

1 PLANNING BOARD  
2 BOROUGH OF MONTVALE  
3 COUNTY OF BERGEN  
4 BLOCK 2702, LOT 1, BLOCK 2801, LOT 2 :  
5 and BLOCK 3201, LOT 6-TRIBORO SQUARE :  
6 - MERCEDES DRIVE, GRAND AVENUE AND : VOLUME 2  
7 GLENVIEW AVENUE - PLANNED UNIT :  
8 DEVELOPMENT, PRELIMINARY AND FINAL :  
9 SITE PLAN (PHASE I) PLANNED UNIT :  
10 DEVELOPMENT AND PRELIMINARY SITE PLAN:  
11 (PHASE II) - GLENVIEW ROAD (PUD) :  
12 -----X  
13 Council Chambers  
14 Municipal Complex  
15 12 Mercedes Drive  
16 Montvale, New Jersey  
17 Monday, July 30, 2018  
18  
19 B E F O R E:  
20 JOHN DePINTO, CHAIRMAN  
21 FRANK STEFANELLI, VICE CHAIRMAN  
22 JOHN CULHANE  
23 ROSE CURRY, COUNCIL PRESIDENT, absent  
24 JIMMY D'AGOSTINO  
25 MAYOR GHASSALI  
26 WILLIAM LINTNER, absent  
27 MAGGIE O'NEILL  
28 ANNMARIE RUSSO  
29 DANTE TEAGNO  
30  
31 ROBERT REGAN, ESQ., BOARD ATTORNEY  
32 DOREEN ROWLAND, ACTING BOARD SECRETARY  
33 JEFFREY FETTE, BOROUGH CONSTRUCTION CODE OFFICIAL  
34 DARLENE GREEN, PLANNER  
35 ANDREW HIPOLIT, BOROUGH ENGINEER  
36  
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1 P R E V I O U S L Y M A R K E D E X H I B I T S  
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3 July 3, 2018  
4 A-1 Id. Affidavit of Notice  
5 A-2 Id. L2A Plans, 26 Sheets  
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7 A-3 Id. L2A Completeness Response Letter  
8 5/17/2018  
9 A-4 Id. Landscape Plans by Parker Rodriguez  
10 12 Sheets, Last Revised 3/2/2018  
11 A-5 Id. Lessard Architectural Plans  
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14 A-7 Id. Survey by Gallas Surveying Group  
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16 A-8 Id. L2A Sewer Capacity Report, 3/6/2018  
17 A-9 Id. L2A Storm Water Management Report  
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19 A-10 Id. L2A Storm Water Maintenance Manual  
20 3/2/2018  
21 A-11 Id. NJ DEP Flood Hazard Permit and  
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23 A-12 Id. Traffic Impact Report by Dolan & Dean  
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25 A-13 Id. Settlement Agreement, 11/2017  
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23  
24  
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1 (Agenda)  
2 CHAIRMAN DePINTO: Okay. Let's move on to  
3 the public hearing, the continuing public hearing on  
4 Block 2702, Lot1, Block 2801, Lot 2 and Block 3201,  
5 Lot 6, Triboro Square - Mercedes Drive, Grand Avenue  
6 and Glenview, Planned Unit Development, preliminary  
7 and final site plan, Phase 1, planning and  
8 development, preliminary site plan Phase II and  
9 Glenview Road.  
10 Let the record show that it's about 8:45.  
11 MR. REGAN: 7:45.  
12 CHAIRMAN DePINTO: 7:45. And that we  
13 intend to conduct this hearing and we will run it to  
14 10:15. So that will be what, about 2 1/2 hours? I  
15 think that would be adequate tonight.  
16 Okay. Please continue.  
17 MR. DEL VECCHIO: Good evening, Mr.  
18 Chairman, members of the Board, Andy Del Vecchio,  
19 member of the firm of Beattie, Padovano on behalf of  
20 the applicant this evening.  
21 We're here on continued public hearings  
22 concerning the Triboro Square project.  
23 Just to pick up on some of the housekeeping  
24 items where we started before the hearing this evening  
25 just so the Board is aware where we're going and how

1 we hope to get there. As you know, from the start of  
 2 these hearings on July 3rd, Mr. Dipple, our project  
 3 engineer, testified. He did not complete his  
 4 testimony and will be reappearing very likely at the  
 5 next hearing depending on what date that turns out to  
 6 be.  
 7 As we concluded his testimony, though, we  
 8 concluded on the note that there were significant  
 9 review letters that were issued by both of the Board's  
 10 professionals that required some changes to the plan.  
 11 They, they are significant in terms of their quantity  
 12 not necessarily in terms of their impact to the  
 13 project.  
 14 The project team has been working diligently and  
 15 we anticipate that we will be resubmitting fully  
 16 revised plans to address all of those comments,  
 17 probably the first thing Monday morning, in advance of  
 18 the next hearing. And we will endeavor to do that so  
 19 that the Board professionals have adequate time to  
 20 review them before Mr. Dipple reappears.  
 21 We do have with us this evening our project  
 22 architect, Mr. Simon. And Ms. Dolan will be here a  
 23 little later. If we are able to conclude Mr. Simon's  
 24 testimony we intend to proceed with Ms. Dolan's  
 25 testimony as it concerns the shared parking analysis

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1 that is governed by the Board and RSIS standards for  
 2 this project.  
 3 So with that said, I would like to call Mr.  
 4 Simon and have him sworn and qualified.  
 5 MR. REGAN: Would you raise your right  
 6 hand, sir.  
 7 Do you swear or affirm that the testimony you  
 8 give will be the truth so help you God.  
 9 MR. SIMON: I do.  
 10 MR. REGAN: For the record state your full  
 11 name and spell your last name.  
 12 MR. SIMON: Jerry Simon, S I M O N.  
 13 MR. REGAN: Jerry is the first name?  
 14 MR. SIMON: Correct.  
 15 MR. REGAN: Thank you.  
 16 DIRECT EXAMINATION BY MR. DEL VECCHIO:  
 17 Q Mr. Simon, you are a licensed professional  
 18 architect in the State of New Jersey?  
 19 A Yes, I am.  
 20 Q Your license is currently valid and in  
 21 good standing here?  
 22 A Yes, it is.  
 23 Q And could you give the Board a brief  
 24 overview and benefit of your educational experience in  
 25 the field of architecture?

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1 A I've been in the business approximately 25  
 2 years plus. My schooling was California Polytechnic  
 3 Institute of University of Pomona, California and I'm  
 4 licensed in several other states as well as New  
 5 Jersey.  
 6 Q And where are you currently employed?  
 7 A Lessard Design. That's in Vienna,  
 8 Virginia.  
 9 Q And, Mr. Simon, at the last hearing your,  
 10 the Lessard architectural plans that consisted of 30  
 11 sheets and I believe have a last revision date of  
 12 March 2 on them were marked in as A-5 in the  
 13 proceedings.  
 14 Those drawings were either prepared by you or  
 15 under your supervision?  
 16 A Yes, they were.  
 17 Q You have had an opportunity to review the  
 18 property which is the subject of this application?  
 19 A Yes, I have.  
 20 Q As well as the neighborhood in which this  
 21 property sits?  
 22 A Yes.  
 23 Q And you were provided with and had an  
 24 opportunity to review the MPUD zoning requirements and  
 25 the zoning requirements of the Borough of Montvale as

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1 they may pertain to this project?  
 2 A Yes.  
 3 MR. REGAN: Mr. Del Vecchio, there is no  
 4 need to qualify him.  
 5 MR. DEL VECCHIO: I was just going to put  
 6 his foundation in.  
 7 Yes.  
 8 MR. REGAN: I can ask one question, have  
 9 you ever testified before any land use boards in New  
 10 Jersey?  
 11 THE WITNESS: Yes, I have.  
 12 MR. REGAN: And you were qualified as an  
 13 architect?  
 14 THE WITNESS: Yes, I have.  
 15 MR. REGAN: I recommend that he be  
 16 qualified, Mr. Chairman.  
 17 CHAIRMAN DePINTO: The Chair will accept  
 18 recommendation of counsel.  
 19 Please continue.  
 20 Q Mr. Simon, the drawings that were marked  
 21 as A-5, the architectural plans, again they were  
 22 prepared by you or under your supervision?  
 23 A Under my supervision, yes.  
 24 Q And you had your hand in the early stages  
 25 of this project in developing the plan as it has grown

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- 1 and matured into this final set.  
 2 Correct?  
 3 A That is correct.  
 4 Q And can you start with providing the Board  
 5 with an overview of what the vision of this project  
 6 was and we'll start focusing down into some of the  
 7 details.  
 8 A Okay. The vision was really taking a lot  
 9 of inspiration from the DePiero's Farm across the  
 10 street which would be the color, the materials.  
 11 Basically the forms, the forms that were, that were  
 12 across the street and applying that to, to, well,  
 13 right now there's the three buildings that we're going  
 14 to present to you tonight.  
 15 And that was, that was really our main, our main  
 16 focus, basically the residential buildings.  
 17 Q And a lot of care, thought and  
 18 consideration went into each of the forms and the  
 19 materials and the shapes and the final product is  
 20 presented in these drawings?  
 21 A I would like to think so.  
 22 Q All right. Let's start with an overview,  
 23 if you will, of what the project is from an  
 24 architectural standpoint.  
 25 A Start with the site plan?

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- 1 Q An overview of which buildings are which  
 2 and how you will --  
 3 MR. REGAN: It might be helpful if you go  
 4 sheet by sheet to follow along.  
 5 Q Let's start with the aerial overview.  
 6 A Sheet G01 shows the overview of both the  
 7 Mercedes property and the DePiero's Farm property.  
 8 There are six buildings on the Mercedes site.  
 9 Buildings 1 and 3 are residential, Building 2 is an  
 10 office and retail, 4 and 5 are conceptual buildings  
 11 that will be coming back in the future and Building 6  
 12 is also a hotel that would be coming back as well.  
 13 Q When we say it's coming back, you mean  
 14 returning for final site plan approval with final  
 15 designs and architecture presented for the use?  
 16 A Yes. These are based on the preliminary  
 17 site plan.  
 18 Q Okay. Let's, if we can, turn the sheets.  
 19 Let's just touch upon what G2 is and we'll go  
 20 over the details of it at a later point when we define  
 21 some of the fine points.  
 22 What is G2 intended to represent?  
 23 A G2 basically what's being the tabulation  
 24 of the entire site which breaks down to two  
 25 residential buildings, the office building and

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- 1 Building 6 which is the hotel.  
 2 Q Now the takeaway from this is, it tells us  
 3 how many total units are proposed in terms of a, of  
 4 the residential on-site?  
 5 A It breaks down each, each type of unit per  
 6 building and the number of parking spaces within that  
 7 building.  
 8 Q And so if we were to look at the  
 9 residential mix, how many total units are provided in  
 10 Building 1?  
 11 A Building 1 is 156 units.  
 12 Q And of them how many are market rate and  
 13 how many are proposed to be affordable units?  
 14 A We have a total of 22 affordable units and  
 15 134 market rate.  
 16 Q And the market rate units are  
 17 predominantly one and two bedroom units?  
 18 A Yes.  
 19 Q There are --  
 20 A Some have dens in them.  
 21 Q There are one or two-bedrooms. There are  
 22 no three-bedrooms.  
 23 Correct?  
 24 A On the market rate?  
 25 Q Correct.

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- 1 A Correct, that is correct.  
 2 Q And on the affordable units there is a mix  
 3 of one, two and three-bedroom units?  
 4 A That is correct.  
 5 Q The total number of one-bedroom units in  
 6 the affordable project or the affordable component of  
 7 this building is how many?  
 8 A Four.  
 9 Q How many two-bedrooms?  
 10 A 13.  
 11 Q And how many three-bedrooms?  
 12 A Five.  
 13 Q And in terms of percentages, because  
 14 they're important for our compliance with our  
 15 settlement agreement, that breaks down into what  
 16 percentage of one, two and three-bedroom units in this  
 17 particular building?  
 18 A One-bedrooms were 2.56, two-bedrooms were  
 19 8.33 and the three-bedrooms were 3.21.  
 20 Q And the total percentages for --  
 21 A The total for the affordable is  
 22 one-bedroom is 18.18 percent, two-bedrooms is 59.09  
 23 and the three-bedroom is 22.73 percent.  
 24 Q Now in terms of Building 3, which is the  
 25 second residential building, can you just give us the

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1 total number of units broken down to market and  
2 affordable units again?  
3 A The total number of units is 152. In that  
4 building there's 130 market rate and 22 affordable  
5 units as well.  
6 Q And the affordable units are broken down  
7 virtually -- not virtually, exactly the same number in  
8 terms of quantity, bedroom type and percentages as is  
9 exhibited in Building 1 which is the first residential  
10 building.  
11 Is that correct?  
12 A That is correct.  
13 Q Okay. Let's, from a total for this  
14 particular project on the Mercedes site, the total is  
15 308 units of which 264 are market and 44 are  
16 affordable?  
17 A Correct.  
18 Q Let's turn the sheet from here, turning to  
19 Sheet G3.  
20 You can, again, walk us through what this sheet  
21 represents.  
22 A This is the site, represents the site plan  
23 showing Building 1, 2, 3 and 6 colored which we're  
24 speaking of tonight and Buildings 4 and 5 are right  
25 now with no color.

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1 Q And that no color is meant to designate  
2 they're in for only preliminary but not preliminary  
3 and final?  
4 A That's correct.  
5 Q Now in terms of the residential buildings,  
6 obviously in the middle it looks like there is a white  
7 area that is uncolored.  
8 Could you tell us what that represents?  
9 A That's the plaza area that is bordered by  
10 Buildings 1, 2 and 3.  
11 Q And essentially -- let's turn, if we can  
12 as well, to Sheet G4 --  
13 We're going to switch back to Sheet G3 for a  
14 minute.  
15 A I'd like to actually present both  
16 Buildings 1 and 3. Essentially -- they're actually  
17 the same size. They're 236 feet in length and 244 in  
18 width. They're structured the same. They're a donut  
19 type building with an interior courtyard. They park,  
20 there is subterranean parking on both of them. Each  
21 one of them has a retail component of approximately  
22 10,000 square feet plus a leasing center on the  
23 grounds floor and then there's three, three floors of,  
24 of residential above that.  
25 So we'll go through the elevations.

