

COUNTY OF BERGEN  
VILLAGE OF RIDGEWOOD

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In the Matter of the Application of

LES DANN, LLC

Transcript of  
Proceedings

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Tuesday, June 10, 2025  
7:30 p.m.  
Ridgewood, New Jersey

ZONING BOARD OF ADJUSTMENT MEMBERS:

Greg Brown, Chairman

Khidir Abdalla

Matthew Bandelt

Jason Curreri

Jamie Fox

Jonathan Papietro

Yelena Rayster

Matthew Swan

Lisa Mango  
Senior Court Reporter

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ALSO PRESENT:

McDonnell & Whitaker, LLC  
Attorney for Zoning Board of Adjustment  
BY: Bruce E. Whitaker, ESQ.

John Barree  
Village Planner

Chris Piersa  
Village Engineer

August Matarrazo  
Village Traffic Engineer

Jane Wondergem  
Board Secretary

APPEARANCES:

Semeraro & Fahrney, LLC  
Attorneys for the Applicant LES Dann, LLC  
BY: Mark J. Semeraro, Esq.  
Dustin Glass, Esq.

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I N D E X

WITNESS	DIRECT
Calisto Bertin (By Mr. Semeraro)	5
John Corak (By Mr. Semeraro)	90

E X H I B I T S

EXHIBIT NO.	DESCRIPTION	I.D.
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1  
2 THE CHAIRMAN: So we have old business. We  
3 have LES Dann, LLC. It's an application for use  
4 variance approval, preliminary and final site plan  
5 approval and bulk variances related to the  
6 consolidation of three existing lots into one  
7 property to be developed with a new auto body shop  
8 at 246-264 South Broad Street, Block 3905, Lots 12,  
9 13, 14 in an R-3 Zone continued from May 13, 2025.

10 Good evening.

11 MR. SEMERARO: Good evening, chairman. How  
12 are you?

13 THE CHAIRMAN: Good. How are you? Thank you.

14 MR. SEMERARO: Good.

15 So we are prepared to proceed. I have our  
16 site engineer Calisto Bertin, our traffic engineer  
17 John Corak and if we are fortunate enough to get to  
18 planning, I have our planner here as well.

19 So with your permission, I would like to have  
20 Calisto sworn in.

21 MR. WHITAKER: Raise your right.

22 Do you swear or affirm the testimony you are  
23 about to give will be the truth and nothing but the  
24 truth?

25 MR. BERTIN: Yes, I do.

1  
2 MR. WHITAKER: Please give your full name and  
3 business address.

4 MR. BERTIN: Yes. It's Calisto Bertin,  
5 C A L I S T O B E R T I N. My office is at 66 Glen  
6 Avenue in Glen Rock.

7 MR. WHITAKER: Please proceed, counsel.

8 MR. SEMERARO: Thank you.

9 DIRECT EXAMINATION

10 BY MR. SEMERARO:

11 Q. Mr. Bertin, can you give the board the benefit  
12 of your education, employment and licensure?

13 A. Sure. I have a degree in civil engineering  
14 from Villanova University, a master's degree in  
15 engineering from Rensselaer Polytechnic Institute.

16 I have been licensed I think in New York in  
17 1983 and New Jersey in 1984, so I have been licensed for  
18 quite a while, and my license is current.

19 Q. Fair enough. Thanks.

20 And have you been recognized by other land use  
21 boards in New Jersey as an expert?

22 A. Yes. And I've appeared before the planning  
23 board here on several occasions.

24 Q. Okay. That is in the field of civil  
25 engineering?

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A. Civil engineering, yes.

The last project I designed that got built here in Ridgewood was the shopping center on 17 South right below Paramus Road where Calico Corners and Starbucks is. I designed that.

Q. Okay.

THE CHAIRMAN: Thank you.

Let's just let the record reflect that Jason is here now, so we'll go ahead and start.

MR. SEMERARO: Thank you.

MR. WHITAKER: Any questions by the board members or members of the public as to Mr. Bertin's credentials as a licensed civil engineer?

Hearing none, he will be so qualified in that field and render opinions in that field.

Please proceed.

MR. SEMERARO: Thank you.

Q. Mr. Bertin, your firm was retained to provide engineering-related services relative to the site plan in consolidating these lots, is that correct?

A. Yes.

Q. And in the course of that, you prepared various plans that were submitted to the board as part of this application?

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A. Correct.

Q. And those plans were last revised dated May 29, 2025, correct?

A. Yes.

Q. Okay. Could you please explain to the board what the existing conditions are of the three lots?

A. Sure.

Well, I have the plans on the board, but we also have them -- so this is drawing C-1.2 of the set which shows the existing conditions plan. Actually, it's a demolition plan.

Again, the property is 246-264 South Broad Street, Block 3305, Lots 12, 13, and 14.

Lot 12 is the northerly most lot or the lot on the right.

Lot 13 is in the middle and Lot 14 is at the end.

I don't even know the site.

But on the east side, we front on Broad Street and beyond Broad Street are single-family homes. To the west side is the railroad tracks. North of us is a multifamily house and south of us are single-family homes.

Just going down -- the lots were described last time, but just to bring you up to speed.

1  
2                   Lot 12, the northerly most lot, is 23,919  
3 square feet and it has an auto body shop on it which is  
4 about 5700 square feet.

5                   The front yard setback of the shop is 20 feet  
6 and the side yard setback on the north side is ten feet  
7 but on the south side is 2.8 feet. The rear is 132 feet.

8                   There is a chain-link fence around it and  
9 there's a couple of drums and dumpsters on the site.

10                  The rear of the site is all dirt and pavement.

11                  Lot 13 is in the middle. That has a  
12 two-and-a-half-story dwelling which is empty right now.

13                  Again, the front yard setback of about 23  
14 feet, side yard setback of eight feet and rear yard  
15 setback of 200 feet.

16                  There are a couple of dumpsters on the site.

17                  There is a garage in the back that is actually  
18 set .4 feet off the south side property line.

19                  In the back of that is a dirt and gravel yard  
20 that is used for the auto body shop. It's actually a  
21 passthrough between Lot 12 and Lot 14.

22                  Lot 14 is 33,257 square feet. Again, another  
23 auto body shop.

24                  There is three separate buildings on the site  
25 totaling 4900 square feet.



1  
2           The side -- on the south side is 10.5 square  
3 feet -- I mean 10.5-foot setback on the south side. On  
4 the north side is three feet.

5           The rear is -- it is up against the garage.  
6 It is up against the railroad tracks so it is only five  
7 feet.

8           We will go to the next page.

9           What we proposed here is to demolish all of  
10 that --

11          Q.     Let me just ask you a couple of questions.

12          A.     Go ahead.

13          Q.     So on Lot 13, that's the middle lot, correct?

14          A.     Correct.

15          Q.     And that has a garage to the rear, correct?

16          A.     Correct.

17          Q.     Now, does that garage connect to South Broad  
18 Street or not?

19          A.     No. No. It only connects to the lots on the  
20 north and south of it.

21          Q.     Okay. And you heard the testimony about  
22 storage of various auto body-related material on all three  
23 lots, correct?

24          A.     Correct.

25          Q.     And you don't disagree with that?

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A. No.

Q. Okay. And the rear of that lot, what type -- what is composition of the parking lot?

A. Dirt, gravel.

Q. Okay. Okay. Thank you.

A. So lot -- well, the middle lot is really used by the lots that are north and south even though I guess it wasn't approved for this use. It hasn't been used for that.

Okay. So what we propose to do is demolish all those structures, consolidate the three lots into one.

You could see what we have is drawing 2.2 which is the site plan.

You could see in the center is the building and diagonally cutting across the building are the lot lines.

So those lot lines will be removed so it will be consolidated into one lot.

There will be no outdoor storage. All of the cars will be -- once -- with the current building they have to move cars from one building to the next building or take them out and move them to another garage.

That will all happen inside. The architect went over that last month when he was here.

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2           So we will have parking in the rear of the  
3 building for cars being serviced and parking along the  
4 side of the building for cars being serviced, employees  
5 and so forth.

6           We have -- just in broad strokes before I get  
7 into all of that.

8           So we are reducing the impervious coverage,  
9 but we are doing more. This is a major development so we  
10 have to reduce storm water. So we have underground storm  
11 water system. The total tract is about 73,800 square  
12 feet.

13           So this new building has got a 17,222 square  
14 foot footprint. And it's got a partial second floor. We  
15 talked about that last month. Part of it is for offices  
16 and community center and then the other part is for  
17 storage -- or community -- amenities for the employees, I  
18 should say.

19           So the setbacks on this building, the front  
20 yard setback is 100 feet. The side yard setback on one  
21 side is 40 and on the other side is 34.9. So 35 feet.

22           Whereas the existing property has a setback of  
23 20.2 feet, front yard setback, and the side yards are 10.5  
24 and 10 .7 on the extreme ends. If you go in the middle,  
25 they are closer. Then the rear setback is 73 feet versus

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the five feet today.

So we have an exhibit, setback exhibit just to show you the improvements to the property.

There we go.

We what we show on this exhibit -- and that is an exhibit prepared for today. It has got a date -- it's called Setback Exhibit dated yesterday. So 6/9/25.

MR. BERTIN: So We have to mark that, right?

MR. SEMERARO: Yes. Mark that as A-90.

(Setback Exhibit was marked as Exhibit A-90 for identification)

MR. SEMERARO: We are going out of sequence from what we gave them.

A. Again, we see the rectangle in the middle of the building, middle of the property which is the proposed building. The dark brown are the existing buildings.

So you could see how the buildings in front are like 20 feet off of Broad Street, South Broad Street. On the side, ten feet. In the back left corner it is five feet.

We've brought everything together. We put all the buildings in the center and we have much bigger setbacks than what exists today.

Q. Now, let me ask you a couple of questions

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about that exhibit so we don't have to come back to it.

A. Sure.

Q. So all of these buildings here are now --

THE CHAIRMAN: Sorry. Mr. Semeraro, could you just grab the mic. Thanks.

Q. Now, all of the buildings, the ones I am pointing to here, currently exist. This one was removed, correct?

A. Correct. So we have six existing buildings and the seventh was removed.

Q. Okay. So if you ended up combining the footprint of these buildings, it is within about 5,000 square feet of the footprint of the proposed building, correct?

A. Correct.

Q. Okay. Now while this is up, let's just take it out of sequence a little bit.

A. That's all right.

Q. You are familiar with the fact that this board had already determined that this was a pre-existing non-conforming use and has issued a resolution determining that, correct?

A. Correct.

Q. You reviewed that resolution?

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A. Yes.

Q. And that resolution made reference to this particular house, the one that no longer exists, correct?

A. Yes.

Q. And the rear of that house is positioned at 57 feet, is that correct?

A. Yes.

Q. And that is offset from -- that is the rear of the building measured from South Broad Street, correct?

A. Correct.

Q. And you understood that that resolution indicated that the entirety of that lot, which is Lot 14, was pre-existing non-conforming use for auto body and outside storage with the exception of this house and the property immediately in front of it, correct?

A. Yes.

Q. Now, in this particular plan, and we are going to get to the landscape plan later, but this is the curb line to the parking lot, correct?

A. The proposed curb line, yes, that is.

Q. Okay. And this is all landscaping here and we will show that to the board shortly, correct?

A. Yes.

Q. So our plan does seek to encroach slightly

1  
2 upon the rear of that house so we would be asking the  
3 board to expand the non-conforming use geographically  
4 there, correct?

5 A. Yes. Yes.

6 Q. But at the same time, we're giving up all of  
7 the space to the south side of that house for auto body  
8 and storage?

9 A. Right. Because that will be all landscaping.

10 Q. And we are giving up the space on Lot 12 as  
11 well, correct?

12 A. Correct.

13 Q. Okay.

14 A. So leaving that up, each house has a driveway  
15 on the South Broadway. We will have one driveway, you can  
16 see in the center, a 24-foot wide driveway.

17 That landscape buffer we talked about where  
18 the curb is in front of the building -- the building is  
19 set back 100 feet. We have 52 feet to the curb. That is  
20 all landscaped except for the driveway that comes out onto  
21 the road.

22 The site is surrounded -- can we go back to  
23 the site plan.

24 There we go.

25 So the site is surrounded by a privacy fence,

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a solid fence.

We -- last time we were here, we had the gates at the back of the building. Then our client explained the operation so we moved the gates to the front of the building.

So we have gates off the front corners of the buildings. You can see them on the plan. Those are chain-link fence gates with slats so you can't see behind the site.

We have three roll-off dumpsters in the back for recycling and for garbage.

There is a transformer in the lower left corner of the building, of the property.

There is a ground-mounted sign that we talked about last time in the front by the driveway. There is a sign on the building. And then we do have a retaining wall along the rear of the property.

So our parking --

Q. Let me ask you those questions about what you just testified to.

So we did submit revised plans since our last appearance, correct?

A. Correct.

Q. At that point in time it was identified that



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our client needed a third dumpster?

A. Correct.

Q. This plan now incorporates that third dumpster. You had indicated it, but I wanted to point out to the board that was a revision.

A. Yes.

Q. You had indicated that this fence was also revised. But with respect to Les Daniel's testimony where the unloading of parts and vehicles would be, that is now behind the fence as we had testified previously, correct?

A. Correct.

Q. It's inside the fenced area and alongside the building?

A. Correct. Because we have a garage door that opens up to the north side of the building.

Q. Okay. And in making that change, you had to change the configuration of the gate so it was a swing gate?

A. Yes. Before we had a rolling gate. We had room for it in the back. We don't have room for it in the front. So it's a swing gate.

Q. We captured one more parking space as a result, correct?

A. Yes, yes.

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2 Q. So now we are up to 85 parking spaces with the  
3 three EV credit as opposed to 84?

4 A. Correct. Correct.

5 And then along the front of the building we  
6 have a flush sidewalk, you see that at Home Depot, to  
7 avoid a tripping hazard and we have bollards at the end of  
8 each parking space.

9 And one other change we made is we put in the  
10 detectable warning strips you see at handicap ramps.  
11 Between the handicap parking spaces we have walk areas and  
12 so we put the detectable ramps that we were asked to do.

13 Okay. So the parking, we have 51 tandem  
14 parking spaces in the back. And this is more like valet  
15 parking because customers don't drive back there. The  
16 attendants take care of the cars.

17 So there's 51 spaces and there's 14 along the  
18 north side. That is where we picked up the one spot.

19 Q. And when you say that the attendants are  
20 moving the cars, that is because those are the cars that  
21 are under active servicing?

22 A. Correct. Correct. They are brought in and  
23 parked there until they can work on them. They pull them  
24 out, put them in the garage. They go through the various  
25 stages and then they leave.

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2 All right. And then we have 17 spaces along  
3 the front of the building.

4 So in total we have 82 parking spaces.

5 There are three electric vehicle charging  
6 spaces and we get to double those for credit. So that  
7 gives us an extra three parking spaces. So we have  
8 technically 85 parking spaces where 88.5 or 89 parking  
9 spaces are required at one space per 250 square feet. The  
10 traffic engineer will talk about the need for parking.

11 We mentioned some of the changes we made in  
12 the plan. I mentioned there is a retaining wall along the  
13 back of the property. We had it at 4.5 feet, our  
14 interpretation of the ordinance. But the ordinance says I  
15 guess no wall over four feet so we reduced it to four feet  
16 high so we don't have a variance. It is three to four  
17 feet high along the back property line.

18 We moved the gates to the front. We added the  
19 third dumpster.

20 Actually, that lawn in front, you can see  
21 there is a little symbol that says LS -- I wish my pointer  
22 would work, but it doesn't.

23 We have a large lawn there. Before we had a  
24 berm. We have taken the berm out because we didn't see  
25 the need to fully hide the building like we did before.

1  
2 We still have a lot of landscaping. We'll get  
3 into that. We'll shield the building but not hide it.

4 So we have a flat area there.

5 Also in the back of the building we did not  
6 coordinate with the architect before but we show all the  
7 downspouts and how it ties into our detention system.

8 Okay.

9 Then we did some lighting changes.

10 So the difference between existing and  
11 proposed conditions.

12 Would you do the existing rendering.

13 So this is, again, the existing conditions.  
14 Everything on that site is impervious, dirt, pavement or  
15 buildings except for that little bit of green area.

16 MR. SEMERARO: That is a new exhibit so it is  
17 going to be A-91.

18 A. Yes, it is a new exhibit. It is called  
19 Existing Rendering and it is dated yesterday, 6/9/25.

20 (Existing Rendering was marked as Exhibit A-91  
21 for identification)

22 A. So we have about 4100 square feet of green  
23 area on this property.

24 If we do the next one, which is the proposed  
25 landscape rendering -- there we go.

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2           So this one we now have 23,000 square feet of  
3 landscaping on the site. You could see it shows the  
4 plants that we propose around the site.

5           Q.     So we are proposing five times more green  
6 space than currently exists?

7           A.     Yes. Yes.

8           Q.     Now, the landscaping that you have in the  
9 front of the building --

10          A.     Yes.

11          Q.     -- you had indicated that is at grade level,  
12 but the architect's rendering at the last meeting was also  
13 at grade level, correct?

