

BRIDGEWATER TOWNSHIP
ZONING BOARD OF ADJUSTMENT

Reorganization & Regular Meeting

Tuesday, January 15, 2019

—MINUTES—

CALL MEETING TO ORDER:

Board Attorney Steven Warner called the meeting to order at 7:30 pm in the Bridgewater Municipal Courtroom, 100 Commons Way, Bridgewater, New Jersey.

OPEN PUBLIC MEETING 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 10, 2018 proper notice was sent to the Courier News and the Star-Ledger and filed with the Clerk at the Township of Bridgewater and posted on the bulletin board in the Municipal Building. Please be aware of the Zoning Board of Adjustment policy for public hearings: No new applications will be heard after 10:15 pm and no new testimony will be taken after 10:30 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 Board 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.

SWEAR IN NEW MEMBERS:

Board Attorney Warner swore in the following Board Members:

Pushpavati Amin, Regular Member

James Weideli, Regular Member

Dawn Guttschall, Alternate #1

John Fallone, Alternate #2

Jeffrey Foose, Alternate #3

Daniel Ahern, Alternate #4

ROLL CALL:

Don Sweeney – present

Pushpavati Amin – present

Paul Riga – present

Michael Kirsh, – present

Evans Humenick – present

James Weideli - present

Alan Fross-present

Dawn Guttschall Alternate #1 – present

John Fallone Alternate #2 - present

Jeff Foose Alternate #3 - present

Daniel Ahern Alternate #4 - present

Others present: Board Attorney Steven K. Warner, Board Engineer Thomas Forsythe, Board Planner Scarlett Doyle and Municipal Services Secretary, Jacqueline Pino.

REORGANIZATION:

Election of Chairman

Motion by Mr. Kirsh, second by Mrs. Amin, Donald Sweeney was elected Chairman for 2019, which carried on a unanimous voice call vote.

Board Attorney Warner turned the meeting over to Chairman Sweeney

Election of Vice-Chairman

Motion by Chairman Sweeney, second by Mr. Weideli, Michael Kirsh was elected Vice-Chairman for 2019, which carried on a unanimous voice call vote.

Appointment of Board Secretary

Motion by Chairman Sweeney, second by Mr. Kirsh, Pushpavati Amin was appointed Board Secretary for 2019 which carried on a unanimous voice call vote.

Appointment of Assistant Board Secretary

Motion by Chairman Sweeney, second by Mrs. Amin, Scarlett Doyle was appointed Assistant Board Secretary for 2019 which carried on a unanimous voice call vote.

APPOINTMENT OF BOARD PROFESSIONALS

**RESOLUTION OF THE ZONING BOARD OF ADJUSTMENT OF THE
TOWNSHIP OF BRIDGEWATER RATIFYING AND AUTHORIZING
THE AWARD OF A CONTRACT FOR PROFESSIONAL
SERVICES TO STEVEN K. WARNER, ESQ. OF
VENTURA MIESOWITZ, KEOUGH & WARNER P.C.**

WHEREAS, the Zoning Board of Adjustment of the Township of Bridgewater will require professional services for legal services; and

WHEREAS, the above-mentioned services can be performed adequately and effectively by Steven K. Warner, Esq., a Member of the Firm of Ventura, Miesowitz, Keough & Warner P.C.; and

WHEREAS, the Local Public Contracts Law, N.J.S.A. 40A:11-5, permits a contract for professional services to be awarded without the need for competitive bids; and

WHEREAS, it is the intent of the Zoning Board of Adjustment of the Township of Bridgewater to approve an agreement with Steven K. Warner, Esq. at the rate of \$375.00 per Zoning Board Meeting and hourly rate of \$135.00 an hour for work done in the office and \$135.00 per hour for litigation/court plus costs and expenses; and

WHEREAS, N.J.S.A. 40A:11-5 requires that the award for professional services be publicly advertised;

WHEREAS, such award of contract shall be made as a non – fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5,

WHEREAS, Jim Naples, the Township Administrator, has determined and certified in writing that the value of the acquisition and such services will exceed \$17,500, that document being entitled **Certificate of Value**; and

—MINUTES—

WHEREAS, Steven K. Warner, Esq. and Ventura, Miesowitz, Keough & Warner P.C. completed and submitted a **Business Entity Disclosure Certification to the Township, prior to the adoption of this Resolution**, which certifies that Steven K. Warner, Esq. and Ventura, Miesowitz, Keough & Warner P.C. (including any individual with an ownership “interest” or control of more than 10% of its profits or assets or 10% of its stock, if a corporation, or any of its principals, partners, officers or directors or their spouses) has not made any reportable contributions to a political or candidate committee in the name of Howard Norgalis, Matthew Moench, Allen Kurdyla, Christine Henderson Rose, Filipe Pedroso, and/or Mayor Daniel J. Hayes, Jr. and that the contract will prohibit Steven K. Warner, Esq. and Ventura, Miesowitz, Keough & Warner P.C. from making any reportable contributions, contrary to N.J.S.A. 19:44A-20.5, through the term of their contract with the municipality; and

WHEREAS, Steven K. Warner, Esq. and Ventura, Miesowitz, Keough & Warner P.C. has completed and submitted to the Township, in accordance with the New Jersey Local Unit Pay to Play Laws (N.J.S.A. 19:44A-20.4 et seq.) a **Political Contribution Disclosure Form** (submitted at least 10 days prior to the adoption of this Resolution) as well as a **New Jersey Business Registration Certificate and a Stockholder Disclosure Certification** (prior to the adoption of this Resolution) and acknowledges that the statutory terms and conditions relating to the Political Contribution Disclosure including the possible need to file an annual disclosure statement with the New Jersey Election Law Enforcement Commission are contained as separate provisions within the Township Professional Services Agreement which the Steven K. Warner, Esq. will be required to sign; and

WHEREAS, a **certification affirming the availability of funds** in accordance with N.J.A.C. 5:34-5 et seq. has been provided by the Chief Financial Officer of the Township and is attached hereto and made a part hereof, and

NOW, THEREFORE, BE IT RESOLVED, by the Zoning Board of the Township of Bridgewater, County of Somerset, State of New Jersey, as follows:

1. The Zoning Board of Adjustment of the Township of Bridgewater hereby approves the contract with Steven K. Warner from January 1, 2019 through December 31, 2019.

—MINUTES—

2. The Chairman and Secretary of the Zoning Board are authorized and directed to enter into a contract with Steven K. Warner, Esq. for Professional Legal services for the period from January 1, 2019 through December 31, 2019 in accordance with the contract attached hereto and made a part hereof.

3. This contract is entered into without competitive bidding as a "professional service" pursuant to the Local Public Contracts Law as this is a professional service within the meaning of that law.

4. This appointment will be published in the Courier News, the Zoning Board of Adjustment's official newspaper, within ten (10) days of passage as required by law.

Motion by Mr. Kirsh, second by Mr. Weideli the foregoing resolution was adopted with the following roll call vote:

AFFIRMATIVE: Mrs. Amin, Mr. Riga, Mr. Kirsh, Mr. Humenick, Mr. Sweeney, Mr. Fross, Mr. Weideli

ABSENT:

NOT ELIGIBLE: Ms. Guttschall, Mr. Fallone, Mr. Foose, Mr. Ahern

**RESOLUTION OF THE ZONING BOARD OF THE TOWNSHIP OF BRIDGEWATER
APPOINTING THE TOWNSHIP ENGINEER,
THOMAS J. FORSYTHE, PE AS THE ZONING BOARD ENGINEER**

WHEREAS, the Zoning Board of the Township of Bridgewater will require engineering services for the Board; and

WHEREAS, the above mentioned services can be performed adequately by Thomas J. Forsythe who is employed as the Township Engineer of the Township of Bridgewater; and

WHEREAS, it is the intent of the Zoning Board of the Township of Bridgewater to appoint Thomas J. Forsythe, PE, as the Board Engineer commencing January 1, 2019 thru December 31, 2019.

NOW, THEREFORE, BE IT RESOLVED, the Zoning Board of the Township of Bridgewater, County of Somerset, State of New Jersey, as follows:

- 1. The Zoning Board of the Township of Bridgewater hereby appoints Thomas J. Forsythe, PE, as the Board Engineer for 2019, commencing January 1, 2019 thru December 31, 2019.**

Motion by Mr. Kirsh, second by Mrs. Amin the foregoing resolution was adopted with the following roll call vote:

AFFIRMATIVE: Mrs. Amin, Mr. Riga, Mr. Kirsh, Mr. Humenick, Mr. Sweeney, Mr. Fross, Mr. Weideli

ABSENT:

NOT ELIGIBLE: Ms. Guttschall, Mr. Fallone, Mr. Foose, Mr. Ahern

PROFESSIONAL SERVICES AGREEMENT FOR PROFESSIONAL
PLANNING SERVICES BETWEEN THE BRIDGEWATER TOWNSHIP
ZONING BOARD AND SCARLETT DOYLE, PLANNER

THIS AGREEMENT made this 1st day of January, 2019 between the Zoning Board of the Township of Bridgewater and **SCARLETT DOYLE, P.P.**, Planner and Sole Proprietor with offices located at 81 Woodschurch Road, Flemington, New Jersey 08822 (hereinafter referred to as the "Professional Planner");

WITNESSETH:

WHEREAS, professional planning services will be required by the Bridgewater Township Zoning Board in connection with its present and future matters; and

WHEREAS, the Bridgewater Township Zoning Board has retained Scarlett Doyle, P.P., Planner in connection with all professional planning services; and

WHEREAS, it is the intent of the Bridgewater Township Zoning Board to enter into a contract for the period from January 1, 2019 through December 31, 2019, with Scarlett Doyle, Planner; and

WHEREAS, Scarlett Doyle desires to accept said employment as the professional planner for the activities for the Zoning Board for the period set forth above;

NOW, THEREFORE, in consideration of the promises and mutual covenants herein contained, and for other good and valuable consideration, the parties hereto agree as follows:

1. The Zoning Board hereby retains Scarlett Doyle as Professional Planner for the Zoning Board, and Scarlett Doyle hereby accepts said employment to provide all Professional Planning services necessary to perform the duties and obligations of the position of Professional Planner of the Township of Bridgewater. The Professional Planner shall represent the Zoning Board in all planning matters and shall advise and assist the Board with respect to planning matters that are required in the business of the Zoning Board. She shall attend meetings of the Zoning Board, review applications, prepare reports and provide planning reports and Master Plan related services.

2. The Zoning Board agrees to pay for all planning services performed by the Professional Planner in accordance with this agreement at a rate of \$110.00 per hour plus costs and expenses.

3. The Professional Planner agrees not to represent or advise any other client on matters in which the Township of Bridgewater may have a present or future interest. The Professional Planner further agrees that if she has a conflict of interest or is otherwise unable to represent the Zoning Board in a particular matter where the Board deems professional planning services are necessary as to that application, the Professional Planner shall obtain a substitute professional planner of her own choosing at her own cost. It is the understanding of the parties, however, that the Professional Planner may charge the Board at the contract rate of \$110.00 per hour for payment to the replacement planner.

4. During the performance of this contract, the Professional Planner as the contractor agrees as follows:

- (a) The contractor or subcontractor, where applicable, will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status or sex. The contractor will take affirmative action to ensure that such applicants are recruited and employed, and that employees are treated during employment without regard to their age, race, creed, color, national origin, ancestry, marital status or sex. Such action shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the Public Agency Compliance Officer setting forth provisions of this non-discrimination clause;
- (b) The contractor or subcontractor, where applicable, will in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status or sex;
- (c) The contractor or subcontractor, where applicable, will send to each labor union or representative of workers with which it has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the Public Agency Compliance Officer advising the labor union or workers' representative of the contractor's commitments under this act and shall post copies of the notice in conspicuous places available to employees and applicants for employment.
- (d) The contractor or subcontractor, where applicable, agrees to comply with any regulations promulgated by the Treasurer pursuant to P.L. 1975, c.127, as amended and supplemented from time to time.
- (e) The contractor or subcontractor agrees to attempt in good faith to employ minority and female workers consistent with the applicable county employment goals prescribed by section 5.2 of the Regulations promulgated by the Treasurer pursuant to P.L. 1975, c.127, as amended and supplemented from time to time, or in accordance with a binding

determination of the applicable county employment goals determined by the Affirmative Action Office pursuant to section 5.2 of the Regulations promulgated by the Treasurer pursuant to P.L. 1975, c.127, as amended and supplemented from time to time.

- (f) The contractor or subcontractor agrees to inform in writing all recruitment agencies, including employment agencies, placement bureaus, colleges, universities, labor unions, that it does not discriminate on the basis of age, creed, color, national origin, ancestry, marital status or sex, and that it will discontinue the use of any recruitment agency which engages in direct or indirect discriminatory practices.
- (g) The contractor or subcontractor agrees to revise any of its testing procedures, if necessary, to assure that all personnel testing conforms with the principles of job related testing, as established by the statutes and court decisions of the State of New Jersey and as established by applicable Federal law and applicable Federal court decisions.
- (h) The contractor or subcontractor agrees to review all procedures relating to transfer, upgrading, downgrading and layoff to ensure that all such actions are taken without regard to age, creed, color, national origin, ancestry, marital status or sex, and conform with the applicable employment goals, consistent with the statutes and court decisions of the State of New Jersey, and applicable Federal law and applicable Federal court decisions.
- (i) The contractor will secure and maintain and to assure that her associated firm will secure and maintain Workmen's Compensation Insurance as required by Law and Liability Insurance as required to protect the Township, the Planner and/or her associated firm and their employees and agents from claims for bodily injury, death, or property damage which may arise from the performance of her services pursuant to this proposal. The limits of said Liability Insurance shall not be less than \$1,000,000 excess liability coverage. If requested, the Planner shall provide Certificates of Insurance to the Township. Such certificates shall provide that the Township shall receive (10) day's written notice prior to any cancellation or alteration of the policy limits. The Township shall be named insured on the liability insurance policy and on any umbrella policies.
- (j) The contractor will provide and maintain Professional Liability (Errors and Omissions) Insurance to protect the Planner for claims, which arise from the negligent and performance of the Planner pursuant to this Proposal. Unless higher limits are requested, the limits of said insurance shall be at least \$1,000,000 aggregate. Cost of coverage at a higher limit, if such is so requested by the Township, shall be paid by the Township.

5. Political Contribution Disclosure – This contract was not awarded through a "fair and open process" pursuant to N.J.S.A. 19:44A-20.4 et seq., the New Jersey Pay to Play Law. As such, the undersigned does hereby attest that Scarlett Doyle, P.P., Planner, her assigns or principals controlling in excess of 10% of the Company has neither made a contribution that is reportable pursuant to the Election Law Enforcement Commission (in excess of \$300) pursuant to N.J.S.A. 19:44A-8 or 19:44A-16, in the one (1)

year period preceding the award of the contract that would, pursuant to P.L. 2004, C 19, affects its eligibility to perform this contract, nor will make a reportable contribution during the term of the contract to any political party committee in the Township of Bridgewater if a member of that political party is serving in an elective public office of Bridgewater Township when the contract is awarded, or to any candidate committee of any person serving in an elective public office of Bridgewater Township when the contract is awarded.

6. Pursuant to N.J.S.A. 19:44A-20.5, Scarlett Doyle, P.P., shall not make a contribution (in excess of \$300), reportable by the recipient under P.L. 1973, c 83 (N.J.S.A. 19:44A-1 et seq.), to any municipal committee of a political party in the Township of Bridgewater if a member of that political party is serving in an elective public office of the Township of Bridgewater when the contract is awarded or to any candidate committee of any person serving in an elective public office of the Township of Bridgewater when this contract is awarded and during the term of this contract.

7. In accordance with Paragraph XVII hereinabove and the New Jersey Pay to Play Law, N.J.S.A. 19:44A-20.4 et seq., Scarlett Doyle, P.P. represents that she has completed and submitted to the Township, prior to the adoption of a Resolution awarding this contract, the following documents:

a. **A Political Contribution Disclosure Form** (submitted at least 10 days prior to the adoption of this Resolution).

b. **A New Jersey business Registration Certificate** (prior to the adoption of this Resolution).

c. **A Stockholder Disclosure Certification** (prior to the adoption of this Resolution).

8. Annual Disclosure Statement to ELEC – Pursuant to N.J.S.A. 19:44A-20.27, any business entity making a contribution of money or any other thing of value, including an in-kind contribution, or pledge to make a contribution of any kind to a candidate for or the holder of any public office having ultimate responsibility for the awarding of public contracts, or to a political party committee, legislative leadership committee, political committee or continuing political committee, which has received,

in any calendar year, \$50,000 or more, in the aggregate, through agreements or contracts with a public entity, shall file an annual disclosure statement with the New Jersey Election Law Enforcement Commission, established pursuant to section 5 of P.L. 1973, c 83 (N.J.S.A).

Motion by Mr. Kirsh, second by Mrs. Amin the foregoing resolution was adopted with the following roll call vote:

AFFIRMATIVE: Mrs. Amin, Mr. Riga, Mr. Kirsh, Mr. Humenick, Mr. Sweeney, Mr. Fross, Mr. Weideli

ABSENT: None

NOT ELIGIBLE: Ms. Guttschall, Mr. Fallone, Mr. Foose, Mr. Ahern

DESIGNATION OF MEETING DATES, TIME AND PLACE

2019 Annual Meeting Notice

BE IT RESOLVED by the Zoning Board of Adjustment of the Township of Bridgewater that the following schedule of dates and times for Regular Meetings be established for 2019 and that all scheduled meetings shall convene at 7:30 p.m. at the Bridgewater Township Municipal Courtroom, 100 Commons Way, Bridgewater Township, NJ:

| | | | |
|----------------|-----------------|----------------|-----------------|
| February 5, 19 | March 5, 19 | April 2, 16 | May 7, 21 |
| June 18, 25 | July 2, 16 | August 6, 20 | September 3, 17 |
| October 1, 15 | November 19, 26 | December 3, 17 | |

BE IT FURTHER RESOLVED that the 2019 Annual Reorganization Meeting followed by the Regular Meeting shall be held on January 21, 2020, at 7:30 p.m. at the Bridgewater Township Municipal Courtroom, 100 Commons Way, Bridgewater Township, NJ.

Motion by Mr. Kirsh; second by Mr. Weideli the foregoing resolution was adopted on the following roll call vote:

AFFIRMATIVE: Mrs. Amin, Mr. Riga, Mr. Kirsh, Mr. Humenick, Mr. Sweeney, Mr. Fross, Mr. Weideli

ABSENT: None

NOT ELIGIBLE: Ms. Guttschall, Mr. Fallone, Mr. Foose, Mr. Ahern

DESIGNATION OF OFFICIAL NEWSPAPERS

BE IT RESOLVED by the Zoning Board of Adjustment of the Township of Bridgewater that **The Courier News** is hereby designated the official newspaper of the Zoning Board of Adjustment for **2019**; and

BE IT FURTHER RESOLVED, that **The Courier News** and **The Star Ledger** are hereby designated to receive all notices of Zoning Board of Adjustment meetings in **2019** as required under the Open Public Meetings Act.

Motion by Mr. Weideli; second by Mrs. Kirsh the foregoing resolution was adopted as amended on the following roll call vote:

AFFIRMATIVE: Mrs. Amin, Mr. Riga, Mr. Kirsh, Mr. Humenick, Mr. Sweeney, Mr. Fross, Mr. Weideli

ABSENT: None

NOT ELIGIBLE: Ms. Guttschall, Mr. Fallone, Mr. Foose, Mr. Ahern

MINUTES FOR APPROVAL:

MEMORIALIZING RESOLUTIONS:

APEX 88 LLC.-Union Ave. & Morgan Lane
Block 222 Lot 39
18-022-ZB Variances-New Home on Vacant Lot
Decision: Approved with conditions 11/20/18

Motion by Mrs. Amin, second by Mr. Weideli the foregoing resolution memorializing the approval on 10/16/18 was adopted as amended on the following roll call vote:

AFFIRMATIVE: Mrs. Amin, Mr. Kirsh, Mr. Humenick, Mr. Fross, Chairman Sweeney, Mr. Weideli,

ABSENT: None

NOT ELIGIBLE: Mr. Riga, Ms. Guttschall, Mr. Fallone, Mr. Foose, Mr. Ahern

HEARING AND DELIBERATIONS:

HINDU TEMPLE & CULTURAL SOCIETY OF USA, INC..-1 Balaji Temple Drive
Block 483 Lot 2,3,4,5, & 12.02
#43-08-ZB- Preliminary & Final Site Plan-Subdivision for Proposed Parking & Lot Consolidation

Hearing on the application was continued from the previous meeting.

See Attached Transcript dated January 15, 2019 prepared by Michael Lombardozzi, CSR of Presision Reporting Services, 405 3rd Street, Jersey City, NJ 07302.

The application was carried to the meeting on March 19, 2019 at 7:30 pm without further notice.

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.

OTHER BOARD BUSINESS:

There was no other business discussed.

ADJOURNMENT:

It was the consensus of the Board to adjourn the meeting at approximately 10:33 pm.

Respectfully submitted,
Yorleny Moreno
Planning Division

TOWNSHIP OF BRIDGEWATER
BOARD OF ADJUSTMENT

In the Matter of: :
CASE 43-08-ZB : Transcript
HINDU TEMPLE & CULTURAL SOCIETY : of
1 Balaji Temple Drive : Proceedings
Block 483, Lot 2-5 & 12.02 :
-----x

Tuesday, January 15, 2019
100 Commons Way
Bridgewater, New Jersey
Commencing at 7:50 p.m.

BOARD MEMBERS PRESENT:

DON SWEENEY, Chairman
MICHAEL KIRSH, Vice Chairman
PUSHPAVATI AMIN, Board Secretary
PAUL RIGA
EVANS HUMENICK
ALAN FROSS
JAMES WEIDELI
DAWN GUTTSCHALL, Alternate #1
JOHN FALLONE, Alternate #2
JEFFREY FOOSE, Alternate #3
DANIEL AHEARN, Alternate #4

ALSO PRESENT:

SCARLETT DOYLE, Board Planner
THOMAS FORSYTHE, Board Engineer

Transcript Prepared By:

MICHAEL LOMBARDOZZI, CSR, CRR
mlombardozzi92@gmail.com

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

VENTURA, MIESOWITZ, KEOUGH & WARNER, P.C.
BY: STEVEN K. WARNER, ESQUIRE
Attorney for the Board

KENNY, CHASE & COSTA
BY: CHRISTOPHER K. COSTA, ESQUIRE
Attorneys for the Applicant

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| A-4 | Packet containing resolutions from 1995 and 2009, as well as MOU from 2008 | 12 |
| A-5 | Package of 11 photos and simulations | 15 |
| A-6 | Site plan sheet 9 of 23 dated 10/08/18 | 84 |
| A-7 | Site plan sheet 10 of 23, dated 10/08/18 | 98 |
| A-8 | Site plan sheet 6 of 23, dated 10/08/18 | 99 |
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| A-10 | Site plan sheet 16 of 23, dated 10/08/18 | 112 |
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1 CHAIRMAN SWEENEY: All right. Let's
2 move to the Hindu Temple and Cultural Society.

