

1 PLANNING BOARD
2 BOROUGH OF MONTVALE
3 COUNTY OF BERGEN

4 BLOCK 2702, LOT 1, BLOCK 2801, LOT 2 :
5 and BLOCK 3201, LOT 6-TRIBORO SQUARE :
6 - MERCEDES DRIVE, GRAND AVENUE AND : VOLUME 5
7 GLENVIEW AVENUE - PLANNED UNIT :
8 DEVELOPMENT, PRELIMINARY AND FINAL :
9 SITE PLAN (PHASE I) PLANNED UNIT :
10 DEVELOPMENT AND PRELIMINARY SITE PLAN:
11 (PHASE II) - GLENVIEW ROAD (PUD) :

12 -----X

13 Council Chambers
14 Municipal Complex
15 12 Mercedes Drive
16 Montvale, New Jersey
17 Tuesday, October 16, 2018
18 Commencing 10:26

19 B E F O R E:

20 JOHN DePINTO, CHAIRMAN
21 FRANK STEFANELLI, VICE CHAIRMAN
22 JOHN CULHANE
23 ROSE CURRY, COUNCIL PRESIDENT
24 JIMMY D'AGOSTINO
25 MICHAEL GHASSALI, MAYOR
26 WILLIAM LINTNER
27 MAGGIE O'NEILL
28 ANNMARIE RUSSO
29 DANTE TEAGNO
30
31 ROBERT REGAN, ESQ., BOARD ATTORNEY
32 LORRAINE HUTTER, BOARD SECRETARY
33 JEFFREY FETTE, BOROUGH CONSTRUCTION CODE OFFICIAL
34 DARLENE GREEN, PLANNER
35 ANDREW HIPOLIT, BOROUGH ENGINEER
36 GUSTAVE E. DeBLASIO, MASER CONSULTING

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1 W I T N E S S E S

2 VOIR
3 DIRE DIRECT THE BOARD

4 BETSY DOLAN

5 BY: MR. DEL VECCHIO 9

6 BY: THE BOARD

7 E X H I B I T S

8 PAGE

9 (Exhibits have not been marked.)

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

2
3 July 3, 2018

4 A-1 Id. Affidavit of Notice

5 A-2 Id. L2A Plans, 26 Sheets
6 Last Revised 5/17/2018

7 A-3 Id. L2A Completeness Response Letter
8 5/17/2018

9 A-4 Id. Landscape Plans by Parker Rodriguez
10 12 Sheets, Last Revised 3/2/2018

11 A-5 Id. Lessard Architectural Plans
12 30 Sheets, Last Revised 3/2/2018

13 A-6 Id. E.I.S. Report by L2A, 3/2/2018

14 A-7 Id. Survey by Gallas Surveying Group
15 4/8/2016, Last Revised 7/20/2017

16 A-8 Id. L2A Sewer Capacity Report, 3/6/2018

17 A-9 Id. L2A Storm Water Management Report
18 3/2/2018

19 A-10 Id. L2A Storm Water Maintenance Manual
20 3/2/2018

21 A-11 Id. NJ DEP Flood Hazard Permit and
22 Verification, 12/7/2016

23 A-12 Id. Traffic Impact Report by Dolan & Dean
24 2/28/2018

25 A-13 Id. Settlement Agreement, 11/2017
With the Borough and S. Hekemian

B-1 Id. Completeness Letter, Maser, 5/25/18

July 30, 2018

A-14 Id. Architectural Drawings
Updated 7/16

A-15 Id. Materials Board

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

2 September 4, 2018

3

4 A-16 Id. L2A Site Plan Set, 29 sheets,
Last Revision Date 8/17/20285 A-17 Id. Parker Rodriguez Landscape Plans
9 sheets, revision date 8/18/2018

6

7 A-18 Id. Lessard Architectural Plans
29 Sheets, Last Revision Date 8/17/20188 A-19 Id. L2A Prepared Soil Movement Plan
3 sheets, Revision Date 8/17/2018

9

10 A-20 Id. L2A Prepared Response Letter
Summarizing Changes to
Drawings and Plans, 8/17/2018

11

12 A-21 Id. Sewer Capacity Report, 8/17/2018

13

14 A-22 Id. L2A Preliminary Report, 8/17/2018

15

16 A-23 Id. Dolan & Dean Traffic Report, 8/17/2018

17

18 A-24 Id. Dolan & Dean Shared Parking
Analysis, 8/17/2018

19

20 A-25 Id. L2A Amended EIS Report, 8/17/2018

21

22 A-26 Id. Prepared Storm Water Maintenance
Manual, 8/17/2018

23

24 A-27 Id. L2A Prepared Engineering Report
8/17/2018

25

26 A-28 Id. Lessard Prepared Schematic Design
Drawings, 6 Sheets, 8/22/2018

27

28 A-29 Id. Lessard Summary of Changes
to Drawings, 8/28/2018

29

30 A-30 Id. Amended Soil Moving Permit Application

31

32

33

34 B-2 Evid. Montvale Fire Department Plan Review
Committee Memo, 8/31/2018

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

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October 10, 2018

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A-31 Id. Utility Plan 1, Sheet C12
By L2A, 9/14/2018

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1 (Agenda)

2 CHAIRMAN DePINTO: Mr. Del Vecchio.

3 With respect to the application, Block 2702, Lot 1,
4 Block 2801, Lot 2, and Block 3201, Lot 6, Triboro
5 Square - Mercedes Drive, Grand Avenue and Glenview
6 Avenue, Planned Unit Development, preliminary and
7 final site plan, (Phase I), Planned Unit Development
8 preliminary site plan (Phase II) - Glenview Road, PUD.