14          A.     Correct.

15          Q.     And the landscaping plan that is part of this  
16 package mirrors the representation of the plantings of  
17 trees and bushes on A-93 -- 92, correct?

18          A.     Yes.

19                   (Landscaping Plan was marked as Exhibit A-92  
20 for identification)

21          Q.     Okay. And the plantings on your landscaping  
22 plan are actually more robust than what the architect has  
23 depicted?

24          A.     Yes. Yes. He had a few plants in a line. We  
25 have clustered plants. We have arborvitae. We have blue

1  
2 spruce in there. And these trees, if left to grow, can  
3 grow 40 feet high, the arborvitae and blue spruce.

4 We have street trees along the front and then  
5 we have some shrubs in between.

6 We tried to make it an attractive area.  
7 Again, that is 52 feet deep. Right.

8 So we can leave that there for now. I will  
9 stick with this and then go back to the grading plan.

10 There are only nine trees on the site that we  
11 are going to remove. They are in that area that was green  
12 and that little finger at the front of the site. We are  
13 removing those nine trees, but we are planting 68 trees  
14 and 257 shrubs.

15 So unlike when we go into a wooded area when  
16 we take away trees to build a building, here we are going  
17 into an impervious area and we are improving it, which is  
18 nice we get to do that sometimes.

19 So we are significantly increasing the  
20 landscaping on the site.

21 If we can go to the grading plan, that would  
22 be 2.3.

23 So we are looking at sheet 2.3 which is the  
24 grading plan. You will see, again, the building is shaded  
25 in the center of the property. Behind it you see a bunch

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2 of vertical lines. That is our underground detention  
3 system.

4 All the roof drains go into that and  
5 automatically infiltrates into the ground. And then there  
6 is an outlet control structure that will send the water  
7 out and it discharges to the railroad tracks.

8 So we collect also the pavement in the front  
9 and everything to the left of the property goes into two  
10 inlets on the side and they go through a water treatment  
11 system. Then that goes into that storage area too and  
12 then there is an outlet control structure which meters the  
13 water out.

14 So that structure -- the underground detention  
15 system holds a ten-year storm. It doesn't leave the  
16 property.

17 Q. Anyway, the current properties, they don't  
18 have any storm water management, correct?

19 A. No, no, there is no storm water management.  
20 Just by reducing the amount of pavement, we are reducing  
21 the amount of run-off.

22 Q. Okay.

23 A. So we have certain requirements. This is  
24 called a major development. So as a major development,  
25 the New Jersey storm water regulations, we have to meet

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certain reductions. Okay.

So we have to reduce the two-year storm by 50 percent. We are reducing it by 60 percent.

The ten-year storm, by 25 percent. We are reducing that by 60 percent.

The 100-year storm, by 20 percent and we are reducing that by 57 percent.

We are doing a significant reduction of the amount of water that runs off the site. Albeit it goes to the railroad tracks, it's not going to someone's backyard. We are significantly reducing the rate of run-off and a lot of the water is being re-charged into the ground which is another goal of the storm water management system.

So the impervious coverage over what is there today versus what we have, the total impervious coverage currently is 91 percent. We are proposing 68 percent.

Q. We still are triggering a variance, but we are improving the existing conditions?

A. Yes. I will get into that.

This is a residential zone which limits the total impervious coverage of 35 percent which makes sense for a house but not for a commercial property. Commercial property, 85, 90, 95 percent total impervious coverage is normal. We are at 68. So we have done a much better job



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than a normal commercial property would do.

Q. And about what, 25 percent less than or 30 percent less than what the existing impervious coverage is?

A. Correct. Correct. Yes, 23 percent less than what the existing is.

Q. Now, there is also a front yard impervious measurement that Ridgewood has in place, correct?

A. Yes. So the total front yard again is 35 percent. Currently it is 85 percent and we are reducing it to 57 percent. That is within the first 140 feet.

Q. Okay.

A. So we are making great improvements on that 28 percent reduction.

Okay. So the site slopes to the back. It drops about five feet as we go across the site.

What we have done, we had to -- this building is level all around so we had to raise the grade and -- well, you can't see the contours, but the contours lines are diagonal. That goes through that detention system. And about there we raised the site about four feet.

As I said, the wall in the back is about four feet high, three to four feet high.

So we leveled the site and we are going to

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bring in fill to grade the site off.

We do have a retaining wall in the back. It is supposed to be four feet off the property line. We are a half-a-foot off the property line. But, again, we're up against the railroad tracks. Who is going to know?

Anyway --

Q. One question about that.

A. Yes.

Q. And if we didn't go so close to the rear property line, we would have to shift the development closer to South Broad Street to obtain the same design, correct?

A. Right. Right. Right. We are not required to have that 52-foot setback. But in working with some of the neighbors, we came and pushed everything back. We could easily move everything four feet forward and not have a variance. But we were working with the neighbors, trying to be a good neighbor by having this large landscape area in front.

Off to the left side of the building you can see some lines running down from the corner of the building to the street. We have a fire waterline, a domestic waterline, a gas line and then the sewer line all come down that corner of the building and out into the

1  
2 street. So there will be really one area to cut to bring  
3 our utilities out into the street.

4 So if we go to the next plan is the site  
5 landscape plan.

6 Okay. This shows lighting and landscaping.  
7 This gives all the names of all the trees that we had on  
8 that landscape plan. It is the same thing. As I said,  
9 there were 68 trees and 257 shrubs on this plan. We have,  
10 again, arborvitae along the sides and in the front and  
11 then some blue spruces. They are the large evergreen  
12 trees you see across behind the street trees. The street  
13 trees are by the road.

14 There is a pink-shaded thing shown there.  
15 That is the sight triangle. All right. So when you are  
16 15 feet back from the curb, you have to make sure you have  
17 proper sight distance. We do.

18 The edge of the monument sign just encroaches  
19 just a touch into it. We will move the sign back. I will  
20 move it a foot.

21 But it is not going to impede traffic and  
22 there is no landscaping in that sight triangle.

23 We also have area lights on the site.

24 So there are -- and they are shown here, the  
25 next plan -- I won't go there now. It shows a

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point-by-point intensities.

So there is nine free-standing lights. We have five in the front and four in the rear. They are upright poles. They are 16 feet tall.

They have a shoebox-type light. They shine downward. Well, shoebox. It is really kind of level. They are -- they are very thin level. They shine down.

We have wall packs around the building. You could see something sticking off the building around there. Those are the wall lights.

They are 12 feet tall in the front -- I mean 12 feet off the ground in the front and 14 feet on the sides and rear to get a better throw.

So the average foot-candle's intensity on the parking lot is 3.8 foot-candles which is reasonable. It is not bright. I mean, a gas station would be 20, 30, 40 foot-candles. A car lot is 50 or 60 foot-candles. This is three. It is mild.

There's the maximum -- just along the north property line right behind one of the lights is a half a foot-candle. So we meet the ordinance as far as spillover.

And elsewhere around the property it is zero except for by the railroad tracks.

1  
2           So we put an operation schedule on these  
3 lights. They will go off one hour after operation and if  
4 operation is going on at 9 o'clock, they will be reduced  
5 to 50 percent. Right. Then they go off. But they are  
6 all going to be on motion detectors because we do have to  
7 worry about crime here.

8           So a light will go off. It will stay on for  
9 five minutes and then shut off. But at 50 percent, not  
10 100 percent. So it is not going to be a bright light.

11           So we can go back to the exhibit, the  
12 comparison.

13           So we -- yeah, leave that.

14           We have a couple of variances. One being the  
15 combined side yards. I told you we had 40 feet on one  
16 side and just about 35 feet on the other side.

17           So the ordinance says that you have to be 33  
18 percent of the lot width. Let's just go through some  
19 history. A residential lot, minimum lot width is 60 feet.  
20 33 percent of that is 19.8 feet. So the minimum side yard  
21 setback is ten feet and it would be 9.8 feet on the other  
22 side.

23           For a hundred-foot lot, 33 percent of a  
24 hundred is 33 feet. It would be ten feet on one side and  
25 23 feet on the other side.

1  
2           Now, if it were a thousand-foot wide lot, it  
3 would be 333 feet combined. Ten feet on one side and 223  
4 feet on the other side.

5           So you get where I am going.

6           This lot is 257 feet wide. We don't make that  
7 30 percent, 33 percent. We are off by a little bit  
8 because we are required to have 85 total. We have 75  
9 feet.

10           But, again, it is a wider lot. We clearly  
11 exceed the ten-foot setback requirement that you would  
12 have if it were a 60-foot wide lot. The planner will get  
13 into that, but from an engineering standpoint, I'm just  
14 telling you how that came about. It is not really  
15 applicable to a piece of property this large.

16           Q. Let me ask you a question about that too.

17           A. Sure.

18           Q. So if these lots were currently consolidated  
19 and the side yards were the southern most property line  
20 and the northern most property line, you previously  
21 testified that each one of those setbacks was only about  
22 ten-and-a-half feet?

23           A. Correct.

24           Q. Okay. So if that is 21 feet in total, we are  
25 increasing that side yard setback from 21 feet to about

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74.9 or 75 feet, correct?

A. Correct.

Q. Okay.

A. It is the zone -- using the zone requirements for a lot like this doesn't really make sense. Okay.

Then we talked about the maximum impervious coverage where 35 percent is required for the whole site and within the first 140 feet. We're 68 percent or 68.8 percent, 69 percent for the whole site and 57 for the first 140 feet.

Again, for a residential zone, 35 percent makes sense. For a commercial zone, it is more like 85 percent. So I don't feel that we're doing a disharm by exceeding the 35 percent limit.

And, again, we have a 52-foot deep landscape area in the front which no lot in the area has. Okay.

I mentioned the retaining wall. We are .6 feet off the rear line. Again, we could have moved everything forward four feet and not have that variance, but then that front buffer would go from 52 feet down to 48 feet and the choice was to make it as big as we could.

And then we have 85 spaces, but the traffic engineer, Mr. Corak, will talk about the parking. Okay.

Now, we have two waivers. One is for the

1  
2 parking space size. We have 9 by 18. The ordinance is 9  
3 by 20 -- or not the ordinance, the site plan ordinance.

4 9 by 18 is standard size. You know, that is  
5 what the residential site improvement standard is. So  
6 that is pretty well accepted. If we happen to have a big  
7 car, we can accommodate it.

8 And now also the tandem parking is a waiver.  
9 It was a variance originally, but we now since realized it  
10 is a waiver. And that's because we don't have a 25-foot  
11 drive aisle. Cars are backed one behind the other. But,  
12 again, it is like valet parking.

13 And these cars aren't moved. They're brought  
14 in. They're parked. When their parts come in, they are  
15 pulled out and brought into the yard. So it is not like  
16 we need the 25 -- 24-foot aisle.

17 That is the sum of what I have to say.

18 Q. Okay. I will have some questions.

19 A. Sure.

20 Q. At the last hearing, there were some questions  
21 regarding the spray booth and the ventilation operations.

22 And we actually did try to get a sound  
23 engineer here for tonight, but it was too short notice,  
24 correct?

25 A. Correct.



1  
2 MR. SEMERARO: But what we are proposing --  
3 and I am stepping out of character here and I am  
4 explaining to the board.

5 What we are proposing is if we had a condition  
6 of approval, we think a reasonable condition would  
7 be that with working with the village engineer, that  
8 we end up taking a decibel reading during operation  
9 of those units at the source now as they exist and  
10 then upon completion of the construction do the same  
11 thing on the new system and have -- make sure that  
12 we do not exceed what the current noise output is at  
13 the source.

14 Now, that is relevant because -- and I will  
15 ask some questions regarding the location of the  
16 booths and you will understand that, even if the  
17 noise output was equivalent, due to the location it  
18 will be a reduction.

19 Q. To that extent, the current spray booth is  
20 approximately how many feet from the most -- the closest  
21 property line?

22 A. I'm going to say 40 feet.

23 Q. Okay. And the spray booth that is proposed  
24 will be how close to the closest property line?

25 A. Probably 70 feet. It will be in the rear of

1  
2 the building on one side. But it is going to be quite a  
3 ways away from the property.

4           These booths -- actually, the fan is quieter  
5 than the house fans you get and it is going -- it's  
6 blowing out the back.

7           So any sound generated will be going out the  
8 back towards the railroad tracks. I don't think residents  
9 will hear it. But we can check that and we can put  
10 baffles, if necessary.

11           But we can do a sound test at the building or  
12 at the property line. And at the property line it is much  
13 more forgiving.

14           Q.     Okay.

15           A.     We have a circulation plan. I forgot to bring  
16 that up.

17           Q.     Yes.

18           Okay. We were asked previously to provide  
19 circulation plans and we had in fact submitted them. But  
20 with the new design with the third dumpster, you had  
21 created an additional circulation plan, correct?

22           A.     Yes. We can show that.

23           So in the set drawing, I think it is 2.5, for  
24 the circulation we show a fire truck, a -- the roll-off  
25 container truck and then the car carrier, right, which has

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the car on it.

So when we did it, we -- this is for the container truck that has the roll-off containers.

On the plan that we submitted, we only had the truck backing up to two of the three dumpsters. This one shows it backing up to all three dumpsters, that it could get to it.

So that truck would travel clockwise around the building and then back up to the dumpsters and pull them out.

And then the fire truck can go either way, however it wants to go around, clockwise or counter-clockwise around the building, and the car carrier also can go either way around the building.

And we show those and they fit within the striped area. They don't hit any cars or the building.

MR. SEMERARO: Okay. We have to mark that Exhibit A-93, so write it on there so that we have it in the right order, please. Thank you.

(Circulation Plan was marked as Exhibit A-93 for identification)

Q. So we received certain comment letters from the board's professionals, correct?

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Q. Okay. And we received the planner's report, right?

Did you address -- you addressed lighting?

A. Yes, I addressed lighting.

Q. Landscaping.

The signage we're going to -- the dimensions of the signs are on the plans, correct?

A. Correct. The sign -- the free-standing sign is three by ten, so it's 30 square feet.

And then the sign on the building was a lot larger. It is 196 square feet, but it is set far back on the building, high on the building.

Q. Okay. And you were here when the architect testified that aesthetically it offset given the design, correct?

A. Correct.

Q. Okay. Our planner will discuss the first couple of comments regarding planning.

You discussed the --

A. I discussed the side yards.

Q. Retaining wall.

A. Right.

Q. The parking stall, the drive aisle.

A. Correct.

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Q. We will have some expert testimony from our traffic engineer as well. Okay.

A. Yes.

Q. So that's that.

And we also received one from the board's engineer, correct?

A. Correct.

Q. Could you run through that.

A. Yeah. I think I did most of these.

Q. Yes.

A. Oh, we show snow areas, snow storage areas on the plan.

Oh, on the prior plan there is some wood planters on the existing site and we didn't show them to be removed.

So all the planters that are along the right-of-way line will be removed and, you know, we'll landscape it. That's now accurately shown on the plan.

We had a county depressed curb. I guess my guys thought South Broad Street was a county road. It's a village road. So we don't need a county curb detail.

Now, we have -- the downspouts all go underground. We don't have splash blocks there anymore. They go underground to the basin in the back and we

1  
2 coordinated with the architect the location of those  
3 downspouts.

4 So the roof, it is a roof that slopes to the  
5 back. We'll have a gutter along the back and then  
6 downspouts to take it underground to the detention system.

7 Okay. We reduced the height of the retaining  
8 wall.

9 Okay. So he asked that we apprise the board  
10 of the site's cleanup status. Okay.

11 So we have a letter from David Pry, an LSRP, a  
12 licensed site remediation professional, licensed by the  
13 state to act as the state on doing things.

14 He responded to some questions that Chris had  
15 asked.

16 Paraphrasing, he notes that in 2003 an  
17 underground waste oil tank and gasoline tank were removed.  
18 There was contamination at the time, but it was cleaned  
19 up. And we have a response action outcome which is a no  
20 further action letter. So all that was taken care of.

21 And then in 2011, an unregulated oil  
22 underground storage tank was removed. There was no  
23 contamination found at the time.

24 There were hydraulic lifts. Tests were done  
25 at the hydraulic lifts and there was no leaking.

1  
2 Sometimes you do get leaking from the gaskets around the  
3 hydraulic lifts, but that wasn't the case.

4           There was a little diesel spill on the site.  
5 It was less than 100 gallons so it doesn't trigger calling  
6 the DEP for a spill action.

7           Anyway, that was cleaned up and the residual  
8 was found to be -- the contamination level was found to be  
9 below the standard for an action by the DEP.

10           So, in essence, this LSRP reviewed the site,  
11 removed what was done before, found the permits that were  
12 taken out for the other work and found that the site does  
13 not require any action from the DEP.

14           Q.     Okay. We have a traffic engineer report, but  
15 we will have our traffic engineer review that.

16           A.     Yes.

17           Q.     Is there anything else on this report?

18           A.     Just that we need a sidewalk permit and Bergen  
19 County soil conservation permit will be required.

20           Q.     Okay. We also had a common letter from the  
21 water department which I understand you already addressed.