3 Mr. Costa?

4 MR. COSTA: Good evening. Happy new
5 year, everyone.

6 CHAIRMAN SWEENEY: Happy new year.

7 MR. COSTA: Thank you for hearing us
8 again this evening. My name is Christopher Costa
9 from the law firm of Storz & Associates. I
10 represent the Hindu Temple and Cultural Society
11 of USA, Inc. This our second meeting on this
12 matter, but we've skipped a month, and endured
13 multiple holidays, so I thought I would give you
14 a brief synopsis of what relief we're seeking,
15 what we've presented, what we will present
16 tonight, and what we plan to present at a
17 subsequent meeting.

18 The relief that we are seeking is
19 for the Hindu temple, which is located on Route
20 202/206, at the intersection of Old Farm Road
21 with Cedar Brook Road. It's in the R-150 zone,
22 where houses of worship are conditional uses.
23 We're seeking preliminary and final site plan
24 approval, and certain variances and waivers, so
25 that my client can make improvements to the

1 temple site.

2 Specifically, the temple is seeking
3 to improve the parking on their property by
4 constructing a parking platform with one level at
5 grade and the other level below grade.

6 We are also seeking to consolidate
7 the existing temple property, which is Block 483,
8 Lot 12.02, and Lot 2, with three new lots that
9 the temple has purchased: Block 483, Lots 3, 4,
10 and 5. The end result we're seeking would be one
11 consolidated lot.

12 CHAIRMAN SWEENEY: Block 483.

13 Right?

14 MR. COSTA: Yes, I'm sorry -- yeah,
15 Block 483, Lots 3, 4, and 5. I apologize.

16 The standards for this application
17 are that my client is a religious use; qualifies
18 as an inherently beneficial use under New Jersey
19 law, and it's further protected by the Religious
20 Land Use and Institutionalized Persons Act. The
21 temple is seeking only bulk or conditional use
22 variances. The positive criteria is established
23 by being an inherently beneficial use, and the
24 negative criteria are modified for conditional
25 uses to provide -- that we must provide proofs

1 that -- a notwithstanding the failure to meet one
2 or more of the conditions proposed, that the
3 proposed use is still reconcilable within the
4 zone.

5 Briefly, the variances that we are
6 seeking are for lot area, and this one, we're
7 actually reducing the variance that was
8 previously granted.

9 We're also seeking minimum front
10 yard setback relief.

11 And we're also -- I guess this is an
12 unchanged condition from the prior approval; it's
13 changed only slightly due to a more accurate
14 survey that's been provided now. Minimum, one,
15 side yard setback, we're seeking a variance
16 there, and then minimum total, two, side yard
17 setbacks, and then maximum floor area ratio,
18 we're also reducing that variance, because we
19 purchased the additional land.

20 So that's a list of the variances.
21 We're going to go through them in more detail in
22 the engineer's testimony, so I thought, rather
23 than putting the details in right now, since
24 we've already put them on the record, that we'd
25 let the engineer discuss that.

1 There are also a number of waivers,
2 but, again, the engineer's going to go through
3 the planner's memorandum today, so he will
4 address those waivers one by one. So, again, I
5 thought we didn't need to go over them in the
6 introduction.

7 At the last hearing, we heard from
8 the chairman of the board of the temple, Rao
9 Chava. He testified as to the temple's
10 operations and the need for the additional
11 parking.

12 We also heard from our engineer,
13 Nitin Nagrani, from Matrix New World Engineers.
14 He provided site plan testimony; he did not
15 finish his testimony.

16 So, at this hearing, we will be
17 presenting two witnesses:

18 Our first witness will be Steven
19 Cohen, he's from Steven S. Cohen Architects, PC.
20 He's going to discuss the parking structure and
21 the appearance of that structure from the
22 neighboring properties. So I think he's really
23 going to get to, kind of, the heart of this
24 application, in terms of the visuals.

25 And then, we're going to reintroduce

1 Nitin, who's going to -- Nitin Nagrani, that's
2 N-I-T-I-N, who's going to address the planner's
3 memorandum, which he was not able to reach at the
4 last -- at the last hearing.

5 And then, at the next hearing, we're
6 going to provide traffic testimony and planner's
7 testimony, and anything else that we need to
8 address.

9 So that is our -- that's our plan
10 for this evening.

11 CHAIRMAN SWEENEY: And Mr. Cohen is
12 your architect?

13 MR. COSTA: He is our architect,
14 yes, and I'd like to introduce himself as our
15 first witness.

16 MR. WARNER: And if I may,
17 Mr. Chairman, before we do, I just want to note,
18 it's my understanding that notice -- rennotice was
19 provided by you on behalf of the applicant.
20 Correct?

21 MR. COSTA: Rennotice was provided,
22 and we updated that notice with some minor
23 changes that included the additional waivers and
24 variances raised in Scarlett's memorandum.

25 To the extent that we're still

1 seeking them, some of them we feel we're going to
2 satisfy, so we didn't include them, but we
3 updated that slightly.

4 MR. WARNER: And I just wanted to
5 put that on the record: I did review the
6 contents of the notice; found it to be
7 sufficient -- very detailed, frankly, but
8 certainly at least sufficient in its content, and
9 the dates of publication of mailing were more
10 than 10 days in advance of this evening, and I
11 have a nod of the head in the affirmative from
12 our board secretary -- our assistant -- what's
13 your title?

14 MS. PINO: Municipal services
15 secretary.

16 MR. WARNER: Our administrative
17 officer.

18 So the board continues to have
19 jurisdiction and continues to hear this case, in
20 my legal opinion.

21 And, also, it's my understanding
22 that all the board members either were present at
23 the last hearing or heard the tape, but we have
24 at least seven board members qualified, if not
25 more this evening, to vote, but I do understand,

1 from what you said, that there will be not -- we
2 will not be concluding and voting this evening.
3 Correct?

4 MR. COSTA: Right.

5 MR. WARNER: Thank you.

6 Nothing further, Mr. Chairman.

7 CHAIRMAN SWEENEY: Thank you.

8 MR. COSTA: The only question I have
9 for, I guess, Steve or the board, there's a
10 history to this matter from the memorandum of
11 understanding and the resolutions. I haven't
12 gone over that again; I feel that's on the
13 record. If there's any -- if we feel there's any
14 need to review that, then I can do that, but
15 that's --

16 MR. WARNER: I think you addressed
17 it, and I think it was -- if it wasn't -- well,
18 it's part of record; it may have even been made
19 part an exhibit, if I'm not mistaken.

20 MR. COSTA: Yes, it was, to the
21 initial letters that we presented. And those
22 were letters that we presented to you as the
23 attorney; perhaps we should incorporate them as
24 an exhibit.

25 MR. WARNER: I thought they were

1 candidly referenced in a series -- Exhibit A-1,
2 were they not referenced in there? Maybe not.
3 Series of communications were.

4 MS. PINO: This was the exhibit.

5 MR. COSTA: Oh, it is -- let me just
6 take a look at that.

7 Okay. Exhibit A-1 is a series of
8 communications that describes why we are here,
9 and why the 10-year period in the memorandum of
10 understanding does not prevent us from moving
11 forward with this matter. And the MOU itself and
12 the prior resolution -- I would say they're part
13 of the record; we could introduce them --

14 MR. WARNER: I would defer to the
15 chair, but I would suspect the chair would tell
16 you it's your prerogative as what you want -- I
17 don't think it's necessary, but you're certainly
18 entitled to.

19 MR. COSTA: Why don't I put them on
20 the record.

21 CHAIRMAN SWEENEY: No problem.

22 MR. WARNER: What are we up to? I
23 can get there quickly, but I think it's three in
24 my head.

25 MS. PINO: I only had that one.

1 MR. COSTA: We should have the site
2 plan as one of the exhibits, but let me...

3 MR. WARNER: A-2 is the colorized
4 site plan.

5 MR. COSTA: So we're at A-3, Jackie?

6 MR. WARNER: A-4 now.

7 MR. COSTA: A-3 was what that.

8 MR. WARNER: I have a fire truck
9 turning exhibit, A-3.

10 MR. COSTA: Okay. A-4.

11 MR. WARNER: These aren't official
12 minutes; those are just my notes.

13 (Whereupon, Exhibit A-4 is marked
14 for identification.)

15 MR. COSTA: A-4 is a packet which
16 has the memorialization of resolution from 1995,
17 all the way through the memorandum of
18 understanding from 2008 and the resolution from
19 2009, which incorporated -- by which the board
20 adopted the resolution -- or memorandum of
21 understanding.

22 MR. WARNER: Mr. Cohen, were you
23 sworn in a couple months or not.

24 MR. COSTA: I don't think we swore
25 him in.

1 MR. WARNER: We're going to play it
2 safe anyway. Our board planner and engineer were
3 sworn in at the beginning of these hearings and
4 remain under oath swell.

5 S T E V E N C O H E N, having been
6 duly sworn, testified as follows:

7 MR. WARNER: Name and address,
8 business address is fine, for the record.

9 MR. COHEN: Steven Cohen, C-O-H-E-N,
10 63 Moran Avenue, Princeton, New Jersey.

11 MS. PINO: Just speak in the
12 microphone a little.

13 MR. COHEN: Steven Cohen, C-O-H-E-N,
14 63 Moran Avenue, Princeton, New Jersey.

15 CHAIRMAN SWEENEY: Mr. Cohen, you
16 want to tell us a little bit about your
17 background and credentials?

18 MR. COHEN: I'm a registered
19 architect in New Jersey and a number of other
20 states. I'm also a licensed professional
21 planner. I've been registered for a long time,
22 40 years. And I testify in -- I've testified
23 before a number of boards; not Bridgewater. And
24 that's it. I have been in practice, we do a lot
25 of varied type of work.

1 MR. WARNER: You've been accepted by
2 those boards as an expert in the field of
3 architecture?

4 MR. COHEN: Yes.

5 MR. WARNER: And, Counsel, you're
6 not seeking to have him admitted as an expert in
7 professional planning; only architecture?

8 MR. COSTA: We have a professional
9 planner.

10 MR. COHEN: Just architecture.

11 MR. WARNER: Okay. And your
12 registration remains in good standing?

13 MR. COHEN: My registration is
14 current.

15 MR. WARNER: I defer to the board.

16 CHAIRMAN SWEENEY: Anyone on the
17 board have a question about Mr. Cohen's
18 credentials?

19 Hearing none, please proceed.

20 MR. COSTA: Mr. Cohen, as you can
21 see, has provided a number of exhibits. I have
22 these exhibits in 11-by-17 form that I'd like to
23 pass out to the board.

24 CHAIRMAN SWEENEY: Please.

25 MR. COSTA: And I will do so, and we

1 will -- can we label this entire packet --

2 MR. WARNER: Absolutely, A-5 will be
3 a compendium of -- and you will let us know how
4 many pages, or sheets, or pictures, or
5 approximate number.

6 (Whereupon, Exhibit A-5 is marked
7 for identification.)

8 CHAIRMAN SWEENEY: While Mr. Cohen
9 and Mr. Costa are doing that, those of you who
10 are sitting out in the audience, you're not going
11 to be able to see anything from where you're
12 sitting. If you'd like, move to the other side;
13 you'll at least be able to get a somewhat better
14 view of Mr. Cohen's exhibits. He will change the
15 angle when he addresses each one, so we will be
16 able to see what the heck he's talking about.

17 MR. COSTA: And we have nine of
18 these; I can also pass one out to the audience
19 too.

20 MR. WARNER: Make sure Jackie gets
21 the official, if you would, please.

22 (Whereupon, there is a brief pause
23 in the proceeding.)

24 DIRECT EXAMINATION

25 BY MR. COSTA:

1 Q. Okay. There's a microphone there
2 that you can speak into, or you can speak into.

3 A. Good evening. The exhibit you have
4 before you, obviously, as Mr. Costa said, I have
5 larger boards of those exhibits.

6 This first board is the site plan.
7 On the site plan, which you have, it's got a
8 number of arrows and identification numbers;
9 they correspond to the different views we've
10 taken all along Old Farm Road in various
11 positions, which I'll explain.

12 So I think that the best bet is to
13 start with Exhibit 1. Exhibit 1 --

14 MR. WARNER: You're referring to
15 page -- or sheet 1?

16 MR. COHEN: Actually --

17 MR. COSTA: It would be sheet 1 of
18 Exhibit A-5.

19 MR. WARNER: That'll help.

20 BY MR. COSTA:

21 Q. And these are intended to show
22 views of the proposed new parking area from
23 different angles in the neighborhood behind the
24 parking area. Correct?

25 A. What we did is we took different

1 views from either the street or the rear yard of
2 properties that the temple owns, and on the
3 several properties that the temple does not own,
4 we got as close as we could to the adjacent
5 homes without, obviously, going onto somebody's
6 property. So at least we can get a good
7 representation of what the view they'll have
8 from the -- from the home.

9 Q. Okay.

10 A. So the first one, number 1, at
11 the --

12 CHAIRMAN SWEENEY: Mr. Cohen, if you
13 angle it just a little bit, so the folks in the
14 audience can --

15 MR. COHEN: Okay. I was just going
16 to explain it to you -- oh, you have it.

17 CHAIRMAN SWEENEY: I know, it's
18 going to be hard for everybody.

19 A. Okay. So number 1, view number 1,
20 is from the -- from a bend -- the bend in the
21 road at Cedar Brook. It's taken from the street
22 in front of the -- a home that is not owned by
23 the temple, looking towards the garage.

24 CHAIRMAN SWEENEY: That's Lot Number
25 6, I believe? Is that Lot Number 6, I believe,

1 in front of Lot Number 6?

2 MR. COSTA: Let me see if I can give
3 you that lot number.

4 (Whereupon, there is a brief pause
5 in the proceeding.)

6 MR. COSTA: It is Lot 6.

7 CHAIRMAN SWEENEY: Thank you.

8 A. So this first shot is a -- from
9 position number 1. It's a shot -- primarily,
10 this is the home on Lot 6. And I'm looking
11 towards the garage.

12 Now, this is the -- this is
13 actually the view towards the garage. So what
14 I've done -- and I think you can -- you can't
15 see the garage through the trees. What I've
16 done, in the next sheet you have --

17 MR. WARNER: I'm sorry, is the
18 garage superimposed into that picture?

19 MR. COHEN: Well, this one, it is.
20 On this shot, the red line indicates the garage
21 behind the trees.

22 MR. WARNER: Okay. So just for
23 clarification for the record now, you're on --
24 you went from page 1, to page 2, to page 3 of
25 Exhibit A-5.

1 MR. COHEN: Now, I'm on page 3, yes.

2 BY MR. COSTA:

3 Q. And all of those are looking from
4 the front of Lot 6.

5 A. In the street at Lot 6.

6 Q. Right.

7 A. And what we show on this shot,

8 which is sheet number 3, in a thin red line, we
9 show the outline of the garage which sits behind
10 the trees, significantly lower than the tops of
11 the trees. So the garage itself, which is, oh,
12 gosh, it's probably several hundred feet
13 behind -- or in front of the shot we took, in
14 our opinion, will not be visible through the
15 trees.

16 Now, the garage itself is not going
17 to disappear. I mean, it's -- it's like looking
18 through the trees in any situation. They'll
19 be -- it's lighted, and you'll see, at certain
20 times in the evening, or during the year, you
21 know, the garage will -- it'll be visible, but
22 it will not be objectionable. I mean, it'll be
23 a structure through the woods.

24 Now, this -- the garage sits quite
25 a bit behind the house, and as you can see from

1 the site plan, between the house and the garage
2 is a pretty substantial stand of trees, all of
3 which will remain. In addition, at the base of
4 the lower level, we have a buffer of evergreens
5 that will further screen it.

6 Q. So that's a buffer of evergreens
7 that the temple will be adding?

8 A. The temple will be adding. And I
9 show that again in a letter shot.

10 CHAIRMAN SWEENEY: Mr. Cohen, I
11 specifically asked for a shot from Lot Number 6,
12 because I believe it's the closest to your
13 proposed garage.

14 MR. COHEN: It is.

15 CHAIRMAN SWEENEY: This doesn't
16 help.

17 MR. COHEN: Well, what I took -- I
18 have another shot from the adjacent lot, which I
19 believe is number 5, from the backyard of 5.
20 There used to be a pool in the backyard; the pool
21 was taken out. I have another shot from there,
22 which is really the closest we could get to the
23 house on Lot 6 without going on that property.

24 CHAIRMAN SWEENEY: Well, you could
25 have knocked on their door and asked them to take

1 a shot.

2 MR. COHEN: Well, we didn't want
3 to --

4 CHAIRMAN SWEENEY: I wanted to see
5 what it looked like.

6 MR. COHEN: I have that other shot.

7 MR. COSTA: We have the Lot 5 shot

8 that --

9 CHAIRMAN SWEENEY: We'll wait and
10 see what that one looks like.

11 MR. COHEN: Let me get that one.

12 COMMISSIONER FALLONE: At that
13 point, how tall is the structure? Looking at
14 ground level, how tall would that be?

15 MR. COHEN: How far?

16 COMMISSOINER FALLONE: How tall? Is
17 the higher than the house, for example? That's a
18 one-story house.

19 MR. COHEN: The garage itself, from
20 the base to the parapet, is about 14 feet, and
21 the trees are substantially higher. So this is
22 an accurate representation of where the heights
23 are relative to the heights of the house.

24 CHAIRMAN SWEENEY: Do you have, or
25 will you be showing us, something that shows what

1 this garage is going to look like?

2 MR. COHEN: I have that, yeah, shots
3 of the garage. If you look, actually, at the
4 last two shots in the packet, they're shots of
5 the garage -- or renderings of the garage.

6 So to answer your question, the shot
7 that I think you're looking for, the view -- here
8 it is -- is the shot on number 5. Five is taken
9 from the rear of the house on Lot 5. There used
10 to be a pool in the backyard; the pool's been
11 removed. And the position we took the view from
12 was the closest we could get to the lot line of
13 Lot 6. As I said, we didn't go on the adjacent
14 property.

15 BY MR. COSTA:

16 Q. Now, is that labeled -- that is
17 labeled as number 5 on --

18 A. It's photo number 5.

19 Q. It's photo number 5. Okay.

20 And so, if we were to look at -- if
21 we were to stand in -- is this Lot 6 here?

22 A. This is Lot 6.

23 Q. Okay. If we were to stand --

24 MR. WARNER: Use the mic, gentleman.

25 MR. COSTA: I'm sorry.

1 BY MR. COSTA:

2 Q. If we were to stand in -- behind
3 Lot 6, versus where we are on Lot 5, we would be
4 much further away. Is that correct?

5 A. We would be further away, and there
6 are existing trees there that are going to
7 remain, and -- but that -- again, like I said,
8 that was the closest we could get without going
9 on the adjacent property.

10 Q. So the -- the you have from number
11 5 is actually much closer to the proposed garage
12 than it would be if you were standing behind Lot
13 6?

14 A. It is. It is.

15 Q. Okay.

16 CHAIRMAN SWEENEY: Okay. Number 5,
17 coming up.

18 MR. COHEN: Coming up.

19 A. Number 5. So number 5 is taken in
20 a clearing where the pool used to be. As
21 Mr. Cox (sic) said, it's substantially in front
22 of the house at -- the rear of the house on Lot
23 6.

24 Now, what we've seen -- what we see
25 when we lay it out -- I'll just turn it around

1 here for a second -- is, again, the pool used to
2 be in this area. This is the garage behind
3 the -- behind the trees. And what we've also
4 shown here are the proposed evergreens that are
5 going to be used to screen the garage.

6 And what we see, what I've seen
7 from this, is I think we should add a few, just
8 to, again, fill in the gaps in the planting. We
9 drew it as per the plan, and I think -- I think
10 it would be appropriate to add five or six along
11 this back to further screen it.

12 But keep in mind that this is the
13 clearing where the pool was, and between this
14 area and the back of Lot 6, the home on Lot 6,
15 there is a substantial number of trees, which
16 obviously are going to remain.

17 MR. WARNER: If I may, Mr. Chairman.

18 Mr. Costa, can you just confirm that
19 the photo that's being shown now is page 9 of the
20 11-page compendium that is comprised of --

21 MR. COHEN: I think this is.

22 MR. WARNER: -- that constitutes
23 Exhibit A-5?

24 MR. COSTA: Yes.

25 MR. WARNER: Can we double check,

1 that so that we have a clear record, so that the
2 words will match up with the pictures? Is it 9
3 of 11?

4 PUBLIC SPEAKER: We checked, it's
5 page 9.

6 MR. WARNER: Please double check me,
7 I was wrong once. That was when I thought I was
8 incorrect, but I was actually mistaken.

9 COMMISSIONER FOOSE: And just to
10 clarify, did you add greenery to this picture? I
11 wasn't clear on what you said. Or is this just
12 an actual picture?

13 MR. COHEN: This is a photograph.

14 COMMISSIONER FOOSE: Okay. Did you
15 add anything to this picture? You said you added
16 evergreens, or you're recommending evergreens be
17 added?

18 MR. COHEN: Yes, what we did is we
19 added evergreens in here. The evergreens that
20 are added are shown here, and they're as per the
21 proposed landscape plan.

22 COMMISSIONER FOOSE: Why would you
23 add evergreens? I want a perspective of what the
24 neighbors are going to see.

25 MR. COHEN: Well, this will be the

1 view right now that the neighbors -- well, that
2 the neighbor at 6 might see, but keep in mind
3 that that --

4 COMMISSIONER FOOSE: Well, then, I
5 think we should clarify this exhibit, that this
6 is a simulation.

7 MR. COHEN: Oh, yes.

8 COMMISSIONER FOOSE: Because you
9 represented it's a photograph; in reality, it's a
10 simulation of what you deem potentially could be
11 there, but in reality, it's a simulation.

