

**BOROUGH OF WOODCLIFF LAKE
ZONING BOARD OF ADJUSTMENT
MAY 24, 2016
MINUTES**

Call to Order:

The meeting was called to order at 7:30 p.m. at Borough Hall by Chairwoman Christina Hembree.

Adequate Notice Statement:

The Chairwoman announced this meeting, in accordance with the Open Public Meetings Law, P.L. 1975, Chapter 231, at the Reorganization Meeting of January 26, 2016, in the Municipal Building. Notice of this meeting was posted, and two newspapers, The Record and The Ridgewood News, were notified. The public was advised of the Zoning Board's rule that the meeting will conclude at 10:30 p.m.

Flag Salute

Roll Call:

Brian Boffa	Present
Victor Bongard, Vice Chairman	Present
Marcia Denbeaux	Present
Sanjeev Dhawan, Alternate 2	Present
Jay Ferreira	Present
Robin Effron-Malley	Present
Gary Newman, Alternate 1	Present
John Spirig	Present
Christina Hembree, Chairwoman	Present
S. Robert Princiotto, Esq.	Present
Joseph Vuich, Neglia Engineering	Present
Daniel Bloch, Planner	Present
Tonya Tardibuono, Secretary	Present

Minutes:

The minutes of April 26, 2016 were approved on a motion from Mrs. Effron-Malley, seconded by Mr. Bongard, and carried by all.

Continued Application:

WCL Realty, LLC.

62 Broadway

Block 2708/1

Interpretation / Modification of site plan

Mr. Louis D'Arminio was present as the Attorney for the applicant WCL Realty, LLC. He explained to the Board that there were some legal issues with the applicant's prior architect, therefore he would like to postpone this application for a later date. Mr. Gary Lachman was present on behalf of the applicant's prior architect Morpurgo Architects. Mr. Lachman addressed the Board saying he believes they can come to an agreement in a timely manner. Mr. Ferreira asked the applicant to provide a list of all changes being requested. Mrs. Effron-Malley requested renderings of all four sides to be provided to the Board. Mr. Princiotto will follow up with the applicant's attorney, Mr. D'Arminio, regarding rescheduling the application.

Valley Chabad

100 Overlook Drive

Block 908 / Lot 1

Change of Use / Site Plan Application with variances

Mr. Elliot Urdang was present as the Attorney for the applicant. Notice and proof of publication were submitted and found to be sufficient. A copy of the notice and proof of publication were marked as A2-1.

Mr. Princiotto spoke about a letter received from Attorney Chris Diktas. The letter stated that effective immediately he will no longer be the Attorney for The Woodcliff Lake Residents for Reasonable Development, LLC. The members of the LLC will proceed independently as objectors. Please see attached letter.

Mr. Princiotto asked the Board members if this revised site plan application should be treated as a new application. Mr. Newman responded that he believes it is fine to proceed with this application as a continued application, with the caveat that there are substantial changes to plans and if anyone in the public wants to call witnesses for this application, they have the right to do so. Mr. Urdang pointed out that all of the changes have been made to eliminate variances or to reduce some of the size of the variances. A Board discussion was then had by all members present about the changes that were made to the application. Mr. Urdang said that as his witnesses testify, they will explain any revisions that were made to the plans.

The applicant's Traffic Engineer, Mr. Matthew Seckler of Stonefield Engineering, was previously sworn in.

Mr. Seckler submitted a revised letter dated April 13, 2016, from the original traffic report dated October 10, 2014. The letter was marked A2-2. Please see attached letter.

Mr. Seckler will discuss what revisions were made. Our previous report was written with the intended build date to be in 2016. This revision was done two years into the future adding a one-and-a-half percent growth rate factor, with the intended build date to now be in 2018. The main changes related to the site was the shrinkage of the building. The building went from 20,924 square feet, to 12,427, a forty percent reduction. He explained how there are many uses when dealing with a synagogue, but the most basic way to generate the trip generation is you take the square footage of the building. He has projected that on an average Saturday during the peak hours you would have 20 cars entering the site and 28 cars leaving the site, for a total of 48. Mr. Seckler then went into detail about how they came to these figures. Gary Newman asked if this rate was based on just synagogues, Mr. Seckler replied yes. Mr. Ferreira asked where this information is obtained from, Mr. Seckler answered this information is obtained from the Institute of Transportation Engineers; it's an overall compilation of their collected data of the United States and Canada. This is the same source that is used by the New Jersey DOT, Bergen County and every jurisdictional agency that he has worked with. A Board discussion was then had pertaining to the number of possible attendees at an average service. Mr. Seckler then looked at the school's traffic. Using the figures for allowance of 94 students there is a trip generation rate of 48 cars entering in the morning and 40 cars leaving for a total of 88 trips, and 25 cars entering in the evening and 28 leaving for a total of 53 trips to the site. Mr. Seckler said that the Institute of Transportation Engineers typically has a threshold of a 100 trips as what would indicate a potential significant impact.

Mr. Seckler spoke about how they utilized highway capacity software which is the industry standard to analyze the lay and level of service. They analyzed the site driveways and the intersection of Overlook and Saddle River Road. As noted in their report (see attached report) it showed a level of service of C or better at these driveways and intersections during the peak times.

Colorized version of the site plan revised on April 13, 2016. The site plan was marked A2-3. They are proposing a north and south driveway. Mr. Seckler explained how the flow of traffic and the parking were designed. The number of parking spaces is 73.

The letter from the Police Chief Anthony Jannicelli and the Traffic Safety Officer Sgt. Craig DeGeorge dated April 20, 2016 was marked as A2-4 (see attached letter). Mr. Seckler addressed each issue Chief Jannicelli pointed out.

- As far as parking they are in compliance.
- They don't see the slope being an issue in inclement weather but the site engineer will discuss this further at a future meeting.
- The rear driveway is designed to allow recirculation along the back drive aisles. But if the Board would like it to be one-way only, that will not be an issue.
- A line of sight map dated 5/12/2016 was marked as A2-5. Mr. Seckler explained the map in detail.

- Mr. Seckler spoke about the pedestrian traffic on Overlook. He said at this time there are no sidewalks proposed. Possibly in the future they can look at the possibility of sidewalks and crosswalks.
- Mr. Seckler said they are proposing to have a wall on the back of the property and that would hinder foot traffic. He is unaware of any individuals being dropped off/picked up on the Garden State Parkway southbound.
- The proposed parking spaces are a typical industry standard at 9 feet wide.

Mr. Ferreira had several more questions pertaining to the line of sight and the speed on Overlook Road. Mr. Seckler answered all of the questions in detail.

Mrs. Denbeaux asked how drivers would be notified of a crosswalk. Mr. Seckler responded that the applicant would ensure that there would be proper signage notifying drivers of an upcoming crosswalk.

Mr. Ferreira asked if there is any proposed street lighting. Mr. Seckler answered that no street lights are proposed at this time, but that can change if it becomes a requirement.

