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BOROUGH OF MONTVALE
PLANNING BOARD

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: TRANSCRIPT
MONTVALE SUPER VALUE, LLC: OF
BLOCK: 1603, LOT: 15 : PROCEEDINGS
----- :

Tuesday, July 19, 2016
Municipal Building
12 Mercedes Drive
Montvale, New Jersey 07645
Commencing at 8:22 p.m.

BOARD MEMBERS PRESENT:

JOHN DePINTO, Chairman
FRANK STEFANELLI, Vice Chairman
JOHN CULHANE
WILLIAM LINTNER
JIMMY D'AGOSTINO
ANNEMARIE RUSSO, First Alternate

ALSO PRESENT:

LORRAINE HUTTER, Board Secretary
CHRISTOPHER L. DOUR, Board Engineer
JEFFREY FETTE, Construction Code Official
DARLENE GREEN, Board Planner
DEBBIE LAWLOR, Board Planner

MICHELE QUICK, CCR, RPR, RMR
CERTIFIED COURT REPORTER

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

2
3 ROBERT REGAN, ESQ.
Counsel for the Board
4
5 PRICE, MEESE, SCHULMAN & D'ARMINIO, P.C.
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Woodcliff Lake, New Jersey 07677
6 BY: GREGORY D. MEESE, ESQ.
Counsel for the Applicant
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1 CHAIRMAN DePINTO: Okay, let's move
2 on. We have a continued public hearing on Block
3 1601, Lot 15, Montvale Super Value, LLC, 12 Railroad
4 Avenue. It's an application for an amended site
5 plan, D3 conditional use variance. And while the
6 applicant has an opportunity or we're going to give
7 the applicant an opportunity to set up, we're going
8 to take a five-minute break.

9 (Recess taken)

10 CHAIRMAN DePINTO: The meeting will
11 come to order. As I've indicated, the next item on
12 the agenda is a continued public hearing on Block
13 1601, Lot 15, Montvale Super Value, LLC, 12 Railroad
14 Avenue. It's an application for amended site plan
15 approval and D3 conditional use variance.

16 Good evening, sir.

17 MR. MEESE: Good evening, Mr.
18 Chairman, members of the Board, Greg Meese, attorney
19 for the applicant, Montvale Super Value, LLC. This
20 is a continuation from the Board's July 5 meeting
21 and what we'd like to do tonight is address those
22 issues that the Board discussed at the July 5
23 meeting. We went back with our professionals,
24 reviewed the comments, and Mr. Napolitano has an
25 exhibit to show you what we can do with respect to

1 I N D E X

2	<u>APPLICANT'S WITNESSES:</u>	<u>SWORN</u>	
3	STEVEN NAPOLITANO	7/19	
4	ROBERT NOCELLA	40	
5	THOMAS REICHMANN	44	
6	ELIZABETH DOLAN	96	
7			
8	<u>BOARD'S WITNESSES:</u>		
9	CHRISTOPHER L. DOUR	6	
10	DARLENE GREEN	6	
11	DEBBIE LAWLOR	85	
12			
13	<u>MEMBERS OF THE PUBLIC:</u>		
14	STUART NIXON	11	
15	CONNOR LAWANDOSKY	17	
16			
17	<u>EXHIBITS MARKED INTO EVIDENCE</u>		
18	<u>NUMBER</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
19	A-9	Revised Site Plan Sheet Y2	19
20	A-10	Revised elevations dated July 19, 2016	31
21	A-11	Exhibit showing signage	33
22	A-12	Typical floor plan for a convenience store	46
23	A-13	Photograph of LED flush-mount fixture	54
24	A-14	Photograph of the Northvale station	56
25	A-15	Exhibit presented by Ms. Dolan	126

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5
1 the site plan to move the building towards
2 Kinderkamack Road to increase the rear-yard setback
3 a little bit. We've also revised the sign lighting
4 as recommended, as well as the design of the
5 building itself, to give a more, I guess a
6 residential feel all the way around the building,
7 including the sides and the back, following which we
8 have Tom Reichmann, who is an operations person from
9 Super Value, to talk about the operations.
10 Following that, if we get that far, Betsy Dolan, the
11 traffic engineer, will discuss the traffic issues,
12 and last, Steve Leiden to discuss the planning
13 issues.

14 CHAIRMAN DePINTO: Okay.

15 MR. MEESE: Before we get going, I
16 would just like to make one comment.

17 CHAIRMAN DePINTO: Sure.

18 MR. MEESE: The Board asked also if we
19 would contact Eric Timsak of the county with respect
20 to what the county had proposed at the intersection
21 out front of the store. With respect to the loss of
22 parking spaces, Mr. Timsak indicated that was really
23 up to the borough. There's four parking spaces in
24 front of our site, one of which has to be eliminated
25 for proper egress from the facility, but other than

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1 that, Mr. Timsak has no current plans to do any work
 2 out there. Part of his plan is kind of tied up with
 3 one of the buildings to the north of this site, so
 4 there is no physical work proposed, and with respect
 5 to the parking, other than the one space, he has no
 6 objection to whatever the borough decides to do
 7 there.

8 CHAIRMAN DePINTO: Okay, and Chris, I
 9 understand your office has communicated with Mr.
 10 Timsak as well?

11 MR. DOUR: That's correct.

12 MR. REGAN: Mr. Chairman, I'm sorry,
 13 just --

14 CHAIRMAN DePINTO: Yes.

15 MR. REGAN: -- note it for the record
 16 that I didn't swear Chris or Darlene in.

17 CHAIRMAN DePINTO: Why don't we do
 18 that first.

19 CHRISTOPHER L. DOUR, P.E., P.P.,
 20 Board Engineer, is sworn.

21 DARLENE GREEN, P.P., Board Planner, is
 22 sworn.

23 MR. REGAN: Let the record reflect
 24 that the Board engineer and the Board planner are
 25 both sworn in. Thank you.

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1 CHAIRMAN DePINTO: Chris?

2 MR. DOUR: Yeah, we reached out to
 3 Eric and we feel at this time it would be better to
 4 keep those spaces there in front of the proposed
 5 station. We recognize the fact that, for safety, as
 6 far as ingress and egress, we have to eliminate one
 7 spot but the other three can remain.

8 CHAIRMAN DePINTO: Okay. So
 9 therefore, with the exception of an elimination of
 10 the one parking space, which is the one closest to
 11 the point of egress on the subject site, the
 12 remaining three will remain as is, where is.

13 MR. DOUR: I don't know if they'll
 14 stay exactly the same, I think there'll be maybe
 15 some shifting a little bit to the side, but there'll
 16 be enough for three full-sized parking spaces.

17 CHAIRMAN DePINTO: Mr. Napolitano,
 18 with respect to those remaining three spaces?

19 MR. NAPOLITANO: I don't think they
 20 need to move, but if they need to, then we can look
 21 at it.

22 MR. DOUR: Yes. There's enough space.

23 MR. NAPOLITANO: They're right in the
 24 center of the site. It's the only one space that --

25 CHAIRMAN DePINTO: But they are of

8

1 adequate size to meet the intended use?

2 MR. NAPOLITANO: I didn't measure
 3 them.

4 CHAIRMAN DePINTO: Does it show on
 5 your plan?

6 MR. NAPOLITANO: It shows as --

7 CHAIRMAN DePINTO: Why don't you scale
 8 it so that we can make certain.

9 MR. NAPOLITANO: I will --

10 CHAIRMAN DePINTO: You don't have the
 11 scale.

12 MR. NAPOLITANO: I will but I...

13 CHAIRMAN DePINTO: Now, members of the
 14 public that are here that have an interest in this
 15 application, we spent some time at the last meeting
 16 with respect to these parking spaces --

17 MR. NAPOLITANO: 24 by 8.

18 CHAIRMAN DePINTO: -- and there was an
 19 uncertainty as to whether or not the parking spaces
 20 should or should not remain. The Board is certainly
 21 cognizant of the fact that the parking spaces in
 22 front of the existing service station as well as the
 23 three parking spaces in front of the mixed-use
 24 building, I guess to the south of the subject, are
 25 important for the merchants in that immediate

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1 vicinity, and as Mr. Meese indicated, a few years
 2 back, there was an application for site plan
 3 approval on what used to be the Cook's Furniture
 4 building on the north side of Railroad Avenue. As
 5 we all know, nothing has happened with that
 6 application, but in connection with the approval of
 7 that application, there was to be a road widening
 8 and it was the intent that the road widening
 9 continue in a southerly direction in order to
 10 facilitate the southbound traffic on Railroad Avenue
 11 because, as we all know, when the train comes to
 12 town, cars are backed up everywhere and it's our
 13 obligation to keep the vehicles moving but certainly
 14 not at the expense of the merchants in that area,
 15 taking away their parking. So whereas two weeks
 16 ago, it was unknown what was going to be done, we
 17 asked both the applicant and the Board engineer to
 18 consult with the county, the county advised both of
 19 them that it's at the discretion of the borough, and
 20 the borough is going to rely upon the borough
 21 engineer with his recommendation that, at this time,
 22 the parking spaces remain with the exception of the
 23 elimination of one.

24 Is that correct, Chris?

25 MR. DOUR: Correct.

10

1 CHAIRMAN DePINTO: Okay. And Mr.
 2 Meese, do you have anything else with respect to
 3 those parking spaces?
 4 MR. MEESE: No, we're happy to leave
 5 them as is.
 6 CHAIRMAN DePINTO: And Mr. Napolitano,
 7 you indicated those spaces are of sufficient size;
 8 however, once you determine exactly where the point
 9 of egress is going to be, there might have to be a
 10 modest shift in one direction or the other.
 11 MR. NAPOLITANO: Correct.
 12 CHAIRMAN DePINTO: And that will be
 13 determined prior to any final approvals that may be
 14 granted by this Board; is that correct?
 15 MR. NAPOLITANO: Yes.
 16 CHAIRMAN DePINTO: Very good. Thank
 17 you.
 18 A little unusual, I'm going to open it
 19 to the public because I do see there are some people
 20 here that do have an interest in this application.
 21 The Chair will entertain a motion to
 22 open the meeting to the public.
 23 MR. STEFANELLI: So moved.
 24 MR. CULHANE: So moved.
 25 CHAIRMAN DePINTO: Mr. Stefanelli;

11

1 seconded, Mr. Culhane.
 2 Gentlemen, do you have anything you'd
 3 like to say in reference to this?
 4 MR. REGAN: Sir, would you raise your
 5 right hand?
 6 S T U A R T N I X O N, 8 Railroad Avenue,
 7 Montvale, New Jersey 07645, is sworn.
 8 MR. REGAN: And for the record, state
 9 your full name and spell your last name, please.
 10 MR. NIXON: Stuart Nixon.
 11 MR. REGAN: And your address?
 12 MR. NIXON: Is 8 Railroad Avenue in
 13 Montvale, New Jersey.
 14 MR. REGAN: Thank you.
 15 CHAIRMAN DePINTO: Mr. Nixon, how
 16 could we help you?
 17 MR. NIXON: Mr. Chairman, members of
 18 the Board, thank you very much. This is the first
 19 time I've been up and it's very impressive what you
 20 do here. It's unspoken and people don't realize the
 21 hard work that you people do.
 22 I listened to the proposals and, of
 23 course, it would be very impact -- it would really
 24 impact my business and the six other businesses on
 25 that side if those parking spaces were lost. I

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1 understand that with the people up here, knowing
 2 that that impact would be devastating to anything on
 3 that side, they did recognize the importance of
 4 those spaces and I'm very happy to hear that.
 5 We understand there has to be some
 6 development there and they have to be able to have
 7 their trucks come in and out and the traffic is
 8 another thing that everybody's involved with, we all
 9 know that, but I know that the major reason was to
 10 be able to have that truck come in and out that
 11 property. For many years, I've been there and we
 12 sort of shared, you know, and it was a communal
 13 thing and it worked very well for what it was but
 14 now that the times are changing, there has to be
 15 some kind of development because people want, you
 16 know, that station to look better and to be able to
 17 service the community better and that's really what
 18 we're coming down to is how well it supports the
 19 community, what are the interests of the community
 20 and how that service station is going to impact,
 21 either positively or negatively, the community.
 22 The traffic up there is really
 23 significant, I stand at my door every day and I can
 24 see the impact of the train and the impact or the
 25 amount of cars that are going to come in and out of

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1 that gas station, a significant amount, and I've
 2 read some of the traffic impact reports that were
 3 submitted to show that their projected increase is
 4 double the amount of volume coming in and out of
 5 that station.
 6 I did my own little traffic survey with
 7 my little clipboard to find out what traffic is and
 8 who are the people that are going into that gas
 9 station and, realistically, what would happen if
 10 they double that business. We know that when they
 11 exit that station, the majority, and I'm going to
 12 give you round numbers only just from my little
 13 traffic survey, that 80 percent of the cars coming
 14 in and out of that gas station are from New York.
 15 75 percent of those cars go across those lanes to
 16 loop around and head north back up Kinderkamack
 17 Road. And I'm not so sure if that's significant,
 18 you know, as the town -- I just found out from the
 19 town about what the county's plans were to eliminate
 20 those traffic spaces when they took that corner off
 21 coming into the area there. I also noticed that the
 22 majority of the cars are heading down South
 23 Kinderkamack Road, so if you tried even to put a
 24 third lane to help support that, it's not going to
 25 work because the way I saw it is that the left --

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1 far left lane would have them loop around and head
 2 north, the center lane would continue south down
 3 Kinderkamack Road, and then the right lane would be
 4 for right/West Grand Avenue. If that happened, the
 5 centerline traffic would go all the way up
 6 Kinderkamack Road. I thought, you know, for me, if
 7 they took the corner off there, at least they would
 8 allow the relief of the people who are going to head
 9 to West Grand to eliminate the amount of cars that
 10 are going to sit on that road and that would take
 11 about 20 percent of the cars, from what I saw.
 12 What impacts myself and my family and
 13 the six other merchants on that side is we're moving
 14 the parking spaces, and thank you for at least
 15 considering keeping as many as you can, and two,
 16 that third lane would not do any benefit to that
 17 intersection. As in crossing that road for the gas
 18 station, that amount of cars is going to be a
 19 problem. I've spoken to many of the residents and I
 20 put together a little questionnaire in my store for
 21 the last week when I found out about this and I was
 22 very surprised that, in the last week, I had 1,000
 23 people sign, coming in just to sign it to help
 24 support to save those spaces and to question why we
 25 need an eight-pump gas station --

15

1 MR. MEESE: Mr. Chairman, I have to
 2 object to --
 3 CHAIRMAN DePINTO: Yeah.
 4 MR. MEESE: This is kind of --
 5 CHAIRMAN DePINTO: I think --
 6 MR. NIXON: I'm sorry, I'm putting an
 7 opinion in. I didn't really mean to.
 8 CHAIRMAN DePINTO: Yeah.
 9 MR. NIXON: I appreciate your time and
 10 I appreciate at least the consideration that the
 11 Board is going to give us.
 12 CHAIRMAN DePINTO: I do want to say
 13 this, though. When this applicant first came before
 14 the Site Plan Review Committee, which is a
 15 subcommittee of the Montvale Planning Board, and
 16 it's a requirement that they come before the
 17 committee with preliminary plans for what they look
 18 to do for the development or redevelopment of any
 19 property in the Borough of Montvale, and originally,
 20 they came in with a plan which was far, far more
 21 aggressive than what you're looking at right now.
 22 It was inclusive of a drive-through facility for the
 23 sale and dispensing of coffee, there was lanes that
 24 were going to go behind the building. The committee
 25 members expressed to the applicant that they did not

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1 look upon that favorably. That did not require the
 2 applicant to abandon those, they could have moved
 3 forward and sought the necessary relief to do that,
 4 but they chose to cooperate with the borough to
 5 scale back the project a little bit and eliminate
 6 that drive-up. And quite frankly, if they chose to
 7 go forward with it and if, in fact, it did receive
 8 approval, I think that would have truly had a
 9 greater negative impact.
 10 So what this Board tries to do is not
 11 deprive anybody of their right to develop their
 12 property because that's what we're all about.
 13 MR. NIXON: That's right.
 14 CHAIRMAN DePINTO: But we can't have
 15 them develop the property and negatively impact
 16 other people's properties and that's -- that's that
 17 fine line, and when the parking issue came up, we
 18 challenged both the applicant as well as the Board
 19 engineer to work it out with the county. At some
 20 point in the future, we're going to have to re-
 21 examine all of those properties, behind the building
 22 where you're located and the other buildings to the
 23 south, and look at the rear-yard parking and how
 24 that parking can be improved and encourage more of
 25 your customers to utilize that parking, which right

17

1 now, it's not, it's not a clear invitation to use
 2 that property --
 3 MR. NIXON: Right.
 4 CHAIRMAN DePINTO: -- and I think we
 5 have to have our planner look at it and maybe an
 6 amendment to our zoning code encouraging merged
 7 parking, things of that nature. We have to be more
 8 creative than a simple fix of taking away some on-
 9 street parking.
 10 MR. NIXON: Okay.
 11 CHAIRMAN DePINTO: So sometimes you
 12 might not hear good things about us and probably
 13 most of the time, that's true, but sometimes we're
 14 okay too. But with that said, thank you very much
 15 for coming and being here.
 16 MR. NIXON: Thank you for your time.
 17 CHAIRMAN DePINTO: Anyone else wish to
 18 be heard on the subject?
 19 Okay, hearing none -- oh, I'm sorry.
 20 Yes, sir.
 21 MR. REGAN: Would you raise your right
 22 hand?
 23 C O N N O R L A W A N D O S K Y, 45 Pennsylvania
 24 Avenue, Montvale, New Jersey 07645, is sworn.
 25 MR. REGAN: Would you state your full

