ALPINE ZONING BOARD OF ADJUSTMENT

Regular Meeting
Thursday, April 21, 2022 - 7:30 P.M.
(This meeting was held in person and taped in its entirety)

CALL TO ORDER/PLEDGE OF ALLEGIANCE/PUBLIC ANNOUNCEMENT

This regular meeting of the Alpine Zoning Board of Adjustment was called to order by Acting Chairwoman Herries at 7:30 p.m., Thursday, April 21, 2022 at the Alpine Borough Hall, the Pledge of Allegiance recited and the Public Announcement read according to the requirements of N.J.S.A. 10:4-6 et seq.:

In accordance with the provisions of the Open Public Meetings Law, notice of this regular Zoning Board of Adjustment meeting held on Thursday, April 21, 2022 at 7:30 PM has met the requirements of the law as part of the Borough of Alpine's annual meeting notice in The Record published on January 10, 2022, and emailed to The Suburbanite on January 6, 2022, posted continuously on the bulletin board of the lobby of Borough Hall, and on the Borough website (http://www.alpinenj07620.org), and a copy filed in the Office of the Borough Clerk. Instructions for how the public can participate and access the meeting and documents has been included in the posted agenda.

ROLL CALL

Richard Glazer (Chairman)	Absent	Tony Clores (Vice-Chairman)	Absent
David Kupferschmid	Present	Richard Bonhomme	Present
Anthony Barbieri	Present	George Abad, Jr	Present
Elizabeth Herrles (Acting Chair)	Present	Amy Lerner, Alt I	Present

Staff Present: Board Attorney Michael Kates, Borough Engineer Perry Frenzel, Board Secretary Jo Anna Myung

COMMUNICATIONS

- Alternate I Board Member Amy Lerner has listened to last month's meeting tape and qualified.
- Updated draft of the March 29, 2022 Special Meeting Minutes distributed for the Board's review and approval.
- In order to accommodate the many members of the public that are present for the scheduled hearings tonight, the Board proposes to start with the application of Church of the Lord, then hear the application of Tracy Marrow. At the close of hearings and testimonies, no later than 10:00 PM, the Board will then conduct the other regular order of business for the evening.
- Attorney Matt Capizzi, on behalf of the applicant Tracy Marrow, communicated that they have received late
 notice that one of their professionals was not available tonight, and thus requested to adjourn. Board Attorney
 Kates announced that the next Zoning Board of Adjustment meeting is scheduled for Thursday, May 19, 2022
 and on request of the applicant's attorney, this application will be adjourned until then.

HEARINGS

Church of the Lord:

- 995 Closter Dock Road: Block 47 Lot 2
- 10 Old Dock Road: Block 48 Lot 1.01

Attorney for the Applicant: Attorney Matthew G. Capizzi, Esq. 11 Hillside Avenue 2nd Floor, Tenafly, NJ 07670 with a Court Stenographer appeared on behalf of the Applicant [with Applicant in the audience].

In lieu of Minutes summarizing the hearing, a verbatim transcription is appended hereto provided by Ronda L, Reinstein, C.C.R. of Laura A. Carucci, C.S.R, R.P.R, L.L.C., consisting of 92 sheets (4 pages per sheet) and 11 sheets of Word/Number Index.

PROCEDURAL MOTIONS

Resolution: Approval of Minutes from the Special Meeting on Tuesday, March 29, 2022 upon a motion by Mr. Barbieri, seconded by Mr. Bonhomme and approved by all those eligible to vote.

Vote: Ayes: Mr. Abad, Mr. Barbieri, Mr. Bonhomme, Mr. Kupferschmid, Ms. Lerner, Ms. Herries

Absent: Mr. Glazer, Mr. Clores MOTION APPROVED

MEMORIALIZATION: LUCACEL Block 55 Lot 3.03 - 79 Miles Street

Resolution: Upon a motion by Mr. Abad, seconded by Mr. Barbieri to approve the resolution for Florin and Carla Lucacel granting variance relief for a deficient front yard setback, a soil moving permit with waivers, and waivers relating to the height and location of proposed walls supporting the septic system, increase of septic fields to accommodate for the 6th bedroom, with an additional soil moving requirement because of the volume of soil that is involved. It is required that soil brought onto site is pre-certified and compliant with NJDEP residential direct contact standards or, if from local excavation, they are natural soils. Thus, approval is subject to conditions as outlined in the resolution for this property located at 79 Miles Street designated as Block 55 Lot 3.03 on the Tax Assessment Map of Alpine, New Jersey, Bergen County. A copy of this resolution is on file at the Borough of Alpine, 100 Church Street, Alpine, NJ for review.

Vote: Ayes: Mr. Abad, Mr. Barbieri, Mr. Kupferschmid, Ms. Herries, Ms. Lerner

Abstain: Mr. Bonhomme **Absent:** Mr. Glazer, Mr. Clores

MOTION APPROVED

Resolution: Approval of Bills and Claims Upon a motion by Mr. Barbieri, seconded by Mr. Bonhomme at the regular meeting of the Alpine Zoning Board of Adjustment held on April 21, 2022 to approve the following Bills and Claims:

Kates Nussman Ellis Farhi & Earle, LLP	55/3.03 79 Miles Street	lnv. 28824	\$1,750.00
Azzolina & Feury Eng., Inc.	55/3.03 79 Miles Street	Inv. 75920	\$206.50
Azzolina & Feury Eng., Inc.	55/3.03 79 Miles Street	Inv. 75919	\$295.00
Azzolina & Feury Eng., Inc.	90/6 92 Ruckman Road	Inv. 75923	\$354.00

Vote: Ayes: Mr. Abad, Mr. Barbieri, Mr. Bonhomme, Mr. Kupferschmid, Ms. Lerner, Ms. Herries

Abstain: Bonhomme

Absent: Mr. Glazer, Mr. Clores MOTION APPROVED

PUBLIC COMMENTS None.

OTHER BUSINESS None.

ADJOURNMENT at 9:12 p.m. upon a motion by Mr. Barbieri, seconded by Mr. Kupferschmid.

Vote: Ayes: Mr. Abad, Mr. Barbieri, Mr. Bonhomme, Mr. Kupferschmid, Ms. Lerner, Ms. Herries

Absent: Mr. Glazer, Mr. Clores MOTION APPROVED

Respectfully submitted,

Jo Anna Myung Board Secretary

	1
1	2 WITNESS SWORN TESTIMONY
	3 MICHAEL). HUBSCHMAN, P.E. 14
1 BOROUGH OF ALPINE ZONING BOARD OF ADJUSTMENT	Direct Examination by Mr. Capizzi 19
2 THURSDAY, APRIL 21, 2022	4 Board/Professional Questions
7:30 P.M.	Mr. Kupferschmid 20, 33
IN THE MATTER OF:) TRANSCRIPT OF	5 Mr. Kates 37, 79
APPLICATION OF PROCEEDING	Acting Chairwoman Herries 82
5 CHURCH OF THE LORD, 995 CLOSTER DOCK ROAD,	6 Mr. Frenzel 81
6 BLOCK 47, LOT 2,)	Public Questions
10 OLD DOCK ROAD,) 7 BLOCK 48, LOT 1.01.)	7 John Kelly 39
8	9 Old Dock Road 8 Robert Policano 45
BEFORE:	8 Robert Policano 45 979 Closter Dock Road
9 RICHARD GLAZER, CHAIRMAN (ABSENT)	9 Leon Garabet 48
TONY CLORES, VICE CHAIRMAN (ABSENT)	987 Closter Dock Road
11	10 David Reeves 51
ELIZABETH HERRIES, ACTING CHAIRMOMAN 12	19 Ridge Street
GEORGE ABAD, JUNIOR, MEMBER	11 Allison Mangot 59
RICHARD BONHOMME, MEMBER	19 Old Dock
14 ANTHONY BARBIERI, MEMBER	12 Sara Reeves 63
DAVID KUPFERSCHMID, MEMBER	19 Rldge Street
16	13 Lane Goldstein 67
AMY LERNER, ALTERNATE 1 MEMBER	23 Ridge Street
10	14
	15
19	16
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.	17
21 CERTIFIED COURT REPORTERS	18
P.O. BOX 505 22 SADDLE BROOK, NJ 07663	19
201-641-1812	20
23 LauraACaruccillc@gmail.com	21
24	22
25	23
	24
LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	25
TO VIA AVAIN	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
2	4
1 APPEARANCES:	1 INDEX (CONTINUED)
THE TENNING EST	2 <u>EXHIBITS</u>
3 HICHAEL B MATEC FCOULDE	
2 MICHAEL B. KATES, ESQUIRE	3 NO. DESCRIPTION IDENT/EVID 4 A-1 Proof of Publication in The Record:
Attorney for the Zoning Board of Adjustment	April 10, 2022 17
3	5 A-2 Certified mailing to Residents
4 CAPIZZI LAW OFFICES	6 Within 200' on April 8, 2022 per
BY: MATTHEW G. CAPIZZI, ESQUIRE	Tax Assessor's List April 7, 2022 17
5 11 Hillside Avenue	A-3 Application received
Second Floor	8 January 6, 2022 signed and
6 Tenafly, New Jersey 07670	Dated January 5, 2022 with 9 Rider and attachments: Proposals
Attorney for Applicant	And Reasons for Relief Tax Collector's
7	10 Proof of Statement dated June 18, 2021 - Tax Exempt 200' Property Owners' list
8	11 September 30, 2021 17
9 ALSO PRESENT:	1
-	12 A-4 Borough Engineer's letter Dated September 20, 2021 and
40 10 ANNA MVINC Daniel Carret	13 Zoning Officer's Review letters
10 JO ANNA MYUNG, Board Secretary	Included from our files: 14 Zoning Officer review letter dated
11 PERRY F. FRENZEL, P.E., Board Engineer	July 19, 2021 for 10 Old Dock Road
12	15 Block 48 Lot 1.01, Zoning Officer
13	Review letter dated July 19, 2021 16 For 995 Closter Dock Road Block 47
14	Lot 2 17
15	17 A-5 Photo Exhibit - set of 2 color
16	18 Photos not dated, not signed 17
17	19 A-6 Soil Moving Deport signed
17 18	19 A-6 Soil Moving Report signed and Sealed by Michael J. Hubschman.
18	19 A-6 Soil Moving Report signed and Sealed by Michael J. Hubschman, 20 PE PP dated December 31, 2021 17
18 19	Sealed by Michael J. Hubschman, 20 PE PP dated December 31, 2021 17
18 19 20	Sealed by Michael J. Hubschman, 20 PE PP dated December 31, 2021 17 21 A-7 6-Foot Boulder Wall Calculations Report signed and sealed by
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	5	7
1	INDEX (CONTINUED)	1 brief opening statement on the Church of the Lord
2	EXHIBITS	2 application.
3	NO. DESCRIPTION IDENT/EVID	3 ACTING CHAIRWOMAN HERRIES: Of course.
4	A-9 Engineering Plans consisting of 6 pages signed and sealed by	4 MR. CAPIZZI: So as the board is aware,
5	Michael J. Hubschman, PE PP dated June 24, 2021, last revised	5 this is the former location of the Alpine Community
6	December 20, 2021 except for	6 Church, The Church of the Lord purchased the
7	Sheet 6 as noted below: Drawing # 3882-4 "Site Plan"	7 property in November of 2019 and has been holding
8	Drawing # 3882-5 "Grading, Drainage & Utility Plan/Details" Drawing # 3882-6	8 services at the stone church property since that
9	"Lighting/Landscaping Plan & Details" Drawing # 3882-7 "Soil Erosion Sediment	9 time.
-	Control Plan & Details" Drawing # 3882-8	10 What we're seeking to do by way of this
10	"Existing Conditions Plan" Drawing # 3882-9 "Cross Sections & Soil Moving	11 application is add some additional off-street
11	Plan" dated December 29, 2021 17	12 parking
12	A-10 Supplement cover letter from Matthew G. Capizzi, Esq. Dated February 16, 2022	13 As the board members may be aware, the
13	Along with: Soil Moving Permit	14 property consists of essentially two parcels that are
14	Application with Check List for Determining completeness of review 17	15 separated by Old Dock Road. One is on the westerly
15	A-11 Drawing # 3882-4 "Site Plan" previously	16 side. It has the stone church building on it where
	submitted as part of exhibit A-9 now	17 services are held. And on the easterly side is the
16	colorized 18	18 community center property and the pastor's manse,
17	A-12 Drawing # 3882-5 "Grading, Drainage & Utility Plan/Details" previously	19 where we hold some other events, religious worship,
18	Submitted as part of exhibit A-9 but	20 religious education, services in that building.
19	Plan presented during April 21, 2022 Meeting is colorized 18	21 At the stone church property there's a
20	A-13 Drawing # 3882-6 "Lighting/Landscaping	22 parking lot, a macadam parking lot, that has
21	Plan & Details" previously submitted as Part of exhibit A-9 now colorized 19	23 approximately 20 parking spaces. In the at the
	Part of exhibit A 2 flow colorated 25	24 Community Center property there is no opportunity for
22 23		25 off-street parking with the exception of the driveway
24 25		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	201-641-1812
	6	8
1	ACTING CHAIRWOMAN HERRIES: And so the	1 that services the pastor's manse.
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2	Church of the Lord application.	· ·
	Church of the Lord application. MR. CAPIZZI: Good evening, Madame	2 Based upon the attendance at our
2 3 4	Church of the Lord application.	2 Based upon the attendance at our3 services and with some room for expansion, we're
2 3 4 5	Church of the Lord application. MR. CAPIZZI: Good evening, Madame Chair. Matthew Capizzi on behalf of the	2 Based upon the attendance at our 3 services and with some room for expansion, we're 4 proposing to add some additional parking at the stone
2 3 4 5	Church of the Lord application. MR. CAPIZZI: Good evening, Madame Chair. Matthew Capizzi on behalf of the applicant.	2 Based upon the attendance at our 3 services and with some room for expansion, we're 4 proposing to add some additional parking at the stone 5 church property, adding approximately 22 spaces to
2 3 4 5 6 7	Church of the Lord application. MR. CAPIZZI: Good evening, Madame Chair. Matthew Capizzi on behalf of the applicant. Just as a point of clarification, as I	2 Based upon the attendance at our 3 services and with some room for expansion, we're 4 proposing to add some additional parking at the stone 5 church property, adding approximately 22 spaces to 6 that lot.
2 3 4 5 6 7 8	Church of the Lord application. MR. CAPIZZI: Good evening, Madame Chair. Matthew Capizzi on behalf of the applicant. Just as a point of clarification, as I do have the Tracey Marrow application as well, we're	2 Based upon the attendance at our 3 services and with some room for expansion, we're 4 proposing to add some additional parking at the stone 5 church property, adding approximately 22 spaces to 6 that lot. 7 And at the Community Center property,
2 3 4 5 6 7 8 9	Church of the Lord application. MR. CAPIZZI: Good evening, Madame Chair. Matthew Capizzi on behalf of the applicant. Just as a point of clarification, as I do have the Tracey Marrow application as well, we're going to be adjourning that matter this evening.	Based upon the attendance at our services and with some room for expansion, we're proposing to add some additional parking at the stone church property, adding approximately 22 spaces to that lot. And at the Community Center property, we're proposing to create a new parking area
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2 3 4 5 6 7 8 9 10	Church of the Lord application. MR. CAPIZZI: Good evening, Madame Chair. Matthew Capizzi on behalf of the applicant. Just as a point of clarification, as I do have the Tracey Marrow application as well, we're going to be adjourning that matter this evening. Unfortunately, we received late notice that one of our professionals is not available. So whether you want to dispose of that now and adjourn	Based upon the attendance at our services and with some room for expansion, we're proposing to add some additional parking at the stone church property, adding approximately 22 spaces to that lot. And at the Community Center property, we're proposing to create a new parking area containing 25 spaces. Once you bring the sum total online, it will give us an opportunity of approximately 67
2 3 4 5 6 7 8 9 10 11	Church of the Lord application. MR. CAPIZZI: Good evening, Madame Chair. Matthew Capizzi on behalf of the applicant. Just as a point of clarification, as I do have the Tracey Marrow application as well, we're going to be adjourning that matter this evening. Unfortunately, we received late notice that one of our professionals is not available. So	2 Based upon the attendance at our 3 services and with some room for expansion, we're 4 proposing to add some additional parking at the stone 5 church property, adding approximately 22 spaces to 6 that lot. 7 And at the Community Center property, 8 we're proposing to create a new parking area 9 containing 25 spaces. 10 Once you bring the sum total online, it 11 will give us an opportunity of approximately 67 12 spaces, which we believe would be sufficient for our
2 3 4 5 6 7 8 9 10 11 12 13	Church of the Lord application. MR. CAPIZZI: Good evening, Madame Chair. Matthew Capizzi on behalf of the applicant. Just as a point of clarification, as I do have the Tracey Marrow application as well, we're going to be adjourning that matter this evening. Unfortunately, we received late notice that one of our professionals is not available. So whether you want to dispose of that now and adjourn it or later on in the agenda, you let me know.	Based upon the attendance at our services and with some room for expansion, we're proposing to add some additional parking at the stone church property, adding approximately 22 spaces to that lot. And at the Community Center property, we're proposing to create a new parking area containing 25 spaces. Once you bring the sum total online, it will give us an opportunity of approximately 67 spaces, which we believe would be sufficient for our demands on Sundays and whenever we may have special
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	Church of the Lord application. MR. CAPIZZI: Good evening, Madame Chair. Matthew Capizzi on behalf of the applicant. Just as a point of clarification, as I do have the Tracey Marrow application as well, we're going to be adjourning that matter this evening. Unfortunately, we received late notice that one of our professionals is not available. So whether you want to dispose of that now and adjourn it or later on in the agenda, you let me know. MR. KATES: Let's announce the date of the next meeting. It will be May. MS. MYUNG: May 19th. MR. KATES: The Marrow application is	2 Based upon the attendance at our 3 services and with some room for expansion, we're 4 proposing to add some additional parking at the stone 5 church property, adding approximately 22 spaces to 6 that lot. 7 And at the Community Center property, 8 we're proposing to create a new parking area 9 containing 25 spaces. 10 Once you bring the sum total online, it 11 will give us an opportunity of approximately 67 12 spaces, which we believe would be sufficient for our 13 demands on Sundays and whenever we may have special 14 events at the property and so forth. 15 At present, we've been relying upon the 16 macadam lot that's on the stone church property.
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2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	Church of the Lord application. MR. CAPIZZI: Good evening, Madame Chair. Matthew Capizzi on behalf of the applicant. Just as a point of clarification, as I do have the Tracey Marrow application as well, we're going to be adjourning that matter this evening. Unfortunately, we received late notice that one of our professionals is not available. So whether you want to dispose of that now and adjourn it or later on in the agenda, you let me know. MR. KATES: Let's announce the date of the next meeting. It will be May. MS. MYUNG: May 19th. MR. KATES: The Marrow application is being adjourned to May 19 without further notice being required, on the request of the applicant's	2 Based upon the attendance at our 3 services and with some room for expansion, we're 4 proposing to add some additional parking at the stone 5 church property, adding approximately 22 spaces to 6 that lot. 7 And at the Community Center property, 8 we're proposing to create a new parking area 9 containing 25 spaces. 10 Once you bring the sum total online, it 11 will give us an opportunity of approximately 67 12 spaces, which we believe would be sufficient for our 13 demands on Sundays and whenever we may have special 14 events at the property and so forth. 15 At present, we've been relying upon the 16 macadam lot that's on the stone church property. 17 But, certainly, it doesn't provide a 18 sufficient amount of off-street parking, so there is
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	Church of the Lord application. MR. CAPIZZI: Good evening, Madame Chair. Matthew Capizzi on behalf of the applicant. Just as a point of clarification, as I do have the Tracey Marrow application as well, we're going to be adjourning that matter this evening. Unfortunately, we received late notice that one of our professionals is not available. So whether you want to dispose of that now and adjourn it or later on in the agenda, you let me know. MR. KATES: Let's announce the date of the next meeting. It will be May. MS. MYUNG: May 19th. MR. KATES: The Marrow application is being adjourned to May 19 without further notice being required, on the request of the applicant's attorney.	Based upon the attendance at our services and with some room for expansion, we're proposing to add some additional parking at the stone church property, adding approximately 22 spaces to that lot. And at the Community Center property, we're proposing to create a new parking area containing 25 spaces. Once you bring the sum total online, it will give us an opportunity of approximately 67 spaces, which we believe would be sufficient for our demands on Sundays and whenever we may have special events at the property and so forth. At present, we've been relying upon the macadam lot that's on the stone church property. But, certainly, it doesn't provide a sufficient amount of off-street parking, so there is an amount of parking that has spilled over onto the
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conditional use in the zone. It's been the subject of one prior application in 2007, 2008, thereabouts, where there was a portion of the Community Center property that was subdivided off.

