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OUR FILE NO. -010521

December 17, 2013

Via Hand Delivery and Email

Ms. R. Lorraine Hutter, Secretary
Borough of Montvale Planning Board
12 Mercedes Drive
Montvale, New Jersey 07645

**Re: Montvale Development Associates, LLC
Application for Preliminary and Final Site Plan Approval, PUD Approval,
EIS Approval and Soil Moving Permit Approval
Block 2802, Lots 2 & 3; Block 1002, Lots 3 & 5, Montvale, New Jersey**

Dear Ms. Hutter:

I enclose a copy of the transcript prepared by Donna Lynn J. Arnold, C.C.R., for the Monday, November 25, 2013 meeting in connection with the above referenced matter. By copy of this letter to Robert T. Regan, Esq., I am forwarding directly to him a copy of the transcript as well. Should you have any questions regarding the enclosed, please do not hesitate to contact me.

Very truly yours,


Antimo A. Del Vecchio

ADV:rcr- Enc.

c: Robert T. Regan, Esq. (via email, w/enc.)

Forty-Three Years of Service

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PLANNING BOARD
MONTVALE TOWNSHIP
COUNTY OF BERGEN

VOLUME 6

BLOCK 2802, LOTS 2 AND 3,
300 WEST GRAND AVENUE,
BLOCK 1002, LOTS 3 AND 5
159-161 SUMMIT AVENUE -
MONTVALE DEVELOPMENT ASSOCIATES,
LLC - SHOPS AT DEPIEROS application
for Preliminary and Final Site Plan
Approval, Preliminary and Final
Subdivision Approval, Planned Unit
Development and Soil Moving Permit

Monday, November 25, 2013
Council Chambers
12 Mercedes Drive, 2nd Floor
Montvale, New Jersey
Commencing 8:00 p.m.

B E F O R E :

- 11 JOHN CUIHANE
- 12 THERESA CUDEQUEST, COUNCIL MEMBER
- 13 JOHN DEPINTO, CHAIRMAN
- 14 WILLIAM LINTNER
- 15 FRANK STEFANELLI
- 16 DANTE TEAGNO
- 17 WOLFGANG VOGT
- 18 CHET WEBBER

- 19 ROBERT REGAN, BOARD ATTORNEY
- 20 JEFFREY FETTE, CONSTRUCTION CODE OFFICIAL, absent
- 21 CRAIG P. HERMANN, PE, PP, CME, MASER CONSULTING
- 22 JOHN J. JAHR, TSOS, MASER CONSULTING
- 23 ANDREW HIPOLIT, BOROUGH ENGINEER, absent
- 24 IORRAINE HUTTER, BOARD SECRETARY
- 25 RICHARD PREISS, BOROUGH PLANNER

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REDIRECT BOARD PUBLIC

ELIZABETH DOLAN

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2 Roberts Road

KARI SOLOMON 111

16 Pine Street

GEORGE ZELLER *

105 East Grand Avenue

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P R E V I O U S L Y M A R K E D E X H I B I T S

EXHIBITS MARKED 8/6/2013

- A-1 Affidavit of Notice Document, Two Volumes
- A-2 Site Plan Drawings Prepared by L2A, 42 sheets, 6/21/2013
- A-3 Architectural Plans by JP2, Consisting of 8 sheets, 6/18/2013
- A-4 Wegman's Elevation Drawings, single sheet 7/24/2013
- A-5 Floor Plans Prepared for Wegman's Building, 5/14/2013
- A-6 Roof Plan (Wegman's) Single Sheet, 6/20/2013
- A-7 RTKL Master Plan Booklet
- A-8 Thumb Drive Containing Two Power Point Presentations
- A-9 Stone Sample Board
- A-10 Split Base Sample
- A-11 Material Board, Wegman's

BOARD EXHIBITS

- B-1 Letter, 8/5/2013, from Chief of Police, Site Plan
- B-2 Letter, 8/5/2013, from Chief of Police, Soil Movement

EXHIBITS MARKED 09/03/2013

A-12 Paper Version, Colored Floor Plate Of Wegman's

EXHIBITS MARKED 10/01/2013

- A-13 Id. Site Plan Drawings, 32 sheets, Last Revised 9/20/2013
- A-14 Id. Storm Water Management Report Revised 9/20/2013
- A-15 Id. Storm Water Maintenance Manual By L2A, revised 9/20/2013
- A-16 Id. Soil Movement Plan, By L2A Revision dae 9/27/2013
- A-17 Id. EIS Report, by L2A, 6/21/2013
- A-18 Id. Acoustical Report, 6/26/2013

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25

1	EXHIBITS MARKED 10/15/2013
2	A-19 Id. Section of Porous Pavement Including the Vase
3	A-20 Id. Porous Pavement
4	A-21 Id. Traffic Impact Analysis 6/20/2013
5	A-22 Id. Traffic Impact Analysis By Maser Consulting, 3/7/2013
6	A-23 Id. Technical Appendices 3/7/2013
7	EXHIBITS MARKED 11/06/2013
8	B-1 Id. Letter, 10/25/2013, E. Timsak
9	A-24 Id. L2A Concept Plan, SK-01, 10/29/2013
10	A-25 Id. Site Traffic Impact
11	A-26 Id. Sign Package Drawings
12	A-27 Id. Cut Sheet Booklet, 7/17/2013
13	EXHIBITS MARKED 11/25/2013
14	A-28 Id. Traffic Impact Analysis 11/14/2013
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(Opening Statement)

CHAIRMAN DEPINTO: Could we have a roll call, please.

MS. HUTTER: Mr. Culhane.

MR. CULHANE: Here.

MS. HUTTER: Councilwoman Cudequest.

COUNCILWOMAN CUDEQUEST: Here.

MS. HUTTER: Mr. Fette.

Mr. Lintner.

MR. LINTNER: Here.

MS. HUTTER: Mr. Stefanelli.

MR. STEFANELLI: Here.

MS. HUTTER: Mr. Teagno.

MR. TEAGNO: Here.

MS. HUTTER: Mr. Vogt.

MR. VOGT: Here.

MS. HUTTER: Mr. Webber.

MR. WEBBER: Here.

MS. HUTTER: Chairman Depinto.

CHAIRMAN DEPINTO: Here.

(Agenda)

CHAIRMAN DEPINTO: Okay. Let's move on to Block 2802, Lots 2 and 3, 300 West Grand Avenue, Block 1002, Lots 3 and 5, 159-161 Summit Avenue, Montvale Development Associates, LLC, Shops at Depieros.

1 Application for preliminary and final site plan
 2 approval, preliminary and final subdivision approval,
 3 planned unit development and soil movement.

4 Good evening.

5 MR. DEL VECCHIO: Good evening, Mr.
 6 Chairman.

7 For the record, Andy Del Vecchio, member of the
 8 firm of Beattie, Padovano on behalf of the applicant.

9 We, when we last appeared, we had concluded the
 10 testimony of Mr. Christian concerning the signage and
 11 graphic packages for the proposed property. We had
 12 concluded with direct testimony at least. And, the
 13 hour grew late and the Board had not had an
 14 opportunity to ask questions of Mr. Christian
 15 concerning the signage that he had presented in his
 16 direct testimony.

17 So, this evening Mr. Christian has returned.

18 I think we had left off with the opportunity for
 19 the Board and the public then to ask questions of Mr.
 20 Christian concerning --

21 CHAIRMAN DePINTO: Mr. Del Vecchio, I
 22 would rather take it in an order which I think makes
 23 more sense than your order. And, that is, let's start
 24 with traffic.

25 The reason being, we heard direct testimony on

1 two occasions from Ms. Dolan. I don't know if there's
 2 going to be any more direct.

3 Mr. Segreto was not present at the last meeting.
 4 I would like to hear what Mr. Segreto has.

5 I presume, Mr. Segreto, you have had an
 6 opportunity to review the transcript or tapes so that
 7 you are prepared to cross-examination Ms. Dolan?

8 MR. SEGRETO: I am prepared to
 9 cross-examine her, yes.

10 CHAIRMAN DePINTO: So, rather than move
 11 forward with the second witness, which we actually
 12 only allowed as an accommodation, as you may recall,
 13 Mr. Del Vecchio, I would rather we continue with Ms.
 14 Dolan and hear about traffic.

15 And, the traffic expert from Maser is here.

16 Unfortunately, Mr. Hipolit is not here but, Mr.
 17 Hermann is here.

18 Do you have any further direct from Ms. Dolan
 19 this evening?

20 MR. DEL VECCHIO: I do, Mr. Chairman.

21 And, that's why I thought perhaps Mr. Christian
 22 would be quick to conclude. But, I have no objection
 23 to proceeding with the Chair's requested direction.

24 Ms. Dolan, since she last appeared, has prepared
 25 a supplemental Traffic Impact Analysis which was

1 submitted to the Board in advance of these hearings.

2 And, I do propose to elicit further direct
3 testimony from Ms. Dolan as it pertains to that
4 analysis.

5 We have also prepared and wish to provide the
6 Board with a simulation of a video of the traffic
7 configuration and the additional traffic testimony
8 that Ms. Dolan is about to elicit.

9 I ask her to come forward as I conclude my
10 remarks.

11 Just from a housekeeping standpoint, the Chair
12 had asked that we return or confirm whether or not an
13 additional representatives of Wegman's would be
14 produced to discuss the traffic. I shouldn't say the
15 traffic, the truck volume and the truck loading
16 operations to the rear of the Wegman's.

17 We have confirmed and secured a Wegman's
18 representative to attend the Board's December 17th
19 meeting. He was unable to be here this evening but we
20 have confirmed him for the 17th. And, we'll bring
21 him, at that point, to answer any and all questions
22 which the Board may have from that witness.

23 So, that's kind of where we're at globally with
24 traffic.

25 CHAIRMAN DEPINNO: I'm not quite sure if

1 the Board's agenda will allow for the continuation of
2 the hearing on December 17th. It may have to be
3 carried to January.

4 But, we'll deal with that at the end of this
5 meeting.

6 MR. DEL VECCHIO: Okay. Ms. Dolan was
7 previously sworn and qualified and remains under oath.

8 I would propose that we mark the supplemental
9 Traffic Impact Analysis that is dated November 14,
10 2013 as A-28.

11 Do you need one of those?

12 REDIRECT EXAMINATION BY MR. DEL VECCHIO:

13 Q Ms. Dolan, when you last appeared here and
14 gave direct testimony, you were asked a series of
15 questions through either the public or representatives
16 of the Board concerning the distribution of the truck,
17 of the -- I have trucks on my mind. I'm sorry. -- the
18 car traffic traveling to and from the site.

19 And, you had indicated that, when you prepared
20 your initial traffic report, that you followed the
21 distribution pattern that was used for the ordinance
22 that was being considered by the Mayor and Council.

23 Isn't that correct?

24 A That is correct.

25 Q And, in your opinion, that distribution

1 pattern that was produced for the Mayor and Council
2 purposes, did that produce a best case, worse case or
3 kind of a middle of the road result in terms of impact
4 to the local roadways within the Borough of Montvale?
5 A I would say that it was a worse case or a
6 high impact assessment on the local roads as we
7 discussed when I was here last.

8 There was very little distribution applied to
9 the Garden State Parkway so site generated traffic was
10 heavily impacting the various whole intersections in
11 the area.

12 So, that would be a worse case in my opinion.

13 Q So, encapsulating your answer, it
14 basically produced the greatest possible impact that
15 could occur or would occur to the local roadways by
16 using any distribution?

17 A That's right. It would be the highest
18 amount of site generated traffic possibly impacting
19 the local intersections and that, in turn, was used to
20 develop the improvements at these various locations.

21 Q Now you had an opportunity, since the last
22 meeting, to go back and take a look at the
23 distribution and apply a distribution. And, I'll
24 allow you to fill in the adjective that didn't produce
25 a worse case analysis.

1 What did you do in that regard and how did you
2 do it?

3 A I went back to some of the original
4 studies that our office had performed. I think we can
5 look at our studies in 2010, 2011 and looked at
6 distribution based on the existing traffic flows in
7 the area.

8 As I had mentioned, the Maser Consulting zoning
9 report had done a detailed gravity model that looked
10 at population densities in a travel time that would be
11 representative of the draw that this type of center
12 might, might attract.

13 So, we took all of the data that's been
14 available. I went back to some of my original
15 distributions, and I know I had reviewed the gravity
16 model, and come up with some alternatives.

17 So, in preparing A-28, the supplemental Traffic
18 Impact Analysis, I went back to some of our original
19 projections for the distribution and tempered that
20 with the results of the gravity model.

21 Q And, in creating this revised
22 distribution, would you say the revised distribution
23 more closely follows an ITE analysis or producing a
24 representative result of what is likely to occur for
25 this type of development?

1 A I think it brings to the -- the analysis
2 that has been revised brings a couple things into
3 play.

4 No. 1, it does have a little bit more of an
5 impact on the regional draw with more impact to the
6 Garden State Parkway, particularly the north off ramp
7 to Grand Avenue, would be originally the preferred
8 routes to the site, particularly for the people who
9 are local, and we've called it coming in the back way,
10 whether it be down Phillips or coming up Mercedes.

11 So, we looked at the likely routes that people
12 who are very familiar with the local roads might take.
13 So, there was a little bit of reorientation of the
14 traffic.

15 And, as the Chair had talked about, if you were
16 coming from the east traveling Grand Avenue westbound,
17 there might be a preference to turn left on to
18 Phillips as opposed to continuing up to the Mercedes
19 intersection, turning left on Mercedes and then
20 accessing the site.

21 So, we looked at distribution in terms of local
22 and regional and that local, I would say, takes into
23 account the use of the local roads in getting to the
24 site.

25 Q Now, when we talk about trip generation

1 and the context of the ITE manuals and the trip
2 generation stuff, those rates are global rates meaning
3 they include patrons, employees, deliveries. It is a
4 global rate. It's not segregated among classes of
5 vehicles that may come to or from a site.

6 A That, that's right. It's the total
7 vehicle population using the site.

8 It does not account for pedestrian trips. And,
9 in this case, we're not looking at that.

10 But, it would be passenger vehicles, delivery
11 vehicles, all vehicles generated by the site.

12 Q Now, in going back and taking a look and
13 reorienting the traffic, can you tell the Board how
14 your analysis would change if you stepped back from a
15 worse case distribution position and what the changes
16 or the results in changes would be to your analysis?

17 A The A-28 report goes through the revised
18 site traffic assignment patterns and was appended the
19 various figures that show a little bit heavier
20 influence, utilization of Phillips Parkway and Grand
21 Avenue and local roads to bring you into the site from
22 the south and southwest. So, the overall distribution
23 was modified slightly to bring the traffic to the site
24 and then send it back to places of origin.
25 When all of those trips were reassigned,

1 rerouted and then analyzed for future condition, we
2 essentially reconfirmed that the series of
3 improvements that have been proposed and discussed are
4 warranted.

5 There is, when we look at the evening peak hour
6 we know there was constrained movements throughout the
7 system. And, when we add site traffic to that already
8 constrained evening peak hour volume, there, there is
9 a need for improvements.

10 So, even though we modified the distribution to
11 test alternative arrival and departure patterns, the
12 overall series of improvements, which includes, in the
13 immediate vicinity of the site, the widening of
14 Mercedes Drive to three full lanes. We're now
15 widening Grand Avenue and we're re-stripping over at
16 the Phillips Parkway and Grand Avenue intersection.

17 All of those improvements are still warranted
18 even though we modified the distribution a little bit
19 and that's because there is a difficulty with the p.m.
20 peak hour times with the additional site generated
21 traffic.

22 Q Would it be fair to say that the scope of
23 improvements that were dictated by the worse case
24 distribution pattern are still appropriate in the
25 revised distribution analysis that was just performed?

1 A Absolutely. The analysis that we've
2 performed and submitted in this latest study is to
3 confirm that those worse case predictions and
4 associated improvements are still warranted even when
5 we move the traffic around a little bit.

6 Q And, while we are able to say that, that's
7 not to say that there weren't slight changes in levels
8 of delay to the various intersections throughout the
9 system that you distributed the traffic to?

10 A That's, that's correct. When we looked at
11 the approaches of the different intersections along
12 the Grand Avenue corridor, we were able to, in some
13 cases, reduce the amount of delay and in some cases
14 improve the Level of Service.

15 Q It does, however, change the percentage of
16 impact that the site generated traffic has to each of
17 those intersections.

18 Is that correct?

19 A That is correct, yes.

20 Q And, you prepared a revised impact to
21 those intersection analyses based on your revised
22 distribution?

23 A I did. There was Table 3 on Page 14 of
24 the latest traffic study, A-28, that summarizes --
25 and, again, we're looking at the evening peak hour

1 Because that's the, that's the analysis hour that's
2 most critical because the existing traffic volumes.
3 The site traffic volumes produce the highest system
4 volume. So, that does show the revised or updated
5 percent site traffic contribution to each of the
6 intersections along the Grand Avenue corridor.