The meeting was open to the public to ask any questions of Mr. Seckler, on a motion from Mrs. Denbeaux, seconded by Mr. Ferreira, and carried by all.

Diane Audino, Woodcliff Lake – What is the attendance on a typical Saturday? Mr. Seckler replied that he was speaking about the automobile traffic only. Based on his calculations there will be on average 28 cars on a typical Saturday. Mrs. Audino said there are 25-30 cars now on a typical Saturday. She doesn't believe that 73 parking spots will be enough for this facility, especially on High Holy days. Mr. Seckler said he cannot comment on the amount of attendees currently on any specific days. Mrs. Audino asked if Mr. Seckler took into account if there was an event where would the wait staff, entertainers, caterers, djs, photographers etc. park. Mr. Seckler explained that there is a lot more wasted space when there is an event so you cannot fit all 219 people when there is an event, therefore needing less parking spaces. Mrs. Audino asked what happens when the numbers of attendees grows. Mr. Seckler answered basically the site will only hold 219 total people and 73 cars. Mrs. Audino asked how they would know if they exceed the amount of people allowed. Mr. Seckler replied that is not a traffic question. Mrs. Audino asked if they considered the amount of impact it will have on the traffic at the end of Mill Road Extension. At this time a gentleman interrupted and commented on the amount of occupants in attendance. Chairwoman Hembree announced to the gentleman he was out of line and asked him to leave. Mr. Seckler replied to Mrs. Audino's question stating that there will not be significant increase of traffic along the roadway. Mrs. Audino questioned the school hours and asked if they considered what it may be like when the entire town is all trying to get their kids to school at the same time. Mr. Seckler replied that they studied the busiest hours of the day, in the morning and the evening, and they do not believe this will be an issue. Mrs. Audino asked how people will be walking to the Valley Chabad in the dark. Mr. Seckler answered that people will walk in the future, the same way they walk today. Mrs. Audino asked if more people would be walking. Mr. Seckler replied, it's possible, but there are only so many people that live within walking distance of this temple.

Mrs. Audino asked if they considered snow. Mr. Seckler replied, no difference than today when people walk on the roads. Mrs. Audino asked about snow and the parking. Mr. Seckler replied that the engineer would answer that question.

Bob Fischer, Woodcliff Lake – Mr. Fischer asked if Mr. Seckler measured the 500 foot distance to the North when pulling out of Mill Road Ext. Mr. Seckler said he measured it on the aerial view. Mr. Fischer asked what the distance coming over the knoll on Mill Road Ext is. Mr. Seckler said he is unsure as he is doing the analysis based on the application site. Mr. Fischer replied that he believes this road is with great significance in this case. Mr. Fischer asked if he knew the closure rate of an automobile coming over that knoll until the time he crosses Mill Road Ext. Mr. Seckler replied that he does not know. Mr. Seckler asked how long it would take an adult to cross Overlook Drive. Mr. Seckler said the average walking speed for crosswalk distance is 3 ½ feet per second, judging the width of Overlook Drive, and roughly speaking about 12 seconds. Mr. Fischer asked if he ever calculated the time it takes a car to go over the knoll from the north, south of Heather Hill to the time it crosses Mill Road Ext. going 40 miles per hour. Mr. Seckler answered he could calculate those figures, but he does not believe it is applicable to this application.

Lisa Fiordelisi, Woodcliff Lake – Mrs. Fiordelisi wants to know what this will do for her and her home. Chairwoman Hembree said you may ask a question of the witness only. Mrs. Fiordelisi asked what all of this traffic will do for my daughter. Mr. Seckler replied that he does not see traffic as being an issue.

Beth Drason, Woodcliff Lake – Ms. Drason asked if a crosswalk is proposed at this site, or if it is something that came up in conversation. Mr. Seckler answered that as of now a crosswalk is not proposed, unless the Board, Borough or Police Chief asks for a crosswalk across Overlook Drive. Ms. Drason asked if he said he didn't expect the pedestrian traffic to increase that much. Mr. Seckler replied that the pedestrian traffic will be more based on where you live, versus how big the building is. Ms. Drason inquired about the safety of the pedestrians crossing the street in the crosswalk and the drivers being able to stop on time on a 40 mph road. Mr. Seckler replied that is why we would like to sit down with the Police Chief and experts and really look over the numbers.

At this time a break was taken from 9:41 pm until 9:52 pm.

Ghada Maney, Woodcliff Lake – Mrs. Maney asked if they think the studies and statistics they are presenting will be an accurate description for the number of cars. Because it seems like you were saying there will be about 20 cars going in, when we already have pictures of about 25-30 cars using the facilities as it stands. Mr. Seckler replied that the calculation we used for trip generation is the industry standard use for the DOT as well as Bergen County. Mrs. Maney asked if they were taking into account the busy hours the road is traveled. Mr. Seckler replied that they studied the busiest hours of the day, in the morning and the evening.

Cliff Levy, Woodcliff Lake – Mr. Levy asked if Mr. Seckler mentioned that his numbers don't reflect having a school. Mr. Seckler said no, we did a trip generation based on there being a school on site. He said right now the actual operations of the school are not set up. Mr. Levy asked if these numbers reflect a public school. Mr. Seckler replied no, they reflects a private school.

Roberta Green, Woodcliff Lake – Mrs. Green asked if people would be coming out of the temple and turning right and left. Mr. Seckler replied, yes. Mrs. Green said there is a double yellow line though. Mr. Seckler said he gets this question often on double yellow lines. Page 69 of the driver's manual indicates no passing on a double yellow line. It indicates you cannot pass, but you can cross over. Mrs. Green asked if people are turning right and left, won't that cause a bottleneck. Mr. Seckler replied, no. Mrs. Green asked if they took into account that on Friday nights and holy days that there is another temple across the street. Mr. Seckler replied that it does help that a facility with the same use is in the same neighborhood. That temple does have traffic assistance to assist people with the traffic, and we testified that we would have similar police control. It's also possible that on our busiest days we would have one set of the driveways going in, and another set of the driveways going out. Mr. Urdang stated that he look at one of the resolutions of Temple Emanuel and one of their conditions was that they had to provide police or some sort of traffic control. Mrs. Green asked what happens if both temples and Demarest Farms all have an event on the same day. Mr. Seckler replied that not every day will you see this surge of traffic. It will only happen on those peak days and will only happen for a very short amount of time.