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1 But as far as our approach, we approached the  
2 design the same way trying to break the massing down  
3 because they're such large buildings as far as length  
4 and the width of them. The idea was to break them  
5 down with color, material, even window applications.  
6 We have different sized windows. We have different  
7 treatments as far as mullions on the windows so --  
8 but, again, both buildings were approached the same.  
9 Q All right. Switching to Sheet A-1.1.  
10 A This is the Mercedes Drive and north  
11 elevation for Building 1. On the Mercedes, on the  
12 right side of the building that's the, you'll see on  
13 the bottom that is the retail component of that  
14 building and they are three floors of residential  
15 above.  
16 And what we tried to do is, and what we believe  
17 we have done is articulate the building in its, its  
18 verticality as far as we have had a lot of roof  
19 changes, different style roofs and also within a  
20 horizontal plain the building adjusts as well plus the  
21 different materials. We usual -- we have a materials  
22 board to go over later but we're using a lot of  
23 different Masonite. We're using stone materials.  
24 We're using corrugated, contemporary corrugated metal  
25 finish on some of the buildings and the roofs as well,

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1 along with with different colors. We're trying,  
2 again, to breaking the building up, trying to reduce  
3 the mass of this, of both of these buildings.  
4 Q Jerry, the retail component of this  
5 building essentially occurs at the portion of this  
6 building that faces that interior plaza where the  
7 office Building No. 2 is focused at. So it is on that  
8 north elevation, if you will, that kind of faces  
9 towards Grand Avenue where that retail component  
10 faces?  
11 A Correct. This building, actually between  
12 Building 1, 2 and 3, the, it's, it's lined with retail  
13 facing the plaza area.  
14 Q And other than turning that corner very  
15 so, very so slightly, it has a small portion of that  
16 retail component that will face Mercedes Drive?  
17 A Correct. That's typically the depth of  
18 the retail.  
19 Q The rest of that is either retail or  
20 dedicated to the subterranean parking?  
21 A Well, as parking for residential.  
22 Q Sorry. Correct.  
23 All right. The elevation at the bottom of the  
24 sheet, Sheet No. 2 or Elevation No. 2 is entitled  
25 plaza style elevation. Again, that is showing us

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1 where that retail faces to that interior plaza area  
2 that is between Building 1, 3 and the office building,  
3 No. 2?

4 A That is correct.

5 Q And, generally speaking, can you just give  
6 us a general sense of the height, the maximum height  
7 of this building?

8 A It is --

9 Q I guess when I asked you for height, I'm  
10 going to ask you for height just as an architect we  
11 calculated not necessarily the fine point calculation  
12 of how the Montvale ordinance requires us to calculate  
13 it which Mr. Dipple will cover.

14 A We're actually, I believe we're 58 feet to  
15 the mid portion of the roof on the, on the pitched  
16 roof.

17 Q And the number of stories?

18 A We're at three stories over, over retail,  
19 a total of four in terms of spots.

20 Q Sure.

21 A We have to turn the page.  
22 63 feet from the retail to the flat portion of  
23 the roof and to the pitched roof we're actually 60  
24 feet 4 inches to the midpoint of the pitched roof.

25 Q Okay. Both buildings are generally the

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1 same height?

2 A Yes, they are, generally.

3 Q And at some point we need to cover the  
4 exterior materials and I'm not sure whether you want  
5 to talk about the material board at this point and  
6 correlate it to the, the elevation Sheet 1.1 or do you  
7 want to do that later?

8 A I want to do that later because we're  
9 using pretty much the materials --

10 Q Okay.

11 A -- in both, both buildings.

12 Q All right. Let's, let's turn to Sheet  
13 A-1.2. This is which building now?

14 A This is Building 1. It's the rear  
15 elevation -- the west elevation is actually the entry  
16 to the garage. You could see on the lower portion we  
17 have a garage and then the three levels of residential  
18 above. And on the left side of the west elevation  
19 there, it looks like a retail component but that's  
20 actually leasing and amenities space for that  
21 building.

22 Q Mr. Simon, that rear elevation is in fact  
23 the elevation that would face the Garden State  
24 Parkway?

25 A That is correct.

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1 Q And the left side elevation?

2 A That's the south elevation which also  
3 shows the portion of the garage naturally ventilated  
4 with three stories of residential above it and, and a  
5 retail component.

6 Q If you turn to Sheet 1.3.

7 A 1.3 is the basement parking layout.

8 Again, it enters from the west side. There is a lower  
9 lobby from the garage that you can take up into the  
10 ground floor lobby and amenity area through the  
11 garage.

12 We're just showing exiting for stairs. We're  
13 showing our elevator. We have two elevators located  
14 in this building.

15 Q So this basement floor plan shows the one  
16 point where vehicular ingress and egress occurs to the  
17 subterranean parking area?

18 A Correct.

19 Q And it shows two elevator opportunities  
20 for access into the upper levels of this building?

21 A Yes.

22 Q And we have a couple of stairwells that  
23 are depicted on the, what I'll call the front and back  
24 of the building, the east and west elevation.

25 What are those, Mr. Simon?

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1 A They're exiting, emergency exiting.

2 Q All right. If we can shift to Sheet 1.4.

3 A 1.4 is showing the approximate 10,000  
4 square feet of retail, the leasing and amenities on  
5 the west side of the building and then a partial floor  
6 with retail.

7 Let's see. That's pretty much it.

8 Q Just in terms of the, the layout for the  
9 residential component, we have a u-shaped corridor  
10 that services the entirety of the floor?

11 A Correct.

12 Q Again, with multiple elevator opportunity  
13 accesses to provide up and down, vertical exiting from  
14 the floor?

15 A Correct. And also exiting from the, the  
16 interior courtyard.

17 Q Now the -- there are units that will face  
18 the, I think you described as the donut area and there  
19 are units that will have their glass facing the  
20 exterior of the building.

21 Can you just give us an explanation of what  
22 folks who have the interior units are likely to see or  
23 have in terms of glass and exposure to that donut  
24 area?

25 A Well, the interior -- the glazing, as far

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1 as the amount of glazing won't change for the interior  
2 versus the exterior units but they will be facing an  
3 amenitized courtyard which the landscape architect  
4 will represent later on. The exterior of the building  
5 they're facing out into or facing, basically, Mercedes  
6 west elevation and the south elevation as well.

7 Q And those are as represented on the  
8 elevation sheets that we just went, went by a few  
9 moments ago?

10 A That's correct.

11 Q 1.2 and 1.3?

12 A Yes.

13 Q Let's switch the page. Sheet 1.5, explain  
14 this, what this represents.

15 A That would be a typical floor plate that  
16 has a double wided corridor that navigates the entire  
17 floor that the interior units, exterior units would  
18 realize with the elevator locations in a fashion.

19 Q That's a good, good time to hit those two  
20 items. There's a couple of places located on this  
21 drawing that are labeled mechanical or mechanical  
22 storage or with a large T.

23 Could you tell us what those all represent?

24 A They will be, they will be electrical  
25 rooms, some of these areas telephone, TV and then on

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1 the, what would be the northwest area where it shows  
2 the T., that's a, that's a trash room. It would be a  
3 direct shoot down to the, down to a trash room in the  
4 garage. And it would be recycling bins within each of  
5 those trash rooms as well.

6 Q Switch the drawing. 1.6.

7 A 1.6 shows a, a partial roof and a partial  
8 floor because the, on this particular building the  
9 retail space is on-grade and not within the parking so  
10 that portion of the building has been pushed up to, to  
11 complete the balance of the units. And that also  
12 shows where we pitched roofs throughout. Other than  
13 just the flat roof we have some different pitched  
14 roofs in different directions, again breaking up,  
15 trying to create more of a, a rural architecture.

16 Q Mr. Simon, portions of that rooftop that  
17 is labeled HVAC units, again a good time to talk about  
18 how these units will be heated and cooled and  
19 ventilated. They are not proposed -- there are no  
20 package units through the wall proposed for these  
21 units?

22 A No. They're typically split units,  
23 condensers will be on the roof. Condenser locations  
24 are normally situated at the corridors so they're  
25 internal from the face of the building.

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1 Again, typical units for these sizes are 30 by  
2 30 inches by about 36 inches high so they won't be  
3 seen from the street.

4 That is, that is typically what -- we would have  
5 some walkway locations between those units.

6 Q Okay. We can shift the drawing.

7 A A-1.7 just shows the balance of the roof  
8 over the last I think there are 17 apartments on the  
9 north side.

10 Q And this demonstrates, again, a roof area  
11 for the HVAC units for those 17 units in that dropoff  
12 partial floor area?

13 A And, again, they would be located over the  
14 center corridor area.

15 Q And, again, would not be seen from grade  
16 given their placement, size and location?

17 A Correct.

18 Q All right. Let's shift the drawing.

19 A This is a typical section, longitudinal  
20 section and cross-section of the building showing the  
21 corridors with the residential above the garage and  
22 you could see where the retail component is on-grade  
23 so it's pushed that portion of the building up. And  
24 then the cross-section, BB, shows the units over the  
25 garage and courtyard.

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1 Q There's no issue with, there's, obviously,  
2 an area labeled pool there. There is no issue with  
3 building a pool over the subterranean garage?

4 A No, there is not. And that I'm not  
5 necessarily, this is not necessarily dictating the  
6 location of it. That's up to the landscape architect.

7 Q Okay. If we can shift the drawing.

8 A Yeah, I would like to go off -- Building  
9 3.

10 Q Okay. In order to stay with the  
11 residential component of the project we're going to  
12 shift sheets to Building No. 2.

13 Okay. We're switching over to Building 3 which  
14 is on Sheet A-3.3. We're doing this primarily because  
15 the residential buildings are virtually identical so  
16 you're going to be told that if we run through these  
17 sheets one-by-one with some minor differences because  
18 of location.

19 If you would, Jerry, Sheet A-3.3 represents?

20 A This is the basement floor. This is  
21 parking along with retail and the residential lobby.  
22 This is the building on the north side of the plaza.

23 Again, we're entering the garage structure from  
24 the west side.

25 Q That would be the Garden State Parkway

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- 1 side?
- 2 A 152 spaces within that.
- 3 We're showing service roads, we're showing
- 4 retail and residential trash areas that are separate.
- 5 Q That retail area again faces, it's on the
- 6 side of the building that faces that interior plaza
- 7 area that is anchored by the office component in this
- 8 project?
- 9 A Correct. That's the south side of this
- 10 particular Building 3.
- 11 Q Okay. Let's switch sheets?
- 12 A Sheet A-3.4 is the second floor. On this
- 13 building we have the amenity on the second floor for
- 14 the plaza, the courtyard of the plaza is located and
- 15 which shows a, again, a typical floor unit plans that
- 16 we're using throughout, locates the stairs, mechanical
- 17 areas, locates -- again, this building has two
- 18 elevators as well and the trash locations.
- 19 Q Again, this building will have its own
- 20 separate amenity plaza located within the donut
- 21 section of the building as we call it?
- 22 A Correct.
- 23 Q And then it will have its own interior
- 24 residential amenity space interior to the building?
- 25 A Yes.

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- 1 Q Let's switch to 3.5.
- 2 A A-3.5 is a typical floor plate showing the
- 3 how the balance of the floor plates on this building
- 4 would be laid out, again showing the stair, exits,
- 5 elevator locations and mechanical and storage
- 6 locations.
- 7 Q If you can.
- 8 A A-3.6 is the roof plan. It shows, again,
- 9 different sloping areas on the roof that we've, we've
- 10 come up with. This does show the HVAC layouts located
- 11 in the floor area. We did indicate 30 by 30 by 36.
- 12 Q And, Jerry, again those locations are,
- 13 they would not be visible to anyone at grade?
- 14 A Correct.
- 15 Q 3.7 is the cross-section of Building 3.
- 16 A Again, our longitudinal section and a
- 17 cross-section.
- 18 Q And what is the height to the midpoint of
- 19 the rafter on the longitudinal section?
- 20 A That is to the roof, to the flat roof line
- 21 it's 38 feet and it's 42, 42.06 to the mid portion of
- 22 the sloped roof.
- 23 Q And that 42.6 dimension is that side
- 24 elevation that faces essentially Mercedes -- not
- 25 Mercedes, Grand Avenue away through the project?

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- 1 A Correct.
- 2 Back to Sheet A-3.1. This is Building 3, this
- 3 is the top of the Mercedes Drive elevation, the bottom
- 4 is the plaza elevation with the retail component
- 5 facing the plaza.
- 6 We have the articulated roof line with different
- 7 styles, vertically and horizontally on the building
- 8 plain again using the same, you know we're using a
- 9 combination of the same materials, colors, window
- 10 patterns, different sizes throughout the, throughout
- 11 both of these buildings.
- 12 Q There are some large window areas within
- 13 these elevations that at least to a lay person ties,
- 14 look like they could be French doors or some sort of
- 15 glass doors on them.
- 16 Are they operational?
- 17 A They are not. There are no balconies on
- 18 the exterior of the building although we are, we are
- 19 showing both balconies but they are not functional.
- 20 Again, we're trying to create more of a plain
- 21 difference because some of those cases where there is
- 22 a balcony we might have a bay window that's below that
- 23 that creates that balcony on the third floor.
- 24 Q So when, when we talk about non-functional
- 25 those are fixed pane glasses that don't move. They

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- 1 can't be opened. They can't be swung. There's no
- 2 stepping in or out of those areas for any reason?
- 3 A Unless you break them.
- 4 3.2 is the, again, Building 3, the side
- 5 elevation, on the west side. This is also the portion
- 6 of the garage where it's entered vehicularly and we
- 7 are showing a garage that is partially naturally
- 8 ventilated. We're trying to keep the mechanical
- 9 ventilation down.
- 10 And the lower right side north elevation is the
- 11 elevation that is facing away from the courtyard which
- 12 is towards Grand.
- 13 Q We're going to switch to the office
- 14 building component or the building, the office
- 15 building that anchors the plaza area.
- 16 Correct?
- 17 A Correct.
- 18 Q That starts on Sheet 2.1 of the drawings?
- 19 A Yes.
- 20 Q Let's start there and provide us an
- 21 overview with Building 2 of this project.
- 22 A We're showing the Mercedes Drive elevation
- 23 and also the north elevation. On the Mercedes Drive
- 24 elevation we developed just a clean, just a simple
- 25 punched opening. This is -- we look at this building

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1 as the backdrop to the plaza, again with a retail  
2 component at the base. So we, we want to really tone  
3 down that portion of the building at the plaza  
4 actually on its own.  
5 And as you turn, the building on the north side,  
6 then we move into a little more contemporary look, we  
7 change in the building where we've got curve lines and  
8 that follows through on Sheet A-2.A where we have the  
9 west --  
10 Q 2.2.  
11 A Yes, A-2.2.  
12 The west elevation is the front door to the  
13 office. There is a small lobby area and the elevators  
14 are taken to the second through fourth floor.  
15 Q Just, again, to set everybody's perception  
16 or placement, that west elevation is the elevation  
17 that faces essentially the Garden State Parkway side  
18 of this property.  
19 A And the tree revenue, yes.  
20 And then that, again that glass, that light  
21 elevation, the light elevation follows around to the  
22 south side, again at the base we have a sign.  
23 That retail component again is facing the plaza.  
24 Q About how much of that building is retail,  
25 how much of it is office?

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1 A About 39,000 square feet of office space  
2 on three floors, 11,000 square feet approximately on  
3 the retail and about 2,000 that's dedicated to,  
4 between the lobby and the mechanical space for the  
5 office.  
6 And we do have a small component right now we're  
7 showing as a basement. If you turn to Sheet A-2.3 we  
8 anticipated some possible storage for retail in the  
9 basement.  
10 And on this, this particular sheet we're showing  
11 typically retail at 11,000 square feet, the office  
12 lobby on the west side and the typical of 13,000  
13 square foot floor, floor plate for the office use.  
14 And then we have a flat roof on this particular  
15 building. Right now we're showing the mechanical  
16 screen. We don't necessarily know how many roof top  
17 systems we'll have because we don't know what the  
18 breakdown of the office would be at this point.  
19 Q And the overall height of that building if  
20 the screen were considered as well.  
21 A Go to A-2.4. We are 59 feet to the top of  
22 the roof and we're 65 feet to the top of the elevator  
23 overrun and the screen, mechanical screen.  
24 Q All right. And that's Sheet 2.4, is meant  
25 to depict what?