7 Q Now, with the exception of the Grand
8 Avenue and Mercedes Drive intersection, all of the
9 other intersections either stayed -- that's not true.

10 All of the other intersections all went down in terms
11 of the amount of impact the site generated traffic had
12 to those intersection.

13 A That's correct. The contribution of site
14 traffic to the overall intersection volume was reduced
15 at the study locations along Grand Avenue.

16 Q And, with respect to Grand Avenue and
17 Mercedes Drive, that impact stayed the same?

18 A It does because that's essentially the,
19 the access to our, our site. So, even if we send a
20 little bit more traffic around, let's say around the
21 block using Phillips, we still have the major impact
22 at Grand and Mercedes because that's essentially the
23 front door to the, to the site and that is where the
24 major roadway improvement is, is proposed.

25 Q Now, I know one of the questions that

1 became the lightning rod to the distribution analysis
2 and further questioning when you last appeared was how
3 much traffic was coming along the Garden State Parkway
4 for the site.

5 In the original worse case distribution model
6 what was thrown out was 1 percent?

7 A It was 1 percent. Correct.

8 Q And, based on your revised analysis, how
9 much of the traffic do you truly believe will use the
10 Parkway in the distribution you prepared?

11 A We used 20 percent in this revised
12 analysis.

13 Q And, do you believe that's reflective of
14 what is likely to occur if this center were to be
15 built?

16 A I think that it's probably a reasonable, a
17 reasonable, I'll say, high end or worse case estimate
18 of the traffic that might be coming from a little bit
19 further away from this location.

20 Q With regard to the balance of A-28, what
21 other changes or revised analysis is A-28 have you
22 intended to highlight for the Board?

23 A One of the things that A-28 includes is an
24 updated trip generation estimate because the building
25 area has actually increased slightly. The Lifestyle

1 portion of Parcel A has grown by about 6,055 square
2 feet. So, we made sure that we included the
3 appropriate trip generation.

4 It's a very modest increase in building area:
5 It doesn't amount to much traffic. But, as long as we
6 are revising the analysis, it made sense to make sure
7 that we appropriately accounted for that building
8 area. So, that was included, a modified triple
9 assignment pattern was included.

10 We also included Lifetime because that was not
11 included in Maser Consulting's rezoning study for --
12 it was included in A-21, our June 2013, Traffic Impact
13 Analysis.

14 And, as we just discussed, we revised all of the
15 future Levels of Service and site traffic impacts with
16 those new trip generation and distribution levels.

17 Q Now, when all of those refinements to your
18 original report, the impacts in terms of Level of
19 Service or level of delay does not really change any
20 of the intersections?

21 A That is correct, not to any appreciable
22 degree.

23 As I said a few minutes ago, we had some
24 improved Levels of Service and some improved levels of
25 delays. That means a reduction in delay. But,

1 overall, the scope of improvements targeted in our
2 studies is still appropriate even if we reduce the
3 percentage site traffic to these different entrances.

4 Q Now, one of the tools available to traffic
5 engineers today is the ability to take the data from
6 their report and their study and to input it into a
7 model where the traffic can be simulated, for those of
8 us who are traffic engineers, to fully appreciate how
9 the road network might operate?

10 A Yes. That's correct.

11 Q And, what's the nature of that program?

12 A The, the fundamental program is the
13 highway capacity software which is based on the
14 highway capacity manual that includes all of the
15 calculations and factors that we used to identify how
16 an intersection operates. And, from that, there's a
17 new program called Syncro.

18 And, from that, there is a simulation that
19 allows us to take all of the traffic volumes, the
20 lanes and the traffic signal operations and put
21 together a simulation to show how the traffic will
22 essentially flow through the system when we have the
23 future traffic volumes with the future traffic
24 conditions.

25 Q And, that includes any future traffic

1 improvements being out in place as this traffic flows
2 through the simulation?

3 A That's correct.

4 Q Have you prepared such a simulation?

5 A Yes.

6 Q And, are you prepared to share it with the
7 Board this evening?

8 A Yes.

9 MR. DEL VECCHIO: If we may, Mr. Chairman,
10 we would like to prevail upon the Board to provide a
11 simulation model of the revised traffic report and how
12 traffic may function.

13 While Mr. Steinhagen gets ready to load that, I
14 just have one additional question of Ms. Dolan to set
15 that up.

16 Q Ms. Dolan, one of the questions that has
17 arisen during the course of these proceedings is how
18 the traffic along Mercedes Drive might impact the
19 driveways from Mercedes Benz, the company.

20 Does the simulation also depict how the
21 driveways from Mercedes will run in and out of
22 Mercedes Drive?

23 A Yes. We have included those driveways.
24 There are two driveways between our main signalized
25 intersection that will align opposite one of the

1 Mercedes driveways. So, those are all shown in the,
2 in the animation.

3 Q Great. Thank you.

4 MR. DEL VECCHIO: Mr. Chairman, with your
5 permission, we would like to provide the Board a
6 visual of the simulation.

7 CHAIRMAN DEPINTO: Please. We'll shift a
8 little bit.

9 Q Ms. Dolan, as this is loading, if you

10 would like to narrate the Board through the process.

11 MR. DEL VECCHIO: It's not on yet.

12 MR. STEINHAGEN: It's not. There we go.
13 Start it.

14 A Sure. What's shown on the screen is the
15 roadway system. We're focusing on, what would be on
16 the bottom middle of the screen is the subject
17 property. Along the left side is Mercedes Drive and
18 the north/south or up and down direction, the black
19 bars to the left of the screen represent the two
20 unsignalized Mercedes Drive intersections.

21 Continuing southward is the third Mercedes Benz
22 driveway where we are proposing a traffic signal and
23 the main site access.

24 To the top is Grand Avenue, in the top left to
25 bottom right configuration and, at the bottom right of

1 the screen would be the intersection at Paragon Drive
2 and Phillips Parkway and just below that is the
3 driveway that was proposed to be unsignalized
4 accessing Parcel B.

5 This is a random distribution of traffic volumes
6 based upon the actual traffic volume projections that
7 are appended to A-28.

8 As you can see, sort of in the upper left
9 portion, you see the top half of Mercedes Drive is
10 widened out to provide three full lanes, 400 feet in
11 length. That would be two left turn lanes and one
12 right turn lane. And then, as you.

13 So, right in there, again, I'm too caffeinated,
14 but that's the section that would be widened out to
15 three lanes. And, up at the top, the unimpeded right
16 turn lane which exists today but what is now proposes
17 is a continual widening along Grand Avenue to the
18 point of ingress, the right turn ingress driveway and
19 then the accel lane coming back out.

20 So, you can see the dots, if you will, the
21 vehicles moving throughout the system.

22 And, it's based upon the traffic signal timing
23 and operation at Grand Avenue and Mercedes as well as
24 the signalized operation down at Paragon and Grand.

25 The -- you can see, on all the intersection

1 approaches, right now Grand Avenue is, is queuing up
2 before it starts to move. Grand Avenue is moving.
3 You then see the vehicles start to queue up along,
4 along Mercedes Drive.

5 It's a rather, I'll say, slow and boring show
6 because you're looking at it in real time. This is a
7 10 minute clip. We could certainly speed it up but
8 essentially what we're showing is that.

9 Q Betsy, let me interrupt you for a moment.

10 Is there a way to zoom in?

11 A Yeah. We can zoom in.

12 Dan's all over it. Okay.

13 Q Understood.

14 A There we go.

15 So, now we're zooming in at the Grand Avenue and
16 Mercedes Drive intersection. And, here you can see,
17 this is great, you can see vehicles queuing up. And,
18 at this point, they're getting to that first Mercedes
19 Drive, Mercedes driveway and queuing up just as we had
20 expected.

21 And, this is, again, with the three lane
22 configuration. The right lane remains unimpeded. We
23 have a relatively low right turn volume coming up
24 Mercedes Drive up to Grand but it was a very heavy
25 existing left turn volume. And, currently, with the

1 two left turn lanes merged together with the right
2 turn lane.

3 And, so, it was agreed that the appropriate
4 configuration is to provide queuing for the worse case
5 condition and allow that right turn lane to remain
6 unimpeded so that the right turn movements aren't
7 blocked the way they are by vehicles waiting to turn
8 left.

9 MR. DEL VECCHIO: Dan, can we raise that
10 so we can get a greater look at the rest of Mercedes
11 Drive and then zoom back in a little bit?

12 MR. STEINHAGEN: Sure.

13 A You see a vehicle just turned out of that
14 first Mercedes driveway.

15 Q Now, Betsy, this is a real time
16 simulation?

17 A Yes, real time.

18 CHAIRMAN DEPINTO: Can, can that be moved
19 to or reduced in size so we can see the vehicles
20 turning into the subject property?

21 THE WITNESS: I'm not sure. If we scoot
22 it up a little bit. I can see -- let's see.

23 Vehicles queuing up at the bottom of the screen
24 at the signalized driveway.

25 CHAIRMAN DEPINTO: And, again, this

1 represents p.m. peak hour movement.

2 THE WITNESS: That is correct. That is a
3 combination of existing traffic volumes, site
4 generated traffic and also the Lifetime traffic and
5 the background growth rate.

6 Q Now the driveway located at the bottom of
7 the screen, currently that creates a four legged
8 intersection. That is the proposed, the easterly leg
9 is the proposed, site driveway into the proposed
10 center?

11 A That's right. So what you see at the
12 bottom of the screen right now are a series of
13 vehicles approaching in the westbound direction as you
14 see vehicles exiting the property at Mercedes Drive.

15 Q And now --

16 CHAIRMAN DEPINTO: I'm sorry p.m. peak,
17 what are you defining that as, what hour?

18 THE WITNESS: Roughly 5:00 to 6:00. We
19 took the highest traffic volumes that were recorded
20 between 4:00 and 6:00 or 6:30 and used those highest
21 volume hours. It's roughly 5:00 to 6:00 when Mercedes
22 Benz is letting out.

23 CHAIRMAN DEPINTO: And, the traffic that
24 you're showing in real time for that period of time
25 exiting the Mercedes Benz properties, these are

1 accurate?

2 THE WITNESS: These are all of the volumes
3 that we recorded coming out of those driveways
4 combined with the Mercedes volumes and the volumes we
5 projected for the subject property.

6 CHAIRMAN DePINTO: Are they projecting big
7 layoffs?

8 The biggest stack I see are two vehicles coming
9 out of Mercedes.

10 THE WITNESS: Yeah.

11 CHAIRMAN DePINTO: When I drive by there
12 at that hour, it goes from Mercedes Drive, the stack
13 back to the building.

14 What happened to all those vehicles?

15 THE WITNESS: I've gone out there a couple
16 times during the evening peak hour. And, what I have
17 seen at that northern most driveway is some courtesy
18 gaps but also some interesting maneuvers wherein the
19 vehicles leaving Mercedes are turning into what would
20 be the inside left turn lane on the approach to Grand
21 Avenue. And, the vehicles that are originating
22 further to the south on Mercedes are gravitating
23 towards the center lane or the, let's say the right
24 left turn lane because it appears that the majority of
25 that traffic wants to ultimately get to the Garden

1 State Parkway ramp.

2 CHAIRMAN DePINTO: You did not have anyone
3 take actual counts of the vehicles leaving Mercedes
4 Benz?

5 THE WITNESS: Oh, yeah. We have all of
6 that and I believe we have --

7 CHAIRMAN DePINTO: I can't believe this is
8 depicting the traffic that I see coming out of
9 Mercedes corporate during p.m. peak exodus from the
10 site.

11 THE WITNESS: Again, it's a 10 minute
12 snapshot and the model is not perfect but what we've
13 done is put every volume that we have into this, into
14 this model. And, we're running it based upon the
15 projected improvements and projected signal operation
16 right, right here at Mercedes and Grand.

17 CHAIRMAN DePINTO: Well, then they must be
18 all using the short cut to get out on Grand Avenue
19 because that's the only egress from the property,
20 other egress from this property.

21 THE WITNESS: I've got, based on existing
22 counts, I had a total of 99 vehicles exiting Mercedes
23 Benz during that one hour -- sorry, that would be left
24 turn movements coming out of those two driveways
25 heading up towards Grand Avenue.

1 CHAIRMAN DEPINTO: Well, they're coming in
2 shortly for an approval for an expansion of their
3 parking. I'm going to find this real interesting when
4 they testify before us that they need to accommodate
5 more vehicles for their employees and they show
6 stacking to a maximum of two cars.

7 It's not scanning, Betsy.

8 THE WITNESS: It's not scanning.

9 CHAIRMAN DEPINTO: To me, it's not, with

10 this.

11 THE WITNESS: I can tell you, it's a

12 model. And, what we've done is put everything we have
13 into it.

14 CHAIRMAN DEPINTO: Okay. I don't give a
15 whole lot of credence, quite frankly.

16 THE WITNESS: It's the way the program
17 works.

18 CHAIRMAN DEPINTO: Okay.

19 CONTINUED REDIRECT BY MR. DEL VECCHIO:

20 Q What was the volume counts that you had
21 again from those two driveways?

22 A A total of 99 vehicles exiting those
23 driveways during the evening peak hour, again roughly
24 5:00 to 6:00, and being out there 5:00 seems to be
25 when the, when the vehicles really start heading out

1 of Mercedes's offices.

2 Q And, when we translate roughly 100 cars an
3 hour over the course of two driveways, what are we
4 talking about in terms of how many vehicles a minute,
5 10 minutes, whatever the quantum would be?

6 A Two vehicles a minute or so, worse case.

7 MR. STEFANELLI: But, they're all leaving
8 those first 15 minutes, 5:00.

9 THE WITNESS: That five minute or 10

10 minute snapshot. Right.

11 MR. STEFANELLI: Yeah.

12 THE WITNESS: And, there are, there are
13 periods where it, it, it develops more of a queue and
14 periods where there's less of a queue.

15 And, again, as I said this particular loop,
16 we're showing random arrival. You can run it
17 differently and perhaps get different results at
18 different times.

19 CHAIRMAN DEPINTO: I'm going to ask Mr.

20 Jahr. Typically --

21 MR. REGAN: Mr. Chairman, I don't know if
22 Mr. Jahr has been sworn in.

23 CHAIRMAN DEPINTO: I think he was.

24 MR. JAHR: I was sworn last time.

25 MR. REGAN: Okay. Thank you.

1 CHAIRMAN DePINTO: I have seen these,
2 these simulations before. And, typically, they would
3 present a worse case scenario.

4 You are not presenting a worse case scenario.
5 You are showing a typical 10 minute increment within
6 that one hour peak period of time.

7 THE WITNESS: That's correct.

8 CHAIRMAN DePINTO: Okay. But, not the
9 worse.

10 THE WITNESS: We could probably.

11 CHAIRMAN DePINTO: So, every time I drive
12 by there, Betsy, I am hitting it at that worse moment.

13 THE WITNESS: But, this also takes into
14 account the fact that we're now providing three lanes
15 for the 400 feet.

16 CHAIRMAN DePINTO: I'm talking about the
17 stacking that's occurring on the Mercedes property
18 that are trying to get out of Mercedes Benz when, when
19 the dinner bell rings and everybody is trying to leave
20 their office.

21 I don't see that.

22 Can you accelerate this or turn it back to that
23 10 minute peak period.

24 THE WITNESS: This particular loop is
25 going to show you the same thing over and over again.

1 I may be able to run something differently that would
2 show you that queuing.

3 I think what was happening on this is that
4 because there's more capacity, there's more ability
5 for them to get out during, during that evening.

6 CHAIRMAN DePINTO: But, you're not doing
7 anything to increase their capacity.

8 THE WITNESS: Other than providing more
9 stacking out on Mercedes Drive.

10 CHAIRMAN DePINTO: I understand that.

11 But, to egress the site, you are not proposing to make
12 any improvements.

13 THE WITNESS: That's correct. There's no
14 proposed -- in any of the work we have done, we have
15 not shown, for example, widening or any other
16 modifications to their driveways.

17 CHAIRMAN DePINTO: So, the only change
18 that you're proposing, that may impact the egress from
19 that Mercedes site, is the installation of the traffic
20 light at the main entrance to your site.

21 And, then the improvements to Mercedes and
22 Grand.

23 THE WITNESS: That's correct.

24 CHAIRMAN DePINTO: But, I'm talking about
25 the vehicles that are attempting to leave the Mercedes

1 site during the p.m. peak hour.

2 And, when I pass by, during that hour, I see far
3 more traffic than your simulation is showing.

4 THE WITNESS: Well, I can tell you that,

5 over the course of all of the counts and all of the
6 data collection, the Mercedes data I mentioned,
7 vehicles turning left out of those two driveways,
8 that, that data is from over a year ago. I don't know
9 how conditions are currently versus at the time of the
10 counts.