18

1 name, please, spell your last name and give us your
 2 address?
 3 MR. LAWANDOSKY: My name is Connor
 4 Lawandosky, L-A-W-A-N-D-O-S-K-Y. I live at 45
 5 Pennsylvania Avenue, Montvale, New Jersey, and I
 6 would just like to thank the Board for taking into
 7 consideration the need of the businesses that are
 8 also along the road and to make sure that the
 9 merchants aren't negatively impacted, as well as
 10 allowing the development to continue. Thank you.
 11 CHAIRMAN DePINTO: Very good. Thank
 12 you.
 13 Anyone else wish to be heard?
 14 (No response)
 15 CHAIRMAN DePINTO: No? The Chair will
 16 entertain a motion to close the meeting to the
 17 public.
 18 MR. STEFANELLI: So moved.
 19 MR. CULHANE: Second.
 20 CHAIRMAN DePINTO: Mr. Stefanelli;
 21 seconded, Mr. Culhane. All in favor?
 22 BOARD MEMBERS: Aye.
 23 CHAIRMAN DePINTO: Mr. Meese, please
 24 continue.
 25 MR. MEESE: Thank you. I'd like to

19

1 call Steve Napolitano to review the exhibit showing
 2 what changes can be proposed to the site.
 3 MR. REGAN: Mr. Meese, do you want
 4 that marked A-9 as the next exhibit?
 5 MR. MEESE: Yes, we should.
 6 (Revised Site Plan Sheet Y2 is marked as
 7 Exhibit A-9.)
 8 MR. REGAN: What are we going to call
 9 that?
 10 MR. MEESE: The Revised Site Plan
 11 Sheet Y2.
 12 MR. REGAN: Is there a date, a
 13 revision date?
 14 MR. NAPOLITANO: 7/19/16.
 15 MR. REGAN: Mr. Napolitano, you were
 16 previously sworn, you remain under oath.
 17 MR. NAPOLITANO: Yes.
 18 S T E V E N N A P O L I T A N O, having been
 19 previously sworn, testified as follows:
 20 DIRECT EXAMINATION BY MR. MEESE:
 21 Q. Now, Mr. Napolitano, one of the
 22 questions that the Board asked at the last meeting
 23 was whether or not the building could be shifted to
 24 the east towards Kinderka -- or Railroad Avenue to
 25 gain a little bit more space towards the rear yard

20

1 and you've been able to accomplish that on this
 2 plan. Would you state how much space you've added,
 3 where it's been taken from, and how it impacts the
 4 site circulation?
 5 A. Sure. To start from the rear, we
 6 moved the building and the original set of drawings
 7 showed the building back wall at 13 feet from the
 8 rear property line. We shifted the building down,
 9 moved the building down three-and-a-half feet, and
 10 as such, we also, at the same time, revised and made
 11 smaller the canopy, whereas one time we had it at 94
 12 feet in length, it's now 87 feet in length, and
 13 whereas before it was 25 feet in depth, we have 20
 14 feet in depth. With that three-and-a-half feet, we
 15 also made this aisle one foot shorter and we are
 16 making this -- whereas before it was a two-way,
 17 there was a comment that the Board says "Let's try
 18 to make this one one-way going southbound." We made
 19 that one going southbound. That was the gist of it,
 20 moving the building three-and-a-half feet from the
 21 rear property line and making the canopy shorter and
 22 less wide. That was the main modifications that are
 23 shown.
 24 Q. With respect to the height of the
 25 canopy, you said something that Mr. --

21

1 A. I think the height of the canopy is
 2 going to remain the same, 14 feet clear, which is
 3 what it was, I believe, last time. I think maybe
 4 last time, we had 14-1/2, but it's 14 foot clear to
 5 the bottom.
 6 Q. Okay, it goes down a half a foot.
 7 With respect to the Shell station up
 8 the block that was recently approved, that has an
 9 under-clearance height of 14.5 feet?
 10 A. I don't know offhand.
 11 Q. Okay.
 12 MR. MEESE: We'll submit the plans
 13 showing that.
 14 CHAIRMAN DePINTO: Yeah. With respect
 15 to the referenced exhibit, did you make additional
 16 copies of that plan for distribution to the Board?
 17 No. Okay, so -- okay. In the future, if there are
 18 other changes, it would be appreciated if you could
 19 provide the Board --
 20 MR. NAPOLITANO: Yes.
 21 CHAIRMAN DePINTO: -- with copies of
 22 plans reflecting those changes, because now it's
 23 going to make it a little bit more challenging.
 24 Okay, so you've shifted the building
 25 some three-and-a-half feet, you eliminated the two-

22

1 way traffic on the aisle closest to Railroad Avenue,
 2 and there were changes made, and I guess we're going
 3 to hear from the architect, with respect to the
 4 canopy, the elevation of the canopy and the
 5 dimensions of the canopy; is that correct?
 6 MR. NAPOLITANO: Correct.
 7 CHAIRMAN DePINTO: And I also, Mr.
 8 Meese, presume we're going to hear from your
 9 architect. I recall some Board members being
 10 concerned with the rear of the building and the
 11 appearance of the rear portion of the building, as
 12 well as the wood treatments. Is your architect
 13 going to testify to that --
 14 MR. MEESE: Yes.
 15 CHAIRMAN DePINTO: -- this evening?
 16 Okay.
 17 From an engineering point of view, Mr.
 18 Napolitano, there has been no change to point of
 19 ingress and egress nor change to any other
 20 characteristics of those two drives?
 21 MR. NAPOLITANO: Correct.
 22 CHAIRMAN DePINTO: The curb lines --
 23 MR. NAPOLITANO: Same.
 24 CHAIRMAN DePINTO: -- remain the same.
 25 The distances in between the paved areas of the site

23

1 and the limits of the property line remain the same?
 2 MR. NAPOLITANO: Correct.
 3 CHAIRMAN DePINTO: Coverage, has that
 4 changed as a result of the one-way traffic flow on
 5 that front aisle?
 6 MR. NAPOLITANO: I think it might have
 7 gone down just a little bit, I don't have the
 8 number.
 9 CHAIRMAN DePINTO: So on a revised
 10 plan, you'll reflect what change --
 11 MR. NAPOLITANO: Yes, of course.
 12 CHAIRMAN DePINTO: -- that will be?
 13 MR. NAPOLITANO: Yes, of course.
 14 CHAIRMAN DePINTO: Okay. It would
 15 seem to me, if we're picking up three-and-a-half
 16 feet of green space to the rear of the proposed
 17 buildings, that that might even be more than
 18 insignificant in terms of coverage; that will be a
 19 plus. I'd like to know if that would have any
 20 impact on the variances that were requested in
 21 connection with the application.
 22 MR. NAPOLITANO: The variance that --
 23 the only variance that I recall it impacting is the
 24 fact that now the canopy, which is an accessory
 25 structure, would now be located less than 25 feet

24

1 from the front property line. Whereas before we
 2 located at 25 feet from the front property line,
 3 we're now showing it at 24 feet.
 4 MR. MEESE: And the rear-yard variance
 5 would be lessened?
 6 MR. NAPOLITANO: It would be lessened,
 7 from 16 -- excuse me, from 13 to 16-1/2.
 8 MR. MEESE: And the lost coverage
 9 variance would be lessened.
 10 MR. NAPOLITANO: It would be lessened
 11 to some degree, correct.
 12 CHAIRMAN DePINTO: I also recall, and
 13 again, it might be a question for your architect,
 14 Mr. Meese, but I also recall that a Board member had
 15 a concern as to the visibility of the building in
 16 light of the canopy being positioned where it was.
 17 I'd like to hear some testimony as to what impact
 18 the shifting of the canopy will have on the
 19 visibility.
 20 MR. MEESE: The operations manager
 21 will review that. He has a photograph of a station
 22 in Northvale showing that the building itself is
 23 actually plenty visible underneath the canopy and
 24 that the reduction of the size of the canopy
 25 certainly would open up the visibility of the

25

1 building as well because it's shortened length-wise,
 2 as well as the depth of it.
 3 CHAIRMAN DePINTO: Okay. And --
 4 MR. MEESE: And one last item --
 5 CHAIRMAN DePINTO: Sure.
 6 MR. MEESE: -- Mr. Chairman, is:
 7 There was a comment with respect to the loading zone
 8 being more clearly designated to encourage any
 9 deliveries and that's also been addressed on the
 10 plan.
 11 MR. NAPOLITANO: We stripe that out
 12 more than we had before.
 13 CHAIRMAN DePINTO: And I presume we're
 14 going to hear some testimony from operations with
 15 respect to how the property is going to be managed
 16 to help ensure that the delivery vehicles conduct
 17 their business in those designated areas?
 18 MR. MEESE: Yes, we could address
 19 that.
 20 CHAIRMAN DePINTO: Okay.
 21 Questions from Board members and I
 22 guess we're starting, Ms. Russo, with respect to
 23 engineering only.
 24 MS. RUSSO: I have no questions at
 25 this time.

26

1 CHAIRMAN DePINTO: Okay, thank you.
 2 Mr. D'Agostino.
 3 MR. D'AGOSTINO: Has the height, the
 4 overall height of the canopy, changed?
 5 MR. NAPOLITANO: I don't believe it
 6 has changed.
 7 MR. D'AGOSTINO: Okay. And the
 8 measurements on the canopy now are 87 by 22 feet?
 9 MR. NAPOLITANO: 87 by 20. Before, it
 10 was 94 by 25.
 11 MR. D'AGOSTINO: Okay, no further
 12 questions.
 13 CHAIRMAN DePINTO: Thank you. Mr.
 14 Lintner.
 15 MR. LINTNER: Mr. Chairman, I have no
 16 questions at this point but I certainly would like
 17 an opportunity to ask a question when I see the plan
 18 in front of me, I guess at the next meeting, but
 19 from what he said, it sounds good, it certainly
 20 sounds like a step in the right direction, but I
 21 have no questions based upon his verbal testimony.
 22 CHAIRMAN DePINTO: Very good. Thank
 23 you. Mr. Culhane.
 24 MR. CULHANE: Thank you, Mr. Chairman.
 25 Yeah, I appreciate the fact that the applicant has

27

1 addressed some of the concerns we've raised and I'll
 2 take the same reservation that when we get the
 3 plans, I could take a look at it in more detail.
 4 CHAIRMAN DePINTO: Very good. Thank
 5 you. Mr. Fette.
 6 MR. FETTE: We are going to hear from
 7 operations?
 8 Mr. Meese, we are going to hear from
 9 some operations --
 10 MR. MEESE: Yes.
 11 MR. FETTE: -- people?
 12 MR. MEESE: Yes.
 13 MR. FETTE: Okay, I have some
 14 questions on that, but just to clarify, the building
 15 didn't change size, right?
 16 MR. NAPOLITANO: No --
 17 MR. FETTE: All you did was move it.
 18 MR. NAPOLITANO: -- the building
 19 didn't change size, we just moved it.
 20 MR. FETTE: Okay, so the -- okay, the
 21 building remained the size that's on the plan,
 22 right?
 23 MR. NAPOLITANO: Yes.
 24 MR. FETTE: Okay. Was there any
 25 thought -- and I don't know if anyone addressed this

28

1 at the last meeting, just correct me if they did.
 2 The proposed air pump --
 3 MR. NAPOLITANO: It's moved to the
 4 south.
 5 MR. FETTE: Okay.
 6 MR. NAPOLITANO: And our drawings will
 7 pick that up to show that.
 8 MR. FETTE: Beautiful. No further
 9 questions. Thank you.
 10 CHAIRMAN DePINTO: Mr. Stefanelli?
 11 MR. STEFANELLI: Yes, Mr. Chairman,
 12 thank you. The only question that I have and maybe
 13 I missed it, I didn't get through all the
 14 transcripts, but the question is: Your southern
 15 driveway, how does that -- I'm concerned about
 16 interfering with the existing driveway that's there
 17 now.
 18 MR. MEESE: We've actually -- we've
 19 obtained a surveyor to go out and pick up the
 20 southern driveway so we can lay it out and show you
 21 that there is --
 22 MR. STEFANELLI: Okay, so we're going
 23 to see that on a future plan?
 24 MR. NAPOLITANO: Yes.
 25 MR. STEFANELLI: Okay. Very good.

29

1 That's my concern. Thank you. I have no further
 2 questions.
 3 CHAIRMAN DePINTO: Thank you.
 4 Mr. Meese, so we can expect a revised
 5 plan from Mr. Napolitano, so I presume when this
 6 meeting is carried, Mr. Napolitano will be present
 7 to answer any questions Board members or the public
 8 may have --
 9 MR. MEESE: Yes, he will.
 10 CHAIRMAN DePINTO: -- with regards to
 11 that revised plan? Okay, good, thank you.
 12 The Chair will entertain a motion to
 13 open the meeting to the public for the purpose of
 14 allowing the public to ask questions, not comment
 15 but to ask questions relative to the engineering.
 16 Anyone care to make a motion to that effect?
 17 MR. CULHANE: So moved.
 18 CHAIRMAN DePINTO: Mr. Culhane.
 19 MS. RUSSO: Second.
 20 CHAIRMAN DePINTO: Seconded, Mrs.
 21 Russo. All in favor?
 22 BOARD MEMBERS: Aye.
 23 CHAIRMAN DePINTO: Do you have any
 24 questions with regard to the engineering of the
 25 property?

1 MR. NIXON: Not at this time.
 2 CHAIRMAN DePINTO: That's fine.
 3 MR. NIXON: Thank you.
 4 CHAIRMAN DePINTO: Anyone else?
 5 (No response)
 6 CHAIRMAN DePINTO: The Chair will
 7 entertain a motion to close the meeting to the
 8 public.
 9 MR. CULHANE: So moved.
 10 CHAIRMAN DePINTO: Mr. Culhane.
 11 Seconded, Mr. D'Agostino. All in favor?
 12 BOARD MEMBERS: Aye.
 13 CHAIRMAN DePINTO: Mr. Meese, your
 14 next witness.
 15 MR. MEESE: Thank you. Our next
 16 witness is Rob Nocella, and Mr. Nocella did testify
 17 at the last meeting and is still under oath.
 18 CHAIRMAN DePINTO: And Mr. Meese, has
 19 Mr. Nocella prepared revised plans and copies of
 20 same for distribution to the Board?
 21 MR. MEESE: He has revised plans --
 22 MR. NOCELLA: Right, I have revised
 23 plans, but when we re-submit everything along with
 24 Mr. Napolitano's --
 25 CHAIRMAN DePINTO: Okay. Just as a

1 reference for the future, it makes it much, much
 2 easier if you submit the plans beforehand so that
 3 the Board members have the opportunity, at their
 4 leisure, to review them rather than just listen to
 5 your testimony and then have to remember your
 6 testimony and wait until we do get copies of those
 7 plans. But please continue.
 8 MR. NAPOLITANO: All right, this will
 9 be -- you want me to make it A-10?
 10 MR. MEESE: A-10.
 11 MR. REGAN: A-10.
 12 (Revised elevations dated July 19, 2016 is
 13 marked as Exhibit A-10.)
 14 MR. REGAN: What are we calling A-10?
 15 MR. NOCELLA: A-10 is revised
 16 elevations, it's dated July 19, 2016.
 17 R O B E R T N O C E L L A, having been previously
 18 sworn, testified as follows:
 19 DIRECT EXAMINATION BY MR. MEESE:
 20 **Q.** And could you state how the elevations
 21 have been changed to address some of the comments
 22 with respect to the gable roof? There was also a
 23 comment with respect to reducing the floor-to-
 24 ceiling -- or floor-to-ceiling windows --
 25 **A. Correct.**

1 **Q.** -- and the like.
 2 **A. Right, so what we did is, before, we**
 3 **had just a gable was on the front of the building,**
 4 **not on the sides or the back, so we've extended that**
 5 **sloped simulated slate roofing system on all four**
 6 **sides to kind of get more of the residential look on**
 7 **all four sides of the building.**
 8 **Along the back side -- I'm sorry, along**
 9 **the sides, we've actually carried the clapboard side**
 10 **and the water table around the side and a little**
 11 **more of the detail across the back, again, to tie it**
 12 **more aesthetically.**
 13 **With respect to the windows in the**
 14 **front of the building, there was concern about the**
 15 **low glass being -- if there's any more opportunity**
 16 **for signage and advertisements. What we did is we**
 17 **carried the water table under the windows except for**
 18 **on either side of the door to limit the amount of**
 19 **glass. Our client has asked, though, that we --**
 20 **that we consider adding windows on the side to get**
 21 **more light into the space. They felt like only the**
 22 **three windows in the center would make a very dark**
 23 **store, they wanted to open it up more. But they**
 24 **obviously would adhere to any zoning requirements in**
 25 **terms of advertising in those windows.**