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But other than that, I'm not aware of any other historical applications concerning either property.

As far as the variance relief that's concerned, there are several nonconforming conditions at the properties as they stand today: Lot area, lot width, and so forth.

None of the nonconforming conditions are being exacerbated by way of this application with the exception of two, and they both pertain to the stone church property.

There is a buffer requirement that the parking area be approximately 100 feet off the property line.

At present, the parking area is only about 3. And we're proposing to continue that offset as we continue in a westerly direction with the expanded parking area.

However, you'll hear from Mr. Hubschman about some landscaping that's being proposed at that property to shield the vehicles from the adjacent

> LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

properties. And there's also a variance for improved lot coverage.

By virtue of expanding the parking area, we need variance relief to that particular item.

But, again, Mr. Hubschman will speak to the fact that the expanded parking area is made of gravel, so although it is improved, it certainly will have permeability, given the substrate from which it's being constructed.

I think it's important to note that as the board hears testimony from Mr. Hubschman and Ms. Bogart, our planner, as well as any comments and testimony that may be given by the neighbors, that the board be mindful of the variance criteria that's supposed to be applied to such a matter.

Having appeared before the board regularly, commercial applications, institutional applications such as this are not commonplace before the board, so the variance criteria is somewhat different.

First and foremost, houses of worship are considered inherently beneficial uses under the New Jersey Case Law. And that's of significant importance as the board considers the testimony

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before it this evening.

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2 Moreover, it's a conditional use 3 variance, a D-3 variance, so the focus is typically 4 on what is the impact of the applicant's inability to

5 comply with that condition, here being the buffer

6 requirement and the improved coverage requirement 7 limitation.

The third aspect for the board to consider is the fact that the applicant is not complying with those two parameters, do they result 11 in a substantial negative impact upon the 12 neighborhood, and can that substantial negative 13 impact be mitigated against with the imposition of

14 certain conditions? 15 That's essentially a nutshell

16 explanation of the legal standard that applies to a 17 house of worship conditional use variance case.

18 As in any variance case, there are 19 typically two prongs, a positive criteria and a 20 negative criteria. The positive criteria being what 21 about the property generates the need for the 22 variance, or does the granting of the variance result 23 in some public benefit that's achieved by way of the 24 board granting the variance?

> Because of the nature of the use, that LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

> > 12

1 we're protected by New Jersey Case Law with that determination of being inherently beneficial, because

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the First Amendment of the New Jersey and U.S.

4 Constitution protect one's ability to freely exercise 5 their religion, and based upon the Federal Statute,

6 FRLUA, that Mr. Kates may speak about at some point

7 in time, that first prong is already deemed

8 satisfied.

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9 So the law already says that the 10 positive criteria, why you're before is not of 11 relevance; we've already cleared the road for you as 12 far as telling us why you need the variance and 13 providing either some kind of hardship or public

benefit testimony relative to that component. And, essentially, the case distills itself to an analysis of the negative criteria. Will the granting of the variance result in a substantial negative impact upon the public good, essentially the neighborhood?

19 20 Before the board can arrive at a 21 determination of substantial negative impact, it must 22 first determine whether the board can impose certain 23 conditions upon the applicant that would ameliorate,

24 limit, that substantial negative impact.

> It is only after the board has LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

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1	considered those imposition of conditions and still	1	qualifications.
2	finds that it would result in a substantial negative	2	ACTING CHAIRWOMAN HERRIES: Agreed.
3	impact despite the imposition of those conditions	3	MR. KATES: He's acceptable?
4	that the negative criteria would fail.	4	ACTING CHAIRWOMAN HERRIES: Yes.
5	Essentially, the law favors houses of	5	MR. KATES: Your witness.
6	worship. They want them to be in neighborhoods such	6	MR, HUBSCHMAN: Thank you.
7	as this. Your zoning ordinance wants them to be in	7	MR. CAPIZZI: Madame Chair, I was
8	this particular neighborhood. That's evident by the	8	provided with the board's list of exhibits, which I'm
9	fact that we're a conditional use. It's evident by	9	prepared to accept by way of stipulation.
10	the fact that this church has existed since 1866 and	10	MR, KATES: What is it, A-1 through?
11	continues to be a viable house of worship within the	11	MR, CAPIZZI: This was A-1 through
12	community.	12	A-11.
13	For those reasons, it's why the	13	MR. KATES: Do we have any later
14	standard is quite difficult in order for such an	14	entries, Jo Anna?
15	•	15	MS. MYUNG: I am so sorry.
16	application to be denied.	16	MR. KATES: To the witness list, the
	And in essence here, we're really just	17	exhibit list, A-11 is the last one Mr. Capizzi is
17	dealing with some housekeeping. The nature of the	18	
18	church is not changing. The buildings are not being	19	referencing. MS. MYUNG: That's correct.
19	expanded. The number of seats is not changing. The		
20	kinds of services that are being provided are your	20	MR. KATES: That came in.
21	typical Sunday service, weekday morning service,	21	MS. MYUNG: That came in yesterday.
22	youth and adult educational services that you would	22	I was I was provided by our Building
23	find in any similar typical house of worship. So	23	Department the architectural engineering drawings,
24	none of those things are changing.	24	listed as Exhibit A-11.
25	The only thing we're looking to do is	25	. Unfortunately, I did not get copies
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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201-641-1812

