

TOWNSHIP OF MANALAPAN
BOARD OF ADJUSTMENT

IN THE MATTER OF:

SCI NEW JERSEY FUNERAL
SERVICES, dba BLOOMFIELD,
Block 37, Lot 1&2

ORIGINAL

120 Route 522
Manalapan, New Jersey
Thursday March 2, 2023
7:45 p.m.

B E F O R E:

Steve Leviton, Chairman
Robert Gregowicz, Vice Chairman
Terry Rosenthal, Member
Robert DiTota, Member
David Schertz, Member
Joshua Shalika, Member
Basil Mantagas, Alt #1
Daniel Pochopin, Alt #2
Michael Wechsler, Alt #3

LINDA SULLIVAN-HILL & ASSOCIATES
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APPEARANCES:

MARMERO LAW
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Woodbury, New Jersey 08096
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Attorneys for the Board

SONNENBLICK, MEHR & LICATA, ESQS.
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BY: PETER G. LICATA, ESQ.
Attorneys for the Applicant

ALSO PRESENT:

Janice Moench, Recording Secretary
Brian Boccanfuso, Engineer
Sam Avakian, Planner

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1 MR. LEVITON: Mr. Marmero, before we
2 call for the first and only public hearing this
3 evening, would you swear in our professionals.

4 MR. MARMERO: Absolutely, Mr.
5 Chairman.

6 (Professionals sworn by the attorney,
7 Mr. Marmero.)

8 MR. LEVITON: Board, you're looking
9 at Mr. Sam Avakian from the Avakian firm. And he's
10 here representing Jen's interests this evening.
11 He'll be speaking to the report she wrote.

12 Brian, the last time we were here,
13 you characterized your input as subsidiary, for lack
14 of a better word. But tonight there's an LOI, an
15 ESA, an HAP, an EIS, a stormwater management plan
16 and traffic analysis. I hope you had a good dinner.

17 MR. BOCCANFUSO: It's quite the
18 alphabet soup, isn't it, Mr. Chairman.

19 MR. LEVITON: Yeah, it is.

20 MR. BOCCANFUSO: Well, you'll be
21 happy to know we've reviewed it all, addressed it in
22 our report, and as I'm sure you're going to hear
23 from the applicant and their team, a lot of the
24 items from our report have been addressed.

25 MR. LEVITON: That's fabulous. Okay.

1 So, speaking of the applicant. The application
2 number is 2209 and the applicant is SCI New Jersey
3 Funeral Services, doing business as
4 Bloomfield-Cooper. And they're here regarding the
5 construction of a new building. They're requesting
6 preliminary and major final site plan and a use
7 variance. And on behalf, the board recognizes from
8 the professional corporation of Sonnenblick, Mehr &
9 Licata the esteemed Mr. Licata. We also see the
10 principal and president of Engineering Consultant
11 Company; is that right, Mr. Ploskonka?

12 MR. PLOSKONKA: Correct.

13 MR. LEVITON: And Mr. Halari, welcome
14 back. Mr. Licata, we accept their credentials.
15 They appeared before this board many times. And
16 there's no need to go over them.

17 MR. LICATA: Thank you very much,
18 Mr. Chairman. Good evening, Mr. Chairman, members
19 of the board, professionals and staff. Peter Licata
20 on behalf of the applicant.

21 We're here to present to you what is
22 proposed to be the phased replacement of the
23 existing funeral home facility, which has been
24 operating since the early 1990s, with a more modern
25 facility and expanded facility. It is a project

1 that is taking shape over several months. I think
2 we had three separate informal conferences with the
3 board's professionals, and they were kind enough to
4 indulge us to review our thoughts at various stages
5 to address review comments.

6 Our first witness is actually going
7 to be Michael Steffaro, who has oversight
8 responsibility for this location, as well as others
9 of the applicant in this geographic region. After
10 he talks about how the funeral home runs now and how
11 they would propose to see that evolve, we'll bring
12 up Mr. Ploskonka to review the site details and the
13 more technical aspects of the design.

14 We have our architect here, if
15 necessary, for questions. The visual exhibits were
16 submitted some time ago, and unless board members
17 have questions or require further explanation, we
18 don't intend on calling him.

19 Then there'll be Mr. Rea. Mr. Rea
20 will speak principally to traffic and parking and
21 particularly with regard to the phasing and how
22 phasing works with parking and visitors and
23 families; really that's going to be the crux of his
24 testimony. And then lastly, Ms. Coffin will come up
25 and testify as to the variance relief. Thank you.

1 MR. LEVITON: You're welcome.

2 Welcome, sir.

3 MICHAEL STEFFARO, sworn by attorney.

4 MR. MARMERO: Could you state your
5 name for the record, please.

6 MR. STEFFARO: Michael Steffaro.

7 MR. MARMERO: How do we spell the
8 last name, sir.

9 MR. STEFFARO: S-T-E-F-F-A-R-O.

10 MR. LICATA: Thank you.

11 EXAMINATION BY MR. LICATA:

12 Q Michael, how long have you been in
13 the funeral industry?

14 A I've been in the funeral industry
15 since 1994, approximately.

16 Q And during that time, just generally,
17 where have you worked and what positions have you
18 held?

19 A I started out as a intern in
20 Arlington, Virginia, served my internship there, got
21 licensed as a funeral director. Thank God, met my
22 wife, moved to New Jersey in 1996. Served as a
23 funeral director in Sayreville for Maliszewski
24 Funeral Home, then moved to Gutterman & Musicant in
25 Hackensack as a licensed funeral director there. I

1 was there for a few years as a licensed funeral
2 director. Then luckily was asked to take on the
3 responsibility to manage Bernheim-Apter-Kreitzman
4 Funeral Home in Livingston, a relatively brand new
5 funeral home at the time. I was there for
6 approximately three years in that role. And then
7 asked to manage the Jewish funeral homes that our
8 company owned in New Jersey and a couple of them
9 that we had had responsibility for in New York. And
10 then in 2007 I moved into the current role of which
11 I'm in now as what's called the market director.
12 So, I'm responsible for all the funeral homes that
13 our company has ownership of in the State of New
14 Jersey.

15 Q And so, is that from 2007 to the
16 present?

17 A Correct.

18 Q And that would include this facility?

19 A That's correct.

20 Q Okay. In terms of your title, what
21 oversight functions, you know, fall within your
22 realm?

23 A So, as a market director, your
24 responsibilities are, you know, financial
25 responsibilities for the success of the funeral

1 homes themselves. A lot of my time is spent with
2 dealing with associates, with employees. And
3 handling their -- what's going on in their workload
4 and making sure that we have the right number of
5 people to serve the families we have. We employ
6 about 287 people throughout the State.

7 Q And at the Bloomfield-Cooper location
8 on Wilson Avenue, how many people do you employ
9 there?

10 A We have nine, nine people.

11 Q Can you kind of break them down by
12 what they do?

13 A So, one of the people that's very
14 important to the location is the person who's
15 running that location, the location manager. We
16 have someone who's an office manager. Normally, the
17 location manager is also a funeral director. We
18 have, I believe, four funeral directors that work at
19 that location. And we have some people in the
20 community to help out on funerals as well. And then
21 we have one person designated to educate people
22 about pre-planning their funerals ahead of time.

23 Q And there are no cremation facilities
24 at the current building, correct?

25 A No.

1 Q Go ahead.

2 A No cremations. In fact, you know,
3 funeral homes cannot have a crematory on their
4 property or be anywhere associated with them.

5 Q So, naturally, none is proposed as
6 part of this application?

7 A Correct. That is correct.

8 Q And what are the days of operation?

9 A We operate seven days a week.

10 Normally, hours of operation are from eight o'clock
11 to six. There is some activity, of course, that
12 goes on at night, depending on what's going on in
13 the community. We also have people who would be
14 coming into the funeral home to sit with the family,
15 sit with the deceased over time, if necessary, as
16 prescribed by the faith.

17 Q And typically speaking, during the
18 years, and specifically years not affected by Covid,
19 you know, how many services or families do you
20 service a year and how does that kind of break out,
21 you know, through -- by way of what's a regular --

22 A Right.

23 Q -- volume? Your peak volume?

24 A So, we normally serve anywhere from
25 about 310 to 340 families in a given year. We serve

1 them traditionally. Most of them are of the
2 traditionally Jewish faith at the funeral home. So,
3 the majority of them are following the traditions
4 that are outlined by their faith.

5 Q Now, of those families, do all or --
6 what portion of the families will have memorial
7 services at this location versus, say, at this
8 location and at a grave site or only at a grave
9 site?

10 A So, traditionally, you know, the
11 normal service would have been, you come to the
12 chapel, families come to the chapel a little bit
13 prior to the actual service. They come into the
14 funeral home and they proceed from the funeral home
15 to the cemetery. Due to time constraints and other
16 factors, there are other services that people take
17 with us as well. And that's where they bypass the
18 chapel service, bypass using the funeral home for
19 the actual service and they go directly to the
20 cemetery. With -- they call that a graveside
21 service. We would -- I would say that it's about
22 half the families, anywhere from 140 to 160 families
23 actually choose to be in our funeral home, and the
24 remainder we would have services at, directly at the
25 cemetery.

1 Q And not here first?

2 A Not, not really coming into the
3 funeral home at all except for caring for the
4 remains in our building. But no visitors, no one --
5 not a large service, if that makes sense.

6 Q Right. Okay. And, now, the current
7 facility has one chapel?

8 A Yes.

9 Q And as you mentioned, based on
10 tradition and also tradition impacting the operation
11 or the operable hours for the gravesite services,
12 how does that result in the scheduling of services
13 during the course of a day?

14 A So, depending on what cemetery
15 families ultimately own property in, kind of
16 dictates a lot of the choices that they have to make
17 in our funeral home. Based on where we are and
18 where the cemeteries actually are. So, we're very
19 limited to only be able to have three chapel
20 services a day in our current facility. We would
21 have a nine o'clock service, an 11 o'clock service
22 and one o'clock service.

23 Now, if a family chose to have a cremation
24 and a memorial service, we could, of course,
25 accommodate a memorial service later on in the

1 afternoon simply because there's no need for that
2 family to move from the funeral home to the
3 cemetery. But it really -- a ton of it depends on
4 what cemetery people actually own property in. A
5 large percentage of the people we serve in the
6 community of Manalapan actually own cemetery
7 property in Long Island. So, that's quite a
8 distance, any of you had to drive to Long Island,
9 especially in the middle of the day out to
10 Farmingdale, I believe, is the town in Long Island.
11 We're limited to only really having nine o'clock
12 chapel service for that family, because by the time
13 they get out to Farmingdale, it's well into that
14 afternoon time frame, so.

15 Q So, then, again, based on your
16 operations and the traditions that are adhered to,
17 you could, in effect, at a maximum have four
18 services a day?

19 A Correct.

20 Q Okay. And how would that compare
21 with the proposed facility with the two chapels?
22 How do you plan on running your services, and why
23 two chapels, and what does it mean for your business
24 and for the community you serve to have the two
25 chapels?

1 A Absolutely. So, I guess, one of
2 them, absolute advantages of trying to create this,
3 to help serve the community, is having two chapels
4 would give us the opportunity to still provide very
5 focused service on the families, but having services
6 on the break in between. So, if we currently can
7 only do a service at 9, 11 and one, now we could do
8 a service at 9, 10, 11, 12 and one. So, we would
9 gain two chapel services to be able to serve two
10 more families. And why that's important to us is,
11 where it's natural that some people want to choose
12 just to have the funeral services at the cemetery,
13 not everybody wants that. The faith that most of
14 the families are following are encouraging services
15 to happen very quickly. So, it's not like we have
16 five or six days to wait till the chapel opens up.
17 By faith, the idea is, you want to have the burial
18 as quickly as possible, if possible. Right.

19 So, most circumstances will happen where
20 families that might not be super, super religious,
21 they may wait a day or they may wait two days. But
22 families that are very, very observant in their
23 faith, they're going to have that funeral almost
24 immediately, to the point where someone could pass
25 away at two o'clock in the morning, and have the

1 funeral at 11 o'clock that same day.

2 So, that's -- so, it's important that we're
3 able to help provide services where people don't
4 have to make a decision, oh, your chapel's busy, so
5 we can't actually have our service here. So, we're
6 kind of forced to just go to the cemetery. So,
7 that's kind of the real purpose of trying to be able
8 to help serve with two different chapels.

9 Q And would you envision two services
10 happening simultaneously?

11 A No.

12 Q And explain to us how that works and
13 why not?

14 A I'm not sure if anyone's ever been to
15 our funeral home or not, but the intent of all of
16 our funeral homes is when families come into our
17 facility, we want to give them full attention. And
18 we don't want to be focused on two different
19 families at once. Sometimes people will come in
20 while one family service is going on. But we really
21 want that service, that time, to be something that
22 they remember, that they remember that they didn't
23 have to be rushed through or interrupted by someone
24 else that's in the room. So, we really want to
25 focus on creating that environment where they have

1 the time to make sure that they could gather as a
2 family, meet some friends as they come prior to that
3 service, have a service led by the rabbi, and then
4 leave in procession to the cemetery, without other
5 people being in there, in their way, if that makes
6 sense.

7 Q No, it does. So, what I'm hearing is
8 that you have more times to offer families. And
9 also, I imagine, by having the two chapels, you're
10 not kind of limited where you have to change the
11 arrangements inside one chapel to accommodate a
12 different size --

13 A Right.

14 Q -- of attendees. You can stage the
15 chapels independently of each other, without having
16 to take time to take it apart and put it back
17 together, basically?

18 A That's correct. If we looked at the
19 some of the plans, it actually is built to really
20 help us be able to accomplish that process.

21 Q And how do you manage the arrival of
22 the family and then the attendees and then the
23 departure of the attendees and the family and then
24 the arrival of the families and the attendees for
25 the next service? I imagine you do some staggering,

1 some direction, so I think the board would be
2 interested to hear about that.

3 A So, I'll kind of walk through a
4 scenario if there's a nine o'clock chapel service,
5 we would ask the family, the immediate family, to
6 arrive at our funeral home at eight o'clock. This
7 way we have some time to spend with them so we can
8 discuss a few of the items that may happen and also
9 enables them to be there prior to family and friends
10 starting to arrive.

11 Family and friends will arrive from eight
12 o'clock to nine o'clock. Nine o'clock exactly, the
13 service will start. Services are normally 45
14 minutes. Takes about 15 to 20 minutes to have
15 everyone kind of get to their cars and get out into
16 procession or to directly go right out to the
17 cemetery. So, that allows that next family to come
18 in without kind of missing a beat. So, if we had a
19 eight o'clock family in, nine o'clock service, by
20 ten o'clock, the funeral home's empty, next family
21 could come in and so on.

22 Q And do you use employees to direct
23 people leaving and coming in their vehicles? Do you
24 station them outside to direct the traffic?

25 A If it's necessary. You know, not all

1 funerals are super large. I mean, I think we did
2 kind of a study, I think, over a period of time.
3 Some of the services, you know, you may have, you
4 know, maybe 20, 25 cars. I think we had a really
5 unfortunate service for a young person in the fall
6 and we had, you know, a hundred and some cars at
7 that funeral. So, that service we needed to make
8 sure that we provided some guidance to the cars.
9 But on a traditional service, you know, we also try
10 to give out directions so the families could make
11 their way to their cemetery, give them GPS
12 coordinates, because, unfortunately, one of things,
13 especially driving to New Jersey, trying to keep
14 funeral processions together, is not the easiest
15 thing in the world to do.

16 Q Right. So, as part of the phasing,
17 you would propose to keep the existing building
18 operational until the new building and the parking
19 that is directly adjacent to that new building is
20 completed and certified with a CO and permitted to
21 be used; is that correct?

22 A That's correct. Mainly, just so that
23 we could still seamlessly serve the community, we
24 felt that was, if possible, the best thing to do.

25 Q And as part of that design, is it --

1 am I correct in understanding that until the sec --
2 I'm sorry -- until the original building is taken
3 down, and where that building now stands, a
4 additional parking area is completed, you would only
5 use one of the two chapels in the new building; is
6 that correct?

7 A Yes. You know, based on needing to
8 be able to provide the proper amount of parking for
9 families and making sure they're not inconvenienced,
10 without question, we would most likely use the
11 chapel where the parking lot will be built --

12 Q So, as --

13 A -- on the right-hand side.

14 Q Yeah, as you said on the right-hand
15 side, looking at the big viewing screen above us
16 where the building is, it would be the portion of
17 the building that is -- yeah, right that abuts that
18 parking lot?

19 A So, that chapel right there.

20 Q That chapel there. Okay. And there
21 is, behind that portion of the building, there is a
22 smaller detached building that -- what is that? Do
23 you see a dimension there of about 12 feet, I think
24 it's --

25 A That --

1 Q Yeah, go ahead.

2 A We wanted to make sure if we're going
3 to be building a funeral home, that we have a place
4 for Kohen to be able to at least be under and
5 protected from the elements. And we'd have a
6 television view of what's going on in the service so
7 that they have an actual building.

8 I'm not sure if you're familiar but a Kohen
9 should not be under the same roofline as a decedent.
10 So, often, some of the funeral homes may have a
11 portion of their funeral home that's built where
12 it's under a different roofline, but we felt it
13 probably be best just to carve out a piece of the --
14 right behind the chapel and they'd have their own
15 entrance and they could be able to see the service
16 and not worry about the weather, if that makes
17 sense.

18 Q And once the new building is up and
19 running, is it your company's plan to quickly move
20 forward with the demolition of the old building?

21 A Absolutely. Especially if we're only
22 able to use one chapel while we're waiting for that
23 parking lot to be built, we would want to be able to
24 really utilize the building as intended, as quickly
25 as possible. So that we would look to demolish that

1 existing building, make sure that, number one, for
2 appearances and, number two, so we could finish the
3 project and move on.

4 Q And have you spoken to construction
5 companies about a timeline and what factors would
6 impact the timeline so you could have an
7 understanding and, even if required, make a
8 commitment in terms of the time that would be
9 allotted to you to demolish that existing building
10 once the new building is completed and available for
11 use?

12 A I reached out to one builder just to
13 drive by, you know, because, of course, we'd have to
14 do some bidding and all that, but I wanted him to
15 take a look at the existing building and to kind of
16 see what the proposed parking lot was that would
17 replace where that existing building was. He was --
18 he seemed very earnest in, you know, I guess, trying
19 to say that we could do it quickly. So, I think he
20 had shared with us that they could do that in 45 to
21 60 days. And I think we felt that that might be a
22 little, little faster than what would be
23 anticipated. So, I believe some of the
24 professionals felt that it might take a little bit
25 longer than that. But I think the important piece

1 that we'd be willing to do is whatever reassurance
2 that we would need to make, I believe, to let you
3 know that that is truly our intent to take this
4 building down, we would certainly be willing to make
5 sure that is clearly stipulated, there's no intent
6 whatsoever to keep that building standing,
7 especially if it's not going to be used.

