

BOROUGH OF WOODCLIFF LAKE
MUNICIPAL BUILDING
ZONING BOARD OF ADJUSTMENT
TUESDAY, JANUARY 22, 2019
COMMENCING AT 9:05:20 P.M.

IN THE MATTER OF : TRANSCRIPT
: OF
188 Broadway LLP : PROCEEDINGS
188 Broadway :
Block 2701/Lot 3 :

B E F O R E:
BOROUGH OF WOODCLIFF LAKE ZONING BOARD OF ADJUSTMENT

THERE BEING PRESENT:

CHRISTINA HEMBREE, CHAIRWOMAN
VICTOR BONGARD, VICE CHAIRMAN
SANJEEV DHAWAN, MEMBER
ROBERT HAYES, MEMBER
ROBIN EFFRON-MALLEY, MEMBER
EMILIA FENDIAN, MEMBER
JOHN SPIRIG, MEMBER
GARY NEWMAN, MEMBER

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A P P E A R A N C E S :

S. ROBERT PRINCOTTTO, ESQUIRE
Counsel to the Board of Adjustment

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BY: JAMES DELIA, ESQUIRE
12 North Route 17
Paramus, New Jersey 07653
Counsel to the Applicant

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

JOSEPH R. VUICH, Board Engineer
SYLVIA KOKOWSKI, Secretary
RICHARD PREISS, Board Planner
BRIAN INTINDOLA, Board Traffic Engineer

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08:07PM 1 CHAIRWOMAN HEMBREE: And the business
 08:07PM 2 at hand is a new application continued, 188 Broadway
 08:07PM 3 LP, 188 Broadway, Block 1201, Lot 3. Use variance to
 08:07PM 4 change a portion of the buildings to permit
 08:07PM 5 multifamily residential use and variance to raise
 08:07PM 6 building to three stories in height and a variance
 08:07PM 7 for deficient interior parking lot landscaping.

08:08PM 8 MR. DELIA: Good evening, Chairwoman
 08:08PM 9 Hembree, Members of the Board.

08:08PM 10 For the record, my name is James Delia
 08:08PM 11 from the law firm of Wells, Jaworski and Liebman. I
 08:08PM 12 will be covering for my partner, Stuart Liebman, as
 08:08PM 13 we go forward.

08:08PM 14 Thank you for having us here tonight.
 08:08PM 15 This would be our second meeting, the
 08:08PM 16 first having been heard in November.

08:08PM 17 At that time Matt Clark, our engineer,
 08:08PM 18 testified both on direct and questions from the board
 08:08PM 19 and the public, at which point Albert Dattoli then
 08:08PM 20 spoke of the architecture and was not yet subject to
 08:08PM 21 any examination from the board or from the public.

08:08PM 22 We had some housekeeping to do, among
 08:08PM 23 other items, was contending with the letter from the
 08:08PM 24 fire department which we received one day before the
 08:08PM 25 slated December hearing.

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08:10PM 1 how the two buildings relate with each other and how
 08:10PM 2 they relate to the neighbor.

08:10PM 3 We think this is quite a good visual to
 08:10PM 4 give you a really good idea of just how well balanced
 08:10PM 5 and how well tucked away this proposal is.

08:10PM 6 We have also provided the building roof
 08:10PM 7 plan and provided the HVAC elements on the roof so
 08:10PM 8 that you can visualize how that works.

08:10PM 9 There were questions about the RSIS. I
 08:10PM 10 just want to clear that up so we have no
 08:10PM 11 misunderstanding.

08:10PM 12 CHAIRWOMAN HEMBREE: What is RSIS?
 08:10PM 13 MR. DELIA: The Residential Site
 08:11PM 14 Improvement Standards.

08:11PM 15 CHAIRWOMAN HEMBREE: Okay.
 08:11PM 16 MR. DELIA: And that's what the parking
 08:11PM 17 count is based on.

08:11PM 18 And the question was asked last time,
 08:11PM 19 do we apply the state Residential Site Improvement
 08:11PM 20 Standards or do we apply Woodcliff Lake's standard
 08:11PM 21 for parking?

08:11PM 22 The answer is you do apply the RSIS
 08:11PM 23 standard. We comply with that standard, not only in
 08:11PM 24 terms of the number of spaces, but also in terms of
 08:11PM 25 the size of those spaces.

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08:09PM 1 Instead of coming here on December 18th
 08:09PM 2 with unanswered questions on fire, we chose to
 08:09PM 3 adjourn, come back, and give us an opportunity to
 08:09PM 4 resolve any outstanding issues that we had with the
 08:09PM 5 fire department. I'm happy to report to you that, in
 08:09PM 6 fact, we have.

08:09PM 7 With the holidays upon us, I actually
 08:09PM 8 reached out for the chief. We were able to finally
 08:09PM 9 make contact in the second week of January, met with
 08:09PM 10 him in the field -- or actually at the fire
 08:09PM 11 department, I believe, on the 11th.

08:09PM 12 As a result of that conversation, we
 08:09PM 13 sent the chief a marked up plan that widened a few
 08:09PM 14 areas which we'll get into, and created an ample and
 08:09PM 15 safe fire pattern, circulation pattern on-site.

08:09PM 16 We have an e-mail from the chief that
 08:09PM 17 approves and endorses the changes that we have
 08:09PM 18 suggested.

08:09PM 19 My understanding is no letter has yet
 08:10PM 20 been issued, but I do have the e-mail and I will pass
 08:10PM 21 that around at the appropriate point this evening.

08:10PM 22 Other housekeeping, Mr. Dattoli was
 08:10PM 23 tasked with providing or presenting, which we have on
 08:10PM 24 the board here tonight, a roof plan along with cross
 08:10PM 25 sections so that we can understand the dynamics of

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08:11PM 1 The particular citation for this issue
 08:11PM 2 is right in the Municipal Land Use Law itself. It's
 08:11PM 3 Section 40:55D-40.5, and it is entitled:
 08:11PM 4 "Statewide Standards to Supersede Local
 08:11PM 5 Standards."

08:11PM 6 And it says:
 08:11PM 7 "Notwithstanding any other provision to
 08:11PM 8 the contrary in the Municipal Land Use Law,
 08:11PM 9 the standards for the regulations," and I am
 08:11PM 10 paraphrasing, the RSIS, "shall supersede any
 08:11PM 11 site improvement standards incorporated within
 08:11PM 12 the development ordinances of any
 08:11PM 13 municipality."

08:12PM 14 It's -- there is no debate -- there is
 08:12PM 15 no debate. It's clear cut. This has always been the
 08:12PM 16 way it's been for the last 20 years with the
 08:12PM 17 Residential Site Improvement Standards. We don't
 08:12PM 18 have any commercial components here, it's strictly
 08:12PM 19 residential, so RSIS does apply.

08:12PM 20 Okay. So my proposal tonight or my
 08:12PM 21 plan tonight is to reintroduce Albert Dattoli, go
 08:12PM 22 through the plan that I've just mentioned, open up to
 08:12PM 23 questions from the board and the public.

08:12PM 24 I then have Charles Oppler, who is a
 08:12PM 25 well recognized realtor in Bergen County with a very

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08:12PM 1 long track record, 30-plus-year track record. He has
 08:12PM 2 got a resume that's unbelievable, including he's now
 08:12PM 3 elected the first vice president of the National
 08:12PM 4 Associates of Realtors.
 08:12PM 5 So he's got a very impressive
 08:12PM 6 background, very impressive experience. And he's
 08:12PM 7 going to give us some insight on trends towards this
 08:13PM 8 type of project in Northern New Jersey and especially
 08:13PM 9 in Bergen County. We will get into some detail with
 08:13PM 10 him on that.
 08:13PM 11 Time permitting, Lou Luglio is our
 08:13PM 12 traffic expert. He's here to discuss trip
 08:13PM 13 generation, safety and efficiency on the site, and
 08:13PM 14 also to confirm, through -- through his plans and his
 08:13PM 15 radius exhibit, his turning template exhibit, that we
 08:13PM 16 do, in fact, satisfy fire department requirements.
 08:13PM 17 I have Matt Clark here as well. He had
 08:13PM 18 a couple of open items that we can address if time
 08:13PM 19 permits at the end of the evening.
 08:13PM 20 Unless there are any questions of me at
 08:13PM 21 this point, I would like to recall Mr. Dattoli.
 08:13PM 22 MR. NEWMAN: I have -- I have a
 08:13PM 23 question.
 08:13PM 24 MR. DELIA: Yes.
 08:13PM 25 MR. NEWMAN: In the last meeting we
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08:14PM 1 What I have done here is I have marked
 08:14PM 2 -- well, I am sorry.
 08:14PM 3 Al, come on up. Good evening.
 08:14PM 4 MR. DATTOLI: Good evening, everybody.
 5 ALBERT DATTOLI,
 6 Having been previously sworn, continues to
 7 testify as follows:
 8 DIRECT EXAMINATION
 9 BY MR. DELIA:
 10 Q. Al, have you been tasked to present and
 11 provide us with a building roof plan and
 12 cross-section?
 13 A. Yes.
 14 I was asked of that at the last
 15 meeting.
 16 Q. And we have in front of us what I have
 17 just marked -- or behind us -- A-7.
 18 (Whereupon, Roof Plan/Cross Section
 19 Dated January 21, 2019 is received and marked
 20 as Exhibit A-7 for identification.)
 21 BY MR. DELIA:
 22 Q. Can you tell us what it is?
 23 A. It's a drawing showing the
 24 cross-section. I had a -- I had a cross-section or I
 25 had a partial part of this drawing on a previous plan
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08:13PM 1 were talking about you want to use this for
 08:13PM 2 residential use, but you were applying all the
 08:13PM 3 standards for the OS or SO use.
 08:13PM 4 And you were going to come up with, you
 08:14PM 5 know, looking at some of the other zoning standards,
 08:14PM 6 residential or not --
 08:14PM 7 MR. DELIA: And --
 08:14PM 8 MR. NEWMAN: -- and telling us what
 08:14PM 9 those standards are.
 08:14PM 10 MR. DELIA: Right. And that's --
 08:14PM 11 MR. NEWMAN: Were you able to do that?
 08:14PM 12 MR. DELIA: We're still working on it
 08:14PM 13 and it's something we're going to do with our
 08:14PM 14 planning testimony which I don't expect to happen
 08:14PM 15 tonight, I would expect that to happen next meeting.
 08:14PM 16 It's on our to-do list, but the
 08:14PM 17 appropriate discussion is with our planner.
 08:14PM 18 MR. NEWMAN: It's your application.
 08:14PM 19 MR. DELIA: Yes.
 08:14PM 20 CHAIRWOMAN HEMBREE: Okay.
 08:14PM 21 MR. DELIA: Mr. Dattoli?
 08:14PM 22 And what I've done is, I've given
 08:14PM 23 Mr. Princiotto an exhibit list. I have premarked
 08:14PM 24 some exhibits, hopefully just move -- help move
 08:14PM 25 things along.
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08:15PM 1 on Exhibit A-6, but I expanded it to show the hill as
 08:15PM 2 well as what's up the hill, and I added elevations.
 08:15PM 3 I think Mr. Preiss asked for some additional
 08:15PM 4 elevation information. And I've added all that
 08:15PM 5 information onto this drawing.
 08:15PM 6 I have copies. I know it's kind of
 08:15PM 7 hard to see from where you are, so I have full sized
 08:15PM 8 copies if you want to hand them out or open them up
 08:15PM 9 in front of you, it might make it a little easier to
 08:15PM 10 see.
 08:15PM 11 MR. DELIA: So the record is clear,
 08:15PM 12 Mr. Dattoli was sworn at the last hearing and he
 08:16PM 13 remains under oath.
 08:16PM 14 CHAIRWOMAN HEMBREE: Thank you.
 08:16PM 15 MR. DELIA: All right.
 08:16PM 16 BY MR. DELIA:
 08:16PM 17 Q. So what do you got there?
 08:16PM 18 A. Okay.
 08:16PM 19 So I have here -- and what I had on the
 08:16PM 20 last drawing was the view from Broadway as a car is
 08:16PM 21 heading south, and you can see the sight line is
 08:16PM 22 essentially over the building, over the top of the
 08:16PM 23 building.
 08:16PM 24 And as I explained last time, this
 08:16PM 25 building, the existing building, Building No. 1,
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08:16PM 1 blocks the view of Building No. 2, essentially
 08:16PM 2 (indicating).
 08:16PM 3 Building 2 -- well, Building 1, the
 08:16PM 4 first floor elevation is 122.32. Building No. 2, the
 08:16PM 5 first floor elevation is 122.63. Building No. 1
 08:16PM 6 having been designed as an office building, two
 08:17PM 7 stories, the floor-to-floor dimension is much higher
 08:17PM 8 than we do in residential because of the -- the
 08:17PM 9 longer spans and the -- the space you need for
 08:17PM 10 structures.
 08:17PM 11 So in Building No. 1, floor to floor is
 08:17PM 12 about 12-and-a-half feet, and from second floor to
 08:17PM 13 roof is also about 12-and-a-half feet.
 08:17PM 14 Building No. 2 our floor heights or our
 08:17PM 15 ceiling heights on each floor are 9 feet and then we
 08:17PM 16 only have about 12 inches of construction.
 08:17PM 17 So the Building No. 2 is not -- the top
 08:17PM 18 of that Building No. 2, even though it's set back and
 08:17PM 19 it's at a higher elevation, is not -- the top of the
 08:17PM 20 parapet is 158.38 on Building No. 2. The top of the
 08:17PM 21 parapet on Building No. 1 is 151.75. So there is
 08:17PM 22 a -- about a 7-foot differential between the top of
 08:18PM 23 Building No. 2 -- Building No. 1 and Building No. 2.
 08:18PM 24 So, again, Building No. 1 is blocking
 08:18PM 25 your view. You don't see it from Broadway. The only
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08:19PM 1 the back of our property line is 205 feet. And that
 08:19PM 2 is a very densely vegetated, established vegetated
 08:19PM 3 slope, 205 feet of mostly deciduous trees.
 08:19PM 4 As I said, I prepared this for
 08:19PM 5 Mr. Preiss, I don't know if you have any particular
 08:19PM 6 questions about this.
 08:19PM 7 BY MR. DELIA:
 08:19PM 8 Q. Well, you have the roof plan below.
 08:19PM 9 A. Oh, yeah. Let me --
 08:19PM 10 Q. Why don't you go over the roof plan --
 08:19PM 11 A. -- discuss my roof plan.
 08:19PM 12 Q. -- for a moment?
 08:19PM 13 A. Yes.
 08:19PM 14 I was asked, and I think the board
 08:19PM 15 asked about this, where are the rooftop units and
 08:19PM 16 what do they look like?
 08:19PM 17 Each residential unit, each apartment
 08:19PM 18 will have its own small rooftop unit.
 08:20PM 19 There are two-bedroom units and
 08:20PM 20 one-bedroom units. The two-bedroom units have a
 08:20PM 21 slightly larger HVAC unit.
 08:20PM 22 On the plan, those that are labeled A
 08:20PM 23 which on Building 1 there are eight of them because
 08:20PM 24 there are eight two-bedroom units in Building No. 1.
 08:20PM 25 Those units are -- the footprint is 33 inches by 33
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08:18PM 1 time you'll see it is when you're passing between the
 08:18PM 2 buildings --
 08:18PM 3 MR. NEWMAN: So you don't see Building
 08:18PM 4 No. 1 from Broadway.
 08:18PM 5 THE WITNESS: No. 2.
 08:18PM 6 MR. NEWMAN: Building No. 2?
 08:18PM 7 THE WITNESS: Excuse me. Did I say
 08:18PM 8 No. 1? I thought I said 2.
 08:18PM 9 MR. NEWMAN: I'm not sure.
 08:18PM 10 THE WITNESS: Okay.
 08:18PM 11 The only time you see it is as -- as
 08:18PM 12 you're passing and you're between the buildings on
 08:18PM 13 the property to the south and Building No. 1.
 08:18PM 14 There's the driveway between our two --
 08:18PM 15 between those two buildings, that's when you will see
 08:18PM 16 Building No. 2, if you're passing in a car or if
 08:18PM 17 you're standing on the sidewalk of Broadway.
 08:18PM 18 Also, what I have shown here is -- and
 08:18PM 19 this is a true-to-scale pictorial. This is the --
 08:18PM 20 the slope of that property (indicating).
 08:19PM 21 You know, sometimes you get a distorted
 08:19PM 22 view and the slope looks very steep because we
 08:19PM 23 condense the -- the side-to-side dimension, but this
 08:19PM 24 is true-to-scale vertically and horizontally.
 08:19PM 25 So from the back of Building No. 2 to
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08:20PM 1 inches by 27 inches high.
 08:20PM 2 So they're actually smaller than most
 08:20PM 3 condensing units in residential homes. It's just a
 08:20PM 4 small little box. That's the larger of the two.
 08:20PM 5 The one-bedroom units have a footprint
 08:20PM 6 these -- and they're labeled building -- I'm sorry,
 08:20PM 7 Unit B, they're 30 inches by 30 inches by 25 inches.
 08:20PM 8 So they're only about 2-feet tall. And there are --
 08:20PM 9 again, there is one for each of those one-bedroom
 08:21PM 10 units (indicating).
 08:21PM 11 We do have two larger units. They're
 08:21PM 12 labeled C (indicating). Those units cover or provide
 08:21PM 13 heating and air conditioning for the common areas;
 08:21PM 14 the hallways and the central lobby.
 08:21PM 15 Those two units are 48 inches by 72 by
 08:21PM 16 38 inches. So they're about this high (indicating).
 08:21PM 17 We are replacing several much larger
 08:21PM 18 units than any of these units that we show here.
 08:21PM 19 Building 2, same thing. We have units
 08:21PM 20 for each individual apartment and one C-unit for the
 08:21PM 21 common areas (indicating). So they are relatively
 08:21PM 22 small units.
 08:21PM 23 Q. But they're all located in the central
 08:21PM 24 portion of the building; would that be fair to say?
 08:21PM 25 A. They are located centrally on the
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08:22PM 1 roofs.
 08:22PM 2 And they are -- the tops of them are
 08:22PM 3 lower than the parapets, so you will not see them
 08:22PM 4 from Broadway.
 08:22PM 5 You probably wouldn't see them from the
 08:22PM 6 parking lot.
 08:22PM 7 And I didn't do a -- draw a sight line
 08:22PM 8 from this residence up here (indicating), but you
 08:22PM 9 might see the top of them above the parapet from that
 08:22PM 10 -- from those residences up on, I think, it's
 08:22PM 11 Cressfield.
 08:22PM 12 CHAIRWOMAN HEMBREE: Crestview.
 08:22PM 13 THE WITNESS: Crestview.
 08:22PM 14 BY MR. DELIA:
 08:22PM 15 Q. From what vantage point and with all
 08:22PM 16 the trees there?
 08:22PM 17 A. It's pretty obscure. They're pretty
 08:22PM 18 obscure. The -- you know, the building --
 08:22PM 19 AUDIENCE MEMBERS: Oh my God! Oh my
 08:22PM 20 God!
 08:22PM 21 THE WITNESS: The buildings are
 08:22PM 22 obscured from up there.
 08:22PM 23 FEMALE AUDIENCE MEMBER: Delusional.
 08:22PM 24 BY MR. DELIA:
 08:22PM 25 Q. Moving on, just a real couple quick
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08:23PM 1 THE WITNESS: I believe --
 08:23PM 2 MR. NEWMAN: If you know.
 08:23PM 3 THE WITNESS: I believe it's 15 percent
 08:23PM 4 of the total, so 15 percent.
 08:23PM 5 MR. NEWMAN: They are committing to
 08:23PM 6 that.
 08:23PM 7 THE WITNESS: We--
 08:23PM 8 MR. NEWMAN: If you know?
 08:23PM 9 THE WITNESS: I don't know the answer
 08:23PM 10 to that.
 08:23PM 11 MR. DELIA: Okay.
 08:23PM 12 We'll bring it up, we will comply with
 08:23PM 13 the Mount Laurel requirements, the affordable housing
 08:23PM 14 requirements, whether it's -- whatever the form is,
 08:23PM 15 is to be determined, but we will comply.
 08:23PM 16 MR. NEWMAN: Okay. Will somebody be
 08:24PM 17 able to testify as to exactly how many units,
 08:24PM 18 affordable housing units --
 08:24PM 19 MR. DELIA: Yes. We can do that during
 08:24PM 20 planning.
 08:24PM 21 MR. NEWMAN: The numbers? Okay.
 08:24PM 22 MS. EFFRON-MALLEY: Similarly I want to
 08:24PM 23 ask about, aren't some of them supposed to be
 08:24PM 24 three-bedrooms?
 08:24PM 25 THE WITNESS: Yes.
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08:22PM 1 questions that tie into what I was discussing before
 08:22PM 2 with fire.
 08:22PM 3 We agree -- and one of the fire
 08:22PM 4 comments, original comments was to have hydraulic
 08:22PM 5 elevators.
 08:22PM 6 We agree to do that; is that correct?
 08:23PM 7 A. That is correct.
 08:23PM 8 Q. We also agree to provide roof access to
 08:23PM 9 all the buildings, both buildings?
 08:23PM 10 A. As required by code, yes.
 08:23PM 11 Q. And while we discussed this last time I
 08:23PM 12 just want to be clear about it that we will have
 08:23PM 13 buildings which are fully sprinklered with standpipes
 08:23PM 14 per code?
 08:23PM 15 A. They will be fully sprinklered as per
 08:23PM 16 the New Jersey Uniform Construction Code.
 08:23PM 17 Q. All right.
 08:23PM 18 A. They are required to be sprinklered.
 08:23PM 19 MR. DELIA: Thank you.
 08:23PM 20 I have no further questions.
 08:23PM 21 CHAIRWOMAN HEMBREE: Any members of the
 08:23PM 22 board have questions?
 08:23PM 23 MR. NEWMAN: Mr. Dattoli, do you know
 08:23PM 24 how many affordable housing units this project
 08:23PM 25 contains.
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08:24PM 1 And I think I spoke about that last
 08:24PM 2 time. We have some large two-bedroom units that we
 08:24PM 3 can convert to three bedrooms.
 08:24PM 4 And I think there is a requirement for
 08:24PM 5 a particular number of three bedrooms based on --
 08:24PM 6 based on the total number of units.
 08:24PM 7 MR. DHAWAN: I have a question.
 08:24PM 8 CHAIRWOMAN HEMBREE: Go ahead.
 08:24PM 9 MR. DHAWAN: About your grade
 08:24PM 10 calculations, do you have an average natural grade
 08:24PM 11 elevation 117 to 104. You have a line there, right?
 08:24PM 12 THE WITNESS: Yes. That's correct.
 08:24PM 13 That's for Building No. 1.
 08:24PM 14 MR. DHAWAN: Okay. So where is --
 08:24PM 15 THE WITNESS: That's calculated by our
 08:24PM 16 engineer.
 08:24PM 17 MR. DHAWAN: What two -- what did you
 08:24PM 18 reference to get that grade elevation.
 08:24PM 19 THE WITNESS: It's defined in the
 08:24PM 20 zoning ordinance of Woodcliff Lake, you measure at
 08:24PM 21 10-foot intervals around the perimeter of the
 08:24PM 22 building.
 08:24PM 23 And I think -- and, again, it was
 08:24PM 24 calculated by our engineer, but I think it tells you
 08:25PM 25 specifically where to start that -- the starting
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08:25PM 1 point for taking those 10-foot increment dimensions.
 08:26PM 2 MR. DHAWAN: Okay.
 08:25PM 3 Because I -- you have a number here
 08:25PM 4 that's calculated, 117.
 08:25PM 5 THE WITNESS: That's correct. That's
 08:25PM 6 on our engineering plan.
 08:25PM 7 MR. DHAWAN: Do you have any
 08:25PM 8 calculations that could show that? Because --
 08:25PM 9 THE WITNESS: Our engineer has those
 08:25PM 10 calculations.
 08:25PM 11 I think they're right on his plan.
 08:25PM 12 MR. DHAWAN: The other thing is you
 08:25PM 13 mentioned the parapet of -- the AC units would be
 08:25PM 14 screened by the parapets?
 08:25PM 15 THE WITNESS: Yes.
 08:25PM 16 MR. DHAWAN: But in the first building
 08:25PM 17 you have an AC unit of -- look at the elevation of --
 08:25PM 18 the roof of elevator I think is what you meant to say
 08:25PM 19 here --
 08:25PM 20 THE WITNESS: Well...
 08:25PM 21 MR. DHAWAN: Right, 154.65?
 08:25PM 22 THE WITNESS: Roof of the elevator is
 08:25PM 23 154.65, that's correct.
 08:25PM 24 MR. DHAWAN: To the highest point of
 08:25PM 25 the parapet is 151.75.

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08:26PM 1 MR. PRINCIOOTTO: Just correct me if I
 08:26PM 2 am wrong, your testimony is that Building No. 2 has
 08:26PM 3 an as-built height that's 7-feet taller than Building
 08:26PM 4 No. 1?
 08:26PM 5 THE WITNESS: The top of the parapet
 08:26PM 6 for Building No. 2 is 158.38, and the top of the
 08:27PM 7 parapet for Building No. 1 is 151.75.
 08:27PM 8 MR. NEWMAN: What does the zoning
 08:27PM 9 require?
 08:27PM 10 Are you seeking a variance --
 08:27PM 11 THE WITNESS: No.
 08:27PM 12 MR. NEWMAN: -- for the height of the
 08:27PM 13 building?
 08:27PM 14 THE WITNESS: No, no. The required
 08:27PM 15 height is 36 feet and that's measured from the
 08:27PM 16 average natural grade, and that's what -- that's what
 08:27PM 17 this 117.04 is. And the Building No. 2, it's 1 --
 08:27PM 18 elevation 124.
 08:27PM 19 MR. NEWMAN: But, again, you're using
 08:27PM 20 the standard for the SO zone.
 08:27PM 21 THE WITNESS: That is correct.
 08:27PM 22 MR. NEWMAN: Right. So not --
 08:27PM 23 THE WITNESS: It's the same -- it's the
 08:27PM 24 same in all the residential zones in Woodcliff Lake
 08:27PM 25 as well.

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08:26PM 1 THE WITNESS: 151.75. That is correct.
 08:26PM 2 MR. DHAWAN: And also the AC units are
 08:26PM 3 higher than 151.75.
 08:26PM 4 THE WITNESS: The top of the AC units
 08:26PM 5 are 152.32 on Building No. 1.
 08:26PM 6 MR. DHAWAN: Right, but that's higher
 08:26PM 7 than the parapet. Right.
 08:26PM 8 THE WITNESS: Slightly.
 08:26PM 9 But what I said, I believe, was that
 08:26PM 10 they're -- the sight line would not permit you to see
 08:26PM 11 the top of these units because you're looking --
 08:26PM 12 MR. DHAWAN: Well, the sight line is
 08:26PM 13 one thing, but you did say -- you are testifying that
 08:26PM 14 the -- all of these mechanicals would be below the
 08:26PM 15 parapet, but they're not.
 08:26PM 16 THE WITNESS: Did I say that?
 08:26PM 17 MR. DHAWAN: Yes. That's what I heard.
 08:26PM 18 THE WITNESS: Okay. I stand corrected.
 08:26PM 19 MR. DHAWAN: Okay.
 08:26PM 20 MR. PRINCIOOTTO: I have a different
 08:26PM 21 question.
 08:26PM 22 If you were traveling east on the
 08:26PM 23 causeway, you know, heading towards these units,
 08:26PM 24 would you see the Building No. 2.
 08:26PM 25 THE WITNESS: No.

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08:27PM 1 MR. NEWMAN: Woodcliff Lake has a
 08:27PM 2 residential height of 36 feet.
 08:27PM 3 THE WITNESS: It's 35 feet -- I'm
 08:27PM 4 sorry, it's measured --
 08:27PM 5 MR. NEWMAN: I know -- I know my house
 08:27PM 6 is 30 and --
 08:27PM 7 THE WITNESS: It's measured the same
 08:27PM 8 way.
 08:27PM 9 MR. NEWMAN: And made my --
 08:27PM 10 THE WITNESS: What I meant to say, I'm
 08:27PM 11 sorry if I'm ambiguous, it's measured the same way in
 08:27PM 12 the residential zones, average natural grade to the
 08:27PM 13 highest point.
 08:28PM 14 MR. NEWMAN: Right.
 08:28PM 15 THE WITNESS: In a residential zone,
 08:28PM 16 the highest residential zone in Woodcliff Lake is the
 08:28PM 17 R-30 which is up above Overlook. It's 35 feet.
 08:28PM 18 The middle of town, R-22, is 33 feet.
 08:28PM 19 And that side of town the residential
 08:28PM 20 is 30 feet.
 08:28PM 21 MR. NEWMAN: So it's 7 feet higher than
 08:28PM 22 in the residential.
 08:28PM 23 THE WITNESS: That is correct.
 08:28PM 24 MR. NEWMAN: Which is more than 10
 08:28PM 25 percent.