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1 A That's the longitudinal and cross-section  
2 of the office building.  
3 Q All right. If you could change sheets.  
4 A Sheet A-6.1.  
5 Q We're switching to the hotel building  
6 which is Building No. 6?  
7 A 6.  
8 Q That building is for preliminary approval?  
9 A Yes.  
10 Q We are not seeking final at this time.  
11 This is meant to show a footprint with ordinance  
12 compliance in one particular manner. The final layout  
13 of this hotel will be dealt with at final when an  
14 operator is selected.  
15 A We're just trying to indicate how this,  
16 how this particular footprint and the program would be  
17 programmed.  
18 Q So if you could give us an overview of  
19 what you're showing on Sheet 6.1?  
20 A At the top we're showing a below parking  
21 structure that would park 51 spaces. The balance of  
22 it would be parked on the surface.  
23 On the ground floor level we are showing, again,  
24 a basic program. It's a small conference center,  
25 lobby. You come into the hotel, administrative area,

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1 cafe, indoor pool and a kitchen and back of house  
2 that, again, would be programmed for about 2,000  
3 square feet which would be determined with the final  
4 user in mind.  
5 Q And that back of house is abbreviated BOH  
6 on that drawing?  
7 A Correct.  
8 Q If you would.  
9 A A-6.2 shows a basic program. This is a  
10 150 key hotel programmed which shows a basic room  
11 layout, how it would be configured, vertical  
12 circulation with elevators, mechanical service,  
13 exiting requirements which would be the typical floor  
14 plan at the top and then a roof plan based on that  
15 configuration we're showing at the bottom.  
16 Q Mr. Simon, just so we appreciated that  
17 T-shape of the hotel building is meant to create a  
18 covered area for drop-off at the first level?  
19 A Yes. It's a porte cochere with rooms  
20 above it.  
21 Q And how many floors is the hotel  
22 programmed at on this drawing?  
23 A Four.  
24 Q If you could change sheets.  
25 A Sheet A-6.3 is a longitudinal section,



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- 1 cross-section of that program.  
 2 Q The overall height of the hotel to the  
 3 flat roof to the top of the parapet?  
 4 A 52 feet on the back side of the lower,  
 5 the, on the west side where 81 feet goes down to the  
 6 bottom portion of the parking.  
 7 Q Okay. All right. If you can switch  
 8 sheets.  
 9 7.1 is an attempt to kind of put it altogether  
 10 in the context of what currently exists in this area?  
 11 A We're trying to relate the form that was  
 12 used on the buildings versus what's happening at  
 13 DePiero's Farm.  
 14 Q Can you maybe just point out some areas  
 15 where those forms correlate between the two projects?  
 16 A Throughout the project that's just a --  
 17 Q If you could point out a couple examples?  
 18 A Well, there's, there's gable roofs on a  
 19 lot of these buildings. We have some flat roofs,  
 20 obviously, on the secondary buildings out along  
 21 Mercedes.  
 22 Q You're talking about the existing DePiero  
 23 Farms project as you're making these descriptions.  
 24 Correct?  
 25 A Yes. There are gable roof styles, there

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- 1 is flat roofs.  
 2 Q And do these appear on the Mercedes site?  
 3 A Yes, they do, throughout.  
 4 Q Can you just, again, point out a couple  
 5 locations on Mercedes where those gable roofs and  
 6 other forms are showing themselves?  
 7 A Well --  
 8 Q Which, which building and where.  
 9 A Building 3 -- actually Building 1 if  
 10 you're facing Mercedes on the northeast side and we  
 11 have two opposing gables and on the northeast side of  
 12 Building 3 we have two opposing gables. So then we  
 13 have on Building 1 we have some gables that actually  
 14 is towards the middle of the structure as well.  
 15 Q Okay. And what I would like to do is hold  
 16 signage off at this point.  
 17 A Actually, if -- on A-7.2 although this is  
 18 a signage sign, in the plaza area you'll see a small  
 19 rectangular pink portion that's on the northeast side.  
 20 That is actually a pavilion, a coffee pavilion which  
 21 is depicted on A-7.5.  
 22 MR. HIPOLIT: Say that again.  
 23 A On Sheet A-7.2 which is the signage  
 24 location, if you look at the plaza, there is a small  
 25 rectangular, rectangular building that's on the

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- 1 northeast portion of the plaza, the corner. That's  
 2 actually depicted on Sheet A-7.5. That's a pavilion,  
 3 a free-standing pavilion.  
 4 THE WITNESS: Did I confuse you?  
 5 MR. HIPOLIT: No. I just, I mean I'll  
 6 just say a coffee pavilion across from Starbuck's,  
 7 does that make sense?  
 8 THE WITNESS: Well, it's a cafe. There  
 9 could be, there could be a, multiple uses in that for  
 10 lack of a better, that's what we called it.  
 11 MR. HIPOLIT: Okay.  
 12 A It's a steel and glass building with a  
 13 flat roof, very transparent. There is an interior  
 14 office and an employee restroom. It's designed to  
 15 have the front of the coffee which is facing south  
 16 into the plaza, that whole, that whole portion of the  
 17 building is designed to be opened up as glass garage  
 18 doors if you will, bi-folds so it creates a canopy and  
 19 makes an open air cafe.  
 20 And we are using, again we're using the same  
 21 materials, we are pulling materials from our pallet  
 22 for this building as well. It's very simple, very,  
 23 very light material, transparent.  
 24 Q And that building, what is the footprint  
 25 use within that building as you programmed it?

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- 1 A It's approximately 20 by 40. It's a  
 2 little over 800 square feet with the restroom. Again,  
 3 it can be a cafe. It could be an ice cream parlor.  
 4 It could be multiple uses. We just haven't determined  
 5 that.  
 6 Q In addition to the restroom area there is  
 7 a service, a hot box, mechanical space within that?  
 8 A Yes.  
 9 Q All within the 800 square feet that you  
 10 dimensioned.  
 11 Is that correct?  
 12 A Actually --  
 13 Q Or is that in addition to?  
 14 A That's, well the, the mechanical hot box  
 15 is, is actually is not included in that.  
 16 The service is outside. This is all outside.  
 17 Q So if you can go over what those uses are,  
 18 whether inside or outside and compare approximate  
 19 measures?  
 20 A The cafe itself is 20 by 40 with an  
 21 internal office. There is a 7 by 7 restroom attached  
 22 next to the office. That's, that the employees would  
 23 go. It's a covered area but they would go outside and  
 24 back into the water, bathroom.  
 25 There is an open service area with mechanical

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1 equipment to the, to the east and there's a hot box  
2 that apparently is needed to service Building 2  
3 because I think it's the setback of the, I think it's  
4 150 -- 125, they can only run along 125 feet and then  
5 we have to have put this hot box in, in the in-line  
6 before it goes into the office, Building 2.

7 Q Okay. Let's see if we can turn the page.

8 A Lastly, A-7.6 is a salt storage building.  
9 It's 26 by 53. And it will contain two small, small  
10 front loaders and also one-half of the building will  
11 be storage for salt for the project.

12 Q And it's a fully enclosed structure?

13 A It's fully enclosed, roof, garage doors.

14 Q The approximate dimensions and the  
15 finishes for that building?

16 A Again, it's 26 by 53. And we're using a  
17 steel, similar, similar character as the, as the cafe  
18 except it's enclosed with a rustic finish to it.

19 Q And where is this building approximately  
20 located in the context of Buildings 1, 2 and 3?

21 A We go back to G03, the south side of  
22 Building 1.

23 As you enter, there is a small out building next  
24 to the parallel parked area to the south.

25 Q So it's generally located to the far back

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1 corner of this project behind the -- it's not a fair  
2 description -- let's say located to the south of  
3 Building 1 and to the rear of Building 1 to service  
4 this site?

5 A Yes.

6 Q And that's intended to provide the  
7 necessary means for salt storage and snow removal --

8 A Snow removal.

9 Q -- for the surface parking areas of the  
10 plaza on this site?

11 A Correct.

12 MR. DEL VECCHIO: All right. At this  
13 point I think we should switch the exterior materials.

14 Before we do that, let's just do a couple  
15 housekeeping items.

16 Mr. Regan, with your permission we're up to  
17 A-14.

18 What I'd like to do is mark the architectural  
19 drawings that were updated?

20 MR. REGAN: July 16th?

21 MR. DEL VECCHIO: Yes, to July 16th as  
22 A-14.

23 And I'd like to mark the materials board which  
24 Mr. Simon is about to testify to is, marked as A  
25 A-8.0. It is a hard foam board with exterior stone,

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1 siding material depicted, labeled under the Lessard  
2 title block, Mr. Simon will provide greater detail in  
3 a moment, as A-15.

4 Q Mr. Simon, if you could give us an  
5 overview of what, of what A-8.0 represents?

6 A This is the material board that we're  
7 presenting. It shows the number of different, at the  
8 top the number of different metal colors that we would  
9 be using throughout the project, the different  
10 sidings, colors as far as the Hardie siding on the  
11 buildings. We also have a Nichiha which is a, we're  
12 using this in different areas all, again on all of the  
13 buildings.

14 Q Mr. Simon, Let's go back to the siding  
15 material for a second, spend a minute if we can. The  
16 siding material you indicated is a cementitious board?

17 A Yes.

18 Q And the colors that are called out on each  
19 of those are labeled on that materials board?

20 A Yes, they are.

21 Q Would you tell us what they are?

22 A We have Arctic White, Gray Slate, Pearl  
23 Gray and Rich Espresso and on the, on the Nichiha it's  
24 called Espresso.

25 Q And where would one, give me a couple

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1 examples, in the elevation drawings which you just  
2 testified to, where would we see the cementitious or  
3 the Nichiha materials exhibited in the elevation  
4 drawings that you just reviewed with the Board?

5 A If you will go to A-1.1 on the Mercedes  
6 elevation and also on the north elevation if you look,  
7 you'll see -- let's go to the north elevation. On the  
8 lower right side, That is, that's the Nichiha, the  
9 Tobacco.

10 And then we have different, you see the  
11 different gradations, grade scale gradations that  
12 we're using on the different portions of the building  
13 itself.

14 And then we have called out the, as far as the  
15 cementitious siding, vertical, horizontal, we have  
16 called that out on the plans as well.

17 Q All right. Let's go to the next set of  
18 materials on that board.

19 A The masonry, the stone materials would be  
20 used at the base of the building to give it length and  
21 girth at the base and that would typically, and that  
22 would change throughout depending on the retailer.

23 There would be a retail component as well given  
24 the fact that it's, you can touch it. It's a lot  
25 heartier holding up to abuse. That would be

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1 throughout. Again, that's -- we would be using that  
2 in all of the buildings at the base as well.

3 Q Are there particular colors or names  
4 associated with any one of those products that you  
5 would call out for the record?

6 A They're, they're Arriscraft. That is the  
7 manufacturer. And we have Driftwood, Montecita and  
8 Dusk.

9 Q And the materials on the bottom right  
10 corner of A-8.0 where are those throughout -- yes.

11 A The stone we were just talking about.

12 Q Yes. And what color is on that -- that  
13 material on the far right, what color is that? The  
14 one you just had your hand on.

15 A That's Dusk.

16 Q And examples of where that product are  
17 exhibited on your elevation drawings?

18 A There are different portions. They would  
19 be at the retail base, in some cases they're at the,  
20 we have used it on the garage.

21 Q So those are at the first floor level of  
22 either the retail, residential or garage portions of  
23 the elevations?

24 A Always looking at the --

25 Q And the top row of materials, the metal on

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1 your drawing, what are they and where are they in the  
2 in your elevation drawings?

3 A They appear, they appear on the roof in  
4 some cases which we'd call out on the, on the building  
5 Drawing 2 and, excuse me, 1 and 3 and also on Building  
6 2, the office itself.

7 Q The colors associated with those metal  
8 samples are labeled as what, Mr. Simon?

9 A Light Seawolf, Slate Gray and Midnight  
10 Bronze.

11 Q And these colors, in your opinion, are the  
12 ones that you selected to marry to the general theme  
13 of the DePiero Farms project across the street at the  
14 same time giving this project its own identity?

15 A Correct, again with the -- again we looked  
16 at the project holistically so we want to keep similar  
17 colors and textures.

18 Q If we can switch now to the sign location,  
19 the sheets of your set, going to Sheet 7.2.

20 If you can tell us what this is meant to  
21 represent to the Board?

22 A The colors on the bottom right are  
23 indicating the type of sign and then we've color coded  
24 that with the sign location and identified it on the  
25 site plan itself.

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1 Our preliminary -- excuse me, more primary  
2 monument sign is located on Grand as you enter the  
3 projects.

4 Q You said you had a better location with  
5 where the primary monument sign is located. Can you,  
6 for the record, indicate that?

7 A It's based on the corner of Grand and  
8 Mercedes Drive.

9 Q And on the drawing it's depicted as a pink  
10 square?

11 A Pink, that's good enough. There's --  
12 right now we're showing 36 feet off of Grand Avenue  
13 and 20 feet off of Mercedes.

14 Q Let's, let's go over the details of the  
15 monument sign first and then we'll go back to the  
16 other signs.

17 That requires a shift to Sheet 7.3, does it not?

18 A Yes, it does.

19 Q Let's talk about what the monument sign is  
20 and your thought and design concept.

21 A Sheet 7.3, the primary monument sign is  
22 the top three illustrations that we have used and it's  
23 a simple, simple square form with a gabled roof, metal  
24 roof on it and material that we would use is going to  
25 be that of DePiero's so it has a rustic feel to it and

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1 it's based, signagewise would be facing Grand and also  
2 Mercedes Drive.

3 Q And the sign text on it obviously other  
4 than Triboro Square, we obviously don't know the name  
5 of the tenants that would go on there. But what is,  
6 what composes, what material is used to create the  
7 text on that sign?

8 A Right now we're, we're showing a channel  
9 cut and we would like to see it back lit by channel  
10 cut sign.

11 Q And can you give us the approximate  
12 dimensions of the monument sign?

13 A It is 12 feet to the, 12 feet in height to  
14 the apex of the roof and it's 8 feet, it's an 8 foot  
15 square sign, monument.