22           A.     Already took care of it. We had shown --  
23 maybe you didn't see it. We showed two lines, the  
24 domestic and the fire waterline. We do that separately  
25 because if someone doesn't pay their bill, you turn off

1  
2 the domestic line. You don't turn off the fire. Because  
3 if there is a fire and you turn it off, the town is in  
4 trouble. So, anyway, we took care of that.

5 Yes, and of course whatever permits we have to  
6 get, we'll get.

7 Q. Okay. And our architect addressed the  
8 building department which said that the bathrooms had to  
9 be ADA. We stipulate to that.

10 A. Of course.

11 Q. And that the mezzanine can't be larger than a  
12 third, which it isn't?

13 A. It isn't, right.

14 Q. Okay.

15 A. And we will have -- the elevator was only  
16 accessing part of it. But he said he will modify the plan  
17 so the elevator accesses the whole area. Because it  
18 wasn't going to the storage area. It was just going to  
19 the employee section. That is easy with a door.

20 MR. SEMERARO: Okay. I have no other  
21 questions of this witness.

22 THE CHAIRMAN: Great. Thank you.

23 MR. WHITAKER: In connection with the area  
24 that you have for refuse collection, what is that  
25 made of and what side of the building is it?



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MR. BERTIN: Okay. It is three roll-off dumpsters on a concrete mat.

Now, I know -- I think it is supposed to be enclosed, but we are actually enclosing the whole rear yard. So we weren't showing that to be enclosed. If it is a requirement that we put a fence up and a gate in front of it, we will do that.

But the whole backyard is enclosed so we did not enclose the dumpster.

MR. WHITAKER: So there will be no problem -- you wouldn't lose any parking if there is fencing, if you have fencing across the rear, fencing down each side and gates across the front?

MR. BERTIN: Correct. We can accommodate that.

MR. WHITAKER: So that can be done?

MR. BERTIN: Yeah, yeah, yeah. We are talking about inches. We can shove things to make it work.

MR. WHITAKER: In connection with the parking, you testified at the beginning of the hearing, you testified that the cars are dropped off and an attendant comes and takes the cars.

Is it correct to say that any car under repair is stored in the rear?

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MR. BERTIN: Correct. They come in --

MR. WHITAKER: You can have a stipulation parking in the front of the building is parking for customers that may come there to pick up a car or the general public?

MR. BERTIN: Yes.

MR. WHITAKER: And no storage of cars to be repaired will be in the front?

MR. BERTIN: Correct.

MR. WHITAKER: And then finally --

MR. BERTIN: Which is not the case today.

MR. WHITAKER: -- you said there was a stipulation about sound with the spray booths and that you would stipulate that there would be a measurement taken now to see what they are and then a measurement when this is completed if it were to be approved and that that would have to equal or be less than.

But the other part of the stipulation is that, in any event, all of the sound situation has to meet safe standards.

MR. BERTIN: Correct.

MR. WHITAKER: But if we have a booth right now that is beyond safe standards that we don't

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know, that will not meet the litmus test.

MR. SEMERARO: Understood.

MR. BERTIN: Correct.

MR. SEMERARO: So stipulated.

MR. BERTIN: But also OSHA has standards on  
workplace safe --

MR. WHITAKER: It wasn't stipulated. The  
board understands that. There are safe standards --  
we don't know what the booth does now. We don't  
want them to match that booth if it is beyond what  
is permitted.

That is all I have.

THE CHAIRMAN: Great. Thank you.

We will open it up to our professionals if  
they have any questions.

MR. PIERSA: Yes. I have a question.

The water from the wash base, where does that  
go?

MR. BERTIN: It is my understanding it goes to  
the sanitary.

MR. PIERSA: And how is it contained?

It would go to the sanitary via oil water  
separator?

MR. SEMERARO: Yes. That was stipulated at

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the last --

MR. WHITAKER: That was stipulated with the architect.

MR. PIERSA: Okay. And is there a containment system within the building for the wash water too?

MR. BERTIN: Well, a containment system -- I mean, it is going to go through a separator before it goes to the district --

MR. PIERSA: So it will go out through the floor drains?

MR. BERTIN: Excuse me.

MR. PIERSA: So it will go out through the floor drains?

MR. BERTIN: Correct.

And that would be the only floor drain.

MR. PIERSA: Okay. And another question is, who will be responsible for maintaining the storm water system in accordance with the maintenance plan?

MR. BERTIN: Well, we have a storm water maintenance and operation manual that has to get filed. It gets recorded with the deed. The property owner is responsible for it.

So in that manual, we have a suggested

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maintenance program.

MR. PIERSA: Okay.

MR. BERTIN: And the operator is required to maintain it.

MR. PIERSA: All right.

THE CHAIRMAN: Any other questions from our professionals?

Mr. Barree.

MR. BARREE: Good evening, Mr. Bertin.

I believe one quick question for you.

Could you confirm the side yard setback for the transformer.

MR. BERTIN: The transformer is showing 15 feet off the property line.

MR. BARREE: Very good. Thank you.

Ten feet is the requirement.

Then one additional question. I see that you striped the utility trenches where they are shown going through the landscaped areas.

In your opinion, are you satisfied that there won't be any interference with the roots of the mature trees understanding that you might have to remove some shrubs if you need to service them? But the bigger trees, are they spaced adequately?

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MR. BERTIN: Yes, I think so.

MR. BARREE: Okay. Thank you.

MR. BERTIN: I don't see a problem with that.

THE CHAIRMAN: Thank you.

I will open it up to board members for questions.

MS. RAYSTER: I have a question.

On the CP-5A where you have the vehicle circulation plans.

MR. BERTIN: Okay. 2.5A.

MS. RAYSTER: So the roll-off vehicles are basically going to be there at least on a daily basis, if not more, is that correct?

MR. BERTIN: I don't know. I don't think that the roll-off trucks -- it's a big container. I don't think it is going to be daily. We'd have to ask --

MS. RAYSTER: But that is garage pickup, right?

MR. SEMERARO: The garage pickup testified last time about once every three to four weeks.

MS. RAYSTER: Okay. So my question to all of these is it looks like, based on the plans, the road would essentially need to get closed for the truck

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to safely make it into the gates because you are well over the median of the street.

MR. BERTIN: You mean the truck entering?

MS. RAYSTER: Right.

MR. BERTIN: Well, the truck -- he'll swing wide to get into the property.

MS. RAYSTER: Right. So somebody would have to, you know, be there to make sure there are no cars coming from Highwood Avenue?

MR. BERTIN: Well, there is not a lot -- the traffic engineer can get into this a little bit. There is not a lot of traffic. You know, the truck stops, waits for a car to pass and swings in. It is common.

We can make the driveway a lot wider and then he wouldn't require that, but then we are making the driveway wider.

MS. RAYSTER: My thing is the truck will not see cars coming down Highwood Avenue.

If you look here --

MR. BERTIN: Yeah, yeah, yeah.

MS. RAYSTER: If you look here, there is a car coming down here --

MR. BERTIN: Correct. They do have a stop.

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So if the truck is in the middle of the road when they come out, they have to stop before they get on South Broad Street.

I am just saying I don't perceive this to be a problem. I understand what you are saying. Some people -- you know, trucks do it all the time, they cross the center line to turn into a driveway.

MS. RAYSTER: And they have accidents all the time.

MR. BERTIN: Okay. I mean, we could eliminate that by making the driveways wider. If we make the driveways wider, 20-foot radiuses, the truck would not have to swing out into the street. So that is one way to alleviate that.

I don't know that it's a problem, but I think it is one way to alleviate that.

THE CHAIRMAN: Does making the driveway wider trigger a variance?

MR. BERTIN: I am not sure.

MR. SEMERARO: Well, you are speaking to the mouth. Certainly impervious coverage is going to go up and we are already in a non-conforming situation. We are improving a non-conforming situation, but we won't be improving it by as much. About the mouth I



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don't know.

MR. BERTIN: We would have to put a large radius on to let the truck come in. Like maybe a 20-, 25-foot radius like on a street. So that can be done.

MR. FOX: Which means the building is more visible from the street. Wider driveway, wider radius, the more visible the building is. Right now it is kind of tucked back there.

MR. BERTIN: Yes, that would be the case.

MS. RAYSTER: Well, how much wider would it have to be?

MR. BERTIN: Well, we have a flare driveway. So this is a driveway that has an apron and comes up. So it is not much wider. It is a 24-foot depressed curb and then it slopes up a foot-and-a-half in each direction.

If we were to put a radius on it, there would be -- the sidewalk would be lowered and we would have say a 15- or 20-foot radius on one side on the westbound side to accommodate the truck.

So it would be nominally wider, but that is what it would be.

MS. RAYSTER: So what are we talking about?

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Is it ten feet or is it a foot?

MR. BERTIN: Well, we are going from one-and-a-half feet to 20 feet. So the curb would start 20 feet further away and curve in.

THE CHAIRMAN: So it is actually significantly wider going from one foot to 20 foot?

MR. FOX: Isn't that kind of the curb you have --

MR. BERTIN: Yes.

MR. FOX: -- almost like you would mirror that on this side --

MR. BERTIN: Correct. Right. So it would be wider on the street on that side. Not unusual. Correct. That can be done.

MS. RAYSTER: So the large tree can be swapped with the smaller tree --

MR. FOX: It would be pushed back.

MR. BERTIN: We could -- again, from the curb that goes into the property perpendicular to the street, it would be 20 feet off. We would start at zero and then curve up. So it would get wider as we got into the property.

MS. RAYSTER: I personally think that all it takes is one car speeding down the highway to, you

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know, have a head-on collision.

MR. SEMERARO: If you would like to see that, we could accommodate.

THE CHAIRMAN: Well, let's see what other board members are thinking.

I'm sorry, Mr. Barree. Do you want to go?

MR. BARREE: I just can't hear Yelena.

I'm sorry. Would you be able to say what you are asking just so I understand.

MS. RAYSTER: So what I am asking is it looks like on all of the circulation paths -- plans, all of the trucks have to occupy the entire street.

MR. BARREE: Right. I heard that part. What is your solution that you are asking for?

MS. RAYSTER: The concern is if there is a car coming down Highwood Avenue while the truck is turning, that car is not going to see the truck.

MR. BARREE: Okay. Yes. If they run the stop sign.

What is the solution you are asking for?

MS. RAYSTER: The solution that is being proposed is to essentially take this curb and mirror it down the sidewalk.

MR. BARREE: Okay.

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2 MR. BERTIN: So instead of having a ramp -- I  
3 mean an apron and a driveway, we would have a radius  
4 entrance and a pressed curb. We would lower the  
5 sidewalk to be flush with the pavement and then we  
6 would have ramps on either side from the sidewalks  
7 coming into the driveway. So it is just a ramp  
8 driveway.

9 MR. BARREE: Okay.

10 MR. BERTIN: So we can put a radius -- it is  
11 going to be a little bit more impervious coverage  
12 but not a lot.

13 MS. RAYSTER: Based on the tree plans, they  
14 would have to move one of the taller trees, but  
15 there is still room for it to be there.

16 MR. BARREE: Okay.

17 THE CHAIRMAN: Board members have any  
18 questions?

19 MR. PAPIETRO: Yes.

20 On the picture that is up there now, Mr.  
21 Bertin, you have an indication of traffic flow for  
22 the roll-off vehicles, the fire trucks and the car  
23 haulers.

24 So you have what looks like clockwise rotation  
25 for your roll-offs that will come in to pick up

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2 trash, recycling, solid waste and whatever, and the  
3 fire trucks go the same way. Then you have the  
4 opposite direction for the car haulers.

5 Now, there is limited area for two-way. So  
6 this is primarily a one-way route around, whichever  
7 way a vehicle is going, and you have two different  
8 directions here for vehicles, both of which could be  
9 arriving at similar times to do their job.

10 So you have two directions of rotation around  
11 the building for different vehicles that come with  
12 different purposes at different times.

13 And it is not a two-way street on either side.  
14 I mean, 24 feet. Some of these commercial drivers  
15 are very good and they can go through the eye of a  
16 needle with their vehicle, but that's not a common  
17 condition.

18 So the circulation of traffic, the volume that  
19 could be, which is not controllable in any way by  
20 the applicant, the business volume is going to  
21 dictate the variety and volume of commercial  
22 vehicles.

23 MR. WHITAKER: So could it be made a one-way?

24 MR. PAPIETRO: So I am wondering what is going  
25 to happen.

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MR. BERTIN: Yes. For the commercial trucks, we can make it a one-way clockwise flow. Not an issue.

MR. PAPIETRO: So it is going to be all one way?

MR. BERTIN: Well -- yes, we can. We can. It's not an issue.

MR. PAPIETRO: Well, I am just asking in the interest of safety, traffic safety and vehicular --

MR. BERTIN: No problem.

MR. PAPIETRO: Two trucks facing --

MR. SEMERARO: Understood.

MR. WHITAKER: It is not an issue. He is going to make it one way.

MR. PAPIETRO: Okay.

All right. Now the other question is more basic. You show an indication of ingress/egress for fire trucks. Have these plans for that purpose been offered to the village fire department for review and comment?

MR. SEMERARO: We were advised that all submissions --

MR. PAPIETRO: I'm sorry.

MR. WHITAKER: The way it's done is

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submissions are made to the board and then the office disseminates them to the various agencies.

MR. PAPIETRO: Very good.

MR. WHITAKER: The applicant doesn't submit directly to an agency.

MR. PAPIETRO: Got that on the record.

Okay. Very good.

Lastly, it is just a numbers issue again, you talked about the parking spaces that are here and the number you have.

Well, the overall number is part of the equation, but the more important issue is who parks where.

So now in the front you have 17 spaces. Customers, business people coming and going, whatever.

But of that 17, six are eliminated for a specific use. So there is only 11. That may or may not be adequate.

But then there was testimony previously about as many as 20 people a day as employees. On the right side you have 14. One less because of electronic use. So only 13. And you previously indicated all the parking in the rear was going to

1  
2 likely be various types of vehicles in repair,  
3 disrepair, ready to be taken out.

4 So overall there doesn't seem to be enough  
5 parking for the people who work there on any given  
6 day and that's a variable.

7 MR. SEMERARO: So Mr. Daniel did testify that  
8 their people typically do carpool. Not all of them  
9 but obviously a group of them.

10 And we do have your traffic engineer to  
11 testify as to the adequacy and sufficiency of the  
12 parking.

13 Mr. Daniel also testified that he gets nowhere  
14 near 17 customers there at any one time. So  
15 certainly some of the spaces in front of the  
16 building could also be used by employees.

17 It is important to realize that this is not a  
18 walk-in type body shop. Everything that they do is  
19 by appointment. There could be an exception, as he  
20 had indicated.

21 But they stagger their intakes. So it isn't  
22 like they have five people coming in at the same  
23 time with cars to have estimates. They make  
24 appointments with their estimators, et cetera.

25 So between that and the fact that some of the



1  
2 employees do carpool together, we are exceeding what  
3 we feel is necessary.

4 And our traffic engineer will provide  
5 testimony to you about the current operations there  
6 and the operations in Wayne to kind of give you a  
7 degree of comfort with respect to the sufficiency of  
8 parking.

9 So if you could ask those questions to the  
10 traffic engineer, I think he is in a better position  
11 to answer.

12 MR. PAPIETRO: Very well.

13 MR. WHITAKER: Let's just have the record  
14 clear. You made a misstatement that effectively  
15 there were parking spaces that can't be counted.  
16 You do count the parking spaces that are for ADA or  
17 for the EVs. That is part of the whole equation.  
18 You don't segregate them out.

19 MR. PAPIETRO: Okay.

20 THE CHAIRMAN: Board members, any additional  
21 questions?

22 MR. SWAN: Yes, I have a question.

23 The fence, the gate, is it motorized or is it  
24 a manually operated gate?

25 MR. BERTIN: Well, we show it as a manually

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operated gate. I don't see a need for making it motorized. It is up to the applicant.

MR. SWAN: So will it remain open during the business hours?

MR. BERTIN: No. Only when there is deliveries or trucks coming in.

Again, they will keep it closed and they will open it up when there is a need for bringing a vehicle back there.

MR. SWAN: So there will be someone there to close it once somebody passes through?

MR. BERTIN: Yes.

MR. CURRERI: I think when we had our direct testimony of the owners back in 2023 they spoke about looking forward to being able to service more electric vehicles. I think they specifically mentioned Tesla and then the Amazon Rivian vehicles.

I note with the current plans that two of the three EV spots would be in the area for what we call civilian parking. But then earlier today we talked about a potential stipulation that those front spots wouldn't be used for vehicles that are inoperable or under repair.

So is that stipulation consistent with the

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planned expansion of EV use that the owners were talking about back in 2023?

MR. BERTIN: Well, EV cars, when they're there, they're sitting. They don't really need to be charged.

Look, we guessed where to put the EV spaces. We were trying to put them all in the front figuring that customers would come. And if they have an EV car that needs to be charged -- actually, they can have a charger in the shop.

You know, that is not a big deal. I mean, if they have to charge a car once in a while, they can just bring it to an EV spot, charge it and then move it.