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08:28PM 1 THE WITNESS: But the zone along
 08:28PM 2 Broadway, both the -- the SO, and I think the B1 is
 08:28PM 3 36 feet.
 08:28PM 4 MR. NEWMAN: Right.
 08:28PM 5 But again, that's not what you want to
 08:28PM 6 use it for.
 08:28PM 7 THE WITNESS: Right. No.
 08:28PM 8 MR. NEWMAN: Right.
 08:28PM 9 You want to use it for residential
 08:28PM 10 units.
 08:28PM 11 THE WITNESS: It is what it is.
 08:28PM 12 That's correct.
 08:28PM 13 MR. NEWMAN: Which is why, you know,
 08:28PM 14 you keep using --
 08:28PM 15 THE WITNESS: That's correct.
 08:28PM 16 MR. NEWMAN: -- the SO standards is
 08:28PM 17 confusing at best.
 08:28PM 18 THE WITNESS: That's correct.
 08:28PM 19 MR. NEWMAN: Thank you.
 08:28PM 20 CHAIRWOMAN HEMBREE: Anybody else?
 08:28PM 21 (No response.)
 08:28PM 22 CHAIRWOMAN HEMBREE: You had said,
 08:28PM 23 Mr. Dattoli, that you didn't look at the sight lines
 08:28PM 24 from the Cressfield Court homes?
 08:28PM 25 THE WITNESS: I did not.

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08:28PM 1 MR. DHAWAN: From Broadway you see the
 08:29PM 2 building --
 08:29PM 3 MR. NEWMAN: The existing building.
 08:29PM 4 MR. DHAWAN: -- it looks -- it looks
 08:29PM 5 taller than it is. There's a berm that goes up.
 08:29PM 6 THE WITNESS: It's sitting down.
 08:29PM 7 MR. DHAWAN: Okay. What is -- what's
 08:29PM 8 in that basement.
 08:29PM 9 THE WITNESS: It's the parking level.
 08:29PM 10 MR. DHAWAN: Okay. So there's an
 08:29PM 11 existing parking level that's going to remain as part
 08:29PM 12 of this -- -
 08:29PM 13 THE WITNESS: That is correct.
 08:29PM 14 MR. DHAWAN: And that's what's hidden
 08:30PM 15 behind the berm.
 08:30PM 16 THE WITNESS: That is correct. And I
 08:30PM 17 testified to that last time.
 08:30PM 18 MR. DHAWAN: Well, that's -- is that
 08:30PM 19 considered an underground parking.
 08:30PM 20 THE WITNESS: I'm not sure.
 08:30PM 21 I don't know the definition for
 08:30PM 22 underground parking in Woodcliff Lake, if there is
 08:30PM 23 one.
 08:30PM 24 So, I can't -- I can't really answer
 08:30PM 25 that question.

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1 CHAIRWOMAN HEMBREE: Which is one of
 2 the elevated property --
 3 THE WITNESS: I did not because I did
 08:29PM 4 not have an exact location of those homes on
 08:29PM 5 Cressfield.
 08:29PM 6 CHAIRWOMAN HEMBREE: Okay. Because I
 08:29PM 7 think --
 08:29PM 8 THE WITNESS: And I did not want to
 08:29PM 9 make an assumption.
 08:29PM 10 CHAIRWOMAN HEMBREE: -- that's going to
 08:29PM 11 -- I'm pretty sure that would be an issue. I think
 08:29PM 12 you need to do that.
 08:29PM 13 AUDIENCE MEMBERS: Thank you. Thank
 08:29PM 14 you.
 08:29PM 15 THE WITNESS: We can -- we would have
 08:29PM 16 to go out there and get engineering -- engineered
 08:29PM 17 data to find out where those homes are located and
 08:29PM 18 where the elevations of the floors are.
 08:29PM 19 CHAIRWOMAN HEMBREE: Because that's
 08:29PM 20 where the impact is going to be.
 08:29PM 21 THE WITNESS: Yes.
 08:29PM 22 CHAIRWOMAN HEMBREE: Thank you.
 08:29PM 23 MR. DHAWAN: I have a question on
 08:29PM 24 Building 1.
 08:29PM 25 THE WITNESS: Yes.

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08:30PM 1 MR. DELIA: There is.
 08:30PM 2 MR. DHAWAN: I am just curious, I'm
 08:30PM 3 going to ask, shouldn't you know this?
 08:30PM 4 MR. DELIA: They're at grade, correct?
 08:30PM 5 THE WITNESS: I'm sorry.
 08:30PM 6 MR. DHAWAN: Maybe you don't know this,
 08:30PM 7 maybe you - but I'm going to ask anyway, this berm
 08:30PM 8 that's out front, what's the purpose of that berm?
 08:30PM 9 THE WITNESS: I don't know.
 08:30PM 10 MR. DHAWAN: Is that just to raise the
 08:30PM 11 grade of the --
 08:30PM 12 THE WITNESS: I don't -- I don't know
 08:30PM 13 the answer to that.
 08:30PM 14 That's -- that's the way that that
 08:30PM 15 building was built.
 08:30PM 16 MR. DHAWAN: But you're not changing
 08:30PM 17 it, that's the way it is and --
 08:30PM 18 THE WITNESS: That's correct.
 08:30PM 19 We are not changing the grades around
 08:30PM 20 that existing building.
 08:30PM 21 MS. YETEMIAN: Can we also ask for that
 08:30PM 22 view to be also from Highview if you were coming down
 08:30PM 23 the view the property to the left of -- of where we
 08:30PM 24 are --
 08:30PM 25 CHAIRWOMAN HEMBREE: Yes, because you

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08:30PM 1 can see --
 08:30PM 2 MS. YETEMIAN: -- from there.
 08:30PM 3 CHAIRWOMAN HEMBREE: -- yes, there you
 08:31PM 4 two houses that are clearly --
 08:31PM 5 MS. YETEMIAN: Correct.
 08:31PM 6 CHAIRWOMAN HEMBREE: -- impacted.
 08:31PM 7 And I don't know about further up on
 08:31PM 8 the hill.
 08:31PM 9 MS. YETEMIAN: Cressfield and Highview
 08:31PM 10 --
 08:31PM 11 CHAIRWOMAN HEMBREE: -- yes. I have no
 08:31PM 12 idea.
 08:31PM 13 THE WITNESS: Again, we would have to
 08:31PM 14 get the engineering data of those -- those
 08:31PM 15 residences, those buildings.
 08:31PM 16 The one on the corner is a
 08:31PM 17 boardinghouse --
 08:31PM 18 CHAIRWOMAN HEMBREE: Right.
 08:31PM 19 THE WITNESS: -- multifamily or multi --
 08:31PM 20 CHAIRWOMAN HEMBREE: But the next one
 08:31PM 21 up is directly --
 08:31PM 22 THE WITNESS: Is a single-family
 08:31PM 23 residential.
 08:31PM 24 CHAIRWOMAN HEMBREE: -- to the side of
 08:31PM 25 that parking lot.

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08:31PM 1 THE WITNESS: That's correct.
 08:31PM 2 FEMALE AUDIENCE MEMBER: Boardinghouses
 08:31PM 3 count too.
 08:31PM 4 MR. PRINCIOOTTO: I'm sorry, ma'am?
 08:31PM 5 FEMALE AUDIENCE MEMBER: We're
 08:31PM 6 impacted.
 08:31PM 7 CHAIRWOMAN HEMBREE: Ma'am.
 08:31PM 8 MR. PRINCIOOTTO: You can't make any
 08:31PM 9 comments --
 08:31PM 10 FEMALE AUDIENCE MEMBER: Sorry.
 08:31PM 11 MR. PRINCIOOTTO: -- during the
 08:31PM 12 testimony.
 08:31PM 13 FEMALE AUDIENCE MEMBER: You're right.
 08:31PM 14 My apologies.
 08:31PM 15 CHAIRWOMAN HEMBREE: That's okay.
 08:31PM 16 Any other questions from members of the
 08:31PM 17 board?
 08:31PM 18 (No response.)
 08:31PM 19 CHAIRWOMAN HEMBREE: Do we ask for
 08:31PM 20 comments -- questions from our experts who are
 08:31PM 21 sitting up here, or do you have anything to add?
 08:31PM 22 MR. PREISS: I just had a question.
 08:31PM 23 CHAIRWOMAN HEMBREE: Yes.
 08:31PM 24 MR. PREISS: Are -- are you proposing
 08:31PM 25 to do a cross-section through one of the residences

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08:31PM 1 that is behind proposed Building No. 2 and show the
 08:32PM 2 location and height of that for the next time around?
 08:32PM 3 THE WITNESS: We would have to get
 08:32PM 4 data -- data information.
 08:32PM 5 MR. PREISS: Sure.
 08:32PM 6 THE WITNESS: I don't know the answer
 08:32PM 7 to that. I'd have to speak with my client with
 08:32PM 8 regard to that.
 08:32PM 9 MR. PREISS: Do you think that's
 08:32PM 10 helpful in terms of indicating to what extent the
 08:32PM 11 Building No. 2 would be visible to that building?
 08:32PM 12 And the second thing is, in terms of blocking any
 08:32PM 13 views that you have of the -- of the reservoir?
 08:32PM 14 MR. DELIA: We'll do it. We'll do
 08:32PM 15 everything we can at the next meeting to give you
 08:32PM 16 something to look at.
 08:32PM 17 MR. PREISS: Okay.
 08:32PM 18 Could you also indicate on a -- on a
 08:32PM 19 plan where that cross-section is done, in other
 08:32PM 20 words, put a line on the plan.
 08:32PM 21 MR. DELIA: Sure.
 08:32PM 22 MR. PREISS: Which, you know, where
 08:32PM 23 that -- where that cross-section is taken, both for
 08:32PM 24 this cross-section and then if you're doing ones from
 08:32PM 25 Highview, would it be the same.

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08:32PM 1 THE WITNESS: This is -- this is just
 08:33PM 2 to the south of -- of Building No. 1.
 08:33PM 3 MR. PREISS: Okay.
 08:33PM 4 THE WITNESS: This is to the south.
 08:33PM 5 MR. PREISS: I mean it is helpful
 08:33PM 6 because I think what it does illustrate, number one,
 08:33PM 7 is that the units on the roof will not be seen from
 08:33PM 8 Broadway. It also does indicate that, except as
 08:33PM 9 you've indicated for the view when you're looking up
 08:33PM 10 the driveway or between the buildings, that Building
 08:33PM 11 1 blocks the views of Building 2, and also you still
 08:33PM 12 have to wait to see the cross-section through the
 08:33PM 13 house behind it, but I don't think that Building No.
 08:33PM 14 2 would block views of the reservoir any more than
 08:33PM 15 the existing Building No. 1, so it is a helpful --
 08:33PM 16 THE WITNESS: This -- this dashed line
 08:33PM 17 shows (indicating) Building No. 2 beyond.
 08:33PM 18 MR. PREISS: Right.
 08:33PM 19 THE WITNESS: Okay?
 08:33PM 20 Now, of course, we're looking at it
 08:33PM 21 two-dimensionally. So you are seeing the tops of
 08:33PM 22 those buildings, but, again, the sight line as shown
 08:34PM 23 on -- on this plan, you know, clearly you don't see
 08:34PM 24 Building No. 2.
 08:34PM 25 MR. PREISS: Yes, I would agree.

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08:34PM 1 And also thank you for the roof plans.
 08:34PM 2 It's -- it's also clear that the location and height
 08:34PM 3 of the HVAC units will not be seen from the parking
 08:34PM 4 lot, so that is helpful.
 08:34PM 5 I have no further questions.
 08:34PM 6 CHAIRWOMAN HEMBREE: Okay.
 08:34PM 7 MR. NEWMAN: Actually so Building No. 2
 08:34PM 8 will completely block Building No. 1 if you're
 08:34PM 9 looking up -- if you're looking from uphill down.
 08:34PM 10 CHAIRWOMAN HEMBREE: Yes.
 08:34PM 11 MR. NEWMAN: Yeah. You said building 2
 08:34PM 12 blocks --
 08:34PM 13 THE WITNESS: It appears that way right
 08:34PM 14 now.
 08:34PM 15 MR. NEWMAN: Right. So then --
 08:34PM 16 THE WITNESS: And once we get the
 08:34PM 17 engineering data on that house --
 08:34PM 18 MR. NEWMAN: Right. So --
 08:34PM 19 THE WITNESS: On those houses up there
 08:34PM 20 --
 08:34PM 21 MR. NEWMAN: So then is -- is it also
 08:34PM 22 true that you're going to diminish their view of the
 08:34PM 23 reservoir --
 08:34PM 24 AUDIENCE MEMBERS: Yes. Yes.
 08:34PM 25 MR. NEWMAN: -- for the residents that
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08:34PM 1 live up that way.
 08:34PM 2 AUDIENCE MEMBERS: Yes. Yes.
 08:34PM 3 THE WITNESS: I don't know the answer
 08:34PM 4 to that at this point.
 08:35PM 5 MR. NEWMAN: Well, I mean, if you can't
 08:35PM 6 see Building No. 1, right? I mean, it would -- I'm
 08:35PM 7 not an architect, but that would seem...
 08:35PM 8 THE WITNESS: I -- I can't answer that
 08:35PM 9 without the engineering data.
 08:35PM 10 MR. NEWMAN: Okay.
 08:35PM 11 MR. PRINCIOOTTO: Do you know what the
 08:35PM 12 height of the current building is?
 08:35PM 13 THE WITNESS: The height of Building
 08:35PM 14 No. 1?
 08:35PM 15 MR. PRINCIOOTTO: The existing building.
 08:35PM 16 The existing building.
 08:35PM 17 THE WITNESS: This is -- this is -- oh,
 08:35PM 18 the top -- it's very close to the top of our parapet.
 08:35PM 19 I think it's the same elevation actually.
 08:35PM 20 MR. NEWMAN: Are you raising the height
 08:35PM 21 of Building No. 1?
 08:35PM 22 THE WITNESS: No. No. That's --
 08:35PM 23 that's --
 08:35PM 24 MR. NEWMAN: So what's there is going
 08:35PM 25 to stay there.
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08:35PM 1 THE WITNESS: Yes. We are change --
 08:35PM 2 Building No. 1 has that mansard roof all the way
 08:35PM 3 around. The top of that mansard is pretty much at
 08:35PM 4 the same elevation as the parapets.
 08:35PM 5 We're taking that mansard roof off and
 08:35PM 6 that height will not be any higher. The height will
 08:35PM 7 not be any higher.
 08:35PM 8 MR. PREISS: I actually do have one
 08:35PM 9 other question.
 08:36PM 10 CHAIRWOMAN HEMBREE: Sure.
 08:36PM 11 MR. PREISS: I was curious that in
 08:36PM 12 providing those parapets, you essentially have a very
 08:36PM 13 rectangular-like building, and yet you've chosen to
 08:36PM 14 introduce gable, kind of, roof elements on the front
 08:36PM 15 of that.
 08:36PM 16 THE WITNESS: All around the building.
 08:36PM 17 MR. PREISS: Is there a reason why you
 08:36PM 18 did that? Do you -- don't you think it would look
 08:36PM 19 better if that -- those parapets were mostly flatter
 08:36PM 20 and --
 08:36PM 21 THE WITNESS: Well, right now I don't
 08:36PM 22 think the building is very well articulated with that
 08:36PM 23 mansard roof and the second parapet --
 08:36PM 24 MR. PREISS: I would agree.
 08:36PM 25 THE WITNESS: -- all the way around.
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08:36PM 1 So I'm trying to articulate this
 08:36PM 2 building so that is has a little bit more interest
 08:36PM 3 than one straight parapet straight across, the same
 08:36PM 4 elevation straight across. I'm trying to break it up
 08:37PM 5 a bit.
 08:37PM 6 MR. PREISS: Understood.
 08:37PM 7 But I just find it curious that you
 08:37PM 8 would use gabled roof elements to do it instead of --
 08:37PM 9 you could -- you've differentiated it by breaking up
 08:37PM 10 the vertical roof lines.
 08:37PM 11 THE WITNESS: Correct.
 08:37PM 12 MR. PREISS: I mean it's up to the
 08:37PM 13 board, but I'm just -- just curious to so why you
 08:37PM 14 introduced gable roof elements on essentially a
 08:37PM 15 square building that has a roof, you know, a flat
 08:37PM 16 roof on it.
 08:37PM 17 THE WITNESS: Again, it was to further
 08:37PM 18 articulate the -- trying to break it up a bit.
 08:37PM 19 MR. PREISS: Okay. Thank you.
 08:37PM 20 CHAIRWOMAN HEMBREE: Any other
 08:37PM 21 questions from the board.
 08:37PM 22 Would you like to open it to the
 08:37PM 23 public?
 08:37PM 24 MR. NEWMAN: "Like" is a strong word.
 08:37PM 25 CHAIRWOMAN HEMBREE: Would you love...
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08:37PM 1 MR. NEWMAN: But I will make a motion
 08:37PM 2 to open to the public.
 08:37PM 3 CHAIRWOMAN HEMBREE: Are you amenable
 08:37PM 4 to opening to the public.
 08:37PM 5 MR. NEWMAN: I'll make a motion to open
 08:37PM 6 to the public.
 08:37PM 7 MR. HAYES: I'll second.
 08:37PM 8 CHAIRWOMAN HEMBREE: All in favor?
 08:37PM 9 (Whereupon, all Board Members respond
 08:37PM 10 in the affirmative.)
 08:37PM 11 CHAIRWOMAN HEMBREE: Any opposed?
 08:37PM 12 (No response.)
 08:37PM 13 CHAIRWOMAN HEMBREE: Okay. If you have
 08:37PM 14 a question of Mr. Dattoli --
 08:37PM 15 MR. NEWMAN: Questions of Mr. Dattoli
 08:37PM 16 only.
 08:37PM 17 CHAIRWOMAN HEMBREE: Only.
 08:38PM 18 And state your name and your address
 08:38PM 19 and your questions and no opinions.
 08:38PM 20 MR. CABRERA: Hi.
 08:38PM 21 Ulises Cabrera, 14 Dorchester Road.
 08:38PM 22 CHAIRWOMAN HEMBREE: No mic.
 08:38PM 23 MS. KOKOWSKI: Make sure it's -- it's
 08:38PM 24 on.
 08:38PM 25 CHAIRWOMAN HEMBREE: Take it.

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08:39PM 1 THE WITNESS: Say the question again?
 08:39PM 2 I'm sorry.
 08:39PM 3 MR. CABRERA: This design that you came
 08:39PM 4 up with --
 08:39PM 5 THE WITNESS: Uh-huh.
 08:39PM 6 MR. CABRERA: -- in your opinion, why
 08:39PM 7 does it fit this composition -- the neighborhood
 08:39PM 8 setting?
 08:39PM 9 Like what did you do special to fit in
 08:39PM 10 with the residential area that is surrounding it.
 08:39PM 11 THE WITNESS: Well, I -- I tried to
 08:39PM 12 change the look of the building to look a bit more
 08:39PM 13 residential and -- and fit the new use that we're
 08:39PM 14 proposing.
 08:39PM 15 MR. CABRERA: That's -- is it more of a
 08:39PM 16 contemporary look, would you say.
 08:39PM 17 THE WITNESS: No. It's -- it's -- no,
 08:39PM 18 I wouldn't call it contemporary.
 08:39PM 19 MR. CABRERA: What type of exterior
 08:39PM 20 will it have? Are you using brick? Siding.
 08:39PM 21 THE WITNESS: Well, the existing brick
 08:39PM 22 base will remain. Okay. It's a brown brick base.
 08:40PM 23 And then we're proposing a stucco finish and some
 08:40PM 24 horizontal siding.
 08:40PM 25 MR. CABRERA: Okay. What -- and that's

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08:38PM 1 MS. KOKOWSKI: On that, there's, like,
 08:38PM 2 a button.
 08:38PM 3 MR. CABRERA: Yeah.
 08:38PM 4 CHAIRWOMAN HEMBREE: On the bottom.
 08:38PM 5 MS. KOKOWSKI: Just hold the bottom.
 08:38PM 6 It should be in the middle.
 08:38PM 7 CHAIRWOMAN HEMBREE: This is high tech
 08:38PM 8 stuff.
 08:38PM 9 MR. CABRERA: Ulises Cabrera, 14
 08:38PM 10 Dorchester Road, Woodcliff Lake.
 08:38PM 11 Before I start I would like to thank
 08:38PM 12 the zoning board members --
 08:38PM 13 CHAIRWOMAN HEMBREE: No, you're going
 08:38PM 14 to ask questions.
 08:38PM 15 MR. CABRERA: -- for their dedicated
 08:38PM 16 service to the Borough of Woodcliff Lake.
 08:38PM 17 CHAIRWOMAN HEMBREE: Okay.
 08:39PM 18 MR. CABRERA: Sir, how long have you
 08:39PM 19 been an architect for.
 08:39PM 20 THE WITNESS: Thirty-eight years.
 08:39PM 21 MR. CABRERA: Thirty-eight years.
 08:39PM 22 In your opinion, does the apartment
 08:39PM 23 complex fit the composition of the surrounding
 08:39PM 24 neighborhoods?
 08:39PM 25 And if so, why?

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08:40PM 1 all going to be one same color or it will be
 08:40PM 2 different colors.
 08:40PM 3 THE WITNESS: Varied colors.
 08:40PM 4 The stucco will be one color. The
 08:40PM 5 horizontal siding will be a second color. And the
 08:40PM 6 existing brick is a different color.
 08:40PM 7 They'll be compatible colors.
 08:40PM 8 MR. CABRERA: How many parking spots,
 08:40PM 9 again, are covered in the garage.
 08:40PM 10 THE WITNESS: Forty-five.
 08:40PM 11 MR. CABRERA: Forty-five.
 08:40PM 12 THE WITNESS: Yes.
 08:40PM 13 MR. CABRERA: And exterior parking
 08:40PM 14 spots are.
 08:40PM 15 THE WITNESS: Our engineer has all
 08:40PM 16 those number.
 08:40PM 17 MR. CABRERA: All right.
 08:40PM 18 THE WITNESS: He testified to that last
 08:40PM 19 time.
 08:40PM 20 MR. CABRERA: All right. Well -- now,
 08:40PM 21 you mentioned the H -- so I don't want to repeat it
 08:40PM 22 because you answered the question for me about the
 08:40PM 23 H -- the units, the air conditioning units are all
 08:40PM 24 going to be on the top.
 08:40PM 25 Is that correct?

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08:40PM 1 THE WITNESS: Rooftop units, yes.
 08:40PM 2 MR. CABRERA: And they're heating also,
 08:40PM 3 so it's AC and heating for each unit.
 08:40PM 4 THE WITNESS: It's a split System, yes.
 08:40PM 5 MR. CABRERA: So there's going to be 60
 08:40PM 6 units on top of both buildings combined.
 08:40PM 7 THE WITNESS: That's correct.
 08:40PM 8 Actually it's --
 08:40PM 9 MR. NEWMAN: It's 70 units.
 08:40PM 10 THE WITNESS: It's 63 units.
 08:41PM 11 MR. CABRERA: Sixty-three units.
 08:41PM 12 THE WITNESS: Because we have three
 08:41PM 13 units to handle the common areas.
 08:41PM 14 MR. CABRERA: And those are the bigger
 08:41PM 15 units that are 48 feet [sic] by 72 by 36.
 08:41PM 16 THE WITNESS: It's 48 inches, not feet.
 08:41PM 17 MR. CABRERA: Oh, I'm sorry, 48 inches
 08:41PM 18 --
 08:41PM 19 THE WITNESS: By 72 by 38 inches.
 08:41PM 20 Correct.
 08:41PM 21 MR. CABRERA: Okay.
 08:41PM 22 MR. NEWMAN: I'm sorry to interrupt.
 08:41PM 23 How many apartments are there.
 08:41PM 24 THE WITNESS: Sixty in total.
 08:41PM 25 MR. NEWMAN: Sixty.

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08:41PM 1 THE WITNESS: Thirty-six in Building
 08:41PM 2 No. 1, 24 in Building No. 2.
 08:41PM 3 MR. CABRERA: One of the issues that --
 08:41PM 4 did you -- you designed all this in regards to the
 08:41PM 5 downspouts and all that, or is that part of the
 08:41PM 6 engineering.
 08:41PM 7 THE WITNESS: Well, that -- that comes
 08:41PM 8 as part of the sequence of what we go through here.
 08:41PM 9 First we have to get site plan
 08:41PM 10 approval. And then we go into what we call
 08:41PM 11 construction documents.
 08:41PM 12 And all of that -- all the requirements
 08:41PM 13 of the New Jersey Uniform Construction Code are
 08:41PM 14 covered under our construction documents.
 08:41PM 15 MR. CABRERA: All right.
 08:41PM 16 THE WITNESS: These are essentially
 08:41PM 17 concept drawings showing what we propose.
 08:41PM 18 MR. CABRERA: Have you ever done a
 08:42PM 19 apartment complex such as this.
 08:42PM 20 THE WITNESS: Yes.
 08:42PM 21 MR. CABRERA: And where? So maybe I
 08:42PM 22 could drive by and take a look.
 08:42PM 23 THE WITNESS: In Emerson is the closest
 08:42PM 24 one.
 08:42PM 25 MR. CABRERA: Do you have a location in

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08:42PM 1 Emerson.
 08:42PM 2 THE WITNESS: It's Plaza East. It's a
 08:42PM 3 three-story building in -- in the town of Emerson.
 08:42PM 4 If you go down Kinderkamack and you cross where the
 08:42PM 5 traffic light is right by the train station, there's
 08:42PM 6 a gas station and the next building is a three-story
 08:42PM 7 residential.
 08:42PM 8 It's mixed use actually. There is
 08:42PM 9 retail on the first floor with under building parking
 08:42PM 10 behind, and then two stories of residential.
 08:42PM 11 MR. CABRERA: Okay. Did you design
 08:42PM 12 anything -- I just want to touch again with the
 08:42PM 13 downspouts and the -- is a water garden going to be
 08:42PM 14 absorbing all this? Is that --
 08:42PM 15 THE WITNESS: We have not gotten to
 08:42PM 16 that point.
 08:42PM 17 MR. CABRERA: You have not gotten to
 08:42PM 18 that point.
 08:42PM 19 But you didn't design anything to that?
 08:42PM 20 THE WITNESS: No. We haven't gotten to
 08:42PM 21 that point yet.
 08:42PM 22 MR. CABRERA: Okay. Because the
 08:42PM 23 engineer mentioned about Burning Bush. Do you know
 08:42PM 24 anything about the Burning Bush.
 08:42PM 25 THE WITNESS: That's a -- that's part

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08:43PM 1 of the landscaping.
 08:43PM 2 MR. CABRERA: Yeah. Yeah.
 08:43PM 3 He had mentioned Burning Bush. I don't
 08:43PM 4 know if you know, Burning -- are you aware that
 08:43PM 5 Burning Bush doesn't do well in soggy ground?
 08:43PM 6 THE WITNESS: I didn't design that.
 08:43PM 7 MR. CABRERA: Okay.
 08:43PM 8 THE WITNESS: I didn't testify to that.
 08:43PM 9 MR. CABRERA: All right. Just bear
 08:43PM 10 with me one second.
 08:43PM 11 So this property, it resides on
 08:43PM 12 3.3 acres?
 08:43PM 13 THE WITNESS: I believe so, yes.
 08:43PM 14 MR. CABRERA: Is that correct.
 08:43PM 15 And of that, let's -- roughly 2.5 acres
 08:43PM 16 of it is going to be built up; would you agree with
 08:43PM 17 that?
 08:43PM 18 THE WITNESS: Again, our engineer has
 08:43PM 19 all of that information. I think he was open for
 08:43PM 20 questions at the last meeting.
 08:43PM 21 That was his testimony, not mine.
 08:43PM 22 MR. CABRERA: Okay. But you did do the
 08:43PM 23 measurements of the site and where the actual
 08:43PM 24 buildings are going to be located.
 08:43PM 25 THE WITNESS: No, that's engineering.

