

COUNTY OF BERGEN
Hearing on 07/11/2022

1 COUNTY OF BERGEN
2 BOROUGH OF MONTVALE
3 PLANNING BOARD
4 COUNCIL CHAMBERS
5 12 DePIERO DRIVE
6 TUESDAY, JULY 11, 2022
7 COMMENCING 7:30 p.m.

8 BLOCK 3201, LOT 6 :
9 SHG Montvale MB, LLC :
10 Preliminary and Final Site :
11 Plan Approval, Amended PUD :
12 Approval; Soil Movement :
13 Approval :
14 -----X
15 B E F O R E, BOROUGH OF MONTVALE,
16 PLANNING BOARD, THERE BEING PRESENT

17 JOHN DePINTO, CHAIRMAN
18 FRANK STEFANELLI, VICE CHAIRMAN
19 DIETER KOELLING, COUNCIL LIAISON (RECUSED)
20 JOHN RYAN, MAYOR'S DESIGNEE (RECUSED)
21 JOHN CULHANE, MEMBER
22 WILLIAM LINTNER, MEMBER
23 DANTE TEAGNO, MEMBER
24 ROBERT ZITELLI, MEMBER
25 JAVID HUSEYNOV, FIRST ALTERNATE MEMBER (ABSENT)

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

2 ROBERT T. REGAN BOARD ATTORNEY
3 345 Kinderkamack Road #G
4 Westwood, New Jersey 07675
5 Counsel to the Board

6 BEATTIE PADOVANO, LLP
7 BY: ANTIMO A. DEL VECCHIO, ESQUIRE
8 50 Chestnut Ridge Road
9 Suite 208
10 Montvale, New Jersey 07645
11 Counsel to the applicant

12

13

14 A L S O P R E S E N T:

15

16 ANDREW HIPOLIT, BOROUGH ENGINEER
17 CHRIS GRUBER, CONSTRUCTION CODE OFFICIAL (ABSENT)
18 DARLENE GREEN, BOARD PLANNER (ABSENT)
19 LORRAINE HUTTER, BOARD SECRETARY
20 MAURICE RACHED, BOARD TRAFFIC ENGINEER
21 CHIEF GEOFFREY GIBBONS, FIRE CHIEF (ABSENT)

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1 CHAIRMAN DePINTO: The next item on the
2 agenda is the continued public hearing on Block 3201,
3 Lot 6, SHG Montvale MB, LLC, Preliminary and Final
4 Site Plan Approval, Amended PUD Approval; Soil
5 Movement Approval and variances.

6 And with that said, this is a special
7 meeting.

8 MR. REGAN: Mr. Chairman, I am sorry to
9 interrupt you.

10 CHAIRMAN DePINTO: Sure.

11 MR. REGAN: Just for the record, since
12 D variance relief is implicated, Mr. Ryan, as a
13 Class 1 representative, is leaving the dais.

14 A Class 1 representative cannot --

15 CHAIRMAN DePINTO: Okay, very good.

16 MR. REGAN: We have a full complement.

17 CHAIRMAN DePINTO: Okay, John, thank
18 you for attending. Have a good evening.

19 (Whereupon, Mr. Ryan recuses himself
20 and steps off the dais.)

21 CHAIRMAN DePINTO: Okay. Question: Do
22 we have enough eligible members?

23 MR. REGAN: We have six. I believe
24 everyone's eligible.

25 MR. LINTNER: Yes, they all are.

1 CHAIRMAN DePINTO: Everyone is
2 eligible.

3 MR. REGAN: If there is a vote tonight,
4 you would need five affirmative votes.

5 CHAIRMAN DePINTO: Okay, very good.

6 Mr. DelVecchio, before we get started,
7 any further presentation?

8 As of our last meeting we asked the
9 traffic expert employed by the borough to do some
10 homework with respect to getting answers on different
11 questions that he had in dealing with, I guess, both
12 the county and the Turnpike Authority.

13 And he has indicated to us prior to the
14 meeting that he had information he wanted to share
15 with the board members, as well as the applicant and
16 the public.

17 And with that said, I am going to ask
18 Maurice, it's all yours.

19 MR. REGAN: For the record, Mr. Rached
20 was previously sworn --

21 CHAIRMAN DePINTO: Yes.

22 MR. REGAN: -- at the last meeting, as
23 has Mr. Hipolit.

24 CHAIRMAN DePINTO: Yes.

25

1 A N D R E W H I P O L I T, PE

2 331 Newman Springs Road, Suite 203, Red Bank,
3 New Jersey, having been previously sworn,
4 continues to testify as follows:

5 M A U R I C E R A C H E D, PE, PTOE

6 331 Newman Springs Road, Suite 203, Red Bank,
7 New Jersey, having been previously sworn,
8 continues to testify as follows:

9 MR. RACHED: Good evening,
10 Mr. Chairman, Members of the Board, so I did reach
11 out to the Turnpike and then I realized that this is
12 a county road which means the county would have to
13 make the request.

14 So I reached out to Mr. Timsak and we
15 had an in-depth conversation about the issues.

16 And he shared with me information that
17 I thought the board would be happy to hear. He said
18 that the county is looking to lower the speed limit
19 on West Grand Avenue --

20 MS. HUTTER: John, can you just hand
21 him this microphone so we make sure we get it.

22 MR. RACHED: I thought I was loud
23 enough.

24 MS. HUTTER: No.

25 MR. RACHED: Thank you.

1 So Mr. Timsak shared with me that the
2 county is looking to lower the speed limit on West
3 Grand Avenue, which I felt would be welcome news by
4 the board and by the community.

5 The speed limit today is 45 miles an
6 hour and it would serve all of us to lower it.

7 So I had a conversation with him about
8 the method, about my involvement.

9 I asked Mr. Timsak that I would like to
10 be involved in reviewing the data to make sure that
11 that reduction happens. He agreed.

12 I also proposed to him that if there is
13 anything we could do to help the process, such as
14 doing a certification to comply with Title 39 and
15 national standards, that I'll be willing to do that.

16 So we left it in that he is going to
17 keep me in the loop, share with me the data, and
18 we're going to collaborate together on lowering the
19 speed limit.

20 Then we talked about changing the yield
21 sign to a stop sign. He expressed to me that the
22 county would be in favor of such a request, and he
23 said we'll either do a request or you could do it and
24 copy us and refer to this conversation.

25 So we need to figure this out if we --

1 and if the board ends up requesting that change from
2 the Turnpike.

3 So I was really very pleased. I think
4 this would add another layer of safety to the whole
5 area, not just to this left turn.

6 Then I reached out to the previous
7 police chief, Gerry Abrams, and I discussed with him
8 what's transpiring. And he told me that he does not
9 recall any issue with the right-turn movement when
10 the driveway was open.

11 I'm referring to the proposed driveway
12 on West Grand Avenue. He did say that he remembers
13 that the left-turn out was an issue at some point,
14 which in this case it is not being proposed.

15 And then I asked him if he remembers
16 any accident involving the right turn and he said no.

17 So I wanted to bring the board up to
18 speed with that information, and if the board is
19 inclined to have me pursue any of these, you know,
20 avenues, I will be more than happy to do so.

21 CHAIRMAN DePINTO: Okay. Thank you.

22 Mr. Hipolit, I believe the board asked
23 you to communicate with Chief Joe Sanfilippo with
24 respect to his opinion of changing the yield sign off
25 of the Parkway exit onto Grant Avenue to a full stop

1 sign. And also with respect to putting in a counter
2 on that right-hand lane on Grand Avenue.

3 Did you have an opportunity to
4 communicate with him?

5 MR. HIPOLIT: I did.

6 I talked to him.

7 As far as a counter, with doing counts,
8 they could provide both traffic counts and/or speed
9 counts as the board did discuss speed.

10 And then as far as the stop sign, they
11 would be in favor of the stop sign change.

12 I haven't talked to him about the
13 reduction in speed yet and I haven't talked to him
14 about the accident history.

15 I was going to ask him about the
16 accident history of that driveway literally almost
17 20 years ago, so the total history on that driveway
18 -- see what the accidents were as a baseline.

19 CHAIRMAN DePINTO: Okay. And,
20 Mr. Regan, I believe that it was said if that yield
21 sign were to be changed to a stop sign, the Montvale
22 governing body would have to approve it as well.

23 MR. REGAN: Right.

24 They would have to make the formal
25 request of the Turnpike Authority.

1 MR. HIPOLIT: Correct.

2 It would come from the Mayor and
3 Council.

4 CHAIRMAN DePINTO: And though I did not
5 communicate with the whole governing body, I did
6 speak with Mayor Ghassali and shared with him the
7 board's discussion with the applicant and its
8 professionals relative to the conversion of that
9 yield sign to a full stop sign.

10 He felt that the governing body would
11 be very supportive of that, so I don't anticipate we
12 would have any difficulty in moving in that
13 direction.

14 With respect to the gaps, Maurice, with
15 a lowering of the speed limits along Grand Avenue,
16 what effect that would that have on the gap studies
17 that were performed by Dolan and Dean?

18 MR. RACHED: It really shouldn't have
19 much of an effect, Mr. Chair.

20 As I explained last week, the gap study
21 is based on the acceptable gap, which is normally
22 six-and-a-half seconds or so.

23 By lowering the speed, the gaps should
24 remain the same and there should be -- there could be
25 actually more opportunities for drivers to enter the

1 gap because the speed is lower.

2 Just to refresh the board in terms of
3 the numbers, I believe that the gap analysis revealed
4 that there were between 400 and 500 gaps an hour,
5 which is a number that far exceeds the need. I
6 believe the need was more in the range of about 50
7 turning movements. So the number of gaps is almost
8 ten times as much, which is an extremely comfortable
9 range.

10 CHAIRMAN DePINTO: Okay, very good.

11 I think, Mr. DelVecchio, we had
12 requested of you to have the author of the traffic
13 report, Betsy Dolan, here this evening, and I
14 understand that because of a medical emergency she is
15 unable to attend.

16 Is that correct?

17 MR. DELVECCHIO: That is correct. We
18 were -- we learned somewhere around 5, 6:00 this
19 evening via a text from a relative that she was not
20 -- well, that she was in a medical emergency and
21 that's all we know.

22 We have tried to communicate back, find
23 out hopefully that she's doing okay, but we have no
24 word at this point at all.

25 CHAIRMAN DePINTO: And I understand you

1 have made arrangements to have another engineer who
2 is a traffic expert attend the meeting to discuss
3 with us that report.

4 Is that correct?

5 MR. DelVECCHIO: That is correct,
6 Mr. Chairman.

7 CHAIRMAN DePINTO: Why don't we
8 introduce him and have him qualified.

9 MR. DelVECCHIO: Okay.

10 For those of you who may remember,
11 Mr. Olivo has appeared before this board before.
12 This is Mr. Chuck Olivo from Stonefield Engineering.

13 Chuck, if you could please state your
14 name and spell it.

15 MR. REGAN: He's previously been
16 qualified in the field of civil engineering and
17 traffic engineering.

18 Do you swear or affirm that the
19 testimony you're about to give shall be the truth, so
20 help you God?

21 MR. OLIVO: I do.

22 C H A R L E S O L I V O, PE, PTOE

23 92 Park Avenue, Rutherford, New Jersey, having
24 been duly sworn, testifies as follows:

25 MR. REGAN: For the record, state your

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

2 MR. OLIVO: Certainly.

3 Good evening, Mr. Chairman, nice to be
4 here this evening.

5 Good evening, Members of the Board,
6 Members of the Public, my name is Charles Olivo, and
7 the spelling of the last name is O-L-I, V as in
8 Victor, O.

9 I am from the firm Stonefield
10 Engineering and Design, as project counsel has
11 mentioned.

12 I have a Bachelor of Science in the
13 field of civil engineering from the University of
14 Notre Dame.

15 I'm a licensed professional engineer in
16 the State of New Jersey.

17 I am also a certified professional
18 traffic operations engineer, certified by the
19 Institute of Transportation Engineers.

20 I've testified before over 300
21 municipalities in the State of New Jersey as an
22 expert in the field of traffic engineering.

23 I also teach traffic engineering at
24 Stevens.

25 And I have been before this board and

1 accepted.

2 MR. REGAN: I think, Mr. Chairman, he
3 can be accepted based on his credentials in the field
4 of traffic engineering. And I think he was
5 previously qualified in that field before the board.

6 CHAIRMAN DePINTO: And the Chair will
7 accept the recommendation of counsel, no questions
8 from the board.

9 And I believe this has been marked into
10 evidence.

11 MR. REGAN: Not yet.

12 This is the revised plan, Mr. Chairman,
13 the original one was --

14 CHAIRMAN DePINTO: Yeah, I'm looking at
15 the one revised to June 22.

16 MR. DeLVECCHIO: Yes.

17 MS. HUTTER: Yes, it was marked as
18 A-18.

19 MR. DeLVECCHIO: Yes, A-18.

20 CHAIRMAN DePINTO: A-18, okay.

21 MR. REGAN: I have the other one.

22 CHAIRMAN DePINTO: And, Mr. Olivo, have
23 you had an opportunity to review the plan prepared by
24 Dolan and Dean last revised June 22 of this year?

25 MR. OLIVO: I have had the opportunity

1 to review the Traffic Impact Study that was last
2 revised June 22nd of this year, both the contents of
3 the report and the complete technical appendices that
4 are included with that report.

5 CHAIRMAN DePINTO: The board was paying
6 particular attention to the access point along Grand
7 Avenue, which I am sure your client brought to your
8 attention.

9 Is that correct?

10 MR. OLIVO: Yes, I am aware of this.

11 CHAIRMAN DePINTO: And I further
12 understand, did you have an opportunity to listen to
13 the tapes or any other recording relative to the
14 discussion that we had with the traffic experts from
15 Colliers?

16 MR. OLIVO: I read the transcript in
17 full.

18 CHAIRMAN DePINTO: And did you
19 communicate directly with Maurice?

20 MR. OLIVO: I did, yes.

21 CHAIRMAN DePINTO: Okay. Why don't you
22 give us your opinion and your analysis of that
23 proposed drive and the accesses that are set forth.

24 MR. OLIVO: Absolutely, Mr. Chairman.

25 Well, I would say at this point you've

1 had a lot of traffic engineering eyes on this
2 driveway, in addition to the board's eyes.

3 I think everybody probably within the
4 last week has checked their speed going into or out
5 of some of these turning movements.

6 And I think in a lot of ways that the
7 beauty of traffic engineering is we all do it and we
8 all have an opinion about it and what works and what
9 doesn't necessarily work.

10 I know that there is some history with
11 regard to a driveway in this general location. And I
12 have researched some of the accident history; the
13 location, you can see on old aerial imagery, so it is
14 interesting to see that there was a driveway here,
15 and then that driveway was either blockaded or gated
16 and it was not permissible to be used.

17 And I will say that practicing about
18 20 years working on many land use applications, you
19 don't see that very often. You don't see many
20 driveways that are open and then closed.

21 But what I will say and I think it's
22 somewhat reassuring is that with all the eyes on this
23 proposed driveway, you have had a county and county
24 professionals that have seen the history of a
25 driveway in this location and have been attuned to

1 that and have reviewed it and scrutinized it over the
2 years, and you now have -- many of that personnel is
3 very similar to what it was 10 or 15 years ago.

4 And so here we are proposing a driveway
5 in that location, but I do think it's important to
6 note that there are significant changes to what is
7 being proposed.

8 A full-movement access point is very
9 different than what is being proposed now, which is
10 an entrance only driveway.

11 A left-turn movement out of this
12 proposed driveway on Grand Avenue I do not believe is
13 something that I would be in front of this board
14 supporting. You're along the horizontal curb; you're
15 on the inside of that curb which makes sight distance
16 challenging when you're coming out of a private site.

17 And to make a left-turn out across a
18 right-turn lane, two through lanes, a gore area and
19 an additional two lanes in the opposite direction is
20 a very challenging movement coming from a location
21 here.

22 What we're speaking about is entrance
23 only. Looking at the many commercial and retail
24 driveways over the last 20 years, the
25 right-turn-ingress movement tends to be your safest

1 movement across any driveway in any location, because
2 there really is no conflict to that right-turn in.
3 It's called diverging conflict in traffic engineering
4 parlance because vehicles aren't approaching one
5 another, they're actually moving away.

