

BOROUGH OF PALISADES PARK
ZONING BOARD OF ADJUSTMENT
MONDAY, SEPTEMBER 19, 2022
7:03 p.m.

Case No: 21-31)
Fan Associates, LLC) TRANSCRIPT OF
15 Grand Ave) PROCEEDING
Block: 505; Lot: 3 & 4)
Case No. 21-28)
112-118 Union Street)
Block: 107; Lots: 4 & 5)
Case No. 22-04)
415 10th Street)
Block: 415; Lot: 31)

B E F O R E :

- 11 JOSEPH FERGUSON, CHAIRMAN
- 12 PAUL ALBANESE, VICE CHAIRMAN
- 13 ELEFTERIOS ELEFTERIOU, MEMBER
- 14 VINCENT CARNOVALE, MEMBER (ABSENT)
- 15 DAVID TERRANOVA, MEMBER
- 16 JOHN GRALA, MEMBER
- 17 SEONGHYE YOON, MEMBER (ABSENT)
- 18 STEVEN BROGNA, ALTERNATE MEMBER 1
- 19 CHARLIE CHUNG, ALTERNATE MEMBER 2
- 20 MICHAEL LEE, ALTERNATE MEMBER 3 (ABSENT)

23 LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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- 1 A P P E A R A N C E S :
 - 2
 - 3 DIANE TESTA, ESQUIRE
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(201) 343-4600
8 Counsel for Applicant, Fan Associates, LLC
 - 9
 - 10 A L S O P R E S E N T :
 - 11 ELENI LAMBRINIDES, LAND USE SECRETARY
 - 12 STEVE COLLAZUOL, P.E., BOARD ENGINEER (TELEPHONIC)
 - 13 HAL SIMOFF, P.E., BOARD TRAFFIC ENGINEER
 - 14 MICHAEL KAUKER, P.P., BOARD PLANNER
 - 15
 - 16
 - 17
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1 CHAIRMAN FERGUSON: Paul, do you want
2 to lead us in the flag salute?
3 (Whereupon, all rise for a Recitation
4 of the Pledge of Allegiance as led by
5 Mr. Albanese.)
6 CHAIRMAN FERGUSON: Roll call.
7 MS. LAMBRINIDES: Mr. Ferguson.
8 CHAIRMAN FERGUSON: I'm here.
9 MS. LAMBRINIDES: Mr. Albanese?
10 VICE CHAIRMAN ALBANESE: Here.
11 MS. LAMBRINIDES: Mr. Terranova?
12 MR. TERRANOVA: Here.
13 MS. LAMBRINIDES: Mr. Chung?
14 MR. CHUNG: Here.
15 MS. LAMBRINIDES: Ms. Yoon?
16 (No response.)
00:00 17 MS. LAMBRINIDES: Mr. Elefteriou?
00:00 18 MR. ELEFTERIOU: Here.
19 MS. LAMBRINIDES: Mr. Grala?
20 MR. GRALA: Here.
21 MS. LAMBRINIDES: Mr. Carnovale?
22 (No response.)
23 MS. LAMBRINIDES: Mr. Lee?
24 (No response.)
25 MS. LAMBRINIDES: Mr. Brogna?

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1 MR. BROGNA: Here.

2 CHAIRMAN FERGUSON: In accordance with

3 the Open Public Meeting Act, notice of this meeting

4 has been posted on the borough bulletin board.

00:-01 5 Notice has been provided to the

00:-01 6 official Borough newspapers and filed in the borough

00:-01 7 clerk's office.

00:-01 8 Okay. First off, we have some bills to

00:03 9 pay. The court reporter, \$4,368.00 and the -- the

00:04 10 other one is yours?

00:04 11 MS. TESTA: Yes.

00:04 12 CHAIRMAN FERGUSON: And our borough

00:04 13 attorney is \$3950.00.

00:04 14 Can I get a motion?

00:04 15 VICE CHAIRMAN ALBANESE: I make a

00:04 16 motion we pay the bills.

00:04 17 CHAIRMAN FERGUSON: Second?

00:04 18 MR. TERRANOVA: Second.

19 CHAIRMAN FERGUSON: Roll call.

20 MS. LAMBRINIDES: Who second it?

21 MR. TERRANOVA: I'll second it.

22 MS. LAMBRINIDES: Mr. Ferguson?

23 CHAIRMAN FERGUSON: Yes.

24 MS. LAMBRINIDES: Mr. Albanese?

25 VICE CHAIRMAN ALBANESE: Yes.

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1 MS. LAMBRINIDES: Mr. Terranova?

2 MR. TERRANOVA: Yes.

3 MS. LAMBRINIDES: Mr. Chung?

4 MR. CHUNG: Yes.

00:00 5 MS. LAMBRINIDES: Mr. Elefteriou?

00:00 6 MR. ELEFTERIOU: Yes.

00:00 7 MS. LAMBRINIDES: Mr. Grala?

00:00 8 MR. GRALA: Yes.

00:00 9 MS. LAMBRINIDES: Mr. Brogna?

00:04 10 MR. BROGNA: Yes.

00:04 11 CHAIRMAN FERGUSON: Okay. So next

00:04 12 we're going to do some minutes of the previous

00:04 13 meeting.

00:04 14 It didn't -- we didn't take the vote

00:04 15 for the previous meeting.

00:04 16 MS. TESTA: That would be the July 18th

00:04 17 meeting.

00:04 18 CHAIRMAN FERGUSON: Everybody -- the

00:04 19 July 18th meeting, everybody had an opportunity to

00:04 20 review and any corrections?

00:04 21 (No response.)

00:05 22 CHAIRMAN FERGUSON: No corrections.

00:05 23 VICE CHAIRMAN ALBANESE: I make a

00:05 24 motion we accept the minutes.

00:05 25 CHAIRMAN FERGUSON: Motion is made to

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00:05 1 accept the minutes.

00:05 2 Can I get a second?

00:05 3 MR. GRALA: I'll second.

00:05 4 CHAIRMAN FERGUSON: Second.

00:05 5 MS. LAMBRINIDES: Mr. Ferguson?

00:05 6 CHAIRMAN FERGUSON: Yes.

7 MS. LAMBRINIDES: Mr. Albanese?

8 VICE CHAIRMAN ALBANESE: Yes.

9 MS. LAMBRINIDES: Mr. Terranova?

10 MR. TERRANOVA: Yes.

11 MS. LAMBRINIDES: Mr. Chung?

12 MR. CHUNG: Yes.

00:00 13 MS. LAMBRINIDES: Mr. Elefteriou?

00:00 14 MR. ELEFTERIOU: Yes.

00:00 15 MS. LAMBRINIDES: Mr. Grala?

00:00 16 MR. GRALA: Yes.

00:00 17 MS. LAMBRINIDES: Mr. Brogna?

00:05 18 MR. BROGNA: Abstain.

00:05 19 CHAIRMAN FERGUSON: Next one is the

00:05 20 minutes of the August 15th meeting.

00:05 21 Can I get a motion to approve those

00:05 22 minutes?

00:05 23 VICE CHAIRMAN ALBANESE: I'll make a

00:05 24 motion we accept the minutes.

00:05 25 CHAIRMAN FERGUSON: Can I get a second?

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00:05 1 MR. ELEFTERIOU: Second.

00:05 2 CHAIRMAN FERGUSON: Okay. Roll call?

00:05 3 MS. LAMBRINIDES: Mr. Ferguson.

00:05 4 CHAIRMAN FERGUSON: Yes.

5 MS. LAMBRINIDES: Mr. Albanese?

6 VICE CHAIRMAN ALBANESE: Yes.

7 MS. LAMBRINIDES: Mr. Terranova?

8 MR. TERRANOVA: Yes.

9 MS. LAMBRINIDES: Mr. Chung?

10 MR. CHUNG: Yes.

00:00 11 MS. LAMBRINIDES: Mr. Elefteriou?

00:00 12 MR. ELEFTERIOU: Yes.

00:00 13 MS. LAMBRINIDES: Mr. Grala?

00:00 14 MR. GRALA: Yes.

00:00 15 MS. LAMBRINIDES: Mr. Brogna?

00:05 16 MR. BROGNA: Abstain.

00:05 17 CHAIRMAN FERGUSON: Okay. So now we

00:05 18 got two adjournments tonight.

00:05 19 Case No. 21-28, 112-118 Union Street is

00:05 20 asking for an adjournment. Can I get a motion to

00:06 21 grant the adjournment?

00:06 22 VICE CHAIRMAN ALBANESE: I'll make the

00:06 23 motion.

00:06 24 MR. TERRANOVA: I'll second.

00:06 25 CHAIRMAN FERGUSON: Second.

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00:06 1 Roll call?

00:06 2 MS. LAMBRINIDES: Mr. Ferguson.

00:06 3 CHAIRMAN FERGUSON: Yes.

4 MS. LAMBRINIDES: Mr. Albanese?

5 VICE CHAIRMAN ALBANESE: Yes.

6 MS. LAMBRINIDES: Mr. Terranova?

7 MR. TERRANOVA: Yes.

8 MS. LAMBRINIDES: Mr. Chung?

9 MR. CHUNG: Yes.

00:00 10 MS. LAMBRINIDES: Mr. Elefteriou?

00:00 11 MR. ELEFTERIOU: Yes.

00:00 12 MS. LAMBRINIDES: Mr. Grala?

00:00 13 MR. GRALA: Yes.

00:00 14 MS. LAMBRINIDES: Mr. Brogna?

00:00 15 MR. BROGNA: Yes.

00:06 16 CHAIRMAN FERGUSON: Okay. Next one is

00:06 17 Case No. 22-04, 415 10th Street.

00:06 18 I'll make a motion for the adjournment,

00:06 19 grant the adjournment.

00:06 20 VICE CHAIRMAN ALBANESE: Second.

00:06 21 CHAIRMAN FERGUSON: Can I get a second?

00:06 22 VICE CHAIRMAN ALBANESE: Second.

00:06 23 CHAIRMAN FERGUSON: Roll call.

00:06 24 MS. LAMBRINIDES: Mr. Ferguson.

00:06 25 CHAIRMAN FERGUSON: Yes.

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1 MS. LAMBRINIDES: Mr. Albanese?

2 VICE CHAIRMAN ALBANESE: Yes.

3 MS. LAMBRINIDES: Mr. Terranova?

4 MR. TERRANOVA: Yes.

5 MS. LAMBRINIDES: Mr. Chung?

6 MR. CHUNG: Yes.

00:00 7 MS. LAMBRINIDES: Mr. Elefteriou?