9 Good evening, everyone.

10 MR. DEL VECCHIO: Good evening, Mr.
11 Chairman, members of the Board. We are here on
12 continued public hearings on the Triboro Square
13 application.

14 When we last left off, we had gotten through
15 most, if not all of the testimony of, Miss Dolan, our
16 traffic consultant.

17 There were a couple of items that came up
18 during the course of her direct examination that the
19 Board had specifically asked that she take a look at,
20 that we asked for time to understand the data behind
21 and then to come back and complete her testimony and
22 that is what we propose to do this evening at this
23 point.

24 Just to refresh the record, there are a couple
25 items that we were asked to look at. One was the best

1 place and recommendation for pedestrian movement
2 between the Shoppes at DePiero's and the site known
3 as, it should be known as Triboro Square.

4 Miss Dolan is one of our team members that had
5 put some input into that solution. You won't see a
6 plan this evening in terms of a pedestrian travel
7 path. That is going to come at our next meeting with
8 Trini Rodriguez and Mr. Dipple.

9 Miss Dolan had a component part in making
10 recommendations on that. I would like her to share
11 those with the Board so that when you do see the plan
12 that is coming you understand and have an opportunity
13 to know that Ms. Dolan did have some input and
14 recommendations into it.

15 The second item that we had to look at was the
16 turning or entrance and exit configuration from the
17 site to Grand Avenue West from the, I'll call it the
18 detail pad and hotel site of the project. There was a
19 request that we take a look at, at the time or
20 initially the County was considering and allowing us
21 to make a left turn in.

22 We had indicated that a left turn in is
23 something that this Board was uncomfortable with
24 despite the County indicating their willingness to
25 allow it. We would withdraw the request for the left

1 turn movement in.

2 But I asked Ms. Dolan to please relook at the
3 data, the traffic counts and to come back prepared
4 this evening to discuss that issue with the Board.

5 And the final issue that I had asked Ms. Dolan
6 to look at, be prepared to discuss this evening, there
7 was a suggestion made that there had been a large
8 number of accident reports stemming from the Shoppes
9 at DePiero's and the surrounding roadway network and
10 of course that concerns us not only as a potential
11 developer of this site where we need to anticipate and
12 accommodate those items and possibly address them if
13 they are something that belongs to this develop. But
14 also as the owner of the Shoppes at DePiero we want
15 you to know about them.

16 We have received the large number of police
17 reports that cover the area not just the Shoppes at
18 DePiero. They cover the Mercedes, Grand Avenue,
19 Philips Parkway. And those reports have been looked
20 at. We have taken a look at the details, not just the
21 fact that the report exists. There is some comity in
22 those reports to be had but there's also some serious
23 stuff that we are looking at.

24 And, I asked Ms. Dolan to discuss those with
25 you this evening.

1 DIRECT EXAMINATION BY MR. DEL VECCHIO:

2 Q So, Ms. Dolan, in no particular order,
3 kind of outline the stage of the items that I called
4 you back to talk about and if you would address each
5 one of them for us.

6 A Sure. At the last meeting, I guess it was
7 two weeks ago, there was a lot of dialogue regarding
8 the connectivity between the Shoppes at DePiero and
9 the Triboro site. And for the pedestrian safety and
10 the appropriate crossings, of course there is the
11 signalized driveway on Mercedes Drive opposite Farm
12 View that includes pedestrian accommodations; and, so
13 we want to enhance that with, whether it's textured
14 pavement and/or colored pavement, those are the types
15 of things that the team is working on now. And at our
16 last meeting we also had input from Mr. Rachad who was
17 here at that time and Mr. Hippolet about a secondary
18 crossing at the unsignalized four-way intersection on
19 Mercedes Drive that's to the south of the signal and
20 closer to Borough Hall.

21 So an overall plan is being developed by the
22 team to incorporate those locations as the appropriate
23 pedestrian crossings and to deflect crossings, what we
24 might call mid block because we certainly don't want
25 to have that.

1 At of the last meeting we talked about the Grand
2 Avenue driveway. Our first report that was submitted
3 back in February had looked at a right-in only on
4 Grand Avenue. Then, at the County's request, we
5 revised our study to include the existing left turn
6 movement off of Grand Avenue into the site as well as
7 right-in right-out.

8 Any combination of movements can, I'll say, work
9 in terms of the operational Levels of Service. It's
10 not a high concentration of traffic volumes entering
11 and exiting at that location. My suggestion and, and
12 opinion at the last meeting was that the left-in was
13 not only not necessary but it's usually the type of
14 movement that we're asked to eliminate if it exists
15 for a prior use.

16 There's enough capacity at the Grand Avenue and
17 Mercedes Drive signalized intersection to accommodate
18 those movements if they're not made into and out of
19 Grand Avenue. But certainly right-in right-out could
20 be accommodated directly into and out of that northern
21 portion of the site enclosures to the Grand Avenue
22 corridor.