16 Q And how many sides of that square will  
17 have text applied to it?

18 A Two.

19 Q And can you identify what, which two of  
20 those sides are?

21 A One side facing Grand Avenue, the other  
22 facing Mercedes Drive.

23 Q And I'm not sure if you calculated this  
24 but the approximate square footage of the sign  
25 component of that structure which would mean not

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- 1 including the pinnacle of the apex roof?  
 2 A The sign facing it would be 9 by 8.  
 3 Q So roughly 72 square feet?  
 4 A Each side.  
 5 Q Okay. Let's switch back to 7.2. The next  
 6 category sign that is depicted?  
 7 A The entrance monument sign. And that's  
 8 located on Mercedes Drive across the street from the  
 9 entrance to the DePiero's Farm's entry.  
 10 Q That would be the signalized traffic  
 11 location on that street currently.  
 12 Correct?  
 13 A And the next entrance to the south.  
 14 Q That would be the signage located almost  
 15 directly across the southern most exit to the  
 16 DePiero's project as well?  
 17 A And that's also depicted on Sheet A-7.3,  
 18 the three lower sign designs.  
 19 Q Can you roughly give us the dimensions,  
 20 material, type of lettering and lighting proposed?  
 21 A As far as the text and material how it  
 22 would be handled would be the same as the monument  
 23 sign on the Triboro Square. Again, we don't know who  
 24 the tenants would be. That sign is 12 feet to the  
 25 pinnacle and it's 7 foot in width.

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- 1 Q And it has how many faces to it?  
 2 A That has two faces. It would be facing to  
 3 the north, the other would be facing to the south.  
 4 Q All right. And switching back to 7.2.  
 5 The next category of sign?  
 6 A Pedestrian wayfinding and right now we're  
 7 showing two of those signs. The first one would be  
 8 located on your Building 6 as you come into the  
 9 project off of Grand Avenue. The small turnaround  
 10 would be a pedestrian wayfinding sign that would be  
 11 there.  
 12 Q Directly in front of the proposed hotel?  
 13 A Correct, that would be correct.  
 14 Q Okay.  
 15 A The second one would be the entrance, the  
 16 signalized entrance on Mercedes. As you come in  
 17 driving west, at the end of that as you make the right  
 18 hand turn and the parking area would be another  
 19 wayfinding directory.  
 20 Q And that generally is located just to the  
 21 south corner of the proposed office building as laid  
 22 out on this project?  
 23 A The southwest corner. Correct.  
 24 Q And what are those intended to look like,  
 25 dimensions, lettering and lighting?

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- 1 A A-7 -- Sheet A-7.4 you see a pedestrian  
 2 wayfinding sign, that that's 6 feet in height, 2 feet  
 3 in width, generally to have signage on one side only.  
 4 And it would be lit with, it would be lit from the  
 5 ground.  
 6 Q And those are essentially channel cut or  
 7 some sort of metallic letters used to create text?  
 8 A Yes.  
 9 Again, tenants would have to be determined.  
 10 Q All right. And finally let's go back to  
 11 7.2.  
 12 A The brown is, the next sign is wall signs  
 13 for the communities. That being signs that would be  
 14 -- excuse me. I'm sorry. -- the purple wall signs for  
 15 tenants and they're shown on Building 1 on the east  
 16 side and on the north side of Building 1, adjacent to  
 17 or with the retail.  
 18 Building 2, that's facing east towards the  
 19 plaza.  
 20 Building 3, it's facing south, again towards the  
 21 plaza associated with the retail space.  
 22 Q I notice that the drawing we're looking  
 23 at, 7.2, has a number of dotted lines drawn in the  
 24 retail area.  
 25 Is that a fixed number of tenants that is

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- 1 projected or is that just shown for illustrative  
 2 purposes?  
 3 A Just illustrated purposes.  
 4 Q So there could be fewer or a greater  
 5 number of tenants within that space.  
 6 This is just illustration at this point?  
 7 A Yes.  
 8 Q And, obviously, as you have heard with the  
 9 DePiero Farms signage, the signage without tenants in  
 10 place for the center has not been selected.  
 11 Correct?  
 12 A Correct.  
 13 Q But you've come up with some --  
 14 A Generic.  
 15 Q -- themes of signage that would work in  
 16 this design that you created for the overall site?  
 17 A Yes.  
 18 Q Could you just go over it with us some of  
 19 those themes?  
 20 A If you go to A-7.4. And, these are just  
 21 concepts that could happen as far as different styles,  
 22 different applications. Some of them are back lit,  
 23 some of them are channel lit, some of them are lit  
 24 externally.  
 25 Q And most of them appear to be channel cut

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1 letter type signage, nothing with a sign box?  
 2 A That's correct, individual letters.  
 3 Q And any one of those in your type of  
 4 signs, in your opinion, would be acceptable in terms  
 5 of marrying the design theme that you envision for the  
 6 site?  
 7 A Correct.  
 8 MR. DEL VECCHIO: For the record, I did  
 9 not give any guidance on what colors to show or not to  
 10 show on the signage design.  
 11 Q If you can turn that. There is also a  
 12 proposed sign on the cafe building. Obviously, we  
 13 named it cafe but it could be called Tenant X whatever  
 14 that tenant may be as well?  
 15 A That's correct.  
 16 Q And that would be similar to the wall sign  
 17 as opposed to the retail tenants?  
 18 A Similar application.  
 19 Q For the most part, those retail signs for  
 20 the center are all interior facing to the courtyard or  
 21 to the plaza area that is anchored by the office  
 22 building.  
 23 Correct?  
 24 A Yes.  
 25 Q There are a couple of signs on the corners

## Jerry Simon - The Board

1 that face Mercedes on Building 1 and 3 and the retail  
 2 that is set back, the office building footprint also  
 3 has some retail that would face into the plaza  
 4 therefore also face Mercedes as well.  
 5 A Correct.  
 6 MR. DEL VECCHIO: I don't have any further  
 7 questions of Mr. Simon at this point and make him  
 8 available to the Board for their questions.  
 9 CHAIRMAN DePINTO: I think before we open  
 10 up for questions of this witness, I think we should  
 11 take a five minute break and then resume, a 10 minute  
 12 break. We will resume at 9:00.  
 13 MR. DEL VECCHIO: Sure.  
 14 (A recess is taken.)  
 15 CHAIRMAN DePINTO: Okay. The meeting will  
 16 come to order.  
 17 Okay. The Board has just heard the testimony of  
 18 Jerry Simon from Lessard Design.  
 19 And before we do open the meeting to the public,  
 20 I am going to start first with Board Members for  
 21 questions and then I'm going to go on to Board  
 22 professionals. And I think I'm starting with Ms.  
 23 Russo. Questions.  
 24 I'm sorry. Mayor Ghassali, questions of  
 25 Mr. Simon.

## Jerry Simon - The Board

1 MAYOR GHASSALI: The plaza, it's just an  
 2 open space, the one in front of the office.  
 3 THE WITNESS: No. There is a design that  
 4 the landscape architect will present. It's got a  
 5 number of functions within the plaza itself. It's an  
 6 active plaza.  
 7 MAYOR GHASSALI: Function is going to be  
 8 like a public space?  
 9 THE WITNESS: Yes.  
 10 MAYOR GHASSALI: Okay. And to access the,  
 11 the inside of the building, what's called the amenity  
 12 plaza, what's inside there?  
 13 THE WITNESS: The Buildings 1 and 3 the  
 14 courtyards, at this point in time I'm assuming there's  
 15 going to be barbecues, most likely a pool, gazebo,  
 16 soft sitting areas. Again, that's designed by the  
 17 landscape architect which she will be presenting.  
 18 And there will be similar components to, for  
 19 both Buildings 1 and 3.  
 20 MAYOR GHASSALI: So the design as a whole,  
 21 in my opinion, doesn't match anything what DePiero  
 22 looks like.  
 23 I know when you first started your testimony  
 24 you're going to take the DePiero and carry it over to  
 25 this site. I don't see it. I don't see the

## Jerry Simon - The Board

1 correlation, the colors, the material, the DePiero is  
 2 light and fresh and barns and overhangs and columns.  
 3 This looks completely different than what I  
 4 expected. And maybe there's a change in the future  
 5 or, I don't know, but there is no, there is no tie-in  
 6 between this and the DePiero. It looks like a whole  
 7 different plan just taken from there and put --  
 8 there's no connection between the two. It doesn't --  
 9 the intention, I didn't see it.  
 10 The signs, I, I wish you didn't show us the  
 11 signs. They actually don't fit anywhere here.  
 12 The main one looks like, looks like, it looks  
 13 like a mausoleum. There's no fit in there. I just  
 14 don't see it. And I'm trying, I'm really trying.  
 15 THE WITNESS: I appreciate that.  
 16 MAYOR GHASSALI: I wanted to -- the whole  
 17 thing, I actually went on the site and at one point  
 18 Mr. Hekemian had sent a picture over, what he  
 19 envisions this to be.  
 20 And it looks something like this but, Mr.  
 21 Chairman, if I can share -- Mr. Chairman.  
 22 CHAIRMAN DePINTO: Sure.  
 23 MAYOR GHASSALI: They sent this over so  
 24 this would be the plaza and around it is the  
 25 development. The overhangs, this, you know, some

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1 tie-in to the DePiero rather than just one wall,  
 2 different colors.  
 3 This is from Hekemian himself. This is, I don't  
 4 know, four or five months ago in discussions.  
 5 So not exactly that but something that ties in  
 6 the two together is what we were thinking of, what  
 7 else we were thinking of.  
 8 You can take it back from -- if you can look at  
 9 that.  
 10 THE WITNESS: Well, that's, that's a  
 11 craftsman style. But I, I understand the concern and  
 12 part of our problem, if you will, is DePiero's, I mean  
 13 those are, those are one story buildings. So they're  
 14 much easier to -- I mean we're trying to translate  
 15 that into basically a four-story building, that  
 16 Buildings 1 and 3 are almost the same size as Wegman's  
 17 so -- and we look at the scale of it. So that, that's  
 18 part of our reasoning for breaking the buildings down  
 19 with different styles.  
 20 MR. HIPOLIT: Let me ask you a question.  
 21 CHAIRMAN DePINTO: Hold on one second. I  
 22 want technical review last. I want Board Members  
 23 questions and then we'll go on.  
 24 MR. HIPOLIT: No problem.  
 25 MAYOR GHASSALI: My comment or feedback on

## Jerry Simon - The Board

1 this, I don't see the tie-in between the two.  
 2 I agree with, you know, the whole design in the  
 3 two buildings, the office and the hotel, that's what  
 4 we talk about all the time but the actual outside of  
 5 it does not tie-in to the DePiero and that's what I  
 6 was looking for.  
 7 CHAIRMAN DePINTO: Thank you.  
 8 Mr. D'Agostino.  
 9 MR. D'AGOSTINO: So, yeah. I guess I  
 10 would kind of echo the Mayor's comment. And I could  
 11 see the, the attempt to pull in some of those  
 12 materials. I guess it's kind of a modern spin on the  
 13 DePiero site. Without a little more detail it's kind  
 14 of hard to tell exactly what those finishes look like.  
 15 To that point, do you have an example of the  
 16 decorative or deco grill that would be around the  
 17 garage openings.  
 18 THE WITNESS: No, I do not.  
 19 MR. D'AGOSTINO: And I guess just one  
 20 other comment.  
 21 In looking at the eastern elevation between  
 22 Building 1 and Building 2, Building 1 has, I guess, a  
 23 lot of the character in that ridge line, a lot of  
 24 gables. Building 2 doesn't have as many. So I  
 25 think --

## Jerry Simon - The Board

1 THE WITNESS: The office building you're  
 2 referring to?  
 3 MR. D'AGOSTINO: Building 3 I'm -- the two  
 4 residential buildings don't match the character.  
 5 THE WITNESS: You're referring to?  
 6 MR. D'AGOSTINO: Building 1 has a lot of  
 7 gables on the eastern exposure, eastern elevation.  
 8 Building 2 -- Building 3 does not have as many.  
 9 I think Building 1 is actually, with the flow of  
 10 it, some of that is topography, does add a lot of  
 11 character with all those different ridge lines on the  
 12 eastern exposure specifically to that as a form of  
 13 building.  
 14 If you look at Building 3, it kind of looks like  
 15 a three story office building.  
 16 THE WITNESS: I will certainly look at  
 17 that.  
 18 MR. D'AGOSTINO: That's it, Mr. Chairman.  
 19 CHAIRMAN DePINTO: Thank you.  
 20 Miss O'Neill.  
 21 MS. O'NEILL: Do you have any intention of  
 22 providing like actual line drawing elevations to the  
 23 Board or are we just looking at renderings of the  
 24 building?  
 25 I'm looking for dimensioned elevations, like

## Jerry Simon - The Board

1 line elevations not just pictures.  
 2 MR. DEL VECCHIO: If there is a particular  
 3 elevation or something you need us to demonstrate.  
 4 MS. O'NEILL: Well, I'm just having a  
 5 difficult time physically seeing -- I, I, I can look  
 6 at the massing as presented on the building but from  
 7 professional experience of doing it, renderings are  
 8 kind of easy to manipulate to show what you want to  
 9 show and to hide what you want to hide and that is the  
 10 point of having line elevations that are dimensions  
 11 that I can be able to see how far things project to  
 12 make up a scale and to look at the actual dimensions.  
 13 So, if possible, I would really appreciate  
 14 those.  
 15 MR. DEL VECCHIO: From which, which  
 16 buildings, all the buildings, some of the buildings,  
 17 which view, from Mercedes, from Grand? Which street  
 18 line?  
 19 MS. O'NEILL: If we're starting somewhere,  
 20 all of the buildings from Mercedes but realistically,  
 21 I would, if possible, I would like all of those, the  
 22 facades of all of the buildings.  
 23 MR. DEL VECCHIO: Okay.  
 24 MS. O'NEILL: Additionally, does the  
 25 sample board have a sample of what the mechanical

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1 screen is? There's a mechanical screen noted on one  
 2 of the renderings of the elevations.  
 3 THE WITNESS: It will be -- well, on the  
 4 office building it would be, I think it's, I think  
 5 it's the Slate Gray.  
 6 MS. O'NEILL: So it's a panel not a  
 7 screen?  
 8 THE WITNESS: Well, colorwise it will be,  
 9 it will be an open screen but we can certainly supply  
 10 that to you as well.  
 11 MS. O'NEILL: Additionally, what --  
 12 there's a note for a deco shutter, I assume that's a  
 13 decorative shutter.  
 14 THE WITNESS: For the garage?  
 15 MS. O'NEILL: It's also listed on A-1.2,  
 16 the rear side elevation it's, there's an arrow  
 17 pointing to nothing. I don't know if that's a  
 18 leftover note that just wasn't removed or if there's  
 19 supposed to be a decorative shutter there. If there  
 20 are going to be detective shutters, I would like to  
 21 see a detail of one perhaps or at least a material  
 22 note, also where else they would be located because I  
 23 think having shutters in one place that look --  
 24 THE WITNESS: No. Actually, that is, that  
 25 is --

## Jerry Simon - The Board

1 MS. O'NEILL: That's a leftover.  
 2 THE WITNESS: That's a miss, no shutters.  
 3 MS. O'NEILL: On A-1.1, on the plaza side,  
 4 elevation north, this is probably the reason why I  
 5 want line elevations. I think the roof leader is  
 6 drawn a little bit wrong. It looks a little too low,  
 7 if you look in between the two front gables  
 8 side-by-side, that roof leader looks very low.  
 9 I don't know how effective that would be.  
 10 I also think if we are revising some of the  
 11 plans on floor plans north arrows would be incredibly  
 12 helpful.  
 13 And then jumping to the signage on -- I do  
 14 second the Mayor's comments that the primary monument  
 15 sign does kind of look like a mausoleum. I understand  
 16 the intention with the materials but I think they  
 17 blend together a little bit too much.  
 18 On the entry monument sign, I think having the  
 19 word directory there is unnecessary, redundant and  
 20 just makes the sign look crowded.  
 21 And then I don't see or correct me if I'm wrong,  
 22 signage examples for vertical wall banners. They are  
 23 listed on the, on 7.2 as extending out from the  
 24 buildings. I don't know if they're just drawn as  
 25 extending all the way out to the parking lot area or

## Jerry Simon - The Board

1 if we're picturing something radically different from  
 2 what I'm used to with a wall banner. Usually I'm  
 3 expecting a maximum of a foot.  
 4 THE WITNESS: Okay. We show a blade sign  
 5 but not a banner.  
 6 MS. O'NEILL: Okay. What about the other  
 7 thing? Are we counting the blade sign as a wall sign?  
 8 Blade signs aren't listed as types of signs.  
 9 THE WITNESS: Well, what we're indicating  
 10 that we would certainly like to have an option.  
 11 MS. O'NEILL: Okay. I think you could  
 12 just add that to the list of sign types.  
 13 I skipped one in the beginning. But I also  
 14 think it would be incredibly helpful if we could  
 15 indicate just where the doors are on the floor plans  
 16 for the bedrooms. It's kind of hard to get a feel for  
 17 the circulation of the building without just entry  
 18 doors drawn.  
 19 I know that layouts would be unrealistic at this  
 20 point. But, there are -- this building does kind of  
 21 have a bunch of little nooks and crannies and things  
 22 like that that I would like to see.  
 23 And I also presume that the widths of, hallway  
 24 widths are ADA compliant. But a note with that would  
 25 be great.

