'll come later in the evening. 23 MS. AMBLER: If they have the 24 flexibility to move the five times of prayer, I 25 don't know. I'm being sensitive to that, but for</p>	<p style="text-align: right;">Page 140</p> <p>1 so the property was retained by the Reed family, and 2 they received the necessary approvals to build it 3 independently. 4 MS. AMBLER: So when that whole design 5 was presented to the folks where we live and went up 6 to the Bridgewater Manor with all the presentations, 7 the plan was they were going to have one entrance on 8 and off the highway. So there would be two areas of 9 building like where the Woodmont apartments are now 10 and where the mosque is going to be in the future 11 and there was going to be a road that connected 12 between those two properties over that water passage 13 so that to the north is where the entrance was only 14 going to be. 15 MR. DEAN: I have to say, just because 16 I was involved with the Woodmont project, that that 17 was known as Woodmont I, and you are correct there 18 was a connector that ran parallel to Route 202/206 19 through the adjacent Lot 15. 20 However, the Woodmont II project on the 21 subject tract also had a driveway to the highway, 22 and Woodmont received a permit from the state to 23 construct the separate driveway to Woodmont II. So 24 although they were interconnected internally, there 25 were two points of access for both developments.</p>

1 So when the Reed family took back their
2 property, they retained the approval for the access
3 to the highway that we have similarly retained
4 ownership.
5 MS. AMBLER: So that was different from
6 the plans that we all saw?
7 MR. DEAN: Correct. The driveway is
8 actually moved. Now, you'll see just by looking at
9 the exhibit, Arthur Road, I'm pointing to the right
10 about a third of the way up Stella drive, the
11 proposal now splits the difference between the two.
12 Woodmont II had the driveway much closer to Arthur.
13 MS. AMBLER: The only other question I
14 had was, being that we're talking about the traffic,
15 since I live on the property adjacent to the nursing
16 home, I mean there are ambulances coming in and
17 coming out of there 24/7, you know, 24 hours a day,
18 seven days a week, many, many times of the day. So
19 if there's all this traffic building up, how the
20 heck are those ambulances going to get those people
21 in and out of there at the speeds that they're
22 coming in and out of there?
23 So another consideration just to
24 consider like who the neighbors are and the needs
25 that they have as well. I don't know if there's

1 anybody here from Madison tonight.
2 MR. DEAN: I don't know.
3 MS. AMBLER: I'm not home all day, but
4 the hours that I am and the days of the Week that I
5 am, these are concerns. I understand properties
6 have to develop, but the planning of the highway has
7 to go along with it.
8 We're hearing that where Linda's farm
9 stand is just right south of Foothill Road. There's
10 another whole development being planned in there.
11 It hasn't moved too far yet. So maybe it's not part
12 of the master plan yet, but neighbors on that side
13 of the road have gotten notices. So something's
14 happening. There's another 200 some odd condo or
15 apartments. It's just more.
16 MR. DEAN: I agree, and that's why this
17 process exists.
18 MS. AMBLER: Thank you. Thanks.
19 MR. DEAN: Thank you.
20 MS. COFFEY: Good evening, Mr. Dean. I
21 wanted to talk a little bit about parking. So the
22 parking spaces that were calculated, that was based
23 on it was 6,750 square feet of the worship area. Is
24 that right?
25 MR. DEAN: I don't know. That's a

1 question more for Mr. Ardman. I can only I'll say
2 affirm those calculations. It sounds about right,
3 correct, what I recall Mr. Finelli's testimony.
4 MS. COFFEY: So they did not factor in,
5 for example, parking spaces that would be used by
6 the daycare?
7 MR. DEAN: I can't that answer that
8 question. I'm not a site engineer.
9 MS. COFFEY: I heard you testify
10 earlier that the parking was sufficient?
11 MR. DEAN: Correct.
12 MS. COFFEY: And did you factor in all
13 the different uses that was going to be on the
14 property?
15 MR. DEAN: Yes.
16 MS. COFFEY: Okay. So in terms of the
17 number of spaces on the property, though, you're not
18 able to say whether that number is factored into the
19 daycare?
20 MR. DEAN: Well, I believe the
21 Bridgewater ordinance allows for shared parking
22 which recognizes that there are different peak times
23 of use.
24 The expectation is that when the school
25 and daycare required their maximum parking that