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08:43PM 1 MR. CABRERA: That's the engineering.
 08:43PM 2 THE WITNESS: That's the site plan
 08:43PM 3 engineer.
 08:43PM 4 MR. CABRERA: All right.
 08:44PM 5 Hold on one second.
 08:44PM 6 So there are 60 units on 3-and-a-half
 08:44PM 7 acres, or 3.3 acres?
 08:44PM 8 THE WITNESS: Yes.
 08:44PM 9 MR. CABRERA: Is that correct.
 08:44PM 10 So that's roughly, if we divide that
 08:44PM 11 completely, it's 18 units per acre?
 08:44PM 12 THE WITNESS: Again, I did not do the
 08:44PM 13 math, I believe our engineer did the math.
 08:44PM 14 MR. CABRERA: In your opinion, would
 08:44PM 15 you -- do you think 18 acres -- 18 units per acre is
 08:44PM 16 sufficient for the town of Woodcliff Lake.
 08:44PM 17 THE WITNESS: I didn't make any
 08:44PM 18 testimony in terms of my opinion, I -- I testified to
 08:44PM 19 the architectural characteristics of the building.
 08:44PM 20 MR. CABRERA: I was just wondering if
 08:44PM 21 -- but -- but it's your design, you know.
 08:44PM 22 THE WITNESS: Yes, it is.
 08:44PM 23 MR. CABRERA: Sixty units in that
 08:44PM 24 location.
 08:44PM 25 THE WITNESS: That is correct.
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08:45PM 1 MR. CABRERA: Eighteen units per acre.
 08:45PM 2 Correct.
 08:45PM 3 THE WITNESS: Correct.
 08:45PM 4 MR. NEWMAN: Is that correct, 18 units
 5 per acre?
 6 THE WITNESS: Again, I did not do the
 7 math on that.
 8 I believe our --
 9 MR. CABRERA: Well, 60 units into 3.3
 10 acres is --
 11 THE WITNESS: -- our engineer has that
 12 --
 08:45PM 13 MR. PRINCIOOTTO: It's slightly over.
 08:45PM 14 It's slightly over.
 08:45PM 15 MR. NEWMAN: And maybe --
 08:45PM 16 MR. DELIA: Our engineer testified to
 08:45PM 17 that last time.
 08:45PM 18 MR. NEWMAN: -- maybe I can ask the
 08:45PM 19 applicant's attorney, is that accurate?
 08:45PM 20 MR. DELIA: Yes.
 08:45PM 21 MR. NEWMAN: Yes. So it's 18 units per
 08:45PM 22 acre.
 08:45PM 23 MR. CABRERA: Okay.
 08:45PM 24 I have no further questions.
 08:45PM 25 Thank you.
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08:44PM 1 MR. CABRERA: I'm just wondering if
 08:44PM 2 that was sufficient for the density of the area, 18
 08:44PM 3 units per acre, in your opinion.
 08:44PM 4 THE WITNESS: My opinion --
 08:44PM 5 MR. NEWMAN: If you feel you're
 08:44PM 6 qualified to give an opinion.
 08:44PM 7 THE WITNESS: Yeah, I don't feel I am
 08:44PM 8 qualified to answer an opinion question of that
 08:45PM 9 nature.
 08:45PM 10 MR. NEWMAN: Okay.
 08:45PM 11 MR. HAYES: You can rephrase it another
 08:45PM 12 way, was it a consideration in designing it this way?
 08:45PM 13 MR. CABRERA: Did you take into
 08:45PM 14 consideration -- thank you.
 08:45PM 15 Did you take that into consideration,
 08:45PM 16 how many units per acre will be --
 08:45PM 17 THE WITNESS: Would result? Yes.
 08:45PM 18 MR. CABRERA: -- built.
 08:45PM 19 And what was your conclusion from that?
 08:45PM 20 THE WITNESS: We were able to fit that
 08:45PM 21 number of units on this property without changing the
 08:45PM 22 impervious area.
 08:45PM 23 MR. CABRERA: Which works out to be 18
 08:45PM 24 acres [sic].
 08:45PM 25 MR. NEWMAN: Eighteen units per acre.
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08:46PM 1 THE WITNESS: Thank you.
 08:46PM 2 MS. LEVINE: Hi, there.
 08:46PM 3 CHAIRWOMAN HEMBREE: Hi.
 08:46PM 4 MS. LEVINE: My name is Gwenn Levine.
 08:46PM 5 I live on Campbell Avenue.
 08:46PM 6 I would like to ask about the rationale
 08:46PM 7 for granting a variance in an SO office zone as
 08:46PM 8 requested by the developers of 188 Broadway.
 08:46PM 9 MR. NEWMAN: This is --
 08:46PM 10 CHAIRWOMAN HEMBREE: This is not a
 08:46PM 11 question to the architect, ma'am.
 08:46PM 12 MR. NEWMAN: -- while -- while -- while
 08:46PM 13 certainly appropriate, right now what we're doing is
 08:46PM 14 just asking any questions that you may have of this
 08:46PM 15 witness who testified as to architecture.
 08:46PM 16 If not, you'll --
 08:46PM 17 MS. LEVINE: Okay.
 08:46PM 18 MR. NEWMAN: Be able to say whatever
 08:46PM 19 you want to say later.
 08:46PM 20 MS. LEVINE: Okay. Okay.
 08:46PM 21 MS. DISPOTO: Good evening. Cheryl
 08:46PM 22 Dispoto. 7 Bonnie Lane, Woodcliff Lake.
 08:46PM 23 I do have a question for Mr. Dattoli.
 08:47PM 24 Counsel for the applicant suggested that you're --
 08:47PM 25 the applicant would comply with the borough's Mount
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08:47PM 1 Laurel COAH -- affordable housing settlement. If
 08:47PM 2 that happens, and Mr. Preiss suggested at the last
 08:47PM 3 meeting that three-bedroom units would have to be
 08:47PM 4 incorporated into this project, would that alter the
 08:47PM 5 number of parking spaces that would be required?
 08:47PM 6 And I guess you would need specifics,
 08:47PM 7 maybe Richard could comment on how many
 08:47PM 8 three-bedrooms would have to be incorporated for the
 08:47PM 9 borough to comply with the affordable housing? And
 08:47PM 10 would that materially change the application if we
 08:47PM 11 add the additional three-bedroom -- if the board so
 08:47PM 12 decides to have the applicant comply with affordable
 08:47PM 13 housing.

08:47PM 14 MR. DELIA: If I may interject, because
 08:47PM 15 I can answer this real simply, if, in fact, there is
 08:47PM 16 an increased bed count here, we will either have to
 08:47PM 17 comply with parking or we'd have to appear back
 08:48PM 18 before you for a variance for the deficiency in
 08:48PM 19 number of parking spaces.

08:48PM 20 So that's still to be determined. We
 08:48PM 21 don't know, again, that's what I was trying to say
 08:48PM 22 earlier, we don't know the method of compliance.

08:48PM 23 But taking the hypothetical forward, if
 08:48PM 24 -- if the requirement adds parking spaces, we would
 08:48PM 25 have to find parking spaces or come back in front of

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08:48PM 1 the board for the variance relief.
 08:48PM 2 MS. DISPOTO: And a follow-up question,
 08:48PM 3 I guess, for Mr. Dattoli, if that happens, would the
 08:48PM 4 HVAC-unit size also change, because you suggested
 08:48PM 5 that right now there's a larger unit for a
 08:48PM 6 two-bedroom versus a one-bedroom? If you add three
 08:48PM 7 bedrooms does the specs on the rooftop units change
 08:48PM 8 at all for the -- for the dual units.

08:48PM 9 THE WITNESS: No, because it'll be --
 08:48PM 10 and I think I said this last time, we have several
 08:48PM 11 1300-square-foot units, and those larger units
 08:48PM 12 accommodate those 1300-square-foot units.

08:48PM 13 Those 1300-square-foot units would just
 08:49PM 14 change to a three-bedroom. And it's not based on
 08:49PM 15 number of bedrooms, it's based on the square footage.
 08:49PM 16 The size of the units.

08:49PM 17 MS. DISPOTO: Would the parking
 08:49PM 18 requirement change under the RSIS standards if we
 08:49PM 19 were to incorporate three-bedrooms? I guess you
 08:49PM 20 would need to know the number of three-bedroom units.

08:49PM 21 THE WITNESS: Yes.

08:49PM 22 And I don't have those requirements,
 08:49PM 23 the RSIS in my head, very honestly --

08:49PM 24 MS. DISPOTO: So --

08:49PM 25 THE WITNESS: -- so I don't know the

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08:49PM 1 answer to that.

08:49PM 2 MS. DISPOTO: So --

08:49PM 3 THE WITNESS: I can't answer that at
 08:49PM 4 this point in time.

08:49PM 5 MS. DISPOTO: So I guess then maybe I'm
 08:49PM 6 looking for some -- some commentary from Richard
 08:49PM 7 Preiss, the borough's planner, maybe for the benefit
 08:49PM 8 of some of the board members who were not here at the
 08:49PM 9 last meeting who are new, about what the borough's
 08:49PM 10 affordable housing settlement suggests as far as the
 08:49PM 11 15 percent set aside.

08:49PM 12 And also if we were to comply to that,
 08:49PM 13 some additional rules that require a certain number
 08:49PM 14 of family units or three-bedroom units.

08:49PM 15 And then as a follow-up for,
 08:49PM 16 Mr. Preiss, when does the board -- you said the board
 08:49PM 17 has discretion to enable the applicant to comply.
 08:50PM 18 When would the board do that? Would they wait until
 08:50PM 19 the end of the application and the hearing to do
 08:50PM 20 that? Because if they choose to do that, it seems
 08:50PM 21 like it could materially alter the application and
 08:50PM 22 then we could all be back here for additional
 08:50PM 23 variances.

08:50PM 24 We don't really have the calculations,
 08:50PM 25 you know, to say whether, you know, where we're going

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08:50PM 1 to end up.

08:50PM 2 MR. DELIA: Again, if I may interject,
 08:50PM 3 another option is we reduce the number of units to
 08:50PM 4 make the count.

08:50PM 5 We're getting -- heading into a
 08:50PM 6 different direction that we're asking specific
 08:50PM 7 questions to your planner, has nothing to do with the
 08:50PM 8 architectural testimony that we have called
 08:50PM 9 Mr. Dattoli for, and now this is far beyond the
 08:50PM 10 scope.

08:50PM 11 I --

08:50PM 12 MS. DISPOTO: Well --

08:50PM 13 MR. DELIA: These -- these questions
 08:50PM 14 will be addressed, they'll be addressed by our
 08:50PM 15 planner. And I believe that's the appropriate time.
 08:50PM 16 We're not saying that we shouldn't answer these
 08:50PM 17 questions, but I don't think this is the appropriate
 08:50PM 18 time.

08:50PM 19 MS. DISPOTO: Well, I think that --

08:50PM 20 CHAIRWOMAN HEMBREE: Well, isn't she
 08:50PM 21 saying that -- that the answer to the question she is
 08:50PM 22 asking may have an impact on the application. Isn't
 08:51PM 23 that what she's saying?

08:51PM 24 Isn't that what you're saying?

08:51PM 25 MR. DELIA: The question deals with the

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08:51PM 1 three-bedroom count.
 08:51PM 2 And what we're saying is if we have --
 08:51PM 3 if, in fact, there's a requirement for
 08:51PM 4 three-bedrooms, number one, we'd evaluate whether
 08:51PM 5 we'd reduce the unit count or not. If we reduce --
 08:51PM 6 CHAIRWOMAN HEMBREE: Well, why can't we
 08:51PM 7 find out what the -- what is it?
 8 MR. PREISS: Jim, the answer is very
 9 simple --
 10 CHAIRWOMAN HEMBREE: Well --
 11 MR. PREISS: -- if you give me five
 12 minutes I can answer that.
 08:51PM 13 So let's take the second question
 08:51PM 14 first. So there's a law in New Jersey that says that
 08:51PM 15 the -- that the zoning that is in place at the time
 08:51PM 16 that the application is deemed complete applies.
 08:51PM 17 At that particular point in time, we
 08:51PM 18 did not have the required set-aside ordinance.
 08:51PM 19 However, as with all applications, this
 08:51PM 20 doesn't only relate to Woodcliff Lake, but any other
 08:51PM 21 towns, for example Teaneck, where I'm also the
 08:51PM 22 planner, is those townships settled their Mount
 08:51PM 23 Laurel litigation with Fair Share Housing Center, all
 08:52PM 24 were required to adopt set-aside mechanisms. And so
 08:52PM 25 I raised that in my review letter.

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08:52PM 1 I should also point out that Woodcliff
 08:52PM 2 Lake has since adopted that set-aside requirement.
 08:52PM 3 In -- in any case, in a variance
 08:52PM 4 situation, particularly where you're dealing with a
 08:52PM 5 use and density variance, the board has the
 08:52PM 6 discretion to impose conditions.
 08:52PM 7 So this board, whether that law existed
 08:52PM 8 or didn't exist at the time of the application, has
 08:52PM 9 the ability to apply that condition at the time it
 08:52PM 10 grants the approval.
 08:52PM 11 So let's assume that the board does
 08:52PM 12 vote in favor of it. If that rule applies, 15
 08:52PM 13 percent of the units would be nine units. The
 08:52PM 14 bedroom distribution, under the requirements, are no
 08:52PM 15 less than 20 percent of the units may be
 08:52PM 16 three-bedroom, no more than 20 percent of the units
 08:52PM 17 can be one-bedroom, and the remainder are
 08:52PM 18 two-bedroom.
 08:52PM 19 So in this particular situation, the
 08:53PM 20 requirement would be at least two three-bedroom
 08:53PM 21 units, no more than one one-bedroom unit, and then
 08:53PM 22 the remaining six units would be two-bedroom units.
 08:53PM 23 Insofar as the parking requirement is
 08:53PM 24 concerned, the three-bedroom units only require .3
 08:53PM 25 spaces more than a two-bedroom unit.

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08:53PM 1 So if two of the two-bedroom units were
 08:53PM 2 converted to a three-bedroom unit, the parking count
 08:53PM 3 would go up by .6.
 08:53PM 4 So it would probably -- instead of 111
 08:53PM 5 spaces under RSIS, it would be 112. So even though
 08:53PM 6 the applicant --
 08:53PM 7 MS. DISPOTO: And then the applicant
 08:53PM 8 would still be compliant presumably.
 08:53PM 9 MR. PREISS: The applicant would either
 08:53PM 10 -- so the applicant would be compliant with that
 08:53PM 11 requirement.
 08:53PM 12 In terms of the parking, maybe there is
 08:53PM 13 a way to find one additional parking space. If not,
 08:53PM 14 because it's RSIS standard and the exception is known
 08:53PM 15 as a de minimus exception, they would have to make an
 08:53PM 16 application for a de minimus exception just for one
 08:54PM 17 space. I mean, this was all being -- I'm doing this
 08:54PM 18 all in my head, so --
 08:54PM 19 MS. DISPOTO: And thank you for that,
 08:54PM 20 Richard.
 08:54PM 21 And I'm glad that the new members of
 08:54PM 22 the board have the benefit of hearing that because I
 08:54PM 23 heard you say that at the last -- at the meeting.
 08:54PM 24 And, Counselor, I think the reason I
 08:54PM 25 was asking it of the architect is because I wanted to

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08:54PM 1 know if it were -- I wanted to hear from him if it
 08:54PM 2 were feasible to convert the two-bedroom units into
 08:54PM 3 three-bedroom units. I thought that was an
 08:54PM 4 architectural question, not a planning question.
 08:54PM 5 Thank you.
 08:54PM 6 MS. YETEMIAN: I have a question.
 08:54PM 7 What about handicap also?
 08:54PM 8 MR. PREISS: Yes.
 08:54PM 9 MR. PRINCIOOTTO: Just for some
 08:54PM 10 clarification in terms of what happened, the
 08:54PM 11 applicant did not initially present this application
 08:54PM 12 with the set-aside for affordable housing.
 08:54PM 13 So that's what occurred at the first
 08:54PM 14 meeting. The issue was raised by the borough
 08:54PM 15 planner, Richard Preiss, in terms of the requirement
 08:54PM 16 and pursuant to the settlement agreement, any
 08:55PM 17 development that comes before the planning board or
 08:55PM 18 the zoning board, by our settlement agreement, with
 08:55PM 19 five units or more, has to have this set-aside.
 08:55PM 20 So that's where we are. We've heard
 08:55PM 21 tonight that you intend to comply with that --
 08:55PM 22 MR. NEWMAN: And I think the engineer
 08:55PM 23 testified and I think Mr. Dattoli testified that he
 08:55PM 24 also doesn't know, but he believes that whatever the
 08:55PM 25 requirements are, he's going to comply with.

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08:56PM 1 But he doesn't have any actual
 08:56PM 2 knowledge as to how many affordables the developer
 08:56PM 3 intends on putting in this project.
 08:56PM 4 Am I accurate about that or is it
 08:56PM 5 different?
 08:56PM 6 THE WITNESS: Well, we will comply with
 08:56PM 7 whatever the requirement is.
 08:56PM 8 MR. NEWMAN: Okay. But, you know, you
 08:56PM 9 could also --
 08:56PM 10 THE WITNESS: I don't know what the
 08:56PM 11 requirement --
 08:56PM 12 MR. NEWMAN: Well --
 08:56PM 13 THE WITNESS: -- is other than what
 08:56PM 14 Richard has just spoken about.
 08:56PM 15 MR. NEWMAN: Well, here's -- here's the
 08:56PM 16 thing. You're seeking a (d) variance.
 08:56PM 17 THE WITNESS: Um-hum.
 08:56PM 18 MR. NEWMAN: Right? Which is a use
 08:56PM 19 variance, which is a very high standard.
 08:56PM 20 So, you know, how many affordable units
 08:56PM 21 the developer wants to put in matters, whether
 08:56PM 22 they're required or not.
 08:56PM 23 THE WITNESS: Correct.
 08:56PM 24 MR. NEWMAN: Okay.
 08:56PM 25 MR. DELIA: Again, all good questions
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08:56PM 1 for our planner.
 08:56PM 2 MR. NEWMAN: Yes. Looking forward.
 08:56PM 3 Anybody else? Questions for the
 08:56PM 4 architect?
 08:56PM 5 MR. CUOTO: Yes, a question.
 08:56PM 6 Hi. Alex Cuoto, 18 Cresthill Court,
 08:56PM 7 Woodcliff Lake. C-U-O-T-O.
 08:56PM 8 I have some questions about the
 08:56PM 9 building height?
 08:56PM 10 THE WITNESS: Yes.
 08:56PM 11 MR. CUOTO: Okay.
 08:56PM 12 So could you give me the heights of
 08:56PM 13 both Building 1 and the proposed Building 2 from
 08:56PM 14 where they are built from the ground where they are
 08:56PM 15 built?
 08:56PM 16 THE WITNESS: Yes. From the first
 08:56PM 17 floor --
 08:56PM 18 MR. CUOTO: Yes, from where they start
 08:56PM 19 being built.
 08:56PM 20 THE WITNESS: Okay.
 08:56PM 21 So on Building No. 1, the first floor
 08:56PM 22 elevation is 122.32. First floor elevation, 122.32
 08:57PM 23 (indicating). That's the elevation above sea level.
 08:57PM 24 MR. CUOTO: Okay.
 08:57PM 25 THE WITNESS: The --
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08:57PM 1 MR. CUOTO: So that's -- that's not
 08:57PM 2 counting the parking lot. That's above the parking
 08:57PM 3 lot? You're calling the first floor above the
 08:57PM 4 parking lot.
 08:57PM 5 THE WITNESS: Above the -- above the --
 08:57PM 6 below the building parking? Yes.
 08:57PM 7 MR. CUOTO: Yes.
 08:57PM 8 THE WITNESS: This is -- this is where
 08:57PM 9 the --
 08:57PM 10 MR. CUOTO: So that's where these
 08:57PM 11 people walk in the parking lot, that's where they
 08:57PM 12 walk in from the parking lot, correct?
 08:57PM 13 THE WITNESS: Not to -- walk in --
 08:57PM 14 MR. CUOTO: Walking to the outside
 08:57PM 15 parking lot. There is an entrance to outside parking
 08:57PM 16 lot north of the building -- east of the building.
 08:57PM 17 THE WITNESS: Correct, yes.
 08:57PM 18 MR. CUOTO: Okay. So that is 122.32.
 08:57PM 19 THE WITNESS: Yes, 122.32.
 08:57PM 20 MR. CUOTO: And from there -- what is
 08:57PM 21 the height from there to the ceiling, to the top of
 08:57PM 22 the ceiling.
 08:57PM 23 THE WITNESS: To the ceiling.
 08:57PM 24 MR. CUOTO: Or to the end of this, is
 08:57PM 25 that 151?
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08:57PM 1 THE WITNESS: The highest parapet will
 08:57PM 2 be 151.75.
 08:58PM 3 MR. CUOTO: So 151.75. Okay.
 08:58PM 4 Now, where is the beginning -- the
 08:58PM 5 height of the beginning of the second building?
 08:58PM 6 THE WITNESS: Okay. The first floor of
 08:58PM 7 the second building.
 08:58PM 8 MR. CUOTO: Yes.
 08:58PM 9 THE WITNESS: The elevation is 122.63.
 08:58PM 10 MR. CUOTO: That does not appear
 08:58PM 11 correct to me.
 08:58PM 12 Have you enter the parking lot?
 08:58PM 13 THE WITNESS: Yes.
 08:58PM 14 MR. CUOTO: Where do you intend to put
 08:58PM 15 the second building.
 08:58PM 16 THE WITNESS: Where it's shown on this
 08:58PM 17 -- on this drawing (indicating), behind --
 08:58PM 18 MR. CUOTO: At present, on the parking
 08:58PM 19 lot, there is a -- there is parking all around.
 08:58PM 20 THE WITNESS: Yes, but you're asking
 08:58PM 21 what the elevation is. Okay.
 08:58PM 22 The elevation of that floor is 122.32,
 08:58PM 23 and we proposing that to be 122.63.
 08:58PM 24 MR. CUOTO: So it's going to start
 08:58PM 25 basically half a foot higher than the existing second
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08:58PM 1 -- first floor.
 08:58PM 2 THE WITNESS: Say that again? I'm
 08:58PM 3 sorry.
 08:58PM 4 MR. CUOTO: About half a foot higher
 08:58PM 5 than the existing first floor.
 08:58PM 6 THE WITNESS: That is correct.
 08:58PM 7 MR. CUOTO: Okay.
 08:58PM 8 From the parking lot, if you look from
 08:58PM 9 the parking lot to the entrance of the building, it's
 08:58PM 10 about 6 to 8 feet higher, the parking lot that
 08:58PM 11 exists.
 08:58PM 12 THE WITNESS: This -- this is what I
 08:58PM 13 gathered from our engineered drawing.
 08:58PM 14 MR. CUOTO: It doesn't appear correct
 08:58PM 15 to me because I've been there a number of times --
 08:58PM 16 THE WITNESS: We can recheck it.
 08:58PM 17 MR. CUOTO: Okay. So it's -- it's
 08:58PM 18 probably 6 to 8 feet off.
 08:58PM 19 THE WITNESS: Excuse me one second.
 08:58PM 20 The -- the grade is being lowered.
 08:58PM 21 MR. CUOTO: So your grade in the front?
 08:58PM 22 You're taking -- you're cutting the parking lot.
 08:58PM 23 THE WITNESS: Yes, cutting the parking
 08:58PM 24 lot.
 08:58PM 25 MR. CUOTO: Okay. That makes -- that

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08:00PM 1 MR. DELIA: He'll be here all the time.
 08:00PM 2 MR. CUOTO: Will we be able to ask the
 08:00PM 3 engineer questions.
 08:00PM 4 MR. DELIA: Sure. I'll have to bring
 08:00PM 5 him back.
 08:00PM 6 MR. CUOTO: Sir, he's supposed to reply
 08:00PM 7 some -- answer some of the previous questions.
 08:00PM 8 MR. DELIA: Yes, sir.
 08:00PM 9 MR. CUOTO: Okay. Thank you very much.
 08:00PM 10 THE WITNESS: Thank you.
 08:00PM 11 MR. CUOTO: Thank you.
 08:00PM 12 CHAIRWOMAN HEMBREE: Any more questions
 08:00PM 13 from the audience?
 08:00PM 14 MR. MARSON: Yes, ma'am.
 08:00PM 15 Thank you.
 08:00PM 16 Craig Marson, 7 Cricket Lane.
 08:00PM 17 M-A-R-S-O-N. Just a few questions, if I may.
 08:00PM 18 Mr. Dattoli, when were you first
 08:00PM 19 contacted about the project in this case
 08:00PM 20 specifically, 188 Broadway?
 08:00PM 21 THE WITNESS: I believe it was the
 08:01PM 22 summer of 2017.
 08:01PM 23 MR. MARSON: At the time you were first
 08:01PM 24 contacted about the project were you then Chairman of
 08:01PM 25 the Woodcliff Lake Planning Board.