12 MR. COHEN: Yes, you're right.

13 COMMISSIONER FOOSE: You need to
14 clarify that.

15 MR. COHEN: Okay. I'm sorry.

16 MR. WARNER: If I could -- if I may,
17 Mr. Chairman, those trees that were put into the
18 simulation, those are -- are they anticipated to
19 be the trees --

20 MR. COHEN: They're on the landscape
21 plan.

22 MR. WARNER: Please let me finish,
23 or you might answer the wrong question, you might
24 guess wrong.

25 Are they the trees that are

1 anticipated pursuant to the plan at planting
2 heights, or after a period of years at which they
3 obtain that height?

4 MR. COHEN: I believe they're mature
5 height.

6 MR. WARNER: A mature height; not at
7 that planting height.

8 MR. COHEN: Not at planting height.

9 CHAIRMAN SWEENEY: What is the
10 mature height?

11 MR. COHEN: Mature height's probably
12 going to be 20, 30 feet. They'll fill in
13 quickly, they'll be in the 25-foot range.

14 MR. WARNER: So that's what you put
15 them in at, 25-foot?

16 What would they be at planting?
17 Mr. Costa, maybe you know.

18 MR. NAGRANI: It's 7 to 8 feet.

19 MS. DOYLE: Mr. Chairman, in
20 furtherance of that, depending on the species, it
21 may take -- it may grow quickly; it may take
22 years to get to be 25 feet. So I would suggest
23 that the applicant provide accurate photos,
24 identifying them as simulations of the planting
25 height, so that the people that are going to live

1 there know what to expect, rather than what to
2 hope for in the future.

3 CHAIRMAN SWEENEY: Mr. Cohen, this
4 is what I'd like you to do: Take that shot;
5 remove the vegetation that's a simulation of what
6 these trees will look like when they reach their
7 mature height. I want to see what that garage is
8 going to look like without any vegetation.

9 MR. COHEN: Sure.

10 CHAIRMAN SWEENEY: I also want to
11 see what that view is going to look like from Lot
12 Number 6. And if you've got to ring the doorbell
13 and ask them if you can take the picture from
14 their property, then that's what you've got to
15 do.

16 MR. COHEN: Fine, no problem.

17 CHAIRMAN SWEENEY: And then, as
18 Ms. Doyle has recommended, let's take a look at
19 simulation which includes proposed evergreens at
20 their planting height. Okay?

21 MR. COHEN: Sure. No problem.

22 COMMISSIONER RIGA: Mr. Chairman?

23 CHAIRMAN SWEENEY: Please, Mr. Riga.

24 COMMISSIONER RIGA: Thank you, sir.

25 One question, that's a critical spot

1 right here that you notated towards the view. Is
2 there a guarantee, as far as growth, a year
3 growth, to maintain these, anything like that, to
4 make sure that they don't die off?

5 MR. COHEN: I believe that that --
6 yeah, obviously, that has to be part of the
7 responsibility of the temple.

8 MR. COSTA: Yes, they would be
9 bonded.

10 COMMISSIONER RIGA: Okay. Thank
11 you.

12 CHAIRMAN SWEENEY: One last thing,
13 Mr. Cohen. I want to know, too, when you take
14 the new photos without vegetation, would you
15 please indicate or come prepared to indicate to
16 us whether or not there will be lights? I know
17 there were lights proposed for that deck of the
18 garage. Will they be visible?

19 MR. COHEN: The lights, I don't
20 believe they'll be visible through the trees.

21 CHAIRMAN SWEENEY: Well, I want to
22 see a shot without any vegetation. I want to see
23 light stands, if they'll be visible.

24 MR. COHEN: Okay.

25 MR. WARNER: If I may, on that note,

1 Mr. Chairman, am I correct, Mr. Costa, that the
2 light pole proposal was at 10 feet height on the
3 at-grade deck?

4 MR. COSTA: Correct.

5 MR. COHEN: Now, let me just
6 clarify. So I'll -- this shot was taken, let's
7 say, too far forward. So I'll go back, I'll try
8 to gain access to the adjacent home, and take it
9 from that back. I'll leave the existing
10 vegetation in the rendering, and just take out
11 the new vegetation that we're proposing.

12 CHAIRMAN SWEENEY: And then, you
13 will --

14 MR. COHEN: And then do it at
15 planted height.

16 CHAIRMAN SWEENEY: You got it.

17 MR. COHEN: Yeah.

18 Now, one thing to keep in mind is,
19 when we move further towards the back of the home
20 at Lot 6, there's an existing substantial number
21 of trees there.

22 CHAIRMAN SWEENEY: Good. I didn't
23 hear that. I'll be looking forward to seeing
24 that.

25 MR. COHEN: Okay.

1 COMMISSIONER HUMENICK: Excuse me.
2 Do you have an idea what color the garage is
3 going to be?

4 MR. COHEN: We do. It's going to
5 match -- the concrete of the garage will match
6 the concrete of the temple.

7 CHAIRMAN SWEENEY: Which you're
8 going to show us pictures of the garage. Right?

9 MR. COHEN: I have them.

10 COMMISSIONER HUMENICK: So you're
11 not going to use a color that's going to
12 camouflage itself into the trees or anything like
13 that?

14 MR. COHEN: What we've anticipated
15 so far is a color that would match the temple.
16 That's something to discuss.

17 MR. NAGRANI: It's going to be
18 white.

19 MR. COHEN: It's white, yeah.

20 COMMISSIONER HUMENICK: It's going
21 to be white, and then you're going to have the
22 green trees, you know, covering up most of it, so
23 the white will show through it. Am I correct?

24 MR. COHEN: There'll be some --
25 yeah.

1 COMMISSIONER HUMENICK: When I look
2 at that, where is the entrance to the garage?

3 MR. COHEN: It's on the far opposite
4 side of this view. And I can show -- let me show
5 you.

6 COMMISSIONER HUMENICK: And that
7 will lead to where, Quad Road? Does it lead to
8 -- where?

9 MR. COHEN: No, it's actually off of
10 an internal drive on the temple --

11 COMMISSIONER HUMENICK: Okay.

12 MR. COHEN: -- the temple property.

13 COMMISSIONER HUMENICK: Okay.

14 MR. COSTA: Let me pull out the site
15 plan.

16 MR. COHEN: Yeah, this might help.

17 BY MR. COSTA:

18 Q. So we're referring to A-2 now. In
19 terms of the location of the garage, just so we
20 have that perspective -- and this has been
21 testified to, so I'm just repeating -- but this
22 is the entrance to and from the temple, and then
23 the garage -- the existing parking is back here;
24 the garage will be here. And the views that
25 we're seeing are off to the --

1 MR. COHEN: This is Cedar Brook. So
2 that first shot is this way.

3 MR. COSTA: Right, they're off Cedar
4 Brook. There's no entrance or exit from the
5 garage whatsoever on that end.

6 CHAIRMAN SWEENEY: Would you show
7 us, Mr. Costa, where are the entrances and exits
8 to the garage on that diagram? There's two: one
9 at this point --

10 MR. WARNER: Can you speak
11 directionally, for the record, because the
12 gentleman who's transcribing every --

13 MR. COHEN: It's --

14 MR. WARNE: Wait, Mr. Cohen.

15 MR. COHEN: It's at --

16 MR. WARNER: Mr. Cohen, I'm over
17 here. Kuwait and speak directionally, because
18 the gentleman who's transcribing everything
19 that's being written, or almost everything that's
20 being written, the words like over here, over
21 there, over here, over there, they're not going
22 to mean anything.

23 MR. COHEN: There are two entrances:
24 one's at the southwest corner, and the other is
25 at the northwest corner.

1 MR. WARNER: Thank you.

2 CHAIRMAN SWEENEY: I think you've
3 got your directions wrong. It's northeast and
4 southeast.

5 MR. FORSYTHE: Yeah, top is west.

6 MR. COHEN: I'm sorry, it's at the
7 northwest and the northeast.

8 MR. FORSYTHE: Northeast and
9 southeast.

10 CHAIRMAN SWEENEY: Yeah.

11 MR. COHEN: Northeast and southeast,
12 yes. Sorry, got turned around there.

13 COMMISSOINER FALLONE: Mr. Cohen, do
14 you have a blow-up of the picture number 6 that
15 actually shows the structure on it, on our
16 handout?

17 MR. COHEN: Yes, I do.

18 These are two views of the garage.

19 COMMISSOINER FALLONE: That's not
20 our picture number 6. Our picture number 6 is a
21 house that shows the garage in the background.
22 Page number 6, it's a house that shows a garage
23 on it.

24 MR. COHEN: I'm just trying to find
25 it, I'm sorry.

1 MR. COSTA: Can you hold up the
2 picture you're referring to, please?

3 COMMISSIONER FOOSE: It's page 6.

4 CHAIRMAN SWEENEY: Is it drawn with
5 the --

6 COMMISSOINER FALLONE: With the
7 garage in the back.

8 CHAIRMAN SWEENEY: This one.

9 MR. COSTA: Okay. Thank you.

10 CHAIRMAN SWEENEY: It's the shot
11 that shows the garage. I don't think there's
12 another one in your packet that shows the garage.

13 MR. FORSYTHE: It would have been
14 from photo location 3.

15 MR. WARNER: Move over, you got it.

16 MR. COHEN: Yeah, they're right
17 here. Okay.

18 So there is three exhibits in that
19 direction.

20 MR. FORSYTHE: Not that one.
21 There's another one -- you've got the trees on
22 this one.

23 MR. COHEN: I know, behind it.

24 MR. FORSYTHE: Nope, that's the
25 original.

1 There we are.

2 MR. COHEN: This is the shot -- this
3 is the number 6 view without the proposed
4 screening in front of it. So this is the
5 garage --

6 MR. FORSYTHE: Number 3 view?

7 MR. COHEN: -- 7 here, with no --

8 MR. FORSYTHE: Number 3 view?

9 MR. WARNER: The number 3 view
10 that's on page 6 of A-5.

11 MR. COHEN: Yes, and it shows the
12 garage behind the existing ranch home with no
13 proposed -- with the -- with the screening that
14 is proposed not shown.

15 COMMISSOINER FALLONE: That's a
16 different picture than we have, sir.

17 MS. DOYLE: Not the same.

18 MR. COHEN: No, you have that.

19 COMMISSOINER FALLONE: The clouds
20 are different, the garage --

21 MR. COHEN: The smaller print came
22 out darker.

23 MR. COSTA: This just came out
24 darker on the smaller print. It's the same
25 picture; your garage looks darker.

1 COMMISSOINER FALLONE: I'll get to
2 my questions, then.

3 So it looks like the garage as tall,
4 at least -- I questioned it earlier -- as the
5 existing house, 14 feet. It looks like the
6 garage is about that high. Right?

7 MR. COHEN: Yes.

8 COMMISSOINER FALLONE: What is the
9 length, at that point, of the garage, in feet?
10 Do you know?

11 MR. COHEN: Looking at it in that
12 direction, it's -- how much?

13 MR. NAGRANI: 434.

14 MR. COHEN: 434 feet.

15 COMMISSOINER FALLONE: Okay. So
16 it's 434 feet by about 14 feet high.

17 I was under the impression it was
18 on-grade parking, but from Cedar Brook, it's
19 really not on-grade parking, it's elevated
20 parking.

21 MR. COHEN: It's elevated, yes.

22 COMMISSOINER FALLONE: And then,
23 above, there's 14 feet, you've got lights up
24 another 10 feet in the air from there. Is that a
25 fair statement?

1 MR. COSTA: It's not quite a fair --
2 he'll explain that, but what you're seeing is
3 there's the -- there's also a wall on the edge of
4 the garage, so you've got several feet of wall
5 before you get there.

6 I'll let Steve give the --

7 COMMISSIONER AMIN: How tall is that
8 wall that you're describing? What is the height
9 of that wall --

10 MR. COSTA: I'm going let Steve do
11 it.

12 MR. COHEN: This is the same view
13 with the evergreen planting that's proposed.

14 MR. COSTA: So that is number 7 of
15 the A-5 packet.

16 MR. COHEN: It is number 7.

17 MR. WARNER: And those evergreen
18 trees are at planting height or at mature height?

19 MR. COHEN: At mature height.

20 MS. DOYLE: How high are they? They
21 look really high.

22 MR. COHEN: The trees are mature
23 height.

24 MS. DOYLE: How tall is mature?

25 Those trees look really tall, and I don't know if

1 you've actually --

2 MR. COHEN: Well, we said before,
3 they'll be in the 25-foot range. But, again, we
4 can show them -- if you want, we'll show them at
5 planted height.

6 CHAIRMAN SWEENEY: Please do.

7 MR. COHEN: Yeah, not a problem.

8 CHAIRMAN SWEENEY: Thank you.

9 MR. COHEN: You're welcome.

10 But the bottom -- but what we're
11 trying to show by this simulation is there will
12 be screening to fill in that gap between the
13 house and the existing stand of trees, to shield
14 the view of the garage from Cedar Brook.

15 BY MR. COSTA:

16 Q. And this is -- on your original
17 map, which is page 1 of A-5, this is view number
18 3. Correct?

19 A. Yes, it is.

20 Q. And that's a view that, based on
21 your observation, had the most visibility to the
22 garage. Is that correct?

23 A. From the street, yes.

24 Q. Okay.

25 MS. DOYLE: Mr. Chairman, may I ask

1 a question?

2 CHAIRMAN SWEENEY: Please.

3 MS. DOYLE: From the vantage that
4 you're talking about, from the street, how many
5 levels of parking will one be able to see?
6 Obviously, the top. But will there be another
7 level that --

8 MR. COHEN: It's the on-grade level.
9 It's the on-grade level at the top.

10 MS. DOYLE: Okay. So between those,
11 there is an open space, it's open?

12 MR. COHEN: Yes.

13 MS. DOYLE: There's no spandrel
14 glass or --

15 MR. COHEN: Oh, no, there is,
16 there's spandrels on both the bottom level and
17 the top level. So the garage is an open
18 structure at that point.

19 MS. DOYLE: And what -- is it a
20 clear spandrel?

21 MR. COHEN: No, it's concrete.

22 MS. DOYLE: I'm talking about the
23 glass.

24 Okay. Between the first level and
25 the second level, backing up, from the vantage

1 point we're talking about, will you only see a
2 concrete wall?

3 MR. COHEN: It'll be -- there'll
4 be -- the lower level parking will be on grade.
5 There'll be a planted screen in front of it. The
6 garage, which is another 45 feet behind that,
7 will have a concrete spandrel, an open space, and
8 then, at the on-grade level at the top, another
9 concrete spandrel.

10 MS. DOYLE: Okay. For the open
11 space, where -- you would be able to see cars
12 through there. Right?

13 MR. COHEN: Well, it's a 44-inch
14 spandrel.

15 MS. DOYLE: How high?

16 MR. COHEN: Forty-four inch.

17 MS. DOYLE: Twenty-four?

18 MR. COHEN: Forty-four. So you
19 won't see -- you'll see the rooflines of the
20 cars.

21 MS. DOYLE: Okay. On Route 22, we
22 have a situation where there is a car
23 dealership -- and I'm going to say Audi, but it
24 might be something else. There is a parking
25 garage behind the retail structure, and it looks

1 like an office building, and the nice thing about
2 it is you don't get any smells, noises, car
3 banging, any of that, because there is spandrel
4 glass -- in fact, the zoning board of adjustment
5 approved this -- spandrel glass, about 48 inches
6 high, and every length, there's about that much
7 of a gap (indicating) to get circulation, and it
8 looks -- one would not even know it was a parking
9 garage.

10 I would just ask the board to ask
11 the applicant to take some photos of that,
12 because you don't get any noise, you don't get
13 any visuals, you don't -- it just seems like it's
14 an enclosed office building, rather than a
15 parking garage.

16 CHAIRMAN SWEENEY: Mr. Cohen, I
17 would like you to go take a look at that
18 structure, take some pictures of it, and then I'd
19 like you to modify your plans to reflect it.

20 MR. COHEN: Okay.

21 CHAIRMAN SWEENEY: Because I'm -- to
22 be very honest with you, and very up front about
23 this whole thing, we're talking here about a
24 two-level parking garage in a residential zone.
25 I don't think there exists such a structure in

1 any other residential zone in Bridgewater, or in
2 Somerset County, for that matter.

3 My concern is the impact -- the
4 visual impact, the sound impact, that structure's
5 going to have on the surrounding area. I want
6 you to minimize that impact to whatever extent is
7 possible, and I think the planner has just

8 pointed out to you an excellent way to do that,
9 and you would be wise to take that into account.

10 MR. COHEN: Okay. I'll go look at
11 it, sure.

12 CHAIRMAN SWEENEY: Do more than look
13 at it.

14 MR. COHEN: I'll look at it and
15 discuss it with my client.

16 COMMISSIONER KIRSH: Mr. Chairman,
17 for clarity, I believe it's the Bridgewater
18 Acura.

19 MS. DOYLE: It is an Acura, yes.

20 COMMISSIONER KIRSH: It's close to
21 Foothill Road.

22 MS. DOYLE: Mm-hmm. Thank you.

23 BY MR. COSTA:

24 Q. Let's keep making our way through
25 the other drawing, we wanted to show the other

1 perspectives.

2 A. This shot --

3 Q. Okay. Let's start with what
4 perspective you're coming from. This is from
5 which --

6 A. This is looking towards the ranch
7 home. This is number 2 -- excuse me, it's a
8 similar view to number 1. It's view 2, I'm
9 sorry, it's 2.

10 MR. COSTA: So as shown on page 1 of
11 A-5, this is view number 2.

12 A. So it's looking towards the ranch
13 home, and on the right-hand side of the home,
14 you can see the garage and a proposed evergreen
15 next to it. And the garage takes up --
16 there's -- again, it's -- it's a simulation, so
17 there's a branch that covers part of it, and the
18 garage sticks up minimally past the -- let's say
19 the open space in here.

20 And, again, we'll change this to
21 reflect the planted height of the evergreen.

22 Q. So just to clarify, I think I know
23 what you're looking for, but I just want to
24 repeat it back to you, make sure that we're on
25 the same page. Aside from the additional views,

1 you're looking for -- you are looking for a view
2 no simulation; you're looking for a view with
3 just the garage and no trees; you're looking for
4 a view with planted height; and then you're
5 looking for a few with full height. That would
6 give you the full perspective. Is that a
7 fair --

8 CHAIRMAN SWEENEY: I think that's
9 right.

10 MR. COHEN: That's fine. Okay.

11 CHAIRMAN SWEENEY: Thank you.

12 Which perspective is this shot taken
13 from?

14 MR. COHEN: This is number 2.

15 MR. COSTA: This is number 2. If
16 you look on page 1, it's shown as number 2.

17 MR. WARNER: And I know we're
18 throwing a lot of page numbers around, but is it
19 the fourth page of Exhibit A-5?

20 MR. COHEN: I don't have that.

21 MR. WARNER: And I'll have a matrix
22 prepared for everybody at the next hearing -- I'm
23 joking.

24 MR. COHEN: I'll number -- actually,
25 the smaller copies didn't have everything on

1 them. I'll make sure they're numbered when I
2 come back.

3 MR. COSTA: Yes, it is, page 4 of
4 A-5.

5 MR. WARNER: Thank you.

6 BY MR. COSTA:

7 Q. And that house that we're looking
8 at there is owned by the temple?

9 A. It is.

10 Q. Okay.

11 A. Okay. This is the last one.

12 Q. Is this view number 4?

13 A. This is view number 4.

14 Q. Okay.

15 A. Now, the house that sits just to
16 the north of where this view was taken is not
17 owned by the temple, so we didn't walk onto that
18 property; we took it from the -- the side yard
19 of the adjacent house. This is to the east of
20 it.

21 Q. And let me just stop you for a
22 second, so I can count -- nine.

23 MR. FORSYTHE: And that adjacent
24 house is owned by the temple?

25 MR. COHEN: I'm sorry?

1 MR. FORSYTHE: The adjacent house
2 where you took this picture from is owned by the
3 temple?

4 MR. COHEN: It is.

5 MR. COSTA: Okay. This is page 8 of
6 A-5.

7 A. And then, you can see, in this
8 photograph, the garage simulated behind it, you
9 can see it through the trees.

10 Q. And do you have any simulation of
11 trees in that one?

12 A. No, because there actually were not
13 any proposed, but I think we should have some.

14 Q. Okay. So you would -- so this
15 photo, right now is a photo that just shows the
16 simulation of the garage?

17 A. Yes, in an existing situation.

18 Q. Okay. And you are proposing
19 that --

20 A. We fill in that gap in the
21 planting.

22 Q. Where the garage is visible?

23 A. Yes.

24 MS. DOYLE: Mr. Chairman, that one
25 isn't in our packet? I don't see that.

1 CHAIRMAN SWEENEY: Yeah, I got it.

2 MR. COSTA: It's number 8 in your --

3 MS. DOYLE: What page? The shadows
4 on the ground are not the same.

5 COMMISSIONER WEIDELI: That's it.

6 MS. DOYLE: Is it? Okay. Sorry.

7 BY MR. COSTA:

8 Q. Okay. Do we have any other
9 perspectives?

10 A. Yes, we've had two shots of the
11 garage itself.

12 CHAIRMAN SWEENEY: Before you do
13 that, I had asked for some shots from Old Farm
14 Road, and I guess number 4 is the closest you're
15 going to get to showing me that, isn't it?

16 MR. COHEN: Yes, and that's the one
17 we just talked about.

18 CHAIRMAN SWEENEY: Right. Now, the
19 perspective from anywhere else on Old Farm Road,
20 is the garage going to be more or less visible
21 than it is from your perspective number 4?

22 MR. COHEN: I think it's going to be
23 less visible, because as we get -- we go along
24 Old Farm, there are a number of trees that
25 separate the garage from the road.

1 CHAIRMAN SWEENEY: Since you're
2 going to be doing some additional work,
3 Mr. Cohen, why don't you take a shot or two --

4 MR. COHEN: Fine.

5 CHAIRMAN SWEENEY: -- from a little
6 bit further east on Old Farm Road, towards where
7 the garage will be.

8 MR. COHEN: No problem, we'll do
9 that.

10 CHAIRMAN SWEENEY: Okay. Thank you.

11 Now, also, before you get to the
12 garage itself, I had also asked for a shot from
13 lot -- I think it's -- is it 17, Scarlett, where
14 the COE is going to be?