11 But, again, it's, it's a simulation. We've put
12 in all of the volumes that we have.

13 CHAIRMAN DEPINTO: I understand.

14 THE WITNESS: And, this is what we get.

15 CHAIRMAN DEPINTO: I just find it hard to
16 believe, in an office building like Mercedes, when you
17 have over 500 parking spaces, and I don't know how
18 many employees are working there, that this is the
19 traffic that's being generated.

20 It's just not scanning for me.

21 THE WITNESS: I've got 99, another 76, 175
22 plus the vehicles that are turning right. So, it's a
23 few hundred.

24 But, I don't -- I haven't done any particular
25 studies of their trip generation and their, their

1 parking capacity or employee capacity.

2 I, I do have the counts from the various
3 driveways across the street and that's, that's what's
4 being put into the model.

5 CHAIRMAN DEPINTO: Do you have any idea
6 how much of their traffic is exiting their site off of
7 their Grand Avenue curb cut?

8 THE WITNESS: Again, I did not count that.
9 We have counted all the driveways along Mercedes but I
10 did not count the Grand Avenue driveway.

11 CHAIRMAN DEPINTO: And, how about their
12 training facility to the south?

13 THE WITNESS: All the driveways on
14 Mercedes Drive, whichever driveways there are, we had
15 them labeled as the pointing driveways, the two
16 southern most driveways. We have one, two, three,
17 four Mercedes driveways, the municipal complex
18 driveway and, at the time we counted the Mercury (sic)
19 driveway. So, that is the traffic count along
20 Mercedes Drive that our office conducted.

21 CHAIRMAN DEPINTO: Okay.

22 CONTINUED REDIRECT BY MR. DEL VECCHIO:

23 Q If I can ask you a couple questions,
24 Betsy.

25 The one peak hour that we're referring to here,

1 what was the total number of traffic coming off the
2 Mercedes property regardless of which direction they
3 were heading?

4 A 250 outbound movements from the four
5 Mercedes driveways. And, then an additional 82 out of
6 those two southerly driveways.

7 Q Those being the southerly driveways, are
8 those occupied by the building labeled as Coining?

9 A Coining, right. So, that would be a total
10 of 332, during a one hour period exiting those five
11 driveways on the west side of Mercedes Drive.

12 Q I want to focus in on Mercedes, the
13 company, first.

14 So, you have, in one hour you have 250 of their
15 employees leaving?

16 A 250 vehicles exiting, yes, Mercedes
17 driveways.

18 Q And, those 250 movements in that hour are
19 reflected in the simulation that is being depicted?

20 A Those are all included in the, in the
21 simulation. That's right.

22 Q Okay. Now, I think something that was
23 lost in the response that you were trying to provide
24 the Board on the questions is, you kept saying that
25 there's an additional lane out on Grand Avenue when

1 the question being asked was, you haven't added any
2 capacity to the Mercedes Drive itself.

3 Now, is it -- what -- are you trying to explain
4 to the Board and answer the question that, by
5 providing that additional third left turn lane out on
6 Grand Avenue, that the stack that occurs from the
7 traffic light back is no longer as long as it
8 currently exists and, therefore, you can get more
9 movements out of the Mercedes driveways onto Mercedes
10 Drive in a little better fashion than what occurs
11 today based on what you described?

12 A I would say it's more efficient under the
13 future or simulated condition because that three lane
14 section is provided and that right turn lane is not
15 blocked the way it is off, under existing conditions.
16 So, there should be more capacity which would allow
17 more gaps for those vehicles to then exit.

18 Q And, that is also reflected then in the
19 simulation which provides a more free flowing view of
20 traffic than what is currently existing today?

21 A Again -- and, that's based upon all of the
22 factors that we collected and the volumes that we have
23 found exiting those driveways, correct.

24 Q And, in addition to the geometric
25 expansion of the stacking lanes up at Mercedes and

1 Grand, we also now have the introduction of a traffic
2 signal along Mercedes Drive.

3 Does that also provide more gaps that is
4 reflected in your simulation?

5 A Yes.

6 Q And, it also then provides a signal
7 controlled location for the Mercedes, the company, to
8 access Mercedes Drive.

9 Would you think that light provides a more
10 efficient or less efficient movement of traffic off of
11 Mercedes, the company property, than exists today?

12 A No. I think there would be a more
13 efficient opportunity for, for existing movements,
14 particularly if those vehicles are destined to go
15 Grand Avenue, turning left out.

16 Q So, in your opinion, would it be fair to
17 say that all of these enhancements are reflected in
18 the simulation?

19 A Well, again, all of that future geometry
20 has been included and the optimization of the traffic
21 studies along Grand Avenue. So, all of those targeted
22 improvements are incorporated into this simulation.

23 Q And, all of those targeted improvements
24 included, would it be your opinion that traffic would
25 move better, worse or not change from what exists

1 today based on the counts and the volumes you
2 produced?

3 A Certainly better than under existing
4 conditions because the configuration now is, it's not
5 a conventional three lane approach. And, as we've
6 said throughout these proceedings, the right turn
7 movement from Mercedes to Grand is often blocked.

8 MR. DEL VECCHIO: If we can, maybe we can
9 scroll up on the simulation, Dan, and depict the
10 intersection of Grand and Mercedes in greater focus,
11 send stage so-to--speak. Just pan it up a little bit.
12 There you go, right there.

13 Q Can you describe just what we're seeing
14 here, Betsy?

15 A This would be the phase of the traffic
16 signal operation where traffic moves off of Mercedes
17 Drive. We're showing two left turn lanes headed in
18 the westbound direction. And, the channelized right
19 turn lane that then blends into the widening along
20 Grand Avenue. That is proposed from the intersection
21 through the site access on Grand Avenue.

22 And, now we're showing the next signal phase
23 where westbound Grand Avenue gets an advance, vehicles
24 are turning onto southbound Grand Avenue. And, now
25 we're showing the eastbound and westbound Grand Avenue

1 flow happening at the same time as vehicles queue up
2 on Mercedes Drive.

3 Q Now, based upon the enhancements to the,
4 to this intersection, do you believe that traffic will
5 function better, worse or not change from its current
6 conditions as it is today?

7 A Better than under existing conditions.

8 MR. DEL VECCHIO: Dan, if we could scroll
9 down to the intersection of Grand and Phillips.

10 Q If you could, Miss Dolan, can you explain
11 what we are seeing here?

12 CHAIRMAN DEPINTO: It looks like a
13 delivery vehicle heading into the property. Heading
14 southbound.

15 Q We should note that it is following the
16 anointed path that we said it would follow.

17 A That's right.

18 Q I don't know if you did it intentionally
19 or not.

20 A No. It's random because we do factor in a
21 heavy vehicle percentage.

22 What is shown would be, the north/south roadway
23 is Paragon at the top of the screen and Phillips
24 Parkway at the bottom. This shows the proposed future
25 intersection consideration configuration under

1 existing conditions, every two lanes, on both the
2 northbound and southbound approaches. But, the
3 mitigation proposed is to restripe the southbound
4 Paragon Drive approach to provide several left turn
5 through and right turn lanes and modify the northbound
6 Phillips Parkway to a designated left turn lane and a
7 combination through and right turn lane.

8 There are no physical changes to the Grand
9 Avenue corridor.

10 What is showing on the screen right now is the
11 eastbound and westbound Grand Avenue movement, cars
12 queuing up on the intersection approaches northbound
13 and southbound.

14 Q Now, based upon the changes you described
15 to this intersection, do you believe this intersection
16 will operate better, worse?

17 A It certainly will be an improvement over
18 existing conditions and all future conditions,
19 incorporate what was discussed as a coordinated system
20 along Grand Avenue. We are talking about improved
21 traffic signal equipment and equipment at these
22 locations.

23 And, again, this simulation also includes the
24 revised distribution, revised trip generation, the
25 background, both and Lifetime, and volumes that are

1 used to develop this.

2 MR. DEL VECCHIO: I'm going to move onto a
3 little different line of questioning of Ms. Dolan
4 unless the Board has questions.

5 CHAIRMAN DEPINTO: Why don't you complete
6 your questions. Then I'll open it up to the Board.

7 Q Ms. Dolan, one of the other items that
8 came up, when you last appeared, was the possibility
9 of routing the tractor trailers, instead of making a
10 left off of School House Road, make a right.

11 Did you have an opportunity to drive the
12 alternate route?

13 A I did. The specific route was coming
14 through the thruway to the Garden State Parkway
15 southbound in New York where trucks are permitted.

16 And, at the last meeting I had talked about
17 those trucks exiting, turning left and coming down
18 Spring Valley.

19 And, the suggestion was that it might be better
20 for trucks to turn right when they exit the Parkway
21 and head up to Chestnut Ridge Road, I'm sorry, School
22 House Road up to Chestnut Ridge and take the left at
23 that location and follow that route down to Grand
24 Avenue.
25 So, we did not find any weight restrictions or

1 truck prohibitions on that path.

2 Q And, were there any geometric restrictions
3 or pinch points along that path that would prohibit
4 trucks, vehicles from taking that path?

5 A Not from what I understand.

6 MR. DEL VECCHIO: And, on behalf of the
7 applicant, while we do have a Wegman's representative
8 slated to testify, just to let the Board know, we
9 would accept any reasonable condition that this Board
10 chooses to impose on the delivery route of the tractor
11 trailers into the site. And, Wegman's is prepared to
12 accept that condition as well.

13 MR. DEL VECCHIO: All right. Ms. Dolan,
14 correct me if I am wrong, we covered the area of the
15 revisions to your report.

16 I have no further questions of Ms. Dolan and
17 make her available to the Board for its questions.

18 CHAIRMAN DEPINTO: Thank you. I'm going
19 to start with Mr. Vogt.

20 EXAMINATION BY MR. VOGT:
21 MR. VOGT: Thank you, Mr. Chairman. I
22 only have one question.

23 Q The improvements that you are
24 recommending, Ms. Dolan, what happens to that
25 information once we get it here?

1 A I'm sorry. What happens to it when?
2 Q To that information once we get through
3 with it here?
4 A To the recommended improvements?
5 Q Yes.
6 A I believe that the, the applicant is
7 contributing money to effectuate those improvements
8 but that the Town, the Borough, would be improving the
9 Grand Avenue corridor. But, the applicant would be
10 improving the Mercedes Drive to provide that three
11 lane approach, to provide the signalized driveway and
12 the associated left turn lanes at that location.
13 So, all of the improvements along Mercedes Drive
14 would be the applicant's requirement to construct.
15 Q That's provided that this Board agrees to
16 your improvements and that the County also?
17 A That is correct.
18 I would point out that these improvements are
19 consistent with the prior studies by Maser Consulting
20 and I believe there was some County improvement -- I'm
21 sorry, involvement or review of those improvements.
22 But, of course, all of this would be subject to
23 County approval because it is their system. Yes.
24 MR. VOGT: Thank you.
25 That's all, Mr. Chairman.

1 CHAIRMAN DePINTO: Thank you.
2 Mr. Webber.
3 EXAMINATION BY MR. WEBBER:
4 Q My first question is, there's a counter at
5 the top left, as the tape is running, where it looks
6 like it says 702, 45A.
7 A Yes. That's an input error. It should
8 have been 5:00 p.m..
9 Q Okay. So, it's, it's just an error on
10 that.
11 It's not showing the 7:00 in the morning --
12 A No.
13 Q -- traffic?
14 A Because we had counted volumes, everything
15 is for the evening peak hour.
16 Q Okay. That's really my only question for
17 you now, other than I agree with Chairman DePinto that
18 representation of the traffic on Mercedes Drive coming
19 out of Mercedes, I can't agree with what's shown
20 there.
21 A Okay. We can certainly take another look
22 at it. But, I know the volume input was as per the
23 traffic counts. So, if there's a glitch or problem or
24 input error, I certainly will take a look at it.
25 But, I know the volumes that we had were the

1 volumes that were incorporated into this.

2 MR. WEBBER: Okay. Thank you. That's

3 all.

4 CHAIRMAN DEPINTO: Thank you.

5 Mr. Lintner.

6 MR. LINTNER: No, no questions, Mr.

7 Chairman.

8 CHAIRMAN DEPINTO: Okay. Thank you.

9 Councilwoman Cudequest.

10 COUNCILWOMAN CUDEQUEST: The only question

11 that I have, and I don't know if this would be a

12 question for you, if we are going to make

13 recommendation that the trucks come off the thruway

14 and make the right onto School House Road and take

15 Chestnut Ridge down, is that, would that then go to an

16 ordinance before the governing body or is that

17 something that we would...

18 CHAIRMAN DEPINTO: Well, Mr. Regan.

19 MR. REGAN: First of all, School House

20 Road is in New York State.

21 COUNCILWOMAN CUDEQUEST: Right.

22 MR. REGAN: I don't know how you would

23 enforce traffic patterns in New York State.

24 And, quite frankly, I'm skeptical about that as

25 a condition being enforceable in the first place.

1 How is it going to be enforced?

2 And, clearly, if Montvale police are not going

3 to be able to enforce a condition of vehicles

4 traveling in, in a different State, let alone a

5 different municipality.

6 I mean, it's, I guess, a nice agreement on

7 behalf of the applicant. But, in terms of legally

8 enforceable, little to none.

9 Okay. That was my only question.

10 Thank you.

11 CHAIRMAN DEPINTO: Very good. Thank you.

12 Mr. Teagno.

13 MR. TEAGNO: Yes. My comment is basically

14 on the truck paths.

15 EXAMINATION BY MR. TEAGNO:

16 Q I understand coming down the Garden State

17 Parkway and getting off at School House Road.

18 I believe that if you make a right and go up to

19 Chestnut Ridge, it's adding a couple miles to the trip

20 and it's also going through the heaviest part of

21 Chestnut Ridge Road in the intersection with Grand

22 Avenue and making a left across traffic which I think

23 would be more difficult for the trucks.

24 A I agree with you but that it's certainly a

25 longer route. I think one of the other things that

1 might have been discussed at the last meeting was,
2 instead of coming all the way down Spring Valley to
3 Grand Avenue, maybe those trucks could come to Spring
4 Valley and turn right on Summit to Paragon.

5 Q Correct. So, again a lot of different
6 routes have been looked at, I'll say.

7 Our office, I, I specifically started with the
8 route that was presented, I guess, a few meetings ago
9 and came up with this, what I believe is appropriate
10 to get from the thruway to the Parkway.

11 And, that, how they get from the Parkway here is
12 what we're discussing now.

13 Q Right. And, my comment is directly, I
14 think Mr. Lintner, at the last meeting said, come down
15 School House Road, make a right on Summit and a left
16 on Paragon.

17 I think that's probably the best solution and
18 the most direct route.

19 I think the only objection I heard was somebody
20 saying that that curve by the horse stable could be
21 considered dangerous if too much traffic is there
22 because you have to make sure with the site distance.

23 But, I'm wondering, if we want that route for
24 the trucks to take, how can we enforce them not going
25 straight down School House Road?

1 A I don't know the answer. And, I think
2 that's what your attorney was saying as well.

3 I know that Wegman's has said that they will do
4 what they can to have the drivers do that. But,
5 beyond that, any weight restrictions, that's a legal
6 issue.

7 Q Once the trucker decides to go straight I
8 don't know how we can stop it.

9 My concern is, it goes past two schools?

10 A It was expressed at the last meeting.

11 Q So, that's my two cents.

12 I think it should go down School House Road,
13 make a left on Summit and right on Paragon. It's the
14 least disruptive and I think there's no signal to make
15 a left onto Paragon.

16 A Right. But, they do have a left turn lane
17 there.

18 MR. TEAGNO: That's it. Thank you.

19 CHAIRMAN DEPINTO: Thank you, Mr. Culhane.

20 MR. CULHANE: I have a couple comments.

21 With regard to reporting any technical
22 appendices, I have a couple questions.

23 EXAMINATION BY MR. CULHANE:

24 Q On Item 3 where, the labeled Item 3, it
25 says just West Grand Avenue. And, I think the intent

1 would be none is shown to reflect that the
2 intersection of West Grand Avenue and Mercedes Drive.
3 So, Mercedes Drive was left off inadvertently.

4 Just to make it clear.

5 A I'm sorry. Table 3. Okay.

6 Q The pages don't have individual page
7 numbers so each one is, they could -- two pages. So,
8 the one with No. 3 I'm saying.

9 A Figure 3?

10 Q You have it titled as West Grand Avenue
11 and I believe it should be identified with the
12 intersection which, based on the numbers, would be
13 Mercedes Drive.

14 The other tables, too, have the intersecting
15 streets. Just like an editorial comment.

16 A Okay.

17 Q Towards the back on the technical
18 appendices I noticed, on several pages under notes,
19 I'll read one from Parcel A, driveway, West Grand, the
20 note says volume exceeds capacity. Then you have a
21 dollar sign, delay exceeds 300 seconds. Then it says
22 error. Computation not defined.