1 there would be little, if any, use of the mosque
2 that requires the full parking lot capacity.
3 On the days when the full parking lot
4 capacity is required for a prayer service, the
5 daycare and the school components won't be in use.
6 Hence, the term sharing of parking. So that's why I
7 feel very confident that sufficient parking has been
8 provided.
9 MS. COFFEY: Did you look at all at the
10 Institute of Traffic Engineers numbers related to,
11 for example, school parking K through 12?
12 MR. DEAN: Yes, I did.
13 MS. COFFEY: And do you recall what
14 that rate was?
15 MR. DEAN: It varies by age group, by
16 private school, by public school, but, yes, I recall
17 it.
18 MS. COFFEY: I think we're talking
19 about K through 12 here.
20 MR. DEAN: Correct.
21 MS. COFFEY: So my understanding was
22 0.39 spaces per student.
23 MR. DEAN: Correct.
24 MS. COFFEY: I think 300 students was
25 what was anticipated. Although, up to 400 could be

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1 accommodated. So that would be 117 spaces.
 2 MR. DEAN: The caveat being that the
 3 assumption reading the IT definition for private
 4 schools is there wouldn't be bussing, and with the
 5 expectation of bussing, it substantially, much like
 6 a public school, reduces the need for parent parking
 7 associated with pick up and drop off.
 8 So those numbers go down dramatically.
 9 Excepting even for the moment that 160 spaces are
 10 required for the school operation, the lot itself is
 11 282. So there's a surplus of 120 parking spaces.
 12 MS. COFFEY: The school be in session
 13 while the worshipping is occurring?
 14 MR. DEAN: Correct.
 15 MS. COFFEY: And what about for the
 16 field, the ITE requirements for fields?
 17 MR. DEAN: They're not treating it
 18 separately. They're treated as accessory components
 19 to the school. So one would not add parking for
 20 soccer fields because -- or basketball or volleyball
 21 courts, because much like a public school, they're
 22 used by the students who are enrolled.
 23 MS. COFFEY: Although, we did hear
 24 testimony they'd be made available to the broader
 25 community?

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1 MR. DEAN: Not when school is in
 2 session.
 3 MS. COFFEY: For example, weekend
 4 users.
 5 MR. DEAN: Correct. Again, for the
 6 shared parking component, it wouldn't be added to
 7 all the individual or discrete components of the
 8 site.
 9 MS. COFFEY: Did you happen to look at
 10 the Bridgewater ordinance regarding the requirement
 11 that you combine all the different uses, parking lot
 12 requirements 126-170.
 13 MR. DEAN: I did not look at that
 14 specific requirement. I know from prior experience
 15 that shared parking was a concept, whether it was
 16 effective or appropriate at that time.
 17 A well-recognized planning tool, I'll
 18 have to defer to Ms. Doyle, but adding a whole
 19 parking deck so we can look at parking for an
 20 athletic field, treating it separately and ignoring
 21 its relationship with the other site components,
 22 sure. It requires more parking. I don't think that
 23 that's the appropriate planning exercise however.
 24 MS. COFFEY: Tell me if these numbers
 25 sound right to you. It's my understanding that,

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1 based on the worship area and the primary ordinance
 2 requirement related to the worship area, there were
 3 200 and -- was it 25 parking spaces, there about,
 4 that were required, and then I have for the daycare
 5 under the Bridgewater ordinance they require one
 6 space for every three students?
 7 MS. TUBMAN: Isn't that for a
 8 free-standing daycare center?
 9 MS. COFFEY: I don't know whether it is
 10 or not, but I understand this daycare would be open
 11 for the public, correct?
 12 MS. TUBMAN: Correct, but there is also
 13 a provision in the ordinance which says count
 14 daycare consistent to the land use law unless it's a
 15 stand-alone daycare.
 16 However, with that said, we also had
 17 testimony there's more than enough parking to
 18 accommodate it.
 19 MS. COFFEY: If you were to apply the
 20 one space for every three daycare students, that
 21 would be 16 students or so. Then if you're having
 22 50 students -- and then if you look at the ITE rates
 23 for private schools, and it may not account for
 24 bussing, but that rate for K to 12 was an additional
 25 117 spaces. So they're well over the surplus that's