15 MS. DOYLE: You mean lot numbers?
16 17, 18, and 19, yeah, they run this way
17 (indicating).

18 CHAIRMAN SWEENEY: Okay. Mr. Costa,
19 do you know what I'm talking about.

20 MR. COSTA: Is it the -- you're
21 talking about the commercial development on the
22 other side?

23 CHAIRMAN SWEENEY: Yes, exactly so.

24 MR. COSTA: Yes.

25 CHAIRMAN SWEENEY: I would like to

1 see what this garage is going to look like
2 from --

3 MR. COHEN: It's shots --

4 MR. COSTA: From this angle.

5 CHAIRMAN SWEENEY: Right around
6 there, exactly so.

7 MR. COHEN: From here?

8 MR. COSTA: Yep.

9 CHAIRMAN SWEENEY: Because there
10 will be 400 residential units proposed for that
11 area.

12 MR. COHEN: This is where the office
13 buildings are?

14 CHAIRMAN SWEENEY: That's where the
15 residential units are going to go. There's three
16 buildings with residential units proposed for
17 that area.

18 MR. COHEN: Okay. We'll take
19 pictures.

20 CHAIRMAN SWEENEY: Thank you.

21 MR. COHEN: Sure.

22 CHAIRMAN SWEENEY: I'm sorry, I
23 interrupted you. You were going to tell us about
24 the garage itself now.

25 BY MR. COSTA:

1 Q. The garage itself, let me just
2 clarify this, is this at least taken from the
3 perspectives 6 and 7 as shown on the map?

4 A. Yes, they are.

5 Q. Okay. So which one are you showing
6 us now?

7 A. The first one is number 6.

8 Q. Okay. So if we're looking at, on
9 page 1 of A-5, this is from the perspective of
10 number 6, and this is the second-to-last page --

11 MR. WARNER: We'll go with page 10
12 of 11.

13 MR. COSTA: Thank you, page 10 of
14 11.

15 A. This is the stair tower, the exit
16 stair tower of the garage itself. This is
17 adjacent -- this is the on-grade parking. This
18 is the -- this is the garage parking. The
19 access to the lower level is from the side going
20 down.

21 Q. And how high is the wall around the
22 edge of the garage? What's the height of that?

23 A. I think that wall is 6 feet at this
24 point, and then the -- the enclosed stair tower
25 is -- I think it's 12 feet.

1 Q. Okay. I'm talking about the wall
2 that is at the edge of the parking lot.

3 A. Oh, I'm sorry, this is -- back
4 here, this is 44 inches.

5 Q. Okay. So that would be a 44 -- and
6 I know we had a question on that -- that's a
7 44-inch wall along the edge of the garage?

8 A. Concrete, it's a concrete spandrel.

9 Q. And is that the same height on the
10 lower level and the on-grade level?

11 A. Yes.

12 COMMISSIONER HUMENICK: Well,
13 eventually, when all the cars leave the parking
14 lot, or come into the parking lot, which roads
15 are they going to be using?

16 MR. COSTA: They would all go in and
17 out from 202/206.

18 COMMISSIONER HUMENICK: Every car is
19 going to -- these -- I guess there's what, 500
20 cars, or 463, 108, whatever it is, they're all
21 going to be using Route 202/206 to get on and
22 off?

23 MR. COSTA: Yeah, they would all go
24 through that road. And one of the objectives is
25 to keep traffic off of Old Farm Road. The Old

1 Farm Road entrance and exit is only for emergency
2 purposes.

3 COMMISSIONER HUMENICK: Typically,
4 when people leave a ceremony or festival, do they
5 all leave at the same time, or is this a come and
6 go type of thing.

7 MR. COSTA: It's a come and go,

8 yeah, that's the nature of this religious
9 practice. And we can provide clarifying
10 testimony to that effect, because I am not the
11 person testifying that, but based on the
12 testimony from the last hearing, and my
13 conversations with the temple, that that is the
14 traffic flow, that people come and go throughout
15 the day.

16 COMMISSIONER HUMENICK: Now, this
17 facility, this garage is only going to be used
18 six or seven days a year. Am I correct?

19 MR. COSTA: Well, we're going to
20 discuss that, because, in reviewing the MOU, that
21 really is not a restriction. What the
22 restriction was, was that they could not use
23 off-site parking more than, I think, five times a
24 year. And, certainly, we would comply with that,
25 but we're not seeking to have this only available

1 for five times a year. So we would want it
2 available for other times of the year.

3 COMMISSIONER HUMENICK: So you're
4 thinking about that you may want to use it for
5 parking, but not for staging, or any other
6 purposes, staging trucks, or buses going into the
7 city, or for any other purpose for the general
8 public, or anything like that?

9 MR. COSTA: No, definitely not, no
10 other purpose of that sort, no.

11 MS. DOYLE: Will there be any
12 activity -- it's a large, lovely area that's
13 open. I just want to be sure it'll only be used
14 for parking; it won't be used for festivals, or
15 music, and --

16 MR. COSTA: Correct, absolutely only
17 for parking, yeah.

18 MS. DOYLE: Thank you.

19 COMMISSIONER KIRSH: Mr. Chairman,
20 just one question.

21 The definition of these festivals --
22 because I think you just said something very,
23 very important -- they're defined as instances
24 when off-site parking is likely to be needed, and
25 that's when you involve traffic control, that's

1 when you involve, you know, buses. So that's the
2 definition of a large festival?

3 MR. COSTA: I'm just -- I don't know
4 that I was defining a large festival. From the
5 MOU, there were certain events that required
6 off-site parking, and those events lined up with
7 holidays for this -- for this religion, and that
8 was really the -- the extent of it. It didn't
9 describe the types of festivals.

10 And I'm happy to have a witness --
11 I'm not the person to describe those festivals to
12 you, so I'm happy to have one of our witnesses
13 describe that to you.

14 COMMISSIONER KIRSH: I just think,
15 at some point during this hearing, and
16 understanding of definitions, it's going to be
17 important --

18 MR. COSTA: We can do that.

19 COMMISSIONER KIRSH: -- so that we
20 are properly interpreting both the -- the letter
21 and the spirit of the MOU, that's why I asked the
22 question.

23 MR. COSTA: No, I agree with that.
24 And that's one of our plans for the next hearing,
25 to have somebody who's basically in charge of the

1 religious functions at the site to describe, you
2 know, what happens when they have larger groups,
3 and when, and why, and the different calendar of
4 when that takes place. So we will definitely
5 clarify that for the board.

6 COMMISSIONER AHEARN: Question. I
7 know we're speaking mostly of architecture, but

8 will this be -- will this garage have open
9 access, or will there be some type of security
10 around the garage, or it's just free open access
11 to it?

12 MR. COSTA: Tell me what you mean by
13 "security."

14 COMMISSIONER AHEARN: In terms of --
15 because the way the lot is situated, I mean, you
16 know, anybody can just gain access freely to it.
17 I mean, that's the way it's going to remain on
18 that property, just anyone can just have free
19 access to the garage?

20 MR. COSTA: It would be an open
21 garage -- I guess it would be as open as any of
22 the other grounds of the temple.

23 COMMISSIONER AHEARN: Okay.

24 MR. COSTA: So, yeah, I think it --
25 yeah.

1 COMMISSIONER AHEARN: Okay.

2 COMMISSIONER HUMENICK: Just in
3 thinking about this, there's 400, 500 some odd
4 cars in this area that are going to be leaving at
5 the same time. Do you have any idea how long it
6 might take to empty out -- even though people are
7 coming and going at different times, it seems to
8 me that you're going to be tying up -- you know,
9 right now, you use Brown Road, you go into the
10 different local areas. I'm just cure curious as
11 to how long the two entrances -- or two entrances
12 or egresses to these -- this garage area -- it
13 seems to me that it would take a long amount of
14 time, it would be congested and whatever. Have
15 you spent as much time in planning out those
16 garages themselves, and how much room there is to
17 maneuver around inside the -- inside, or from the
18 outside or whatever?

19 MR. COSTA: That is -- we are
20 waiting for our traffic report, and we just
21 didn't get it in time for this hearing, although
22 I think we've got enough to discuss this hearing.
23 But that will be answered, both the circulation
24 within the garage -- I say the circulation within
25 the garage and the circulation on site will be

1 answered, that's a reasonable question we'll
2 answer.

3 COMMISSIONER AMIN: I have a
4 question regarding the two levels. So the top
5 level isn't -- is at the same level as the
6 existing parking lot that's adjacent?

7 MR. COSTA: Correct, it's at the
8 same level as the temple.

9 COMMISSIONER AMIN: So the lower
10 level, is the ground sloping down? Are you going
11 to excavate that?

12 MR. COSTA: The ground slopes, and
13 so the lower level is partially excavated into
14 the ground, and partially is flat on the ground.

15 COMMISSIONER MAIN: So the lower
16 level will be at the same level as the houses
17 that are in the back?

18 MR. COSTA: Approximately at that --

19 MR. COHEN: I think it's a little
20 higher.

21 MR. COSTA: It's a little bit
22 higher, but it's that approximately.

23 COMMISSIONER AMIN: So the ground
24 doesn't slope further down toward Cedar Brook
25 Road, where the houses are?

1 MR. NAGRANI: From the lower
2 level -- the lower level is approximately 8 to 10
3 feet higher than --

4 MR. WARNER: Sir, you have to get a
5 mic and identify --

6 MR. COSTA: We with will get you
7 that answer when our engineer comes up. I just
8 want to finish with my architect.

9 MR. COHEN: Okay. And the last
10 shot, I believe, is the last shot of your packet.
11 This is from the northeast corner of the garage,
12 it's a rendition of the garage. This is the
13 on-grade parking that you just mentioned, and
14 this is the garage. The on-grade portion or
15 on-grade level of the garage from the on-grade
16 parking that exists now.

17 MR. WARNER: And that's page 11 of
18 11. Right?

19 MR. COSTA: Correct, page 11 of 11,
20 A-5.

21 COMMISSOINER FALLONE: Can I go back
22 to my question that I asked a while ago? And
23 that was the height of the garage. You said 14
24 feet, but the center structure's already 12 feet.
25 So can you tell me, from the ground level by

1 Cedar Brook, including, I'm assuming, 8 feet --

2 MR. COHEN: To the top of the
3 spandrel on the on-grade level, it's about 14
4 feet. The enclosed stairwell is a bit above
5 that, it's like 6 feet above that, but that's,
6 again, another 60 feet back from --

7 COMMISSOINER FALLONE: Okay. So

8 then the height of the inside of the garage would
9 be 7 feet --

10 MR. COHEN: Ten foot clear plus the
11 structure --

12 COMMISSOINER FALLONE: Okay. So
13 it's 14 feet from the ground to the top of that
14 wall --

15 MR. COHEN: Top of that spandrel.

16 COMMISSOINER FALLONE: -- and then
17 the interior wall goes much higher, I think you
18 said --

19 MR. COHEN: Yeah, the stairwell,
20 which is beyond, is a little higher than that.

21 MR. WARNER: So, I'm sorry, what's
22 the total height at the -- at the point at
23 which -- if I may, at the point at which the
24 elevation is the lowest abutting the proposed
25 structure, going to the point of that structure

1 at its highest point, how many feet?

2 MR. COSTA: So if this were -- just
3 to -- so standing next to the garage, at the
4 lowest part of the ground, up until the top of
5 the wall --

6 MR. COHEN: So 21 feet: 10 foot
7 from the lowest level of the garage to the first
8 level, and then the stair tower beyond that is
9 another 10 feet, so you --

10 MR. COSTA: Well, you wouldn't
11 count -- the stair tower is something different,
12 but the wall --

13 MR. COHEN: Oh, then it's 14 feet.

14 MR. COSTA: Okay. So it's 14 feet
15 from the lowest --

16 MR. WARNER: If I may, can you count
17 everything that would constitute a structure
18 under MLUL, from the lowest point to the highest
19 point? Which would be the staircase -- the very
20 top. You don't have to count the bird that sits
21 on top of it, but the very top.

22 MR. COHEN: Twenty to twenty-one
23 feet.

24 MR. WARNER: Twenty to twenty-one
25 feet from the bottom --

1 MR. COHEN: From the --

2 MR. WARNER: -- to the top of the
3 structure --

4 MR. COHEN: From the lowest level of
5 the parking to the top of the -- that stair
6 tower.

7 MR. WARNER: Okay. That's the
8 highest point of the --

9 MR. COHEN: That's the highest point
10 of the garage.

11 MR. WARNER: So 21 feet?

12 MR. COHEN: Yeah.

13 MR. COSTA: So let me -- to clarify
14 that, the stair tower, in terms of -- thinking in
15 terms of the neighbors' view, the stair tower is
16 located where the --

17 MR. COHEN: The stair -- from the --
18 from the edge of the lower level of parking to
19 the stair tower is probably 100 feet, because
20 it's one of the aisles of parking, plus the
21 lowest aisle width. So it's about 100 feet back
22 from the start of the lowest level.

23 MR. WARNER: So you're saying it's
24 interior to the lot, I get it --

25 MR. COSTA: It's interior, it's not

1 strictly visible.

2 MR. WARNER: -- but if I may, the --
3 I'm just -- views aside for the moment, just
4 trying to get the simple answer to the simple
5 question: How high is it from the very, very
6 bottom to the very, very top.

7 MR. COHEN: That's what we just
8 said, 21 feet.

9 MR. WARNER: Twenty-one feet, thank
10 you.

11 MR. FORSYTHE: Take a look at sheet
12 6, which is the drawing from view number 3. You
13 have the ranch building in front, and then you
14 have the parking deck behind it.

15 MR. COHEN: Yes.

16 MR. FORSYTHE: There is probably a
17 6-foot difference between the grade you have
18 there, as a retaining wall, up to the lower level
19 of parking.

20 MR. COHEN: Right.

21 MR. FORSYTHE: So from what the --
22 from what warner was asking, so you're 6 foot
23 below -- 0 to 6 is the bottom level of parking;
24 then 10 more feet is the top level of parking;
25 then 10 more feet is the top of the stairwell.

1 MR. COHEN: Yes.

2 MR. COSTA: I -- let me --

3 MR. FORSYTHE: So now I'm --

4 MR. COHEN: It's kind of -- the
5 stairwell is only a small box on the --

6 MR. FORSYTHE: I understand that,
7 but to answer the question that was asked, from
8 the very lowest spot -- which, to me, looks like
9 that corner -- all the way up to the very top of
10 the structure, you're at better than 26 feet.

11 MR. COSTA: I -- well --

12 MR. COHEN: Let me --

13 MR. FORSYTHE: Approximately 26
14 feet.

15 MR. COSTA: Answer it, and I'll ask
16 you any questions.

17 MR. FORSYTHE: Twenty-four, twenty
18 six --

19 MR. COHEN: Somewhere in that range,
20 because you're talking about the existing
21 grade --

22 MR. FORSYTHE: From the existing
23 grade all the way up to --

24 MR. COHEN: All the way to the top
25 of the structure.

1 MR. WARNER: That's what I asked.

2 MR. FORSYTHE: That's what you were
3 looking for. Right?

4 MR. WARNER: I thought it was clear,
5 but yes.

6 COMMISSIONER FOOSE: Mr. Chairman,
7 we've gone 14 feet to 28 feet, and I deal in

8 mathematics every day, and that's a pretty
9 significant deviation.

10 I think you owe these residents --
11 and I'm not going to tell you what to do, this is
12 your application -- but when a cell tower comes
13 before us, and they want to erect something large
14 in a residential neighborhood, or even a
15 commercial neighborhood, they give the residents
16 an idea of what's going to be there.

17 They do things like a balloon test:
18 They take a red balloon filled with helium,
19 probably costs them \$10 and a piece of rope, and
20 they photograph that balloon from all different
21 angles, and that way the people sitting here
22 understand what you're putting in their
23 neighborhood.

24 So I'm going to leave it at that.
25 I'm going to make that comment. If I lived next

1 door to this, I think you would owe me that as a
2 minimum. So I'm going to leave it at that.

3 Thank you.

4 COMMISSIONER AMIN: I have a
5 follow-up question. The top of the stairwell,
6 how does it compare with the temple that will
7 be -- the existing temple structure? Right?

8 It's that tall, and then there's the staircase
9 like this. Right? So how does it compare? What
10 is the height of the temple structure that's
11 there?

12 MR. COHEN: Of the existing temple
13 structure?

14 MR. COSTA: I know Mr. Cohen didn't
15 look at that, so I want to see if our engineer
16 can answer that.

17 COMMISSIONER AMIN: Someone is on
18 Cedar -- if someone is on Cedar Brook Road, and
19 the houses are -- they're facing the garage.
20 Right? They see the staircase. And then, behind
21 the staircase is that existing building. So how
22 does it compare?

23 MR. COSTA: How does it compare to
24 what's behind it? Okay. We know Mr. Cohen has
25 some homework.

1 Any other questions at this point of
2 Mr. Cohen?

3 CHAIRMAN SWEENEY: Yeah, I have one
4 more. I also asked for a shot of what the garage
5 would look like from Lot Number 12. That is the
6 lot that's surrounded on three sides, and fronts
7 202/206, and is surrounded on three sides by the
8 temple, and I don't think we have that.

9 MR. COSTA: I'm seeing Lot 12 --

10 CHAIRMAN SWEENEY: This lot right
11 here.

12 MR. COSTA: Okay. I've got that.
13 Yep. That lot there. So you've got to get
14 access to that lot.

15 MR. COHEN: Okay. All right.

16 COMMISSIONER WEIDELI: I have a
17 comment and question.

18 Even before referred to when talking
19 about these exits for events we haven't defined,
20 500 cars, aren't we talking about 1,000, not 500.

21 MR. COSTA: Yeah, the total parking
22 will be 1,049 at capacity, yes.

23 COMMISSIONER WEIDELI: Right, not
24 the 500 from before.

25 MR. COSTA: Right.

1 MR. WARNER: If I may, isn't -- the
2 deck is about 500, roughly.

3 MR. COSTA: Yes, it's 400 something.

4 MR. WARNER: That's what you were
5 referring to, but not the entirety of the
6 parking.

7 COMMISSIONER WEIDELI: But all those
8 cars are in the same area, though.

9 MR. COSTA: That's correct, that is
10 --

11 COMMISSIONER WEIDELI: And also, if
12 you can go back to the first of the garage
13 pictures somewhere over there, if you --

14 MR. COSTA: So this is 10 of 11 of
15 A-5.

16 COMMISSIONER WEIDELI: If you look
17 at the red Volkswagen, and then keep going
18 straight, to me, if I was driving, it looks like
19 you're going to go over a cliff there. Can you
20 explain what that is there? Because, if you look
21 at the next picture, there are walls and
22 everything up to prevent, and if you look at
23 that, it looks a little scary to me.

24 MR. COHEN: This is effectively
25 on-grade parking that goes around the side of the

1 garage, and leads to the ramp that goes to the
2 upper level, or the on-grade level, and then to
3 the ramp that takes you down to the lower level.
4 That's what that Volkswagen -- that's where that
5 Volkswagon was parked, it was right in this area.

6 CHAIRMAN SWEENEY: So if you
7 continued to drive past the front of that
8 Volkswagen, what would happen, you'd run into the
9 trees? You'd go off a cliff?

10 MR. COHEN: Yeah, you run into --
11 you come to a turnoff that leads you into the
12 rear portion of the on grade lot, or then you can
13 access the ramp that takes you to the lower
14 level.

15 COMMISSIONER WEIDELI: There's no
16 wall or anything to -- to me, it looks like
17 there's nothing there, except -- to prevent
18 somebody for --

19 MR. COHEN: There'll be a barrier
20 there.

21 COMMISSIONER WEIDELI: It's not
22 shown.

23 MR. COHEN: There'll be a guardrail
24 there or something.

25 COMMISSIONER WEIDELI: It's not

1 shown to me there. It's showing nothing.

2 MR. COHEN: We'll clarify that.

3 MR. COSTA: We can show a barrier.

4 COMMISSIONER RIGA: Mr. Chairman?

5 Mr. Costa, I'm looking at the
6 rendering of the parking deck itself. I know the
7 traffic engineer will give us some kind of

8 testimony to this, but I'm not looking at any
9 arrows for directional traffic; I'm not looking
10 at any signage for entrance or exit. Will that
11 be given to us when he comes back? I'm not -- I
12 see striping down, but I don't see striping, as
13 far as --

14 MR. COHEN: We can show --

15 MR. COSTA: The rendering here, we
16 will show that.

17 MR. NAGRANI: It's on engineering
18 plans.

19 MR. COSTA: It's on engineering
20 plans, which will be shown very shortly.

21 COMMISSIONER RIGA: It's not on
22 this, which I'm looking at here. That's a lot of
23 traffic that we need some control over, as far as
24 signage and arrows.

25 MR. COSTA: Right, and that will be

1 with the engineering testimony.

2 COMMISSIONER RIGA: Okay.

3 MR. COSTA: Anything else for
4 Mr. Cohen?

5 CHAIRMAN SWEENEY: Any other
6 questions from the board for Mr. Cohen while we
7 got him?

8 COMMISSIONER HUMENICK: Quickly.

9 Are you going to keep the community
10 center where it is? Is that going to stay or is
11 it going to go?

12 MR. COSTA: It's going to say,
13 that's our plan, to keep it where it is.

14 MR. WARNER: Was there any --
15 Scarlett, was there think -- if I may,
16 Mr. Chairman -- was there any architectural items
17 in your planning memo that would be better
18 addressed by the architect than the engineer,
19 perhaps?

20 MS. DOYLE: I think the architect
21 can certainly provide it, but I just don't think
22 that there's enough architectural perspectives,
23 similar to what we're used to seeing, and I'm
24 concerned that -- yeah, they're on site right
25 there, on the deck, but I'm -- from distances, I

1 just think the board usually gets a lot more
2 perspective drawings than what they offered.

3 MR. COSTA: We will provide --

4 MR. COHEN: We'll give you
5 additional drawings, and I will look at that, of
6 the garage.

7 MS. DOYLE: Even if the perspectives

8 can be no trees, and then the next with the
9 overlay, and then you can put the trees in, but I
10 don't know what this is looking like from a
11 distance, if there were no trees. I mean, I
12 think we should be able to have a better idea of
13 what this looks like.