## Jerry Simon - The Board

1 THE WITNESS: Okay. So you're asking for  
 2 front doors located --  
 3 MS. O'NEILL: Yeah. Just front doors and  
 4 then there's also, I think, flipping, kind of the  
 5 notations of some of the labelings for some of the  
 6 bedrooms, that they're not upside down or backwards.  
 7 There's also a couple missing on A-1.4.  
 8 And then I think on one of the floor plans lease  
 9 is spelled wrong.  
 10 That's it. I'm done.  
 11 CHAIRMAN DePINTO: Thank you.  
 12 Mr. Teagno.  
 13 MR. TEAGNO: Yes. Just a couple things.  
 14 The monument signs on A-7.3, are they meant to  
 15 be concepts or representative of what is actually  
 16 going to be proposed to be built?  
 17 THE WITNESS: Well, we were presenting  
 18 them as a, to be built.  
 19 MR. TEAGNO: So you have, for example, on  
 20 the primary monument sign you have three tenants on  
 21 each side?  
 22 THE WITNESS: Yes.  
 23 MR. TEAGNO: Were you planning on listing  
 24 all the tenants?  
 25 THE WITNESS: No, just -- well, not all

## Jerry Simon - The Board

1 the tenants because we don't know how many tenants  
 2 will be there at this point. Right now we're showing  
 3 just three.  
 4 MR. TEAGNO: Okay. The reason I'm asking  
 5 you is because you have, by my count, on page A-7.2,  
 6 you have at least seven retail tenants and I don't  
 7 know how many office tenants you're going to have in  
 8 Building 2.  
 9 THE WITNESS: Well, again, on A-2 those,  
 10 those are just representations as far as how it could  
 11 be split. There maybe one single user. I don't know  
 12 at this point.  
 13 MR. TEAGNO: Okay. I'm just saying I  
 14 don't think three on each side is sufficient for the  
 15 number of tenants that you would have, both office and  
 16 retail. That's why I asked if you intended to list  
 17 all of the tenants on these signs?  
 18 THE WITNESS: No. Their based on --  
 19 MR. TEAGNO: Based on records or  
 20 something.  
 21 THE WITNESS: Correct.  
 22 MR. DEL VECCHIO: Just so you're aware,  
 23 the ordinance only allows the primary monument sign to  
 24 have the name of the development and up to three  
 25 tenants.

## Jerry Simon - The Board

1 MR. TEAGNO: So that's why it's depicted  
 2 the way it is.  
 3 Okay. Thank you.  
 4 On A-7.2 you have the color coded sign on signs  
 5 on the right-hand side, the bars. And I think you  
 6 covered everything except, you may have mentioned  
 7 this, is the little pink coffee shop on the plaza, as  
 8 I don't know what color because some of these colors I  
 9 don't know if it's pink or purple or whatever.  
 10 But there's a sign on the Mercedes Benz side and  
 11 on the plaza side of that.  
 12 THE WITNESS: That should actually be a  
 13 wall sign. It should be purple.  
 14 MR. TEAGNO: Okay. Because it's not  
 15 labeled. It does not -- the others have an arrow  
 16 pointing to the color bar telling what kind of sign it  
 17 is and there's nothing pointing to those two. So I  
 18 was just wondering.  
 19 THE WITNESS: It would be a tenant wall  
 20 sign. We'll correct that.  
 21 MR. TEAGNO: So that would be purple. The  
 22 fourth one down. Okay.  
 23 And the last thing, this may not be anything  
 24 that you presented here but it looks like there are  
 25 three methods of ingress and egress into the site, one

## Jerry Simon - The Board

1 off Grand Avenue and two off of Mercedes Drive.  
 2 Are we going to have some testimony from someone  
 3 on traffic flow, how many lanes, which way it turns,  
 4 so on and so forth?  
 5 MR. DEL VECCHIO: Yes but let me just take  
 6 a step back.  
 7 There's three entrance and exit points on  
 8 Mercedes and there's at least one currently shown on  
 9 Grand.  
 10 MR. TEAGNO: I'm sorry. You're right.  
 11 MR. DEL VECCHIO: And Ms. Dolan is sitting  
 12 behind me. She's our traffic engineer. We're  
 13 probably not going to get to that portion of traffic  
 14 tonight if we get to traffic at all but, yes, it's  
 15 coming.  
 16 MR. TEAGNO: My question regarding --  
 17 you're right. There's three off of Mercedes. I  
 18 neglected to see one of them.  
 19 But the one off Grand is, since that's a county  
 20 road, does that need county approval for that entrance  
 21 and exit?  
 22 MR. DEL VECCHIO: Yes. Mr. Hipolit was  
 23 kind enough to --  
 24 MR. HIPOLIT: Yes, it does.  
 25 MR. DEL VECCHIO: Mr. Hipolit was kind

## Jerry Simon - The Board

1 enough to speak to the county and they have told us  
 2 what Mr. Hipolit would like us to do and the next  
 3 iteration of the drawing will show what the county  
 4 will allow us at that location.  
 5 MR. TEAGNO: So that's actually going to  
 6 be an entrance and exit. It's not going to be closed  
 7 off like it is today.  
 8 MR. DEL VECCHIO: Correct.  
 9 MR. TEAGNO: I'll wait until the proper  
 10 time.  
 11 Okay. Thank you very much.  
 12 CHAIRMAN DePINTO: Thank you.  
 13 Mr. Culhane.  
 14 MR. CULHANE: Thank you, Mr. Chairman.  
 15 On Sheet G, G02, in your assignment of the  
 16 affordable units, as part of the settlement there's  
 17 350 units of housing allowed and 53 units for  
 18 affordable housing.  
 19 So the way I read the numbers, Glenview would  
 20 get 42 units of housing of which nine would be  
 21 affordable. That gives me a percentage of about 21  
 22 percent versus Buildings 1 and 3 having roughly 14  
 23 percent distribution. I think we should be taking two  
 24 of the units away from Glenview and assigning them to  
 25 Building 1 and Building 3 so there would be more even



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1 distribution through, I'll call it, three sites.  
 2 MR. DEL VECCHIO: Unfortunately, the  
 3 settlement agreement and the ordinance allows us to do  
 4 that calculation over the entirety of the site. It  
 5 does not require us to do it on a building-by-building  
 6 calculation. So we're simply following the settlement  
 7 agreement and the ordinance provision there.  
 8 MR. CULHANE: One of the things I'm  
 9 assuming would be part of the overall site development  
 10 plan, what kind of amenities are being provided for  
 11 308 families with children both for the younger  
 12 children and the teens, kind of an on-site facility  
 13 that is being provided.  
 14 MR. DEL VECCHIO: Within the donut area  
 15 there will be a full amenity plaza which is being  
 16 programed by our landscape and hardscape consultant  
 17 and you'll hear that testimony in the near future.  
 18 MR. CULHANE: Will there be anything else  
 19 beyond that area?  
 20 MR. DEL VECCHIO: Just that area as well  
 21 as whatever is provided in the plaza area that's  
 22 located in front of the main plaza or the office plaza  
 23 area in front of --  
 24 MR. CULHANE: It doesn't strike me as  
 25 being, I'll call it, teenage, both male and females,

## Jerry Simon - The Board

1 something like basketball, sports of that similar  
 2 nature are not being provided for.  
 3 MR. DEL VECCHIO: No. We're not -- I  
 4 don't envision a soccer court or basketball court.  
 5 MR. CULHANE: I'm not asking for that.  
 6 It's kind of large but basketball to me is not that  
 7 kind of large.  
 8 Anyway, I think there should be more  
 9 consideration given for other amenities.  
 10 On the basement plan, drawing A-1.3, where you  
 11 located the trash, it's kind of inconvenient from  
 12 where the elevator is located.  
 13 Would it be more convenient for the residents to  
 14 have the trash closer to where the elevator is.  
 15 THE WITNESS: Well, the trash, there is a  
 16 trash shoot that, on each floor, you can get to the  
 17 trash shoot. You don't have to go down in the  
 18 basement.  
 19 MR. CULHANE: Okay. So you don't have to  
 20 go down.  
 21 THE WITNESS: Right. You're not having to  
 22 go into the garage to put your trash in.  
 23 Each floor has a trash shoot and recycling.  
 24 MR. CULHANE: Okay. I was going to ask  
 25 about recycling. I didn't see that.

## Jerry Simon - The Board

1 On the roof plan I notice you have penthouse for  
 2 the elevator on the northwest corner but I didn't see  
 3 the penthouse for the elevator on the southeast corner  
 4 nor did I see how you plan to access that elevator.  
 5 THE WITNESS: Access it from the roof.  
 6 MR. CULHANE: So the mechanical went from  
 7 the one spare to the other corner of the building?  
 8 THE WITNESS: There would be -- are you  
 9 referring to Building 1, A-1.6, is that the sheet  
 10 you're on?  
 11 MR. CULHANE: A-1.7 I see the penthouse.  
 12 A-1.6 is the fourth floor plan.  
 13 Yeah. That's the elevator but --  
 14 THE WITNESS: Right.  
 15 MR. CULHANE: Where is the penthouse for  
 16 the elevator on the southeast corner is basically what  
 17 I'm asking.  
 18 THE WITNESS: That actually --  
 19 MR. CULHANE: It shows on the, one of the  
 20 elevations if I remember, the cross-section you showed  
 21 it.  
 22 THE WITNESS: Well, to get on to the roof  
 23 there will be an access door from that hallway with a  
 24 stair that's located on the east side to get to the  
 25 roof. Because they, obviously, have to service the

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1 condensers on the roof as well.  
 2 These elevators most likely would be a Gen2  
 3 which has the equipment that hangs on the equipment.  
 4 There is no equipment up in the penthouse.  
 5 MR. CULHANE: These are traction  
 6 elevators?  
 7 THE WITNESS: We're trying to keep them  
 8 low as far as the, the penthouse.  
 9 MR. CULHANE: But they're traction  
 10 elevators, I assume, as opposed to hydraulic.  
 11 THE WITNESS: Well, we can be hydraulic as  
 12 well but --  
 13 MR. CULHANE: The only trouble with  
 14 hydraulic is what kind of speed are you going to use?  
 15 If you use 100, it's kind of slow.  
 16 THE WITNESS: Well, we're going up four  
 17 floors. There is that, there is that option to go  
 18 four floors. You could go five.  
 19 MR. CULHANE: You can't go to 200 on the  
 20 hydraulics also.  
 21 The office building, I don't recall you saying  
 22 too much about it but that bay window where it  
 23 overhangs from the third floor --  
 24 THE WITNESS: Yes.  
 25 MR. CULHANE: -- what's the purpose, to

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1 give some relief to the overall profile of the  
 2 building.  
 3 THE WITNESS: It's kind of a teaser to get  
 4 you around to the other side.  
 5 We've taken that bay because there is a punched  
 6 opening and we kind of slid it over just as a, just as  
 7 a little teaser.  
 8 MR. CULHANE: And on the north side of  
 9 Building 1 and the south side of Building 3 on the  
 10 elevations I notice there's a series of seating  
 11 arrangements.  
 12 Is that going to be detailed on the landscape  
 13 plans?  
 14 THE WITNESS: Yes, it will.  
 15 MR. CULHANE: No other questions at this  
 16 time, Mr. Chairman.  
 17 CHAIRMAN DePINTO: Thank you.  
 18 Mr. Fette.  
 19 MR. FETTE: Just a comment. I remember  
 20 from our Site Plan Review Committee meeting you were  
 21 talking about trying to blend to match what was done  
 22 on the DePiero site and in your testimony you said the  
 23 same thing but I listened to what the Mayor said and I  
 24 agree with him. I don't really see a whole lot of  
 25 blending between the two sites based on the

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1 elevations.  
 2 So I mean it's one thing if you don't want to  
 3 build too many barns and we look overbarned, too  
 4 farmed but we were, we were kind of told differently.  
 5 So that's just, just a comment.  
 6 THE WITNESS: All right. I'll take that  
 7 into consideration.  
 8 MR. FETTE: That's it, Mr. Chairman.  
 9 CHAIRMAN DePINTO: Thank you.  
 10 Mr. Stefanelli.  
 11 VICE CHAIRMAN STEFANELLI: I don't want  
 12 anymore barns.  
 13 So to follow Mr. Culhane's thing, I did look at  
 14 the east view. You have a mechanical storage room but  
 15 you can't get to that lower roof. That's the question  
 16 I have.  
 17 When you have something like 151 condensers on  
 18 the roof, the staircase is on the other side but I  
 19 don't see anything on the roof plan showing that  
 20 there's an entrance to the roof from the staircase or  
 21 staircase down or hatch or anything.  
 22 I just think you need to put something on the  
 23 plan.  
 24 THE WITNESS: We'll indicate door space.  
 25 VICE CHAIRMAN STEFANELLI: Or a ladder

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1 from the upper one down to the lower one but I don't  
 2 think that would work. There's too many units on the  
 3 roof.  
 4 The plan states composite windows and states  
 5 glass windows. So what's your, what type of composite  
 6 windows are we talking about?  
 7 You know, is it aluminum/glass, is it aluminum,  
 8 are they vinyl?  
 9 You know, I think what I would like to see is a  
 10 sample of the windows for the development. I think  
 11 that we should have a sample of what that's going to  
 12 look like.  
 13 In Building 1 you have the retail, the retail --  
 14 I was wondering if the retail area is going to have  
 15 access to the amenity plaza because they're kind of on  
 16 the same level.  
 17 THE WITNESS: No, it won't.  
 18 Depending on how many users there will be, there  
 19 will be a service corridor in the back.  
 20 VICE CHAIRMAN STEFANELLI: Okay.  
 21 THE WITNESS: Along the plaza area.  
 22 VICE CHAIRMAN STEFANELLI: Okay. So what  
 23 about -- I, I see the roof areas and that and there's  
 24 nothing about -- can you explain to us about any  
 25 projection about LEED or solar panel or, you know,