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08:59PM 1 make a big difference.
 08:59PM 2 So then this building is three floors,
 08:59PM 3 is not much more than two floors on the other
 08:59PM 4 building basically.
 08:59PM 5 THE WITNESS: Not much more than --
 08:59PM 6 MR. CUOTO: So the three floors, ends
 08:59PM 7 up 7-feet taller than --
 08:59PM 8 THE WITNESS: That is correct --
 08:59PM 9 MR. CUOTO: -- it was?
 08:59PM 10 THE WITNESS: Elevation wise.
 08:59PM 11 MR. CUOTO: Elevation wise. Okay.
 08:59PM 12 I have a couple other questions.
 08:59PM 13 So it relates to the engineering. So
 08:59PM 14 the engineer, when he performs the parking, he used
 08:59PM 15 the residential standards, correct?
 08:59PM 16 THE WITNESS: That is correct.
 08:59PM 17 MR. CUOTO: Okay.
 08:59PM 18 Now, do we have a -- do you -- who
 08:59PM 19 plans the loading zone, who plans?
 08:59PM 20 THE WITNESS: The engineer.
 08:59PM 21 MR. CUOTO: The engineer. Okay.
 08:59PM 22 Is the engineer coming back for some
 08:59PM 23 questions or --
 08:59PM 24 MR. DELIA: He's here tonight.
 08:59PM 25 MR. CUOTO: He's here tonight so --

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08:01PM 1 THE WITNESS: I was.
 08:01PM 2 MR. MARSON: Thank you.
 08:01PM 3 When did you resign as Chairman of the
 08:01PM 4 Woodcliff Lake Planning Board?
 08:01PM 5 THE WITNESS: March of 2018.
 08:01PM 6 MR. MARSON: Okay.
 08:01PM 7 On November 9th, 2017, Woodcliff Lake
 08:01PM 8 announced a settlement of its COAH affordable housing
 08:01PM 9 obligation.
 08:01PM 10 At this time were you Chairman of the
 08:01PM 11 Woodcliff Lake Planning Board?
 08:01PM 12 THE WITNESS: I was.
 08:01PM 13 MR. MARSON: To the best of your
 08:01PM 14 recollection, during the COAH affordable housing
 08:01PM 15 obligation process, was 188 Broadway presented to the
 08:01PM 16 special master or his/her equivalent as a property
 08:01PM 17 available for residential redevelopment or as an
 08:01PM 18 office building exempt from the COAH affordable
 08:01PM 19 housing process.
 08:01PM 20 THE WITNESS: I don't know the answer
 08:01PM 21 to that.
 08:01PM 22 MR. MARSON: Thank you.
 08:01PM 23 Let me keep going.
 08:01PM 24 Did you resign as Chairman of the
 08:01PM 25 Woodcliff Lake Planning Board in order to provide

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09:01PM 1 services to 188 Broadway, LP, or any firm or
 09:01PM 2 individual working on the redevelopment project?
 09:01PM 3 THE WITNESS: I did.
 09:01PM 4 MR. MARSON: Thank you.
 09:02PM 5 What entity or individual contractually
 09:02PM 6 retained your services?
 09:02PM 7 THE WITNESS: I don't know the specific
 09:02PM 8 name of the --
 09:02PM 9 MR. MARSON: Fair enough. We'll get
 09:02PM 10 that back.
 09:02PM 11 When were you formally contracted or
 09:02PM 12 retained by 188 Broadway L.P. or any firm or
 09:02PM 13 individual working on the redevelopment project?
 09:02PM 14 THE WITNESS: Formally contracted?
 09:02PM 15 January of 2018.
 09:02PM 16 MR. MARSON: Thank you.
 09:02PM 17 At any time were you contractually
 09:02PM 18 retained by the law firm of Kaufman, Semeraro,
 09:02PM 19 Leibman, LLP, to provide services to 188 Broadway,
 08:02PM 20 L.P., or any firm or individual working on the
 09:02PM 21 redevelopment project?
 09:02PM 22 THE WITNESS: Not to my recollection.
 08:02PM 23 MR. MARSON: It was the entity only,
 09:02PM 24 not the law firm.
 09:02PM 25 THE WITNESS: I was never contracted by
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09:03PM 1 the planning board, that has nothing to do with why
 09:03PM 2 we're here tonight. This property is not subject to
 09:03PM 3 any redevelopment, that's why we're here. So this
 09:03PM 4 line of questioning, I believe, is completely out of
 09:03PM 5 line here tonight.
 09:03PM 6 MS. BORRELLI: Uhhmm --
 09:03PM 7 MR. PRINCIOTTO: What -- what -- I
 09:03PM 8 don't think she finished the question.
 09:04PM 9 MS. BORRELLI: Yeah, I didn't finish my
 09:04PM 10 question.
 09:04PM 11 MR. PRINCIOTTO: Maybe just articulate
 09:04PM 12 the question --
 13 MS. BORRELLI: Okay. I'm going to take
 14 -- I'm sorry.
 15 MR. PRINCIOTTO: -- first and then we'll
 16 address the objection.
 17 MS. BORRELLI: Excuse me because I'm
 09:04PM 18 not -- I'm not feeling well tonight, so excuse me.
 09:04PM 19 MR. PRINCIOTTO: Okay.
 09:04PM 20 MS. BORRELLI: So this 18 -- the 60
 09:04PM 21 apartments, this 18 units per acre, do you think that
 09:04PM 22 it fits in this -- in this tight area on -- on this
 09:04PM 23 section? You believe that it fits here.
 09:04PM 24 MR. PRINCIOTTO: Ma'am, there was an
 09:04PM 25 objection to the question. This question was asked
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09:02PM 1 the law firm.
 09:02PM 2 MR. MARSON: We'll get back to it.
 09:02PM 3 Last question, again, for the -- well,
 09:02PM 4 it's a -- it's a repetition.
 09:02PM 5 Thank you. No further questions.
 08:02PM 6 MS. BORRELLI: This is a question for
 09:02PM 7 the architect.
 09:02PM 8 CHAIRWOMAN HEMBREE: You have to speak
 09:02PM 9 up, ma'am.
 09:03PM 10 MS. BORRELLI: I'm sorry. My name is
 09:03PM 11 Ann Marie Borrelli from Cressfield Court.
 09:03PM 12 B-O-R-R-E-L-L-I.
 09:03PM 13 When you were on the planning board in
 09:03PM 14 December 5th of 2016, there was a mayor's meeting --
 09:03PM 15 there was a Mayor & Council meeting, and -- I'm going
 09:03PM 16 to ask you questions first.
 09:03PM 17 Do you -- do you think this 18 per
 09:03PM 18 units --
 09:03PM 19 MR. DELIA: I'm going to interject here
 09:03PM 20 on two grounds; number one, this 18-unit density
 09:03PM 21 again, I'll say it again, we have our planner. Our
 09:03PM 22 planner is the one that will do all of the
 09:03PM 23 justifications on density and any other zoning
 09:03PM 24 questions that come up.
 09:03PM 25 With respect to Mr. Dattoli's tenure on
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09:04PM 1 and it was answered already. And it's more
 09:04PM 2 appropriate for the planner.
 09:04PM 3 MS. BORRELLI: Oh, okay. All right.
 09:04PM 4 MR. PRINCIOTTO: And the planner will
 09:04PM 5 testify.
 09:04PM 6 MS. BORRELLI: Okay.
 09:04PM 7 MR. PRINCIOTTO: So if you can hold
 09:04PM 8 that question and when the planner testifies --
 09:04PM 9 MS. BORRELLI: Okay. All right. But I
 09:04PM 10 have a Part B, okay.
 09:04PM 11 MR. PRINCIOTTO: Okay.
 09:04PM 12 MS. BORRELLI: So I'm just -- I'm just
 09:04PM 13 curious, your opinion, because on December 5th, 2016,
 09:04PM 14 Mayor & Council meeting, you said quote -- I have the
 09:04PM 15 minutes from the meeting, that you said that 18 units
 09:04PM 16 per acre is excessive, and the Broadway Village has
 09:04PM 17 18 units per acre but that's an isolated piece of
 09:04PM 18 property that does not affect anybody.
 09:05PM 19 Do you feel that this building will
 09:05PM 20 affect the -- the residents of Cressfield Court,
 09:05PM 21 Highview and Prospect?
 09:05PM 22 THE WITNESS: Will it affect them?
 09:05PM 23 MS. BORRELLI: Will it impact them.
 09:05PM 24 THE WITNESS: It's a new building. It
 09:05PM 25 will have impact.
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09:05PM 1 MS. BORRELLI: Do you think that the
 09:05PM 2 density of this building will impact the residents.
 09:05PM 3 THE WITNESS: I wouldn't think so.
 09:05PM 4 MS. BORRELLI: You don't think so.
 09:05PM 5 THE WITNESS: No.
 09:05PM 6 MS. BORRELLI: And do you have any --
 09:05PM 7 THE WITNESS: We will have -- we will
 09:05PM 8 have testimony --
 09:05PM 9 MS. BORRELLI: Okay.
 09:05PM 10 THE WITNESS: -- about traffic and
 09:05PM 11 about planning and --
 12 MS. BORRELLI: All right. But you
 13 haven't -- but you've testified you have not even
 14 gone to Cressfield Court so you're not even familiar
 15 with --
 16 THE WITNESS: I've been on -- I've been
 09:05PM 17 on Cressfield Court many times.
 09:05PM 18 MS. BORRELLI: Okay. Just --
 09:05PM 19 THE WITNESS: But I don't have
 09:05PM 20 engineering data as to where that house is located.
 09:05PM 21 And that's why there are no dimensions relative to
 09:05PM 22 that house.
 09:05PM 23 MS. BORRELLI: Okay.
 09:05PM 24 But at the time of 2016, you thought 18
 09:05PM 25 acres -- 18 units per acres --

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09:05PM 1 THE WITNESS: I think you're taking me
 09:05PM 2 out of context.
 09:05PM 3 MS. BORRELLI: No, I'm taking the
 09:05PM 4 minutes, so...
 09:05PM 5 THE WITNESS: It's out of context.
 09:05PM 6 MS. BORRELLI: Thank you.
 09:05PM 7 CHAIRWOMAN HEMBREE: Ma'am.
 09:05PM 8 MS. BORRELLI: Okay. Thank you very
 09:05PM 9 much. Thank you.
 09:05PM 10 CHAIRWOMAN HEMBREE: Anybody else?
 09:05PM 11 MS. APPELLE: Good evening.
 09:06PM 12 Veronica Appelle, 23 Cressfield Court,
 09:06PM 13 A-P-P-E-L-L-E.
 09:06PM 14 Okay. Mr. Dattoli, you testified that
 09:06PM 15 you cannot see Building 2 from Broadway, pretty much.
 09:06PM 16 THE WITNESS: No, that's not what I
 09:06PM 17 said.
 09:06PM 18 I said you can see Building 2 as you
 09:06PM 19 pass between Building No. 1 and the buildings to the
 09:06PM 20 south. That's what I said.
 09:06PM 21 MS. APPELLE: Okay, but -- okay. Fine.
 09:06PM 22 But would you agree that you -- that
 09:06PM 23 Building 2 would be extremely visible from Prospect,
 09:06PM 24 Highview and Cressfield.
 09:06PM 25 THE WITNESS: No, I will not agree with

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09:06PM 1 that.
 09:06PM 2 MS. APPELLE: Well, I would because I
 09:06PM 3 live there and I look at Building 1 --
 09:06PM 4 MR. NEWMAN: All right.
 09:06PM 5 MS. APPELLE: -- and --
 09:06PM 6 MR. NEWMAN: He says, in his opinion --
 09:06PM 7 MS. APPELLE: Okay.
 09:06PM 8 MR. NEWMAN: -- that it would not.
 09:06PM 9 MS. APPELLE: Well, in my opinion, it
 09:06PM 10 does.
 09:06PM 11 MR. NEWMAN: For what -- what that's
 09:06PM 12 worth. For what that is worth.
 09:06PM 13 MS. APPELLE: And you said that the
 09:06PM 14 trees are high density trees behind on their property
 09:07PM 15 the --
 09:07PM 16 THE WITNESS: Very heavily wooded.
 09:07PM 17 MS. APPELLE: It is not very heavily
 09:07PM 18 wooded.
 09:07PM 19 There's trees there, but they don't
 09:07PM 20 have any leaves most of the year --
 09:07PM 21 MR. NEWMAN: All right. His opinion is
 09:07PM 22 --
 09:07PM 23 MS. APPELLE: -- so you see through it.
 09:07PM 24 It's heavily wooded, I got it.
 09:07PM 25 MR. NEWMAN: His opinion -- his opinion

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09:07PM 1 is that --
 09:07PM 2 MS. APPELLE: Okay.
 09:07PM 3 MR. NEWMAN: -- the trees are heavily
 09:07PM 4 wooded.
 09:07PM 5 MS. APPELLE: Okay.
 09:07PM 6 MR. PRINCIOTTO: Ma'am, you can't argue
 09:07PM 7 with the witness at this point.
 09:07PM 8 If you are --
 09:07PM 9 MR. NEWMAN: We're more than happy at
 09:07PM 10 the end for you to get up and say as a resident of
 09:07PM 11 Woodcliff Lake, as somebody who lives in the
 09:07PM 12 neighborhood and having been there all these times
 09:07PM 13 and having looked at the plan, the tree are not
 09:07PM 14 dense.
 09:07PM 15 MS. APPELLE: I have pictures.
 09:07PM 16 MR. NEWMAN: -- and I could definitely
 09:07PM 17 see the building from Prospect, Highview --
 09:07PM 18 MS. APPELLE: Okay. So let me just get
 09:07PM 19 a clarification.
 09:07PM 20 MR. NEWMAN: -- from wherever.
 09:07PM 21 MR. PRINCIOTTO: I will just tell you,
 09:07PM 22 if you want to testify with regard to facts, okay,
 09:07PM 23 what you can see --
 09:07PM 24 MS. APPELLE: Fine.
 09:07PM 25 MR. PRINCIOTTO: -- and what you can't

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09:07PM 1 see from a particular location you can. You would
 09:07PM 2 have to take an oath --
 09:07PM 3 MS. APPELLE: Uh-huh.
 09:07PM 4 MR. PRINCIOTTO: -- and then you could
 09:07PM 5 testify. And then you would be subject to
 09:07PM 6 cross-examination by the applicant's attorney.
 09:07PM 7 Now is not the time to do that. If you
 09:07PM 8 want to do that, you have to raise that as a point
 09:08PM 9 after the applicant has presented all of the
 09:08PM 10 applicant's witnesses.
 09:08PM 11 MS. APPELLE: Okay. Thank you.
 09:08PM 12 So you did agree to do a cross-section
 09:08PM 13 from Cressfield and come back with the results?
 09:08PM 14 CHAIRWOMAN HEMBREE: And Highview.
 09:08PM 15 MS. APPELLE: And Highview. I would
 09:08PM 16 interject add Prospect to that.
 09:08PM 17 THE WITNESS: We have to get the
 09:08PM 18 engineering data.
 09:08PM 19 MS. APPELLE: Okay. On all three.
 09:08PM 20 The air conditioning/heating units, the
 09:08PM 21 parapets cover them on all four sides?
 09:08PM 22 THE WITNESS: No.
 09:08PM 23 MS. APPELLE: No.
 09:08PM 24 So what you're saying is from --
 09:08PM 25 THE WITNESS: What I've said is the --
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09:08PM 1 MR. NEWMAN: Thank you.
 09:08PM 2 THE WITNESS: Thank you.
 09:08PM 3 MS. HIGGINS: Josephine Higgins,
 09:08PM 4 Woodcliff Lake.
 09:08PM 5 Now, you don't know -- it's 3.3 acres
 09:08PM 6 right, the whole --
 09:08PM 7 THE WITNESS: That is correct.
 09:08PM 8 MS. HIGGINS: Okay.
 09:08PM 9 But you don't know the exact footage --
 09:08PM 10 I mean acreage you're going to be using here and
 09:10PM 11 where the -- where the -- where you go up the hill
 09:10PM 12 here, you know how it's --
 09:10PM 13 THE WITNESS: Yes, I think our engineer
 09:10PM 14 testified to that.
 09:10PM 15 But, again, we're not going beyond the
 09:10PM 16 existing parking.
 09:10PM 17 MS. HIGGINS: Right.
 09:10PM 18 THE WITNESS: The existing retaining
 09:10PM 19 walls that are there will remain unless they have to
 20 be repaired or replaced.
 21 MS. HIGGINS: Right.
 22 So if we subtracted whatever this turns
 23 out to be (indicating) --
 24 THE WITNESS: It's 205 feet.
 09:10PM 25 MS. HIGGINS: Yeah, okay.
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09:08PM 1 MS. APPELLE: -- three sides you can
 09:08PM 2 see all the air conditioning units. The only time
 09:08PM 3 you cannot see them --
 09:08PM 4 THE WITNESS: No, I did not say that.
 09:08PM 5 MS. APPELLE: -- is from Broadway.
 09:08PM 6 THE WITNESS: No. I did not say that.
 09:08PM 7 MS. APPELLE: Okay. Please clarify.
 09:08PM 8 THE WITNESS: I said the sight lines
 09:08PM 9 from almost anywhere on our site or from Broadway,
 09:08PM 10 you cannot see the units.
 09:08PM 11 That's what I've said.
 09:08PM 12 MS. APPELLE: From Broadway.
 09:08PM 13 THE WITNESS: That's what I said. I
 09:08PM 14 don't have engineering data to tell you anything
 09:08PM 15 other than that right now.
 09:08PM 16 MS. APPELLE: Right.
 09:08PM 17 But when you get those cross-sections
 09:08PM 18 you will have that engineering data to be able to
 09:08PM 19 tell us that.
 09:08PM 20 THE WITNESS: That is correct.
 09:08PM 21 MS. APPELLE: I would be very
 09:08PM 22 interested in seeing those plans.
 09:08PM 23 All right. I appreciate all of your
 09:08PM 24 time and your's too.
 09:08PM 25 Thank you.
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09:10PM 1 From this, it would be more than
 09:10PM 2 18 acres, right?
 09:10PM 3 THE WITNESS: Sure.
 09:10PM 4 But that's part of our property.
 09:10PM 5 MS. HIGGINS: Yeah, I know. I know.
 09:10PM 6 But what actually what you see, moved
 09:10PM 7 in would be, you know, more than 18 per acre. It
 09:10PM 8 wouldn't be covering this whole --
 09:10PM 9 THE WITNESS: Yes.
 09:10PM 10 MS. HIGGINS: Yes?
 09:10PM 11 THE WITNESS: The answer to your
 09:10PM 12 question is yes, but that's not the definition in our
 09:10PM 13 zoning ordinance.
 09:10PM 14 MS. HIGGINS: Okay. I just wanted to
 09:10PM 15 -- thank you very much.
 09:10PM 16 CHAIRWOMAN HEMBREE: Okay.
 09:10PM 17 MR. NEWMAN: Mr. Dattoli?
 09:10PM 18 THE WITNESS: Yes.
 09:10PM 19 MR. NEWMAN: -- that Emerson project,
 09:11PM 20 how many units are there?
 09:11PM 21 THE WITNESS: Eighteen.
 09:11PM 22 MR. PRINCIOTTO: And how big is that
 09:11PM 23 property.
 09:11PM 24 THE WITNESS: It's about three-quarters
 09:11PM 25 of an acre, maybe -- maybe an acre.
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09:11PM 1 I don't remember, it was ten years ago
 09:11PM 2 that I did the building.
 09:11PM 3 MR. NEWMAN: Okay. Thank you.
 09:11PM 4 THE WITNESS: It's -- it's considerably
 09:11PM 5 smaller. The whole building and parking lot covers
 09:11PM 6 the property.
 09:11PM 7 MR. NEWMAN: All right.
 09:11PM 8 CHAIRWOMAN HEMBREE: Okay.
 09:11PM 9 MR. NEWMAN: Any more questions from
 09:11PM 10 the public.
 09:11PM 11 (No response.)
 09:11PM 12 CHAIRWOMAN HEMBREE: Gary is in charge
 09:11PM 13 of the public occasionally.
 09:11PM 14 MR. NEWMAN: Motion.
 09:11PM 15 (Laughter.)
 09:11PM 16 MR. CUOTO: I have one simple question.
 09:11PM 17 MR. NEWMAN: A simple one.
 09:11PM 18 MR. CUOTO: One simple question.
 09:11PM 19 MR. NEWMAN: That implies one.
 09:11PM 20 MR. CUOTO: What's the size of the --
 09:11PM 21 MR. NEWMAN: Just one simple question?
 09:11PM 22 MR. CUOTO: One simple question.
 09:11PM 23 What's the height of the air
 09:11PM 24 conditioning units?
 09:11PM 25 THE WITNESS: There are three different
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09:11PM 1 units, types of units. The smaller ones are 30
 09:11PM 2 inches --
 09:11PM 3 MR. CUOTO: Above so --
 09:11PM 4 THE WITNESS: Above the roof.
 09:11PM 5 MR. CUOTO: Okay.
 09:11PM 6 THE WITNESS: There are -- for the
 09:11PM 7 two-bedrooms there are units that are 33 -- I'm
 09:11PM 8 sorry -- 27 inches for the smallest unit, 25 -- I'm
 09:12PM 9 sorry, 27 for the larger unit for the residential.
 09:12PM 10 MR. CUOTO: The last number is height.
 09:12PM 11 THE WITNESS: Yes.
 09:12PM 12 And 27, 25 and 38. There are three
 09:12PM 13 units that are 38-inches tall.
 09:12PM 14 MR. CUOTO: Those are the common area
 09:12PM 15 units.
 09:12PM 16 THE WITNESS: That is correct.
 09:12PM 17 MR. CUOTO: Is that on Building 1 and
 09:12PM 18 Building 2 are just one.
 09:12PM 19 THE WITNESS: Building 1 -- Building 1
 09:12PM 20 has two of those units and Building 2 has one of
 09:12PM 21 those units.
 09:12PM 22 MR. CUOTO: So Building 2 is going to
 09:12PM 23 only have one unit that's like --
 09:12PM 24 THE WITNESS: It's 48 inches by 72
 09:12PM 25 inches by 38-inches high.
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09:12PM 1 MR. CUOTO: By 38-inches -- 38-inches
 09:12PM 2 high in the center.
 09:12PM 3 THE WITNESS: Correct.
 09:12PM 4 CHAIRWOMAN HEMBREE: Thank you.
 09:12PM 5 THE WITNESS: Thank you.
 09:12PM 6 MS. BORRELLI: I have another question.
 09:12PM 7 Ann Marie Borrelli, Cressfield Court.
 09:12PM 8 What is the code of the materials of
 09:12PM 9 this building?
 09:12PM 10 I'm concerned of, like, a fire that
 09:12PM 11 occurred in Edgewater. What -- what -- what
 09:12PM 12 construction is this --
 09:12PM 13 THE WITNESS: Well, this --
 09:12PM 14 MS. BORRELLI: -- and what code does
 09:13PM 15 this -- does this building --
 09:13PM 16 MR. NEWMAN: Have construction
 09:13PM 17 documents been prepared yet.
 09:13PM 18 THE WITNESS: No, they have not.
 09:13PM 19 But the State of New Jersey has a
 09:13PM 20 Uniform Construction Code that is uniform throughout
 09:13PM 21 the state. It's the International Building Code
 09:13PM 22 adopted by the State of New Jersey and modified by
 09:13PM 23 the State of New Jersey. That's what will be
 09:13PM 24 followed here.
 09:13PM 25 What the building code requires is the
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09:13PM 1 minimum that we will design to. We may exceed that.
 09:13PM 2 It depends.
 09:13PM 3 MS. BORRELLI: So that you could -- so
 09:13PM 4 all you have to do is just do the minimum and then --
 09:13PM 5 and you can --
 09:13PM 6 THE WITNESS: No. Well, that's all you
 09:13PM 7 have to do.
 09:13PM 8 CHAIRWOMAN HEMBREE: That's not what he
 09:13PM 9 said.
 09:13PM 10 MS. BORRELLI: That's not what he said?
 09:13PM 11 THE WITNESS: That's all you have to
 09:13PM 12 do.
 09:13PM 13 MS. BORRELLI: I heard a minimum.
 09:13PM 14 Okay.
 09:13PM 15 THE WITNESS: That's the minimum.
 09:13PM 16 CHAIRWOMAN HEMBREE: That's right.
 09:13PM 17 MS. BORRELLI: Okay.
 09:13PM 18 THE WITNESS: We may or may not exceed
 09:13PM 19 the minimum --
 09:13PM 20 MS. BORRELLI: Okay.
 09:13PM 21 THE WITNESS: -- In certain areas.
 09:13PM 22 MS. BORRELLI: Okay.
 09:13PM 23 THE WITNESS: These buildings will be
 09:13PM 24 fully sprinklered. That's required by the Uniform
 09:13PM 25 Construction Code.
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09:13PM 1 MS. BORRELLI: And the water supply for
 09:13PM 2 these sprinklers is sufficient.
 09:13PM 3 THE WITNESS: We will know whether it
 09:13PM 4 is sufficient or not. If it's not sufficient we will
 09:13PM 5 have a fire pump.
 09:14PM 6 MR. NEWMAN: They're not there yet.
 09:14PM 7 THE WITNESS: Right. We're not at that
 09:14PM 8 point yet.
 09:14PM 9 MS. BORRELLI: Okay. All right. Thank
 09:14PM 10 you. Thank you.
 09:14PM 11 THE WITNESS: Those are construction
 09:14PM 12 documents.
 09:14PM 13 CHAIRWOMAN HEMBREE: So what do you
 09:14PM 14 think, Gary, can we close to the public.
 09:14PM 15 MR. NEWMAN: I'd like to make a motion
 09:14PM 16 to close to the public.
 09:14PM 17 Nobody's jumping up at the mic.
 09:14PM 18 CHAIRWOMAN HEMBREE: Is there a second?
 09:14PM 19 MS. EFFRON-MALLEY: Second.
 09:14PM 20 CHAIRWOMAN HEMBREE: All in favor?
 09:14PM 21 (Whereupon, all present members respond
 09:14PM 22 in the affirmative.)
 09:14PM 23 CHAIRWOMAN HEMBREE: Opposed.
 09:14PM 24 (No response.)
 09:14PM 25 CHAIRWOMAN HEMBREE: Okay.
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09:14PM 1 THE WITNESS: Thank you.
 09:14PM 2 CHAIRWOMAN HEMBREE: Thank you,
 09:14PM 3 Mr. Dattoli.
 09:14PM 4 It's fun being on the other side,
 09:14PM 5 right?
 09:14PM 6 MR. NEWMAN: Mr. Dattoli, don't leave
 09:14PM 7 the country.
 09:14PM 8 MR. DELIA: Take his passport.
 09:14PM 9 THE WITNESS: It's fun being on both
 09:14PM 10 sides.
 09:14PM 11 MR. DELIA: Charles Oppler, please.
 09:14PM 12 CHAIRWOMAN HEMBREE: Okay.
 09:14PM 13 MS. KOKOWSKI: Do you have the spelling
 09:14PM 14 of his last name for me, please?
 09:14PM 15 MR. DELIA: O-P-P-L-E-R.
 09:14PM 16 MR. PRINCIOOTTO: Could you state your
 09:14PM 17 name and address for the record?
 09:14PM 18 MR. OPPLER: Charles Oppler, 207
 09:14PM 19 Franklin Farms Court, Franklin Lakes, New Jersey.
 09:14PM 20 MR. PRINCIOOTTO: Do you swear to tell
 09:14PM 21 the truth and nothing but the truth, so help you God.
 09:14PM 22 MR. OPPLER: Yes, I do.
 09:14PM 23 CHARLES OPPLER,
 09:14PM 24 207 Franklin Farms Court, Franklin Lakes, New
 09:14PM 25 Jersey, having been duly sworn, testifies as
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09:14PM 1 follows:
 09:14PM 2 MR. PRINCIOOTTO: Okay.
 09:15PM 3 DIRECT EXAMINATION
 09:15PM 4 BY MR. DELIA:
 09:15PM 5 Q. Good evening, Mr. Oppler.
 09:15PM 6 A. **Good evening.**
 09:15PM 7 Q. Could you please tell us what is your
 09:15PM 8 profession?
 09:15PM 9 A. **I'm a real estate broker for 38 years.**
 09:15PM 10 Q. And can you give us some background?
 09:15PM 11 You have a resume that you have provided us, and I've
 09:15PM 12 just circulated it to the board.
 09:15PM 13 Can you just give us a little bit of
 09:15PM 14 background on what your career has entailed?
 09:15PM 15 A. **I started in real estate in 1981.**
 09:15PM 16 **Working for a gentleman by the name of**
 09:15PM 17 **Joe Murphy, Murphy Real Estate.**
 09:15PM 18 **Went on to work for Dick Schlott in**
 09:15PM 19 **1984.**
 09:15PM 20 **I started my own company with a partner**
 09:15PM 21 **in January of 1992, which was Classic Realty. And we**
 09:15PM 22 **purchased a company in 2008, Prominent Properties,**
 09:15PM 23 **Sotheby's International Realty, which my partner and**
 09:15PM 24 **I have operated for the last ten years.**
 09:15PM 25 **And we've got 13 offices throughout**
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09:16PM 1 **Bergen, Hudson, Morris, Essex and Union counties,**
 09:16PM 2 **doing mainly residential real estate.**
 09:16PM 3 Q. And you've been elected first vice
 09:16PM 4 president of the National Association of Realtors.
 09:16PM 5 Is that correct?
 09:16PM 6 A. **Yes, I have been.**
 09:16PM 7 Q. And in your career have you become
 09:16PM 8 intimately familiar with property trends and property
 09:16PM 9 values in Northern New Jersey and in, particularly,
 09:16PM 10 Bergen County?
 09:16PM 11 A. **Yes, I have.**
 09:16PM 12 Q. Are you familiar with current trends
 09:16PM 13 right now in terms of real estate market as to what's
 09:16PM 14 trending upwards and what's trending downwards?
 09:16PM 15 A. **I try to stay abreast of as many things**
 09:16PM 16 **as I can because it's relevant to our business.**
 09:16PM 17 CHAIRWOMAN HEMBREE: You can pick that
 09:16PM 18 up or use the --
 09:16PM 19 THE WITNESS: Yes, I was going to pick
 09:16PM 20 it up, but thanks.
 09:16PM 21 I'm using that.
 09:16PM 22 MR. DELIA: It's usually the other way,
 09:16PM 23 I'm usually the one with --
 09:16PM 24 THE WITNESS: Yes, thank you.
 09:16PM 25 MR. DELIA: -- the issue.
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09:16PM 1
 09:16PM 2 BY MR. DELIA:
 09:16PM 3 Q. Continue.
 09:16PM 4 A. Yes, I am.
 09:17PM 5 Q. And what are you seeing in terms of,
 08:17PM 6 for instance, trends in office?
 09:17PM 7 MR. NEWMAN: Okay. Before we get
 09:17PM 8 there, are you offering him as an expert witness.
 09:17PM 9 MR. DELIA: Yes. In the field of
 09:17PM 10 realty. So I would tender --
 09:17PM 11 MR. NEWMAN: Just as a real estate
 09:17PM 12 person.
 09:17PM 13 MR. DELIA: Yes. Expert in real
 09:17PM 14 estate, real estate trends, real estate values.
 09:17PM 15 MR. NEWMAN: Okay. I -- I notice on --
 09:17PM 16 on his resume, does he have an educational
 09:17PM 17 background.
 09:17PM 18 MR. DELIA: Sir.
 09:17PM 19 THE WITNESS: I graduated college in
 09:17PM 20 1980.
 09:17PM 21 I've been a real estate broker since
 09:17PM 22 1984, and I --
 09:17PM 23 MR. NEWMAN: Did you do -- did -- in
 09:17PM 24 college did you obtain a degree.
 09:17PM 25 THE WITNESS: Yes. I graduated.
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09:17PM 1 MR. NEWMAN: And what is that degree
 09:17PM 2 in.
 09:17PM 3 THE WITNESS: Communications and
 09:17PM 4 management.
 09:17PM 5 MR. NEWMAN: Okay.
 09:17PM 6 Do you have any -- any sort of
 09:17PM 7 educational training in planning or a degree in
 09:17PM 8 planning.
 09:17PM 9 THE WITNESS: No, I am not a planner, I
 09:17PM 10 am a real estate broker.
 09:17PM 11 MR. NEWMAN: You're a real estate
 09:17PM 12 broker.
 09:17PM 13 THE WITNESS: That's correct.
 09:17PM 14 MR. NEWMAN: And what are you offering
 09:18PM 15 him as an expert in.
 09:18PM 16 MR. DELIA: Trends in real estate
 09:18PM 17 market and real estate values, how they stay stable
 09:18PM 18 or not stay stable, what... how this project affects
 09:18PM 19 property values, or whether it affects property
 09:18PM 20 values.
 09:18PM 21 These are all relevant and within
 09:18PM 22 Mr. Oppler's expertise.
 09:18PM 23 MR. PRINCIOOTTO: Are there any other
 09:18PM 24 questions on the qualifications of the witness?
 09:18PM 25 CHAIRWOMAN HEMBREE: I think Gary has a
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09:18PM 1 good point, what is your -- other than being a real
 09:18PM 2 estate broker, what are your qualifications for --
 09:18PM 3 MR. NEWMAN: I mean how does -- how
 09:18PM 4 does --
 09:18PM 5 CHAIRWOMAN HEMBREE: -- other than
 09:18PM 6 observing --
 09:18PM 7 MR. NEWMAN: I mean, Sal, how does this
 09:18PM 8 relate to the board deciding whether or not and --
 09:18PM 9 and the attorney for the applicant, I just don't
 09:18PM 10 understand how this is going to relate to the
 09:18PM 11 application.
 09:18PM 12 MR. PRINCIOOTTO: Well, we haven't heard
 09:18PM 13 the testimony yet, but I suspect that it's going to
 09:19PM 14 have something to do with any impact, positive or
 09:19PM 15 negative, with regard to the surrounding real estate
 09:19PM 16 values --
 09:19PM 17 MR. NEWMAN: Right.
 09:19PM 18 MR. PRINCIOOTTO: -- and anticipating,
 09:19PM 19 perhaps, objections that there might be some adverse
 09:19PM 20 impact on the zoning plan and the zoning ordinance.
 09:19PM 21 MR. DELIA: These are concerns --
 09:19PM 22 MR. PRINCIOOTTO: But I haven't heard
 09:19PM 23 the testimony yet so I'm not certain.
 09:19PM 24 MR. DELIA: Again -- yes.
 09:19PM 25 And, again, concerns are -- are
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09:19PM 1 presented by the public as to the impact of this
 09:19PM 2 project on their property values. That's the primary
 09:19PM 3 reason he's being called.
 09:19PM 4 CHAIRWOMAN HEMBREE: Mr. Preiss?
 09:19PM 5 MR. PREISS: Yes.
 09:19PM 6 CHAIRWOMAN HEMBREE: I can see you're
 09:19PM 7 --
 09:19PM 8 MR. PREISS: Are you real estate --
 09:19PM 9 you're not a -- you don't have any qualifications in
 09:19PM 10 real estate appraisal?
 09:19PM 11 THE WITNESS: No. I'm a real estate
 09:19PM 12 broker.
 09:19PM 13 MR. PREISS: So you -- so you buy and
 09:19PM 14 sell properties, correct?
 09:19PM 15 THE WITNESS: Our company does, not me
 09:19PM 16 personally.
 09:19PM 17 MR. PREISS: So as an appraiser you're
 09:19PM 18 not --
 09:19PM 19 THE WITNESS: I am not an appraiser.
 09:19PM 20 MR. PREISS: -- offering your
 09:19PM 21 professional opinion of the impact on the real
 09:19PM 22 estate.
 09:19PM 23 THE WITNESS: I can give you my opinion
 09:19PM 24 based on 38 years of experience, but, no, I'm not an
 09:19PM 25 appraiser.
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09:19PM 1 MR. PREISS: I think that's what the
 09:19PM 2 board wanted clarification on.
 09:19PM 3 THE WITNESS: Understood. Yup.
 09:19PM 4 CHAIRWOMAN HEMBREE: Thank you.
 09:19PM 5 MR. PREISS: Thank you.
 09:19PM 6 MR. NEWMAN: I mean, he doesn't have a
 09:20PM 7 license in appraising. He doesn't have a degree
 09:20PM 8 related to -- I mean, his degree is in
 09:20PM 9 communications.
 09:20PM 10 CHAIRWOMAN HEMBREE: Well, he has a --
 09:20PM 11 he just can give his observations.
 09:20PM 12 MR. NEWMAN: As a real estate broker?
 09:20PM 13 I mean --
 09:20PM 14 CHAIRWOMAN HEMBREE: We'll hear his
 09:20PM 15 testimony.
 09:20PM 16 MR. NEWMAN: I mean, but -- but -- I
 09:20PM 17 mean he could testify, I guess, in that capacity, but
 09:20PM 18 --
 09:20PM 19 CHAIRWOMAN HEMBREE: He can talk about
 09:20PM 20 the market. What's happened to the market.
 09:20PM 21 MS. EFFRON-MALLEY: If I may?
 09:20PM 22 CHAIRWOMAN HEMBREE: Yeah, go ahead.
 09:20PM 23 MS. EFFRON-MALLEY: As a real estate --
 09:20PM 24 MR. DELIA: Let -- if I may I -- if I
 09:20PM 25 have to elaborate on his multiple page resume here,
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09:20PM 1 you know, he's been a member --
 09:20PM 2 BY MR. DELIA:
 09:20PM 3 Q. You've been a member and the board of
 09:20PM 4 many, many different things. Here's your resume. If
 09:20PM 5 you could, just brag about yourself a little bit more
 09:20PM 6 in terms of other things you've done in terms of
 09:20PM 7 being a chairman or a board member or doing any
 09:20PM 8 writings.
 09:20PM 9 CHAIRWOMAN HEMBREE: Mr. Delia, the
 09:20PM 10 issue is is he qualified to give us an expert
 09:20PM 11 appraisal of the property.
 09:20PM 12 THE WITNESS: No, I'm not doing an
 09:20PM 13 appraisal.
 09:20PM 14 MR. NEWMAN: I'm just trying to limit
 09:20PM 15 the scope.
 09:21PM 16 Listen, as a real estate broker, I mean
 09:21PM 17 I accept him as an expert in real estate brokerage.
 09:21PM 18 I am just trying to figure out, like,
 09:21PM 19 what -- you know, the limit of the scope of his
 09:21PM 20 testimony as to --
 09:21PM 21 MR. DELIA: Right.
 09:21PM 22 MS. EFFRON-MALLEY: As a -- as a real
 09:21PM 23 estate broker, we are trained in pricing, marketing,
 09:21PM 24 looking at values from what's going on in an area,
 09:21PM 25 the building going up, will it hurt us or not? We
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09:21PM 1 look at all those things.
 09:21PM 2 I'm in the same field --
 09:21PM 3 MR. NEWMAN: Okay.
 09:21PM 4 MS. EFFRON-MALLEY: -- as Charlie is.
 09:21PM 5 MR. NEWMAN: All right.
 09:21PM 6 MS. EFFRON-MALLEY: So that's -- that's
 09:21PM 7 part of what we do --
 09:21PM 8 MR. NEWMAN: All right. Try to stay
 09:21PM 9 within the scope of...
 09:21PM 10 MR. DELIA: That's -- that's all I plan
 09:21PM 11 to do.
 09:21PM 12 I'm not going to be asking -- I'm only
 09:21PM 13 asking just a couple questions. I think my direct
 09:21PM 14 examination will be shorter than the voir dire.
 09:21PM 15 MR. NEWMAN: Okay.
 09:21PM 16 BY MR. DELIA:
 09:21PM 17 Q. So, are there trends with respect to --
 09:21PM 18 MR. PRINCIOOTTO: Before you get there,
 09:21PM 19 are there any other questions as to qualifications
 09:21PM 20 that any board member has?
 09:22PM 21 CHAIRWOMAN HEMBREE: No.
 09:22PM 22 MR. PRINCIOOTTO: All right.
 09:22PM 23 BY MR. DELIA:
 09:22PM 24 Q. All right.
 09:22PM 25 So I just have a handful of questions
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09:22PM 1 here. I'm going to first start with, any trends you
 09:22PM 2 are aware of in your profession as it pertains to
 09:22PM 3 office use in Bergen County and Northern New Jersey?
 09:22PM 4 A. I think there's a lot of changes that
 09:22PM 5 have happened since I have been in the business.
 09:22PM 6 Most recently, you've seen golf
 09:22PM 7 courses, office buildings, warehouse space, many of
 09:22PM 8 them have become residential uses, whether they're
 09:22PM 9 condominiums or rental projects.
 09:22PM 10 So, there certainly has been a -- a
 09:22PM 11 change in the way property is looked at in many
 09:22PM 12 areas, not just in Bergen County, but across the
 09:22PM 13 state. You're seeing a lot of residential
 09:22PM 14 development in properties that don't have the same
 09:22PM 15 use that they once had.
 09:22PM 16 Office buildings are one of them,
 09:22PM 17 warehouses are another, and golf courses are a third.
 09:22PM 18 MR. NEWMAN: All right. Are you saying
 09:22PM 19 --
 09:22PM 20 THE WITNESS: Warehouses have been
 09:22PM 21 converted to lofts --
 09:23PM 22 MR. NEWMAN: Are you saying warehouse
 09:23PM 23 space is -- is unrentable.
 09:23PM 24 THE WITNESS: I am telling you it's
 09:23PM 25 very difficult to rent and there have been many --
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09:23PM 1 MR. NEWMAN: Warehouse space.
 09:23PM 2 THE WITNESS: Warehouse space --
 09:23PM 3 MR. NEWMAN: Okay.
 09:23PM 4 THE WITNESS: -- has been difficult to
 09:23PM 5 rent in many places.
 09:23PM 6 MR. NEWMAN: Okay.
 09:23PM 7 MS. EFFRON-MALLEY: Not up here.
 09:23PM 8 THE WITNESS: So --
 09:23PM 9 MR. NEWMAN: No.
 09:23PM 10 THE WITNESS: But across --
 09:23PM 11 MS. EFFRON-MALLEY: Here we'll take it
 08:23PM 12 all.
 09:23PM 13 THE WITNESS: Right, but it -- but it
 09:23PM 14 varies across the county and across the -- the -- the
 09:23PM 15 state.
 09:23PM 16 MR. NEWMAN: Well, we're concerned
 09:23PM 17 about Bergen County.
 09:23PM 18 THE WITNESS: Understood. Understood.
 09:23PM 19 MR. NEWMAN: Right.
 08:23PM 20 THE WITNESS: But you don't have much
 09:23PM 21 -- but you don't have much warehouse space in
 09:23PM 22 Woodcliff Lake either.
 09:23PM 23 MR. NEWMAN: No, we don't.
 09:23PM 24 THE WITNESS: So -- but you asked me
 08:23PM 25 questions about the change of uses --