MR. CURRERI: Okay. I just wanted to make sure. Because the way the stipulation was discussed it wouldn't --

MR. BERTIN: Again, we just figured -- we had them in the back, on the side. We should put some in the front. So wherever it makes sense.

MR. CURRERI: And then I think maybe a minor point on this. So then the EV ones that are in the public, were they like the ones you would pay to use or were they going to be like ones the shop would

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have to charge to use, essentially like a free plug-in?

MR. BERTIN: It is up to the client whether he has them charged. Most of them -- they are expensive. Most of them you got to pay for them.

MR. CURRERI: Okay.

MR. WHITAKER: The law requires that they be readily accessible to the public. That is the state law.

MR. CURRERI: Yeah. I am trying to put it together with what was said in the direct testimony of the owner versus the stipulation today.

Typically, the ones for the consumer, the customer is going to have some type of charging fee. They are expensive, as you mentioned.

But then it wouldn't make sense to do that if he was actually intending to use it for the shop. So --

MR. WHITAKER: He would probably have something in the shop.

MR. CURRERI: Something, yeah. Some type of key or something.

MR. SEMERARO: He certainly can have something in the shop. I'm sure that he does. I could ask

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him.

Also, if there is a vehicle that lost it's charge in those tandem spaces, they have dollies to move vehicles. They can actually wheel them themselves. That is really not an issue.

MR. CURRERI: Okay. So your position is the testimony from 2023 would be consistent with the stipulation today about the front being used for predominantly the guest parking?

MR. SEMERARO: I will be candid with you. I don't exactly recall what the testimony was.

But I do know that they are a Tesla-authorized repair facility. So I would anticipate them wanting to do what they could do to make it attractive for them.

MR. BERTIN: We show the one space at the first -- you know, on the 14 on the side. We can move it to the back.

Again, I was just putting it in front to make it convenient. But it may be better suited towards the back closer to where cars are being repaired.

MR. CURRERI: Understood. Thanks.

MR. FOX: Kind of two. One is the sound analysis and the site lighting. We've done it in

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other cases where we put -- or other applications where you check like six months after they go live to reassess to make sure it works with the community, the hours, the lighting and all that stuff.

MR. BERTIN: Right. And all these lights, we specified they are all dimmable. So you can actually go with your cell phone and just reset each light as you walk around the yard.

MR. FOX: I understand that. It is an easy one to make the public happy.

And then my other one is the gate. While I hear that somebody is going to open that gate for every delivery, the reality is that is not going to happen. Right. That gate is going to get opened and it's going to get closed at the end of the day. So I would prefer it to be motorized in some way if that's possible. Just food for thought.

MR. BERTIN: Sure.

THE CHAIRMAN: Do the board members have any additional questions?

Mr. Barree, you have a question?

MR. BARREE: Just one little housekeeping on the potential driveway redesign.

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So there is a limitation on the setback from residential property which you have to the north of the site.

You're allowed a ten-foot setback to any portion of the driveway.

So I don't know if you can do the math right now on how much wider that needs to get to satisfy the board members' comments, but I just want to make sure that you don't in a future reiteration of the plan end up with a relief that hasn't been addressed.

MR. BERTIN: We will take ten feet off the side lot line before we begin the curve.

MR. BARREE: Very good. Thank you.

THE CHAIRMAN: Board members have any additional questions?

MR. SWAN: Yes. I just have another question about the side yard setback.

So you said -- I'm just looking at the zoning chart. So you have 85 feet required which is 33 percent of the lip.

MR. BERTIN: Correct.

MR. SWAN: And it's 74.9 proposed -- the side yard -- the line item above that says side yard ten

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required. Proposed 34.9.

So what is the requirement for the --

MR. BERTIN: Well, the minimum side yard is ten feet. But when you have -- but the ordinance shows, okay, now for the combined of the two of them, it is 33 percent of the lot width. This is 256 feet wide lot. So the other one is 75 feet and we have 40 and 35 feet.

So we have, you know --

MR. SWAN: So you just mentioned the lesser of the side yards in that line item?

MR. BERTIN: We meet the minimum.

MR. SEMERARO: For the single but not the double.

MR. SWAN: Is there a reason why the structure couldn't accommodate the 33 percent requirement?

MR. BERTIN: Well, again, it is -- that is why I went through that exercise before. It is sort of a silly requirement for a commercial piece of property.

Because if this were a thousand-foot wide lot, we would have to have 321 feet on one side. You know, that is 15 house lots, you know. So that is why we brought it up.



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2 I think we have 35 and 40 feet. I think that  
3 is more than sufficient.

4 MR. SWAN: Thank you.

5 MR. PIERSA: I have a question. Are you  
6 proposing ADA ramps on either side of the driveway?

7 MR. BERTIN: In this case, the sidewalk is  
8 flush and we have an apron that comes up to the  
9 sidewalk so it doesn't depress. But when we change  
10 to have a radius-type entrance, we will have  
11 handicap ramps on either side of the driveway that  
12 will depress and we will have detectable warning  
13 strips. Okay.

14 THE CHAIRMAN: Okay. Thank you.

15 We will open it up to questions from the  
16 public.

17 Time for members of the public to ask any  
18 question that they might have of the applicant's  
19 witness, Mr. Bertin, the engineer.

20 If you have a question, come forward to the  
21 podium.

22 Remember, it is a time for questions. There  
23 will be a time for comments at the end.

24 Will you please state your name, spell your  
25 last name and give us your address for the record,

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and direct your questions to the witness.

MR. CHRISTIANSEN: David Christiansen, member of the Religious Society of Friends, 224 Highwood Avenue. It is within 200 feet of the property.

MR. SEMERARO: Can we also have Mr. Christiansen's address.

MR. CHRISTENSEN: Sure. 79 Grove Street, Waldwick.

So my understanding is you testified that there is an existing residential garage behind the residential structure at Lot 13, correct?

MR. BERTIN: Yes. There is a garage in the back.

MR. CHRISTIANSEN: It is part of the residential property?

MR. BERTIN: Yes.

MR. CHRISTIANSEN: And I think at one point you said something about it being not accessible from the front.

From your site plan, it seems that someone put a wall up at the end of the driveway. The drive -- maybe the structure is 150 feet back from the street and the driveway extends 110 feet back or something like that.

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MR. BERTIN: Well, yeah, you can't drive from the garage to the street. However it happened.

MR. CHRISTIANSEN: You had testified that you had developed a plan, I think it is dated February of 2025 -- February 25, 2025, that had a berm between the sidewalk and the parking area in front of the building.

MR. BERTIN: Correct.

MR. CHRISTIANSEN: And you said something to the effect that it was, in your evaluation, not necessary because of the landscaping plan that had been developed.

MR. BERTIN: Correct.

MR. CHRISTIANSEN: And the purpose of that plan at that time that you developed was to decrease the visibility of the structure from the street?

MR. BERTIN: Correct.

MR. CHRISTIANSEN: It was approximately three feet tall, correct?

MR. BERTIN: Yes.

MR. CHRISTIANSEN: And had a grade up from the street -- from the sidewalk with plantings on top.

You had said something to the effect that the community -- there had been outreach to the

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community.

MR. BERTIN: Yes.

MR. CHRISTIANSEN: And I am wondering if the -- your understanding was that that outreach resulted in that change. Were there recommendations that indicated that that berm and the hiding of the structure was not necessary?

MR. SEMERARO: Mr. Whitaker, I am not sure that that is relevant.

MR. WHITAKER: That is something outside of his expertise.

Was it your decision to eliminate the berm?

MR. BERTIN: Based on input that I received.

MR. WHITAKER: Based on --

MR. BERTIN: Input. Input that I received.

So we eliminated it. We could put it back, but we didn't think it was necessary.

MR. WHITAKER: There is your answer.

MR. CHRISTIANSEN: Sorry. So my understanding is the testimony was that the plan has been developed as a result of a consideration of concerns -- this is the civil engineer's testimony. We can go back and review it.

But he did say the plan was as a result of

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concerns that had been --

MR. SEMERARO: He wasn't involved in any meetings with anybody.

MR. CHRISTIANSEN: I see. That was going to be my next question. I was involved in some of this. I was not aware --

MR. WHITAKER: He said he was given instructions.

MR. CHRISTIANSEN: I see. Got you.

There have been several iterations of the plan. I think I am looking at the most recent one from the last time we met. Is this the 5/29/25 plan?

MR. BERTIN: Yes.

MR. CHRISTIANSEN: So the flagpole is no longer a central element in that front landscaping?

MR. BERTIN: Correct.

MR. CHRISTIANSEN CHRISTENSEN: Thank you.

But there is a sign indicated on your plan that is approximately five feet. Am I understanding that correctly, five feet off the property line or is it five feet off the --

MR. BERTIN: Yes.

MR. CHRISTIANSEN: So it is ten-foot high sign

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five feet off the property line?

MR. BERTIN: Correct.

MR. CHRISTIANSEN: And you said in some of your testimony that you had considered the setback of buildings along the street. I am wondering if that was the same for the sign.

Is there any sign that you are aware of that is anything like this sign?

MR. BERTIN: No. No.

MR. CHRISTIANSEN: I see. I'm not aware of one either.

But it is a sign that is ten foot tall, raised two foot off the ground and then just five feet in from the property line?

MR. BERTIN: (Nodding).

MR. CHRISTIANSEN: And that seems appropriate to you? I am not saying whether it meets code.

MR. BERTIN: Well, it is not permitted.

MR. CHRISTIANSEN: I'm sorry. It is not permitted?

MR. BERTIN: It is not permitted --

MR. WHITAKER: It is not permitted in a residential zone.

MR. CHRISTIANSEN: I see.

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I have no further questions. Thank you.

THE CHAIRMAN: Good evening.

Again, if you could please state your name, spell your last name and give us your address for the record.

MR. ALLIEVI: Sure. Todd Allievi, A L L I E V I. I live on Boyce and Woodside on the corner.

THE CHAIRMAN: Thank you.

MR. ALLIEVI: First question. Again, I'm not sure exactly who it should be posed to, but you can give me your direction. It has to do with the parking spaces that are for customers only in the front.

I know you have that stipulation it is only for the customers.

Who enforces that, by the way?

MR. WHITAKER: Zoning officer.

MR. ALLIEVI: Are there penalties if they do not meet the stipulation?

MR. WHITAKER: They are issued summonses. Yes.

MR. ALLIEVI: Thank you. That makes that question very easy.

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The other area I had questions on has to do with the green space which I know that's your area.

I will start by saying that the green space is rather generous and I am glad to see it's that size.

My question has to do with, the first question, you had mentioned 68 trees and approximately I think you said over 250 shrubs?

MR. BERTIN: Correct.

MR. ALLIEVI: In the plans, do you outline the size of the shrubs?

MR. BERTIN: Yes.

MR. ALLIEVI: And the trees that are planted?

MR. BERTIN: Yeah, yeah. It gives you the planting height of the evergreens. It is either five feet or six feet high. It is all specified.

MR. ALLIEVI: Okay.

MR. WHITAKER: All the calibers are shown on the plants.

MR. ALLIEVI: Okay.

My question is, you had I believe said, and you can correct me if I am wrong, the arborvitaes can grow up to 40 feet.

MR. BERTIN: Yes. Over time.

MR. ALLIEVI: Over time. Exactly.



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How long usually?

MR. BERTIN: Well, arborvitae, they can grow as much as a foot a year. But they are very thin at the top. So it takes a while. Blue spruce is slower growing.

But in time they will grow.

MR. ALLIEVI: Right, in time.

MR. BERTIN: Correct.

MR. ALLIEVI: My question is, why are they so small? If we are so concerned about the neighborhood and it fitting in, and as you said, it could take an arborvitae 15 years or longer to reach 40 feet.

MR. BERTIN: Oh, yeah.

MR. ALLIEVI: If you are planting something eight feet, why aren't they larger?

Not to interrupt you, but if you are really concerned about fitting into the neighborhood and trying to be a good neighbor, which I am taking you at your word because your applicant said this many times, why are the shrubs and the trees so small?

MR. BERTIN: Well, this is customary planting heights for trees. I mean, you can get them taller, but then they don't grow as quickly. But then again

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they are taller. But this is customary.

If the town had an ordinance that said to make them bigger, we would make them bigger. But this is just customary.

MR. ALLIEVI: I didn't say anything about an ordinance.

MR. BERTIN: No, no, no. I am just telling you.

MR. ALLIEVI: I just said about being a good neighbor as has been mentioned many times over.

MR. BERTIN: We got quite a few upfront.

MR. ALLIEVI: I am just using your words or the applicant's words. I am just throwing a suggestion out there.

If you are being a good neighbor, why aren't they larger? You are saying it's just conforming to the ordinance.

MR. BERTIN: No, no. I'm not saying it is conforming to the ordinance. These are customary plant heights for initial plantings.

MR. ALLIEVI: Right. But what you are asking the board to do with a non-conforming use isn't particularly customary, is it?

MR. SEMERARO: That is not --

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MR. ALLIEVI: Non-conforming use.

MR. SEMERARO: That is a planning question,  
Mr. Whitaker.

MR. ALLIEVI: He is an expert. I think he can  
have the background to answer that very simple  
question.

He said it's customary. Non-conforming is not  
a customary application. It's not normal.

MR. WHITAKER: So that is your opinion. He is  
saying it is customary. The board takes it under  
advisement. We --

MR. ALLIEVI: Well, I know, but the attorney  
had something to say --

MR. WHITAKER: You are going to hear more  
testimony about the plantings and their effect from  
the planning standpoint from their planning witness  
later on. You'll be able to ask your question  
again.

MR. ALLIEVI: I'm sorry. I didn't catch that.

MR. WHITAKER: They're going to have another  
witness who is a planner, a licensed planner. He is  
going to talk about the non-conforming aspects and  
the effects of the plantings that will be there. So  
you will have a chance to ask the those questions

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again.

MR. ALLIEVI: Okay. I was just stuck on customary and I just don't think this is customary. I thought that the plantings shouldn't be customary.

So I just wanted him to expand on his opinion on what is customary and what I think is not a customary application. That's all.

And this is probably to the board attorney. Same question I had as far as parking.

Their stipulation on the green space and the sizes of all the shrubs and all the trees, who guarantees that? Again, are they cited if it does not meet -- what happens?

MR. BERTIN: That is part of the site plan. If it on the plan, it has to --

MR. WHITAKER: He is asking me so I am going to give him the answer.

MR. BERTIN: Okay.

MR. WHITAKER: Move this along a little bit.

MR. ALLIEVI: Thank you.

MR. WHITAKER: The Municipal Land Use Law says when a landings board grants an approval, it approves a specific plan. I am not saying it disparagingly. You haven't read the plan. But the

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plan is there and specifies the number of trees, the species of the trees, the caliber of the trees, the height of the trees typically.

When it is built, an engineer for the town has to go out and inspect it and see that it is built and conforms to the plan that was approved.

If it doesn't, the tree isn't the right size or whatever, it has to be replaced.

Until all of that is done, no certificate of occupancy is issued.

The next question you asked me is what happens if a tree dies. First, I think we had testimony it will be a sprinkler system.

The second thing there is a maintenance bond that is required. It has to guarantee that these trees, if they do die, have to be replaced. Not by knocking on the door of the developer or an owner and saying your tree died, would you replace it. They post money to make sure that they do grow.

And if they don't, the town, the village can take money from a maintenance bond for purposes of having it reinstalled. So that is done throughout the State of New Jersey.

MR. ALLIEVI: Counselor, thank you very much.

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It saved a lot of time.

MR. WHITAKER: You're welcome.

I want to make sure you understand the parameters of what is being done.

THE CHAIRMAN: Thank you.

Any members of the public have any additional questions?

If you could please just state your name, spell your last name and give us your address.

MR. THAYER: Yes. My name is Henry Thayer. My address is 209 South Broad Street.

THE CHAIRMAN: Thank you.

MR. THAYER: So the three dumpsters, what goes in each?

MR. BERTIN: Our client testified to that. One's got steel. One's got aluminum. The other's got junk, plastic and stuff that gets thrown out. Two of them are for recycling.

MR. THAYER: What about cardboard, does that go in one of the dumpsters?

MR. BERTIN: You would have to ask --

MR. WHITAKER: That was testified to at the previous hearing I believe.

MR. BERTIN: Yes.

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MR. THAYER: Okay.

MR. WHITAKER: They have somebody that comes in and carts big things out. But otherwise what goes into those dumpsters, that was the recycling parts.

MR. THAYER: So the cardboard goes where when it is going to be picked up?

MR. WHITAKER: Recycling I understood to be one of the dumpsters. Metal in the dumpster and then refuse in another dumpster.

MR. THAYER: I guess my question is like three dumpsters. I'm thinking like steel has to be one. Metal has to be one. I thought cardboard had to be one.

What about like just general trash, like broken car parts or whatever, that are not a metal?

What about, you know, like household trash like your banana peels?

MR. SEMERARO: He is not the witness to answer that.

MR. WHITAKER: It is a question for the owner. Refuse has to be one, cardboard has to be one and one has to be metal. He is not the witness for that.