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1 required, correct?
 2 MR. DEAN: By that simple tabulation,
 3 yes.
 4 MS. COFFEY: And is there any street
 5 parking available in the area?
 6 MR. DEAN: No.
 7 MS. COFFEY: And is there any concrete
 8 plan for where overflow would go?
 9 MR. DEAN: No. Well, other than what's
 10 been presented in that inquiries would be made with
 11 adjacent industrial and/or office complexes for
 12 surplus parking, a valet plan could be implemented,
 13 two services could be implemented, but in terms of
 14 the assertion that a mosque requires 225, the
 15 testimony was that, when that full capacity of 600
 16 and some odd -- 600 attendees requires the 225
 17 mosque parking spaces, that the daycare and school
 18 would not be in operation. So they're not added
 19 based on the testimony.
 20 MS. COFFEY: Although, it was my
 21 understanding that, although the maximum capacity is
 22 600 folks which right now is anticipated for high
 23 holidays, it has the same potential that the
 24 congregation could swell to those numbers, correct?
 25 MR. DEAN: I don't believe there's any

<p style="text-align: right;">Page 149</p> <p>1 testimony to that effect. 2 MS. COFFEY: Perhaps I misunderstood. 3 Thank you. 4 MR. DEAN: You're welcome. 5 MR. KURZ: Robert Kurz. Sir, I had a 6 question for you as far as the traffic study. Was 7 there a study just on the amount of cars or the 8 speed of the cars? 9 MR. DEAN: Just the amount. 10 MR. KURZ: You spoke before about line 11 of sight. What's the speed limit on Route 206 now, 12 Route 202/206? 13 MR. DEAN: Forty-five. It varies 14 depending on which section. 15 MR. KURZ: Now, going north on Route 16 202/206, you're saying that the line of sight would 17 allow the traffic to make the left into the parking 18 lot. How far back at 25 miles an hour would a car 19 need to see that there's a car stopped ahead of 20 them? 21 MR. DEAN: I'm not following your 22 question. 23 MR. KURZ: If there's a car turning 24 left into your parking lot -- 25 MR. DEAN: Yes.</p>	<p style="text-align: right;">Page 151</p> <p>1 distance, is about 450 feet give or take. 2 MR. KURZ: Depending on how far traffic 3 is backed up to make that left-hand turn into that 4 distance. 5 MR. DEAN: Bear in mind the left turn 6 to the nursing home driveway is even closer. 7 MR. KURZ: I agree, but I can't do 8 anything for the nursing home. I can at least voice 9 my opinion on this driveway. 10 MR. DEAN: I will reiterate that the 11 proposed driveway location in my opinion meets all 12 the recognized DOT and safety criteria, and I should 13 bear out, worth repeating that the state already 14 approved the driveway at about 100 feet closer to 15 West Foothill than we're proposing. So we're 16 increasing the site distance over what's already 17 been approved twice. 18 MR. KURZ: The only question I have is 19 were you asked to consider any other ingress or 20 egress from the site? 21 MR. DEAN: Yes. 22 MR. KURZ: Where? 23 MR. DEAN: Where it was originally. 24 MR. KURZ: No. I mean as far as more 25 than one exit and entrance.</p>
<p style="text-align: right;">Page 150</p> <p>1 MR. KURZ: -- when you're going north 2 on 206, you pass West Foothill Road. 3 MR. DEAN: Correct. 4 MR. KURZ: It's a rise. 5 MR. DEAN: Yes. 6 MR. KURZ: You make a right. It's 7 about at the nursing home and it flattens out. 8 MR. DEAN: Correct. 9 MR. KURZ: What's that distance 10 approximately? 11 MR. DEAN: From the crest to the 12 driveway? 13 MR. KURZ: Approximately. 14 MR. DEAN: I -- 15 MR. KURZ: The reason I'm asking is, a 16 car going 45 miles an hour, how long would it take 17 to recognize there's a car stopped in the middle of 18 the roadway of a highway? 19 MR. DEAN: I have about 700 feet of 20 visibility from the highest point looking to the 21 site driveway. 22 MR. KURZ: So traffic flowing -- I'm 23 sorry. Go ahead. 24 MR. DEAN: At 45 miles an hour, again, 25 the site distance, it's called stopping site</p>	<p style="text-align: right;">Page 152</p> <p>1 MR. DEAN: No. Part of the reason is 2 that the state has regulations for everything, but 3 it requires a certain extra amount of frontage for 4 sites to qualify for two driveways. 5 MR. KURZ: Any other sites like off of 6 West Foothill, off of Harding or anything like that? 7 MR. DEAN: Well, we -- I believe there 8 is a portion of the site, and I could be totally 9 mistaken, that is contiguous to the extension of 10 West Foothill Road, but for all the reasons that 11 you're here as are your neighbors, we didn't feel 12 that was a viable connection for this site. 13 MR. KURZ: Well, we're talking 14 wetlands. So it would be almost impossible. 15 MS. TUBMAN: It's not part of the site. 16 MR. DEAN: Thank you. 17 MR. KURZ: No longer, no, but there's 18 no consideration given to attempting putting a 19 driveway through one of the other streets. 20 MR. DEAN: The applicant doesn't own 21 any contiguous property. 22 MR. KURZ: The applicant doesn't own 23 this property. So I'm asking you is there anything 24 planned? Is there anything planned? 25 MR. DEAN: Not to my knowledge.</p>