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09:23PM 1 MR. NEWMAN: Okay. Go ahead.
 09:23PM 2 THE WITNESS: -- of the property.
 09:23PM 3 MR. NEWMAN: I'm sorry. I'm sorry to
 09:23PM 4 interrupt.
 09:23PM 5 CHAIRWOMAN HEMBREE: I was going to say
 09:23PM 6 moving right along, but...
 09:23PM 7 MR. DELIA: Yes.
 09:23PM 8 BY MR. DELIA:
 09:23PM 9 Q. All right. So, there is a trend
 09:23PM 10 against or a trend away from certain uses and they're
 09:23PM 11 being redeveloped.
 09:23PM 12 Is that correct?
 09:23PM 13 A. **That is correct.**
 09:23PM 14 Q. In terms of this project, does it have
 09:23PM 15 any benefits for residential, in terms of its
 09:24PM 16 location or in terms of the property, itself?
 09:24PM 17 A. **I think the location is great for**
 09:24PM 18 **residential use. You're in walking distance to a**
 09:24PM 19 **train station. You're in a great community.**
 09:24PM 20 **We see a lot of rentals where you've**
 09:24PM 21 **added a component of housing that didn't exist, one,**
 09:24PM 22 **when there are people that are downsizing, that**
 09:24PM 23 **they're not sure where they're going to go, they now**
 09:24PM 24 **have an option of where to go as they decide if**
 09:24PM 25 **they're going to stay in an area, move out of the**

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09:24PM 1 **area. You've got a lot of divorces that happen and**
 09:24PM 2 **somebody wants to stay in a location, mainly a**
 09:24PM 3 **community where the school becomes an issue, we've**
 09:24PM 4 **seen that quite a bit throughout the county.**
 09:24PM 5 **And then, lastly, you have a lot of**
 09:24PM 6 **kids that, you know, end up in Hoboken or Jersey City**
 09:24PM 7 **and then migrate back to the communities where they**
 09:24PM 8 **grew up in, anywhere around the waterfront. They try**
 09:24PM 9 **to get back to a location where they have their**
 09:24PM 10 **roots.**
 09:25PM 11 **So I think it's a big plus in terms of**
 09:25PM 12 **adding a component of housing that you don't have**
 09:25PM 13 **that many people have an interest in.**
 09:25PM 14 Q. And are you seeing that in Bergen
 09:25PM 15 County in terms of the aging population?
 09:25PM 16 A. **Very much so.**
 09:25PM 17 **We have seen that in towns -- Ridgewood**
 09:25PM 18 **right now is building a 60-unit complex in the center**
 09:25PM 19 **of town.**
 09:25PM 20 **Franklin Lakes, where I live, they**
 09:25PM 21 **built two communities of rental housing, one on**
 09:25PM 22 **Colonial Road and one on Old Mill Road that both have**
 09:25PM 23 **been rentals and have been leased up quickly and**
 09:25PM 24 **offer another components of housing that didn't exist**
 09:25PM 25 **in the town for many years until recently.**

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09:25PM 1 MS. YETEMIAN: Are those the
 09:25PM 2 multi-story or are they ranch?
 09:25PM 3 THE WITNESS: Yes, they -- no, they
 09:25PM 4 vary from four stories, Colonial Point, Mill Run is
 09:25PM 5 either two or three stories.
 09:25PM 6 MS. YETEMIAN: And which would be for
 09:25PM 7 senior more and --
 09:25PM 8 THE WITNESS: No, these are -- these
 09:25PM 9 are both market rate right now.
 09:25PM 10 Excuse me. One second.
 09:25PM 11 They did just build a senior housing
 09:25PM 12 right on the cusp of 208 Colonial Road and -- and
 09:25PM 13 McCoy which I believe is 32 units. And I don't even
 09:25PM 14 know if it's been occupied yet, it's just being
 09:25PM 15 completed.
 09:25PM 16 MS. YETEMIAN: Okay.
 09:25PM 17 BY MR. DELIA:
 09:25PM 18 Q. And are you finding that is a way for,
 09:25PM 19 again, the aging population or the millennials to
 09:25PM 20 stay near their roots at an affordable price?
 09:25PM 21 A. **I -- I think it's open to all people,**
 09:25PM 22 **not just aging or millennials.**
 09:25PM 23 **It's an alternative way of housing as**
 09:25PM 24 **you look for a place to live and if you're looking at**
 09:25PM 25 **a rental and being in a specific community or**

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09:26PM 1 **specific area, it gives you another option.**
 09:26PM 2 **Q.** Last question: And you're familiar, at
 09:26PM 3 least, with the proposal here which are 60 units.
 09:27PM 4 Do you believe or do you have an
 09:27PM 5 opinion as to what impact, if any, this will have on
 09:27PM 6 property values in the immediate neighborhood?
 09:27PM 7 **A.** My -- my opinion is it will not have
 09:27PM 8 any negative opinion -- negative effect on value.
 09:27PM 9 The --
 09:27PM 10 **Q.** What do you base that on?
 09:27PM 11 **A.** I just look at Franklin Lakes, the
 09:27PM 12 rentals that were built on Mill Run are in a very
 09:27PM 13 high-end neighborhood, and I look at Woodcliff Lake
 09:27PM 14 as a high-end community, and it did not affect values
 09:27PM 15 at all.
 09:27PM 16 **What affects values are rising interest**
 09:27PM 17 **rates, aging, inventory or lack of inventory in a**
 09:27PM 18 **specific market.**
 09:27PM 19 **But new construction, in many**
 09:27PM 20 **communities, has not negatively impacted pricing at**
 09:27PM 21 **this point.**
 09:27PM 22 **What's impacted the pricing, again, is**
 09:27PM 23 **interest rates that rise and people are staying in**
 09:27PM 24 **their houses a lot longer, so we now have limited**
 09:27PM 25 **inventory.**

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09:28PM 1 **And prices in -- in Woodcliff Lake in**
 09:28PM 2 **the last three years have not dramatically changed,**
 09:28PM 3 **you know, unit count, in 2016 there was 61 sales; in**
 09:28PM 4 **2018 there was 71 sales.**
 09:28PM 5 **So, you know, the average price went**
 09:28PM 6 **from about 740 up to about 760.**
 09:28PM 7 **And in 2017 I believe it was about**
 09:28PM 8 **780,000.**
 09:28PM 9 **Bergen County's average price in 2018**
 09:28PM 10 **was 600,000, so, obviously, Woodcliff Lake is above**
 09:28PM 11 **that marketplace. And the Pascack Valley average**
 09:28PM 12 **price last year was 575.**
 09:28PM 13 **So, you know, the numbers are -- been**
 09:28PM 14 **pretty consistent over the last three years in all**
 09:28PM 15 **communities.**
 09:28PM 16 MR. DELIA: Thank you.
 09:28PM 17 No further questions.
 09:28PM 18 MR. NEWMAN: I have -- I have some
 09:28PM 19 questions.
 09:28PM 20 MR. DELIA: Sure.
 09:28PM 21 MR. NEWMAN: Do you do mostly sales or
 09:28PM 22 rentals?
 09:28PM 23 THE WITNESS: We do both, our company.
 09:28PM 24 MR. NEWMAN: Okay. What -- how would
 09:28PM 25 you break it up? What percentage.

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09:28PM 1 THE WITNESS: I would say last year we
 09:28PM 2 did about 2750 sales as a company and we did roughly
 09:29PM 3 about 1500 rentals as a company.
 09:29PM 4 MR. NEWMAN: Have you read the
 09:29PM 5 settlement agreement on the COAH fair share housing.
 09:29PM 6 THE WITNESS: I have not.
 09:29PM 7 MR. NEWMAN: For Woodcliff Lake.
 09:29PM 8 So you have no idea how many units can
 09:29PM 9 be built to satisfy the need?
 09:29PM 10 THE WITNESS: I haven't looked into
 09:29PM 11 that.
 09:29PM 12 MR. NEWMAN: Okay. Have you -- have
 09:29PM 13 you -- when you say people move back from Hoboken to
 09:29PM 14 their roots, you think single people are going to
 09:29PM 15 move back from Hoboken to Woodcliff Lake before
 09:29PM 16 they're getting married?
 09:29PM 17 THE WITNESS: Absolutely.
 09:29PM 18 And I -- and I --
 09:29PM 19 MR. NEWMAN: And what do you -- what --
 09:29PM 20 THE WITNESS: Let me just finish. I
 09:29PM 21 corrected myself to be Hoboken and the waterfront
 09:29PM 22 area.
 09:29PM 23 MR. NEWMAN: Okay. What -- what do you
 09:29PM 24 base that on? Any data? Periodicals? Anything
 09:29PM 25 you've read that you based that on.

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09:29PM 1 THE WITNESS: Just watching our company
 09:29PM 2 having agents throughout the marketplace have single
 09:29PM 3 people and -- and young couples or -- or partners
 09:29PM 4 moving back into the areas.
 09:30PM 5 MR. NEWMAN: Well, young couples; you
 09:30PM 6 understand these are mostly one-bedroom units,
 09:30PM 7 correct.
 09:30PM 8 THE WITNESS: Yes. One-bedrooms, two
 09:30PM 9 people live in one-bedroom units.
 09:30PM 10 MR. NEWMAN: Right. Okay.
 09:30PM 11 And you mentioned something about
 09:30PM 12 divorced people wanting to be here to use apartments
 09:30PM 13 to send their children to school; did I get that
 09:30PM 14 right?
 09:30PM 15 THE WITNESS: I -- I said what we've
 09:30PM 16 seen in other communities is when there are divorces,
 09:30PM 17 that people are looking for housing in a community
 09:30PM 18 where they can keep their kids in the school system.
 09:30PM 19 MR. NEWMAN: Okay. Are you aware this
 09:30PM 20 building is currently rented.
 09:30PM 21 THE WITNESS: I'm aware that the
 09:30PM 22 building right now is, for the most part, vacant as
 09:30PM 23 an office building.
 09:30PM 24 MR. NEWMAN: My understanding was that
 09:30PM 25 there were tenants there.

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09:30PM 1 THE WITNESS: There were tenants at one
 09:30PM 2 point. My understanding right now, it is vacant.
 09:30PM 3 MR. NEWMAN: Is it vacant?
 09:30PM 4 MR. DELIA: Yes.
 09:30PM 5 CHAIRWOMAN HEMBREE: It wasn't when you
 09:30PM 6 started.
 09:30PM 7 MR. NEWMAN: No, it wasn't.
 09:30PM 8 MR. DELIA: It's 100 percent vacant. I
 09:30PM 9 just got that from my client.
 09:31PM 10 MR. NEWMAN: At least it will be by
 09:31PM 11 tomorrow morning. No, I'm just -- that's a joke.
 09:31PM 12 MR. DELIA: I didn't even hear you.
 09:31PM 13 MR. NEWMAN: Strike that from the
 09:31PM 14 record.
 09:31PM 15 CHAIRWOMAN HEMBREE: Gary, John would
 09:31PM 16 like to ask a question.
 09:31PM 17 MR. NEWMAN: Yes.
 09:31PM 18 MR. SPIRIG: You still have a question.
 09:31PM 19 MR. NEWMAN: No. You be my guest.
 09:31PM 20 MR. SPIRIG: Okay. You also do
 09:31PM 21 commercial real estate as well.
 09:31PM 22 THE WITNESS: We do a little bit of
 09:31PM 23 commercial, but our company is primarily residential,
 09:31PM 24 rentals, sales.
 09:31PM 25 But we do probably about 5 to 7 percent

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09:32PM 1 not much office development anymore.
 09:32PM 2 But sure, anything is rentable, it's
 09:32PM 3 just a matter of does it financially fit for a client
 09:32PM 4 and can you get them the price that -- that they
 09:32PM 5 want, which is why you see a lot of vacancy in
 09:32PM 6 retail.
 09:32PM 7 MR. SPIRIG: Thank you.
 09:32PM 8 CHAIRWOMAN HEMBREE: Anybody else have
 09:32PM 9 a question for the witness?
 09:32PM 10 MR. PRINCIOOTTO: Yes, I have some
 09:32PM 11 questions.
 09:32PM 12 THE WITNESS: Sure.
 09:32PM 13 MR. PRINCIOOTTO: Have you ever
 09:32PM 14 performed any studies on the impact of multifamily
 09:32PM 15 development that abut single-family homes with regard
 09:33PM 16 to impact on pricing?
 09:33PM 17 THE WITNESS: Have I done studies?
 09:33PM 18 MR. PRINCIOOTTO: Yes.
 09:33PM 19 THE WITNESS: Formally I've observed
 09:33PM 20 and -- and looked at values and certain numbers, but
 09:33PM 21 written studies, no.
 09:33PM 22 MR. PRINCIOOTTO: All right. So you
 09:33PM 23 haven't -- are you -- are you aware of any?
 09:33PM 24 THE WITNESS: Sure.
 09:33PM 25 Just the one I -- I cited on Mill Run

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09:31PM 1 commercial during the course of the year.
 09:31PM 2 MR. SPIRIG: Do you believe, as an
 09:31PM 3 office building, that building is rentable?
 09:31PM 4 THE WITNESS: As an office building is
 09:31PM 5 it rentable? I would guess everything is rentable;
 09:31PM 6 the question is at what price, you know, and what --
 09:31PM 7 what are tenants looking for these days, commercial
 09:31PM 8 tenants, and a lot of the requirements have changed
 09:31PM 9 over the years, but sure, it's rentable.
 09:31PM 10 MR. SPIRIG: Would it be an asset, the
 09:31PM 11 fact that the office building is near a train station
 09:31PM 12 and people could commute to work utilizing the train
 09:31PM 13 as well as driving.
 09:31PM 14 THE WITNESS: Could be, certainly.
 09:32PM 15 MR. SPIRIG: If they came to you and
 09:32PM 16 said rent this building for us, find us a commercial
 09:32PM 17 tenant, you could do it.
 09:32PM 18 THE WITNESS: We could do it. It would
 09:32PM 19 be difficult, but we could do it.
 09:32PM 20 MR. SPIRIG: Okay.
 09:32PM 21 THE WITNESS: And -- and just to answer
 09:32PM 22 that -- that a little further, it's just commercial
 09:32PM 23 use has changed in terms of buildings like that
 09:32PM 24 generally are attractive to smaller tenants to be in
 09:32PM 25 professional areas and that just, as you see, you're

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09:33PM 1 on Old Mill Road in Franklin Lakes abuts a very
 09:33PM 2 expensive neighborhood, an area known as Shadow Lake.
 09:33PM 3 MR. HAYES: But that's an -- that's an
 09:33PM 4 observation -- your observation, not a --
 09:33PM 5 THE WITNESS: No.
 09:33PM 6 MR. HAYES: We're asking about the
 09:33PM 7 study.
 09:33PM 8 THE WITNESS: No, but if you gave me,
 09:33PM 9 you know, an hour I could go look at the average
 09:33PM 10 prices in the neighborhood and tell you that they
 09:33PM 11 have not depreciated. It's still a very desirable
 09:33PM 12 area to live in, Shadow Lakes.
 09:33PM 13 MR. NEWMAN: Shouldn't they have
 09:33PM 14 increased.
 09:33PM 15 THE WITNESS: What's that?
 09:33PM 16 MR. NEWMAN: Shouldn't they have
 09:33PM 17 increased.
 09:33PM 18 THE WITNESS: Well --
 09:33PM 19 MR. NEWMAN: Woodcliff Lake increased,
 09:33PM 20 right.
 09:33PM 21 THE WITNESS: Yeah, and Franklin Lakes
 09:33PM 22 had an increase in one year and a decrease in the
 09:33PM 23 next year because you had 235 new units built on the
 09:33PM 24 old High Mountain golf club, which gave an
 09:34PM 25 opportunity for somebody to buy new construction, and

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09:34PM 1 new construction is always more desirable than
 09:34PM 2 existing homes.
 09:34PM 3 MR. NEWMAN: So in Franklin Lakes you
 09:34PM 4 built a bunch of units and then the average housing
 09:34PM 5 price increased --
 09:34PM 6 THE WITNESS: Well --
 09:34PM 7 MR. NEWMAN: -- is that a fair
 09:34PM 8 statement?
 09:34PM 9 THE WITNESS: The average price
 09:34PM 10 decreased, but it was a residential development, it
 09:34PM 11 was not a rental development.
 09:34PM 12 MR. HAYES: How old -- how long ago was
 09:34PM 13 that development built?
 09:34PM 14 THE WITNESS: It's currently being
 09:34PM 15 built right now. And you have the same thing going
 09:34PM 16 on in Mahwah and Upper Saddle River.
 09:34PM 17 MR. HAYES: So -- so is -- so the
 09:34PM 18 development that you're speaking of, that you're
 09:34PM 19 citing as being proof that home values will be stable
 09:34PM 20 or rise is not actually completed yet.
 09:34PM 21 THE WITNESS: Well, the reserve is in a
 09:34PM 22 completely different neighborhood than the rental
 09:34PM 23 communities that I cited in Franklin Lakes. They're
 09:34PM 24 on the opposite sides of town. I was just answering
 09:34PM 25 his question specifically about new construction

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09:34PM 1 being available.
 09:34PM 2 MR. HAYES: Well -- well -- well, Sal
 09:34PM 3 asked you about the study.
 4 THE WITNESS: Right.
 5 MR. HAYES: You said just the one I
 6 cited.
 7 THE WITNESS: Right.
 8 MR. HAYES: So in either of those
 09:35PM 9 situations, either of those two developments, they're
 09:35PM 10 both fairly recent, they built -- they've built
 09:35PM 11 recently, I guess --
 09:35PM 12 THE WITNESS: Yes.
 09:35PM 13 MR. HAYES: -- within the last couple
 09:35PM 14 years.
 09:35PM 15 THE WITNESS: Correct.
 09:35PM 16 MR. HAYES: Do you think that that's a
 09:35PM 17 long enough timeframe to judge an accurate impact to
 09:35PM 18 the housing values.
 09:35PM 19 THE WITNESS: Well, there wasn't a mass
 09:35PM 20 exodus of people living in the residential
 09:35PM 21 neighborhoods because they felt that their properties
 09:36PM 22 were just being damaged by new construction.
 09:35PM 23 MR. HAYES: In a -- in a matter of one
 09:35PM 24 to two years would you expect to see a mass exodus.
 09:35PM 25 THE WITNESS: No, not at all.