23 Also related to some of the conversation we had
24 last, two weeks ago, sorry, was with regard to the
25 Hornrock application and the traffic study that was

1 prepared for that application, there was a suggestion
2 that we should update our analysis to include the
3 traffic from Hornrock or at least the portion within
4 Montvale.

5 Mr. Hipolit gave us a copy of the July 2018
6 traffic study for Hornrock. They actually included
7 the Triboro traffic so they did that analysis that was
8 asked about last month to make sure that the total
9 combined traffic volumes still work.

10 So the July, is it July 10th, 2018 report by
11 Dynamic, they came up with their own projections but
12 they included Triboro, they included Hornrock and
13 other area development. Their traffic volumes that
14 they analyzed at Grand Avenue and Mercedes Drive were
15 actually a little bit higher than those in our
16 reports. So you've got that analysis in your records
17 so-to-speak.

18 We've been reviewing that study. Their Level of
19 Service and conclusions are essentially the same as
20 from our, our latest report which is from August of
21 2018.

22 And then that brings us to the accident records.
23 And we were provided with accident reports from the
24 Police Department beginning back in December of 2017
25 which, I guess, is when the DePiero's pretty much

1 started operating and generating traffic all the way
2 through the last reported accident which was September
3 17th of this year. So we had a total of, in the
4 course of 2017 where accidents were reported, three
5 months, there were 13 reported accidents. And 35 from
6 January through September of 2018.

7 What type of accidents? Well --

8 Q And where?

9 A And where.

10 The majority of accidents that were reported
11 were people within the Wegmans and/or Starbucks
12 parking lot, backing out of the parking spaces and
13 backing into one another. There were a total of 10 of
14 those.

15 The next most common type of accident was,
16 again, within the Wegmans parking lot where someone
17 was trying to get into a parking space and they hit
18 another car that was in the adjacent space already
19 parked.

20 After that, the next most frequent accidents,
21 there was six accidents where eastbound traffic on
22 Grand Avenue and a left turning vehicle onto Mercedes,
23 we'll call it a right angle accident. It was usually
24 associated with somebody thinking that they could beat
25 the light and they didn't have enough gap time.

1 There were another, on site parking lot
2 accidents that were -- there were five of them where
3 people were hitting at right angles; somebody is
4 traveling through an angle and being hit by another
5 person looking for a parking space.

6 And then the other type of accidents were rear
7 end at traffic signals where someone stopped and the
8 next person doesn't realize the person ahead of them
9 is stopped so there were four of those.

10 There were two associated with deer crossing
11 Grand Avenue.

12 There were two associated with ice and snow.
13 There were two associated with the milled pavement
14 conditions on Grand Avenue before it was repaved.

15 There was one associated with a drawer being
16 tossed out onto Grand Avenue and a person couldn't
17 avoid it.

18 One with a trailer being pulled by a vehicle
19 through the parking lot at Wegmans and hitting a
20 parked vehicle and one associated with a runaway
21 shopping cart.

22 So the variety of accident types, the majority
23 of which were within the parking lots at the DePiero's
24 site.

25 Q And, Miss Dolan, in terms of the main

1 access road from Mercedes into the Shoppes at DePiero,
2 were any of those events reported on that roadway?

3 A There was a side swipe accident where
4 someone traveling southbound on Mercedes hit a parked
5 vehicle but that was north of the Farm View signalized
6 intersection.

7 Q And no accidents reported on Farm View
8 itself?

9 A Other than one of those weather condition
10 related accidents, someone basically lost control of
11 their car in some slushy conditions on Farm View.

12 Q In light of your review of the accident
13 history both on the DePiero's site as well as the
14 adjacent roadway network, the work you've studied on
15 Mercedes and the proposed project for Triboro, do you
16 believe that the roadway versus Mercedes Drive can
17 adequately accommodate the development as is currently
18 configured?

19 A Yes, I do. We've talked about some
20 enhancements to allow for the pedestrian circulation
21 between the two sites but certainly Mercedes Drive and
22 the configuration of access for the DePiero and the
23 Triboro sides of the corridor allow for vehicular
24 interaction. We've looked at the traffic volume
25 projections. There's sufficient geometry to

1 accommodate the movements and the entire corridor is
2 appropriately designed with enough pavement to make
3 the turning maneuvers and certainly we're not seeing
4 anything in the accident reports that would indicate
5 corrective measures are necessary.

6 Q Now given the additional work that you
7 have done and the additional materials you reviewed,
8 have you formulated an opinion and convey that opinion
9 to the rest of the project team as to where pedestrian
10 traffic would be best facilitated either on the site
11 or between the two sites that we're talking about?

12 A Well, with the on-site circulation, the
13 goal is to have connectivity to the two main access
14 points along Mercedes Drive, one being at the
15 signalized intersection opposite Farm View, the
16 entrance at DePiero's and then just south of that at
17 the four-way unsignalized intersection on Mercedes
18 Drive.

19 So the pedestrian connections have been built
20 into the signal system that exists at that new
21 signalized four-way intersection and we will be
22 enhancing that and then also making improvements to
23 provide pedestrian crossings at the unsignalized
24 four-way intersection.

25 Q And in terms of pedestrian safety, have

1 you made any recommendation as to what that crosswalk
2 area should or shouldn't be?