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1 MR. KURZ: Thank you.
 2 MR. ROBERTS: Sorry.
 3 CHAIRMAN RUSAK: No. No. Come. Come.
 4 Especially you, love hearing you.
 5 MR. ROBERTS: I love talking to you
 6 too.
 7 The one question we had about another
 8 entrance, okay, if you said right now as of now that
 9 land is -- the other acreage is not going to be part
 10 of that property, I understand that, if this gets
 11 passed, this group will get the 10 acres in the
 12 front and the six acres or so will go back to the
 13 town. Is that correct? Anyone can answer. Is that
 14 correct, Madam Attorney?
 15 MS. TUBMAN: We are only proposing to
 16 occupy 10.75 acres and not the remainder.
 17 MR. ROBERTS: So say, as the president
 18 said over there earlier, you can't tell the future.
 19 Say it expands and expands and expands, and now they
 20 want to look into purchasing the land to the back of
 21 the property.
 22 Is that up for negotiation, and,
 23 obviously, our question on our street is would
 24 then -- is there any potential that they want to
 25 break through the other end of West Foothill?

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1 MS. TUBMAN: We have no intention.
 2 MR. COLLINS: No, there is no
 3 potential.
 4 MR. ROBERTS: No potential. Thank you.
 5 CHAIRMAN RUSAK: Anyone else?
 6 MR. MC NALLY: Did you make the case
 7 for the -- to the state to put the light at
 8 Talamini?
 9 MR. DEAN: I don't know that I made the
 10 case other than the fact that the case had
 11 potentially, if I recall, had already been made. I
 12 just needed to design the plans for it.
 13 MR. MC NALLY: And you would stick by
 14 that according to those plans and according to your
 15 own ideas on it?
 16 MR. DEAN: It was at least 15 years
 17 ago. Sorry. I don't recall whether it had been
 18 approved by the state to install a light and then
 19 the town got money to do so and needed to design it
 20 or whether it was a candidate location and we went
 21 through the justification at the time. I just don't
 22 remember.
 23 MR. MC NALLY: What would be the
 24 justification for doing this now?
 25 MR. DEAN: At Talamini? This has

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1 nothing to do with this application. I can't --
 2 MR. MC NALLY: It has a lot to do with
 3 common sense I guess. So you are in total agreement
 4 with the position you had 15 years ago or whenever
 5 it was that that was okay to go ahead with that.
 6 This woman spoke today about reality,
 7 and she is going through a lot of reality and where
 8 she comes out and she will have to make a right-hand
 9 turn in order to make a left-hand turn, and that's
 10 okay with you.
 11 MR. DEAN: What she does is her own
 12 business. I have no opinion on that.
 13 MR. MC NALLY: That's another thing.
 14 Well, I sat here and just got more and more
 15 frustrated because reality doesn't count. Reality
 16 doesn't count. Common sense counts. That's okay.
 17 I had a justice problem many years ago, 50 years
 18 ago, and I think it still stands.
 19 I'll make a statement. Common sense
 20 yet, but the problem with common sense, it ain't so
 21 common so many times and especially in the face of
 22 reality.
 23 Thank you.
 24 MS. KURZ: Hi. Jenny Kurz, K-U-R-Z,
 25 775 West Foothill Road.