00:00 8 MR. ELEFTERIOU: Yes.

00:00 9 MS. LAMBRINIDES: Mr. Grala?

00:00 10 MR. GRALA: Yes.

00:00 11 MS. LAMBRINIDES: Mr. Brogna?

00:06 12 MR. BROGNA: Yes.

00:06 13 MS. TESTA: So Case No. 21-28,

00:06 14 112-118 Union Street, Block 107, Lots 4 & 5 at the

00:06 15 request of the applicant is being continued to the

00:07 16 October 17th meeting, 2022 at 7 p.m.

00:07 17 There will be no further notice to the

18 public by newspaper or by certified mail.

19 And then Case No. 22-04, 415 10th

20 Street, Block 415, Lot 31, also at the request of the

21 applicant is being carried to the October 17th, 2022

22 meeting at 7 p.m. No further notice will be required

00:07 23 of the applicant in that case either.

00:07 24 CHAIRMAN FERGUSON: Okay. So now, the

00:07 25 one and only case left is Case No. 21-31, Fan

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00:07 1 Associates, LLC.

00:07 2 Counsel, do you want to put your

00:07 3 appearance in?

00:07 4 MR. ALAMPI: Thank you, Chairman.

00:07 5 My name is Carmine Alampi. I continue

00:07 6 to represent Fan Associates.

00:07 7 This is an application for variance and

00:07 8 major site plan review, 15 Grand Avenue.

00:07 9 Chairman, I have a couple of things to

00:07 10 bring up to date for the board and for yourself.

00:07 11 We were here last in July, we carried

00:08 12 through the August agenda and now we're here in

00:08 13 September and we did agree to extend the time for the

00:08 14 board to review up through September 30th.

00:08 15 I have a couple of difficulties with

00:08 16 some of my witnesses and let me explain. We've

00:08 17 retained the services of a Gerald Naylis, who's a

00:08 18 noted firematics expert who serves the insurance

00:08 19 industry, fire underwriters and he is a statewide

00:08 20 instructor at the state level and at the county

00:08 21 facility dealing with firefighting, fire apparatus,

00:08 22 first response, things of that nature.

00:08 23 After we retained Mr. Naylis, he had

00:08 24 the opportunity to meet with Mike Valente from your

00:08 25 department and with Andy Chiurazzi. They had several

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00:08 1 conferences, they exchanged information. I believe

00:09 2 they had some face-to-face meetings as well.

00:09 3 Unfortunately Mr. Naylis is seriously

00:09 4 ill. Tomorrow morning he'll be in Mount Sinai for

00:09 5 major surgery.

00:09 6 He advised me a few weeks ago of his

00:09 7 condition. He had another procedure a few weeks ago.

00:09 8 I spoke with him on the phone today. He was at the

00:09 9 doctor's prepping for tomorrow and he doesn't have

00:09 10 the physical strength to be here.

00:09 11 I knew that we were going to have

00:09 12 inclement weather, but more importantly, both

00:09 13 Mr. Churrazi and Valente and Mr. Naylis have come

00:09 14 together, but we have not received a formal detailed

00:09 15 report from your fire bureau. I know that they're

00:09 16 working on it.

00:09 17 Mr. Valente can speak for himself, but

00:09 18 I was hoping to have that before the weekend so I can

00:09 19 review it. And I would present Mr. Naylis. I didn't

00:10 20 think it would make sense for him to come here, give

00:10 21 testimony advocating for the applicant when you're

00:10 22 looking to hear whether or not the Palisades Park

00:10 23 Fire Bureau agrees that he's resolved and worked out

00:10 24 many of the details.

00:10 25 So I think that report is coming this

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00:10 1 week. So it wouldn't make sense that Mr. Naylis come
 00:10 2 here anyway given his condition.
 00:10 3 So I'm going to ask that this matter
 00:10 4 that I have one witness very briefly, who is the
 00:10 5 civil engineer, because we did a widening of the main
 00:10 6 driveway. He's just going to testify briefly about
 00:10 7 the change of the plan. That was the latest
 00:10 8 engineering plan you received about two weeks ago.
 00:10 9 So he's just going to put that testimony on the
 00:10 10 record.
 00:10 11 I'm going to have to bring Mr. Naylis
 00:10 12 back here on a different date. I know that your next
 00:10 13 meeting is October 17th. So I'm going to ask you to
 00:10 14 carry me to that meeting and hopefully he will have
 00:10 15 recovered.
 00:10 16 If he doesn't make that meeting, then
 00:11 17 I'm going to ask from October 17th that you make a
 00:11 18 further announcement, carry the meeting to your
 00:11 19 November 21st meeting. So I know that your next
 00:11 20 meetings are October 17th, November 21.
 00:11 21 We'll try to be here with the witness
 00:11 22 and bring this to a conclusion.
 00:11 23 If not, we'll go into November.
 00:11 24 So I ask that you allow us to do that
 00:11 25 after I have my engineer give his brief testimony.

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00:12 1 received this letter from a law firm, Basil Law Firm,
 00:12 2 right?
 00:12 3 MR. ALAMPI: Yeah, Robert Basil.
 00:12 4 CHAIRMAN FERGUSON: Robert Basil.
 00:12 5 Now, in this letter, I'm no lawyer, but
 00:13 6 I can read English, he apparently is -- he's not
 00:13 7 going to -- my client rejects any claims of easement
 00:13 8 and otherwise indeed under the legal authority cited
 00:13 9 by Mr. Alampi, no such easement is available at
 00:13 10 15 Grand, bah, bah, bah, bah, bah, bah.
 00:13 11 So apparently the people from 15 Grand
 00:13 12 are opposing --
 00:13 13 VICE CHAIRMAN ALBANESE: No, 21.
 00:13 14 CHAIRMAN FERGUSON: Oh, 21, the
 00:13 15 entranceway into --
 00:13 16 MR. ALAMPI: No, they're not opposing
 00:13 17 the entranceway. They're opposing the concept that
 00:13 18 we have what's called an easement by prescription,
 00:13 19 but I will say this to you, we've researched the
 00:13 20 issue thoroughly. We sent Ms. Testa our research and
 00:13 21 our case law.
 00:13 22 Now, this attorney has the right, as
 00:13 23 any attorney, to say no, Mr. Alampi doesn't know what
 00:13 24 he's talking about or he does know what he's talking
 00:13 25 about.

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00:11 1 CHAIRMAN FERGUSON: So, of course,
 00:11 2 we're very sympathetic to anybody that's going in for
 00:11 3 surgery, but the problem for the 17th, I don't want
 00:11 4 to bring our fire department here and just to say --
 00:11 5 MR. ALAMPI: I'm going to notify you or
 00:11 6 Ms. Testa, I'm going to notify you hopefully by the
 00:11 7 first week of October, because Mr. Naylis's surgery
 00:12 8 is tomorrow, the 20th, he expected to be in the
 00:12 9 hospital from 8 to 10 days.
 00:12 10 So I'll be communicating with his son
 00:12 11 and if I get the sense that he doesn't have the
 00:12 12 stamina or there's any complication, I'll notify you
 00:12 13 and ask that you carry us at the October meeting,
 00:12 14 push us into November.
 00:12 15 CHAIRMAN FERGUSON: That's fine, but
 00:12 16 just make sure you notify us.
 00:12 17 MR. ALAMPI: Oh, absolutely. I
 00:12 18 recognize the inconvenience.
 00:12 19 I understand marshalling everybody and
 00:12 20 we're working around that, but I'll stay on top of
 00:12 21 it.
 00:12 22 CHAIRMAN FERGUSON: And we wish nothing
 00:12 23 but the best for the expert. All right.
 00:12 24 So the only other thing that I have,
 00:12 25 and if you want to comment or what, the board

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00:13 1 So with regard to the use of the
 00:14 2 driveway, he does say in his letter that we enjoy,
 00:14 3 what's called, a license, he does say that in the
 00:14 4 letter, but he's saying that it's not an easement and
 00:14 5 the reason that it's important is an easement cannot
 00:14 6 be rescinded, a license can be revoked.
 00:14 7 So he does acknowledge that we're using
 00:14 8 it and it is a license, but what he fails to say is
 00:14 9 how does -- how do his patrons and his visitors and
 00:14 10 his parking, how do they exit the property on Grand,
 00:14 11 because they actually come on our side of the
 00:14 12 dividing line.
 00:14 13 So I'm sure I can work it out.
 00:14 14 What happened is I got a call from
 00:14 15 Mr. Basil's associate around 3:00 today, Mr. Jerry
 00:14 16 Kim, who told me that Mr. Basil was taken to the
 00:14 17 hospital this morning on an emergency.
 00:15 18 So I don't expect that I can speak to
 00:15 19 him for a few days, but I will report to you in
 00:15 20 writing when I do communicate with him if we're able
 00:15 21 to resolve this issue.
 00:15 22 If not, we have a dispute as to whether
 00:15 23 on the outside of our property it's an easement
 00:15 24 versus a license.
 00:15 25 Either way, I had our engineers look to

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00:15 1 see if they could widen the driveway on our side of
 00:15 2 the property line and, in fact, we're widening it
 00:15 3 from 20 to 24 feet, because this was a concern.
 00:15 4 CHAIRMAN FERGUSON: So just so I'm
 00:15 5 clear on this, if you talk about a license, it can be
 00:15 6 revoked?
 00:15 7 MR. ALAMPI: It can be.
 00:15 8 CHAIRMAN FERGUSON: An easement can't
 00:15 9 be revoked?
 00:15 10 I'm not a lawyer.
 00:15 11 MR. ALAMPI: Right, the easement -- the
 00:15 12 easement is usually memorialized in the deed and it's
 00:15 13 recorded and the one who receives the easement is the
 00:15 14 only one who can rescind it, but with a license it
 00:16 15 can be revoked.
 00:16 16 CHAIRMAN FERGUSON: Well, I think --
 00:16 17 and I might be wrong, I think Mr. Albanese brought up
 00:16 18 an issue at the last meeting, the last time.
 00:16 19 VICE CHAIRMAN ALBANESE: In other
 00:16 20 words, Carmine, you got your property going out now,
 00:16 21 right?
 00:16 22 MR. ALAMPI: I'm showing it all egress.
 00:16 23 VICE CHAIRMAN ALBANESE: You got it
 00:16 24 going out?
 00:16 25 MR. ALAMPI: Right.