1 **Q.** And with respect to the signage that
 2 was proposed, would you review that as well?
 3 **A. Yes. I actually have handouts.**
 4 MR. REGAN: A-11.
 5 (Exhibit showing signage is marked as Exhibit
 6 A-11.)
 7 **A. So, as I recall, there were concerns**
 8 **about the monument sign, which is located at the**
 9 **north --**
 10 CHAIRMAN DePINTO: Well, before we
 11 move on to the monument sign --
 12 MR. NOCELLA: Sure.
 13 CHAIRMAN DePINTO: -- let's stay with
 14 the structure itself.
 15 MR. NOCELLA: Um-hum.
 16 CHAIRMAN DePINTO: I, for one, think,
 17 from at least what I could see at this point, that
 18 you've made some great improvements to the building,
 19 but a question for you. The size -- the square
 20 footage of this building, I believe the plan
 21 indicates 3,893 square feet; is that correct?
 22 MR. NOCELLA: I believe so, yes.
 23 CHAIRMAN DePINTO: And I believe the
 24 property size, as shown on your limiting schedule to
 25 be 22,500 square feet. The 3893 is just the

1 building, it's not inclusive of the canopy; is that
 2 correct?
 3 MR. NOCELLA: Correct.
 4 CHAIRMAN DePINTO: Just the building.
 5 MR. NOCELLA: Just the building.
 6 CHAIRMAN DePINTO: And the square
 7 footage, as shown on the limiting schedule of 22,5
 8 square feet, obviously is in excess of code
 9 requirement, which is only 75 square feet, but you
 10 believe that to be accurate based upon information
 11 provided by Mr. Napolitano or based upon a survey
 12 that Mr. Napolitano provided.
 13 Is that correct, Mr. --
 14 MR. NAPOLITANO: The area of the lot?
 15 CHAIRMAN DePINTO: Yes.
 16 MR. NAPOLITANO: Yes, 22,500.
 17 CHAIRMAN DePINTO: Are you familiar
 18 with a recent application that came before this
 19 Board by New Jersey Energy, which is a gas station
 20 on Kinderkamack Road south of the subject property?
 21 MR. NOCELLA: Not specifically, no.
 22 CHAIRMAN DePINTO: My understanding
 23 with that particular project, the property was
 24 22,020 square feet, some 480 square feet smaller
 25 than the subject property, but pretty close, 22,020

1 versus your 22,5. However, in that application,
 2 that applicant proposed and received an approval to
 3 put a similar type of store with a gross floor area
 4 ratio of 2,408 square feet and you're at 3893.
 5 That's a fairly significant difference on a fairly
 6 similar size piece of property.
 7 MR. NOCELLA: Okay.
 8 CHAIRMAN DePINTO: So what makes it
 9 necessary --
 10 MR. MEESE: Mr. Chairman, we're going
 11 to have the operations manager show a floor plan and
 12 it'll lay out to demonstrate why the size of the
 13 store is proposed as it is.
 14 CHAIRMAN DePINTO: Okay.
 15 MR. MEESE: It's really driven by the
 16 internal operation of the store.
 17 CHAIRMAN DePINTO: I'll wait to hear
 18 but, you know, in just looking at the previous
 19 application, which was only approved probably five
 20 or six weeks ago, and in comparing the plans, that
 21 kind of surfaced and I'm a little bit concerned and
 22 I'm going to have to hear some justification for a
 23 building of that size. It's a tight site and to
 24 create a nearly 4,000-square-foot freestanding
 25 structure on a 22,000-square-foot lot, it seems like

1 a bit much, but maybe the proposed operation will be
 2 different enough to justify it, but from your
 3 perspective as an architect, other than operations,
 4 you see no reason or you can justify the size of
 5 this building on a property of this size?
 6 MR. NOCELLA: Right, I mean, as an
 7 architect, I would be given a program in terms of
 8 what would go into the store and that was how we
 9 would develop the size of the building. In this
 10 case, we've got a client who, based on previous
 11 marketing of other facilities, they were looking for
 12 a 4,000-square-foot facility, so we were trying to
 13 make --
 14 CHAIRMAN DePINTO: The size of the
 15 building is dictated by the client's proposed
 16 operations?
 17 MR. NOCELLA: Correct.
 18 CHAIRMAN DePINTO: Okay. And when you
 19 appeared before the Site Plan Review Committee and
 20 you had originally proposed a drive-through coffee
 21 type of setup, was the building larger, smaller or
 22 the same size as you're proposing now?
 23 MR. NOCELLA: I have to look back at
 24 the --
 25 MR. NAPOLITANO: I don't recall.

1 MR. NOCELLA: I know it had an
 2 appendage for the drive-through. I don't have the
 3 --
 4 CHAIRMAN DePINTO: I'd like to know if
 5 the building grew as a result of you eliminating the
 6 drive-through or stayed the same. I'd like to --
 7 I'd like to know the history of how we got to that
 8 size beyond operations. But I'll wait until we hear
 9 from operations, I'm good with that.
 10 Questions from Board members, I guess
 11 starting Ms. Russo, of this applicant, of this
 12 witness.
 13 MS. RUSSO: I have no questions right
 14 now.
 15 CHAIRMAN DePINTO: Okay. Thank you.
 16 Mr. D'Agostino?
 17 MR. D'AGOSTINO: I'll wait to see the
 18 finalized plan but no questions at this time.
 19 CHAIRMAN DePINTO: Thank you. Mr.
 20 Lintner.
 21 MR. LINTNER: Nothing at this time,
 22 Mr. Chairman.
 23 CHAIRMAN DePINTO: Thank you. Mr.
 24 Culhane.
 25 MR. CULHANE: No questions at this

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1 time, Mr. Chairman.

2 CHAIRMAN DePINTO: Thank you. Mr.

3 Fette?

4 MR. FETTE: I think continuing the

5 stone across the front, like we talked about at the

6 last meeting, I think it looks good, but again, my

7 concern is the additional glass and I understand

8 additional light coming into the building, I get

9 that. I look at it from a property maintenance

10 point of view --

11 MR. NOCELLA: Right.

12 MR. FETTE: -- and a zoning thing with

13 signs and windows. I may be visiting there quite a

14 bit.

15 MR. NOCELLA: They are willing --

16 MR. FETTE: I can't put it any nicer

17 than that, I mean...

18 MR. NOCELLA: They're willing -- they

19 will follow the guidelines of the advertising, so...

20 MR. FETTE: Okay.

21 No further questions, Mr. Chairman.

22 CHAIRMAN DePINTO: That's it. Mr.

23 Stefanelli.

24 MR. STEFANELLI: I'll hold my

25 comments. Thank you, Mr. Chairman.

39

1 CHAIRMAN DePINTO: Okay, thank you.

2 Mr. Meese, do you have anything more

3 with this witness? If not, I'll open it to the

4 public.

5 MR. MEESE: Did you want to review the

6 signage?

7 MR. NOCELLA: The signage?

8 CHAIRMAN DePINTO: Oh. My favorite.

9 I love signs.

10 MR. NOCELLA: All right, so one of the

11 comments on the signage was the fact that there was

12 internal --

13 MR. MEESE: Did we mark that?

14 MR. NOCELLA: Yeah, it was A-11.

15 MR. MEESE: A-11.

16 MR. NOCELLA: -- was that it was

17 internally illuminated and the Chairman made a

18 recommendation to use gooseneck lighting or some

19 other type of lighting to highlight the sign versus

20 having it as a glowing light box. The scheme up

21 top, we're basically keeping the same form of the

22 signage previously submitted. We thought about if

23 we have some round mounted lighting that is narrowed

24 in and focused on the sign itself so driving, you

25 know, there's not a light in your face, it's

40

1 directed at the sign, the lower one is we looked at

2 gooseneck lighting but to get it up high enough,

3 obviously, you can see the size of the monument sign

4 significantly increased. I think either --

5 CHAIRMAN DePINTO: Yeah, I gotta -- I

6 mean, Illustration B, to me, looks like the wall

7 that Donald Trump is going to build between the

8 United States and Mexico.

9 MR. NOCELLA: Right, I think it's too

10 big of a sign. I think we can achieve the --

11 CHAIRMAN DePINTO: I think Trump would

12 love this wall. Okay?

13 MR. MEESE: We're going to get Park

14 Ridge to pay for it.

15 (Laughter)

16 CHAIRMAN DePINTO: It ain't gonna work

17 in Montvale.

18 MR. FETTE: It's on the record.

19 CHAIRMAN DePINTO: So let's go with

20 Plan A, you were right to begin with.

21 MR. NOCELLA: Okay.

22 CHAIRMAN DePINTO: And let's take Plan

23 A and come up with alternate lighting to internally,

24 you're saying the ground-mounted spotlight.

25 MR. NOCELLA: Yeah, with the narrow-

41

1 focused fixtures, we can locate them where,

2 basically, it's just going to shine onto that

3 sign --

4 CHAIRMAN DePINTO: And there'll be no

5 spillage blinding me as I drive around the bend --

6 MR. NOCELLA: Correct.

7 CHAIRMAN DePINTO: -- heading south on

8 Railroad Avenue. And if there is, I'll either crash

9 or sic Mr. Fette on you, one or the other.

10 MR. NOCELLA: Yeah, that is the

11 preferred sign.

12 CHAIRMAN DePINTO: Yeah, I could

13 understand that. Okay. We're going to open to the

14 public.

15 I'm sorry, anything else from this

16 witness?

17 MR. MEESE: Nothing else from Mr.

18 Nocella?

19 CHAIRMAN DePINTO: Well, Board

20 members, anyone disagree with me as to the Great

21 Wall of Trump? No? Okay, I think that -- Ms.

22 Green, what about the wall?

23 MS. GREEN: I don't like B. A is much

24 preferred.

25 MR. STEFANELLI: Me, too.

42

1 MS. RUSSO: I agree.

2 CHAIRMAN DePINTO: Ms. Lawlor?

3 MS. LAWLOR: I agree.

4 CHAIRMAN DePINTO: Okay.

5 MS. RUSSO: I don't know if I would

6 call it "the Great Wall of Trump," though.

7 CHAIRMAN DePINTO: I beg your pardon?

8 MS. RUSSO: I don't know if I would

9 call it "the Great Wall of Trump."

10 CHAIRMAN DePINTO: He's going to make

11 everything great again.

12 MS. RUSSO: Really. I had to turn it

13 off last night.

14 MR. REGAN: Annemarie, I'm shocked.

15 MR. FETTE: Let's not get started.

16 MR. STEFANELLI: Strike that from the

17 record.

18 CHAIRMAN DePINTO: Yeah, strike that.

19 Well, at least we didn't talk about Crooked Hillary.

20 MR. REGAN: Want me to start?

21 MS. RUSSO: I think I have to move to

22 Canada.

23 CHAIRMAN DePINTO: Okay, with that

24 said, the Chairperson will entertain a motion to

25 open the meeting to the public.

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1 MR. D'AGOSTINO: So moved.

2 CHAIRMAN DePINTO: Mr. D'Agostino;

3 seconded, Mr. Culhane. All in favor?

4 BOARD MEMBERS: Aye.

5 CHAIRMAN DePINTO: Gentlemen, anything

6 with respect to the architect?

7 MR. NIXON: No questions.

8 CHAIRMAN DePINTO: You didn't know

9 that you would become part of the Board. That's

10 what you get for showing up. You should have sent

11 the other 999 people rather than you.

12 (Laughter)

13 CHAIRMAN DePINTO: That said, the

14 Chair will entertain a motion to close the meeting

15 to the public.

16 MR. STEFANELLI: So moved.

17 MR. LINTNER: Second.

18 CHAIRMAN DePINTO: Mr. Stefanelli;

19 seconded, Mr. Lintner. All in favor?

20 BOARD MEMBERS: Aye.

21 CHAIRMAN DePINTO: Mr. Meese, do you

22 have another witness this evening?

23 MR. MEESE: Yes, thank you. Our next

24 witness will be Tom Reichmann.

25 CHAIRMAN DePINTO: And Mr. Meese, I'm

44

1 going a little bit out of order. Normally, I'd be

2 looking for my review letters from the borough

3 professionals but I thought let's see if we can

4 handle your professionals and then we can get on to

5 mine and we should be out of here no later than 2 or

6 3, somewhere in there.

7 Please, continue.

8 MR. REGAN: Sir, would you raise your

9 right hand, please?

10 T H O M A S R E I C H M A N N, Operations Manager,

11 Dattilo Petroleum, is sworn.

12 MR. REGAN: And for the record, state

13 your full name and spell your last name, please.

14 MR. REICHMANN: Thomas Reichmann,

15 R-E-I-C-H-M-A-N-N.

16 MR. REGAN: R-E-I --

17 MR. REICHMANN: C-H-M-A-N-N. I'm the

18 operations manager for Dattilo Petroleum, Super

19 Value New Jersey.

20 DIRECT EXAMINATION BY MR. MEESE:

21 **Q.** And Mr. Reichmann, could you state your

22 job duties as the operations manager?

23 **A. Anything that has to do with**

24 **deliveries, repairs, maintenance, environment**

25 **compliance, pump and tank repairs, scheduling,**

45

1 **deliveries, supervising station managers for our**

2 **company stations and leases and contracts for our**

3 **commissioned agents.**

4 **Q.** So you're fully familiar with the

5 operations of the station that is proposed here?

6 **A. Yes.**

7 **Q.** And you'd be able to answer questions

8 with respect to the number of employees, the type of

9 deliveries and things like that; is that right?

10 **A. Yes.**

11 **Q.** For this store, could you inform the

12 Board how many employees that you're proposing?

13 **A. Well, we're proposing to have two gas**

14 **attendants and one person working on the inside**

15 **convenience store.**

16 **Q.** And the hours of operation?

17 **A. We're proposing continuation of our 6**

18 **to 10 but we'd like the option to go to 12 if the**

19 **business warrants it.**

20 **Q.** And the type of products -- and let's

21 start first with the store. What type of products

22 would you envision selling in the proposed

23 convenience store?

24 **A. Water, sodas, newspapers, candy,**

25 **chips, cigarettes, typical convenience store, no**

1 alcohol.

2 Q. Is there any cooking on the premises?

3 A. No, sir.

4 Q. Is there any seating in the store?

5 A. No, sir.

6 Q. And with respect to the building

7 layout, the question had come up why you're

8 proposing a store of that size and I understand you

9 have a floor plan that you could share with the

10 Board --

11 A. Yeah.

12 Q. -- that indicates how it's generally to

13 be laid out?

14 A. This is a typical floor plan for a

15 convenience store and I put it up as --

16 Q. Why don't we mark this A-12 before we

17 get going.

18 MR. REGAN: Want to call it "floor

19 plan for convenience store"?

20 (Typical floor plan for a convenience store

21 is marked as Exhibit A-12.)

22 Q. And that is --

23 MR. REGAN: Prepared by whom and date?

24 MR. REICHMANN: Oh, this was provided

25 by Citgo Petroleum as a typical convenience store

1 layout.

2 Q. This is for a typical 4,000-square-foot

3 store?

4 A. That's correct.

5 Q. And this store has been modified

6 slightly to reduce the size and also to add a little

7 bit of architectural interest?

8 A. Right. So if you look at -- this is a

9 general contribution of what a typical C store would

10 look like. Hours will be a little bit shorter.

11 This is 4,000 square feet, we're talking 3893. But

12 as an example, this area behind -- in the rear of

13 the store, this is all coolers. We have a location

14 in Northvale and typically the cooler takes up

15 approximately 10 feet. So we're losing 10 feet all

16 along the back and on the side; this is typically 8

17 to 10 feet for freezers. The counter area here in

18 this example, this is 10 feet by 22 feet. Bathrooms,

19 6-by-8 -- oh, I'm sorry, these are 8-by-8s, this is

20 12 feet. There's really not a lot of storage in

21 this facility and this -- the coolers obviously will

22 have -- this is the front of your coolers, there is

23 some storage back here for all of our beverages, but

24 there's not a lot of area in here for storage

25 (indicating).

1 When you take -- you take the size of

2 this facility at 3893 and you start subtracting 10

3 feet across the back and this area is 220 square

4 feet, the bathrooms taking off another 64 feet, we

5 end up with a usable retail facility that has under

6 1400 square feet. This area here (indicating) is 22

7 -- 24 feet from the front of the cooler to the

8 counter area, this is 24 feet (indicating). If

9 we're putting gondolas in this floor space and

10 there's four feet between the gondolas for ADA

11 requirements, as a typical C store, and the gondolas

12 are 3 feet wide, we only have room in this area here

13 (indicating) for two gondolas to display chips and

14 candies, so we would already have to start modifying

15 this plan to maybe fit another -- another gondola in

16 here (indicating). So the reason this is important

17 to look at, because this shows how much usable space

18 we actually have once we commit to the cooler area,

19 the freezer areas and what we have left and what

20 we've got to modify to make a modern convenience

21 store.

22 Q. And with respect to the proposed site,

23 the site is in compliance with the side-yard

24 setbacks. We're looking for a rear-yard setback so

25 really the -- the driving force, I guess, from a

1 zoning perspective, would be to shrink the width of

2 the building and that's what --

3 A. Yeah.

4 Q. You're restricted.

5 A. But if you take a look at this -- this

6 distance here is 26 feet, and in many cases, that's

7 closer than I am to you people and, you know, this

8 is, you know, it's a long building, but when you

9 start adding up what we need for the men's room and

10 the ladies' room and an office, there's not a lot of

11 usable -- 1400 square feet -- 1380 square feet is

12 left, so we would have to then start to reduce this

13 area (indicating). Now, this is where, you know,

14 we'd be marketing cigarettes, which have to be

15 controlled, so we start reducing these areas to try

16 to save us a little more floor space, for another

17 gondola maybe.

18 Q. Is there a particular image or feel

19 that you're proposing for this type of store?