6 But you do decelerate into that turn,
7 which does create a little bit of friction.

8 But that right-turn movement in,
9 generally, a very save movement into an access point.

10 Now, the left-turn movement in. One of
11 the things that I look at most closely when
12 determining whether a driveway can operate safely and
13 effectively, which is really our charge as traffic
14 engineers, when we're looking at the operation of an
15 intersection and also at the operation of a driveway,
16 can it operate safely being paramount, and
17 effectively or functionally as you heard from
18 Maurice.

19 And reading through the transcript,
20 very much in keeping with the very logical
21 progression he made, I would agree, he ended with
22 safety and I will start with safety.

23 When I'm looking at the operation of a
24 driveway and whether or not it can operate safely,
25 one of the first things I look at is sight distance.

1 There has to be enough sight distance for a driver,
2 for someone who is traveling in their vehicle, to
3 take in everything happening within the driving
4 ecosystem, see an oncoming vehicle and make a turn.

5 And truth be told, I sat in the gore
6 area today for about a minute with my hazards on.
7 There is an existing gore area hatched in the middle,
8 in the median of the road where the driveway is. And
9 I waited and I watched.

10 I could see about what I measured on a
11 Google aerial about 900 feet towards the Parkway,
12 past the first bridge abutment, through the guide
13 rail section; more than enough sight distance to
14 adequately see vehicles coming towards me and make a
15 turn into the lane.

16 Now, within that, what I'll call gore
17 area, this diagonally striped area that's there today
18 is where we plan to put the left-turn bay. There's
19 adequate width there, there was nobody honking their
20 horn, what's this guy doing in the middle of the road
21 here. There is adequate width to be able to
22 accommodate a vehicle that stops, looks for that gap
23 in traffic and then makes the left turn into the site
24 driveway.

25 Sight distance is more than adequate

1 turning in for that left-turn movement and from a
2 safety perspective, we also then look at are there
3 enough gaps in traffic?

4 And as you've heard from Maurice, there
5 are more than adequate, during the peak hours, gaps
6 in traffic.

7 I watched the videos of the various
8 peak hours that have been studied. What you'll see
9 is that generally as cars come off the Parkway or are
10 coming from the west/east through this intersection
11 or this area, that they effectively line up in the
12 proper lanes as to where they're looking to go.

13 So if they're looking to make the right
14 turn to come down DePiero Drive, they line up in the
15 right-turn lane, which is marked as a
16 right-turn-deceleration lane. And if they're
17 continuing through, they're in those two through
18 lanes that are then removed from that right-most
19 lane.

20 I actually think in terms of
21 infrastructure and having been through that
22 intersection many times coming to this borough hall
23 many times, living in Bergen County for the last
24 20 years and having been through the intersection a
25 number of times, I would actually say that you have

1 great traffic infrastructure right now to accommodate
2 the driveway movements that we're talking about.

3 One of the goals of driveway design is
4 that we're not violating what I call driver
5 expectation. When we start to create new movements
6 that are not in keeping with the typical vocabulary
7 of traffic improvements along a roadway is where we
8 start to see driver hesitation, and driver hesitation
9 many times is what leads to traffic accidents and
10 incidents.

11 And I think, because you have
12 established pavement markings, lane markings within
13 your right-of-way that have been well-traveled for
14 many years here and people are acclimated to that.

15 I noticed in the transcript a lot of
16 discussion, and I like this kind of discussion, of
17 who is accelerating, who's decelerating, who's not,
18 who is.

19 And again, I think probably over the
20 last week we have all been attune to that a little
21 bit more.

22 Now, the industry standards tell you
23 that a turning movement occurs at anywhere on average
24 between about 15 miles per hour and 18 miles per
25 hour.

1 I think everybody in this room,
2 including myself, can make that turn from Grand to
3 DePiero at about 20 to 22 miles per hour. If you
4 really are trying hard to go faster, you probably
5 could get to about 25 miles per hour.

6 But the bottom line is these movements
7 are occurring at reduced travel speeds from your
8 through traffic. This is what happens when you make
9 a turn. Left turn traffic is stopped in that bay as
10 it makes the turn into the site, so those travel
11 speeds, as the vehicle is turning across lanes, much
12 lower than that, we'll call it 15 to 25 mile an hour
13 span of right turning movement.

14 If we were adding a new right-turn lane
15 into this site, I might be concerned.

16 As I mentioned earlier, if we were
17 allowing a left-turn-exit movement, I don't think I'd
18 be able to support that.

19 But you have entrance only movements,
20 generally the safest of travel movements into a site,
21 in a well-established section of road that is in
22 keeping with driver expectation.

23 And as a traffic engineer practicing
24 about 20 years now, that hits all the marks for me
25 when I'm looking at the safety of a driveway.

1 Now, I will say this: The county has
2 reviewed and approved this driveway. I suspect the
3 County reviewed and approved the driveway some time
4 ago in this location and later, at the behest perhaps
5 of an earlier police chief or board members or
6 members of the community relooked at that driveway.

7 You have your consultant on record,
8 myself, you have another excellent traffic engineer
9 in Betsy Dolan who has worked on hundreds, if not
10 thousands, of traffic studies in commercial driveway
11 projects.

12 I would say to you that should this
13 driveway -- I don't believe that it would have
14 operational concerns, there is an immediate open line
15 of communication with the county which operates
16 jurisdiction over this roadway and over this driveway
17 to discuss the operation of the driveway and whether
18 or not anything would need to change.

19 My opinion is that this driveway could
20 operate safely and effectively in the location based
21 on the design parameters that are before the board.

22 CHAIRMAN DePINTO: Very good.

23 Mr. DelVecchio, do you have anything
24 else of Mr. Olivo?

25 MR. DELVECCHIO: Yes, Mr. Chairman.

1 Thank you.

2 DIRECT EXAMINATION

3 BY MR. DELVECCHIO:

4 Q. Mr. Olivo, one of the concerns that you
5 alluded to and I'd like to just highlight and get
6 your opinion on is we have a yield movement coming
7 off the Garden State Parkway ramp allowing a vehicle
8 to make a right turn at that location onto Grand
9 Avenue, and then we have the potential of a
10 right-turn movement into the site from either a
11 vehicle that did not originate from the Garden State
12 Parkway, or did, that may cause a momentary slowdown
13 to allow that right-turn movement to occur.

14 Do you have an opinion or have you
15 given any thought as to, can that right-turn movement
16 off of a decel lane at this location operate in a
17 safe manner?

18 A. I have looked at that and that's
19 exactly where I would want the right-turn movement to
20 operate from is that already established
21 right-turn-decel lane because vehicles, although
22 those traveling to DePiero Drive may not yet be
23 decelerating or braking to turn right onto that
24 roadway, it is accepted and understood that that
25 right-most lane is the slowest of all travel lanes as

1 you're moving in an easterly direction from the
2 Parkway towards the project.

3 So it is my opinion, understanding that
4 you have travel coming -- vehicles coming from both
5 the Parkway ramp and straight through on Grand Avenue
6 coming to that juncture, that that right-turn
7 movement can decelerate into the site with excellent
8 visibility.

9 Again, as I pointed out with regard to
10 safety, when you can't see that car well is when you
11 run into challenges. And from all perspectives, you
12 can clearly see a car in front of you decelerating to
13 make that turn momentarily as it comes into the site.

14 And I would say, recall also that when
15 we're talking about decelerating to make a turn at an
16 intersection it's similar to making a turn within a
17 commercial driveway, slightly slower.

18 So you're traveling and turning at
19 speed. Same thing that you would expect downstream
20 at the signal as you come into DePiero Drive.

21 So I do believe that driveway can
22 operate safely, understanding those dynamics of
23 traffic flow there.

24 **Q. If you were to have undertaken the**
25 **initial review of the layout of this site,**

1 understanding the traffic information that you have
2 now viewed, would you have any hesitancy or issue or
3 concern relative to locating that driveway at that
4 particular location from a traffic engineering
5 standpoint?

6 A. No, I wouldn't.

7 In fact, I looked at the whole project
8 and being familiar with the way the site is designed
9 and operates now, you can see a very clear, what I
10 call an access management plan.

11 Access management plan is really a
12 fancy way of saying how we organize the driveways to
13 get into and out of a private site. And we have come
14 a long way in the traffic engineering industry in
15 terms of how we look at access management and how we
16 design sites properly.

17 If you think about projects of old,
18 whether they're gas stations, retail sites or office,
19 they tended to put as many driveways as they could
20 along the frontage, which created a lot of friction
21 within our roadway system.

22 What you see as part of this project is
23 a very cohesive organization of driveways. I think
24 in a way to not have a driveway along Grand Avenue to
25 this project, going back to what I was speaking

1 about, would violate driver expectation. You have
2 about 600 feet of frontage of this site on Grand
3 Avenue.

4 And it's my opinion that a driver
5 coming down the roadway looking to enter into the
6 site would expect that there would be a driveway
7 somewhere along 600 feet, 60 feet, perhaps not.

8 But in terms of being able to maneuver
9 properly into a site, travel into a site in a safe
10 manner, this driveway that we are proposing along
11 Grand Avenue is in an acceptable location from an
12 access management perspective, and is in a logical
13 location as it relates to drivers of passenger cars
14 coming to and from the site location.

15 Now, as you come around the corner onto
16 DePiero Drive, you encounter a right-in/right-out
17 access point. Excellent access management; limited,
18 curbs, and you actually, along the median of the
19 road, you have a physical curbed median, so you
20 cannot make a left in or a left out. Excellent
21 practice. Eliminates certain types of traffic
22 movements out of the site and into the site,
23 particularly when we're about 75 feet from a major
24 signalized intersection. So we're limiting the
25 access movements there.

1 Now, as you come further south, we're
2 all familiar with the four-leg intersections that you
3 come to both centrally located on the project and
4 then to the south.

5 And those intersections tell a little
6 bit of a different story, because now we have
7 textured crosswalks, we have slightly raised pavement
8 area and we have different coloring, which, as a
9 traffic engineer, tells me a little bit more about
10 what's expected here, which is not just motor vehicle
11 traffic but pedestrian, potentially bicycle traffic
12 as well.

13 To pull vehicles off of Grand Avenue, a
14 major corridor, and pull them into driveways and
15 intersections that we have designed with intent to
16 carry multi-modal traffic, I do not think is in
17 keeping with the access management principles that we
18 would seek to design at a site like this.

19 We have mobility along Grand Avenue for
20 motor vehicles. Let's allow for motor vehicle
21 traffic, safely, of course, in that area.

22 And as you come further down and south
23 into DePiero, where you have public plazas that are
24 on either side -- you have a beautifully designed
25 project, which I would generally argue is operating

1 extremely well from a passive recreation standpoint
2 and also encouraging people to walk from an office
3 building across the street into an excellent center.
4 Excellent project and design.

5 And I think what we're talking about
6 for this northern piece, from an access management
7 perspective, it reads with the same vocabulary that
8 we want across this project.

9 So I think from an access perspective
10 it's important that we have an access point where we
11 have shown along Grand Avenue in the manner that it's
12 designed.

13 Q. Mr. Olivo, if the left turn from Grand
14 Avenue into the site were not available, traffic
15 would then have to make a left onto DePiero Drive,
16 continue to the intersection that you described as
17 being multi-modality --

18 A. Multi-modal.

19 MR. REGAN: Multi-modal.

20 THE WITNESS: Multi-modal. That's
21 good, that's close.

22 BY MR. DELVECCHIO:

23 Q. -- enter the site, and then navigate
24 back in a northerly direction through what
25 essentially is another area where pedestrians,

1 vehicles and site traffic would be anticipated to
2 occur in order to get to that northernmost building
3 that is now being proposed to be constructed.

4 From an access management standpoint,
5 is that a preferred route of travel as compared to
6 the left turn occurring at the location proposed?

7 A. It is not a preferred route of travel.
8 I would also contend that it is -- it struggles in my
9 mind with function as well to ask a driver, somewhere
10 around 200 feet upstream of the intersection, to
11 recognize that at the signal, before they can even
12 see the building in great detail, that they would
13 make a turning movement at that signal, then come
14 down into the site and then navigate back north to
15 travel into the area of the site where they would
16 park.

17 And the challenge there is, I know it
18 doesn't sound like a whole lot in what's driving
19 through a parking lot, we do it every day.

20 But, again, we come back to driver
21 expectation and that is not something that you would
22 see in many projects across the state, or across
23 anywhere for that matter, to ask a driver to make
24 that many upstream decisions to travel to a site that
25 they wouldn't be able to recognize.

1 Now, repeat customers, of course they
2 would recognize that.

3 But we can accommodate a more than
4 sufficient left-turn lane in a median. What I would
5 say is if the left turn was occurring from an active
6 through lane, I would not support that left turn.

7 I have seen that in communities in
8 Bergen County and throughout New Jersey where you
9 have drivers waiting in an active through lane to
10 make a left turn into a driveway.

11 We have great median here that we can
12 restripe, stage a vehicle, wait, turn into a site.
13 That is ideal.

14 From a traffic engineering perspective,
15 that is what we look for.

16 So, again, if the conditions were
17 different, I'm not sure that I would recommend a left
18 turn here.

19 But because of the conditions that we
20 have, not to mention that this is a corridor of road
21 that has left-turn lanes within it. We know it.
22 There's a vocabulary that continues down the roadway.

23 Again, if we didn't have that I would
24 be concerned about violating driver expectation.

25 But we have these elements of the road

1 that we can use in an efficient and functional manner
2 and that is our charge as engineers to do so in a
3 safe and responsible way.

4 So I do not think the alternative to
5 that would be recommended from a traffic engineering
6 perspective, from my perspective.

7 **Q. One final question from my end.**

8 Based upon your review of the plan, the
9 traffic report, the review of the testimony at the
10 last meeting, do you believe that the proposed access
11 point, both its right and left-turn movement into the
12 site, comply with all applicable standards, codes or
13 ordinances that might govern or control that
14 particular movement?

15 **A. I do.**

16 And I have reviewed the traffic study
17 in detail. This is the rare case where, with a
18 development project of this magnitude and the scale,
19 you have traffic counts over the course of about ten
20 years, which is excellent, and it's quite rare.

21 I would guess that the county doesn't
22 even have that much data for this corridor for this
23 area.

24 But by virtue of the fact of studying
25 this project as intently as you have and requested of

1 the applicant and your own traffic engineer, you have
2 a significant amount of data.

3 I have looked at the findings of the
4 report, the trip generation analysis, the shared
5 parking analysis, the internal capture, the level of
6 service analyses; everything has been done in keeping
7 with an extremely high level of standard and care
8 with regard to traffic engineering.

9 I think this is an extremely well
10 studied project. I think that you have a number of
11 what I like to think are authoritative traffic
12 engineering opinions both from the public and private
13 perspective. And I do believe that the traffic study
14 indicates safe and effective movements throughout all
15 areas of the site, both internal and external, but
16 particularly I know we're focused on the driveway on
17 Grand Avenue, but particularly that driveway, my
18 opinion, having reviewed it, is that it would operate
19 safely and effectively.

20 MR. DELVECCHIO: Thank you, Mr. Olivo.

21 I make Mr. Olivo available to the board
22 and your professionals for additional questions.

23 CHAIRMAN DePINTO: Thank you.

24 I am going to start with our
25 professionals first.

1 Mr. Hipolit, do you have any questions
2 or comments based upon the testimony you heard from
3 Mr. Olivo?

4 MR. HIPOLIT: I have one question.

5 The -- so you had your car parked in
6 the gore stripe area.

7 THE WITNESS: I did.

8 MR. HIPOLIT: You were looking
9 westbound on Grand Avenue.

10 THE WITNESS: I was.

11 MR. HIPOLIT: And you said you could
12 see 900 feet.

13 THE WITNESS: Yes.

14 MR. HIPOLIT: Can you tell me where
15 900 feet was about?

16 THE WITNESS: It is -- it's past the
17 first bridge abutment, the northbound Parkway
18 traffic, and there is a -- I think it was by design,
19 there's a pretty rusty section of guide rail and it's
20 to the end and then beyond that section of guide
21 rail.