3 A We have talked about a variety of
4 different colors and textures and the goal would be to
5 highlight the entire four-leg intersection square so
6 that that's a defined visual queue for drivers and
7 pedestrians alike. Of course it would have to be in
8 compliance with the manual on Uniformed Traffic
9 Control devices so that there is the appropriate
10 definition for both pedestrians and drivers to
11 identify.

12 Q And with those type of improvements
13 included within the plans are you comfortable that the
14 pedestrian movements between the two sites can happen
15 in a safe manner for those pedestrians and the motor
16 vehicles, that they use the same roadway?

17 A Yes. Particularly with the available
18 sight distance at relatively straight alignment of
19 Mercedes Drive and the configuration of these access
20 intersections at 90 degree angles we could put
21 appropriate crosswalks on all four sides of each
22 four-way intersection.

23 MR. DEL VECCHIO: Thank you, Miss Dolan.

24 I have nothing further of Miss Dolan at this
25 time and make her available to the Board for your

1 questions.

2 CHAIRMAN DePINTO: Thank you. I guess I'm
3 starting with Miss O'Neill.

4 Do you have any questions of Miss Dolan.

5 MS. O'NEILL: I have no questions for Miss
6 Dolan.

7 CHAIRMAN DePINTO: Thank you.

8 Mr. Teagno.

9 MR. TEAGNO: I have a question. I'm not
10 sure it's traffic related but that's as close as I can
11 get. Maybe Mr. Del Vecchio could tell me.

12 MR. DEL VECCHIO: Mr. Dipple is right
13 behind her so we could always come to him.

14 MR. TEAGNO: I've been wondering since
15 this application came in, it's a big site. It's got a
16 lot of buildings on it. And give me 30 seconds, I'll
17 get to where I want to go.

18 There's two buildings, tenants, residences with
19 retail space below. Do we know how many rooms there
20 are, how many bedrooms there are, how many units?

21 You have to have some idea of how many, what the
22 occupancy of those buildings would be.

23 There are a certain number of retail floor
24 space. You have to know what kind of traffic you
25 expect there. The office building, you know what the

1 square footage is.

2 I'm sure there's a statistic that says for every
3 hundred thousand square feet of office space you have
4 so many people working there.

5 The hotel is 150 rooms so that's an occupancy.
6 Then you got some kind of a dedicated store and some
7 kind of a drive-in and then you've got Arc and some
8 other retail spaces in there.

9 Is there any way to get -- what I'm really
10 looking for, is there any way to get an idea of what
11 the maximum population of the site would be if it was
12 fully utilized?

13 MR. DEL VECCHIO: It almost sounds like
14 parking demands.

15 CHAIRMAN DePINTO: In terms of units?

16 MR. TEAGNO: In terms -- I'm looking for
17 people because I think they're both important.

18 You know, if all the stores are closed and it's
19 a Sunday how many people are living there, how many
20 are in the hotel. That would be a minimum. Maximum
21 would be if everything was open and everything was
22 fully populated.

23 MR. DEL VECCHIO: I think the closest that
24 we can get is using the parking standards that
25 accommodate or account for that. And the parking

1 standards are a little different than the building
2 code so I don't want to mix apples and oranges.

3 The building code sets maximum occupancy using a
4 different standard.

5 From a zoning and planning perspective that
6 we're talking about here, I think the parking
7 calculation is probably the closest. I think we have
8 it broken down. I'm not sure quite as finite as you
9 have broken down the terms of the question but let's
10 see if we can give you those numbers.

11 MR. TEAGNO: Doesn't your number of
12 parking spaces come from extrapolating some other
13 calculations?

14 MR. DEL VECCHIO: Parking spaces come from
15 RSIS standards or how many spaces you need per unit.

16 MR. TEAGNO: How about office spaces?

17 MR. DEL VECCHIO: Office space is strictly
18 under your Code. I think it's --

19 THE WITNESS: One space for every 300
20 square feet.

21 MR. TEAGNO: Then maybe that would be the
22 closest. Maybe I did ask for it.

23 THE WITNESS: I'm referring to a report
24 called a shared parking analysis dated August 17th,
25 2018.

1 MR. TEAGNO: Yes.

2 THE WITNESS: And we have Table 1 that
3 summarizes the required parking for each of the uses.

4 So for the office it's 135 parking spaces
5 required. We have restaurant space estimated with one
6 space for every three seats, one space for every two
7 employees, 135 spaces.

8 Retail 142 spaces. The hotel 188 parking
9 spaces.

10 One-bedroom apartments have a demand of 178,
11 two-bedroom apartments 398, three-bedroom apartments
12 21.

13 So the total required parking 1,197 spaces.

14 MR. TEAGNO: So can you try to make an
15 estimate on how many people that would be?

16 I know it's different formulas giving a
17 different number of parking spaces or a range, even a
18 range, if you know.

19 THE WITNESS: I don't know that I could do
20 that. That part of my analysis was how many -- part
21 of your question was the concentration at any one
22 time. That would be the requirement if everybody was
23 there all at the same time.

24 But because residences are, they're over there
25 overnight and not there so much during the day we

1 actually backed this up to a shared parking number of
2 878.

3 MR. TEAGNO: What was the total number of
4 parking spaces?

5 THE WITNESS: 1,197.

6 MR. TEAGNO: So I'm thinking they're going
7 to have at least 2,000 people there or 2,500 capacity
8 for that number of people.