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1 MR. COLLINS: Jenny, were you
 2 previously sworn?
 3 MS. KURZ: I'm sorry.
 4 MR. COLLINS: Do you swear or affirm to
 5 tell the truth, the whole truth and nothing but the
 6 truth so help you God?
 7 MS. KURZ: I do. Thank you.
 8 I have a comment for the board. My
 9 neighbor brought it up before. Could we have the
 10 traffic study rerun during school when school is in
 11 session because traffic has greatly increased, not
 12 only bus traffic, but car traffic with the parents
 13 that take the children to school, the work, school
 14 activity and then regular school times because
 15 traffic may be altered.
 16 During summers the parents may be going
 17 a different way to go to work and not taking the
 18 children to school first. So I'd like to have that
 19 traffic study repeated and see if there is a
 20 difference between what they found at the end of
 21 June versus during school time.
 22 MR. DEAN: I can say conclusively there
 23 is very, very little difference, and I know that
 24 from having conducted traffic counts at the Sanofi
 25 site when schools were definitely in session, and

1 the difference is 40 or 50 vehicles per hour, but at
2 a volume of roughly 1900 vehicles in total, it's not
3 enough to change any of my opinions or conclusions
4 or findings.

5 It won't in any way affect the site
6 plan as it's laid out, the location of the
7 buildings, the design of the driveway, and as I've
8 indicated, there is very little expected site
9 traffic during those peak hours. So the fact that
10 school is or isn't in session is not materially
11 changing any of these conclusions.

12 MS. KURZ: Thank you, but this just
13 affects reality, because for all of us that drive
14 that way, I am not affected by this. I leave for
15 work at 8:15 in the morning. So that's not an issue
16 for me, but on days that I'm not working and I head
17 to the gym, I leave the same time. Traffic is far
18 less in the summer than it is when school is in
19 session, and I go to the gym at -- as my other
20 neighbor said, 7:30 -- between 7:30 and 8:30, and
21 the busses start at 6:50. So this is just another
22 example that reality doesn't seem to match up with
23 statistics.

24 MR. DEAN: But for the morning, as
25 indicated, the peak traffic associated with this use

1 is Friday at noon. So schools in or out of session
2 has no impact, nor do schools in or out of session
3 have any impact on evening peak hour conditions at
4 let's say 4:30 or 5 o'clock because schools are
5 dismissed earlier.

6 So the morning may have a small
7 difference, but the traffic attracted to this use at
8 that time is minimum.

9 MS. KURZ: I understand that, and right
10 now -- and I'm sorry. I had a meeting. I had to
11 work. I didn't get out until nine, but at the last
12 meeting, the numbers were presented that during the
13 day between 5 and 15. It's a low number of people
14 coming during the day except for Friday right now,
15 but that may change down the road.

16 So it's just something we have to keep
17 in mind back to my neighbor about this master plan.
18 What are we doing here? There's other properties
19 available in Bridgewater that would have much better
20 travel and traffic areas to deal with this. So it's
21 just a big concern to all of us.

22 Thank you.

23 MR. RODZINAK: Mr. Dean, when DOT
24 reviews your application, are they basing their
25 approval or not approval on your traffic study or

1 are they using their own data?

2 MR. DEAN: The short answer --

3 MR. RODZINAK: Or is it a combination
4 of both?

5 MR. DEAN: It is a combination of both.

6 DOT tends to be a year or two before. Our data is
7 contemporary.

8 The physical geometry of the driveway,
9 however, is not affected by traffic volumes on the
10 highway. It's the width of the driveway, the radii
11 and the drainage that goes along the highway and the
12 gutter flow. Those are the design dimensions, and,
13 again, traffic fluctuates day by day, week by week.

14 We understand, and as I've said, this
15 application represents a use that I'll fully concede
16 that in the morning, depending on what happens with
17 the school, there will be an impact, but Friday at
18 noon, evening, it's actually a pretty good use so
19 that it won't aggravate traffic on the corridor, and
20 I don't believe it will in the morning, but I know
21 there's differences of opinion, and I think, of
22 course, put a school in and there will be a few
23 busses. I accept that.