20 A. Well, we want it to be light and airy

21 and that's why we've got so many windows in the

22 front, not only just for the natural light that all

23 the windows would allow in but the visibility for

24 all of our products inside, which will be nice and

25 neatly displayed, and rest assured, it's not our

1 intention to jam a bunch of window signs on here to
2 limit the public seeing in because what we want them
3 to do is to see inside to see our products, and for
4 security reasons, we don't want to block up the
5 windows anyway because we want everybody to always
6 be able to see what's going on inside. So the
7 window sign thing is not going to be an issue with
8 us. We -- we want them open. But we want it to be
9 open and airy looking.

10 Q. Now, with respect to -- you mentioned
11 security. Could you state what kind of security
12 devices that you're proposing at the site?

13 A. Our locations are all covered
14 intensely with video cameras, recording at all
15 times, 24 hours a day. They will be alarmed, there
16 will be an alarm system to a simple station, and
17 they are closely monitored. Because of the amount
18 of money that we generate, not only externally and
19 internally, we monitor our own employees to watch
20 them count money and the fact that it's all visible,
21 it helps -- it helps and everybody knows that we
22 have security cameras operational 24/7.

23 Q. Now, with respect to operations, can
24 you talk about the number and type of deliveries you
25 would get at the station?

1 A. Right now, we're receiving about --
2 well, we're receiving two to three loads of product
3 and we're hoping that goes up to four to five loads
4 per week. As far as the C store, normally we get
5 deliveries two times a week, possibly three, so
6 we'll have delivery trucks for that, newspapers come
7 on a daily basis, we'll also have rubbish removal,
8 normally two times a week. So there's a lot of
9 truck activity in and around the station. Our fuel
10 deliveries will be after hours. It behooves us to
11 not be jamming up our station during the business
12 hours because the trucks are -- they prohibit other
13 cars from getting in and we have to do it safely and
14 they have to be blocked off, so it blocks up the
15 station, so we want to do that after hours.

16 Q. And with respect to the fuel trucks, is
17 there a reason that you're seeking a particular
18 under-clearance on the canopy?

19 A. Because of -- right now, the trucks
20 are backing up onto Railroad Avenue to exit the
21 location and that's a problem at a lot of our
22 facilities. The height of the canopy will allow the
23 truck to make the turn without backing onto Railroad
24 Avenue to exit. When they pull into the site, the
25 cab can actually start his turn and park there, make

1 his fuel drop, and then continue that circle to exit
2 the location.

3 Q. And the -- if you could put the site
4 plan back up. The fuel tanks that are proposed, if
5 you could just indicate where they're located and
6 the size of them.

7 A. Let me just indicate one more thing on
8 the truck.

9 MR. REICHMANN: You got the turning
10 radius for the trucks?

11 MR. NAPOLITANO: The old one.

12 A. The canopy was reduced from 14-1/2
13 feet to 14 feet.

14 Q. The under-clearance.

15 A. The under-clearance. We did reduce it
16 to 14 feet, which will still allow our tanker trucks
17 to clear so it won't be a problem with them making
18 that turn. It was going to be very difficult; if
19 that canopy is lowered, it's going to be very
20 difficult to get a delivery in there without backing
21 back out onto Railroad Avenue.

22 Q. The location of the --

23 A. Oh.

24 Q. -- underground tanks?

25 A. Yeah, the tanks -- the tanks will be

1 -- there'll be two 12,000-gallon fiberglass tanks,
2 double walled, so there is what they call an
3 interstitial space that is monitored electronically
4 so that the primary tank, should it fail, would be
5 captured by the outer wall. The inside primary tank
6 is monitored for the level and for water, the
7 interstitial space is also monitored for any kind of
8 liquid. So any kind of moisture will set off an
9 alarm indicating that you have a breach. They are
10 warrantied for 30 years and all the piping that
11 comes from those tanks is also going to be
12 fiberglass and double walled.

13 Q. And the products that are proposed,
14 there's no diesel that is proposed at this station?

15 A. No. There will be two 12,000-gallon
16 tanks, one will hold regular product and the other
17 one will be a split tank for regular product and
18 premium product, but there'll be no diesel.

19 Q. Okay. With respect to the canopy, one
20 of the questions that the Board has is with the
21 lighting beneath the canopy and the concern is for
22 glare off site --

23 A. Um-hum.

24 Q. -- and not the illumination straight
25 down.

1 **A. Right.**
 2 **Q.** Could you --
 3 **A. This is a picture of the fixture that**
 4 **we will use at this site.**
 5 MR. MEESE: Why don't we mark that
 6 A-13?
 7 MR. REGAN: Yes. And this is a photo
 8 of?
 9 MR. REICHMANN: It's a photo of the
 10 exact same -- A-13?
 11 (Photograph of LED flush-mount fixture is
 12 marked as A-13 for Identification.)
 13 **A. It is an LED flush-mount fixture, so**
 14 **there's no bulb that hangs down and it reduces the**
 15 **amount of horizontal light in issue. It focuses**
 16 **down. This is also at that Northvale station I**
 17 **mentioned before. We've had a lot of good luck with**
 18 **installing these.**
 19 CHAIRMAN DePINTO: Excuse me one
 20 second. You've referenced the Northvale station a
 21 few times. Is that under the Citgo label as well?
 22 MR. REICHMANN: Yes, sir.
 23 CHAIRMAN DePINTO: And it's where, on
 24 Livingston?
 25 MR. REICHMANN: It's on Livingston,

1 yes.
 2 CHAIRMAN DePINTO: Okay, I'm sorry.
 3 Thank you. Please continue.
 4 BY MR. MEESE:
 5 **Q.** Do you have a photograph of that canopy
 6 with the light?
 7 **A. Yes.**
 8 CHAIRMAN DePINTO: I'm sorry, just one
 9 other question relative to Northvale. Who is the
 10 manager?
 11 MR. REICHMANN: Behrooz Pashabigi.
 12 CHAIRMAN DePINTO: Behrooz?
 13 MR. REICHMANN: Yeah. P-A-S-H-I-
 14 B-I-G-I [sic]. I'm guessing.
 15 CHAIRMAN DePINTO: He's there during
 16 normal business hours?
 17 MR. REICHMANN: No. He is -- he is my
 18 manager, he supervises about a dozen facilities in
 19 New Jersey. We just hired a brand-new manager and,
 20 honestly, his last name, I do not know.
 21 CHAIRMAN DePINTO: So if a Board
 22 member wanted to go over to Northvale to talk to
 23 someone, they wouldn't find Behrooz, they would find
 24 who?
 25 MR. REICHMANN: Karthy, K-A-R-T-H-Y.

1 CHAIRMAN DePINTO: K-A-R-T-H-Y?
 2 MR. REICHMANN: Yes.
 3 CHAIRMAN DePINTO: Karthy.
 4 MR. REICHMANN: Karthy.
 5 CHAIRMAN DePINTO: Does he like
 6 visitors?
 7 MR. REICHMANN: He loves visitors.
 8 Tell me when you're going to be there, I'll meet you
 9 myself.
 10 CHAIRMAN DePINTO: Share my name with
 11 him.
 12 MR. REICHMANN: Okay.
 13 CHAIRMAN DePINTO: Thank you.
 14 MR. REICHMANN: This is a picture of
 15 the Northvale location.
 16 MR. MEESE: A-14.
 17 (Photograph of the Northvale station is
 18 marked as Exhibit A-14.)
 19 MR. REICHMANN: If you notice, these
 20 are the flush-mounts from the last picture that I
 21 just showed you. This picture was actually taken
 22 with me standing in the street. It may not -- this
 23 shrubbery is right on the curb in the street. And
 24 the reason I made this was to demonstrate your line
 25 of sight and the visibility of the building. Now,

1 this canopy is 16 feet -- this is 16 feet from the
 2 ground to the lower portion of the canopy. Lowering
 3 the canopy would do just the opposite of what we
 4 were discussing at our last meeting. Lowering the
 5 canopy reduces the visibility because of the line of
 6 sight. And also -- well, with these lights
 7 protruding down, there is -- there's really not a
 8 lot of horizontal light emission. But that is the
 9 only reason I made this picture, just to show you,
 10 from the street, what the building would look like.
 11 **Q.** And with respect to the actual lighting
 12 plan of the canopy, you had reviewed the -- your
 13 original light plan and thought that the lighting
 14 can actually be reduced from what was originally
 15 proposed?
 16 MR. REICHMANN: I did, but when we
 17 took a look at the islands, we went back to the 16
 18 fixture units, but there's two different fixtures
 19 that can be done, one is a high-output and one is a
 20 lower output, and depending on what the Board
 21 recommends, we might be able to go with a lower
 22 output fixture.
 23 **Q.** And that would reduce the total
 24 illumination from the canopy.
 25 **A. Um-hum.**

1 Q. And again, the canopy that is proposed
2 in this photograph is a -- kind of a standard Citgo
3 canopy; what's proposed in Montvale is more of a
4 colonial design with a whole different roof line, as
5 well as stones on the columns and --

6 A. Right. And this is a much bigger
7 canopy and this also demonstrates that the more you
8 bring this out towards the street, the more the
9 building is going to be visible, and this is a --
10 this is a very big canopy and the one that we
11 reduced in this proposal is only 20 feet wide, which
12 will reduce this and even show the building more.

13 MR. MEESE: Any questions of Mr.
14 Reichmann?

15 CHAIRMAN DePINTO: Yes.

16 Mr. Reichmann, how large is the
17 building in Northvale?

18 MR. REICHMANN: 70 feet by 53 feet.

19 CHAIRMAN DePINTO: So 35, 3600 feet?

20 MR. REICHMANN: Yes.

21 CHAIRMAN DePINTO: Square feet?

22 MR. REICHMANN: Yes.

23 CHAIRMAN DePINTO: Okay. And how big
24 is that property?

25 MR. REICHMANN: I do not know.

1 CHAIRMAN DePINTO: You indicated that
2 the exhibit, and I'm sorry, I don't remember what
3 you labeled it as, but was 4,000 square feet and
4 that was somewhat of a typical plan that you employ,
5 and more specifically for Montvale, you're proposing
6 to reduce it down to 3800 and change, correct?

7 MR. REICHMANN: Correct.

8 CHAIRMAN DePINTO: Okay. Is there a
9 smaller version that you use as a model?

10 MR. REICHMANN: No, sir.

11 CHAIRMAN DePINTO: So all of your
12 convenience stores associated with your gas
13 stations, and you indicated that -- what is it,
14 Paris?

15 MR. REICHMANN: Oh, Behrooz.

16 CHAIRMAN DePINTO: Behrooz?

17 MR. REICHMANN: Um-hum.

18 CHAIRMAN DePINTO: Has how many
19 stations?

20 MR. REICHMANN: Approximately 13.

21 CHAIRMAN DePINTO: 13. And all of
22 them have convenience stores between 3800 and 4,000
23 feet?

24 MR. REICHMANN: No. No. The proposed
25 convenience stores that Citgo is recommending is

1 something like this. We do have some sites with
2 much smaller stores and they are very cramped and
3 they're on smaller pieces of property in some cases,
4 I mean, we have -- we have not been following a
5 specific layout --

6 CHAIRMAN DePINTO: Right, but what is
7 the relativity? That's what I'm driving at. The
8 size of the building to the size of the property.
9 You know, a property can only support, whether it's
10 for the intended use or another use, any property
11 can only support a given size building, but you're
12 not providing us with any of that information. The
13 only thing you've said is that your employer has a
14 dozen stations, some of which have facilities of
15 this size, yet others are much smaller.

16 MR. REICHMANN: That's correct.

17 CHAIRMAN DePINTO: I tend to think it
18 would be helpful for the Board if you could provide
19 us with a spreadsheet so that we can determine some
20 relationship between the size of the building to the
21 size of the property. I mean, you could stand here
22 and say a successful convenience store,
23 hypothetically, has to be 7,000 feet, and frankly, I
24 wouldn't know whether you'd need 7 or 4 or if you
25 could live with 2400, as does New Jersey Energy on

1 the same size property in the same town as you're
2 proposing.

3 MR. REICHMANN: I understand. There
4 are changes and there are factors in some of our
5 other facilities because of the layout of the
6 property.

7 CHAIRMAN DePINTO: I got it. This
8 property, though, is relatively square, as is New
9 Jersey Energy property up the street. So there is
10 no significant differences with respect to either
11 the shape or the size of the properties. They too
12 propose, I'm going to call it eight fueling
13 stations. I guess it was two islands with two pumps
14 on each island. So I guess eight vehicles could
15 receive fuel at the same time, which is what you're
16 proposing. Is that true?

17 MR. REICHMANN: Yes.

18 CHAIRMAN DePINTO: So if they're
19 dispensing or have the same number of fueling
20 stations as you're proposing and their property is
21 of similar size and shape, I don't see the
22 connection.

23 MR. REICHMANN: Well, Mr. Chairman,
24 each -- each site has its own personality and its
25 own factors. We are on a one-way street and we're

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1 only going to have traffic coming in one way and
 2 it's going to go out one way. I'm not familiar with
 3 that site but --
 4 CHAIRMAN DePINTO: Well, it's a county
 5 road and it has two-way traffic and their customers
 6 are probably the same people that you're attempting
 7 to get to your station because all of those stations
 8 in downtown Montvale attract a lot of people from
 9 New York State who come to the site, get fuel, turn
 10 around wherever it's convenient to turn around and
 11 head north again. So I think the customers are
 12 probably the same. I just don't know how Exxon, and
 13 I believe it's Exxon at that station, they believe
 14 that they can -- otherwise, I don't know why they're
 15 knocking down a building and putting up a new
 16 building at almost half the size that you're
 17 proposing.
 18 MR. MEESE: Well, one of the things in
 19 your code is the FAR.
 20 CHAIRMAN DePINTO: Got it.
 21 MR. MEESE: And the FAR requirement is
 22 50 percent.
 23 CHAIRMAN DePINTO: I got it, but
 24 Greg --
 25 MR. MEESE: We're proposing 17 --

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1 CHAIRMAN DePINTO: I wish it were a
 2 variance-free application and I could say "Hey, you
 3 know what? There's entitlement here," because
 4 you're meeting an FAR requirement but when I go
 5 through the technical review letters of my
 6 professionals, we're dealing with a number of
 7 variances, and I know we're going to hear from the
 8 planner with respect to that, but as I compare what
 9 this Board approved as recently as May to what
 10 you're proposing, I've got these sharp differences.
 11 MR. MEESE: Sure, but there's no, you
 12 know, guarantee that that station that you just
 13 approved is going to be successful.
 14 CHAIRMAN DePINTO: That, too, I agree.
 15 MR. MEESE: We've all gone to a lot of
 16 gas stations where we would never go back into the
 17 convenience store and most of those are small. And
 18 we've also gone to some, like the one on Chestnut
 19 Ridge Road at the Exxon over there, that you'd go
 20 back to because "that's pretty nice," and I think
 21 that the modern, the newer stations that you'll see,
 22 I think, the Wawas and the QuickCheks and some of
 23 the others, the reason you go back, the reason that
 24 they're nice, is they have room and air and light
 25 that you don't get in the smaller stations.

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1 CHAIRMAN DePINTO: I could not agree
 2 with you more, but if we're talking about specific
 3 gas stations, let's go up to Chestnut Ridge Road to
 4 the gas station that you're referencing. That's on
 5 a piece of property that's just under three acres.
 6 It's a large piece of property.
 7 MR. MEESE: But --
 8 CHAIRMAN DePINTO: It has double the
 9 number of pumps that you are proposing.
 10 MR. MEESE: But what I'm referring to
 11 is the convenience store itself. You want a store
 12 that people want to go to, that's going to be
 13 successful, that's actually going to be nice to shop
 14 in --
 15 CHAIRMAN DePINTO: Right.
 16 MR. MEESE: -- and the only --
 17 CHAIRMAN DePINTO: But just like any
 18 other commercial property --
 19 MR. MEESE: But the issue here, the
 20 constraint, is not the width, the constraint is the
 21 depth.
 22 CHAIRMAN DePINTO: Gotch ya.
 23 MR. MEESE: So the question is: Where
 24 do you make this station smaller, which means you
 25 would have to squeeze it further --

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1 CHAIRMAN DePINTO: Right, you have two
 2 --
 3 MR. MEESE: -- in width.
 4 CHAIRMAN DePINTO: -- principal uses
 5 on the property. That's the convenience store. In
 6 theory, you could put a convenience store on the
 7 property without pumps and so be it or you could put
 8 a gas station on the property without convenience
 9 store, each would represent a singular use in the
 10 property, which is three or four times code
 11 requirements could accommodate the uses, but now
 12 when I double the fueling capacity and I add to that
 13 a second use of a nearly 4,000-square-foot building,
 14 is my property large enough to accommodate two
 15 principal uses --
 16 MR. MEESE: It has that now, it has
 17 fuel and it has car repairs. And we're getting rid
 18 of the car repairs, which is a, you know, much more
 19 industrial use than this has. And, really, look at
 20 the property. What we're talking about in terms of
 21 variance relief would be taking this 38-foot depth
 22 and narrowing that down. And how much narrower can
 23 you make it before it just becomes unusable?
 24 CHAIRMAN DePINTO: Right.
 25 MR. MEESE: Because it's not the width

1 of the store, that's not violating any of the
 2 setbacks, it's the -- it's the rear yard. So if you
 3 push that, how much do you push it, you know.
 4 CHAIRMAN DePINTO: You know -- I'm
 5 going to let other Board members speak but it's like
 6 I'm trying to put ten pounds of sugar in a five-
 7 pound bag, relative to -- now, it's your misfortune
 8 that we had that application a month ago. You're
 9 kind of following in the heels of something that is
 10 a very, very similar use and you haven't shown me
 11 the justification of what you're looking for by
 12 comparison to what your competitor sought and
 13 received approvals of up the street. So I think you
 14 might have to do, not necessarily you, but maybe
 15 your planner might have to do a little bit more
 16 research on this. I definitely will take a look at
 17 your Northvale location to try to compare the two so
 18 I can envision what you're proposing, but I've got
 19 some concerns right now because of our recent...
 20 Do you have anything more with this
 21 witness or I'll open it up to Board members, Greg?
 22 MR. MEESE: No, that's all for Mr.
 23 Reichmann.
 24 CHAIRMAN DePINTO: All right, let me
 25 move on to Mr. Culhane.