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00:17 1 two lanes coming out, I'll just modify it to two
 00:17 2 lanes on our side.
 00:17 3 That's why we made it 24 feet, 12 feet
 00:17 4 on each direction.
 00:17 5 So I have an alternative fallback. I
 00:17 6 would like to keep it the way it is, because quite
 00:17 7 honestly it serves both property owners the way it
 00:17 8 is, but, listen, people have their legal rights, we
 00:17 9 have our legal rights.
 00:17 10 So it depends on whether we reconcile
 00:17 11 this issue or not and if not, obviously my engineer
 00:17 12 is here, we'll probably revise it one more time, not
 00:18 13 the width, but we'll have an ingress/egress on our
 00:18 14 side of the property.
 00:18 15 VICE CHAIRMAN ALBANESE: Well, if you
 00:18 16 don't get an easement, that's what you're going to
 00:18 17 have to do.
 00:18 18 MR. ALAMPI: We'll do it.
 00:18 19 It's not that we don't have the room to
 00:18 20 do it, but, again --
 00:18 21 VICE CHAIRMAN ALBANESE: They said in
 00:18 22 this letter that you're not going to get an easement.
 00:18 23 MR. ALAMPI: A lot of people say a lot
 00:18 24 of things, Pauly, but sometimes as you know --
 00:18 25 VICE CHAIRMAN ALBANESE: Maybe if you

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00:16 1 VICE CHAIRMAN ALBANESE: If this board
 00:16 2 approves that, we're creating a situation, okay,
 00:16 3 because now you have no way of getting on your
 00:16 4 property.
 00:16 5 MR. ALAMPI: So I understand that if I
 00:16 6 don't resolve it, I'm going to have to modify the
 00:16 7 plan to show ingress and egress on our side. That's
 00:16 8 why we widened it, but --
 00:16 9 VICE CHAIRMAN ALBANESE: What I'm
 00:16 10 trying to say is, we can't tell 21 Grand Avenue that
 00:16 11 you could go out on your property and you have to let
 00:16 12 them go on your property to get in.
 00:16 13 MR. ALAMPI: No, you can't tell them
 00:16 14 that.
 00:16 15 VICE CHAIRMAN ALBANESE: Okay. So you
 00:16 16 don't have an easement.
 00:16 17 MR. ALAMPI: So what I'm saying to you
 00:16 18 is, I'm not finishing the hearing tonight, because
 00:16 19 when I sent that letter to Ms. Testa with our
 00:17 20 opinion, I copied Mr. Basil, because it's the right
 00:17 21 thing to do. I'm not going to take a legal position
 00:17 22 on behalf of his client without him seeing it.
 00:17 23 So if we don't reconcile it, even
 00:17 24 though we widened the driveway 24 feet on our side,
 00:17 25 20 on theirs and it's the 20 foot going in and the

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00:18 1 give them \$50,000,000.00 --
 00:18 2 MR. ALAMPI: There you go.
 00:18 3 Sometimes it's a matter of
 00:18 4 compensation. Sometimes it's an accommodation.
 00:18 5 So I'm a fairly persuasive guy. So I
 00:18 6 don't have a problem discussing things with my
 00:18 7 colleagues. It's possible that we will work it out.
 00:18 8 If not, we'll stay on our side of the
 00:18 9 line.
 00:18 10 Now, by the way, their traffic and
 00:18 11 their vehicles, they come up on our side, but I'm not
 00:18 12 vindictive, we will work together.
 00:18 13 CHAIRMAN FERGUSON: You know, all
 00:18 14 right, but so your plan, just so I'm clear on this,
 00:19 15 because -- is that if you don't come to some type of
 00:19 16 agreement with Mr. Basil --
 00:19 17 MR. ALAMPI: In writing.
 00:19 18 CHAIRMAN FERGUSON: In writing, you're
 00:19 19 going to have this entrance and exit on your
 00:19 20 property?
 00:19 21 MR. ALAMPI: That's it.
 00:19 22 CHAIRMAN FERGUSON: Completely on your
 00:19 23 property?
 00:19 24 MR. ALAMPI: That's it.
 00:19 25 CHAIRMAN FERGUSON: Okay.

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00:19 1 MR. ALAMPI: So I'm glad you brought
 00:19 2 that up, Chairman, because we also have an updated
 00:19 3 report from Mr. Simoff reviewing the plans, but I'm
 00:19 4 going to ask him not to weigh in, because if I'm
 00:19 5 changing -- if I'm going to change the
 00:19 6 ingress/egress, he may want to review that as well,
 00:19 7 but we can mark it in.

00:19 8 MR. SIMOFF: Maybe you want to wait
 00:19 9 until the November meeting to get all these things --

00:19 10 MR. ALAMPI: Let me get there.
 00:19 11 I'm a beat-around-the-bush type of guy.
 00:19 12 So I also have an updated report from
 00:19 13 Mr. Collazuol and you have from us the updated
 00:20 14 stormwater management maintenance plan and the
 00:20 15 stormwater calculations.

00:20 16 So we provided all of that since the
 00:20 17 July meeting through August. All of those items are
 00:20 18 in the case record.

00:20 19 We've been very busy talking to the
 00:20 20 various consulting witnesses, but like Mr. Simoff
 00:20 21 suggested, sounds like between this easement,
 00:20 22 Mr. Naylis's surgery, other things, we may not push
 00:20 23 ahead the October, may wind up November.

00:20 24 But, again, I think we worked it out
 00:20 25 with your counsel that we'll stay on the agenda for

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00:21 1 working with the board and I appreciate it, but I
 00:21 2 want to get this thing done, because what's happening
 00:21 3 is your back -- there's cases that want to come on in
 00:21 4 that I can't let it come in because you're here, you
 00:21 5 know.

00:21 6 MR. ALAMPI: Right.

00:21 7 CHAIRMAN FERGUSON: So anything you can
 00:21 8 do, I would really appreciate it.

00:22 9 MR. ALAMPI: You know, I work very hard
 00:22 10 over the years to develop a reputation that I take a
 00:22 11 long time to get to the point, but I understand that
 00:22 12 other lawyers get annoyed.

00:22 13 But my client is more anxious than any
 00:22 14 of you to bring this to a conclusion. He's a little
 00:22 15 disappointed in how these things have developed
 00:22 16 outside of his control, not with the board, of
 00:22 17 course, not with the municipality.

00:22 18 But we're doing, we're pushing, but I
 00:22 19 know that when I do that bob and weave, it kills your
 00:22 20 agenda, I know that.

00:22 21 CHAIRMAN FERGUSON: Okay. Do you want
 00:22 22 to put your first witness on?

00:22 23 MR. ALAMPI: Yes.

00:22 24 CHAIRMAN FERGUSON: Oh, wait a minute,
 00:22 25 before you do that, let's get --

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00:20 1 October 17th. I will notify you 10 days before so
 00:20 2 we're not wasting your time whether we're going to
 00:20 3 appear to resolve everything. And I'll do a status
 00:20 4 letter.

00:20 5 And then, if necessary, you'll carry to
 00:20 6 the November 21 meeting and with that, we'll be
 00:21 7 ready.

00:21 8 I will also extend the time for the
 00:21 9 board to review and decide this application. We'll
 00:21 10 extend it to December 31.

00:21 11 Is there a 31st?

00:21 12 MS. LAMBRINIDES: We can have a
 00:21 13 Christmas party. We can have a Christmas party.

00:21 14 MS. TESTA: Yes.

00:21 15 CHAIRMAN FERGUSON: Yeah.

00:21 16 MS. LAMBRINIDES: Carmine is buying.

00:21 17 MR. ALAMPI: So we're going to extend
 00:21 18 the time until the end of the year.

00:21 19 We're going to make ourselves available
 00:21 20 for the October meeting, but there is a likelihood it
 00:21 21 will go into November.

00:21 22 CHAIRMAN FERGUSON: Okay.

00:21 23 So, just so you know where my feelings
 00:21 24 are, you know, you've been here, come to a meeting --
 00:21 25 and I'm not criticizing you, because you've been

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00:22 1 MS. TESTA: Collazuol.

00:22 2 CHAIRMAN FERGUSON: Collazuol on the
 00:22 3 phone. He -- unfortunately he's tested for COVID
 00:22 4 today.

00:22 5 MR. ALAMPI: Yeah, and I think my
 00:22 6 client -- my engineer has been trying to reach him
 00:22 7 since last week and then today we realized that he's
 00:23 8 out, he's down and out.

00:23 9 CHAIRMAN FERGUSON: So why don't we do
 00:23 10 this, why don't we get him on the phone, put the mic,
 00:23 11 this way he can listen to --

00:23 12 MR. ALAMPI: Okay.

00:23 13 CHAIRMAN FERGUSON: All right.

00:23 14 MR. ALAMPI: And Mr. Keller is only
 00:23 15 going to be a few minutes, because it's the change to
 00:23 16 the driveway.

00:23 17 Mr. Collazuol can listen to his
 00:23 18 testimony and I think then we'll carry the
 00:23 19 proceedings.

00:23 20 CHAIRMAN FERGUSON: Okay.

00:23 21 MS. LAMBRINIDES: I don't have his
 00:23 22 number. I can call him.

00:23 23 MR. KELLER: I tend not to beat around
 00:23 24 the bush, I'm more direct.
 00:23 25 (Laughter.)