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MR. THAYER: Okay. So I guess I'm trying to make the point like it doesn't seem like three is enough to me. I am far from an expert, but hopefully somebody on the board --

MR. SEMERARO: Three was the result of the board's request at the last hearing.

MR. WHITAKER: That is true.

MR. THAYER: So that's done then, it can't be revisited?

MR. WHITAKER: It can be revisited. Everything can be revisited. Nothing is done.

MR. THAYER: Okay. So I guess I'm just making the point to the board that by my count, definitely not an expert, it seems like it should be more than three dumpsters.

What else did I want to ask you?

I think the previous guy asked this too. But I think you said that you were working with the neighbors at some point. And I'm a neighbor. I live like right across the street like within view.

So I was wondering like what neighbors and --

MR. WHITAKER: That would not be relevant to what the board has to decide.

If there has been discussions between an



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applicant and neighbors, it is not something that is presented to the board.

MR. THAYER: Okay. I mean, he said that he has been working with the neighbors. So am I allowed to ask what neighbors?

MR. WHITAKER: I don't think Mr. Bertin was working with the neighbors.

MR. THAYER: He said that. I mean, unless he misspoke. But he did say that.

I like perked up when I heard it because --

MR. BERTIN: I have been given instructions. I did not talk to anybody.

MR. WHITAKER: That's the question. Did you talk to any neighbors?

No?

MR. BERTIN: No, I did not talk to any neighbors.

MR. THAYER: Okay. You did say it because it definitely it my ears.

I think I had another -- so the parking spaces, how many cars that are to be repaired or have been repaired, do you know how many like customer cars in that sense can fit on the site at one time?

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MR. BERTIN: Well, we have 51 spaces in the back, tandem spaces where cars can be --

MR. THAYER: Fifty-five or 51?

MR. BERTIN: Fifty-one.

MR. THAYER: Okay. I wrote down 55.

So 51 tandem spaces in the back. So is that the maximum number?

MR. BERTIN: Our client testified to that. I didn't take all notes.

But he specified how many cars he would have and the turnover. So you would have to talk to him about that.

MR. WHITAKER: Mr. Bertin is not the operator. The operator testified to that.

MR. THAYER: Okay. So can I ask --

MR. SEMERARO: And the operator also indicated there are 23 bays inside the building that would also house vehicles that are being repaired.

MR. THAYER: So can I ask you, sir, if -- are there other spots where a, you know, car to be repaired or in the state of being repaired could be parked?

MR. BERTIN: Sure. Sure. We have the 14 spaces along the side. You know, a car temporarily

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2 could be parked there as well. They can't be parked  
3 in the front because that's the stipulation that we  
4 made.

5 So, I mean, there are spaces on the side. If  
6 there is no employees there, they can park there.

7 Then, again, there is all the bays inside the  
8 building that we don't count.

9 MR. SEMERARO: We have stipulated that we are  
10 not using those spaces for that purpose.

11 The 51 tandem spaces along with the spaces  
12 inside the building are stipulated to be the only  
13 spaces being utilized for work in progress, meaning  
14 vehicles that are being repaired.

15 MR. WHITAKER: The ones in the rear?

16 MR. SEMERARO: Correct, the 51 tandem spaces.

17 MR. THAYER: The 51 tandem spaces in the rear  
18 are the only ones where you can put a car that is in  
19 the state of being repaired? I'm sorry --

20 MR. SEMERARO: As well as the 23 bays inside  
21 the building.

22 MR. THAYER: As well as the 23 inside the  
23 building. So 51 plus 23 is the max number of cars  
24 to be repaired that you can ever have at the shop at  
25 one time?

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MR. SEMERARO: Right.

MR. THAYER: Okay.

Are you familiar with the Ridgewood master plan?

MR. SEMERARO: He is not a planner.

MR. BERTIN: I'm not a planner.

MR. WHITAKER: He is not testifying as to the master plan.

MR. THAYER: Okay.

Did you consider -- that house that's currently there, the home on the middle lot, did you guys consider leaving that in place?

MR. WHITAKER: It would not be something he testified to. It is beyond his expertise.

You have to ask questions based upon the direct testimony he gave. His testimony was as a civil engineer for site improvement.

MR. THAYER: Okay. When can I ask that kind of question?

MR. WHITAKER: That would have been through the operator that already testified.

MR. THAYER: So is there an opportunity for me to ask that question again or that ship has sailed totally?

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MR. WHITAKER: That ship has somewhat sailed.

MR. THAYER: That's too bad.

Okay. Can I ask you a question about procedure? Is that allowed?

MR. WHITAKER: Sure.

MR. THAYER: After this testimony -- after he finishes and whoever else is going to testify, I understand that then it goes to the public to comment.

MR. WHITAKER: Every member of the public has the ability to state his or her position after the applicant presents their case.

MR. THAYER: Okay.

MR. WHITAKER: The law in New Jersey, the Municipal Land Use Law is very clear. An applicant has the burden of proving their case. When they conclude their case, like any plaintiff in a court of law, then anyone else can come and make comment about the case.

You can give your opinion. You can bring expert witnesses. You testify under oath.

When all the testimony is gathered, all the information is gathered, then this board here sits as the trier of fact and renders its decision.

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2 They render the decision under the statute.  
3 The Municipal Land Use Law Section 40:55D-70(d) for  
4 the non-conforming use, expansion or creation of a  
5 non-conforming use. The litmus test for that is in  
6 that statute.

7 MR. THAYER: Thank you.

8 So my question is, when they finish their case  
9 here, will it go -- like if they finish tonight,  
10 like if he were the last witness, let's just  
11 pretend, would you guys say, okay, time to comment  
12 and then whoever is here could comment and whoever  
13 is not -- or would you stop tonight and say, okay,  
14 we are going to set a new date for public comment?

15 MR. WHITAKER: Well, I can tell you right now,  
16 most likely, tomorrow being Wednesday, we are never  
17 going to get through this.

18 MR. THAYER: No, I know. I know. I know.  
19 Let's pretend next time we do.

20 MR. WHITAKER: So I can tell you that there  
21 will be another meeting, I'm sure, at this late date  
22 for the public to make comment.

23 MR. THAYER: Right. So I guess my question is  
24 so we get through tonight. The next meeting, will  
25 it just be whoever is the last to testify

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finishes --

MR. WHITAKER: All witnesses that they have have to testify first.

MR. THAYER: I guess my question is, just to be real clear, like I want to make sure that I don't miss the time to give my public comment. So I will try to be here every meeting, as I have tried to be for the last two years.

But, you know, if I knew for sure this is the last time, then I would make sure I am here and my neighbors are here. So will there be --

MR. WHITAKER: Tonight we thought we were going to get further than we have. We started late. It is obvious we are not going to conclude tonight.

There will be an announcement at the end of the meeting when the next meeting is. There are no more notices given to people by mail or published. It is an announcement made tonight. And you are welcome to attend that meeting.

MR. THAYER: So it could just finish and then you could just say, all right, this is it, we are going to a vote and not give everybody a chance to like go home and tell their neighbors like come back and say --

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2 MR. WHITAKER: Absolutely not. The question  
3 is you got to follow this. When the applicant  
4 concludes their case, then it is up to the members  
5 of the public that are here to make their comments.

6 The board is not going to say let's have  
7 another meeting in October and see who would like to  
8 come. It is going to be when this case is  
9 concluded, the applicant's case is concluded, it is  
10 incumbent members of the public to then provide  
11 their comments at that time.

12 MR. THAYER: So could we do something where we  
13 decide for this case that when they finish their  
14 testimony you guys will end that meeting, but you'll  
15 wait to vote until the next meeting so we make sure  
16 all the members of the public will get to come?

17 MR. WHITAKER: We will not take a vote until  
18 all the members of the public that are here testify.

19 MR. THAYER: So you won't do the thing I'm  
20 suggesting?

21 MR. WHITAKER: We won't stop a meeting at 8:00  
22 or 8:30 and then if the members of the public  
23 testify and wait for another meeting for more  
24 people. No. It is not done that way for any case.

25 MR. THAYER: Okay.



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Okay. Thank you all. Thank you.

THE CHAIRMAN: Thank you.

Any other members of the public have any questions?

(Pause)

MR. SEMERARO: Okay. So, Mr. Chairman, that will conclude our engineer's testimony with the exception of coming back with the revised driveway mouth and his testimony will be limited to that and then of course any cross-examination of him would also, in turn, be limited to that.

With that being said, our next witness is our traffic engineer and --

MR. WHITAKER: Can I make one other suggestion too. If the engineer can interface with the owner/operator about the sufficiency of the dumpster so we can just resolve that for the next meeting.

MR. SEMERARO: And based upon my representation then, Bruce --

MR. WHITAKER: Let's just have it confirmed.

MR. SEMERARO: Okay.

MR. WHITAKER: Instead of calling the owner back up to testify and prolonging this, let them interface and come back to the next meeting and talk

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about what the necessity is for the dumpster.

MR. SEMERARO: Okay. Will do.

MS. WONDERGEM: Can I just everybody to please talk into your microphones because I'm having a hard time hearing.

MR. WHITAKER: Raise your right hand, please.

Do you swear or affirm the testimony you are about to give will be the truth and nothing but the truth?

MR. CORAK: I do.

MR. WHITAKER: Please state your full name and business address.

MR. CORAK: It's John Corak, last name spelled C O R A K, with Stonefield Engineering and Design, 92 Park Avenue, Rutherford, New Jersey.

MR. WHITAKER: Counsel.

MR. SEMERARO: Yes.

DIRECT EXAMINATION

BY MR. SEMERARO:

Q. Good evening, Mr. Corak.

Can you please give the board the benefit of your education, employment and licensure.

A. Good evening. Happy to be back.

I am a licensed professional engineer in the

1  
2 State of New Jersey. I graduated with a bachelor of  
3 science in civil engineering from the College of New  
4 Jersey.

5 I am an expert in the field of traffic  
6 transportation engineering and I appeared before this  
7 board earlier this year as an expert witness in traffic.

8 MR. WHITAKER: You're proffering this witness  
9 for purposes of testifying as an expert witness in  
10 the field of traffic -- circulation traffic  
11 engineering?

12 MR. SEMERARO: Correct.

13 MR. WHITAKER: And the testimony will be  
14 limited to that, not to site specifications.

15 I'm saying that so the public is aware of the  
16 limited focus of this particular witness.

17 MR. SEMERARO: Correct.

18 MR. WHITAKER: With that said, are there any  
19 questions by members of the board or members of the  
20 public about Mr. Corak's qualifications in that  
21 field?

22 There being none, he will be able to render an  
23 expert opinion in that field.

24 Please proceed.

25 Q. So, Mr. Corak, you were retained by the

1  
2 applicant to analyze the design and provide testimony as  
3 to any impacts with respect to traffic, site circulation,  
4 sufficiency of drive aisles and parking space specs,  
5 correct?

6 A. Correct.

7 Q. And you in fact prepared a report that was  
8 submitted to this board?

9 A. Yes, I did.

10 Q. And what was the date you submitted that to  
11 the board?

12 A. It was dated May 30, 2025.

13 Q. Okay. Now, can you discuss what you did in  
14 order to analyze the traffic challenge?

15 A. Yes. So a few things that we did in our  
16 review of the site from a traffic perspective. Of course  
17 it starts with a site visit to the subject's site and a  
18 review of the surrounding roadway network.

19 Of course it was located on the west side of  
20 Broad Street with three existing driveways, two serving  
21 Mountain View Auto and one serving that residence in  
22 between the two Mountain View Auto driveways.

23 The two driveways to the south of the site  
24 actually align generally across from Highwood Avenue and  
25 Leonard Place so creating sort of a unique or

1  
2 unconventional intersection, you know, at South Broad  
3 Street where the two driveways and then those two streets  
4 all align.

5 The third driveway is located further north  
6 and more so in the position of our proposed driveway.

7 As part of our effort at this site, we  
8 conducted trip generation counts for the existing facility  
9 to understand how much traffic is being generated by this  
10 specific site over the course of a day.

11 And we looked, in consultations with the  
12 operator, we looked at what were the two busiest periods  
13 that the auto body shop experiences which ends up being  
14 the Friday afternoon when they are looking to get lots of  
15 pick-ups and vehicles off the site before the weekend and  
16 then the Monday morning where you have a high rate of  
17 drop-offs coming from accidents that occurred over the  
18 previous two to three days.

19 So we conducted those observations earlier in  
20 May, on May 9, that's the Friday, and then on May 12,  
21 that's the Monday.

22 What we observed in those trip generation  
23 counts is that over the course of any one hour, the  
24 highest amount of traffic in and out of the site was 29  
25 vehicles. So that is your ins and outs combined.

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2           Meaning that a vehicle today is using one of  
3 those three driveways at a rate of about one vehicle every  
4 two minutes. This is a very low traffic generation for  
5 developments. It is not something that has, you know, an  
6 adverse impact on the roadway network.

7           And in conjunction with the traffic volumes on  
8 South Broad Street in the existing condition today is not  
9 something that as a detrimental impact.

10           Now, in reviewing the testimony from the  
11 operator, they are hopeful for an up to 25 percent  
12 increase in volume in terms of number of vehicles that can  
13 be worked on over the course of any given month.

14           And so if we apply a 25 percent growth to  
15 those trips, it is increase of seven trips over the course  
16 of an hour of the busiest peak hour.

17           And that seven-trip increase is also what I  
18 would consider to be de minimis from a traffic level of  
19 service impact perspective.

20           Q.     Okay. And have you analyzed the current  
21 configuration of the parking lot?

22           A.     Yes, I have.

23           Q.     And do you have an opinion as to whether or  
24 not it provides adequate safe space for traffic  
25 circulation?

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2 A. I believe it does. And we have 24-foot wide  
3 aisles, you know, fully surrounding the proposed building.

4 We have a driveway that is intentionally set  
5 further away from that unconventional intersection at  
6 South Broad Street, Highwood and Leonard Place.

7 We have nice throat depth within the driveway  
8 by setting the building back. We are not having the drive  
9 aisles and maneuvering on the site, as limited as it,  
10 occurring near South Broad Street. It is further into the  
11 site.

12 As it relates to the delivery vehicle  
13 circulation, whether that is a tow truck, car carrier, you  
14 know, the roll-off type trucks or delivery vans or even  
15 the fire truck, those are able to circulate the site as  
16 well.

17 Q. Okay. And you reviewed those templates that  
18 were provided by Mr. Bertin and you're satisfied with  
19 their adequacy?

20 A. I am, yes.

21 Q. Okay. You also familiarized yourself with the  
22 site triangle that was proposed by Mr. Bertin?

23 A. Yes, I did.

24 Q. Okay. And if that monument sign was pushed  
25 back towards the rear of the property a foot, does that

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site triangle provide for adequate visibility?

A. It would, yes. And that is something, as we reviewed, we flagged that there was a little corner of the sign that was obstructing the site triangle. So we just looked to shift that back while still maintaining directional wayfinding, if you will, for the business, you know, given that the building is set back where it is.

Q. And do you have an opinion as to whether or not the proposed single driveway provides more of the same or less safety than the currently existing three driveways?

A. Yes. So the -- any time you are reducing down in terms of curb line openings, it is -- I say it is generally perceived as a benefit to do so. You are looking to minimize the number of conflict points to the roadway network.

In this case, we have three existing driveways which create three different sets of conflict points. And then reducing that down to one helps consolidate that access and eliminates some of those conflict points and overlapping movements at the Highwood and Leonard Place intersection there.

Q. Okay. And you understand that we are seeking a parking variance, correct?



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A. That's correct.

Q. Can you provide the board the benefit of your analysis as to the appropriateness of granting that variance.

A. Yeah. So I will first start off that when we did our field observations, the highest parking demand that we saw on site at any given time was 46 vehicles. So we are proceeding the 82 parking spaces whereas the demand that we saw there was only 46 vehicles.

So even incorporating a factor of safety to that, I'm very comfortable that the parking supply would be sufficient to support the operations.

Now, we do have the variance condition, right. And the variance is because commercial developments in Ridgewood require a parking demand of one space per 200 square feet, and that is a consistent requirement across the board, whereas different types of commercial development generate parking demands at different rates. Right.

A convenience store does not generate the same parking demand as a furniture store. Right. They have different -- you know, on a per square footage basis. They have different needs and different building sizes accordingly.

1  
2           So to the same extent, you know, this project  
3 has the interior space to work on the vehicles, but it is  
4 not something that contributes to a significantly higher  
5 rate of parking demand than what we are observing out  
6 there today.

7           Q.     Okay. The vehicles that you observed, the 46  
8 that you said was the peak, the busiest, that included  
9 vehicles that were being worked on?

10          A.     Yes.

11          Q.     And it included employees' cars?

12          A.     Yes.

13          Q.     And customers visiting?

14          A.     Yes.

15          Q.     Okay. Do you have an opinion as to whether or  
16 not the 85 spaces proposed are adequate to service this  
17 facility?

18          A.     I believe that they are adequate to serve this  
19 facility, yes.

20          Q.     Is that true even with an increase of  
21 productivity as high as 25 percent which was the max that  
22 the applicant testified to?