1 MR. CAPIZZI: Thank you. 2 MS. MYUNG: Sorry for the 3 inconvenience. 4 MR. KATES: So it's A-1 through A-10. 5 MR. CAPIZZI: Carrect. 6 MR. KATES: We'll sipulate that is the 7 list without reading through it. 8 MR. CAPIZZI: Thank you. 9 (Whereupon, Decoments are received and 10 marked as Schibit A-1 - A-10 for in dentification.) 12 MR. CAPIZZI: So, Mr. Hubschman, the laborard has marked your site plan, last revised — they have a down as December 20th, 2021. Is that the correct of MR. HUBSCHMAN: It's December 28th, 17 2021. 16 MR. CAPIZZI: That's what I thought. 17 MR. CAPIZZI: That's what I thought. 18 MR. CAPIZZI: That's what I thought. 19 MR. KATES: What exhibit is brat. 20 MR. CAPIZZI: That's what I thought. 21 Journ fort the lis — December 28th, 2021, is that 20 on the board. 21 Journ fort the lis — December 28th, 2021, is that 21 on the board. 22 mWR. CAPIZZI: That's A-9 So we should 21 Journ fort the lis — December 28th, 2021, is the colored size plan of A-9. 23 MR. KATES: What exhibit is brat. 24 MR. KATES: So we'll make that A-11. 25 MR. HUBSCHMAN: Yeah. I have three. 26 LAURA A. CARUCCI, C.S.R., R.R.R., L.L.C. 27 MR. KATES: Mubliple sheets or just one 3 sheet. 3 MR. HUBSCHMAN: There are three sheets of colored. The Grading & Drainage Plan is colored. So 11 I guess that will be A-12. 3 MR. KATES: We make that A-12 for identification.) 4 MR. KATES: We have a colorized vision of the back. 3 MR. HUBSCHMAN: Yeah. I have three. 4 Plan previously submitted as part of exhibit in the colored size plan of A-9. 4 MR. KATES: What exhibit is brat. 4 MR. KATES: So we'll make that A-12. 5 MR. KATES: We'll will be sheet or just one 3 sheet. 4 MR. KATES: We'll will be sheet or just one 3 sheet. 5 MR. KATES: Material is a part of exhibit in the 18 province of the province of carding by the province of		17		
2 M.S. MYUNG: Sorry for the 3 inconvenience. MR. KATES: So it's A-1 through A-10. MR. KATES: So it's A-1 through A-10. MR. CAPIZZI: Correct. MR. KATES: We'll eliquide that is the 7 list without reading through it. MR. CAPIZZI: Thank you. 9 (Whereupon, Documents are received and marked as Exhibit A-1-1 A-1 for inconvenience). MR. CAPIZZI: Thank you. 11 Mentification.) MR. CAPIZZI: So, Mr. Hubschman, the 13 board has marked your site plan, last revised — they have at down as December 20th, 2021. Is that 15 correct? MR. HUBSCHMAN: It's December 28th, 2021. Is that 16 MR. HUBSCHMAN: It's December 28th, 2021. Is the last revised — they have at the board. MR. CAPIZZI: That's what I thought. MR. CAPIZZI: That'	4		4	
MR. KATES: So It's A-1 through A-10.		"		
4 MR. KATES: So il's A-1 through A-10. 5 MR. CAPIZZI: Correct. 6 MR. CAPIZZI: Therk you. 7 MR. Will stipulate that is the 1 mile without reading through it. 8 MR. CAPIZZI: Therk you. 9 (Whereupon, Documents are received and marked as Exhibit A-11. 11 identification.) 12 MR. CAPIZZI: So, Mr. Hubschman, the 1 dentification.) 13 board has marked your site plan, last revised — they 1 have it down as December 20th, 2021. Is that 1 correct of 2 mR. CAPIZZI: That's what I thought. 1 may be 1 marked sex by the state of 2 mR. CAPIZZI: That's what I thought. 1 may be 1 marked sex by the state of 2 mR. CAPIZZI: That's what I thought. 1 mr. And A-13 would be the Colorized Grading, 1 mr. And A-13 would be the Colorized Site Plans. 1 mr. And A-13 would be the Colorized I mr. Mr. MIUSCHMAN: 1 mr. And A-13 would be the Colorized I mr. And A-13 would be the Colorized I mr. Mr. MIUSCHMAN: Capizzi: That's what I thought. 2 mr. And A-13 would be the Colorized I mr. And A-13 would be the Colorized I mr. Mr. MIUSCHMAN: Capizzi: That's what I thought. 2 mr. And A-13 would be the Colorized I mr. And A-13 would be the Colorized I mr. Mr. MIUSCHMAN: Capizzi: That's what I thought. 2 mr. And A-13 would be the Colorized I mr. Mr. MIUSCHMAN: Capizzi: That's what I thought. 2 mr. And A-13 would be the Colorized I mr. Mr. MIUSCHMAN: Capizzi: That's Mr. Mr. MIUSCHMAN: Capizzi: That's Mr.		· · · · · · · · · · · · · · · · · · ·		
5				
6 MR. KATES: Well stipulate that is the list without reading through it. 8 MR. CAPIZZI: Thank you. 9 (Whereupon, Documents are received and marked as Exhibit A.1 – A.1 of MR. CAPIZZI: So, Mr. Hubschman, the 13 board has marked your site plan, last revised — they 14 have it down as December 20th, 2021. Is that 15 correct? 7 MR. HUBSCHMAN: It's December 28th, 2021. Is that 16 MR. KATES: What exhibit is that. 19 MR. CAPIZZI: Thank's what I thought. 19 MR. KATES: What exhibit is that. 20 MR. CAPIZZI: Thank's what I thought. 19 MR. KATES: What exhibit is that. 20 MR. CAPIZZI: Thank's A-9. So we should 21 just note that is — December 28th, 2021, is the last 22 revision. MR. KATES: We have a colorized version on the board. 24 on the board. 25 MR. HUBSCHMAN: Yeah. I have three. LAURA A. CARICCI, C.S.R., R.P.R., L.L.C. 201-641-1812 MR. KATES: So we'll make that A-11. 2 A-11 is the colorized siplan of A-9. Whereupon, Drawing 9 3982-4 "Site 4 Plan" previously submitted as part of exhibit A-12 for identification.) MR. KATES: While sheets or just one 8 sheet. MR. HUBSCHMAN: There are three sheets of colored. The Grading & Drainage Plan is colored. 3 MR. HUBSCHMAN: There are three sheets of colored. The Grading & Drainage Plan is colored. 3 MR. HUBSCHMAN: There are three sheets of lite and the sheet of the second of the board. 4 MR. HUBSCHMAN: There are three sheets of the set that 4 MR. HUBSCHMAN: There are three sheets of the set that beet just of for a quick discussion. 4 MR. HUBSCHMAN: There are three sheets of the set that beet just of for a quick discussion. 4 MR. HUBSCHMAN: There are three sheets of the set that beet just of for a quick discussion. 4 MR. HUBSCHMAN: There are three sheets of the set that beet just of for a quick discussion. 4 MR. HUBSCHMAN: There are three sheets of the set that beet just of for a quick discussion. 4 MR. HUBSCHMAN: There are three sheets of the set that beet just of for a quick discussion. 5 MR. HUBSCHMAN: There are three sheets of the set that beet just of the province of the set that				,
## Ist without reading through it. ## MR. CAPIZZI: Thank you. ## (Whereupon, Documents are received and a marked as Exhibit A-1 - A-10 for beards.) ## CAPIZZI: Show the street of the street of the street will be A-12. ## And MR. HUBSCHMAN: Right. Then A-12 street will be A-12. ## MR. HUBSCHMAN: Right. Then A-12 street will be A-12. ## MR. HUBSCHMAN: Right. Then A-12 street will be A-12. ## MR. HUBSCHMAN: Right. Then A-12 street will be A-12. ## MR. HUBSCHMAN: Right. Then A-12 street will be A-12. ## MR. HUBSCHMAN: Right. Then A-12 street will be A-12. ## MR. HUBSCHMAN: Weah. I have three. ## LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. ## MR. HUBSCHMAN: CapizZI: That's and A-11. ## MR. HUBSCHMAN: Weah. I have three. ## LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. ## MR. HUBSCHMAN: Weah. I have three. ## MR. HUBSCHMAN: Weah. I have three. ## A Pan' previously submitted as part of exhibit and the street will be A-12. ## MR. HUBSCHMAN: There are three sheets olored. The Grading B Drainage Plan is colored. So in the BATES: Um-hmm. ## MR. HUBSCHMAN: Name. And then the Lighting a lightly plan is marked as Exhibit A-12 for a lidentification.) ## MR. HUBSCHMAN: And then the Lighting a lightly plan is marked as Exhibit A-12 for a lidentification.) ## MR. HUBSCHMAN: And then the Lighting a lightly plan is marked as Exhibit A-12 for a lidentification.) ## MR. HUBSCHMAN: And then the Lighting a lightly plan is marked as Exhibit A-12 for a lidentification.) ## MR. HUBSCHMAN: And then the Lighting a lightly plan is marked as Exhibit A-12 for a lidentification.) ## MR. HUBSCHMAN: And then the Lighting a lightly plan is colored. ## MR. HUBSCHMAN: And then the Lighting a lightly plan is marked as Exhibit A-12. For a lightly plan is colored. ## MR. HUBSCHMAN: And then the Lighting a lightly plan is colored. ## MR. HUBSCHMAN: And then the Lighting a lightly plan is marked as Exhibit A-12. For a lightly plan is marked as Exhibit A-12. For a lightly plan is marked as Exhibit A-12. For a lightly plan is marked as				
8 MR. CAPIZZI: Thank you. 9 (Whereupon, Documents are received and marked as Exhibit A-1 - A-10 for 11 identification.) 10 marked as Exhibit A-1 - A-10 for 12 MR. CAPIZZI: So, Mr. Hubschman, the 13 board has marked your site plan, last revised — they 14 have it down as December 20th, 2021. Is that 15 correct? 16 MR. HUBSCHMAN: It's December 28th, 2021. Is the 15 MR. KATES: What exhibit is that. 17 2021. 18 MR. CAPIZZI: That's what I thought. 19 MR. KATES: What exhibit is that. 20 MR. KATES: What exhibit is that. 21 just note that is — December 28th, 2021, is the last revised. 22 revision. 23 MR. KATES: We have a colorized version on the board. 24 on the board. 25 MR. KATES: We have a colorized version on the board. 26 MR. KATES: So we'll make that A-11. 27 A-11 is the colorized. 28 MR. HUBSCHMAN: Right. 39 MR. HUBSCHMAN: Right. 30 MR. HUBSCHMAN: It's December 28th, 2021, is the last revised. 31 (Whereupon, Drawing # 3882-4 "Site olored. The Grading & Drainage Plan is colored. So 11 jugess that will be A-12. 31 MR. KATES: We have a colorized version of the form of identification.) 31 MR. KATES: We have a colorized version of the board. 32 MR. KATES: We have a colorized version of the board. 33 (Whereupon, Drawing # 3882-4 "Site olored. The Grading & Drainage Plan is colored. So 11 jugess that will be A-12. 31 MR. KATES: Um-hnum. 32 MR. KATES: Um-hnum. 33 MR. KATES: Um-hnum. 34 Just colored. 35 MR. KATES: Um-hnum. 36 MR. KATES: Um-hnum. 37 MR. KATES: Um-hnum. 38 MR. HUBSCHMAN: Right. 39 MR. KATES: Um-hnum. 39 MR. KATES: Um-hnum. 39 MR. KATES: Ves. 30 MR. KATES: Ves. 31 MR. KATES: Ves. 32 MR. KATES: Ves. 33 MR. KATES: Ves. 34 MR. KATES: Ves. 35 MR. KATES: Ves. 36 MR. KATES: Um-hnum. 37 MR. KATES: Um-hnum. 38 MR. HUBSCHMAN: Right. 39 MR. KATES: Um-hnum. 39 MR. KATES: Um-hnum. 30 MR. KATES: Um-hnum. 30 MR. KATES: Ves. 31 MR. KATES: Ves. 32 MR. KATES: Ves. 33 MR. KATES: Ves. 34 MR. KATES: Ves. 35 MR. KATES: Ves. 36 MR. KATES: Ves. 37 MR. KATES: Ves. 38 MR. HUBSCHMAN: No, no. A-11 is the colorized Arabit of MR. Hubsch		•		
9 (Whereupon, Documents are received and marked as Exhibit A-1 - A-10 for identification.) 10 marked as Exhibit A-1 - A-10 for identification.) 11 microstriction of identification.) 12 mR. CAPIZZI: So, Mr. Hubschman, the have it down as December 28th, 2021. Is that 12 mR. RATES: Coloracd A-9. MR. HUBSCHMAN: Right. 14 ms. HUBSCHMAN: Right. 15 correct? 16 mR. HUBSCHMAN: It's December 28th, 17 2021. 18 mR. CAPIZZI: That's what I thought. 19 mR. KATES: What exhibit is that. 20 mR. CAPIZZI: That's P. So we should 21 just note that is — December 28th, 2021, is the last 22 revision. 21 mR. KATES: We have a colorized version on the board. 22 mevision. 23 mR. KATES: We have a colorized version on the board. 24 a -11 is the colorized site plan of A-9. 22 mR. HUBSCHMAN: Yeah. I have three. LAURA A. CARUCCI, CS.R., RP.R., L.L.C. 201-641-1812 25 mR. HUBSCHMAN: Yeah. I have three. Laura A. CARUCCI, CS.R., RP.R., L.L.C. 201-641-1812 26 mR. KATES: So we'll make that 4-11. 5 mr. Hubschman, do you have an Existing Conditions Plan. It's a Hubschman of exhibit 5 mr. Mr. KUBFERSCHMIN: No, no. 17 mr. Mr. KUBFERSCHMIN: No, no. 29 mr. Hubschman, do you have an Existing Conditions Plan. It's a Hubschman of exhibit 5 mr. Mr. KUBFERSCHMIN: No, no. 20 mr. Mr. KUBFERSCHMIN: No, no. 20 mr. Hubschman, do you have an Existing Conditions Plan. It's a Hubschman of exhibit 5 mr. Mr. KUBFERSCHMIN: No, no. 20 mr. Mr. KUBFERSCHMIN: No, no. 20 mr. Mr. KUBFERSCHMIN: No, no. 20 mr. Mr. KUBFERSCHMIN: No, no. 21 mr. Mr. KUBFERSCHMIN: No, no. 22 mr. Mr. KUBFERSCHMIN: No, no. 23 mr. Mr. KUBFERSCHMIN: No, no. 24 mr. Mr. KUBFERSCHMID: Hold on one second because mry set is not following. This is mry Sheet 4. Thank you. 24 mr. Hubschman, and then the Lighting & Landscaping Plan is colored. 24 mr. Mr. Mr. KUPFERSCHMID: Hold on one second because mry set is not following. This is mry Sheet 4. Thank you. 24 mr. Hubschman, and then the Lighting & Landscaping Plan is colored. 24 mr. Mr. Mr. Mr. Mr. Mr. KUPFERSCHMID: Hold on one second because mry set is not follow	7	list without reading through it.	7	Utility Plan details as Exhibit A-11.
10 marked as Exhibit A-1 - A-10 for identification.] 10 MS. MYUNG: Oh, I see. Okay. 11 identification.] 12 MR. CAPIZZI: So, Mr. Hubschman, the last board has marked your site plan, last revised they have a colorized they have a colorized rask of the board. 15 MR. HUBSCHMAN: It's December 28th, 2021. Is that correct? 16 MR. HUBSCHMAN: It's December 28th, 2021. 17 MR. HUBSCHMAN: It's December 28th, 2021. 18 MR. CAPIZZI: That's what I thought. 18 MR. CAPIZZI: That's what I thought. 18 MR. CAPIZZI: That's what I thought. 19 MR. CAPIZZI: That's A-9. So we should just note that is December 28th, 2021, is the last revision. 19 MR. CAPIZZI: That's A-9. So we should in the board. 19 MR. KATES: We have a colorized version of the board. 19 MR. HUBSCHMAN: Yeah. I have three. LAURA A. CARUCCI, C.S.R., R.P.R., L.C. 20 MR. HUBSCHMAN: Yeah. I have three. LAURA A. CARUCCI, C.S.R., R.P.R., L.C. 20 MR. HUBSCHMAN: Yeah. I have three. 24 MR. HUBSCHMAN: There are three sheets colored. 16 MR. KATES: So we'll make that A-11. 18 MR. KATES: So we'll make that A-11. 19 MR. KATES: What is part of exhibit in the colorized size plan of A-9. 19 MR. KATES: We have a colored. 10 MR. HUBSCHMAN: There are three sheets colored. 10 MR. HUBSCHMAN: There are three sheets colored. 10 MR. KATES: We have a colored. 10 MR. HUBSCHMAN: No, no. 10 MR. KATES: We have a colorized version. 10 MR. HUBSCHMAN: And then the Lighting & Landscaping Plan is colored. 10 MR. HUBSCHMAN: And then the Lighting & Landscaping Plan is colored. 10 MR. HUBSCHMAN: And then the Lighting & Landscaping Plan is colored. 10 MR. HUBSCHMAN: And then the Lighting & Landscaping Plan is colored. 10 MR. HUBSCHMAN: And then the Lighting & Landscaping Plan is colored. 10 MR. HUBSCHMAN: And then the Lighting & Landscaping Plan is colored. 10 MR. HUBSCHMAN: And then the Lighting & Landscaping Plan is colored. 10 MR. HUBSCHMAN: And then the Light	8	MR. CAPIZZI: Thank you.	8	MR. HUBSCHMAN: No, no. A-11 is the
11 identification.) 12 MR. CAPIZZI: So, Mr. Hubschman, the board has marked your site plan, last revised — they have it down as becomber 20th, 2021. Is that correct? 15 correct? 16 MR. HUBSCHMAN: It's December 28th, 2021. Is that 17 2021. 18 MR. CAPIZZI: That's what I thought. 18 MR. CAPIZZI: That's what I thought. 19 MR. KATES: White exhibit is that. 19 MR. KATES: White exhibit is that. 19 MR. KATES: White exhibit is that. 19 MR. KATES: When are a colorized version on the board. 20 MR. HUBSCHMAN: Yeah. I have three. 14 LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	9	(Whereupon, Documents are received and	9	Colorized Site Plan Sheet.
12 MR. CAPIZZI: So, Mr. Hubschman, the 13 board has marked your site plan, last revised — they 14 have it down as December 20th, 2021. Is that 15 correct? 16 MR. HUBSCHMAN: It's December 28th, 17 2021. 18 MR. CAPIZZI: That's what I thought. 19 MR. KATES: What exhibit is that. 20 MR. CAPIZZI: That's A-9. So we should 21 just note that is — December 28th, 2021, is the last 22 revision. 23 MR. KATES: We have a colorized version 24 on the board. 25 MR. HUBSCHMAN: Yeah. I have three. 26 LAURA A. CARUCCI, C.S.R., R.R.R., L.L.C. 27 26-841-812 28 MR. KATES: So we'll make that A-11. 29 A-11 is the colorized site plan of A-9. 30 (Whereupon, Drawing # 3882-4 "Site 4 Plan' previously submitted as part of exhibit 5 A-9 but now colorized marked as Exhibit A-11 6 for identification.) 7 MR. KATES: Multiple sheets or just one 3 sheet. 9 MR. HUBSCHMAN: There are three sheets 10 colored. The Grading & Drainage Plan is colored. So 11 J guess that will be A-12. 12 MR. KATES: Um-hmm. 13 MR. KATES: Yes. 14 MR. KATES: Yes. 15 MR. HUBSCHMAN: Okay, thank you. MR. HUBSCHMAN: I have the same copy, in the last sheet in the seath of exhibit A-12 for identification.) 19 MR. KATES: Yes. 20 MR. KATES: Yes. 21 MR. KATES: Yes. 22 MR. KATES: Yes. 23 MR. KATES: Yes. 24 (Whereupon, Colorized Grading, Drainage of Landscaping Plan is colored. 25 MR. KATES: Yes. 26 (Whereupon, Drawing # 3882-6 27 Landscaping Plan is colored. 28 MR. KATES: Yes. 29 MR. KATES: Yes. 20 MR. KATES: Yes. 20 MR. KATES: Yes. 21 MR. KATES: Yes. 22 MR. KATES: Yes. 23 MR. KATES: Yes. 24 (Whereupon, Drawing # 3882-6 25 "Lighting/Landscaping Plan is colored. 25 MR. KATES: Yes. 26 Whereupon, Drawing # 3882-6 27 Landscaping Plan is colored. 28 MR. KATES: Yes. 29 MR. CAPIZZI: 20 MR. KATES: Yes. 20 MR. KATES: Yes. 20 MR. KATES: Whither the Lighting & Landscaping Plan is colored. 21 MR. KATES: Yes. 22 MR. KATES: Yes. 23 MR. KATES: Yes. 24 (Whereupon, Colorized Grading, Drainage Rule MR. Whither the Lighting & Landscaping Plan is marked as Exhibit A-12 for identification.) 31 MR. WHIT MR	10	marked as Exhibit A-1 - A-10 for	10	MS. MYUNG: Oh, I see. Okay.
13 board has marked your site plan, last revised — they have it down as December 20th, 2021. Is that 15 correct? 16 MR. HUBSCHMAN: It's December 28th, 2021. 17 2021. 18 MR. CAPIZZI: That's what I thought. 19 MR. KATES: What exhibit is that. 20 MR. CAPIZZI: That's ~9. So we should you find that is — December 28th, 2021, is the last revision. 21 just note that is — December 28th, 2021, is the last revision. 22 mR. KATES: We have a colorized version on the board. 23 MR. KATES: We have a colorized version on the board. 24 MR. KATES: So we'll make that A-11. 25 MR. KATES: So we'll make that A-11. 26 MR. KATES: So we'll make that A-11. 27 A-11 is the colorized site plan of A-9. 28 (Whereupon, Drawing # 3882-4 "Site of I guess that will be A-12. 29 MR. HUBSCHMAN: There are three sheets or just one sheet. 30 MR. HUBSCHMAN: There are three sheets or colored. The Grading & Drainage Plan is colored. So 11 guess that will be A-12. 31 MR. KATES: Yes. 32 MR. KATES: Yes. 33 MR. KATES: We have a colorized orange of the set that the board has is an Existing Conditions Plan. It's a little hard to see now without it being colored. 4 Plan' previously submitted as part of exhibit and the plan of A-9. 4 Plan' previously submitted as part of exhibit and the plan of A-9. 4 Plan' previously submitted as part of exhibit and the board has is an Existing Conditions Plan. It's a little hard to see now without it being colored. 5 A. If you can just plan of A-9. 6 Q. If you can just plan of A-9. 7 MR. HUBSCHMAN: Right. 8 little hard to see now without it being colored. 9 MR. HUBSCHMAN: There are three sheets or just one sheet. 10 Colored. The Grading & Drainage Plan is colored. So 11 guess that will be A-12. 11 guess that will be A-12. 12 MR. KATES: Yes. 13 MR. KATES: We have a colorized version of the set that the board has is an Existing Conditions Plan. It's a little hard to see now without it being colored. 14 Laura A. Carucci, C.S.R., R.P.R. L.C. 15 MR. KUPFERSCHMID: Mike, what is the little? Is it Lighting & Landscaping Plan is colored	11	identification.)	11	MR, HUBSCHMAN: Right.
13 board has marked your site plan, last revised — they have it down as December 20th, 2021. Is that 15 correct? 16 MR. HUBSCHMAN: It's December 28th, 17 2021. 18 MR. CAPIZZI: That's what I thought. 18 MR. KATES: What exhibit is that. 19 MR. KATES: What exhibit is that. 19 MR. KATES: What exhibit is that. 19 MR. KATES: What exhibit is that. 22 revision. 20 MR. CAPIZZI: That's ~9. So we should 21 just note that is — December 28th, 2021, is the last 22 revision. 21 MR. KATES: We have a colorized version on the board. 22 MR. KATES: We have a colorized version on the board. 24 MR. KATES: So we'll make that A-11. 25 MR. KATES: So we'll make that A-11. 26 MR. KATES: So we'll make that A-11. 37 MR. KATES: So we'll make that A-11. 38 MR. KATES: So we'll make that A-11. 39 MR. KATES: So we'll make that A-11. 39 MR. KATES: So we'll make that A-11. 30 MR. KATES: So we'll make that A-11. 31 MR. KATES: So we'll make that A-11. 31 MR. KATES: So we'll make that A-11. 31 MR. KATES: Multiple sheets or just one 3 sheet. 31 MR. KATES: We have a colorized make as Exhibit A-11 50 MR. KATES: Multiple sheets or just one 3 sheet. 31 MR. KUBSCHMAN: There are three sheets or colored. 32 MR. HUBSCHMAN: I have the same copy, 31 Just colored. 33 MR. KATES: We have a colorized make as Exhibit A-12 for identification. 34 MR. KATES: We have a colorized make as Exhibit A-12 for identification. 34 MR. KATES: We have a colorized make as Exhibit A-12 for identification. 34 MR. KATES: We have a colorized first make that the board has is an Existing Conditions Plan. It's a little hard to see now without it being colored. 35 MR. KUPFERSCHMID: Mike, what is the title? 35 MR. HUBSCHMAN: Right. 34 MR. KUPFERSCHMID: Hold on one second because my set is not following. This is my Sheet 4. 34 MR. KUPFERSCHMID: Hold on one second because my set is not following. Thi	12	MR. CAPIZZI; So, Mr. Hubschman, the	12	MS. MYUNG: All right, I got it.
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15 correct? 16 MR. HUBSCHMAN: It's December 28th, 17 2021. 17 And A-12 is the Colored Grading, 18 MR. CAPIZZI: That's what I thought. 19 MR. KATES: What exhibit is that. 20 MR. CAPIZZI: That's hyab. 50 we should 19 Just note that is December 28th, 2021, is the last revision. 21 Just note that is December 28th, 2021, is the last revision. 22 MR. KATES: We have a colorized version on the board. 23 MR. KATES: We have a colorized version on the board. 24 MR. HUBSCHMAN: Yeah. I have three. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	14		14	MR. HUBSCHMAN: Right.
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17 2021. 18 MR. CAPIZZI: That's what I thought. 19 MR. KATES: What exhibit is that. 20 MR. CAPIZZI: That's A-9. So we should 21 just note that is — December 28th, 2021, is the last revision. 22 revision. 23 MR. KATES: We have a colorized version on the board. 24 on the board. 25 MR. HUBSCHMAN: Yeah. I have three. 26 MR. HUBSCHMAN: Yeah. I have three. 27 LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 28 MR. KATES: So we'll make that A-11. 2 A-11 is the colorized site plan of A-9. 3 (whereupon, Drawing # 3882-4 "Site 4 Plan" previously submitted as part of exhibit 5 A-9 but now colorized marked as Exhibit A-11 6 for identification.) 4 MR. KATES: Multiple sheets or just one sheet. 4 MR. HUBSCHMAN: There are three sheets colored. The Grading & Drainage Plan is colored. 5 MR. KATES: Yes. 4 MR. KATES: Yes. 4 MR. KATES: Yes. 4 MR. KATES: Yes. 5 MR. HUBSCHMAN: I have the same copy, indication.) 6 MR. KATES: Yes. 6 MR. HUBSCHMAN: And then the Lighting & Landscape? 7 MR. KUPFERSCHIID: Thank you. 8 Way with north being up. 1 MR. KUPFERSCHIID: Thank you. 1 MR. KUPFERSCHIID: Hold on one second because my set is not following. This is my Sheet 4. 1 MR. KUPFERSCHIID: Hold on one second because my set is not following. This is my Sheet 4. 1 MR. KUPFERSCHIID: Hold on one second because my set is not following. This is my Sheet 4. 1 MR. KUPFERSCHIID: Hold on one second because my set is not following. This is my Sheet 4. 1 MR. KUPFERSCHIID: Hold on one second because my set is not following. This is my Sheet 4. 2 MR. KATES: Yes. 3 MR. KATES: Yes. 4 (Whereupon, Drawing # 3882-6 5 "Lighting & Landscaping Plan & Details" Laura A. CARUCCI, C.S.R., R.P.R., L.L.C. 10 Lighting & Landscaping Plan & Details is the statest or inched. 2 Laura A. CARUCCI, C.S.R., R.P.R., L.L.C. 2 Lighting & Landscaping Plan & Details is the statest or inched. 2 Laura A. CARUCCI, C.S.R., R.P.R., L.L.C. 2 Laura A. CARUCCI, C.S.R., R.P.R		· · · · · · · · · · · · · · · · · · ·		- -
18 MR. CAPIZZI: That's what I thought. 19 MR. KATES: What exhibit is that. 20 MR. CAPIZZI: That's A-9. So we should just note that is — December 28th, 2021, is the last revision. 21 just note that is — December 28th, 2021, is the last revision. 22 mR. HUBSCHMAN: Yeah. I have three. 23 MR. HUBSCHMAN: Yeah. I have three. 24 conditions Plan that you can flip to? 25 MR. HUBSCHMAN: Yeah. I have three. 26 LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 18 MR. KATES: So we'll make that A-11. 2 A-11 is the colorized site plan of A-9. 3 (Whereupon, Drawing # 3882-4 "Site where we sheets of colored. The Grading & Drainage Plan is colored. 4 Plan' previously submitted as part of exhibit A-11 for identification.) 4 MR. KATES: Multiple sheets or just one sheet. 5 MR. HUBSCHMAN: There are three sheets colored. The Grading & Drainage Plan is colored. So 11 I guess that will be A-12. 12 MR. KATES: Wes. 13 MR. KATES: Wes. 14 Just colored. 15 MR. KATES: Wes. 16 MR. KATES: Wes. 17 MR. KATES: Wes. 18 Lighting & Landscaping Plan is marked as Exhibit A-12 for identification.) 18 be the Existing Conditions Plan. It's a little hard to see now within it being colored. 19 MR. KUPFERSCHMID: Mike, what is the title? Is it Lighting & Landscape? 10 Sheet A-8, which is 5 of 5, that would be the Existing Conditions Plan, the last sheet in the set. 11 MR. KATES: Wes. 12 MR. KATES: Wes. 13 MR. KATES: Wes. 14 MR. KATES: Wes. 15 MR. HUBSCHMAN: And then the Lighting & Landscaping Plan is colored. 16 MR. KUPFERSCHMID: Thank you. 17 MR. KUPFERSCHMID: Hold on one second because my set is not following. This is my Sheet 4. 18 MR. KATES: Yes. 19 MR. KATES: Wes. 20 A. Sure. Right. 21 MR. KATES: White was an Existing Conditions Plan. It's a little hard to see now within the bing up. 22 MR. KATES: United the plan of A-9. 23 MR. KATES: United the plan of A-9. 24 (Whereupon, Colorized Grading, Drainage with morth being up. 25 MR. KATES: Wes. 26 MR. HUBSCHMAN: And then the Lighting & Walk in the wisting conditions, plan, the last sheet in the secture		•		
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1 MS. MYUNG: Excuse me. I'm sorry. 2 Can we just unfold the sheets just 3 because this meeting is taped. MR. HUBSCHMAN: Is everyone done? 4 5 BY MR. CAPIZZI: 6 Q. Okay, Mike, let's resume. 7 A. Okay. 8 Again, north is up on all of the 9 sheets. Closter Dock Road is going from left to 10 right on the bottom. The middle of the sheet is the Old Dock 11 Road that separates the two sites. 12 13 The Existing Conditions Plan shows to 14 the left, or to the west, the existing stone church, the existing parking lot to the north of that, which 15 is a 22 spaces, I believe it was. 16 17 Q. Twenty, I believe, Mike. 18 Twenty. Right, 20. It turns into it. A. 19 Then to the east are the Community 20 Center building. 21 And then to the -- on the corner to the 22 south of the Community Center is the existing parsonage, or the reverend's house. 23 24 Going to the east, there is some sloped 25 areas, wooded areas, then wetlands just off the LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812 22 1 property. 2 Q. Thank you. 3 So I had mentioned in my opening just some of the limited parking opportunities. They are 4 5 just principally on the stone church property. 6 Is that correct? 7 Α. Right. 8 There's the existing parking area, yes. 9 Q. Thank you. 10 A. The floor is, like, sloped. 11 Q. As far as the proposal, can you take us

through the parking areas that you're going to be 12 enlarging? 13 14 Α. The proposal, sure. 15 I'm now going to Sheet 1. It shows the new construction. We're proposing to add 18 spaces 16 17 to the west of the existing paved area. So that lot would have 42 -- yeah, that lot would have a total of 18 19 42 spaces. Again, this is a little easier to see 20 21 for everybody because of the color. There's the existing church in the center. The parking lot 22 23 existing is about half of that. So we're adding 18 24 spaces to the west of that, two handicap stalls. 25 And then on the east side where the LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

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Community Center is, we're proposing a small parking 1 2 area between the two -- the two buildings. There's 3 24 spaces in the parking area. And we're providing one ADA stall in front, because the grades really 5 didn't work to have the ADA stall in the lot. 6 Q. Thank you, Mike. 7 As far as the landscaping and lighting 8 components? 9 Α. Right. 10 Then also this sheet shows, because of the slope we're proposing two retaining walls. The 11 12 Landscape and Lighting is shown on Sheet 3, 3 of 5. 13 Again, this is color. 14 We're proposing the Green Giant Arborvitae and some buffer plantings around the 15 16 property, and some street trees. 17 Just for purposes of the record, Mike, can you just walk us through each particular lot and 18 19 give us a description of the landscaping and lighting 20 as to which one pertains to stone church and --21 22 23 24

Well, on the stone church, again we're proposing dark American arborvitaes, or the Green Giant arborvitaes that I'm sure everyone is familiar with. They're colored in that darker green color. They're proposed to be 7- to 8-foot planting height.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