14 MR. COSTA: Well, I think we can --
15 what I had, I think, repeated back, is we will do
16 a photograph, a photograph with the garage, a
17 photograph with the trees as planted, and a
18 photograph with the trees at mature..

19 MR. COHEN: Superimposed on it.

20 MR. COSTA: So we'll superimpose at
21 those levels, and we'll take the additional
22 perspectives.

23 MS. DOYLE: Let me explain, and I
24 don't think that's going to be good enough --

25 MR. FORSYTHE: Maybe I can go.

1 MS. DOYLE: Yes.

2 MR. FORSYTHE: Can you have flags
3 put out at the corners of the parking area, so
4 that that would give us --

5 MR. COSTA: So you can actually
6 tee --

7 MR. FORSYTHE: -- an existing
8 condition, where the lower parking lot corners
9 are, and then maybe a different color flag to
10 where the parking deck's going to start? Because
11 you've got two rows of parking at grade on the
12 Cedar Brook side with that, and then you've got
13 the parking deck up from there. So that would
14 give the -- in the photos, give the perspective
15 for the board, I think.

16 Would that help you, Scarlett?

17 MS. DOYLE: It does. I would really
18 like, if you don't mind, the board to take a look
19 at sheet number 5, and I think I can explain my
20 concern.

21 MR. WARNER: Is that page 5 of A-5?

22 MS. DOYLE: Page 5 of 11. It shows
23 the dwelling, and behind it is the garage.

24 MR. COHEN: Right.

25 MS. DOYLE: I think it would be

1 helpful -- you'll see that the back of that house
2 looks right into the cars on that level. I think
3 it would be very helpful to get a picture of the
4 entire garage, and then, from there, then you can
5 show what'll be seen and --

6 MR. COHEN: Assuming that the house
7 and the landscaping are out to start with?

8 MS. DOYLE: Yes, but, well, the
9 perspective of this house -- I don't care who
10 owns the house; there's a single family of people
11 who are going to live in that house, and they're
12 going to see an expanse of looking at cars. You
13 can see what they're going to see.

14 MR. COHEN: Yeah, no, you're going
15 to see the garage right behind the house, yes.

16 MS. DOYLE: Hundreds of feet of it.
17 So I think it would be well for the board to then
18 talk about the spandrel, and the use of it, and
19 the spandrel glass.

20 MR. COHEN: Right. So we'll
21 assume --

22 MS. DOYLE: The whole building.

23 MR. COSTA: We can do that. The
24 only comment I would make is -- and I think it
25 is quite relevant for one of the houses -- we're

1 proposing to consolidate those three houses into
2 one temple lot. So that will be temple property.
3 So we've tried to take pictures from the houses
4 that are not temple property.

5 MS. DOYLE: And I appreciate that,
6 and I think that's a good approach; however, it's
7 a single-family. A family is going to live

8 there. And irrespective of who owns the
9 property, the family is not going to be looking
10 at a lovely temple; the family is going to be
11 looking at a lovely two-story garage. And I
12 think that there is something that the board
13 might be able to glean from that information.

14 MR. COSTA: We can do that.

15 CHAIRMAN SWEENEY: If I may, we're
16 all trying to grapple with what this is going to
17 look like, and we're -- it's clear we're having a
18 hard time.

19 I think, what we also want to better
20 understand, is how is it going to intrude on the
21 homes nearby. For example, suppose you've got
22 cars on the higher level of the two-level garage,
23 and they're leaving at night with their
24 headlights on. I mean, where are those
25 headlights going to flash, on whose home? in

1 which bedrooms? And how well is that going to be
2 shielded by whatever buffer --

3 MR. COHEN: That's what the
4 spandrel's trying to do around the garage,
5 they'll shield that.

6 CHAIRMAN SWEENEY: You've got to
7 think about all of these things, because they're
8 all part and parcel of impact on the neighbors,
9 and that's what we're trying to come to terms
10 with here, and however you can help us do that,
11 the better off we all are.

12 MR. COSTA: We can do that.

13 MR. COHEN: We can do that.

14 CHAIRMAN SWEENEY: And it's not just
15 headlights; it's the light stanchions up there,
16 what are they going to look like at night, so on
17 and so on.

18 MR. COSTA: Anything else?

19 MR. COHEN: Thank you.

20 MR. WARNER: Safe to assume
21 Mr. Cohen will be back with further testimony.
22 Correct?

23 MR. COSTA: That is very safe to
24 assume.

25 MR. WARNER: Notwithstanding same, I

1 suspect we're at a point where we might be asking
2 from members of the public if they have any
3 questions with respect to the testimony thus far.

4 CHAIRMAN SWEENEY: Yeah, any --
5 there's nothing else from the board, I take it?

6 Okay. Does anyone out in the
7 audience, anyone from the public, have any

8 question for Mr. Cohen, specifically about his
9 testimony? And it has to be a question. If
10 you've got comments, you don't like this, you
11 don't like that, you think this is a good idea,
12 whatever, you'll get a chance for that, but right
13 now, what I'm asking for are any questions you
14 might have for Mr. Cohen about his testimony.
15 Now is the time to come up and ask those
16 questions.

17 Yes, ma'am, please come forward to
18 the lectern and give us your name and address,
19 please.

20 MS. MINE: Sure, Diane Mine, Cedar
21 Brook, 743 Cedar Brook Road.

22 MR. WARNER: Spell your last name,
23 please.

24 MS. MINE: M-I-N-E.

25 The number of cars, about 501

1 parking garage, about 500 in another parking
2 garage, and then all the rest of the spaces equal
3 about -- what would be the total number of cars?

4 MR. COSTA: It's 1,049, is the total
5 amount of parking.

6 MS. MINE: That includes the spaces
7 in front of the cultural center?

8 MR. COSTA: Yes, includes the entire
9 parking on the property.

10 MS. MINE: And if you were to
11 consolidate those lots, like you mentioned you'd
12 like to do, is there ever a way -- like, if you
13 have a five-year or ten-year plan, is there a way
14 that you would ever want to change the exiting or
15 entrancing to that parking garage to go by Cedar
16 Brook Road?

17 MR. COSTA: No.

18 MS. MINE: That never would be in
19 the plan?

20 MR. COSTA: That's never in the
21 plan, no.

22 MS. MINE: And I know that the
23 parking garage, the same way that you've been
24 given permission from Brown Road schools and
25 things to use their facilities, and the number of

1 event that you have at the temple -- did you say
2 that there is no restriction on the number, and
3 you could technically rent out the parking garage
4 to the school or some other facility?

5 MR. COSTA: We can't rent out the
6 facility, that's part of the MOU, that it is only
7 for temple activities. So it's for the temple
8 and their guests, that's what the settlement is.

9 MS. MINE: So the Brown Road school,
10 as kind as they've been to allow you to use
11 theirs, you're not going to turn around and say,
12 oh, you're having a big event, now you can use
13 our property?

14 MR. COSTA: That's not --

15 MS. MINE: The memorandum of --

16 MR. COSTA: -- stated in --

17 MS. MINE: -- understanding is --

18 MR. WARNER: Ma'am, I'm sorry, can
19 you let him answer the question?

20 MS. MINE: Yes.

21 MR. COSTA: Per the legal agreement,
22 it's for the temple and its guests.

23 MS. MINE: Okay. Thank you.

24 CHAIRMAN SWEENEY: Anyone else,
25 questions?

1 MR. HUMMER: Hello, Bob Hummer, 771
2 Old Farm Road.

3 CHAIRMAN SWEENEY: Spell your last
4 name, Bob.

5 MR. HUMMER: Hummer, like the
6 vehicle, H-U-M-M-E-R.

7 MR. WARNER: 717, you said?

8 MR. HUMMER: 771 Old Farm Road, so
9 I'm on the --

10 MR. WARNER: Just speak louder into
11 the microphone, because we're recording.

12 MR. HUMMER: Is that good?

13 Okay. So my question is, you see
14 the tops of the garage? I would like to see more
15 of the whole garage in a different setting, just
16 what it looks like at different angles. Because
17 you're trying to figure out what it looks like
18 through the woods; I don't even know what it
19 looks like by itself. So like you said, you're
20 asking -- and I know you're asking for it, but
21 I'm asking for it as well, just what does it look
22 like, how is it laid out. Right now, I only see
23 the top. I don't know what the sides -- like you
24 said, the different concepts. So I think, for
25 myself, it would be good to understand what

1 that -- just what does it looks like by itself,
2 besides houses, renderings, anything else, so you
3 can at least answer the questions that you're
4 asking, in the sense of what it is, because I
5 have a hard time pictures it.

6 CHAIRMAN SWEENEY: I think they got
7 the message.

8 MR. WARNER: That would be the
9 elevation?

10 MR. COSTA: That would be the
11 elevations, and it may have been submitted with
12 the site plan --

13 MR. COHEN: They were submitted.

14 MR. COSTA: -- but we will make it
15 clear. It is in the record, if you wanted to
16 check with the township, but we'll present that.

17 MR. HUMMER: Yeah. And then, the
18 second question I have is, we didn't really talk
19 about it a lot, but I didn't know if you were
20 going to come back and talk, I'm on Old Farm
21 Road, which on this picture is the top portion of
22 it. We're talking about expanding a lit bit of
23 the parking spots there, and I know Mrs. Doyle
24 was talking a little bit about that in the last
25 meeting, about we're thinning out the trees, and

1 we're talking about what to do there. I would
2 like to hear a little bit more of what they're
3 talking about on that side, because, if you thin
4 that out, more light, more sounds, more
5 everything comes through. So if you can talk a
6 little bit more --

7 MR. COHEN: Yeah, one of the shots
8 that you had suggested from Old Farm.

9 CHAIRMAN SWEENEY: Yeah, but I think
10 he's talking about more than that.

11 MR. HUMMER: Yeah, this area here.

12 CHAIRMAN SWEENEY: You are
13 proposing -- as I understand it, you are
14 proposing some additional parking over on the Old
15 Farm Road side of your site. Is that correct?

16 MR. HUMMER: Yeah, you're talking
17 more parking in here.

18 MR. COSTA: Right.

19 MR. HUMMER: So that would thin out
20 the woods --

21 CHAIRMAN SWEENEY: Let him -- is it.

22 MR. HUMMER: I'm sorry.

23 CHAIRMAN SWEENEY: The question
24 is -- and it's not Mr. Cohen that's going to
25 answer this, but the question is, what's that

1 going to look like? Are we going to buffer with
2 vegetation, or what?

3 MR. COSTA: That's one of the things
4 we'll give an explanation.

5 MR. HUMMER: That's why I asked.
6 Thank you.

7 CHAIRMAN SWEENEY: Anyone else?

8 Anyone else, questions for Mr. Cohen?

9 No response.

10 Counselor, who's up next?

11 MR. COSTA: All right. Our next
12 witness is Nitin Nagrani, that's N-I-T-I-N, from
13 Matrix New World Engineers. And Mr. Nagrani
14 previously testified; I don't know if we've got a
15 new year and we need a new swearing in, but --

16 MR. WARNER: No, the swearing in
17 extends beyond the calendar year.

18 And your license continues to remain
19 in good standing?

20 MR. NAGRANI: Yes.

21 MR. WARNER: So I expect the board
22 will continue to accept you as an expert in the
23 field of civil engineering.

24 And that is the profession for which
25 he's offered. Correct, Counselor?

1 MR. COSTA: Correct, yes.

2 MR. WARNER: Okay. Thank you.

3 CHAIRMAN SWEENEY: Please continue.

4 N I T I N N A G R A N I, having
5 been duly sworn, testified as follows:

6 DIRECT EXAMINATION

7 BY MR. COSTA:

8 Q. Okay. Mr. Nagrani, I know we had
9 two objectives with your testimony:

10 One was to address some of the
11 architectural questions, and the other is to go
12 through the planner's memo. And the
13 architectural questions would be related to the
14 height and the light appearance, so that we can
15 understand what the lights are going to look
16 like on the parking deck.

17 MR. COSTA: And I sense that we're
18 approaching A-6.

19 (Whereupon, Exhibit A-6 is marked
20 for identification.)

21 BY MR. COSTA:

22 Q. What page of the site plan are you
23 on?

24 A. Sheet 9 of 23.

25 Q. Okay. So A-6 is sheet 9 of 23 of

1 the site plan, which is the grading plan.

2 MR. WARNER: And last revised date?

3 A. The last revised date on the plan
4 is 8 October 2018.

5 MR. WARNER: So that hasn't been
6 changed at all; you're going to mark it as an
7 exhibit nonetheless. Correct?

8 MR. COSTA: Yes.

9 MR. WARNER: That's fine.

10 A. So there was some questions in the
11 architect's testimony regarding how high the
12 lower level of the parking was going to be. So
13 as can be seen on this grading plan, this is a
14 lower level grading plan. So these are --
15 presents 3-on-1 contours, which is to the west
16 of the lower level parking. So we're trying to
17 meet the existing topography.

18 So, roughly, it is, like, 8 to 9
19 feet higher. The lower level of the parking is
20 going to be 8, 9 feet higher than the existing
21 topography, which is, like, on Lot 4, and the
22 upper level parking, which is 10.5 feet higher
23 than the lower level, and there's a 3.75-foot
24 parapet wall on top of it. So just to give you
25 a perspective of how tall it would look.

1 MR. WARNER: So that's about 23
2 feet, ballpark?

3 MR. NAGRANI: Yeah, 14 and probably
4 another 8, so like 22.

5 MR. WARNER: And then, that's not
6 counting the exterior staircase?

7 MR. NAGRANI: Correct.

8 MR. WARNER: Which was how tall?

9 MR. FORSYTHE: Six feet.

10 MR. COSTA: That was 6 feet. So
11 that's 28 with the staircase.

12 MR. NAGRANI: Correct.

13 MR. WARNER: Thank you.

14 BY MR. COSTA:

15 Q. And the reason you picked Lot 4 as
16 your measuring point was what?

17 A. Because that's the lowest point to
18 the existing grade.

19 Q. So Lot 4, which is owned by the
20 temple, is the lowest point, and -- okay.
21 That's fine.

22 Are the grades -- the grades of the
23 other properties that we did perspectives of,
24 are they similar to Lot 4? Are they a little
25 higher? I'm just trying to understand how much

1 of a difference, approximately, there is there.

2 A. Yeah, the other properties would be
3 relatively higher; the Lot 4 is the lowest.

4 Q. So that would be -- the 28 feet
5 would be the maximum height standing there?

6 A. Correct.

7 Okay. So I can go over the

8 directional arrows and signage.

9 COMMISSOINER FALLONE: Before you go
10 any further, does it continue to go down towards
11 Cedar Brook? In other words, is Cedar Brook
12 lower, so it would actually be higher from the
13 road than it is from the point you're choosing?
14 That's where people will be driving through;
15 that's why I ask.

16 MR. NAGRANI: Yes. So if I compare
17 here, so it's, say, 148 versus 155. So Cedar
18 Brook is further 7 feet lower than the
19 topographic on Lot 4.

20 COMMISSOINER FALLONE: So the top of
21 that parking deck is in the mid 30 range from
22 Cedar Brook Road?

23 MR. NAGRANI: That's right.

24 COMMISSOINER FALLONE: Thank you.

25 COMMISSIONER HUMENICK: Can I ask a

1 question?

2 CHAIRMAN SWEENEY: Sure.

3 COMMISSIONER HUMENICK: Did you say
4 that the ceiling height of the lower level's
5 going to be 8 foot -- 9 foot or 8 foot?

6 MR. NAGRANI: Ten and a half foot.

7 COMMISSIONER HUMENICK: It's going
8 to be 10 and a half foot.

9 MR. NAGRANI: Right.

10 COMMISSIONER HUMENICK: Okay. And
11 you're still using the principle of using a
12 variance to use a 9-foot parking spot? You're
13 going to go with that, because, I think, as what
14 you said the first night, was the manufacturer
15 makes it that way, and that was what was
16 available, as opposed to the 9 and a half that
17 the township usually requires.

18 MR. NAGRANI: Well, 9 foot we were
19 going, because that's, kind of, like, a standard
20 parking stall, and mostly widely accepted, so to
21 maximize the parking stalls on the deck level.

22 But what we are proposing on the --
23 near the existing cultural center, we are
24 proposing 9 and a half feet; it's on the deck
25 area we are proposing 9-foot stalls.

1 COMMISSIONER HUMENICK: Okay. I'm
2 just posing a question to you, because what I see
3 is a lot of cluster, all of a sudden, a lot of
4 cars, two decks, everybody going in one
5 direction, people trying to get out, because
6 we're all pressed for time. I'm making that
7 suggestion to you, because, you know, what I

8 see -- frankly, the less cars the better, the
9 better it would be for everybody, but in your
10 view, the more cars you can put in there, the
11 better off you are, because that's your goal.

12 MR. NAGRANI: Right.

13 COMMISSIONER HUMENICK: And
14 someplace along the way, there's got to be a --
15 when you take -- and all the things that we talk
16 about from the outside, all of us here -- you
17 know, is it -- does it make sense to make some
18 sort of compromise between these things? I'd
19 like to hear how many, you know, 9-foot-wide
20 spots there are, and how many
21 9-and-a-half-foot-wide spots. It could be an
22 issue, if they're clustered in a place where
23 everything is close on top of you, and
24 everybody's trying to get out at the same time,
25 and there's wind from this wide open area that we

1 have --

2 MR. NAGRANI: Right, but 9 foot is a
3 standard stall size, that's what I'm trying to
4 say. It's not, like, an undersized or a compact
5 car parking stall, 9 foot is mostly, like, a
6 standard parking spot. I understand it's a
7 variance from the township requirements.

8 COMMISSIONER HUMENICK: So if -- it
9 may be standard some places, but it's a variance
10 here.

11 MR. NAGRANI: Correct.

12 COMMISSIONER AMIN: I have --

13 MR. WARNER: May I ask a related
14 question, if I may, for a moment?

15 Does the RSIS, Residential Site
16 Improvement Standards -- I know this is not a
17 residential -- do they recognize 9-foot-wide
18 parking spaces?

19 MR. NAGRANI: That is correct.

20 MR. WARNER: I'm sorry for
21 interrupting.

22 COMMISSIONER AMIN: I have a
23 question regarding the traffic flow. You're not
24 a traffic engineer, but just a question.

25 MR. NAGRANI: Okay.

1 COMMISSIONER AMIN: The operation of
2 the temple is such that all the people will leave
3 at the same time, or the --

4 MR. NAGRANI: No, people will be,
5 like, in and out throughout the day.

6 COMMISSIONER AMIN: Okay. It's not
7 like a church where the mass is over, and then
8 everyone leaves.

9 MR. NAGRANI: No, it's not anything
10 like that.

11 COMMISSIONER AMIN: Just want today
12 clarify that everyone is not going to be --

13 MR. NAGRANI: No, everybody's not
14 going out --

15 COMMISSIONER AMIN: -- exiting the
16 parking deck --

17 MR. NAGRANI: -- at the same time.

18 COMMISSIONER AMIN: -- at the same
19 time.

20 MR. NAGRANI: The service is open
21 throughout the day, so people come and leave
22 throughout the day.

23 COMMISSIONER AMIN: Okay. Thanks.

24 COMMISSIONER RIGA: Just for
25 clarity, we're getting two different statements

1 here. These aren't going out in clusters; it's
2 going out sporadically during the day. Is that
3 correct, as far as the traffic?

4 MR. NAGRANI: Right, not at the same
5 time.

6 COMMISSIONER RIGA: Okay. Because
7 I'm hearing two different things here.

8 MR. COSTA: Can you tell me what the
9 other -- what the alternate --

10 COMMISSIONER RIGA: Well, I've heard
11 that -- well, it's been stated that they're going
12 to go out in clusters all at one shot, but it was
13 said before in testimony that it's going to be
14 sporadic throughout the day, in and out.

15 MR. COSTA: Correct.

16 COMMISSIONER RIGA: Which one is
17 correct?

18 MR. COSTA: It's going to be --
19 well, you can testify.

20 MR. NAGRANI: It's going to be
21 sporadic, throughout the day; it's not going to
22 be at one time.

23 COMMISSIONER FROSS: And is it
24 corrects to assume that, at the end of a
25 festival, there's going to be a whole lot of

1 people that are going to want to leave at the
2 same time --

3 MR. NAGRANI: Like, say, for
4 example, like, New Year's. It's not a festival.
5 Like, people come on New Year's Day, so people
6 come for their convenience, like, throughout the
7 day, the temple is open. So it's not like

8 they're coming at noontime and everyone has to be
9 there at the temple. Some people choose to come
10 10, 11, 12. It's open throughout the day; it's
11 not that they have to attend certain services at
12 a certain time.

13 CHAIRMAN SWEENEY: Let me ask
14 something. New Year's Day, for example, since
15 you brought it up, was there, like, a schedule of
16 different things going on at different times at
17 the temple?

18 MR. NAGRANI: Not that I'm aware of.

19 MR. COSTA: No.

20 CHAIRMAN SWEENEY: Good.

21 MR. COSTA: And I think you -- just
22 to clarify, I think -- are you a member of this
23 temple? Are you affiliated in any way?

24 MR. NAGRANI: I visit the temple.

25 MR. COSTA: Okay. So you visit, but

1 this is an engineer, and I know --

2 CHAIRMAN SWEENEY: Got it.

3 MR. COSTA: -- fortunately he has
4 some background information on the temple, which
5 is kind of a bonus, but he's not -- he's not our
6 expert on the temple operations. So I just don't
7 want to over step his knowledge.

8 CHAIRMAN SWEENEY: Thank you for the
9 clarification.

10 COMMISSIONER HUMENICK: As long as
11 I'm fuzzing up people's minds about the way I'm
12 thinking about this, let me just add one more
13 thing. When we say people are leaving at
14 different times, people are also coming in at
15 different times.

16 MR. NAGRANI: That's correct.

17 COMMISSIONER HUMENICK: So there are
18 people coming and going at the same time, and two
19 entrances and exits to the building itself. So
20 that's traffic also, because even though we don't
21 talk about them coming in at different times, and
22 the impact of traffic going both ways, that
23 itself can be an encumbrance for certain people.

24 MR. NAGRANI: The people leaving out
25 from the temple property, they will queue in

1 along the temple property. So there's a signal
2 at the entrance. So whatever people can get out
3 at a green light, others will queue, because it's
4 all one way, that whole drive for the exit. So
5 it will be congested -- or getting queued onto
6 the property, but I don't see any impacts, like,
7 for congestion on 206. It's number of cars,
8 whatever, can get out on the property.