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1 what are we doing for energy conservation, you know,  
 2 for this project?  
 3 It's a large project, you know. I'd like to see  
 4 some LEED certification as part of this. And I was  
 5 wondering if the owner is, is thinking about something  
 6 not just, not just complying with the energy code.  
 7 So that one, you don't have to answer it tonight  
 8 but I would like to have an answer at the next  
 9 meeting.  
 10 The salt shed, I have a concern that you're not  
 11 going to be able to -- I think, I think, I think a  
 12 year from now, once it's developed and you have your  
 13 first couple of snow storms, I, I think that may be  
 14 inadequate. And I'm willing to say what size you  
 15 need. It doesn't have to be heated, some of that but  
 16 I think, I think that area needs to be looked at.  
 17 Because even if it's a contractor, a contractor is  
 18 going to want to keep equipment on that site because  
 19 it's such a big site.  
 20 MR. HIPOLIT: It's way too small.  
 21 VICE CHAIRMAN STEFANELLI: Yeah. I know.  
 22 So what I'm saying is I think the building for  
 23 the area may be way too small based on my experience.  
 24 The, the hotel, I'm concerned about and I'm not,  
 25 I'm not the Fire Department but access to the rear in

## Jerry Simon - The Board

1 case of a fire, that would be a concern of mine.  
 2 MR. DEL VECCHIO: That is being addressed  
 3 in the drawings that I mentioned to you earlier. That  
 4 was a comment in one of the review letters.  
 5 VICE CHAIRMAN STEFANELLI: I didn't read  
 6 the review letter.  
 7 The other thing is you did mention signs and I  
 8 saw that the first entrance on Mercedes, I see it  
 9 looks like there's a sign but it's not marked.  
 10 Is that -- or there was something on that  
 11 drawing at that entrance.  
 12 THE WITNESS: I think that's a, a stop  
 13 line.  
 14 VICE CHAIRMAN STEFANELLI: Oh, is that?  
 15 THE WITNESS: Yeah.  
 16 VICE CHAIRMAN STEFANELLI: It's not in the  
 17 driveway. It's on the side there.  
 18 THE WITNESS: Well, there's a, there's a,  
 19 there's some retaining walls there.  
 20 VICE CHAIRMAN STEFANELLI: Right there in  
 21 that little, can you see on that, on the right-hand  
 22 side of the drawing?  
 23 THE WITNESS: During A-11.  
 24 VICE CHAIRMAN STEFANELLI: It looks like a  
 25 bar sign.

## Jerry Simon - The Board

1 Wouldn't you guys have a sign there? That's  
 2 what I'm questioning.  
 3 THE WITNESS: We can add more signs.  
 4 VICE CHAIRMAN STEFANELLI: No, on the  
 5 other side.  
 6 THE WITNESS: Well, it's a bench.  
 7 VICE CHAIRMAN STEFANELLI: It's a bench?  
 8 But wouldn't we look at putting signage there?  
 9 It's the first entrance there.  
 10 MR. DEL VECCHIO: We'll put as many signs  
 11 as you would let us have.  
 12 VICE CHAIRMAN STEFANELLI: Well, it's the  
 13 first one coming into it. I think you have the hotel  
 14 and you have two other things, I would rather see the  
 15 traffic go there first and then drive down and then  
 16 come back on the site, site circulation.  
 17 And then my only other comment, I, I agree with  
 18 you're looking for a final and I think that some of  
 19 the, the dimensioning on the lines of the buildings  
 20 should be and I think it should be at least the  
 21 Mercedes Drive side, you know, and the plaza I would  
 22 think that, I would like to see a dimensional drawing.  
 23 I'm the only one to disagree. I think how you  
 24 make a four-story building look like a barn, I think  
 25 it's very difficult. I think the breaking up of the

## Jerry Simon - The Board

1 materials is good. It might not be the color scheme  
 2 that we want or something like that but I think  
 3 breaking it up, maybe additional roof lines would,  
 4 would help it. But, but I think materialwise, the  
 5 selection, I think, of the type and the stories I  
 6 think is good. We just need to work on it a little  
 7 bit.  
 8 End of my comments.  
 9 CHAIRMAN DePINTO: Thank you.  
 10 Ms. Russo.  
 11 MS. RUSSO: Thank you, Mr. Chairman.  
 12 I would agree with Mayor Ghassali that, you  
 13 know, the, we were kind of hoping, I think, all of us  
 14 that it was going to match DePiero's but not in a barn  
 15 sense, maybe make it look more countryish, a little  
 16 more quaint. It's very modern and it doesn't fit  
 17 esthetically with the way everything else has been  
 18 going.  
 19 That's just my opinion.  
 20 Buildings 1 and 3, Jimmy is right, they don't  
 21 match.  
 22 Building 3 looks very, very flat. It looks like  
 23 flat with a couple of corners on it and it's kind of  
 24 office building looking.  
 25 I disagree, I don't think the sign looks like a

## Jerry Simon - The Board

1 monument or what did you guys say, mausoleum. I think  
 2 it looks like a dog house. To me, I was waiting  
 3 for --  
 4 THE WITNESS: I'm not sure which is worse.  
 5 MS. RUSSO: I'm sorry. I think it looks  
 6 like a dog house.  
 7 MR. FETTE: Totally how you feel.  
 8 MS. RUSSO: I'm sorry. It's just my  
 9 opinion.  
 10 MR. FETTE: Not at all.  
 11 MS. RUSSO: And then Building 2, the, the  
 12 window maybe it's because I have a three year old but  
 13 it looks like you forgot to put the block into the  
 14 light house.  
 15 THE WITNESS: It brings your attention to  
 16 it.  
 17 MR. FETTE: It's a giant Jenga game.  
 18 MS. RUSSO: I want to shove it back in.  
 19 Other than that, that's pretty much all I have.  
 20 CHAIRMAN DePINTO: Okay. Thank you.  
 21 Can we go to page A-1.3. It shows the parking  
 22 layout on Building 1.  
 23 Could you describe the access point, No. 1?  
 24 THE WITNESS: It's accessed from the west  
 25 side of the site.

## Jerry Simon - The Board

1 CHAIRMAN DePINTO: And there is only one  
 2 access point?  
 3 THE WITNESS: Correct.  
 4 CHAIRMAN DePINTO: With respect to  
 5 complying with fire code requirements, can a garage of  
 6 this size be limited to that one access point?  
 7 THE WITNESS: Well, part of our, part of  
 8 the issue is the grade. We could certainly look at  
 9 that.  
 10 MR. DEL VECCHIO: The question, the  
 11 question I think, Jerry, is, is the design as proposed  
 12 comply with code as it's designed today?  
 13 THE WITNESS: No, it actually doesn't.  
 14 CHAIRMAN DePINTO: It does not comply?  
 15 THE WITNESS: Correct. It does not.  
 16 CHAIRMAN DePINTO: So it would lead me to  
 17 believe that we have to look at that more carefully,  
 18 A., not only to comply with code but in the interests  
 19 of public safety.  
 20 No. 2, there is -- the only dimensions I see on  
 21 A-1.3 are aisle widths of 24 feet which I believe is  
 22 sufficient for two-way traffic.  
 23 So the presumption is that you're proposing  
 24 two-way traffic throughout the garage.  
 25 Is that correct?

## Jerry Simon - The Board

1 THE WITNESS: Correct.  
 2 CHAIRMAN DePINTO: Could you tell us what  
 3 is the stall size, the parking stall size?  
 4 THE WITNESS: We're indicating they're 9  
 5 by 18.  
 6 CHAIRMAN DePINTO: And with respect to a  
 7 stall size of 9 by 18, and I presume these little  
 8 purple rectangles are columns or support beams?  
 9 THE WITNESS: Columns.  
 10 CHAIRMAN DePINTO: Columns.  
 11 And it's kind of a pet peeve of mine, when you  
 12 go into a parking garage and the people on spaces that  
 13 are only 9 by 18 do not park properly. The spaces  
 14 that are left available are the ones by the columns  
 15 which are pretty hard to negotiate, at least for me.  
 16 Is this, in your opinion, the best  
 17 configuration?  
 18 We've been very successful with on-grade parking  
 19 with hairpin striping. Would not a hairpin striping  
 20 give you a greater opportunity to protect the columns  
 21 and provide better parking because, as has been  
 22 explained to us many times, is worth a hairpin  
 23 striping you tend to line up our vehicles better  
 24 within that open space in between the hairpin.  
 25 I, I would like to have that looked at. I'm

## Jerry Simon - The Board

1 concerned about what you have here.  
 2 THE WITNESS: Okay.  
 3 CHAIRMAN DePINTO: And the parking,  
 4 obviously -- the garage parking is very important to  
 5 this overall site. And in a mixed use plan, how are  
 6 you encouraging drivers to utilize this space rather  
 7 than just park on-grade? Which is easier?  
 8 To me the on-grade parking should be utilized  
 9 for the retail because if I were going to one of the  
 10 retail stores, I don't know if I want to go through  
 11 the hassle of first finding the entrance to the garage  
 12 and then finding a parking space within the garage.  
 13 I'm going to be looking on-grade.  
 14 THE WITNESS: Well, if I may.  
 15 CHAIRMAN DePINTO: Sure.  
 16 THE WITNESS: The underground parking is  
 17 strictly for residents only. All the retail is on the  
 18 surface.  
 19 CHAIRMAN DePINTO: Then how are we going  
 20 to restrict it to residents only?  
 21 How are we going to keep the residents from  
 22 parking on-grade?  
 23 Where is the encouragement for the residents to  
 24 park in the building?  
 25 MR. DEL VECCHIO: We're actually -- what

## Jerry Simon - The Board

1 you'll hear in a little bit or perhaps at the next  
 2 meeting from Ms. Dolan, we did a shared parking  
 3 analysis. Fortunately enough we have the experience  
 4 of a project that was built very similar of a mixed  
 5 use nature here in Bergen County by this developer who  
 6 has real life experience with that mixed use and  
 7 controlling it. And it's done through some signage,  
 8 parking stickers and enforcement.  
 9 And we found a way that works. We're going to  
 10 share that with you.  
 11 The outside spaces or the on-grade will be  
 12 restricted against residential parking during certain  
 13 hours and office and retail will have their use. And  
 14 in the office and retail hours the, or in the non  
 15 office and retail hours, that overflow parking for the  
 16 residential to the extent it's needed will be  
 17 available for them to use.  
 18 CHAIRMAN DePINTO: I think that testimony  
 19 is going to be critical.  
 20 MR. DEL VECCHIO: Do you hear that, Ms.  
 21 Dolan? It's critical.  
 22 CHAIRMAN DePINTO: I think there's a very  
 23 delicate balance in a mixed use development to, to  
 24 make it easy for the intended drivers to park  
 25 consistent with the plan.

## Jerry Simon - The Board

1 If I were a retailer, and the apartment  
 2 residents are taking up those precious parking spaces,  
 3 close to my retail store, I'm going to get pretty  
 4 upset over it.  
 5 MR. DEL VECCHIO: Sure. Absolutely.  
 6 CHAIRMAN DePINTO: And so we're going to  
 7 hear some testimony relative to that.  
 8 The, the placement of the affordable housing  
 9 units within the building, I see you have them  
 10 designated.  
 11 Could you share with us the logic behind that  
 12 placement?  
 13 THE WITNESS: They're basically even  
 14 throughout. I tried to distribute them evenly  
 15 throughout both, both buildings and each floor plan.  
 16 CHAIRMAN DePINTO: It's kind of  
 17 interesting. I'm looking at the floor plans and I see  
 18 the affordable units seem to be frequently near,  
 19 either near trash areas, the stairways.  
 20 Are, are we treating the affordable tenants  
 21 differently than we are market rate by placing those  
 22 units in, in those specific locations?  
 23 THE WITNESS: I don't, I don't believe so,  
 24 not really.  
 25 CHAIRMAN DePINTO: So that was just --

## Jerry Simon - The Board

1 THE WITNESS: -- market rate units near  
 2 mechanical and elevators as well.  
 3 CHAIRMAN DePINTO: Yeah. I think I'd like  
 4 to look at that because I believe the residents of the  
 5 affordable units, those units should be placed in a  
 6 similar manner to market rate units.  
 7 And maybe one considers a staircase right next  
 8 to the unit as a good thing. To me it's a bad thing.  
 9 Why should all the affordable units, not all but a  
 10 disproportionate share of the affordable units be in  
 11 those locations?  
 12 I would like to hear some testimony why you  
 13 selected those specific locations.  
 14 THE WITNESS: All right.  
 15 CHAIRMAN DePINTO: And then with respect  
 16 to the signage, as this applicant well knows though  
 17 you may have included examples of proposed signage it,  
 18 it might not be the best thing to do just yet.  
 19 You have heard a lot of opinions relative to the  
 20 proposed signage. I think rather than to get bogged  
 21 down in signage, I'd rather we stay focused on  
 22 architecture and engineering and deal with the signage  
 23 separately.  
 24 THE WITNESS: Fine.  
 25 CHAIRMAN DePINTO: I don't necessarily

## Jerry Simon - The Board

1 have a problem with you determining on a site plan  
 2 where you propose to put signage but to go into any  
 3 great detail of what that signage will look like at  
 4 this stage I think it's premature.  
 5 THE WITNESS: All right.  
 6 CHAIRMAN DePINTO: Until we finalize the  
 7 architecture, the materials, the renderings, the, the  
 8 roof lines, things of that nature, I don't know how  
 9 one could determine whether the box for the main sign,  
 10 which has been described as either a mausoleum or a  
 11 dog house, where is the connection between the sign  
 12 and the structures? To me that's particularly  
 13 important.  
 14 And I would suggest that, certainly not tonight,  
 15 it's kind of late, I think one of the nicest  
 16 collections of signage in the Borough of Montvale that  
 17 is state of the art, esthetically pleasing and  
 18 probably among the newest construction in the Borough  
 19 is Sloan Kettering. I think it's extremely creative.  
 20 It catches the eye. It directs vehicular traffic the  
 21 way it should. I think it's well done.  
 22 And I'd ask that you do take a look at it.  
 23 THE WITNESS: I'll take a look at it.  
 24 CHAIRMAN DePINTO: I'm not saying you have  
 25 to emulate it.