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09:35PM 1 MR. HAYES: No, no, I'm saying in
 09:35PM 2 general.
 09:35PM 3 CHAIRWOMAN HEMBREE: I think what -- I
 09:35PM 4 think what Mr. Preiss is he's alluding to is that
 09:35PM 5 appraisals and studies are done by people who are not
 09:35PM 6 biased; people who are not selling something, people
 09:35PM 7 who want to find out information more than in
 09:35PM 8 Franklin Lakes, Woodcliff Lake or the State of New
 09:36PM 9 Jersey for that matter, when you're looking at trends
 09:35PM 10 and when you're looking at what's happening in the
 09:35PM 11 market.
 09:35PM 12 MR. NEWMAN: How many homes did you
 09:35PM 13 sell in Woodcliff Lake last year.
 09:35PM 14 THE WITNESS: I don't know. I don't
 09:35PM 15 know what my company did.
 09:35PM 16 I don't personally sell at this point
 09:36PM 17 in my career, I oversee staff --
 09:36PM 18 MR. NEWMAN: Do you have any personal
 09:36PM 19 knowledge as to -- as to what sales did in Woodcliff
 09:36PM 20 Lake last year by your company.
 09:36PM 21 THE WITNESS: My company? No.
 09:36PM 22 MR. NEWMAN: What about rentals? Did
 09:36PM 23 you rent any apartments.
 09:36PM 24 THE WITNESS: I didn't look at
 09:36PM 25 specifically what our company does in a -- in a

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09:36PM 1 specific town.
 09:36PM 2 And I couldn't tell you the answer for
 09:36PM 3 any single town in where we do work.
 09:36PM 4 MR. NEWMAN: Okay.
 09:36PM 5 CHAIRWOMAN HEMBREE: Do we have any
 09:36PM 6 more questions.
 09:36PM 7 THE WITNESS: Well, you would have
 09:36PM 8 rentals that would be individual homes that somebody
 09:36PM 9 would be looking to rent, so it's probably not many
 09:36PM 10 rentals in Woodcliff Lake to start with.
 09:36PM 11 CHAIRWOMAN HEMBREE: Anybody else?
 09:36PM 12 MR. PRINCIOTTO: These trends that
 09:36PM 13 you've testified about, do you know if these trends
 09:36PM 14 are deemed positive trends by the owners of
 09:36PM 15 single-family residences?
 09:36PM 16 THE WITNESS: I don't have the specific
 09:36PM 17 information, but if you look at the Otteau report,
 09:37PM 18 Jeff Otteau is one of the foremost real estate people
 09:37PM 19 in New Jersey. He will tell you that any residential
 09:37PM 20 housing that's near a train station is a plus to the
 09:37PM 21 community. And it's O-T-T-E-A-U, Jeffrey Otteau.
 09:37PM 22 And that's -- he -- he goes in --
 09:37PM 23 MR. NEWMAN: Well, please don't tell me
 09:37PM 24 what Jeffrey Otteau said.
 09:37PM 25 THE WITNESS: Well, he's the foremost

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09:37PM 1 expert.

09:37PM 2 MR. NEWMAN: He's not here.

09:37PM 3 THE WITNESS: Understood.

09:37PM 4 MR. PRINCIOTTO: No, I am not talking

09:37PM 5 about the issue of residences being -- being near the

09:37PM 6 train station, I'm talking about the trend that you

09:37PM 7 spoke about or testified about --

09:37PM 8 THE WITNESS: Yup.

09:37PM 9 MR. PRINCIOTTO: -- from office use and

09:37PM 10 warehouses to multifamily developments, and whether

09:37PM 11 or not this trend was deemed as a positive or a

09:37PM 12 negative as --

09:37PM 13 THE WITNESS: It --

09:37PM 14 MR. PRINCIOTTO: -- by owners of

09:37PM 15 single-family homes.

09:37PM 16 THE WITNESS: No, I don't have any

09:37PM 17 specific studies, but we have not heard any people in

09:37PM 18 neighborhoods saying that it's a big negative. It's

09:37PM 19 a -- it's a plus in a housing community, as it gives

09:37PM 20 options for people to live in as they make decisions

09:37PM 21 to sell their home, need a place to go, for people

09:38PM 22 wanting to get into a town to see if they like the

09:38PM 23 town before they purchase.

09:38PM 24 CHAIRWOMAN HEMBREE: Well, we have a

09:38PM 25 responsibility to do the planning ahead at what the
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09:38PM 1 consequences are to these actions.

09:38PM 2 You have more people or more children,

09:38PM 3 what are the consequences? More traffic --

09:38PM 4 THE WITNESS: In my opinion is --

09:38PM 5 MR. NEWMAN: To higher taxes.

09:38PM 6 THE WITNESS: My opinion -- my opinion

09:38PM 7 -- let me just answer the first question.

09:38PM 8 My opinion is you're not going to have

09:38PM 9 a lot of children that would be living in those

09:38PM 10 apartments. We have not seen that in many new rental

09:38PM 11 communities where there are many children, and I'm

09:38PM 12 sure the planner would testify to that, or at least

09:38PM 13 in my opinion he would.

09:38PM 14 CHAIRWOMAN HEMBREE: Well, I think this

09:38PM 15 part of Bergen County probably would be the poster

09:38PM 16 boy to see whether you're right or not, because

09:38PM 17 Montvale is building an awful lot of these buildings.

09:38PM 18 Park Ridge is building a huge apartment house on

09:38PM 19 Kinderkamack, and on Park Avenue and the Sony

09:38PM 20 property is being redeveloped, so there are lots of

09:39PM 21 other rentals and uses that are going to have an

09:39PM 22 enormous impact on this community.

09:39PM 23 MR. NEWMAN: And we, ourselves, have

09:39PM 24 the affordable housing set aides.

09:39PM 25 CHAIRWOMAN HEMBREE: That's right.
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09:39PM 1 And we have --

09:39PM 2 MR. NEWMAN: Those are going to be --

09:39PM 3 CHAIRWOMAN HEMBREE: Because of the

09:39PM 4 foresight of some mayors and councils we have the

09:39PM 5 land to -- in order to deal with that.

09:39PM 6 MR. NEWMAN: Right.

09:39PM 7 THE WITNESS: My -- my answer to that

09:39PM 8 would be, I have seen many apartment buildings built

09:39PM 9 throughout Bergen County, including a 450-unit

09:39PM 10 building in Fort Lee, which has not dramatically

09:39PM 11 affected the school system.

09:39PM 12 CHAIRWOMAN HEMBREE: Have you driven in

09:39PM 13 Fort Lee?

09:39PM 14 (Laughter.)

09:39PM 15 THE WITNESS: Are we talking about

09:39PM 16 children or are we taking about traffic?

09:39PM 17 CHAIRWOMAN HEMBREE: We're talking

09:39PM 18 about children and traffic. I mean you can't go

09:39PM 19 anyplace.

09:39PM 20 THE WITNESS: You asked me my -- you

09:39PM 21 asked me a question about housing, not about traffic.

09:39PM 22 MR. NEWMAN: You're not --

09:39PM 23 THE WITNESS: Okay.

09:39PM 24 MR. NEWMAN: You're not seriously

09:39PM 25 comparing --
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09:39PM 1 CHAIRWOMAN HEMBREE: Well, I'm saying

09:39PM 2 how is that impact --

09:39PM 3 MR. NEWMAN: -- Woodcliff Lake to Fort

09:39PM 4 Lee?

09:39PM 5 THE WITNESS: I'm just trying to answer

09:39PM 6 your question, sir.

09:39PM 7 MR. NEWMAN: Okay.

09:39PM 8 THE WITNESS: You asked me about an

09:39PM 9 impact with children and apartments and I'm telling

09:39PM 10 you that we've seen buildings with 400 units and

09:39PM 11 we've seen buildings with 44 units and 60 units and

09:40PM 12 all these sized buildings that will not dramatically

09:40PM 13 increase the children population.

09:40PM 14 MS. EFFRON-MALLEY: Is that because

09:40PM 15 you're seeing them as one-bedroom apartments and --

09:40PM 16 THE WITNESS: No, one- -- one- and

09:40PM 17 two-bedrooms. You know, most of what's been built

09:40PM 18 has been one- and two-bedrooms.

09:40PM 19 MS. EFFRON-MALLEY: And you don't see

09:40PM 20 the two bedrooms getting leased to families with

09:40PM 21 children so adding to the school?

09:40PM 22 MR. NEWMAN: Or divorced parents with

09:40PM 23 children?

09:40PM 24 THE WITNESS: Well, again --

09:40PM 25 MR. NEWMAN: I think you already said
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09:40PM 1 that.

09:40PM 2 THE WITNESS: I did say -- I did say

09:40PM 3 divorced parents with children that want to stay in

09:40PM 4 the school system so they're already here with those

09:40PM 5 kids in the school. They may be forced to sell their

09:40PM 6 house and want to stay in the school system that

09:40PM 7 their kids have friends, so if the house gets sold

09:40PM 8 they need a place to go.

09:40PM 9 MR. NEWMAN: Well, the house would get

09:40PM 10 sold to a family most likely, correct?

09:40PM 11 THE WITNESS: Possibly.

09:40PM 12 MR. NEWMAN: And that family would also

09:40PM 13 have children, correct?

09:40PM 14 THE WITNESS: I think it's a minimal

09:40PM 15 amount of children that will live in the two-bedroom

09:40PM 16 apartments.

09:40PM 17 MS. YETEMIAN: So you're saying that

09:40PM 18 the demographic for a person, or people, if it's a

09:40PM 19 two-bedroom, would be a single person who would be

09:40PM 20 possibly working in Manhattan taking the commuter

09:41PM 21 train in or working locally.

09:41PM 22 THE WITNESS: I would say you would

09:41PM 23 have some of both.

09:41PM 24 But also in a lot of two-bedrooms

09:41PM 25 people work at home in this environment and they use

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09:41PM 1 the second bedroom as a den or an office.

09:41PM 2 MS. YETEMIAN: And then those that have

09:41PM 3 children, you're saying are just trying to get a test

09:41PM 4 run of the town before they --

09:41PM 5 THE WITNESS: In some cases --

09:41PM 6 MS. YETEMIAN: -- invest on --

09:41PM 7 THE WITNESS: -- but I would tell you

09:41PM 8 out of 60 apartments, I'd be hard-pressed to think

09:41PM 9 that more than five or ten would have children, if

09:41PM 10 that many.

09:41PM 11 And, again, I think your planner will

09:41PM 12 testify to that.

09:41PM 13 MS. EFFRON-MALLEY: And you're going

09:41PM 14 based on your knowledge of Fort Lee, Woodcliff Lake,

09:41PM 15 Park Ridge, Montvale and other.

09:41PM 16 THE WITNESS: Franklin.

09:41PM 17 MS. EFFRON-MALLEY: -- and other --

09:41PM 18 THE WITNESS: Franklin Lakes.

09:41PM 19 MS. EFFRON-MALLEY: -- places.

09:41PM 20 THE WITNESS: Franklin Lakes, I mean, I

09:41PM 21 could go through, you know, lots of towns.

09:41PM 22 MS. EFFRON-MALLEY: Because what I see,

09:41PM 23 just the two-bedroom apartments are getting a parent

09:41PM 24 or parents and at least one or two children now --

09:41PM 25 THE WITNESS: Uh-huh.

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09:41PM 1 MS. EFFRON-MALLEY: -- because it's

09:41PM 2 affordable compared to them buying a house.

09:41PM 3 CHAIRWOMAN HEMBREE: And I forgot the

09:41PM 4 golf course in River Vale. I'm sorry.

09:41PM 5 MS. EFFRON-MALLEY: Yes.

09:41PM 6 CHAIRWOMAN HEMBREE: That's another

09:41PM 7 one.

09:41PM 8 MS. EFFRON-MALLEY: Yes.

09:41PM 9 MR. NEWMAN: Let me -- let me ask you a

09:41PM 10 question --

09:41PM 11 THE WITNESS: I think that technically

09:41PM 12 that'll be Hillsdale, though, by the way, the --

09:41PM 13 where the development's going to be, not River Vale.

09:41PM 14 MR. HAYES: I think our lawyers --

09:41PM 15 CHAIRWOMAN HEMBREE: Well, the -- the

09:41PM 16 upscale houses are going to be in River Vale --

09:41PM 17 THE WITNESS: It's going to be a

09:41PM 18 combination of both.

09:41PM 19 CHAIRWOMAN HEMBREE: The lower scale

09:41PM 20 will be in Hillsdale.

09:41PM 21 MS. EFFRON-MALLEY: The mayors are

09:41PM 22 talking about --

09:41PM 23 THE WITNESS: I know the developer.

09:41PM 24 CHAIRWOMAN HEMBREE: Yeah. Right.

09:42PM 25 MR. DHAWAN: So someone had earlier

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09:42PM 1 asked, your testimony is based on your feel and your

09:42PM 2 understanding of the market -- the in this area.

09:42PM 3 THE WITNESS: Uh-huh.

09:42PM 4 MR. DHAWAN: Surely. There has to be

09:42PM 5 some data over the last five, ten years in some of

09:42PM 6 these towns of what it's done to the populations in

09:42PM 7 the school.

09:42PM 8 For example, Montvale, there's already

09:42PM 9 a lot of housing in Montvale. I drive by it on my

09:42PM 10 way to work and I see a lot of school kids, school

09:42PM 11 buses, at these developments.

09:42PM 12 So I'm not saying you're wrong, but

09:42PM 13 some of these communities may be that way, near a

09:42PM 14 train station or one-bedroom, but I think that it's

09:42PM 15 not clearly defined in what you're saying. There has

09:42PM 16 to be some data.

09:42PM 17 Is there -- is there something that is

09:42PM 18 out there that we can tap into?

09:43PM 19 THE WITNESS: Again, maybe the planner

09:43PM 20 has more of that information. We don't take data and

09:43PM 21 it's -- it's against fair housing for us to know the

09:43PM 22 number of -- how the family -- you know, the familial

09:43PM 23 status and -- and the number of occupants.

09:43PM 24 Obviously, it has to meet code. You're not going to

09:43PM 25 have seven people in a one-bedroom apartment.

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09:43PM 1 But we don't -- we don't keep track of
 09:43PM 2 who the tenant is, how many children they have. As
 09:43PM 3 an -- as an industry.
 09:43PM 4 MR. DHAWAN: Well, I think from the
 09:43PM 5 data from these towns, you know, as -- in your
 09:43PM 6 profession, they don't have publications of how many
 09:43PM 7 kids are in school every year or --
 09:43PM 8 THE WITNESS: I'm sure each town has a
 09:43PM 9 --
 09:43PM 10 MR. DHAWAN: -- combination number of
 09:43PM 11 -- ratio of teachers to students.
 09:43PM 12 THE WITNESS: Those -- those reports
 09:43PM 13 are available, you know, and certainly each town, I'm
 09:43PM 14 sure, has those statistics.
 09:43PM 15 New Jersey Monthly cites those
 09:43PM 16 statistics when they do high school ratings, but many
 09:43PM 17 times they don't do grammar school ratings.
 09:43PM 18 MR. NEWMAN: Let me ask you another
 09:43PM 19 question, the quality of the school system and the
 09:44PM 20 student-to-teacher ratio, does that impact the value
 09:44PM 21 of homes in a given town.
 09:44PM 22 THE WITNESS: I think the quality of a
 09:44PM 23 school system always impacts homes, and -- and
 09:44PM 24 certainly Woodcliff Lake, you know, and Montvale
 09:44PM 25 sharing Pascack Hills High School. It's a highly
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09:44PM 1 MR. NEWMAN: How many boards?
 09:44PM 2 THE WITNESS: I don't know. Three or
 09:44PM 3 four --
 09:44PM 4 MR. NEWMAN: Three or four boards?
 09:45PM 5 THE WITNESS: -- that I've been asked
 09:45PM 6 to -- that I've been asked to testify.
 09:45PM 7 MR. NEWMAN: Franklin Lakes was one.
 09:45PM 8 THE WITNESS: No, I just said I was not
 09:45PM 9 asked to testify in Franklin Lakes --
 09:45PM 10 MR. NEWMAN: Oh.
 09:45PM 11 THE WITNESS: -- and it may be because
 09:45PM 12 I know many of the people that live in town, so...
 09:45PM 13 MR. DHAWAN: Well, what is your
 09:45PM 14 relationship here other than your testimony --
 09:45PM 15 THE WITNESS: I was --
 09:45PM 16 MR. DHAWAN: -- as an expert?
 09:45PM 17 THE WITNESS: We've represented the
 09:45PM 18 developer on other properties that they've built and
 09:45PM 19 rented.
 09:45PM 20 MR. DHAWAN: So you may be listing
 09:45PM 21 these properties on this property.
 09:45PM 22 THE WITNESS: I am -- we have not even
 09:45PM 23 had that discussion.
 09:45PM 24 But I do have experience renting other
 09:45PM 25 properties that they have, so --
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09:44PM 1 regarded high school. I -- two of my kids went to
 09:44PM 2 Pascack Valley, so I'm familiar with the -- the area.
 09:44PM 3 MS. YETEMIAN: Did you have to do the
 09:44PM 4 same kind of testimony when you were -- for Franklin
 09:44PM 5 Lakes, when they were doing their developments.
 09:44PM 6 THE WITNESS: No, I was not --
 09:44PM 7 MS. YETEMIAN: Did they call upon you.
 09:44PM 8 THE WITNESS: They did not call upon
 09:44PM 9 me.
 09:44PM 10 MS. YETEMIAN: And do you have any
 09:44PM 11 relationship with the developer or anything like
 09:44PM 12 that.
 09:44PM 13 THE WITNESS: I know the developer, not
 09:44PM 14 in a business --
 09:44PM 15 MS. YETEMIAN: There are no business
 09:44PM 16 ties?
 09:44PM 17 THE WITNESS: No business relationship.
 09:44PM 18 MS. YETEMIAN: No business --
 09:44PM 19 THE WITNESS: We've represented other
 09:44PM 20 properties that they've built, but no ownership
 09:44PM 21 interest of any kind.
 09:44PM 22 MS. YETEMIAN: And you've been an
 09:44PM 23 expert witness for other --
 09:44PM 24 THE WITNESS: Yes, I have, ma'am.
 09:44PM 25 MS. YETEMIAN: Okay.
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09:45PM 1 MR. DHAWAN: So it was --
 09:45PM 2 THE WITNESS: And, again, not me
 09:45PM 3 personally, I've had somebody from my office work
 09:45PM 4 with them.
 09:45PM 5 MR. HAYES: So it is -- it just is a
 09:45PM 6 possibility, though.
 09:45PM 7 THE WITNESS: Sure.
 09:45PM 8 MR. HAYES: Okay.
 09:45PM 9 THE WITNESS: But it would be our
 09:45PM 10 company, not me individually.
 09:45PM 11 MR. HAYES: No, I understand.
 09:45PM 12 THE WITNESS: Okay.
 09:45PM 13 MR. PRINCIOTTO: Did you perform any
 09:45PM 14 inspection of the single-family homes surrounding
 09:45PM 15 this site?
 09:45PM 16 THE WITNESS: I drove through the
 09:45PM 17 neighborhood.
 09:45PM 18 But I have not seen any of the homes
 09:45PM 19 physically inside or anything.
 09:46PM 20 MR. PRINCIOTTO: Did you look at any of
 09:46PM 21 the plans for this proposed development.
 09:46PM 22 THE WITNESS: Did I look at any of the
 09:46PM 23 plans?
 09:46PM 24 MR. PRINCIOTTO: Yes.
 09:46PM 25 THE WITNESS: I've seen this. I have
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09:45PM 1 not seen the schematic of what is being built inside
 09:46PM 2 yet at this point.
 09:46PM 3 MR. PRINCIOTTO: Did you see this for
 09:46PM 4 the first time tonight?
 09:46PM 5 THE WITNESS: No. I know -- I'm
 09:46PM 6 familiar with the site. I've driven past the site
 09:46PM 7 many times.
 09:46PM 8 MR. PRINCIOTTO: No.
 9 MR. NEWMAN: What about the plans.
 10 MR. PRINCIOTTO: I'm not talking about
 11 the site. I'm talking about the plan.
 12 THE WITNESS: I have not seen the
 13 site -- I have not seen the plans of the specific
 09:46PM 14 apartments, if that's what you're asking.
 09:46PM 15 MR. PRINCIOTTO: All right. So having
 09:46PM 16 not seen the specific plans, and I take it you have
 09:46PM 17 not been on the single-family properties that about
 09:46PM 18 this development --
 09:46PM 19 THE WITNESS: No. I wouldn't trespass
 09:46PM 20 without their permission.
 09:46PM 21 MR. PRINCIOTTO: -- how can you say
 09:46PM 22 whether or not there would be an adverse impact on
 09:46PM 23 the residential homes if you have not --
 09:46PM 24 THE WITNESS: I said my opinion was
 09:46PM 25 from experience in other neighborhoods where
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09:46PM 1 buildings -- where units and apartments have been
 09:46PM 2 built, and not just in Franklin Lakes, there have
 09:46PM 3 been towns like Bogota and there have been other
 09:47PM 4 towns where apartments have been built that have not
 09:47PM 5 negatively impacted the residential neighborhoods.
 09:47PM 6 More of an impact has been interest
 09:47PM 7 rates, lack of inventory, and a lot of other things;
 09:47PM 8 not what's been built. And you have a building
 09:47PM 9 that's been existing there already for many years.
 09:47PM 10 And -- and I would ask you would -- would the --
 09:47PM 11 MR. PRINCIOTTO: Well, they're
 09:47PM 12 proposing a second building.
 09:47PM 13 THE WITNESS: Understood.
 09:47PM 14 MR. PRINCIOTTO: Okay.
 09:47PM 15 THE WITNESS: Understood.
 09:47PM 16 CHAIRWOMAN HEMBREE: Any more
 09:47PM 17 questions?
 09:47PM 18 MR. PRINCIOTTO: Doesn't it depend on
 09:47PM 19 the type of the development in terms of the type of
 09:47PM 20 impact it would have on the residential homes in the
 09:47PM 21 area?
 09:47PM 22 THE WITNESS: I was looking at the 60
 09:47PM 23 units residential rental apartments on that site, not
 09:47PM 24 going beyond the back property where the parking lot
 09:47PM 25 ends, you know, with the property behind it, and my
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09:48PM 1 opinion was, and still is, that it would not
 09:48PM 2 negatively affect the residential values.
 09:48PM 3 I think the town speaks for itself and
 09:48PM 4 the price will be determined by the condition of a
 09:48PM 5 property when it comes on the market, the number of
 09:48PM 6 bedrooms, the number of baths, the taxes.
 09:48PM 7 As the tax laws have changed in New
 09:48PM 8 Jersey, buyers now look at the property taxes a lot
 09:48PM 9 closer since they can't deduct them as they once did.
 09:48PM 10 And that's in every community in this -- in the -- in
 09:48PM 11 the country.
 09:48PM 12 MR. NEWMAN: So if those taxes were to
 09:48PM 13 go up, that would negatively impact Woodcliff Lake.
 09:48PM 14 THE WITNESS: If taxes go up on any
 09:48PM 15 property and taxes go up every year.
 09:48PM 16 MR. NEWMAN: No, no, no. If taxes were
 09:48PM 17 to go up in Woodcliff Lake because there are more
 09:48PM 18 children in the school system, that's two-thirds of
 09:48PM 19 our budget, the raise in those taxes would negatively
 09:48PM 20 impact home sales in Woodcliff Lake.
 09:48PM 21 THE WITNESS: As you phrase it --
 09:48PM 22 MR. NEWMAN: Does that make sense?
 09:48PM 23 THE WITNESS: As you phrased your
 09:48PM 24 question the answer is yes.
 09:48PM 25 But my testimony is also that I don't
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09:48PM 1 think you're going to have many children that occupy
 09:48PM 2 those units.
 09:49PM 3 MR. NEWMAN: Based on what hard data.
 09:49PM 4 THE WITNESS: Just based on seeing
 09:49PM 5 apartments being built for the last 20-plus years
 09:49PM 6 where schools have not had a dramatic increase in
 09:49PM 7 population -- in -- in enrollment based upon
 09:49PM 8 apartments.
 09:49PM 9 What happens is when a house sells and
 09:49PM 10 it goes from no children, because they're empty
 09:49PM 11 nesters, to a new family with three kids in a
 09:49PM 12 residential home, that's a greater impact than a
 09:49PM 13 building that's not going to have many children.
 09:49PM 14 CHAIRWOMAN HEMBREE: Okay. I think
 09:49PM 15 we're explored this issue to --
 09:49PM 16 MR. NEWMAN: To death.
 09:49PM 17 CHAIRWOMAN HEMBREE: Yeah.
 09:49PM 18 MR. NEWMAN: I just have one more
 09:49PM 19 question.
 09:49PM 20 (Laughter.)
 09:49PM 21 THE WITNESS: Sure.
 09:49PM 22 CHAIRWOMAN HEMBREE: Gary?
 09:49PM 23 MR. NEWMAN: What hard data do you have
 09:49PM 24 with you today that Woodcliff Lake needs these 60
 09:49PM 25 units, if any?
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09:48PM 1 THE WITNESS: There is no hard data for
 09:49PM 2 any -- for a question like that. You would have that
 09:49PM 3 question in every single development in the country
 09:49PM 4 with a question that's phrased that way.
 09:49PM 5 MR. NEWMAN: Can I -- can I accept that
 09:49PM 6 you don't have any with you today as an answer to
 09:49PM 7 that question?
 09:50PM 8 THE WITNESS: I don't think any hard
 09:50PM 9 data exists about any town needing any development
 09:50PM 10 for the same reason if somebody proposed ten brand
 09:50PM 11 new homes on a piece of property, ten residential
 09:50PM 12 homes on this property, right, single-family homes.
 09:50PM 13 MR. NEWMAN: I'll take that as you
 09:50PM 14 don't have any.
 09:50PM 15 CHAIRWOMAN HEMBREE: Okay.
 09:50PM 16 THE WITNESS: What I'm saying is, it
 09:50PM 17 doesn't exist as you've stated the question.
 09:50PM 18 CHAIRWOMAN HEMBREE: Okay. Thanks.
 09:50PM 19 Gary?
 09:50PM 20 MR. NEWMAN: I dread it.
 09:50PM 21 Hopefully the public was paying
 09:50PM 22 attention to what has already transpired --
 09:50PM 23 CHAIRWOMAN HEMBREE: Okay. I think --
 09:50PM 24 MR. NEWMAN: -- but I would like to make
 09:50PM 25 a motion to open to the public.

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09:50PM 1 CHAIRWOMAN HEMBREE: Okay. I -- can we
 09:50PM 2 take a five-minute break? We need to give the
 09:50PM 3 stenographer a few minutes.
 09:50PM 4 MR. NEWMAN: Of course.
 09:50PM 5 CHAIRWOMAN HEMBREE: Okay. Can we do
 09:50PM 6 that?
 09:50PM 7 MR. NEWMAN: Yes.
 09:50PM 8 CHAIRWOMAN HEMBREE: I decree that
 09:50PM 9 there will be a five-minute break.
 09:50PM 10 (Whereupon, a brief recess is taken.)
 09:50PM 11 CHAIRWOMAN HEMBREE: Okay. Ready? I
 09:50PM 12 know you want to ask your questions and we don't have
 09:50PM 13 that much more time. So I don't want you to spend
 09:50PM 14 your time talking to your neighbors.
 09:55PM 15 MR. DELIA: Just on exhibits, I don't
 09:55PM 16 know that we --
 09:55PM 17 CHAIRWOMAN HEMBREE: Joe, would you
 09:55PM 18 tell them to be quiet and sit down.
 09:55PM 19 MR. DELIA: I know we handed out
 09:55PM 20 Mr. Oppler's CV.
 09:55PM 21 I don't know that I marked it in
 09:55PM 22 evidence as A-8. I would do that now.
 09:55PM 23 (Whereupon, Curriculum Vitae of Charles
 09:55PM 24 Oppler is received and marked as Exhibit A-8
 09:55PM 25 in evidence.)