23 Can you explain exactly what that note is
24 saying?

25 A I'm sorry.

1 Q Several pages towards the end of the
2 technical appendices.

3 A It's providing a Level of Service C.

4 Q It's at the bottom of the page.

5 A I see that. I see that. And, I'm not,
6 I'm not sure why. Because, we have a calculated
7 level.

8 Q So, perhaps you can get clarification.
9 Maybe it doesn't belong there.

10 A Sure. I can take a look at that.

11 Q Going back to the beginning of the report,
12 you indicated that Parcel A is composed of two
13 components.

14 A Yes.

15 Q The Buildings A, you have 66,000 and the
16 supermarket is 140,000.

17 When we got the package of material, from
18 Lorraine, I noticed on Sheet 6 of the L2A drawing,
19 Sheet CO-6, it identified the space allocated for
20 Buildings A to F, 70,348 square feet.

21 The supermarket is 130,192 square feet. And, it
22 also has a garden center.

23 But, based on those numbers, it appears Parcel
24 A, instead of being 206,000 square feet would be
25 200,000, I'll say, 500 square feet.

1 Incidentally, the sheets that we just got for
 2 Wegman's are consistent with that color sketch we got
 3 from Wegman's a while ago. But, they also identified
 4 the gross floor area as 132,192 square feet.

5 So, basically my question is, what's the size of
 6 the buildings?

7 A I'm looking at, as you said, Sheet CO-6.

8 Q Sheet CO-6 of the package just recently
 9 distributed?

10 A And, there's a, at least in the summary
 11 table and the parking, they talk about the Lifestyle
 12 retail center being 66,055 square feet, the
 13 supermarket being 140,000 and Phase 2, Parcel B, being
 14 24,000.

15 Q What's the date of yours?

16 A Revision No. 2, 11/13/13.

17 Q You're looking at Sheet CO-6?

18 A Yes. And, that was from the upper right
 19 corner under a box titled parking information.

20 Q Well, if I looked under building coverage
 21 table, which is the third listing of numbers, that's
 22 the way to the supermarket, the supermarket market on
 23 this table says 132,192.

24 MS. HUTTER: Do you see it?

25 THE WITNESS: I'm sorry.

1 MS. HUTTER: I'll show you.

2 A Oh, okay. I remember reading through Mr.
 3 Akens testimony where he talked about the building and
 4 the architectural and the store layouts that
 5 ultimately 140 would be the maximum floor size. But,
 6 as they designed the building and made it a little bit
 7 smaller, we have used 140 as a maximum potential.

8 And, that's the number that we reflected in our
 9 report.

10 Q Okay. I guess my point is that it
 11 appears, the size allocations are changing somewhat,
 12 just for the record any way.

13 With regard to the truck movements, and as we
 14 heard possibly appearance at some future meeting by a
 15 Wegman's representative, will you be preparing a
 16 report dealing with the possible routes coming off
 17 the, we'll call it the thruway and also will you be
 18 analyzing the efficiency of the loading dock
 19 recognizing you do have to get information from
 20 Wegman's?

21 Will we be provided a report on those areas?

22 A I'll say, to date, I was not asked to nor
 23 have I started to prepare such a report.

24 I know that there will be another Wegman's
 25 witness coming to talk to you more about the

1 efficiency of the loading and that type of activity.

2 All I've done to date is assess different dots
3 to and from the property. That's as far as I have
4 taken it.

5 Q I would consider that analysis of the
6 truck loading operations to be something that should
7 be done by a professional.

8 And, I suspect that the Wegman's representative
9 is not going to be licensed in the State of New Jersey
10 to provide that professional information or testimony.

11 A I, I don't know that I've ever testified
12 to actual operations. I have reviewed their data with
13 regard to typical truck delivery times and so forth.

14 But, again, if that's something the Board wants
15 from me, we'll certainly take a look at it.

16 MR. CULHANE: And, in regards to the truck
17 traffic, especially during the holiday period, I would
18 think the critical element would be recognizing,
19 subject to the variances of traffic, what's their
20 normal time they expect to arrive in Montvale, are
21 they going to expect to reach during rush hours or try
22 to avoid the rush hour.

23 So, that's the kind of information I think the
24 Board would need, in my opinion.

25 No other comments at this time.

1 CHAIRMAN DEPINTO: Thank you.

2 And, Mr. Stefanelli.

3 MR. STEFANELLI: Thank you, Mr. Chairman.

4 EXAMINATION BY MR. STEFANELLI:

5 Q I was going through the report. And, what
6 would be the traffic volume now that the increase --
7 you mentioned 20 percent off the Parkway --

8 A Yes.

9 Q -- northbound.

10 Would that -- what would that -- I think your
11 number is in here. I think I saw it -- what the
12 volume would be now with that 20 percent.

13 A The actual volume contribution?

14 Q Yes.

15 A On the ramp? Sure. Just a second,
16 please.

17 It looks like 74 for Parcels A and B during the
18 evening peak hour.

19 CHAIRMAN DEPINTO: I'm sorry. How many
20 was that?

21 THE WITNESS: 74.

22 Q I guess my other question is, is that, I
23 saw the model and that, and I still, I have a concern
24 with the on-bound ramp. And, there were no counts
25 taken. But, based on, if you already have the traffic

1 at the northbound, the ramp coming off, I figure that
2 you could already calculate how much volume is going
3 on the southbound ramp.

4 I think it's important to know, you know, what's
5 the southbound ramp, what's the, what's the service
6 level. Because, I think that's the biggest impact.
7 I guess I'm curious, that, you know, whether we
8 should be chasing the Garden State Parkway for those
9 improvements at some point since, since we've been
10 talking about the ramps there.

11 But, I know now that, as soon as the light turns
12 red at Chestnut Ridge, there's -- you only need 9 or
13 10 cars backing up there and the exit ramp is blocked
14 off.

15 You can't get on the Parkway.

16 A The on-ramp?

17 Q The on-ramp. Correct.

18 A I think you mean --

19 Q You can't make the right on.

20 A You mean westbound on?

21 Q Westbound onto the southbound ramp.

22 A Again, we have not counted that. That is
23 supposed to be a, a -- it wouldn't be a movement you
24 could calculate a Level of Service for.

25 What you're describing and the backup should be

1 relieved to a degree by the improvements and the
2 modified signal timing and so forth to help move Grand
3 Avenue a little more efficiently than it does under
4 existing conditions.

5 Q Well, if you have three lanes coming off
6 the northbound at the same busy traffic hour and you
7 have most of your volume going back southbound, I
8 would just like to know how are you going to get the
9 same --

10 If you have 700 cars or 800 cars an hour going
11 up that ramp, you're going to tell me that it would be
12 -- it's every night. I've -- you know, I have
13 traveled that way for three, four years. And, it's
14 been brutal.

15 And, I used to come from Chestnut Ridge coming
16 down Summit, making the right on Craig. And, you have
17 like 135 cars.

18 I really, I really wonder if that's the real
19 number, 135 cars, because I have seen it, I have seen
20 it quite substantial. Westbound would be backed up.

21 A Used as a cut through.

22 Q Yeah.

23 A Yeah.

24 And, again, that does -- there's no other way to
25 get on the southbound lane if you're on the west side

1 of Chestnut Ridge unless you come down, you know,
2 you're coming down Summit Avenue making the right onto
3 Craig, and then make another right on to Grand to come
4 back up.

5 Q But, people are making a U-turn, roughly a
6 U-turn to come back.

7 A Yeah?

8 Q That follows all the way -- that's traffic
9 coming off of Chestnut Ridge Road going to, going to
10 Grand, too or actually going to Summit. Excuse me.

11 A To Summit. Again, that particular line
12 hasn't been counted. Again, it's supposed to be a
13 volume that, that can be made without a Level of
14 Service calculation.

15 But, I understand there are cut through -- there
16 are volume issues. When you look at the number
17 approaching, it's almost 1,800 vehicles headed toward
18 that.

19 MR. STEFANELLI: And, I think that's
20 probably, that's probably the biggest impact that,
21 most of the traffic is that once that, once that
22 entrance gets blocked up from Chestnut Ridge, the
23 light there, it just, it just snow balls all the way
24 back to, to Mercedes Drive.

25 That was my only comment. The report is very

1 good.
2 CHAIRMAN DEPINTO: Has there been any, Mr.
3 Del Vecchio, any communication with representatives of
4 the Parkway with respect to both the northbound exit
5 and the southbound entrance ramps?

6 MR. DEL VECCHIO: No, Mr. Chairman.

7 CHAIRMAN DEPINTO: Do you intend to
8 communicate with them prior to this Board making a
9 decision on this application?

10 MR. DEL VECCHIO: At this point, we do
11 not.

12 CHAIRMAN DEPINTO: Well, in light of the
13 fact, and we all either live or work here, recognize
14 how important the Garden State Parkway is to the
15 community, its residents, both corporate and
16 residential, why wouldn't you communicate with them
17 beforehand?

18 MR. DEL VECCHIO: Mr. Chairman.

19 CHAIRMAN DEPINTO: Maybe there are
20 possible improvements that they are going to require
21 which should be considered.

22 And, as Mr. Stefanelli indicated, at present,
23 during that p.m. peak hour and a.m., quite frankly,
24 heading westbound on Grand Avenue, access to
25 southbound Garden State Parkway, is blocked off

1 because of the stack.

2 I would think the Garden State Parkway would
3 have some input.

4 MR. DEL VECCHIO: Mr. Chairman, as, as is
5 custom with all applications, mostly in Montvale,
6 because of the proximity of all the major properties
7 to the Garden State Parkway, the Parkway gets notice
8 of these applications.

9 They are -- you know, they have likewise
10 received a notice of this application.

11 I have received communication from the Parkway
12 on applications concerning a fence. When they have an
13 opinion, they will let you know. And, they let you
14 know pretty vehemently.

15 We have not heard a single word from them.

16 CHAIRMAN DePINTO: Mr. Del Vecchio, I'm
17 not suggesting you're not following the letter of the
18 law. I would be foolish to think otherwise.

19 I have -- I know you have given notice in
20 accordance with the requirements of the law.

21 But, from a very practical point of view, this
22 is the largest application, the largest development in
23 the Borough of Montvale.

24 Why wouldn't we consult with the Parkway
25 officials relative to this?

1 Or, should we put this application on hold until
2 I can allow Maser Consulting to conduct those
3 discussions that are necessary with the Parkway?

4 If you can't give us the answer, I'll get it
5 from Maser Consulting.

6 MR. DEL VECCHIO: Mr. Chairman, the roads
7 that lead access to the Parkway are county roads. We,
8 at the direction of this Board, are meeting with the
9 County to determine what issues the County may or may
10 not have.

11 The County may have spoken to the Garden State
12 Parkway. I don't know.

13 But, we agreed to allow a representative of the
14 Borough's traffic consultant to attend those meetings.
15 Such a meeting is scheduled. We'll wait and see what
16 the County, who has jurisdiction over the roads, would
17 like us to do.

18 CHAIRMAN DePINTO: Therefore, we'll put
19 the application on hold until such time as you could
20 report back to this Board what the findings are of the
21 County and the Parkway.

22 Is what you're suggesting?

23 MR. DEL VECCHIO: I'm not suggesting
24 anything to that nature, Mr. Chairman. We, we have an
25 application. We have a series of witnesses that we

1 need to present, whom we are prepared to present.

2 We have a block that runs with this application.

3 We are here to diligently process the

4 application. We are being asked, for the first time
5 this evening, about a Parkway consultation.

6 I don't think it's necessarily fair to say that
7 we're not doing what we're supposed to.

8 We heard your comments as we heard all the
9 comments during the course of these hearings and we

10 have been reacting to them as you can see by the
11 supplemental report produced by Ms. Dolan and revised
12 plans by Mr. Dippie and the revised plans by Mr. Pett.

13 I don't think it's fair for the Board to ask the
14 applicant to make the decision on the fly, with less
15 than 30 nano seconds, to think about it and, and how
16 it may expect -- give us a chance to think about it
17 and address it and we'll get back to you.

18 CHAIRMAN DEPINTO: Quite frankly, I take
19 exception to you dismissing concerns of this Board
20 because these are county roads and this Board has no
21 jurisdiction over county roads. It still is within
22 the Borough of Montvale and does impact the residents
23 both that reside and our corporates here.

24 And, that's our challenge. That's what we look
25 to do. And, you know that.

1 Now, this has somewhat triggered, in my mind, by
2 the supplemental Traffic Impact Analysis, Ms. Dolan,
3 that you did. And, in particular, the change from 1
4 percent to 20 percent of the traffic going to the
5 site, coming from the Garden State Parkway. That's,
6 that's a radical change going from 1 to 20.

7 EXAMINATION BY CHAIRMAN DEPINTO:

8 Q What triggered that change?

9 A It was triggered by some of the
10 discussions we had at the last meeting. I went back
11 to some of the distribution analyses that had been
12 done. We looked at traffic volumes coming off of the
13 Parkway.

14 And, as I said earlier this evening, 20 percent,
15 I would think, is a high or worse case projection for
16 that movement.

17 And, again, it was to test and modify
18 distribution, to test and I would say to confirm that
19 regardless of the assignment pattern, the scope of
20 improvements is still warranted and appropriate.

21 Q They're warranted and appropriate to
22 handle a 20 percent figure?

23 A Well, they're warranted and appropriate to
24 handle the 1 percent which was originally used. And
25 then, when we used 20 percent, we confirmed that those

1 are improvements.
2 Q So, the real numbers, Betsy, is somewhere
3 between 1 percent and 20 percent?
4 A Well, it's an estimate. I think that 20
5 percent is probably a high end number. But, I, I felt
6 that, based on some of the conversations we had here,
7 I wouldn't want to go too light. But, I don't think,
8 in the end, it's going to change the results.
9 If we went to 10 percent, we would still warrant
10 the same level of improvement along the corridor.
11 CHAIRMAN DePINTO: Mr. Jahr, have you had
12 an opportunity to review the supplemental report that
13 Ms. Dolan has prepared?
14 MR. JAHR: Not entirely, Chairman.
15 We are still working on our review for this.
16 So, we are going need a little bit more time in order
17 to provide comments to the Board.
18 CHAIRMAN DePINTO: So, at this time, you
19 cannot confirm what you see of the proposed
20 improvements based upon the information that has been
21 provided through testimony and through the A-28
22 exhibit?
23 MR. JAHR: Yes, that's correct, Chairman.
24 As a matter of fact, I would like to request
25 that the developer's traffic consultant provide us a

1 copy of the model that they gave the Board so that we
2 may review it for accuracy and how they did that.
3 But, I am not able, at this point, to give you
4 an opinion as to the new report which we recently
5 received.
6 CHAIRMAN DePINTO: Okay. Okay. We're
7 going to take a 10 minute break.
8 And, when we return, Mr. Segreto, are you
9 prepared to start cross-examination?
10 MR. SEGRETO: Yes. Absolutely.
11 CHAIRMAN DePINTO: Let take about 10
12 minutes and we'll come back with Mr. Segreto.
13 Thank you.
14 (Recess, 9:31 p.m. to 9:46 p.m.)
15 CHAIRMAN DePINTO: The meeting will come
16 to order.
17 The Chair will entertain a motion to open the
18 meeting to the public.
19 COUNCILWOMAN CUDEQUEST: So move.
20 MR. CULHANE: Second.
21 CHAIRMAN DePINTO: Councilwoman Cudequest,
22 seconded Mr. Culhane.
23 All in favor.
24 (Aye)
25 Let's start with Mr. Segreto.

1 Mr. Segreto.

2 MR. SEGRETO: Okay. Thank you.

3 CROSS-EXAMINATION BY MR. SEGRETO:

4 Q I want to talk to you briefly about your
5 supplemental report.

6 You indicated there is going to be an additional
7 6,065 square feet in the -- is that in the Lifestyle
8 Village 1?

9 A I'm not sure how it's referred to but it's
10 the collection of buildings north of the Wegman's
11 supermarket.

12 Q Right. Okay. Do you know where that
13 additional 6,000 square feet is going to be?

14 A I believe it's spread out through the
15 various buildings. I, I had tallied up the building
16 areas on the latest plan but I think it was a slight
17 adjustment to each of those buildings in that northern
18 portion of Parcel A.

19 Q Does that result in the need for
20 additional parking spaces?

21 A Yes, it would.

22 Q Do you know of any plans that have been
23 submitted to the Board with those additional building
24 spaces, parking spaces?

25 A Well, I'm looking at the, Subdivision No.

1 2, L2A, on 11/13/13, Sheet C-04, parking information.

2 And, they provide a calculation for the Life
3 Style retain center, 66,055 square feet, five spaces
4 per thousand, 331 spaces required.