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00:23 **1** MR. ALAMPI: But you're an engineer.
 00:23 **2** MR. KELLER: I know.
 00:23 **3** MR. ALAMPI: We're going to mark these,
 00:23 **4** Eric. We're going to marked this into the case
 00:23 **5** record.
 00:23 **6** MS. TESTA: Steve, can you hear us?
 00:24 **7** MR. COLLAZUOL: I can hear you, Diane.
 00:24 **8** Yes, thank you.
 00:24 **9** MR. ALAMPI: We can hear him too.
 00:24 **10** CHAIRMAN FERGUSON: Makes my heart go
 00:24 **11** bit-bat.
 00:24 **12** MR. KELLER: Hopefully he can hear me.
 00:24 **13** MS. TESTA: Can you hear, Steve?
 00:24 **14** MR. COLLAZUOL: I can hear him too,
 00:24 **15** yes.
 00:24 **16** CHAIRMAN FERGUSON: There's the mic.
 00:24 **17** MR. KAUKER: You might have to put the
 00:24 **18** phone -- I don't know if he said he -- I don't know
 00:24 **19** if he can hear Eric.
 00:24 **20** MR. ALAMPI: Yeah, because we weren't
 00:24 **21** on the mic.
 00:24 **22** MS. TESTA: Right.
 00:24 **23** MR. ALAMPI: Stand it front of the
 00:24 **24** table and that will amplify your voice.
 00:24 **25** MR. KELLER: Steve, this is Eric
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1 Keller.
 00:24 **2** Can you hear me?
 00:24 **3** MS. TESTA: Steve, can you hear, Eric?
 00:24 **4** MR. KELLER: Can you hear me?
 00:24 **5** MS. LAMBRINIDES: You can put the phone
 00:24 **6** by Eric too. You can put the phone by him, if you
 00:24 **7** want.
 00:25 **8** MR. ALAMPI: No, we're going to have
 00:25 **9** our witness stay close by the telephone.
 00:25 **10** MS. TESTA: Okay.
 00:25 **11** MR. ALAMPI: So we're starting,
 00:25 **12** Mr. Chairman, Board Members and Steve. We had
 00:25 **13** submitted --
 00:25 **14** CHAIRMAN FERGUSON: He's got to get
 00:25 **15** sworn in first before we do anything.
 00:25 **16** MR. ALAMPI: Well, he's been.
 00:25 **17** E R I C K E L L E R, PE
 00:25 **18** 54 Horsehill Road, Suite 100, Cedar Knolls, New
 00:25 **19** Jersey, having been previously sworn, continues
 00:25 **20** to testify as follows:
 00:25 **21** DIRECT EXAMINATION
 00:25 **22** BY MR. ALAMPI:
 00:25 **23** **Q.** Mr. Keller, you were sworn in at a
 00:25 **24** previous meeting?
 00:25 **25** **A.** **Yes.**
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00:25 **1** **Q.** And you remain under oath.
 00:25 **2** **A.** **Understood.**
 00:25 **3** **Q.** And your license as a civil engineer is
 00:25 **4** still in good standing?
 00:25 **5** **A.** **Yes, it is.**
 00:25 **6** **Q.** With that, you had prepared a storm
 00:25 **7** management measures maintenance plan and you also
 00:25 **8** prepared what's dated September 15th, a stormwater
 00:25 **9** management report?
 00:25 **10** **A.** **An updated one, yes.**
 00:25 **11** MR. ALAMPI: So we're going to mark
 00:25 **12** that.
 00:25 **13** Diane, we were up to A-30.
 00:26 **14** So I'm going to mark as A-31 the
 00:26 **15** updated storm management report and that's dated
 00:26 **16** September 15, 2022.
 00:26 **17** (Whereupon, Updated Storm Management
 00:26 **18** Report, dated September 15, 2022 is received
 00:26 **19** and marked as Exhibit A-31 for
 00:26 **20** identification.)
 00:26 **21** MR. ALAMPI: And we have a storm
 00:26 **22** management measures maintenance plan that was also
 00:26 **23** submitted and we'll mark as A-32.
 00:26 **24** (Whereupon, Storm Management Measures
 00:26 **25** Maintenance Plan is received and marked as
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00:26 **1** Exhibit A-32 for identification.)
 00:26 **2** BY MR. ALAMPI:
 00:26 **3** **Q.** I don't know they were -- you sent the
 00:26 **4** engineering plan to Mr. Collazuol, did you send
 00:26 **5** those?
 00:26 **6** **A.** **I did.**
 00:26 **7** **Q.** You did?
 00:26 **8** **A.** **I did send those to Mr. Collazuol.**
 00:26 **9** **Q.** So Steve Collazuol received these two
 00:26 **10** reports when we submitted the engineering revision,
 00:26 **11** so they're just in the record.
 00:27 **12** Now, Eric, you have prepared an
 00:27 **13** engineering plan which the major change to the plan
 00:27 **14** was the northern driveway configuration and
 00:27 **15** dimensions, correct?
 00:27 **16** **A.** **Yes.**
 00:27 **17** **Q.** And so --
 00:27 **18** **A.** **Want me to do the overall --**
 00:27 **19** **Q.** -- we're going to mark -- we're going
 00:27 **20** to show the north driveway alignment. The revision
 00:27 **21** date is August 24, 2022.
 00:27 **22** Is that correct, Eric --
 00:27 **23** **A.** **Yes.**
 00:27 **24** **Q.** -- the date?
 00:27 **25** MR. ALAMPI: So we're going to mark
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00:27 1 this as A-33. It's a multi-page engineering plan.
 00:27 2 It was hand-delivered to the board by
 00:27 3 myself and we're going to mark it in tonight so that
 00:27 4 Mr. Keller can testify about it?
 00:27 5 (Whereupon, Multi-Page Engineering Plan
 00:27 6 is received and marked as Exhibit A-33 for
 00:27 7 identification.)
 00:27 8 BY MR. ALAMPI:
 00:27 9 Q. And with that, Eric you have some other
 00:27 10 exhibits?
 00:27 11 A. Do you want do this one as an overall?
 00:28 12 Q. Is that new?
 00:28 13 A. Yes.
 00:28 14 Q. Okay. So that's A-34.
 00:28 15 (Whereupon, Site Plan Rendering, 15
 00:28 16 Grand Avenue is received and marked as Exhibit
 00:28 17 A-34 for identification.)
 00:28 18 BY MR. ALAMPI:
 00:28 19 Q. Just tell us what that is, what you
 00:28 20 call it.
 00:28 21 A. A-34 is entitled, "Site Plan Rendering,
 00:28 22 15 Grand Avenue."
 00:28 23 It is dated September 16, 2022. It is
 00:28 24 the same as what's in the plan sheet, though it is
 00:28 25 colored.

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00:28 1 And this is a combination of the layout
 00:28 2 and dimension plan, Sheet 4 and the landscape plan,
 00:28 3 which number escapes me at the moment and the major
 00:28 4 -- there's a couple of -- the major change was, as
 00:28 5 Mr. Alampi had indicated, that we've made this a
 00:28 6 two-way driveway.
 00:28 7 It's a 24-foot-wide exit left-turn lane
 00:28 8 and a right-turn lane and it leaves the existing and
 00:29 9 that runs up to the property line.
 00:29 10 The property line between 15 Grand and
 00:29 11 21 Grand essentially runs down the middle of the
 00:29 12 paved driveway. The existing paved driveway is about
 00:29 13 40-feet wide. There are no markings on it, there is
 00:29 14 nothing.
 00:29 15 What we're proposing is a double yellow
 00:29 16 line that runs from the Grand Avenue right-of-way
 00:29 17 down through the majority of the site and then on the
 00:29 18 -- on our side of the property, is some lane striping
 00:29 19 to designate a left-turn lane and a right-turn lane
 00:29 20 and then we have a two-lane driveway that goes into
 00:29 21 our parking area and into the garage and a loading
 00:29 22 area for the proposed residential building.
 00:29 23 There is no change proposed to the
 00:29 24 existing driveway on the 21 Grand side. All of the
 00:29 25 striping and improvements will be on the subject

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00:30 1 property.
 00:30 2 We've also redone the landscaping. One
 00:30 3 of Mr. Collazuol's comments was, you know, we're
 00:30 4 trying to provide access around the south side of the
 00:30 5 building down to the existing headwall where the
 00:30 6 48-inch pipe currently comes off of the 46 ramp to an
 00:30 7 existing headwall.
 00:30 8 We've -- he made a comment that we had
 00:30 9 landscaping in the way. We regraded it, but there
 00:30 10 was still landscaping. We've moved that so that
 00:30 11 there is no -- nothing in the way of future access to
 00:30 12 provide maintenance to that storm pipe.
 00:30 13 Mr. Collazuol had indicated that he
 00:30 14 felt it was still too steep. It's about a one-on-six
 00:30 15 slope, which is, in our opinion, traversable, but
 00:30 16 he's asked us to make it a one-on-ten. I've done a
 00:31 17 sketch of that.
 00:31 18 It is feasible to do that and that will
 00:31 19 be in our next submittal to the board is to show how
 00:31 20 that will be done and hopefully that will address
 00:31 21 that issue as well.
 00:31 22 He had also made a comment. We had a
 00:31 23 retaining wall in there to try and make up the grade,
 00:31 24 you know, as I'm sure you're aware, the ramp up to 46
 00:31 25 is sloping up because 46 is elevated above Grand

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00:31 1 Avenue.
 00:31 2 So there's a fairly steep two-on-one
 00:31 3 slope down, we're trying to minimize disturbance.
 00:31 4 We've put in a wall, but Mr. Collazuol
 00:31 5 indicated very clearly and this was, you know, an
 00:31 6 oversight on our part, the retaining wall is on top
 00:31 7 of the pipe, not a good site.
 00:31 8 So the regrading will eliminate the
 00:31 9 retaining wall, no wall and just all grade. So we
 00:31 10 can address that.
 00:32 11 And we've also -- we had always planned
 00:32 12 on reconstructing the sidewalk and the curb along our
 00:32 13 frontage, but we had extended it down to the corner
 00:32 14 by the ramp.
 00:32 15 We had put in a detectable warning
 00:32 16 there as he requested with an ADA accessible ramp.
 00:32 17 We have detectable warning surface
 00:32 18 there at each of the commercial driveways, because
 00:32 19 under the ADA guidelines for commercial driveways,
 00:32 20 you have to provide detectable warning surfaces, we
 00:32 21 do that.
 00:32 22 Obviously, at the driveway, the shared
 00:32 23 driveway, we only have that detectable warning
 00:32 24 surface on our side of the sidewalk, because the
 00:32 25 other side is in front of another person's property.