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09:56PM 1 CHAIRWOMAN HEMBREE: Okay. Ready? I'm
 09:56PM 2 turning to my right and somebody who would like to
 09:56PM 3 make a motion to open to the public?
 09:56PM 4 MS. YETEMIAN: Motion to open to the
 09:56PM 5 public.
 09:56PM 6 MR. HAYES: Second.
 09:56PM 7 CHAIRWOMAN HEMBREE: All those in
 09:56PM 8 favor?
 09:56PM 9 (Whereupon, all present members respond
 09:56PM 10 in the affirmative.)
 09:56PM 11 CHAIRWOMAN HEMBREE: If you have any
 09:56PM 12 questions to the witness, please.
 09:56PM 13 MS. DISPOTO: I do have questions.
 09:56PM 14 MR. NEWMAN: Questions for this witness
 09:56PM 15 only.
 09:56PM 16 CHAIRWOMAN HEMBREE: Thank you.
 09:56PM 17 MS. DISPOTO: I do have questions.
 09:56PM 18 Thank you.
 09:56PM 19 Cheryl Dispoto, D-I-S-P-O-T-O, 7 Bonnie
 09:56PM 20 Lane, Woodcliff Lake, New Jersey.
 09:56PM 21 Can you tell me what your real estate
 09:56PM 22 expertise is in Woodcliff Lake?
 09:56PM 23 You mentioned Franklin Lakes, Bogota,
 09:56PM 24 other towns in Bergen County, and you said you didn't
 09:57PM 25 have any expertise in residential real estate in

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09:57PM 1 Woodcliff Lake.
 09:57PM 2 Can you tell me what your expertise is
 09:57PM 3 in Woodcliff Lake?
 09:57PM 4 THE WITNESS: That's not what I said.
 09:57PM 5 What I said is I didn't know the number of sales our
 09:57PM 6 company made or rentals that we did.
 09:57PM 7 But our company does business
 09:57PM 8 throughout Bergen County including Woodcliff Lake, I
 09:57PM 9 have agents that live in Woodcliff Lake and we do
 09:57PM 10 business in Woodcliff Lake.
 09:57PM 11 MS. DISPOTO: Do you know of any office
 09:57PM 12 buildings in Woodcliff Lake that have been converted
 09:57PM 13 to apartment complexes?
 09:57PM 14 THE WITNESS: Not that I know of.
 09:57PM 15 MS. DISPOTO: And do you know what the
 09:57PM 16 current occupancy rate is for office buildings, an
 09:57PM 17 office complex is in Woodcliff Lake right now?
 09:57PM 18 THE WITNESS: I do not know.
 09:57PM 19 MS. DISPOTO: You mentioned that new
 09:57PM 20 construction projects like in Franklin Lakes could
 09:57PM 21 impact the success of or the pricing of apartment
 09:57PM 22 projects.
 09:57PM 23 Do you know what other projects are
 09:57PM 24 currently approved for development right now in
 09:57PM 25 Woodcliff Lake?

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09:57PM 1 THE WITNESS: No, I don't.
 09:58PM 2 MS. DISPOTO: Did you base any of your
 09:58PM 3 testimony today on any data, study, periodicals,
 09:58PM 4 newspaper articles? And can you cite those studies
 09:58PM 5 for this board.
 09:58PM 6 THE WITNESS: All I did was take a look
 09:58PM 7 at some MLS figures to see what pricing has been
 09:58PM 8 throughout Bergen County on the residential level,
 09:58PM 9 Woodcliff Lake and the Pascack Valley, all areas that
 09:58PM 10 are germane to where your property -- where the
 09:58PM 11 subject property is.
 09:58PM 12 And there are a lot of factors that
 09:58PM 13 affect pricing in housing. And Woodcliff Lake has
 09:58PM 14 been fairly stable the last three years. It's
 09:58PM 15 increased in units where its prices have been pretty
 09:58PM 16 flat.
 09:58PM 17 In other areas, prices are up 4, 5, 6
 09:58PM 18 percent, and it goes from community to community
 09:58PM 19 throughout Bergen County.
 09:58PM 20 MS. DISPOTO: But you are not
 09:58PM 21 presenting any of that data or studies to this board,
 09:58PM 22 correct, right now.
 09:58PM 23 THE WITNESS: Right.
 09:58PM 24 I was asked my opinion as to where the
 09:58PM 25 values would be affected by a residential development
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09:59PM 1 on that site as opposed to a vacant office building.
 09:59PM 2 MS. DISPOTO: And you stated that you
 09:59PM 3 think property values will go up with this project,
 09:59PM 4 but you are not a licensed appraiser in the State of
 09:59PM 5 New Jersey, correct?
 09:59PM 6 THE WITNESS: I am not a licensed
 09:59PM 7 appraiser.
 09:59PM 8 MS. DISPOTO: What, in your opinion, is
 09:59PM 9 -- is too much? And when do you expect the housing
 09:59PM 10 bubble, given the hundreds of units currently under
 09:59PM 11 construction throughout Bergen County and
 09:59PM 12 specifically in the surrounding towns?
 09:59PM 13 Can you give your opinion on that?
 09:59PM 14 THE WITNESS: Do we have an hour? Two
 09:59PM 15 hours? How long do I have to give you my opinion
 09:59PM 16 about the housing bubble?
 09:59PM 17 MS. DISPOTO: Well, actually unless
 09:59PM 18 you're going to present some sort of a concrete
 09:59PM 19 study, I think I'll retract the question.
 09:59PM 20 THE WITNESS: Thank you.
 09:59PM 21 MS. DISPOTO: Are you familiar with any
 09:59PM 22 recent studies or reports or newspaper articles about
 09:59PM 23 the number of people leaving New Jersey currently?
 10:00PM 24 THE WITNESS: Yes.
 10:00PM 25 There's quite a few leaving New Jersey.
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10:00PM 1 In fact, the recent study by Allied Van Lines said
 10:00PM 2 New Jersey has the most exodus in the country with
 10:00PM 3 moves.
 10:00PM 4 But if you looked at the article
 10:00PM 5 completely, New Jersey was at 65 percent and the
 10:00PM 6 state that was 50th was 55 percent.
 10:00PM 7 And states like Kansas were on that
 10:00PM 8 list as having the highest exodus level as well.
 10:00PM 9 So if you read that article
 10:00PM 10 specifically, the difference was roughly 10 percent
 10:00PM 11 from 65 percent moving out of state to the lowest
 10:00PM 12 number of 55 percent.
 10:00PM 13 MS. DISPOTO: Are you planning to
 10:00PM 14 submit that article for the benefit of the board?
 10:00PM 15 THE WITNESS: I don't see the relevance
 10:00PM 16 of that article.
 10:00PM 17 MS. DISPOTO: Well, then, I think you
 10:00PM 18 just answered my question.
 10:00PM 19 You mentioned several times that we're
 10:00PM 20 not going to have children in our schools. And I am
 10:00PM 21 asking you what are you basing that on specifically?
 10:00PM 22 What study? What report, data are you presenting the
 10:00PM 23 board to base that testimony on?
 10:01PM 24 THE WITNESS: I think the planner will
 10:01PM 25 answer that question specifically as far as the
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10:01PM 1 impact on schools.
 10:01PM 2 MS. DISPOTO: Are you then retracting
 10:01PM 3 your testimony that we're not going to have
 10:01PM 4 additional school children from this project?
 10:01PM 5 THE WITNESS: I was giving you my
 10:01PM 6 opinion on experience that I've seen on apartment
 10:01PM 7 buildings throughout Bergen County and throughout New
 10:01PM 8 Jersey that it has had minimum impact of children
 10:01PM 9 living in those apartments.
 10:01PM 10 MS. DISPOTO: Are you familiar with the
 10:01PM 11 quality of the Woodcliff Lake school system? Do you
 10:01PM 12 know specifically what our Woodcliff Lake school
 10:01PM 13 system current rating is?
 10:01PM 14 THE WITNESS: I don't know exactly what
 10:01PM 15 the current rating is except I know that the schools
 10:01PM 16 are excellent in Woodcliff Lake.
 10:01PM 17 MS. DISPOTO: Thank you.
 10:01PM 18 I have nothing further.
 10:01PM 19 MS. APPELLE: Veronica Appelle, 23
 10:01PM 20 Cressfield Court. A-P-P-E-L-L-E.
 10:01PM 21 Welcome.
 10:01PM 22 THE WITNESS: Thank you.
 10:01PM 23 MS. APPELLE: You're not going to
 10:01PM 24 believe that when you leave here tonight, oh my God,
 10:02PM 25 thank God we got rid of them.
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10:02PM 1 THE WITNESS: Not in the least.
 10:02PM 2 MS. APPELLE: All right. Okay.
 10:02PM 3 So I -- from what you're saying, you
 10:02PM 4 really love your town, Franklin Lakes, that you live
 10:02PM 5 in, as all of us in this room do.
 10:02PM 6 CHAIRWOMAN HEMBREE: Ms. Appelle, ask
 10:02PM 7 the question.
 8 MS. APPELLE: Question.
 9 MR. NEWMAN: Yeah. Question. Ask the
 10 question.
 11 MS. APPELLE: Oh, question, yes.
 12 MR. NEWMAN: Yes.
 13 MS. APPELLE: Okay.
 10:02PM 14 Are you aware that we're not just
 10:02PM 15 dealing with 60 rental units in this particular area,
 10:02PM 16 we're dealing with 130 rental units when we add all
 10:02PM 17 the COAH to it?
 10:02PM 18 THE WITNESS: I don't know what your
 10:02PM 19 exact numbers are, but what I would tell you in terms
 10:02PM 20 of rental housing, 60 units on this particular site,
 10:02PM 21 with the proximity to a train station and the quality
 10:02PM 22 of the town would be an option for many people that
 10:02PM 23 want to live -- that are already in the area, and we
 10:02PM 24 see most of the rentals being rented to people that
 10:02PM 25 are familiar with this area.

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10:02PM 1 MS. APPELLE: Okay. Now, the
 10:03PM 2 familiarity with this area, this is a very unique
 10:03PM 3 town as opposed to all the other towns -- question's
 10:03PM 4 coming.
 10:03PM 5 We only have one east/west egress in
 10:03PM 6 this town, unlike all the other towns. And we have
 10:03PM 7 the train that comes in 26 times a day.
 10:03PM 8 Are you telling me that people want to
 10:03PM 9 come into a crowded area where there are 26 --
 10:03PM 10 CHAIRWOMAN HEMBREE: Question.
 10:03PM 11 MS. APPELLE: I'm asking him.
 10:03PM 12 MR. NEWMAN: Question.
 10:03PM 13 MS. APPELLE: Are you telling me that
 10:03PM 14 that's what people would prefer to do?
 10:03PM 15 THE WITNESS: I would tell you that the
 10:03PM 16 planner will testify in terms of traffic.
 10:03PM 17 But I will tell you that in my opinion,
 10:03PM 18 60 units may have less traffic, and, again, I'll rely
 10:03PM 19 on the planner, than an office building, with 42,000
 10:03PM 20 square feet.
 10:03PM 21 MS. APPELLE: Well, then you haven't
 10:03PM 22 seen the National Transportation Safety issue on
 10:03PM 23 this.
 10:03PM 24 There will be --
 10:03PM 25 THE WITNESS: Is there a report that I

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10:03PM 1 can look at?
 10:03PM 2 MS. APPELLE: Yes.
 10:03PM 3 THE WITNESS: Okay.
 10:03PM 4 MS. APPELLE: And I'll give it to you.
 10:03PM 5 THE WITNESS: Thank you.
 10:03PM 6 MS. APPELLE: Okay. Oh, you drove
 10:03PM 7 around -- you've testified that you drove around the
 10:03PM 8 community and looked at some of the -- Prospect,
 10:04PM 9 Cressfield houses, whatever? Have you? Right? You
 10:04PM 10 drove around.
 10:04PM 11 THE WITNESS: I drove around, but I
 10:04PM 12 haven't been in specific properties so I can't tell
 10:04PM 13 you --
 10:04PM 14 MS. APPELLE: No, no, no. I know you
 10:04PM 15 can't walk into them.
 10:04PM 16 See all the "For Sale" signs.
 10:04PM 17 THE WITNESS: I used to live -- I used
 10:04PM 18 to live in River Vale.
 10:04PM 19 MS. APPELLE: Have you seen all the
 10:04PM 20 "For Sale" signs in this area?
 10:04PM 21 THE WITNESS: There's "For Sale" signs
 10:04PM 22 throughout Bergen County.
 10:04PM 23 MS. APPELLE: Bergen County.
 10:04PM 24 THE WITNESS: Yeah.
 10:04PM 25 MS. APPELLE: Oh, a lot of people

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10:04PM 1 moving out.
 10:04PM 2 THE WITNESS: That question was just
 10:04PM 3 asked.
 10:04PM 4 MS. APPELLE: Um-hmm. Yes.
 10:04PM 5 THE WITNESS: And, yet, there were the
 10:04PM 6 same amount of sales last year as there were this
 10:04PM 7 year in Bergen County roughly.
 10:04PM 8 MS. APPELLE: And they're flat.
 10:04PM 9 THE WITNESS: Correct.
 10:04PM 10 CHAIRWOMAN HEMBREE: Okay.
 10:04PM 11 Mrs. Appelle --
 10:04PM 12 MS. APPELLE: Thank you, I'm done.
 10:04PM 13 CHAIRWOMAN HEMBREE: Okay.
 10:04PM 14 MS. APPELLE: Thank you.
 10:04PM 15 MR. CUOTO: Alex Couto, 18 Cressfield
 10:04PM 16 Court, Woodcliff Lake.
 10:04PM 17 From your testimony, we don't have hard
 10:04PM 18 facts that we know the composition of the households
 10:05PM 19 coming in, do we? We don't have any studies?
 10:05PM 20 THE WITNESS: Composition of households
 10:05PM 21 coming in where?
 10:05PM 22 MR. CUOTO: If there's children or not,
 10:05PM 23 households to these apartments. We have 60
 10:05PM 24 apartments. We don't know up front what -- would
 10:05PM 25 they have children?

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10:05PM 1 THE WITNESS: The planner will address
 10:05PM 2 that question. I've given you my opinion multiple
 10:05PM 3 times that I don't think you're going to have more
 10:05PM 4 than five to 10 percent of the units maximum with
 10:05PM 5 children.
 10:05PM 6 MR. CUOTO: Is it possible that the
 10:05PM 7 number of children per household will match the rest
 10:05PM 8 of Woodcliff Lake?
 10:05PM 9 THE WITNESS: Again, I will rely on the
 10:05PM 10 planner to give you that information.
 10:05PM 11 MR. NEWMAN: I don't think -- I've got
 10:05PM 12 to tell you, I've got to be honest with you, I don't
 10:05PM 13 think he was qualified to answer that question.
 10:05PM 14 CHAIRWOMAN HEMBREE: Okay.
 10:05PM 15 MR. CUOTO: I just want to put some
 10:05PM 16 numbers --
 10:05PM 17 MR. NEWMAN: Right, but I just want to
 10:05PM 18 say something. He testified that he's a real estate
 10:05PM 19 broker. And he's been accepted for the limited
 10:05PM 20 purpose, I guess, of talking about real estate
 10:05PM 21 values. Those are questions really reserved for the
 10:05PM 22 planner.
 10:05PM 23 MR. CUOTO: Okay, let me --
 10:05PM 24 MR. NEWMAN: I mean, even if you were
 10:06PM 25 to answer the question, I don't think he's qualified
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10:06PM 1 to answer it.
 10:06PM 2 MR. CUOTO: Okay.
 10:06PM 3 THE WITNESS: I can only say that the
 10:06PM 4 planner will answer that enough times for you.
 10:06PM 5 MR. HAYES: To be fair and to clarify,
 10:06PM 6 this witness didn't testify as to any factual
 10:06PM 7 evidence and has himself -- and has himself stated
 10:06PM 8 many times here that he's solely giving his opinion,
 10:06PM 9 so that's what you need to consider.
 10:06PM 10 MR. CUOTO: Well, are you aware of the
 10:06PM 11 average tax rate for each household in Woodcliff
 10:06PM 12 Lake?
 10:06PM 13 THE WITNESS: The tax rate's the same
 10:06PM 14 for each household.
 10:06PM 15 MR. CUOTO: No, but the --
 10:06PM 16 THE WITNESS: The assessment is what
 10:06PM 17 varies.
 10:06PM 18 MR. CUOTO: Yes, but the average
 10:06PM 19 payment, household pays around \$13,750.00 a year.
 10:06PM 20 THE WITNESS: Okay.
 10:06PM 21 MR. CUOTO: So if I make --
 10:06PM 22 MR. NEWMAN: Again, I think he's
 10:06PM 23 already testified that if the schools and the taxes
 10:06PM 24 impact values; the higher the taxes, the lower the
 10:06PM 25 value. That's his testimony as a real estate broker.
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10:06PM 1 MR. CUOTO: Sure. Okay. Just one more
 10:06PM 2 question.
 10:06PM 3 MR. NEWMAN: You know, for what that's
 10:06PM 4 worth.
 10:06PM 5 MR. CUOTO: Do you know goals one and
 10:07PM 6 goals two of Woodcliff Lake Master Plan?
 10:07PM 7 THE WITNESS: No, I have not looked at
 10:07PM 8 that.
 10:07PM 9 MR. CUOTO: Okay. So you -- are you
 10:07PM 10 aware of goals one, I hope the whole board is aware,
 10:07PM 11 goal one, to keep Woodcliff Lake at single-family
 10:07PM 12 homes. Goal two, to restrict multifamily development
 10:07PM 13 in Woodcliff Lake.
 10:07PM 14 CHAIRWOMAN HEMBREE: That was written a
 10:07PM 15 long time ago.
 10:07PM 16 MR. CUOTO: But it's still the goal.
 10:07PM 17 CHAIRWOMAN HEMBREE: Well, I think
 10:07PM 18 we're going to relook at that.
 10:07PM 19 MR. CUOTO: It might be changed.
 10:07PM 20 We're going to relook at that, but
 10:07PM 21 right now that's the goal. So, okay? Thank you very
 10:07PM 22 much.
 10:07PM 23 Thank you.
 10:07PM 24 THE WITNESS: Thank you.
 10:07PM 25 MS. BORRELLI: Ann Marie Borrelli,
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10:07PM 1 Cressfield Court.
 10:07PM 2 As a real estate broker, if you were
 10:07PM 3 selling a house with a view of the lake would that
 10:07PM 4 have a good value? That would be a desirable piece
 10:07PM 5 of property?
 10:07PM 6 THE WITNESS: In -- in many
 10:07PM 7 communities, yes.
 10:07PM 8 MS. BORRELLI: Okay. So if you were to
 10:07PM 9 sell a house that had an obstructed view of the lake,
 10:07PM 10 would that have the same kind of value?
 10:08PM 11 THE WITNESS: Depends on the property.
 10:08PM 12 MS. BORRELLI: If you look out the
 10:08PM 13 window and you have a view of the lake and then you
 10:08PM 14 lose that view of the lake, does your property value
 10:08PM 15 still hold the same?
 10:08PM 16 THE WITNESS: Potentially it could.
 10:08PM 17 MS. BORRELLI: Somebody might want to
 10:08PM 18 buy a piece of property that you look at an apartment
 10:08PM 19 building?
 10:08PM 20 THE WITNESS: I haven't -- I haven't
 10:08PM 21 not seen any drawings to show what the effect of the
 10:08PM 22 view would be from an individual home, from each
 10:08PM 23 home, how it affects the lake.
 10:08PM 24 MS. BORRELLI: But I am just asking you
 10:08PM 25 as a real estate broker --
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10:08PM 1 THE WITNESS: Yes, it --

10:08PM 2 MS. BORRELLI: -- would it be harder

10:08PM 3 for you to sell a piece of property that was looking

10:08PM 4 at a brick building versus looking at a beautiful

10:08PM 5 lake?

10:08PM 6 THE WITNESS: Specifically that

10:08PM 7 question, yes.

10:08PM 8 But, again, it depends on a lot of

10:08PM 9 other factors as well in terms of the housing stock

10:08PM 10 and the condition of the property. You know, a view

10:08PM 11 of the lake to some people is important. To other

10:08PM 12 people it's the quality of the house that they're

10:08PM 13 buying, the community that they're buying in and the

10:08PM 14 amenities of the house.

10:08PM 15 MS. BORRELLI: But these things, having

10:08PM 16 a view of the lake, have a benefit?

10:08PM 17 THE WITNESS: I think I answered it

10:08PM 18 yes. If all things are equal --

10:08PM 19 MS. BORRELLI: Thank you.

10:08PM 20 THE WITNESS: -- it would help.

10:08PM 21 MS. BORRELLI: Thank you very much.

10:08PM 22 MR. NEWMAN: If a property has a view

10:08PM 23 of the lake is that something that you would put in

10:08PM 24 an MLS as a plus for a property?

10:08PM 25 THE WITNESS: You never put anything as

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10:10PM 1 single-family unit neighborhood, have you -- what has

10:10PM 2 been the preference for that buyer, would they tend

10:10PM 3 to buy -- do they have a preference as to whether

10:10PM 4 they're near apartments or in a completely

10:10PM 5 single-family neighborhood?

10:10PM 6 THE WITNESS: It depends on what the

10:10PM 7 customer needs are. But if you're citing the example

10:10PM 8 that you're citing in this specific property --

10:10PM 9 situation right now, you're looking -- they could be

10:10PM 10 looking at an office building if you're citing the

10:10PM 11 neighborhood where the subject property is going to

10:10PM 12 be, 60-residential units versus an office building.

10:10PM 13 If somebody wanted to live in one

10:10PM 14 neighborhood versus another neighborhood because of a

10:10PM 15 school district, because they have friends in a

10:10PM 16 neighborhood, it's not apples to apples as you've

10:11PM 17 asked the question, in my opinion.

10:11PM 18 MS. AUDINO: Okay. Let me ask you, if

10:11PM 19 you're -- let's say you were to open up a newspaper

10:11PM 20 tomorrow and see that there was an apartment building

10:11PM 21 going up in your neighborhood within, I don't know, a

10:11PM 22 block or two, what might your reaction and your

10:11PM 23 neighbors' be upon hearing of an apartment building

10:11PM 24 going up?

10:11PM 25 THE WITNESS: I'm in -- you know, I'm

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10:09PM 1 a plus, you just list it as a feature, but...

10:09PM 2 MR. NEWMAN: If it has a view of the

10:09PM 3 lake, would you do that?

10:09PM 4 THE WITNESS: But you have -- you have

10:09PM 5 to -- specifically, yes, but you have to keep things

10:09PM 6 in mind. Things that you represent may not always be

10:09PM 7 what they are tomorrow.

10:09PM 8 CHAIRWOMAN HEMBREE: What if you drain

10:09PM 9 it, put a building there?

10:09PM 10 MR. NEWMAN: Okay.

10:09PM 11 MS. AUDINO: Diane Audino, A-U --

10:09PM 12 CHAIRWOMAN HEMBREE: Oh, welcome back.

10:09PM 13 MS. AUDINO: I know, it's been a while.

10:09PM 14 I needed a break. You understand. Sorry.

10:09PM 15 Audino, A-U-D-I-N-O, 11 Mill Road

10:09PM 16 Extension, Woodcliff Lake.

10:09PM 17 So just based on your experience, when

10:10PM 18 folks are moving into the new town looking for a

10:10PM 19 single-family home --

10:10PM 20 THE WITNESS: Uh-huh.

10:10PM 21 MS. AUDINO: All else being equal in

10:10PM 22 terms of the type of house that they might find in

10:10PM 23 town, is there a -- and let's say one house is next

10:10PM 24 to an apartment building and that -- an an identical

10:10PM 25 house is in a different part of town in a completely

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10:11PM 1 in the business for 38 years, so buildings get built

10:11PM 2 all the time and I don't look at it as a negative or

10:11PM 3 a positive, it's just there is change in every

10:11PM 4 community. And we're still able to sell in those

10:11PM 5 communities, and depending upon when and where it

10:11PM 6 happens, prices have gone up and prices have gone

10:11PM 7 down. It depends on the marketplace.

10:11PM 8 MS. AUDINO: So, again, if an apartment

10:11PM 9 building were to go up in your neighborhood, you

10:11PM 10 wouldn't have a concern about that?

10:11PM 11 THE WITNESS: Apartments have gone up

10:11PM 12 in my town quite a bit within less than a mile, not

10:11PM 13 specifically where I live, but right around the

10:11PM 14 corner, and it's not -- I've never thought of it as a

10:11PM 15 negative.

10:11PM 16 MS. YETEMIAN: How about within 300

10:12PM 17 feet or within 200 feet of your existing property

10:12PM 18 right now; if an apartment building were built in

10:12PM 19 your backyard, so to speak, how would you feel about

10:12PM 20 that?

10:12PM 21 THE WITNESS: You know, it depends on

10:12PM 22 what's built specifically. You know --

10:12PM 23 MS. YETEMIAN: This, let's just say.

10:12PM 24 THE WITNESS: Wouldn't phase me.