9 CHAIRMAN SWEENEY: These are all
10 issues that your traffic guy is going to address.

11 MR. COSTA: Correct.

12 COMMISSIONER HUMENICK: Okay. Thank
13 you.

14 COMMISSIONER FROSS: Let me just add
15 one more thing. So if you're saying that people
16 are going in and out all day, and you have 1,000
17 parking spots, one of your special days, you can
18 accommodate well over 1,000 cars, then, in the
19 course of that day. You may be able to handle
20 2,000 cars if they're going in and out during the
21 course of the day, because they're not all
22 leaving at the same time, you're saying they're
23 coming and leaving sporadically. So people who
24 are there at 9 o'clock -- and I'm not saying this
25 is possible -- 9 o'clock, and leaving at 12,

1 other people are coming in at 12 and leaving at
2 4. So, in theory, you could handle at least
3 double the amount of cars that that property is
4 proposing, which is a lot more than just 1,000
5 cars.

6 MR. NAGRANI: I think that's why the
7 traffic counts are being done on the property, to
8 see how many cars are coming in and out of the
9 property. So that will be -- again, I'll leave
10 it to the traffic engineer to testify that,
11 what's the count.

12 CHAIRMAN SWEENEY: If you've got a
13 traffic engineer who's actually doing that,
14 taking counts of traffic going in and out, I hope
15 he was there on New Year's Day.

16 COMMISSIONER FROSS: Will he know
17 how long the average stay is, and that kind of
18 thing? Did you discuss that with him?

19 MR. NAGRANI: Yeah, I mean, they
20 will be doing counts for, like, two to four
21 hours, which would be the peak time.

22 MR. COSTA: I just want a comment on
23 that. You're correct that they're -- more people
24 can be coming than there are parking spots,
25 because it's spread out during the day. Frankly,

1 that is the case right now with the 500 spots,
2 there's people who come and go, the worship style
3 is such that --

4 COMMISSIONER FROSS: Right.

5 MR. COSTA: But I also would refer
6 to a church that has multiple services during the
7 day, or a synagogue has the same situation,

8 except for there's more of an influx at once and
9 a leaving at once. So it's -- this is not
10 dissimilar to other religious practices, that
11 people come at different times. This is more of
12 a spread out all day, but there are multiple
13 services done by other religious groups. So it's
14 not unusual that, if you counted the parking for
15 an entire day, or the number of parking spots in
16 a day, more people could be coming, because
17 they're coming at different times of the day.

18 MR. WARNER: That's absolutely
19 correct. And I assume all this will be, as we
20 said, accounted for in the testimony --
21 documentary and testimonial evidence that the
22 traffic engineer -- traffic/parking engineer will
23 provide.

24 MR. COSTA: We can provide that,
25 yes.

1 MR. WARNER: Thank you. But that is
2 correct.

3 (Whereupon, Exhibit A-7 is marked
4 for identification.)

5 MR. COSTA: Okay. This is marked as
6 A-7. It's a geometry plan of the parking deck at
7 grade. And I'm going to let you find the last
8 revision date.

9 MR. NAGRANI: It's the same, October
10 8, 2018.

11 MR. WARNER: And like the exhibit
12 preceding it, it's already been submitted more
13 than 10 days in advance as part of the plan set,
14 but nevertheless, nothing wrong with marking it
15 as an exhibit tonight. It hasn't changed since.
16 Correct?

17 MR. NAGRANI: It hasn't.

18 MR. WARNER: Thank you.

19 A. Okay. So this is the deck level
20 parking, which you can see the top level of
21 parkings. So the access to the deck level is
22 provided with -- the northeast corner of the
23 deck from the existing parking lot. So it's a
24 two-way access, and all the aisles in the deck
25 level are two-way access, with a 24-foot aisle,

1 and the 9-by-18 parking stalls.

2 And proper signage has been
3 proposed for stop signs to avoid any conflicts
4 in the traffic circulation.

5 And along the southeast -- or in
6 the middle of the south side of the deck,
7 there's a ramp that goes down to the lower
8 level. So that will be the next exit, which
9 I'll go through, is the lower level parking, and
10 this is the ramp that goes down to the lower
11 level. It's a 24-foot-wide two-way ramp.

12 (Whereupon, Exhibit A-8 is marked
13 for identification.)

14 A. This is A-8. And this is also a
15 revision two, dated October 8, 2018, sheet 6 of
16 23.

17 Q. And it's a geometry plan of the
18 lower level?

19 A. Lower level parking.

20 So on the previous sheet, we saw
21 the access to the lower level parking. So, now,
22 this is -- we're getting to the lower level.
23 And, again, it's a two-way circulation plan, and
24 the only way access in and out of the lower
25 level is through the ramp. And it's all

1 two-way, and signage is shown.

2 And to the south -- to the west of
3 the deck parking area, that's a surface parking
4 area, it is not part of the deck, it's just a
5 surface parking, and it's 9-by-18, and a two-way
6 traffic.

7 Q. So the surface parking portion
8 basically goes outside of the upper garage
9 overhang?

10 A. Correct.

11 Q. It extends a little further?

12 A. That's right.

13 Q. Okay. And that's at exactly grade
14 level? approximately grade level? How does that
15 work?

16 A. It's at the same level at the lower
17 level.

18 Q. Okay. Which --

19 A. But there's some slope there for
20 the drainage purposes.

21 Q. Okay. So it's -- how similar is
22 the grading to the houses that are near it?

23 A. From the Lot 4 that we were
24 comparing to, this parking is roughly, like, 8
25 to 9 feet higher.

1 Q. Okay. So this is 8 to 9 feet
2 higher than Lot 4.

3 And is there a wall? a slope? How
4 does -- what do you see out of Lot 4?

5 A. Let me put the grading plan.

6 Q. Actually, before you do that, just
7 a question: What is around the edge of that

8 parking area that sticks out outside of the
9 upper garage that? So I'm talking about the
10 parking area that's at the top of this drawing
11 that -- that is not covered by the upper level,
12 this parking area here. What's the proposed --

13 A. So, partially, it's a wall, and
14 then it's just a curb, 6-inch curb. It's a
15 6-inch Belgian block curb.

16 COMMISSIONER AMIN: What's the
17 height of that little wall that is in there?

18 MR. NAGRANI: I'll just go to the
19 next sheet, I'll show you.

20 BY MR. COSTA:

21 Q. So this is going to be A-9?

22 A. No, this is already called A-6.

23 Q. Okay. I'm sorry, A-6.

24 A. So on the west side of it, there's,
25 like, a small section of a retaining wall here,

1 which is about 7 feet tall. So 7 feet tall.
2 It's higher than the existing grade.

3 And after that, you can see it's
4 all graded down 3-on-1 slope.

5 COMMISSIONER AMIN: So this looks --
6 the retaining wall is around the lower level?

7 MR. NAGRANI: That's right, because

8 that's not a part of the deck, it's just a
9 surface parking, just west of the lower level.

10 BY MR. COSTA:

11 Q. So it's basically an extension of
12 the lower level beyond the --

13 A. That is correct.

14 Q. Okay.

15 COMMISSIONER AMIN: So there is no
16 way, if the cars to park that way, the headlights
17 will not be shining into anything, other than
18 that wall. Right?

19 MR. NAGRANI: The wall is only,
20 like, say, around 20 feet, but other section is
21 not wall, it's just curb. But we are planting
22 vegetation, and there's existing vegetation in
23 that area.

24 COMMISSIONER AMIN: So the portion
25 of the parking where there is no wall, then the

1 headlights could shine into the houses in the
2 back?

3 MR. NAGRANI: That's why we are
4 putting the plantings along the perimeter.

5 COMMISSIONER AMIN: Not any wall or
6 anything?

7 MR. NAGRANI: No, right now, it's
8 proposed to be just plantings.

9 COMMISSIONER AMIN: Okay.

10 COMMISSIONER FROSS: I don't want to
11 be redundant, but what is the highest -- what is
12 the height of the highest part of your parking
13 garage from ground level?

14 MR. NAGRANI: When you say "ground
15 level," meaning, like, as I said earlier, so from
16 the Lot 4, so this is roughly 8 feet higher --
17 lower level is 8 feet higher than the ground, and
18 the deck itself is 10 and a half feet, and then
19 there's a 3.75-foot parapet on top of the deck
20 level parking.

21 COMMISSIONER FROSS: So you're
22 looking at 20 feet?

23 MR. NAGRANI: Or 14 and 8, 22, and
24 plus, for the staircase tower, 28.

25 COMMISSIONER FROSS: All right. And

1 now you have lights on top of that. Correct?

2 MR. NAGRANI: Well, for the deck
3 level parking, there's a parapet wall that will
4 block the lights. It's a 3.75-foot wall at the
5 parapet wall at the deck level. So the light
6 won't shine through from the deck.

7 MR. WARNER: And the light poles are
8 only 10 feet high. Correct?

9 MR. NAGRANI: That's correct.

10 MR. WARNER: And they're not on top
11 of the internal staircase; they're on top of the
12 second level of the parking lot. Right?

13 MR. NAGRANI: Yeah, the light poles
14 are 10 feet tall. They're located in such a way
15 that they're on the opposite side -- they're not
16 on the periphery of the deck level, they're on
17 the opposite side of the bay, which is 60 feet
18 away. So with the 3 feet 9 inches of parapet
19 wall -- so if person standing down and looking at
20 the light fixture, you'll never be able to see
21 the light fixture, because the parapet would
22 block that view. So even the light poles, you
23 will not be able to see from down.

24 MR. WARNER: Right, but my point is
25 that the light poles -- you can't add the light

1 poles to the 6 feet of the internal staircase;
2 they're not on top of the staircase. I'm helping
3 you.

4 MR. NAGRANI: No.

5 MR. COSTA: They're also -- and one
6 of the things -- and I don't want to necessarily
7 do it on the fly, I want to come back and clarify

8 this, but I think, with our height, we have added
9 the 6 foot on top of the parapet wall. So I
10 think we've actually elevated this 3 feet more
11 than it should be.

12 But the lights would be at the level
13 of the upper deck of the garage, and then you
14 have the parapet. So we've got to be real
15 precise about the -- you know, the height of the
16 lights from the ground.

17 MR. NAGRANI: From the deck
18 elevation, not the --

19 MR. COSTA: So if we don't have that
20 exactly right here, we'll get that for you. So
21 we'll get you an exact diagram of this tall, this
22 tall, and we'll have this all so we can -- so
23 there's no debate.

24 MS. DOYLE: Mr. Chairman, my
25 original report said 14 feet, and I really don't

1 feel like going through it right now, but the
2 applicant has testified that it is 10 feet, and
3 if it is 14 feet in here, it would be changed to
4 10. Correct?

5 MR. NAGRANI: Ten and a half feet
6 was the clear -- the total from the lower to top,
7 and the 3.75 --

8 MR. WARNER: You're talking about
9 the poles, the light poles?

10 MS. DOYLE: I'm talking about the
11 light poles, including the base, from the
12 light --

13 MR. NAGRANI: The light poles --

14 MS. DOYLE: -- to the ground -- the
15 ground, or the pavement.

16 MR. NAGRANI: Right, the light poles
17 on the deck level are 10 foot.

18 MS. DOYLE: Including the base?

19 MR. NAGRANI: Correct.

20 MS. DOYLE: And if they're not on
21 the plans, you'll change it?

22 MR. NAGRANI: Sure.

23 MS. DOYLE: Thank you very much.

24 BY MR. COSTA:

25 Q. Do you -- are you --

1 A. Now, just to clarify, the light
2 poles on the -- near the existing cultural
3 center, those are 12 foot tall, but in the
4 parking deck are 10 foot tall.

5 Q. So they drop 2 feet on the new --

6 A. Yeah, because we didn't want to
7 make it too tall there.

8 COMMISSIONER AMIN: And the new
9 proposed lights are 10 feet?

10 MR. FORSYTHE: Any lights on the
11 grade parking, the lower grade parking, any --

12 MR. NAGRANI: The lower level
13 parking? Yeah, I can show that.

14 BY MR. COSTA:

15 Q. So what's -- and we'll answer that.
16 Let's go to the lighting plan to answer that
17 question, and do a general discussion on the
18 lighting.

19 So that's a new -- we're on A-9.
20 And what page is this?

21 A. It's 15 of 23.

22 Q. And this is a lighting plan?

23 A. This is lighting plan deck parking
24 at grade.

25 You want A-9?

1 Q. Yes, A-9, yes, please.

2 (Whereupon, Exhibit A-9 is marked
3 for identification.)

4 BY MR. COSTA:

5 Q. And the last revision date? It's
6 probably the same.

7 A. It's October 8, 2018.

8 Q. Okay. And this is at grade with
9 the temple?

10 A. Yes.

11 Q. Okay.

12 A. So, on this plan, it's 10-foot
13 light poles, and we are meeting the average of
14 1.5 foot-candles, as required by the ordinance.
15 And it's not shown here, that the average is
16 1.5, but I'll make sure, in the next revision,
17 we'll put a chart, to clarify that it's at 1.5
18 average.

19 And I'm trying to -- so on the
20 western side of the parking deck, these poles
21 are 60 feet off from the western edge. So
22 that's why I'm trying to clarify that a person
23 standing on Cedar Brook Road, there will be
24 almost 3.75-foot parapet wall, which will block
25 the view of the person looking at the light

1 poles, which are 60 feet into the garage. So
2 that will block the view.

3 Q. So there are no light poles along
4 the edge --

5 A. Along the western --

6 Q. Okay. Along that edge.

7 A. Correct.

8 Q. The first light poles are in the --
9 basically the middle section of the --

10 A. Right, the end of the first parking
11 bay.

12 Q. Okay.

13 MS. DOYLE: Mr. Chairman, I have a
14 question.

15 You said 2.75-foot high parapet --

16 MR. NAGRANI: 3.75.

17 MS. DOYLE: Okay. Is -- I'm going
18 to ask for our engineer to advise, but I've
19 always thought that safety barriers had to be 4
20 foot high, like, around a swimming pool, or
21 around -- to -- rather than 3.75. Shouldn't they
22 be 4 feet high? Or should they be 4 feet high?
23 I'm asking, I'm not --

24 MR. FORSYTHE: Yeah, I mean, a
25 typical guardrail is only 30 inches high.

1 MS. DOYLE: But when you're on a
2 deck and you can fall off, we usually require --
3 like, on terraces, we usually require --

4 MR. FORSYTHE: Yeah, it becomes a
5 building permit -- or a building structural.
6 Beyond my expertise. How's that?

7 MS. DOYLE: I'm just suggesting that
8 there's a liability issue there that you
9 should --

10 MR. NAGRANI: We'll look into that.

11 CHAIRMAN SWEENEY: Mr. Nagrani,
12 while you're talking about lighting, you
13 mentioned 1.5 foot-candles, we'll confirm that's
14 the average for the garage.

15 MR. NAGRANI: Yes.

16 CHAIRMAN SWEENEY: You've got to
17 confirm it's the address for the entire site as
18 well.

19 MR. NAGRANI: Since it's in
20 different sections, so the upper level -- the
21 deck level is 1.5; the lower level will be 1.5.
22 And the parking -- the lighting near the existing
23 cultural center will also be 1.5.

24 CHAIRMAN SWEENEY: I'm talking about
25 the entire site.

1 MR. NAGRANI: We're not analyzing
2 everything, because that's not part of this
3 application.

4 CHAIRMAN SWEENEY: Okay. Let's tell
5 us what that should be.

6 MR. NAGRANI: The proposed
7 structures that we're doing, we're proposing
8 lighting, because the existing lighting, we're
9 not analyzing.

10 MR. COSTA: The existing lighting
11 was approved in prior site plan.

12 MS. DOYLE: But Mr. Chairman, I
13 think we have something that the board may wish
14 to consider, and that is, at the time there's a
15 CO anywhere, we have a form that -- or he could
16 provide something that says he has checked the
17 lighting on the site, and the lighting is safe
18 for pedestrian and vehicular activity. Because
19 lighting degrades over time, and I think that's
20 what you're driving at.

21 CHAIRMAN SWEENEY: That will be
22 completed. It's a part of your application.

23 MR. NAGRANI: Okay.

24 MS. DOYLE: And that would be for
25 the entire site, not just --

1 CHAIRMAN SWEENEY: That's correct.

2 MR. NAGRANI: Okay.

3 BY MR. COSTA:

4 Q. So just to clarify, that's the
5 lighting on the upper site?

6 A. On the upper deck.

7 Q. On the upper deck, I'm sorry.

8 And do you have -- or can you show
9 the board a rendering of the actual light
10 fixture, and explain what --

11 MR. FORSYTHE: Well, before you go
12 there, can you go to the next sheet, which shows
13 the lower level?

14 MR. NAGRANI: Sure.

15 MR. COSTA: And that would be A-10,
16 which is lower level light plan.

17 (Whereupon, Exhibit A-10 is marked
18 for identification.)

19 MR. WARNER: Sheet 16 of 23, is it?

20 MR. NAGRANI: 16 of 23, revision 2,
21 dated October 8, 2018.

22 MR. FORSYTHE: So, now, the lights
23 on that lower parking level --

24 MR. NAGRANI: So the lower level
25 would be --

1 MR. FORSYTHE: -- of that parking
2 deck are on the Cedar Brook side?

3 MR. NAGRANI: Yes. So this is other
4 deck, portion of the parking, and the lighting
5 would be ceiling mounted. And on the west side,
6 which is a surface parking lot, those would be
7 the same -- they'd be, like, a shoebox-type light
8 fixture.

9 MR. FORSYTHE: And you can put house
10 shields on the back of those, so they don't
11 shine --

12 MR. NAGRANI: That's right.

13 BY MR. COSTA:

14 Q. Where are the fixtures located on
15 the portion that is not --

16 A. They're along the western portion
17 of the property.

18 Q. Okay.

19 A. And so they're on the western
20 portion, and they're also along this -- towards
21 the western edge of the parking deck. So those
22 are mounted on the walls to light this parking
23 area.

24 Q. Okay.

25 A. And, again, the average will be 1.5

1 foot-candle.

2 This will be A-11, the existing
3 cultural center.

4 Q. Okay. A-11, existing cultural
5 center.

6 (Whereupon, Exhibit A-11 is marked
7 for identification.)

8 MR. WARNER: Is it, again, part of
9 the plans?

10 A. This is revision 2, October 8,
11 2018, sheet 17 of 23.

12 So this is the lighting plan for
13 the parking to the north of the existing
14 community center. And, again, these are the
15 12-foot light poles, and the same Galleon LED
16 shoebox-type light fixtures, which are, like,
17 down sight, and average lighting intensity of
18 1.5 foot-candles.

19 COMMISSIONER AMIN: What's the
20 height of these poles here, the shoebox, on this
21 lot?

22 MR. COSTA: Those are 12 foot, by
23 the cultural center.

24 A. Ten was last?

25 Q. No, 11. This is 12.

1 (Whereupon, Exhibit A-12 is marked
2 for identification.)

3 A. Okay. So A-12, and it's sheet 18
4 of 23, revision 2, dated October 8, 2018.

5 Q. And what is the plan?

6 A. This is the lighting details.

7 Q. Okay.

8 A. So the lighting on the deck level
9 parking and by the existing community center.
10 So that is a Galleon LED light. So this is an
11 LED, like a shoebox-type light fixture. And the
12 lighting in the lower level of the parking deck,
13 that would be the vapor-proof LED. So those are
14 certifiable for, like, in the parking area
15 conditions at lower level. And the chart is
16 shown on the plan showing quantifies, mounting
17 heights, for all the light fixtures.

18 On the revised plans, I will add
19 the chart showing the average foot-candles.

20 Q. Okay. Let's -- I think it's in the
21 letter, but one of the -- one of the neighbors
22 asked about the planting proposed, I think, in
23 the vicinity of the cultural center.

24 A. Okay. This will be A-13?

25 Q. Yeah, A-13.

1 (Whereupon, Exhibit A-13 is marked
2 for identification.)

3 A. This is A-13, and it's sheet 14 of
4 23, revision 2, October 8, 2018. It's a
5 landscaping plan.

6 Q. If you could, orient the board and
7 the neighbors to where --

8 A. So we are looking at the northern
9 portion of the property, fronting Old Farm Road.
10 And this is our access drive that is to be used
11 for only emergency access purpose only.

12 So this is existing community
13 center to the north portion of the property, and
14 the parking to the north of the existing
15 community center.

16 And there's a landscaping proposed
17 close to the property. And there's a lot of
18 existing vegetation that is proposed to be
19 preserved that will kind of serve as a visual
20 screen.

21 This parking area would be, like,
22 roughly -- mostly at the same level as the
23 topographic -- as the existing grades, but in
24 spots, it would be, like, 3 to 4 feet higher
25 than the existing grade.

1 And I know there were comments in
2 the planner's letter regarding the -- screening
3 this, to the northern portion of this parking
4 lot, and we will increase this -- more
5 landscaping in this area, to provide more visual
6 screen.

7 MR. WARNER: Can you describe this
8 area again?

9 MR. NAGRANI: I'm sorry?

10 MR. WARNER: Describe this area.

11 MR. NAGRANI: To the northern
12 portion of the parking lot.

13 BY MR. COSTA:

14 Q. The portion between the parking lot
15 and the road?

16 A. That's right.

17 CHAIRMAN SWEENEY: Old Farm Road.

18 MR. COSTA: Old Farm Road.

19 BY MR. COSTA:

20 Q. And we're going to provide
21 additional screening, and we're going to satisfy
22 the --

23 A. Board planner's comments. We will
24 add a berm, because it was requested in the
25 letter. So, like, 3 to 4-foot berm, and we'll

1 provide evergreens on top of the berm.

2 MS. DOYLE: If you could explain to
3 the board and to the residents, you're going
4 to -- some people don't know what a berm is.
5 Maybe you could explain what you're doing to
6 shield or screen that area by what is a berm.

7 MR. NAGRANI: The berm will be an
8 earthen berm, which will be, like, 3 to 4 feet
9 higher than the parking area.

10 MS. DOYLE: It's a hill?

11 MR. NAGRANI: It's a hill, that's
12 right, and then planting on top of the hill. So
13 that would provide more than adequate for any
14 light -- screening for any lights from the cars.