23          A.     Yes.

24          Q.     Okay. Now, you understand that we are also --  
25 Mr. Barree had identified two waivers, one for parking

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stall signs and one for drive aisle size, is that correct?

A. Correct.

Q. And the drive aisles, with the exception of the tandem parking spaces, do satisfy the code, correct?

A. Correct.

Q. Okay. So according to code, you would have to have a drive aisle through the tandem spaces and that is what is omitted and that is what is triggering the waiver?

A. That's correct. It is essentially a zero-foot drive aisle that is being identified here due to the tandem parking configuration.

Q. Okay. And this isn't the first body shop that you worked on in your career, is it?

A. No.

Q. Okay. Are you familiar with the manner in which body shops store the vehicles that they are working on?

A. Typically, they are packed in in unstriped areas, and if there has been no regulation placed on them by a board such as yourself, front yard, side yard, rear yard, they put the cars where they can.

Q. In fact, that is what is actually happening on two of the -- actually on all three of the lots right now, correct?

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A. Correct.

Q. And with respect to the tandem spaces having cars that are stored as high as three deep but mostly two deep, is that something that is common with or without lined parking spaces in this industry, to your knowledge?

A. Yes, it is.

Q. Okay. And if we were to comply with the requirement for a parking aisle, would that impose a hardship upon this applicant?

A. It would.

Q. Okay. And with respect to the parking stall, I know that Mr. Bertin had spoken, he indicated we were proposing 9 by 18 when the code calls for 9 by 20.

Could you explain your opinion as to whether or not 9 by 18 is adequate.

A. So Mr. Bertin testified to that 9 by 18 spaces are an industry standard. They do accommodate your standard vehicle.

And so as we look onto the site itself, you know, the 51 spaces in the back, those vehicles are parked by employees of the operation working on customer vehicles. Right. Those are, you know, trained employees able to navigate those spaces no problem.

1  
2 And to the same point on the side, the  
3 employee parking spaces.

4 And then in the front, the difference between  
5 9 by 18 and 9 by 20, on a low turnover type use like this,  
6 the 9 by 18 spaces are certainly appropriate.

7 What we would be gaining out of the 9 by 20 is  
8 actually more pavement and less landscape buffer in the  
9 front. Basically, you would need to shift everything an  
10 extra two feet, increase impervious coverage. And to me  
11 that trade-off is not worth it, you know, in terms of just  
12 gaining this parking space size whereas a 9 by 18 is an  
13 industry standard size that accommodates a wide range of  
14 passenger vehicles.

15 Q. Okay. You are familiar with the fact that  
16 this project, if approved, would be providing additional  
17 interior bays than what is currently on the site, correct?

18 A. Yes.

19 Q. Okay.

20 A. And those could be used and would be used for  
21 storage of vehicles. Right. If they are working on the  
22 vehicle, you know, time for the shop to close at the end  
23 of the day, they are not going to move all of those  
24 vehicles outside and into the parking lot when they have  
25 the interior areas and they are going to be working on

1  
2 them the next morning, and can keep more vehicles out of  
3 the elements.

4 Q. Okay. You are familiar with the signage  
5 package that is on this project, correct?

6 A. Correct. Yes.

7 Q. And there is a facade sign and there is also a  
8 monument sign, correct?

9 A. Yes.

10 Q. And do you have an opinion as to whether or  
11 not those signs have any impact on safety or wayfinding?

12 A. I think that they are beneficial to safety and  
13 wayfinding in that as a motorist, you know, you are  
14 looking to identify the location of the facility. It is  
15 set back from the right-of-way.

16 And that signage both in the monument sign and  
17 on the wall sign is important to be able to identify the  
18 correct driveway and not need to recirculate through the  
19 surrounding neighborhood.

20 Q. Okay. Does the landscaping that is proposed  
21 to be in the front of the building impact that as well?

22 A. It impacts some of the visibility, you know,  
23 to see the structure which I think is, you know, a good  
24 thing from a zoning perspective. But, you know, from a  
25 visibility perspective for a motorist, the signage is what

1  
2 makes up for that reduced visibility.

3 Q. Okay. And you have seen the village's traffic  
4 engineer's report and comment letter, correct?

5 A. Correct.

6 Q. Could you run through that for the board,  
7 please.

8 A. Of course. So I will start at comment 2.3.  
9 This is about the stacked parking and we touched on this  
10 with the drive aisle. Basically, the zero-foot drive  
11 aisle. This is an area that is only used by employees  
12 driving customers' vehicles and is very much standard.

13 As we work on down the list onto 3.1 is  
14 related to, you know, submitting to the Ridgewood police  
15 and fire which was already discussed about.

16 3.2 is related to site triangles Mr. Calisto  
17 provided on his plan.

18 3.3 discussed the ADA accessible routes. Here  
19 what we have proposed that that ADA accessible route is  
20 really from the ADA parking spaces into the building and  
21 we have those detectible warning strips at those spaces to  
22 facilitate that movement.

23 There is no pedestrian connection from the  
24 right-of-way, but this is not the type of business that is  
25 likely to see any significant volume of walking traffic to

1  
2 and from the building itself. So we don't think that it  
3 is necessary for this application.

4 3.4 is related to the directional arrows which  
5 we will provide. And of course we talked about the  
6 one-way circulation for the delivery vehicles around the  
7 site and we will accommodate that as well.

8 3.5 is related to the parking testimony which  
9 I provided.

10 3.6 covers all of the operational details that  
11 were provided last meeting by the applicant or by the  
12 operator.

13 And then 3.7 is related to the provision of  
14 the make-ready parking spaces. Three are required and  
15 three are proposed.

16 Q. Okay.

17 MR. SEMERARO: I don't think that I have any  
18 other questions.

19 THE CHAIRMAN: Thank you.

20 We will open it up to our professionals for  
21 any questions.

22 MR. WHITAKER: What's stipulated in the  
23 revised plan will show this one-way circulation?

24 MR. CORAK: So along the front of the building  
25 we would need to maintain two-way.



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MR. WHITAKER: No. I'm talking about through the gate counterclockwise.

MR. CORAK: Yes. Along the front we still need two-way. I just wanted to make that clear.

MR. SEMERARO: It is actually clockwise, Mr. Whitaker. Clockwise behind the gate.

MR. MATARAZZO: Mr. Corak, you testified that the proposed development will have a de minimus trip generation increase, that's correct?

MR. CORAK: Correct.

MR. MATARAZZO: And this de minimis increase won't have an affect to the level of service in the nearby intersection?

MR. CORAK: Correct, it will not.

MR. MATARAZZO: It won't. Okay.

And could you testify to what the anticipated level of service of the site driveway would be.

MR. CORAK: Pretty much at all times of day that level of service is going to be operating at As and Bs.

So the peak left turn movement might become a B which is delays in the range of ten to 15 seconds on average. But throughout the day, generally speaking, a level of service A which is the best

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level of service that you can provide.

MR. MATARAZZO: Okay. I know you touched on the EV parking requirement.

MR. CORAK: Um-hum.

MR. MATARAZZO: So that is three required. But for the EV credit, it is -- by my calculation, there is a 10 percent of the required which, by my calculation, is nine. You get a credit of nine.

MR. CORAK: So we would only get that credit up to eight or nine if we provided eight or nine.

And for, you know, this specific operation where the majority of those parking spaces are vehicles being worked on or waiting to be worked on, if you will, designating and installing the equipment for eight or nine EV spaces seems impractical.

MR. MATARAZZO: Would it be a possibility to install them as say make-ready spaces to be installed in the future as to say get the credit to help for the -- to get the credit that would apply to your parking count as a possibility?

MR. CORAK: It is something I can talk with our team about. We are not going to finish tonight. And that would eliminate the parking variance. But

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we can discuss it.

MR. MATARAZZO: Okay. I don't have anything further.

MR. BARREE: Just one quick question, Mr. Corak. How are you?

You mentioned your observations were the existing operation on site. Did you visit and observe any of Mountain View's other facilities in conducting your work?

MR. CORAK: About two years ago we observed the Wayne facility on the perspective of trip generation.

MR. BARREE: And was it consistent with what you would expect to see with the improvements that are proposed here?

MR. CORAK: Consistent. A little bit lower. It was 24 trips in the peak hour.

But, you know, 24, 29, those are relatively similar and, you know, don't anticipate it being -- you know, this improvement here being much different than either of those.

MR. BARREE: Thank you.

THE CHAIRMAN: I will open it up for board members to ask questions.

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MR. PAPIETRO: Yes. I have a few for Mr. Corak.

I'm looking at the first page of the report you did. The bottom paragraph there. You start off by saying that the trip generations and the comparison are between two locations, the Mountain View in Wayne and the one in Ridgewood.

Then you go on to say in the same paragraph that the one in Wayne is on a New Jersey state highway, Route 23, commercial road.

But Ridgewood, the Ridgewood property is on a local surface street of varying widths and a residential property.

So I am not following how you align the ingress and egress of a commercial road into a business and then from a surface street into a business.

It is two different types of roadways and all manner of different vehicles on highways that are not typically residential.

So how do you align those two different ingress/ egress roadways with this review?

MR. CORAK: Two things with that. One, although the address of that Wayne site is on Route

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2 23, their access is actually back through a two-lane  
3 roadway that, you know, has traffic that is in much  
4 lower volumes than experienced on Route 23.

5 Probably a little higher than South Broad Street,  
6 but in terms of that comparison, I don't think it  
7 is -- the two streets are that far off.

8 But, more importantly, the comparison that you  
9 are making is very appropriate for something like a  
10 gas station or convenience store where -- or a  
11 fast-food restaurant where the driver of traffic  
12 volume oftentimes comes from the roadway it is  
13 placed on. Right. You are looking to capture that  
14 traffic that is on the road.

15 These sites are by appointment only. Right.  
16 They are not the type of use that you stop -- you  
17 know, you're driving by and say, oh, let me turn in  
18 and, you know, get my car repaired. No. These are  
19 for motor vehicle collisions.

20 It's really an appointment-based service and  
21 so the volume on the roadway has very little impact  
22 to the trip generation of, you know, a site like  
23 this or the site in Wayne. You know, this type of  
24 use.

25 I'm sorry. That bears out in the volumes that

1  
2 we counted. Right. Twenty-nine peak hour in  
3 Ridgewood. Twenty-four peak hour it Wayne. Very  
4 similar. Very low.

5 MR. PAPIETRO: So you mentioned the location  
6 in Wayne is back off of Route 23. Is there any  
7 other -- are there any other service streets that  
8 access that property or is the only access to that  
9 property off of Route 23?

10 MR. CORAK: No. The access is off of  
11 Pompton Turnpike.

12 MR. WHITAKER: He testified it doesn't come  
13 off of Route 23.

14 MR. CORAK: It doesn't come off of Route 23.  
15 You know, the address is Route 23. But your  
16 actual driveway and access comes through the back.

17 MR. PAPIETRO: Okay.

18 On page 2 now, I'm looking for some  
19 clarification on some of these numbers. Page 2 you  
20 have in your third paragraph you're breaking down  
21 when you did the evaluations.

22 MR. CORAK: Um-hum.

23 MR. PAPIETRO: The morning peak hour and the  
24 afternoon peak hour.

25 And then you have for the Ridgewood location

1  
2 9:30 to 10:30 on a Monday. And then on a Friday  
3 afternoon you have 4:45 to 5:45.

4 MR. CORAK: Correct.

5 MR. PAPIETRO: On the tables below, the  
6 breakdown in the traffic counts is on the hour.

7 MR. CORAK: Uh-hum.

8 MR. PAPIETRO: 9 to 10 or 8 to 9, 9 to 10.

9 Why do we not have a breakdown in the count  
10 according to the window of time you were there? Why  
11 is there a difference in the listing on those charts  
12 compared to when you were actually there?

13 Furthermore --

14 MR. WHITAKER: You asked a question. Let him  
15 answer.

16 MR. PAPIETRO: Say again.

17 MR. WHITAKER: You asked that question. Let  
18 him answer that.

19 MR. PAPIETRO: Okay. Go ahead.

20 MR. WHITAKER: To keep the record clear.

21 MR. CORAK: So for both of these counts,  
22 right, we were at the site on the Monday from 7:30  
23 a.m. to noon and on the Friday from noon to 6 p.m.

24 For the purpose of the body of the report, in  
25 the table we broke it out by hour, but the actual

1  
2 peak hour overlaps two hours. It is basically  
3 instead of publishing the full -- each 15-minute  
4 interval in the body of the report, we saved that  
5 for the appendix and give an idea of the trip  
6 generation on the hour mostly to save space from the  
7 tables that were provided in the appendix.

8 MR. PAPIETRO: Well, there is an even bigger  
9 discrepancy when you address the peak times that you  
10 inspected Wayne. The morning hour time is the same,  
11 9:30 to 10:30. But the afternoon is really midday,  
12 12:15 to 1:15.

13 And then the same thing, the charts don't  
14 reflect those actual times.

15 So the breakdown you are evaluating the cars  
16 is spread over to what you put into your chart. So  
17 I'm asking myself how are these numbers working out.  
18 I don't make that connection.

19 So why are there differences in the chart you  
20 produced from the times you were actually there to  
21 inspect or witness the vehicles coming and going at  
22 both locations?

23 MR. CORAK: Right. Because the charts that I  
24 produced just break it down on the hour so you can  
25 see over the course of the morning or the course of



1  
2 the afternoon/evening at each site how the traffic  
3 differed across those different hours. And I think  
4 that's important.

5 Now, I can't make Wayne have its peak from  
6 4:45 to 5:45 like the Ridgewood site did. I can  
7 only report the volumes that I count and this was  
8 the volume that was counted and it amounted to 24  
9 trips at Wayne and 29 trips at the Ridgewood site in  
10 those respective peaks. Right.

11 We look at whatever the busiest peak was at  
12 each site. They can be different times. That's  
13 okay. That is not a problem. And we report back  
14 and we analyze on that.

15 MR. PAPIETRO: So you are adjusting those  
16 figures to fit this chart?

17 MR. CORAK: No.

18 MR. PAPIETRO: No?

19 MR. CORAK: No.

20 MR. PAPIETRO: Very well. Thank you kindly.

21 MS. RAYSTER: I have a question.

22 So regarding, you know, the expected counts,  
23 you increased the expected vehicle traffic by 25  
24 percent?

25 MR. CORAK: Correct.

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2 MS. RAYSTER: Last time you were here, it was  
3 presented to us that they are currently repairing 60  
4 to 75 cars a month and they are looking to go to 90  
5 to 100. That is more than 25 percent increase.

6 MR. CORAK: You could go on the -- you can  
7 call that 33 percent. That would be the math there.

8 33 percent of that 29 is nine or ten vehicles.  
9 It doesn't change my conclusions. But I appreciate  
10 the comment.

11 MR. SEMERARO: And I do think that Mr. Daniel,  
12 upon further examination, increased what his current  
13 service was. I'm not sure -- I'm not sure, as I sit  
14 here, but I think that he did.

15 MS. RAYSTER: Actually, since we are playing  
16 with ranges, it could be, depending on whether you  
17 were there at the 60-car month or 75-car month, it  
18 could be as much as 60 percent increase from the  
19 numbers that you have listed.

20 MR. CORAK: Going from the low end of one  
21 range to the high end of the other range?

22 MS. RAYSTER: Yes. So if you are going  
23 from -- we don't know, you don't know how many like  
24 cars that represents per month? You know what I  
25 mean?

1  
2 MR. CORAK: Again, even if you were to take  
3 that significant of an increase, the volume added to  
4 the roadway network is still not going to have a  
5 significant change to the levels of service. And  
6 part of that is the roadway is just not that busy of  
7 a road. It carries 4500 to 5,000 vehicles a day.  
8 You know, busier two-lane roads are 15,000 to 20,000  
9 a day.

10 And so, you know, that in and of itself I  
11 think is something that the board can take a little  
12 bit of comfort in. We are really playing with the  
13 extremes here in terms of how much more traffic this  
14 site can bear, or how much more traffic this site  
15 would generate.

16 MS. RAYSTER: Right, but when we are talking  
17 about a thousand cars a day type of road, it is not  
18 a local road going through a rural town.

19 MR. CORAK: I'm sorry. You --

20 MS. RAYSTER: It is not comparable. A  
21 thousand -- a car that has a volume of a thousand  
22 cars -- Sorry. A road that has a thousand cars per  
23 day is not comparable to the road we are talking  
24 about here. Location wise, you know, design wise,  
25 speed wise and everything else.

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MR. CORAK: Right. We have a road that carries 4500 to 5,000 cars per day.

MS. RAYSTER: Right.

MR. CORAK: That is South Broad Street.

60 percent increase on 29 trips is 18 more trips.

And there is this number of -- aside from the levels of service analysis, you can look at ITE, you can look at NJDOT. They specify 50 to hundred trips in an hour is where you even start to look at it is going to have an impact.

If we are taking the lowest on one end to the highest on the other, it is 18 more trips. That is still one more trip every three minutes. It is not going to have an adverse impact to this roadway network or anywhere else.

MS. RAYSTER: You previously said there is at least one car every two minutes.