22 MR. HIPOLIT: How did you come up with
23 900 feet?

24 THE WITNESS: After I saw that and
25 drove through it, I stopped down at CVS, then I swung

1 back around, I measured it on a Google aerial map.

2 MR. HIPOLIT: Okay. I have no other
3 questions.

4 CHAIRMAN DePINTO: Okay, thank you.
5 And, Mr. Rached.

6 MR. RACHED: Good evening, Chuck.
7 Thank you for your testimony.

8 We had a discussion earlier today and I
9 indicated to you that board members were very
10 concerned about this driveway, mostly the right-turn
11 movement. And you and I discussed the operation of
12 that right-turn movement.

13 And then I put my thinking hat on and
14 asked myself what else can we do to further improve
15 that movement, and I discussed with Mr. Hipolit
16 earlier today the benefit of installing rumble strips
17 in that area between the end of the ramp where the
18 yield signs are and the driveway itself. In other
19 words, in front of the vacant wooded lot.

20 What is your opinion on putting rumble
21 strips and what would be your opinion if we combined
22 that with the lowering of the speed limit and the
23 other things we discussed tonight?

24 THE WITNESS: Well, I think the purpose
25 of rumble strips, and as long as yourself and the

1 borough engineer and the county who has jurisdiction
2 over the roadway is agreeable to that, I think that
3 my understanding and having proposed and certainly
4 driven through rumble strips is that now we're
5 starting to engage the sense of touch, right?

6 A lot of what we do when we drive is we
7 use our eyes. We also use our ears. And now we're
8 starting to engage tactile senses, or touch, which,
9 in every case when we use rumble strips, is to slow
10 vehicles down and make drivers more alert.

11 That, combined with speed limit
12 reductions potentially in the area, I think what that
13 does is it improves driver alertness and acuity, and
14 I certainly think that it could be something that I
15 could get behind as a recommendation to further
16 improve what's happening here.

17 And I think that it could have the
18 added benefit of, once again, just further signaling
19 to drivers that this is the rightmost deceleration
20 lane, whether it's for DePiero or the driveway, and
21 what we're looking for vehicles to do within this
22 lane is slow down.

23 MR. RACHED: Thank you. That's all I
24 have, Mr. Chairman.

25 CHAIRMAN DePINTO: Okay. Thank you.

1 Board Members, and I guess I'll start
2 with Mr. Zitelli.

3 MR. ZITELLI: Really? Okay.

4 That's fine, Mr. Chairman.

5 So, Mr. Olivo, I do appreciate your
6 credentials and your research on this. I am going to
7 question the ten years of data that we are looking at
8 here because we're looking at a much different site.

9 So I'll accept that there are ten years
10 worth of data, but it's based on a whole different
11 environment there. We had a farm there and we had
12 the Mercedes property.

13 We've now developed this thing where
14 we've got Wegmans, we're putting in several other
15 businesses. You've got -- you know, the whole thing
16 has changed.

17 THE WITNESS: I do.

18 MR. ZITELLI: So as far as I'm
19 concerned, the ten years worth of data is fine. It's
20 nice to start with. It's not worth anything to me in
21 the future.

22 So I appreciate what you've done, but
23 I'm going to say -- I'm going to disagree with you.
24 You're entitled to your opinion and I'm entitled to
25 mine. I do not want a left turn in there.

1 I would consider a left turn in the
2 future after we have some -- maybe after a couple of
3 years and we can see how this goes and we have data
4 based on the site that is based on the environment
5 that we have there.

6 But right now, that ten years worth of
7 data doesn't mean anything to me. I think -- if this
8 were a scientific thing, if we were to bring this in
9 front of, you know, a physics or a chemistry board or
10 something like this and we said, we have all this
11 data and it's based on a different set of environment
12 here, they'd just throw us out. And so I appreciate
13 it, but -- okay.

14 So my opinion is what I would like to
15 see you do is perhaps to the east of the site, have
16 some signs there that would point out that we've got
17 Valley Medical and the other things that are going to
18 be in there to alert drivers in advance that they can
19 make that left in on DePiero Drive, I would want them
20 to do that, and then you could have signage within
21 the site there so people know how to navigate it to
22 get over to that other building. That is what I
23 would prefer.

24 THE WITNESS: If I may ask,
25 Mr. Zitelli, what -- and I agree with you. The ten

1 years of data does not necessarily help us understand
2 whether or not the left-turn lane will work.

3 In fact, I don't know that it helps us
4 at all.

5 But what it does help us understand is
6 have traffic volumes have changed over the course of
7 ten years. That's a different analysis. That has to
8 do with traffic impact and things like that.

9 But if I may ask, what is the concern
10 about the left turn in at this location?

11 MR. ZITELLI: Safety.

12 THE WITNESS: And how so --

13 MR. ZITELLI: There's a lot of
14 accidents that happen there.

15 THE WITNESS: Is there something about
16 the left turn, where it's being made from, that
17 concerns you with regard to safety?

18 MR. ZITELLI: Yes, right -- making that
19 left turn into that new driveway that we're -- and I
20 know it was an existing driveway at one point, but
21 making that across several lanes of traffic, I just
22 don't see it. Okay?

23 So again, it's an opinion. Right? And
24 none of us -- I mean, we're all making judgments
25 based on what we've seen so far and, you know, we

1 know. And traffic is going to change over the years.
2 The number of residences that are being put into our
3 town here is continuing to -- we're getting more and
4 more residents in town. Things are going to change.
5 Our business flow has changed here. We used to have
6 a lot of corporations. Some of them have moved out
7 here.

8 Things are changing. So, you know, we
9 can't use -- we can look at the past, but the past is
10 not a guarantee of what the future is going to be.

11 THE WITNESS: Well, the past --

12 MR. ZITELLI: I don't want to debate
13 this with you.

14 THE WITNESS: No, of course. Of
15 course.

16 MR. ZITELLI: You heard my opinion. My
17 opinion is I don't want a left turn there.

18 And that's it, Mr. Chairman. That's my
19 two cents here.

20 THE WITNESS: Understood.

21 CHAIRMAN DePINTO: Okay, very well.

22 Let's move on.

23 Mr. Lintner?

24 MR. LINTNER: Thank you, Mr. Chairman.

25 Mr. Olivo, thank you for that

1 presentation, it was actually very enlightening. I
2 was -- some of the things you mentioned about, you
3 know, not having an active lane, making a left turn
4 there I thought was very interesting and didn't --
5 didn't think about it initially myself.

6 If we were to go ahead and allow these
7 turns, what happens if it doesn't work? What happens
8 if we have issues? What's the next step we would do?

9 THE WITNESS: What I've seen is that
10 board engineers and board professionals immediately
11 go back to -- in some cases you don't have very
12 responsive -- I've worked all over the state, and I
13 am sure Maurice can attest to this, you don't always
14 have responsive jurisdictional agencies.

15 And if this were the Port Authority, no
16 offense, Port Authority, it would take a while and
17 you would have to go through many levels of
18 bureaucracy to get an answer. You can -- Andy or
19 Maurice could pick up the phone and call the county
20 engineer tomorrow if there is a concern here.

21 And I'll just say this, I respect
22 Mr. Zitelli's opinion completely and I -- I won't
23 challenge it because I understand where it comes
24 from.

25 But I will say this, what we have seen

1 in the past doesn't necessarily tell us about what is
2 coming in the future, but as a traffic engineer my
3 charge is to remove the emotion out of it and to
4 study how a site and a driveway could potentially
5 operate using the whole toolbox and checklist of what
6 we do to tell us whether or not something can operate
7 safely.

8 Maurice has the same charge. Betsy has
9 the same charge. Eric Timsak and his staff have the
10 same charge. Because nobody has a crystal ball.
11 What you would do is you would immediately call the
12 county and you would even potentially look to
13 temporarily close that driveway if it was a safety
14 issue. And that could happen overnight.

15 MR. LINTNER: Thank you.

16 MR. HIPOLIT: Can I just --

17 CHAIRMAN DePINTO: Go ahead.

18 MR. HIPOLIT: Mr. Lintner, to kind of
19 help with your question a little bit, we had a
20 situation about a little less than a year ago for a
21 left-turn lane coming west on Grand Avenue at the
22 light with Mercedes Drive --

23 MR. LINTNER: Right.

24 MR. HIPOLIT: -- we had three serious
25 accidents there.

1 On the first serious accident we
2 notified the county there was a problem. The county
3 came out and did some traffic counts.

4 On the second serious accident the
5 county came out and changed the timing.

6 On the third serious accident, the
7 county came out and changed the timing to have a
8 protected left lane, we've had no problems since.

9 To answer your question, it's not our
10 road.

11 MR. LINTNER: Right.

12 MR. HIPOLIT: If there's an accident --
13 if we -- if there's a left-turn or a right-turn lane
14 something created and causes an accident problem,
15 it's not the borough's problem to solve.

16 The county doesn't get any good PR with
17 accidents and deaths on the road. None. They don't
18 get any.

19 So they will react pretty quickly to
20 three accidents at the intersection probably were two
21 too many, but making a drastic change to a signal
22 could potentially cause it -- this is what they told
23 me, it could cause even more problems so they want to
24 make sure they got it right.

25 Unfortunately there was two accidents

1 within like two days that was the two and three, and
2 then they just said we're going to protect the lane
3 and it was protected. It's their decision to make,
4 the borough really has no control over it.

5 MR. LINTNER: Okay, thank you.

6 Nothing further, Mr. Chairman.

7 CHAIRMAN DePINTO: Thank you.

8 Mr. Teagno.

9 MR. TEAGNO: Yes. Thank you,
10 Mr. Chairman.

11 When you started I swore you had read
12 my notes. That's exactly what I wanted to talk
13 about.

14 I don't know how to display this. I
15 don't think we have (indicating) --

16 THE WITNESS: Maybe I'll try to narrate
17 it.

18 MR. TEAGNO: Well, I'm going to narrate
19 it.

20 THE WITNESS: Okay.

21 MR. TEAGNO: But I don't know how
22 everybody else is going to see it.

23 But this is Sheet L1.00 from the
24 landscape, it's the biggest one we got in the
25 package.

1 I'd like --

2 CHAIRMAN DePINTO: I'm sorry. Dante,
3 what sheet are you looking at?

4 MR. TEAGNO: L1.00. That's it. It's
5 just this enlargement.

6 So I'd just like to --

7 THE WITNESS: Go ahead, I'm sorry.

8 MR. TEAGNO: I'm sorry.

9 So, basically, what we have is exactly
10 what you expressed.

11 THE WITNESS: Yes.

12 MR. TEAGNO: And I just took -- made
13 some notes on it, because I have some concerns, I
14 think this is probably the best solution to the
15 configuration of this roadway and adding turns in and
16 out of the property.

17 THE WITNESS: Okay.

18 MR. TEAGNO: But I do have some
19 concerns. And they're safety concerns.

20 First of all, can we agree that these
21 roads, as was testified to before, right now have a
22 45 mile an hour speed limit on them?

23 THE WITNESS: In this section, yes.

24 MR. TEAGNO: Okay. So you would
25 imagine that people are going to go -- hopefully, not

1 exceed 45 miles an hour, but my experience is they
2 come out from under that overpass like (indicating).

3 So anyway, they're going to be going up
4 to 45 miles an hour, I'll say 40.

5 If you're coming off the Parkway,
6 you're accelerating from the yield sign to that. And
7 just a few feet further, if you wanted to make a
8 turn, you're decelerating.

9 So what you're doing is you're merging
10 into a lane that people behind you are going to be
11 accelerating and you're going to be decelerating with
12 no warning. Except maybe a right-turn signal, but I
13 don't know.

14 The other two lanes there, because it's
15 three lanes wide, people are going up to 45 miles an
16 hour. And if this person decided they couldn't stop
17 in time, they might try to go in the other lane. So
18 I accept that it creates an area for potentially
19 difficult situations. Okay?

20 THE WITNESS: I see.

21 MR. TEAGNO: The second thing is this
22 -- I like the area this -- where you were parked with
23 your blinkers and everything and there's a left-hand
24 turn lane here, and I know there is all kinds of
25 controls that are going to be implemented hopefully

1 with this. My concern is that you've got a stopped
2 vehicle here, you've got two lanes at least of people
3 going up to 45 miles an hour, and this person who is
4 going from a stop to make the left-hand turn has to
5 cross three lanes of traffic. I don't think that's
6 -- I think that's a dangerous situations as well.

7 So I guess my concern is, I think they
8 have done a good job in presenting this and
9 presenting a solution to the existing conditions, but
10 I see two things that I don't know how to solve
11 because I'm not an expert, but I think they're
12 potentially dangerous situations that could cause
13 problems in the future and cause bodily injury to the
14 people involved in the cars in that area.

15 THE WITNESS: So if I understand,
16 Mr. Teagno, it's the right-turn movement going into
17 the site because it's decelerating there between the
18 Parkway ramp and between DePiero --

19 MR. TEAGNO: Well, accelerating from
20 the parking --

21 THE WITNESS: And then decelerating --

22 MR. TEAGNO: -- and then decelerating,
23 the guy behind you, when you go up to the next exit.

24 THE WITNESS: Right. And then the left
25 turn because of the crossing of the lanes.

1 MR. TEAGNO: Three lanes, 40 miles an
2 hour.

3 THE WITNESS: And so the way that we,
4 when we review whether or not those movements, and
5 the county likely uses a similar system, the DOT as
6 well, whether those movement can be safely accepted
7 by sight, is by looking at the exact same parameters
8 that you have.

9 When you're crossing additional lanes
10 of traffic, you think of a conventional left turn you
11 cross one lane. Now you're crossing a second and
12 you're crossing what we sometimes call an exit lane
13 or a deceleration lane. Now, if you watch the video
14 out there, you'll see the large majority of traffic
15 is using those two through lanes.

16 MR. TEAGNO: Yes, but the third lane,
17 which is the turn lane, that person could also be
18 going straight.

19 THE WITNESS: They can if they're --

20 MR. TEAGNO: So that's another person
21 going 45 miles an hour.

22 THE WITNESS: Right.

23 MR. TEAGNO: So that's three lanes,
24 45 miles an hour.

25 THE WITNESS: So what we do is for

1 every lane, we add more time to the gap.

2 So we look at a base gap to say if it
3 were just one lane, you would only require a gap of
4 about five seconds in terms of a vehicle and a
5 successive vehicle.

6 So for every lane of traffic, you add
7 another half a second. So here we have added those
8 additional times, one full second, which I know
9 doesn't seem like much, but you and I both know,
10 driving cars, that's a lot of time when you're
11 driving a car at speed. And then we look to see if
12 there's enough gaps in traffic.

13 And what I could tell you at 6:00 at
14 night during the evening peak hour, there were
15 periods of time where I was -- and I was sitting in
16 there momentarily, there were gaps of ten seconds in
17 that lane.

18 I understand the concern about safety
19 and this location, but we have to look at the numbers
20 of cars, the numbers of gaps and what we're
21 proposing. That's what we have to do as engineers.

22 And I respect the opinion of you and
23 other members of this board and I understand the
24 concern.

25 We are the ones that have to ultimately

1 decide whether or not this can operate safely and we
2 have to stand by it.

3 And I appreciate you sharing your
4 opinion and that is simply mine with regard to
5 whether or not this driveway can operate safety.

6 MR. TEAGNO: Now, piggybacking on
7 Mr. Zitelli's comments, whatever data you have and
8 whatever gaps you see are based on today's traffic
9 situations and traffic counts and all that other
10 stuff, and we know that in this immediate area
11 there's probably both sides of the highway and the
12 surrounding area, there's a couple thousand new
13 residences that are going in, which will add an awful
14 lot of traffic to that area because it's a main
15 thoroughfare, plus the -- I love Wegmans and I love
16 this whole thing, the development is very well
17 planned, but that is going to attract people. It
18 already does.

19 So this -- the traffic volume is going
20 to continue to increase, and I am not sure that this
21 problem that I have just described is not going to
22 get worse.