Robert Wolpov, Woodcliff Lake – Mr. Wolpov has a photo that was previously marked 07. He asked Mr. Seckler to describe this photo and the measurements. Mr. Seckler replied that it looks to be 11 inches. Mr. Wolpov asked Mr. Seckler if he has expertise as to how wide a shoulder should be for somebody to walk on a 40 mph road. Mr. Seckler replied that a shoulder of that width would not support walking traffic. Mr. Wolpov asked Mr. Seckler what he suggests should go there. Mr. Seckler replied that he would suggest that people would be walking on the other side of the street where there would be more room. Mr. Wolpov asked if a cross walk would be a recommendation. Mr. Seckler replied if that is the direction that the Borough would like to move in. Mr. Wolpov asked what time of day the traffic study was conducted and what area was tested. Mr. Seckler replied the study was done on Friday, June 6, 2014 and Saturday, June 7, 2014. They studied the applicant's driveway and compared the current intersections to the intersection two years in the future. Mr. Wolpov asked if they picked Friday and Saturday because they believe that to be the highest traffic area to the site. Mr. Seckler replied yes. Mr. Wolpov asked why you wouldn't study when the most traffic is on the street. Mr. Seckler replied that typically they look at when the most traffic is on the roadway, but this site's general traffic volumes will be lower during the week. Mr. Wolpov asked specific questions about the amount of people and seating. Mr. Seckler replied that those questions are for the architect. Mr. Wolpov asked through the trip generation research, do you consider a maximum number of people in a social hall. Mr. Seckler replied the synagogue full to capacity is the worst case for the trip generation. When this facility is used only as a sanctuary, it will reach its maximum capacity.

Kelly Kosoff, Woodcliff Lake – Mrs. Kosoff asked if his firm completed a traffic study yesterday. Mr. Seckler replied, no. Mrs. Kosoff asked if the town and police are notified if a study is conducted. Mr. Seckler replied typically we do. Mrs. Kosoff wanted to know if the police were notified in June of 2014 when they conducted their traffic study. Mr. Seckler said he was unsure if the police were called. Mrs. Kosoff said she is on the corner of Overlook Road and Saddle River Road and in June of 2014 when a traffic study was being conducted the police knew nothing about it. Mrs. Kosoff said that Mr. Seckler spoke about people being dropped off on the Garden State Parking and walking to the Valley Chabad. She asked what source that was from. Mr. Seckler replied it was from a letter from the Woodcliff Lake Police. Mrs. Kosoff asked if any other

municipality in New Jersey ever requested that something other than a trip generation be used. Something maybe more specific to our area. Mr. Seckler said he has never had to use any other data. Mrs. Kosoff asked if she would be in her rights to ask the town to conduct another study. Mr. Seckler replied that his calculations of impact were done at mass capacity with the whole site being utilized. Mrs. Kosoff asked if Mr. Seckler was aware of the adult education classes that were currently being offered at this time. Mr. Seckler replied that he doesn't believe that something like that would fill an entire parking lot. Mrs. Kosoff asked if he was aware that the Rabbi was e-mailing people as far away as West Paterson. Mr. Seckler replied that personally this is not something a traffic engineer has knowledge of. Mrs. Kosoff asked wouldn't this be relevant to the amount of cars on the site. Mr. Seckler replied that the mass trip generation is for 73 parking spaces. Mrs. Kosoff spoke about her concern with too many people attending the temple and not having ample parking, so they will park on side streets. Mr. Seckler replied that as long as there isn't a no parking sign posted, people can park wherever they wish to. Mrs. Kosoff asked if there was specific numbers of cars related to drop-off and pick up at school times. Mr. Seckler replied back to A2-3 and showed the Board and audience on the map how drop off and pick-up were proposed. Mr. Seckler stated that at this time there were no specifics for the school.

Michael Green, Woodcliff Lake – Mr. Green asked if you can put a crosswalk on a 40 mph street. Mr. Seckler answered that as he stated earlier, there would be certain techniques that would need to be implemented prior to installing a crosswalk and it would also take coordination from the Borough experts and the Woodcliff Lake Police.

Arthur Fiordelisi, Woodcliff Lake – Mr. Fiordelisi just made a comment that he cannot cross Overlook Road now in its current condition.

David Kosoff, Woodcliff Lake – Mr. Kosoff asked Mr. Seckler to explain the school drop-off again. Mr. Seckler explained the drop-off process and referred to the map A2-3. Mr. Seckler said that they could also arrange staggered start times for drop off and pick-up. Mr. Kosoff asked if he believes this site can have a successful drop-off and pick-up. Mr. Seckler replied yes, he believes so. Chairman Hembree replied that the issue here is Mr. Seckler does not know what kind of a school will be on the premises yet. Mr. Kosoff asked if Mr. Seckler knew where all of the walking traffic was coming from. Mr. Seckler replied that he did notice people walking from the north to the south and noticed some people walking on the eastbound side of the roadway. Mr. Kosoff asked Mr. Seckler's opinion of what the town could do to making walking traffic safer in that area. Mr. Seckler replied that a crosswalk with proper signage, as he does not believe that there is a feasible way to improve that shoulder without significantly widening the road.

Cheryl Kerin, Woodcliff Lake – Ms. Kerin asked whose responsibility is it to make sure that the pedestrian traffic is safe in Woodcliff Lake. Mr. Newman and Chairwoman Hembree both replied this would be a question for the Mayor and Council. Mr. Seckler replied this question is not the applicant's responsibility.

The meeting was closed to the public to ask questions of Mr. Seckler, on a motion from Mr. Ferreira, seconded by Mr. Boffa, and carried by all.

Mr. Newman asked Mr. Seckler if it would make more sense to have the southern entrance and northern entrance as one-way. Mr. Seckler replied that when you have a one-way pattern on site and you miss a parking space, you need to drive the lot and recirculate. He believes the site can operate as proposed.

The Board had a discussion about the agenda and future meeting dates. It was decided that the Valley Chabad will have a special meeting on Tuesday, June 14, 2016 at 7:00 p.m. The scheduled meeting on June 28, 2016 will now begin at 7:00 p.m. with the 62 Broadway application and The Valley Chabad application immediately following.

The meeting was adjourned on a motion from Mrs. Effron-Malley, seconded by Mrs. Denbeaux, and carried by all.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Tonya Tardibuono".

Tonya Tardibuono

CHRISTOS J. DIKTAS*
CHRISTINE GILLEN*

DENISE K. ZEVALLOS
CRYSTAL G. CALABRESE*

MICHAEL L. KINGMAN
JON S. PLEVITIS*
JUSTINE H. CHO+
OF COUNSEL

JAMES F. MADDEN (1921-2004)
JAMES J. DEER (1930-1995)

DIKTAS GILLEN

ATTORNEYS AT LAW
A PROFESSIONAL CORPORATION
596 ANDERSON AVENUE, SUITE 301
P. O. BOX 2199
CLIFFSIDE PARK, NEW JERSEY 07010
(201) 943-8020
TELECOPIER (201) 943-8838
E-MAIL DG@WEBLAWNJ.NET

11 PARK PLACE
SUITE 1715
NEW YORK, NEW YORK 10007

REPLY TO:
 NEW JERSEY
NEW YORK

*MEMBERS OF NJ & NY BARS
+MEMBERS OF NJ & PA BARS

May 6, 2016

Via Electronic Mail and First Class Mail

Christina Hembree, Chairwoman
Borough of Woodcliff Lake
188 Pascack Road
Woodcliff Lake, New Jersey 07677

**Re: Woodcliff Lake Zoning Board of Adjustment
Valley Chabad 100 Overlook Road Block 908 Lot 1**

Dear Ms. Hembree:

Kindly accept this transmittal in confirmation of my conversation with the Board's counsel S. Robert Princiotta in regard to the captioned matter.