8 Q Right. So, in terms of a timeline,
9 in terms of a conservative timeline where you would
10 feel that you would be more than safe or comfortable
11 in meeting, what was your thoughts there?

12 A I think that anywhere from 90 to 120
13 days, I believe. I mean, we would be pushing, of
14 course, to be faster. I think to be fair for the
15 board to have at least a good judgment call on it, I
16 would say 90 to 120 days.

17 Q Okay. As a deadline. And you also
18 mentioned, you know, commitments and security, since
19 we're asking for variance relief, the board may wish
20 to consider other conditions that relate to the
21 demolition of that building. And there are a couple
22 of general ways that that can be dealt with. I
23 think one way you discussed was possibly a temporary
24 CO for the new building, which would be subject to
25 revocation and a direct order to cease if the new

1 building were not torn down by the deadline.

2 As I think you've also discussed with your
3 professionals that when towns are required to
4 undertake work on someone else's property, for
5 instance, maintenance and other things that the
6 owners have failed to do themselves, the town
7 costs -- incurs costs and they can either have that
8 work performed and impose a lien like taxes or a
9 lien on the property, and that that lien carries a
10 significantly higher rate of interest than is
11 available at banks. And then, of course, there's
12 always performance guarantees for general
13 improvements and the like. So, the board may, you
14 know, be considering those kind of conditions,
15 assuming it were to act favorably on this
16 application, and you understand?

17 A Yeah, I truly, I believe, with our
18 intent of knowing what our plans are, whatever
19 condition, I think that we could certainly discuss
20 and agree to.

21 MR. LICATA: Okay. Mr. Chairman, I
22 would make this witness available for questions by
23 the board's professionals at this point.

24 MR. LEVITON: Thank you, Mr. Licata.
25 We're going to ask you to stay, Mr. Steffaro,

1 because we're going to let Mr. Licata put on his
2 entire affirmative case, then we'll go out to the
3 professionals and to the board.

4 MR. LICATA: Excellent. Thank you.

5 MR. LEVITON: Thank you, sir.

6 MR. LICATA: I would like to call
7 John Ploskonka, our project engineer.

8 John, I know your credentials have
9 been acknowledged, but I think you still need to be
10 sworn.

11 JOHN PLOSKONKA, sworn by the attorney.

12 MR. PLOSKONKA: John Ploskonka,
13 P-L-O-S-K-O-N-K-A, Manalapan, New Jersey.

14 MR. LEVITON: Welcome back,
15 Mr. Ploskonka.

16 MR. PLOSKONKA: Thank you,
17 Mr. Chairman.

18 EXAMINATION BY MR. LICATA:

19 Q John, could you give the board an
20 overview of the design as it's presented tonight?

21 A I know we have photos on the screen.
22 I'm an old fashioned guy, I also have these for the
23 board members. If they could see easier, or they
24 can look at the screen. If you want to pass these
25 out.

1 Q Sure, I'll be happy to.

2 A They could use.

3 Q And these have been premarked, I
4 understand?

5 A Yes. This is -- let's do one at a
6 time.

7 Q With the board secretary.

8 A Yeah. The first one is the existing
9 conditions map with the survey.

10 Q That's also what's up on the video
11 screen now?

12 A Correct.

13 MS. MOENCH: That's A-1, right
14 existing conditions.

15 MR. PLOSKONKA: Exhibit A-1.

16 (The Existing conditions map was
17 marked as A-1 for identification.)

18 (Off the record.)

19 A You're looking at two lots. Lot one
20 is the lot to the left with the existing funeral
21 home that's been there for about 30 years, with the
22 associated parking behind it and to the north, to
23 the top of the screen. So, that's the existing
24 facility that would be demolished prior to using the
25 second chapel in the new building.

1 The second lot is a wooded lot that the
2 company purchased a few years ago, and that's lot
3 number two, which is completely wooded. And it's
4 also constrained by wetlands and wetlands buffers on
5 the northerly end where the cursor is showing right
6 now. So, we have that constraint with this property
7 that has to be analyzed in our design. And we've
8 then done that in the next slide, which is the
9 proposed plan.

10 MS. MOENCH: A-2 is proposed,
11 correct?

12 MR. PLOSKONKA: A-2, right.

13 (The Proposed plan was marked as A-2
14 for identification.)

15 A A-2 shows an overview of the entire
16 project as proposed, where you see the two lots
17 being combined, lots one and two. You see the
18 parking up at the northwesterly corner remaining.
19 The parking lot in front of it is where the building
20 used to be, that's coming down, and then the new
21 chapel with the new building with two chapels is in
22 the, basically, center of the property. And then to
23 the right is additional parking and stormwater
24 management is shown next to Mount Avenue in blue as
25 also next to Wilson Avenue, which is on the left,

1 which is existing stormwater right now, but it's
2 being increased because of the need to meet the DEP
3 requirements.

4 So, as you look at this plan, you see access
5 from Burke Street next to the detention facility
6 into the parking lot and into the building. And you
7 see another access, ingress or egress, off of Wilson
8 Avenue, which has been there for 30 years, which
9 remains. So, the intent here is to create this new
10 building and the parking to the right of the
11 building and keep the parking next to Wilson Avenue,
12 demolish the building that's there and then add and
13 modify the parking in that, that vicinity.

14 Mount Avenue, which is to our right, is a
15 paper street, it's 50 foot wide, it's wooded and
16 it's not being touched at all. And you can see the
17 area between the parking lot and the northerly
18 property line is the area that's -- has been defined
19 by DEP as wetlands, with a wetlands buffer. And
20 we're honoring that and we're not utilizing any of
21 that property, based on the DEP requirements, unless
22 we have a permit to do some slight modifications
23 which is allowed under the law.

24 So, the intent is to construct the new
25 building on the 4.4 acres in the center and to have

1 the building look aesthetically pleasing, as you can
2 see from the architectural rendering on the easel.
3 I think that's one of the slides you have also, the
4 architectural with the --

5 MS. MOENCH: The board has them.

6 A So, the new facility will have new
7 landscaping and lighting. Two new signs that
8 conform to the sign ordinance. A stormwater
9 management system, which I've outlined before, with
10 the two detention basins. New paving, curbing and
11 site amenities. And two driveway ingresses and
12 egress to the property.

13 Q Will it also have the required EV
14 charging spaces?

15 A It would have 115 parking spaces,
16 three EV spaces provided for electric vehicles and
17 it would have parking spaces that are, basically,
18 ten by 18, which are wider than the normal ones
19 you'd have for many places. Most of them are nine
20 by 18, but we're going ten by 18, make it easier for
21 bigger vehicles; 80 of them are that. And 30 are
22 the nine by 18, like for the employees, et cetera.
23 And there's 115 parking spaces when the project is
24 built out for the entire site.

25 There's variances required, because of that

1 wetlands area, we're closer to Burke Street to make
2 the project work, so where the front yard of the
3 building is normally 75 feet, we have a 75 --
4 50-foot front setback to the property line. So,
5 it's about 60 feet to the street. And the parking
6 area in front on both sides is 26 feet from the
7 property line versus 50 feet required. These are
8 two bulk requirements because of the condition of
9 the wetlands in the back.

10 We don't have landscape plantings on the
11 southerly side of the building, because that's where
12 the driveways are and the access, so that's another
13 variance. And we have two ground signs to make it
14 easier for people to find the location, as opposed
15 to one, that's a required variance also.

16 The signs are internally illuminated.
17 They'll be on timers but they will be provided,
18 that's another variance we need. And I think
19 that's --

20 Q The signs, those free standing signs,
21 will be set back the required distances by
22 ordinance?

23 A Correct. Correct. And we've agreed,
24 we looked at the report from CME, that we would
25 provide -- have the lots consolidated, one and two

1 consolidated, if the board was favorable on the
2 application. And we would provide an FAR breakdown,
3 which I think is now on sheet number five. We said
4 there's no cremations on the site and no cremations
5 proposed. And there's no basement in this building,
6 just because of the high water table and the
7 wetlands behind us.

8 We also would provide any type of safety
9 measures that the board engineer thought was
10 appropriate during construction of the building and
11 the interchange between using the existing chapel
12 and working our way into the new facility. We have
13 looked at the stormwater and we're meeting the
14 requirements of the stormwater management ordinance.
15 And we're conforming to the environmental
16 recommendations of the environmental commission that
17 they put forth in their report, except for the
18 solar, but everything else we're going to meet. We
19 also have many shade trees and we have plants,
20 probably 50 or 60 trees being planted, and about
21 maybe a couple hundred plants that's on the
22 landscape plan.

23 Q In terms of sidewalk, what is being
24 proposed?

25 A We have sidewalk on Burke Street.

1 Q Does that connect to some existing
2 sidewalk off property?

3 A Yes, it will connect to the sidewalk
4 from the two family homes to the east.

5 Q But none is proposed along Wilson
6 Avenue, given the nature of that?

7 A No, there's no sidewalk on Wilson
8 Avenue at all, so no sidewalk proposed.

9 Q But the applicant would make the
10 required sidewalk fund contribution?

11 A That's correct.

12 Q I know -- with regard to the CME
13 report, are there any recommendations or
14 clarifications requested in it that the applicant is
15 not prepared to satisfy?

16 A No, we've complied with most of them
17 to date. And whatever is left over, we agree to
18 comply with.

19 MR. LICATA: Thank you, John.

20 MR. PLOSKONKA: You're welcome.

21 MR. LEVITON: Thank you,
22 Mr. Ploskonka. Mr. Licata, you can continue, and of
23 course.

24 MR. LICATA: Thank you.

25 MR. LEVITON: The board recognizes

1 the credentials of Mr. Rea and Ms. Coffin as well.

2 MR. LICATA: Thank you, Mr. Chairman.

3 Good evening, John.

4 MR. REA: Good evening.

5 JOHN REA, sworn by the attorney.

6 MR. MARMERO: Can you state your name
7 for the record, please?

8 MR. REA: John Rea, R-E-A.

9 MR. LEVITON: Welcome back, Mr. Rea.

10 MR. REA: Thank you.

11 EXAMINATION BY MR. LICATA:

12 Q John, can you tell the board what
13 you've studied and what analysis has resulted from
14 your studies?

15 A There are two traffic studies that
16 the board has receipt of and that your experts have
17 reviewed. The first study is dated July 15, 2022,
18 and it was based on the testimony that Mr. Steffaro
19 gave this evening regarding the typical operation of
20 the funeral home, when the services are held, how
21 long they last. And, basically, I studied the peak
22 hours that were more typical of what happens at the
23 facility. And that would be a service starting at
24 11 o'clock, ending at 12 noon. And so, we studied
25 that particular peak hour with respect to traffic

1 exiting from the funeral home and what impact it
2 would have on the intersection of Burke Street and
3 Wilson Avenue. And we ran the traffic out to a
4 design year of 2025 -- or 2026, including background
5 traffic growth, with a finding that exiting
6 movements from Burke Street to Wilson Avenue during
7 that peak hour when the service ends, would operate
8 at level of service B. I think the board's heard
9 traffic testimony before. I know a lot of you have.
10 Level of service B is a very good and acceptable
11 level of service.

12 So, the first analysis I did, indicated that
13 the way that the funeral home is generally run and
14 with the way things are normally done, we can still
15 have acceptable operating conditions at the
16 intersection of Burke and Wilson after the expansion
17 is finished.

18 Subsequently, we discussed, and it came out
19 in a review from Mr. Boccanfuso's firm regarding
20 traffic, what would happen if services were held
21 later in the afternoon and coincided with heavier
22 traffic volumes on Wilson Avenue later in the
23 afternoon, not between 12 and one, but maybe between
24 three and five in the afternoon. So, what we did in
25 order to respond to that issue is, we looked at a

1 worst case scenario, we installed an automatic
2 traffic recorder across Wilson Avenue. This was
3 done in September of 2022. And we prepared a
4 supplemental traffic analysis, which is dated
5 October 10, 2022, which looked at the possibility of
6 services being held in the small chapel that would
7 end at three o'clock in the afternoon and services
8 being held in the large chapel, I want to make sure
9 I get these numbers right, services would be held in
10 the smaller chapel running from one p.m. to three
11 p.m. and there would be a service in the larger
12 chapel that would run until four p.m., offset by an
13 hour. And what we assumed was that all of the
14 parking spaces that would be required for the
15 service at the larger chapel, which would be 63
16 parking spaces on the right side of the new
17 expansion, every parking space would be full. And
18 we also assumed that 50 percent of the attendees at
19 the service at the smaller chapel, which ended at
20 three o'clock, would still be lingering behind,
21 probably not going to be the case, but again I
22 wanted to take a look at a worst case scenario, we
23 assumed that 50 percent of the service that ended at
24 three clock in the smaller chapel, that parking lot
25 holds 48 cars, we assumed there were 48 cars in the

1 parking lot, 24 of them were left an hour after the
2 service ended, and all of those vehicles exited the
3 site at the same time the vehicles from the larger
4 chapel exited the site. And concurrent with all of
5 this happening, we also assumed that there was
6 another service starting at four o'clock in the
7 smaller chapel, and there would be 48 new cars
8 arriving, just prior to four o'clock. So, we really
9 tried to look at a worst case scenario. And so,
10 what the numbers work out to be, between three and
11 four p.m., there would be 48 inbound vehicles, 87
12 outbound vehicles, for a total of 135 driveway
13 movements during that three to four p.m. hour.

14 We went back, we looked at the automatic
15 traffic volumes that we recorded across Wilson
16 Avenue, we reran the levels of service for the
17 design year of 2025, with a finding that the
18 intersection of Burke and Wilson would still operate
19 at a B level of service during that three to four
20 peak hour when we, essentially, had 87 vehicles
21 exiting the site, going through that intersection at
22 the same time 48 vehicles were entering the property
23 for a four o'clock service.

24 Realistically, after speaking to my client,
25 and I know you've heard the testimony from

1 Mr. Steffaro, that's not what we expect is going to
2 happen, but I did want to take a look at a worst
3 case scenario. Brian is very, very good on these
4 traffic things and on top of things and he asked me
5 to, you know, run this worst case analysis. I've
6 done that. And I think what the analysis shows is
7 that under any scenario, the capacity at the
8 intersection of Burke and Wilson is there to handle
9 the expansion of the funeral home. And I know
10 Mr. Steffaro testified, too, that there won't be two
11 concurrent services run at the larger and smaller
12 chapels, but they could be offset by one hour. And
13 that's what I looked at as far as that worst case
14 scenario.

15 So, that essentially summarizes the two
16 traffic studies I've done for the property. I think
17 they both show that the expansion can be approved.
18 And that traffic conditions will not suffer
19 tremendously or significantly from the expansion.
20 We'll still have a good level of service at Burke
21 Street and Wilson Avenue under any of those
22 scenarios.

23 Q Thank you, John. Have you also
24 studied the plan, and specifically the parking
25 available, after the new building is completed but

1 before the old one is demolished?

2 A Yes. It's my understanding, and
3 Mr. Steffaro testified, they want to keep the
4 existing building operating and serving the
5 community until the new building is up and at least
6 one of those chapels is available to continue
7 services. And I think the phasing plan that's been
8 provided to the board is something that will provide
9 for adequate parking and will allow the project to
10 be phased in without any disruption to the community
11 and will allow them to keep operating.

12 MR. LICATA: Thank you, John.

13 MR. LEVITON: Thank you, Mr. Rea.

14 MR. REA: Thank you.

15 MR. LICATA: Next up, and I believe
16 likely our last witness to present, will be
17 Ms. Coffin, our professional planner.

18 MR. LEVITON: Welcome back, Ms.
19 Coffin.

20 MS. COFFIN: Thank you.

21 ALLISON COFFIN, sworn by the attorney.

22 MR. MARMERO: If you could state your
23 name for the record, please.

24 MS. COFFIN: Allison Coffin.

25

1 EXAMINATION BY MR. LICATA:

2 Q Good evening, Allison.

3 A Good evening.

4 Q Could you tell the board what you
5 studied to prepare your testimony and what
6 conclusions you've reached?

7 A Sure. I reviewed the plans. I met
8 with the applicant. I read the board's professional
9 review letters. I've been to the site. I looked at
10 the zoning ordinance and the master plan.

11 Q Great.

12 A Yep.

13 Q And what did that review result in?

14 A Sure. The property that we're
15 looking at tonight is a 4.4 acre parcel. It's
16 located at the intersection of Wilson Avenue and
17 Burke Street. The property contains a funeral home
18 on lot one and lot two is currently wooded and
19 encumbered with wetlands and wetlands buffers.

20 The applicant is proposing to demolish the
21 existing funeral home and construct a newer, larger
22 facility with two chapels on the combined two lots.
23 Site improvements include expanding the parking to
24 support the larger facility, landscaping, lighting,
25 stormwater management, landscaping and signage and

1 closing one of the -- two of the existing driveways
2 on Burke and constructing one new access point.

3 The property is in the LBW Limited Business
4 Wilson Avenue zone. There are a lot of commercial
5 uses permitted in this zone, but it does not include
6 funeral homes. And since -- though they're
7 expanding the use, they are demolishing the existing
8 structure and constructing a new structure, this is
9 a D1 variance.

10 There is some bulk relief that's requested.
11 A front yard setback variance to Burke is proposed,
12 where 75 feet is required and 50 feet is proposed.
13 And that's as a result of the wetlands that pushed
14 the development closer to Burke. There's parking
15 front yard setback of 50 feet required, 26 proposed
16 to Burke, and that's due to the same thing. And a
17 number of signs, one is permitted and two is
18 proposed. One at each access point, because we have
19 a corner lot here. And the internal illumination of
20 the signs.

21 It's my opinion that special reasons exist
22 for the granting of that D1 variance and the
23 variance can be granted without detriment to the
24 health, safety and general welfare of the public.
25 The general welfare in this case is advanced due to

1 the particular suitability of the site to this
2 proposed use. The site is particularly suited to
3 the use, as is evident by the fact that the site has
4 been used as a funeral home for at least 30 years.
5 The site, again, is operated with a funeral home on
6 it for 30 years.

7 It's my opinion that the site is also
8 particularly suited to the proposed new facility,
9 which is an improvement over the existing site
10 facility and use. The existing site has a funeral
11 home located in both required front yards. It is
12 50 feet from both frontages. The proposed
13 conditions make one of these setbacks conforming.
14 The existing facility has two driveways accessing
15 Burke, while the proposed conditions reduce this to
16 one, and this one new access from Burke is located
17 further from the intersection than the current
18 driveway, which is an improvement to traffic safety.

19 The existing facility has its loading bays
20 with overhead doors facing Burke Street. The
21 proposed conditions eliminate this, having a more
22 attractive architectural facade face that street and
23 placing the loading doors outside of public view.
24 This loading area facing Burke also serves as a
25 trash collection point on the property. The

1 proposed plan provides for a trash enclosure, moving
2 trash collection out of public view.

3 And lastly, the existing facility has a
4 single chapel, which makes the staging of multiple
5 services throughout the day challenging. The
6 proposed facility allows the funeral home to
7 accommodate staggered services in two chapels
8 without impacting the privacy of families or having
9 anyone feel rushed within the facility.