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24 1 The lighting on the church is just small bollard lighting. We didn't propose any pole 3 lighting on the church at all. 4 On the Community Center side, the same thing, some dark -- the green glant arborvitaes. And 5 then there is some maple -- I'm sorry -- yes, red 6 7 maples, street trees proposed. 8 And all the remaining lawn areas and 9 trees are going to remain the same around the site. 10 Lighting, we were proposing two small pole lights on the side. 11 12 And Mr. Frenzel, in his letter, had 13 requested that he thought it was better if we put the two lights on to face south, which we would of course 14 15 do. We're showing the two lights facing north. As far as on the stone church property, 16

19 the west? 20 We're proposing a 20-foot buffer area. 21 We could easily plant two or three rows of staggered 22 green giants in that area, yes. 23 With the enhanced landscaping, would that buffer the expanded parking area from the 24

is there an ability to enhance the landscaping area

and perhaps provide a double row of arborvitaes along

neighboring properties? LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

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18

25

1	A. Right, yes. The one neighboring	1	or, you know, grading in order to bring that up to,
2	property would be to the west.	2	like, a drivable grade going down.
3	Q. Would that include a screening of the	3	Q. Thank you, Mr. Hubschman.
4	headlights from the vehicles?	4	As far as the buffer at the community
5	A. Right.	5	property, the Community Center property, I know we
6	Most of the activity is during the day,	6	have the dwelling excuse me the Community
7	I guess, when they they're going to testify on	7	Center building on the north side of the parking lot.
8	that.	8	Will that provide an element of a buffer of that
9	So there's not really a lot of	9	parking area?
10	headlight usage there.	10	A. This will, yeah.
11	But, right, that would you know,	11	Some of our original concepts were to
12	that would definitely shade the headlights, sure.	12	have parking over on the north side of the building.
13	Q. Thank you, Mr. Hubschman.	13	That was kind of taken off the table. It was just
14	· ·	14	-
	So you had talked to us about the		not really fitting in with the neighborhood there.
15	landscaping components, lighting. How about	15	So that's why it was decided to put whatever parking
16	drainage?	16	we could in the middle.
17	A. Drainage, going back to the Sheet 2	17	And, you know, we're hampered by the
18	shows our drainage proposal.	18	slope, the wetlands, the transition area.
19	The Community Center side, I think it	19	So there's no way to really go any
20	drains down towards the east to the wooded area.	20	further than what we're showing there.
21	That side drains to the Hudson River. And we're	21	Q. And having an access point off the
22	proposing pervious paver. There's a strip of	22	county road, you'll tell us why that was disfavored,
23	pervious paver about 30-feet wide that would absorb	23	off Closter Dock?
24	most of the water.	24	 A. It's just a slope. It doesn't work.
25	And that's a green you know, a green	25	There's an existing driveway.
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.	•	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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	26		28
1	26 technology now. They count that as green	1	28 And the sight distance is not good.
1 2	· · · · · · · · · · · · · · · · · · ·	1 2	
	technology now. They count that as green		And the sight distance is not good.
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3	technology now. They count that as green infrastructure. The DEP looks favorable on that. And having it not connected is also a favorable new drainage concept, rather than piping	2 3	And the sight distance is not good. You're right about the crest of the hill there when you're at Old Dock Road.
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1 of worship. 2 So the bulk table changes. It doesn't 3 really follow the R-2B or R-2. It follows the conditional use ordinance, which requires -- do you 5 want me to go through this now, Matt? 6 Q. Please. 7 A. For a church or a house of worship, it 8 requires 5 acres of property. And our total is 2.86 9 10 So that's an existing nonconforming 11 condition. 12 Building coverage 10 percent. I think it's actually the same in the R-2B. 13 14 But that's listed in the conditional 15 use ordinance. We're at 7.9 percent on the west, and 16 4.6 percent -- as you can see, that's a very large 17 lot -- on the east. 18 So no variance required for that. 19 Improved coverage in the conditional 20 use ordinance is 25 percent maximum. 21 We're at 42 percent with the parking 22 lot expansion on the left side for the stone church, and 15.8 for the Community Center lot. The overall 23 24 is only 23.7. So if you count the entire property, 25 we're at 23,7 percent. LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

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But I don't think the ordinance really permits to count the whole thing because they're not contiguous.

You have lot width and lot depth requires 450 square feet -- I'm sorry -- 450 feet in the conditional use ordinance, and we're deficient of those two existing conditions.

8 The same with the front yard. We're 9 required to have 200-foot front yard from all the 10 streets, which would mean a setback.

Of course the existing building, which 11 has been there for quite some time, do not meet the 12 200-foot existing condition, again not being 13

14 exacerbated.

1

2

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15 The side yard required is 100 feet. 16 The minimum is 70 feet, which would be the church 17 side here.

18 And, again, that's existed for over 100 years. The other -- the community center does 19 20 meet the side yard requirement.

21 What else do we got here? The rear 22 yard, 200 feet. Both existing buildings, they don't meet the 200-foot rear yard requirement, so that's an 23 24 existing condition.

25 Heights, we're below 35 feet. So

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that's good. The buffer abutting a residential use, 1

2 100 foot is required in the conditional use

3 ordinance.

4 We have 100 foot on the community

5 center where we abut residential use in a residential

6 zone and use.

7 But the church again does not --

8 because the existing parking 3 and we're proposing to

9 expand that to 5 feet, so that's the variance that

10 we're actually creating. The remainder are existing

nonconforming that we can't really increase. 11

12 Then the last one is, the conditional 13 use ordinance calls for traffic or access from

Route 9W, which we of course can't access Route 9W. 14

15 We don't front on Route 9W. And there's wetlands in

the way. So it is sort of impossible to drive --16 17 have a driveway going to Route 9W.

18 So, Mike, just to recap. It's the

19 buffer where we need 100, we're at 3 and we're going

20 the 5?

21

25

Α.

22 The buffer in the conditional use 23 ordinance would be the one -- the variance that we're 24 really asking for, I guess.

> And the impervious coverage, if we look LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

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32

8 of 35 sheets

1 at it strictly, it would be what at the stone church property? I'm sorry.

3 Α. Forty-two percent if we look at it 4 strictly as a separate lot, yes.

And if we combine the two? I'm sorry. 5 Q.

Α. If you combine the two, it's 23.7

7 percent.

6

8 I know we didn't talk about off-street parking requirements. I know we're deficient there 9 10 as well.

11 But that deficiency is actually being 12 reduced by virtue of this application.

13 Can you take us through those numbers,

14 please? 15

A. Right.

16 The zoning ordinance does have a section on parking for this type of use. The house 17 18 of worship, we list as 125 seats.

19 Actually, after some of the renovation, 20 it's 120 seats they'll have, I understand, when some 21 of pews are were removed and seats were put in.

22 The church requires 42 spaces. The community center requires 30 spaces. It's one per 23

24 five seats. So there's 150 seats in that community center maximum.

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		33	T		35
1	C.	the total required would be	1	MD CADITZI: Turont	
		•	ı	MR. CAPIZZI: Twent	·
2	•	pased on the use. And we're not expanding	2	MR. KUPFERSCHMID	· 1
3	the use, or I	the usage. And we're proposing 67 spaces	3	So you're adding 20	there, according to
4	on both site	s total.	4	this.	
5	Q.	And so the existing, I'm sorry, was 22	5	MR. HUBSCHMAN: V	Ve're adding 18
6	existing whe	ere 72 is required, correct?	6	actually, yeah.	
7	A.	Yes.	7	MR, KUPFERSCHMID:	: The numbers versus
8	Q.	Twenty existing?	8	the drawings aren't jibing.	
9	A,	Yes.	9	MR. HUBSCHMAN: T	he total we're
10		Exactly, yes, 72 required, yes.	10	proposing is 67.	, a catal ii a la
11	Q.	And I'm sorry, just as far as the	11		Voulre adding 67
			!	MR. KUPFERSCHMID:	l l
12	_	s 22 existing?	12	MR. HUBSCHMAN: N	l l
13	Α.	I believe it was	13	Well, there's you o	an't really take
14	Q.	Twenty?	14	existing and adding these.	
15		MR. KUPFERSCHMID: Can you just walk	15	There's, like, a plante	er that's coming
16	through that	t whole parking thing one more time?	16	out here.	
17		MR. HUBSCHMAN: It's 22 existing, I	17	MR. KUPFERSCHMID:	: Roughly, okay.
18	believe, yea	h.	18	Roughly what is the existing, and v	vhat are you
19		MR. CAPIZZI: All right.	19	proposing?	
20		So we need 72 spaces. We have 22 at	20	MR. HUBSCHMAN: E	xisting is, sav. 22.
21	present and	I we're proposing a total of 67.	21	and the proposing, 67.	
22	present, and	MR. KATES: Sixty-five.	22	MR. KUPFERSCHMID:	Okay thank you
23		·	23		,, , , , , , , , , , , , , , , , , , ,
		MR. KUPFERSCHMID: Sixty-five on one.		MR. HUBSCHMAN: S	orry, it's a little
24		I'm confused. You're proposing 65 at the	24	confusing.	
25	community		25	MR. KUPFERSCHMID:	·
	LAU	IRA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R.,	R.P.R., L.L.C.
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		34			36
1		MR. HUBSCHMAN: No.	1	Again, reading this	
2		There are 25 at the community center.	2	MR. HUBSCHMAN: T	here are 25 on the
3		MR. KUPFERSCHMID: According to this it	3	community center proposed and 42	on the church side.
4	says 65 at t	he community proposed, 65 proposed.	4	BY MR, CAPIZZI:	
5		MR. HUBSCHMAN: Right, right. No.	5	Q. Just so we can have i	it nice, neatly
6	That's 67 pr	oposed actually, right. Because there	6	packed for the purposes of the tran	
7		handicap. Then we did count the space	7	required sitewide, Michael, is what	
8		ne space that's in the right-of-way,	8	A. The total required	
_			9	•	
9	chacs like ci	ne 67th space.	1	•	being provided
10		MR. CAPIZZI: It's 67 in total when you	10	sitewide is how much?	
11		mmunity center, and another 18 at the	11	A. Sixty-seven.	
12	church.		12	Q. Thank you.	
13		MR. HUBSCHMAN: No, no, no. Total.	13	So that concludes even	erything relative
14		MR. KUPFERSCHMID: That's everything.	14	to the bulk table, right, Mr. Hubsch	man?
15		MR. CAPIZZI: Correct.	15	A. Yes, it does. Yes.	
16		MR. HUBSCHMAN: Sixth-seven both sides	16	Q. Okay. Any other iter	ns in Mr. Frenzel's
17	of the road,	yes.	17	report that we didn't catch upon?	
18		MR. KUPFERSCHMID: On this it says	18	I think we had captur	red the two
19	community	center.	19	prominent comments there, but I j	
20		MR. CAPIZZI: Understood,	20	there's any certainly any other h	
21		So there's a typo in the bulk table	21	we can certainly work with Mr. Free	
	norhano?	So there s a type in the bark table	22	•	izel (O quui caa
22	perhaps?	MD KUDEDCCUMID- The bosses of	ł	them, correct?	A.L
23		MR. KUPFERSCHMID: The house of worship		A. No, I don't believe	tnere were any
24		looking for 42 spaces of which existing	24	other items in the letter.	
25	ic what ic	existing?	25	MR. CAPIZZI: Thank	you, Mr. Hubschman.
		-	I .		
		RA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R.,	
		-		LAURA A. CARUCCI, C.S.R., 201-641-1812	

	37	10	39
1	I don't have any further questions.	1	microphone. I'll leave it to you.
2	MR. KATES: Just one more time.	2	MR. KATES: Well, if the court reporter
3	Seventy-two required?	3	can hear the witnesses from back there, that would
4	MR. HUBSCHMAN: Yes.	4	work. That would make to your comfort.
5	MR. KATES: Sixty-seven proposed?	5	But let's start with the witness who's
6	MR. HUBSCHMAN: Yes.	6	here. Your name please just for the record.
7	MR. KATES: How many existing?	7	MR. KELLY: John Kelly, 9 Old Dock
8	Twenty-two?	8	Road.
9	MR. HUBSCHMAN: Twenty-two existing.	9	I'm the little house on the top there.
10	MR. KATES: Okay.	10	So what you're telling I'm the one
11	ACTING CHAIRWOMAN HERRIES: Do any	11	you're impacting the most.
12	members of the audience have questions for	12	MR. HUBSCHMAN: You're right here.
13	Mr. Frenzel Mr. Hubschman? I'm sorry.	13	MR. KELLY: A couple shrubs up there.
14	MR. KATES: Before let me give you a	14	So what you're basically telling me is
15	brief explanation, Mr. Capizzi will have other	15	you're not presently in compliance with any of the
16	witnesses. Let's identify what the professions are	16	regulations, zoning regulation in town pretty much.
17	that will also be testifying.	17	Because the buffer is not in compliance. None of
18	Planner?	18	these buildings are in compliance.
19	MR. CAPIZZI: We have Ms. Bogart, who	19	MR. CAPIZZI: Mr. Hubschman, we'll
20	is our planner.	20	leave that to Ms. Bogart to speak to.
21	And Mr. Lee is the church elder. If	21	MR. KATES: The planner is going to get
22	the board has some questions relative to operations	22	into that in detail, Mr. Kelly. It's one of the
23	we can certainly get into that.	23	reasons that I mentioned there are other witnesses.
24	MR. KATES: So without prejudicing the	24	MR. KELLY: And you're going to be
25	public, the questions should be directed to what you	25	presenting a traffic plan as well?
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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	38		40
1	have just heard as testimony from the engineer.	1	You're expanding exponentially the
2	You'll have the opportunity to question	2	impact on that road, which is a very narrow road in
3	the church, itself, in its management. And the	3	the town. Since you can't go to 9W, you have to come
4	Professional Planner who will talk about the zoning	4	down to a blinking light at the end of the street.
5	criteria that are involved.	5	How would you address you can't get onto that
6	So right now the board is limiting you	6	street on a normal day easily, but now you're going
7	to questions only, not comments. You'll have an	7	to put another even 67 cars out there.
8	opportunity later.	8	MR. HUBSCHMAN: We weren't going to
9	On the back side of your agenda you'll	9	present a traffic engineer. And the use of what's
10	see the procedures that the board follows. I	10	happening today, I don't believe is changing the
11	recommend you to read them.	11	number of congregants.
12	But right now it's just questions of	12	MR. KELLY: The use isn't changing.
13	Mr. Hubschman based upon the testimony you've heard.	13	The number is changing considerably.
14	Is that understood?	14	MR. HUBSCHMAN: No.
15	Now, how do we propose for the public	15	The parking is changing so that the
16	to identify themselves and to be questioning? Do	16	congregants have a place to park rather than park on
17	they come forward to a microphone?	17	the street or wherever they can park, out in the
18	MS. MYUNG: Yes.	18	cul-de-sac now.
19	If they could just come step forward to	19	MR. KELLY: You're telling me there are
20	the microphone. State your name and address, please.	20	60 72 cars on the street at every meeting now.
21	MR. CAPIZZI: Mr. Kates, I don't have	21	MR. HUBSCHMAN: There are now.
22	an issue. I have a court reporter here this evening.	22	MR. KELLY: That would not fit. I
23	I'm happy to provide the board with a transcript, if	23	think there are maybe 12 spaces on Old Dock.
24	that makes life a little easier.	24	And then there's 22 in the parking lot
25	Is that everyone come up to the	25	there if you use that. You can't park on the other
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LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