1 Mr. Culhane, do you have comments or
 2 questions?
 3 MR. CULHANE: Ah, just a couple.
 4 I notice on that plan there appears to
 5 be an entrance to the rear of the building?
 6 MR. REICHMANN: Yeah. I'm using this
 7 as an example of a 4,000-square-foot. I understand
 8 that, you know, the location of the doors is not
 9 according to the plans that we have submitted.
 10 MR. CULHANE: And I'll defer to our
 11 building department but I would think there should
 12 be two means of egress from the store from a
 13 building code point of view, but like I said, that's
 14 not my area.
 15 The other thing is, I assume there's no
 16 ATM machines planned to be installed at this
 17 location?
 18 MR. REICHMANN: I don't have any plans
 19 to put an ATM at this time, no.
 20 MR. CULHANE: No other questions, Mr.
 21 Chairman.
 22 CHAIRMAN DePINTO: Thank you. Mr.
 23 Fette.
 24 MR. FETTE: Last time, we had some
 25 conversation about truck turning and radius. Are we

1 going to talk about that now?
 2 MR. REICHMANN: I can -- I can try to
 3 --
 4 MR. FETTE: Okay.
 5 MR. REICHMANN: -- give you my --
 6 MR. FETTE: Why don't I --
 7 MR. MEESE: Do you want to bring Steve
 8 back up to do that or...
 9 MR. FETTE: I think my question was
 10 held till we had someone from operations, so...
 11 MR. MEESE: Well, we can wait till the
 12 traffic engineer?
 13 MR. FETTE: No, it's just the turning
 14 radius of the tank truck coming into that site and
 15 my question -- well, it's really a two-part
 16 question, can we do it, and the answer was basically
 17 "Yes, we can," as long as all the parking spaces in
 18 the front of the store were vacant.
 19 MR. REICHMANN: Correct.
 20 MR. FETTE: So then further
 21 questioning, we talked about "Well, whenever the
 22 delivery's going to be coming in and is it going to
 23 be a 24-hour store and now that we've moved the
 24 store three-and-a-half feet closer, how does that
 25 affect the turning radius of the truck," so it's

1 kind of a multiple-point question, is really where
 2 I'm going with it.
 3 MR. REICHMANN: Yeah. The location
 4 will not be 24 hours, the deliveries will be off
 5 hours when we are closed, and yes, the delivery
 6 truck can make the turn, understanding that the
 7 canopy has to be high enough to allow the tractor-
 8 trailer to get underneath it.
 9 MR. FETTE: Sure. Okay, no, that -- I
 10 would certainly understand that. What would --
 11 since it's not going to be 24 hours --
 12 MR. REICHMANN: Correct.
 13 MR. FETTE: Okay? And my guess is we
 14 would include that language in a resolution as an
 15 enforcement issue down the road. If we're not going
 16 to be 24 hours, then we're obviously just going to
 17 be during regular business hours. What do you see
 18 as your peak hours?
 19 MR. REICHMANN: The morning drive
 20 time.
 21 MR. FETTE: Which would be the hours
 22 of?
 23 MR. REICHMANN: Normally, 6:30 to 9.
 24 MR. FETTE: Okay. Would you have
 25 evening peak hours, in your experience?

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1 MR. REICHMANN: Usually late afternoon
2 is a busy time as well.
3 MR. FETTE: Okay. How about other
4 deliveries --
5 MR. REICHMANN: They come in --
6 MR. FETTE: -- that need to deliver to
7 the store when it's open?
8 MR. REICHMANN: Yes.
9 MR. FETTE: Okay? Unlike an oil
10 tanker, which just fills the tanks and drives away.
11 MR. REICHMANN: Right. Yeah, delivery
12 trucks do come in on a regular basis. They are
13 smaller box trucks that will not have any issues
14 maneuvering around the station.
15 MR. FETTE: Trucks by Entenmann's,
16 Frito Lay, Pepsi-Cola, things of that nature.
17 MR. REICHMANN: Exactly.
18 MR. FETTE: Okay.
19 MR. REICHMANN: Yup.
20 MR. FETTE: All right. Like Chairman
21 DePinto, I'm having a problem with the size of the
22 building. Okay? I do a lot of driving between
23 towns so I put a lot of miles on my car every year
24 and I get around the northern part of the state a
25 lot. There is a new QuickChek going up on Route 23

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1 in Riverdale on the northbound side. Okay? With
2 pumps. That's how QuickChek does things. I can't
3 guarantee you what the size of the building is but
4 just -- you know, I look at plans, I have a good
5 relationship with size and site. It's not a 4,000-
6 square-foot building, and probably for the next
7 meeting, I'll go up and measure it just so I know
8 for my own feeling, but here's where I'm going with
9 my comment: QuickChek does delicatessen,
10 sandwiches, coffee bars, the whole bit, and they're
11 doing it in what I think -- I perceive to be a
12 building that's a lot smaller than 4,000 square feet
13 and they're doing it on a highway that has -- what's
14 Route 23 Northbound traffic? Thousands of cars a
15 day, I would guess.
16 MR. REICHMANN: Um-hum.
17 MR. FETTE: My guess, on Railroad
18 Avenue, we don't have thousands of cars going by
19 Railroad Avenue in a day and I thank God for that or
20 we'd really have a traffic problem downtown,
21 regardless of whether a train is going through town
22 or not. So where I'm going is, you're looking for a
23 4,000-square-foot building and I'm not sure where
24 all the size of this building is going and I'm not
25 -- I'm not sure you're going to be servicing that

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1 many people to substantiate that size of the
2 building, aside from the size of the building to the
3 lot-ratio size, and that's kind of where I'm going.
4 MR. REICHMANN: Okay. Do we have a
5 problem with it being a hundred feet wide?
6 MR. FETTE: I think -- the problem I
7 have, I'm not speaking for anybody else, is the fact
8 that it's a 4,000-square-foot building on a half-
9 acre lot. You've got a 22,000-square-foot lot,
10 which is -- which is a half-acre, for all intents
11 and purposes. I just -- I just picture it as
12 overpowering, that's where I'm going.
13 MR. REICHMANN: Okay.
14 MR. FETTE: Yeah.
15 MR. REICHMANN: You know, our issue is
16 the depth of the store because --
17 MR. FETTE: Oh, I understand that.
18 MR. REICHMANN: Okay, so --
19 MR. FETTE: I get it. I get it. You
20 could squeeze the store this way and push it this
21 way --
22 MR. REICHMANN: Exactly.
23 MR. FETTE: -- but the bottom line, if
24 the math still adds up to 4,000 square feet, you
25 still have a 4,000-square-foot store.

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1 MR. REICHMANN: Right.
2 MR. FETTE: You know?
3 MR. REICHMANN: Right.
4 MR. FETTE: So I -- I get that.
5 MR. REICHMANN: I would have a bigger
6 problem trying to squish the store even more set
7 back from the rear property line than I would to try
8 to come in --
9 MR. FETTE: I'm not suggesting you
10 squish it so it's narrower.
11 MR. REICHMANN: Yeah, that --
12 MR. FETTE: Keep it at 40 feet, but
13 don't make it a hundred. You know? Make it 80. 80
14 times 4 is 3200 square feet. That's -- that's where
15 I'm going with this, you know, if you multiply the
16 numbers, it still comes out to 4,000 square foot.
17 You know? Whether you make it a hundred by 40 or,
18 you know, however you -- however you do the math.
19 I'm just -- I'm just saying that I think 4,000
20 square feet is a lot of store. And you know, the
21 other thing I've seen is the -- if you looked at the
22 Bolla Market on Route 17, okay? Different --
23 different than what you're talking about here but
24 you're talking a big convenience store with a lot of
25 diesel, a lot of pumps out front, and you go in

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1 there and they got kitchens set up there, you get
2 everything you want, and they got sit-down and --
3 and they got a huge area for grocery sales, but
4 you've got thousands and thousands of cars coming
5 down 17 South out of New York State.
6 MR. REICHMANN: No, I understand that
7 --
8 MR. FETTE: So...
9 MR. REICHMANN: -- but, as Mr. Meese
10 said, you know, we're going to do a substantial
11 investment in this property to make a very
12 attractive facility and the more square footage that
13 we can get inside, the more products that we can
14 sell and hopefully entice people into the area, not
15 just for us and our business but also the other area
16 too, for the other businesses in the area. So,
17 yeah, there's a -- selfishly, you know, we want as
18 much square footage as we can get to market our
19 wears.
20 MR. FETTE: Okay.
21 I have no further questions at this
22 time.
23 CHAIRMAN DePINTO: Thank you. Mr.
24 Stefanelli.
25 MR. STEFANELLI: Question. The reason

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1 for the large canopies, I saw the one in -- I drove
2 by the one on the highway up there. So why 16 feet
3 and why so overpowering, you know, towards the front
4 of the street or the highway? Height-wise. I was
5 just curious.
6 MR. REICHMANN: Uh --
7 MR. STEFANELLI: Is that typical of a
8 station?
9 MR. REICHMANN: Most of them nowadays,
10 14 is very low. 14 is low. I'd say they're all
11 running -- they're all running 16 or -- in the area
12 of 16 feet high.
13 MR. STEFANELLI: You mentioned --
14 MR. REICHMANN: I mean, that canopy
15 that I showed you at our location in Northvale is a
16 big canopy because we laid out the islands far apart
17 from each other. Too far, actually. It's just an
18 enormous structure because our islands are so far
19 apart, it needed to be a massive structure and we
20 learned from that.
21 MR. STEFANELLI: And you mentioned a
22 store, so I mean, I've been to -- and Mr. Fette, I
23 go to convenience stores and there's ones that I
24 won't go to, like Shell and that, that you can
25 barely get in and you can't move around, so I am --

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1 I love Wawas, so I mean, I think they're -- they're
2 spacious, you go in there, they're fairly clean,
3 they have a lot to offer, and I like their coffee.
4 The question I have is: What else are you going to
5 be offering there? It is a large store. I mean, is
6 there going to be sandwiches, is there going to be a
7 deli? This is strictly for convenience?
8 MR. REICHMANN: Yes. We're not
9 planning any -- any deli, any food preparation, it's
10 just snacks, sodas, waters, prepared foods.
11 MR. STEFANELLI: Okay. So to me, I
12 don't really have a problem with something being
13 4,000 square feet in the back of a property. I
14 rather have that than weeds growing all over the
15 place and chasing the guy to clean up the property,
16 so I don't have a problem that way.
17 I do have a concern on the landscaping
18 on the sides. I mean, our neighbor to the south,
19 I'm just not sure how that's going to work with an
20 existing -- two existing driveways that were shared
21 all these years and people had the convenience to go
22 in and out. I'd just -- I'd like to see something
23 done, you know, on a plan to show -- to see what
24 conflicts we may have there.
25 I'm also waiting to see the traffic

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1 because I am concerned about movements in and out of
2 that place. I run -- I run by there in the morning
3 and I walk there at night and I see a lot of -- I
4 see -- that's my biggest concern with this whole
5 thing is traffic moving in and out so successfully.
6 That's the end of my comments and
7 questions.
8 CHAIRMAN DePINTO: Thank you.
9 Ms. Russo.
10 MS. RUSSO: I just have one question.
11 Why are your chillers so big if the store -- it's
12 like half the size of the store.
13 MR. REICHMANN: Yeah, it is.
14 MS. RUSSO: If you're not going to
15 have sandwiches and you're only going to have sodas
16 and milk and, like, limited items, why do you need a
17 chiller so big?
18 MR. REICHMANN: Because there is no
19 other storage. Probably 30 percent of it is storage
20 for beverages because we do move a lot of bottled
21 products.
22 MS. RUSSO: Also, it's basically just
23 -- all of that is all your storage.
24 MR. REICHMANN: Yeah, it's Cokes and
25 Pepsis and iced teas, you know, all of those grab-

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1 and-gos, and there's no other place for us to store
 2 it and we get deliveries once or twice a week,
 3 depending on the supplier.
 4 MS. RUSSO: I don't really have an
 5 issue with the size of the store, so...
 6 That's it.
 7 CHAIRMAN DePINTO: Good, thank you.
 8 Mr. D'Agostino?
 9 MR. D'AGOSTINO: Is this concept a new
 10 model, a new business for Citgo? It seems like
 11 convenience is an ancillary use that's new to the
 12 operation?
 13 MR. REICHMANN: The industry's been
 14 going this way for --
 15 MR. D'AGOSTINO: Yeah, but
 16 specifically for Citgo.
 17 MR. REICHMANN: No, no, they've had
 18 this model out for a while and we use it as a
 19 starting point and we'll tweak it, you know, on a
 20 lot of different levels. You know, again, if we're
 21 required to, you know, reduce the size, you know,
 22 I've already said what we have to do in here
 23 (indicating) and, you know, cigarettes are a big
 24 seller in New Jersey because of the proximity to the
 25 New York borders, so we're going to have to take a

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1 look at this, you know, even as it is because we do
 2 want to place three gondolas in the location. So,
 3 you know, reducing the size of the store is going to
 4 make us modify everything else.
 5 MR. D'AGOSTINO: I agree that the size
 6 of the store is appropriate for aesthetics and feel.
 7 I am concerned that it's big for the site and I'm
 8 also concerned a little bit for the business model,
 9 not the size. A 4,000-square-foot store is roughly
 10 the size of a store that services a lot of different
 11 things. I mean, do you have an idea of the existing
 12 sales that the one in Northvale does; does it mirror
 13 a store that big?
 14 MR. REICHMANN: This store will not
 15 come close to what we do in Northvale. Northvale is
 16 a much -- much busier location, Livingston Street is
 17 a much busier facility, it's a four-lane road, you
 18 know, we've got traffic coming in from both sides,
 19 it's a much bigger facility.
 20 MR. D'AGOSTINO: I'm just concerned,
 21 you know, knowing what I know about Wawas and
 22 QuickCheks, those are big stores that provide a lot
 23 of services and this particular location doesn't
 24 seem like it's providing a lot of those services,
 25 yet has the same size store, but it is a dramatic

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1 improvement over what's there, clearly, but I, you
 2 know, I -- it doesn't really seem like a real
 3 efficient use of 4,000 square feet to me.
 4 MR. REICHMANN: Well, the -- again,
 5 this is -- this was put up to show you the
 6 relationship of the size of the facility to how much
 7 was really necessary for the operation of this depth
 8 store, and what we're really -- in the real world,
 9 we're using 10 feet of cooler for, you know, our
 10 displays as well as storage behind. You know, we
 11 don't have -- we don't have storage closets and
 12 that's how this area is utilized, and as a result,
 13 yes, it encroaches into our sales area.
 14 MR. D'AGOSTINO: No further questions
 15 at this time.
 16 CHAIRMAN DePINTO: Thank you. Mr.
 17 Lintner.
 18 MR. LINTNER: Just a couple quick
 19 questions. Thank you, Mr. Chairman.
 20 The relationship between Montvale Super
 21 Value and Citgo is what?
 22 MR. REICHMANN: Citgo -- we have a
 23 sales agreement with Citgo, we have a contract for
 24 supply and we have a branding agreement with Citgo
 25 to use their product.

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1 MR. LINTNER: So the property is owned
 2 by Super Value and Citgo -- it's not a franchise,
 3 though, it's a --
 4 MR. REICHMANN: No, sir.
 5 MR. LINTNER: So Citgo's going to come
 6 in and lease the property -- or it's Super Value's
 7 property but Citgo is going to come in and run a gas
 8 station.
 9 MR. REICHMANN: No, no, we have an
 10 agreement with Citgo --
 11 MR. LINTNER: Okay.
 12 MR. REICHMANN: -- to purchase their
 13 product.
 14 MR. LINTNER: Okay.
 15 MR. REICHMANN: It's a branding of
 16 Citgo product. We purchase products from Citgo,
 17 which we then retail.
 18 MR. LINTNER: Okay. And does that
 19 have a period of time that there's a contract or X
 20 number of years or something between the two of you?
 21 MR. REICHMANN: Yes.
 22 MR. MEESE: You know, one of the
 23 things that you might not be aware of is Exxon sold
 24 all of their stations a few years back.
 25 MR. LINTNER: Right.

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1 MR. MEESE: So even the Exxons out
 2 there, they look like they're Exxons, none of them
 3 are Exxon stations.
 4 MR. LINTNER: Oh, okay.
 5 MR. MEESE: It's a brand of gas.
 6 MR. LINTNER: No, I realize -- I was
 7 very surprised to see Exxon show up in Washington
 8 Township. It's on the corner of Pascack there.
 9 MR. MEESE: Right.
 10 MR. LINTNER: Yeah, I was just trying
 11 to figure the relationship there.
 12 Now, in the store, this Citgo store,
 13 you refer to as a C store, I guess that's the Citgo
 14 code for their store or the Citgo --
 15 MR. REICHMANN: I say "C store," it's
 16 just a convenience store.
 17 MR. LINTNER: Okay, so it's a
 18 convenience store. Now, is Citgo stocking that
 19 store?
 20 MR. REICHMANN: No, sir.
 21 MR. LINTNER: So there's not going to
 22 be a sandwich that has a "C Store" name on it or
 23 anything like that.
 24 MR. REICHMANN: No, sir.
 25 MR. LINTNER: Okay.