5 Q But, does it depict additional parking
6 spaces, to your knowledge?

7 A I have not done a count of the parking in
8 that area based on this latest plan.

9 Q Does it in any way change the traffic
10 distribution within that area of the parking lot?

11 A The traffic distribution has been, I'll
12 say, stopped at the access points.

13 There hasn't been any distribution of traffic on
14 the property itself.

15 Certainly Parcel B traffic is isolated to Parcel
16 B but there's not been an internal distribution for
17 Parcel A.

18 Q I want to talk a little bit about this
19 redistribution of traffic that you spoke to us about
20 tonight.

21 Maser Consulting had initially indicated in
22 their report, if I am correct, 1 percent of the
23 traffic generated to the site would be from the Garden
24 State Parkway.

25 A That's correct.

1 Q And, then 99 percent of the traffic would
2 be generated from within the gravity model.

3 Is that correct?

4 A Well, it was generated along the Grand
5 Avenue corridor and Chestnut Ridge Road corridor and
6 other intersecting roadways along the roadway and the
7 traffic site.

8 Q That would be traffic generated from the
9 gravity model using the local streets?

10 A Yes.

11 Q And, you believe now that that was an
12 incorrect conclusion.

13 Is that correct?

14 A No, I wouldn't say that's correct.

15 I had testified a meeting or two ago that they
16 had prepared a very detailed model. It varied from
17 some of our original projections.

18 There is some subjective nature to the arrival
19 and departure pattern. So, I can't say that I
20 completely disagree with our original conclusions.

21 Q You said Maser Consulting with their 1
22 percent from the Garden State Parkway was giving a
23 worse case scenario for traffic generation.

24 Correct?

25 A Well, it, it, because it was only 1

1 percent coming from the south of the Parkway, the
2 other 99 percent was hitting the study area
3 intersections along the corridor.

4 Q Right. So, from the standpoint of traffic
5 on the local streets and through all of these
6 intersections that we were talking about, it was a
7 worse case scenario because the traffic was local
8 traffic using the local roads.

9 Right?

10 A That's correct. Yes.

11 Q And, you do not believe that that is a
12 correct assumption on the part of Maser Consulting.
13 Correct?

14 A I was asked to evaluate, modify
15 distribution, not just for the Parkway but also to
16 look at the use of, more use of Phillips Parkway.

17 Q And, as a result of your analysis, you
18 believe that 20 percent of traffic that was going to
19 be generated by this site will come from the Parkway?

20 A That's probably a high end worse case
21 projection of the use of the Parkway.

22 Q Just can you tell us how you came to that,
23 how it changed from 1 percent to now nearly 20
24 percent?

25 What went into the analysis that brought you to

1 that number?

2 A When I went back to the gravity model, as
3 I recall, there was a very heavy weight of
4 distribution to and from points to the west and to and
5 from the north. There was less of an attraction for
6 municipalities or locations further to the south.

7 So, when I looked at the volume coming off the
8 Parkway ramp and looked at what may have been a skewed
9 distribution to and from the northwest, I looked at
10 what would happen if that northwest distribution were
11 shifted, that was the point of the analysis, was to
12 test a shift in distribution that had less of an
13 impact along Chestnut Ridge Road and Grand Avenue and
14 more impact to the Parkway.

15 Q Right. Now that you believe essentially
16 that 20 percent of the traffic would come from the
17 Parkway --

18 MR. DEL VECCHIO: I'm going to object to
19 the question. She didn't --

20 She keeps correcting and doesn't say she
21 believes, she says she's asked to test. And, that's
22 the test she performed.

23 So, please honor the answer and don't try to
24 misstate the answer.

25 Q Now, the result of your test is that, that

1 you believe 20 percent would be generated or somewhere
2 in that area?

3 A It's an estimate as I said.

4 Q Your estimate is 20 percent?

5 A Correct.

6 Q Do these new numbers, 20 percent, 80
7 percent, is that, does that now effect the gravity
8 model that, that Maser Consulting --

9 A The gravity model is a tool that Maser
10 Consulting developed to try to hone in on a
11 distribution pattern.

12 So, we've looked at the distribution model that
13 resulted from the gravity model and we changed it to
14 route more traffic to and from the south and less to
15 and from the northwest.

16 Q So that there is going to be substantially
17 more traffic being generated from the Parkway?

18 A I'm sorry. What's the beginning of that?

19 Q Now you're, there will be substantially
20 more traffic generated from the Parkway to the south?
21 A The analysis evaluates more traffic to and
22 from the Parkway.

23 Q But, this new redistribution analysis, it
24 doesn't change the amount of trip generation to the
25 site, does it?

- 1 A The distribution doesn't change the trip
2 generation but the trip generation estimates have been
3 revised to account for that extra building area in
4 Parcel A.
- 5 Q But, it's the, the numbers, in terms of
6 generation, don't change as a result of the
7 redistribution where the traffic will be coming from?
- 8 A The distribution percentages have changed.
9 The trip generation has changed between the two
10 reports that we issued.
- 11 Q And, and how much more traffic will be
12 generated now to the site as a result of this
13 redistribution, With the p.m. peak hour?
- 14 A For the p.m. peak hour for Parcel A, it's
15 only 19 trips and then it didn't change for Parcel B.
16 So, that's, that's, the total increase was 19 trips
17 between the original 200,000 and the now 266 and 55.
- 18 Q People are going to be -- your customers
19 are going to be coming from farther distances now.
20 Correct?
- 21 A Well, under the assumption that more
22 traffic would be using the Parkway, then the idea is
23 that they would be coming from points further south,
24 yes.
- 25 Q And, when you say Parcel A and Parcel B,

- 1 Parcel A, you're saying, is 200,000 square foot
2 shopping center?
- 3 A Well, it's, under the latest plan it's
4 206,055 square feet.
- 5 Q And, Parcel B, you attribute that as a
6 24,000 square foot shopping center?
- 7 A That is correct.
8 Q Now, can you tell us why, in your trip
9 generation numbers, and in both reports, you break up
10 this application into Parcel A and Parcel B?
- 11 A Because there is no vehicular connection
12 between the two parcels. They have separate access
13 points and effectively would be considered standalone
14 shopping centers.
- 15 Q Now, all of the plans that I saw, for the
16 Life Style Village Phase 2, that's the 24,000 square
17 foot Parcel B, all indicate that it's going to be a
18 garden center.
- 19 Is that correct?
- 20 A Yes.
- 21 Q And, the ITE manual does have a land use
22 code for garden centers, doesn't it?
- 23 A I think they do.
24 Q Did you take a look at what the ITE manual
25 would, says for trip generation for a 24,000 square

1 foot garden center?

2 A No.

3 Q And, why not?

4 Why did you, if we know it's going to be a
5 garden center, why would you, why would you do trip
6 generation numbers for a 24,000 square foot shopping
7 center?

8 A It was my understanding, and at the onset
9 of the project, at least when I was first involved,
10 that it was not identified as a garden center.

11 And, as the project revealed, it was my
12 understanding that that particular garden center, if
13 you will, would have retail and possibly restaurant
14 components.

15 I don't know where it stands now. But, the, the
16 appropriate methodology, in my opinion, is to use the
17 shopping center designation.

18 Q Now, you could have, if you wanted to,
19 divided this site into three parcels for purposes of
20 calculating the trip generation.

21 Isn't that correct?

22 A If you're suggesting the Lifestyle portion
23 of Parcel A is a third component --

24 Q Yes.

25 A I don't think that that would be

1 appropriate since it's not standalone and it's sharing
2 access with the supermarket.

3 Q But, you could have, if you wanted to,
4 for --

5 A It's not --
6 Q -- for purposes of doing a trip generation
7 analysis, you could have used, you could have looked
8 at the Lifestyle Village 1 as a shopping center, the

9 Wegman's under the land use code, supermarket, and
10 then the third parcel as a garden center.

11 Correct?

12 A But, that's not the proper methodology,
13 no.

14 Q Why is that inappropriate?

15 A The ITE shopping center land use
16 classification includes any number of tenants
17 including supermarkets.

18 And, this has been discussed over the past two
19 years and studied for the past two years by looking at
20 specifically Wegman's trip generation studies and
21 there's a recognition in the traffic engineering
22 industry that the ITE supermarket rates are not
23 applicable to buildings the size that's proposed at
24 this location.
25 Q All right. I think you indicated, in your

1 supplemental report, that the majority of the studies
2 for the land use code, supermarket, looks at
3 supermarkets of 70,000 and less and not these very
4 large supermarkets.

5 Is that correct?

6 A That is correct, yes.

7 Q And, you talked about the Wegman's trip
8 generation numbers.

9 What do you mean by that? Is that -- does
10 Wegman's have its own traffic studies that you looked
11 at as to what you think their store will be
12 generating?

13 A Our office counted two Wegman's locations
14 in New Jersey to determine trip generation.

15 Q And, where, where is that?

16 A The one is in Bridgewater, on Route 202
17 and the other is referred to as Princeton but it's
18 West Windsor, on the plan.

19 Q Now, I noticed that neither, in neither
20 report do you do an a.m. peak hour analysis.

21 Correct?

22 A Correct.

23 Q You'll agree with me that supermarkets, in
24 general, do have substantial traffic in the a.m. peak
25 hour.

1 Isn't that correct?

2 A They generally generate traffic, yes.

3 Q And, a 140,000 square foot supermarket
4 would generate substantial traffic in the a.m. peak
5 hour.

6 Right?

7 A I don't have the volumes to support that
8 statement.

9 Q If I told you that the ITE manual says
10 that a 140,000 square foot supermarket in the a.m.
11 peak hour would generate 476 trips, does that number
12 seem reasonable for 140,000 square feet?

13 A Again, that ITE data I don't think would
14 be, I believe, to a building such as this.

15 Q Would it surprise you that, for a 140,000
16 square foot supermarket p.m. peak hour trip
17 generation, according to the ITE manual, that you
18 would have 1,437 trips --

19 A -- made that calculation as well, yes.

20 Q I think in your report you indicate that
21 you looked at those numbers.

22 Correct?

23 A The ITE numbers, yes.

24 Q But, you did not use them?

25 A Correct.

1 Q And, you did not report them in your
2 report.

3 Right?

4 A I referred to a rate, I believe, but I
5 didn't, I did not refer to estimates derived from the
6 rates.

7 Q And, would it surprise you that, for a
8 140,000 square foot supermarket on, in the Saturday
9 peak hour, it's 1,491 trips?

10 A Again, based on rates that are not
11 applicable to a building area of this size.

12 Q I know you indicated that, at least when
13 you did your, I guess it's your initial report, you
14 did not know that that Lifestyle Phase 2 was going to
15 be a garden center.

16 But, your new supplemental report was just done
17 10 days ago.

18 Right?

19 A Yes.

20 Q And, did you, did you happen to, now that
21 you know it's going to be a garden center, did you
22 happen to take a look at what the ITE manual would say
23 for the 24,000 square foot garden center, what it

24 would generate?

25 A No.

1 Q Would it surprise you that on a Saturday
2 peak hour it's 481 trips?

3 A Again, I haven't reviewed those estimates
4 or calculations.

5 Q Would it surprise you, for a garden
6 center, on a Saturday, on a 24,000 square feet, that
7 it would be almost 500 trips in that Saturday peak
8 hour?

9 A Again, I have not reviewed those rates or
10 that land use category for this application.

11 Q Did you, did you, when you did your trip
12 generation numbers, did you compare, let's say, did
13 you compare a 224,000 square foot shopping center,
14 that is the entire site, as one shopping center, and
15 see what the ITE numbers would say as opposed to
16 breaking it up to two shopping centers, one 200,000
17 square feet and one 240,000 square feet?

18 A No, I did it separately because, again,
19 they're separate parcels with separate access. And, I
20 would, I would think that because those shopping
21 center equations taper off, it might generate lower
22 total volumes if we aggregated Parcels A and B. But,
23 I didn't run those numbers.

24 Q So, if you looked at just one shopping
25 center at 224,000 square feet, you think it would be

1 less than the way in which you did it?

2 A It might be.

3 Q Could it possibly be more?

4 A Again, I didn't perform those
5 calculations.

6 Q Now the pass by, pass by trips, Maser
7 Consulting, I believe, indicated that, in the evening
8 peak hour, the pass by would be credited 34 percent.

9 Is that correct?

10 A I believe so. That's what we used as well.

11 Q And, you agree with that number?

12 A That's from the ITE calculations, yes.

13 Q And, for a Saturday, it's 26 percent pass
14 by.

15 A I believe that's correct, yeah. Yes.

16 Q So, it's more than a quarter percent on a
17 Saturday, more than a quarter percentage on Saturday
18 and more than one-third on the evening peak hour.

19 Right?

20 A Yes.

21 Q Now, am I correct that you think the pass
22 by is going to be even greater, that it may be 50
23 percent?

24 A I don't believe, for this report, we did.

25 Q How about, how about your first report?

1 A In our first report, from June, on Page 6,
2 we say used in the Maser Consulting report based on
3 ITE data, each pass by credit, 34 percent has been
4 used in this analysis.

5 Q What about Page 13, Table 4, this is the
6 first report?

7 A Again, I'm sorry. Page 13, Table 4?

8 Q Right. I added up in the pass by trips on
9 Table 4.

10 A Right.

11 Q For enter and exit, and it comes to more
12 than 50 percent but not 34 percent or 26 percent.

13 A This is probably from a table from ITE.

14 I haven't visited these numbers in awhile. Just
15 a second, please.

16 Q Yeah.

17 A The example, I looked at the 11:00 a.m. to
18 12:00 p.m. I calculated pass-by as 34 percent.

19 Q Would it be added up for all of the pass
20 bys that you're showing?

21 Does it come out substantially higher than the
22 34 or the 26?

23 A I just did 12:00 to 1:00. And, again, I
24 got pass-by as 34 percent.

25 Q Maybe I'm, maybe I'm reading the table

1 wrong.

2 If you go to 7:00 p.m. to 8:00 p.m. and you have

3 the new trips 284 and 256 and you have the -- you're

4 not comparing, you don't compare the pass bys to the

5 new trips, do you or you do?

6 Each one of them seems to be more than 50

7 percent of the numbers on the, on the new trip

8 categories.

9 Am I reading it right or am I reading it wrong?

10 A Okay. Table 4, on Page 13, has new trips

11 entering and exiting, pass by trips entering and

12 exiting. If you add the new trips and the pass by

13 trips, you get the total trips.

14 So, for the 7:00 to 8:00 p.m. hour, 284 plus 256

15 is 540 new trips. 146 plus 132 equals 278 pass by

16 trips. 278 is approximately 34 percent of the total

17 that is 818 trips.

18 Q Again, these are numbers then from, solely

19 from the ITE.

20 Correct?

21 A That's correct.

22 Q Now, with regard to, on Page 8, the visual

23 report, Figures 11 and 12, those were based upon Maser

24 Consulting's build traffic volume.

25 Correct?

1 A Figures 11 and 12, yes, that's correct.

2 They were taken from the Maser Consulting March 2013

3 report.

4 Q And, that means that you accepted, you

5 accepted those build traffic volumes from Maser

6 Consulting.

7 Correct?

8 A Yes.

9 Q Did you do any independent analysis to see

10 if they were accurate or not?

11 A Well, many of the resultant volumes came

12 from data collected by our office so the evolution of

13 these volumes has been, from my perspective, somewhat

14 of a cooperative effort.

15 Q All right. Let's talk about that.

16 Your office did traffic counts October 2010.

17 Correct?

18 A Correct.

19 Q And, you did them in 2011 June, March

20 April and September.

21 Correct?

22 A Correct.

23 Q Then go to the October 2010 counts.

24 When you did those counts, there was no

25 application pending for this.

1 Correct?

2 A No.

3 Q Did you have, in your possession, a
4 conceptual plan that showed you in concept what the
5 applicant was proposing for this site?

6 A Sure. I believe there were a few
7 concepts.

8 Q And, when you were able to collate your
9 counts from October 2010, when did you submit those to
10 Maser Consulting in this collaborative effort?

11 Was it in or around October 2010?

12 A Probably it would have been after that.

13 I don't recall. It's been sometime since then.
14 But, I know our office had initiated traffic studies
15 for a development yield of this property.

16 Q My question to you is, is once you did the
17 counts in October 2010, and you were able to collate
18 those numbers, calculate those numbers and take a look
19 at them, did you share them, in and around that time,
20 with anybody from Maser Consulting?

21 A I don't know that we shared the traffic
22 counts particularly that early. I know, at some
23 point, we issued a report which Maser Consulting's
24 office probably reviewed.

25 I don't mean that it included a full appendix

1 with traffic counts, though.

2 Q Do you know the date of that report that
3 you submitted to Maser Consulting?

4 A I'd have to go back through my files. I
5 don't know. We issued a report, some of which were
6 for internal purposes and one or two which may have
7 been reviewed by Maser Consulting's office.

8 Q All right. One or two reports or one or
9 two drafts of reports?

10 A There were, there were a few reports I
11 know that we were looking at different concepts and
12 yields for the development team.