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1	side. And you're parking on one of the narrower	1	requiring you said 72 spots are required between
2	streets in town.	2	the use of the community house and the church. Who
3	This is why I bring up I think I	3	is that required by? The town?
4	request some kind of traffic evaluation.	4	MR. HUBSCHMAN: It's in the ordinance.
5	Because just to bring up another issue	5	The town has a certain requirement, yeah.
6	that happened on Closter Dock Road there, is when we	6	MR. KELLY: So it's never been in
7	did when you had to deal with the Mount Laurel	7	compliance with that,
8	Housing, and it was proposed that the first site to	8	So you're trying to mitigate that by
9	be used was just below this property on your plan	9	basically covering a large portion of the property
10	right here. And then they did a traffic analysis	10	with the parking lots.
11	because everything was going to come onto Closter	11	MR. HUBSCHMAN: Well, we're proposing
12	Dock Road.	12	to create more parking onsite, if that's what you
13	And the reason	13	mean, yes.
14	MR. CAPIZZI: Madame Chair, if he'd	14	MR. KELLY: You're going to put a
15	like to give testimony, there's certainly a time for	15	couple of shrubs up over here.
16	that.	16	MR. HUBSCHMAN: Well, we were proposing
17	MR. KELLY: No. I'm just saying no.	17	the green giant arborvitaes there, yeah. There's not
18	He did said you're not going to do a traffic	18	a lot of room on that side.
19	evaluation.	19	MR. KELLY: Okay. I know these are not
20	MR. CAPIZZI: Correct.	20	all questions for him. But this impacts me greatly.
21		21	
	MR. KELLY: I'm requesting a traffic	l	Because this is a small community church. It's been
22	evaluation.	22	a small community church. And now it's going to be a
23	MR. CAPIZZI: Well, we're not going to	23	car park basically in the middle of Alpine.
24	do that, Mr. Hubschman.	24	MR. CAPIZZI: Again, we're not leaving.
25	MR. HUBSCHMAN: Okay. Well, I'm not	25	So we're trying to find a place in order for us to
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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1	yeah, I'm not the boss but	1	park, not on the street. So we have two options. We
2	yeah, I'm not the boss but MR. KELLY: No. I understand.	2	park, not on the street. So we have two options. We can drag this out, because we're not leaving.
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2 3 4 5 6	yeah, I'm not the boss but MR. KELLY: No. I understand. ACTING CHAIRWOMAN HERRIES: Mr. Kelly, this is the engineer. I'm not sure he's the right person to address what you're asking. It might be better reserved to	2 3 4 5 6	park, not on the street. So we have two options. We can drag this out, because we're not leaving. MR. KELLY: I didn't think you were. MR. CAPIZZI: This is option A, which is park on off property, off the street. Or option B is we continue to use the roadway. We're
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			47
1	45 Listen, we're not going to open our	1	you know.
2	wallets let's wait to be called.	2	MR. KUPFERSCHMID: You said no
3	MR. KATES: Sir, she's trying to take	3	materials have been brought in? No changes to the
4	your testimony. You haven't been identified.	4	MR. HUBSCHMAN: I mean, not to the
5	MALE AUDIENCE MEMBER: That's fine.	5	parking lot. We just drove over there, and the
6	I just asked the question.	6	paving all looks pretty uniform up to that end there.
7	MR. KATES: Well, asking a question	7	MR. CAPIZZI: Well, Mike, there is a
8	there's an order here. The order is you identify	8	material pile on the stone church property.
9	yourself in turn and you ask your question. You're	9	Can you just discuss that with the
10	going to drive the poor lady crazy.	10	board and what function that's serving, if any?
11		11	MR, HUBSCHMAN: I don't know. There
12	MALE AUDIENCE MEMBER: Thank you.	12	was some gravel dumped at the end of the some
	I thought that whole thing driving	13	-
13	spaces 20 minutes drove her crazy.	14	gravel, loads of gravel.
14	ACTING CHAIRWOMAN HERRIES: Are there		(Audience outburst.)
15	any other questions for this witness?	15	MR. KATES: No, please.
16	MR. KATES: Yes.	16	MR. CAPIZZI: Mr. Hubschman, is that
17	You can stand now and identify	17	gravel area functioning as a parking area.
18	yourself.	18	MR, HUBSCHMAN: Not now.
19	MR. POLICANO: Robert Policano,	19	It's all it's just piles of gravel,
20	979 Closter Dock Road.	20	right, and recycled concrete, yeah.
21	I think you're underestimating the	21	MR. CAPIZZI: So the curbing that
22	water runoff of the extension.	22	exists at the end of the 22 parking
23	Coming out, it's east. It's not south,	23	ACTING CHAIRWOMAN HERRIES: Can we have
24	okay.	24	quiet please in the audience?
25	Right now there's an issue on West Main	25	MS. MYUNG: Yes.
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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	46		48
1	Street that 12 days ago we had a rainfall, and the	1	(Audience outburst.)
2	water from West Main which is groundwater, which	2	MS. MYUNG: Please, no whispering.
3	this is going to increase the groundwater flow is	3	MR. KATES: You'll have your chance.
4	going down West Main to Main Street, all the way down	4	MR. CAPIZZI: Mr. Hubschman, the
5	Main Street to Closter Dock Road. You can go there	5	parking area on the stone church property, that's
6	right now; it's still flowing 12 days later. This is	6	finished with a timber curb, correct?
7	just going to exacerbate it.	7	MR. HUBSCHMAN: Right.
8	MR. KATES: Do you agree,	8	There's a, like, railroad-type curb at
9	Mr. Hubschman?	9	the end of the property.
10	MR. HUBSCHMAN: Well, we submitted a	10	MR, CAPIZZI: Is that still in place?
11	drainage report. We're actually not paving more than	11	MR. HUBSCHMAN: Yes.
12	you know, everything presently runs off.	12	MR. CAPIZZI: Is there any evidence of
13	So we're controlling we're	13	people driving over the timber curb and parking on
14	controlling what runs off presently. You know, it	14	grass.
15	will definitely be a positive improvement with the	15	MR. HUBSCHMAN: It would be impossible.
16	curbing and the pervious paving.	16	Well, it slopes down too. There's a severe drop-off.
17	MR. KUPFERSCHMID: Mike, do we know if	17	MR. CAPIZZI: Thank you.
18	the existing conditions how long they've been	18	MR. KATES: Next person? Your name.
19	existing in that condition, or were they somehow	19	Identify yourself.
20	expanded or added to over time.	20	MR. GARABET: Leon Garabet, 987 Closter
21	MR, HUBSCHMAN: I worked on the church	21	Dock Road.
22	actually, I've been to you know, I've been	22	MR. KATES: Could you spell your last
23	around for a long time.	23	name?
24	As far as I know, probably at least the	24	MR. GARABET: G-A-R-A-B-E-T. Leon.
25	last 30 or 40 years, the parking lot has been right,	25	MR. KATES: Thank you.
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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2 MR. GARABET: So my question is, my 3 house is right by the gate, right over there, 4 15 feet, 20 feet from y gate. The water comes down 5 - down like they put septic, the whole water was on 7 my grass. And they destroy things. They don't fix 8 it. They don't do nothing. They're supposed to put 9 some trees, 10 Here now when you're paving, where the 10 water is going to ag? On my property again, no? 11 It's only 20 feet. It's 20 feet from my bedroom. 12 It's only 20 feet. It's 20 feet from my bedroom. 13 MR. KATES: Let him answer you, if he 14 can. 15 MR. HUBSCHMAN: I know when they 16 installed the septic system, there was supposed to be 17 more of a well and swale on top of that. 18 Well, there was a supposed to be 18 MR. GARABET: Mr. Hubschman, they put 21 the septic over there and they did the test pit. 18 MR. HUBSCHMAN: Are you going to let me 22 answer? All right, thank you. 23 and swale down toward Closter Dock there. It didn't 2 look like — It looked like they added — there's too 3 much of a slope towardy your property, iguess is 4 what I'm saying. 5 MR. HUBSCHMAN: No, I agree with you. 8 MR. GARABET: There's the way It's 6 coming in. 7 MR. HUBSCHMAN: I don't know. 8 MR. GARABET: I'm just asking a 17 question because it's there. It's right on my gate. 18 MR. HUBSCHMAN: I don't know. 19 Is see here about a quarter-inch. 19 MR. GARABET: I'm just asking a 19 question because it's there. It's right on my gate. 19 MR. REEVES: David. 20 MR. GARABET: I'm just asking a 21 guestion because it's there. It's right on my gate. 22 the seep in the put over there about 100 tons of poperery, cocks, whatever they put on the property, do 10 pavers, rocks, whatever they put on the property, do 11 Is see here about a quarter-inch. 12 MR. HUBSCHMAN: I don't know. 13 MR. HUBSCHMAN: I don't know. 14 MR. GRABET: I'm just asking a 15 question because it's there. It's right on my gate. 16 MR. KATES: HIS answer is he didn't 17 MR. HUBSCHMAN: It requires 100 feet. 18 MR. REEVES: David Reeves, 19 Ridge 19 MR. REEVES: See Vict. 20			l .	
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		know. Any other questions, Mr. Garabet.	19	And you're going to do 5.
20 MR. GARABET: No. 20 MR. HUBSCHMAN: Well, we're just trying				
21 Thank you. 21 to expand the traffic.		·		l la
22 MR. KATES: Mr. Policano, you have 22 MR. REEVES: The question is, it's				·
23 another question. 23 100 feet and you're going to do 5 feet.		·		,
24 MR. POLICANO: Just to verify. There 24 MR. HUBSCHMAN: Yes.				
25 were three truck loads, piles of stone dropped there. 25 MR. REEVES: Do you have any concern	25	were three truck loads, piles of stone dropped there.	25	MR. REEVES: Do you have any concern
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201-641-1812 LAURA A. CARUCCI, C.S.R., R.P.R., E.E.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

1	over the does the church have any concern as to	1	way that's true.
2	the impact to the neighbor next to you, who will be	2	And the question is, where the church
3	with you said you're not moving.	3	resided originally before this location and where the
4	Will you be being a good neighbor by	4	residence of the church reside, I'm not sure there
5	reducing the buffer by 95 percent?	5	are many in Alpine, or in Closter, or in Cresskill.
6	MR. CAPIZZI: We're not reducing the	6	MR. CAPIZZI: It's not material, sir.
7	buffer my 95 percent.	7	MR. REEVES: Well, I submit to you that
8	As you said, when you were a member of	8	the lawyer himself your name, sir? I'm sorry.
9	the church, the parking lot as it stands today is	9	MR. CAPIZZI: Matthew Capizzi.
10	3 feet off. We're extending that. We're actually	10	MR. REEVES: Mr. Capizzi.
11	improving the condition from what it was when you	11	MR. CAPIZZI: Yes, sir.
		12	MR. REEVES: Mr. Capizzi said this
12	were a member.	13	would improve it because it's a house of worship.
13	MR. REEVES: That's a matter of		·
14	opinion, I submit to you.	14	MR. KATES: He said it's essentially an
15	MR. CAPIZZI: The numbers are the	15	inherently beneficial use, whoever attends the
16	numbers. We're going from 3 to 5.	16	church. The law requires
17	MR. REEVES: From 3 feet to 5 feet, so	17	MR. REEVES: I would differ that if
18	that's an improvement.	18	you're coming from a distance away, you are using the
19	What would you say the impact is on the	19	church and using the community, not necessarily
20	neighbor that you have there?	20	benefiting it.
21	MR. CAPIZZI: We believe we've	21	MR. KATES: Well, the law doesn't look
22	addressed it appropriately.	22	at it that way. It's like a hospital. A hospital is
23	Mr. Hubschman, can you go through the	23	an inherently beneficial use. Not every patient is a
24	buffering again, and the adequacy of the buffering.	24	resident of the community where the hospital is
25	MR. REEVES: Addressing it	25	located.
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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1 2	54	1 2	56
	54 appropriately is one thing.		56 MR. REEVES: Right. Yeah.
2	54 appropriately is one thing. The impact on	2	56 MR. REEVES: Right. Yeah. MR. KATES: The same content.
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25 worship improves the neighborhood. And in a certain LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.

201-641-1812

25 Information on that.

LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

		r	
	57		59
1	That's fine.	1	I can appreciate that.
2	MR. HUBSCHMAN: I mean, historically	2	MR, KUPFERSCHMID: Is the applicant
3	I thought you were talk about the footprint of the	3	here tonight?
4	MR. KUPFERSCHMID: I'm saying what's	4	MR. CAPIZZI: Yes.
5	taking place. I think this is as of recent.	5	MR. KUPFERSCHMID: Maybe the applicant
6	MR. HUBSCHMAN: Recently, you know, I	6	later will be able to address these.
7	wasn't party to that, but there was a sidewalk added	7	MR, CAPIZZI: I don't think so.
8	to the west side I'm sorry the south side of	8	The mea culpa, I think, is sufficient.
9	the church.	9	You know, to pepper him more about things that we
10	MR. KUPFERSCHMID: Is that in the	10	know he shouldn't have done
11	drawings.	11	MR, KUPFERSCHMID: This isn't a
12	MR. HUBSCHMAN: No.	12	peppering.
13	MR. KUPFERSCHMID: I'm just trying to	13	MR. CAPIZZI: Understood.
14	clarify.	14	MR. KATES: It's relevant to know what
15	MR. HUBSCHMAN: You're correct.	15	the existing conditions are.
16	And then there is a sidewalk that was	16	MR, CAPIZZI: Right,
		17	1
17	added along the south side of the community building.	l	And that can be done through an amended
18	There was an existing macadam walk along there that	18	plan set.
19	was replaced with a concrete walk,	19	MR. KATES: All right. So maybe that's
20	MR. KUPFERSCHMID: So what we're	20	what we'll need.
21	looking at as far as existing isn't actually	21	MS. MANGOT: Hi. Allison Mangot.
22	existing.	22	MR. KATES: Spell your last name,
23	MR. HUBSCHMAN: It was existing in	23	Allison.
24	whatever the date of the drawing is, right.	24	MS. MANGOT: M-A-N-G-O-T.
25	MR. KUPFERSCHMID: But as of now we	25	ACTING CHAIRWOMAN HERRIES: And your
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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1	don't have up-to-date	1	address, please.
2	MR. HUBSCHMAN: Right.	2	MS. MANGOT: 19 Old Dock.
3	That's not shown on the drawings.	3	Your plan has me in that house, but
4	You're correct, yes.	4	it's wrong. Because that gentleman lives in that
5	MR, KUPFERSCHMID: Thank you.	5	house.
6	MR. CAPIZZI: Just as a	6	So, anyway, two things. The existing
7	Mr. Kupferschmid, just as a matter of law, sidewalks	7	plan that you have where you said that it would be
8	and such would not be qualified as an intensification	8	you have a macadam that says macadam on the plan.
9	of the use.	9	MR. HUBSCHMAN: Right.
10	MR. KUPFERSCHMID: I don't know legally	10	On where? Well, we have the macadam
11	if that's true or not.	11	walk, but that's not there anymore.
12	But if you're increasing coverage with	12	MS. MANGOT: No. The parking lot. The
13	concrete again, I'll leave this to our attorney.	13	parking lot.
14	If you're increasing coverage, then I would think it	14	MR. HUBSCHMAN: The existing lot.
15	does matter.	15	MS. MANGOT: No. I'm talking about the
16	MR. CAPIZZI: It certainly matters as	16	one that you proposing.
17	far as being part of the plan set. That goes without	17	MR. HUBSCHMAN: The proposed lot here,
18	question.	18	yes.
19	And certainly those kinds of things	19	MS. MANGOT: You have macadam.
20	should have not occurred. The gravel should not have	20	MR, HUBSCHMAN: Right.
21	been brought to the property. The sidewalk should	21	MS. MANGOT: I have a picture of what
22	not have been either established or reconstructed.	22	you're talking about.
23	The timber rails should not have happened. Those are	23	MR. HUBSCHMAN: Well, that's the walk
24	all things that unfortunately cause certainly some	24	that was added. That's not shown on our plan, right.
25	bit of aggravation and concern for the neighborhood.	25	That was added.
20		20	
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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	61		63
4		1	around
1	MS. MANGOT: So your plan isn't	2	MS. MANGOT: I was just curious if
2	correct,		Ţ.
3	MR. HUBSCHMAN: Well, that was added	3	people are complaining.
4	after we submitted the plans, yes.	4	ACTING CHAIRWOMAN HERRIES: Yes.
5	MS. MANGOT: Well, you said you were	5	MS. REEVES: Sara Reeves, R-E-E-V-E-S.
6	there so	6	MR. KATES: Your first name is.
7	MR. HUBSCHMAN: I was there today. I	7	MS. REEVES: Sara, S-A-R-A. 19 Ridge
8	was there.	8	Street. I'm with him. I have a question.
9	MS. MANGOT: You saw it. Well, you saw	9	You had something about handicap
10	it, right.	10	parking on Old Dock
11	MR. HUBSCHMAN: Well, we're going to	11	Is that correct?
12	resubmit an updated plan showing it.	12	MR. HUBSCHMAN: Well, we were proposing
13	MS. MANGOT: But you saw it.	13	the one ADA space for the community center on Old
14	My other question for you is, so since	14	Dock Road, yes.
15	then everything is, in quotes, nonconforming, are the	15	MR. CAPIZZI: It's not on the road,
16	rules for your parking, is that you know, for the	16	Michael.
17	amount of parking for the community center, for the	17	MS. REEVES: Why wouldn't you have
18	church, et cetera, et cetera I didn't know that	18	handicap parking in the parking lot where the person
19	there were rules for the community center, just for	19	can get to it.
20	the church does that acreage rule apply for the	20	MR. CAPIZZI: Michael, you're
21	nonconforming size of 2-and-a-half acres or for a	21	describing it as though it's in the road. It's not
22	5-acre lot.	22	in the road.
23	MR. HUBSCHMAN: No. The parking	23	MR, HUBSCHMAN: It's not in the road.
24	requirements are just based on the number of seats,	24	It's off of the road.
25	and it doesn't it's not part of the conditional	25	MS. REEVES: Why is it not in the
20	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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1	use ordinance, I don't believe.	1	parking lot of the church where the handicapped
2	MS. MANGOT: You believe but you're not	2	people can get into the church? You're now requiring
3	sure.	3	them to cross Old Dock.
4	MR. CAPIZZI: They're not, Michael.	4	MR. HUBSCHMAN: No, no. There are two
5	MR. HUBSCHMAN: It's not, no. The	5	ADA spaces on the church side also. It's a
6	parking section of the ordinance is not in	6	requirement that for each parking lot they have their
7	Section 200-10,	7	own ADA requirements.
8	MS. MANGOT: So it doesn't it's not,	8	MS. REEVES: Is there also one on the
9	like, a law that it has be.	9	south side on the east side.
10	MR. HUBSCHMAN: Well, the city or	10	MR. HUBSCHMAN: Right.
11	the Borough set up certain requirements and	11	There are two proposed on the church,
12	guidelines for parking, number of spaces per seat,	12	which is the west, and one proposed on the east side.
13	and that's how you design those,	13	So there are three total.
14	The church has a certain number of	14	MS, REEVES: Why would you have one
15		1 45	away from the church? I'm just asking a question.
16	seats, so they want 40 spaces for 120 seats.	15	away from the charen. The just asking a question
10	seats, so they want 40 spaces for 120 seats. MS. MANGOT: And has there been any	16	MR. HUBSCHMAN: Well, because each
17	· · · · · · · · · · · · · · · · · · ·		
	MS. MANGOT: And has there been any	16	MR. HUBSCHMAN: Well, because each
17	MS. MANGOT: And has there been any studies about the off-street parking, how it affects	16 17	MR. HUBSCHMAN: Well, because each that building requires has an ADA requirement to
17 18	MS. MANGOT: And has there been any studies about the off-street parking, how it affects the neighborhood on a Sunday.	16 17 18	MR. HUBSCHMAN: Well, because each that building requires has an ADA requirement to have a space.
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	65		67
1	MS. MANGOT: That's what I read. Those	1	Has the fire department given a
2	right there, those.	2	required count, people count, for that church on how
3	MR. HUBSCHMAN: The circles.	3	many is allowed in that church?
4	MS. MANGOT: Yes.	4	MR. KATES: Did you receive anything?
5	MR, HUBSCHMAN: No. Those are proposed	5	MR, CAPIZZI: For our certificate,
6	trees.	6	Within the building it's already posted with an
7	MS. MANGOT: Well, I think but I saw	7	occupancy limitation.
8	lighting.	8	MR. POLICANO: It's posted.
9	MR. HUBSCHMAN: Well, the lights are	9	MR. CAPIZZI: Within the building.
10	MS. MANGOT: Up to the left.	10	ACTING CHAIRWOMAN HERRIES: Are there
11	MR. HUBSCHMAN: This one.	11	any oh, go ahead.
12	MS. MANGOT: No. All the way up to the	12	MR. GOLDSTEIN: Lane Goldstein,
13	left.	13	23 Ridge Street.
14	MR. HUBSCHMAN: Right. There are two	14	Will we hear later with regards to the
15	lights proposed in the parking lot.	15	active count of parishioners at the church, families
16	And the Borough Engineer had requested	16	that are currently worshiping there?
17	that we move those to the north side.	17	MR. CAPIZZI: Undecided at this point,
18	MS. MANGOT: So those big those	18	sir.
19	three big things are trees.	19	MR. GOLDSTEIN: Also, there were no
20	MR, HUBSCHMAN: These are proposed	20	parking studies done to date with regards to on a
21	street trees, yes.	21	random Sunday, holidays, any kind of do we have
22	MS. MANGOT: No lights.	22	any idea as to how many vehicles are entering the
23	MR. HUBSCHMAN: Those are not lights.	23	property or entering the church area.
24	ACTING CHAIRWOMAN HERRIES: Yes.	24	MR. CAPIZZI: Michael, have you spoken
25	MR. REEVES: A point of order, I think.	25	to somebody from the church who has told you what the
23	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.	2.0	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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	69		71
1	MR. KATES: Well, no, that's not true.	1	They could sell one side tomorrow, and
	I mean, it's still it's still a valid point as to	2	they would sell it with the parking and then we would
2		3	be back in the same position of needing a variance to
3	the actual use that's taking place in those	4	increase the parking yet again.
4	buildings. It may not weigh heavily, but it's a fair		·
5	question. And it seems to me that if you're	5	MR. KATES: Well, the sale of a portion
6	producing somebody representing the church, it's a	6	changes the rules of the game. That user would have
7	fair question to ask of that representative.	7	to come before the relative board in this town to
8	MR. CAPIZZI: If we provide that	8	justify what they intend to put in there. And so
9	testimony, then that person will speak to that issue.	9	it's a whole new analysis. What's your use?
10	MR. KATES: And if you don't, then the	10	What is the criteria for the use? You
11	board will have to decide whether that's	11	can't take advantage of the church use if you're not
12	MR. CAPIZZI: Right.	12	a church.
13	Whether that's material. Whether that	13	MR. KUPFERSCHMID: But if we grant it
14	assessment is at all material to a buffer variance or	14	and they sell off the right side, or the eastern
15	an improved coverage variance I believe it's not	15	side, that eastern side is going to have these
16	but the board will ultimately have to determine	16	parking spots. We can't take it away.
17	that.	17	MR. KATES: But they have to justify.
18	MR. GOLDSTEIN: I have another just	18	They can't take it away without an approval.
19	again going back to the use case. So you'll have to	19	MR. KUPFERSCHMID: I think he's making
20	excuse my naivety to the zoning ordinances and laws.	20	a good point.
21	But we have two separate two separate	21	MR. KATES: The subdivision, itself,
22	zones with structures on each zone. And it seems	22	brings into play the diminishing of existing spaces
23	that the numbers are getting blended in some cases	23	for the side that is retained, and maybe subdivision
24	and then are being separated in others.	24	would be defeated on that basis.
25	So all of this parking that's being	25	So we're not losing the law doesn't
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
	ERONA A. CANOCCI, C.S.N., N.J. J.N., E.E.C.		
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25 act as one today but they could be subdivided.

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201-641-1812

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MR. GOLDSTEIN: I'll hold that though.