Specifically, effective immediately this firm will not be representing the objecting entity Woodcliff Lake Residents for Reasonable Development, LLC. The Woodcliff Lake residents who are members of the LLC will proceed independently as objectors.

I would like to thank you, the Board and your Counsel for the professional courtesies extended to the undersigned during the course of this Zoning Application.

Respectfully submitted,

CHRISTOS J. DIKTAS

CJD/ir

cc: S. Robert Princiotta, Esq.
Elliot Urdang, Esq.
Client



Woodcliff Lake Police Dept.

ANTHONY JANNICELLI
CHIEF OF POLICE

184 PASCACK ROAD
WOODCLIFF LAKE, NEW JERSEY 07677

PHONE 201-391-8222
FAX 201-307-3482
Website: www.WCLPD.com

To: Woodcliff Lake Zoning Board
From: Chief A. Jannicelli *AJ*
Date: April 20, 2016
Subject: 2nd Site Plan Review
100 Overlook Drive Lot 1 Block 908

Upon your request, I detailed our traffic bureau officers to again review site plans for the above location. Many of our original concerns for safety still remain. Please review the letter attached from Sgt. DeGeorge, WLPD Traffic Bureau supervisor. Some of our concerns are as follows:

- The number of parking spaces have been reduced from 88 to 73. This was determined by their "conservative estimates" of 3/car for the 219 seats, down from the original 324 seats in the "sanctuary". This number was reduced from the original plans. Are there now "less" members, or was the number reduced to fit the formulas?
- The slope of the driveway on the south side of the property in ice/snow may result in members parking on side streets, requiring them to now cross Overlook Drive, especially in the dark.
- The rear driveway seems to go from one-way to two-way.
- There is limited line of sight for the proposed northern exit/entrance, opposite of the existing Mill Road Extension intersection, which makes it difficult for both vehicles and pedestrians crossing Overlook Drive.
- **Plans indicate that a significant number of people will be walking onto the property.** There are no sidewalks in that area of Overlook Drive, as well as on the property. Are pedestrians being asked to walk up and down the driveways?
- **We have received reports that individuals are being dropped off/picked up on the Garden State Parkway south bound. If this is true, it is not only extremely dangerous, the NJ State Police can charge both the driver and pedestrians for this violation. No pedestrians are allowed on the Parkway.**
- Parking space 9 feet wide. We suggest 9.5 feet wide. Locations in the Borough that have 9 foot wide spaces account for 13% of our total motor vehicle crashes.

If you need further information, please call me. 201-391-4977 x244.

Cc/WLPD Traffic Bureau
Police Commissioners





Woodcliff Lake Police Dept.



ANTHONY JANNICELLI
CHIEF OF POLICE

184 PASCACK ROAD
WOODCLIFF LAKE, NEW JERSEY 07677

PHONE 201-391-8222
FAX 201-307-3482
Website: www.WCLPD.com

To: Chief Jannicelli

From: Sgt. Craig DeGeorge

Subject: 100 Overlook Dr. Lot 1 Block 908

Date: April 18, 2016

Chief Jannicelli,

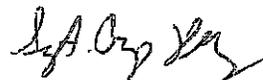
The Woodcliff Lake Police Department Traffic Bureau has researched the revised plans for the proposed Valley Chabad House of Worship. After reviewing the plans, the Traffic Bureau still has some concerns. The overall amount of parking spaces has dropped to 73 from 88 listed on earlier plans due to a scale back of the building size. This has alleviated our concern of not having a fire truck be able to access the rear of the building, as the turning area at the southeast corner of the building was significantly widened. We still feel that parking may be an issue at full capacity, particularly when there may be a threat of inclement weather. We are concerned with the slope of the driveway on the southern portion of the property. If there is a threat of inclement weather or if the driveway is not maintained, motorists will be more likely to park on side streets than to risk potentially sliding down the driveway or being unable to get up on the northern side of the property.

We are pleased that the revised plans change the driveway and rear area to a one way direction. The plans still appear to have one arrow in the rear calling for two way traffic, we are not sure if that was an oversight, it is clear on the rest of the plans that it is indeed to be a one way driveway all the way around the building.