15 MS. DOYLE: That will require
16 removal of some --

17 MR. NAGRANI: Existing vegetation.

18 MS. DOYLE: But in the end --

19 MR. NAGRANI: It will serve more
20 useful purpose.

21 BY MR. COSTA: --

22 Q. And it will also act as a sound
23 barrier. Right?

24 A. Right, yeah, more visual screen.
25 So that's along the northern portion of the

1 property, between property line and the --
2 between the northern parking lot and the Old
3 Farm Road, that's where we will do a berm and
4 additional plantings.

5 CHAIRMAN SWEENEY: While you're
6 talking about landscaping, I think there was
7 another point in Scarlett's letter about

8 landscaping alongside 202/206, or along 202/206.
9 And I don't have it in front of me, but Scarlett,
10 if I recall, the gist of your comment was that
11 there wasn't any -- the proposed landscaping was
12 actually implemented along 202/206?

13 MS. DOYLE: The temple has done a
14 very good job of landscaping; however, over time,
15 we've lost some of the plants, and I would just
16 like them to reestablish those that were in the
17 original approval. They've done -- they've done
18 an admirable job, but I think we can just fill in
19 those areas that need a little bit of
20 fortification.

21 CHAIRMAN SWEENEY: Will you work
22 with Scarlett on that?

23 MR. COSTA: Yes, the applicant will
24 do that to her satisfaction.

25 CHAIRMAN SWEENEY: Thank you.

1 BY MR. COSTA:

2 Q. So, at this point, you're going to
3 go through Scarlett's comments in her planning
4 memo?

5 CHAIRMAN SWEENEY: Before you get to
6 Scarlett's letter, I've got a question about a
7 point that we touched on briefly when you last
8 testified, and it's about drainage. There's a
9 comment -- there's a comment in your
10 environmental impact report that refers to a
11 stormwater report that's going to explain how
12 you're going to handle additional runoff created
13 by the proposed garage.

14 MR. NAGRANI: Okay. Yes.

15 CHAIRMAN SWEENEY: I haven't seen
16 that report. Has it been submitted?

17 MR. NAGRANI: Yes.

18 CHAIRMAN SWEENEY: It has. Okay.
19 Do you have a copy of that?

20 MR. FORSYTHE: Yes.

21 CHAIRMAN SWEENEY: Okay. Tell me
22 how that's going to work. And here's my concern
23 as you're going through that: Currently, Cedar
24 Brook Road floods. When we get even a moderately
25 good rainfall, water flows along your newly

1 acquired properties that face on Cedar Brook
2 Road, and overflows Cedar Brook Road, into a
3 culvert on the far side, or the western side of
4 the Cedar Brook Road. How are you going to fix
5 that?

6 MR. NAGRANI: Let me put this
7 exhibit.

8 MR. FORSYTHE: C-10 would probably
9 be the best.

10 MR. COSTA: Has that one been marked
11 yet?

12 MR. NAGRANI: Yes, it's A-6.

13 MR. FORSYTHE: A-7.

14 MR. WARNER: What is it?

15 MR. NAGRANI: It's A-6.

16 MR. FORSYTHE: You're probably going
17 to want to go to A-7, the next one over.

18 MR. NAGRANI: Because here, also, I
19 have an underground detention system.

20 MR. FORSYTHE: Yeah, but I want to
21 tell you where the chairman's concerned about the
22 drainage and how it's coming out, so that you
23 know what the problem is, and...

24 CHAIRMAN SWEENEY: Remediate.

25 MR. WARNER: And what exhibit is

1 that, if it's marked already?

2 MR. COSTA: A-7, I believe.

3 MR. WARNER: Okay. And that's
4 sheet.

5 MR. FORSYTHE: Sheet 10.

6 MR. NAGRANI: This was not marked.

7 MR. FORSYTHE: It should be A-7, it
8 was sheet 10. Correct?

9 MR. WARNER: Sheet 10 of 23. Is
10 that correct?

11 MR. NAGRANI: It is sheet 10 of 23.

12 MR. FORSYTHE: Okay. Basically,
13 what we're getting is runoff that's coming off of
14 your site along --

15 MR. NAGRANI: To the Chambers Brook?

16 MR. FORSYTHE: Yeah, which is lot
17 number -- I don't -- I can't see the lot number,
18 but the very first house that you have on Cedar
19 Brook Road, from --

20 MR. NAGRANI: Lot 2?

21 MR. FORSYTHE: Nope.

22 MR. NAGRANI: Lot 3?

23 MR. FORSYTHE: That one right there,
24 where your hand is now.

25 MR. NAGRANI: Lot 3.

1 MR. FORSYTHE: So the northern
2 property line of that lot, the water's coming
3 down and going out to the roadway. A long time
4 ago, before you owned the property, there was a
5 swale along the edge of pavement. That swale is
6 now, kind of, silted in, so that's no longer
7 there, so, instead, the water goes out to the
8 pavement, and then gets down by the driveway, and
9 then crosses over the road, and that's where we
10 have our -- our icing problem right now, and
11 that's the drainage situation that the chairman
12 was alerting you to.

13 MR. NAGRANI: For these improvements
14 that we're proposing to the parking area, so, of
15 course, we are changing the land cover from grass
16 and woods to the impervious area, so there's an
17 increase in the CN value. To mitigate that,
18 we're proposing an underground detention system,
19 it's shown to the north of this existing cultural
20 center building.

21 So this detention system, the
22 stormwater will be piped to this detention basin,
23 and it will be held, attenuated, and will be
24 slowly released. And it will be treated for
25 water quality, to get the 80 percent TSS removal

1 rate, which is required by the DEP and the
2 township rules.

3 So after it is treated at 80 percent
4 TSS removal rate, that will be discharged to the
5 existing surface basin to the south of the
6 existing community center.

7 From that, there's an existing
8 outlet structure that would control the flow to
9 the Chambers Brook.

10 So it's not that the flow from this
11 property would be directly draining to the
12 stream, and would cause any flooding problems,
13 but it will be held and attenuated in the
14 detention basin, before it gets discharged off
15 site.

16 CHAIRMAN SWEENEY: So it sounds as
17 though there's going to be more discharge after
18 you complete --

19 MR. NAGRANI: No, it's not going to
20 be more. In that report, that's where we have
21 compared existing runoff rates and the proposed
22 runoff rates. That is the reason we're proposing
23 this detention basin, to hold the water; not just
24 dump it straight to the stream.

25 CHAIRMAN SWEENEY: Will we still

1 have over-flooding of Cedar Brook Road?

2 MR. COSTA: Can I --

3 MR. NAGRANI: If I compare from
4 existing flows, it's -- we are reducing the flow
5 rate from existing flow rates.

6 CHAIRMAN SWEENEY: You didn't answer
7 my question.

8 MR. COSTA: And that's what -- let
9 me try to see if we can get to that. I'm trying
10 to understand from your statement why you think
11 this flooding is occurring now. Is it a failure
12 of a swale that was there before, that's no
13 longer there? What is -- because it -- if it's
14 not caused by our site, you know, it's not
15 something we need to directly address. It
16 doesn't mean it's not relevant, I just need to
17 understand what you think is the problem.

18 MR. FORSYTHE: Well, it's runoff
19 currently coming off what is your new properties.

20 MR. COSTA: Okay.

21 MR. FORSYTHE: It's coming out to
22 the street, and it's creating an icing situation.

23 MR. COSTA: And is it -- the place
24 where you mentioned the swale, is that a property
25 that is owned by the temple? Is that --

1 MR. FORSYTHE: That's across the --
2 the swale that was there. That's no longer
3 there, is along the frontage of all those lots
4 that the temple just bought along Cedar Brook.

5 MR. COSTA: Okay. And is it your
6 view that this could be resolved with --

7 MR. FORSYTHE: Yeah.

8 MR. COSTA: -- correcting the swale?

9 MR. FORSYTHE: Should be able to
10 keep it -- if the swale is recreated --

11 MR. NAGRANI: Okay.

12 MR. COSTA: We will do that.

13 MR. FORSYTHE: And that'll be the
14 water where it belongs.

15 CHAIRMAN SWEENEY: Work with
16 Mr. Forsythe.

17 MR. COSTA: That's fine. I needed
18 to understand what we were working with.

19 MR. FORSYTHE: It's not that --
20 this -- that particular situation doesn't have as
21 much to do with your proposed development; it's
22 an existing situation --

23 MR. NAGRANI: Right. --

24 MR. FORSYTHE: That you've now
25 inherited, for lack of a better term.

1 In regard to the drainage overall in
2 your stormwater report, you did do an analysis at
3 the Cedar Brook culvert. You're not really
4 reducing the flows at that point of analysis.

5 MR. NAGRANI: We are. We're
6 reducing flows to the Chambers Brook. We are
7 reducing at the Peters Brook area, to the
8 south --

9 MR. FORSYTHE: In your report,
10 you're almost at -- you are reducing the flows.

11 MR. NAGRANI: From existing
12 conditions.

13 MR. FORSYTHE: From existing
14 conditions, but not down to --

15 MR. NAGRANI: For the reduction
16 rates for the overall site, if you look in the
17 report --

18 MR. FORSYTHE: That would -- I mean,
19 that would be one of the critical -- that would
20 be the critical drainage point right there.

21 MR. NAGRANI: Okay.

22 MR. FORSYTHE: So taking another
23 look at that, and --

24 MR. NAGRANI: Okay. We can see if
25 we can reduce further from what we are proposing.

1 MR. FORSYTHE: If you would, yes.

2 MR. WARNER: And if I understand
3 correctly, recreating the swale was a
4 stipulated-to condition. Correct?

5 MR. COSTA: Yes.

6 MR. FORSYTHE: Yeah, that's --

7 MR. COSTA: Yes.

8 MR. WARNER: Thank you.

9 BY MR. COSTA:

10 Q. Okay. I think we're going to
11 continue through Scarlett's memo.

12 CHAIRMAN SWEENEY: Just for the
13 record, we're now turning to Scarlett Doyle's
14 memorandum, dated November 13, 2018.

15 MR. NAGRANI: Scarlett, do you want
16 to start for variance and design waivers?

17 MS. DOYLE: I apologize to the
18 board, because I don't have page numbers on this,
19 but whatever's applicable for your explanation.

20 MR. NAGRANI: What was that?

21 MS. DOYLE: Whatever's applicable
22 for you.

23 A. Okay. So starting at the variances
24 and design waivers, so the minimum lot area,
25 we're asking for a variance. This was -- the

1 variance was approved in the prior approval, and
2 we're making an area better, since the temple
3 acquired three lots, but still, it's a variance
4 based on the conditional use.

5 Front yard setback --

6 Q. So just to add some numbers to
7 that, it was -- the variance granted in the

8 prior application was 0.081 -- am I right? I
9 think the 0 shouldn't be there.

10 A. You mean the lot area?

11 Q. I'm sorry, I'm looking at the
12 wrong -- yes, okay. Can you give the actual
13 dimensions of the lot area we're looking at?

14 A. 1.8 million square feet. There
15 was the required -- 1.779 million square feet
16 was required based on the conditional use, and
17 1.329 is provided. So it's a variance.

18 Q. Okay. Good.

19 A. And the front yard, 75 foot is
20 required; 71.9, there's a front yard setback on
21 Lot 2, so this is an existing variance which was
22 approved in the prior application.

23 MR. WARNER: If I may, this is in
24 the chart on -- well, a couple of pages later.
25 So we probably don't have to go through it in

1 detail, would be my suggestion.

2 CHAIRMAN SWEENEY: Yeah, let me see
3 if I can simplify this for you. I don't expect
4 you to go through every point that she's made,
5 because a lot of it is a statement of fact, as
6 opposed to everything else. We know what the
7 facts are; there's no need for the engineer
8 repeating them.

9 What we're going to do is assume
10 that you're going to comply with Scarlett's
11 comments --

12 MR. NAGRANI: Yes, we --

13 CHAIRMAN SWEENEY: -- unless you've
14 got a problem with that, in which case you need
15 to let us know right now which of her points you
16 have a problem with, and we'll talk about that.

17 But other than that -- and there are
18 some points in here where she's asked you to
19 comment on something or other, and I will ask you
20 to do that, but aside from that, we're going to
21 assume you're going to comply; if you've got a
22 problem with that, let us know now, and we'll
23 talk about it. Fair enough?

24 MR. NAGRANI: In the variances and
25 waivers on the chart, it was mentioned for 1.5

1 foot-candles, it's not conformed for the entire
2 lot, so variance required, yes. I'm going to say
3 we are going to confirm that 1.5 foot-candles is
4 provided.

5 CHAIRMAN SWEENEY: Oh, you're on her
6 chart. Okay. Is that right?

7 MR. NAGRANI: Yes.

8 CHAIRMAN SWEENEY: Let's go back a
9 page, because there's a couple of things that
10 I've highlighted here. So this is the page
11 before her variances and design waivers table.

12 Now, one of those was about
13 landscaping on 202/206; that's the third
14 paragraph from the bottom. You've talked to
15 that, so we're good --

16 MR. NAGRANI: Yes, we'll work --

17 CHAIRMAN SWEENEY: We're good.

18 We're good.

19 Okay. The last paragraph at the
20 bottom of that page talks about trees on Old Farm
21 Road and 202/206. We've addressed 202/206. So
22 are there any issues of trees on Old Farm Road,
23 Scarlett, or does the vegetation and the berm
24 take care of that?

25 MS. DOYLE: Well, they'll be putting

1 in street trees, but the vegetation and berm will
2 to some extent accommodate that, but we will
3 still have street trees if they're taken down.

4 CHAIRMAN SWEENEY: Okay. Got that
5 on street trees?

6 MR. NAGRANI: Yes.

7 CHAIRMAN SWEENEY: Terrific.

8 Next page, there's a paragraph at
9 the top of that page which talks about bike
10 racks.

11 MR. NAGRANI: We're not proposing
12 any bike racks. We don't anticipate anyone
13 bringing in bikes on the property.

14 CHAIRMAN SWEENEY: All right. No
15 bike racks.

16 Now, we talked about -- I'm now on
17 the second page of her variances and design
18 waivers table. We've talked about plantings --
19 or is this -- Scarlett, is this -- the 150 plants
20 required, is that around the base of the
21 building? What is that?

22 MS. DOYLE: No, it's against the
23 residential -- if he wants to work with me on
24 that, I'll work with him.

25 CHAIRMAN SWEENEY: He said he would

1 work on that.

2 MS. DOYLE: Where it's against a
3 residential --

4 MR. NAGRANI: This is on Lot 6.
5 Right?

6 MS. DOYLE: Correct.

7 CHAIRMAN SWEENEY: You're going to
8 handle that with Scarlett.

9 And we talked about lighting, so
10 we're good on that.

11 MR. NAGRANI: Yes.

12 CHAIRMAN SWEENEY: Okay.
13 Professional review starts at the bottom of that
14 same page.

15 We've talked about the variances for
16 side yard, not a problem, one in both.

17 What about flood hazard area?

18 MR. NAGRANI: The flood hazard area,
19 there's a portion of our parking deck that is
20 within the flood hazard easement, that the
21 township flood hazard easement, which is 50 foot
22 from the flood hazard area -- the flood hazard
23 area is approved by DEP, so the flood hazard area
24 encompasses the floodway and the flood fringe
25 areas, so any runoff that flows in the 100-year,

1 plus 25 percent -- which is a DEP requirement for
2 a factor of safety -- so that runoff -- the flood
3 hazard area elevation includes all those runoff.

4 Now, the township requirement of
5 50-foot buffer on top of that, that's where we
6 are encroaching. So we will not be impacting any
7 flood storage volume or areas, and we're not

8 disturbing any flood elevations. So it's outside
9 of the flood hazard area, but it's within the
10 township flood hazard easement, and that's why
11 we're requesting a waiver.

12 MR. WARNER: Do you need --

13 CHAIRMAN SWEENEY: What specifically
14 is the encroachment you're talking about? You
15 don't have to point it out, just explain it to
16 me.

17 MR. NAGRANI: It's a small portion
18 of the parking deck that is within the flood
19 hazard easement.

20 CHAIRMAN SWEENEY: I'm going to ask
21 you --

22 MR. COSTA: It's the lower level.

23 MR. NAGRANI: And there's also a
24 trash compactor that is proposed in the flood
25 hazard easement, but in the last testimony, we

1 said we will remove that from the flood hazard
2 easement.

3 CHAIRMAN SWEENEY: All right. I
4 will ask you to sit down and talk to Tom about
5 that, Tom Forsythe, about that encroachment. If
6 he's okay with it, then we're fine; if not,
7 you're going to have to do something to get his
8 sign-off on it.

9 MR. NAGRANI: Sure.

10 CHAIRMAN SWEENEY: Number 6 on that
11 page, one of the conditions of the prior board
12 approval was to remove the original house of
13 worship. You've changed that plan. Correct?
14 You're going to keep that, because it's now the
15 community center, and it's being used?

16 MR. COSTA: Correct, it's being
17 used, and it's --

18 MR. NAGRANI: Language classes,
19 dance classes.

20 MR. COSTA: It's a good useful
21 building for certain classes.

22 CHAIRMAN SWEENEY: Okay. Next page.
23 We talked briefly about parking stalls, the width
24 of which should be 9 and a half or 9. You're
25 proposing, what was it, 9 --

1 MR. NAGRANI: 9-by-18.

2 CHAIRMAN SWEENEY: For the upper
3 deck? lower deck? both decks?

4 MR. NAGRANI: Upper deck, lower
5 deck, and surface parking to the west of the
6 lower deck. So that whole section is 9-by-18.

7 CHAIRMAN SWEENEY: The next point is
8 data on additional parking spaces requires --

9 MR. WARNER: Which number?

10 CHAIRMAN SWEENEY: This is number
11 18, I'm sorry.

12 What are the actual numbers that are
13 being proposed for the deck and the total of the
14 deck and existing?

15 MR. NAGRANI: So the total parking
16 is 1,049.

17 CHAIRMAN SWEENEY: 1,049.

18 MR. NAGRANI: Right.

19 CHAIRMAN SWEENEY: Okay. And the
20 new parking garage?

21 MR. NAGRANI: The parking deck level
22 is 245 spaces, and the lower level, 259 spaces.

23 CHAIRMAN SWEENEY: 245 plus 259.

24 MR. COSTA: If I could just -- I'm
25 looking for my sheet of paper about this, but I

1 just want to have you testify on something that
2 may cause confusion. If you add those numbers
3 up, and, you know, what was previously approved,
4 and what is being added, it doesn't equal the
5 number that we're seeking, and the reason is
6 because a portion of the previous parking wasn't
7 yet built out, and I just want to get that

8 information on the record, as to what was
9 previously approved and what was built out.

10 MR. NAGRANI: So the previously
11 approved was 491 parking spaces; that was
12 approved in the prior approval. And the parking
13 currently on site is 439, because the existing
14 community center was not demolished, and the
15 parking was not modified in that area.

16 MR. COSTA: And then, we are
17 proposing how many additional spaces?

18 MR. NAGRANI: 610 from existing. So
19 439 plus 610, that is 1,049.

20 MR. COSTA: Okay. So I just wanted
21 to -- as people are looking at those numbers, I
22 just wanted to make sure that's clear.

23 CHAIRMAN SWEENEY: All right.

24 COMMISSIONER AMIN: So the existing
25 spots, how many you have right now?

1 MR. NAGRANI: 439.

2 COMMISSIONER AMIN: And the 491

3 was --

4 MR. NAGRANI: The 491 was previously
5 approved in 2008 application, but that's not
6 fully constructed yet.

7 MR. COSTA: And the reason was

8 because the community center was not taken down.

9 That was going to be a parking area.

10 CHAIRMAN SWEENEY: Right.

11 Okay. Number 21 and 22 on that same
12 page talks about architecture. I think we've
13 gone into that in some level of detail, and
14 you're going to come back to us and answer all of
15 our questions about the parking garage; parking
16 decks. Correct?

17 MR. COSTA: Correct.

18 CHAIRMAN SWEENEY: Landscape screen,
19 we've also talked about that.

20 MR. WARNER: Planting guarantees?

21 CHAIRMAN SWEENEY: We've talked
22 about planting guarantees.

23 Number 28 is about buffer plantings
24 along Old Farm Road; we've talked about that,
25 you're going to work with Scarlett on that.

1 MR. NAGRANI: Yes.

2 CHAIRMAN SWEENEY: That's also
3 number 30 on that same page.

4 MR. NAGRANI: Yes.

5 CHAIRMAN SWEENEY: I'm on the next
6 page now, I'm looking at number 34, lighting.
7 We've talked about those lights being pointed

8 downward, and your simulations, your photo
9 simulations are going to give us all a better
10 feel of what those posts are going to look like.
11 They may not be visible at all.

12 Number 36, hours of exterior
13 lighting. What are you proposing?

14 MR. NAGRANI: All the lighting
15 except security lighting will be turned off at
16 10:30 p.m.

17 CHAIRMAN SWEENEY: Okay. That's --
18 that was what was in the original approval, if I
19 recall.

20 MR. NAGRANI: That's correct.

21 CHAIRMAN SWEENEY: So that's not
22 going to change.

23 MR. NAGRANI: Correct.

24 CHAIRMAN SWEENEY: Is that happening
25 today? It seems like those lights are on

1 forever, when I drive past that. I don't think
2 they ever go off. Do they?

3 MR. NAGRANI: As per temple, there's
4 a timer there, so they are turned off at 10:30.

5 CHAIRMAN SWEENEY: They are?

6 MR. NAGRANI: Yes.

7 CHAIRMAN SWEENEY: The lights along
8 the interior roadways are turned off --

9 MR. NAGRANI: Some security lighting
10 remains on, but --

11 CHAIRMAN SWEENEY: What is security
12 lighting?

13 MR. NAGRANI: During the prior
14 approval, we had marked certain lights which are
15 needed for security reasons, those lights are
16 meant to be on all night.

17 CHAIRMAN SWEENEY: I get that. See,
18 my point, though, is, if I drive past the temple
19 after 10:30 -- and I may be wrong about this, but
20 it seems to me as though there's a number of
21 lights on that I wouldn't classify as security
22 lights. And I'm talking about lights along
23 interior roadways and interior walkways.

24 MR. NAGRANI: So in this new plan,
25 we'll make it clear lights which are supposed to

1 be on -- remain for security reasons, and we'll
2 comply with that.