10 It's my opinion that there's no detriment
11 that would result from this use variance since the
12 site already contains the use, and the expansion of
13 the use into a new structure will provide for a more
14 efficient operation, screen the loading and trash on
15 the site and improve the aesthetic impact.

16 The requested bulk variances can also be
17 granted without detriment. The front yard variances
18 for both the building and the parking setback are
19 the result of hardship. The site is encumbered by
20 wetlands and wetlands buffers impacting the northern
21 third of the site on lot two. This pushes the
22 development towards Burke, resulting in variances.
23 The applicant has mitigated this by proposing
24 landscaping to screen the parking and softening the
25 building facade along this frontage, and the

1 architectural treatment of this facade has also been
2 designed to treat this as the front of the building
3 and create a higher quality of visual impact.

4 The variances for the signs is necessitated
5 by the site being located on the corner lot.

6 Signage is provided at both driveways to ensure safe
7 and effective identification of the access points to
8 this property. The signs are separated by more than
9 400 feet and the building itself is between them, so
10 they will not be visible easily at the same time,
11 unless someone is really trying to see both signs at
12 once. So, the presence of two signs in this
13 instance on this property will not create visual
14 clutter. And the internal illumination in this case
15 is proposed because there is activity on the site
16 overnight and they want to make sure that the site
17 is identified during overnight hours.

18 The proposed variances would not
19 substantially impair the intent and purpose of your
20 master plan and your development ordinance. The
21 funeral home is compatible with other permitted uses
22 in the LBW district, and it does not interfere with
23 the district's ability to thrive. The funeral home
24 is not a new use to the site or the zone, just an
25 improvement of the existing use on the property.

1 And the proposed expansion modernizes the facility
2 and site plan, eliminating one nonconforming setback
3 and providing stormwater management facilities to
4 meet current standards. So, for those reasons, it's
5 my opinion that the proposal satisfies both the
6 positive and negative criteria for the requested
7 variances. That the variances can be granted
8 without detriment to the health, safety and general
9 welfare of the public. And the application would
10 result in an improvement of the site in a manner
11 which does not impair the intent and purpose of your
12 master plan or development ordinance.

13 MR. LICATA: Thank you, Allison.

14 Mr. Chairman, my witnesses are
15 available for questioning.

16 MR. LEVITON: Thank you, Mr. Licata.
17 Mr. Avakian, while she's sitting up here, now would
18 be an opportune time for me to ask, do you take
19 exception to anything that Ms. Coffin testified to?

20 MR. AVAKIAN: Yes. In regard to the
21 D1 use variance I believe that Ms. Coffin is --

22 MR. LEVITON: Mr. Avakian, you're
23 going to have to speak into the microphone.

24 MR. AVAKIAN: My apologies. Yes. In
25 regard to the D1 use variance, I believe that the

1 applicant has satisfied all of the requirements and
2 criterias for the municipal land use law.

3 MR. LEVITON: Okay. Let's go out to
4 the board. Board, do you have any questions for
5 Ms. Coffin? David?

6 MR. SCHERTZ: In regards to the
7 parking and possible overflow onto Burke Street,
8 I've been to the chapel numerous times over the
9 years. And more times than not, in its current
10 configuration, I've had to park on Burke Street.
11 And I'm wondering if 115 parking spots for two
12 chapels is enough.

13 MR. LICATA: I think that might be a
14 question, if I could ask, Mr. Schertz, if we could
15 have Mr. Rea answer.

16 MR. SCHERTZ: That's fine.

17 MS. COFFIN: My answer's going to be,
18 if John's happy, I'm happy.

19 MR. LICATA: Right. John, do you
20 want to come on up please.

21 MR. LEVITON: Thank you, Ms. Coffin.

22 MR. REA: The answer to that is,
23 there will times when there are large services. I
24 think Mr. Steffaro mentioned one before, when the
25 crowd is so large that the parking lot cannot

1 contain all 113 cars, there's more. There will be
2 times when that happens. You've experienced it.

3 MR. SCHERTZ: And did your traffic
4 study take that into consideration?

5 MR. REA: Based on the traffic counts
6 that are on Wilson Avenue, my explanation for that
7 is, even if there were twice as many cars as I
8 assume were using that intersection, we have a B
9 level of service under what I consider to be typical
10 operating conditions, even probably worse than
11 typical operating conditions, there's no doubt in my
12 mind that we can handle that traffic. And, again,
13 we all need to remember that when there are large
14 services and the funeral staff knows that there are
15 going to be, you know, 100, 150 cars, they do
16 provide traffic control. We've all been to funerals
17 large and small. And the large ones do require
18 traffic control from the funeral staff. So, the
19 answer is, it's probably still going to happen on
20 some occasions, but not typically.

21 MR. LEVITON: Mr. Rea, make yourself
22 comfortable, sit down, because while you're here
23 we're going to let Mr. Boccanfuso, the board's
24 engineer, address his concerns related to traffic,
25 if he has any.

1 MR. BOCCANFUSO: I have some
2 questions for Ms. Coffin, though.

3 MR. LEVITON: Oh, then she's
4 available as well.

5 MR. BOCCANFUSO: Thank you. Don't go
6 far, Mr. Rea.

7 Hello, Ms. Coffin.

8 MS. COFFIN: Hello.

9 MR. BOCCANFUSO: In our report, we
10 had identified several variances that were necessary
11 for the signage. And I think both you and
12 Mr. Ploskonka touched on the signage relief that's
13 necessary. I just want to make sure that the record
14 is clear here. Specific to the signs, relief is
15 needed for the number of signs, one is permitted,
16 whereas two are proposed, one on each frontage.

17 MS. COFFIN: Correct.

18 MR. BOCCANFUSO: Okay. And you're
19 also seeking relief from the method of illumination,
20 whereby in the LBW zone, only externally illuminated
21 signs are permitted, you're proposing an internally
22 illuminated sign that will be on some type of
23 timer --

24 MS. COFFIN: Correct.

25 MR. BOCCANFUSO: -- is that correct?

1 Okay. Now, we also identified in our report two
2 other deviations from the zoning standards, two for
3 each sign. One was a slight exceedance in the area,
4 32 square feet proposed where 30 is permitted, the
5 other was a setback, one of the signs was five feet,
6 one was five and quarter feet, whereas ten feet is
7 proposed. So, is the representation that the signs
8 are going to be shrunk and shifted to comply?

9 MS. COFFIN: Yes.

10 MR. BOCCANFUSO: Understood. Okay.

11 I just wanted to be sure the record was clear. I
12 know that's something we spoke about in our TRC, but
13 I just wanted to make sure I understood.

14 The only other question I have is
15 with regard to your testimony about a hardship. And
16 I think that Mr. Ploskonka touched on it as well.
17 Obviously, I recognize that there are environmental
18 constraints on the property, which have been
19 verified by the DEP. There's also the issue, albeit
20 a lesser one, and I don't think any of you addressed
21 this in your direct, that you actually have frontage
22 on two paper streets, which are unimproved, Gordon
23 Street and Mount Avenue, which can present
24 challenges, but I think that the wetlands areas are
25 the more critical issue here.

1 Even with that, do you think that
2 it's appropriate to classify this as a hardship when
3 you could simply reduce the size of the building,
4 thereby reducing the amount of parking that's
5 required and eliminate the front setback variance to
6 both the building and the parking area? Do you
7 still think a hardship argument is appropriate?

8 MS. COFFIN: Yes, I do, because in
9 this case, we're not asking for an excessive amount
10 of building coverage or an excessive amount of
11 impervious coverage. We're quite, quite below the
12 limits for those. You could have this size
13 building, this amount of impervious coverage on a
14 lot in a conforming location but for the wetlands
15 and the wetlands buffers. So, that's what drives
16 the variance relief.

17 MR. BOCCANFUSO: Understood. And I'd
18 also note that you're also below your floor area
19 ratio requirement.

20 MS. COFFIN: Yes.

21 MR. BOCCANFUSO: Which in this zone
22 includes parking areas, stormwater management basins
23 and the like?

24 MS. COFFIN: Yes.

25 MR. BOCCANFUSO: Okay. Mr. Chairman,

1 I'm not a planner, I'm not licensed as a planner, I
2 don't take any exception to that. I just wanted to
3 understand it, make sure the board understands that
4 in case there was any disconnect.

5 MR. LEVITON: The only difference is,
6 in the signage, then is the amount of area and --
7 they won't need variance relief for the area of the
8 sign and for the infringement into the setback for
9 both signs?

10 MR. BOCCANFUSO: That's been the
11 representation, yes.

12 MS. COFFIN: Yes.

13 MR. LEVITON: Okay.

14 MR. BOCCANFUSO: That's all I have
15 for Ms. Coffin.

16 MR. LEVITON: Mr. Avakian, anything
17 else?

18 MR. AVAKIAN: Can you just explain
19 the reasoning why the signs have to be illuminated
20 internally and not how they should?

21 MS. COFFIN: You know what, I'm going
22 to let the engineer explain why that choice was
23 made. But the illumination is to provide for
24 overnight identification of the site.

25 MR. AVAKIAN: Thank you.

1 MR. LEVITON: Mr. Ploskonka, can you
2 illuminate us further on the lighting.

3 MR. PLOSKONKA: Would you repeat the
4 question, please?

5 MR. AVAKIAN: Yes, of course. One of
6 the variances still needed is the -- in this zone,
7 externally illuminated signs are permitted, whereas,
8 you're proposing the sign to be internally
9 illuminated. Can you just explain the reasoning why
10 you can't conform to the ordinance?

11 MR. PLOSKONKA: I think it's more of
12 a design feature that the funeral home would like to
13 use. And we don't think it's that different than
14 putting spotlights on their sign. And I think
15 illuminating internally, I think, is a better
16 situation. I think if you put on timers so that
17 it's convenient to go off at night and not bother
18 the neighbors. And we can work that out with your
19 office or Brian's office as to the timing.

20 MR. AVAKIAN: Understood. So, just
21 aesthetics is really the reason?

22 MR. PLOSKONKA: Yeah.

23 MR. AVAKIAN: Understood.

24 MR. LEVITON: Thank you, Mr. Avakian.

25 Thank you, Mr. Ploskonka.

1 Board, any other questions for
2 Mr. Ploskonka while he's here?

3 MR. MANTAGAS: I have a question, Mr.
4 Chairman.

5 MR. LEVITON: Yes.

6 MR. MANTAGAS: Mr. Ploskonka, this
7 new proposed site is going to have a lot more paved
8 area, I see, parking area, paved area. All the
9 runoff water will go towards Mount Avenue retention
10 basin.

11 MR. PLOSKONKA: Has more pavement,
12 has a building, it has two stormwater management
13 basins. So, none of the water is going towards
14 Burke Street. It's all going to the north, to a
15 ditch in the middle of the wetlands.

16 MR. MANTAGAS: Towards Gordon Street
17 and you're saying the wetlands is north.

18 MR. PLOSKONKA: It's piped to, from
19 that basin, back to a ditch back there. We need a
20 DEP permit for that, which is normally given, and
21 then it runs to the west down that ditch towards
22 Wilson Avenue. So, there's no excess water going
23 towards Burke Street.

24 MR. MANTAGAS: Is that the way the
25 property's pitched, towards north or --

1 MR. PLOSKONKA: It's pretty flat,
2 but --

3 MR. MANTAGAS: Right.

4 MR. PLOSKONKA: -- it's generally
5 pitched from front to back, from Burke to the north,
6 which is pretty flat out there.

7 MR. MANTAGAS: Okay. Thank you.

8 MR. PLOSKONKA: You're welcome.

9 MR. LEVITON: Brian, is there a
10 grading plan?

11 MR. BOCCANFUSO: Yes, there is,
12 Mr. Chairman.

13 MR. LEVITON: And you've reviewed the
14 grading plan and do you take exception to anything
15 that Mr. Ploskonka testified to just now?

16 MR. BOCCANFUSO: Generally, no. I
17 don't take exception to John's testimony. I would
18 point out that although Exhibit A-2, which appears
19 to have disappeared now, shows the basins as blue,
20 they are sand bottom basins, both of them. The
21 existing basin up near the intersection with Wilson
22 and Burke is actually currently like an old school
23 detention basin that doesn't have the sand bottom in
24 it. But there will be modifications made to it as
25 part of this project that will basically expand the

1 volume of that basin and change the way it
2 functions.

3 John and Bhaskar, I think the one
4 stormwater management item that I was looking for
5 confirmation on, was your supplemental soils
6 investigation showed that there were some
7 challenging soils in that front basin. Do you have
8 any issue with removing those and replacing them
9 with permeable material during construction?

10 MR. PLOSKONKA: We do not have any
11 problem with that.

12 MR. BOCCANFUSO: Okay. And just
13 while I'm on that topic, before I get back to my
14 train of thought here, is that something that could
15 be done as part of phase one, just to kind of
16 expedite -- we're going to get into the phasing here
17 in a little bit, but just to expedite the process in
18 phase two, is that something you could do in the
19 initial phase of the project?

20 MR. PLOSKONKA: Absolutely.

21 MR. BOCCANFUSO: Okay. Great. So,
22 getting back to my point, Mr. Chairman, although
23 these basins are shown as blue, they're going to be
24 sand bottom basins that are going to be dry all of
25 the time, except for immediately following a

1 rainstorm. And what will happen is, runoff will be
2 collected by a series of inlet catch basins on-site,
3 basically, the right or the east side of the
4 property will discharge into that larger basin to
5 the right, the left or west side of the property
6 will discharge into that smaller basin to the left.
7 The water during small storm events will simply seep
8 into the ground, into the sand. During very large
9 storm events, the overflow will be controlled by an
10 engineered outlet structure. And the basin to the
11 right will flow into the ditch in that wooded area
12 in the rear of the property. The one to the left or
13 west is going to discharge directly into an inlet
14 within the county right-of-way, as it does today.
15 And, ultimately, all the runoff is going to end up
16 going off to the kind of northwesterly direction
17 beyond the county roadway.

18 Since the applicant is fronting on a
19 county roadway and discharging into the county
20 drainage system, the county will take a look at this
21 as well. In addition, they need DEP permits, so the
22 DEP is also going to take a look at it.

23 For my purposes, our office did
24 review it. We had a series of comments in our
25 initial review. Mr. Ploskonka's office revised the

1 plans and they addressed a vast majority of our
2 plans. I would say generally, the stormwater
3 management design is pretty clean at this point.
4 Cleaner than we often see at this stage of the
5 process. A lot of times an applicant will come in
6 with a stormwater management design that has some
7 technical odds and ends that need to be cleaned up
8 during resolution compliance if there is an
9 approval. In this case, it's mostly done. There's
10 only a few revisions that they need to make to
11 address our comments. So, generally, I am satisfied
12 with the grading and drainage plan.

13 MR. LEVITON: Comprehensive answer.
14 And, Mr. Mantagas, that was a good question. And
15 for the public in attendance, if they're concerned,
16 the additional impervious, everything won't result
17 in any runoff to the east and towards Mount Avenue
18 or down Burke Street. A lot of eyes are going to be
19 on this. Thank you again, Brian.

20 Anything else for -- Dan -- Mr.
21 Plosonka while he's here?

22 MR. POCHOPIN: So, thank you very
23 much. That was a great question. That was a great
24 question. And my answers were answered.

25 As far as the -- as far as the

1 parking. Is there any directional flow or just, you
2 could come in and out either way, the old way and
3 then the new way, right?

4 MR. PLOSKONKA: There is directional
5 arrows for in and out throughout the parking lots,
6 and we also provide fire marshal input, so that we
7 show where fire lanes would be in case there's an
8 emergency. But yes, yes, yes, there is directional
9 flow.

10 MR. POCHOPIN: Very good. And the
11 landscaping, you said it wasn't on here, but I guess
12 at the entrances where the signs are, it would be,
13 you know, lower plantings and all for view, for
14 entering and exiting the facility, right?

15 MR. PLOSKONKA: Yes, we have a
16 landscape plan that's in the original --

17 MR. LICATA: I think it's up on the
18 screen now, John, maybe you want to refer to that.

19 MR. PLOSKONKA: As part of the
20 original set that was submitted, that's the
21 landscape plan where there's about 50 trees, some
22 deciduous, some evergreens and a couple hundred
23 small plants throughout. And we're asked by the
24 environmental commission to make sure we use native
25 species, so we'll go back to them and to

1 Shari Spero, the arborist, and fine tune that plan
2 so everyone's happy in terms of CME and the arborist
3 for the town.

4 MR. POCHOPIN: Very good. So,
5 there's no nuisance with the neighborhood about the
6 lights on the entrances and all. It's always easier
7 to put a photo cell on, this way you're constantly
8 not adjusting a timer or getting complaints or
9 anything.

10 MR. PLOSKONKA: Yes, sir.

11 MR. LEVITON: Mr. Ploskonka, thank
12 you for heeding the recommendations of the
13 environmental commission. We appreciate that.

14 Can you speak to the recommendations
15 from the fire bureau. They asked that there would
16 be a Knox-Box located at the main entrance.

17 MR. PLOSKONKA: Absolutely.

18 MR. LEVITON: They asked that fire
19 lanes will be provided in non-parking areas of
20 driveways.

21 MR. PLOSKONKA: Normally, whatever
22 the fire department wants, we do. We never object
23 to what the fire department wants.

24 MR. LEVITON: Including the
25 installation of a fire hydrant?

1 MR. PLOSKONKA: Yes.

2 MR. LEVITON: At the entrance of
3 Burke Street?

4 MR. PLOSKONKA: Yes.

5 MR. LEVITON: And the police report
6 written by Patrolman O'Brien, he recommended that
7 radio transmissions for police, fire and EMS are
8 clear in the proposed building, will they be?

9 MR. PLOSKONKA: I'm sorry.

10 MR. LEVITON: Patrolman O'Brien wrote
11 a report. He recommended that radio transmissions
12 for police, fire and EMS are clear in the proposed
13 building, I'm asking will they be?

14 MR. PLOSKONKA: Whatever the police
15 want, we'll do.

16 MR. LEVITON: Okay. Mr. Licata, he's
17 not here tonight, but I want to give a shout out to
18 Mr. Leatherwood, who wrote your environmental site
19 assessment, because he brought to light the fact
20 that this property was agricultural 100 years ago.
21 And that was news to me. I like the history.

22 If we could get Mr. Rea back, I'd
23 like to ask him a question or two.

24 MR. LICATA: Sure.

25 MR. LEVITON: Mr. Rea, the impervious

1 coverage that's going to be increasing is
2 substantial, but it doesn't have an environmental
3 impact as far as we can tell. I'd like to have you
4 quantify how many existing parking spaces there are.