10:12PM 25 But that's me personally. I'm -- I'm

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10:12PM 1 -- I've been in the business forever to see that
 10:12PM 2 happen. So, again, but that's me personally. It's
 10:12PM 3 going to depend on how many people want to buy in
 10:12PM 4 that neighborhood at that point in time and see that
 10:12PM 5 it's good housing stock, maybe that somebody that
 10:12PM 6 lives two blocks away also needs a train station in a
 10:12PM 7 residential neighborhood. And the proximity for
 10:12PM 8 somebody to live there, if that's important to them.
 10:12PM 9 So it varies from customer to customer, so it would
 10:12PM 10 be hard to answer that.
 10:12PM 11 MS. AUDINO: Thank you.
 10:12PM 12 THE WITNESS: You're welcome.
 10:12PM 13 MR. CABRERA: Hi. Ulises Cabrera, 14
 10:12PM 14 Dorchester Road, Woodcliff Lake, New Jersey.
 10:13PM 15 You kept on mentioning a lot -- citing
 10:13PM 16 a lot of different towns in Bergen County as they
 10:13PM 17 were similar. You mentioned your hometown, Franklin
 10:13PM 18 Lakes.
 10:13PM 19 Do you find it to be in similar --
 10:13PM 20 Franklin Lakes to Woodcliff Lake, and what are those
 10:13PM 21 similarities?
 10:13PM 22 THE WITNESS: I -- I think they're both
 10:13PM 23 good communities with excellent schools that people
 10:13PM 24 want to live in.
 10:13PM 25 MR. CABRERA: Do you think the home
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10:13PM 1 values are equal?
 10:13PM 2 THE WITNESS: No. Franklin Lakes has a
 10:13PM 3 higher home value right now.
 10:13PM 4 MR. CABRERA: And do you agree that
 10:13PM 5 they have more open space then Woodcliff Lake?
 10:13PM 6 THE WITNESS: They have -- they have
 10:13PM 7 different zoning in certain neighborhoods.
 10:13PM 8 MR. CABRERA: You also referenced
 10:13PM 9 Ridgewood as they have a commuter train and a lot of
 10:13PM 10 apartments and all that.
 10:13PM 11 Do you think that's similar to the
 10:13PM 12 infrastructure that we have here in Woodcliff Lake?
 10:13PM 13 THE WITNESS: Every town is different.
 10:13PM 14 I was just citing examples of where apartments were
 10:13PM 15 being built and where different uses -- it was in
 10:13PM 16 regarding the question of use and what trends I was
 10:13PM 17 seeing with -- in terms of office building and -- and
 10:14PM 18 other things that I've seen within Bergen County and
 10:14PM 19 they're different uses for properties that didn't
 10:14PM 20 exist ten years ago.
 10:14PM 21 And in ten years from now I don't know
 10:14PM 22 what's going to happen, but I suspect that there will
 10:14PM 23 be more development, more in residential towns as we
 10:14PM 24 all see them, where there will be apartments that are
 10:14PM 25 built to help local businesses and give people an
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10:14PM 1 option and a place to live that want to stay in a
 10:14PM 2 community and don't have housing options today.
 10:14PM 3 MR. CABRERA: And in your experience,
 10:14PM 4 all these developments have brought a positive --
 10:14PM 5 have had a positive impact to the communities?
 10:14PM 6 THE WITNESS: In most of the ones I've
 10:14PM 7 seen, I can go to Summit where they built apartments
 10:14PM 8 in the center of town, Ridgewood is doing that right
 10:14PM 9 now with 60 units in the center of town.
 10:14PM 10 And they have been built in Franklin
 10:14PM 11 Lakes more in residential communities, and you're
 10:14PM 12 going to see that happen in more communities, in my
 10:14PM 13 opinion, in the future.
 10:15PM 14 MR. CABRERA: In your opinion, all
 10:15PM 15 towns are different; would you agree with that?
 10:15PM 16 THE WITNESS: Correct. That is what I
 10:15PM 17 said. Every town is different.
 10:15PM 18 MR. CABRERA: But you're citing all
 10:15PM 19 these towns as if we're all the same; would you agree
 10:15PM 20 with that?
 10:15PM 21 THE WITNESS: What I'm citing are towns
 10:15PM 22 that I think have the same focus on education,
 10:15PM 23 quality of lifestyle, and are well-regarded towns
 10:15PM 24 where you would want to raise a family or -- or live
 10:15PM 25 in a community.
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10:15PM 1 MR. CABRERA: What's -- your opinion
 10:15PM 2 that people that grew up in Woodcliff Lake will
 10:15PM 3 migrate back, where do you base that? Will migrate
 10:15PM 4 back to their hometown and rent out one of these
 10:15PM 5 apartments; where do you get this information from?
 10:15PM 6 THE WITNESS: I didn't say they would
 10:15PM 7 specifically rent the apartment, but I will tell you
 10:15PM 8 that many of our agents, and they work with kids of
 10:15PM 9 customers they've worked with for many years, that
 10:15PM 10 migrate back to the same area that they grew up in.
 10:15PM 11 Okay.
 10:15PM 12 My son who works with us went to
 10:15PM 13 Pascack Valley High School and he has sold five homes
 10:16PM 14 to kids that he went to high school with that lived
 10:16PM 15 in Hoboken or Edgewater at the time and have bought
 10:16PM 16 in Hillsdale and River Vale, the same towns that they
 10:16PM 17 grew up with -- grew up in.
 10:16PM 18 MR. CABRERA: But those are homes, they
 10:16PM 19 weren't apartments.
 10:16PM 20 THE WITNESS: You asked if they migrate
 10:16PM 21 back to the area.
 10:16PM 22 MR. CABRERA: Right. And I'm asking
 10:16PM 23 now --
 10:16PM 24 THE WITNESS: If -- if they -- if they
 10:16PM 25 had an option that they could have rented first
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10:16PM 1 potentially they might have, or they purchase. But
 10:16PM 2 they come back to an area, which was your question.
 10:18PM 3 MR. CABRERA: But in your specific
 10:16PM 4 example they purchased homes, they didn't migrate to
 10:16PM 5 an apartment.
 10:16PM 6 THE WITNESS: But they -- to answer
 10:16PM 7 your question, you asked me if they come back to the
 10:18PM 8 area. You didn't ask me when they where they were
 10:16PM 9 going to live --
 10:16PM 10 MR. CABRERA: Well, I'm asking you now.
 10:16PM 11 Is --
 10:16PM 12 THE WITNESS: I still think they would
 10:16PM 13 come back to an area that they grew up in, and if
 10:16PM 14 they could not afford a house and wanted to live
 10:16PM 15 closer to family, which many people do, they would
 10:16PM 16 rent an apartment.
 10:16PM 17 MR. CABRERA: In your expertise, what
 10:16PM 18 do you think these units would go for, for a
 10:18PM 19 one-bedroom or two-bedroom or even a three-bedroom
 10:16PM 20 that's required by the housing; what's the rental --
 10:16PM 21 THE WITNESS: I haven't priced out the
 10:16PM 22 rentals because I don't know the square footages of
 10:17PM 23 each of the apartments, but you'd probably be looking
 10:17PM 24 at 30 to \$32.00 a foot on a rental.
 10:17PM 25 MR. CABRERA: Thirty -- is that the
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10:17PM 1 market rate for this area?
 10:17PM 2 THE WITNESS: That would be the market
 10:17PM 3 rate for new construction in towns like Ridgewood are
 10:17PM 4 looking -- they're looking at trying to price between
 10:17PM 5 35 and \$38.00 a foot.
 10:17PM 6 But one of the communities in Ridgewood
 10:17PM 7 is going to be right in the center of town where
 10:17PM 8 you'll have access to a lot more services than you
 10:17PM 9 would have in Woodcliff Lake.
 10:17PM 10 I would think that this, because of the
 10:17PM 11 proximity to the train station and the quality of the
 10:17PM 12 town, for somebody that wants to live here, my
 10:17PM 13 opinion is they'll rent in the neighborhood of \$30.00
 10:17PM 14 a foot.
 10:17PM 15 MR. CABRERA: Are you aware that this
 10:17PM 16 town is divided by the reservoir?
 10:17PM 17 THE WITNESS: Yes.
 10:17PM 18 MR. CABRERA: And there's only two
 10:17PM 19 roads that get you across in Woodcliff Lake?
 10:17PM 20 THE WITNESS: Yes.
 10:17PM 21 MR. CABRERA: And one of them being a
 10:17PM 22 major causeway that mostly all the traffic -- are you
 10:17PM 23 aware that that's where most of the traffic goes to?
 10:17PM 24 THE WITNESS: Many times I drove my
 10:18PM 25 kids back from Franklin Lakes to River Vale and had
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10:18PM 1 to take those same roads.
 10:18PM 2 MR. CABRERA: Would you agree that's a
 10:18PM 3 little bit different than a lot of the towns that you
 10:18PM 4 just cited like Ridgewood, where their infrastructure
 10:18PM 5 is a lot better.
 10:18PM 6 THE WITNESS: There's traffic in a lot
 10:18PM 7 of towns and I think the planner is going to testify
 10:18PM 8 to that.
 10:18PM 9 MR. NEWMAN: I think, again, with his
 10:18PM 10 qualifications, he's qualified as a real estate
 10:18PM 11 broker, I am waiting with baited breath to hear the
 10:18PM 12 testimony of the planner.
 10:18PM 13 CHAIRWOMAN HEMBREE: And their traffic
 10:18PM 14 engineer.
 10:18PM 15 MR. NEWMAN: And their traffic
 10:18PM 16 engineer.
 10:18PM 17 And those are the people that, I think,
 10:18PM 18 that question should be addressed to, more so --
 10:18PM 19 MR. CABRERA: I agree.
 10:18PM 20 And I think you made valid points, and
 10:18PM 21 I thank the board for their questions and for your
 10:18PM 22 time.
 10:18PM 23 THE WITNESS: Thank you.
 10:18PM 24 MS. LEVINE: Gwenn Levine.
 10:18PM 25 I'm just wondering as I'm sitting here,
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10:18PM 1 how rentable will these apartments be when the people
 10:19PM 2 considering moving in know that every time they pull
 10:19PM 3 out of their driveway they will be facing a traffic
 10:18PM 4 jam north and south on Broadway and --
 10:19PM 5 CHAIRWOMAN HEMBREE: That's called a
 10:19PM 6 loaded question, ma'am.
 10:19PM 7 MS. LEVINE: What's that?
 10:19PM 8 CHAIRWOMAN HEMBREE: That's called a
 10:19PM 9 loaded question.
 10:19PM 10 THE WITNESS: And I -- and I don't have
 10:19PM 11 to hear the rest of it to refer it to the planner.
 10:19PM 12 MR. DELIA: That's the traffic expert.
 10:19PM 13 THE WITNESS: And a traffic expert.
 10:19PM 14 Correct.
 10:19PM 15 MS. LEVINE: Well, I'm asking how
 10:19PM 16 rentable it would be, not -- not how much traffic
 10:19PM 17 there will be.
 10:19PM 18 CHAIRWOMAN HEMBREE: That's something
 10:19PM 19 to ask the traffic.
 10:19PM 20 THE WITNESS: No, I -- I think those
 10:19PM 21 apartments, in the quality of this town, will be
 10:19PM 22 rentable.
 10:19PM 23 MR. NEWMAN: I don't even think he
 10:19PM 24 testified he was an agent in the office that does the
 10:19PM 25 rentals, so I don't know how he would even know.
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10:19PM 1 MS. LEVINE: I see. Okay. All right.
 10:19PM 2 Thank you.
 10:19PM 3 THE WITNESS: Just to answer your
 10:19PM 4 question, I -- I do know what goes on in my company
 10:19PM 5 and -- and have a pretty good feel for what the
 10:19PM 6 market is.
 10:19PM 7 CHAIRWOMAN HEMBREE: Okay.
 10:19PM 8 MR. MARSON: I just have one -- one
 10:19PM 9 question.
 10:19PM 10 CHAIRWOMAN HEMBREE: We have two
 10:19PM 11 minutes.
 10:19PM 12 MR. NEWMAN: One question. Because so
 10:19PM 13 many people say I just have one question.
 10:19PM 14 MR. MARSON: Yes, just one.
 10:19PM 15 MR. NEWMAN: Go ahead. One simple
 10:19PM 16 question. I have one more question.
 10:19PM 17 One question.
 10:19PM 18 MR. MARSON: Okay. I understand. All
 10:19PM 19 right. Craig Marson, 7 Cricket Lane.
 10:20PM 20 Have you been asked to consider the
 10:20PM 21 economics of not renting individual apartments versus
 10:20PM 22 the rentability of office space, presumably
 10:20PM 23 retrofitted or updated, and giving the economic
 10:20PM 24 impact of both?
 10:20PM 25 THE WITNESS: No.
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10:20PM 1 MR. MARSON: Thank you.
 10:20PM 2 MS. BORRELLI: I'm sorry. One more
 10:20PM 3 question.
 10:20PM 4 CHAIRWOMAN HEMBREE: I thought you
 10:20PM 5 weren't feeling well.
 10:20PM 6 MR. NEWMAN: Again with the one
 10:20PM 7 question.
 10:20PM 8 MS. BORRELLI: No, no. It's very
 10:20PM 9 exciting I came back.
 10:20PM 10 Do you think that a building that size
 10:20PM 11 with the -- I mean, I see a lot of, like, pediatric
 10:20PM 12 medical centers, like, surgi-medical centers popping
 10:20PM 13 up all over.
 10:20PM 14 Do you think that something like that
 10:20PM 15 would -- would suit that building?
 10:20PM 16 THE WITNESS: I haven't looked at use
 10:20PM 17 of the building, but I can tell you that just
 10:20PM 18 specifically your one example, surgical centers,
 10:21PM 19 because I used to own a building in Fort Lee with a
 10:21PM 20 partner where surgical centers, and to get the
 10:21PM 21 licenses and permits have been limited dramatically
 10:21PM 22 in the State of New Jersey.
 10:21PM 23 So use of that building as an office
 10:21PM 24 building versus a residential complex and -- and
 10:21PM 25 units, that's for the developer to make those
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10:21PM 1 judgements.
 10:21PM 2 But certainly from a rental, I see a
 10:21PM 3 value in adding that housing stock to Woodcliff Lake
 10:21PM 4 and to many communities because it gives them an
 10:21PM 5 alternative when somebody can't afford to buy a house
 10:21PM 6 to the question that was asked earlier, if somebody
 10:21PM 7 can't afford to buy a house and still wants to come
 10:21PM 8 back and live in an area because they want to live
 10:21PM 9 near family and parents, we see quite a bit. So, I
 10:21PM 10 don't see the negative of the housing stock.
 10:21PM 11 MS. BORRELLI: Okay. So as a broker,
 10:21PM 12 you seem to be putting a lot of stock on a renter,
 10:21PM 13 all the benefits to the renter, and yet you don't
 10:21PM 14 speak of the benefits to the residents.
 10:21PM 15 THE WITNESS: It benefits the residents
 10:21PM 16 --
 10:21PM 17 MS. BORRELLI: Oh, I'm sorry, that was
 10:21PM 18 one of those part twos.
 10:22PM 19 THE WITNESS: Benefits to the resident
 10:22PM 20 is if somebody were to sell their home and wanted to
 10:22PM 21 stay in a community, they'd now have an option of a
 10:22PM 22 place to rent, which we've seen.
 10:22PM 23 And an example of a divorce, sometimes
 10:22PM 24 either a wife or a husband with kids or partners with
 10:22PM 25 kids, somebody stays in the house and somebody else
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10:22PM 1 wants to be close to their family.
 10:22PM 2 MS. BORRELLI: Right. But for the
 10:22PM 3 people that -- that currently live there or will be
 10:22PM 4 living there have to be contending with the -- with
 10:22PM 5 all of the impacts, various impacts of living next to
 10:22PM 6 such a high-density rental unit, so you don't speak
 10:22PM 7 of the benefit of those people.
 10:22PM 8 THE WITNESS: I guess, I don't know
 10:22PM 9 that it's --
 10:22PM 10 MR. NEWMAN: We -- we -- we are --
 10:22PM 11 MS. BORRELLI: So, basically, what
 10:22PM 12 you're saying is that I should move from my house and
 10:22PM 13 move into one of those apartments.
 10:22PM 14 Thank you.
 10:22PM 15 THE WITNESS: I think we -- if you want
 10:22PM 16 -- if you want testimony come up -- if you want
 10:22PM 17 testimony and you ask me a question I'm happy to
 10:22PM 18 answer it, but please don't put words in my mouth.
 10:22PM 19 MS. BORRELLI: Thank you.
 10:22PM 20 THE WITNESS: Please don't put words in
 10:23PM 21 my mouth.
 22 MR. HAYES: I have a -- just a
 23 piggyback question off of that.
 24 THE WITNESS: Sure.
 25 MR. HAYES: So we've heard more than a
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1 few times now the benefit of somebody who wants to
 10:23PM 2 stay in the town. They get divorced, for example,
 10:23PM 3 they want to be close to their kids, they move in.
 10:23PM 4 Can you enumerate for us what other benefits to
 10:23PM 5 residents there are, other than that single benefit
 10:23PM 6 that we kind of keep hearing be recycled.
 10:23PM 7 THE WITNESS: You also -- well, you
 10:23PM 8 know, you also have people that want to see a town
 10:23PM 9 before they decide to purchase or can't afford to
 10:23PM 10 purchase at this point, so...
 10:23PM 11 MR. HAYES: I mean specifically
 10:23PM 12 benefits to the residents, not benefits, in
 10:23PM 13 general -- existing residents. What benefits to the
 10:23PM 14 existing residents? Does that -- do those apartment
 10:23PM 15 units serve, other than as a place you can go if you
 10:23PM 16 get divorced.
 10:23PM 17 (Laughter.)
 10:23PM 18 THE WITNESS: Well, it's a place -- or
 10:23PM 19 -- or -- or if you financially have to sell your home
 10:23PM 20 and you want to stay in the community because you
 10:23PM 21 have financial difficulties, it gives you an
 22 opportunity to.
 23 MR. HAYES: I understand. And I don't
 24 --
 25

THE WITNESS: So I guess --
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1 MR. HAYES: And I don't mean to make
 10:24PM 2 light of it. I just mean other than you were a
 10:24PM 3 resident and now you're forced to potentially not be
 10:24PM 4 a resident, and now you have a place to go, other
 10:24PM 5 than that type of scenario, in the most abstract
 10:24PM 6 view, what other benefits are there?
 10:24PM 7 THE WITNESS: That I can't answer
 10:24PM 8 because there's apartments that get built in every
 10:24PM 9 town every day, so it's just an increased housing
 10:24PM 10 stock, and it's built in every town -- in -- in -- in
 10:24PM 11 many towns there's apartments that get built as an
 10:24PM 12 alternative style of living, so if somebody wants to
 10:24PM 13 live in a town --
 10:24PM 14 CHAIRWOMAN HEMBREE: I think we're
 10:24PM 15 getting tired. I think we're -- I think we're, you
 10:24PM 16 know, all kind of beating a dead horse at this point.
 10:24PM 17 MR. CABRERA: I agree.
 10:24PM 18 CHAIRWOMAN HEMBREE: Not you, sir.
 10:24PM 19 MR. NEWMAN: Let me -- let me -- let me
 10:24PM 20 make a motion to close to the public.
 10:24PM 21 CHAIRWOMAN HEMBREE: Okay. We can do
 10:24PM 22 that.
 10:24PM 23 MR. NEWMAN: Do I have a second?
 10:24PM 24 MS. EFFRON-MALLEY: I'll second that.
 10:24PM 25 MR. NEWMAN: All in favor?

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10:24PM 1 CHAIRWOMAN HEMBREE: All in favor?
 10:24PM 2 (Whereupon, all Board Members respond
 10:24PM 3 in the affirmative.)
 10:24PM 4 MR. NEWMAN: Okay. Continue.
 10:24PM 5 MR. HAYES: No. I mean, my -- my point
 10:24PM 6 is not -- you understand the point I'm making.
 10:25PM 7 THE WITNESS: I understand the point
 10:25PM 8 but --
 10:25PM 9 MR. HAYES: I mean we're talking about,
 10:25PM 10 you know, a number of different benefits, but
 10:25PM 11 specifically from the viewpoint of current residents
 10:25PM 12 in the town, other than a potential place to go if
 10:25PM 13 you are forced to leave the area, what other benefits
 10:25PM 14 exist to current residents?
 10:25PM 15 THE WITNESS: I honestly can't answer
 10:25PM 16 because I never looked at it from the perspective of
 10:25PM 17 what's a benefit to every homeowner when an
 10:25PM 18 apartment --
 10:25PM 19 MR. HAYES: Any homeowner. Not every
 10:25PM 20 homeowner, but any homeowner.
 10:25PM 21 THE WITNESS: Well, I would ask -- I
 10:25PM 22 would ask the question, and I don't know if I am
 10:25PM 23 permitted to ask you a question, but when an office
 10:25PM 24 building gets built in town, do you go to the same
 10:25PM 25 homeowner and say what's the benefit of having an

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10:25PM 1 office building in the town?
 10:25PM 2 MR. NEWMAN: Not when it's built in a
 10:25PM 3 zone for office buildings.
 10:25PM 4 CHAIRWOMAN HEMBREE: Right.
 10:25PM 5 THE WITNESS: Okay. But does it
 10:25PM 6 benefit each of the homeowners?
 7 MR. SPIRIG: Well, ratables.
 8 MR. NEWMAN: Well, you --
 9 THE WITNESS: Okay.
 10 MR. SPIRIG: The ratables --
 11 THE WITNESS: And I don't know if the
 10:25PM 12 taxes -- are going to be higher or lower on this
 10:25PM 13 property so...
 10:25PM 14 MR. NEWMAN: But the issue here is that
 10:25PM 15 you want a use variance.
 10:25PM 16 THE WITNESS: Well, that's not me, I'm
 10:25PM 17 not the developer, but the point that John just made
 10:25PM 18 it might be minimal tax difference.
 10:26PM 19 So is it a better use than a vacant
 10:26PM 20 office building or an office building that might have
 10:26PM 21 trouble leasing up? I mean, that's a -- that's a
 10:26PM 22 question that a developer makes an assessment on a
 10:26PM 23 piece of property.
 10:26PM 24 MR. HAYES: Well, there you go then,
 10:26PM 25 itself is the benefit. That was an opportunity to

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10:26PM 1 answer the question with the issue of benefits to the
 10:26PM 2 current residents. A vacant office building,
 10:26PM 3 obviously, is not a benefit to the surrounding area.
 10:26PM 4 THE WITNESS: Or other uses that they
 10:26PM 5 could pursue on the property, which could be
 10:26PM 6 anything.
 10:26PM 7 MR. HAYES: Yeah, I don't know, maybe I
 10:26PM 8 just -- maybe I was just was not clear. I thought I
 10:26PM 9 was.
 10:26PM 10 THE WITNESS: No, you were clear, but I
 10:26PM 11 -- I just don't know that's a study that we've done
 10:26PM 12 as to why it's a benefit to a homeowner that lives
 10:26PM 13 across the town if there's apartments in that one
 10:26PM 14 specific spot versus the neighborhood?
 10:26PM 15 MR. HAYES: Well, it doesn't have to be
 10:26PM 16 across the town, it could be --
 10:26PM 17 THE WITNESS: Or any -- anybody.
 10:26PM 18 MR. HAYES: Any homeowner.
 10:26PM 19 THE WITNESS: Any homeowner.
 10:26PM 20 MS. EFFRON-MALLEY: You know what, let
 10:26PM 21 me just jump in on that, because we have a lot of
 10:26PM 22 people in each of these towns who are trying to
 10:26PM 23 downsize, live alone, you know, do I need a
 10:26PM 24 four-bedroom house? If I can stay in town and find
 10:26PM 25 something nice in town that I don't have to take care

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10:26PM 1 of anymore.
 10:26PM 2 THE WITNESS: Where my friends are.
 10:26PM 3 Where my life has been.
 10:26PM 4 MR. HAYES: So it's somewhat of a
 10:26PM 5 primary benefit to find a place within town.
 10:27PM 6 THE WITNESS: Yes.
 10:27PM 7 MS. EFFRON-MALLEY: Yes. You know,
 10:27PM 8 there's a lot of benefit that way to people that are
 10:27PM 9 trying to age in place or age in town.
 10:27PM 10 THE WITNESS: And with the new tax laws
 10:27PM 11 and not being able to deduct property taxes above
 10:27PM 12 \$10,000.00, it's an option for somebody to cut their
 10:27PM 13 living expenses.
 10:27PM 14 MR. HAYES: Okay. You could have
 10:27PM 15 answered the question.
 10:27PM 16 THE WITNESS: Well, I was trying to,
 10:27PM 17 you know, it just -- you know, there are a lot of
 10:27PM 18 reasons, and I talked about property taxes earlier in
 10:27PM 19 the evening, so... and how it affected the
 10:27PM 20 marketplace.
 10:27PM 21 CHAIRWOMAN HEMBREE: Okay. I think
 10:27PM 22 we're finished.
 10:27PM 23 MR. PRINCIOOTTO: Before we close, I
 10:27PM 24 wonder if Richard has any questions.
 10:27PM 25 MR. PREISS: I do not.

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10:27PM 1 Thank you, though.
 10:27PM 2 MR. PRINCIOOTTO: Before we close I have
 10:27PM 3 something to say.
 10:27PM 4 Mr. Oppler was called as a witness with
 10:27PM 5 some expertise in real estate. And there are some
 10:26PM 6 legal concepts with regard to opinion testimony that
 10:26PM 7 experts can give.
 10:26PM 8 Generally experts can give opinion
 10:26PM 9 based upon their background, their training,
 10:26PM 10 education and licenses. It's for the board to
 10:26PM 11 determine what weight, if any, to give to an expert
 10:26PM 12 witness.
 10:26PM 13 In this case, Mr. Oppler is not a
 10:26PM 14 licensed real estate appraiser. He's not qualified
 10:26PM 15 to give opinions on value and has not done so in this
 10:26PM 16 case.
 10:26PM 17 In addition, there is another legal
 10:26PM 18 concept that we call "net opinions," which is giving
 10:26PM 19 an opinion that is not based upon a fact or any
 10:26PM 20 appropriate analysis data.
 10:26PM 21 In this case I think the witness
 10:26PM 22 candidly admitted he didn't conduct any studies, he
 10:26PM 23 didn't review any studies. He noted some generalized
 10:26PM 24 data with regard to other municipalities without
 10:26PM 25 regard to the similarities with this community. He

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10:29PM 1 didn't really look at the plans or the detailed
 10:29PM 2 surrounding areas.
 10:29PM 3 So for those reasons, the board has to
 10:29PM 4 take that opinion testimony into consideration and
 10:29PM 5 decide whether or not to accept it or reject it,
 10:29PM 6 understanding the limitations on the witness'
 10:29PM 7 qualifications and the lack or to the extent of any
 10:29PM 8 factual support for his opinions.
 10:30PM 9 CHAIRWOMAN HEMBREE: So, Mr. Delia, our
 10:30PM 10 next meeting is February 26th, correct? It's on my
 10:30PM 11 list.
 10:30PM 12 MR. DELIA: Okay. We'll be here.
 10:30PM 13 CHAIRWOMAN HEMBREE: And your witness
 10:30PM 14 will be --
 10:30PM 15 MR. DELIA: Louis Luglio, our traffic
 10:30PM 16 expert.
 10:30PM 17 CHAIRWOMAN HEMBREE: -- the traffic
 10:30PM 18 expert, who will also testify about the traffic?
 10:30PM 19 MR. DELIA: Yes, yes.
 10:30PM 20 I will have Matt Clark back, our
 10:30PM 21 engineer, as well.
 10:30PM 22 CHAIRWOMAN HEMBREE: Matt Clark.
 10:30PM 23 MR. DELIA: Between the two of them we
 10:30PM 24 will clean up any issues as it pertains to traffic or
 10:30PM 25 fire safety.

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10:30PM 1 CHAIRWOMAN HEMBREE: Yes, sir.
 2 MR. NEWMAN: What about the planner?
 3 MR. DELIA: He's here. He'll be here.
 4 CHAIRWOMAN HEMBREE: Mr. Preiss has a
 5 question for you.
 6 MR. PREISS: Mr. Luglio prepared a
 7 report and, if so, is it something that he could
 8 submit to Mr. Intindola before the testimony?
 10:30PM 9 MR. DELIA: We have -- we have ITE
 10:30PM 10 counts. I will get that to Mr. Intindola. Matter of
 10:30PM 11 fact, what I can do right now, Mr. Intindola, is give
 10:31PM 12 you what we plan to use as a hand-out.
 10:31PM 13 I will get both side's copied to you,
 10:31PM 14 and also get both side's copies to the board well in
 10:31PM 15 advance of the ten days prior to the next meeting.
 10:31PM 16 We'll get you a full set of presentation materials
 10:31PM 17 that I plan on using next time.
 18 (Whereupon, Vehicle Trips Exhibit
 19 (Louis Luglio, P.E.) is received and marked as
 20 Exhibit A-9 for identification.)
 21 (Whereupon, Fire Truck Movement Exhibit
 22 (Louis Luglio, P.E.) is received and marked as
 23 Exhibit A-10 for identification.)
 24 (Whereupon, FD-1 Exhibit (MCB
 25 Engineering.) is received and marked as

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10:32PM 1 MR. NEWMAN: We had asked for some data
 10:32PM 2 on different zones and density.
 10:32PM 3 MR. DELIA: Yes.
 10:32PM 4 You mentioned that at the beginning of
 10:32PM 5 the meeting.
 10:32PM 6 MR. NEWMAN: Yes.
 10:32PM 7 MR. DELIA: I told you we're working on
 10:32PM 8 that and we'll present that with our planner.
 10:32PM 9 MR. NEWMAN: Will we have it for the
 10:32PM 10 next meeting?
 10:32PM 11 MR. DELIA: Yes, I expect to have it.
 10:32PM 12 MR. NEWMAN: Okay. Motion to close.
 10:32PM 13 CHAIRWOMAN HEMBREE: Thank you.
 14 All in favor?
 15 (Whereupon, all Board Members respond
 16 in the affirmative.)
 17 (Whereupon, this matter is continuing
 18 at a future date. Time noted 19:32 p.m.)

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10:31PM 1 Exhibit A-11 for identification.)
 10:31PM 2 CHAIRWOMAN HEMBREE: Okay.
 10:31PM 3 MR. PREISS: I think that will help
 10:31PM 4 expedite things.
 10:31PM 5 MR. DELIA: Yes.
 10:31PM 6 MR. NEGLIA: And the fire truck turning
 10:31PM 7 --
 10:31PM 8 MR. DELIA: Oh, yes, I have that here,
 10:31PM 9 too. I'm sorry.
 10:31PM 10 MR. SPIRIG: Does anybody knows if the
 10:31PM 11 fire department responded to your e-mail?
 10:31PM 12 MR. DELIA: Yes, yes.
 10:31PM 13 MR. SPIRIG: They did?
 10:31PM 14 MR. DELIA: Yes.
 10:31PM 15 CHAIRWOMAN HEMBREE: We have something
 10:31PM 16 in our packet about that.
 10:31PM 17 MR. SPIRIG: It's in our packet?
 10:31PM 18 MR. DELIA: Okay. So that's
 10:31PM 19 February 26, 7:30, in this room.
 10:31PM 20 Thank you.
 10:31PM 21 CHAIRWOMAN HEMBREE: May I have a
 10:31PM 22 motion to adjourn?
 10:31PM 23 MR. NEWMAN: I have one more question
 10:31PM 24 for the attorney.
 10:32PM 25 CHAIRWOMAN HEMBREE: Okay.

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1 **CERTIFICATE**
 2
 3
 4 I, LAURA A. CARUCCI, C.C.R., R.P.R., a Notary
 5 Public of the State of New Jersey, Notary ID.
 #50094914, Certified Court Reporter of the State of
 6 New Jersey, and a Registered Professional Reporter,
 7 hereby certify that the foregoing is a verbatim
 8 record of the testimony provided under oath before
 9 any court, referee, board, commission or other body
 10 created by statute of the State of New Jersey.
 11 I am not related to the parties
 12 involved in this action; I have no financial
 13 interest, nor am I related to an agent of or employed
 14 by anyone with a financial interest in the outcome of
 15 this action.
 16 This transcript complies with
 17 regulation 13:43-5.9 of the New Jersey Administrative
 18 Code.
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