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00:32 **1 So we have it on our side.**
 00:32 **2 Just one point, DOT uses a 4-inch face**
 00:33 **3 curb and that's what our detail shows. I don't know**
 00:33 **4 why they changed it, but they changed it and that's**
 00:33 **5 what they use now is a 4-inch curb face. So that's**
 00:33 **6 what we're proposing along the entire frontage.**
 00:33 **7 It's a maintenance activity, because it**
 00:33 **8 already exists, the same with the sidewalk. It is in**
 00:33 **9 poor condition, it is broken up. So we want to have**
 00:33 **10 a nice, fresh, even surface for people to walk on,**
 00:33 **11 not what's out there right now.**
 00:33 **12 So we also followed up on the sanitary**
 00:33 **13 sewer. We looked at this. I know Mr. Schulman, when**
 00:33 **14 we were here in July, testified on it to a degree. I**
 00:33 **15 think we covered everything.**
 00:33 **16 Some of the issues with the backflow**
 00:33 **17 preventer and how we're going to deal with this is**
 00:33 **18 really a building permit issue that we'll work on**
 00:33 **19 when hopefully we get approval and the owner hires a**
 00:34 **20 mechanical electrical plumbing engineer to work out**
 00:34 **21 the specifics. We are increasing the flow for the**
 00:34 **22 residential by about -- just over 24,000 gallons a**
 00:34 **23 day, but we're also removing about 9,000 gallons a**
 00:34 **24 day based on the restaurant that is being demolished.**
 00:34 **25 So the net increase is 15,300 gallons**
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00:34 **1 per day, which converting it, because as engineers we**
 00:34 **2 don't like dealing with -- in daily demands we deal**
 00:34 **3 with cubic feet per second, which is how we typically**
 00:34 **4 look at capacity of pipes.**
 00:34 **5 The existing 15-inch sanitary sewer in**
 00:34 **6 Grand Avenue has a capacity of 5.24 CFS. The net**
 00:35 **7 increase in sewage demand from this project is**
 00:35 **8 0.024 CFS or about a half a percent of the capacity**
 00:35 **9 of the pipe.**
 00:35 **10 Now, Mr. Schulman testified at the last**
 00:35 **11 meeting in July that based on his meeting with the**
 00:35 **12 DPW people, there is, and it's not unusual in New**
 00:35 **13 Jersey's sewer systems having an inflow and**
 00:35 **14 infiltration issue.**
 00:35 **15 When it rains, rainwater gets into the**
 00:35 **16 sanitary pipe. It's not supposed to be there. It**
 00:35 **17 shouldn't be there, but when it rains, water gets in**
 00:35 **18 there and it --**
 00:35 **19** CHAIRMAN FERGUSON: Pops the manholes.
 00:35 **20** THE WITNESS: It pops the manholes in
 00:35 **21** the extreme case, but, you know, that's a systemic
 00:35 **22** problem, not limited to Palisades Park.
 00:35 **23** It's many communities have that issue.
 00:36 **24** But our increase in flow is very small.
 00:36 **25** He also indicated that the lobby area,
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00:36 **1** which has a bathroom in it in the new building --
 00:36 **2** the existing building currently goes to a small pump
 00:36 **3** station or has its own connection out to the existing
 00:36 **4** main. The bathroom in the lobby will be connected to
 00:36 **5** that pump station, which currently serves the
 00:36 **6** restaurant, because remember, the restaurant first
 00:36 **7** floor is at the lower level, it's below the elevation
 00:36 **8** of Grand Avenue, so it has to be pumped up.
 00:36 **9** So we're going to keep that pump
 00:36 **10** station so that that lobby which is below the
 00:36 **11** elevation of the road, so it will be pumped up into
 00:36 **12** the street.
 00:36 **13** So if we do have a case where the
 00:36 **14** system is impacted by stormwater getting into the
 00:36 **15** sanitary system, it won't affect that bathroom.
 00:36 **16** CHAIRMAN FERGUSON: So what are you
 00:37 **17** going to do, put a check valve in?
 00:37 **18** THE WITNESS: Yes.
 00:37 **19** We have to work with the plumbing
 00:37 **20** engineer to figure out how best to do that, but the
 00:37 **21** residential units that we spent -- I went back to the
 00:37 **22** transcripts and looked at this. You know, the
 00:37 **23** residential units are at Elevation 32. The street is
 00:37 **24** at Elevation 22, I believe. So they are above it and
 00:37 **25** I think we're confident that with that backflow
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00:37 **1** preventer, check valve system that should there be a
 00:37 **2** problem in the sanitary sewer in Grand Avenue, it's
 00:37 **3** not going to effect the proposed residential
 00:37 **4** building.
 00:37 **5** BY MR. ALAMPI:
 00:37 **6** **Q.** So that's going to be a gravity flow,
 00:37 **7** because --
 00:37 **8** **A.** **Yes.**
 00:37 **9** **Q.** -- there's a 10-foot differential --
 00:37 **10** **A.** **Correct.**
 00:37 **11** **Q.** -- where the first floor residential
 00:37 **12** and above will flow by gravity, correct?
 00:37 **13** **A.** **Correct.**
 00:37 **14** **Q.** Now, that rendering that you're about
 00:37 **15** to take down that we marked as A-34, that's one of
 00:37 **16** the sheets in your revised engineering plan?
 00:37 **17** **A.** **Well, this is a combination of Sheet 4**
 00:38 **18** **and Sheet 7, because this does show the landscape**
 00:38 **19** **materials on here and of course it is colorized.**
 00:38 **20** **Q.** So Sheets 4 and 7 have been put
 00:38 **21** together and colorized so it was part of the
 00:38 **22** presentation table?
 00:38 **23** **A.** **Correct.**
 00:38 **24** **Q.** Good.
 00:38 **25** VICE CHAIRMAN ALBANESE: That backflow
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00:38 1 preventer you're putting in, that's going to stop the
 00:38 2 water from going into the apartments, right?
 3 THE WITNESS: Correct.
 4 VICE CHAIRMAN ALBANESE: Where's the
 5 water from the apartments going to go when they're
 6 using the bathrooms and everything?
 7 THE WITNESS: Well, that's what we have
 00:38 8 to work out with the MEP engineer.
 00:38 9 VICE CHAIRMAN ALBANESE: Where's it
 00:38 10 going to go?
 00:38 11 THE WITNESS: Well, it's only in those
 00:38 12 extreme cases --
 00:38 13 VICE CHAIRMAN ALBANESE: I understand
 00:38 14 that, but if that extreme case happens, all them
 00:38 15 apartments are using the water. Where is it going to
 16 go?
 17 THE WITNESS: But it's a short --
 18 VICE CHAIRMAN ALBANESE: I know where
 19 it's going to go, it's going to come up in the
 20 basement and everything.
 21 THE WITNESS: Well, it's a short
 00:38 22 duration and what we may do and this is why we have
 00:38 23 to talk -- this is inside the building.
 00:38 24 As a civil engineer, I deal with
 00:39 25 outside the building, but we do have, because we have
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00:39 1 the pump station there, we have the potential of
 00:39 2 having a bypass that in that condition where the
 00:39 3 check valve is closed, is that we divert the flows
 00:39 4 from the residential units to the pump station.
 00:39 5 VICE CHAIRMAN ALBANESE: Where is going
 00:39 6 to pump to?
 00:39 7 THE WITNESS: Well, it pumps -- like it
 00:39 8 does today, it pumps into the --
 00:39 9 VICE CHAIRMAN ALBANESE: If the sewer
 00:39 10 line is blocked up, where is the water going to go?
 00:39 11 Where is it going to pump to?
 00:39 12 THE WITNESS: It's pumping today. It's
 00:39 13 serving that restaurant.
 00:39 14 VICE CHAIRMAN ALBANESE: Yes, but if
 00:39 15 the sewer line is blocked, it's full of water, the
 00:39 16 backflow preventer is going to stop it.
 00:39 17 Now you're going to pump the water.
 00:39 18 Where are you going to pump it to, the sewer? It's
 00:39 19 full, where is it going to go.
 00:39 20 BY MR. ALAMPI:
 00:39 21 **Q.** So, Eric, I should warn you that
 00:39 22 Mr. Albanese is the master plumber and the plumbing
 00:39 23 subcode official or was for many municipalities, so
 00:39 24 he knows what he's talking about.
 00:40 25 **A. No, I can tell he knows what he's**
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00:40 1 **talking about. I'm not --**
 00:40 2 VICE CHAIRMAN ALBANESE: That water,
 00:40 3 because they're going to use the apartments, that
 00:40 4 water is going to come up wherever the lowest
 00:40 5 fixtures are in the basement, that's where that water
 00:40 6 is going to come up.
 00:40 7 THE WITNESS: Absolutely, that's what
 00:40 8 happens.
 00:40 9 VICE CHAIRMAN ALBANESE: I'm saying,
 00:40 10 that's the problem you're going to have. Okay?
 00:40 11 THE WITNESS: I don't -- you know, I
 00:40 12 will talk to the owner.
 00:40 13 VICE CHAIRMAN ALBANESE: You can't pump
 00:40 14 it anyplace.
 00:40 15 THE WITNESS: There's a pump station in
 00:40 16 the building today. I don't know whether they've had
 00:40 17 --
 00:40 18 VICE CHAIRMAN ALBANESE: That's good if
 00:40 19 the sewer is okay, you're pumping it up, but if that
 00:40 20 sewer line is clogged, the backflow preventer is
 00:40 21 going to stop it from coming in.
 00:40 22 THE WITNESS: Well, it's not that the
 00:40 23 sewer is clogged. It's that it is inundated in a
 00:40 24 rainstorm.
 00:40 25 VICE CHAIRMAN ALBANESE: Well,
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00:40 1 whatever, whatever the reason, the rainstorm. The
 00:40 2 back flow preventer is going to stop it.
 00:40 3 THE WITNESS: For a short period of
 00:40 4 time until that system flows. If the system is
 00:40 5 flowing --
 00:40 6 VICE CHAIRMAN ALBANESE: I understand
 00:40 7 that, but if that happens, where is that water going
 00:40 8 to go?
 00:40 9 MR. ALAMPI: So, Mr. Albanese --
 00:40 10 VICE CHAIRMAN ALBANESE: If it's
 00:40 11 20 minutes, a half hour, you got 100-and-something
 00:40 12 apartments, they're all taking showers, where is that
 00:40 13 water going to go?
 00:41 14 MR. ALAMPI: So Mr. Albanese, we'll
 00:41 15 have the mechanical engineer --
 00:41 16 VICE CHAIRMAN ALBANESE: The mechanical
 00:41 17 engineer. The water is going to go no place, it's
 00:41 18 going to come up in the basement. You can't shoot it
 00:41 19 up into the sky.
 00:41 20 MR. ALAMPI: I know you know what will
 00:41 21 happen, but we'll try to get a better answer from the
 00:41 22 mechanical engineer.
 00:41 23 VICE CHAIRMAN ALBANESE: I just wanted
 00:41 24 to let you know where the water is going to go.
 00:41 25 MR. ALAMPI: There's no question, it's
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00:41 **1** going to back up, right?
 00:41 **2** VICE CHAIRMAN ALBANESE: It's going to
 00:41 **3** come up in the basement, the lowest fixtures.
 00:41 **4** That's where it's going to come up.
 00:41 **5** THE WITNESS: And if it's happening
 00:41 **6** today, I mean, that would be a condition that exists
 00:41 **7** today.
 00:41 **8** VICE CHAIRMAN ALBANESE: I understand
 00:41 **9** what you're saying.
 00:41 **10** I'm saying to you if that situation
 00:41 **11** happens, the water -- there's nowhere you can put the
 00:41 **12** water, you can't pump it anyplace or nothing, it's
 00:41 **13** going to come up in the basement, the lowest fixtures
 00:41 **14** in the building.
 00:41 **15** THE WITNESS: Well, remember, our
 00:41 **16** basement in the new building is a parking garage.
 00:41 **17** There are no units in there.
 00:41 **18** If there's a backup today that affects
 00:41 **19** the existing building, what is it The Soap Factory
 00:41 **20** building. It's going to continue to do that.
 00:41 **21** It does it now -- if it does it now,
 00:42 **22** it's going to do it tomorrow.
 00:42 **23** VICE CHAIRMAN ALBANESE: But I'm just
 00:42 **24** saying, with another 120 units taking showers or
 00:42 **25** baths or whatever they're doing using it, all that