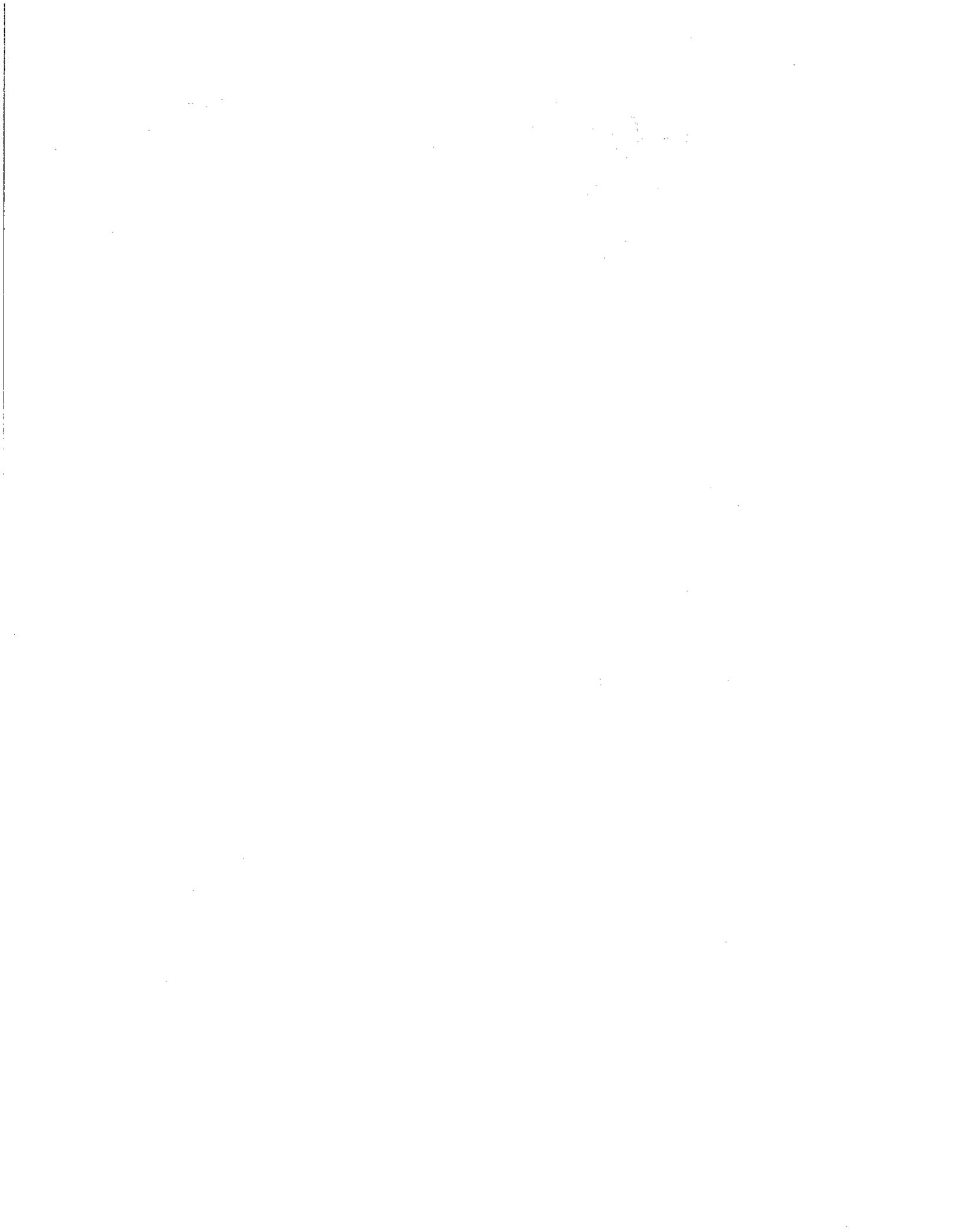
The northern entrance/exit to the property is located in an area that has limited visibility for vehicles turning left into and out of this driveway. The area is a 40 MPH zone and vehicles traveling south will have little time to react when presented suddenly with a vehicle in front of them waiting to turn left. According to the plans, a significant percentage of people will be walking to and from the property. There are no continuous sidewalks on Overlook Dr. that would allow safe pedestrian travel in this area. We also will be having pedestrians entering/leaving the property after dark. Particularly in the winter, this will be an issue as the Friday services times listed in the plans are from 4PM to 9PM. There also does not appear to be a safe pedestrian area or sidewalk for people to enter or leave the property. They will enter and exit along with the vehicles in the driveways shown. We believe this will create an unsafe situation considering the amount of pedestrian traffic and limited visibility.

I would also strongly recommend installing parking spaces that are 9.5 feet in width. The proposed 9 ft. width is too narrow. The property at 520 Chestnut Ridge Rd. has the 9 ft. spaces, and this one property has accounted for 13% of our total crashes in town. The Tice Mall has 9.5 ft spaces and has a much lower incidence of motor vehicle crashes. If there are any further questions, please do not hesitate to contact me.

Sincerely,



Sgt. Craig DeGeorge #419
Traffic Safety Officer





Engineers
Planners
Surveyors
Landscape Architects
Environmental Scientists

Perryville Corporate Park
53 Frontage Road, Suite 120
Clinton, NJ, 08809
T: 908.238.0900
F: 908.238.0901
www.maserconsulting.com

MEMORANDUM

To: Woodcliff Lake Zoning Board of Adjustment

From: Daniel Bloch, P.P., AICP

Date: May 19, 2016

Re: Valley Chabad
100 Overlook Road
Block 908, Lot 1
MC Project No. WLZ-004

I. DOCUMENTS REVIEWED

The Applicant has submitted an application for Preliminary and Final Major Site Plan approval with variances for the property located at 100 Overlook Road. Our office has received and reviewed the following documents constituting this submission:

- Development Application
- Denial letter from Nick Saluzzi, Borough Zoning Officer, dated September 25, 2014
- Property Survey, prepared by Joseph F. Barbieri & Associates, Inc., dated November 20, 2012
- Engineering Report, prepared by Jeffrey A. Martell, P.E., of Stonefield Engineering & Design, LLC., dated October 10, 2014, revised April 13, 2016
- Traffic Impact Letter Report, prepared by Matthew J. Seckler, PE, PTOE, PP, of Stonefield Engineering & Design, LLC., dated October 10, 2014, revised April 13, 2016
- Preliminary/Final Major Site Plans, prepared by Stonefield Engineering, dated September 8, 2014, revised through April 13, 2016
- Architectural plan set, prepared by Studio 5 Partnership, dated August 14, 2014, revised through April 15, 2016

Our office has reviewed these additional documents and note our comments and status from our prior review in **bold**.

II. OVERVIEW

- A. The subject site, known as Lot 1 of Block 908, is a 55,156-square foot (1.27-acre) parcel located on Overlook Drive, just south of the Overlook Drive/Mill Road Extension intersection. The Parcel is located in the R-30 Residential One-Family District. The parcel contains 311± feet of frontage along Overlook Drive.



- B. The subject site is currently developed with a 3,194-square foot, one and one-half story residence where the owner is currently conducting religious services. The site currently has access to Overlook Road via an existing driveway. The site slopes down approximately 35 feet from Overlook Road to the Garden State Parkway right-of-way. The site contains 18,905 square feet of critical slope areas (15 to 30 percent slope).
- C. The subject site is located within an existing single-family residential neighborhood. The Garden State Parkway right-of-way is located to the east and north of the site. To the south, the site is adjacent to a 4.8 acre farm property. Single family dwellings are located on lots to the west. The Temple Emanuel of Pascack Valley is also located to the west.
- D. The Applicant is proposing to redevelop the site by demolishing the existing structure and constructing a new 21,000 square foot, 3 ½ story house of worship. Also proposed are 73 off-street parking spaces with a reconfigured driveway access, consisting of two (2) proposed ingress and egress driveways to Overlook Drive. **According to the revised plans, the building has been reduced to 2 stories above 1 level of parking, with a height of 33 feet and floor area of 11,566 square feet.**
- E. The Applicant is seeking Preliminary and Final Major Site Plan Approval with “D” and “C” variances.

Figure 1: Bulk Requirements – R-30 Residential One-Family District House of Worship Conditional Use				
	Required	Existing	Proposed	Comments
Minimum Lot Size (ac)	3*	1.27	1.27 (No Change)	D(3) Variance
Minimum Lot Width (ft)	400*	337.1	337.1 (No Change)	D(3) Variance
Minimum Front Yard Setback (ft)	50*	50	50.0	OK
Minimum Side Yard Setback (ft) (one/both)	50/100*	49.1	50.0 / 199.0	OK
Minimum Rear Yard Setback (ft)	50*	60.8	50.0	OK
Maximum Building Coverage	15%*	5.8%	16.1% (8,889 SF)	D(3) Variance
Maximum Impervious Coverage	30%*	8.1%	70.8% (39,076 SF)	D(3) Variance
Maximum Building Height (ft)	30*	≤ 30	33 ft	D(3) Variance
Maximum Building Height (stories)	2 ½ *	1 ½	2 stories	

* As required by section §380-13.A - Conditional Uses, standards for Houses of Worship and related religious uses



Figure 1: Overhead View of Site and Surroundings



Figure 2: Street View of Subject Site from Overlook Drive



III. APPLICABLE LAND USE CONTROLS

For a discussion of the Master Plan, Zoning, and RLUIPA, please see our September 3, 2015 memorandum.