9 THE WITNESS: Again, from, and I can't
10 really estimate the population but I would just say
11 that the parking is, that that total, 1,197, is
12 assuming that all uses are occupied at the same time,
13 generating parking demands at the same time whereas
14 the hotel and residential will have peak parking
15 overnight, less during the day and the retail office
16 and restaurant is more during the day and virtually
17 none overnight.

18 MR. TEAGNO: Okay. Thank you. That's
19 close enough.

20 THE WITNESS: Okay.

21 CHAIRMAN DePINTO: Thank you.

22 Mr. Culhane.

23 MR. CULHANE: At the controlled
24 intersection, we would have crosswalks going on both
25 the north and south side of the intersection going

1 from DePiero's over to the project site?

2 THE WITNESS: Yes.

3 MR. CULHANE: The concern I would have
4 would be with the north side between right turns
5 coming out of the Wegmans and the left turns coming
6 out of your site.

7 THE WITNESS: Well, there is pedestrian
8 control at that intersection so that there's a phase
9 that can be called up for the pedestrian so that those
10 movements have a red indicator while the pedestrians
11 have the ability to cross. That was built into the
12 traffic signal system.

13 MR. CULHANE: So what you're saying is
14 that it would be like the old barns walk, if we wanted
15 to walk across.

16 THE WITNESS: Right. We do have the heads
17 there so the pedestrian phases are built into that
18 traffic signal.

19 MR. CULHANE: No other questions at this
20 time, Mr. Chairman.

21 CHAIRMAN DePINTO: Thank you.

22 Mr. Fette.

23 MR. FETTE: No questions at this time, Mr.
24 Chairman.

25 CHAIRMAN DePINTO: Thank you.

1 Mr. Stefanelli.

2 VICE CHAIRMAN STEFANELLI: Would that,
3 would that intersection now on Mercedes and at
4 DePiero's, would that be, would that be signalized
5 with Grand Avenue with the other lights?

6 THE WITNESS: You know, I don't know if
7 that was done because Maser did the final plans for
8 all of that. I don't know if they are coordinated.

9 VICE CHAIRMAN STEFANELLI: My question is
10 then should it be coordinated?

11 MR. HIPOLIT: The short answer is yes.
12 But it's a much bigger question.

13 VICE CHAIRMAN STEFANELLI: I get that but
14 you talked about them and she mentioned we'll never
15 have everybody at the same time.

16 What about a holiday? There's holidays that
17 everybody is off and the stores are open. So I could
18 see everybody there.

19 And Wegmans probably, I could see -- the
20 question is that would we have a traffic, would we
21 have some kind of signalization that -- I don't want
22 to have a traffic jam. That's, that's my fear there
23 is having, you know, traffic. Then I'd have to walk
24 there.

25 MR. HIPOLIT: It's a good question.

1 THE WITNESS: Well, I can say that the,
2 the combination of traffic volume projections that we
3 have looked at are resulting in the middle of the
4 scale in the Level of Service scale. So certainly if
5 things ramp up at the holidays you're going to have a
6 little more traffic but there's excess capacity for
7 that surge in those signals.

8 VICE CHAIRMAN STEFANELLI: I could see the
9 signals, I would hope to be with Grand Avenue.

10 MR. HIPOLIT: It has the capacity.

11 THE WITNESS: The original projections
12 that we used to design those intersections haven't
13 come to fruition. DePiero's trip generation that we
14 have reported isn't quite as high as the projections
15 that we used in the prior study so you get the extra
16 buffer.

17 As Mr. Rachad said at the last meeting, we also
18 do the background traffic growth so there is that
19 extra factor of safety.

20 VICE CHAIRMAN STEFANELLI: I see Montvale
21 is still desirable and our application before this,
22 998 beds and you still have your site below that has
23 not been developed yet.

24 I mean, I see other -- you know, I see even
25 great roads, places there that we've have approaches

1 about development and that, that's what I want to make
2 sure that we have an opportunity to signalize in that
3 area. I want to make sure that happens.

4 That's it.

5 CHAIRMAN DePINTO: Thank you.

6 Miss Russo.

7 MS. RUSSO: I have no questions.

8 CHAIRMAN DePINTO: Thank you.

9 Mr. Lintner.

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

11 I just want to review where we stand currently
12 with the access on to the site.

13 The first driveway you feel should be right-in
14 right-out. You don't agree with the left-in off of
15 Grand.

16 THE WITNESS: I was advised that the
17 County suggested we keep them.

18 MR. LINTNER: Right.

19 THE WITNESS: Because, again, there is the
20 ability to turn left at the signalized intersection at
21 Mercedes. Generally, when I'm faced with a
22 redevelopment proposal, it's let's keep access, access
23 management.

24 And because the volumes can be high on Grand
25 Avenue and you're crossing a few lanes to turn into

1 the site, I was surprised the County had suggested
2 that we keep that.

3 I thought that right-in right-out would be all
4 we would get.

5 MR. LINTNER: And how about the second one
6 off of Grand. Is that one -- are you still, you still
7 feel that one is necessary, the right-turn in, the
8 second right-turn in?