MR. CORAK: One car every two minutes existing.

MS. RAYSTER: Right.

MR. CORAK: The additional traffic is an additional one car every three minutes.

MS. RAYSTER: Right.

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2 MR. CORAK: So maybe that brings that down  
3 to -- it is still less than a vehicle every minute  
4 is what it would come down to under this  
5 wide-reaching scenario.

6 MS. RAYSTER: Can the report be updated to  
7 reflect that?

8 MR. CORAK: I will review the transcript and  
9 make sure the numbers are consistent. We can update  
10 that to provide the conservative analysis.

11 But the testimony will remain the same that  
12 there is no adverse impact even with that trip  
13 generation.

14 MS. RAYSTER: All right.

15 MR. CORAK: We are multiple factors away from  
16 this type of development having that kind of impact.

17 MS. RAYSTER: Thank you.

18 MR. PAPIETRO: Mr. Corak, back to those two  
19 tables, table 1 and table 2 on page 2, are these  
20 numbers in these two charts for the respective hour  
21 increments, are these actual counts of vehicles  
22 entering and existing in that window of time for  
23 both those locations?

24 MR. CORAK: Yes.

25 MR. PAPIETRO: Okay. And in those numbers

1  
2 coming and going, did you make any distinction  
3 between how many of them were commercial vehicles  
4 doing business or private vehicles that were there  
5 for similar reasons?

6 MR. CORAK: Yes.

7 MR. PAPIETRO: From private to commercial?

8 MR. CORAK: Yes.

9 MR. PAPIETRO: Is there a breakdown of what  
10 percentage of these was commercial and what were  
11 private?

12 MR. CORAK: It was very consistent with the  
13 operate --

14 MR. PAPIETRO: I'm sorry. Please, closer to  
15 the microphone.

16 MR. CORAK: Sorry.

17 It's very consistent with the operator's  
18 testimony. The delivery vehicles counted for about  
19 six to eight per day with the counts.

20 The rest were either customers dropping off.  
21 You know, the employees arriving or departing the  
22 site. Test drives as well as a handful of the, you  
23 know, actual vehicles being dropped off by a tow  
24 truck or otherwise.

25 I don't have the hard percentage calculations

1  
2 here, but within the appendix each of those are  
3 spelled out.

4 MR. PAPIETRO: I'm not following.

5 So what percentage of these numbers in any  
6 time of the day or in total were commercial compared  
7 to private?

8 MR. CORAK: Okay. So --

9 MR. PAPIETRO: Because the issue in question  
10 with the Ridgewood property is the increase in  
11 commercial business.

12 MR. CORAK: Sure. I will go with during the  
13 peak hour at Ridgewood. All right. So starting  
14 with the Friday afternoon peak hour which was 4:45  
15 to 5:45, looking for the total number of commercial  
16 vehicles, we had one delivery van in the course of  
17 that hour. So one in and one out. So that accounts  
18 for two trips out of the 29.

19 MR. PAPIETRO: So is that information you are  
20 reading incorporated in this report?

21 MR. CORAK: It's in the appendix, yes.

22 MR. PAPIETRO: It is in that breakdown?

23 MR. CORAK: It's in the appendix.

24 MR. PAPIETRO: All those trucks? Very well.

25 MR. CORAK: Thank you.

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MR. SWAN: Yes. I have a question.

I think you testified earlier that given the nature of this industry that the required parking exceeds what is typically needed for this type of operation.

I noticed in the site plan there is nine spaces in the west corner of the lot which prevents the retaining wall to conform to the setback requirement.

So are these spaces necessary for the operations or are they rather just included in the plan to get closer to the required number of parking spaces?

MR. CORAK: Is this in reference to the triple stack?

MR. SWAN: Yes.

MR. CORAK: At that point in terms of the number of call it the outdoor storage spaces, that becomes more of an operator distinction than one of purely traffic engineering.

You know, by my review of the site, which is the number of parked cars that I saw on the site during the peak, by my review of the Institute of Transportation Engineers Parking Generation Manual,



1  
2 by all those traffic engineering metrics, those nine  
3 spaces could be removed.

4 That said, I would have to leave the true  
5 necessity of 51 versus 42 to the operator.

6 MR. SWAN: Thank you.

7 MR. CORAK: You're welcome.

8 THE CHAIRMAN: I'm sorry. Mr. Barree, do you  
9 have a question? No.

10 Just one quick question. Just a hypothetical.

11 You could push the building to the front of  
12 the property and you could create all the parking  
13 spaces that you needed back there?

14 MR. CORAK: With the full 24-foot drive aisles  
15 you are saying or just in general with the stacking?

16 THE CHAIRMAN: Just in general with stacking.

17 MR. CORAK: Theoretically, yeah.

18 THE CHAIRMAN: Okay. Then it would -- the  
19 building would be closer to the street and you would  
20 have less setback and then you'd have less  
21 vegetation between the street and the building?

22 MR. CORAK: Correct.

23 THE CHAIRMAN: But you could have all the  
24 parking?

25 MR. CORAK: Right.

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THE CHAIRMAN: Okay.

Board members have any additional questions?

Okay. Seeing none, I will open it up to questions from the public.

Time for members of the public to ask any questions that they might have of the applicant's witness.

Again, just come forward again. If you could please just again state your name, spell your last name and give us your address for the record.

And if you can talk close to the mic, just for acoustics, that would be great.

MR. ALLIEVI: My name, again, is Todd Allievi. You already have the spelling. I live on the corner of Boyce and Woodside.

I just had a couple of questions.

Again, referring to the count of the vehicles, I know you had answered there was, as far as commercial, you said there was one van that came in and out.

Did you observe any car carriers, car haulers, tow trucks or flatbeds during any of those observant times?

MR. CORAK: So the time period I just talked

1  
2 about was the evening peak hour at the Ridgewood  
3 site. There were no tow trucks, car carriers or  
4 otherwise coming in or out of the site during that  
5 period.

6 If you give me a second, I can do a quick  
7 tally for the full day that we counted.

8 (Pause)

9 MR. CORAK: So through that afternoon session,  
10 I have a total of four larger vehicles, if you will.  
11 Two of them were departing just after the count time  
12 began and then one other was the in and the out  
13 later in the day.

14 MR. ALLIEVI: Can you define larger vehicle,  
15 please.

16 MR. CORAK: Larger wheel-base vehicle. So six  
17 tires or more. You know, whether that is through  
18 delivery of parts or tow trucks, car carriers.

19 MR. ALLIEVI: Not to interrupt you. I am  
20 trying to be more specific. Flatbed.

21 MR. CORAK: I don't have that level of  
22 granularity in front of me right now.

23 MR. ALLIEVI: Don't you believe that would be  
24 significant as far as espousing an opinion on the  
25 detriment to an area or detrimental impact whether

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it is a tow truck or a car carrier, a car hauler carrying four, five, six, seven, eight vehicles?

MR. SEMERARO: I have to object.

MR. ALLIEVI: Oh, that is directly relevant.

MR. SEMERARO: The applicant had indicated they don't take any vehicle -- no car carrier larger than three would ever come -- ever does come.

MR. ALLIEVI: Excuse me. If I can submit this to the board.

MR. WHITAKER: You have to authenticate it.

You got a photograph there?

MR. ALLIEVI: Yes.

MR. WHITAKER: Go back to the microphone please.

Go back to the microphone please.

You have a photograph there. When was the photograph taken?

MR. ALLIEVI: The day after Memorial Day between 4 and 4:30.

MR. WHITAKER: Of this year?

MR. CORAK: Correct.

MR. WHITAKER: Okay. What does the photograph depict?

MR. ALLIEVI: A very large car hauler that can

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carry at least nine vehicles.

MR. WHITAKER: Show it to counsel and we will have it marked as an objector's exhibit.

(Pause)

(Photograph of car hauler was marked as Objector's Exhibit 1 for identification)

MR. ALLIEVI: I can provide more information.

That is the view of the corner of Woodside and Boyce as I was mowing my lawn between 4 and 4:30 on Tuesday, the day after Memorial Day.

And I didn't have time to take a video. You can put me under oath. Not only was that going down the residential neighborhood, but the last vehicle on the end, its car alarm was going off the whole way while he was driving.

MR. WHITAKER: So you are going to testify when you have the ability to testify. This is just for questions.

So what you are saying -- what you have established at this point is, and you are going to come back to do this, that this witness has said they did not observe a car carrier.

Correct, when you were there?

MR. CORAK: No, and certainly not that size.

1  
2 MR. WHITAKER: And the witness previously  
3 testified they do not come to the site.

4 So you have the ability to testify as to all  
5 of this when it is time to testify. This is only  
6 questions now.

7 MR. ALLIEVI: I am just following what he  
8 said. He had said he didn't observe any. Now I am  
9 showing what I observed.

10 MR. WHITAKER: Okay. Understood.

11 MR. ALLIEVI: I have other questions.

12 MR. WHITAKER: We will take the photograph and  
13 make it part of the record.

14 MR. SEMERARO: You are going to make it  
15 part --

16 MR. WHITAKER: Counsel certainly has the  
17 ability to ask questions of you about the  
18 photograph.

19 MR. SEMERARO: Yes. When is it that you  
20 propose that I do that?

21 MR. WHITAKER: Why don't we do it now since I  
22 think we are all ready for it.

23 MR. SEMERARO: Okay.

24 Where was this picture taken, in front of what  
25 property?

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MR. ALLIEVI: Corner of Boyce and Woodside. The exact address is 65 Boyce Place. But that view is the Woodside view.

MR. SEMERARO: Okay. And when did you first observe this vehicle?

MR. ALLIEVI: As I was mowing my lawn between 4 and --

MR. SEMERARO: You were mowing your front lawn I guess?

MR. ALLIEVI: I'm sorry.

MR. SEMERARO: You were mowing your front lawn when you saw it?

MR. ALLIEVI: Well, there is two front lawns, but yes.

MR. SEMERARO: Okay. And during the time that you made observations of this truck, did you remain on your property the entire time?

MR. ALLIEVI: Yes.

MR. SEMERARO: Okay. And where did you see the car coming from?

MR. ALLIEVI: It's not a car.

MR. SEMERARO: The truck.

MR. ALLIEVI: It's a car hauler, correct?

MR. SEMERARO: Where did you see --

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MR. WHITAKER: Where did you observe the car carrier coming from is the question.

MR. ALLIEVI: From left to right.

MR. SEMERARO: Okay. How far from your property was it that you first saw it?

MR. ALLIEVI: I saw it -- I am trying to remember. As you know, that street is very oddly situated.

It is not Leonard. I forgot the name of the next street over between Boyce and Woodside.

I'm sorry. I forgot the name of it.

MR. SEMERARO: Okay. When you first saw it, was it adjacent to residential houses?

MR. ALLIEVI: Yes. It is all residential.

MR. SEMERARO: Okay. And the last time you saw it, how far was it from you going down the road?

MR. ALLIEVI: Well, it stopped right before it reached Carlisle because he had to get out to shut the car alarm off.

MR. SEMERARO: Okay. I want to know how far from your house, from your front lawn this vehicle was when you last saw it that day.

MR. ALLIEVI: All I can do is count the houses.



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MR. SEMERARO: Okay. How many houses?

MR. ALLIEVI: That is the best I could do.

Four or five houses down. That is when it stopped.

MR. SEMERARO: Okay.

MR. ALLIEVI: Realizing how long it is.

MR. SEMERARO: And when you last saw it, it was adjacent to residential houses again?

MR. ALLIEVI: When it stopped?

MR. SEMERARO: Yes.

MR. ALLIEVI: Yes.

MR. SEMERARO: When you last saw it that day, your last observation of it, it was about five houses away from you, correct?

MR. ALLIEVI: Right.

MR. SEMERARO: And it was in a residential neighborhood?

MR. ALLIEVI: Right. And then it continued, yes.

MR. SEMERARO: Okay. And then you didn't see it after the five houses?

MR. ALLIEVI: No.

MR. SEMERARO: Okay. How do you know where it was going?

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MR. ALLIEVI: How about where it's coming from?

MR. SEMERARO: I asked you a question. How do you know where it was going?

MR. ALLIEVI: I don't have to know where it is going. It is where it is coming from. It's --

MR. SEMERARO: I will ask you the questions, sir.

MR. WHITAKER: Let's get an answer to your question.

The question is, you don't know where it was going?

MR. ALLIEVI: No, sir.

MR. SEMERARO: Okay. And you claim you know where it was coming from?

MR. ALLIEVI: I can draw that inference, yes.

MR. SEMERARO: No. Did you see where it came from?

MR. ALLIEVI: Just the direction.

MR. SEMERARO: Okay. You never saw it on my client's property, did you?

MR. ALLIEVI: No.

MR. SEMERARO: Okay. Did you see any damaged vehicles that were being carted on this vehicle --

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on this car carrier?

MR. ALLIEVI: No, I do not.

MR. SEMERARO: Okay. All right. So you believe that a car carrier came to my client's shop and picked up a number of repaired vehicles just because it was on your street coming from the direction of his car shop -- auto body shop?

MR. ALLIEVI: No. I am saying I can draw that inference. Legally, yes. Just like you do in a jury charge instruction. You can draw the inference.

Let me finish, please. All right. I am allowed to answer the question. You asked the question. Now give me the time to answer.

MR. SEMERARO: Answer it.

MR. ALLIEVI: I am answering, sir. You just don't like the answer.

MR. WHITAKER: Just --

MR. ALLIEVI: Okay. I would like to answer.

MR. WHITAKER: Give us your answer. We're waiting.

MR. ALLIEVI: I am -- well, I don't want to be interrupted.

If there is no windows here and you walk in,

1  
2 all right, it's sunny outside. Half-hour later I  
3 walk in with an umbrella, a raincoat on and it's  
4 dripping wet, you can draw the inference it's  
5 raining outside?

6 There is no dealers, no car dealerships  
7 anywhere in the vicinity. There's no auto body shop  
8 the size of that that can handle that car carrier  
9 except for his client Mountain View. And it is  
10 exactly the direction it came from. Okay. I have  
11 been living there for 14 years. Okay.

12 Never had car carriers come in the  
13 neighborhood until Mountain View came in. I have  
14 seen them all different sizes. But this is the  
15 first time I've seen it this size.

16 Again, I can draw that inference.

17 MR. WHITAKER: And it will be up to the board  
18 to take your testimony into consideration --

19 MR. ALLIEVI: That's why I'm here.

20 MR. WHITAKER: -- and see if they draw that  
21 inference also.

22 MR. SEMERARO: How far was the car carrier  
23 from Mountain View the very first time you saw it?

24 MR. ALLIEVI: Unfortunately, I can't remember  
25 the name of that street right there.

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MR. SEMERARO: Can you give me a number of blocks? Can you give me a number of houses?

MR. ALLIEVI: I can describe it.

MR. SEMERARO: Well, give me some sort of measurement if you could.

MR. WHITAKER: There is no assistance.

MR. ALLIEVI: I forgot the name of the street.

MR. WHITAKER: Sir, there is no assistance. He is testifying on his own.

MR. ALLIEVI: I am just trying to remember the name of the street.

As it curves around, okay, that small street off of Broad, it curves around and then it becomes Woodside. I could see right where it curves and becomes Woodside.

It is a very, very small street. I can see right where it then becomes Woodside.

MR. SEMERARO: You can't tell me how many blocks from Mountain View Auto Body it was?

MR. ALLIEVI: From Mountain View it's one or two blocks.

MR. SEMERARO: Okay.

MR. ALLIEVI: It's Broad and then that small street comes to Woodside. Woodside is one to

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one-and-a-half blocks off of Broad.

MR. SEMERARO: For how long was that truck within your line of sight?

MR. ALLIEVI: I can only give you -- well, it stopped.

MR. SEMERARO: Okay.

MR. ALLIEVI: You are including when it stopped to turn off the car alarm?

MR. SEMERARO: From the time you first saw it until the time you last saw it, how long was it in your vision?

MR. ALLIEVI: I would say approximately 40 to 60 seconds. It took him a while to silence the car alarm and then get back in the truck and continue.

MR. SEMERARO: What did you take that picture on?

MR. ALLIEVI: I'm sorry.

MR. SEMERARO: What did you take that picture on?

MR. ALLIEVI: Oh, my phone.

MR. SEMERARO: Okay. From your cellphone and it was on you when you were cutting the grass?

MR. ALLIEVI: Yeah.

MR. SEMERARO: Okay.

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MR. ALLIEVI: And I can actually bring it up on my phone if you wanted to see the other --

MR. SEMERARO: No. I just -- you answered.

MR. ALLIEVI: No. You are trying to authenticate. I am just saying, if you want, I will give you the passcode and you can look.

MR. SEMERARO: I am fine. Thank you.

I have no other questions.

MR. WHITAKER: Do you have any other questions, not testimony, but questions?

MR. ALLIEVI: Yes, I do. I just have to find where I left off.

(Pause)

MR. ALLIEVI: I apologize if I have to go back because we got sidetracked.

So you were unable to classify each vehicle as far as commercial? Aside from it being a van, you could not tell me how many were flatbeds or car haulers of varying sizes?