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1 MR. REICHMANN: We have an agreement
 2 with Citgo to purchase gasoline, period.
 3 MR. LINTNER: Okay.
 4 Okay. In terms of the fueling, what is
 5 the capacity of storage on the site now? Number of
 6 gallons stored.
 7 MR. REICHMANN: I believe we have two
 8 -- two 10,000-gallon tanks now.
 9 MR. LINTNER: Two 10,000s and you're
 10 delivering, you said, two or three times a week --
 11 MR. REICHMANN: Yes.
 12 MR. LINTNER: -- you're refilling?
 13 MR. REICHMANN: Um-hum.
 14 MR. LINTNER: And the new one is
 15 12,000 and you're hoping four to five times a week,
 16 so you're hoping essentially double gas sales.
 17 MR. REICHMANN: No, not at all.
 18 MR. LINTNER: Simple numbers shows
 19 you're --
 20 MR. REICHMANN: Well, two to three to
 21 four to five, we're hoping to pick up a load or two
 22 maybe a week.
 23 MR. LINTNER: Okay.
 24 MR. REICHMANN: And the additional
 25 storage capacity gives us more flexibility to put

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1 the loads in when it's more convenient for us.
 2 MR. LINTNER: Okay. Okay.
 3 Okay, and a load is, what, 6,000
 4 gallons?
 5 MR. REICHMANN: 8600 gallons.
 6 MR. LINTNER: Okay. And just one
 7 other question. Does the potential gas tax that New
 8 Jersey's talking about, does that affect this
 9 application at all?
 10 MR. REICHMANN: No, sir.
 11 MR. LINTNER: It's not driven for New
 12 York gas customers?
 13 MR. REICHMANN: Well, if the gas tax
 14 goes through, it will affect our gas sales in New
 15 Jersey because, yes, we do have a lot of customers
 16 coming over --
 17 MR. LINTNER: Right.
 18 MR. REICHMANN: -- from New York to
 19 take advantage of the lower fuel prices in New
 20 Jersey. So what it will do is it will reduce the
 21 differential between New York and New Jersey; we'll
 22 pick up more gas sales in New York and New Jersey
 23 will lose some gas sales.
 24 MR. LINTNER: Right, okay. Okay, I
 25 just want to make sure it wasn't a --

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1 MR. REICHMANN: No.
 2 MR. LINTNER: -- a bad investment if
 3 the gas tax does go through.
 4 MR. REICHMANN: No.
 5 MR. LINTNER: Because I know Montvale
 6 as well as Northvale where a tremendous number of
 7 New York City people come down for gas.
 8 MR. REICHMANN: Yes.
 9 MR. LINTNER: Okay. Thank you.
 10 No additional questions, Mr. Chairman.
 11 CHAIRMAN DePINTO: Thank you.
 12 Ms. Lawlor indicated to me -- and you
 13 were sworn in with this application.
 14 MS. LAWLOR: No, I wasn't.
 15 MR. REGAN: No.
 16 D E B O R A H L A W L E R, FAICP, Board Planner,
 17 is sworn.
 18 MR. REGAN: Let the record reflect
 19 that the Board planner, Deborah Lawlor, has been
 20 sworn.
 21 CHAIRMAN DePINTO: She is a planner
 22 with Maser Consulting. And she indicated to me
 23 earlier that she has had experience in dealing with
 24 combination convenience stores and gas stations. Is
 25 that true.

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1 MS. LAWLOR: Yes.

2 CHAIRMAN DePINTO: Okay. And can you

3 shed any light on the discussion we were having with

4 regard to the relationship and size between the

5 store, the property and the pumps?

6 MS. LAWLOR: Yeah. When I'm looking

7 at your plan, I'm seeing a building that's two large

8 for the site and I heard Mr. Fette's comments, I

9 heard Mr. DePinto's comments, and I hear what you're

10 saying about the depth of the piece of property, but

11 I also look at the building and I'm seeing that

12 you're trying to squeeze a building onto this site

13 that is just too large and we need to take a step

14 back and we saw an application just a couple of

15 weeks ago come through here and we saw how we were

16 able to accommodate it on a piece of property that

17 was almost identical.

18 Now, there are different floor plates,

19 we know that -- okay? -- when it comes to these

20 types of convenience stores and it can be

21 reconfigured for the site. Mr. Fette mentioned, you

22 know, taking it and making it narrower rather than,

23 you know, we're not asking you to make it, you know,

24 shallower, we understand the situation that you're

25 in, but you have to look at how to make this work on

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1 the site.

2 The amount of square footage that

3 you're looking at on this piece of property is

4 something that you would look at on a site that's

5 probably closer to an acre in size. Okay? When you

6 look at it, probably a Wawa is more the size we're

7 looking at when we compare this. Some of those

8 QuickCheks that you're talking about that are coming

9 up with the gas stations, they have a lot more pumps

10 that are associated with them. They're probably a

11 little over 5,000 square feet, if you're going to do

12 some of the comparisons, and they're probably on an

13 acre and a half to two acres or more in size when

14 you start looking at these and doing a chart like

15 you were talking about, John. Okay? So when we

16 want to compare apples to apples, I think that's

17 what's going to happen, but to say that, you know,

18 you might not have a typical floor plate, you know,

19 that you'd use in the past, maybe you don't, but I

20 think that there's a lot of good examples out there

21 that we can use, you know, to get something usable.

22 I know that there is probably products and

23 appliances that you might want to be trying to put

24 into this store but we have to come up with

25 something much more reasonable for the site and I

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1 think that you've done a great design for the

2 building, and with the windows and the stuff that

3 you're trying to get in here to get a lot of light,

4 I think that you're going to come up with a good

5 product for the site, but the size is what we need

6 to work on here.

7 MR. MEESE: Mr. Chairman, can I ask

8 Ms. Lawlor --

9 CHAIRMAN DePINTO: Sure.

10 MR. MEESE: -- some questions on that?

11 CHAIRMAN DePINTO: Sure, absolutely.

12 MR. MEESE: You said that the size is

13 a problem but you wouldn't recommend making the

14 store any shallower. Why is it that -- what factors

15 do you look at to say that the store is too large.

16 MS. LAWLOR: Well, I think that what's

17 happening is that, when we're looking at the overall

18 size of the piece of property, it's the other

19 factors that we're looking at from a zoning

20 perspective, okay?

21 MR. MEESE: Which are what.

22 MS. LAWLOR: Well, the -- the open

23 space on the property, the landscaping, are we able

24 to accommodate that, you know, we're trying to work

25 with everything on the site, you know, the parking

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1 situation, we're looking at and we're trying to be

2 accommodating on that, but if we actually scale down

3 the building, we could probably even work more on

4 site with that.

5 MR. MEESE: But you're aware of the

6 FAR in the B-1 zone, right.

7 MS. LAWLOR: Yes, I'm aware of it, but

8 just because you are able to meet the FAR doesn't

9 mean you're able to meet everything else on the

10 site. I think John brought that up earlier.

11 MR. MEESE: Are you aware of the side-

12 yard setbacks?

13 MS. LAWLOR: Yes.

14 MR. MEESE: And we exceed the side-

15 yard setback.

16 MS. LAWLOR: Right.

17 MR. MEESE: We also exceed both side

18 yard setbacks.

19 MS. LAWLOR: I understand what you're

20 saying. We're also trying to be accommodating to

21 you. You have a rear-yard issue and you have a

22 shallow piece of property.

23 MR. MEESE: No, I understand that but

24 --

25 MS. LAWLOR: Okay? And you have a

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1 hundred -- I think a hundred-foot-long building that
 2 you're trying to do.
 3 MR. MEESE: What I'm just trying to
 4 understand is why the store is too big when we meet
 5 the other criteria with respect to the store size,
 6 and you've acknowledged that you really can't make
 7 the store any narrower and we're actually reducing
 8 the lot coverage that exists today.
 9 MS. LAWLOR: But you're packing --
 10 you're packing more square footage onto this
 11 property and in terms of, like, the amount of
 12 parking, the amount of traffic that this amount of
 13 square footage generates for the site, if we got it
 14 down to the size that that acreage actually would
 15 deal with, we'd be able to work with the site.
 16 MR. MEESE: But your Board engineer
 17 said that the parking is sufficient --
 18 MS. LAWLOR: Because we're trying
 19 to --
 20 MR. MEESE: -- for this size building.
 21 MS. LAWLOR: -- accommodate it with
 22 you in the front of the building. I know -- I know
 23 what you're getting at but I'm trying to look at
 24 getting a building that actually works better with
 25 the site. Okay? And --

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1 MR. MEESE: I'm just trying to
 2 understand why -- the factors that you're looking at
 3 to say it doesn't work with the site because, sure,
 4 you can make a -- you can make a smaller building;
 5 any site, you can have a smaller building. A lot of
 6 those buildings are the type of buildings that none
 7 of us would ever want to go into and the gas station
 8 industry is getting away from. Frankly, we don't
 9 want this to be a gas station shop. We want it to
 10 be a nice-looking convenience store that is
 11 inviting. And I'm just trying to understand, from a
 12 planning perspective, if it's not the depth -- and
 13 that's where the variance is, to the rear yard --
 14 what's the need to bring in the side yards if we
 15 already exceed the side yards.
 16 MS. LAWLOR: I feel that -- I feel in
 17 this case that you're overloading the site with this
 18 building. Okay? I mean, you still haven't given us
 19 the plans to look at to take a close look at them
 20 but, you know, from what we're seeing here and the
 21 plan that you had up earlier, you know, in
 22 comparison to other stuff that we've seen, I just
 23 feel that you've overloaded the site. I think you
 24 have to give the Board a good look at your plans.
 25 MR. MEESE: No, no, understood, yeah.

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1 Clearly --
 2 CHAIRMAN DePINTO: We're trying to
 3 work our way through it.
 4 MR. MEESE: These plans are hot off
 5 the press. We wanted to get them to you to show
 6 that we're working with you and we tried to address
 7 all your comments from two weeks ago.
 8 CHAIRMAN DePINTO: Which is the way we
 9 normally work and we intend to continue to work that
 10 way, but we all have to get pretty much on the same
 11 page. I think we have a number of unanswered
 12 questions. You're questioning Ms. Lawlor on how she
 13 derived her opinion, I'm questioning you as to the
 14 standards and looking for comparisons. I could only
 15 use what I know and that's what's in Montvale.
 16 Maybe if you expand the reach of the search, we
 17 could get a better feel for it.
 18 Ms. Green, I'm not looking for you to
 19 go over your technical review, but with respect to
 20 the size of the structure and relationship to the
 21 size of the property, you did the technical review
 22 --
 23 MS. GREEN: Um-hum.
 24 CHAIRMAN DePINTO: -- and heard the
 25 application with New Jersey Energy and you had

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1 strong opinions with regard to that site.
 2 On the surface, without getting into
 3 the variances, what are your thoughts on the size of
 4 the structure and the use of the property in
 5 relationship to the overall size of this property?
 6 MS. GREEN: Well, it's -- it's clear
 7 from my report that some of the variances that they
 8 need are a result of a larger building. They're
 9 deficient in parking because of the building size.
 10 They're over on the coverage. You know, you either
 11 have to reduce impervious coverage or building
 12 structures. The -- they need a variance for the
 13 accessory structure size because it's greater than
 14 30 percent of the principal structure's square
 15 footage. So there are -- while the building does
 16 meet the FAR standards, there are other variances
 17 that are triggered as a result of either the
 18 building size or the overall development of the
 19 property, which I think goes back to what Deb is
 20 saying, is that there seems to be -- they're trying
 21 to fit a lot on the site, and I think you hit the
 22 nail on the head with New Jersey Energy, which we're
 23 working through the resolution compliance process
 24 currently, in that the site is similarly sized; in
 25 fact, they, I think, had a more constrained site

1 because they had two street frontages, yet they
 2 worked with us in dealing with the yards and the
 3 setbacks and also against residential neighbors as
 4 well, so there are a number of similarities and I
 5 think it's right for the Board to be concerned about
 6 this site as well because we have residences to the
 7 rear and we also have the retail spaces to the south
 8 that could be negatively impacted if we don't ensure
 9 that it's planned and laid out well. And I don't
 10 know that, you know, saying that 4,000 square feet
 11 is the standard. Well, that's also what we heard --
 12 you know, we heard from New Jersey Energy, I can't
 13 remember what number they gave us, but they said
 14 "This is our standard," and lo and behold, it was
 15 not their standard. And I think that would come
 16 from any, you know, corporate entity, whether we're
 17 talking about gas stations or fast food, they always
 18 say "This is our standard, this is our template,"
 19 and lo and behold, there's always a Version B, C, D
 20 that eventually come out.

21 So I think that it would be prudent for
 22 the applicant to take in what they've heard tonight,
 23 combine that with what they heard last time, and get
 24 us revised plans and we can actually sit down and
 25 have some time to review, you know, before we keep

1 going further and further into the application.
 2 CHAIRMAN DePINTO: Okay, good, thanks.
 3 Chris, and again, without going into
 4 your engineering review, but you heard the comments
 5 that were made. Do you believe, from an on-site
 6 traffic circulation point of view, as per the
 7 discussions with regard to delivery vehicles and
 8 things of that nature, if -- if the building were
 9 somewhat reduced in size or if it were reconfigured
 10 in a manner that the overall site development plan
 11 could be improved upon?
 12 MR. DOUR: Well, I think the fact that
 13 deliveries of the fuel have to be after hours speaks
 14 a lot that they can't get into the site -- because
 15 of the physical limitations of the site, the width
 16 of the site, they can't get in there and have cars
 17 there at the same time. I think that speaks a lot
 18 to, again, the site configuration.
 19 I'd like to see the turning radiuses
 20 and everything and the circulation pattern based on
 21 the revised canopy size, moving the building
 22 forward, just to see how it's going to work because
 23 everybody knows that when you can put a plan
 24 together, it could be the best plan, but people are
 25 going to drive wherever the heck they want to on the

1 site anyway, so I think you need to have -- we need
 2 to look at it from a circulation and safety
 3 standpoint for the cars as well as for the truck
 4 deliveries.

5 CHAIRMAN DePINTO: Okay. I know you
 6 have two other witnesses tonight, Mr. Meese. Do you
 7 want to --

8 MR. MEESE: Yeah, what I would like to
 9 do is at least bring up Ms. Dolan and talk -- we've
 10 talked a little bit about circulation and traffic
 11 tonight, so...

12 CHAIRMAN DePINTO: When you weren't
 13 looking, she left.

14 (Laughter)

15 MR. REGAN: Greg, you gotta pay
 16 attention.

17 (Whereupon Ms. Dolan came back into the
 18 room.)

19 MS. DOLAN: I'm up?

20 MR. REGAN: Would you raise your right
 21 hand.

22 E L I Z A B E T H D O L A N, P.E., is sworn.

23 MR. REGAN: And for the record, would
 24 you state your full name and spell your last name,
 25 please?

1 MS. DOLAN: Elizabeth Dolan,
 2 D-O-L-A-N.

3 MR. REGAN: Mr. Chairman, Ms. Dolan's
 4 been here before the Board on a number of occasions,
 5 she's previously been qualified to deal with traffic
 6 engineering, and I'd recommend she be deemed so
 7 qualified without any further questioning.

8 CHAIRMAN DePINTO: The Chairman will
 9 accept the recommendation of counsel.

10 MS. DOLAN: Thank you.

11 CHAIRMAN DePINTO: Good evening.
 12 Please continue.

13 DIRECT EXAMINATION BY MR. MEESE:

14 **Q.** Ms. Dolan, you're familiar with the
 15 site plans which have been submitted to the Board?

16 **A. Yes, I am.**

17 **Q.** You're also familiar with gas station
 18 operations as well as combination gas station/
 19 convenience stores?

20 **A. Yes, I am.**

21 **Q.** And you've actually worked for
 22 QuickChek and Wawa and some of the others.