9 THE WITNESS: Well, I think that wherever
10 this access configuration ends up, the right-in
11 right-out is what's going to be appropriate. I think,
12 because of the configuration of the property and the
13 different circulation aisles and in this version,
14 again, we were trying to maintain that existing
15 location where the left-turn slot is so if the County
16 determines we don't get the left-in, I know the Board
17 had concerns about this two weeks ago, we may be, you
18 know, revising that again. So I think we're going to
19 end up with right-in right-out.

20 The goal of this particular plan that's up on
21 the screen now was to make it easy to get into the
22 different sections without hitting an on-site
23 intersection, you know, just kind of keeping a free
24 movement in that north corner of the site.

25 MR. LINTNER: All right. Thank you.

1 THE WITNESS: You're welcome.

2 CHAIRMAN DePINTO: Thank you.

3 Mr. D'Agostino.

4 MR. D'AGOSTINO: Yeah. I guess, are you
5 at all concerned about the amount of traffic at the,
6 I'll call it the main entrance, the controlled
7 entrance intersection at DePiero's?

8 I just see there's a lot of convergence there
9 and I think what happens at the north end of the site
10 is going to be, what the County allows you to do
11 dramatically effects the rest of the site.

12 Right?

13 I mean so we just -- you are funneling a lot of
14 traffic through that intersection and just stacking
15 seems like it's going to be an issue.

16 THE WITNESS: Well, in the first report
17 that we submitted did not include the direct left in
18 from Grand Avenue and it did not include a right-out
19 to Grand Avenue. All it included was a right-in.

20 And with the distribution of site traffic to the
21 different access points we did have acceptable levels
22 of operation at that signalized driveway that you're
23 talking about.

24 So we have looked at it a couple different ways.
25 We do want to make sure that the access is convenient

1 and able to allow traffic to be distributed to where
2 it wants to go.

3 But because the predominant movement is out of
4 these sites and then left onto Grand Avenue, we loaded
5 up that signalized access to make sure that it would
6 work. So we look at it now twice, from two different
7 distribution patterns and have obtained acceptable
8 operational levels at that location.

9 MR. D'AGOSTINO: And as far as percentages
10 of allocation of use, I mean I'm sure it differs at
11 times of day but I mean would you say that that
12 entrance, controlled intersection on Mercedes Drive
13 was 80 percent of the population, 50 percent of the
14 trip visits?

15 I know that's kind of arbitrary because on a
16 Saturday night it's probably different with the hotel.

17 I have to assume that that's the main
18 intersection.

19 THE WITNESS: Right. It's definitely the
20 main intersection.

21 And I'm looking back to the distribution of our
22 site traffic in our report. It looks like we've
23 probably got close to probably 40 percent if not 50
24 percent of the traffic at that location. So, yes, we
25 have a dependency on that location.

1 MR. D'AGOSTINO: No further questions.

2 CHAIRMAN DePINTO: Thank you.

3 Mr. Regan, did you have a question?

4 MR. REGAN: Yeah, just a couple.

5 Miss Dolan, you indicated that you believe that
6 from Grand Avenue right-in right-out is the most
7 appropriate?

8 THE WITNESS: Yes.

9 MR. REGAN: And you've said that the
10 County prefers that the left turn in be still allowed?

11 THE WITNESS: Well, it was my
12 understanding back in August. I did not have any
13 direct dialogue with the County. I think Mr. Dipple
14 and Mr. Del Vecchio did.

15 But when we revised our report in August, part
16 of that revision was to include the direct left-in
17 exists from Grand into the property.

18 MR. REGAN: The existing left from Grand
19 into the site?

20 THE WITNESS: That's right.

21 MR. REGAN: You didn't have any
22 conversations with anyone at the County?

23 THE WITNESS: I did not.

24 MR. REGAN: Did you get anything in
25 writing or do you know if anybody on your professional

1 team has anything in writing?

2 THE WITNESS: I don't think I've seen
3 anything in writing so that would be a question for
4 Mr. Dipple or Mr. Del Vecchio.

5 MR. REGAN: Okay. Thank you.

6 THE WITNESS: You're welcome.

7 CHAIRMAN DePINTO: Okay. With respect to
8 the parking garages, which are contained in the
9 buildings that house the residential units, because of
10 the location of them, would you anticipate that the
11 majority of the tenants and visitors to those
12 apartments would be gaining access off of the
13 controlled intersection or the Grand Avenue access
14 points?

15 THE WITNESS: I just want to look at how
16 we distributed because, accessed to put together
17 separate distribution.

18 So we had, we had 56 percent of the residents
19 entering the signalized driveway and the balance, the
20 unsignalized driveway and then, and the reciprocal
21 amounts coming back out. So a little higher
22 orientation using the signalized driveway.

23 CHAIRMAN DePINTO: And with respect to the
24 hotel, what is the balance of the traffic of the
25 visitors going to the hotel if we have 150 rooms?

1 Are they coming in off of Grand Avenue or did
2 not your traffic study go beyond the limits of the
3 property?

4 THE WITNESS: We had the hotel traffic
5 coming in off of Grand and we also had some coming in
6 off of Mercedes.

7 CHAIRMAN DePINTO: And how about the other
8 out parcels, the two other out parcels on Grand
9 Avenue?

10 THE WITNESS: For the office space
11 between --

12 MR. DEL VECCHIO: I think he's referring
13 to the two retail pads fronting on Grand Avenue.

14 CHAIRMAN DePINTO: Right.

15 THE WITNESS: Yeah. We had a lot of
16 retail traffic coming in from Grand Avenue up in that
17 north end and less so using the Mercedes Drive access
18 points.