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00:43 **1** is that if we have that condition where the
 00:43 **2** residential units and they have their own dedicated
 00:43 **3** sewer line, if that check valve can't open, we can
 00:43 **4** have an overflow so that it would go to the pump
 00:43 **5** station and I understand.
 00:43 **6** VICE CHAIRMAN ALBANESE: Where's it
 00:43 **7** going to pump to?
 00:43 **8** THE WITNESS: Then that pump station
 00:43 **9** may overflow.
 00:43 **10** VICE CHAIRMAN ALBANESE: Where are you
 00:43 **11** going to pump it to?
 00:43 **12** THE WITNESS: But it would overflow
 00:43 **13** today because if it can't pump into the system --
 00:43 **14** VICE CHAIRMAN ALBANESE: I understand.
 00:43 **15** You're saying they're going to put it
 00:43 **16** to the pump station.
 00:43 **17** Where are they going to pump it?
 00:43 **18** That's what I want to know. The water that's going
 00:43 **19** in, where are they going to pump it.
 00:43 **20** CHAIRMAN FERGUSON: Pauly, he answered
 00:43 **21** that he doesn't have the answer today, but he's
 00:43 **22** looking to get the answer and report back to the
 00:43 **23** board.
 00:43 **24** VICE CHAIRMAN ALBANESE: There you go.
 00:43 **25** THE WITNESS: Yes, thank you.

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00:42 **1** water, you don't have that problem now because you
 00:42 **2** don't have 120 units.
 00:42 **3** THE WITNESS: But that system is
 00:42 **4** separate. It is not connected to the sewer system
 00:42 **5** for the existing building.
 00:42 **6** We've created --
 00:42 **7** VICE CHAIRMAN ALBANESE: Where does the
 00:42 **8** sewer line going for the building?
 00:42 **9** THE WITNESS: I don't know that we have
 00:42 **10** found the existing sanitary connection yet. We got
 00:42 **11** National Water Main Cleaning out there to do an
 00:42 **12** inspection of the system. We have not received a
 00:42 **13** report yet as far as I know.
 00:42 **14** VICE CHAIRMAN ALBANESE: But you got
 00:42 **15** the -- what I'm saying, you're putting the backflow
 00:42 **16** preventer in for a certain reason.
 00:42 **17** THE WITNESS: Into a residential
 00:42 **18** building so that we don't have an issue in there.
 00:42 **19** VICE CHAIRMAN ALBANESE: Nothing is
 00:42 **20** going to go into that building, but all of the
 00:42 **21** apartments, that water, where is that going to go?
 00:42 **22** That's what I'm saying to you.
 00:43 **23** THE WITNESS: Well, that's why I'm
 00:43 **24** saying, sir, is that we can talk to the MEP engineer
 00:43 **25** and possibly because we are keeping the pump station,

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00:43 **1** VICE CHAIRMAN ALBANESE: Okay. That's
 00:43 **2** okay.
 00:43 **3** Now we're talking a different story.
 00:43 **4** CHAIRMAN FERGUSON: All right. Now,
 00:43 **5** are you done with your --
 00:43 **6** THE WITNESS: The only thing I want to
 00:44 **7** do is an enlargement of the driveway, because there
 00:44 **8** was -- Mr. Alampi described it without the benefit of
 00:44 **9** a visual.
 00:44 **10** MR. ALAMPI: So that's A-35.
 00:44 **11** (Whereupon, Entrance Rendering, 15
 00:44 **12** Grand Avenue is received and marked as Exhibit
 00:44 **13** A-35 for identification.)
 00:44 **14** BY MR. ALAMPI:
 00:44 **15** **Q.** That was prepared --
 00:44 **16** **A.** **This is entitled, "Entrance Rendering,**
 00:44 **17** **15 Grand Avenue."**
 00:44 **18** **It is also dated September 16th, 2022.**
 00:44 **19** **This is just an enlargement of the proposed north**
 00:44 **20** **driveway, so you can see it a little bit more**
 00:44 **21** **clearly.**
 00:44 **22** **This is on the upper part of the sheet**
 00:44 **23** **is the existing paved driveway, which we've denoted**
 00:44 **24** **with an inbound arrow that's on the 21 Grand side.**
 00:44 **25** **We've widened the driveway on the 15 Grand side to**

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00:44 **1** show two 12-foot lanes with a double yellow line.
 00:44 **2** And we've stopped the double yellow
 00:45 **3** line about 40 feet short of where we're proposing an
 00:45 **4** island so that the traffic that's coming out of the
 00:45 **5** 21 Grand parking lot can cross over as they do today
 00:45 **6** and exit the site.
 00:45 **7** Now, in the case -- and I'm not going
 00:45 **8** to go through what Mr. Alampi did.
 00:45 **9** CHAIRMAN FERGUSON: No, please.
 00:45 **10** THE WITNESS: If we don't reach some --
 00:45 **11** CHAIRMAN FERGUSON: Accommodation.
 00:45 **12** THE WITNESS: -- accommodation, thank
 00:45 **13** you, sir.
 00:45 **14** This could be an inbound. They would
 00:45 **15** have their own driveway. It's 20-something-feet wide
 00:45 **16** that could accommodate two-way traffic.
 00:45 **17** We would have an inbound lane. And we
 00:45 **18** would have a single outbound lane that would come
 00:45 **19** down and we would stripe a -- kind of like what you
 00:45 **20** have in Grand Avenue, where you have a striped out
 00:45 **21** median area, except in this case it would separate
 00:45 **22** two driveways. We would have our driveway with an
 00:46 **23** inbound and an outbound that would go right into the
 00:46 **24** lower level where the loading is and the garage
 00:46 **25** access is and they would have their own driveway.

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00:46 **1** So we can make it work either way.
 00:46 **2** So we would have a two-way driveway and
 00:46 **3** they would have whatever they want on their side.
 00:46 **4** However they want it to work, that's
 00:46 **5** their issue.
 00:46 **6** CHAIRMAN FERGUSON: Let me just -- so
 00:46 **7** I'm --
 00:46 **8** THE WITNESS: Yes.
 00:46 **9** CHAIRMAN FERGUSON: First of all, when
 00:46 **10** the fire department comes rolling in, if there's a
 00:46 **11** fire on that side of the building, right, they can
 00:46 **12** come up with the 24 feet.
 00:46 **13** THE WITNESS: Yes.
 00:46 **14** CHAIRMAN FERGUSON: Really?
 00:46 **15** THE WITNESS: Yes.
 00:46 **16** I mean, a standard driveway is 24 feet
 00:46 **17** in width. So this whole pavement area from the
 00:47 **18** existing edge of pavement to the new retaining wall
 00:47 **19** is about 44-foot wide.
 00:47 **20** And there is not anything other than
 00:47 **21** stripes on the ground that divide it, whether it's in
 00:47 **22** this configuration or we have two separate parallel
 00:47 **23** driveways, it will be nothing but paint on the
 00:47 **24** ground.
 00:47 **25** There are no physical barriers, no

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00:47 **1** curbs, no nothing for somebody to get hung up on.
 00:47 **2** CHAIRMAN FERGUSON: So you're going to
 00:47 **3** put another how many feet?
 00:47 **4** THE WITNESS: We are widening
 00:47 **5** it approximately four, it's variable width because
 00:47 **6** where the existing retaining wall is, it's about 4 to
 00:47 **7** 8 feet additional pavement over what's there today,
 00:47 **8** because it narrows as you come into this site, it
 00:47 **9** narrows a little bit, which is the struggle we have
 00:47 **10** on the first set of plans where I think Mr. Simoff
 00:48 **11** made a comment that we had a very short, you know,
 00:48 **12** left-turn and right-turn lane.
 00:48 **13** So now we have, it extends the full
 00:48 **14** depth of our property.
 00:48 **15** CHAIRMAN FERGUSON: Okay. I'll wait.
 00:48 **16** MR. SIMOFF: But if I may, what the
 00:48 **17** Chairman is asking, and I think whatever driveway
 00:48 **18** configuration you come up, you have to plot the
 00:48 **19** templates, the turning templates to make it work.
 00:48 **20** THE WITNESS: Right.
 00:48 **21** I mean, if we have a two-way driveway
 00:48 **22** on our side and they have something on their side, I
 00:48 **23** mean, I'm not a fireman, never have been, but they're
 00:48 **24** going to go where they need to go to fight a fire and
 00:48 **25** as long as there's not a physical barrier that

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00:48 **1** prevents them from driving where they need to, they
 00:48 **2** will have the full 44-foot pavement area in which to
 00:48 **3** access the site.
 00:48 **4** Now, remember, 21 Grand also has access
 00:48 **5** out to West Ruby.
 00:48 **6** So should, God forbid, there be an
 00:49 **7** emergency event and they have all of their trucks
 00:49 **8** parked over here, the people at 21 Grand still have
 00:49 **9** the ability to get out through West Ruby.
 00:49 **10** So it's not like we're preventing them
 00:49 **11** and land-locking them into the site.
 00:49 **12** CHAIRMAN FERGUSON: Well, my concern is
 00:49 **13** -- you know, I'll wait for the fire department to
 00:49 **14** tell me, but, you know, fire trucks are big. I mean,
 00:49 **15** you know, and if there's cars coming out, you know,
 00:49 **16** so -- but I'll wait for the fire department report.
 00:49 **17** MR. ALAMPI: Usually, Chairman, when
 00:49 **18** there's a fire emergency, police come first.
 00:49 **19** CHAIRMAN FERGUSON: Most of the time.
 00:49 **20** MR. ALAMPI: Police come first.
 00:49 **21** CHAIRMAN FERGUSON: Most of the time.
 00:49 **22** MR. ALAMPI: Police come first, they're
 00:49 **23** supposed to --
 00:49 **24** CHAIRMAN FERGUSON: Most of the time,
 00:49 **25** not all of time.