23 THE WITNESS: Well --

24 MR. TEAGNO: That's my opinion.

25 THE WITNESS: -- Dolan and Dean did

1 model those volumes. KPMG, Horn Rock, other
2 development projects in the area then grew on top of
3 that, taking 2022 volumes from earlier this year.

4 So besides using a crystal ball, which
5 we all recognize is not the authoritative and
6 technical way to do it. We've taken every bit of
7 info, present day, not 2011 info. We've taken 2022,
8 with growth, with all the projects that we're talking
9 about. And then we deliver you the results of the
10 future study. And we've done all of that in accord
11 with industry standards.

12 MR. TEAGNO: Okay.

13 MR. HIPOLIT: Do you know what growth
14 factor you used.

15 THE WITNESS: I believe that the county
16 required is 1.5 here; .5 was used, along with all of
17 the site-specific development projects.

18 There's hundreds of additional vehicles
19 added into this corridor as a result of what was done
20 in the study.

21 CHAIRMAN DePINTO: I'm sorry.

22 Mr. Cohen, did you want to say
23 something?

24 MR. COHEN: No, I am just peaking
25 around.

1 MR. TEAGNO: So I guess in closing then
2 I could say that I think between the speed of the
3 vehicles, the amount of vehicles and the turning
4 potentials for an accident of some sort, I still see
5 these two things I've outlined as potentially
6 dangerous situation in each case that, hopefully, is
7 taken care of, but if not, we're in trouble.

8 Okay? Thank you.

9 MR. RACHED: May I make a comment,
10 Mr. Chairman?

11 CHAIRMAN DePINTO: Yes.

12 MR. RACHED: Okay. I just want to
13 clarify to the board a couple things. In terms of
14 the traffic increase, if you look at the 2011, 2012,
15 2018 and 2022, there hasn't been any significant
16 difference on West Grand. And in this direction, the
17 traffic has been always between 900 and 1100, going
18 back and forth, depending on the year and the day.
19 So I just wanted the board to be aware of that.

20 The other issue that the board should
21 also consider as you're deliberating and in view of
22 your comment, Mr. -- is it Teagno?

23 MR. TEAGNO: Teagno.

24 MR. RACHED: Teagno, Mr. Teagno -- if
25 the gaps were close to the demand, I'd be worried and

1 I would say, well, what if traffic was up by ten
2 percent, by 20 percent. But the gaps are ten times
3 the demand. So keep that in your minds as you're
4 evaluating this request, okay? That's all.

5 CHAIRMAN DePINTO: Thank you.

6 Mr. Teagno, anything else?

7 MR. TEAGNO: No, that's it.

8 CHAIRMAN DePINTO: Thank you.

9 Mr. Culhane?

10 MR. CULHANE: Yeah, last week I made a
11 statement so I'll make it again concerning the gaps.
12 I believe most of the gaps identified in this study
13 occur when the eastbound traffic on Grand Avenue has
14 a red light to allow the Parkway exiting going
15 westbound on Grand.

16 So I believe most of those gaps occur
17 during that interval of time. So the only conflict
18 with the left turn then would be the exits heading
19 eastbound on Grand. And if I remember the counts on
20 an hourly basis on the peak, I believe it's 240 cars
21 coming off the Parkway heading east, or four per
22 minute.

23 Last week we were told that the
24 distance from the point where you complete the right
25 turn, I'll say, to the driveway is about 320 feet.

1 And if you use an average speed of about 30 miles an
2 hour, assuming it's a yield sign, that's about a
3 seven minute travel distance.

4 MALE VOICE: Seven seconds.

5 MR. CULHANE: Seven second, sorry,
6 seven second travel distance.

7 So my question is, if we put a stop
8 sign there, would that improve the gap time available
9 for left turns.

10 The other aspect, too, is if the speed
11 limit, again, this is now dealing with the Parkway
12 eastbound, is reduced to, say, 40 miles an hour,
13 would that also improve the gap situation?

14 THE WITNESS: The stop sign that you
15 refer to at the exit --

16 MR. CULHANE: The proposed stop sign.

17 THE WITNESS: The proposed stop sign at
18 the exit of the ramp? Yes. Combined with what
19 you've spoken about, the reduced speed, would improve
20 the quality of these gaps, yes.

21 MR. CULHANE: I have another question
22 which doesn't deal with this, it deals with the state
23 and what Mr. Regan said earlier. I want to make
24 sure. You said the Mayor and Council have to apply
25 directly to the --

1 MR. REGAN: A letter request from the
2 Mayor and Council.

3 MR. CULHANE: Do they have to do that
4 with the equivalent of the county, seeing how it's a
5 county road.

6 MR. REGAN: I think that would add more
7 weight to the application, but I don't think they
8 would necessarily need the county to send a letter.

9 MR. HIPOLIT: You should get
10 concurrence with the county. It's a county road, we
11 want concurrence from the county.

12 MR. CULHANE: That's what I am trying
13 to get clarified. You have the Mayor and Council
14 just do it themselves or they do it in conjunction --

15 MR. REGAN: It would be better to have
16 a joint application or a joint request. That would
17 add a lot more weight, I think.

18 MR. CULHANE: No other question at this
19 time, Mr. Chairman.

20 CHAIRMAN DePINTO: Thank you.

21 Mr. Stefanelli.

22 VICE CHAIRMAN STEFANELLI: Good
23 evening. I heard everybody's thing so I don't have
24 too many questions, but I guess I am proposing when
25 we originally had this site we did a traffic model

1 where we had modeled, you know, the car movements on
2 Grand Avenue, and I am wondering if we should have
3 that same model done showing the various improvements
4 in the existing and with the new turn in showing this
5 gap analysis. And I think seeing the visual of when
6 we had that traffic thing would probably --

7 MR. REGAN: The synchronization.

8 VICE CHAIRMAN STEFANELLI: Yes, yes.
9 That whole thing. I thought that was pretty
10 interesting and I think it convinced a lot of people.
11 You know, seeing is -- it's better seeing something
12 than talking about it, so I thought that that would
13 help resolve, I think, showing the gaps and all that.
14 So I would propose that.

15 I am seeing, you know, with the -- I'm
16 leaning that I would -- I would look at, you know,
17 passing the left-turn lane going in if there were
18 certain conditions and I see, you know, the stop sign
19 and the other things.

20 One of the things I have is -- I'm
21 still getting my hands around is how do we come up
22 with 40 -- what's the traffic on the site? I'd like
23 to hear that. I'd like to hear with how we came up
24 with 40 cars per hour coming there.

25 Because here's my analysis. We had

1 improvement on Craig Road. We put in a townhouse
2 development and we also put in a -- we put in a, what
3 was it, a KinderCare.

4 MR. ZITELLI: Yes.

5 VICE CHAIRMAN STEFANELLI: And we had
6 more traffic cutting across, making a left-hand turn
7 cutting across, which I saw almost on an hourly
8 basis. I bet you it was 40 cars sometimes.

9 But, you know, how do we know it's
10 going to be 40 cars? What happens if it's -- was it
11 designed for Building 3? Was it designed for the new
12 building? What about a further phase, which I still
13 have an issue with?

14 But I don't see -- what happens if you
15 put a Chick-fil-A there? I could see 40 cars in ten
16 minutes hanging there.

17 MR. RACHED: Well, let me first
18 clarify. Excuse me, Chuck.

19 THE WITNESS: Yes.

20 MR. RACHED: I testified briefly to the
21 numbers last week. I don't have the study in front
22 of me now, but I do -- I think I remember that the
23 right-turn in, in the traffic study was 51 in the
24 a.m. peak and 53 in the p.m. peak, again --

25 VICE CHAIRMAN STEFANELLI: Regardless

1 of that --

2 MR. RACHED: My recollection. But that
3 is --

4 VICE CHAIRMAN STEFANELLI: -- how do
5 you come up with 50 cars.

6 MR. RACHED: I'm getting to your
7 answer.

8 But then you have the left turn in
9 which is another number; similar number, by the way.

10 So let's assume the left turn in is
11 also 50, so now you have 100. So the way you come up
12 with this number, there are national standards and
13 they're published by the Institute of Transportation
14 Engineers. We all use them all over the county.

15 VICE CHAIRMAN STEFANELLI: I don't
16 disagree with that. I've heard that 100 times.

17 MR. RACHED: Okay, all right.

18 VICE CHAIRMAN STEFANELLI: Show me --

19 MR. RACHED: I'll let Chuck do -- you
20 know, I got the difficult part, so I'll leave it for
21 Chuck.

22 VICE CHAIRMAN STEFANELLI: You gave me
23 the difficult part. I want to know --

24 THE WITNESS: Mr. Stefanelli, what I'll
25 say --

1 VICE CHAIRMAN STEFANELLI: -- 1100 cars
2 --

3 THE WITNESS: It's many more than 40
4 cars. And I think what Maurice was getting at is
5 that it's many more than 40 cars.

6 VICE CHAIRMAN STEFANELLI: Not in his
7 traffic.

8 THE WITNESS: In the traffic for this
9 project, if you look at the trip generation tables,
10 it's -- in the p.m. peak hour, which is the highest
11 peak hour, what's projected is about just over 500
12 peak hour trips. That's what the real numbers are.

13 Now, when you have multiple driveway
14 access points, you have to distribute the traffic, is
15 it going to use the southerly driveway, the one
16 closer to Grand, or the one that we're proposing on
17 Grand? That's how you come up with the amount of 40
18 or 50 that you and Maurice have talked about.

19 So you're right, it is many more than
20 40. But the site is much bigger than one driveway.
21 The site has multiple parking fields.

22 And so those vehicles are then
23 distributed across those driveways. What we have to
24 look at is can all of the intersections, all of the
25 parking fields, everything operate and accept and

1 then release that amount of vehicular traffic.

2 That's the goal.

3 VICE CHAIRMAN STEFANELLI: So I guess
4 the question I have, and still I see -- I see Valley
5 being very popular. We have a lot of seniors coming
6 in there. You know, you're telling me 51 cars,
7 whatever number of cars, that's what you're
8 predicting based on your distributed -- distribution
9 on the site.

10 But I could see if it's mainly for this
11 building, people going westbound are going to want to
12 make that left-hand turn in, and I just want to make
13 sure that if you tell me it's 51 cars, but now tell
14 me what is the maximum that you think could handle in
15 the busiest hour. Is it 100 cars? Is it 30 cars?

16 Because I'd like to know now before we
17 make a decision on what's going to go in there on
18 what the maximum based on the gap analysis. And
19 that's why I'd rather see the model and see what's
20 going to prevail there.

21 THE WITNESS: The maximum is about ten
22 times that 50. That's --

23 VICE CHAIRMAN STEFANELLI: Well, you
24 say that, but I want to see it on the report. I want
25 to see it because I want to make sure that, you know,

1 I agree with some of the board members is that we
2 looked at ten years, and you mentioned ten years and
3 you just mentioned -- but we just went through COVID.
4 There's been nobody on the road for two years.

5 THE WITNESS: Correct.

6 VICE CHAIRMAN STEFANELLI: And you're
7 saying, well, that was '17/'18, but again, you know,
8 and I -- 1.5 percent increase or whatever the
9 increase was that I thought I heard, I'm just
10 concerned about future. And I think that we should
11 know what it is currently per planning, what's the
12 maximum, what that gap analysis is. And I think
13 having a model and seeing that for the whole board
14 could convince me that a left-hand turn is
15 acceptable.

16 MR. RACHED: If I may clarify for the
17 board, so we don't leave here with the wrong idea
18 about traffic growth, so the trip generation
19 theoretically will not change in one, two, three, ten
20 years.

21 Of course, if the use changes then the
22 trip generation will change.

23 But what I'm trying to say, if you put
24 a housing development and we say it's going to
25 generate 100 trips, that's the case more or less next

1 year or the year afterward, year after. The trips on
2 West Grand may increase because of other
3 developments.

4 And that's why I wanted to remind the
5 board that between 2011 and 2022 there hasn't been
6 much of an increase, it's been pretty steady over all
7 these years.

8 So I wanted to make sure that the board
9 understands that so there is no confusion as to what
10 is the increase.

11 And I'll tell you again, being that the
12 gaps are ten times what we need, even if we have an
13 increase on West Grand for ten percent, 20 percent,
14 30 percent, it's still insignificant given the number
15 of gaps we have.

16 VICE CHAIRMAN STEFANELLI: And I see
17 lowering the speed limit and I agree, but nobody has
18 told me what people are driving on that road. You
19 say it's 45, but I think they're doing 50 coming down
20 the ramp, you know. They're trying to beat one light
21 to the next light. 'Cause they don't want to stop at
22 Mercedes.

23 MR. RACHED: I could tell you they are
24 not driving 50 down the ramp because I -- today I did
25 it, I tried to go fast. You cannot.

1 VICE CHAIRMAN STEFANELLI: No, I said
2 Grand, I meant really underneath the overpass.

3 MR. RACHED: Okay. I got it.

4 VICE CHAIRMAN STEFANELLI: You know.
5 Because, like you said, you could see -- you come in
6 view and see the light at Mercedes and they're going
7 to try to beat that light.

8 MR. RACHED: And again, regardless of
9 the growth on West Grand, you still have the traffic
10 signal that stops the traffic by the Parkway and
11 gives you a gap. Even if the number doubles, you're
12 still going to have gaps.

13 But then, like other board members
14 said, we still have to deal with the traffic coming
15 off the ramp. But that's a low number, so it's not a
16 significant number.

17 VICE CHAIRMAN STEFANELLI: Listen, I am
18 fairly convinced that I would look in favor if we did
19 the model and it shows board members, I would be -- I
20 would consider the left-hand turn.

21 CHAIRMAN DePINTO: Okay, thank you.

22 With respect to that model, what would
23 be required in order to produce a model addressing
24 the concerns that were expressed by Mr. Stefanelli
25 and others?

1 MR. DelVECCHIO: I think the model
2 resides in Colliers archives, because if my memory
3 serves me correct --

4 MR. HIPOLIT: We have it.

5 MR. DelVECCHIO: -- Maurice and his
6 team put together the model utilizing the data
7 collected by the applicant.

8 MR. HIPOLIT: That was around
9 2013/2014.

10 MR. RACHED: Yes.

11 CHAIRMAN DePINTO: So now the model is
12 the property of Colliers?

13 MR. RACHED: We have it, Mr. Chairman.
14 It's an old model. It has to be redone. It's not a
15 big deal. I am not sure if Betsy has an updated
16 model, she may.

17 MR. HIPOLIT: We shared it with her,
18 she had a copy of it.

19 MR. RACHED: Say that again.

20 MR. HIPOLIT: We shared the model with
21 Betsy when they were doing --

22 CHAIRMAN DePINTO: When did you share
23 that with Betsy?

24 MR. HIPOLIT: Probably a few years
25 after -- when they came in for Phase II of Phase I,

1 I/II, whatever that was called, that phase, Betsy
2 updated her model, if you remember there was
3 discrepancy with the board on whether the traffic
4 counts were -- the projections were good or bad.
5 Betsy had done more counts and at that time she had
6 said their projection of traffic in the future of
7 what they thought it would be after opening was not
8 even close to it.

9 CHAIRMAN DePINTO: Here --

10 MR. HIPOLIT: So she took the model and
11 ran with it.

12 CHAIRMAN DePINTO: Here's my read on
13 this. We have a real challenge with Betsy not being
14 here. We received from Maurice this evening, I
15 think, some promising information with respect to
16 lowering the speed limits along Grand Avenue, the
17 possibility of getting a stop sign to replace the
18 yield sign coming off of the Parkway.

19 I think we heard some positive things
20 based upon the inquiries that he made during the past
21 week.

22 I think other things that came to light
23 last week was this synchronizing of the lights, the
24 proficiency of the new synchronization relying on GPS
25 versus mechanical methods. I think putting this all

1 together, speed limit, stop sign, synchronization of
2 the lights, the projection of growth, I don't know if
3 Betsy's report included the residential development
4 occurring in Park Ridge right now.

5 THE WITNESS: It did, it did.

6 CHAIRMAN DePINTO: It did? I think
7 that, too, has to be put in.

8 Plugging this all in on the model, I
9 don't think, based upon what I heard, there's no one
10 sitting here saying hell no, it's terrible, scrap it.