19 CHAIRMAN DePINTO: So for those two
20 buildings, the majority would be coming in off of the
21 Grand Avenue?

22 THE WITNESS: That's how we analyzed it.

23 CHAIRMAN DePINTO: Isn't it by traffic
24 design more desirable to bring the traffic to
25 controlled intersections versus not?

1 THE WITNESS: Well, the theory is to have
2 an unimpeded inbound movement so you want the people
3 who are coming into the center to have essentially the
4 right-of-way so it's more so a design on-site to make
5 sure that they're not encumbered by people backing out
6 of parking spaces that, which then require them to
7 slow down and possibly back out on to the system.

8 So with a right-in off of Grand and an unimpeded
9 on-site circulation system, we would expect that to be
10 a positive design for circulation access.

11 CHAIRMAN DePINTO: I think -- this is my
12 experience, motorists seek the quickest or shortest
13 route to get from Point A to Point B.

14 With a right hand turn in, of two points on
15 Grand Avenue with the traffic, traditionally traffic
16 patterns remain as they've always been where we get
17 this northbound traffic exiting off of the Parkway
18 onto Grand Avenue. Once they come in on these street
19 flow access points on Grand Avenue, how are they going
20 to maneuver from those two access points to the
21 buildings on the southern side of the project?

22 Is there a direct route for a resident, for a
23 resident in one of those two buildings to drive past
24 the two retail outlets and the hotel to get to the
25 garage beneath their apartment?

1 THE WITNESS: No. That's why we've added
2 the majority of the residential traffic through the
3 Mercedes Drive driveways.

4 You can certainly travel through the site and
5 whether or not they end up being two ingress points
6 from Grand Avenue, I don't know that that's going to
7 happen when we revise to whatever we may be revising
8 but certainly it's not, it would be more circuitous
9 for someone whose destination is in the middle or
10 southern portion to enter from Grand Avenue. They'll
11 probably prefer to turn onto Grand Avenue and then
12 choose one of the driveways which will bring them
13 closest to their destination.

14 So I agree, it's a path of least resistance and
15 certainly not expecting a lot of maneuvering from
16 Grand Avenue to the southern limits of the site.

17 CHAIRMAN DePINTO: Right. I'm just
18 concerned because we do have main aisles in the
19 project but we have parking off of those main aisles.

20 And before when you were testifying you were
21 talking about accidents that were occurring in the
22 lifestyle center and in the Wegmans parking lot. A
23 number of those accidents were because of people
24 backing in or pulling out of the parking spaces onto
25 not a main aisle but a secondary type aisle going up

1 and down.

2 Can we achieve the traffic circulation on-site
3 that you're projecting when we have so much parking
4 off the main aisles?

5 THE WITNESS: Well, I have not -- I have
6 looked at the site circulation with regard to
7 compliance with typical design standards. I have not
8 looked at the -- I haven't done an on-site volume
9 analysis, I guess that's the way to put it.

10 CHAIRMAN DePINTO: Yeah, which I think is
11 important. Because when we look at the design of
12 parking lots -- Mr. Hipolit maybe you could help me
13 with this. When we look at the design of parking
14 aisles in our commercial centers and our office
15 buildings, we have always tried to keep parking off of
16 main aisles. And we have found where we didn't do
17 that we created dangerous conditions where people
18 either are attempting to parallel park or other,
19 backing out into the main traffic aisle and traffic
20 backing up.

21 So, Andy, in your review of the proposed parking
22 plan, is that not of your concern because of the
23 different use of this property?

24 MR. HIPOLIT: So it is. Our concern is
25 that a lot of the aisles that come in and out of this

1 project, their main access points that are very close
2 to buildings and have parking across, across it,
3 different than across the street. So across the
4 street you have that main access aisle and it's only
5 back to Wegmans and no parking until you get to the
6 back of the Wegmans building. They only have this
7 condition on the site.

8 As soon as you pull in this site you are
9 intercepted by an access aisle immediately or parking
10 immediately. So it's a concern that --

11 I mean if you're going to -- Betsy, I know you
12 talked about it a little bit but if you have free flow
13 of traffic off of Grand Avenue, right-turns coming in
14 off the Parkway, you want to give them some time
15 before they come upon a parking space.

16 Even the same at the intersection.

17 CHAIRMAN DePINTO: What has triggered this
18 concern is the statements you made relative to the
19 accidents over at DePiero's and on the DePiero site
20 they're not fully attended. And, and even when we are
21 full attended, there is going to be, at peak times, a
22 lesser number of vehicles on the DePiero site than on
23 the Mercedes site. But yet they're showing parking on
24 all aisles.

25 So whether we access off of Grand Avenue or do

1 not access off of Grand Avenue, are we providing
2 enough roadway unencumbered to vehicles, for vehicles
3 to get on to the site off of Grand or Mercedes without
4 running into someone who's trying to negotiate a
5 parking spot.

6 Go back to the numbers you gave us on accidents
7 in the parking lot up at DePiero's.

8 THE WITNESS: There were 10 backup
9 accidents with vehicles in the aisles and five that
10 were backing out simultaneously with someone else
11 backing out.