3 CHAIRMAN SWEENEY: Okay. Very good.
4 Thank you. I appreciate that.

5 And one of the points I think we'll
6 probably want to discuss further, once we get a
7 better feel for what this upper level of the

8 parking garage is going to look like, is whether
9 or not we want to have some different hours in
10 effect for lights on that upper level.

11 Now, if those lights are out of
12 sight from surrounding residences, that's not an
13 issue, but if they're not, then I -- you know, it
14 might be a better idea, at least for those
15 lights, to see them turned off before -- sometime
16 before 10:30. But we'll wait to see what your
17 photos and simulations look like before we
18 address that. Okay?

19 MR. NAGRANI: Okay.

20 CHAIRMAN SWEENEY: Those were the
21 only points I had highlighted in Scarlett's
22 report.

23 Now, as I said earlier -- Scarlett,
24 have I missed anything?

25 MS. DOYLE: (Indicating).

1 CHAIRMAN SWEENEY: We're going to
2 assume you're going to comply with everything
3 else in her report, unless you want to tell us
4 right now that you've got a problem with
5 something.

6 MR. NAGRANI: We will comply.

7 CHAIRMAN SWEENEY: All right.

8 Anybody on the board have any additional
9 questions for Mr. Nagrani?

10 Counselor?

11 MR. WARNER: I want to make sure --
12 I think we got the fire official's November 13,
13 2018 addressed already.

14 MR. COSTA: Yes, we did.

15 MR. WARNER: Okay. So I have none.

16 CHAIRMAN SWEENEY: Ms. Amin?

17 COMMISSIONER AMIN: You know, I get
18 so con feuds on the number of parking, the spots
19 that are something and shown on the sheet, which
20 is sheet 1 of 1. It says, Previously approved,
21 491 parking spaces. What happens is that maybe
22 you should clarify that by saying that 491 were
23 not constructed.

24 MR. NAGRANI: Right, our -- maybe
25 the next time I revise the plans, I'll state

1 what's the existing number of parking spaces,
2 439, and how much we are adding, so it's clear,
3 439 plus 610 is 1,049.

4 COMMISSIONER AMIN: On that same
5 calculation, you have, 87 previously approved
6 spaces to be removed. That's where I --

7 MR. NAGRANI: Because there's an
8 existing parking to the north of the existing
9 community center. We are removing and
10 reconfiguring that parking area, which is -- so
11 if you look at this plan -- I'm looking at sheet
12 10 of 23. So there's a parking -- there's an
13 existing community center, and there's a parking
14 north of the existing community center. So
15 now -- we were proposing to remove that existing
16 parking center, and reconfigure this parking
17 area. So that's why we say remove those parking
18 spots.

19 COMMISSIONER AMIN: That's not 87
20 were there right now existing?

21 MR. NAGRANI: Well, it's throughout
22 the site.

23 COMMISSIONER AMIN: Okay. It
24 includes the ones that were not constructed in
25 that area?

1 MR. NAGRANI: Correct.

2 COMMISSIONER AMIN: That's where the
3 confusion comes from, I'm going through the
4 drawings, I'm trying to find 87, I can't find 87.
5 Okay.

6 CHAIRMAN SWEENEY: Counsel, you're
7 good?

8 Scarlett, questions?

9 Okay. People in the audience, this
10 is your chance, questions for Mr. Nagrani based
11 on what he's had to tell us about all sorts of
12 good stuff. If you've got any questions, please
13 come forward. And once again, we'll ask for you
14 to give us your name and address so we've got it
15 for the record.

16 MR. HUMMER: Bob Hummer, 771 Old
17 Farm Road.

18 Question I have is, I'm a little
19 confused with some of the parking on the north
20 side, you know, you're talking about
21 reconfiguring it. With the additional parking
22 and what you're talking about, the flow, you
23 know, it feels to me that you're gaining -- I
24 don't know what the numbers are, so can you go
25 through the numbers first, on the north side of

1 what you're doing? Forget about the ones that
2 you didn't do from the existing temple, which is,
3 like, 52, I think, or something. Tell me what
4 you're gaining, I guess, IS what I'm trying to
5 understand.

6 MR. WARNER: Gaining, or ignoring
7 the 52, how many are they putting there?

8 MR. HUMMER: How many additional are
9 they putting there? Because my concern is, if
10 you're putting 40 spaces, and you're tearing, and
11 putting berms, and doing everything, is that
12 worth it with the 500 in the parking garage?
13 Like, what are you gaining from disturbing
14 everything? Because, you know, once you tear out
15 a berm, and try to -- yeah.

16 MR. NAGRANI: So, currently --
17 again, this is -- I'm just counting; it's about
18 25 parking spaces that is to the north of the
19 existing community center. So we are
20 reconfiguring that parking area, and we will be
21 getting now 87 parking spaces in that area. So
22 it's roughly 60 parking -- we will be gaining 60
23 parking spaces.

24 MR. HUMMER: And I guess my question
25 is, is it worth it with the two -- with all the

1 parking that you're adding, is it worth doing 60
2 parking spots --

3 MR. NAGRANI: Yeah, every --

4 MR. HUMMER: -- and then tearing
5 that whole thing up and disturbing the side of
6 the property? That's my thought.

7 MR. NAGRANI: Because the temple
8 needs parking spots, so --

9 MR. HUMMER: Yeah, but the parking
10 spots are mainly for the major functions, not
11 every day. Right? I mean, I live there, I see
12 the flow. Right? I know, New Year's Day, I got
13 chewed up, because I've got all the parking --
14 because nobody wants to go in there, I
15 understand, so you get chewed up. But the
16 thought is, is it worth disturbing all that from
17 that side?

18 I'm just trying to understand, when
19 I do construction or landscaping, you do a berm,
20 you're ripping everything up in that section, and
21 then you're adding that 3, 4 feet, I understand
22 that, I see that on a lot of highways, and
23 parkways, and different things, but then, when
24 you plant the plants -- and that's another
25 question, is how tall are those plants? Because,

1 right now, it's a nice overgrown berm, and right
2 now --

3 MR. NAGRANI: Well, we're not --

4 MR. HUMMER: -- but when you rip it
5 all up, half of it's gone, and the lighting, and
6 the noise, and all that then comes through for a
7 period of time, until everything goes back in.

8 MR. NAGRANI: Right, we'll not be
9 disturbing entire vegetation, but we will be
10 disturbing a few feet of existing vegetation to
11 make room for the berm.

12 MR. HUMMER: So how many feet?

13 MR. NAGRANI: If it's a 4-foot berm,
14 so, like, 25 feet. So, currently, it's about
15 7 -- right now, the parking is 80 feet from the
16 property. So roughly, say we disturb 20 feet.
17 So, still, there is a good amount of existing
18 vegetation will remain.

19 MR. COSTA: Can you provide, at the
20 next hearing, a blow-up rendering of this area?
21 Can we expand that onto a separate sheet, so it's
22 clear?

23 MR. NAGRANI: The rendering?

24 MR. COSTA: Yeah, just around here.
25 Yeah.

1 MR. NAGRANI: Yeah.

2 MR. HUMMER: And the plants are
3 going to be how tall, roughly, in that area?

4 MR. NAGRANI: We'll work with the
5 board planner to put more planting, because,
6 right now, we don't have any more plantings
7 proposed, but we'll work with the planner.

8 CHAIRMAN SWEENEY: Scarlett will do
9 an excellent job to make sure it's an effective
10 buffer.

11 MR. COSTA: Yeah, I'm hearing that
12 from all the talk before, so thanks.

13 MS. DOYLE: There'll be street trees
14 and bushes. The shrubs will be 6, 8 feet; 3, 4
15 feet. There'll be a variety of them. And they
16 won't be on the top, they'll be on the slope
17 going up, so that it's -- so you don't see right
18 through the top, you know --

19 MR. HUMMER: Yeah, crisscross. Got
20 you.

21 That's all I have.

22 CHAIRMAN SWEENEY: Thank you.

23 Yes, please.

24 MS. MINE: Diane Mine, 743 Cedar
25 Brook, M-I-N-E.

1 The last time you were here, when
2 the topic of Cedar Brook Road flooding -- you
3 were asked if you were aware that it flooded, and
4 as I remember, you said no, and now you are, and
5 I appreciate that.

6 But you initially talked about, when
7 you drew up your plans, not knowing that it
8 flooded, you talked about putting in the gravity
9 sewer connection from the cultural center, which,
10 in my opinion, is -- that area is one of the
11 reasons why it does flood.

12 MR. NAGRANI: No, that's a sanitary
13 sewer from the cultural center. That is not a
14 stormwater. So that does not impact any of the
15 stormwater there.

16 MS. MINE: It doesn't. But your
17 proposal is going to correct the stormwater?

18 MR. NAGRANI: Yes, that's what we
19 said, we'll work with the engineer to correct
20 that existing problem there.

21 MS. MINE: And are you aware that
22 many of the people on Cedar Brook still have well
23 water, and we don't have city water? And my
24 concern with any overflow, with any extra water,
25 and talking about digging things up, and sewers,

1 I have well water, and I have a concern on the
2 impact that all of that will have on our wells.

3 CHAIRMAN SWEENEY: Mrs. Mine, I
4 think we've been very clear with them that
5 they're going to work with Mr. Forsythe to make
6 sure that they address and rectify that problem.
7 So there will be less -- or no water -- running
8 over Cedar Brook Road, compared to what's
9 happening today.

10 MS. MINE: And any of the
11 underground sewer --

12 MR. NAGRANI: Well, that's the
13 sanitary sewer connection. That is not connected
14 the a stormwater system. It's a separate system.
15 It's a wastewater system, that's what we are
16 connecting from cultural center to the existing
17 in Cedar Brook Road.

18 MS. MINE: Okay.

19 MR. NAGRANI: And it's currently
20 flowing the same way, but it was going through a
21 different force main connection, which -- because
22 we didn't have the frontage property at that
23 time. So it was going in the same location
24 wastewater, it will continue to go, but now
25 different direction.

1 MS. MINE: And now the encroachment
2 on that flood hazard area, that is what initially
3 even drew me to this whole -- the meetings, is
4 that I feel like the property in general, the
5 temple property, the encroachment that it's had,
6 slowly growing, encroaching, encroaching,
7 encroaching, my question is, you plan on putting
8 in -- you said you planned on putting in a slope
9 for drainage purposes. Drainage is such an issue
10 in that area, because it is wetland. My back
11 area around is wetland. There's neighbors on the
12 Cedar Brook side that back up to the temple, that
13 cannot mow part of their backyard, because of the
14 wet land, if you want to call it the wetlands,
15 or -- the question is, how are you going to
16 address that?

17 MR. NAGRANI: Well, there are
18 wetlands on the temple property also, and my
19 answer is we're not disturbing any wetlands.
20 Those are to be preserved, per NJDEP
21 requirements.

22 There are buffers associated with
23 those wetlands, and the DEP -- because the
24 classification from DEP, it's a intermediate
25 resource and ordinary resource wetlands, so some

1 of the wetlands have 50-foot buffer, and we're
2 not encroaching into any of the buffers.

3 MS. MINE: But you're asking for a
4 variance on encroaching, aren't you?

5 MR. NAGRANI: That's not the DEP
6 buffer, that's the township buffer, because the
7 DEP has its own rules, which are very

8 conservative, and it composites the 100-year and
9 25 percent extra, that much floodwater can carry
10 through the Chambers Brook Stream.

11 And all of our parking areas are
12 outside of those flood hazard area, and what we
13 are encroaching, that's a 50-foot buffer imposed
14 by the township on top of the flood hazard area.

15 MS. MINE: I applaud them for being
16 conscientious about those buffers, and I think,
17 if that was put there, it was there for a reason,
18 and it should be upheld -- consider being upheld.

19 MR. NAGRANI: And I can tell you, I
20 don't know exactly, but, like, it's such a tiny
21 square footage of the buffer that's being
22 encroached. I don't know have an area right now,
23 I can calculate it for the next meeting, but
24 it's, like, a few square feet of the -- just
25 because of the -- it will be the ease of the

1 constructability of the deck; otherwise, we'll
2 have to cut a notch out of the concrete
3 structure.

4 MR. COSTA: And the reason for the
5 encroachment is that it is kind of the odd shape
6 of the buffer, it almost acts as, sort of, a
7 spear into the parking area.

8 MR. NAGRANI: Right, so we'd have to
9 notch out the concrete structure.

10 MR. WARNER: And Counselor, it's not
11 a variance; it's a waiver from the --

12 MR. COSTA: It's a waiver, right.

13 MR. WARNER: Which has a lower
14 standard than that of a variance. Correct?

15 MR. COSTA: Correct.

16 MS. MINE: And what is the advantage
17 to the temple to consolidate the lots, the three
18 lots, into a single lot? What is the purpose of
19 that?

20 MR. FORSYTHE: That's more us, the
21 township, to get it to be one property, and not
22 have something that they have now, that they can
23 sell off later. It becomes one lot --

24 MS. MINE: It becomes will one lot.
25 Okay.

1 MR. FORSYTHE: -- instead of all the
2 odd --

3 MS. MINE: On paper.

4 MR. FORSYTHE: Yeah, it's really a
5 paper issue, a tax issue.

6 MS. MINE: Okay. All right. Lots,
7 but thank you.

8 CHAIRMAN SWEENEY: Thank you.

9 Anyone else, questions for
10 Mr. Nagrani?

11 COMMISSIONER AMIN: I have a
12 question.

13 CHAIRMAN SWEENEY: All right. We're
14 done for tonight.

15 COMMISSIONER AMIN: Mr. Sweeney, I
16 have a question.

17 The Chambers Brook, it starts from
18 way up -- way beyond 206, goes through the
19 property, and now it goes toward Cedar Brook
20 Road, and beyond on 287, and beyond.

21 MR. NAGRANI: Right.

22 COMMISSIONER AMIN: So from your
23 property, when it goes into the new lots that
24 you're consolidating, how does it flow? Is it
25 open channel or --

1 MR. NAGRANI: It is a natural open
2 channel. It has trees --

3 COMMISSIONER AMIN: Is that one of
4 the reasons why you have water -- like, problems
5 with water --

6 MR. NAGRANI: That's a different
7 issue, which the engineer raised. That's a swale
8 that needs to be constructed.

9 The Chambers Brook, based on our
10 analysis, holds the entire flood hazard area
11 through it. So Chambers Brook is, like, a
12 natural channel, and it holds, like, the flood
13 hazard storming.

14 COMMISSIONER AMIN: All right.
15 Because it goes beyond into the park --

16 MR. NAGRANI: Right, so we're not
17 changing any topography or any encroachments into
18 the channel. It's a natural channel, and we're
19 leaving it as it is.

20 COMMISSIONER AMIN: So you're going
21 to correct only what is in your property?

22 MR. NAGRANI: Right, not into the
23 channel, but in our swales, which are -- we are
24 outside the DEP restricted areas.

25 COMMISSIONER AMIN: Okay.

1 CHAIRMAN SWEENEY: Scarlett, we've
2 got something on the calendar for February 5th
3 and it's Edward and Christine. What is that?

4 MS. DOYLE: I don't recall, but it's
5 not a large application.

6 CHAIRMAN SWEENEY: Not a large
7 application?

8 Counselor, do you want a full
9 session, a full evening from us? Because if
10 that's the case, we're going to schedule you for
11 February 19th, if that works for you.

12 MR. COSTA: I think we'd do better
13 with a full session.

14 CHAIRMAN SWEENEY: I agree.

15 MR. COSTA: And I think we'd do a
16 little better with that period of time, to get
17 these various exhibits that you've asked for
18 together.

19 CHAIRMAN SWEENEY: I agree. Are you
20 okay with February 19th?

21 MR. COSTA: I am actively looking at
22 that, and looking at my client and the other
23 professionals.

24 MR. WARNER: And, of course, you'll
25 want to make sure your traffic engineer and

1 planner can do it.

2 MR. COSTA: Yes, I know that.

3 (Whereupon, there is a brief pause
4 in the proceeding.)

5 MR. COSTA: Okay. The 19th it is.

6 CHAIRMAN SWEENEY: Okay. For those
7 of you in the audience, we will pick up on this
8 application February 19th at 7:30, same place.

9 MR. COSTA: And thank you. I
10 actually have never done this, but I appreciate
11 the audience members, one, you ask questions,
12 which is unusual, rather than statements, and
13 they were very constructive. So I do appreciate
14 the input.

15 COMMISSIONER KIRSH: Mr. Chairman,
16 before adjourning, just one quick request. I
17 know, during this meeting, there was discussion
18 of one of the neighboring properties, the Center
19 of Excellence, the fact that there is an active
20 planning board application. You know, when
21 there's impact between properties, you know, it
22 goes both ways.

23 And I know, Mr. Chairman, you were
24 at a recent planning board meeting, I was at a
25 meeting, I know Mr. Foose has attended several

1 meetings, and there seems to be at least the
2 possibility of a lack of complete knowledge
3 behalf of some of the planning board staff and/or
4 members of what's going on in this case, and I
5 think that that's something that can and should
6 be rectified.

7 My suggestion in rectifying that
8 is -- I don't know what type of mechanism there
9 is for a board-to-board communication, to make
10 the tapes of these two hearings available, the
11 minutes, to the extent that they are still
12 drafted, make those available as well.

13 And I know, Scarlett, you also sit
14 in that or a similar seat for the planning board.
15 You know, nothing happens in a vacuum here. You
16 know, as we talk about traffic impacts, as we
17 talk about land impacts and the neighboring
18 impacts, I think it is -- it behooves us to make
19 sure that, in an official way, the planning board
20 is aware of the work that we have done and will
21 continue to do on this application in front of
22 this board.

23 MS. DOYLE: I think that is an
24 excellent idea, particularly because I don't know
25 that these applicants know what's going on next

1 door to the property, vice-versa.

2 CHAIRMAN SWEENEY: Yeah, I was just
3 going to mention that, make sure your traffic guy
4 is aware of the proposed redevelopment at the
5 Center of Excellence, which is the big chunk of
6 property immediately to the south of the temple.

7 COMMISSIONER KIRSH: Yeah, I mean,
8 obviously, everyone in this room is aware of it,
9 because that's among the reasons we're here, is
10 the likelihood that a parking option will no
11 longer be available. But there are a lot of
12 details that, you know, I think it's important
13 for a cross-pollination of information.

14 MS. DOYLE: I should -- I might, if
15 I could, take advantage of that comment, and
16 mention that it's January 28th, planning board
17 meeting, with this particular application we're
18 speaking of, those applications are available to
19 actually view in the town hall. We also have a
20 link -- Jackie, don't we have about a link? We
21 can link you all the plans, if you ask for them,
22 you know, give us the link, and then we'll give
23 them your information tomorrow.

24 COMMISSIONER KIRSH: And, you know,
25 again, I don't know that I have the authority

1 here, but to the extent that we can provide, you
2 know, the recordings of these meetings, and to
3 the extent that the minutes -- even if they're
4 still in draft form -- I know, typically, we wait
5 to approve them, but as long as they're properly
6 noted as draft, you know, for those who would be
7 looking for more of a digest version, you know,
8 that would be advantageous.

9 CHAIRMAN SWEENEY: When will your
10 transcription being available.

11 MR. COSTA: As soon as you can have
12 it for me, I'll have it for you.

13 CHAIRMAN SWEENEY: Please send it
14 along to Jackie and Scarlett, and I would ask
15 each of you to make sure it goes to the planning
16 board.

17 MS. DOYLE: We can send it to --
18 yeah, that would --

19 MR. WARNER: Do you have any
20 objection to that?

21 MR. COSTA: To making the transcript
22 available? You know, it's public. I don't have
23 an objection to it.

24 MR. WARNER: Yeah, I agree. I want
25 to get you on the record saying you have no

1 objection.

2 MR. COSTA: I thought you were
3 helping me. It's a trap.

4 MR. WARNER: You would agree with
5 me, though, that it can only benefit everybody
6 involved in the process, both this process, this
7 development application before this board, and

8 the other development application that's
9 apparently before the other board, for all
10 parties to have a fair idea of what's -- what's
11 proposed and what's transpiring as it happens,
12 because these are two significantly sized
13 properties immediately adjacent to each other.

14 COMMISSIONER FOOSE: Well, and just
15 to speak to that real quick, a member of the
16 public did ask Mr. Dean, from Dean & Dean Traffic
17 Consultants, if they knew about this application,
18 and he basically said no, he didn't know about
19 it. So I think that's a very good point, the
20 more information, the better decisions these
21 boards can make, and I think that can only help
22 your case.

23 MR. WARNER: And, obviously, same
24 for your experts and factual witnesses to know,
25 so that everybody can be fully aware.

1 MR. COSTA: We can do that.

2 CHAIRMAN SWEENEY: Anybody that's
3 interested in that planning board meeting, it's
4 the 28th, and I believe those start at 7.

5 MS. DOYLE: We do start at 7, and
6 I'm going to call the applicant and mention what
7 happened tonight.

8 CHAIRMAN SWEENEY: Good.

9 MR. WARNER: One last thing, if I
10 may -- I know we always say last thing, but if we
11 need it, can we get an extension of time to act
12 through the end of February? And if Jackie needs
13 it in writing, would you mind putting it in
14 writing?

15 MR. COSTA: We can do that. So
16 that's an extension to the end of February, at
17 this point.

18 MR. WARNER: I always like to go to
19 end of that month, to make it easier.

20 MR. COSTA: That's fine.

21 CHAIRMAN SWEENEY: All right. I
22 think we're finished for is this evening.

23 MS. MINE: Can I just make one
24 comment? On that property, the Center of
25 Excellence, there is a three-car parking garage

1 right next to your property --

2 MR. WARNER: Technically, I think
3 we're -- we've closed the hearing.

4 MS. MINE: Okay. Good-bye. I won't
5 put it on record.

6 MR. WARNER: No, make that comment
7 again when the hearing's back open and you're
8 under oath, please.

9 (Whereupon, the hearing concluded at
10 10:33 p.m.)

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C E R T I F I C A T E

I, Michael Lombardozzi, a Notary
Public and Certified Court Reporter of the State
of New Jersey, do hereby certify that the

foregoing is a true and accurate transcript of
the testimony as taken stenographically by and
before me at the time, place, and on the date
hereinbefore set forth.

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

Michael Lombardozzi,
Certified Court Reporter, State of New Jersey
CERT #: 30X100239700
Date: 2019-01-28

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