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00:49 **1** MR. ALAMPI: They're supposed to block
 00:49 **2** traffic.
 00:49 **3** CHAIRMAN FERGUSON: Right.
 00:49 **4** MR. ALAMPI: And then run interference
 00:49 **5** for the fire trucks.
 00:49 **6** Fire trucks, remember, they drive on
 00:49 **7** the highway, on the Turnpike anywhere, travel lanes
 00:49 **8** are still only 10-foot wide.
 00:49 **9** So they look big, but nothing is wider
 00:50 **10** than 10 feet. Even a crane is not more than 10-foot
 00:50 **11** wide.
 00:50 **12** MR. SIMOFF: It's not the width, it's
 00:50 **13** the turning template.
 00:50 **14** MR. ALAMPI: I understand.
 00:50 **15** MR. SIMOFF: Because it takes a wider
 00:50 **16** driveway to --
 00:50 **17** MR. ALAMPI: Absolutely.
 00:50 **18** THE WITNESS: The thing with the fire
 00:50 **19** truck is it's not so much a wheelbase.
 00:50 **20** Their wheelbase is not necessarily much
 00:50 **21** longer than a single-unit truck, but they have much
 00:50 **22** larger overhangs, especially the aerial trucks. You
 00:50 **23** know, they have a large overhang, more so in the rear
 00:50 **24** to some degree in the front.
 00:50 **25** VICE CHAIRMAN ALBANESE: How long are
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00:50 **1** they, about 24-foot long?
 00:50 **2** MALE AUDIENCE MEMBER: The shortest one
 00:50 **3** is 34 feet.
 00:50 **4** VICE CHAIRMAN ALBANESE: How much?
 00:50 **5** MALE AUDIENCE MEMBER: Shortest truck
 00:50 **6** is 34 feet.
 00:50 **7** THE WITNESS: An aerial truck is
 00:50 **8** 47-foot long.
 00:50 **9** VICE CHAIRMAN ALBANESE: Yeah, but how
 00:50 **10** are they going to make that turn?
 00:50 **11** THE WITNESS: But it's 47 feet from the
 00:50 **12** front bumper to the rear bumper, but the wheelbase is
 00:50 **13** 22 feet, 24, so...
 00:51 **14** VICE CHAIRMAN ALBANESE: How are they
 00:51 **15** going to make that turn if it's only, what, 24 feet?
 00:51 **16** MR. ALAMPI: We'll show the turning
 00:51 **17** template.
 00:51 **18** THE WITNESS: We'll show it.
 00:51 **19** CHAIRMAN FERGUSON: Okay.
 00:51 **20** VICE CHAIRMAN ALBANESE: How do they
 00:51 **21** make the turn if they're 40-foot long? They're going
 00:51 **22** to be on the other side of the street to make the
 00:51 **23** turn.
 00:51 **24** THE WITNESS: In some cases, yes, but
 00:51 **25** that's -- it's no different than what happens on the
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00:51 **1** streets of Palisades Park or any other community.
 00:51 **2** You know, they're using the roadway, because they
 00:51 **3** have an emergency to go to.
 00:51 **4** MR. ALAMPI: You're going to lose him,
 00:51 **5** Diane.
 00:51 **6** CHAIRMAN FERGUSON: Okay. Well, like I
 00:51 **7** said, we'll wait for the fire department to give a
 00:51 **8** report and I'm sure --
 00:51 **9** THE WITNESS: Absolutely.
 00:51 **10** CHAIRMAN FERGUSON: Now, the other
 00:51 **11** thing is, on the other side there was an entrance
 00:51 **12** only and I believe you changed it to, you also did an
 00:51 **13** exit there?
 00:51 **14** THE WITNESS: A right turn exit out
 00:52 **15** only onto Grand Avenue. I recognize that Grand
 00:52 **16** Avenue backs up and if somebody is coming out of that
 00:52 **17** driveway, they're going to have to wait, you know.
 00:52 **18** CHAIRMAN FERGUSON: Just so I'm clear,
 00:52 **19** you're going to send -- coming out, not this one, the
 00:52 **20** other one, closest to Route 46.
 00:52 **21** THE WITNESS: Yes, the south driveway.
 00:52 **22** CHAIRMAN FERGUSON: You keep on
 00:52 **23** standing there. I can't see it.
 00:52 **24** THE WITNESS: I'm sorry.
 00:52 **25** CHAIRMAN FERGUSON: But at any rate,
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00:52 **1** you're going to send all that traffic out right turn
 00:52 **2** only.
 00:52 **3** So if you're coming out of that
 00:52 **4** driveway, right, the right turn would send you to
 00:52 **5** Ridgefield, so you're -- yes, no.
 00:52 **6** THE WITNESS: Well, yes.
 00:52 **7** And Mr. Simoff and I --
 00:52 **8** CHAIRMAN FERGUSON: Yes?
 00:52 **9** THE WITNESS: Yes, but Mr. Simoff and I
 00:52 **10** talked about this earlier.
 00:52 **11** This driveway predominantly serves the
 00:52 **12** garage, the upper level of the garage. The upper
 00:52 **13** level of the garage accommodates the residents of the
 00:52 **14** building. The residents of the building have the
 00:53 **15** ability to go down to the lower level and come out at
 00:53 **16** the north driveway.
 00:53 **17** So if they want to head, you know,
 00:53 **18** north to Leonia, they can go through the garage, come
 00:53 **19** out at the north driveway and make a left.
 00:53 **20** The only people who don't have that
 00:53 **21** option is if somebody, a visitor or delivery guy
 00:53 **22** comes to and parks in the -- by the lobby, they have
 00:53 **23** to make a right out to go towards Ridgefield, but
 00:53 **24** then they can make the left onto Maple and get onto
 00:53 **25** 46 or go over to Broad Avenue.
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00:53 1 CHAIRMAN FERGUSON: But just so I'm
 00:53 2 clear, so if you go down there at certain hours of
 00:53 3 the day, two hours in the morning, two hours --
 00:53 4 right, it's backed up.
 00:53 5 People are trying to get on to 46 and,
 00:53 6 you know, they're coming off of 80 and they're coming
 00:54 7 down Grand and it's that intersection is backed up.
 00:54 8 So trying to make a turn when -- you
 00:54 9 know, I'm not saying it's impossible, like you said
 00:54 10 you're going to have to wait, but it's going to be
 00:54 11 difficult.
 00:54 12 THE WITNESS: It is, understood. You
 00:54 13 know, I mean, it's if you went to the restaurant
 00:54 14 there, you know.
 00:54 15 CHAIRMAN FERGUSON: Now, the last
 00:54 16 question, because I'm going to wrap this up, you said
 00:54 17 about, you know, putting -- what do you call it, I
 00:54 18 had the word before, talking about plumbing, when you
 00:54 19 --
 00:54 20 THE WITNESS: Oh, the backflow
 00:54 21 preventer, check valve?
 00:54 22 CHAIRMAN FERGUSON: Check valve.
 00:54 23 Didn't you say you were going to have
 00:54 24 your people take a look at it and -- you know, I
 00:54 25 assume, I hate to say this, but I assume you're going
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00:54 1 to put testimony in before the board to show us how
 00:54 2 that's going to happen?
 00:55 3 Because it's obvious to me Pauly has a
 00:55 4 problem with it.
 00:55 5 So I don't want to say, okay, build the
 00:55 6 building and then all of a sudden, you know...
 00:55 7 So at some point we would love to hear
 00:55 8 with Mr. Collazuol here how you're going to handle
 00:55 9 that.
 00:55 10 THE WITNESS: Understood.
 00:55 11 CHAIRMAN FERGUSON: You know, all these
 00:55 12 things that happen, like go to DOT, right, to get
 00:55 13 approval, it's a state, you know, highway.
 00:55 14 What happens if the DOT says no? You
 00:55 15 know, I still think that it's like, you know, the
 00:55 16 horse is before the -- behind the cart.
 00:55 17 MR. ALAMPI: Well, you have to start
 00:55 18 somewhere, Chairman.
 00:55 19 What happens under the law, you can
 00:55 20 make simultaneous applications, you can make them in
 00:55 21 sequence, like, for example, we've been down to the
 00:55 22 state, to the DEP and all that. We've already
 00:56 23 secured numerous approvals from the state. We've
 00:56 24 secured the --
 00:56 25 THE WITNESS: Flood hazard.
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00:56 1 MR. ALAMPI: -- flood hazard permits.
 00:56 2 We've secured from the county an exemption.
 00:56 3 We've secured from the DEP other
 00:56 4 permits. We've done the delineation. So we've done
 00:56 5 all of that.
 00:56 6 Now, with the state DOT, Eric and his
 00:56 7 colleagues have been in touch. We're processing
 00:56 8 those applications. I don't think --
 00:56 9 BY MR. ALAMPI:
 00:56 10 Q. Where are we on DOT, Eric?
 00:56 11 A. **I have to -- because we've gone back**
 00:56 12 **and forth with the driveway, I have to finalize the**
 00:56 13 **submittal.**
 00:56 14 Q. Right. But --
 00:56 15 A. **In our opinion, and it's my opinion,**
 00:56 16 **you know, the DOT will tell me whether they agree**
 00:56 17 **with my opinion or not, is it's a Letter of No**
 00:56 18 **Interest is our opinion.**
 00:56 19 **We're not changing the driveways, other**
 00:56 20 **than, yes, the south driveway is going to be two way,**
 00:57 21 **but it's limited to right turn out.**
 00:57 22 **The north driveway functionally doesn't**
 00:57 23 **really change and we're generating less traffic with**
 00:57 24 **this use as compared to the restaurant use and**
 00:57 25 **putting that aside, the residential use by itself**
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00:57 1 **generates less than 100 peak hour trips, which is the**
 00:57 2 **DOT's threshold for needing a new permit.**
 00:57 3 MS. TESTA: I just have a quick
 00:57 4 question.
 00:57 5 Is the restaurant saying or leaving? I
 00:57 6 thought the restaurant was staying on a reduced
 00:57 7 scale.
 00:57 8 MR. ALAMPI: On a reduced scale.
 00:57 9 MS. TESTA: Okay. So the restaurant is
 00:57 10 staying.
 00:57 11 MR. ALAMPI: It's significantly
 00:57 12 reduced.
 00:57 13 MR. SIMOFF: But none of the traffic
 00:57 14 reports include the restaurant.
 00:57 15 MR. ALAMPI: Right.
 00:57 16 We'll finalize that.
 00:57 17 MR. KAUKER: I have a question about
 00:57 18 the blowup that you put up.
 00:57 19 Looking at it, there are four or five
 00:57 20 parking spaces on the side of the existing building.
 00:57 21 It doesn't look like there's enough room for those to
 00:57 22 function properly.
 00:57 23 THE WITNESS: Those exist and we've
 00:57 24 widened out the pavement here.
 00:57 25 MR. KAUKER: So are those -- because
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00:57 1 there -- you know, there are four parking spaces. I
 00:58 2 mean, they're going to have to be at an angle.
 00:58 3 So first of all, it looks like they're
 00:58 4 going to probably have to back out onto Grand Avenue,
 00:58 5 that's the only way they can get out.
 00:58 6 THE WITNESS: No, they can -- we have
 00:58 7 some striped out areas here. They can make a turn
 00:58 8 through there.
 00:58 9 MR. KAUKER: It's going to be tough. I
 00:58 10 mean, if you could when you do that, just provide
 00:58 11 dimensions of those parking spaces and that aisle.
 00:58 12 THE WITNESS: Okay.
 00:58 13 MR. KAUKER: I mean, it's only five,
 00:58 14 but I mean, and also if you're looking to widen that
 00:58 15 area, I mean, it seems like it would make sense to
 00:58 16 just eliminate those.
 00:58 17 It looks like it's more headache than
 00:58 18 it's worth it and you can use it to actually widen
 00:58 19 that driveway.
 00:58 20 MR. SIMOFF: Well, and also the DOT
 00:58 21 doesn't allow parking within 15 or 20 feet within the
 00:58 22 right-of-way.
 00:58 23 And if you would, send me copies of
 00:58 24 what you sent DOT.
 00:58 25 THE WITNESS: Absolutely.