13 So, there were those types of internal documents
14 or reports.

15 Q All right. When was your first contact
16 with Maser Consulting regarding this site?

17 A I, I don't know if it was 2012 as, as this
18 gravity model was being put together. I think that
19 was somewhere in the middle of 2012. And, it was
20 after the gravity model that we provided them with all
21 of the counts that we have.

22 Q Did you or your office review any draft
23 reports or reports generated from Maser Consulting?

24 A Reports, no. We reviewed gravity model
25 distribution and the data that they provided for that.

1 Q Was Maser Consulting's March 7, 2013
2 traffic study report a collaborative effort by Maser
3 Consulting and your office?

4 A No. Only that we provided traffic counts
5 that our office had developed.

6 Q Which you also sent one or two reports to
7 Maser Consulting for them to review.

8 Right?

9 A By this time, I would think, yes, that
10 they had had at least one or two versions of the
11 Traffic Impact Analysis from our office.

12 Q Did either your original report that's
13 part of this record or the supplemental report, a
14 subsequent version of the reports, that were submitted
15 to Maser Consulting?

16 A In terms of the format and the, generally,
17 I would say it's been the same report over and over
18 and over again. The June 2013 report had, had the
19 signal warrant analysis which was probably the first
20 time we had issued that.

21 But, in terms of the trip generation, I would
22 say it was probably the one thing that changed from
23 version, between each version of any reports issued by
24 our office.

25 Q Now, when you were having this

1 collaborative effort with Maser Consulting, how did
2 you do it?

3 Did you have meetings with Maser Consulting's
4 personnel?

5 A No. As I said, the collaborative effort,
6 if you will, is basically the data collection by our
7 office, was handed off to them in the preparation of
8 their study.

9 Our office had initiated several distribution
10 assignment patterns that I believe Maser Consulting's
11 office reviewed and then they performed the detailed
12 gravity model distribution analysis.

13 Q Do you know who you submitted the one or
14 two reports to Maser?

15 A Typically, I submit everything to Mr. Del
16 Vecchio and then he distributes them, that I've had
17 contact with Mr. Jahr and Mr. Rashad at Maser.

18 Q Did you or your office make any comments
19 with regard to any Maser Consulting reports that were
20 either in draft?

21 A I know we reviewed the assignment
22 patterns. I think there may have been a memo or two
23 by our office talking about assignment patterns
24 resulting from the distribution analysis.

25 Q Was your communication with Maser

1 Consulting more e-mails or phone calls?

2 A I would say both.

3 Q And, I think you indicated that -- well,
4 strike that. I'm sorry.

5 The October 2010 counts you, when do you think

6 --

7 Do you have any recollection as to when you sent
8 those to Maser Consulting?

9 MR. REGAN: Mr. Segreto, why is that
10 really relevant?

11 I mean, we're getting a little bit far afield
12 here. I think it's also beyond her direct, the scope
13 of her direct testimony.

14 MR. SEGRETO: Well, if an applicant's
15 traffic engineer is working with the town engineer on
16 traffic reports or, and ordinances based upon traffic
17 reports by Maser, I think it's absolutely relevant.

18 MR. REGAN: I'm getting the impression the
19 line of your questioning is that there is something
20 wrong with the sharing of information.

21 MR. SEGRETO: There very well may be.

22 MR. REGAN: Well, I think I know you're
23 trying to get involved in discovery that you haven't
24 been allowed to engage in by the court.

25 MR. SEGRETO: And, you always talk about

1 I'm trying to get cheap discovery or that's what Mr.
2 Del Vecchio thinks.

3 I believe it's absolutely relevant, all right,
4 how the Maser Consulting report was generated, how
5 their reports and how Maser Consulting and the
6 applicant's engineers interacted because it excluded
7 all of us. And, that's -- it excluded all of us.

8 MR. REGAN: Professionals work together
9 all the time.

10 MR. SEGRETO: I -- and, everything is
11 supposed to be in public. That's my understanding.
12 So, that's why I'm asking.

13 If you don't think it's relevant, that's fine.
14 MR. REGAN: Are you saying that Mr. Maser
15 or Maser Consulting's office, Mr. Hipolit or Mr. Jahr
16 and, and Miss Dolan sharing information is somehow
17 illegal?

18 MR. SEGRETO: I'm not talking about --

19 MR. REGAN: That's the inference you're
20 giving me in the last comment.

21 MR. SEGRETO: That's an issue that's not
22 for us to talk about here. That's an issue for maybe
23 somebody else to talk about.

24 I just want to know how it came about, what was
25 shared, reports, drafts, commentary, back and forth

1 between the professionals and I want to know whether
2 or not that influenced her report, her analysis or
3 report, her opinions or vice-versa, whether or not her
4 opinions and inputs, input somehow effected what Maser
5 Consulting came up with.

6 That's why I'm asking. And, I think it's
7 absolutely relevant.

8 MR. REGAN: What difference does it make?

9 MR. SEGREGTO: You don't think so? I think
10 it's absolutely relevant.

11 MR. REGAN: Why don't you continue.

12 Q All right. So, would you have e-mails
13 that, that would show when you sent all these traffic
14 studies or when you sent, you know, one or two reports
15 that they reviewed?

16 A I, I may.

17 Q And, to the best of your recollection, you
18 started sharing this information sometime in 2012?

19 A As I said, after we conducted the original
20 counts, we may have issued a report that they reviewed
21 and critiqued the distribution. That seems to be the
22 issue, at least that I can recall it was the trip
23 generation and verifying the appropriateness of the
24 ITE shopping center. That was something we discussed.
25 And, it was also the assignment pattern, the

1 distribution.

2 Those were the two things that were reviewed
3 after -- we would set forth an assessment. They would
4 review it. Sometime in that period they then did the
5 very detailed distribution model.

6 To the best of my recollection, we gave them all
7 of our traffic counts somewhere, I would say, in the
8 middle or end of 2012, that they then used in the
9 preparation of their March 2013 study.

10 Q Do you agree that the majority of the
11 traffic to be generated by this site would be
12 generated by the 140,000 square foot supermarket?

13 A That's the, that's the anchor tenant.
14 Yes.

15 Q And, do you think that it's going to be,
16 that traffic generation close to the numbers you and I
17 went through at the beginning of my cross, that the
18 ITE says for the 140,000 square foot supermarket?

19 A I, I do not believe that the trip
20 generation would be that estimated using the ITE
21 supermarket data.

22 Q You'll agree with me that if the
23 supermarket anchor on this site was the ordinance
24 minimum of 60,000 square feet, or four 15,000 square
25 foot lifestyle buildings, that there would be

1 substantially less traffic generated by this site?
2 MR. REGAN: Mr. Segreto, I think everyone
3 can agree, it's, a smaller building will generate more
4 traffic.

5 Where are we going with this?

6 MR. SEGRETO: Can 't, can't --

7 MR. REGAN: Mr. Segreto.

8 MR. SEGRETO: Humor me and allow the

9 witness to answer the question.

10 I know it's -- she knows and the white elephant
11 in the room.

12 CHAIRMAN DePINTO: Whatever you want to

13 call it.

14 Mr. Segreto, I think I would also like the hear
15 that answer also.

16 Ms. Dolan, can you answer his question?

17 A If the supermarket component was smaller.
18 Q 60,000 square feet, the minimum under the
19 ordinance.

20 A Right. If the supermarket component were
21 smaller, that would leave more room for other tenants.
22 I, I would think that there will still be a yield of
23 somewhere, 200,000 square feet of retail says
24 multi-tenant retail space on Parcel A.

25 Q My question was simple. If the

1 supermarket, instead of being 140,000 square feet was
2 the ordinance minimum of 60,000, you'll agree with me,
3 there would be substantially less traffic.

4 MR. REGAN: Mr. Segreto.

5 MR. DEL VECCHIO: I object.

6 MR. REGAN: The kids in Memorial School
7 know the answer to that question.

8 Where are you going with that question?

9 MR. SEGRETO: The kids in Memorial School
10 know about traffic generation?

11 Mr. Chairman, are these interesting questions to
12 you?

13 CHAIRMAN DePINTO: They are. They are.

14 MR. SEGRETO: They sound like they are.

15 Everybody else seems to be laughing and it seems to be
16 a big joke.

17 CHAIRMAN DePINTO: It's not a joke and I'm
18 not laughing and, I think --

19 MR. SEGRETO: I know you're not but other
20 people are.

21 CHAIRMAN DePINTO: Ms. Dolan, for one more
22 last time, could you please answer the question.

23 A If the suggestion is there would be a
24 thousand square feet less on Parcel A then, of course,
25 the trip generation would be less.

1 Q Substantially less?

2 A Yes.

3 Q And, instead of a 60,000 square foot
4 anchor, if it was the alternative under the ordinance
5 for the anchor and that is four 15,000 square foot
6 Lifestyle buildings, the traffic generation would be
7 substantially less than that 60,000 square foot
8 supermarket, wouldn't it?

9 A Four 15,000 square foot stores?

10 Q Lifestyle Retail buildings instead of the
11 60,000 square foot supermarket?

12 A Well, again, we're looking at this as a
13 shopping center, a collection of, of buildings and if
14 the supermarket is a tenant or is not a tenant, we're
15 still classifying it as a shopping center.

16 But, certainly if you reduce the overall
17 building area on Parcel A, you're going to reduce the
18 trip generation.

19 Q And, that's true because you don't want to
20 look at the ITE trip generation for this supermarket
21 by itself. You want to look at it as being a
22 component of a shopping center.

23 A Well, that's how it's been proposed. If
24 it was a standalone supermarket with no other
25 retailers or tenants, then we would look at the ITE

1 assuming it was in that 60 plus or minus thousand
2 square feet range, not, not the larger building area
3 because those supermarket rates would be low.

4 Q People that are customers that are going
5 to go to the Wegman's are going to park in the parking
6 lot in front of the Wegman's.

7 Right?

8 A I would think so.

9 Q And, the people who are going to shop in
10 the Lifestyle Retail are going to park up, up there,
11 up north, right by those buildings?

12 A Again, I would think they would want to
13 park near their destination.

14 Q So, why can't you look at the Wegman's as
15 an, essentially a standalone for purposes of traffic
16 generation because when you are doing traffic
17 generation numbers, you want to give the Board the
18 worse case scenario.

19 Right?

20 A Because some of the people going to the
21 supermarket may also be going to the Lifestyle Center.
22 And, because these tenants are sharing access and they
23 are sharing the circulation system, both the ITE and
24 the NJ DOT tell us that this is classified as a
25 shopping center. And, that's the appropriate trip

1 generation or land use to use for developing trip
2 estimates.

3 Q Right. Page 12 of your initial report,
4 Table 3, hourly traffic volumes.

5 I'll bring your attention to the hours of 8:00
6 to 9:00 a.m. and 9:00 to 10:00 a.m..

7 And, if my math is right and those two hours,
8 there's 1,196 trips existing, on Mercedes.

9 Right?

10 A That is correct. Yes.

11 Q And, now we're going to change this 25
12 acre site from a farm to 224,026 square feet of
13 retail.

14 Right?

15 A Correct.

16 Q Up-scale retail. And, a big beautiful
17 Wegman's.

18 Right?

19 A Wegman's is proposed and retail is
20 proposed, yes.

21 Q And, knowing that there's almost 1,200
22 trips in that, that a.m., those two a.m. hours, you
23 did not think it was necessary to do traffic
24 generation numbers for the a.m. peak hour for this new
25 shopping center, did you?

1 A Customarily, for retail developments, we
2 take counts on weekday, evening and Saturday peak
3 periods and that's what we have done for this
4 application.

5 Q Then, when we look at the 4:00 to 5:00 and
6 5:00 to 6:00 p.m. hours, and those two hours, there's
7 a thousand 87 trips, trip volumes on Mercedes.

8 Right?

9 A That's the count on Mercedes. Yes.

10 Q And, that's mostly, you would agree with
11 me, that's mostly from, from the Mercedes Corporate
12 Center?

13 A A good chunk of it, yes.

14 Q And, we're going to add substantially in
15 that p.m. peak hour.

16 Right?

17 A Yes.

18 Q And, how many trips are we adding to
19 Mercedes?

20 A To Mercedes, just a second.

21 Q In the p.m. peak hour you say 1,183.
22 Right?

23 A I'm sorry.

24 Q You say 1,183?

25 A Where, where is 1,183?

1 Q In your report document I saw 1,183.

2 A Oh, the total trip generation, yes.

3 Q Yeah. It's a little more than double the

4 traffic on Mercedes on p.m. peak hour.

5 A That's not all going to Mercedes. That's
6 total trip generation.

7 Q Now, I noticed, in that Mercedes driveway
8 that's now going to be controlled by a signal, I
9 looked inside of the Mercedes lot and there seems to
10 be like a small round traffic circle.

11 Are you familiar with that?

12 A A circle? I don't recall seeing that.

13 Q In the main entrance or there seems to be
14 a circular drive around the front of the building.

15 A I'm not familiar with that.

16 Q You would agree with me, if that's the
17 configuration that when those cars stack up, waiting
18 for that light to change, there's going to be a
19 problem because you don't have a big, long driveway
20 where cars can stack up. It looks like you have a
21 short driveway and this big roundabout in front of the
22 building.

23 A I'm sorry. I'm not sure if there was a
24 question.

25 Q You're not familiar with it.

1 Right?

2 A I'm not sure.

3 Q Are you familiar with it?

4 A Are you talking about the driveway

5 opposite where we're signaling, that driveway?

6 Q Yeah.

7 A No, I said I'm not familiar.

8 Q Did you take a look inside of the Mercedes
9 property to see what effect that signal and the
10 queuing and the waiting for that light is going have
11 on that intersection?

12 That seems to me that has this big roundabout in
13 front of the building and not too much room for cars
14 to be stacked up.

15 A I did not make any study of that, no.

16 Q In -- with your new redistribution traffic
17 numbers, do you show or are you anticipating,
18 consistent with the Chairman's comments, that people
19 are going to be coming from Phillips and then making a
20 right hand turn up and then going into that first
21 driveway they come to and not the signalized driveway?

22 A They'll have the choice of choosing either
23 driveway depending on their distribution.

24 Q Do you agree with the Chairman that most
25 people are going to not use the signalized

1 intersection but they're going to, they're going to
2 turn right into that first driveway?

3 A Well --

4 MR. DEL VECCHIO: I'm sorry.

5 MR. SEGRETO: The southern most driveway.

6 MR. DEL VECCHIO: Which signal are you
7 referring to, Mr. Segreto?

8 Q The main, the main entrance has, is going
9 to have a signal.

10 Isn't that correct.

11 A The main entrance on Mercedes is proposed
12 to be signalized, yes.

13 Q And, then the driveway nearest Phillips
14 will not have, will not be signalized.

15 Is that right?

16 A That is correct.

17 Q And, what I'm saying is, is any of your,
18 when you looked at this redistribution of traffic, did
19 you, did you look at that driveway and the, the effect
20 of persons, more persons using Phillips and then
21 turning, turning right onto Mercedes and then using
22 that first entrance as opposed to the signalized
23 intersection?

24 A Yes. We modeled right turn movements into
25 both the proposed driveways along Mercedes Drive.

1 Q And, you're still of the opinion that most
2 people are going to use that signalized intersection?

3 A Well, the majority of traffic in this
4 revised report does still show a majority of traffic
5 using the signalized intersection. We have both
6 inbound and outbound moving on this driveway as well.

7 Yes, overall, there will be more traffic using
8 the signalized access way.

9 Q Now the new distribution or the
10 redistribution which may go up to 20 percent, where,
11 where are, where are these people going to be coming
12 from? How far away?

13 What is the gravity model that are going to use
14 the Garden State Parkway or is there one?

15 A They're, they're, based on my last review,
16 there was roughly a 6 percent draw that I could find
17 points further south. There were some municipalities
18 that didn't show a draw which would certainly increase
19 that 6 percent.

20 Q And, well, what municipalities? What,
21 what -- this 20 percent, where are they coming from?

22 I know they're coming from the south but what
23 municipalities from the south?

24 A I didn't make that detailed of an
25 assessment.

1 Q Did you do any kind of analysis as to how
2 far they would travel on the Parkway to get here?

3 A No.

4 Q Is it going to be four or five miles, like
5 the gravity model, or is it going to be substantially
6 higher?

7 A I didn't do any of those specific types of
8 assessments.

9 Q Am I, am I correct in understanding that
10 your analysis includes the, includes traffic to be
11 generated from the Lifetime Fitness, the new Lifetime
12 Fitness Center?

13 A That's correct.

14 Q And, the numbers that you use, where did
15 you get the numbers for the Lifetime Fitness Center in
16 terms of the traffic generation?