24 MS. MC NALLY: Can I just ask? He
25 doesn't seem to be willing to do another traffic

1 count now which is being asked. Can't the township
2 do that? Don't you have somebody?

3 MR. COLLINS: The township could do a
4 traffic study, but, frankly, I think you're hearing
5 the reality which is that it isn't the township that
6 determines whether the driveway gets permitted by
7 the DOT. It is the DOT only and only the DOT that
8 has jurisdiction.

9 MS. MC NALLY: I would like to
10 reiterate what she just said. I would like to see a
11 second one done.

12 MR. COLLINS: I understand that's a
13 request, but it's really not required for the
14 township to do a study. It's also -- even if the
15 township did a study and found it to be a negative
16 finding, it's the DOT only that determines
17 whether --

18 MS. MC NALLY: What we need to do is
19 write to the DOT.

20 MR. COLLINS: Yes.

21 MS. MC NALLY: Okay. Thank you.

22 MR. CHARLES: Just for clarity, is that
23 how the public provides input generally through
24 these types of applications? Is it through letter
25 writing?

1 MR. DEAN: Correct. The application
2 and I will advise the board and public has been
3 submitted to the state. Public comment would
4 certainly be considered by the reviewing staff as to
5 your feelings on traffic.
6 Again, just for whatever it's worth,
7 because of the work I've done along the corridor
8 with the Sanofi site earlier in the year when
9 schools were in session, the traffic is not
10 materially different during the morning.
11 MR. CHARLES: Yeah. I think that what
12 we're hearing, obviously, the board is looking at a
13 specific application that it must be, you know,
14 disciplined about, but what we're hearing is a
15 broader concern which I think the public needs a way
16 to vent that.
17 MR. DEAN: And our counts are done at
18 the end of June. So school ended a day or two
19 prior. It's not say August or post 4th of July as
20 families are definitely away on vacation.
21 It's very close to the end of the
22 school year, and I just don't expect it to be that
23 much different. People still go to work.
24 Thank you for your time tonight.
25 CHAIRMAN RUSAK: Okay.

1 MR. KURZ: Can I ask one more question?
2 CHAIRMAN RUSAK: Yes, sir.
3 MR. KURZ: I did go to not every
4 meeting, but a lot of meetings when Woodmont was
5 being designed.
6 One of the questions I had was passive
7 entrance and exit. That part of the plans would
8 just allow southbound traffic in and southbound
9 traffic out.
10 MR. DEAN: I have no idea what you mean
11 by passive.
12 MR. KURZ: Well, it's like it wouldn't
13 allow a left-hand turn into. Right now a northbound
14 car would not be able to turn left into the thing by
15 way of the entrance because you have a direct
16 perpendicular.
17 MR. DEAN: That's opposite Stella,
18 correct.
19 MR. KURZ: That wasn't for Woodmont II
20 then.
21 MR. DEAN: No.
22 MR. KURZ: Okay. Thank you.
23 CHAIRMAN RUSAK: Okay. If there are no
24 questions --
25 MR. COLLINS: Any other comments from

1 the public at all?
2 No other comments, the public hearing
3 should be closed, Mr. Chairman.
4 MAYOR HAYES: I think Ms. Doyle has a
5 planning question.
6 MS. DOYLE: I have a question for the
7 traffic. Sorry, Mr. Dean.
8 MR. DEAN: No problem.
9 MS. DOYLE: I just want something to
10 clarify for the record. You've heard such a thing
11 banked parking. Banked parking is where you got the
12 ability to place additional parking should you need
13 it, but you're not going to do it because the need
14 has not shown itself, correct?
15 MR. DEAN: Yes.
16 MS. DOYLE: There is -- there is on
17 this property for the purpose of the size of the lot
18 you are providing 5.69 acres and it should be 10.75
19 acres, but by ordinance, you only need 5.69 acres.
20 So there's a lot of extra land which I
21 checked the plans and it also includes a turf field
22 in the back. Would that, in your view, be something
23 that would satisfy the requirements of banked
24 parking should that become an issue?
25 MR. DEAN: The short answer is no.