5 MR. REA: Actually, I'm going to have
6 to punt that question to Mr. Ploskonka or Bhaskar.
7 I know how many are proposed, because I looked at
8 the plans that they gave me, but how many are
9 existing --

10 MR. LEVITON: Mr. Halari, you're
11 sitting right there, do you know?

12 MR. HALARI: I don't know. I don't
13 calculate.

14 MR. LEVITON: How about --

15 MR. POCHOPIN: 65, 63.

16 MR. LEVITON: Oh, really. I didn't
17 think it was that many.

18 MR. REA: Is there an existing
19 conditions plan?

20 MR. LEVITON: Mr. Steffaro, do you
21 know?

22 MR. STEFFARO: Not exactly. Not
23 exactly.

24 MR. LEVITON: Here we go. There's a
25 picture, gentlemen, somebody can count them.

1 MR. POCHOPIN: Yeah, looks about 40
2 spots. It looks like.

3 MR. LEVITON: I think it's less. I
4 would like them to tell us, though, for the record.

5 MR. REA: Give me a minute.

6 (Off the record.)

7 MR. REA: 47.

8 MR. LEVITON: Okay. Can you just
9 review for the record, Mr. Rea, what is the level of
10 service that the Bloomfield-Cooper building
11 currently enjoys? Are they a B at this time?

12 MR. REA: It would be a B, yes. B is
13 a pretty wide range in there.

14 MR. LEVITON: And for the public, the
15 public's edification, can you define the level of
16 service and what --

17 MR. REA: Sure. The level of service
18 is based on the average delay that a motorist would
19 encounter entering Wilson Avenue from Burke. So,
20 level of service B is delayed between ten and 15
21 seconds on average per vehicle.

22 MR. LICATA: What's a level at A
23 service?

24 MR. REA: Level of service A is less
25 than 10 seconds average delay per vehicle. Very

1 hard to get level of service A anywhere in this
2 area.

3 MR. LEVITON: So, it's currently a
4 level B and --

5 MR. REA: It will stay level B.

6 MR. LEVITON: -- it's going to stay
7 level B?

8 MR. REA: Yes.

9 MR. LEVITON: That's for a car
10 leaving Burke Street and turning left or right onto
11 Wilson Avenue?

12 MR. REA: Yes, it's a weighted
13 average of the lefts and the rights. Of course, the
14 left will experience a little bit more delay than
15 the right. So, it's a weighted average of the two
16 movements.

17 MR. LEVITON: And who can tell me how
18 many proposed parking spaces there will be in total
19 when phase two is completed?

20 MR. REA: 115, if I'm not mistaken,
21 is that -- 115.

22 MR. LEVITON: So, it's going from 47
23 to 115?

24 MR. REA: Correct.

25 MR. LEVITON: And for Mr. Steffaro.

1 You'll need a microphone, sir.

2 Earlier when you testified about
3 directional help for folks leaving the facility, you
4 indicated that for most services, it's not required.
5 And I think you said 20, 25 cars, there's no need.
6 And then you talked about a young person whose
7 service in the fall necessitated help. You talked
8 about a great number of people. How many was that?
9 How many people showed up to that service?

10 MR. STEFFARO: I believe we have --
11 we did a record of the actual number of cars during
12 that time frame. I think it was approximately over
13 100, correct?

14 MR. REA: Was it September 18?

15 MR. STEFFARO: Yes.

16 MR. REA: There were 147.

17 MR. STEFFARO: 147 cars.

18 MR. LEVITON: Oh, Mr. Rea, your
19 traffic study coincided with that service?

20 MR. REA: I asked for this
21 information because I wanted to know, you know, the
22 extent of how often do these large funerals occur.
23 And the data that was provided to me, remember I did
24 a supplemental analysis in October of 2022, the data
25 that was provided to me from the funeral home was

1 from, 15 services, from September 16, 2022 through
2 October 13, 2022, there were 15 services. One of
3 them started after two p.m. As a matter of fact,
4 only one service started after two p.m. The
5 overwhelming majority were 11 o'clock in the
6 morning. A couple were at nine in the morning. And
7 a couple were at one p.m. But nine or ten out of
8 the 15 services were 11 a.m.

9 And the number of cars, the average
10 number of cars that were parked, there were only two
11 times when the -- no, three times when the capacity
12 of the 47 lot was exceeded. The 147 on
13 September 18. There were 60 cars at a service on
14 September 27. And 70 cars at a service on
15 October 2. All of the other times, the parking lot
16 contained the amount of cars. So, it happens with
17 the 47 space lot. It should happen less frequently
18 with the expanded lot.

19 MR. LEVITON: If I extrapolate that
20 number out, it's safe to say that it could happen 20
21 times a year?

22 MR. REA: What could happen 20 times
23 a year?

24 MR. LEVITON: That the existing
25 parking lot cannot handle the number of --

1 MR. REA: The existing lot?

2 MR. LEVITON: Yes.

3 MR. REA: Correct.

4 MR. LEVITON: And when you questioned
5 Mr. Steffaro regarding the amount of cars or the
6 amount of people that showed up to a service, were
7 you able to ascertain what happened to the overflow?
8 How far back on Burke Street the cars went down?
9 Did they go anywhere else?

10 MR. REA: Yeah, I -- they were on
11 Burke Street, to the best of my knowledge. I did
12 not ask him for that information. He's on the site,
13 you know, on a regular basis. Perhaps he can
14 provide that information to you. But, presumably,
15 most of those cars were parked on Burke Street. And
16 the only thing I can say is, we have almost 600 --
17 well, with the property that's been acquired,
18 there's almost 625 feet of frontage along Burke
19 Street. So, a significant numbers of cars can be
20 parked there.

21 MR. LEVITON: Mr. Steffaro, do you
22 know how far back on Burke Street cars park?

23 MR. STEFFARO: I'm not exactly sure
24 how far back they went. I just know that the
25 associates went out and actually just physically

1 counted the cars that were out, not only in the
2 parking lot but on the streets. So, in particular,
3 the very large service, it had to be very far down
4 Burke Street to fit 174 cars, so.

5 MR. LEVITON: Mr. Boccanfuso, the
6 testimony this evening talks about two phases. They
7 talk about building their new -- their new building
8 before knocking down their old building. And they
9 were talking about only utilizing the small section
10 and only having one service in their new chapel
11 until the first building, the initial building, is
12 knocked down and the parking lot is put in. And
13 they're talking about no matter how much impervious
14 coverage they're increasing the facility by, that
15 there's not going -- their testimony is that it's
16 not going to make matters worse in terms of parking,
17 especially as it relates to overflow and cars lining
18 up on Burke Street in parking spaces. Do you take
19 exception to that?

20 MR. BOCCANFUSO: Was that one
21 question?

22 MR. LEVITON: It was. With the
23 addition that they're proposing?

24 MR. BOCCANFUSO: Okay. So --

25 MR. LEVITON: They've represented

1 that it's going to be better for residents who live
2 on Burke Street.

3 MR. BOCCANFUSO: So, a couple of
4 things to get to. I think, first of all, let me say
5 I think that the phasing, the proposed phasing of
6 the project is the primary concern and the primary
7 item that the board needs to consider as they move
8 forward in hearing the application in determining
9 how to proceed.

10 I want to first point out what I
11 think was an incorrect statement in that, I guess it
12 was a question that you just posed to me, and that
13 was that the smaller chapel would be in operation.
14 In fact, based upon the testimony tonight, it would
15 be the larger chapel that would be in operation.
16 Mr. Steffaro indicated that the chapel closest to
17 the improved parking area, so on the east side of
18 the building, would be the one that was initially
19 used.

20 MR. LEVITON: It looks smaller to me,
21 which is why I assumed.

22 MR. BOCCANFUSO: Based upon the floor
23 plan that was submitted, that chapel on the easterly
24 side of the building has approximately 189 seats in
25 it, whereas the smaller chapel to the west has 143.

1 MR. LEVITON: You can't argue with
2 those numbers. While we're here, Brian, do you know
3 what Kohen is? Because I don't. Mr. Steffaro
4 testified that the Kohen was tangential to the
5 chapel but that it's attached.

6 MR. BOCCANFUSO: Before our technical
7 review committee meeting, I had absolutely no idea
8 what a Kohen is, but I do enough now to be
9 dangerous. With that said, I think Mr. Steffaro
10 would probably be the appropriate witness to explain
11 it to you.

12 MR. LEVITON: Okay. Mr. Steffaro.

13 MR. STEFFARO: So, you're asking
14 about the Kohen building?

15 MR. LEVITON: What is it?

16 MR. STEFFARO: So, it is a building
17 that just will allow the Kohen to attend the
18 service, but traditionally as a Kohen --

19 MR. LEVITON: What is a Kohen?

20 MR. STEFFARO: It's a -- I mean, I
21 know from my version. Hold on.

22 MR. PLOSKONKA: I know a little bit
23 about it, even though I'm Polish Catholic. But my
24 friend, Marvin Schmelzer, who's been here a long
25 time, he's a member of the Kohen tribe. It's a

1 tribe in the Jewish religion that's a higher tribe
2 than other tribes. And for some reason, they can't
3 go into the funeral home where the body is laid out.
4 They have to be outside. So, he'd go to funeral
5 homes and stand outside by the front door and not go
6 in because of his tribe status.

7 MR. LEVITON: Thank you,
8 Mr. Ploskonka, that covers it. I get it now.

9 Okay, Brian, so, you were talking
10 about the phasing as the major issue.

11 MR. BOCCANFUSO: Yeah. And I don't
12 want to say it's an issue. I think it's an open
13 ended item that's difficult to get one's arms
14 around.

15 MR. LEVITON: What specifically?

16 MR. BOCCANFUSO: The concern that I
17 have is that, as I indicated, the easterly side of
18 the chapel of the building, the larger chapel, has
19 189 seats. So, if we were to apply the township
20 parking requirement to those 189 seats -- and just
21 if I can back up a second, the township standards
22 for parking call for one parking space per three
23 seats plus one space per vehicle that's operated by
24 the funeral home. So, if we apply the standard to
25 the 189 seats, the requirement would be 65 parking

1 spaces, where there are 43 parking spaces that would
2 be completed in phase one. So, for that period of
3 time, the site would not comply with the parking
4 requirements. Granted it would be temporary.

5 MR. LEVITON: So, that's only for --
6 that's only for the time between their second
7 parking lot is completed, and they've asked for
8 between 90 and 120 days to do so?

9 MR. BOCCANFUSO: Correct. Once the
10 site is fully developed, they are fully compliant
11 with the township parking requirements. And I'm not
12 going to sit here and say that there will not be
13 events when the capacity of the parking area will be
14 exceeded. Obviously, they will, the applicant has
15 testified to that. Everyone in this room has been
16 to funerals, unfortunately, where a young person or
17 someone died due to circumstances that were not
18 expected or it was a popular person in the
19 community, where it was tremendously well-attended
20 and there was a lot of people and people parked in
21 the street and there was, you know, a little bit of
22 a traffic issue immediately following the event. It
23 happens. It's just the nature of the business. But
24 what I can say is that based upon our requirements
25 in the township ordinance, once the site is fully

1 developed, they will comply with the ordinance
2 requirements for quantity. They do need some relief
3 for the dimensions, as I think Mr. Ploskonka
4 indicated earlier. But the quantity of the overall
5 development will comply.

6 MR. LICATA: Mr. Chairman, if I could
7 just interject, because I think Mr. Rea has some
8 information to add basically in the vein of
9 Mr. Boccanfuso is correct. And in addition to the
10 42 or 43 newly constructed spaces, there will be
11 some 20 odd spaces on-site that remain undisturbed.
12 They're existing and they will not be affected.
13 They are available for use, but I think John should
14 speak to that.

15 MR. REA: I think Bhaskar has the
16 cursor. Brian, if you look up in the northwest
17 portion of the property, there's an existing parking
18 area up there that's got 21 parking spaces, which
19 will be in an area that's undisturbed when the
20 construction is taking place, and they are usable
21 parking spaces.

22 MR. BOCCANFUSO: What about the
23 pathway from those parking spaces to the building?
24 I mean, are you going to be having folks walk
25 through a construction zone there, where you're

1 demo'g and building?

2 MR. REA: Yeah, I'm sure the
3 construction zone can be fenced off and, you know, a
4 path can be provided for them to get to the new
5 building, if you will.

6 MR. LICATA: So that you would time
7 the building of the vehicle and the pedestrian
8 pathway such that with the construction of the new
9 building, such that it was safe to travel?

10 MR. REA: It will be a lot safer than
11 walking in Manhattan these days.

12 MR. LEVITON: Mr. Marmero, you're
13 getting that down as a condition?

14 MR. MARMERO: Yes. So, that parking,
15 is that the northwest corner of the --

16 MR. LEVITON: Yes, it's to the north
17 and it's adjacent to Gordon Street and Wilson.

18 MR. BOCCANFUSO: Mr. Chairman, that
19 would certainly mitigate the deficiency in
20 phase one. I haven't seen a phasing plan that shows
21 it. I'm a little concerned with, you know, the
22 proximity of demolition and heavy construction
23 activity with the walking, but if it's the
24 applicant's representation that they can do it,
25 they'll be bound by that, if there is an approval,

1 and we'll just need to see it on a phasing plan that
2 it works and that it's safe.

3 MR. LEVITON: So, the transition is
4 going to be important. They've represented that
5 they're going to make a safe pass through the
6 construction area to their parking lot. We take
7 them at their word. And we know that you're going
8 to ensure that that happens.

9 But, Mr. Licata, you talked about a
10 temporary CO subject to revocation if the initial
11 building isn't taken down in that timely fashion.
12 And that's in -- that's going to be very important
13 to this board right now, especially in view of the
14 concerns raised by our engineers.

15 MR. LICATA: I understand that, as
16 does the applicant.

17 MR. LEVITON: You also talked about
18 other measures. I'm not an expert in this area.
19 Albert, is posting a bond something that he alluded
20 to?

21 MR. MARMERO: Yes. I think the
22 options that he alluded to was a temporary CO. So,
23 that would be the first option. So, they would get
24 a temporary CO pending whatever that timeline that
25 you agreed to for demolition, then if the demolition

1 didn't occur within that timeline, the CO could be
2 revoked. That's more of a construction office type
3 thing.

4 The other option you did discuss was
5 a performance bond where some type of bond or
6 guarantee would be placed with the township. And
7 then when that timeline passed, if, for some reason,
8 the demo hadn't been done, the township could move
9 in and take care of the demo. And they would have
10 the funds to do that based on that guarantee.

11 Then the other option that was
12 presented was setting forth the time period and if
13 the demo didn't take place within that time period,
14 the township could go in and do the work and then
15 simply place a lien on the property for the cost of
16 that demolition. So, those seem to be the three
17 options that the applicant discussed. I think
18 Mr. Licata kind of told the applicant that the board
19 would want to see something like that in place.

20 MR. LEVITON: Let's go out to the
21 board and see what they think. Gentlemen? Terry?

22 MR. ROSENTHAL: Now my question's
23 answered.

24 MR. GREGOWICZ: Just for the record,
25 on the floor plans in the building, you have a room,

1 it's listed as the cremation viewing room. But I
2 believe you mentioned before there will be no
3 on-site.

4 MR. LICATA: There will be absolutely
5 no -- yeah, we're not going to be performing
6 cremations but we'll get Mr. Steffaro to come.

7 MR. STEFFARO: That room will only be
8 used if the family chose to have a cremation as
9 their final disposition, just so that they have --
10 the family has a moment to see their loved one
11 before we would transport them to the actual
12 crematorium.

13 MR. LICATA: So, it's a viewing area
14 but it's not operationally a crematorium.

15 MR. ROSENTHAL: That leads me to a
16 question. Mr. Steffaro, the cremation, the
17 crematory obviously is not on-site, but is that part
18 of your operation somewhere else?

19 MR. STEFFARO: Our company was
20 actually grandfathered in. We do own a crematory in
21 North Bergen, New Jersey, the Garden State Crematory
22 is where we utilize for cremations.

23 MR. ROSENTHAL: Thank you.

24 MR. LEVITON: Albert, how would this
25 board set a number that they would be responsible

1 for in terms of ensuring that the demolition takes
2 place?

3 MR. MARMERO: I don't want to step
4 into Brian's shoes, but I know oftentimes you'll do
5 a value of the site improvements. I don't know if
6 that's something you could do in terms of a number
7 for demolition.

8 MR. LEVITON: Right, could you give
9 it tonight?

10 MR. BOCCANFUSO: I couldn't give you
11 a number tonight, Mr. Chairman. What I could tell
12 you is that, what's being discussed here and
13 considered is not unique to this project. The
14 Municipal Land Use Law actually has language, it was
15 updated several years ago, to include language that
16 allows for a municipality to bond for incomplete
17 portions of a private site improvement if and when a
18 TCO is requested.

19 Now, I haven't seen it in this exact
20 application on a funeral home or anything like that.
21 Where I have seen it is on residential properties,
22 where you have a private site that's residential in
23 nature, the developer builds a portion of it and
24 they seek a CO for one of the units, but, for
25 example, the top pavement may not be completed or

1 all of the drainage improvements may not be
2 competed. At that point, the municipality can and
3 has in Manalapan's case required a performance bond
4 to be posted for the incomplete improvements. And
5 what it does is, as Mr. Marmero indicated, it would
6 allow the township to step in and complete the work
7 if the developer were to not hold up their end of
8 the bargain. So, there is precedent for this.
9 There is actually language in the land use law that
10 describes how it works. How much it would be, I
11 have absolutely no idea. I wouldn't even venture a
12 guess at this point. But what I would say is that
13 if this is something that the board imposes as a
14 condition of approval, if granted, we, as the
15 municipal engineer at the time of CO request, would
16 prepare an estimate, and the applicant would be
17 responsible for posting whatever that dollar amount
18 is in a form that was acceptable to the township
19 attorney, with the township, and then it would just
20 basically sit there until such time as everything
21 was completed in 90 to 100 days.

22 MR. LEVITON: So, when Mr. Steffaro
23 testifies that they're going to knock it down, they
24 want to knock it down, I take him at his word. And
25 that wasn't really a winning endorsement for a bond.

1 There is the third option where, if they don't
2 complete the work, the municipality can step in, do
3 the work and then they'll have to pay for that on
4 their own. That's not a legal acumen but I think
5 I'm restating what you said Albert, am I?

6 MR. MARMERO: Yeah.

7 MR. LEVITON: Okay.

8 MR. MARMERO: It's like anytime you
9 step in and do work, any kind of property
10 maintenance type thing, you can step in and do the
11 work if the property owner isn't doing it, and then
12 the cost of that goes as a lien on the property.
13 So, that would be the type of situation here.

14 MR. LEVITON: Okay. I'm good with
15 that. But I definitely want to grant them a
16 temporary certificate of occupancy, if we were to
17 look favorably on the application. And then, of
18 course, it's subject to revocation if they don't
19 comply with what they've agreed to do. It's a
20 matter of putting a time frame on the demolition of
21 their existing building after their phase one is
22 completed.

23 I think, Brian, is it correct that
24 you recommended 45 to 60 days, is that what they
25 testified to?

1 MR. BOCCANFUSO: I mean, it's
2 difficult for me to say, Mr. Chairman.

3 MR. LEVITON: No, no, I'm not asking
4 you what's appropriate. I think they said you
5 and/or other professionals recommended.