MR. CORAK: To that level of specificity, no.

MR. ALLIEVI: Okay.

MR. CORAK: We identified the number of those larger-size vehicles, but not, you know, individual this one was a flatbed, this one was a two-car

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2 carrier, this was a one-car carrier. We didn't get  
3 that detailed.

4 MR. ALLIEVI: Would you agree with me that it  
5 is far more negative to see a car carrier than a  
6 flatbed carrying one vehicle versus carrying four  
7 vehicles on a detrimental impact to the surrounding  
8 area?

9 MR. CORAK: A larger car carrier, four, five,  
10 six vehicles, which I believe you are describing,  
11 would have larger turning radii. It may have a  
12 little bit slower acceleration or deceleration.

13 MR. ALLIEVI: So the answer is yes?

14 MR. CORAK: In terms of high-level impact --

15 MR. ALLIEVI: I didn't say high level. I said  
16 detrimental.

17 MR. SEMERARO: Let him answer.

18 MR. WHITAKER: He is testifying from a traffic  
19 standpoint.

20 MR. ALLIEVI: This is traffic. Yes.

21 A negative traffic impact, correct.

22 Would you agree --

23 MR. SEMERARO: The standard is --

24 MR. CORAK: It's a very minimal change or  
25 minimal negativity, if you will. But I am giving



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you the reasons why one might be viewed more than the other.

MR. ALLIEVI: I just want to be clear. Your testimony is --

MR. SEMERARO: His testimony is what it was, Mr. Whitaker.

MR. ALLIEVI: Excuse me. I'm sorry, counselor.

MR. WHITAKER: He was asked and answered it. He was asked and answered it. Ask your next question.

MR. ALLIEVI: Counselor, how do you know when I haven't even asked the question?

MR. WHITAKER: Ask the next question.

MR. ALLIEVI: I don't think I got a specific answer to my specific question.

MR. WHITAKER: You want to repeat your answer or have the stenographer repeat the answer so we can move on?

MR. CORAK: A minimal negative impact.

MR. ALLIEVI: And that is specifically a four-car carrier versus say a flatbed with one, just so I can understand what you are saying?

MR. CORAK: I'm saying a four-, five- or

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2 six-car carrier versus a flatbed, one- to two-car  
3 flatbed.

4 MR. ALLIEVI: Is minimal?

5 MR. CORAK: Yes.

6 MR. ALLIEVI: Okay. I just wanted to be clear  
7 on that.

8 MR. CORAK: Um-hum.

9 MR. ALLIEVI: Was your observation in counting  
10 of the vehicles specifically related to entering and  
11 exiting the facility or did it encompass any of the  
12 side streets?

13 MR. CORAK: The count was exclusive to the  
14 driveways that exist there today.

15 MR. ALLIEVI: Would you agree that an  
16 increase, as has been testified to before by the  
17 owner that they are going to increase their  
18 business -- and you were talking previously about  
19 the percentage.

20 MR. CORAK: Yes.

21 MR. ALLIEVI: You would agree with me as the  
22 business increases, there will be an increase in the  
23 car haulers, flatbeds, et cetera?

24 MR. CORAK: The testimony was that he would  
25 hope to increase his business by --

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MR. ALLIEVI: Okay. So --

MR. CORAK: -- up to 25 percent. We analyzed on that as, you know, as part of our conservative analysis.

MR. ALLIEVI: Right. And would you agree that if there is an increase of hopefully 20 to 25 percent for the owner that there would have to be an increase in the car haulers or flatbeds, if you don't want to use the word car haulers, car carriers?

Would you agree with me there would have to be an increase?

MR. CORAK: There would likely be some increase. But I would characterize it, again, as minimal, especially considering the prior testimony the 75 percent of the vehicles brought to the site are driven by the customers. They are not, you know, totaled vehicles or inoperable vehicles.

So when you are taking your increase in business, we have to consider that 75 percent of the existing business is a regular car driving to the site.

MR. ALLIEVI: Within your observations of counting the amount of vehicular traffic, does that

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2 include -- is it just specifically vehicular traffic  
3 or are you also there to observe other traffic  
4 patterns such as pedestrians?

5 MR. CORAK: The focus of the count was the  
6 vehicles in and out of the driveways.

7 MR. ALLIEVI: Right. So just to be clear, you  
8 did not take any count of pedestrian traffic or  
9 school children, any of that?

10 MR. CORAK: No.

11 MR. ALLIEVI: Thank you, sir.

12 MR. CORAK: Thank you.

13 THE CHAIRMAN: Thank you.

14 Members of the public have any additional  
15 questions for the applicant's witness?

16 Again, if you can please state your name,  
17 spell your last name and give us your address.

18 MR. THAYER: My name is Henry Thayer, 209  
19 South Broad Street.

20 Is this my only chance to ask questions of  
21 this witness?

22 THE CHAIRMAN: Yes.

23 MR. THAYER: Will he be back next time? No.

24 Just following up on that answer right there  
25 about the pedestrian traffic, so that is not part of

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your sort of purview?

MR. CORAK: No. The pedestrian traffic would not change as a result of this application.

MR. THAYER: And is there somebody else that will testify about pedestrian traffic or that is not part of this, you know, case here?

MR. WHITAKER: It is up to the applicant.

Not this witness. He said he did not. Obviously -- he already testified twice now that he did not observe pedestrian traffic. It was not part of his assignment.

MR. THAYER: Can I ask the lawyer if there is going to be somebody to testify about that?

MR. SEMERARO: I can advise him.

No, we are not going to be bringing anybody in to provide testimony on that.

MR. THAYER: Okay.

And I was trying to follow along with the numbers that you were talking about, but it was hard for me to do it.

It sounds like you were saying a 25 percent increase in business will lead to a minimal increase in traffic, right?

MR. CORAK: Correct.

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MR. THAYER: And what percentage increase in business would lead to more than a minimal increase in traffic?

MR. CORAK: Well, there are a few ways to look at this.

The Institute of Transportation Engineers would say that a trip increase of 50 or more vehicle trips has the potential for, you know, a change in level of service for an adverse impact.

So 50 added trips from this site, that would be about 150 percent increase in business.

The New Jersey Department of Transportation uses 100 trips. So that would be a 300 to 400 increase -- percent increase in business to pass that threshold.

If we conducted levels of service analyses for various percentage growth changes, that may yield a different number, but I haven't performed those calculations.

MR. THAYER: So tell me if I'm understanding it right. You observed about let's say for like 29 -- what do you call it -- 29 cars --

MR. CORAK: Trips. That's in and out combined.

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MR. THAYER: And in order for it to be more than a minimal increase, it would have to be 150 percent increase, so it would have to be like 90 trips instead of 29 before it gets to be above minimal?

MR. CORAK: Correct. So the reason for that is not related to the business itself. It is related to the roadways. It's related to the greater impact on public infrastructure.

And so you need that level of traffic increase to occur before you are really looking -- before you're really looking or could possibly observe a change in level of service.

You still might not get a change. But that is the threshold that is used in the traffic engineering industry.

MR. THAYER: And does that sort of take into account like level of service -- does that tend to take into account like the sort of quality of life for the people who live on the street?

MR. CORAK: Level of service is a measure of the average delay experienced by a motorist traveling through an intersection.

MR. THAYER: So it's a level -- so it takes

1  
2 into account the delay to somebody who lives in that  
3 neighborhood and has to drive in that neighborhood.

4 MR. CORAK: Um-hum.

5 MR. THAYER: But does it take into account  
6 sort of the increased noise and cars and traffic to  
7 like somebody whose front yard, you know, where  
8 their kids play is in front of that --

9 MR. CORAK: That metric does not, no.

10 MR. THAYER: It does not?

11 MR. CORAK: No.

12 MR. THAYER: So do you think there is some  
13 other way to measure the way an increase in traffic  
14 could negatively impact the neighborhood for the  
15 people who are there beyond the one that you are  
16 using?

17 MR. CORAK: Not one that is routinely used in  
18 this industry, no.

19 MR. THAYER: Interesting. I think.

20 Do you think it would negatively impact  
21 somebody who lives across the street from the shop  
22 if the number of trips didn't increase, you know,  
23 150 percent but only increased 25 percent or 30  
24 percent or 50 percent? Do you think that would sort  
25 of have a negative impact on the neighborhood?



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Granted it doesn't like create traffic delays, but a negative impact on the neighborhood?

MR. WHITAKER: His testimony only has to do with traffic. Let's be clear.

If you are asking the question do you believe that a person living in the neighborhood, this would have a negative effect on them living there from a traffic standpoint, that is the question you could ask.

MR. THAYER: Thank you. I see what you mean.

And I think I am trying to say is there a way that traffic can negatively impact the people in the neighborhood and people in the village beyond the metric that you are using?

MR. CORAK: Yes.

MR. THAYER: Yeah. Okay.

You were talking about the shop in Wayne. And I think that you said that the entrance to the shop there is not on the big highway, but it's on Pompton Turnpike.

MR. CORAK: Correct.

MR. THAYER: You said Pompton Turnpike is similar in character to South Broad Street?

MR. CORAK: It is a two-lane road. I think it

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has a little bit higher travel speed. I think it's 35 through there.

But in comparison to Route 23, it is much closer to South Broad Street than it is Route 23.

MR. THAYER: Right.

MR. CORAK: That was the comparison for the board members' questions.

MR. THAYER: Yes. To Route 23 it is closer to South Broad Street. That is probably true.

But is it similar to Broad Street in character?

MR. CORAK: It is one lane of travel in each direction.

MR. THAYER: Would you -- do you think it is similar?

MR. CORAK: I think that there are similar characteristics, yes.

MR. THAYER: Does Pompton Turnpike have a yellow line down the center of it?

MR. CORAK: Yes.

MR. THAYER: Does South Broad Street?

MR. CORAK: I don't believe so.

MR. THAYER: Do people -- do kids walk to school down Pompton Turnpike past the Wayne shop?

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MR. CORAK: I am not sure.

MR. THAYER: Do they walk to school down South Broad Street?

MR. CORAK: I am not sure.

MR. THAYER: When you were there watching the shop and doing the traffic, did you see kids walking to school?

MR. CORAK: There were children, pedestrians, yes.

MR. THAYER: So do you think people walk to school down South Broad Street?

MR. CORAK: Likely.

MR. THAYER: Yeah. So do you think that is what happens at Pompton Turnpike?

MR. CORAK: I'm not sure.

MR. THAYER: Yeah.

MR. WHITAKER: That's his answer.

MR. THAYER: Okay. Well, do you think now that South Broad Street is different in character, meaningfully different in character from Pompton Turnpike?

MR. CORAK: I think that they're similar traffic facilities.

MR. THAYER: Given the fact it doesn't have a

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yellow line, doesn't have people walking to school, doesn't have people playing in their front yard, given all those things, do you think it is dissimilar?

MR. CORAK: I think that that goes beyond my expertise as the traffic engineer talking about traffic.

MR. THAYER: Okay. I asked because you said that you thought they were similar.

I mean, I am very curious about this, like I have no idea, but do auto body shops have busier months or times of the year? Like is one month or time of year generally thought to be busier than another?

MR. CORAK: I would have to defer that to the operator. I am not familiar with any time-of-year adjustments for auto body shops.

MR. THAYER: So when you take your counts and you do this kind of work in analyzing the traffic, you don't -- I mean, you wouldn't do it on Christmas Day?

MR. CORAK: No.

MR. THAYER: Right. So you wouldn't do it on a holiday. I know you said you look for like the

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busiest time is Friday or something. But did that extend to the busiest month or do you worry about like the season? That just doesn't come into play at all?

MR. CORAK: No. It is not something that we recognize as being a major difference across different times of year.

We want to avoid the holidays, of course, because that generates different traffic demands and different plans that people may have. But no.

MR. THAYER: Okay. And I guess like just to go back to the Pompton Turnpike thing. Do you know what zone South Broad Street is?

MR. CORAK: South Broad Street is the roadway. The zone --

MR. THAYER: The neighborhood around the Mountain View place, do you know what zone it is? Like what it's zoned for?

MR. CORAK: Hold on. It is R-3.

MR. THAYER: Do you know it is zoned for residential?

MR. CORAK: I understand.

MR. THAYER: Do you know that -- do you know what the zoning is for the Pompton Turnpike in front

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of the Wayne shop is?

MR. CORAK: I don't.

MR. THAYER: Do you think it is residential?

MR. WHITAKER: He said he doesn't know.

MR. THAYER: Okay.

All right. Thank you.

THE CHAIRMAN: Thank you.

Again, if you could just please state your name, spell your last name and give us your address for the record.

MR. CHRISTIANSEN: Sure. David Christiansen. Christiansen is C H R -- it is getting late -- I S T I A N S E N.

I'm with the Friends at 224 Highwood. I live in Waldwick. I have been a member of the meeting there for 40 years.

Just a quick question for you.

You said that the data from the -- in your report is two years old. So May of 2023.

MR. CORAK: For the Wayne site.

MR. CHRISTIANSEN: Yes. Excuse me.

And do we know if it is at all representative of what it is today there?

MR. CORAK: I would defer to the operator in

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2 terms of any changes that have been made. But I am  
3 not familiar with any substantial changes.

4 MR. CHRISTIANSEN: So it could be 25, 30  
5 percent more?

6 MR. CORAK: It is all theoretical at this  
7 point. I can't speculate.

8 MR. CHRISTIANSEN: Got you.

9 And what's the relevance in looking at that  
10 data from two years ago in Wayne versus the Broad  
11 Street?

12 MR. CORAK: Well, the relevance I think is  
13 that this operator has another facility that is  
14 modern. Right. It is not a conglomeration of six  
15 different buildings on a parcel is. It looks and  
16 operates much more similar to the proposed  
17 development.

18 And because of that and because we have the  
19 opportunity to study another location, we found it  
20 pertinent to do so.

21 And keep in mind this project has been going  
22 on for two, three years now. This count was  
23 conducted back in the earlier portion of when we  
24 were retained and then placed on hold and then  
25 finally got to come back.

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2 But, yes, I think that that site, it gives a  
3 data point, it gives a window for the board to  
4 understand that, hey, it is a more modern facility  
5 and it is generating similar -- actually slightly  
6 lesser traffic volumes than what we saw at the  
7 current Ridgewood location.

8 MR. CHRISTIANSEN: You're making statements  
9 that seem odd. You are using the present tense, but  
10 it is two years ago, right?

11 I'm not understanding how you are taking data  
12 from two years ago and saying it all represents what  
13 that modern facility is doing.

14 MR. CORAK: Well, the facility two years ago  
15 was still a modern facility.

16 MR. CHRISTIANSEN: Sure.

17 MR. CORAK: So that is where it is  
18 representative. And it is for the board if they  
19 want to weigh that heavily or not.

20 I collect data and present it. That is -- it  
21 is up to the board from there.

22 MR. CHRISTIANSEN: I had a question. Maybe it  
23 is better directed to you.

24 Did the board hire a traffic engineer and was  
25 there a report disseminated of that?



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MR. MATARAZZO: Yes.

MR. CHRISTIANSEN: Very good. And your report is available on the website?

MR. MATARAZZO: Our report should be available on the website, yes.

MR. CHRISTIANSEN: Very good. No further questions.

Thank you for your time.

THE CHAIRMAN: Thank you.

Any members of the public have any additional questions?

Okay. Seeing none.

Thank you.

MR. SEMERARO: Thank you.

That will conclude his testimony and he won't be brought back for further questioning.

So, Mr. Chairman, I guess that's it for tonight, right?

THE CHAIRMAN: That's it for tonight. We're not going any longer.

So we would be looking at July 8 or July 22.

MR. SEMERARO: Could you give me one minute to confer?

THE CHAIRMAN: Go ahead.

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MR. SEMERARO: Thank you.

(Pause)

MR. SEMERARO: July 8.

THE CHAIRMAN: Okay. Great. So we're going to carry this to -- Mr. Whitaker, you are here, yes?

MR. WHITAKER: July 8, Jane, is there anything else on at this point?

MS. WONDERGEM: What's that?

THE CHAIRMAN: Is there anything else on July 8?

MS. WONDERGEM: No.

MR. WHITAKER: So for members of the public, this is carried without further notice to July the 8th.

The expectation is, I believe, I won't speak for the applicant, but we heard earlier, you have one more witness?

MR. SEMERARO: We have to bring back our engineer and then --

MR. WHITAKER: One witness for full testimony?

MR. SEMERARO: Our planner.

MR. WHITAKER: So we will anticipate that evening that the applicant will conclude their presentation.

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So if the public then wants to make comment,  
that would be the night for it.

I want to make sure you understood that.

THE CHAIRMAN: Thanks, everyone.

MR. SEMERARO: Thank you.

MR. CORAK: Thank you. It was a pleasure.

THE CHAIRMAN: I will entertain a motion to  
adjourn. All in favor?

THE BOARD: Aye.

THE CHAIRMAN: Thanks, everyone.

MR. SEMERARO: Thank you.

\* \* \* \* \*

Certified to be a true and accurate transcript  
of the stenographic minutes taken within.



Lisa Mango  
Senior Court Reporter

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