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1	MR. KUPFERSCHMID: Mike, if I can just	1	property.
2	ask.	' 2	MR. GOLDSTEIN: But you're saying that
3	MR. HUBSCHMAN: Sure.	3	there's a hardship, that we're here today because of
4	MR. KUPFERSCHMID: We've had lots of	4	• •
			a hardship.
5	applications where people want to expand the use, and	5	But the church was purchased knowing
6	therefore they have to bring up to the existing	6	that this hardship existed.
7	standards for various needs.	7	MR. CAPIZZI: I haven't made any
8	Here you're not expanding the use but	8	statements about a hardship, sir.
9	you seem to be saying well, we're required to have	9	MR. GOLDSTEIN: In the beginning, I
10	this much space, we should have it.	10	believe when you discussed the laws regarding zoning,
11	And it's, kind of, almost backwards in	11	I thought that you said you mentioned
12	my mind, and going forward. You didn't expand	12	MR. CAPIZZI: I did mention the word.
13	anything, but you're saying, well, we're required to	13	I didn't say the application was predicated upon a
14	have this much parking so we should have it. And	14	hardship.
15	just, I've never seen that happen.	15	MR. KUPFERSCHMID: So, Mike, my
16	MR. HUBSCHMAN: Well, the property is	16	fundamental issue is, they're not here to expand the
17	nonconforming to parking so we're trying to bring it	17	use of the structure.
18	more into conformance and get the cars from parking	18	MR. HUBSCHMAN: Yes.
19	on the street.	19	MR. KUPFERSCHMID: The facilities.
20	MR. GOLDSTEIN: I'm sorry.	20	They simply want to expand the parking because
21	Can I ask just a follow-up to that,	21	they're busier.
22	because that was on my mind; I was going to ask it	22	But what if we have a commercial
23	later to the operator but I guess I'll ask it now.	23	district and, you know, it's young Amazon and they
24	For 156 years the church remained the	24	have this building. The building they buy, it has X
25	same size and had 20 spaces. Now, granted times are	25	amount of spots, conforming, nonconforming, it makes
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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1	different now, but when the church was purchased, the	1	no difference, they buy the property.
2	church was purchased and there were 100-and-some-odd	2	And suddenly they take off and they go
3	seats within the church and there were 20 spaces	3	wow, we need 1,000 parking spots. I know it a sounds
4	outside.	4	stupid. Understand the point. Like, so go find
5	What changed between when the church	5	another place.
6	was purchased that now today there's a hardship that	6	Now, I know you can't tell a church to
7	needs to be dealt with?	7	pick up and go find another place.
8	MR. CAPIZZI: That's not a question for	8	But the point is the same, whether it's
9	the civil engineer to answer.	9	a church, whether it's a business. You can't just
10	MR. GOLDSTEIN: Okay. Who would answer	10	say, well, we're busier so we need more. I'm all
11	that question?	11	about finding solutions for the church. Don't get me
12	MR. CAPIZZI: There's no need to we	12	wrong.
13	may or may not have a witness to address that	13	But to say that we're busier and, by
14	question, sir.	14	the way, the old rules that we're not conforming with
15	I think we're really we're going	15	say we should have this much parking, you know, it's
16	down a path here as far as the nature of how the	16	a tough one. It's a real tough one.
17	Alpine Community Church may have operated, which is	17	MR. CAPIZZI: Mike, it's not a question
18	not material, in my opinion, to this application.	18	for you to answer.
19	And how this church operates is equally	19	Ms. Bogart will answer it.
20	not material because we have a Certificate of	20	Typically reducing a nonconforming
21	Occupancy to be here.	20	condition is not typically it's always favored.
22		21	To suggest that somehow it's an oddity that we're
23	It's an existing house of worship.	22 23	
23 24	It's entitled to operate.		taking upon ourselves to voluntarily cure something
	To me, this application is simply	24	we may not have the obligation to do so and somehow
25	taking a parking need and putting it onto the church	25	that's negative, I don't understand how that becomes
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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77 1 part of the assessment, but I don't think it's an 2 appropriate thing for the board to deliberate on certainly as far as thinking it's somewhat of an 3 oddity to resolve or mitigate a nonconforming 5 condition. And the standards that are applied to a 6 7 commercial business are not nearly the same as they 8 are to apply to a house of worship, so, 9 unfortunately, the hypothetical isn't a good 10 parallel. 11 MR, KUPFERSCHMID: I have a fundamental 12 issue with that separation. I don't feel either side should have any special treatment. That's my 13 14 personal belief. 15 But the law says it. 16 MR. CAPIZZI: Exactly right. **ACTING CHAIRWOMAN HERRIES:** 17 18 Mr. Garabet? 19 MR. GARABET: My question is regarding there's only 20 feet from my window. And engines of 20 21 the car, how are they going to solve this problem 22 from the engines going through my windows in my 23 bedroom. 24 MR, HUBSCHMAN: Well, we're proposing 25 the 20-foot buffer, which would be adequate with the LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

1 MR. REEVES: David Reeves again. The 2 individuals in the neighborhood purchased their house based on the way the neighborhood exists today --4 existed when they bought it. We bought it a long 5 time ago. 6 MR. KATES: Is this a question for 7 Mr. Hubschman? 8 If it's a comment, I've said now seven times, you'll have your opportunity to make comment. 9 10 But this is only the time to question Mr. Hubschman. 11 12 MR. REEVES: And my point -- my point 13 to talk to Mr. Hubschman is that Mr. Hubschman's 14 proposal in terms of the -- especially the buffer zones, especially for the neighboring house, okay, 15 16 this changes the environment of the neighboring 17 house. And that's -- so while it may be alleviating 18 a hardship from the church, okay, it is putting a 19 hardship on the neighbor and the neighborhood. 20 ACTING CHAIRWOMAN HERRIES: Do any 21 board members have other questions for Mr. Hubschman? 22 MR. KATES: Just one. 23 Mr. Fergus, in referring the matter to 24 us, doing his zoning review, mentioned site plan 25 review as part of this.

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two rows of -- two or three rows of the arborvitaes, 1 2 you know, on a nice berm, which would solve the 3 problem.

4 MS. MANGOT: The deer eat the

5 arborvitaes.

MR. HUBSCHMAN: The Green Giants. 6 7 MR. GARABET: I mean, it's too close to 8 my window. That's what the concern is. The smoke

from all these 42 cars obviously will maybe hurt the 9

10 health or whatever it is.

MR. POLICANO: I just want to shed some 11 12 light on it since there was some discussion about the 13 activity in the church. This is right off their own

14 website.

15 MR, KATES: Mr. Policano, it's off

16 message. We're dealing with only one witness.

17 You'll have an opportunity to comment at length under

18 oath. Just hold it.

19 MR. POLICANO: Well, they talked about

20 the activity.

25

MR, KATES: Well, we won't lose sight 21

22 of it. We're going to have a transcript here of

23 everything that's been stated, and that will be a

24 record for you to look at as well.

ACTING CHAIRWOMAN HERRIES: Yes.

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1 And I assume that -- although it's not been stated, we've been focused on the variance --

3 you agree that it's site plan review is as well.

MR. HUBSCHMAN: Right, We're here for 4 5 site plan approval also, yes.

6 MR. KATES: Okay, thank you.

7 ACTING CHAIRWOMAN HERRIES: Is there 8 any issue with fire truck access or any changes to,

9 you know, security or safety of these buildings in

10 terms of emergency services.

11 MR. HUBSCHMAN: We did not receive a

12 review letter.

13 But there's no -- there's no change in

14 access to the buildings at all. It might even

15 enhance the access a little bit more.

16 MR. REEVES: Point of order, there is a

17 change in the access to the stone church now.

18 With that new addition, you've got a

19 new entrance to the church.

20 MR. HUBSCHMAN: I think there were --

21 the Chairwoman was talking about fire access.

22 MR. REEVES: I stand corrected.

23 MR. HUBSCHMAN: More fire access.

Right. There's a door over by the bathroom. 24

ACTING CHAIRWOMAN HERRIES: Perry? 25

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1	MR. FRENZEL: I have a couple issues.	1	are going to be submitted, I'd like to talk my way
2	MR. KATES: Mr. Frenzel is the board's	2	through it with you with the ADA space on the east
3	Mr. Frenzel is the board's engineer. Can you	3	side. I understand the need for it. I understand
4	speak to the	4	the issue with the slope and the maximum allowable
5	MR. KUPFERSCHMID: They're asking you	5	longitudinal slope of the path for ADA-subject
6	to bring the mask bring that closer.	6	people. And I understand that that is probably about
7	MR. FRENZEL: I'll be glad to.	7	the only area you could put an ADA compliant space on
8	Regarding the property on the east side	8	that side of the street.
9	of Old Dock Road, you and I were out there a while	9	The thing I don't care for is the fact
10	ago and we did some explorations for possible	10	that whoever parks in that space has to back out onto
11	expansions, replacements, of the septic fields if it	11	the road. I'd like to explore, or you to explore and
12	would be necessary.	12	I can take a look at it, if there's any way to turn
13	The parking lot where it is situated,	13	that 90 degrees so we can get it off of the road but
14	or proposed to be situated, would that negate the	14	parallel to the road rather than causing someone to
15	ability to replace a septic system for either of	15	back out.
16	those facilities?	16	MR. HUBSCHMAN: Right. Well, I'll take
17	MR. HUBSCHMAN: No.	17	a look at that with the revised plan.
18	I remember where we had investigated	18	MR. KUPFERSCHMID: Perry, you just
19	were both the systems were more or less behind the	19	brought up something I didn't think about. Here I am
20	building, so the parking is sort of in between the	20	thinking this expansion of parking to regulations.
21	two systems.	21	But if we've got this greater use now we're looking
22	MR, KUPFERSCHMID: Are those single?	22	at this expansion, if we don't have septics that are
23	MR. HUBSCHMAN: Just single, old	23	up to current code and dealing with it. You're going
24	systems, yes,	24	to have a problem with the septic fields because the
25	MR. FRENZEL: Single older systems.	25	
2.5		23	septic can't fit on the property.
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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	85		87
1	between the parking lot and the house to the north.	1	MR. HUBSCHMAN: It was designed for 150
2	for the property to the north.	2	or 140 seats, yes.
3	If that 5-foot buffer was expanded,	3	MR. ABAD: Is that still
4	would that not so reduce the parking lot to the point	4	MR. KUPFERSCHMID: Well, that's all
5	where that row of parking along the northerly edge	5	brand-new.
6	would not be usable?	6	MR. ABAD: It is brand-new.
7	If you had a 10-foot buffer on that	7	MR. KUPFERSCHMID: They didn't have
8	side, you cut those spaces down to about 11-feet	8	restrooms there before.
9	deep?	9	MR. HUBSCHMAN: Yeah, that's new.
10	MR. HUBSCHMAN: Right.	10	It was just installed a year or so ago.
11	The proposed you would lose all of	11	MR. FRENZEL: We have to keep in mind
12	the proposes spaces. And the existing is 3 feet.	12	with that, this is not a 24-hour-a-day, 7-day-a-week
13	So we tried to hold 5 feet, which would	13	use. This is an occasional use.
14	be adequate for an arborvitae in that area.	14	So we believe it is adequate, more than
15	MR. FRENZEL: So if there was a deeper	15	adequate actually.
16	buffer on that side, you'd effectively lose what	16	MR. KUPFERSCHMID: And it's a brand-new
17	you're trying to gain by losing that entire row of	17	system.
18	parking on that side.	18	MR. FRENZEL: Right.
19	MR. HUBSCHMAN: You'd lose the nine	19	MR. REEVES: I'll be very quick because
20	spaces, yeah.	20	I've talked a lot tonight. My family accuses me of
21	MR. KUPFERSCHMID: Mike, why couldn't	21	this all the time.
22	the whole thing be shifted closer to the church so	22	Having been very, very familiar with
23	basically the parking lot where they have their	23	this this area because we're so close we were
24	paver walk? It's just not a paver walk anymore.	24	involved in the church, okay. And to see the buffer
25	MR. HUBSCHMAN: We could do that.	25	zone of 5 feet is this much, okay, 5 feet isn't much
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C.
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	86		88
_	B 1	4	
1	But we were trying to align it with the	1	for a buffer zone, okay, for your closest neighbor,
1 2	original, and thought we could jog it to the left.	2	okay. You all know Mr. Hubschman, you know as
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	89		91
1	work and expense, I grant you.	1	you'd like to see them in advance of the next
	· · · · · · · · · · · · · · · · · · ·		-
2	But it would save the impingement upon	2	meeting,
3	the neighbors close to the church.	3	MR. CAPIZZI: So that will be 5-19-22
4	MR. HUBSCHMAN: From an engineering	4	without further notice, correct.
5	point, it really couldn't be moved any further east	5	MR. KATES: That's correct,
6	than I've shown it here.	6	(Whereupon, the matter is continuing at
7	MR. ABAD: Do you have wetlands?	7	a future date. Time noted: 9:10 p.m.)
8	MR. HUBSCHMAN: We had an LOI here, a	8	
9	wetlands and a 50-foot transition. And it's very	9	
10	steep in that area.	10	
11	MR. ABAD: So the whole building	11	
12	envelope is that dashed line there.	12	
13	MR. HUBSCHMAN: Right, That dashed	13	
14	line inside of that is basically	14	
15	MR. ABAD: The building envelope,	15	
16	right.	16	
17	ACTING CHAIRWOMAN HERRIES: Are there	17	
18	1		
19	any other questions for Mr. Hubschman? MR. KATES: You'll be back,	18 19	
20	Mr. Hubschman, I assume, so that we'll be renewing	20	
21	this line of questioning again to a certain extent.	20	
22	Do we want to take a brief break for	22	
23		23	
24	the reporter? ACTING CHAIRWOMAN HERRIES: Sure.	23	
2 4 25	MR. KATES: We'll resume then with our	2 4 25	
25	***	20	LANDA A CADUCCI C S B. B. B. B. L. L. C.
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812		LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812
4	90	1	92 CERTIFICATE
1	next witness.	2	CERTIFICATE
2	(Whereupon, a brief recess is held.)	3	I, RONDA L. REINSTEIN, a Certified Court
3	ACTING CHAIRWOMAN HERRIES: We'd like	4	Reporter of the State of New Jersey, authorized to
4	to reconvene.	5	administer oaths pursuant to R.S.41:2-2, do hereby
5	MR. CAPIZZI: So, Madame Chair, we'd	6	certify that the foregoing is a true and accurate
0	like to take the opportunity to carry the matter to	7	transcript of the testimony as taken stenographically
7	the next hearing date so we can have an opportunity	8	by and before me at the time, place and on the date
8	to clean up the plan set to see what we can do to	9	herein before set forth, to the best of my ability.
9	modify the parking area on the church property so as	10	I DO FURTHER CERTIFY that I am neither a
10	to put it on an angle and see if we can increase that	11	relative nor employee nor attorney nor counsel of any
11	buffer and address some of the other concerns that	12	of the parties to this action, and that I am neither
12	the board and the neighbors have raised this evening.	13	a relative nor employee of such attorney or counsel,
13	MR. KATES: That said, we're going to	14	and that I am not financially interested in the
14	continue this hearing. Our May date is May 19.	15	action.
15	MS. MYUNG: Yes.	16	į
16	MR. KATES: May 19th,	17	
17	If the applicant can please get your	18	
18	revised plans filed. I know there's no ten-day	19	
19	requirement, but if you can do a ten-day requirement,	20	
20	considering the publication of this application, it	21	
21	would be very helpful to these people.	22	
22	MR. CAPIZZI: Understood.	23	
23	ACTING CHAIRWOMAN HERRIES: For the	24	***************************************
24	public, the plans will be available in the Borough		RONDA L. REINSTEIN, CCR №. 30X100217800
25	Clerk's office and also on the borough website if	25	
			· · · · · · · · · · · · · · · · · · ·
	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812	•	LAURA A. CARUCCI, C.S.R., R.P.R., L.L.C. 201-641-1812

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4	A-1	Proof of Publication in The Record:	-1 en
5	1	April 10, 2022	17
6	A – 2	Certified mailing to Residents Within 200' on April 8, 2022 per	
7	1	Tax Assessor's List April 7, 2022	17
8	A – 3	Application received January 6, 2022 signed and	
9		Dated January 5, 2022 with Rider and attachments: Proposals	
10		And Reasons for Relief Tax Collector Proof of Statement dated June 18, 20	21
11		- Tax Exempt 200' Property Owners' 1 September 30, 2021	ist 17
12	A – 4	Borough Engineer's letter	
13		Dated September 20, 2021 and Zoning Officer's Review letters	
14		Included from our files: Zoning Officer review letter dated	
15		July 19, 2021 for 10 Old Dock Road Block 48 Lot 1.01, Zoning Officer	
16		Review letter dated July 19, 2021 For 995 Closter Dock Road Block 47	
17		Lot 2	17
18	A-5	Photo Exhibit - set of 2 color Photos not dated, not signed	17
19	A-6	Soil Moving Report signed and	
20		Sealed by Michael J. Hubschman, PE PP dated December 31, 2021	17
21	A-7	6-Foot Boulder Wall Calculations	
22		Report signed and sealed by Michael J. Hubschman, PE PP dated	
23		January 3, 2022	17
24	A – 8	Storm Drainage Report signed and Sealed by Michael J. Hubschman, PE F	P
25		Dated December 28,2021	17
,			

		5	
1		I N D E X (CONTINUED)	
2		EXHIBITS	
3	NO.	DESCRIPTIONIDENT/EVID	
4	A-9	Engineering Plans consisting of 6 pages signed and sealed by	
5 6		Michael J. Hubschman, PE PP dated June 24, 2021, last revised December 20, 2021 except for	
7		Sheet 6 as noted below: Drawing # 3882-4 "Site Plan" Drawing # 3882-5 "Grading, Drainage	
8		& Utility Plan/Details" Drawing # 3882-6 "Lighting/Landscaping Plan & Details"	
9		Drawing # 3882-7 "Soil Erosion Sediment Control Plan & Details" Drawing # 3882-8	
10		"Existing Conditions Plan" Drawing # 3882-9 "Cross Sections & Soil Moving	
11		Plan" dated December 29, 2021 17	
12 13	A-10	Supplement cover letter from Matthew G. Capizzi, Esq. Dated February 16, 2022 Along with: Soil Moving Permit	
14		Application with Check List for Determining completeness of review 17	
15	A-11	Drawing # 3882-4 "Site Plan" previously submitted as part of exhibit A-9 now	
16		colorized 18	
17	A-12	Drawing # 3882-5 "Grading, Drainage & Utility Plan/Details" previously	+++++++++++++++++++++++++++++++++++++++
18		Submitted as part of exhibit A-9 but Plan presented during April 21, 2022	
19		Meeting is colorized 18	
20	A-13	Drawing # 3882-6 "Lighting/Landscaping Plan & Details" previously submitted as	
21		Part of exhibit A-9 now colorized 19	
22			
24			
25			

ACTING CHAIRWOMAN HERRIES: And so the 1 2 Church of the Lord application. MR. CAPIZZI: Good evening, Madame 3 Chair. 4 Matthew Capizzi on behalf of the 5 6 applicant. 7 Just as a point of clarification, as I do have the Tracey Marrow application as well, we're 8 going to be adjourning that matter this evening. Unfortunately, we received late notice 10 that one of our professionals is not available. 11 whether you want to dispose of that now and adjourn 12 it or later on in the agenda, you let me know. 13 MR. KATES: Let's announce the date of 14 15 the next meeting. It will be May. MS. MYUNG: May 19th. 16 The Marrow application is 17 MR. KATES: being adjourned to May 19 without further notice 18 being required, on the request of the applicant's 19 20 attorney. Anyone here interested in that matter, 21 you're certainly welcome to stay, but there will be 22 23 no testimony tonight. MR. CAPIZZI: Thank you. 24 25 So, Madame Chair, if I may, just a

brief opening statement on the Church of the Lord application.

ACTING CHAIRWOMAN HERRIES: Of course.

MR. CAPIZZI: So as the board is aware, this is the former location of the Alpine Community Church. The Church of the Lord purchased the property in November of 2019 and has been holding services at the stone church property since that time.

What we're seeking to do by way of this application is add some additional off-street parking.

As the board members may be aware, the property consists of essentially two parcels that are separated by Old Dock Road. One is on the westerly side. It has the stone church building on it where services are held. And on the easterly side is the community center property and the pastor's manse, where we hold some other events, religious worship, religious education, services in that building.

At the stone church property there's a parking lot, a macadam parking lot, that has approximately 20 parking spaces. In the -- at the Community Center property there is no opportunity for off-street parking with the exception of the driveway

that services the pastor's manse.

Based upon the attendance at our services and with some room for expansion, we're proposing to add some additional parking at the stone church property, adding approximately 22 spaces to that lot.