6 MR. BOCCANFUSO: I think Mr. Steffaro
7 indicated that he had spoken to one builder who said
8 that they could do it in 45 to 60 days. I'm not a
9 contractor. That seems pretty aggressive to me.

10 MR. LEVITON: Oh, it does.

11 MR. BOCCANFUSO: Yeah. I think the
12 60 to 90 days is probably more amenable, more
13 reasonable. With that said, I mean, I don't know --
14 what we're doing here is, we're kind of wading into
15 the responsibility of the municipality and the
16 municipal engineer. Now, our office does wear both
17 hats in Manalapan, fortunately, for us. But I think
18 60 to 90 days would be reasonable. The municipality
19 could, of course, extend it. Like, let's say that
20 the applicant finished all their phase one
21 improvements, they were ready for a CO, the township
22 issued a 90-day CO and on the 80th day we have a
23 meeting, we say, look, you guys are not going to be
24 done in ten days but you've made a lot of progress
25 and, you know, we're comfortable with the

1 conditions, we can extend it another 30 days or
2 something like that. When I say we, I mean the
3 municipality.

4 MR. LEVITON: I understand. And we
5 are lucky that you are both this board's engineer
6 and the municipality's, your firm also represents
7 the township.

8 MR. BOCCANFUSO: Correct.

9 MR. LEVITON: That's good. Okay.
10 So, if Brian says 45 to 60 is aggressive, and if the
11 applicant has requested 90 to 120, Brian said 60 to
12 90 is better, I'm comfortable with 90, that's just
13 me. What are your thoughts?

14 MR. SCHERTZ: That sounds fine. But
15 what's the overall time for construction from first
16 shovel in the ground to completion?

17 MR. LEVITON: Mr. Ploskonka.

18 MR. LICATA: Or Michael, if you know.

19 MR. PLOSKONKA: I think what may be
20 missing here is the fact that they're building a
21 building for quite a few dollars, several million.
22 And they have two chapels, and they can operate one
23 chapel temporarily, and they want to operate the
24 other chapel as soon as they can. So that they're
25 going to move as quickly as they can to knock down

1 that building, get the parking lot in.

2 MR. LEVITON: We take him at his
3 word. I indicated as much. Mr. Schertz wants to
4 know, from shovel into the ground to the completion
5 of phase one and then phase two, what kind of time
6 are we looking at?

7 MR. PLOSKONKA: At least a year, year
8 and a half.

9 MR. LEVITON: How about for the
10 completion of phase one?

11 MR. PLOSKONKA: Phase one should be
12 done in six or eight months.

13 (Off the record.)

14 MR. PLOSKONKA: Mr. Halari, who's
15 building different things, says a year maybe.

16 MR. LEVITON: For the record,
17 Mr. Halari is an associate of yours?

18 MR. PLOSKONKA: Yes.

19 MR. LEVITON: David?

20 MR. SCHERTZ: I'm always concerned
21 about the traffic, and with construction equipment
22 on the property and trucks moving in and out of the
23 back portion and then the front portion and running
24 funerals at the same time, it just seems to me that
25 there's unanticipated situations with delays. Not

1 only on Burke Street but on Wilson Avenue also.

2 MR. LEVITON: Ms. Coffin, is that a
3 legitimate concern?

4 MS. COFFIN: Is that a question about
5 traffic delays?

6 MR. LEVITON: He's concerned about
7 traffic in general while the site is being
8 constructed, because there are now not only services
9 occurring but construction vehicles on-site as well.

10 MR. PLOSKONKA: Mr. Chairman, if you
11 look at the exhibit up there, you can see the
12 existing chapel and all the parking that we have
13 with the existing chapel. There's no construction
14 going on there initially. It's going on on the
15 vacant property. So, all the vehicles are over
16 there building a building and the parking to the
17 right. So, this can operate fully until that first
18 building is built, the new building is built and the
19 new parking is built, then knock this down.

20 MR. LEVITON: Mr. Avakian, the
21 testimony is that while phase one is being
22 undertaken, that all construction is going to be on
23 what they have indicated is lot two. So, there
24 won't be a concurrence of construction vehicles and
25 funeral attendees. Do you have experience with

1 that? Is that going to be a problem?

2 MR. AVAKIAN: Mr. Chair, I do not
3 believe it will be a problem for a majority of the
4 construction. It's when you're meshing into getting
5 further into the next phase. I think that's where
6 you might have an issue with logistics. Once the
7 construction is getting closer to that lot is where
8 I think is the time. For the majority you won't.

9 MR. LEVITON: How about the idea that
10 the construction vehicles would be an attractive
11 nuisance, does that happen?

12 MR. AVAKIAN: So, you could -- I
13 think they could definitely put up enough fencing
14 and maybe an access that's off of where the current
15 funeral home is now, that it wouldn't be a nuisance,
16 again, for the most part.

17 MR. LEVITON: Mr. Ploskonka, is that
18 part of your plan, to fence off lot two while it's
19 under construction to inhibit folks who may find
20 construction vehicles an attractive nuisance?

21 MR. PLOSKONKA: There's no question
22 that we'll have, as part of our phasing, a fence
23 plan that shows how we can do it safely to meet all
24 the requirements of the town, OSHA, et cetera. So,
25 we're going to make sure that you don't have any

1 deaths here on the construction.

2 MR. LEVITON: David?

3 MR. SCHERTZ: I'm okay now.

4 MR. LEVITON: Okay. Michael?

5 MR. WECHSLER: Thank you, Mr.

6 Chairman.

7 Mr. Rea, the question I have is,
8 during all the figuring of your studies, how has
9 school bus pickups and dropoffs been addressed when
10 it comes to this? Services coming out, going in,
11 construction, buses, children, is there a plan for
12 that?

13 MR. REA: That's really up to the
14 school transportation people. I'm assuming you're
15 talking about school bus dropoff and pickup on
16 Burke.

17 MR. WECHSLER: Yep, on Burke.

18 MR. REA: Okay. It hasn't been
19 addressed in our traffic study. It's something we
20 can take a look into and we can coordinate with the
21 school transportation people. It seems as though,
22 and I don't know exactly when the buses pick up or
23 drop off the children on Burke Street, but it seems
24 as though most of that activity should be taking
25 place outside of the hours when the services are

1 held. The 11 o'clock service is the typical
2 service. Now, I'm sure there might be some buses
3 dropping off kids at 12 o'clock half day.

4 MR. WECHSLER: Or three o'clock in
5 the afternoon.

6 MR. REA: Yeah.

7 VOICE: Seven or 9.

8 MR. LEVITON: You'll get a turn. I
9 promise. It's just not yet. It's coming soon.

10 Mr. Rea, just to be clear,
11 Mr. Steffaro testified that services are current,
12 nine, 11 and one, not 12.

13 MR. REA: Correct. And I'm saying
14 based on the data that was given -- and that's all
15 correct and he's right. Based on the data that was
16 given to me for that month between the middle of
17 September and the middle of October in 2022, out of
18 the 15 services that were held, one, two, three,
19 four, five, six, seven -- eight of them were at 11
20 a.m. A couple were at nine. A couple were at one.
21 And one them was at two p.m. Just it is what it is.
22 But I acknowledge the fact that there may be
23 situations where a service is being discharged at
24 the same time a school bus is coming down the
25 street.

1 My understanding, and I've been
2 driving for how many years now, I don't know, when
3 those lights are on and that bus has stopped to
4 either pick up or discharge children, no traffic can
5 be moving. That's why the school buses have lights,
6 have the stop sign. And that's the law. And people
7 have to obey the law.

8 MR. LEVITON: Mr. Rea. Mr. Rea, I
9 apologize, I put an extra vowel there at the end,
10 another syllable. Can you, just for the public who
11 are here, tell them, what is the industry standard?
12 What is it that you look to as your guide to
13 determine a level of service?

14 MR. REA: It's based on the traffic
15 volume entering the intersection, the traffic on the
16 through street, which in this case would be Wilson
17 Avenue, which is County Route 527. And based on the
18 volume entering the main street, the volume on the
19 main street, there's a delay that is anticipated,
20 based on the program we use, and that's how we come
21 up with levels of service. And generally
22 speaking -- I'm really speaking for the public, I
23 know the board members have heard this, once you get
24 into a situation where you have a level of service
25 F, you have to start looking at mitigation. And

1 mitigation might involve installation of a traffic
2 signal, widening of an intersection, restricting
3 left turns, things of that nature. But a B level of
4 service is not something that you have to mitigate.

5 C is pretty good, D, even level of
6 service E is generally accepted as an acceptable
7 level of service. Once you get into level of
8 service F, you have to look at mitigation. And
9 level of service F at an un-signalized intersection
10 means delay in excess of, average delay in excess of
11 50 seconds per vehicle entering, you know, the main
12 road.

13 MR. LEVITON: And remind us that with
14 the new proposed addition, the amount of time it's
15 going to take to turn left or to turn right.

16 MR. REA: It's going to be less than
17 15 seconds, because it's level of service B.

18 MR. LEVITON: Okay. So, for the
19 public, I appreciate your attendance, we're going to
20 appreciate your thoughts and your concerns. And
21 we're going to hear them, as soon as our
22 professionals and as soon as the board has finished
23 with their cross-examination, if you will. We're
24 going to allow you to come up to ask questions of
25 the professionals, that the applicant has put before

1 the board tonight. And you, as well, can ask
2 questions about the testimony that's been entered
3 onto the record, or we're going to allow you to
4 address the board as well. It's coming very
5 shortly. We're almost finished. Gentlemen,
6 anything else?

7 MR. SCHERTZ: We're good.

8 MR. LEVITON: Terry?

9 MR. ROSENTHAL: Good.

10 MR. LEVITON: Sooner than maybe even
11 I had anticipated. Professionals?

12 MR. AVAKIAN: I'm sorry, I don't want
13 to jump in, especially on top of parking or anything
14 like that. But Mr. Steffaro did happen to say that
15 the current services will be at 9, 11 and 1. He
16 said he could have a potential of five services, 9,
17 10, 11, 12 and 1. I know that we mentioned a two
18 hour delay.

19 MR. LEVITON: Yes. He also testified
20 that they can happen later in the day, if it's
21 necessary.

22 And Mr. Steffaro, while we're talking
23 about what you testified to, you did say that it's
24 your intention to stagger services to have them at
25 perhaps 8, 9, 10, 11, 12, 1, 2. Is it your

1 intention to go further into the day?

2 MR. STEFFARO: No. I think the
3 intention would be, we wouldn't have a service that
4 would start at eight because then the family would
5 need to be there at seven a.m. So, I think a
6 service starting at nine is a reasonable enough time
7 for a family to be there for eight o'clock to start
8 the day.

9 The other thing to keep in mind -- to
10 answer your question, we would go till one o'clock
11 chapel service. The only service that may happen
12 after one o'clock a chapel service, which probably
13 happened in the circumstance when we had one at two,
14 is if somebody has a memorial service. So, the
15 memorial service would be -- there's no place for
16 the family that needs to go after the service
17 themselves. The family might have chosen cremation
18 as the disposition. So, theoretically, they could
19 just have their friends and family gather and have
20 that service without the need to go to a cemetery.

21 The majority of our services are
22 chapel service that end at a cemetery. So, we
23 wouldn't go past one o'clock with chapel services in
24 our building, where the destination at the end of
25 that is a cemetery. Does that help answer that

1 question?

2 MR. LEVITON: It does. I have
3 another question. You're the market director for
4 all of the holdings of SCI in New Jersey?

5 MR. STEFFARO: That's correct.

6 MR. LEVITON: How much time do you
7 spend on site here at Bloomfield-Cooper?

8 MR. STEFFARO: As of late, I try to
9 be there at least once a week. I do have -- I
10 happen to live closest to Manalapan, so it's easy
11 for me to pop in there. During this process, I
12 would be there at least two to three times a week to
13 keep an eye on what's going on.

14 Someone asked a very good question,
15 David, I think it might have been you, who said, you
16 know, if the building is going on and there's
17 large -- there's traffic and there's the actual
18 construction vehicles, you have to kind of keep in
19 mind, everyone here, that the family's going to be
20 the one that dictates to us everything. We're not
21 going to put them in a position where there's a ton
22 of noise while their family's having a funeral
23 service. So, if something like that goes on, there
24 will be some delays in the construction, simply
25 because we'll go tell the contractors that they have

1 to stop working because there's a funeral service
2 going on, so. We will be very considerate to the
3 people because we don't want their service to be one
4 where they have to remember that there was
5 construction going on during it.

6 MR. LEVITON: Thank you, sir.
7 Gentlemen, anything else?

8 MR. SHALIKAR: Yeah. So, with that
9 statement, though, how are you anticipating an
10 actual project timeline? I imagine every single
11 funeral service would then want a cease of
12 operations, right?

13 MR. STEFFARO: It could be. But keep
14 in mind, if we serve 340 families and we only have
15 half of them actually currently use our facility,
16 you know, our funeral home is typically empty more
17 than it's filled with people. So, you know, there
18 will be time, you know, in particular, where if I
19 ask them to stop, they're going to stop for the hour
20 that the service is going on, so they could go get
21 coffee, you know what I mean. So, I'm not going to
22 tell them to stop for the day.

23 MR. SHALIKAR: Okay.

24 MR. WECHSLER: Just to add to that,
25 how many services a day do you have now, currently,

1 there?

2 MR. STEFFARO: We do chapel services
3 for about 150 of the 340 families we serve every
4 year. There's no consistency to how many we have.
5 The most we could have would be the 9, 11 and 1, you
6 know, actual chapel services, it doesn't happen.
7 Very rarely. If you looked at the 15 we did in that
8 month, there was, I think, two or three days that we
9 had two services in one day; is that correct?

10 MR. REA: Yep. October 2, you had
11 two services, October 9, you had two services,
12 October 10. But there were 15 total services over
13 almost a month. So, an average of, basically, only
14 one every two days.

15 MR. STEFFARO: And most likely, we
16 normally have between 30 to 35 funerals. So, the
17 other funerals that went on, they went directly to
18 the cemetery. There weren't services in the funeral
19 home.

20 MR. LEVITON: Michael, you're good?
21 Dan?

22 MR. POCHOPIN: Very good. Thank you.

23 MR. LEVITON: Basil?

24 MR. MANTAGAS: I'm good. Thank you,
25 Mr. Chairman.

1 MR. LEVITON: Gentlemen?

2 MR. GREGOWICZ: I'm good.

3 MR. LEVITON: Terry?

4 MR. ROSENTHAL: Still good.

5 MR. LEVITON: Brian, anything else?

6 MR. BOCCANFUSO: I think one thing
7 that I learned in the TRC meeting that may be
8 helpful that I don't think has come out tonight --

9 MR. LEVITON: Hold on. Just a second
10 for the public. What he's referencing is that while
11 the applicant was putting together this presentation
12 over the course of how long, Brian, a year?

13 MR. BOCCANFUSO: Roughly.

14 MR. LEVITON: About a year. The
15 applicant's professionals met behind the scenes with
16 this board's professionals at what they call a
17 technical review committee, several times to ensure
18 that the application met the ordinances and the
19 needs of the township. The township's needs have
20 been represented since day one. Is that correct,
21 Brian?

22 MR. BOCCANFUSO: Correct.

23 MR. LEVITON: Okay. Forgive me.
24 Continue.

25 MR. BOCCANFUSO: During those

1 meetings, I learned about the way in which the
2 Jewish faith typically operates these events. Where
3 it's common in the Christian faith to have a wake of
4 a couple hours that may be seven to nine o'clock at
5 night, that doesn't happen in the Jewish community,
6 at least not typically. And I would ask
7 Mr. Steffaro or one of the applicant's
8 representatives to just explain why. Because
9 there's been a lot of discussion about the 9, 11 and
10 9, 11 and 1 p.m., how there's a bit of a rush often
11 times to get out to Long Island. How sometimes
12 there's a memorial service, that's atypical. And
13 also -- it also goes into the traffic analysis
14 because Mr. Rea's study, one of the first questions
15 we had is why he didn't analyze the typical p.m.
16 peak hour, which is usually between five and six
17 p.m. And it all comes down to the way these things
18 typically operate. So, I would just ask
19 Mr. Steffaro if he could just kind of clarify that
20 for all the board members.

21 MR. STEFFARO: Yes.

22 Bloomfield-Cooper is a very traditional Jewish
23 funeral home. Typically, in the Jewish faith, there
24 is not a situation where family and friends come to
25 the funeral home with an open casket viewing and

1 spend time in the funeral home. The time that is
2 spent with family and friends is normally done at
3 shiva, which is normally in someone's home after the
4 service. So, where our -- someone who's not Jewish,
5 the services are very different, you know, depending
6 on what their faith kind of dictates. But they
7 just -- there is no viewing in a Jewish funeral home
8 or a Jewish funeral. The viewing typically happens
9 at shiva, which is in the family's home after the
10 case, without the body present.

11 MR. BOCCANFUSO: Is there typically a
12 religious tradition that the body's to be buried by
13 sundown or something along those lines?

14 MR. STEFFARO: The urgency is that
15 the burial should take place as quickly as possible.
16 Depending on how religious most families are, that
17 dictates kind of how important that comment is. A
18 family who might be very, very conservative, very
19 orthodox in their beliefs, they'll have that funeral
20 almost immediately. It's almost very much dictated
21 by the faith. They'll have the shomer who will come
22 in and sit with the remains. They'll have a ritual
23 washing that takes place, that will happen in the
24 funeral home. Then that burial will take place as
25 soon as possible. Typically could happen within the

1 same day, very often it does, or immediately the
2 next day. Depending on how religious the families
3 are, sometimes those -- the length of time for the
4 burial could maybe go out a day or so. But for the
5 most part, in the Jewish funeral homes, the burials
6 take place as quickly as possible.

7 MR. LICATA: Michael --

8 MR. BOCCANFUSO: Thank you. I
9 appreciate the clarification.

10 MR. LICATA: -- also in terms of the
11 services where the body is taken to the cemetery,
12 the cemetery closes at certain hours, correct?

13 I'm sorry. The timing of the
14 services at your location is also limited, pushed
15 earlier, because you have to accommodate the times
16 during which the cemetery's operate.

17 MR. STEFFARO: Correct. As
18 restrictive as we might be in our time frames of
19 actually having services, the Jewish cemeteries
20 themselves typically operate in a very, very tight
21 window, which means we have to get to the cemetery
22 while the grave diggers are there to accommodate the
23 service. Typically, it runs from like ten to -- it
24 could be ten o'clock to 11:30, then they go to lunch
25 till 12:30. And then depends on what cemetery.

1 Then we have about a two hour window in the
2 afternoon, that's it. It's very, very tight.
3 That's why we're restrictive in how we operate our
4 services.

5 MR. LEVITON: Brian?

6 MR. BOCCANFUSO: Yes, Mr. Chairman.

7 MR. LEVITON: Just inviting you to
8 continue.

9 MR. BOCCANFUSO: Okay. Thank you.
10 And we've kind of -- not kind of, we have jumped
11 around quite a bit here during the proceedings here
12 tonight, so there's a few loose ends that I'd like
13 to discuss. Then, obviously, I'm available for
14 questions from the board.