17 A There was a traffic study by Atlantic
18 Traffic for that application and I used their
19 projections.

20 Q Do you know whether or not Maser
21 Consulting did any kind of analysis or review of
22 Atlantic's numbers?

23 A I don't know.

24 Q And, Atlantic was the traffic engineer for
25 the applicant for the Lifetime Fitness Center.

1 Right?

2 A Yes. I have it listed as LTF Real Estate
3 Company, Inc..

4 Q Did you ask anyone at Maser Consulting or
5 did you look in the Lifetime Fitness file to see
6 whether or not Maser Consulting agreed with or did a
7 report concerning what Atlantic was projecting for
8 Lifetime Fitness?

9 A No.

10 Q Lifetime Fitness is, my understanding is
11 it's now in operation.

12 Is that correct?

13 A I believe so.

14 Q Do you think, you know, traffic, actual
15 traffic counts now in November of 2013, would be
16 relevant as opposed to traffic count numbers that were
17 done three years ago in 2010 or two years ago in 2011?

18 A I don't know when Lifetime opened.

19 Typically, when a facility first opens, there's
20 a surge in activity that may not be realized a few
21 months later. So, it probably wouldn't be appropriate
22 to look at the current opening and associated traffic.
23 But, after a couple months perhaps.

24 Q All right. Do you know when p.m. peak
25 hour or a.m. peak hour or Saturday, if there is a

1 Saturday peak hour, for Lifetime Fitness gym would be?
 2 A I'm sorry. When those counts were
 3 performed?

4 Q No. No. When the, the a.m. peak, p.m.
 5 peak and Saturday peak for a center like the Lifetime
 6 Fitness center.

7 A I used the weekday evening peak hour and
 8 Saturday mid day peak hour volumes that were projected
 9 for Lifetime as set forth in the Atlantic Traffic
 10 report.

11 Q Did you compare the numbers that Atlantic
 12 used, that you relied upon, did you compare them to
 13 what the ITE says for that size of a, such a fitness
 14 center?

15 A I believe they used ITE but I didn't
 16 verify, modify. I used their distribution for the
 17 system.

18 MR. SEGRETO: I have no further questions.

19 CHAIRMAN DePINTO: Okay. Thank you.

20 Okay. Anyone else from the public have any
 21 questions?

22 Yes, ma'am. Kindly step forward. State your
 23 name and address for the record and please be reminded
 24 that this is your opportunity to ask any questions.

25 MS. WINOGRAD: Just questions. That's all

1 I have.

2 CHAIRMAN DePINTO: Based upon the
 3 testimony that was heard.

4 MS. WINOGRAD: Okay. Should I?

5 CHAIRMAN DePINTO: You cannot offer any
 6 opinions or comments.

7 MS. WINOGRAD: That's fine. That's fine.
 8 Should I stand?

9 CHAIRMAN DePINTO: No. You could sit,
 10 stand. Just identify yourself.

11 MS. WINOGRAD: (Inaudible) Winograd, 2
 12 Roberts Road in the town of Montvale.

13 Q A couple quick questions based on the
 14 program that you showed us. And, this might be more
 15 appropriate for the town.

16 Will West Grand Avenue remain a 45 mile an hour
 17 speed limit?

18 A There's no proposed change to the speed
 19 limit.

20 Q Will you still allow the right on red on
 21 Paragon and allow the tractors to make the right on
 22 red because people forget that it's a stop?

23 A To date, we have evaluated that. My
 24 recommendation is to allow the right on red to remain.
 25 We do have a meeting scheduled with the County.

1 That's ultimately their decision.

2 But, the proposal, at least at this stage, is to
3 allow right on red and the tractor trailers, at least
4 Wegman's trucks we're trying to have them use Phillips
5 as opposed to using the intersection with Grand and
6 Mercedes.

7 Q I'm talking about from Phillips, making a
8 right. If they do, the proposal, coming up Summit,
9 right, and then they would make the left and cut
10 across, is that what we're thinking about doing with
11 the tractor trailers?

12 CHAIRMAN DEPINTO: You're comparing
13 Paragon, one side with Phillips.

14 Q I'm talking about the Paragon, the right
15 on red on Paragon.

16 A We're not proposing to change any right on
17 red standards.

18 Q Okay. Then the other question I have has
19 to do with the Parkway traffic where you assume the 20
20 percent increase from the Parkway.

21 And, I know that's an assumption and a worse
22 case assumption but when you were showing up the
23 diagram, at people coming out on Mercedes, that, also,
24 reflected people coming out of Wegman's, too. And,
25 you had traffic lights.

1 Did that reflect the increase of the 20 percent
2 coming from the Parkway, leaving Wegman's and then
3 getting back on to the Parkway?

4 A Yes. I'll say that we didn't -- well,
5 yes, it does, it does.

6 Q So, the 20 percent coming in and then the
7 20 percent so that, even though it didn't look so
8 backed up, it did include that extra 20 percent?

9 A It did, yes.

10 Q And, did you, because the on-ramp question
11 was really a valid question because right now, without
12 anything, things do get backed up all the way down
13 Grand Avenue.

14 Did you -- that is completely problematic. Right
15 now. And, it has to be addressed. It has to be
16 addressed.

17 CHAIRMAN DEPINTO: Again, if you can keep
18 it in the form of questions, not comments.

19 Q Okay. Did you do any studies about the
20 hours between 2:00 and 3:00 p.m.?

21 Because, there are three schools that get out at
22 that time.

23 A I know, at the last meeting, I was asked
24 about the morning and school activity. We did not.
25 We've really focused on weekday evening peak hours

1 because that's the period when we have the highest
2 overall volumes on the roadway system under existing
3 conditions and that's when we would be adding a
4 significant amount of traffic to the system.

5 So, that's, that's the critical hour of
6 analysis.

7 Q If you, if you were asked to ever do
8 anymore assumptions, there's something, because of the
9 three schools that are, come out, the traffic does get
10 backed up.

11 And, then my question then is, what volume --
12 CHAIRMAN DePINTO: Let's keep it in the
13 form of a question.

14 Could you ask her if she is aware of that?

15 Q Okay. Thank you.

16 Are you aware of the traffic particularly at
17 Memorial School and the three trains that come in
18 between 2:00 and 3:00, between 2:50 and 3:00?

19 So, there are three trains. Are you aware of
20 those trains?

21 And, are you aware of the backup from the
22 traffic cop and the school getting out?

23 A I have not studied that.

24 Q Okay. Do you have an amount of volume --
25 did you look at the volume of cars that might be

1 coming from the east?

2 I saw all of the traffic patterns that, that
3 Wegman's, in this particular area but people are going
4 to be coming here.

5 Did you look at, from the east and traveling
6 East Grand to West Grand?

7 A From the east we had a, a 15 percent
8 distribution on Grand Avenue.

9 Q And, what does that mean a 15 percent?

10 A You want to know what volume -- just a
11 minute, please.

12 New trips, it's 56 trips.

13 Q And, that means an increase of about 56
14 cars?

15 A Wait. I just want to --

16 Q Sure.

17 A Just before I -- because I want to give
18 you the two way total. It would be 119. That's,
19 that's towards the site and then back, heading back
20 east.

21 Q And, this is just during the peak hours of
22 60 cars would be coming?

23 A This is during the evening peak hour.

24 Q Between, you said, 5:00 and the 6:00 p.m.?

25 A 5:00 to 6:00.

1 Q Did you do any analysis of an extra 60
2 cars leaving Wegman's and getting stuck on the train
3 traffic from Grand Avenue?

4 A No. The train is there. It is what it
5 is.

6 I mean, that's something that, that's not going
7 to change with this application.

8 Q Did you analyze how it might back up onto
9 West Grand Avenue with an extra 60 cars?

10 A No.

11 Q Have you done any type of analysis like
12 this before with a large supermarket going into
13 basically a very small town that doesn't have
14 infrastructure?

15 Have you done similar analysis in towns that are
16 similar to Montvale?

17 A All, all the sites are different but, yes,
18 we have looked at, at one in another Bergen County
19 community.

20 Q Where there were no highways, that it was
21 all back roads basically?

22 A Well, a combination of County and local
23 streets.

24 Q Local streets. And, it was a hundred --
25 I'm sorry a 160,000 square foot supermarket, a 140,000

1 square foot supermarket going into that?

2 A No. The particular one I'm thinking of is
3 about 70,000 square feet.

4 Q So, it was almost half of what we're
5 looking at.

6 And, can you tell me if your assumptions and
7 your estimations were very close to what ended up
8 being a reality?

9 Did you go back and check to see if your
10 assumptions should be different next time?

11 A That, that particular application is
12 on-going and something of that size, I can't say that
13 I can recall something that, where we've gone back and
14 tested.

15 Q And, you looked to see -- okay.

16 A Not for something in the 200,000 square
17 foot range.

18 Q And, then my last question is, what is
19 your draw, are you --

20 What radius are you looking at?

21 A I think --

22 Q And, the whole peripheral?

23 A I think there was a 15 minute drive time
24 as an average.

25 Q Miles wise?

1 A Again --

2 Q 10 mile?

3 A I think it was, it was either 10 to 15

4 miles or 10 to 15 minutes. I don't recall.

5 MS. WINOGRAD: Okay. Thank you.

6 CHAIRMAN DePINTO: Thank you.

7 Okay. Anyone else?

8 Yes, Kari.

9 MS. SOLOMON: Kari Solomon, 16 Pine

10 Street.

11 EXAMINATION BY MS. SOLOMON:

12 Q Ms. Dolan, I have a question going back to

13 your model that you show in regards to the 250 cars.

14 How is that translated into 10 minutes?

15 Would you take the average or did you take a

16 specific 10 minutes within that hour?

17 A What we do is, we model the entire peak

18 hour. We put the hourly volumes in and this, this

19 model simulation gives us a 10 minute snapshot. So,

20 it's a random 10 minute shot from the peak hour.

21 Q So, it would be a specific 10 minutes

22 randomly selected?

23 A Correct.

24 Q And not necessarily the average of that?

25 A Or a surge, like a peak 15 minute surge or

1 10 minute surge. It's a random 10 minute selection.

2 Q So you don't know if it's the most

3 generated or the least amount within that?

4 A It's a typical snapshot.

5 What we look at in the analysis is the overall

6 peak hour. That's what we use to design these

7 improvements.

8 So, while it's a model to sort of help guide the

9 viewer to understand how traffic will flow, it's

10 really not the actual calculations that we have used

11 to design the improvements.

12 Q So, if, if there was a surge of let's say

13 20 minutes within that hour's time frame, is it

14 possible that it maybe didn't capture that surge?

15 A Oh, sure. If there were -- for example, a

16 couple cars queue up on the Mercedes Drive exit,

17 during a particular busy period, if a lot of people

18 are leaving all at once, that certainly is a reality.

19 It didn't happen to show in this clip that we

20 exhibited.

21 MS. SOLOMON: All right. Thank you.

22 THE WITNESS: You're welcome.

23 CHAIRMAN DePINTO: Thank you.

24 Anyone else ask who would like to ask questions?

25 Yes, Mayor.

1 MR. ZELLER: George Zeller, 105 East Grand
2 Avenue, Montvale, former Mayor.

3 The reason I bring that up is that I want to be
4 very clear that I have no involvement in this project
5 whatsoever. But, I do know just about everybody here
6 and they probably know me. That's Board Members,
7 professionals, the property owner.

8 What I have a problem about is some of the
9 testimony this evening. And, I was rather shocked.

10 And, if I may, Mr. Chairman, I would like to
11 question Mr. Del Vecchio.

12 Go ahead.

13 CHAIRMAN DEPINTO: Mr. Mayor, one second.

14 Mr. Del Vecchio did not testify.

15 You could question a comment that he made
16 and he can clarify that but please bear in mind the
17 fact --

18 MR. ZELLER: I will try to be as cautious
19 as I can. You can guide me, Mr. Chairman.

20 CHAIRMAN DEPINTO: Okay. Thank you, Mr.
21 Mayor.

22 MR. ZELLER: Mr. Del Vecchio made the
23 comments that you had notified the Garden State
24 Parkway Authority which I really think is the Turnpike
25 Authority now. And, you sent them copies of or a

1 letter notifying them of the project.
2 That's all by procedure. You did the right
3 thing.

4 And, then it stopped.

5 Did you notify anyone in the Borough to your
6 involvement with the Authority?

7 MR. DEL VECCHIO: I'm not sure what you
8 are referring to but --

9 MR. ZELLER: Is there anyone of authority
10 in the Borough that has been notified that the Parkway
11 has not returned any correspondence to you?

12 MR. DEL VECCHIO: The notice that gets
13 provided to the Parkway is the same notice that gets
14 provided to all property owners within 200 feet. I
15 don't, I don't expect one of my neighbors or a
16 neighbor to a project to respond to the notice. I
17 don't necessarily --

18 MR. ZELLER: Okay. You answered my
19 question. It went to the Borough.

20 MR. DEL VECCHIO: I don't expect the
21 Parkway necessarily to respond to my notice.

22 But, it is common practice, based upon other
23 projects that we have represented before this Board,
24 where the Parkway does respond to a notice that we
25 send to a project.

1 The last one that comes to mind is KPMG, when we
2 put out a notice for the sign replacement and the
3 underground fuel tank for the generator, the Parkway
4 did respond and had comments and asked for a copy of
5 the plans and we, in fact, provided it to them.
6 We received no such notice in response to this.

7 MR. ZELLER: That's what you so state.
8 And, I have no qualms with what you did and what
9 you're saying.

10 But, what I am having a problem with, it just
11 seems to have died and no one in the Borough seems to
12 have picked up on this.

13 Now, Mr. Chairman, you and I spent a lot of time
14 in Trenton together fighting for a lot of issues.
15 And, I don't see, if this project is so important,
16 that someone hasn't picked up, namely the Mayor,
17 members of the Council. And, I'm really shocked at
18 that.

19 CHAIRMAN DePINTO: So, therefore, Mr.
20 Mayor, your question addressed to the Board and has
21 the Board --

22 MR. ZELLER: It's a roundabout way. I can
23 get to it. So, Mr. Chairman --
24 CHAIRMAN DePINTO: So you're asking
25 whether or not the Board and/or the Council has made

1 any inquiry with the State with respect to the
2 proposed improvements?

3 MR. ZELLER: Exactly.

4 CHAIRMAN DePINTO: To Grand Avenue and --
5 MR. ZELLER: And, especially to those
6 connections on to the Parkway itself, on and off.

7 CHAIRMAN DePINTO: As far as the Planning
8 Board is concerned, the Planning Board has not made
9 such an inquiry.

10 And, as far as the governing body is concerned,
11 I'm unaware of that. But, possibly Councilwoman
12 Cudequest could advise us.

13 Theresa, are you aware if in fact the Mayor and
14 Council have attempted to communicate with the Highway
15 Authority, with respect to the proposed improvements?

16 COUNCILWOMAN CUDEQUEST: No, I'm not under
17 any, any belief that that has happened.

18 CHAIRMAN DePINTO: And, Mr. Hermann, do
19 you have any knowledge with respect to that?

20 Has your office attempted to communicate with
21 the Parkway?

22 MR. HERMANN: No, not that I know of.

23 MR. ZELLER: Mr. Chairman, I would ask
24 that the Board officially request the Council to look
25 into it. Because, this is too important a project for

1 everyone whether -- whatever way you go, there's a lot
2 of people associated with this. The residents, the
3 owners.

4 I just can't see this thing going forward with
5 bottlenecks that are there. And, I'm not asking the
6 question but, somebody has to move forward with it.
7 And, it's going to have to come from the political
8 standpoint not necessarily the Chairman.

9 CHAIRMAN DEPINTO: Right.

10 MR. ZELLER: There's nothing more, much
11 more I could say.

12 CHAIRMAN DEPINTO: Thank you. It was much
13 more of a comment than a question.

14 If you, if you were to turn it into a question
15 and you were to say that, do you think, on behalf of
16 the Borough, that it would be prudent on the Borough's
17 part to inquire at the State level, with respect to
18 this, my answer would be yes.

19 And --
20 MR. ZELLER: Therefore --

21 CHAIRMAN DEPINTO: And, also, that I'm
22 asking Mr. Hermann, right now, to convey to Mr.
23 Hipolit --

24 MR. HERMANN: Absolutely.

25 CHAIRMAN DEPINTO: -- that this Board

1 would be interested in communicating with them, with
2 respect to this project and the proposed road
3 improvements.

4 MR. HERMANN: Okay. I will do that.

5 CHAIRMAN DEPINTO: Mr. Mayor.

6 MR. ZELLER: Thank you.

7 CHAIRMAN DEPINTO: Okay. Anyone else from
8 the public? No.

9 The Chair will entertain a motion to close the
10 meeting to the public.

11 MR. STEFANELLI: So move.

12 MR. VOGT: Second.

13 CHAIRMAN DEPINTO: Okay. Mr. Stefanelli,
14 seconded Mr. Vogt.

15 We're going to go to the Board professionals for
16 a second.

17 And, Mr. Regan, first a question of you with
18 respect to the comments that Mayor Zeller or I should
19 say the questions that Mayor Zeller posed about
20 communicating with the State with regard to the ramps
21 and sharing with them, traffic information, is that
22 something that this Board has the opportunity or
23 should take the -- could take the opportunity --

24 MR. REGAN: Sure.

25 CHAIRMAN DEPINTO: -- to do?

1 MR. REGAN: The Board could have the Board
2 Engineers send copies of the traffic data, traffic
3 reports to the Turnpike Authority or any other
4 agencies that the Board would propose.