23 **A. Yes, I have.**

24 **Q.** Why don't we go out of order and ask,
 25 what is the typical size of a Wawa or QuickChek

1 convenience store that you're working on these days?
 2 **A. The prototype for Wawa is 5,585 square**
 3 **feet. I handled a recent QuickChek, I know it was**
 4 **on the smaller side, it was in the, I'll say, 4500-**
 5 **square-foot range, but I do know that they have**
 6 **buildings larger than that. And they are all going**
 7 **with gas. From a land use perspective, it is**
 8 **considered one use, the Institute of Transportation**
 9 **Engineers calls this "convenience market with**
 10 **pumps," it's -- it's the evolution of convenience**
 11 **store as well as the gas station to go hand in hand,**
 12 **they work well together. And I can tell you over**
 13 **the many -- 30 years that I've been working in**
 14 **traffic engineering, that what we first saw was the**
 15 **Exxons and Mobils and the gas stations were having**
 16 **those tug marts under the canopy and those were**
 17 **maybe 500 square feet, then they were having the**
 18 **2,000-square-foot standalone. I just did a**
 19 **renovation of, I think it was a 3800-square-foot On**
 20 **the Go mart that had been approved as part of a**
 21 **Mobil, and when I worked for QuickChek when**
 22 **QuickChek didn't do gas, their buildings were**
 23 **creeping up from 2400 to 3,000. So it's been an**
 24 **evolution on both sides, the gas station industry**
 25 **adding marts and the marts getting bigger, the**

1 **QuickCheks and Wawas adding gas and, of course,**
 2 **going up to that 5,000-square-foot building area.**
 3 **Q.** Okay. With respect to this site,
 4 you've done a rather traditional traffic analysis in
 5 terms of what's out there today, the impact of this
 6 site as well as looking at the on-site parking and
 7 circulation?
 8 **A. Yes, I have.**
 9 **Q.** Can you just review briefly --
 10 **A. Sure.**
 11 **Q.** -- what you've done and what your
 12 findings have been?
 13 **A. As we said, it's a traditional traffic**
 14 **study focusing on the peak commuter hours during the**
 15 **weekday morning and weekday evening and you heard**
 16 **from our operations witness that the peak period**
 17 **they experience is typically in the morning. The**
 18 **reason that we look at the morning and the evening**
 19 **rush hours, if you will, is because these uses,**
 20 **whether it's gas, convenience store and who's the**
 21 **leading portion of that use, they derive the**
 22 **majority of peak-hour traffic from the traffic**
 23 **already passing by the site. When we have done**
 24 **face-to-face interviews and we look at data**
 25 **published by the Institute of Transportation**

1 **Engineers, gas and convenience generate the highest**
 2 **amount of pass-by, that is, somebody's going to work**
 3 **in the morning, they turn in, they get their gas,**
 4 **coffee, whatever it may be, they continue on their**
 5 **way. I've been involved in face-to-face interviews**
 6 **where we've had over 90 percent pass-by, and that's**
 7 **more on the gas side than the convenience side. The**
 8 **ITE numbers come in 50, 60 percent pass-by. So the**
 9 **gist of the convenience industry is that they're**
 10 **really pulling traffic off the road and into the**
 11 **site and so the busy area is the driveway, but**
 12 **there's not necessarily a large increase in new**
 13 **generated traffic and, certainly, having been here**
 14 **several times for several different applications and**
 15 **spending some time on Railroad Avenue, we all know**
 16 **that when the train comes in, we've got a stop**
 17 **situation and so I don't think anybody would be**
 18 **necessarily interested in making a new site-specific**
 19 **trip to make a convenience or gas purchase at this**
 20 **location, unless they were already dropping someone**
 21 **off for the train or bus or going through the area**
 22 **as part of their normal commute, but nevertheless,**
 23 **we did model the new trips for this site renovation**
 24 **based on the traditional methodology.**
 25 **So just to go through some of the**

1 **points of our study, we began by counting the actual**
 2 **site driveway intersections with southbound Railroad**
 3 **Avenue and those counts were performed back in**
 4 **February of 2015 from 6:30 to 9 a.m. and from 4 to**
 5 **6:30 p.m. with a follow-up in March from 5:45 -- I'm**
 6 **sorry, from 5 to 5:45 p.m. And it was interesting**
 7 **because what we found was the morning was a little**
 8 **bit lighter, we had about 27 vehicles using the site**
 9 **during the one busiest hour during the weekday**
 10 **morning and a little bit higher in the evening with**
 11 **43 vehicles entering and exiting and we recorded the**
 12 **busiest hour in the morning from 8 to 9 a.m. and**
 13 **from 4:15 to 5:15 p.m.**
 14 **When we went back and did our**
 15 **supplemental count, we were specifically looking at**
 16 **what someone from the public had talked about**
 17 **earlier, which is, when you leave the site, you have**
 18 **the opportunity to enter two lanes. It's a one-way**
 19 **flow but you can enter the outside lane to continue**
 20 **to yield onto Grand or you get to the inside lane to**
 21 **get to the traffic signal to continue southbound or**
 22 **go back around and head north, and I calculated**
 23 **about 74 percent using the inside lane to get to the**
 24 **signal versus the lesser percentage using the**
 25 **outside lane to Grand Avenue.**

1 And certainly, we can talk about how
 2 the traffic arrives and departs when the train
 3 comes, when the train isn't there. I would agree
 4 with some of the commentary that I heard earlier in
 5 the evening that when the train comes, that inside
 6 lane of southbound Railroad Avenue is queued up,
 7 it's queued up past the site, so what do people do?
 8 If they're waiting to exit to that inside lane,
 9 sometimes they creep out, they get a courtesy gap
 10 from a car that is in that queue because nobody's
 11 going anywhere. Sometimes they sort of merge in and
 12 form a little bit of an extra lane by the island
 13 down at the traffic signal or, of course, if they're
 14 going right onto Grand Avenue, it's a free movement,
 15 they turn right out and they turn onto Grand Avenue.

16 So there's all sorts of things
 17 happening when the train comes, but during the
 18 normal course of operation when there's not a full
 19 stoppage because of the train, we didn't see any
 20 queuing on site. People come to the driveway to
 21 exit and they pretty much are able to turn right
 22 out, regardless of which lane they're going into.
 23 So that's the existing condition.

24 Now we need to look at what happens
 25 when we renovate the site and provide the other

1 opportunity for more purchases, which would be the
 2 convenience store.

3 Now, we've spent a lot of time tonight
 4 talking about the size of the building, so for trip-
 5 generation projections, I used the size of the
 6 building. There's a lot of ways to project traffic
 7 for gas and convenience store uses and the
 8 methodology includes rates based on how many fueling
 9 positions you have, how big your store is, and how
 10 much traffic is actually passing by during those
 11 peak hours. Traffic engineers in New Jersey, for
 12 NJDOT purposes, have to use the building area.
 13 That's just the way DOT says you have to do it.
 14 That does provide a pretty good indicator but I
 15 think we all can agree that there are those other
 16 factors that come into play that will affect the
 17 trip generation. We talked about it earlier with
 18 operations, how much traffic is passing by, can you
 19 turn left in and left out, is it a Route 23 with
 20 thousands of vehicles passing by or is it Railroad
 21 Avenue with a lower volume? All of those things
 22 plus the on-site maneuvering, the sufficiency of the
 23 parking area, how welcoming is the site, is it a new
 24 site, is it a large mart with large offerings? So
 25 while there are all those different factors, what I

1 did was the appropriate traffic engineering
 2 application of the ITE rates based on the building
 3 area and I came up with a total projection of 80
 4 vehicles using the site during morning peak hour
 5 compared with 27 under existing conditions and 99
 6 vehicles visiting the site during the evening peak
 7 hour compared with 43 that we recorded under
 8 existing conditions.

9 When we take the traffic that exists on
 10 Railroad Avenue, when we take the pass-by
 11 percentages of 60 percent that ITE says might be
 12 appropriate and we add the additional driveway
 13 volumes, we perform those level-of-service
 14 calculations and I don't know how appropriate they
 15 necessarily are when the train is there; certainly,
 16 you can't calculate that, you can't take into
 17 consideration the queuing that develops. It's a
 18 condition that any user along this roadway has to
 19 live with, but the volume combination that I'm
 20 looking at doesn't suggest that we're going to
 21 develop long queues on site or have a problem that's
 22 going to somehow create -- and I can't even say a
 23 road block on Railroad Avenue because when the train
 24 comes, that's exactly what you have.

25 So the redevelopment of this site for

1 continued right-in/right-out and that merging across
 2 the lanes that will occur, from my perspective, this
 3 offers an additional opportunity to make a purchase
 4 that somebody might have to go around the block to
 5 make at the new 7-Eleven. If they're traveling
 6 southbound on Railroad, they stop for gas, make a
 7 store purchase, maybe that helps alleviate a trip
 8 around the block or to some other destination to buy
 9 coffee or a bite to eat. The fact that this use,
 10 both the store and the gas station, are thriving on
 11 existing traffic, to me, from a traffic engineering
 12 perspective, indicates that this is an appropriate
 13 type of use for this location as opposed to
 14 something that would bring specific trips like an
 15 office, medical office, or even certain types of
 16 retailers where people are making a specific trip
 17 from one point to this destination. So I think
 18 that, whether it's a larger store or smaller store,
 19 the traffic impacts are really associated with the
 20 driveway movements and less so an impact to the
 21 adjacent roadway system.

22 There was one other thing that I wanted
 23 to discuss because it came up at the last meeting
 24 and again tonight, and I know we'll be back with an
 25 exhibit and modified site plan to show the driveway

1 on the neighboring property immediately to the
 2 south, but we did, during our counts, collect the
 3 volumes that are entering and exiting our neighbor
 4 immediately to the south, they're sharing a driveway
 5 now, but during the -- let's see. Busiest hour
 6 during the morning, there were seven cars entering
 7 and seven cars exiting, and again, that's those uses
 8 immediately to the south that are currently sharing
 9 a driveway. During the evening peak hour, we had a
 10 maximum of four entering and eight exiting. So
 11 while there's talk of the overlapping potential of
 12 these movements, I'm not concerned with these
 13 somewhat low volumes, but I do agree that we need a
 14 composite plan that shows the geometry of the two
 15 driveways will be side by side, but just to give the
 16 Board at least the benefit of the data being
 17 collected, they are somewhat low volumes associated
 18 with what will be the driveway to the south.

19 **Aside from that, our report looked at**
 20 **the efficiency of the on-site circulation and the**
 21 **parking supply and the pump island configuration.**
 22 **You heard from our engineer earlier that we're going**
 23 **through some modifications to the site plan to**
 24 **tighten up some of the circulation. When I came to**
 25 **this project, one of the first things I had**

1 **island situation, which is really what you have**
 2 **today. So the site, even with the modifications**
 3 **that Steve showed you earlier, from my perspective,**
 4 **will comfortably accommodate the circulation, the**
 5 **parking maneuvers, and I would, of course, agree,**
 6 **though, that the delivery of the tanker has to be**
 7 **when the store's closed because we can't circulate**
 8 **it without using the parking paces that are proposed**
 9 **in front of the building.**

10 **It was a lot. It's late.**
 11 MR. MEESE: Any questions of Ms.
 12 Dolan?
 13 CHAIRMAN DePINTO: Yes, please. I
 14 guess I'm starting with Mr. Fette, please.
 15 MR. FETTE: I have no questions.
 16 CHAIRMAN DePINTO: Thank you. Mr.
 17 Stefanelli?
 18 MR. STEFANELLI: So when -- the
 19 traffic counts that you have, do you have anything
 20 on the pass-by traffic?
 21 MS. DOLAN: The existing pass-by
 22 traffic at this location?
 23 (Mr. Stefanelli nods.)
 24 MS. DOLAN: No, we would have to
 25 collect that through face-to-face customer

1 **suggested was making the aisle between the pumps and**
 2 **Railroad Avenue one way and I was told that, I think**
 3 **it was through a TRC meeting, it was suggested that**
 4 **it be two-way, but from my perspective, the one-way**
 5 **circulation's certainly sufficient. Mr. Napolitano**
 6 **has provided some vehicle turning templates that**
 7 **show the ability to get the delivery vehicles and**
 8 **especially the tractor-trailer tanker through the**
 9 **site, and I would say, too, that based on the**
 10 **earlier discussions we had about maintaining the**
 11 **parking on Railroad Avenue, that actually gives a**
 12 **little bit more of a definition to our site driveway**
 13 **and more comfortable beginning for the movement of**
 14 **the truck into and out of the subject property. The**
 15 **parking supply plus the number of fueling positions,**
 16 **from my perspective and experience, is comfortable.**
 17 **We want to have multiple fueling positions so that**
 18 **when vehicles enter the site, they readily have a**
 19 **fueling position that works with their either left**
 20 **side or right side tank location. So we want them**
 21 **to be able to come in and get a spot that works for**
 22 **their vehicle and it's not as though, if you build**
 23 **it, they will come, it's more so providing the**
 24 **opportunity to fuel multiple vehicles at one time**
 25 **without developing queues from an inefficient pump**

1 interviews because you can't identify that from just
 2 the driveway counts and that's what we did was we
 3 counted --
 4 MR. STEFANELLI: Just strictly
 5 driveway counts.
 6 MS. DOLAN: Yeah. You really need to
 7 talk to the driver to get an understanding of where
 8 Point A and Point B are and if this was on their way
 9 or if they made a diversion to get here or if they
 10 came from home, you know, to just buy gas before
 11 they go down the shore or something.
 12 MR. STEFANELLI: No further questions.
 13 CHAIRMAN DePINTO: Thank you. Ms.
 14 Russo?
 15 MS. RUSSO: I have no questions.
 16 CHAIRMAN DePINTO: Thank you. Mr.
 17 D'Agostino?
 18 MR. D'AGOSTINO: Do you have a traffic
 19 count for that stretch in front of the store, not
 20 pass-by but overall traffic?
 21 MS. DOLAN: The actual volume that's
 22 there?
 23 MR. D'AGOSTINO: Yeah.
 24 MS. DOLAN: Yeah, let me just get to
 25 that. The figures in the back of the report show

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1 about 500, 510 during the morning peak hour and
 2 about 615 during the evening peak hour.
 3 MR. D'AGOSTINO: No further questions.
 4 CHAIRMAN DePINTO: Thank you. Mr.
 5 Lintner?
 6 MR. LINTNER: I have no questions, Mr.
 7 Chairman.
 8 CHAIRMAN DePINTO: Thank you. Mr.
 9 Culhane?
 10 MR. CULHANE: I've got a couple of
 11 questions.
 12 I notice the volume in traffic that
 13 you're projecting going into the station increases
 14 about, ah, three times in the morning and two-and-a-
 15 half in the evening. Do you have any idea how many
 16 of those cars want to continue south on Railroad
 17 continuing on to Park and on to Kinderkamack versus
 18 going onto Grand Avenue west?
 19 MS. DOLAN: I would say about 25
 20 percent would be going onto Grand Avenue.
 21 MR. CULHANE: Do you anticipate any
 22 problem with the cars exiting continuing south onto
 23 Park merging with the traffic that's not just
 24 continuing south coming from the north?
 25 MS. DOLAN: Yeah, I've -- I've watched

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1 it and I know we've talked about it here tonight. I
 2 think that there are times when there's -- I will
 3 say, yes, there is a problem because when the train
 4 is approaching, everything shuts down so the queues
 5 start to develop on the inside lane of Railroad and
 6 the maneuvers that I described before are -- there
 7 are a few different ones. There's courtesy gaps --
 8 sometimes there's gaps available, sometimes
 9 somebody's leaving the site, the queue hasn't
 10 developed, I mean, that happens too, so what happens
 11 with more cars leaving the site with the site
 12 renovation and expansion? Well, maybe a queue
 13 develops on the property or maybe there's more of
 14 that merging effect as the queue develops, but
 15 because everything is stopped and there's ample
 16 visibility, I can't necessarily say that that's a
 17 problem. It's -- it's a difficulty and it's
 18 certainly unpleasant for many of the drivers but
 19 it's the reality and I would also say, there was
 20 talk about a third lane on southbound Railroad
 21 Avenue and I don't know that that would necessarily
 22 help and I think there'd be some geometric
 23 difficulties at the signal itself, but it would
 24 certainly then add another lane of weaving movements
 25 that we don't have now. So under existing

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1 conditions, even with more traffic, it's a little
 2 bit cleaner than if there were three lanes.
 3 MR. CULHANE: Well, I've seen
 4 occasions where cars pulled out of the gas station
 5 basically looking to merge and end up blocking the
 6 traffic that's leading to Grand.
 7 MS. DOLAN: I've seen that, too.
 8 MR. CULHANE: And with the increased
 9 volume coming in, that incidence, I would expect to
 10 occur on a more frequent basis.
 11 MS. DOLAN: And that may happen, yes.
 12 MR. CULHANE: Just out of curiosity,
 13 not that it's a big deal, I notice on the counts,
 14 you have passenger vehicles, heavy vehicles and
 15 school buses. I don't see anything about commuter
 16 buses, which I happen to use.
 17 MS. DOLAN: You know, I had them
 18 tallied by hand and I could get that for you for the
 19 next meeting but I don't have it in this -- in this
 20 summary.
 21 MR. CULHANE: All right. I'm just
 22 curious because I get a bus about 6:35, 6:32, and I
 23 would say there's at least three buses coming
 24 through at that particular time. Just out of
 25 curiosity.

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1 MS. DOLAN: Okay.
 2 MR. CULHANE: I'd like to ask a
 3 question about the circulation of the traffic
 4 between the convenience store and the fueling
 5 stations. As I understand it, the north aisle
 6 leading into the parking area for the convenience
 7 store is a one-way ingress.
 8 MS. DOLAN: Let me just get the site
 9 plan.
 10 MR. MEESE: Should I put this up here?
 11 MS. DOLAN: Yeah, sure.
 12 Okay. I'm sorry. The northern
 13 driveway being ingress?
 14 MR. CULHANE: Yeah. The entrance for
 15 the fueling is also the entrance into the
 16 convenience store area; is that correct?
 17 MS. DOLAN: Yes.
 18 MR. CULHANE: And that's one way going
 19 in?
 20 MS. DOLAN: This driveway at the north
 21 end of the site is one way going in.
 22 MR. CULHANE: And it's one way going
 23 into the convenience store.
 24 MS. DOLAN: Right, you'll come up and
 25 have an opportunity to enter a two-way aisle in

1 front of the store and park or if you're going to
2 the fueling positions, you would enter, and we've
3 shown this now as a one-way southbound aisle --

4 MR. CULHANE: Let me cut, as the man
5 says, to the chase. I'm trying to figure out, if we
6 have a one-way ingress for the north aisle and a
7 one-way egress for the south aisle, how do you get a
8 traffic circulation two-way heading north?