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01:00 1 So I would keep Mr. Simoff involved in
 01:00 2 every step with turning radiuses and everything else,
 01:00 3 along with all of our experts.
 01:00 4 THE WITNESS: Absolutely.
 01:00 5 They've been copied on everything.
 01:00 6 CHAIRMAN FERGUSON: Because they say
 01:00 7 nay --
 01:00 8 THE WITNESS: Understood.
 01:00 9 CHAIRMAN FERGUSON: Okay. Any board
 01:00 10 members have any questions?
 01:00 11 (No response.)
 01:00 12 CHAIRMAN FERGUSON: Steve, do you have
 01:00 13 any questions?
 01:00 14 MR. COLLAZUOL: I'd just like to go
 01:00 15 briefly over what just went over with everybody and
 01:00 16 what I've seen last week.
 01:00 17 We did issue a report which is dated
 01:00 18 September 13th and it was sent out.
 01:01 19 Eric Keller did respond to that later
 01:01 20 on in the week. He did provide further documents,
 01:01 21 which I have not -- our office has not reviewed in
 01:01 22 detail.
 01:01 23 We did review them briefly, such as the
 01:01 24 maintenance manual for stormwater was reviewed and
 01:01 25 also the discussion of the south side of the building

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00:58 1 CHAIRMAN FERGUSON: Yeah.
 00:59 2 THE WITNESS: These are convenient
 00:59 3 spaces that have existed on the site for a long time
 00:59 4 and they're really for the liquor store and to a
 00:59 5 lesser extent, they're really employee parking
 00:59 6 spaces.
 00:59 7 They're not signed that way, but that's
 00:59 8 how they function.
 00:59 9 Right now, I know all the board members
 00:59 10 know the site inside and out, there's perpendicular
 00:59 11 parking spaces along Grand Avenue. You pull off
 00:59 12 Grand Avenue, pull up to the building and those back
 00:59 13 out.
 00:59 14 We're eliminating those from the plan,
 00:59 15 but we want -- we're trying to keep some convenient
 00:59 16 spaces for the employees, because of the existing
 00:59 17 retail use in the building, plus the gym.
 00:59 18 CHAIRMAN FERGUSON: Okay.
 00:59 19 So one thing, I would definitely, as I
 00:59 20 said at the beginning of this, the board is comprised
 00:59 21 of residents that live in Palisades Park that may or
 01:00 22 may not have expertise and all of this. We rely
 01:00 23 heavily on our experts.
 01:00 24 If Mr. Simoff says it's a no-go, I'm
 01:00 25 pretty confident it's going to be a no-go.

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01:01 1 along and over the 48-inch pipe.
 01:01 2 I haven't seen the revised grading plan
 01:01 3 for that. I did note that there was an e-mail from
 01:01 4 Mr. Keller indicating he was going to build up the
 01:01 5 height of the headwall where the pipe outfalls to the
 01:01 6 ditch.
 01:01 7 So I wanted to look at that. That has
 01:01 8 to be reviewed. It may -- it's certainly better than
 01:01 9 it was previously on the previous plan, should the
 01:01 10 borough need to do anything with that area for storm
 01:01 11 drainage.
 01:02 12 With regard to the northerly entrance,
 01:02 13 I certainly would defer to Mr. Simoff on that.
 01:02 14 It does appear that the issue of
 01:02 15 whether there's an easement there or rights of common
 01:02 16 use or a blanket right, I would presume that if there
 01:02 17 was not going to be a common driveway, that there
 01:02 18 would be -- there would have to be some sort of
 01:02 19 review by DOT for the 21 Grand property if they were
 01:02 20 changing the entrance such that there was going to be
 01:02 21 on 21 Grand an entrance and an exit and at 15 Grand,
 01:02 22 an entrance and exit really to the right.
 01:02 23 I would think that that certainly would
 01:02 24 have to be reviewed, but, of course, I would defer to
 01:02 25 Mr. Simoff and DOT whether that would be just a

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01:02 **1** Letter of No Interest.
 01:03 **2** With the matter of the sanitary sewer,
 01:03 **3** I -- I would certainly agree with the board in that I
 01:03 **4** recognize that Mr. Schulman and Mr. Keller this
 01:03 **5** evening have indicated that they're going to work it
 01:03 **6** out.
 01:03 **7** But it does seem to be an issue that
 01:03 **8** should be resolved so that the board is more
 01:03 **9** comfortable with how the sanitary from the apartments
 01:03 **10** would be drained if there was a backup and the -- and
 01:03 **11** the sanitary sewer at Grand Avenue was at full
 01:03 **12** capacity due to storms.
 01:03 **13** I think of the head from all of those
 01:03 **14** apartments, as Mr. Albanese said, if the flows coming
 01:03 **15** down those pipes, where would it go?
 01:03 **16** Would it then back up over the head as
 01:03 **17** they clog in -- in that -- in those pipes, push the
 01:03 **18** water through such that it wouldn't be backed up into
 01:04 **19** those apartments?
 01:04 **20** So I think the matter still is out
 01:04 **21** there and needs to be resolved.
 01:04 **22** We received a revised stormwater
 01:04 **23** report, which I looked at briefly.
 01:04 **24** It looks like all the issues have been
 01:04 **25** taken care of.

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01:05 **1** MS. TESTA: No further notice.
 01:05 **2** CHAIRMAN FERGUSON: No further notice.
 01:05 **3** MS. TESTA: And the applicant waives
 01:05 **4** the time constraints through December 31st, 2022.
 01:05 **5** CHAIRMAN FERGUSON: Right.
 01:05 **6** MS. TESTA: We need a second.
 01:05 **7** CHAIRMAN FERGUSON: We need a second on
 01:05 **8** that.
 01:05 **9** MR. TERRANOVA: I'll second.
 01:05 **10** VICE CHAIRMAN ALBANESE: Third and
 01:05 **11** forth.
 01:05 **12** CHAIRMAN FERGUSON: Roll call.
 01:05 **13** MS. LAMBRINIDES: Mr. Ferguson.
 01:05 **14** CHAIRMAN FERGUSON: Yes.
 01:05 **15** MS. LAMBRINIDES: Mr. Albanese?
 01:05 **16** VICE CHAIRMAN ALBANESE: Yes.
 01:05 **17** MS. LAMBRINIDES: Mr. Terranova?
 01:05 **18** MR. TERRANOVA: Yes.
 01:05 **19** MS. LAMBRINIDES: Mr. Chung?
 01:05 **20** MR. CHUNG: Yes.
 00:00 **21** MS. LAMBRINIDES: Mr. Elefteriou?
 00:00 **22** MR. ELEFTERIOU: Yes.
 00:00 **23** MS. LAMBRINIDES: Mr. Grala?
 00:00 **24** MR. GRALA: Yes.
 00:00 **25** MS. LAMBRINIDES: Mr. Brogna?

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01:04 **1** Excuse me. So I think in brief, the
 01:04 **2** board covered most of the topics that were of
 01:04 **3** concern.
 01:04 **4** THE WITNESS: Thank you, Mr. Collazuol.
 01:04 **5** And I apologize for the lateness of
 01:04 **6** sending that back to you, but I did want to get it to
 01:04 **7** you and I hope you feel better soon.
 01:04 **8** MR. COLLAZUOL: Thank you.
 01:04 **9** CHAIRMAN FERGUSON: So you're welcome
 01:04 **10** to talk to our experts and try to work things out,
 01:04 **11** you know, so we can move this thing along.
 01:04 **12** THE WITNESS: Yes, we will do that.
 01:04 **13** CHAIRMAN FERGUSON: All right. So if
 01:04 **14** there are no questions, I'm going to make a motion to
 01:05 **15** grant the adjournment.
 01:05 **16** MS. TESTA: Should we open to the
 01:05 **17** public first?
 01:05 **18** CHAIRMAN FERGUSON: Oh, I'm sorry. Any
 01:05 **19** questions from the public.
 01:05 **20** (No response.)
 01:05 **21** CHAIRMAN FERGUSON: No questions, okay.
 01:05 **22** So I'm going to make a motion to grant
 01:05 **23** the adjournment for next month, which is.
 01:05 **24** MS. TESTA: October 17th.
 01:05 **25** CHAIRMAN FERGUSON: October 17th.

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01:05 **1** MR. BROGNA: Yes.
 01:05 **2** CHAIRMAN FERGUSON: Okay.
 01:05 **3** Motion to adjourn?
 01:05 **4** VICE CHAIRMAN ALBANESE: Adjourn.
 01:05 **5** (Whereupon, the meeting is adjourned.)
 01:05 **6** Time noted: 8:08 p.m.)
 01:05 **7**
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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: _____

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