5 CHAIRMAN DePINTO: Okay. And, Mr. Preiss,
6 with respect to the testimony that you have heard this
7 evening, do you have any comments?

8 MR. PREISS: I don't but I would support
9 your inquiry and to the Garden State Parkway in terms
10 of any recommendations they have or any planning that
11 they have with respect to the ramps and problems that
12 may occur during the peak hours.

13 CHAIRMAN DePINTO: And, Mr. Hermann, in
14 your experience as an employee of Maser Consulting and
15 in dealing with other applications, do you communicate
16 with the State with regards to matters such as this?

17 MR. HERMANN: Yes. Yes. Excuse me.

18 CHAIRMAN DePINTO: And, Mr. Jahr, what are
19 your comments with respect to this and what is the
20 importance of the northbound exit ramp and the
21 southbound entrance ramps as they relate to this
22 project and what concerns do you have with the
23 stacking that occurs as a result of the timing of the
24 light on Chestnut Ridge Road and Grand Avenue and the
25 impact that it may have on the proposed development?

1 MR. JAHR: I think you pretty well
2 explained it very well there. And, that is that based
3 on concerns that have been brought up here, I will be
4 communicating with Andy.

5 We will look further into the West Grand Avenue
6 interaction with the Parkway southbound ramp and
7 Chestnut Ridge Road. And, we'll see if there's some
8 additional evaluation and possible improvement that
9 might need to be looked at through that area.

10 Clearly it sounds as if the issue really occurs
11 at Chestnut Ridge causing, there's a limited stacking
12 area between Chestnut Ridge and the southbound Parkway
13 ramp which is now exacerbating the problem of cars
14 trying to get on the southbound Parkway ramp.

15 So, we will look into that and report back to
16 this Board at the next meeting.

17 CHAIRMAN DePINTO: And, if in fact this
18 Board were to determine that the recommended route for
19 the Wegman's trucks would be to depart onto School
20 House Road, down Spring Valley Road, making the right
21 heading in a westerly direction on Summit and then
22 left on Paragon, running up to Phillips, if in fact
23 that were to occur, when you did your traffic
24 analysis, did you contemplate that type of truck
25 traffic?

1 THE WITNESS: We did.

2 CHAIRMAN DEPINTO: Traveling that route.

3 MR. JAHR: You're speaking to the report

4 we did for the Borough in the rezoning study?

5 CHAIRMAN DEPINTO: Yes.

6 MR. JAHR: It was very conservative but we
7 were concerned about the amount of truck traffic. So,
8 we assigned a minimum percentage which was somewhat
9 ambitious.

10 So, yes, we certainly took into account multiple
11 options that trucks would have coming. We were more
12 concerned taking, taking into account, because we
13 didn't know what the actual development of the site
14 would be. We had generalities. It wasn't as specific
15 as this.

16 So, in our study, it's very conservative and we
17 did in fact take into account additional truck
18 percentage to go that way.

19 CHAIRMAN DEPINTO: Okay. So, until you've
20 had an opportunity to examine more thoroughly the
21 supplemental Traffic Impact Analysis prepared by Ms.
22 Dolan and until you have had an opportunity to
23 communicate both with the County and the State with
24 regard to the road network as well as the on/off
25 ramps, you're, I presume, not in a position to

1 recommend to this Board that the proposed improvements
2 are adequate to meet the demands that will be placed
3 as a result of the proposed development?

4 MR. JAHR: That is correct, Mr. Chairman.

5 We need to complete our evaluation before we can
6 give the Board some guidance with regard to that.

7 CHAIRMAN DEPINTO: And, how much more time
8 is it going to take?

9 MR. JAHR: I think, I think we should have
10 our report done within about a week.

11 CHAIRMAN DEPINTO: So, by the next
12 meeting, whenever that might be, this Board could
13 expect to receive, prior to that, that information.

14 When are you meeting with the County, may I ask?

15 MR. JAHR: My understanding is tomorrow.

16 CHAIRMAN DEPINTO: Is tomorrow.
17 And, you have not yet reached out for the State
18 with regard to the ramps. But, I don't know.

19 MR. JAHR: No, that is correct, we have
20 not reached out to the New Jersey Highway Authority
21 with regard to the ramps.

22 I suspect that when we meet with the County
23 tomorrow, we will bring this issue up to their
24 attention and ask them for guidance on how they would
25 propose to see something done in this manner.

1 Being that West Grand is a County road, we would
 2 probably like to follow the County's lead with regard
 3 to how this communication will take place because
 4 they're going to want to have some say in, you know,
 5 how we communicate with them.

6 And, in fact, if we have any ideas about
 7 improvements or changes, the County is going to want
 8 to have some significant involvement with that.

9 CHAIRMAN DePINTO: Okay. If I may ask,
 10 who in fact is meeting with the County and, who, at
 11 the County, are you meeting with?

12 MR. JAHR: My understanding is, we're
 13 meeting with Joe emia, the County Engineer, Mr. Del
 14 Vecchio, Miss Dolan, Andy Hipolit will be attending
 15 the meeting and Nancy.

16 CHAIRMAN DePINTO: John, will you be at
 17 that meeting as well?

18 MR. JAHR: I will be at that meeting as
 19 well, sir.

20 CHAIRMAN DePINTO: Okay. Very good.
 21 Board Members, any Board Members have any
 22 questions of any of the board professionals?

23 No. Okay.

24 Mr. Del Vecchio, you have about 4 1/2 minutes.
 25 What would you like to do with that time?

1 MR. DEL VECCHIO: I'm ready to call my
 2 next witness.

3 CHAIRMAN DePINTO: Okay. If you can
 4 talk --

5 MR. DEL VECCHIO: But, I think we need to
 6 talk about rescheduling. I was being facetious.

7 CHAIRMAN DePINTO: The difficulty I have
 8 with hearing this case continued on December 17th is
 9 the fact that we have other items or other matters
 10 that have to be heard, No. 1. And, No. 2, I believe
 11 we have had, what, two or three specials this year.

12 MS. HUTTER: Three. We cancelled one.

13 CHAIRMAN DePINTO: We have had three
 14 specials.

15 Normally we cancel one of our meetings in
 16 December because of holiday.

17 This year we have to cancel the scheduled
 18 December 3rd. And, I'm sure you don't want to see
 19 this Board suffer less than a week before Christmas to
 20 come to a meeting to hear this application.

21 Now, would you really want to do that to us, Mr.
 22 Del Vecchio, or would you prefer to come back in
 23 January?

24 MR. DEL VECCHIO: I was hoping for a date
 25 earlier than a week before Christmas as the middle

1 ground.

2 CHAIRMAN DEPINTO: Yeah. But, it's a
3 burden on the Board.

4 As you know, the Board sits here at least twice
5 a month. And this year, because of special meetings,
6 I have had to serve a greater number of meetings.

7 It's your call, either we'll try to hear you
8 towards the end of the meeting on the 17th or be a
9 gentleman and carry it to the first meeting in
10 January.

11 MS. HUTTER: The meeting of the 7th, you
12 have already been carried.

13 CHAIRMAN DEPINTO: We'll give him an hour.

14 I mean, there's just so much you could --

15 You know, this is a board of volunteers. You
16 can only ask so much of them, quite frankly.

17 Mr. Del Vecchio, the ball is in your court.

18 MR. DEL VECCHIO: We would agree to carry
19 it to the January 7th meeting. We appreciate the
20 courtesies the Board has extended this year.

21 And, we would ask that you would consider
22 extending the same courtesies in January and look for
23 a special meeting date or dates where we can
24 accommodate some more testimony on this application.

25 CHAIRMAN DEPINTO: I believe that the

1 Board will be receptive and willing to go along with
2 more special meetings next year.

3 But, quite frankly, Andy, the way this hearing
4 has proceeded, you have appeared before this Board
5 many times, many applications over many years, as many
6 of us have sat here over the years and listened to
7 these applications.

8 Quite frankly, I'd like to see you come in,
9 prepared the way you normally do, and not hear the
10 testimony that I'm hearing as exemplified this evening
11 by statements like, we haven't done that yet but we
12 will.

13 I would rather you come back and take that time
14 that you need to do your homework and come back with
15 all the facts so that this Board can move this case
16 one way or the other.

17 It's your normal procedure. I don't think I'm
18 asking you to do anything that you don't normally do.

19 MR. DEL VECCHIO: Mr. Chairman, with all
20 due respect, we will answer every question that is
21 posed to us and we will try to get you the
22 information. But, for us to pretend that we can
23 imagine every question that's going to be asked of us
24 and have it answered before it's asked is somewhat of
25 an impossible task.

1 Ms. Dolan has prepared an analysis that is
2 thorough and complete and beyond the standard report
3 that we get prepared for any project.

4 She has taken it to the next level.

5 To ask her to do more is fine. If the Board
6 requires it, we'll try to get you those answers.

7 But, to suggest she wasn't prepared I don't
8 think is fair to Ms. Dolan. I believe, honestly, she
9 has done an incredible job in short term getting the
10 additional report, additional report together and
11 submitted.

12 We'll get you the answers. But, in fairness, we
13 are prepared and we are prepared to move forward as
14 soon as the Board can accommodate scheduling.

15 CHAIRMAN DePINTO: Let's not place the
16 burden on the County or the State.

17 You should anticipate, quite frankly, with a
18 project on a County road and the life, the success of
19 this project will truly be based upon the Garden State
20 Parkway and accessibility to this project from the
21 Garden State Parkway, both on vehicles coming from the
22 south and let's not forget our lovely neighbors to the
23 north and New York, who may be attracted to Wegman's
24 as well. How are they going to get to the site?

25 How about traffic counts southbound on the

1 Garden State Parkway?

2 The only way to get off in Montvale, other than
3 that School House Road, is to go through the rest area
4 which is a death defying trick. And, we all know it
5 because we have all done it.

6 Now, with the amount of traffic that's being
7 projected, what impact is that going to have on that
8 traffic circulation in that rest area and that, that
9 hazardous exit out of the rest area to get to the
10 Grand Avenue exit?

11 I think these were all things that should have
12 been addressed, not in the Maser Consulting report.

13 The Maser Consulting report dealt with the
14 rezoning of the property. How this applicant can rely
15 upon that in connection with the proposed development
16 and the specifics that you're setting forth, without
17 setting forth the specifics of the routes of travel
18 and the draw of the, the potential shoppers to this
19 facility, I don't know if an adequate job was done,
20 Andy, quite frankly.

21 MR. DEL VECCHIO: I stand by my original
22 statement. Ms. Dolan's report was well beyond the
23 standard report.

24 We can all speculate as to how far the draw is.

25 But, quite frankly, it's an educated guess.

1 There is no book, there is no manual, there is
2 no formula to be applied.

3 So, if you ask Miss Dolan if she gave you an
4 honest answer as to what she thought the draw will
5 be --

6 CHAIRMAN DEPINTO: And, I'm not implying
7 she gave us anything other than honest answers.

8 MR. DEL VECCHIO: But, in terms of --

9 CHAIRMAN DEPINTO: Up to 20 percent of the
10 traffic is coming from the south. And, if you were to
11 draw a circle, I'm sure the people who live in Nannet
12 and Chestnut Ridge, points north, will find a
13 wonderful Wegman's as attractive as those people who
14 live to the south.

15 So, does that mean that there's going to be 20
16 percent of the traffic coming to the site from that
17 area and how are they getting to the site?

18 MR. DEL VECCHIO: Mr. Chairman, I don't
19 think that's the import of the traffic testimony.

20 Miss Dolan said, you have the tail of two
21 contrasting distributions. And, it wasn't done by
22 happenstance. It was done by design.

23 The distribution utilizing the ordinance
24 rezoning study produced the worse case scenario route
25 which caused routing to happen to local roadways, so

1 as to maximize the impact to those roadways.

2 Miss Dolan heard the concerns of this Board when
3 it raised questions concerning that distribution and
4 said, okay, we showed the worse case scenario for the
5 local roads. Now let's take the other end of the
6 spectrum and show the worse case scenario coming off a
7 major artery, the Parkway.

8 She's basically established her testimony
9 regardless of which end of the spectrum you believe.
10 The impact to the local roadways don't change nor do
11 the effectiveness of the proposed solutions.

12 Can we pick 10 percent instead of one or 20?
13 Sure. I will tell you that. I don't need to be a
14 traffic expert. If I know the outer back bounds work,
15 any point in the middle that you pick is equally going
16 to work.

17 So, it doesn't necessarily import that because
18 she took 20 percent draw coming off the Parkway that,
19 all of a sudden you get a 20 percent draw from the
20 north.

21 She was testing, through her work, the maximum
22 outreach or the out of bounds points in order to show
23 the Board and hopefully your traffic consultant, that
24 the impact to the local roads don't change in a
25 meaningful way nor do the solutions that were

1 proposed.

2 CHAIRMAN DePINTO: And, I agree with that
3 with respect to the impact on the local roads.

4 But, somewhere along the line, whether it was
5 Hekemian or it was Wegman's, someone determined to do
6 a study of the demographics from what radius the
7 proposed tenants would be drawing from.

8 I cannot believe that they're all coming from
9 the south.

10 And, the only other discussion was relative to
11 coming from the east side of Montvale only because
12 that's where I live. And, I raised that question.

13 Well, it's more than me and my neighbors that
14 are going to have to be required to keep this shopping
15 center alive or from the people from the south for an
16 undetermined distance. Betsy wasn't sure if it was 10
17 or 15 minutes or 10 or 15 miles.

18 And, then there's zero coming from the north. I
19 have heard no testimony to that effect.

20 And, I have heard no testimony with respect to
21 how much traffic is coming from the west.

22 So, how can we truly analyze the adequacy of the
23 proposed improvements if we don't have an analysis of
24 where the traffic is coming from, Andy?

25 Maybe I missed --

1 MR. DEL VECCIO: Those numbers are in the
2 written traffic report. The distribution is contained
3 in the appendix including all the volumes. So, each
4 of the directions you make reference to --

5 CHAIRMAN DePINTO: Which is fine. But, I
6 want the hear the testimony, somebody testify before
7 this Board that 'X' percentage of the traffic to the
8 site is coming from the north and 'X' percentage of
9 that number are going to be using the Garden State
10 Parkway through that rest area.

11 So that when you do go and meet with the Parkway
12 people, you could say, hey, boys and girls, we need
13 some help here. What are you going to do?

14 I mean, I don't know. Correct me if I'm wrong,
15 if anyone has a better way of looking at this thing.

16 I don't know how we could analyze the adequacy
17 of the proposed improvements if we don't lay that all
18 out. I mean, clearly, a hundred percent of the
19 traffic to the site is coming from somewhere. Give it
20 to me in percentages.

21 And, let's see if, when we determine how the off
22 site improvements have to be made in order to
23 accommodate the development, that there is some
24 rationale, there is some nexus between the trip
25 generation where it's coming from and what we have to

1 do to fix the roads to get it here.

2 MR. DEL VECCHIO: Again, I understand your

3 desire to hear Ms. Dolan speak the words but the

4 information, in percentages, is in the technical

5 appendix for every direction you raise for inbound

6 traffic, outbound traffic, pass by traffic.

7 CHAIRMAN DEPINTO: Shame on me. I like to

8 rely on the testimony I hear from experts.

9 Okay. With that said, the Chair will entertain

10 a motion to close.

11 MR. STEFANELLI: So move.

12 MR. WEBBER: Second.

13 CHAIRMAN DEPINTO: Mr. Stefanelli,

14 seconded Mr. Webber.

15 Members of the public that are here, that may

16 have an interest in this application, please be

17 advised that this hearing will be continued to, what

18 is it, April 7th?

19 MR. LINTNER: Yes.

20 MS. HUTTER: January 7th, 2014, 7:30 p.m..

21 CHAIRMAN DEPINTO: No further notice will

22 be provided to you other than this announcement.

23 Have a good evening. Happy Thanksgiving,

24 everyone.

25 (The hearing adjourns at 11:10 p.m..)

1 C E R T I F I C A T E

2 I CERTIFY that the foregoing is a true and

3 accurate transcript of the testimony and proceedings

4 as reported stenographically by me at the time, place

5 and on the date herein before set forth.

6 I DO FURTHER CERTIFY that I am neither a

7 relative nor employee nor attorney or counsel of any

8 of the parties to this action, and that I am neither a

9 relative nor employee of such attorney or counsel, and

10 that I am not financially interested in this action.

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