11 But I think they need a little bit more
12 convincing that all of this information has been
13 taken into consideration by all of those that are
14 experts in the field.

15 Am I correct, Frank?

16 VICE CHAIRMAN STEFANELLI: Yes, I
17 agree.

18 CHAIRMAN DePINTO: And Dante on the
19 other side.

20 MR. TEAGNO: Yes.

21 CHAIRMAN DePINTO: So I think we need a
22 little bit more information. I think we're close,
23 but we need a little bit more information.

24 We're not looking to hold you up. One
25 of the things that I was concerned about, let's say

1 we approve it as shown and we are dead wrong. The
2 left turn in, the right-turn in, the projected gaps,
3 let's say all of that turns out, big mistake on our
4 part; can we, in fact, shut that down if need be?

5 MR. REGAN: I am not as confident as
6 Mr. Hipolit is. I hate to say it.

7 MR. HIPOLIT: Could we put a condition
8 in?

9 MR. REGAN: We can, but keep in mind
10 when this board grants site plan approval it confers
11 upon the developer certain vested rights under the
12 Municipal Land Use Law.

13 Okay. Now, obviously the condition of
14 approval is county requirements, county planning
15 board and so on.

16 CHAIRMAN DePINTO: I think --

17 MR. REGAN: I just don't think the
18 borough would be in a position to shut it down.

19 CHAIRMAN DePINTO: No, I understand.
20 But I think --

21 MR. HIPOLIT: It's not our road.

22 CHAIRMAN DePINTO: I think if we were
23 dealing with a raw piece of land with no other
24 development around and dealing with a developer that
25 we've never worked with before, that is not the case.

1 The case is we know who the developer is, we know
2 what he has done and what he is proposing to do.

3 If we were to move forward with an
4 approval and condition that approval with the
5 understanding and acceptance of the applicant that if
6 it doesn't work and we have measurable standards to
7 say it doesn't work, it gets shut down.

8 MR. REGAN: I think you have to define
9 in the resolution, spell it all out what those
10 measurable standards are, with the help of Andy and
11 Maurice.

12 And I think the developer would have to
13 sign onto that, it would be within a time period --

14 CHAIRMAN DePINTO: Now --

15 MR. REGAN: -- X number of years after
16 a CO is issued, that the driveway condition could be
17 reviewed and if it's deemed to be unacceptable to the
18 borough, to public safety officials, the police
19 department, the borough would have a right to --

20 CHAIRMAN DePINTO: Let's go back to the
21 history of that drive. We all know that there were
22 periods of time when the drive was open and utilized
23 by Mercedes-Benz, and there were times where it was
24 chained off at the request or demand of the borough
25 for whatever the reasons might have been at that

1 time. We were controlling that point of access.

2 My way of looking at this is no one is
3 saying stop the project, but everyone wants the
4 assurance that if these experts are wrong, we have
5 recourse. I don't want the applicant to say, hey,
6 you gave it to me, tough luck, Charlie. Not that I
7 think that he would. But we have to deal with our
8 concerns and we have to deal with our interest.

9 MR. TEAGNO: Can I make one more
10 comment.

11 CHAIRMAN DePINTO: Sure.

12 MR. TEAGNO: I just want to make one
13 more comment.

14 CHAIRMAN DePINTO: Sure.

15 MR. TEAGNO: If I understand this
16 correctly, this whole -- the success of this depends
17 on those gaps that you say are going to be created so
18 that it allows timing for the traffic to flow, okay.

19 That is something that I don't know
20 much about, but you guys are the experts. I'm just
21 saying that I don't want to approve something that I
22 see that has potentially dangerous situations, but
23 you guys are the experts, the guys that put this to
24 GPS, whatever system is going to create the gaps and
25 adjust the traffic accordingly, very smart people

1 probably put that together.

2 But, you know, Teslas were supposed to
3 drive themselves and a lot of smart guys put that
4 stuff together and that's not working out. And I
5 would hate to see something that we put the onus on
6 this electronic or whatever the right explanation is
7 for the term, this GPS is, that that's where we're
8 really putting our money.

9 MR. HIPOLIT: With the system the way
10 it is right now today, nothing was to change, you
11 have ten times the gaps you need, when the GPS system
12 is installed you'll be at ten times plus some
13 number -- remember, you have a light on both sides of
14 the driveway.

15 MR. TEAGNO: Like Frank said, I haven't
16 seen that. I haven't seen one gap.

17 MR. HIPOLIT: I think it's in the
18 model.

19 MR. TEAGNO: I can't see a gap. Did
20 you see the gap.

21 MR. HIPOLIT: No, but if you go out
22 there and there's a light on both sides that turns
23 red.

24 MR. TEAGNO: You have a lot of traffic,
25 the gap -- without this electronic control.

1 MR. HIPOLIT: Exactly.

2 MR. TEAGNO: I'm just telling you --
3 I'm not --

4 MR. RACHED: To answer your question,
5 Mr. Chairman, to go back to your idea, there are
6 metrics we can quantify we can put on paper.

7 CHAIRMAN DePINTO: Okay.

8 MR. RACHED: If we need to go that
9 route.

10 MR. REGAN: That's what we need.

11 CHAIRMAN DePINTO: I mean, we could
12 debate the workability of this thing forever, and
13 that's not what we're here to do. We have our
14 experts saying based upon the information they
15 developed, they believe that there could be safe
16 ingress to the property in both an eastbound and
17 westbound direction going into the Grand Avenue
18 drive.

19 Okay, I buy that. It's the what-if
20 factor. What if, in fact, it does not work? A, if
21 you have a measurable standard, that's the point you
22 could pull the plug and say it ain't working, the
23 chain goes up like it went up on Mercedes-Benz, until
24 such time as it can work.

25 I mean, it's -- I'd rather we sat here

1 and all said oh, this is all perfect, but I am not
2 hearing that right now. And I think it's important
3 to update that model, look at it one more time, and
4 even with that, get the cooperation of the applicant
5 to say here's the what-if scenario. If we're --

6 MR. REGAN: Mr. Chairman, I would want
7 the applicant to sign off on the metrics for those
8 standards that would be developed, I guess, by
9 Maurice and Andy. It would be incorporated in the
10 Resolution.

11 CHAIRMAN DePINTO: So Andy DelVecchio,
12 what do you have to say about this?

13 MR. DELVECCHIO: I'm just listening.

14 MR. ZITELLI: Mr. Chairman?

15 CHAIRMAN DePINTO: Sure, sure.

16 MR. ZITELLI: Let me add something.

17 I am hearing this discussion about the
18 model, all right, and typically what the model would
19 get updated to.

20 And one of my original things just
21 before when I was speaking is what data we're putting
22 into it. Putting data into it that's ten years old
23 doesn't buy it for me, okay? Because that site is so
24 different.

25 So you can't put any data in there

1 that, in my mind, is more than two or three years
2 old, because everything has changed since then. So
3 you don't have a history that is more than two or
4 three years old. And it's continuing to evolve as we
5 see because now, I just heard -- Mr. Culhane
6 testified before that we have what, 40 people -- or
7 40 residences have started and we've got 156 there,
8 right? So there's going to be more. So the change
9 is happening here.

10 I am not opposed -- obviously I am not
11 opposed to this development at all, I am just opposed
12 to the left turn. That is my key thing. I am
13 opposed to that left turn. And, you know, we're
14 talking about things here that are speculation.
15 We're talking about a stop sign that doesn't exist
16 right now, a speed limit change that doesn't exist
17 right now, synchronization that hasn't taken place
18 right now. So all of these things we're talking
19 about, all speculation, we don't have any of it.

20 So I would rather go the approach,
21 Mr. Chairman, of no left turn initially until such
22 time as we feel it's comfortable to make that left
23 turn and then grant it. But I would rather start out
24 and say uh-uh, no left turn. You know, let the
25 history show us that it's going to be a safe thing

1 that we can do.

2 CHAIRMAN DePINTO: But I think --

3 MR. ZITELLI: That's just my opinion.

4 CHAIRMAN DePINTO: But I think we heard
5 last week that if we don't allow that left turn in,
6 and let's go with that --

7 MR. ZITELLI: Sure.

8 CHAIRMAN DePINTO: -- that left-hand
9 turn heading south is going to occur at the
10 intersection of Grand and DePiero.

11 MR. ZITELLI: Right.

12 CHAIRMAN DePINTO: And it's going to
13 direct all the traffic --

14 MR. ZITELLI: Correct.

15 CHAIRMAN DePINTO: -- down to that
16 intersection of the two sides of the street.

17 MR. ZITELLI: Yes.

18 CHAIRMAN DePINTO: What's happening
19 over by Wegmans and what's happening here.

20 MR. ZITELLI: Right.

21 CHAIRMAN DePINTO: And I believe what
22 we heard from Maurice last week, you were not -- and
23 correct me if I am wrong, Maurice, you were not
24 comfortable with all of the traffic going to that one
25 central point.

1 Is that correct?

2 MR. RACHED: Yes, that is correct.

3 CHAIRMAN DePINTO: Okay. So --

4 MR. ZITELLI: No, I understand that.

5 What I'm saying --

6 CHAIRMAN DePINTO: What I'm fearful of
7 is if we don't allow it, are we moving a problem
8 further south and not have an opportunity to deal
9 with it as easily?

10 MR. ZITELLI: Yes, I understand that,
11 Mr. Chairman.

12 I am looking at it as we're not -- what
13 we're -- we're not crossing three lanes of traffic --

14 CHAIRMAN DePINTO: No, I got that.

15 MR. ZITELLI: Yeah, so I'm looking at
16 it as -- I'm not saying that one situation -- it's
17 like the choice of which one is the worse thing.

18 CHAIRMAN DePINTO: Here's where I
19 disagree with you, when you're talking about data
20 that is ten years old.

21 As we all know, ten years ago we had
22 more occupied office buildings in both Montvale and
23 Park Ridge.

24 The Grey Boulevard activity which
25 primarily came out onto Mercedes Drive. You don't

1 have that anymore.

2 The activity of the Marriott, you don't
3 have what you had ten years ago.

4 So, yes, maybe we are adding more
5 residences at the district and the Horn Run property,
6 but we've eliminated probably in its day, between the
7 two Mercedes buildings on Mercedes Drive, we probably
8 had close to 2,000 people working there. And those
9 were the old-fashioned days where people went to work
10 five days a week.

11 MR. ZITELLI: Yes, I understand.

12 CHAIRMAN DePINTO: So if you really
13 want to analyze it, you can't just analyze it from a
14 projected growth of .5 or 1.5. I think there's a
15 value to that ten-year analysis. Maybe those days
16 will come back with the office buildings being
17 occupied. I hope so.

18 MR. RACHED: Mr. Chairman, let me
19 clarify something.

20 CHAIRMAN DePINTO: I think there's
21 value in considering it.

22 Yes, Maurice.

23 MR. RACHED: Just to clarify to the
24 board members, the data is fresh. Data was taken in
25 2022, specifically January 25, 2022. Data was taken

1 in 2018 and prior.

2 So to say that the applicant didn't
3 provide fresh data, that would not be true. There is
4 fresh data.

5 I do want to comment on the model. I'm
6 not sure it's going to be of any use. The model is
7 -- we're going to look at it and it's going to look
8 good. I think we will be wasting time having someone
9 crank a model and come back here and display it and
10 -- it's going to look good.

11 I do like the Chairman's proposal is to
12 put some metrics to protect the Borough and to
13 protect the community and see if it works. And if it
14 doesn't work, we have a backup plan. That is my
15 recommendation to you as your traffic engineer.

16 MR. ZITELLI: Mr. Chairman, who would
17 be responsible for enforcing those metrics and
18 verifying that they are met or not met?

19 CHAIRMAN DePINTO: Well, if --

20 MR. ZITELLI: Those are things we would
21 have in our Resolution.

22 MR. REGAN: Whoever the borough
23 designates.

24 MR. ZITELLI: Again, who might that be.

25 MR. REGAN: It could be our experts.

1 MR. HIPOLIT: It's usually us.

2 CHAIRMAN DePINTO: Yes, it would be the
3 borough engineer, I would believe, that would analyze
4 it in conjunction with the police department, I am
5 sure. And there seems to be a good line of
6 communication between the borough engineer and the
7 police department as it relates to traffic and
8 traffic control.

9 So I think we would charge both of them
10 with respect to the enforcement.

11 MR. RACHED: I think maybe it's time
12 that I tell you what the metrics are because it's
13 pretty simple and then you could see how this could
14 be enforced.

15 CHAIRMAN DePINTO: Sure.

16 MR. RACHED: And I'm not inventing
17 these metrics, they're published nationally. There
18 is a national traffic standard booklet, it's called
19 the Manual on Uniform Traffic Control Devices. For
20 short, we call it the MUTCD. It is what we use in
21 all states, including New Jersey.

22 Title 39 requires its use when we do
23 traffic signs and traffic control.

24 In that manual they have a metric for
25 the installation of a traffic signal, and I know

1 we're not putting a traffic signal but give me a
2 moment here. And this manual says that if we have
3 five or more crashes a year susceptible to
4 improvement by a traffic signal, that that justifies
5 a traffic signal.

6 We can apply the same logic and say if
7 we have five or more accidents a year susceptible to
8 elimination by closing this driveway, we will use
9 that metric. It's something that we've been using as
10 traffic engineer for decades, it works, and enforcing
11 it is straightforward and simple. Every year we go
12 to the police department, we look at the traffic
13 accidents if there are any. We look at whether or
14 not there will be -- they would have been eliminated
15 if that driveway wasn't there, and if we reach that
16 threshold that's published in the MUTCD, then we will
17 take the appropriate action.

18 CHAIRMAN DePINTO: So there is a
19 measurable standard that could be utilized --

20 MR. RACHED: Yes.

21 CHAIRMAN DePINTO: -- and not create
22 reinventing the wheel.

23 MR. RACHED: Yes.

24 CHAIRMAN DePINTO: I'm sorry, John, you
25 had something.

1 MR. CULHANE: I'm still concerned that
2 when we're talking about the left turn, the conflict
3 left turns are going to have is minimized because
4 they're only going to be in conflict with Parkway
5 exiting eastbound. That's 240 cars. The two main
6 through lanes have a red light.

7 MR. RACHED: Yes.

8 MR. CULHANE: There's no traffic coming
9 on the two main lanes for that period of that red
10 light.

11 So there has to be a period of time,
12 and that's why I keep saying, the gap analysis does
13 not apply when they occurred. I think the majority
14 occur when there is a red light for the exiting
15 traffic heading westbound to exit.

16 MR. HIPOLIT: The only conflicting
17 traffic --

18 MR. CULHANE: And there's 240 cars, if
19 I remember correctly, coming off the Parkway during
20 the peak hour, that's four a minute; on average,
21 15 second gap.

22 So I think the concerns which we all
23 have, I think there is a lot more safe left turn
24 times available because there is no traffic heading
25 eastbound for a period of time. It's only the

1 Parkway traffic exiting eastbound that it's in
2 conflict with.

3 CHAIRMAN DePINTO: Now, with respect to
4 the signal, Andy, for the left-hand turn coming off
5 of the Parkway, the timing of that signal, do we have
6 any control over that or is that Turnpike Authority
7 or is it the county?

8 MR. HIPOLIT: It's the county.

9 CHAIRMAN DePINTO: The county.

10 So if we felt that we needed more time
11 to hold that red light another 10 or 15 seconds,
12 which would, as John said, help with the gap
13 situation, we would just have to discuss it with the
14 county.

15 Is that correct?

16 MR. HIPOLIT: On all county roads in
17 Montvale and anywhere in the county, you have a -- if
18 you want more time added to a phase, left, right,
19 through, you ask the county and the county does one
20 of two things: Ask you to provide a study to
21 determine what the best method to move through that
22 signal is and where the timing needs to be or they
23 come out and study themselves.

24 In a lot of cases like that, the county
25 would say, Borough, give me a study to show if you

1 changed the time, and we're going to do our own study
2 at the same time. They use the same counters at the
3 same time.