And at the Community Center property, we're proposing to create a new parking area containing 25 spaces.

Once you bring the sum total online, it will give us an opportunity of approximately 67 spaces, which we believe would be sufficient for our demands on Sundays and whenever we may have special events at the property and so forth.

At present, we've been relying upon the macadam lot that's on the stone church property.

But, certainly, it doesn't provide a sufficient amount of off-street parking, so there is an amount of parking that has spilled over onto the local roadway network.

We believe by way of this application we'll be able to now take that parking that's on the local network and bring that off the roadway onto the church property.

The use of the house of worship is a

conditional use in the zone. It's been the subject of one prior application in 2007, 2008, thereabouts, where there was a portion of the Community Center property that was subdivided off.

But other than that, I'm not aware of any other historical applications concerning either property.

As far as the variance relief that's concerned, there are several nonconforming conditions at the properties as they stand today: Lot area, lot width, and so forth.

None of the nonconforming conditions are being exacerbated by way of this application with the exception of two, and they both pertain to the stone church property.

There is a buffer requirement that the parking area be approximately 100 feet off the property line.

At present, the parking area is only about 3. And we're proposing to continue that offset as we continue in a westerly direction with the expanded parking area.

However, you'll hear from Mr. Hubschman about some landscaping that's being proposed at that property to shield the vehicles from the adjacent

properties. And there's also a variance for improved lot coverage.

By virtue of expanding the parking area, we need variance relief to that particular item.

But, again, Mr. Hubschman will speak to the fact that the expanded parking area is made of gravel, so although it is improved, it certainly will have permeability, given the substrate from which it's being constructed.

I think it's important to note that as the board hears testimony from Mr. Hubschman and Ms. Bogart, our planner, as well as any comments and testimony that may be given by the neighbors, that the board be mindful of the variance criteria that's supposed to be applied to such a matter.

Having appeared before the board regularly, commercial applications, institutional applications such as this are not commonplace before the board, so the variance criteria is somewhat different.

First and foremost, houses of worship are considered inherently beneficial uses under the New Jersey Case Law. And that's of significant importance as the board considers the testimony

before it this evening.

Moreover, it's a conditional use variance, a D-3 variance, so the focus is typically on what is the impact of the applicant's inability to comply with that condition, here being the buffer requirement and the improved coverage requirement limitation.

The third aspect for the board to consider is the fact that the applicant is not complying with those two parameters, do they result in a substantial negative impact upon the neighborhood, and can that substantial negative impact be mitigated against with the imposition of certain conditions?

That's essentially a nutshell explanation of the legal standard that applies to a house of worship conditional use variance case.

As in any variance case, there are typically two prongs, a positive criteria and a negative criteria. The positive criteria being what about the property generates the need for the variance, or does the granting of the variance result in some public benefit that's achieved by way of the board granting the variance?

Because of the nature of the use, that

we're protected by New Jersey Case Law with that determination of being inherently beneficial, because the First Amendment of the New Jersey and U.S. Constitution protect one's ability to freely exercise their religion, and based upon the Federal Statute, FRLUA, that Mr. Kates may speak about at some point in time, that first prong is already deemed satisfied.

So the law already says that the positive criteria, why you're before is not of relevance; we've already cleared the road for you as far as telling us why you need the variance and providing either some kind of hardship or public benefit testimony relative to that component.

And, essentially, the case distills itself to an analysis of the negative criteria. Will the granting of the variance result in a substantial negative impact upon the public good, essentially the neighborhood?

Before the board can arrive at a determination of substantial negative impact, it must first determine whether the board can impose certain conditions upon the applicant that would ameliorate, limit, that substantial negative impact.

It is only after the board has

considered those imposition of conditions and still finds that it would result in a substantial negative impact despite the imposition of those conditions that the negative criteria would fail.

worship. They want them to be in neighborhoods such as this. Your zoning ordinance wants them to be in this particular neighborhood. That's evident by the fact that we're a conditional use. It's evident by the fact that this church has existed since 1866 and continues to be a viable house of worship within the community.

For those reasons, it's why the standard is quite difficult in order for such an application to be denied.

And in essence here, we're really just dealing with some housekeeping. The nature of the church is not changing. The buildings are not being expanded. The number of seats is not changing. The kinds of services that are being provided are your typical Sunday service, weekday morning service, youth and adult educational services that you would find in any similar typical house of worship. So none of those things are changing.

The only thing we're looking to do is

1	take that parking that's occurring on the street,
2	bring it off the street and onto the church property.
3	We believe that we've provided a practical and
4	reasonable way to accommodate that need. And we
5	certainly look forward to presenting the application
6	before the board.
7	Madame Chair, if you don't have any
8	procedural questions of me, I can call Mr. Hubschman
9	at this time and have him go through the plan set.
10	ACTING CHAIRWOMAN HERRIES: That's
11	fine.
12	MR. KATES: Mr. Hubschman, would you
13	raise your right hand to be sworn.
14	MR. HUBSCHMAN: Yes.
15	MR. KATES: Do you swear the testimony
16	you're about to give to this board shall be the
17	truth, so help you God?
18	MR. HUBSCHMAN: Yes, I do.
19	MICHAEL HUBSCHMAN, PE, PP
20	263 South Washington Avenue, Bergenfield, New
21	Jersey, having been duly sworn, testifies as
22	follows:
23	MR. KATES: Madame Chair, Mr. Hubschman
24	has appeared before this board on numerous occasions.
25	I don't think we have to put him through for his

1	qualifications.
2	ACTING CHAIRWOMAN HERRIES: Agreed.
3	MR. KATES: He's acceptable?
4	ACTING CHAIRWOMAN HERRIES: Yes.
5	MR. KATES: Your witness.
6	MR. HUBSCHMAN: Thank you.
7	MR. CAPIZZI: Madame Chair, I was
8	provided with the board's list of exhibits, which I'm
9	prepared to accept by way of stipulation.
10	MR. KATES: What is it, A-1 through?
11	MR. CAPIZZI: This was A-1 through
12	A-11.
13	MR. KATES: Do we have any later
14	entries, Jo Anna?
15	MS. MYUNG: I am so sorry.
16	MR. KATES: To the witness list, the
17	exhibit list, A-11 is the last one Mr. Capizzi is
18	referencing.
19	MS. MYUNG: That's correct.
20	MR. KATES: That came in.
21	MS. MYUNG: That came in yesterday.
22	I was I was provided by our Building
23	Department the architectural engineering drawings,
24	listed as Exhibit A-11.
25	. Unfortunately, I did not get copies

	16
1	to present to the board engineer.
2	MR. KATES: But we're including that in
3	the list you have A-11.
4	MS. MYUNG: That's correct.
5	MR. CAPIZZI: But this should be I'm
6	not aware of this plan, Madame Chair.
7	MR. KATES: No architectural plan.
8	MR. HUBSCHMAN: I don't believe so.
9	MR. CAPIZZI: No. Do you mind if I
10	take a quick look at that plan.
11	MS. MYUNG: Yes. I gave you a copy of
12	the exhibit list.
13	MR. CAPIZZI: Yes.
14	MS. MYUNG: And it's on Exhibit A-11.
15	MR. CAPIZZI: Right. Do you by chance
16	have a copy of that plan.
17	MR. KATES: Do you have a copy of the
18	plan.
19	MS. MYUNG: I'll find it. This is
20	exactly what was handed to me.
21	MR. CAPIZZI: This is something new to
22	me. This is not part of our application.
23	MS. MYUNG: That is not, okay.
24	MR. CAPIZZI: No.
25	MS. MYUNG: Thank you.

1	MR. CAPIZZI: Thank you.
2	MS. MYUNG: Sorry for the
3	inconvenience.
4	MR. KATES: So it's A-1 through A-10.
5	MR. CAPIZZI: Correct.
6	MR. KATES: We'll stipulate that is the
7	list without reading through it.
8	MR. CAPIZZI: Thank you.
9	(Whereupon, Documents are received and
10	marked as Exhibit A-1 - A-10 for
11	identification.)
12	MR. CAPIZZI: So, Mr. Hubschman, the
13	board has marked your site plan, last revised they
14	have it down as December 20th, 2021. Is that
15	correct?
16	MR. HUBSCHMAN: It's December 28th,
17	2021.
18	MR. CAPIZZI: That's what I thought.
19	MR. KATES: What exhibit is that.
20	MR. CAPIZZI: That's A-9. So we should
21	just note that is December 28th, 2021, is the last
22	revision.
23	MR. KATES: We have a colorized version
24	on the board.
25	MR. HUBSCHMAN: Yeah. I have three.

1	MR. KATES: So we'll make that A-11.
2	A-11 is the colorized site plan of A-9.
3	(Whereupon, Drawing # 3882-4 "Site
4	Plan" previously submitted as part of exhibit
5	A-9 but now colorized marked as Exhibit A-11
6	for identification.)
7	MR. KATES: Multiple sheets or just one
8	sheet.
9	MR. HUBSCHMAN: There are three sheets
10	colored. The Grading & Drainage Plan is colored. So
11	I guess that will be A-12.
12	MR. KATES: Yes.
13	MR. HUBSCHMAN: I have the same copy,
14	just colored.
15	MR. KATES: Um-hmm.
16	(Whereupon, Colorized Grading, Drainage
17	& Utility Plan is marked as Exhibit A-12 for
18	identification.)
19	MR. HUBSCHMAN: And then the Lighting &
20	Landscaping Plan is colored.
21	That would be, I guess, A-13 then,
22	right?
23	MR. KATES: Yes.
24	(Whereupon, Drawing # 3882-6
25	"Lighting/Landscaping Plan & Details"

1	previously submitted as part of exhibit A-9
2	now colorized is marked as Exhibit A-13 for
3	identification.)
4	MS. MYUNG: I'm sorry.
5	Mr. Hubschman, can you just repeat that
6	again? I have the drawing, Grading, Drainage &
7	Utility Plan details as Exhibit A-11.
8	MR. HUBSCHMAN: No, no. A-11 is the
9	Colorized Site Plan Sheet.
10	MS. MYUNG: Oh, I see. Okay.
11	MR. HUBSCHMAN: Right.
12	MS. MYUNG: All right, I got it.
13	MR. KATES: Colorized A-9.
14	MR. HUBSCHMAN: Right.
15	Then A-12 is the Colored Grading,
16	Drainage & Utility Plan.
17	And A-13 would be the Colorized
18	Lighting & Landscaping Plan.
19	MS. MYUNG: Thank you, Mr. Hubschman.
20	MR. HUBSCHMAN: Okay, thank you.
21	DIRECT EXAMINATION
22	BY MR. CAPIZZI:
23	Q. Mr. Hubschman, do you have an Existing
24	Conditions Plan that you can flip to?
25	A. I do, but it's not colored.

1	Q. That's fine.
2	A. It's easier. Sheet 5 of the set that
3	the board has is an Existing Conditions Plan. It's a
4	little hard to see now without it being colored.
5	Q. If you can just utilize that sheet just
6	for a quick discussion.
7	MR. KUPFERSCHMID: Mike, what is the
8	title? Is it Lighting & Landscape?
9	MR. HUBSCHMAN: No, no.
10	Sheet A-8, which is 5 of 5, that would
11	be the Existing Conditions Plan, the last sheet in
12	the set.
13	MR. KUPFERSCHMID: Thank you.
14	MR. HUBSCHMAN: Right.
15	All of the sheets are oriented the same
16	way with north being up.
17	MR. KUPFERSCHMID: Hold on one second
18	because my set is not following. This is my Sheet 4.
19	Thank you.
20	BY MR. CAPIZZI:
21	Q. All right. Mike, so take us through
22	the existing conditions, please.
23	A. Sure. Right.
24	Well, the sheets again, all of the
25	sheets are oriented

1	MS. MYUNG: Excuse me. I'm sorry.
2	Can we just unfold the sheets just
3	because this meeting is taped.
4	MR. HUBSCHMAN: Is everyone done?
5	BY MR. CAPIZZI:
6	Q. Okay, Mike, let's resume.
7	A. Okay.
8	Again, north is up on all of the
9	sheets. Closter Dock Road is going from left to
10	right on the bottom.
11	The middle of the sheet is the Old Dock
12	Road that separates the two sites.
13	The Existing Conditions Plan shows to
14	the left, or to the west, the existing stone church,
15	the existing parking lot to the north of that, which
16	is a 22 spaces, I believe it was.
17	Q. Twenty, I believe, Mike.
18	A. Twenty. Right, 20. It turns into it.
19	Then to the east are the Community
20	Center building.
21	And then to the on the corner to the
22	south of the Community Center is the existing
23	parsonage, or the reverend's house.
24	Going to the east, there is some sloped
25	areas, wooded areas, then wetlands just off the

property.

Q. Thank you.

So I had mentioned in my opening just some of the limited parking opportunities. They are just principally on the stone church property.

Is that correct?

A. Right.

There's the existing parking area, yes.

- Q. Thank you.
- A. The floor is, like, sloped.
- Q. As far as the proposal, can you take us through the parking areas that you're going to be enlarging?
 - A. The proposal, sure.

I'm now going to Sheet 1. It shows the new construction. We're proposing to add 18 spaces to the west of the existing paved area. So that lot would have 42 -- yeah, that lot would have a total of 42 spaces.

Again, this is a little easier to see for everybody because of the color. There's the existing church in the center. The parking lot existing is about half of that. So we're adding 18 spaces to the west of that, two handicap stalls.

And then on the east side where the

Community Center is, we're proposing a small parking area between the two -- the two buildings. There's 24 spaces in the parking area. And we're providing one ADA stall in front, because the grades really didn't work to have the ADA stall in the lot.

Q. Thank you, Mike.

As far as the landscaping and lighting components?

A. Right.

Then also this sheet shows, because of the slope we're proposing two retaining walls. The Landscape and Lighting is shown on Sheet 3, 3 of 5. Again, this is color.

We're proposing the Green Giant
Arborvitae and some buffer plantings around the property, and some street trees.

- Q. Just for purposes of the record, Mike, can you just walk us through each particular lot and give us a description of the landscaping and lighting as to which one pertains to stone church and --
- A. Well, on the stone church, again we're proposing dark American arborvitaes, or the Green Giant arborvitaes that I'm sure everyone is familiar with. They're colored in that darker green color. They're proposed to be 7- to 8-foot planting height.

The lighting on the church is just small bollard lighting. We didn't propose any pole lighting on the church at all.

On the Community Center side, the same thing, some dark -- the green giant arborvitaes. And then there is some maple -- I'm sorry -- yes, red maples, street trees proposed.

And all the remaining lawn areas and trees are going to remain the same around the site.

Lighting, we were proposing two small pole lights on the side.

And Mr. Frenzel, in his letter, had requested that he thought it was better if we put the two lights on to face south, which we would of course do. We're showing the two lights facing north.

- Q. As far as on the stone church property, is there an ability to enhance the landscaping area and perhaps provide a double row of arborvitaes along the west?
- A. We're proposing a 20-foot buffer area. We could easily plant two or three rows of staggered green giants in that area, yes.
- Q. With the enhanced landscaping, would that buffer the expanded parking area from the neighboring properties?

1	A. Right, yes. The one neighboring
2	property would be to the west.
3	Q. Would that include a screening of the
4	headlights from the vehicles?
5	A. Right.
6	Most of the activity is during the day,
7	I guess, when they they're going to testify on
8	that.
9	So there's not really a lot of
10	headlight usage there.
11	But, right, that would you know,
12	that would definitely shade the headlights, sure.
13	Q. Thank you, Mr. Hubschman.
14	So you had talked to us about the
15	landscaping components, lighting. How about
16	drainage?
17	A. Drainage, going back to the Sheet 2
18	shows our drainage proposal.
19	The Community Center side, I think it
20	drains down towards the east to the wooded area.
21	That side drains to the Hudson River. And we're
22	proposing pervious paver. There's a strip of
23	pervious paver about 30-feet wide that would absorb
24	most of the water.
25	And that's a green you know, a green

They count that as green technology now. 1 The DEP looks favorable on that. 2 infrastructure. And having it not connected is also a 3 favorable new drainage concept, rather than piping 4 It's really -- rather than just putting basins 5 in and piping it right to the wetlands to have it 6 7 flow through the wooded area. A similar situation on the church side, 8 pervious pavers and then grading it towards whatever 9 the -- any additional run-off would grade towards 10 11 Closter Dock. As far as the soil movement 12 0. considerations, can you discuss that for us, please? 13 14 Α. Right. 15 There's very minimal soil moving on the church -- on the church side because it's pretty 16 17 level. And then on the Community Center side, 18 the soil moving, there's fill required for that rear 19 parking lot because the lot goes down. There's about 20 8 foot of fill at the back of the property. 21

Road, then it slopes down to about 6 percent.

And the quantities were -- let's see.

There's 1,496 yards of fill on the east parking lot

It's generally flush with Old Dock

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or, you know, grading in order to bring that up to, like, a drivable grade going down.

Q. Thank you, Mr. Hubschman.

1.

As far as the buffer at the community property, the Community Center property, I know we have the dwelling -- excuse me -- the Community Center building on the north side of the parking lot. Will that provide an element of a buffer of that parking area?

A. This will, yeah.

Some of our original concepts were to have parking over on the north side of the building. That was kind of taken off the table. It was just not really fitting in with the neighborhood there.

So that's why it was decided to put whatever parking we could in the middle.

And, you know, we're hampered by the slope, the wetlands, the transition area.

So there's no way to really go any further than what we're showing there.

- Q. And having an access point off of the county road, you'll tell us why that was disfavored, off Closter Dock?
- A. It's just a slope. It doesn't work.
 There's an existing driveway.

And the sight distance is not good. 1 You're right about the crest of the hill there when 2 you're at Old Dock Road. 3 So you couldn't put an entrance for 4 sight distance. And just the slope going up really 5 didn't work. 6 Can you take us through the bulk table 7 and tell us what the existing nonconforming 8 conditions are and how they're going to be impacted 9 by this application? 10 Α. Right. 11 12 Well, that's shown on Sheet -- on Sheet 1 is the bulk table, the bulk -- and those are 13 the zoning requirements. In the ordinance there's a 14 15 schedule and a bulk table. So the property is in two separate 16 zones, or there are two separate lots. 17 The west side is on the R-2B Zone, and the east side is the R-218 Zone. And they're both -- they're both fairly 19

The lot sizes are 10,000, and 12- or 14,000-square-foot lots.

similar to house sizes and so forth.

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But where a conditional use -- so there's a section of the ordinance, which is 220-10, that goes through to the conditional use as a house

1 of worship.

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so the bulk table changes. It doesn't really follow the R-2B or R-2. It follows the conditional use ordinance, which requires -- do you want me to go through this now, Matt?

Q. Please.

A. For a church or a house of worship, it requires 5 acres of property. And our total is 2.86 acres.

So that's an existing nonconforming condition.

Building coverage 10 percent. I think
it's actually the same in the R-2B.

But that's listed in the conditional use ordinance. We're at 7.9 percent on the west, and 4.6 percent -- as you can see, that's a very large lot -- on the east.

So no variance required for that.

19 Improved coverage in the conditional 20 use ordinance is 25 percent maximum.

We're at 42 percent with the parking lot expansion on the left side for the stone church, and 15.8 for the Community Center lot. The overall is only 23.7. So if you count the entire property, we're at 23.7 percent.

But I don't think the ordinance really permits to count the whole thing because they're not contiguous.

You have lot width and lot depth requires 450 square feet -- I'm sorry -- 450 feet in the conditional use ordinance, and we're deficient of those two existing conditions.

The same with the front yard. We're required to have 200-foot front yard from all the streets, which would mean a setback.

Of course the existing building, which has been there for quite some time, do not meet the 200-foot existing condition, again not being exacerbated.

The side yard required is 100 feet. The minimum is 70 feet, which would be the church side here.

And, again, that's existed for over 100 years. The other -- the community center does meet the side yard requirement.

What else do we got here? The rear yard, 200 feet. Both existing buildings, they don't meet the 200-foot rear yard requirement, so that's an existing condition.

201-641-1812

Heights, we're below 35 feet. So

that's good. The buffer abutting a residential use,

100 foot is required in the conditional use

ordinance.