15 As it pertains specifically to
16 traffic, what I will offer is that a funeral home
17 use is difficult to analyze, in that, first of all,
18 there is a really wide variation. There's no
19 defined peak hour. There's no way to really
20 calculate the estimated trip generation associated
21 with the use based upon some independent variable.

22 By way of comparison, if you think
23 about a retail use or an office, the ITE gives you
24 numbers that you could use based upon square footage
25 or number of employees.

1 MR. LEVITON: The ITE is what Mr. Rea
2 uses as his industry standard, and it stands for?

3 MR. BOCCANFUSO: The institute of
4 Transportation Engineers.

5 MR. LEVITON: Okay. It's universal?

6 MR. BOCCANFUSO: It is. And
7 typically, that is what Mr. Rea would use in the
8 study. However, in this case, when it comes to
9 funeral homes, believe it or not, the ITE does not
10 have specific data to cite. The NJDOT does, the
11 New Jersey Department of Transportation does have
12 data to cite, however, it does not account for the
13 size of the facility. So, if you had a 2,000 square
14 foot or a 20,000 square foot funeral home, DOT would
15 tell you that it generates the same amount of
16 traffic.

17 MR. LEVITON: It's interesting and
18 surprising.

19 MR. BOCCANFUSO: Agree one hundred
20 percent.

21 MR. LEVITON: I'm also surprised that
22 it's not an inherently beneficial use.

23 MR. BOCCANFUSO: I can't speak to
24 that.

25 MR. LEVITON: Mr. Avakian can. I'm

1 sure Ms. Coffin has some thoughts. But continue,
2 Brian.

3 MR. BOCCANFUSO: So, anyhow, it
4 presents some challenges. And I think that's why
5 there was a fair amount of back and forth between
6 our office and Mr. Rea's office during the course of
7 this application. And we kind of bounced ideas off
8 of each other about how we could most conservatively
9 estimate the trip generation, when there's no
10 defined data that we could look to. And for that
11 reason, Mr. Rea did what he described in his earlier
12 testimony, as far as using the parking on-site as a
13 guideline and assuming that you have one event
14 that's fully parked, that's staggered by one hour,
15 with another event, so you have half of that second
16 event coming in at the same time that the full first
17 event is leaving, that's how he determined the trip
18 generation.

19 Normally, it would very easy. You
20 would go to the ITE, plug in the independent
21 variable and it would spit out a number and then he
22 would run that through the process to determine the
23 traffic analysis. But it was a little bit more
24 complicated in this case.

25 MR. LEVITON: And he did that at your

1 behest?

2 MR. BOCCANFUSO: Yes, absolutely. We
3 requested that they do something additional beyond
4 just using the straight DOT data, which is
5 independent of the facility.

6 MR. LEVITON: And they did it with a
7 concurrent service in two different chapels and late
8 in the day, four o'clock?

9 MR. BOCCANFUSO: As late in the day
10 as their operations dictate. They didn't go into
11 that peak hour, as I indicated, because it's been
12 the applicant's testimony and representations that
13 they don't operate during that peak hour on the
14 roadway.

15 MR. LEVITON: And then he testified
16 that there would still continue to be a level B
17 service.

18 MR. BOCCANFUSO: That's correct. So,
19 even to the extent that there's some errors in the
20 analysis, I find it very unlikely that it would rise
21 to a level of service E or F, where you would have
22 average delays that would warrant mitigation. So, I
23 just wanted to point that out, because, obviously,
24 this type of use we've all been, as I mentioned
25 earlier, we've all been to funerals where they're

1 extraordinarily well attended, sadly, and it's a
2 little bit of an issue for a period of time. But,
3 unfortunately, from an engineering standpoint, you
4 can't really analyze that. It's difficult to
5 analyze.

6 So, Mr. Rea's office and our office
7 have done our best to try to be as conservative as
8 reasonably possible in looking at the impact of this
9 use under a worst case scenario, maybe not the
10 worst, but the typical most common worst case
11 scenario, what the impact would be on the roadway
12 network. And I think that we've been able to come
13 to some type of common ground on that.

14 MR. LEVITON: I very much appreciate
15 that and I appreciate your stating it on the record,
16 because I'm fairly certain that the residents who
17 are about to come up and speak have traffic on their
18 minds.

19 MR. BOCCANFUSO: For sure. So, with
20 that said, obviously, I'm available for questions
21 from the board members about that, as Mr. Rea is as
22 well. And I think he'd concur with the summary that
23 I just provided. But moving off of the traffic for
24 a moment.

25 The township ordinance requires

1 sidewalk along all frontages of sites in connection
2 with any site plan application. Sidewalk is
3 proposed to be completed along Burke Street, but no
4 sidewalk is proposed along Wilson. And I would ask
5 the applicant why not? Why is there no sidewalk?

6 MR. LEVITON: They did testify to
7 that.

8 MR. BOCCANFUSO: I think they said
9 they were not proposing it. I don't know --

10 MR. LEVITON: Because of the nature
11 of the street and that were going to pay what they
12 didn't have to. If we can keep it short.

13 MR. BOCCANFUSO: Okay.

14 MR. LEVITON: Am I characterizing the
15 testimony correctly?

16 MR. REA: My understanding is that
17 the applicant is, as an alternative, willing to pay
18 into the township sidewalk fund.

19 MR. LEVITON: But it was the reason,
20 Mr. Boccanfuso wants to know the reason that it's
21 not being developed on Wilson Avenue.

22 MR. BOCCANFUSO: And to clarify, it
23 is at the discretion of the board. It's an
24 ordinance requirement.

25 MR. LEVITON: Yes.

1 MR. BOCCANFUSO: The board can
2 absolutely require it.

3 MR. LEVITON: Yes.

4 MR. BOCCANFUSO: If the board elects
5 not to, the applicant would be responsible for a
6 payment in lieu provision for whatever sidewalk, you
7 know, whatever the length times the unit cost is.

8 MR. LEVITON: Mr. Ploskonka, we're
9 trying to get it short. It's running late. Is it
10 fair to say that because Wilson Avenue is a main
11 road, that you're not doing it? Is that what you
12 testified to?

13 MR. PLOSKONKA: As you go towards the
14 auction, there is no sidewalk at all as you go that
15 way, so it's a sidewalk to nowhere. So, it might be
16 better for the town to take the money and use it in
17 a more productive location.

18 MR. LEVITON: I appreciate you
19 raising that as a concern, Brian. I love the loose
20 ends. I have no problem with it. I wouldn't compel
21 them to put a sidewalk in the front.

22 MR. DITOTA: It's going to be a
23 sidewalk with no other sidewalks around it.

24 MR. LEVITON: Correct. Yeah.

25 MR. BOCCANFUSO: You have to speak

1 into the microphone, Ms. Moench said.

2 MR. DITOTA: I'm sorry. I said there
3 was going to be a sidewalk in front of the facility
4 with no sidewalks on either side of it, so it
5 wouldn't make any sense.

6 MR. LEVITON: This new system we
7 have, and I talked about it at our last meeting, and
8 you were not in attendance on that night.

9 MR. DITOTA: I still didn't make
10 that? Why don't you just void my comment.

11 MR. LEVITON: No, it's good that you
12 said that. It was terrific. Janice has told us
13 that -- no, you're good now. If you don't speak
14 into it, it doesn't pick things up. And the good
15 thing about the system, it no long picks up
16 background conversations, rustling of papers or any
17 other noise.

18 Okay, Brian.

19 MR. BOCCANFUSO: Thank you,
20 Mr. Chairman.

21 One other item that I think is
22 important to get on the record, the ordinance
23 requires street trees within a 20-foot wide minimum
24 easement along all frontages of the site. No street
25 trees or easement are proposed along Wilson Avenue?

1 Is that something that's feasible or are you seeking
2 a variance for that?

3 MR. PLOSKONKA: We agree to do that.

4 MR. BOCCANFUSO: You'll do that.

5 Great. Makes it easy.

6 And I think the last item I just want
7 to get on the record here is a design waiver that's
8 required. I'll start out by saying I don't take
9 exception to it. The township ordinance requires
10 roof leaders from residential and commercial
11 buildings to be directed to a dry well, which is
12 basically an underground stormwater management
13 facility. In this case, the runoff is going to the
14 proposed stormwater management basins, which are
15 effectively, they're infiltration basins. They
16 function the same way a dry well would. So, I
17 believe it's a technical waiver that we should
18 include in the ordinance if there -- or in the
19 resolution if there is an approval. But I don't
20 take any exception to it.

21 MR. LEVITON: Good stuff. Albert, do
22 you have that?

23 MR. MARMERO: Absolutely.

24 MR. LEVITON: Okay.

25 MR. MARMERO: What number comment was

1 that, Brian?

2 MR. BOCCANFUSO: Ten G.

3 MR. LEVITON: Thank you, Brian, for
4 your thoroughness. Brian?

5 MR. BOCCANFUSO: Yes.

6 MR. LEVITON: Thorough. Thank you,
7 sir.

8 MR. BOCCANFUSO: Sure.

9 MR. LEVITON: Most appreciative.
10 Anything else? Sam, anything else?

11 MR. AVAKIAN: Thank you, Mr. Chair.
12 The applicant and all their professionals have done
13 a very good job of addressing comments from our
14 letter.

15 I did have just one more very small
16 comment. For the trash enclosure you see in the
17 northeast corner, they have no screening. Just
18 wanted to -- as of right now, there's a waiver that
19 would be required. I was just wondering why there
20 is no screening. And if you could provide screening
21 to just get rid of that waiver.

22 MR. LEVITON: Mr. Ploskonka?

23 (Off the record.)

24 MR. PLOSKONKA: I mentioned before,
25 that as you -- the wooded area that remains, except

1 for the pipe, and if you go a little bit more to the
2 east, you have a paper street that's 50-foot wide,
3 that's not vacated, that stays as a natural screen.

4 MR. AVAKIAN: Mr. Ploskonka, I
5 believe that we're in agreement that the buffer of
6 the wetlands is fine. I'm speaking more so on the
7 side of the parking lot area, on the west side and
8 the south side, there's no screening. So, not
9 necessarily -- I know you have a fence or wetlands
10 vegetation. Yes, where this gentleman right here is
11 pointing to.

12 MR. PLOSKONKA: We'll add some more
13 screening there, based on input from the
14 environmental commission, as well as Shari Spero,
15 the arborist.

16 MR. AVAKIAN: Perfect. That would
17 remove the waiver, for the board to know, if they
18 could do that. Thank you.

19 MR. LEVITON: Albert, you got that
20 too?

21 MR. MARMERO: Uh-hum.

22 MR. LEVITON: Okay. Mr. Avakian,
23 thank you, sir. An aesthetic improvement for sure.

24 Anything else, gentlemen?

25 Before we go out to the public, we're

1 going to take a two minute recess.

2 (Recess was taken.)

3 MR. LEVITON: We're going to call the
4 meeting to order once again. And I am now going to
5 go out to public. I'm going to ask that you come
6 up. You'll be sworn in by our attorney,
7 Mr. Marmero. I'll ask you to keep your comments to
8 three minutes, if you can be brief. And then
9 subsequent folks that come up, if you can refrain
10 from repeating what's already been said, we'd
11 appreciate that too.

12 So if you'd like to, now is the time,
13 please come. Mr. Halari's offering you a
14 microphone.

15 MS. McCARTNEY: I don't really need
16 it.

17 MR. LEVITON: You do, because the
18 proceedings are recorded for posterity and then
19 they're transcribed.

20 JOELLE McCARTNEY, sworn by attorney.

21 MR. MARMERO: Could you state your
22 name for the record, please?

23 MS. McCARTNEY: My name is Joelle
24 McCartney. I live at Six Stanford Street. That's
25 my mailbox. My house is actually on Burke Street.

1 THE REPORTER: Excuse me. Can you
2 spell your last name.

3 MS. McCARTNEY: McCartney,
4 M-c-C-A-R-T-N-E-Y, like the Beatle.

5 First of all, I want to say thank you
6 for hearing us, Mr. Chairman and the board. We're
7 all residents of Burke Street. And I'm pretty sure
8 I speak for most of them. My husband and I have
9 lived at this Six Stanford Street, which is
10 essentially Seven Burke Street. We live next to
11 Nine Burke Street, and we will be facing directly
12 across from the facade of the new Bloomfield-Cooper.
13 Our driveways currently face each other. So, we
14 will, I feel, be the most impacted by, aesthetically
15 by you, not in other ways. Other people will
16 address other issues.

17 As I was saying -- sorry, lost my
18 spot. My husband and I have lived at this location
19 for almost two decades. Our home has been here
20 since 1950. It was once one of the original farms.
21 We've been -- we've never had any issue with
22 Bloomfield-Cooper or its parking. It's always been
23 a part of living on Burke Street. It's never
24 impacted us greatly and it's just a part of life.
25 We've lived directly across, having our driveways

1 being directly across from each other, as I said.
2 We've known about the parking lot since we moved in
3 in 2004. However, plans are entirely different from
4 what we were expecting. And the current plans
5 impact the residentiality, if I may, of the block.
6 The proposal of -- the proposal completely changes
7 the residential feel of this block. And it will
8 bring the residential value of our homes down. If I
9 may, I'd like you to think about your own homes and
10 if you would see this --

11 MR. LEVITON: Ms. McCartney, I'm
12 going to have to cut you off at that because --

13 MS. McCARTNEY: Can I get a ten
14 second warning, at least?

15 MR. LEVITON: I just need to let you
16 know that we're not permitted under the Municipal
17 Land Use Law to consider real estate holdings,
18 property values --

19 MS. McCARTNEY: I understand.

20 MR. LEVITON: -- or monetary --

21 MS. McCARTNEY: I understand. Yeah,
22 I understand, you know, the basic of, you want to do
23 well for the township. However, we are the ones
24 that are going to be most impacted. That's why
25 we're probably the only ones here.

1 Just as a sidewalk is not necessary
2 in front of the structure, the current structure, is
3 because the nature of the street and the face of the
4 existing structure is commercial. Our block is
5 residential. And this block, although it is mixed
6 commercial use, it is now changed. So, I don't
7 think that the variance should be changed.

8 And finally, the design waiver of the
9 roof leaders to the dry well that runs off, someone
10 would like to address that because she's going to be
11 impacted.

12 MR. LEVITON: She will. Typically,
13 this is not a dialogue, but I just want you to be
14 clear and rest assured, there will be a sidewalk in
15 front of your home on the other side of the street.

16 MS. McCARTNEY: There is one there
17 already.

18 MR. LEVITON: Okay. Well, there will
19 continue to be one. Okay. Who else? Hello. Come
20 on up. Mr. Marmero will swear you in.

21 DOMINIQUE ZADOK, sworn by attorney.

22 MR. MARMERO: Could you state your
23 name for the record, please.

24 MS. ZADOK: Dominique Zadok,
25 Z-A-D-O-K. Hi. I live at 16 Burke Street. I will

1 be directly facing the new retention pond that
2 you're going to build. So, I'm going to be -- I'm
3 like next door to where Bloomfield-Cooper is.

4 So, basically, my biggest problem is,
5 that I'm going to be worried about is, right now we
6 have a retention pond across the street that kind of
7 drains into behind where we live right now. And
8 currently, we've lost like a lot of trees in the
9 back over the years. I've lived there since it was
10 built. So, I'm living there 28 years now. So,
11 we've lost a lot of trees. I have a picture now, I
12 don't know if you guys want to take --

13 MR. LEVITON: We can't -- we have to
14 have it marked.

15 MS. ZADOK: You can't look at it?

16 MR. LEVITON: We can but it needs to
17 be marked --

18 MS. ZADOK: If you just want to take
19 a quick look at it.

20 MR. LEVITON: No, no, Ma'am. You're
21 not listening.

22 MS. ZADOK: Oh.

23 VOICE: It has to be marked.

24 MS. ZADOK: Oh, okay. I'm sorry.

25 So, we've lost a lot of trees over the years in the

1 back and due to that --

2 MR. LEVITON: We're going to mark it.

3 MR. MARMERO: This will be P-1 for
4 public one, and we'll call it photograph of trees.

5 (The Photograph of trees was marked
6 as P-1 for identification.)

7 MR. LEVITON: Continue, please.

8 MS. ZADOK: So, we've lost a lot of
9 trees in the back over the years and due to that,
10 there -- it just -- there's no -- nothing -- no
11 roots back there to suck up any of the drainage
12 anymore. So, due to that, now we get a lot of water
13 coming up in the back. I have never had any water
14 problems in my back anymore. But we, my husband and
15 I and people next door to us, who somebody's here
16 right now, and we have a couple of neighbors down
17 further, are starting to get worried and we're
18 worried now with a new retention pond, if that
19 starts to come up and overflow, where is that water
20 going to go now. I'm going to be -- that's only
21 going to be 50 feet, maybe 75 feet off of my
22 property line now. So, I'm more worried about that
23 than anything else at this point. Where is that
24 water going to go?

25 The water across the street now, when

1 that comes up and overflows, that, I think about two
2 years ago, two cars got ruined from it. So, that
3 doesn't drain properly right now. We've had
4 problems with that over the years. I've never had
5 any problems in my house, but people have had
6 problems over the years. But I'm worried if this
7 overflows, where is that water going to go? So,
8 that's my biggest property.

9 MR. LEVITON: Thank you, Ms. Zadok.
10 I do want, again, it's not a dialogue, but I do want
11 to allay those concerns too because Mr. Boccanfuso
12 has studied the stormwater management plan that has
13 been submitted. Over the course of the year, he's
14 worked with the applicant, he assures me, he assures
15 this board, that all of the runoff goes to the
16 north, to the other side of the property, towards
17 Gordon Street.

18 Now, all of the runoff goes in that
19 direction, Mr. Boccanfuso; is that correct?

20 MR. BOCCANFUSO: That's correct,
21 Mr. Chairman.

22 Ms. Zadok, did I pronounce that
23 correctly?

24 MS. ZADOK: Yes.

25 MR. BOCCANFUSO: Could I just ask

1 you, the photo that you submitted, P-1, in which
2 direction were you standing and facing? What are we
3 looking at there?

4 MS. ZADOK: So, that's from my
5 backyard, it's like diagonal from my backyard. And
6 that water flow comes toward the house. So, that's
7 mine and my neighbor's house.

8 MR. BOCCANFUSO: Okay. First of all,
9 your property's directly --

10 MS. ZADOK: So, my --

11 (Off the record.)

12 MR. BOCCANFUSO: We can go slowly.
13 We got all night. We can only speak one at a time,
14 otherwise, she'll have our heads and I'm rather
15 attached to my head, so.

16 MS. ZADOK: You see the red truck in
17 the driveway?

18 MR. BOCCANFUSO: I do.

19 MS. ZADOK: That's my house.

20 MR. BOCCANFUSO: Got it. Okay.

21 MS. ZADOK: Yeah.

22 MR. BOCCANFUSO: So, the picture that
23 you presented to the board, you're standing in your
24 rear yard and looking in which direction, towards
25 your backyard or --

1 MS. ZADOK: Yep, backyard.

2 MR. BOCCANFUSO: Okay. What I would
3 tell you is, I'm not surprised to see standing water
4 there because it's wetlands.