4 Just so the board understands, we deal
5 with Bergen County all the time. Every county is a
6 little different. Bergen County doesn't take their
7 roads lightly.

8 Bergen County doesn't take their
9 signals lightly, they don't take their accident
10 history lightly. They're very in target and have a
11 very big traffic bureau that deals with it.

12 The county has said with no uncertainty
13 the left-turn lane is going to work. There's so many
14 gaps it's not even an issue.

15 I've talked to Eric Timsak, he says I
16 am not sure why your Board is worried about this.
17 The -- the through traffic is stopped at the Parkway
18 and your only conflict is the right-turn lane from
19 off the Parkway. They don't have -- when I say no
20 concern, they have no concern.

21 Because if there was a left-turn out, I
22 think Chuck said it, he said if there was a left-turn
23 out, it would change because we have a left and a
24 left going on at the same time. And we're a little
25 concerned, the sight distance may become a problem

1 with that left out because of where that driver sits.

2 He says but a one-way drive in with a
3 left and a right in, yeah, I'm not -- he doesn't
4 understand what the concern was.

5 I've tried to convey to him your
6 concerns and he keeps coming back to me with, the
7 through traffic on Grand is stopped. It's not going,
8 it's under a red light. The only conflict is the
9 left and the Parkway traffic. And that's coming
10 down, it slows down, it speeds up. There's -- the
11 gaps are -- you keep hearing the testimony -- ten
12 times the amount of gaps needed.

13 It's not even close. It's not like
14 we're saying there's -- you know, it's just, it's
15 close. Like, hey, guys, it's close. If it was close
16 the county would never approve this.

17 MR. TEAGNO: So the cars making a left
18 aren't waiting for anything other than a gap.

19 MR. HIPOLIT: That's it.

20 MR. TEAGNO: They don't have a light.

21 MR. HIPOLIT: No, they're waiting for a
22 gap for a Parkway car to not come off and just cut
23 across a red light. There's no -- the double through
24 traffic lanes are coming, they're not making a left
25 turn, they're going to wait. They're going to wait

1 in that lane that -- what Eric said was he said, and
2 I think Chuck aligns with it, if the car is waiting
3 at a through lane heading westbound, he said we would
4 -- the county would never approve the left turn.

5 MR. TEAGNO: I understand.

6 MR. HIPOLIT: The car's making a
7 protected left turn.

8 It could stay there for 40 seconds.
9 Who cares.

10 CHAIRMAN DePINTO: What is the capacity
11 of that left-hand turn in, the stack capacity?

12 MR. RACHED: Mr. Chairman, I am looking
13 at the aerial as we speak and --

14 MR. HIPOLIT: It's going to be
15 different because they're going to have to make --
16 it's moving.

17 MR. RACHED: It is moving, but I would
18 measure this one and use that as an example or at
19 least as a starting point in the discussion.

20 MR. TEAGNO: It's not moving if they're
21 waiting for the light to change.

22 CHAIRMAN DePINTO: No, no, just it's --
23 there's more cars.

24 MR. RACHED: Right now, based on the
25 aerial, it shows approximately 160 feet, which is

1 approximately, let's say, 25, 20 or 25 feet per car
2 up to eight cars. It's more than what we need.

3 MR. TEAGNO: No. A regular car is
4 about 16 feet long.

5 MR. RACHED: I'm sorry.

6 MR. TEAGNO: Isn't a normal car about
7 16 feet long?

8 MR. RACHED: Right, but I am being
9 conservative.

10 So, I mean, yes, if you stack them
11 close, you could stack more than that, but I'm saying
12 7 to 8 feet comfortably -- I mean seven to eight cars
13 comfortably.

14 MR. TEAGNO: Oh, okay.

15 MR. RACHED: And we do not need
16 anywhere near that kind of queue.

17 MR. TEAGNO: Okay.

18 THE WITNESS: The left-turn bay is
19 about 120 to 140 feet that we're proposing to go into
20 the driveway. I believe that was the Chairman's
21 question, how many can we fit in there. And I would
22 agree. You can fit somewhere around seven to eight
23 vehicles stacked.

24 CHAIRMAN DePINTO: In your professional
25 opinion, do you believe that that is adequate

1 stacking capacity given the projected counts of that
2 point of access?

3 THE WITNESS: It is more than adequate.
4 You would not anticipate more than a vehicle or two
5 in this lane waiting to make a left turn. Even if
6 those volumes, if we ran a sensitivity analysis to
7 really test it as Mr. Stefanelli asked, what if it
8 was twice as many vehicles, not 50, it was 100, what
9 it if wasn't 50, it was 150, two to three vehicles,
10 you can still accommodate seven to eight vehicles in
11 that bay out of the travel way waiting to make a left
12 turn with adequate sight distance.

13 CHAIRMAN DePINTO: Okay. Any other
14 questions?

15 MR. TEAGNO: What's the name of that --
16 let me ask Andy this -- GPS or whatever, what's the
17 name of that system? There's got to be a name for
18 it.

19 MR. RACHED: The generic name is
20 time-based coordinator. It's a GPS-based, time-based
21 base coordinator.

22 MR. TEAGNO: There's no, like, company
23 name for that?

24 MR. RACHED: There are several
25 companies that make it. It depends on what equipment

1 the county is using, we'll use something compatible.

2 MR. TEAGNO: Okay, thank you.

3 MR. RACHED: Sure.

4 VICE CHAIRMAN STEFANELLI: I just have
5 two questions.

6 CHAIRMAN DePINTO: Sure, go ahead.

7 VICE CHAIRMAN STEFANELLI: So what kind
8 of signage -- I am concerned about people coming up
9 to the site and trying to get in there, so how do we
10 coordinate people getting to the site and getting to
11 that left-turn lane, you know.

12 THE WITNESS: Well, I believe there's
13 signage proposed on the building.

14 Is there corner --

15 MR. REGAN: There are actually monument
16 signs.

17 VICE CHAIRMAN STEFANELLI: Is there
18 going to be a monument sign on the -- 'cause I didn't
19 see that.

20 Is that in the plan?

21 MR. REGAN: I think you need some signs
22 on the roads.

23 VICE CHAIRMAN STEFANELLI: Yeah, that's
24 where I was going to go. It sounds like we should
25 have some signs on the road alerting the drivers

1 ahead of time that, you know, this --

2 MR. HIPOLIT: Like we do for Sloan
3 Kettering.

4 VICE CHAIRMAN STEFANELLI: Huh.

5 MR. HIPOLIT: Like we did for Sloan
6 Kettering.

7 VICE CHAIRMAN STEFANELLI: Yeah, I
8 mean, I would expect that we should have --

9 MR. HIPOLIT: When you go up Summit and
10 you come up Spring Valley, I agree.

11 VICE CHAIRMAN STEFANELLI: -- there
12 should be signs to the east, right.

13 MR. HIPOLIT: I agree. Absolutely.

14 VICE CHAIRMAN STEFANELLI: Advising
15 that this is coming up.

16 MR. RACHED: Even to the west, that's
17 the first driveway.

18 VICE CHAIRMAN STEFANELLI: And also at
19 the west.

20 MR. HIPOLIT: Agree.

21 VICE CHAIRMAN STEFANELLI: I think we
22 should also have signs so that cars know that, hey,
23 this is a driveway here.

24 MR. HIPOLIT: I think if you look at --

25 MR. ZITELLI: I heard what Mr. Olivo

1 said that, you know, oh, you have 600 feet, but, you
2 know, you're going to be right there or going past
3 the driveway before you realize, oh, my gosh, you
4 know --

5 MR. HIPOLIT: I think we learned a lot
6 from Sloan Kettering. So Sloan Kettering went in
7 with the three driveways and it became a problem
8 right away for them. They came back to us with this
9 way finding project which needed county approval
10 because county road, and once they did that
11 wayfinding, all the problems went away. People knew
12 which -- the deliveries went to the west driveway and
13 the other two driveways were for patient drop-off,
14 long-term parking. You need to do that here.

15 MR. ZITELLI: I'd like to see some
16 signs on the roads advising that --

17 CHAIRMAN DePINTO: Yes, I think what we
18 had planned to do was once we got through the site
19 plan application process we would go into more detail
20 with respect to the signage.

21 Is that correct?

22 MR. DelVECCHIO: That's correct.

23 CHAIRMAN DePINTO: Okay. So, yes. And
24 I think, based on the discussions we have been
25 having, that we all agree it is imperative that there

1 be directional signage --

2 MR. ZITELLI: Yes, correct.

3 CHAIRMAN DePINTO: -- everything else
4 that's going to take place.

5 VICE CHAIRMAN STEFANELLI: My last
6 question, my last question.

7 CHAIRMAN DePINTO: Sure.

8 VICE CHAIRMAN STEFANELLI:
9 Synchronization, does that include the Parkway sync.

10 MR. HIPOLIT: Yes, so I think I was
11 telling Dante, it was off the record but on the
12 record, I think if you were to approve this and if
13 your deliberations, you would include the time-based
14 coordinator system as part of your approval.

15 VICE CHAIRMAN STEFANELLI: Right, but I
16 just want -- and that will be listed on the --
17 lights, or how are we going to do that.

18 MR. HIPOLIT: It's going to be -- right
19 now it's proposed to be five lights. I had added in
20 two more lights. Two more make it seven.

21 MR. REGAN: You have 125,000 for --

22 MR. HIPOLIT: Right. The five lights
23 are just -- coming down the Parkway signal, coming
24 down Grand and DePiero, Grand and Old Mercedes, then
25 Grand and Phillips and Spring Valley and Summit. I

1 added in Summit and Spring Valley and Chester Ridge
2 and Summit if the money -- the test -- because, you
3 know, the other part is bigger development that we
4 don't focus on now is, is the truck traffic coming
5 from the north, coming down Chestnut Ridge Road
6 making a left on Summit, making the right down
7 Phillips, you know -- at all, in my opinion.

8 CHAIRMAN DePINTO: All right.

9 MR. ZITELLI: Mr. Chairman, one more
10 question for you or --

11 CHAIRMAN DePINTO: Sure.

12 MR. ZITELLI: -- just in general? Do
13 we have agreement that, you know, if we do go forward
14 with the Resolution here that we will have a
15 contingency based on certain metrics about
16 potentially closing that --

17 CHAIRMAN DePINTO: Well, I think before
18 we do that we have to see what the applicant's
19 position is going to be.

20 MR. ZITELLI: That's what I -- so
21 essentially, through you, I'm asking should we ask
22 the applicant will they agree to that.

23 CHAIRMAN DePINTO: Unless we have any
24 other questions, but before we open it again to the
25 applicant, I do want to open it up to the public.

1 Would anyone care to make a motion to
2 open the meeting to the public?

3 MR. LINTNER: So moved.

4 MR. CULHANE: Second.

5 CHAIRMAN DePINTO: Motion Mr. Lintner,
6 seconded Mr. Culhane.

7 All in favor?

8 (Whereupon, all present members respond
9 in the affirmative.)

10 CHAIRMAN DePINTO: Anyone from the
11 public wish to be heard.

12 MS. KELLY: I'm the public. I'm here.

13 MR. REGAN: Could I have your full name
14 and address, please.

15 MS. KELLY: Sure.

16 Cheryl, C-H-E-R-Y-L. Kelly, K-e-l-l-y.
17 My address is Cheryl Kelly 138 Green Way, Montvale.

18 MR. REGAN: Could you raise your right
19 hand, please.

20 Do you swear or affirm that the
21 testimony you will give in this proceeding shall be
22 the truth so help you God?

23 MS. KELLY: Yes.

24 C H E R Y L K E L L Y,

25 138 Green Way, Montvale, New Jersey, having been

1 duly sworn, testifies as follows:

2 MR. REGAN: Thank you.

3 CHAIRMAN DePINTO: Okay, thank you.

4 MS. KELLY: My questions are, you know,
5 pretty similar to what Mr. Zitelli said about the
6 traffic volume. I've lived in Montvale for 15 years.
7 I live off of Summit. You cannot make a left-hand
8 turn, there are no gaps in traffic.

9 I'd like to see data that takes into
10 consideration if Valley Hospital is building 86,000
11 square feet, how many physicians, what is their
12 business plan, what's the patient volume going to be?
13 They're going to be drawing from all of Bergen County
14 to put all of those patients there in Montvale.
15 That's a really valuable spot for them, the fact that
16 it's right off the Parkway. It's incredibly valuable
17 to them.

18 There's a daycare going in there.
19 You're also going to have elderly and sick people who
20 are going to be making a left-hand turn there. I
21 almost had an accident two times today on Grand
22 Avenue at 2:00 in the afternoon.

23 Traffic and the problem -- in this town
24 is a significant problem, and I'd like to see the
25 data. I have to admit that I'm not really informed

1 about this, this is my first meeting. I'm starting
2 to do some research.

3 But having lived here for 17 years...

4 CHAIRMAN DePINTO: And we share those
5 concerns. And as you may or may not know, we, too,
6 are all residents of Montvale. Many of us have lived
7 here for that period of time.

8 MS. KELLY: And longer, I'm sure.

9 CHAIRMAN DePINTO: So we've been
10 through the same thing. Many of us have served on
11 this board for a long time. We know the traffic
12 problems. We do share your concerns relative to the
13 projection of vehicles that will be used.

14 I think Mr. Hipolit's suggestion of
15 tying in the traffic lights on Summit Avenue would
16 benefit your development as well to help create more
17 gap times based upon this new -- Andy, why don't you
18 explain how this GPS signal or synchronization works?

19 MR. HIPOLIT: I'd prefer if Maurice
20 does it.

21 CHAIRMAN DePINTO: Sure.

22 MR. RACHED: So when we look at this
23 particular proposal we're discussing tonight, the
24 driveways between the signal and DePiero, which used
25 to be Mercedes Drive, and the signal at the Parkway,

1 right now, because these signals are operating based
2 on their own internal clocks, their timing would go
3 out of synchronization --

4 MS. KELLY: No, conceptually I
5 understand it.

6 MR. RACHED: Yeah, okay.

7 So when we install the new equipment,
8 it will keep all these clocks linked to the atomic
9 clock, which is a national clock, so it keeps them
10 always synchronized so they would operate as
11 intended. That's the whole idea is to have them
12 operate as intended.

13 Right now, once they go out of sync,
14 they do not operate as intended.

15 As intended, for example, means we
16 would provide the red at the Parkway signal, we
17 provide the red at DePiero, and that creates gaps in
18 between. And we could do the same at other
19 locations. So that's what is meant by
20 synchronization of signals.

21 MS. KELLY: No, I understand. I
22 understand.

23 If I were a member of a committee, I
24 would want to see simulation software to see how it
25 works, I think, probably --

1 CHAIRMAN DePINTO: Okay. I think
2 that's consistent with what Mr. Stefanelli was
3 saying.

4 MS. KELLY: Like put it -- there's
5 screens all over here. Put it up on the screens and
6 let's see a simulation with the traffic patterns that
7 your ten years of data represent, carving out the
8 COVID years, adding in a daycare center, adding in
9 Valley Hospital, adding in the thousands of new homes
10 that are being developed in this community. I think
11 it can't be understated.

12 CHAIRMAN DePINTO: Thank you for your
13 comments.

14 Anyone else from the public?
15 (No response.)

16 CHAIRMAN DePINTO: Motion to close the
17 meeting to the public?

18 MR. CULHANE: So moved.

19 MR. LINTNER: Second.

20 CHAIRMAN DePINTO: Mr. Culhane.

21 Mr. Lintner.

22 All in favor?

23 (Whereupon, all present members respond
24 in the affirmative.)

25 CHAIRMAN DePINTO: Okay.

1 Mr. DelVecchio, share with us your
2 pearls of wisdom.

3 MR. DELVECCHIO: What are we doing?

4 MR. HIPOLIT: The whole list is out.

5 MR. REGAN: Let's just be careful
6 there.

7 MR. DELVECCHIO: The post-construction
8 condition is something that, if the immediate remedy
9 to a trigger is the closing of the driveway, that's
10 something I can't give you an answer to tonight. It
11 has ripple effects across tenants, across leases.
12 There are not too many tenants that I am aware of
13 that will sign on a dotted lease with a site that
14 could change while they're in occupancy.