IV. "D" USE VARIANCES

§380-13 Conditional Uses - Houses of Worship

The Applicant is proposing to demolish the existing 1-1/2 story residence on the subject site to construct a 21,000 square foot, 3-1/2 story house of worship. Houses of Worship are permitted conditional uses in the R-30 District, subject to the conditions codified at §380-13. Since the proposed house of worship does not meet the required conditions, as outlined below, "D(3)" variance relief is required.

- (1) Minimum Lot Size: three (3) acres required – The Applicant is proposing to construct a new house of worship on the existing 1.27 acre lot. **No change.**
- (2) Minimum Lot Width: 400 feet required – The Applicant is proposing to construct a new house of worship on a lot with an existing lot width of 337.1 feet. **No change.**
- (3) ~~Minimum Front Yard Setback: 50 feet each required – The Applicant is proposing a 48.5 foot front yard setback measured to the overhang of the building. A front yard setback of 50 feet is now shown on the revised plans. Variance no longer required.~~
- (4) ~~Minimum Side Yard Setback: 50 feet each; 100 feet both – The Applicant is proposing a 47.3 foot side yard setback measured to the overhang of the building. A side yard setback of 50 feet is now shown on the revised plans. Variance no longer required.~~
- (5) ~~Minimum Rear Yard Setback: 50 feet required – The Applicant is proposing a 49.0 foot side yard setback measured to the overhang of the building. A rear yard setback of 50 feet is now shown on the revised plans. Variance no longer required.~~
- (6) Maximum Height: 2 ½ stories or 30 feet permitted - The Applicant is proposing to construct a new 3 ½ story, 44 foot high, house of worship. **The proposed building has been reduced to 2 stories with a height of 33 feet. Variance relief still required for the 3 foot deviation in height.**

The Applicant should confirm that the proposed height is being measured from average natural grade pursuant to §380-6. At the front of the proposed building (west elevation), the building height is 28 feet from the



main level to the ridge. The existing grade at the front of the proposed building is approximately 386 feet above mean sea level; meanwhile the proposed grade in the same location is approximately 400 feet amsl. As the property slopes eastward away from the front of the building, the building height should be measured as at least 42 feet from natural grade at the front plus the average of the existing grade around the rest of the building perimeter.

- (7) Maximum Building Coverage: 15% permitted - The Applicant is proposing a building coverage of 18%. **Building coverage is now proposed at 16.1%. Variance relief still required for the 1.1% deviation.**
- (8) Maximum Impervious Surface Coverage: 30% permitted - The Applicant is proposing an impervious surface coverage of 74.9%. **Impervious coverage is now proposed at 70.8 %. Variance relief is still required for the 40.8% deviation.**
- (9) Number of Parking Stalls Required: One space for each three seats, plus one space for each staff member. The Applicant is proposing 73 parking spaces where 108 ($324/3 = 108$) spaces are required for the proposed use. **The number of seats has been reduced to 219, which requires 73 parking spaces, and where 73 spaces are proposed. However, the Applicant has not addressed the required parking for staff members. Variance relief still required.**

Conditional Use Variance – Positive Criteria

Coventry Square Criteria

In a traditional use variance application, pursuant to 40:55D-70d(1), the applicant must demonstrate that the use is particularly suitable to the site and that special reasons exist to support the grant of the variance.

In this application, however, a conditional use variance pursuant to 40:55D-70(d)(3) is sought. The court found in Coventry Square v. Westwood Board of Adjustment that a conditional use should be viewed as a permitted use rather than a prohibited use, as the governing body has established that the zone is appropriate for such uses.

The Coventry Court held that to establish "special reasons" for a (d)(3) variance, the applicant must show "the site proposed for the conditional use, in the context of the applicant's proposed site plan, continues to be an appropriate site for the conditional use notwithstanding the deviations from one or more conditions imposed by the ordinance." Thus, a conditional-use variance applicant must show that the site will accommodate the problems associated with the use even though the proposal does not comply with the conditions the ordinance established to address those problems. The



focus is on the "specific deviation" from the conditions that are imposed by the zoning regulations.

Conditional Use Variance – Negative Criteria

In accordance with the MLUL, the Applicant must demonstrate that the grant of the variances would not be substantially detrimental to the public good or substantially impair the intent and purpose of the Zone Plan and Zoning Ordinance. The Coventry Court defined slightly revised conditional-use standards for meeting the traditional "negative criteria", which must be established to receive a variance.

Substantial Detriment to the Public Good

Regarding the "substantial detriment to the public good" prong of the negative criteria, the court affirmed in *Medici v. BPR Co., 107 N.J. 1*, that the focus is on the impact of the proposed use variance upon the adjacent properties and whether or not it will cause such damage to the character of the neighborhood as to constitute "substantial detriment to the public good". The Coventry Court modified the first prong of the negative criteria to focus on the effect on surrounding properties of the grant of the variance for the specific deviations from the conditions imposed by ordinance. Therefore, it is prudent for the Zoning Board to review each deviation from the conditional use requirements to determine whether the impacts will have a substantially detrimental impact on the character of the surrounding neighborhood.

- (1) Minimum Lot Size: The subject site is undersized, having only 1.27 acres whereas 3 acres are required. The undersized nature of the lot, in and of itself, does not have a negative impact. However, the lot size does tend to correspond to other deviations, such that a smaller lot also has lesser lot width and depth and ability to meet required setbacks, which may have negative impacts. **No change.**
- (2) Minimum Lot Width: The subject site has an existing lot width of 337.1 feet where 400 feet are required. Again, the deficient lot width does not have a direct negative impact on the neighborhood. **No change.**
- (3) ~~Minimum Front Yard Setback: The Applicant is proposing a 48.5-foot front yard setback where 50 feet is required. From a planning perspective, this deviation is de minimis and has no negative impact on the character of the neighborhood. Variance no longer required.~~
- (4) ~~Minimum Side Yard Setback: The Applicant is proposing a 47.3-foot side yard setback where 50 feet is required. From a planning perspective, this deviation is de minimis and has no negative impact on the character of the neighborhood. Variance no longer required.~~



- (5) ~~Minimum Rear Yard Setback: The Applicant is proposing a 49-foot rear yard setback where 50 feet is required. From a planning perspective, this deviation is de minimis and has no negative impact on the character of the neighborhood. Variance no longer required.~~
- (6) Maximum Height: The Applicant is proposing a 3 1/2 story, 44 foot high, house of worship whereas a maximum height of 2 1/2 stories or 30 feet permitted. **The plans now indicate a proposed building height of 2 stories and 33 feet.**
- (7) Due to the undersized nature of the lot, the Applicant is proposing to construct additional stories in order to provide the desired floor area. The steep slope of the property has the effect of giving the proposed structure the appearance of a 2 1/2 story structure with a height of 29.42 feet when viewed from Overlook Drive, as shown on the architectural elevations. **The height when viewed from the west elevation will have the appearance of a 2 1/2 story structure with a height of 28 feet.**

However, the full scale of the structure would be visible when viewed from the north, south and east sides. In combination with the proposed 18 foot high retaining wall, the building has a potentially negative visual impact on the properties to the south. The massing of the structure would be out of scale with both the existing use and potential future conforming uses that may be developed on the adjacent property to the south.