1 Banked parking to me means a designation on a site
2 plan much like you have on A-2, and I'll point to
3 the gray area where there are proposed to be paved
4 striped spaces that the applicant says, in lieu of
5 constructing all of those spaces, we're going to
6 take a certain percentage off the table at least for
7 our initial construction, and should a need arise to
8 add parking in the future, we will then build them
9 either through the zoning officer's determination or
10 the applicant.
11 This plan does not feature that. I
12 believe every parking space that is shown on the
13 plan is proposed to be constructed. That being
14 said, there are other areas of the site that you'll
15 see even by the exhibit that are -- have little if
16 no improvement proposed that would allow future
17 parking areas to be provided. I don't think we're
18 anywhere close to impervious. So we have the
19 ability to design to make stormwater accommodations
20 and whatnot for additional parking in the future.
21 MS. DOYLE: Thank you.
22 MR. DEAN: That's different than
23 banked.
24 MS. DOYLE: Thank you.
25 MR. DEAN: You're welcome.

<p style="text-align: right;">Page 165</p> <p>1 CHAIRMAN RUSAK: Any questions of the 2 general public or concerns? 3 If none, motion. 4 MR. COLLINS: The public hearing is 5 closed on this application. 6 CHAIRMAN RUSAK: Come forward. We have 7 someone. Hold on. 8 MS. COFFEY: I apologize. I thought 9 you said you had additional questions for Mr. Dean. 10 Sit down, relax. 11 The comments regarding the application 12 in general at this point. Okay. Fine. 13 MR. CHARLES: Are we taking that at 14 this time of the night? I don't think we should. 15 I'm not comfortable with doing that. 16 MS. COFFEY: I'll sit down. 17 MR. COLLINS: The board has to decide 18 when you're going to schedule it. 19 MR. CHARLES: I would move that we 20 would hold that until next meeting. 21 MR. COLLINS: The next meeting is 22 September 29 I believe, Mr. Chairman, for that 23 application. 24 CHAIRMAN RUSAK: September 22. 25 MR. COLLINS: No, 29th.</p>	<p style="text-align: right;">Page 167</p> <p>1 MR. COLLINS: Not necessarily anybody 2 on your side. 3 CHAIRMAN RUSAK: Motion to adjourn. 4 MR. CHARLES: Motion. 5 MR. COLLINS: Is that what you want to 6 do? 7 CHAIRMAN RUSAK: Yeah. We're going to 8 confirm 22nd and 28th will be Al Falah. 9 MR. COLLINS: No, 28th. You're not 10 using the 22nd. 11 MS. TUBMAN: We are not. 12 MR. COLLINS: You're not available. 13 CHAIRMAN RUSAK: Al Falah is not on the 14 22nd. 15 MR. COLLINS: So this hearing on Al 16 Falah, the site plan, the public hearing will 17 continue until 7 p.m. on September 28. No further 18 notices will be provided. Ms. Coffey is up first to 19 give statements and present her argument. 20 CHAIRMAN RUSAK: Okay. Motion to 21 adjourn. 22 MR. CHARLES: So moved. 23 MR. LERNER: Second. 24 MR. COLLINS: We're not going to 25 adjourn the meeting. We're carrying that case.</p>
<p style="text-align: right;">Page 166</p> <p>1 CHAIRMAN RUSAK: 29th is for this 2 application. 3 MS. VOORHEES: 28th. 4 MR. COLLINS: Is that something Ms. 5 Tubman had on this? 28th, next regular meeting. 6 CHAIRMAN RUSAK: It's the 28th. 22nd 7 will be Mid-Jersey Health, Bridgewater Ventures and 8 Bridgewater Accessory. 28th will be Al Falah and 9 Tumolo Road. 10 MR. COLLINS: We're not going to have a 11 quorum on 28th. So the next regular meeting. Can 12 your team -- do you need anybody available then, 13 regular meeting? 14 MS. TUBMAN: Yes, I am available. I 15 don't know about my team. 16 MR. COLLINS: I'm not saying you have 17 to bring anybody because your witnesses are 18 basically done. I'm just making sure, if you did 19 want to bring anybody, you make them available. 20 As far as I can tell, all witnesses 21 have been cross-examined, and unless you decide to 22 put a redirect on and have some statement by Ms. 23 Coffey, I guess the public hearing is going to 24 continue on the 28th. 25 CHAIRMAN RUSAK: 28th.</p>	<p style="text-align: right;">Page 168</p> <p>1 (Proceedings conclude at 10:50 p.m.) 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>

CERTIFICATE OF OFFICER

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

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

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