15 For purposes of this evening, what we
16 could agree to is that if there is a trigger that,
17 you know, we agree on what that trigger is and the
18 trigger occurs, you know, we would agree to
19 immediately meet with whoever we need to meet with
20 and come to a remedy or a solution for that
21 condition, whatever it may be, and work towards it,
22 very similar to what you see in, traditionally in the
23 lighting world, where you install lighting, there is
24 a problem, six months, you test it and you come back
25 and you make the adjustments that need to be made to

1 fix it.

2 We're committed to fixing it. We're
3 confident that the condition will prove itself out
4 after installed, given the margin of safety factors
5 that many of you have expressed will exist.

6 But in terms of committing tonight to
7 shutting that exit down at some point in the further,
8 that is not something I can give you an answer to.

9 CHAIRMAN DePINTO: And with respect to
10 having your professionals work with the borough
11 professionals in fine-tuning the traffic study,
12 including the growth projections from projects that
13 we all know received within the past year or two
14 approvals, such as the district, such as the Horn
15 Rock properties, the Toll Brothers --

16 MR. REGAN: Village Springs --

17 CHAIRMAN DePINTO: -- right, taking
18 these into consideration, are you prepared to
19 authorize your professionals to undertake those
20 studies and prepare the model, or a modified model?

21 MR. DeLVECCHIO: I think what we're
22 talking about in earnest is actually just updating
23 the model. I think what you have just said as the
24 precursor is not factually necessary for the
25 following reason.

1 Most of all of those developments were
2 encompassed and anticipated in the reports.

3 And as alluded to by Mr. Rached, yes,
4 the data goes back ten years, but it's not ten years
5 old. Every time this applicant has appeared, whether
6 it was for the original PUD approval for Wegmans,
7 whether it was for Phase II of the Wegmans project,
8 whether it was for North Market, whether it was for
9 Phase II DePiero down below with the daycare center,
10 every time we appear, your engineers demanded and
11 required, and we complied, that we provide a new
12 fresh set of study to add a layer to the base that
13 was created ten years ago.

14 I hate to say this, and we're happy to
15 do it, but I am going to tell you that I'd be shocked
16 if that model doesn't produce traffic volumes that
17 are less than what your experts charged us to do when
18 we were the unknown quantum and Wegmans was walking
19 in the door. Because the Wegmans traffic was so
20 overestimated in that model, we haven't yet realized
21 it.

22 So what's going to happen is we're
23 going to put in a couple of extra developments, we're
24 going to account for the overestimation that never
25 materialized and you're going to see a result that's

1 actually less.

2 And we're happy to do it. We'll go
3 through, you know, the process of updating the model,
4 but I don't want you to be surprised and I don't want
5 to be tagged with, you know, you put your hands on
6 the scale in creating the model.

7 CHAIRMAN DePINTO: Right. And that may
8 well be the case. But if that's the comfort --

9 MR. DelVECCHIO: Happy to do it.

10 CHAIRMAN DePINTO: -- that the board
11 needs in order to move forward with the application,
12 I think it should be done. Because my sense is there
13 is a discomfort right now that we have to overcome.

14 MR. HIPOLIT: And, Mr. Chairman, if I
15 can just say, when they did -- and Betsy's not here
16 does pose a problem -- when they did these two, the
17 lower part, the daycare and the offices --

18 MR. REGAN: At Dulles Parkway.

19 MR. HIPOLIT: -- right, we gave Betsy
20 that model. So she took that model and made changes
21 to it because, again, we made a recount --

22 Mr. DelVecchio's right, we made a
23 recount to traffic because Wegmans was now open,
24 lifestyle center was now open. So she has it.

25 CHAIRMAN DePINTO: If the model that

1 you have is updated -- and quite frankly, I wouldn't
2 rely on Ms. Dolan, unfortunately --

3 MR. HIPOLIT: You're right about that.

4 CHAIRMAN DePINTO: We don't have the
5 time -- I mean, I feel very sorry for whatever that
6 problem might be, but I would imagine that Mr. Olivo
7 could adjust the model, has the capability.

8 MR. DeLVECCHIO: Yes, I was just
9 confirming with him what I already knew, but yes.

10 CHAIRMAN DePINTO: And I believe when
11 that model is adjusted, displaying it on the monitors
12 to show how, in fact, the gap occur -- Mr. Olivo, if
13 you were to adjust the model, what could the board
14 and the public expect to see on this model?

15 VICE CHAIRMAN STEFANELLI:

16 Mr. Chairman, I just -- one question.

17 CHAIRMAN DePINTO: Sure.

18 VICE CHAIRMAN STEFANELLI: With all due
19 respect, Andy, we haven't heard any testimony that we
20 were five times over at Wegmans or any of that. This
21 is the first time we're hearing anything. We didn't
22 hear her testimony.

23 MR. HIPOLIT: Right.

24 VICE CHAIRMAN STEFANELLI: So all I am
25 saying is that we want to be assured. And whether

1 it's a model or somebody giving us some testimony
2 saying that this development, that development will
3 add this amount of cars, we haven't heard -- has any
4 board member heard that.

5 CHAIRMAN DePINTO: No.

6 VICE CHAIRMAN STEFANELLI: No.

7 All we want to do it hear the
8 information so we can make a decision.

9 End of story.

10 THE WITNESS: To answer the question
11 about the model and that question as well,
12 Mr. Stefanelli, is that by updating the model and
13 comparing it to, again, I think what has been
14 clarified a number of times, because we have all
15 these data points up to fresh data from this year, we
16 would be able to quickly compare and show you this is
17 what we projected it to be, this is what it actually
18 is, and you would be able to see dynamics like gap,
19 synchronization of signals, things like that in
20 realtime.

21 CHAIRMAN DePINTO: And I think that's
22 what's so important right now.

23 I agree with you, Frank, and the other
24 board members that have those concerns.

25 Mr. DelVecchio indicated that he was

1 not in a position right now. Obviously, he has to
2 speak to his clients, the what-if factor, and to see
3 what their position would be on that.

4 What else?

5 MR. ZITELLI: Mr. Chairman, I am going
6 to throw one more suggestion out, if I may?

7 CHAIRMAN DePINTO: Sure.

8 MR. ZITELLI: Sorry to do this, but
9 could we consider a traffic signal there with a left
10 turn? I mean, that would make me feel so much better
11 if there was a left-turn signal there.

12 CHAIRMAN DePINTO: Do you have the
13 warrants? That's the problem.

14 MR. HIPOLIT: You can't just put a
15 signal there.

16 MR. RACHED: It wouldn't meet the
17 required warrants. To put a signal there is
18 something called warrants, which consist of number of
19 vehicle trips.

20 To give you a very quick idea what they
21 are, at a regular intersection you need to have over
22 500 trips on the main road, which we do, but you need
23 to have over 150 trips on the minor road, which we
24 don't, for eight hours, not just for the p.m. peak
25 and the a.m. peak. We're not even close. We're not

1 even a quarter of that number in this case on a daily
2 basis.

3 MR. ZITELLI: You're telling me we
4 wouldn't be allowed to put a signal there?

5 MR. RACHED: That's correct, yes.

6 MR. REGAN: The county would have to
7 make the call on that anyway. We're not even close.

8 MR. RACHED: Yes.

9 MR. REGAN: They won't go anywhere with
10 it.

11 MR. ZITELLI: I'll tell you, I'm
12 thinking of a situation in Paramus, of all places,
13 right, because I grew up there, and fashion center on
14 East Ridgewood Avenue there, there's a left-turn
15 signal that allows you to get into the fashion
16 center. There's one -- you know, they've got a
17 stacking lane there and specifically a light that
18 allows you to make -- exist anymore, but I thought
19 that was, you know -- to me that -- I would feel
20 really comfortable if we had that kind of situation
21 there and I would have no objection at all.

22 Again, I am concerned about the left
23 turn. I am concerned about, you know, even though
24 we've got a stacking lane there, we're still hearing,
25 you know, that there -- I mean, I wouldn't want to be

1 sitting in a car there myself and having cars going
2 eastbound at 45 miles an hour, two lanes and then
3 where I'm sitting. I would feel like a sitting duck.
4 You know, that's just how I would feel about it.

5 So again, I'm approaching this from a
6 safety concern. I mean, I'm all in favor for this
7 development, I just have one issue, which is that
8 left turn, all right. And, you know, so if we can do
9 -- a light would be wonderful in my mind.
10 Eliminating or not eliminating that left turn would
11 be my other thing.

12 Do the study. Do the study. Let's go
13 see what it is. But I'm telling you what my concern
14 is.

15 CHAIRMAN DePINTO: Okay.

16 MR. ZITELLI: Right on the table.

17 CHAIRMAN DePINTO: Mr. DelVecchio,
18 where do you want to go with this.

19 MR. DELVECCHIO: We're happy to, you
20 know, advance the model if that aids in the
21 deliberation. You know, we've obviously done it
22 before, we're happy to do it again.

23 In terms of the traffic testimony this
24 evening, I think we've reached a natural conclusion.

25 CHAIRMAN DePINTO: With regard to the

1 model, Mr. Olivo, you don't have a copy of that
2 model, I presume.

3 THE WITNESS: I don't, but as far as
4 the underlying foundation of the model, you actually
5 have it, or Colliers has it.

6 CHAIRMAN DePINTO: Right.

7 THE WITNESS: And that can be shared
8 and we can simply download it.

9 CHAIRMAN DePINTO: If you get the call
10 from Mr. DelVecchio to adjust the model, Andy, you
11 could have Maurice forward that, too.

12 MR. DELVECCHIO: And we're still
13 engaged with Dolan and Dean, so to the extent they
14 have it, we have no issues with being able to --

15 CHAIRMAN DePINTO: Well, I hate to
16 schedule another meeting and not have the author of
17 the report. If there's any doubt that we're not
18 going to hear direct testimony from Betsy Dolan, I
19 think we're going to have to ask for another report
20 from someone who can stand behind whatever the report
21 says.

22 I mean, this whole traffic thing, we're
23 kind of doing backwards. Now, it's true, it's very
24 unfortunate with Ms. Dolan, whatever -- whatever that
25 problem might be, but I don't know how long the

1 applicant could tolerate this, and I know the board
2 is losing patience because they want answers to their
3 questions, and rightly so.

4 Maybe you should just send --

5 MR. HIPOLIT: We're going to send them.
6 But I have a couple of -- I just want to make sure
7 that -- I wrote down a lot of notes, I want to make
8 sure I got the right stuff for us.

9 The GPS sync over the time-based
10 coordinator, at least in my opinion and Maurice's
11 opinion, if you were to approve this, it should be a
12 requirement. And we will have a discussion with the
13 county about that so we have more detail on the five
14 versus seven.

15 The speed limit reduction, that's
16 really a Mayor and Council request. It's 45 now. I
17 have a Mayor and Council meeting tomorrow and I will
18 bring this up and ask them to make a request, if the
19 board wants me to.

20 CHAIRMAN DePINTO: Yes.

21 MR. HIPOLIT: Okay. We have to ask the
22 county to make a -- so you can't just -- you're not
23 allowed to just reduce speed, they use data that will
24 be done and it will be supplied to Colliers --

25 CHAIRMAN DePINTO: You have a meeting

1 tomorrow. You can certainly --

2 MR. HIPOLIT: Yes. They have to
3 authorize us to do some work on that which, then
4 we'll come up with what the speed should be reduced
5 to.

6 CHAIRMAN DePINTO: Okay.

7 MR. HIPOLIT: Growth projections, I
8 think Maurice and Mr. Olivo need to work a little
9 better. Have Mr. Olivo explain what projections
10 they're using so you'll understand what those growth
11 projections are. And there's testimony -- I wrote
12 that more than once.

13 Is rumple strips as we come off the
14 Parkway, so you come off the Parkway, you hit the
15 yield sign, you now make a right turn going past the
16 vacant property, the wetland area; is the board
17 desirous of me investigating rumble strips there or
18 not.

19 MR. TEAGNO: No. I hate those.

20 MR. HIPOLIT: I just was mentioning
21 that.

22 MALE VOICE: They wear out, nobody
23 replaces them.

24 MR. HIPOLIT: The new model -- Maurice
25 is going to coordinate with Chuck tomorrow the new

1 model.

2 The stop sign, Colliers is still
3 pursuing the stop sign with the Turnpike Authority.
4 There's going to be a request from the Mayor and
5 Council, we will ask the county as they said they
6 would do it, the county would concur, and that
7 request will be sent in; that's the desire of the
8 board?

9 CHAIRMAN DePINTO: Yes.

10 MR. HIPOLIT: Okay, that's good.

11 I am going to talk to the chief
12 tomorrow about getting a speed study done somewhere
13 between the DePiero's light and the Parkway light
14 about what the speed of cars either coming through
15 traffic cars, one, and the police can only do so
16 much, so give us some data -- it'll be a short -- and
17 the second one would be just give a speed of cars
18 coming off the Parkway and as they accelerate, what
19 speed are they going between the Parkway ramp and
20 let's say halfway up the property.

21 CHAIRMAN DePINTO: Okay.

22 MR. HIPOLIT: I mean, again, the police
23 have limited data. If the data they get is good
24 enough, great.

25 If not, you can always request the

1 applicant does it similar to what we did on Fox Hill
2 Road, we put -- actually put speed monitors out
3 there.

4 CHAIRMAN DePINTO: Right.

5 VICE CHAIRMAN STEFANELLI: And do we do
6 that during the busy peak hour.

7 MR. HIPOLIT: Yes, that's what I'm
8 going to tell them. Tell them to do it in the p.m.
9 peak and -- is the way we want it.

10 VICE CHAIRMAN STEFANELLI: Just wanted
11 to clarify it.

12 MR. HIPOLIT: Yeah, it'd be right
13 around 5:00 is when we want to sit. They'd probably
14 sit around 295 West Grand and then get it from there.

15 Traffic counts for the right-turn lane,
16 I don't know, are we doing anything with traffic
17 counts to the right-turn lane? As far as the right
18 turn coming off the Parkway and cars making a right,
19 how did we come up with the projection how many cars
20 are making that right? I don't know if I got the
21 answer yet.

22 MR. RACHED: I think we have these
23 numbers.

24 MR. HIPOLIT: The applicant should
25 really present that at the next meeting so the board

1 can hear that.

2 MR. ZITELLI: You mentioned the
3 Parkway. Is that the one at the intersection of
4 Grand and Chestnut Ridge? Is that where you're
5 talking about.

6 MR. HIPOLIT: No, I'm saying when cars
7 -- cars that come off the Parkway, make a right turn,
8 how many cars are going to turn right into the site.

9 MR. ZITELLI: Yeah, you mentioned the
10 Parkway light, I think, right? Did you say that,
11 Parkway light? What light are we talking about?

12 MR. HIPOLIT: The light at the Parkway
13 and Grand Avenue. So you come down the ramp, just at
14 like -- when you come off 172, there's a light right
15 there. That light.

16 MR. ZITELLI: Okay. Okay.

17 MR. HIPOLIT: I am going to ask the
18 chief to have the police department pull hopefully
19 what will be a ten-year history, so ten years ago or
20 more, when the driveway was open, the previous
21 driveway, what was the accident history?

22 And if there wasn't accident history,
23 what was the type of accident.

24 So hopefully when the driveway was open
25 it had a lot of lefts in, rights in, whatever. I'll

1 see what data they have. I don't know what data they
2 have. I know that -- go farther back, I'll ask that
3 question.

4 And then the last thing I have is
5 recent mention MUTCD test of five accidents per year,
6 but I think the applicant is saying that they
7 wouldn't agree to that.

8 MR. REGAN: That would be one of the --

9 MR. HIPOLIT: A metric. I don't know
10 if the board wants to pursue that.

11 CHAIRMAN DePINTO: That's something for
12 the board to decide.

13 But I think all the other points that
14 you've come up with or based on your notes are
15 accurate.

16 MR. HIPOLIT: Okay. Except for the
17 rumble strips at that --

18 CHAIRMAN DePINTO: Correct.

19 MR. HIPOLIT: Good.

20 CHAIRMAN DePINTO: You okay with that,
21 Mr. DelVecchio?

22 MR. DELVECCHIO: In terms of
23 Mr. Hipolit's notes, I think, you know, they
24 represent the discussion.

25 CHAIRMAN DePINTO: Okay. We still have

1 a little bit of time. What else would you like to
2 try and cover this evening?