9 MS. DOLAN: I think that that may
10 predate my involvement in this project, but I think
11 that that was what happened at the TRC --

12 MR. NAPOLITANO: Yes.

13 MS. DOLAN: -- was that there was a
14 thought about recirculation, and Mr. Napolitano is
15 nodding his head "yes," that that's what happened.

16 MR. CULHANE: I'm just saying, the car
17 heading north, where is it going? You're heading
18 into a one-way aisle.

19 MR. NAPOLITANO: It was discussed, if
20 I may, if I may, at the TRC, it was discussed that
21 -- at one time, everything was south one-way, but
22 what it discussed what happens over here and if they
23 didn't find a parking spot and they say "Okay, I
24 don't want my soda real quickly, I'll my gas
25 instead" and now they decide to get gas and they

1 can't get gas, so that was the reason for the
2 movement here, in case --

3 MR. CULHANE: But what I'm saying is:
4 The only way you can have a northbound move in front
5 of the convenience store, if they're going in the
6 opposite direction to the north aisle, it becomes
7 now -- that's the only way I see a circulation
8 pattern working. In other words, what I'm saying,
9 the north aisle is really a two-way aisle if you're
10 having northbound in front of the convenience store.

11 MS. DOLAN: If someone left the fuel
12 islands, they could --

13 MR. NAPOLITANO: Go in and try to find
14 a parking spot to grab something.

15 MS. DOLAN: Right, if they wanted to
16 park -- right.

17 MR. CULHANE: Is the north aisle one-
18 way or two-way?

19 MR. NAPOLITANO: What's north?
20 Between the canopy and the building?

21 MR. CULHANE: In front of the --

22 MR. NAPOLITANO: It's two-way.

23 MR. CULHANE: -- convenience store.

24 MR. NAPOLITANO: Two-way.

25 MR. CULHANE: When you get to the

1 north aisle, then he's heading east or -- as opposed
2 to the ingress, which is west. All I'm questioning
3 is, is the north aisle a two-way aisle?

4 MR. NAPOLITANO: This one here
5 (indicating)?

6 MR. CULHANE: No, the north. Yeah,
7 the north aisle, which is your ingress.

8 MR. NAPOLITANO: North on the plane
9 goes up and down. So do you mean here (indicating)?
10 I'm...

11 MR. CULHANE: I'm not getting the
12 point across.

13 MR. MEESE: You mean the aisle next to
14 the parking, the municipal parking lot?

15 MR. CULHANE: The aisle in front of
16 the parking, you're showing an arrow heading north.
17 When that car goes north, it can't go west, that's
18 parking, so he's gotta go east. If he's going east,
19 he's at the north aisle going east, but according to
20 the plan, the north aisle is one-way west. That's
21 my question.

22 MS. DOLAN: The aisle between the
23 building and the fueling area is two-way, it's shown
24 as two-way.

25 MR. CULHANE: The north aisle is two-

1 way?

2 MS. DOLAN: Yes.

3 MR. CULHANE: Then you better modify
4 your plan because I only see the one arrow in, I
5 don't see an arrow in the other direction.

6 MR. NAPOLITANO: I don't know what
7 he's talking about.

8 MS. DOLAN: I'm confused, too.

9 MR. NAPOLITANO: I apologize, I don't
10 know what you're referring to.

11 MR. MEESE: You're referring to this
12 here (indicating), right?

13 MR. CULHANE: Right. I see an arrow
14 heading west, I don't see an arrow heading east, and
15 that's why I question it. Is the north aisle
16 supposed to be two-way or one-way?

17 MR. NAPOLITANO: It's one-way.

18 MR. CULHANE: Then how do you have
19 northbound traffic in front of the convenience
20 store; how does a guy get out?

21 MR. NAPOLITANO: He's not going to
22 come this way (indicating), there's going to be "do
23 not enter" signs. The purpose of the TRC meeting
24 was to ask for a two-way lane here (indicating).

25 I'm trying to answer your question from earlier;

1 I'll repeat myself. If someone is getting gas here
2 and they want to go get a soda, they're able to come
3 here and, let's say, park here (indicating). If
4 someone's getting a soda, let's say, over here and
5 they wanted to park here and they need to get gas,
6 they would go here and they would come here
7 (indicating). They would leave the site this way,
8 they would leave the site this way (indicating).

9 Those were the discussions that were --

10 MR. CULHANE: I don't agree with you.

11 MR. NAPOLITANO: -- taken place --

12 MR. CULHANE: I'm not going to drag it
13 out.

14 MR. NAPOLITANO: -- during the
15 Technical Review Committee meeting, one of the three
16 or four that we had.

17 MR. CULHANE: No more questions, Mr.
18 Chairman.

19 CHAIRMAN DePINTO: Okay, thank you.

20 Ms. Dolan, you are aware of the fact
21 that the proposed application or this application
22 requires a variance for parking?

23 MS. DOLAN: Yes.

24 CHAIRMAN DePINTO: You indicated
25 earlier that a combined use of the convenience store

1 and the pumps is something that's quite common
2 nowadays --

3 MS. DOLAN: Yes.

4 CHAIRMAN DePINTO: -- and it's
5 referenced in your manuals.

6 MS. DOLAN: Right, that the
7 combination of gas and convenience store is
8 considered a land use.

9 CHAIRMAN DePINTO: Now, obviously, we
10 have a local code with respect to the parking
11 spaces, but through the manual, which all traffic
12 experts reference, what does the manual suggest is
13 the appropriate parking for eight fueling stations
14 and a 4,000-square-foot building on a half-acre lot?

15 MS. DOLAN: Well, they don't get quite
16 that detailed and I'll have to bring you back some
17 data because I'll break it down based on the
18 building area and the pumps. I think that the ratio
19 on the building may be about five, but I haven't
20 looked at that in quite some time because we've been
21 doing some research on these, so I'll -- I know I'm
22 coming back, I'll get you that answer when I return.

23 CHAIRMAN DePINTO: Yeah, I think it's
24 important because I think many of the Board members
25 -- or some of the Board members have a concern with

1 respect to the size of the building, the number of
2 fueling stations, and parking, which we really
3 haven't gotten into that much detail, we're
4 eliminating one on-street parking, there will be
5 three parking spaces remaining in front of the gas
6 station. That still does not equal what local code
7 requires in terms of parking. How are we going to
8 be able to justify the need for the parking variance
9 when the parking variance could either be reduced or
10 eliminated by reducing the square footage of the
11 building, unless the -- what is it, the ITE book --

12 MS. DOLAN: Correct, yeah.

13 CHAIRMAN DePINTO: -- says something
14 different?

15 MS. DOLAN: I would agree with you
16 because, in this case, the ordinance parking
17 requirement goes right to building area.

18 CHAIRMAN DePINTO: Okay. So I think
19 we're going to have to work on that. And then, are
20 you familiar with another recent gas station
21 approval that was granted in Montvale for the Shell
22 gas station on North Kinderkamack Road?

23 MS. DOLAN: Yes, I did work on that.

24 CHAIRMAN DePINTO: Okay. I thought
25 so. And if you may recall, the Board at that time

1 had concerns with regards to trucks utilizing the
2 fueling station and the trucks would have trailers.
3 Many of the local landscapers go to these gas
4 stations and they not only fill up their own truck
5 with fuel but they fill up their lawn mowers and
6 their cans and everything else.

7 Bob, if I'm not mistaken, did not we
8 prohibit trailers and --

9 MR. REGAN: We had a prohibition on
10 diesel.

11 CHAIRMAN DePINTO: And we had a
12 prohibition on diesel. Now, here you indicated, I
13 think the testimony from Tom was there would be no
14 dispensing of diesel fuel.

15 MS. DOLAN: That's correct.

16 CHAIRMAN DePINTO: But the question I
17 have for you, from an on-site traffic circulation,
18 if we do not prohibit trailers, will those trailers
19 interfere with the on-site traffic circulation, more
20 particularly, that drive closest to Railroad Avenue
21 and parallel to Railroad Avenue? Because that's a
22 critical drop.

23 MS. DOLAN: I agree with you now that
24 we've gone to one-way, I think I'd like to take a
25 look at that, because I agree, some of those

1 trailers, landscaping trailers, they're lengthy and
2 those guys kind of do what they want to do and this
3 comes up in, I would say, most of the applications
4 I'm involved with with gas pumps, is how do you
5 handle those larger vehicles.

6 CHAIRMAN DePINTO: Right.

7 MS. DOLAN: Oftentimes, signage or
8 simply the operation, and you may want to hear more
9 from Tom on that if they've got some policies, but
10 as to the specifics of the geometry, I think I need
11 to look at that and give you a more complete answer
12 when I come back.

13 CHAIRMAN DePINTO: Yeah, and again, we
14 dealt with it before on that Shell station, I think
15 we're going to have to deal with it here --

16 MS. DOLAN: Yes.

17 CHAIRMAN DePINTO: -- and if you
18 provide us with that geometry and allow our
19 engineers to review it, I'm sure we'll be able to
20 resolve it, but it's -- it's a concern we've had on
21 the last two gas stations or at least one of the
22 last two gas station applications.

23 MS. DOLAN: And as I said, with the
24 reduction in that aisle width between the pumps and
25 Railroad Avenue, I think that that's -- it's a

1 significant item we want to take a look at.

2 CHAIRMAN DePINTO: See, right now, I
3 don't think it's a problem with your gas station
4 because the pump islands are parallel --

5 MS. DOLAN: Parallel.

6 CHAIRMAN DePINTO: -- to the street.
7 Here, obviously, they won't be.

8 MS. DOLAN: Right, and the advantage
9 over the existing layout is the proposal allows you
10 to get more vehicles at the pump quicker but you do
11 lose that parallel configuration --

12 CHAIRMAN DePINTO: Right.

13 MS. DOLAN: -- that caters to an
14 occasional vehicle, I would say.

15 CHAIRMAN DePINTO: And then while
16 you're looking at it and if you determine that the
17 site could accommodate these trucks with their,
18 let's call them "landscape trucks and trailers" --

19 MS. DOLAN: Um-hum.

20 CHAIRMAN DePINTO: -- though it's not
21 just limited to that, from the southernmost fueling
22 island, will they be able to negotiate to get out of
23 the site?

24 MS. DOLAN: I don't think so. Not
25 from the southernmost fueling position. Maybe the

1 inside of that pump island but not the end one.

2 CHAIRMAN DePINTO: So I think we're
3 going to have to address that as well. And I think,
4 as Mr. Culhane is concerned, yes, maybe when we sat
5 at the Site Plan Review Committee, we were seeking
6 to simplify the on-site traffic circulation by
7 limiting the movements one direction versus two
8 direction and if, in fact, we're going to do that, I
9 think we have to carefully analyze the types of
10 vehicles and how they will fit onto the property.
11 We're trying to put a lot on the property and I
12 think we gotta nip and tuck it a little bit.

13 MS. DOLAN: Well, I would say, from my
14 perspective, with these types of applications, I
15 understand the size issue. The geometry that's
16 proposed certainly is appropriate for the use. When
17 you get into these issues of different types of
18 vehicles that may or may not come here, that -- as I
19 said, that's something that is usually a Board
20 concern throughout New Jersey, so we'll take a look
21 at the vehicle size.

22 CHAIRMAN DePINTO: Well, it's not only
23 throughout New Jersey but any of the border towns
24 with New York have that added burden of the New York
25 vehicles coming down because of the difference in

1 the price of gasoline, at least for right now.

2 MS. DOLAN: Sure.

3 CHAIRMAN DePINTO: And I think we have
4 to anticipate the varieties of vehicles. It was
5 explained to us that larger trucks probably wouldn't
6 fuel at local gas stations because the larger trucks
7 require the type of fuel pumps found on the highway
8 that pump --

9 MS. DOLAN: High speed?

10 CHAIRMAN DePINTO: -- high speed or a
11 greater quantity. So I think we were satisfied that
12 we wouldn't have to deal with very large trucks, but
13 it's -- it's more the combination of smaller trucks
14 and trailers, particularly when we have a tight
15 spot, as we do have here.

16 Okay, so I'd appreciate it if you could
17 research that. I'm going to --

18 MS. HUTTER: Are you marking this?

19 CHAIRMAN DePINTO: Yeah, we should
20 mark into evidence --

21 MR. REGAN: We're up to A-15, you
22 think?

23 MS. HUTTER: A-15.

24 CHAIRMAN DePINTO: And once again, I'm
25 going to open the meeting to the public.

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1 MR. REGAN: A-15.
 2 (Exhibit presented by Ms. Dolan is marked as
 3 Exhibit A-15.)
 4 CHAIRMAN DePINTO: All right, the
 5 Chair will entertain a motion to open the meeting to
 6 the public.
 7 MR. STEFANELLI: So moved.
 8 MR. D'AGOSTINO: Second.
 9 CHAIRMAN DePINTO: Mr. Stefanelli, Mr.
 10 D'Agostino. All in favor?
 11 MEMBERS OF THE BOARD: Aye.
 12 CHAIRMAN DePINTO: Public?
 13 MR. NIXON: No questions. Thank you.
 14 CHAIRMAN DePINTO: Anyone else from
 15 the public?
 16 (No response)
 17 CHAIRMAN DePINTO: No. The Chair will
 18 entertain a motion to close the meeting to the
 19 public.
 20 MR. D'AGOSTINO: So moved.
 21 MR. CULHANE: So moved.
 22 CHAIRMAN DePINTO: Mr. D'Agostino;
 23 seconded, Mr. Culhane. All in favor?
 24 MEMBERS OF THE BOARD: Aye.
 25 CHAIRMAN DePINTO: You do have one

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1 other witness but I do believe to bring your planner
 2 in when we're going to curfew in about two-and-a-
 3 half minutes will not give him adequate time, though
 4 I love brevity on the part of planners, but it
 5 doesn't always seem to happen, as evidenced before
 6 when Ms. Green was given seven minutes --
 7 (Laughter)
 8 CHAIRMAN DePINTO: -- and took 70
 9 minutes. Be that as it may, what does the schedule
 10 look like to carry?
 11 MS. HUTTER: August 2nd.
 12 CHAIRMAN DePINTO: Mr. Meese, August
 13 2nd?
 14 MS. HUTTER: But I would need the
 15 revised plans prior to that.
 16 MR. MEESE: Yeah. That's not going to
 17 work. August 16th?
 18 CHAIRMAN DePINTO: I'm sorry, what did
 19 you say?
 20 MS. HUTTER: August 16th.
 21 CHAIRMAN DePINTO: August 16th, we're
 22 probably not having a meeting, so if you can't do
 23 August 2nd, it'll be the first Tuesday in September.
 24 MS. HUTTER: Which would be --
 25 MR. MEESE: The 6th?

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1 MS. HUTTER: -- September 6th. Does
 2 that work?
 3 MR. MEESE: Yes all the way around.
 4 CHAIRMAN DePINTO: How about the Board
 5 members?
 6 MR. LINTNER: I'm here.
 7 CHAIRMAN DePINTO: And Board
 8 professionals?
 9 MR. DOUR: Works for two of us anyway.
 10 MR. MEESE: John, just for the record,
 11 we have a copy of the Shell -- approved Shell canopy
 12 plan. I'm not sure if we need to mark this.
 13 CHAIRMAN DePINTO: Shell canopy plan.
 14 MR. MEESE: Just for the purpose of
 15 talking about the under-clearance.
 16 MR. REGAN: If you want to introduce
 17 it, you can.
 18 CHAIRMAN DePINTO: Yeah, why don't we
 19 -- well, it was referenced.
 20 MR. REGAN: A-16.
 21 CHAIRMAN DePINTO: Was it referenced
 22 by your architect? I'm sorry.
 23 MR. MEESE: Yeah, just to show that
 24 the lowest point is 14 feet and it goes up from
 25 there. It's kind of a little bit of a slope --

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1 CHAIRMAN DePINTO: Okay.
 2 MR. MEESE: -- but the lowest point is
 3 14-foot.
 4 CHAIRMAN DePINTO: Why don't you
 5 submit it with the revised plan, then, the same time
 6 as you do the revised plans.
 7 MR. MEESE: Fair enough.
 8 MR. REGAN: So we won't mark it
 9 tonight?
 10 CHAIRMAN DePINTO: No.
 11 Okay. Thank you, everyone, for coming.
 12 MS. HUTTER: There'll be no further
 13 notice for this.
 14 CHAIRMAN DePINTO: Yeah. Notice to
 15 the public: The only notices from this point
 16 forward will be the announcement made at the meeting
 17 as to when it will be carried to. There will be no
 18 certified mail sent out or anything like that.
 19 MR. NIXON: Okay.
 20 CHAIRMAN DePINTO: If you are planning
 21 on coming back, if you want to confirm the date and
 22 time, please feel free to contact Ms. Hutter. I
 23 understand you and she have become really good
 24 friends. You could even call her "Lorraine."
 25 With that said, thank you and have a

1 good evening, everybody.

2 MR. NIXON: Thank you.

3 MR. MEESE: Good night. Thank you.

4 (Hearing adjourned at 11:04 p.m.)

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CERTIFICATE

I, MICHELE QUICK, a Certified Court Reporter, Registered Merit Reporter, Certified Realtime Reporter of the State of New Jersey, authorized to administer oaths pursuant to R.S. 41:2-1, do hereby state that the foregoing is a true and accurate verbatim transcript of my stenographic notes of the within proceedings, to the best of my ability.

MICHELE QUICK, CCR, RMR, CRR
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