12 CHAIRMAN DePINTO: Was that at the life
13 style center or at the Wegmans?

14 THE WITNESS: The majority of them were
15 labeled as Wegmans. A couple of them were labeled as
16 Starbucks but the majority seemed to be Wegmans.

17 MR. HIPOLET: But not on that access
18 drive.

19 THE WITNESS: Pardon me?

20 MR. HIPOLIT: Except for that one.

21 CHAIRMAN DePINTO: So the access drive is
22 functioning as designed and functioning as we normally
23 would do in an office building.

24 It's the parking lot aisles which are what, 24
25 feet at the Wegmans?

1 THE WITNESS: Yeah.

2 MR. HIPOLIT: Yes.

3 THE WITNESS: Some of them.

4 CHAIRMAN DePINTO: Betsy, a high number, a
5 low number? I have no idea.

6 THE WITNESS: Well, we've got a little
7 more than a year's worth of data so -- and it is new,
8 also. So some of those types of things.

9 If the site had been operating for a few years
10 and we would look at a three year snapshot which is
11 what we typically do that might guide us towards an
12 incident that might need to be looked at.

13 Here we are looking at a new center that's been
14 open just a little over a year so we've got a year's
15 worth of data. You read in the accident reports a lot
16 of inattentiveness. I didn't hear my backup sensor
17 wasn't working, the reliance on fancy new things.

18 So these seem to be very typical of on-site
19 accidents. Some of them were, I went into Wegmans and
20 I came out and I saw a scratch on my car. Well, there
21 was one where the surveillance video didn't even pick
22 up anything. So, overall, I would say this is a new
23 center, people are getting familiar with it. None of
24 these were serious. They're fender benders, people
25 aren't paying attention so I would say for a new

1 center this is not, I wouldn't call it high.

2 MR. HIPOLET: So, Betsy, the thing that
3 would be helpful for the Board, there's five access
4 points on this site. And when you were talking about
5 a free flow access into the site but really only on
6 the one point which would be the Grand Avenue
7 westbound drive do you have kind of a free flow into
8 the site. And all of the other four, you don't, you
9 immediately encounter either parking spaces very
10 quickly or a drive aisle and parking spaces very
11 quickly.

12 So maybe you should look at that and give us
13 some testimony on that the next time you come back.

14 THE WITNESS: I can look at that.

15 CHAIRMAN DePINTO: All right. Because I
16 think it's interesting we have at least two members of
17 the Board who have had accident experiences up there.

18 Is that correct?

19 Lorraine, you had one?

20 MS. HUTTER: The first week it was open I
21 had one.

22 CHAIRMAN DePINTO: And Annmarie, you have
23 had one?

24 MS. RUSSO: Yes.

25 MR. STEFANELLI: I park at the end of the

1 parking lot and walk.

2 MS. RUSSO: I had a big crack on the end
3 of my --

4 CHAIRMAN DePINTO: On the Wegmans side?
5 I'm sorry. What?

6 MS. RUSSO: I parked far. I parked
7 practically over here and walked all the way over from
8 the liquor store side and some person still cracked
9 into --

10 CHAIRMAN DePINTO: I recognize that you
11 have this short period of time, this one year period
12 of time, the newness of DePiero's.

13 And I guess we, as visitors, have to become
14 accustomed to the site design and the layout and the
15 parking and that may change in Year 2 or Year 3.

16 But I think we can learn somewhat from what's
17 going on.

18 And I think we have to look carefully at the
19 development to ensure to the best of our ability that
20 we're not having situations like that.

21 You know, a cracked bumper is one thing but
22 backing into a pedestrian is something of greater
23 concern.

24 Obviously, I think we've got to look at this
25 more carefully.

1 Okay. Mr. Del Vecchio, the hour is late. We're
2 going to have to carry, obviously.

3 What, what's that look like other than all
4 screwed up?

5 MS. HUTTER: The 29th.

6 CHAIRMAN DePINTO: October 29th.

7 MR. LINTNER: Everybody has a special
8 meeting.

9 MS. HUTTER: Special meeting at 8:00?

10 CHAIRMAN DePINTO: Trick or treat. Is
11 that right?

12 MS. O'NEILL: I will not be here at that
13 meeting.

14 CHAIRMAN DePINTO: Oh, yes. Let the
15 record be clear, I have haven't missed a meeting.

16 MR. LINTNER: Since she made that she's
17 hitting like 50 percent.

18 MS. O'NEILL: Oh, if I could take it back.

19 CHAIRMAN DePINTO: Okay. With that said,
20 the meeting will be carried to October 29th.

21 MR. DEL VECCHIO: No further notice.

22 MS. HUTTER: 8:00 p.m..

23 CHAIRMAN DePINTO: And no further notice
24 will be provided. Thank you very much.

25 (The meeting adjourns 11:10 p.m.)

1 C E R T I F I C A T E

2 I CERTIFY that the foregoing is a true and
3 accurate transcript of the testimony and proceedings
4 as reported stenographically by me at the time, place
5 and on the date herein before set forth.

6 I DO FURTHER CERTIFY that I am neither a
7 relative nor employee nor attorney or counsel of any
8 of the parties to this action, and that I am neither a
9 relative nor employee of such attorney or counsel, and
10 that I am not financially interested in this action.

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DONNA LYNN J. ARNOLD, C.C.R.
18 LICENSE NO. XI00991
19 MY COMMISSION EXPIRES 08/04/19

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