3 MR. DelVECCHIO: I'd like to cover
4 Ms. Rodriguez's testimony, which is landscaping.
5 There is not a lot of testimony there, but she did
6 travel to get here and I'd like to try to resolve
7 that area.

8 CHAIRMAN DePINTO: Let's take a
9 five-minute break and then we will get to her.

10 And then with respect to Mike Dipple's
11 letter of today, which is pretty extensive --

12 MR. REGAN: We just received it.

13 CHAIRMAN DePINTO: We just received it.

14 MR. DELVECCHIO: Yes, we had promised,
15 if you remember at the last meeting, that we would --
16 we said we would comply. We wanted to put it in
17 writing as to how and give you detailed documentation
18 to do that.

19 CHAIRMAN DePINTO: The problem is
20 Mr. Hipolit hasn't had an opportunity to read it.

21 MR. DelVECCHIO: Understood.

22 CHAIRMAN DePINTO: But let's take a
23 five-minute break.

24 MR. DelVECCHIO: Sure.

25 (Whereupon, a brief recess is taken.)

1 CHAIRMAN DePINTO: This meeting will
2 come to order.

3 Mr. DelVecchio?

4 MR. DELVECCHIO: Yes. Thank you,
5 Mr. Chairman.

6 As I had indicated just before the
7 break, my intention is to call Ms. Trini Rodriguez of
8 ParkerRodriguez who is the landscape architect on
9 this portion of the project and the entirety of the
10 project so familiar face, I guess.

11 MR. REGAN: You want her swear here in?

12 MR. DelVECCHIO: Yes, please.

13 MR. REGAN: Do you swear or affirm that
14 the testimony you will give in this proceeding shall
15 be the truth so help you God?

16 MS. RODRIGUEZ: I do.

17 T R I N I R O D R I G U E Z, AICP, PLA
18 101 North Union Street, Suite #320, Alexandria,
19 Virginia, having been duly sworn, testifies as
20 follows:

21 MR. REGAN: And for the record, state
22 your full name, please, and spell your last name.

23 MS. RODRIGUEZ: Good evening, my name
24 is Trini Rodriguez with the firm of ParkerRodriguez.

25 MR. DelVECCHIO: Ms. Rodriguez

1 previously testified --

2 MR. REGAN: She's previously been
3 qualified in the field of landscape architecture on
4 several occasions before the board.

5 We have accepted her.

6 MR. DelVECCHIO: That's correct,
7 Mr. Regan.

8 If the board is comfortable with her
9 credentials I'll proceed.

10 DIRECT EXAMINATION

11 BY MR. DelVECCHIO:

12 Q. Ms. Rodriguez, we marked prior to this
13 evening as A-15 a set of drawings entitled "Landscape
14 Architecture Plan" prepared by ParkerRodriguez
15 consisting of four sheets and having a revision date
16 through June 23, 2022.

17 Those plans are on the table next for
18 you and I right now.

19 Were those drawings prepared by you or
20 under your supervision?

21 A. Yes, they were.

22 Q. You had also prior to this hearing this
23 evening received a -- actually you received several
24 review letters from various professionals concerning
25 this project.

1 And those review letters contained
2 certain comments concerning landscaping and
3 screening, correct?

4 A. Correct.

5 Q. And in anticipation of appearing here
6 this evening you had collaborated with Mr. Dipple who
7 prepared a letter dated -- with today's date dated
8 July 11, which included certain responses to
9 landscaping comments regarding this project, correct?

10 A. Yes.

11 Q. Now that we've got the formalities
12 done, let's deal with practicality.

13 You were the landscape designer for
14 this project, many of the comments that were raised
15 were really focused on the screening nature of the
16 landscaping for certain areas of the project that
17 required landscaping, screening, light loading, like
18 trash enclosures in relation to those comments your
19 responses contained in Mr. Dipple's letter, the
20 intent is just to essentially upsize all of the
21 screening to a compliant height so that we fully
22 comply with the code in those areas?

23 Is that correct?

24 A. Correct.

25 So what we did is we actually up-sized

1 the plans. We actually revised the site lighting
2 just to make sure that it was, sort of, an
3 intentional, sort of landscaping around the utilities
4 created what we've kind of called a utility cord
5 which actually kind of allowed for those utilities to
6 sit there surrounded by this new screening not -- not
7 new screening, it was there, it was just up-sized and
8 then it was softened up with some additional planting
9 in front to provide some softer textures and seasonal
10 interest.

11 And those were actually the -- the
12 plans that the planner had, sort of, requested
13 heights, which we have actually updated on our plans.

14 **Q. Now, you are the designer and architect**
15 **of the landscape plan for Buildings 1, 2 and 3, that**
16 **are either complete or virtually complete as we here**
17 **today correct?**

18 **A. Correct, yes.**

19 **Q. You had an opportunity to visit the**
20 **site and see the results of your planning and design**
21 **in bloom so to speak?**

22 **A. Exactly, yes.**

23 **Q. Is the intent that the next phase that**
24 **is being applied for here this evening coordinating**
25 **with the existing work that you've done to date?**

1 A. Correct. Yes, we used, you know, the
2 same palette of plant material there.

3 And the idea is that it feels like a
4 seamless project. I mean I have to admit I've been
5 up at the site doing a lot of punch work and working
6 with the construction company and I just wanted to
7 congratulate all of you because I think as -- overall
8 as the place has really come to fruition and I think
9 this will be a great addition to -- to that.

10 Q. There was, I recall, a comment
11 concerning the wall material for the hardscape?

12 A. Correct.

13 Q. What is the intent? And I tread very
14 lightly into color areas, but what is the intent with
15 the --

16 A. So --

17 Q. -- the color of the wall blocks that
18 are shown in the details on your plans?

19 A. Right.

20 So the -- the details show three colors
21 which is what the manufacturer provides, manufactures
22 three different palettes.

23 And what we suggested in the documents,
24 which is spelled out, is a mix of them. It's a
25 30 percent, I forget the name ledger/legend, 40 and

1 40 I believe they're on -- in the drawings.

2 And it's the same palette that has been
3 used on all of the walls on Phase I so it's already
4 there, yes.

5 It's 30 percent -- 30 percent that's
6 Silverado, 40 percent Lafayette and 40 percent
7 Kodiak.

8 And the idea is to get a much more
9 natural mix of colors instead of a more solid either
10 red or gray or brown. So it's a -- it's a much more
11 softer look.

12 And that's what on-site already. And I
13 believe you may have seen those.

14 **Q. So the intent is to match what is**
15 **already been constructed and utilized in the earlier**
16 **phases?**

17 A. Correct, it's exactly the same.

18 **Q. Okay.**

19 Now, there are certain metrics in the
20 Montvale Ordinance concerning having sufficient
21 number of planting areas for the parking for each
22 number of parking spaces on-site. The number of
23 trees. All of that has been factored into your
24 design?

25 A. Right. And we have been coordinating

1 with L2A and the civil engineers on that.

2 Q. And based upon your design you believe
3 that the plans fully comply with those requirements?

4 A. Yes.

5 And the planner did make one comment
6 there were four spaces at the corner that were
7 actually missed. And it was really a problem of
8 coordination that was a change that was made to the
9 site plan at the last minute and it was just missed.

10 Q. And that's --

11 A. That's been updated and added.

12 Q. And I guess just so we're clear on the
13 record that will be added and updated because the
14 board hasn't seen those plans --

15 A. Correct.

16 Q. -- it may be done in your shop but we
17 haven't submitted the plans yet?

18 A. Yes. Correct.

19 Q. And that's part of the response
20 contained in Mr. Dipple's letter, correct?

21 A. Correct.

22 MR. DELVECCHIO: At this point,
23 Mr. Chairman, I don't have any further questions of
24 Ms. Rodriguez.

25 I make her available for any remaining

1 question by the board.

2 CHAIRMAN DePINTO: Okay.

3 Mr. Hipolit, have you had an
4 opportunity to review the plans with respect to
5 landscape architecture?

6 MR. HIPOLIT: So I didn't, but as the
7 board knows we used Gus DeBlasio to do that --

8 CHAIRMAN DePINTO: I'm sorry.

9 MR. HIPOLIT: We used Gus DeBlasio to
10 do it.

11 CHAIRMAN DePINTO: Yeah. Can you --
12 yes.

13 MR. HIPOLIT: Yes, so Gus has looked at
14 it. There was two things that happened with Gus,
15 one, he was away initially then he got COVID, but now
16 he's back -- he's back in action now. He did look at
17 it. He has very few little -- literally a very few
18 limited comments, but I think Darlene covered most of
19 them. His biggest comment centered around caliper of
20 trees. He thought the caliper of trees could be a
21 little larger. And I think there was a few -- and I
22 think a very few of -- a few species he wanted
23 changed from something to something, I'm not the
24 expert, but I will have that for you by next week.

25 MR. DeLVECCHIO: I know Ms. Rodriguez

1 and Gus have spoken in the past.

2 MS. RODRIGUEZ: Yes.

3 MR. HIPOLIT: Correct.

4 MR. DeLVECCHIO: If the board is okay
5 with it we're happy to have her reach out and
6 coordinate.

7 CHAIRMAN DePINTO: Why don't we do that
8 in the interest of time --

9 MR. HIPOLIT: His comments were minor.

10 CHAIRMAN DePINTO: Yes.

11 Why don't you communicate directly with
12 him.

13 MS. RODRIGUEZ: I will.

14 MR. HIPOLIT: That's fine.

15 MS. RODRIGUEZ: Yes. Thank you.

16 MR. HIPOLIT: I'll tell him that
17 tomorrow.

18 MS. RODRIGUEZ: Yes, I'll call him.

19 CHAIRMAN DePINTO: Anyone have any
20 questions?

21 VICE CHAIRMAN STEFANELLI: Yes.

22 CHAIRMAN DePINTO: Comments?

23 Frank?

24 VICE CHAIRMAN STEFANELLI: The only
25 comment or question I have is what are we going to do

1 with the Phase II future development area in the
2 meantime? How are we going to...

3 MR. DELVECCHIO: That's intended to be
4 --

5 MS. RODRIGUEZ: Yes, it will be graded
6 and seeded.

7 MR. HIPOLIT: Grass.

8 MS. RODRIGUEZ: I mean I know that
9 probably from the planning standpoint that they would
10 love to get somebody in.

11 VICE CHAIRMAN STEFANELLI: You're going
12 to seed it?

13 MS. RODRIGUEZ: Yes. We'll stabilize
14 it and seed it, that's usually what we do.

15 VICE CHAIRMAN STEFANELLI: Well, I'd
16 like to see some trees in there too, if you can. So
17 if we can consider that.

18 MR. HIPOLIT: Like perimeter trees?

19 VICE CHAIRMAN STEFANELLI: Yeah, just a
20 couple of them.

21 MR. HIPOLIT: To break it up a little
22 bit?

23 CHAIRMAN DePINTO: Okay.

24 Anyone else?

25 (No response.)

1 CHAIRMAN DePINTO: Okay. I think
2 that's it for now, Mr. DelVecchio.

3 Thank you.

4 MS. RODRIGUEZ: Thank you, good to see
5 you all again.

6 CHAIRMAN DePINTO: Thank you.

7 MS. HUTTER: Carry.

8 CHAIRMAN DePINTO: Yes.

9 I think we're going to call it an
10 evening, Mr. DelVecchio.

11 Question is when will you be returning?

12 MR. DELVECCHIO: If the board will have
13 us, August 2nd would be our preference.

14 CHAIRMAN DePINTO: Okay. And hopefully
15 we'll be able to get a wrap on the traffic issue.

16 Mr. Hipolit, will you'll have an
17 opportunity to review Mr. Dipple's letter of this
18 date.

19 MR. HIPOLIT: I will.

20 CHAIRMAN DePINTO: Revised plans that
21 were referenced will be sent in by then I presume?

22 MR. DELVECCHIO: Revised plans map that
23 were referenced?

24 CHAIRMAN DePINTO: Didn't you say that

25 --

1 VICE CHAIRMAN STEFANELLI: The
2 landscaping plan.

3 CHAIRMAN DePINTO: -- there will be
4 revised plan coming?

5 MR. DelVECCHIO: I don't --

6 CHAIRMAN DePINTO: No. We're okay?

7 MR. DelVECCHIO: Yes, we said we put
8 how we going the address that in the letter.

9 I'm not sure Mr. Dipple or
10 Ms. Rodriguez will have an enough time the submit
11 plans in advance.

12 MR. HIPOLIT: So, I'm not here on the
13 2nd, I'm going on a college tour.

14 CHAIRMAN DePINTO: I'm sorry. You're
15 not --

16 MR. HIPOLIT: I'm at a college tour,
17 I'm not here on the 2nd, not that you necessarily
18 need me, but I'm not here.

19 CHAIRMAN DePINTO: I think we should be
20 okay.

21 MR. HIPOLIT: I will have a review
22 letter.

23 CHAIRMAN DePINTO: Right.

24 We will have Chris here --

25 MR. HIPOLIT: Yup.

1 CHAIRMAN DePINTO: -- and I think we're
2 going to need Maurice again.

3 MR. HIPOLIT: Yes, I think Maurice has
4 to come again.

5 CHAIRMAN DePINTO: Right, yes.

6 MS. HUTTER: We need the simulation
7 model.

8 CHAIRMAN DePINTO: Yes, right.

9 MR. HIPOLIT: What?

10 CHAIRMAN DePINTO: The model.

11 MS. HUTTER: The simulation model, I
12 think Maurice needs to be here.

13 MR. HIPOLIT: Yes, Maurice is coming.
14 I think Maurice is planning -- I'll text him, he's
15 planning on coming back. Yes.

16 CHAIRMAN DePINTO: Okay.
17 What else do we have, anything?
18 (No response.)

19 CHAIRMAN DePINTO: Mr. DelVecchio,
20 anything else on your side?

21 MR. DELVECCHIO: No, other than to
22 officially announce for the record the carry date so
23 I avoid the notice issue.

24 CHAIRMAN DePINTO: Thank you.
25 The meeting will be carried to

1 August 2nd, no further notice will be provided.

2 Thank you for coming in.

3 MR. DelVECCHIO: Thank you.

4 CHAIRMAN DePINTO: Thank you.

5 We'll see you soon.

6 (Whereupon, this matter will be
7 continuing at a future date. Time noted:
8 10:35 p.m.)

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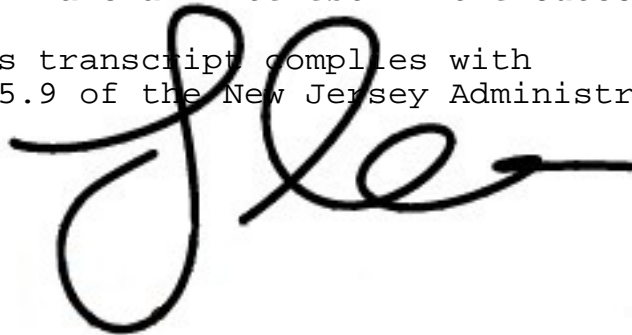
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C E R T I F I C A T E

I, LAURA A. CARUCCI, C.C.R., R.P.R., a Notary Public of the State of New Jersey, Notary ID.#50094914, Certified Court Reporter of the State of New Jersey, and a Registered Professional Reporter, hereby certify that the foregoing is a verbatim record of the testimony provided under oath before any court, referee, board, commission or other body created by statute of the State of New Jersey.

I am not related to the parties involved in this action; I have no financial interest, nor am I related to an agent of or employed by anyone with a financial interest in the outcome of this action.

This transcript complies with regulation 13:43-5.9 of the New Jersey Administrative Code.



LAURA A. CARUCCI, C.C.R., R.P.R.
License #XI02050, and Notary Public
of New Jersey #50094914, Notary
Expiration Date December 3, 2023

Dated:

Index: #320..5:00

800-333-2082

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