- (8) Maximum Building Coverage: The Applicant is proposing a building coverage of 18% where a maximum of 15% permitted. The purpose of the maximum building coverage is to control the massing of the building to maintain a sense of scale within the neighborhood. While a 3 percent deviation is not substantial on its own, when coupled with the requested height deviation, the result is a building mass much larger than what the zone anticipates. **Building coverage has been reduced to 16.1%. The building mass has been reduced but is still larger than the zone anticipates.**
- (9) Maximum Impervious Surface Coverage: The Applicant is proposing an impervious coverage of 75% where a maximum of 30% permitted. The purpose of the MIC standard is two-fold: to reduce stormwater runoff and to provide adequate open space areas. The stormwater concerns are presumably being mitigated by the underground detention system proposed by the applicant (we defer to the Board Engineer on stormwater issues). Regarding the open space areas, the site would be almost completely developed. The only remaining pervious areas would be small areas at the bottom of the retaining wall (which are unusable) and landscaped areas within the parking lot and surrounding the building. There are no usable



green spaces proposed on the lot and the landscape buffering and screening is minimal. **Proposed impervious coverage has been reduced to 70.8%. Some additional landscape areas have been provided, including the buffer area at the bottom of the retaining wall.**

- (10) Number of Parking Stalls Required: The Applicant is proposing to serve the proposed house of worship with 73 off-street parking spaces, whereas 108 spaces are required by ordinance. **The number of seats has been reduced to 219, which requires 73 parking spaces, and where 73 spaces are proposed. However, the Applicant has not addressed the required parking for staff members. The Applicant should discuss how parking for staff members will be accommodated.**

Substantial Detriment to the Zone Plan and Zoning Ordinance

The Medici court found, with regards to the “substantial detriment to the zone plan and zoning ordinance” prong of the negative criteria, that the Applicant must provide an enhanced quality of proof, which reconciles the omission of the proposed use from those uses permitted in the zone. The courts recently ruled in *TSI East Brunswick, LLC v. Zoning Bd. of Adjustment of Twp. of East Brunswick (A-124-11)* that the enhanced quality of proofs standard typically attributable to use variance cases has no application at all in the evaluation of an application seeking conditional use variance relief. The court stated that as a conditional use is considered a permitted use, the inability of an applicant to comply with one or more of the conditions of the conditional use does not convert the use into a prohibited one.

V. “C” BULK VARIANCES

The Applicant is requesting a number of “C” variances from the bulk standards of the ordinance. N.J.S.A. 40:55D-70(c) sets forth the criteria by which a variance can be granted from the bulk requirements of a zoning ordinance.

The first criteria is the C(1) or hardship reasons including exceptional narrowness, shallowness or shape of a specific piece of property; or exceptional topographic conditions or physical features uniquely affecting a specific piece of property; or extraordinary and exceptional situation uniquely affecting a specific piece of property.

The second criteria involves the so-called C(2) flexible variances where the purposes of the MLUL would be advanced by a deviation from the zoning ordinance requirements and the benefits of the deviation would substantially outweigh any detriment.

In both instances, the Applicant must still satisfy the negative criteria, demonstrating that the variance can be granted without substantial detriment to the public good and the variance will not substantially impair the intent and purpose of the zone plan and zoning



ordinance. Additionally, the MLUL states that the fact that a proposed use is an inherently beneficial use shall not be dispositive of a decision on a "C" variance.

A. §380-111C(1) through (5): Retaining Wall

The ordinance recognizes that retaining walls typically are necessary components for development in critical slope areas. Therefore the ordinance establishes regulations for retaining walls in critical slope areas:

1. Retaining walls shall not have any continuous exposed wall face in excess of three feet in height measured from the lowest elevation of the finished grade, except that age-restricted multiunit housing in the ARHO District shall be permitted to have retaining walls with wall faces up to six feet in height. If a fence is required atop a retaining wall, the height of the fence shall not be considered in measuring the height of the retaining wall.
2. In any embankment which is constructed by the use of retaining walls, each wall shall also be subject to a maximum height limitation of three feet and shall be tiered at every three-foot interval of height.
3. Each tier shall be set back a minimum of three feet to provide for the placement of landscaping on the tier.
4. Plantings shall be required at each tier level (except the top level adjoining a lawn area) to minimize the appearance of the wall's height and enhance its aesthetics.
5. Retaining walls shall not be erected within five feet of a street right-of-way, side or rear property line and be constructed in such a way so as to enable the property owner to perform periodic maintenance and upkeep to the area between the retaining wall and the right of way, side or rear lot line.
6. Retaining walls shall be designed to provide for proper drainage.
7. The use of interlocking block materials for retaining wall construction is encouraged.

The Applicant is proposing to erect a keystone retaining wall that exceeds 20 feet in height and is set back 1 foot from the property line on the south, east and north sides of the property. The proposed retaining wall would be a single continuous surface with no landscaped tiers. The Applicant is proposing two rows of planter units along the southerly facing wall. In accordance with the ordinance, this retaining wall is required to consist of a total of nine tiers, each 3 feet high and setback 3 feet from the previous tier. Each tier must contain landscape plantings, and the bottom tier must be set back 5 feet from the lot line. Accordingly, if the bottom of the wall were set back 5 feet from the lot line, the top tier would be set back 23 feet from the property line. The Applicant requires five bulk variances from conditions (1) through (5) for the construction of the proposed retaining wall.



The Applicant has revised the design of the proposed retaining wall so that the base is 10 feet from the southern property line and 2.5 feet from the eastern property line. The southern facing wall would consist of two tiers, 5 feet apart. The first tier would have a height of 9 feet at the highest point and the second tier would be an additional 5.5 feet. While this design does attempt to move closer to compliance with the ordinance, variance relief is still required for the height of each tier in excess of 3 feet.