## Jerry Simon - The Board

1 But I think the signage that was put on that  
 2 property is probably the finest in the Borough of  
 3 Montvale. And I'm kind of a, a signage nut.  
 4 They did a good job on that one.  
 5 Okay. With that said, I want to go to the  
 6 professionals and hear their pearls of wisdom starting  
 7 with Mr. Hipolit.  
 8 MR. HIPOLIT: So for the Board, first, I  
 9 mean, Andy, you could jump in, I'm very disheartened  
 10 by this.  
 11 They are, Andy said that the engineering plans  
 12 are going to be significantly changed based on our  
 13 review letters. The architect is testifying on plans  
 14 that are old so they don't tie together. So a lot of  
 15 the testimony has to be redone.  
 16 The architecture plans are in concept in nature  
 17 with no detail so we don't have size of the units.  
 18 Me, personally, I thought we wasted a night.  
 19 You dragged all these Board Members out for, for a  
 20 special meeting on plans that are going to change, had  
 21 an architect testified to them, they said they were  
 22 going to change and we don't have the detail. It's  
 23 upsetting at best. They haven't really dealt with the  
 24 issues.  
 25 I mean my notes from last meeting said we were

## Jerry Simon - The Board

1 going to talk about landscaping and kind of get an  
 2 overview of landscaping. And we dove right into the  
 3 details.  
 4 And I see Betsy Dolan and to go into traffic and  
 5 they're not -- you guys are not done yet. It's like  
 6 they're rushing us along for a court settlement,  
 7 whatever they're rushing us for. They're not ready.  
 8 And yet they're dragging us out to special meetings.  
 9 At best this is, this is a conceptual view of  
 10 this matter. This is not in detail yet. So I don't  
 11 know how -- I'll make comments but I don't know what  
 12 I'm commenting on because I don't have the final site  
 13 plans yet.  
 14 I don't know what the Board wants to do with it.  
 15 CHAIRMAN DePINTO: Mr. Del Vecchio, do you  
 16 want to respond to that?  
 17 MR. DEL VECCHIO: I do. I need to choose  
 18 my words carefully.  
 19 I think, I think the comment is very unfair.  
 20 The plans were deemed complete. So all of the  
 21 information that the plans need to show were deemed  
 22 complete by the very professional who is now  
 23 complaining about it.  
 24 MR. HIPOLIT: But complete means you met  
 25 the submission requirements. That's all it means.

## Jerry Simon - The Board

1 MR. DEL VECCHIO: That's all I am required  
 2 to do under the ordinance.  
 3 In terms of unit sizes, Sheet G02 shows the unit  
 4 size for every one of the units of the residential  
 5 units that are provided by bedroom size, by affordable  
 6 versus market rate.  
 7 Those -- that information is there if you choose  
 8 to pick it from the drawings.  
 9 The plans are going to change but, as you know  
 10 from writing the review letter, most of the changes,  
 11 as I said, are significant in quantity. They are not  
 12 significant in terms of impact to the project.  
 13 MR. HIPOLIT: And we, and we, I'm going to  
 14 say it right now, I disagree with that. There is  
 15 significant changes to off-site improvements,  
 16 boulevard entrance, access aisle layouts.  
 17 Your architect testified his garage access  
 18 doesn't even meet code.  
 19 You have problems on this site. Your site plans  
 20 are not good.  
 21 MR. DEL VECCHIO: The architecture will  
 22 change to deal with the garage entrance. That is not  
 23 a significant change. It's a matter of cutting  
 24 another entrance.  
 25 It will effect the parking count a little bit,

## Jerry Simon - The Board

1 yes.  
 2 But that's normal as we find in a lot of plans.  
 3 And, yes, you haven't heard landscaping from our  
 4 architectural witness. Mr. Dipple was unavailable for  
 5 this evening. He was away on vacation. So we chose,  
 6 as I announced at the last meeting to proceed with the  
 7 architect.  
 8 Knowing Mr. Dipple needed to return and also  
 9 knowing it would not be prudent for him to finish his  
 10 testimony on plans that you rightfully point out  
 11 needed to change.  
 12 At the time he comes back we will have the  
 13 revised plans. You will have them in sufficient time  
 14 to perform a review and hopefully we are much closer  
 15 to the bull's eye of what the engineering needs to  
 16 show so that we aren't having issues with changes.  
 17 No plan is perfect when it enters the door and  
 18 no plan gets approved the way it enters the door. It  
 19 always changes by the time the final gavel is called  
 20 on a vote.  
 21 We're in that process now. We are no different  
 22 than any other applicant that comes in the door.  
 23 This Board is very diligent, very detailed.  
 24 Let's face it, very particular about what they like,  
 25 don't like or what they want to see or don't want to

## Jerry Simon - The Board

1 see.  
 2 I've been doing this for 30 years. I can't  
 3 predict what you as a Board wants from the day an  
 4 application comes in to the day it leaves.  
 5 It's a process. We are in that process and I  
 6 don't think it's fair to say that we have submitted  
 7 concept plans.  
 8 MR. HIPOLIT: Well, so you have a set of  
 9 site plans that came in here. We made a lot of  
 10 comments. I know Darlene made a lot of comments and  
 11 the Board made a lot of comments.  
 12 In my opinion, there is enough comment to make  
 13 you back down, look at it, redesign it and come back  
 14 and you produced a set of architectural plans dated  
 15 July 16th which are after the date of the last meeting  
 16 and you know they're not going to coordinate with the  
 17 next set of engineering plans. If not, there could be  
 18 significant changes.  
 19 So it just, again, you're dragging the Board out  
 20 for a special meeting and I know you're trying to keep  
 21 this moving because there's a settlement agreement. I  
 22 don't know how that works, Bob. There's all this  
 23 stuff going on.  
 24 But we could start writing, I could start  
 25 writing 40 page letters for every meeting to, just to

## Jerry Simon - The Board

1 try to tie these knots together and have one 40 letter  
2 after another, after another trying to tie it  
3 together. We just said, why write a letter on this.  
4 I looked at it as more conceptual.

5 But you guys are, in my opinion, based on the  
6 testimony, this is what you're doing. And I don't  
7 think -- I'm just one person. The Board could tell me  
8 to stop.

9 I don't think you're there yet. You don't even  
10 have -- you have a site plan that's going to change.  
11 You have architectural plans that are going to change.

12 Your architect says he has some issues with his  
13 garage access and grade is a problem.

14 I don't know what that's going to do with your  
15 site plan but it could be a big change.

16 MR. DEL VECCHIO: There will be a change.  
17 Based on the garage entrance, yes, there will be a  
18 change.

19 MR. HIPOLIT: I think the Board should get  
20 some consideration on a special meeting where you're  
21 not ready.

22 MR. DEL VECCHIO: That's where we  
23 disagree. I think we are ready.

24 And the architectural plans are in their second  
25 edition as you rightfully point out.

1 CHAIRMAN DePINTO: I, I think what's  
2 important and there was a settlement agreement that  
3 was entered into between the property owner and the  
4 Borough.

5 The settlement agreement requires certain things  
6 be done on the part of the municipality.

7 Mr. Regan, could you give advice to the Board,  
8 what is that responsibility so that, A., we remain in  
9 compliance with the agreement and, B., we could move  
10 this file in, in an orderly manner without violating  
11 anyone's rights.

12 Mr. Regan.

13 MR. REGAN: I can refer to the settlement  
14 agreement and it begins with Paragraph 4, it would go  
15 to Page 9, Subparagraph H and I'll read it, the  
16 Planning Board shall expedite the processing of  
17 applications for development of the Mercedes and  
18 Glenview sites including without limitation taking the  
19 action set forth on Exhibit C attached hereto.

20 Now Exhibit C is an exhibit, it talks about  
21 time, time lines and fast track.

22 Basically the bottom line is, there is, since  
23 there is a variance application it would require the  
24 Board to act within 120 days following submission of a  
25 complete application which is the statutory time

1 period under the MLUL.

2 There is also a provision, I believe, regarding,  
3 back to Paragraph H, at the request of the developer  
4 the Board shall schedule special meetings to  
5 facilitate expedited processing of such application  
6 provided the developer pays the cost incurred in  
7 conjunction with such meetings.

8 The Board is complying by having this special  
9 meeting tonight.

10 I think what we really have to look at, we can't  
11 just look at this settlement agreement alone. You're  
12 inundated with applications. I've been here since  
13 1993. I have never seen so many big applications.  
14 I'm not talking about, you know, C variance  
15 applications involving single family homes.

16 You have major development applications pending  
17 before you now that have been filed that are in one  
18 stage or another that I have never seen in 24, 25  
19 years that I've been here.

20 And you're volunteers. You don't get paid to  
21 come out three nights a month for four or five hours  
22 each time.

23 I get paid, Andy and Darlene get paid but the  
24 Board Members who vote on this application are  
25 volunteers. And I don't think you can compel a Board

1 to come out six nights a month to hear all these  
2 applications regardless of what this says.

3 So I, I think it, the Board, to date is acting  
4 reasonably. You started the hearing on July 3rd, the  
5 night before a holiday and you had a, a very good  
6 turnout of Board Members at that time and you  
7 scheduled a special meeting in July. This is your  
8 third meeting this month.

9 How much can you get out of volunteers?

10 MR. HIPOLIT: Right. And the other  
11 problem we have is, again this has happened here  
12 before where we have an applicant who wants  
13 preliminary and final for one part and preliminary and  
14 final for another part. So these, these plans may be  
15 good for the preliminary part.

16 MR. REGAN: It might have been better --

17 MR. HIPOLIT: You don't have to be.

18 MR. REGAN: -- preliminary application for  
19 Phases I and II and consider the variances, too.

20 CHAIRMAN DePINTO: I think, I think I  
21 would like to hear from Mr. Del Vecchio.

22 Mr. Del Vecchio, on behalf of your client, you  
23 have requested this meeting and we did put you or we  
24 set up this special meeting.

25 And as, and as Bob indicated it was last heard,

1 I believe, on July 3rd which some members of this  
 2 Board had expressed concern because of holiday plans  
 3 and so forth and so on.  
 4 I don't think you have taken the position that  
 5 this Board is not attempting to process this  
 6 application as expeditiously as possible.  
 7 Is that correct?  
 8 MR. DEL VECCHIO: It's not a position that  
 9 I have taken, no.  
 10 CHAIRMAN DePINTO: And taking into  
 11 consideration the concerns expressed by Mr. Hipolit,  
 12 what would you propose to do?  
 13 Because you are the quarter back of your team,  
 14 what would you propose to do to make this a little bit  
 15 more orderly?  
 16 We have a number of witnesses, I'm sure, yet to  
 17 be heard from and we are under certain time  
 18 constraints and I know those time constraints could be  
 19 extended.  
 20 But everybody is trying to be reasonable with  
 21 it.  
 22 With respect to proceeding, what, what's your  
 23 target, what's your goal?  
 24 What do you want to achieve?  
 25 MR. DEL VECCHIO: Unfortunately, the

1 summer months are always a challenge as they are for  
 2 the Board, they are for applicants who -- let's face  
 3 it, we all have summer vacation plans, our  
 4 professionals, our teams, each of you. I'm juggling  
 5 through some vacation schedules. That's going to be  
 6 over as we hit the end of August.  
 7 I think by the time we come back for the next  
 8 meeting which is likely going to be the 21st or some  
 9 date thereafter, that those vacation schedules will be  
 10 behind us.  
 11 My goal is to finish Mr. Simon and Mr. Dipple  
 12 before proceeding with my other witnesses.  
 13 And by that point, I think the major issues,  
 14 some of which were discussed here which is, you know,  
 15 what the buildings might look like and finalizing  
 16 access and some of the more substantive issues in the  
 17 review letter, those are all going to be down on paper  
 18 so to speak on a plan for us to look at to either  
 19 agree or disagree that they satisfy the Code  
 20 requirements.  
 21 So that's my plan is to get those, that part of  
 22 the application done and then we can fill in, and I  
 23 don't mean to belittle or make light of the rest of  
 24 it, with traffic, the amenity space through the  
 25 landscape and hardscape designer and then ultimately

1 the signage.  
 2 CHAIRMAN DePINTO: And, and with that  
 3 said, and you know the schedules of your professionals  
 4 and your witnesses, when would you like this meeting  
 5 carried to?  
 6 And also bear in mind you do have knowledge of  
 7 other applications that are pending before this Board  
 8 where we have to fit this altogether.  
 9 So with respect to this particular application,  
 10 when would you believe that the most information could  
 11 be presented to the Board in the most orderly fashion  
 12 taking into consideration comments that you have heard  
 13 tonight from Board Members and Board professionals.  
 14 Give me a date that you want.  
 15 MR. DEL VECCHIO: As I indicated when we  
 16 opened our, our part of the hearing tonight, I  
 17 anticipate filing drawings, revised drawings with the  
 18 Board's offices by Monday. Monday is the 4th, 5th,  
 19 the 6th.  
 20 I was doing that a little bit early to make sure  
 21 it's definitely in advance in time for the 21st.  
 22 I know the Board's schedule, a lot of matters  
 23 are carried to the 21st and it may be very difficult  
 24 to allot time on that night.  
 25 But the soonest that this applicant would be

1 ready, allowing a reasonable period of time for your  
 2 own professionals to do a review of what we anticipate  
 3 submitting would be that week of the 20th.  
 4 From there I have to turn it back to the Board  
 5 as to when you can accommodate a hearing.  
 6 CHAIRMAN DePINTO: What we're going to do,  
 7 as we have done in the past, when we're dealing with  
 8 simultaneously with a number of larger applications,  
 9 we're going to establish time limits, time limits, I'm  
 10 sorry, for each of the applicants in an effort to be  
 11 as fair as possible to everybody.  
 12 It's more challenging for the Board Members  
 13 because they have to prepare for a lot before a  
 14 meeting. It's not our preference but we recognize our  
 15 responsibilities and recognize everyone is entitled to  
 16 their day in court. So we'll have to work together on  
 17 this.  
 18 I do want to hear, before we get a wrap on this,  
 19 I do want to hear from Ms. Green who has sat patiently  
 20 through this, who is probably, you know, with respect  
 21 to architecture and design and things of that nature.  
 22 Darlene, what do you have to say? What can you  
 23 share with us?  
 24 MS. GREEN: Just based on the testimony  
 25 tonight not delving into my Review Letter, I know just



1 on testimony, a few comments. I know it was noted  
2 that the balcony shown on the various elevations are  
3 false but there is no note anywhere on the plans  
4 stating that. If that note is not added then it's  
5 going to trigger a variance because we were very  
6 specific in the ordinance and said there would be know  
7 outward facing balconies.

8 The cafe pavilion in the plaza area I believe  
9 you said that you have to go outside to get to the  
10 restrooms?

11 THE WITNESS: Well, that's, it's an  
12 employee restroom only.

13 MS. GREEN: Right. So I guess two  
14 concerns with that.

15 Is this a seasonal building?

16 THE WITNESS: Not necessarily.

17 MS. GREEN: Well, I guess I'm just  
18 thinking it's wintertime, it's snowing, I'm an  
19 employee, I need to go outside to use the restroom.

20 THE WITNESS: Well, it's all covered.  
21 That space is covered.

22 You're just going outside still in the covered  
23 space and into the restroom. It's not enclosed but  
24 it's covered.

25 MS. GREEN: Right. I guess I have some

1 concern about how that works in the winter months  
2 especially since this is New Jersey.

3 And if I'm a patron at said cafe and I need to  
4 use the restroom where do I go?

5 Something to consider when you're revising the  
6 plans.

7 I know you mentioned in your testimony that the  
8 landscape plans are going to detail the amenity plaza.  
9 I looked at my landscape plans. They do not detail  
10 the amenity plaza so hopefully that's something that  
11 will come in a resubmission.