5 MS. ZADOK: Yep.

6 MR. BOCCANFUSO: It's regulated
7 areas. And the applicant has defined those wetlands
8 and the DEP has confirmed that they're there. So, I
9 am not surprised that you're seeing wet conditions
10 back there, nor am I surprised that there's trees
11 dying back there because it is wet.

12 What I would tell you is that the
13 applicant will not and cannot touch anything in
14 those wetlands areas unless they get a permit from
15 the DEP. That stormwater management basin, in my
16 opinion, will not have any impact on the conditions
17 in the area. Because any discharge from that basin,
18 as the chairman indicated, is going to head off to
19 the west, which is to the left, away from your
20 property. All the runoff is flowing in that general
21 direction, albeit slowly, because it is wetlands.
22 You're not looking at a running river, a brook or
23 anything of that nature. It's just kind of a
24 gradual flow. So, I don't believe that this
25 proposal will have any impact on the conditions that

1 you're experiencing currently.

2 MR. LEVITON: Thank you,
3 Mr. Boccanfuso. And thank you, Ms. Zadok.

4 MS. DIDOMENICO: Hi.

5 MR. LEVITON: Hello. We'll get to
6 you, sir, don't worry.

7 MARSHA DIDOMENICO, sworn by attorney.

8 MR. MARMERO: If you could state your
9 name and address for the record, please.

10 MS. DIDOMENICO: Marsha Didomenico.

11 I live at 15 Burke Street. D-I-D-O-M-E-N-I-C-O.

12 I've lived in Manalapan 20 years.

13 I've raised three children. They're grown now.

14 This is my second home. I've lived here, I'm the
15 original homeowner. It was my first home I bought
16 on my own. I have never seen a building built on a
17 residential street in 20 years. There's kids that
18 play in front of this street. There's a bus stop on
19 my corner. There's three schools that come,
20 Manalapan High School, the middle school and
21 elementary school, that pick children up all day
22 long.

23 The main street is never used for
24 this, for any funeral. Have you even been there?
25 We're talking about, you know, traffic and things.

1 Has anyone even been on my block? Have you been on
2 my block and witnessed the amount of traffic that's
3 there now? Now you're going to put a monstrous
4 building in the middle of a residential street. And
5 it's just -- it's mind boggling. I've never
6 experienced this. I've lived here 20 years. I
7 can't believe that this is going to be across the
8 street in a residential block, dead smack in the
9 middle of a block. It doesn't make any sense.

10 It's a business property. It was
11 always fine when it was more towards Wilson Avenue,
12 Street, whatever that street is. Even then, it's
13 been a nuisance with the amount of cars. And
14 there's just not cars on Burke Street. They go
15 blocks. They go to Pension. And this is with a
16 smaller facility. I can't imagine the amount of
17 people and traffic and dangerous conditions. And
18 kids could no longer play on that street because of
19 this monstrosity. It's -- I'm speechless.

20 And we weren't notified correctly.
21 We weren't notified by certified mail. It was a
22 letter stuck in our mailbox. That's why no one's
23 here, because half the people didn't even get the
24 notice. We didn't know. I thought it was garbage.
25 I was ready to throw it out.

1 MR. LEVITON: So, first, it's not a
2 dialogue, but let's just make sure.

3 Mr. Marmero, do we have jurisdiction
4 to hear this case? Was notice improper?

5 MS. DIDOMENICO: It was a letter
6 stuck in my mailbox in between just regular mail.
7 It didn't even look important. It looked like junk
8 mail.

9 MS. ZADOK: It was not sent out
10 correctly.

11 MR. LEVITON: We cannot entertain
12 anyone calling out. Please try to refrain from
13 doing so. And everybody who wants to, will be
14 heard. And our attorney is looking at the noticing
15 right now to ensure it was proper.

16 Mr. Licata, any thoughts?

17 MR. MARMERO: Yes. With respect to
18 this specific individual speaking, there is a
19 certified receipt from February 16, to 15 Burke
20 Street. And then just looking at the remainder of
21 the list --

22 MR. LEVITON: So --

23 MS. DIDOMENICO: I have it in my car
24 if you want to see it. I never signed for it.

25 MR. LEVITON: There's a receipt. We

1 have a receipt.

2 MS. DIDOMENICO: No one signed for
3 it. It was stuck in my mailbox.

4 MR. MARMERO: The applicant, what
5 he's obligated to do is get it to the post office
6 and get the post office to stamp it with the date
7 that the post office took it for certified. What
8 happens once it gets to delivered to you, whether
9 it's signed or accepted, that's not something the
10 applicant controls. What they control is getting it
11 out and getting it stamped on that date. So, he met
12 his obligation with respect to the noticing
13 requirement.

14 MR. LEVITON: We have jurisdiction
15 then. And just so you -- you know, you moved in,
16 it's a limited business district. That's what this
17 is. It was existing when you purchased your home.

18 MS. DIDOMENICO: So, it's not a
19 residential street?

20 MR. LEVITON: It's both. It's both.

21 MS. DIDOMENICO: So, I mean, you're
22 the board, right, you can take that all into
23 consideration. I've never seen it in 20 years in
24 Manalapan. That's what keeps me here. That's what
25 keeps all the residents here, because of the zoning,

1 because I can't put a fence that's not proper. I
2 couldn't put a shed that's not proper. Is my taxes
3 going to go down? This is just -- it's not why we
4 live here.

5 MR. LEVITON: I hear you. The board
6 hears you. And we understand.

7 MS. DIDOMENICO: The amount of
8 traffic down that block -- take a ride down there.
9 Go look at it. There's not even construction yet.
10 Go look at it when there's a funeral. Go look at
11 the blocks and blocks of cars that are there, the
12 school buses that come at all different times.
13 There's seven a.m., there's eight a.m., there's nine
14 a.m. You know, one o'clock they're dropping off.
15 There's kids that are playing there. Just take that
16 into consideration. It's Manalapan. This is why we
17 live here. This should not be on that block.

18 MR. LEVITON: Thank you,
19 Ms. DiDomenico. Anybody else? Welcome, sir.

20 NAGESH PULAVARTHI, sworn by attorney

21 MR. MARMERO: Again, can you state
22 your name and address for the record, please.

23 MR. PULAVARTHI: I'm Nagesh
24 Pulavarthi, N-A-G-E-S-H, P-U-L-A-V-A-R-T-H-I.

25 MR. LEVITON: I need you to go slower

1 on your last name. P-U-L.

2 MR. PULAVARTHI: P-U-L-A-V-A-R-T-H-I.

3 So, you can call me Nagesh.

4 So I live at Nine Burke Street. I
5 will be just exact opposite to the second parking
6 lot. Right there. Yeah, that's the one. Okay.

7 So, I understand the commercial needs
8 and everything. So, I mean, there is investment
9 going on into this and everything. So, my problem
10 is not anything about that, but that is something is
11 very painful. So, I mean, when a funeral home,
12 somebody is performing there, something coming out,
13 going in, I'm just exactly opposite to that thing.
14 So, I can't even keep my door open and then stay
15 outside, you know. There is always something coming
16 out and going in. Not always, I'm not saying that
17 every minute, every day this happening. But it does
18 happen. Right. So, it puts a lot of mental trauma
19 onto us. Right. So, all I'm saying is like, there
20 is a funeral home in the beginning, right, so why
21 can't it be there, and then the rest of thing be
22 parking lot. Why you need to have to be in the
23 middle of the lot and then that is how it does. The
24 only reason I'm asking is, like, every day you see
25 this, every time you see this.

1 I mean, somebody investing so many
2 millions of dollars, they're not going to say that,
3 okay, the same kind of traffic will be there, same
4 amount of people will be there. So, do the
5 business, right, it is all business. So somebody is
6 going to bring in more people, more things, more,
7 more, more, right. They have to do the break even
8 point, their investment, right. So, to do that,
9 more number of people are going to come. The
10 residents on that block are going to have a mental
11 trauma. When you are considering about approving
12 this, please think about the situation about the
13 existing people.

14 And also, the Milford Brook school,
15 the elementary school that's exactly -- I mean, it's
16 not here, but you can see all the buses going in and
17 out through this road. And Milford Brook school
18 starts at 9:05 in the morning, I think,
19 approximately. Guy,s, you can help me. Right. And
20 closes around 3:30, something like that. The buses
21 fly around that road exactly during that times which
22 is, they mentioned about. Right. So, traffic
23 considerations, no, there won't be much traffic,
24 there won't be this. No, it's not going to happen.
25 It is going to be there. There are so many times I,

1 myself, I could not pull my car out because so much
2 cars are parked in front of my home. They're not
3 blocking my parking way, I know that, but it is not
4 easy, both sides people parking, two sides of the
5 road. It's not going to work. Right.

6 Now, what are we talking about? Two
7 services can happen at the same time. Right. When
8 two services are happening at the same time, just
9 imagine some popular guy, something, God forbid
10 something should not happen, but it can happen,
11 right. We're talking about what 120, 130 parking
12 spots. It's not going to work. So, please consider
13 these things, the mental trauma, what we are going
14 to face, the amount of traffic that's going to come
15 in. I mean, all I'm asking is, like, why can't --
16 instead of staying in the middle of the lot, why
17 can't the building be there where it is. And then
18 things can be a parking lot and then the in and out
19 can be through Wilson Avenue. You don't have to be
20 through Burke Street. Simple.

21 MR. LEVITON: Thank you, Nagesh.

22 Anyone else? Hello, ma'am.

23 MS. BONETT: Hi.

24 MR. LEVITON: Welcome.

25 MIKI BONETT, sworn by attorney.

1 MR. MARMERO: And then like the
2 others, can you state your name and address for the
3 record, please.

4 MS. BONETT: Miki Bonett,
5 B-O-N-E-T-T, 18 Burke Street. Am I allowed to ask
6 questions or --

7 MR. MARMERO: What was the address
8 again, ma'am?

9 MS. BONETT: Eighteen Burke.

10 MR. LEVITON: Yes, Ms. Bonett, you
11 may.

12 MS. BONETT: Okay. So, how come the
13 traffic study was done in July and not in September,
14 October when school was in session?

15 MR. REA: No, it was done in
16 September. You misunderstood. It was done in
17 September.

18 MS. BONETT: I thought it was done
19 July 15.

20 MR. REA: No. I testified the
21 traffic counts were done in September 2022, schools
22 were open.

23 MS. BONETT: Then how come it was
24 just a study towards Wilson and not Pension, because
25 a lot of the funerals leave towards Pension Road.

1 MR. REA: Yeah, because Wilson is the
2 more heavily traveled street. It's a county road,
3 major county road.

4 MS. BONETT: So, would it take into
5 consideration going towards Pension Road?

6 MR. REA: There's more of an impact
7 on Wilson. We have a driveway on Wilson. The
8 impact on Pension Road is limited.

9 MS. BONETT: By opinion or fact?

10 MR. REA: By both.

11 MS. BONETT: Well, you didn't do a
12 study on it, so how can it be --

13 MR. REA: I've done traffic counts on
14 Pension Road. I've done numerous traffic studies in
15 Manalapan up by the auction in this area. Pension
16 Road is not as heavily traveled as Wilson Avenue.
17 It's a major county arterial. We have an access on
18 Wilson. It's the more heavily traveled and more
19 important street to analyze. It will have a very
20 limited impact on Pension Road.

21 MR. LEVITON: Ms. Bonett, Mr. Rea has
22 testified before this board on numerous occasions.
23 We accept him as an expert. And our own engineer,
24 who we pay to represent all of our interests here in
25 Manalapan, has worked with Mr. Rea and his firm and

1 asked them to do -- to go beyond what they initially
2 did. To go for worst case scenario, as they
3 characterized it. And while Mr. Boccanfuso said
4 that there's no industry standard in the IT what,
5 Brian?

6 MR. BOCCANFUSO: ITE.

7 MR. LEVITON: In the ITE, that he's
8 satisfied that the level of service that you enjoy
9 now will not decrease. And when he tells me that,
10 when Mr. Rea testifies to that, that is what we
11 accept. So, we're not going to argue. You asked,
12 it was answered. Continue, please.

13 MS. BONETT: Did we take into account
14 also the new development with traffic and the water
15 flow from the auction development that's being
16 built?

17 MR. LEVITON: Brian, did their
18 stormwater management plan reference other
19 construction projects?

20 MR. BOCCANFUSO: The stormwater
21 management plan would not be required to account for
22 the auction analysis. That design was such that all
23 of the runoff was actually going to the north
24 towards the Pine Brook, basically, under the auction
25 property. It's off-site. You're not going to see

1 it here. But the stormwater management impact of
2 that development would have no impact on this site
3 in the immediate proximity of the site. It would be
4 a substantial distance, if not miles downstream,
5 before there was any confluence of the outflow.

6 As for the traffic, the traffic would
7 have been accounted for in Mr. Rea's background
8 growth. What they do is, they count traffic and
9 then they apply an increasing factor over a period
10 of years. So, that would have accounted for the
11 impact of the Pine Brook Crossing development, now
12 known as Manalapan Grove.

13 MS. BONETT: And one more question.
14 What guarantee do you have that that water basin's
15 going to really hold the water? What's going to be
16 later down the road when we have floods?

17 MR. LEVITON: Well, Mr. Ploskonka has
18 built this town. He's been here for 55 years. This
19 board recognizes his thumbprint over a good
20 percentage of everything that you see, every single
21 day. He has our upmost respect. He has put
22 together this plan. And our engineer has signed off
23 on it. That is the only guarantee that I need. I
24 don't know that I can satisfy what you do.

25 Anything else, Ms. Bonett?

1 MS. BONETT: Thanks for your time.

2 MR. LEVITON: You're welcome. Thank
3 you for your concerns. Anyone else?

4 MS. McCARTNEY: Can I readdress?

5 MR. LEVITON: It's not typically
6 allowed, but sure. We're not going to argue.

7 MS. McCARTNEY: No, I won't argue.

8 MR. LEVITON: Okay.

9 MS. McCARTNEY: My name is Joelle
10 McCartney.

11 So, first thing, the notification,
12 I'm just curious how we know that we were notified
13 properly, because we got an envelope.

14 MR. LEVITON: Our attorney has --

15 MR. MARMERO: Yeah, so --

16 MS. McCARTNEY: I know he addressed
17 it. But when he says certification, to me, that's a
18 different definition than --

19 MR. MARMERO: We don't know if you
20 received it. We know that the applicant took it to
21 the post office and got it stamped, because that's
22 what his legal obligation is.

23 MS. McCARTNEY: Just stamped. That's
24 not certified mail, though.

25 MR. MARMERO: But it's a certified

1 mail. He has a receipt that's stamped. They
2 postmarked it.

3 MS. MOENCH: It's certified, it's not
4 return receipt.

5 MS. McCARTNEY: So, if we show that
6 we didn't get certified mail, does that give no
7 notification?

8 MR. LEVITON: No.

9 MR. MARMERO: No. He has to show
10 that he brought it to the post office and got it
11 postmarked by them. He's provided that.

12 MS. McCARTNEY: So, just a postmark.
13 That's the thing, I don't understand. From what I
14 understand, certified mail is the green postcard,
15 green postcard.

16 MR. MARMERO: Yeah, but a lot of
17 times people don't get them or they don't get there
18 on time. He has no control over that. He has to
19 meet the law, legal requirement, which is to get it
20 there ten days before this hearing. He beat that.
21 His are marked February 16, so you're, I guess, 15
22 or so, or maybe even more, before the hearing.

23 MS. McCARTNEY: So, then he would
24 have a little slip, yeah?

25 MR. MARMERO: Yeah, he has slips.

1 They're all here.

2 MS. McCARTNEY: If we show that our
3 envelopes were stamped with the date, that date, but
4 don't have the postmark on the back, that's not
5 certified mail.

6 MR. LEVITON: No, Ms. McCartney,
7 you're not getting it. But you can rest assured
8 that this is --

9 MS. McCARTNEY: No, I don't get it.
10 Because, to me, the definition is different from
11 what I was taught when I worked in a law firm.

12 MS. MOENCH: The tax assessor
13 provides a 200-foot list, which the applicant is
14 provided to ask for, and that 200-foot list is sent
15 to the applicant. The applicant then has to send
16 certified mailings, not return receipt, not the big
17 green card on the back where you sign for it, but
18 the little green card. So, when he brings these to
19 the post office with the list that our tax assessor
20 gave him, which is a certified list, and has to put
21 it -- has to address it to every one of those and
22 send it in a timely manner, according to the
23 Municipal Land Use Law. He can't control whether it
24 is signed -- whether they get it or not. Do you
25 understand?

1 MS. McCARTNEY: I do understand, but
2 typically, that is coupled with a postcard on the
3 back of an envelope.

4 MS. MOENCH: That's return receipt.
5 This is just certified mail. So, there's certified
6 mail and then there's certified mail with return
7 receipt. Make sense?

8 MS. McCARTNEY: Got it.

9 MR. LEVITON: Thank you,
10 Ms. McCartney.

11 MS. McCARTNEY: The other thing that
12 I wanted to address was the timing, the level B
13 mitigation. I think if he did his study at a
14 different time, the mitigation level would be risen
15 at least to a C or a D. The fact that the other
16 things that my neighbors brought up was like Milford
17 Brook, also Englishtown. I have a landscaper who
18 won't even come to our address because of the
19 traffic that keeps him from coming when he comes
20 from the other side of Englishtown.

21 MR. LEVITON: Traffic is a legitimate
22 concern this board cares about. We don't want to do
23 anything that's going to make things worse.

24 MS. McCARTNEY: May I make a
25 suggestion in the alternative of having -- because

1 when we moved in, we were told that they would build
2 a parking lot, however, the building would remain
3 where it was and it would just the parking lot. We
4 were fine with that, because we don't have this
5 funeral home facing our property. But if this does
6 come to pass, may I suggest that the traffic go
7 through Burke Street and out Wilson. They don't do
8 that. So, we are an expert, just like you addressed
9 this man here, I'm sorry.

10 MR. LEVITON: Mr. Ploskonka.

11 MS. McCARTNEY: And he's got his
12 thumbprint, like you said, on this town, and he's
13 been here and he's an expert because he's been here
14 for 55 -- we've lived on that block, some of us, for
15 20 years. So, we're the expert on our block. So,
16 we know how they operate. I know exactly how
17 Bloomfield-Cooper operates, because they live across
18 the street from me. It's doesn't impact me because
19 I live on a flag lot, so I turn and I go the other
20 way.

21 MR. LEVITON: Mr. Steffaro, is there
22 anyone at your facility who manages the funeral home
23 other than yourself?

24 MR. STEFFARO: Yes.

25 MR. LEVITON: Would they be receptive

1 to input from the local residents?

2 MR. STEFFARO: Yeah. I mean, based
3 on her recommendation, I could easily just tell the
4 location to go out that direction. You know, it
5 really depends on what cemetery they are going to
6 dictates which route they take.