B. §380-80B: Buffer Areas

Any lot utilized for a nonresidential use abutting a lot in a residential zone or a lot used for residential purposes shall have a thirty (30) foot buffer area consisting of fencing, evergreens and other barriers determined suitable by the Board (in consultation with the Shade Tree Committee) to screen the nonresidential use from the residential use. No such buffer is proposed by the Applicant. "C" bulk variance relief is required to permit the deviation. **The plans now include a 21.7' buffer from the southern property line to the proposed curb. The buffer area includes the two-tiered retaining wall, 5' aluminum fence and guiderail. Variance relief is required for the deficient buffer area.**

It is noted that 35 Koreanspice Viburnum are proposed on the second tier of the retaining wall. It is recommended that evergreens be mixed in to provide some aesthetics during the winter months.

C. §380-109A: Steep Slopes

No buildings, improvements or structures, including roads, driveways or parking areas, shall be constructed, nor shall any displacement of soil or removal of vegetation occur within critical slope areas, except in accordance with the following schedule provided below. The Applicant is proposing to disturb 100% of the critical slopes on the property. "C" bulk variance relief is required to permit the deviation from the steep slope ordinance.

Permitted Levels of Disturbance in Critical Slope Areas			
Slope Category	Percent Grade	Maximum Disturbance Area	Proposed Disturbance Area
1	15% to 19.99%	35% (1,979 sq ft)	100% (5,653 sq ft)
2	20% to 24.99%	25% (508 sq ft)	100% (2,032 sq ft)
3	25% or greater	15% (1,683 sq ft)	100% (11,220 sq ft)

The purpose of the steep slope regulations is to preserve critical slope areas in the Borough of Woodcliff Lake. These regulations are necessary to minimize the adverse impacts commonly associated with disturbance of "steeply sloped areas," which are



defined as a slope of minimally 15%. Development on grades of 15% or greater generally requires additional safeguards against erosion and other conditions such as siltation, surface water runoff and pollution of potable water supplies. The most appropriate method of alleviating such conditions is through the regulation of disturbance to soil and vegetation in critical slope areas. Such regulation promotes the public health, safety and welfare of Woodcliff Lake. **No change.**

~~D. §380-78A(12): Parking Landscaping~~

~~The ordinance requires off-street parking areas having 10,000 or more square feet of paved area to provide landscaping for the interior parking lot areas at a minimum of 20 square feet of interior lot landscaping for each parking space. The proposed 73 parking spaces would therefore require a minimum of 1,460 square feet of landscaping. The Applicant proposes no parking lot landscaping. The landscaping plan has been revised to include 1,647 square feet of parking lot landscape area. Variance no longer required.~~

VI. DESIGN WAIVERS

It is important to differentiate between waivers and variances. Variances are for deviations from standards contained with the "Zoning" section of the Land Use Code, adopted pursuant to N.J.S.A. 40:55D-62. Waivers are deviations from items listed under the "design standards" section of the Land Use Code, which may also be located within the "site plan" or "subdivision" sections. The right of a board to grant exceptions from design standards is found at N.J.S.A. 40:55D-51.

Granting of a "waiver" is an acknowledgement by the Board that the condition of the property (as designed) is satisfactory (see Garofalo v. Burlington Twp., 212 NJ Super 460). Thus, the standard of proof for a waiver is not as vigorous as that for a variance.

The following waivers or exceptions from the adopted design standards are required for this application:

~~A. §168-5: Fence Height~~

~~The ordinance indicates that no solid fence shall exceed the height of five (5) feet above the ground. The Applicant is proposing to install fence that is six (6) feet high along the top of the retaining wall. A 5-foot fence is now proposed. Variance no longer required.~~

~~B. §287-4D(1)(d): Permitted Signs~~

~~The ordinance allows for one (1) bulletin board or sign for houses of worship. Said sign is limited to 20 square feet in area and may be freestanding or attached. The Applicant is proposing two (2) monument signs, each of which measures 6 feet by 10 feet, having an area of 60 square feet. One 20-square foot sign is now proposed. Variance no longer required.~~



- C. **§292-26B(2): Parking Within 30 feet of Right-Of-Way**
The ordinance prohibits parking within thirty (30) feet of the street Right-Of-Way. The Applicant is proposing parking stalls five (5) feet from the Overlook Drive Right-Of-Way line. **The parking spaces have been shifted towards the right-of-way with a setback of 2.5 feet. Variance relief required.**
- D. **§292-26C(2): Size of Parking Stalls**
Parking stalls shall have a minimum area of 200 square feet, and shall measure 10 feet in width and 20 feet in depth. The plan shows parking spaces measuring 9 feet by 18 feet. The Zoning Board may permit parking stalls of 180 square feet, which measure 9 feet in width by 18 feet in length, where it can be shown by the Applicant that such parking stalls are safe and adequate for the parking and circulation of vehicles. **No change.**
- ~~E. **§292-32: Refuse Storage.**~~
~~The plans do not illustrate any refuse area. The ordinance requires a refuse area to be provided. A note has been added to the plan showing proposed refuse containers within the lower level of the building. Variance no longer required.~~
- ~~F. **§292-28A(10): Illumination at the Property Line**~~
~~The ordinance limits illumination to a maximum of 1.0 footcandle at the property line. The plans illustrate numerous locations where 1.0 footcandle is exceeded at the property line. The lighting plan has been revised to comply. Variance no longer required.~~
- ~~G. **§292-29A(8): Size of Shrubs**~~
~~The ordinance requires shrubs to be installed at a minimum height of 24 inches. The Applicant proposes to plant Little Princess Spirea at a height of 15 to 18 inches. The landscaping plan has been revised to comply. Variance no longer required.~~
- ~~H. **§292-29A(10): Parking Lot Landscaping**~~
~~The ordinance requires at least five (5) percent of parking areas to be landscaped. The Applicant proposes 1.8% of the parking lot to be landscaped. The landscaping plan has been revised to include 6.3% landscape area. Variance no longer required.~~
- I. **§292-29B(3): Buffer Along Parking Areas**
The ordinance requires fences, landscaping, berms and/or mounds to be located where parking areas abut other properties. Roughly 25% of the parking area is not buffered from adjacent properties.



In summary, the Applicant has provided a revised site plan that reduces the degree of nonconformity with the zoning regulations. However, the Applicant still requires "D" and "C" variances and waivers. The Board will need to determine whether the burden of proof has been met by the Applicant for the granting of the requested variance relief and, if not, whether the imposition of the zoning requirements would present a substantial burden on the applicant's ability to exercise free speech and religious practice. If the Board determines that there is a substantial burden to the Applicant, it would then be the Board's burden to provide a finding of facts for the record that show that imposition of such ordinance requirements would further a compelling governmental interest to the community.

We reserve the right to make additional comments based upon further review or testimony presented before the Board. Should you have any questions on this correspondence please do not hesitate to contact us.

Very truly yours,

MASER CONSULTING P.A.

A handwritten signature in cursive script, appearing to read 'Daniel N. Bloch'.

Daniel N. Bloch, P.P., AICP

Cc: Tonya Tardibuono, Board Secretary
Sal Princiotto, Esq., Board Attorney
Elliot W. Urdang, Esq. Attorney for the Applicant