12 MR. DEL VECCHIO: We are working for that  
13 Monday deadline with that.

14 MS. GREEN: Okay. Perfect.

15 And then to expand on the Chairman's concern  
16 about the parking garage, in, I believe it was the  
17 site plans, it notes pools in the amenity plazas. And  
18 depending on that pool depth, I'm wondering, is there  
19 an impact to emergency circulation in that garage?

20 I know they are 12 feet tall.

21 THE WITNESS: Well, the pools are  
22 typically imbedded and above, partially above right on  
23 the plaza. I can't --

24 I don't know what the landscape architect has  
25 done yet. I have not seen it.

1 MS. GREEN: So Building Number 1, it says  
2 that the garage is 16 feet stall. So I think that  
3 there's got to be, kind of going to Andy's point, this  
4 coordination between the various plan sets because  
5 there's also a pool proposed in the hotel.

6 And I think, I think the plans have, need to be  
7 woven together so that if there's a pool proposed we  
8 assure there's not any sort of height restriction in  
9 the garage area that would impede emergency access.

10 MR. DEL VECCHIO: I believe there was a  
11 comment in your written review letter.

12 MS. GREEN: It might be but we're not  
13 discussing my review letter.

14 MR. DEL VECCHIO: I think the team is  
15 looking at it and planning on addressing it in the  
16 resubmission.

17 MS. GREEN: Perfect.

18 And then just overall architecture, I, I know  
19 that we've been talking about this project for over a  
20 year. It's something that has been expressed in many  
21 of the subcommittee meetings, is the desire for this  
22 to go suburban. Montvale is suburban. And I'm not  
23 sure that you're quite there yet.

24 I think that there's definitely an attempt being  
25 made with the various materials but I'm, I think every

1 iteration is getting closer but I'm not sure that  
2 you're there currently.

3 I would also agree with the Chairman, I think  
4 the signage should be removed. I know we noted a  
5 number of variances that were not listed on the plans  
6 just related to signage. And, I think if we focus on  
7 the bigger picture issues first, that will be helpful  
8 as opposed to, to getting lost in the minutia of  
9 signage.

10 Those are my overarching comments.

11 CHAIRMAN DePINTO: Okay. Very good.  
12 Thank you.

13 Any other comments or questions?

14 MR. REGAN: I just have a question for Mr.  
15 Hipolit. I think we need to get clarity in terms of  
16 what our time line is.

17 Andy, in your completeness review letter of May  
18 25th, which has marked in as B-1, is that the date you  
19 determined the application to be complete?

20 MR. HIPOLIT: Yes.

21 MR. REGAN: May 25th.

22 So if you use the 120 day period in the  
23 settlement agreement, Mr. Chairman, that means a Board  
24 decision would have to come by September 25th or  
25 thereabouts, 120 days.

1 I don't see there's any way you're going to meet  
2 that.  
3 CHAIRMAN DePINTO: First let's turn to  
4 counsel for the applicant.  
5 Are you in agreement with those dates, Mr. Del  
6 Vecchio?  
7 MR. DEL VECCHIO: The May 25th date I do  
8 agree with. I can't calculate 120 days in my head. I  
9 have to use the calculator on the computer to do it.  
10 But Mr. Regan is usually right on target.  
11 MR. REGAN: Ballpark.  
12 CHAIRMAN DePINTO: Just so the record is  
13 clear on that, SO if in fact we do reach that date and  
14 we haven't completed then, obviously, the Board is  
15 going to have to ask for an extension of time if in  
16 fact we just don't get done by then.  
17 MR. REGAN: I mean you could get this done  
18 if you had no other applications.  
19 MR. HIPOLIT: What's the date, the 25th?  
20 MR. REGAN: I know on the 21st of August I  
21 think you have a bunch of hearings. I don't know how  
22 many. Doreen and Maureen would.  
23 CHAIRMAN DePINTO: Ms. O'Neill.  
24 MS. O'NEILL: I just wanted to, on the  
25 record, I felt Andy's comments about the plans, in my

1 professional setting I run into this situation all the  
2 time where the applicant has technically met the  
3 requirements for their application to be deemed  
4 complete but their plans are not up to par.  
5 I would call these schematic at best. And I,  
6 personally, would never give them to my Board. I have  
7 --  
8 That's part of the reason why I asked for the  
9 elevations because I'm having a very difficult time  
10 seeing this building functioning in reality both  
11 architecturally and circulation patterns and things  
12 like that.  
13 CHAIRMAN DePINTO: Okay. Very good.  
14 Any other questions or comments?  
15 MAYOR GHASSALI: Mr. Chairman.  
16 CHAIRMAN DePINTO: Mayor.  
17 MAYOR GHASSALI: This is probably, this is  
18 one of the biggest projects we've, we've done in  
19 Montvale and my signature is on this agreement and we  
20 are committed to building this.  
21 Just so we're all clear, we're not delaying  
22 anything. No one is delaying anything. But we want  
23 to do it the right way.  
24 If 120 days, September 25th is --  
25 MR. REGAN: Right around the corner.

1 MAYOR GHASSALI: Yeah. And we want to do  
2 the right thing and the public trust us on their  
3 behalf to do the right thing which is why the room is  
4 empty right now.  
5 But this continues with different plans and I  
6 still don't, in my head, get why would you submit  
7 plans that are not to code and expect us to what, not  
8 see it? You know.  
9 So that's kind of annoying is the wrong word but  
10 kind of upset that we missed that, that you present  
11 the plans that are not to code, not only in Building 1  
12 but Building 2 has the same thing. There's only one  
13 access.  
14 MR. DEL VECCHIO: Building 3.  
15 MAYOR GHASSALI: Building 3. I'm sorry.  
16 That's only one access so I don't know if that's  
17 to code.  
18 But why would you present a plan that's not to  
19 code? You're just delaying it for yourself.  
20 So things like this are kind of not very  
21 comfortable with but be assured that we are committed  
22 to building affordable housing and we are committed to  
23 building what we agreed to based on the agreement.  
24 My signature is on it. The Council is all  
25 behind it.

1 No one is delaying anything on purpose. We just  
2 want to do the right thing.  
3 MR. DEL VECCHIO: The word delay hasn't  
4 come out of my mouth.  
5 MAYOR GHASSALI: Okay. That's all I have,  
6 Mr. Chairman.  
7 CHAIRMAN DePINTO: Okay. Thank you.  
8 Anyone else?  
9 The Chair will entertain a motion to open the  
10 meeting to the public.  
11 MR. CULHANE: So move.  
12 MS. O'NEILL: Second.  
13 CHAIRMAN DePINTO: Mr. Culhane, seconded  
14 Ms. O'Neill.  
15 All in favor?  
16 (Aye)  
17 Anyone from the public wish to be heard? No.  
18 The Chair will entertain a motion to close the  
19 meeting to the public.  
20 MS. O'NEILL: So move.  
21 VICE CHAIRMAN STEFANELLI: Second.  
22 CHAIRMAN DePINTO: Ms. O'Neill, second Mr.  
23 Stefanelli.  
24 All in favor?  
25 (Aye)

1 CHAIRMAN DePINTO: We hit that witching  
2 hour that I projected of 10:15. I apologize to your  
3 witness who is unable to speak this evening.

4 But I think it is time well spent on her part  
5 listening to some of the comments from Board Members.  
6 And, I think we're going to be very interested in  
7 hearing Ms. Dolan's testimony with regards to on-site  
8 traffic circulation, parking, points of ingress,  
9 egress, impact on road traffic, intersections, I think  
10 we're going to be in store for a pretty in-depth  
11 analysis by Ms. Dolan which I look forward to.

12 So if that's a challenge, Ms. Dolan, I am happy  
13 that you caught the gist of it.

14 MR. HIPOLIT: Mr. Chairman, just on Ms.  
15 Dolan's testimony, it needs to be based on the site  
16 plans that you're working on, that you have in front  
17 of you. They can't be based on site plans that  
18 they're going to submit. It doesn't work.

19 MR. REGAN: Otherwise, she'll have to come  
20 back.

21 CHAIRMAN DePINTO: She'll have to come  
22 back.

23 So we're going to have to tighten it up a little  
24 bit. And I do believe the applicant is moving it in  
25 the right direction. I think, because of schedules,

1 we got to pull it together a little bit faster so that  
2 it is more complete and we're not wasting an  
3 applicant's time and we're not wasting more Board  
4 Members' time.

5 Okay. Mr. Del Vecchio, do you have anything  
6 else?

7 MR. DEL VECCHIO: We only have two matters  
8 to finish with, one is when is the next hearing date  
9 and, two, when do you want your transcript?

10 CHAIRMAN DePINTO: Okay. Well --

11 VICE CHAIRMAN STEFANELLI: I got a  
12 question for scheduling. Why can't -- we've been  
13 doing this a long time. I don't understand why Andy  
14 can't put together a schedule on who's the next  
15 witness and have the witnesses here.

16 The 21st meeting we're going to see the traffic  
17 engineer and especially if we have other clients. And  
18 then let him set it up for the next, till the 21st of  
19 September and see what we could move in or squeeze in  
20 to those agendas.

21 But I would rather have a schedule, at least a  
22 preliminary schedule of what the -- you should know  
23 how long it's going to take for, for, you know, your  
24 experts to testify.

25 CHAIRMAN DePINTO: It's difficult, Frank,

1 as you do know.

2 VICE CHAIRMAN STEFANELLI: Well, the  
3 question is --

4 CHAIRMAN DePINTO: Mr. Del Vecchio may  
5 know how much time he needs on direct. He doesn't  
6 know how much time is going to be needed by Board  
7 professionals and Board Members.

8 VICE CHAIRMAN STEFANELLI: I agree to  
9 that. But that's when, I think, I hate to say it, us  
10 as a Board should know how much time we need in that  
11 respect. We've been doing this a long time, you know.

12 I could tell right, that we were just going to  
13 see him tonight. I could tell we weren't going to see  
14 -- and we may need to move our meeting to 7:00, you  
15 know, if we don't have --

16 So, you know, I think we have a lot of cases, we  
17 have a lot of things going on. I just think we just  
18 need a preliminary schedule.

19 CHAIRMAN DePINTO: Let's take it one step  
20 at a time.

21 Mr. Del Vecchio, if you were to return on the  
22 21st and, again, when we prepare that agenda, we are  
23 going to be putting time limits on each of the  
24 applications. But in anticipation of you being here  
25 for that date, who would you be introducing as your

1 witnesses that evening subject to time allotment.

2 MR. DEL VECCHIO: I think Mr. Dipple and  
3 Mr. Simon would be the two witnesses that I would want  
4 to have reappear next in terms of sequencing to try to  
5 tighten up on some of the open issues and address the  
6 technical comments that we were aware of to date.

7 CHAIRMAN DePINTO: Okay. And in order for  
8 the Board Members to be prepared for that, we  
9 indicated that we would let you know when we would  
10 want transcripts and if we did that, what, in two  
11 weeks, Doreen, that would be sufficient.

12 And anybody disagree with that? Bob?

13 MR. REGAN: Yeah. I mean, I think so long  
14 as the Board has the transcript, we're meeting on the  
15 21st on this application which we are, the 14th, I  
16 think that's fine, a week before.

17 CHAIRMAN DePINTO: Why don't we use that  
18 as a date?

19 MR. DEL VECCHIO: Donna, can you  
20 accommodate the transcript? She's nodding yes.  
21 That's fine.

22 CHAIRMAN DePINTO: Okay. And it will be  
23 your responsibility, Mr. Del Vecchio, to make certain  
24 that the Board does have them.

25 MR. DEL VECCHIO: Absolutely.

1 CHAIRMAN DePINTO: Okay. Anything else?  
 2 VICE CHAIRMAN STEFANELLI: Can we get it  
 3 electronically?  
 4 MR. DEL VECCHIO: I always email the  
 5 transcript in.  
 6 MR. REGAN: We'll have Doreen send them  
 7 out to everybody. That's what you did today.  
 8 MS. ROWLAND: Yes, we did. You got the  
 9 other one.  
 10 MR. CULHANE: Mr. Chairman, will we have  
 11 revised plans by the 14th?  
 12 MR. DEL VECCHIO: We're shooting for  
 13 Monday.  
 14 MR. HIPOLIT: Architecturals, too, or  
 15 just, just --  
 16 MR. DEL VECCHIO: The engineering for  
 17 Monday we're going to try to pick up the garage access  
 18 change between now and then as well. The  
 19 architecturals will follow.  
 20 MR. HIPOLIT: Do we have a date for  
 21 architecturals?  
 22 MR. DEL VECCHIO: What's that?  
 23 MR. HIPOLIT: Do you want to put a date  
 24 down that you'll have the architecturals to us?  
 25 MR. DEL VECCHIO: We're going to have to

1 talk to Mr. Simon off line because we've been asked to  
 2 do line drawings from every elevation. I want to try  
 3 to accommodate as much as I can and I can't promise  
 4 that without sitting down and seeing how much we are  
 5 asked to do and how quickly we can turn it around.  
 6 Most of that other than -- and we also have to  
 7 take a look at the skin of the building to see if  
 8 there's anything else we can do there to address some  
 9 of the comments so that requires a little more thought  
 10 than I could give in the short time this evening.  
 11 MR. HIPOLIT: The plans he gave us need to  
 12 match Dipple's new plan.  
 13 If you want to add line drawings there will be  
 14 additional sheets but what you gave us, those two sets  
 15 need to match.  
 16 MR. DEL VECCHIO: Yes.  
 17 MR. HIPOLIT: If they don't match it's  
 18 going to generate a very, very large review letter. I  
 19 don't think you want that.  
 20 CHAIRMAN DePINTO: Mr. Hipolit, can you  
 21 communicate directly in an interest of moving this  
 22 file, can you communicate with Mr. Dipple?  
 23 MR. HIPOLIT: I can't. He's away.  
 24 MR. DEL VECCHIO: You can always speak to  
 25 Justin from Mr. Dipple's office. Justin is here. So

1 either Mike or Justin can address it.  
 2 CHAIRMAN DePINTO: So that the applicant's  
 3 engineer is made aware of specifically what you're  
 4 looking for to help move this file along.  
 5 Okay. Very good.  
 6 With that said, thank you very much, gentlemen.  
 7 MR. DEL VECCHIO: Thank you.  
 8 So this matter is being carried to the 21st, no  
 9 further notice, 7:30 p.m.?  
 10 CHAIRMAN DePINTO: That is correct.  
 11 MR. DEL VECCHIO: Thank you.  
 12 (The hearing adjourns at 10:23 p.m.)  
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1 C E R T I F I C A T E  
 2 I CERTIFY that the foregoing is a true and  
 3 accurate transcript of the testimony and proceedings  
 4 as reported stenographically by me at the time, place  
 5 and on the date herein before set forth.  
 6 I DO FURTHER CERTIFY that I am neither a  
 7 relative nor employee nor attorney or counsel of any  
 8 of the parties to this action, and that I am neither a  
 9 relative nor employee of such attorney or counsel, and  
 10 that I am not financially interested in this action.  
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