7 MS. McCARTNEY: Most of the time
8 going to Adelphia is going up toward Pension.

9 MR. LEVITON: It doesn't matter.
10 Mr. Steffaro, if you could direct traffic away from
11 the residences, it would always be appreciated.

12 MR. STEFFARO: Without a question.

13 MR. LEVITON: Thank you, sir.

14 MS. McCARTNEY: I'd like to readdress
15 the residentiality, my new word, of the block. It
16 has changed. The block has changed. Our house was
17 the only house in the block. As a matter of fact, I
18 don't even like the new light post that we have, I
19 hate it, but it's part of the -- it's part of life
20 and it moves on, yeah. But this completely changes
21 the way that we're going to live on this block.

22 We just recently had a block party
23 for the first time. We're joining, bringing our
24 block together, that's what we're trying to do. But
25 that really, like Nagesh said, is going to put, you

1 know, I forget the wording that he used. But it
2 really does put a mental trauma, it really does.
3 I'm sorry. I apologize.

4 If you look at my house, it's the one
5 that has -- it's the second house from the left.
6 So, our house actually faces the wrong way, because
7 it was the first house in the entire area. So,
8 that's why we have a flag lot, too, because it's an
9 old easement, but the flag lot allows us access out
10 that way. But it also shows you why our house faces
11 the wrong way. So, our backyard is now being
12 imposed upon by this building. I'm going to look in
13 my backyard and I'm going to be looking at a funeral
14 home. It's that right there, that fence that comes
15 down like a U shape, that's my backyard.

16 MR. LEVITON: Mr. Halari, can you put
17 up the grading plan -- not the grading plan. What
18 do you call it with the trees? Is there a proposed
19 tree line along that fence to mitigate what she's
20 going to see from her backyard? There is not.
21 There's some mitigation. What kind of trees are
22 those?

23 They've agreed to work with our
24 environmental commission who made recommendations to
25 use native plants. Brian, can we ensure that there

1 are some evergreens there, as well, to mitigate that
2 view?

3 MS. McCARTNEY: If I may.

4 MR. BOCCANFUSO: Mr. Chairman, are
5 you asking if -- first of all, I think we would need
6 to ensure that the applicant is agreeable to it.

7 MR. LEVITON: Of course.

8 MR. BOCCANFUSO: If they're not, the
9 board can certainly weigh that, but --

10 MR. LEVITON: I'm thinking that the
11 board cares that what she's going to see out of her
12 backyard is changed. What hasn't changed, is the
13 district.

14 Mr. Avakian, this is a limited
15 business Wilson Street district. It's like unique.
16 It's a zone made specifically for this street, and
17 that's consistent with what it's always been.

18 MR. AVAKIAN: Yes, Mr. Chair. So,
19 just to reiterate what was originally said, we're
20 also here for a D1 use variance. And just so the
21 whole board knows, in order to fulfill and satisfy
22 all the criteria of the Municipal Land Use Law,
23 there's four parts. You have to have two positive
24 parts, which is suited for the use. And like you
25 just said, it's been the use there currently.

1 Special reasons, which Ms. Coffin had touched on.
2 And there is negative criteria. A part of negative
3 criteria is, the variance can be granted without
4 substantial detriment to the public good.

5 MR. LEVITON: So, that is the
6 standard that this board is charged with meeting.
7 This board has to apply the Municipal Land Use Law
8 of New Jersey, which you've just heard from
9 Mr. Avakian, the board's planner, that there are two
10 prongs, a positive and a negative. And the negative
11 criteria talks about there being no substantial
12 detriment to the public. So, even if we take into
13 account all of your concerns, we need to weigh that
14 against the entire community and see if it rises to
15 the level of substantial.

16 Now, granted, it's subjective. But
17 the man has the right to improve his property.
18 That's what the MLUL says, that he has the right to
19 develop his property. And if they put the proofs on
20 the record, that's what we have to go by. Thank
21 you, Mr. Avakian. Go on, please.

22 MS. McCARTNEY: And the last thing is
23 the fact that it's going over wetlands. So, how did
24 that --

25 MR. LEVITON: They're not touching

1 the wetlands. Not only did they come through us,
2 they went through the Department of Environmental
3 Protection for New Jersey. They're not allowed to
4 touch it.

5 MS. McCARTNEY: But they're going
6 right over it.

7 MR. LEVITON: They're not.

8 MS. McCARTNEY: So what is --

9 MR. LEVITON: Mr. Ploskonka, ensure
10 her that the wetlands won't be disturbed.

11 MS. McCARTNEY: But then it's going
12 back 75 feet.

13 MR. LEVITON: Mr. Ploskonka.

14 MR. PLOSKONKA: As I pointed out
15 before on the Exhibit B, the wetlands in the back
16 there is being preserved. The buffer for the
17 wetlands touches the edge of the parking lot.

18 MS. McCARTNEY: That's what that
19 black line is, buffer?

20 MR. PLOSKONKA: Correct.

21 MS. McCARTNEY: Right.

22 MR. PLOSKONKA: Let me finish. And
23 the buffer can be averaged with DEP regulations, and
24 that would be another permit we go back for, so that
25 we don't have any -- we don't have any plans that

1 interferes with the blacktop. So, we'll buffer
2 average the back of it to make that work and get the
3 DEP permits.

4 We could also do some plantings
5 across the street on the side of your property so
6 that we then block off your backyard, but we've
7 done -- have you seen the McDonald's on Wilson?

8 MS. McCARTNEY: Oh, yes, smell it
9 too.

10 MR. PLOSKONKA: Across the street
11 there's three giant arborvitaes that grow about
12 15 feet high, 20 feet high.

13 MS. McCARTNEY: Will they block the
14 signs too? That's the other thing.

15 MR. PLOSKONKA: Again, we'd be
16 willing to meet you at the property with our
17 arborist and do something that would do buffering
18 for you.

19 MR. LEVITON: And we appreciate the
20 concerns. Mr. Ploskonka, are you saying that the
21 applicant is willing to buffer her backyard with a
22 living fence?

23 MR. PLOSKONKA: Normally, that would
24 be her front yard, but her house faces the alleyway.

25 MR. LEVITON: Yes. Yes.

1 MR. PLOSKONKA: So, we, to give her
2 some privacy, we would do buffering on her side.

3 MR. LEVITON: Thank you, sir.

4 MR. BOCCANFUSO: Mr. Chairman, I just
5 want to make sure, first of all, I'm understanding.
6 John, is the proposal to provide landscaping on the
7 opposite side of the street from the site or on your
8 site to screen on the opposite side?

9 MR. PLOSKONKA: On the opposite side,
10 on her property with her permission.

11 MR. BOCCANFUSO: Understood. And
12 then just one other thing, so that the record is
13 clear and there's no misrepresentations with regard
14 to the wetlands. What Mr. Ploskonka indicated is
15 correct, they are proposing to average the wetlands
16 buffer. But they are proposing disturbance in the
17 wetlands for a basin outfall. So, it's just going
18 to be -- it's just going to be a pipe that comes
19 from the basin through the wetlands. It requires a
20 permit from the NJDEP. The NJDEP would review the
21 application, as well as their entire stormwater
22 management system design, and they're subject to
23 very strict scrutiny, as well as a stormwater
24 management regulation. So, to that extent, they
25 will be touching the wetlands, but there's no

1 impervious improvements that are proposed in there,
2 no parking areas, no buildings, nothing of that
3 nature. It's just really some minor clearing,
4 excavation and then a pipe that would be buried once
5 it's completed.

6 MS. McCARTNEY: However, you're able
7 to do that only because you have a variance of the
8 front, the frontage of the property is back 25 feet
9 instead of 75, like it's supposed to be.

10 MR. BOCCANFUSO: I don't think it's
11 appropriate for us to engage in a debate here.

12 MR. LEVITON: Or a dialogue.

13 MR. BOCCANFUSO: If you have a
14 question, we can certainly, either myself or the
15 applicant's engineer can answer it, but it's not
16 appropriate for us to get into a dialogue.

17 MS. McCARTNEY: I understand that.

18 MR. LEVITON: Your concerns have been
19 registered.

20 MS. McCARTNEY: Thank you.

21 MR. LEVITON: You're welcome.

22 Mr. Boccanfuso, thank you for
23 fielding questions. Mr. Licata, to your entire
24 team, thank you. Just let me check. Is there
25 anyone else from the public who wants to address the

1 board?

2 MS. ZADOK: Quick question.

3 MR. LEVITON: Quick question, sure.

4 This is Ms. Zadok, she's coming, she understands
5 she's still under oath.

6 MS. ZADOK: Yes. I just have one
7 quick question. So, on Mount between where your --
8 the retention pond is, are you taking down any trees
9 there? So, it's between my house and the --

10 MR. PLOSKONKA: In the paper street,
11 the answer is no, we're not touching the paper
12 street, no.

13 MS. ZADOK: Okay.

14 MR. PLOSKONKA: That 50-foot natural
15 buffer remains.

16 MS. ZADOK: That natural buffer
17 remains. Okay. Thank you.

18 MR. LEVITON: For the public,
19 Mr. Ploskonka is not just the engineer -- he is not
20 just an engineer, he is also a planner. And I
21 believe he's an attorney who passed the New Jersey
22 board in 1920. You remember the bar here in our
23 store, right, Mr. Ploskonka?

24 MR. PLOSKONKA: Mr. Sonnenblick likes
25 to change places years ago.

1 MR. LEVITON: Okay. Board, is there
2 anything else from you?

3 Seeing no more interest from the
4 public, I'm going to close public at this time.

5 Board, is there anything else from
6 you? Sam? Brian?

7 MR. AVAKIAN: No, sir. Thank you,
8 Mr. Chair.

9 MR. BOCCANFUSO: Nope, not unless
10 there's any questions, Mr. Chairman.

11 MR. LEVITON: Albert, can we review
12 conditions.

13 MR. MARMERO: Yeah. So, let's first
14 review the relief that's required. So, the
15 applicant requires several things. They're seeking
16 a use variance, a D1 variance, to allow the funeral
17 home, the funeral home is an existing use, but the
18 funeral home is not technically a permitted use.
19 Since they're going to be demo'ing and rebuilding or
20 having a new structure, technically they do require
21 a use variance. They're also seeking preliminary
22 and final site plan approval. And then they're
23 seeking several bulk variances that go along with
24 the site plan. So, they do need front yard setback
25 variance approval. They are proposing 50 feet where

1 75 feet is required. They need a front yard setback
2 variance for the parking area. They are proposing
3 two signs instead of the one sign that is permitted.
4 They are proposing to internally illuminate the sign
5 where external illumination is what's permitted in
6 this zoning district. Then they're seeking a waiver
7 to allow a direct connection of roof leaders into
8 the inlets, which is ordinance 95-8B(j)(2). So,
9 those are the areas of relief that are sought? Did
10 I miss anything, Mr. Licata?

11 MR. LICATA: I think there's one side
12 of the building where we don't have foundation
13 plantings.

14 MR. MARMERO: Okay.

15 MR. BOCCANFUSO: And parking space
16 dimensions as well.

17 MR. MARMERO: Okay. And that's a
18 design waiver for the parking space dimensions?

19 MR. BOCCANFUSO: Yep.

20 MR. MARMERO: Okay. So, we have that
21 covered. So, any motion that the board would want
22 to entertain would be a motion to grant the relief
23 that we just discussed. And then the conditions
24 that have been discussed tonight, obviously, they
25 would comply with all of the comments in the reports

1 of our professionals. They've agreed to consolidate
2 the lots. Currently, it's two lots, but they would
3 consolidate the lots.

4 They've agreed on the record that
5 only one chapel would be operational until the
6 demolition of the existing building. They've asked
7 for permission to not put sidewalk along Wilson, the
8 board seemed amenable to that and they would make a
9 contribution to the township sidewalk fund. There
10 was discussion at phase one, removing the thick clay
11 layer and replacing it with material acceptable --
12 of acceptable permeability rate, that was Brian's
13 comment about the soils in the basin. They've
14 agreed on the record to comply with the report from
15 the fire department, with the report from the
16 police. And they also, obviously, have to comply
17 with all other outside agencies.

18 We did discuss during the hearing
19 that during phase one, they would provide a clear
20 and safe pedestrian access from what I call the
21 northwest parking lot to the chapel that would be
22 operational during phase one. There was discussion
23 with the phasing and the demolition of the existing
24 building of providing a TCO that could be revoked if
25 the existing building was not demolished within 90

1 days of completion of the new building. We talked
2 about street trees along Wilson, per Brian's report.
3 And the applicant seemed to agree to that.

4 There was some discussion of the
5 screening of the trash enclosure. There was going
6 to be a waiver required, but the applicant seemed to
7 indicate that the trash enclosure could be screened,
8 at least where it faces the parking lot.

9 Then, finally, there was discussion
10 where the applicant seemed to agree to meet with the
11 arborist at Six Sanford to determine an appropriate
12 buffer and to install screening on the property
13 owner's property, obviously, with the permission of
14 the property owner.

15 MR. LICATA: That's correct. Thank
16 you.

17 MR. LEVITON: Thank you, Mr. Marmero.
18 And thank you, Mr. Licata.

19 Will someone make a motion?

20 MR. GREGOWICZ: I'll make the motion
21 to grant the relief that the applicant is seeking,
22 along with the conditions set forth by the board
23 professionals on the zoning board.

24 MR. LEVITON: Will someone second
25 that?

1 MR. DITOTA: Can I add something to
2 that motion with a bond?

3 MR. LEVITON: I don't know. Albert,
4 can he?

5 MR. MARMERO: Yeah, I mean, you can
6 ask --

7 MR. DITOTA: If I ask you to amend
8 your --

9 MR. LEVITON: Speak into the mike.

10 MR. DITOTA: With a bond that will
11 hold the owner accountable to demolition of the
12 building in the appropriate amount of time.

13 MR. LEVITON: Hold on. I don't --
14 I'm amenable to that, but I thought we were going to
15 just take over and finish it ourselves. When they
16 said that they wanted to demolish the existing
17 building, I believe them. They want their business.
18 They want their two chapels. I didn't think it was
19 necessary, but if you do, I'm willing to go with
20 that. What does everyone think?

21 MR. DITOTA: That would be a tax
22 lien, then right?

23 MR. LEVITON: It would be a tax lien.
24 That's the third option Albert --

25 MR. DITOTA: Then they would only be

1 obligated to pay if they sold it.

2 MR. LEVITON: That's true.

3 MR. MARMERO: So, the way the motion
4 is framed right now is, the condition that I had, it
5 sounded like you guys were discussing the option of
6 the TCO, which would have the revocation after 90
7 days if the building wasn't demolished. And then
8 like Brian said, of course, if there was progress
9 that was being made, the township could then opt to
10 extend that TCO if they saw fit. So, that's the
11 control that you have in the motion that exists as
12 of now.

13 MR. LEVITON: Rob wants to add to it
14 to have them put up a bond as well. Gentlemen?

15 MR. SCHERTZ: I'm okay with that.

16 MR. WECHSLER: Okay.

17 MR. LEVITON: I like it.

18 MR. MARMERO: The bond?

19 MR. LEVITON: Yeah.

20 MR. GREGOWICZ: I'll revise the
21 motion to include the bond that was just mentioned.

22 MR. DITOTA: And I'll second it.

23 MR. LEVITON: And to be clear, that
24 would happen when we meet with Brian, and he'll
25 determine a monetary value for it, correct?

1 MR. BOCCANFUSO: The way it would
2 work, Mr. Chairman, is at the time a TCO is
3 requested, my office, in our capacity as the
4 township engineer, not the zoning board's engineer,
5 would calculate the construction cost of the
6 remaining improvements. And that would be the
7 required bond amount.

8 MR. LEVITON: Mr. Licata, can you
9 check with your client to ensure that they're
10 willing to comply with the condition?

11 MR. LICATA: I've had an opportunity
12 to consult with my client, both before this meeting
13 and at this time. And they understand the concern
14 and they would comply with that condition of
15 approval.

16 MR. LEVITON: Thank you, Robert.
17 Okay.

18 MS. MOENCH: Mr. Ditota?

19 MR. DITOTA: Yes.

20 MS. MOENCH: Mr. Gregowicz?

21 MR. GREGOWICZ: Yes.

22 MS. MOENCH: Mr. Rosenthal?

23 MR. ROSENTHAL: Yes.

24 MS. MOENCH: Mr. Schertz?

25 MR. SCHERTZ: No.

1 MS. MOENCH: Mr. Shalika?

2 MR. SHALIKAR: No.

3 MS. MOENCH: Mr. Mantagas?

4 MR. MANTAGAS: Yes.

5 MS. MOENCH: Chair Leviton?

6 MR. LEVITON: Yes.

7 This was a use variance that required
8 five affirmative votes. How many do they have?

9 MR. MARMERO: Five.

10 MS. MOENCH: Five.

11 MR. LEVITON: Then congratulations,
12 Mr. Licata.

13 MR. LICATA: Thank you, Mr. Chairman.
14 I thank you all for your time and consideration.

15 MR. LEVITON: You're welcome.

16 (Matter concluded.)

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C E R T I F I C A T E

I, LINDA SULLIVAN-HILL, a Notary
Public and Certified Court Reporter of the State of
New Jersey, do hereby certify that the foregoing is
a true and accurate transcript of the proceedings as
taken stenographically by and before me at the time,
place and on the date hereinbefore set forth.

/s/ Linda Sullivan-Hill

Notary Public of the State of New Jersey
My Commission expires January 26, 2026

Dated: March 14, 2023

| <u>A</u> | | |
|-------------------------------|-----------------------------|-------------------------------|
| A-1 | acknowledge | ADJUSTMENT |
| 3:18 25:13,15,17 | 84:22 | 1:1 |
| A-2 | acknowledged | advanced |
| 3:19 26:10,12,13,15 52:18 | 24:9 | 39:25 |
| a.m | acquired | advantages |
| 63:8 84:20 88:5 120:13,13,14 | 64:17 | 14:2 |
| ability | acre | aesthetic |
| 42:23 | 38:15 | 41:15 106:23 |
| able | acres | aesthetically |
| 12:19 14:9 15:3,7 16:20 19:8 | 27:25 | 28:1 108:14 |
| 20:4,15,22,23 64:7 100:12 | act | aesthetics |
| 140:6 | 23:15 | 50:21 |
| absolute | activity | affirmative |
| 14:2 | 10:11 42:15 71:23 83:24 | 24:2 149:8 |
| absolutely | actual | afternoon |
| 4:4 14:1 20:21 53:20 57:17 | 11:13,19 20:7 62:11 74:11 | 13:1,14 33:21,23,24 34:7 84:5 |
| 67:7 74:4 76:11 99:2 102:2 | 89:17 90:10 91:6 | 96:2 |
| 104:23 | acumen | agencies |
| abuts | 77:4 | 144:17 |
| 19:17 | add | aggressive |
| accept | 27:12 70:8 90:24 106:12 | 78:9 79:10 |
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