We have 100 foot on the community center where we abut residential use in a residential zone and use.

But the church again does not -because the existing parking 3 and we're proposing to
expand that to 5 feet, so that's the variance that
we're actually creating. The remainder are existing
nonconforming that we can't really increase.

Then the last one is, the conditional use ordinance calls for traffic or access from Route 9W, which we of course can't access Route 9W. We don't front on Route 9W. And there's wetlands in the way. So it is sort of impossible to drive -- have a driveway going to Route 9W.

Q. So, Mike, just to recap. It's the buffer where we need 100, we're at 3 and we're going the 5?

A. Right.

The buffer in the conditional use ordinance would be the one -- the variance that we're really asking for, I guess.

Q. And the impervious coverage, if we look

at it strictly, it would be what at the stone church property? I'm sorry.

- A. Forty-two percent if we look at it strictly as a separate lot, yes.
 - O. And if we combine the two? I'm sorry.
- A. If you combine the two, it's 23.7 percent.
- Q. I know we didn't talk about off-street
 parking requirements. I know we're deficient there
 as well.
- But that deficiency is actually being reduced by virtue of this application.
- Can you take us through those numbers, please?
- 15 A. Right.

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- The zoning ordinance does have a section on parking for this type of use. The house of worship, we list as 125 seats.
- Actually, after some of the renovation,

 it's 120 seats they'll have, I understand, when some

 of pews are were removed and seats were put in.

The church requires 42 spaces. The community center requires 30 spaces. It's one per five seats. So there's 150 seats in that community center maximum.

1	So the total required would be
2	72 spaces, based on the use. And we're not expanding
3	the use, or the usage. And we're proposing 67 spaces
4	on both sites total.
5	Q. And so the existing, I'm sorry, was 22
6	existing where 72 is required, correct?
7	A. Yes.
8	Q. Twenty existing?
9	A. Yes.
10	Exactly, yes, 72 required, yes.
11	Q. And I'm sorry, just as far as the
12	existing was 22 existing?
13	A. I believe it was
14	Q. Twenty?
15	MR. KUPFERSCHMID: Can you just walk
16	through that whole parking thing one more time?
17	MR. HUBSCHMAN: It's 22 existing, I
18	believe, yeah.
19	MR. CAPIZZI: All right.
20	So we need 72 spaces. We have 22 at
21	present, and we're proposing a total of 67.
22	MR. KATES: Sixty-five.
23	MR. KUPFERSCHMID: Sixty-five on one.
24	This is why I'm confused. You're proposing 65 at the
25	community center.

1	MR. HUBSCHMAN: No.
2	There are 25 at the community center.
3	MR. KUPFERSCHMID: According to this it
4	says 65 at the community proposed, 65 proposed.
5	MR. HUBSCHMAN: Right, right. No.
6	That's 67 proposed actually, right. Because there
7	was the one handicap. Then we did count the space
8	if you add the space that's in the right-of-way,
9	that's like the 67th space.
10	MR. CAPIZZI: It's 67 in total when you
11	count the community center, and another 18 at the
12	church.
13	MR. HUBSCHMAN: No, no, no. Total.
14	MR. KUPFERSCHMID: That's everything.
15	MR. CAPIZZI: Correct.
16	MR. HUBSCHMAN: Sixth-seven both sides
17	of the road, yes.
18	MR. KUPFERSCHMID: On this it says
19	community center.
20	MR. CAPIZZI: Understood.
21	So there's a typo in the bulk table
22	perhaps?
23	MR. KUPFERSCHMID: The house of worship
24	says you're looking for 42 spaces of which existing
25	is what is existing?

1	MR. CAPIZZI: Twenty-two.
2	MR. KUPFERSCHMID: Twenty-two.
3	So you're adding 20 there, according to
4	this.
5	MR. HUBSCHMAN: We're adding 18
6	actually, yeah.
7	MR. KUPFERSCHMID: The numbers versus
8	the drawings aren't jibing.
9	MR. HUBSCHMAN: The total we're
10	proposing is 67.
11	MR. KUPFERSCHMID: You're adding 67.
12	MR. HUBSCHMAN: No, no.
13	Well, there's you can't really take
14	existing and adding these.
15	There's, like, a planter that's coming
16	out here.
17	MR. KUPFERSCHMID: Roughly, okay.
18	Roughly what is the existing, and what are you
19	proposing?
20	MR. HUBSCHMAN: Existing is, say, 22,
21	and the proposing, 67.
22	MR. KUPFERSCHMID: Okay, thank you.
23	MR. HUBSCHMAN: Sorry, it's a little
24	confusing.
25	MR. KUPFERSCHMID: It's okay.

1	Again, reading this
2	MR. HUBSCHMAN: There are 25 on the
3	community center proposed and 42 on the church side.
4	BY MR. CAPIZZI:
5	Q. Just so we can have it nice, neatly
6	packed for the purposes of the transcript. The total
7	required sitewide, Michael, is what number?
8	A. The total required is 72.
9	Q. Okay. And the total being provided
10	sitewide is how much?
11	A. Sixty-seven.
12	Q. Thank you.
13	So that concludes everything relative
14	to the bulk table, right, Mr. Hubschman?
15	A. Yes, it does. Yes.
16	Q. Okay. Any other items in Mr. Frenzel's
17	report that we didn't catch upon?
18	I think we had captured the two
19	prominent comments there, but I just want to see if
20	there's any certainly any other housekeeping items
21	we can certainly work with Mr. Frenzel to address
22	them, correct?
23	A. No, I don't believe there were any
24	other items in the letter.
25	MR. CAPIZZI: Thank you, Mr. Hubschman.

1	I don't have any further questions.
2	MR. KATES: Just one more time.
3	Seventy-two required?
4	MR. HUBSCHMAN: Yes.
5	MR. KATES: Sixty-seven proposed?
6	MR. HUBSCHMAN: Yes.
7	MR. KATES: How many existing?
8	Twenty-two?
9	MR. HUBSCHMAN: Twenty-two existing.
10	MR. KATES: Okay.
11	ACTING CHAIRWOMAN HERRIES: Do any
12	members of the audience have questions for
13	Mr. Frenzel Mr. Hubschman? I'm sorry.
14	MR. KATES: Before let me give you a
15	brief explanation, Mr. Capizzi will have other
16	witnesses. Let's identify what the professions are
17	that will also be testifying.
18	Planner?
19	MR. CAPIZZI: We have Ms. Bogart, who
20	is our planner.
21	And Mr. Lee is the church elder. If
22	the board has some questions relative to operations
23	we can certainly get into that.
24	MR. KATES: So without prejudicing the
25	public, the questions should be directed to what you

have just heard as testimony from the engineer. 1. You'll have the opportunity to question 2 the church, itself, in its management. And the 3 Professional Planner who will talk about the zoning 4 criteria that are involved. 5 So right now the board is limiting you 6 to questions only, not comments. You'll have an 7 8 opportunity later. On the back side of your agenda you'll 9 see the procedures that the board follows. 10 11 recommend you to read them. 12 But right now it's just questions of 13 Mr. Hubschman based upon the testimony you've heard. Is that understood? 14 15 Now, how do we propose for the public to identify themselves and to be questioning? 16 Do they come forward to a microphone? 17 MS. MYUNG: Yes. 18 19 If they could just come step forward to the microphone. State your name and address, please. 20 MR. CAPIZZI: Mr. Kates, I don't have 21 I have a court reporter here this evening. 22 an issue. 23 I'm happy to provide the board with a transcript, if that makes life a little easier. 24

Is that -- everyone come up to the

25

1	microphone. I'll leave it to you.
2	MR. KATES: Well, if the court reporter
3	can hear the witnesses from back there, that would
4	work. That would make to your comfort.
5	But let's start with the witness who's
6	here. Your name please just for the record.
7	MR. KELLY: John Kelly, 9 Old Dock
8	Road.
9	I'm the little house on the top there.
10	So what you're telling I'm the one
11	you're impacting the most.
12	MR. HUBSCHMAN: You're right here.
13	MR. KELLY: A couple shrubs up there.
14	So what you're basically telling me is
15	you're not presently in compliance with any of the
16	regulations, zoning regulation in town pretty much.
17	Because the buffer is not in compliance. None of
18	these buildings are in compliance.
19	MR. CAPIZZI: Mr. Hubschman, we'll
20	leave that to Ms. Bogart to speak to.
21	MR. KATES: The planner is going to get
22	into that in detail, Mr. Kelly. It's one of the
23	reasons that I mentioned there are other witnesses.
24	MR. KELLY: And you're going to be
25	presenting a traffic plan as well?

You're expanding exponentially the 1. impact on that road, which is a very narrow road in 2 Since you can't go to 9W, you have to come 3 the town. down to a blinking light at the end of the street. 4 How would you address -- you can't get onto that 5 6 street on a normal day easily, but now you're going to put another even 67 cars out there. 7 MR. HUBSCHMAN: We weren't going to 8 present a traffic engineer. And the use of what's 9 happening today, I don't believe is changing the 10 11 number of congregants. The use isn't changing. MR. KELLY: 12 The number is changing considerably. 13 MR. HUBSCHMAN: No. 14 The parking is changing so that the 15 congregants have a place to park rather than park on 16 the street or wherever they can park, out in the 17 cul-de-sac now. 18 MR. KELLY: You're telling me there are 19 20 60 -- 72 cars on the street at every meeting now. MR. HUBSCHMAN: There are now. 21 MR. KELLY: That would not fit. 22 think there are maybe 12 spaces on Old Dock. 23 And then there's 22 in the parking lot 24 there if you use that. You can't park on the other 25

1 side. And you're parking on one of the narrower streets in town. 3 This is why I bring up -- I think -- I request some kind of traffic evaluation. 5 Because just to bring up another issue that happened on Closter Dock Road there, is when we 6 did -- when you had to deal with the Mount Laurel 8 Housing, and it was proposed that the first site to be used was just below this property on your plan 9 10 right here. And then they did a traffic analysis 11 because everything was going to come onto Closter Dock Road. 12 13 And the reason --14 MR. CAPIZZI: Madame Chair, if he'd 15 like to give testimony, there's certainly a time for 16 that.

MR. KELLY: No. I'm just saying -- no.

18 | He did said you're not going to do a traffic

19 | evaluation.

17

20

MR, CAPIZZI: Correct.

21 MR. KELLY: I'm requesting a traffic

22 evaluation.

MR. CAPIZZI: Well, we're not going to

24 do that, Mr. Hubschman.

MR. HUBSCHMAN: Okay. Well, I'm not --

1. yeah, I'm not the boss but... No. I understand. 2 MR. KELLY: ACTING CHAIRWOMAN HERRIES: Mr. Kelly, 3 this is the engineer. I'm not sure he's the right 4 person to address what you're asking. It might be 5 6 better reserved to --MR. KELLY: I have one that he can 7 probably answer, okay. He's talking about 8 mitigation, water mitigation from here. So this is a 9 slope, right? 10 MR. HUBSCHMAN: Right. 11 MR. KELLY: So you're going to somehow 12 push the water onto the -- how are you going to do 13 that. 14 MR. HUBSCHMAN: Well, everything is 15 designed to pitch the new parking lot to the south, 16 right, so there would be no -- this is curved. 17 there's no runoff on your property at all. 18 MR. KELLY: Oh, I'm not worried about 19 just my property. I have other neighbors that are 20 impacted immensely by that, or could be because it is 21 a slope down. 22 23 MR. HUBSCHMAN: And with the pervious pavement that we're proposing mitigates any --24 25 MR. KELLY: Okay. And you're

1 requiring -- you said 72 spots are required between 2 the use of the community house and the church. Who 3 is that required by? The town? 4 MR. HUBSCHMAN: It's in the ordinance. 5 The town has a certain requirement, yeah. 6 MR. KELLY: So it's never been in 7 compliance with that. 8 So you're trying to mitigate that by 9 basically covering a large portion of the property 10 with the parking lots. 11 MR. HUBSCHMAN: Well, we're proposing to create more parking onsite, if that's what you 12 13 mean, yes. 14 MR. KELLY: You're going to put a 15 couple of shrubs up over here. 16 MR. HUBSCHMAN: Well, we were proposing 17 the green giant arborvitaes there, yeah. There's not 18 a lot of room on that side. 19 MR. KELLY: Okay. I know these are not 20 all questions for him. But this impacts me greatly. 21 Because this is a small community church. It's been a small community church. And now it's going to be a 22 23 car park basically in the middle of Alpine. 24 MR. CAPIZZI: Again, we're not leaving. So we're trying to find a place in order for us to 25

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park, not on the street. So we have two options.
1
    can drag this out, because we're not leaving.
2
                   MR. KELLY: I didn't think you were.
3
                   MR. CAPIZZI:
                                 This is option A, which
4
    is park on -- off property, off the street.
                                                   or
5
    option B is we continue to use the roadway.
6
7
    preferring to go option A.
                   MALE AUDIENCE MEMBER: Why don't they
8
    valet park to the city parking lot.
9
                   MR. CAPIZZI: If you want to come up
10
    and ask the question --
11
                   MR. KELLY: I'm just asking the
12
13
    question.
                   ACTING CHAIRWOMAN HERRIES:
                                                These are
14
15
    questions for the engineer.
                   (Audience Outburst.)
16
                   MR. KUPFERSCHMID: Not shouting, just a
17
18
    procedure.
                   MALE AUDIENCE MEMBER: I just asked as
19
20
    an option.
               They can valet park and they can put it
     all in the town parking lot. Nobody's here on
21
     Sunday.
22
                   MR. CAPIZZI: Depending on how much you
23
     put on the communion plate will determine what we can
24
25
     do.
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1	Listen, we're not going to open our
2	wallets let's wait to be called.
3	MR. KATES: Sir, she's trying to take
4	your testimony. You haven't been identified.
5	MALE AUDIENCE MEMBER: That's fine.
6	I just asked the question.
7	MR. KATES: Well, asking a question
8	there's an order here. The order is you identify
9	yourself in turn and you ask your question. You're
10	going to drive the poor lady crazy.
11	MALE AUDIENCE MEMBER: Thank you.
12	I thought that whole thing driving
13	spaces 20 minutes drove her crazy.
14	ACTING CHAIRWOMAN HERRIES: Are there
15	any other questions for this witness?
16	MR. KATES: Yes.
17	You can stand now and identify
18	yourself.
19	MR. POLICANO: Robert Policano,
20	979 Closter Dock Road.
21	I think you're underestimating the
22	water runoff of the extension.
23	Coming out, it's east. It's not south,
24	okay.
25	Right now there's an issue on West Main

Street that 12 days ago we had a rainfall, and the 1 water from West Main -- which is groundwater, which 2 this is going to increase the groundwater flow -- is 3 going down West Main to Main Street, all the way down 4 Main Street to Closter Dock Road. You can go there 5 right now; it's still flowing 12 days later. 6 7 just going to exacerbate it. MR. KATES: Do you agree, 8

Mr. Hubschman?

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MR. HUBSCHMAN: Well, we submitted a drainage report. We're actually not paving more than -- you know, everything presently runs off.

So we're controlling -- we're controlling what runs off presently. You know, it will definitely be a positive improvement with the curbing and the pervious paving.

MR. KUPFERSCHMID: Mike, do we know if the existing conditions -- how long they've been existing in that condition, or were they somehow expanded or added to over time.

MR. HUBSCHMAN: I worked on the church
-- actually, I've been to -- you know, I've been
around for a long time.

As far as I know, probably at least the last 30 or 40 years, the parking lot has been right,

	4,
1	you know.
2	MR. KUPFERSCHMID: You said no
3	materials have been brought in? No changes to the
4	MR. HUBSCHMAN: I mean, not to the
5	parking lot. We just drove over there, and the
6	paving all looks pretty uniform up to that end there.
7	MR. CAPIZZI: Well, Mike, there is a
8	material pile on the stone church property.
9	Can you just discuss that with the
10	board and what function that's serving, if any?
11	MR. HUBSCHMAN: I don't know. There
12	was some gravel dumped at the end of the some
13	gravel, loads of gravel.
14	(Audience outburst.)
15	MR. KATES: No, please.
16	MR. CAPIZZI: Mr. Hubschman, is that
17	gravel area functioning as a parking area.
18	MR. HUBSCHMAN: Not now.
19	It's all it's just piles of gravel,
20	right, and recycled concrete, yeah.
21	MR. CAPIZZI: So the curbing that
22	exists at the end of the 22 parking
23	ACTING CHAIRWOMAN HERRIES: Can we have
24	quiet please in the audience?
25	MS. MYUNG: Yes.

1	(Audience outburst.)
2	MS. MYUNG: Please, no whispering.
3	MR. KATES: You'll have your chance.
4	MR. CAPIZZI: Mr. Hubschman, the
5	parking area on the stone church property, that's
6	finished with a timber curb, correct?
7	MR. HUBSCHMAN: Right.
8	There's a, like, railroad-type curb at
9	the end of the property.
10	MR. CAPIZZI: Is that still in place?
11	MR. HUBSCHMAN: Yes.
12	MR. CAPIZZI: Is there any evidence of
13	people driving over the timber curb and parking on
14	grass.
15	MR. HUBSCHMAN: It would be impossible.
16	Well, it slopes down too. There's a severe drop-off.
17	MR. CAPIZZI: Thank you.
18	MR. KATES: Next person? Your name.
19	Identify yourself.
20	MR. GARABET: Leon Garabet, 987 Closter
21	Dock Road.
22	MR. KATES: Could you spell your last
23	name?
24	MR. GARABET: G-A-R-A-B-E-T. Leon.
25	MR. KATES: Thank you.

1 Your question, please. 2 MR. GARABET: So my question is, my 3 house is right by the gate, right over there, 15 feet, 20 feet from my gate. The water comes down 4 -- down like they put septic in the back over there. So when they put the septic, the whole water was on 6 7 my grass. And they destroy things. They don't fix 8 They don't do nothing. They're supposed to put 9 some trees. 10 Here now when you're paving, where the water is going to go? On my property again, no? 11 12 It's only 20 feet. It's 20 feet from my bedroom. 13 MR. KATES: Let him answer you, if he 14 can. 15 MR. HUBSCHMAN: I know when they 16 installed the septic system, there was supposed to be 17 more of a wall and swale on top of that. 18 Well, there was a supposed to be, I said. 19 20 MR. GARABET: Mr. Hubschman, they put 21 the septic over there and they did the test pit. 22 MR. HUBSCHMAN: Are you going to let me 23 answer? All right, thank you. 24 And our plan does reflect that, the way

the wall was supposed to be brought up a little bit

25

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and swale down toward Closter Dock there.
                                                It didn't
1
    look like -- it looked like they added -- there's too
2
    much of a slope towards your property, I quess is
3
4
    what I'm saying.
                   MR. GARABET: There's the way it's
5
6
    coming in.
                                   No, I agree with you.
7
                   MR. HUBSCHMAN:
                   MR. GARABET: And another question I
8
    have. When they put over there about 100 tons of
9
    pavers, rocks, whatever they put on the property, do
10
    they have a permit to put over there 100 pounds of
11
    stones in the property.
12
                   MR. HUBSCHMAN: I don't know.
1.3
                   But it looks just like a pile of
14
15
    gravel.
                   MR. GARABET: I'm just asking a
16
    question because it's there. It's right on my gate.
17
                   MR. KATES: His answer is he didn't
18
           Any other questions, Mr. Garabet.
19
     know.
                   MR. GARABET:
                                 No.
20
                   Thank you.
21
                   MR. KATES: Mr. Policano, you have
22
23
     another question.
                   MR. POLICANO: Just to verify.
                                                    There
24
25
     were three truck loads, piles of stone dropped there.
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1	Two piles were leveled off on the wall. There's one
2	pile left.
3	MR. HUBSCHMAN: Right.
4	I've been there.
5	I saw the piles. But we had nothing to
6	do with that. I had nothing to do with it.
7	ACTING CHAIRWOMAN HERRIES: Are there
8	any other questions from the audience?
9	MR. REEVES: David Reeves, 19 Ridge
10	Street.
11	MR. KATES: Reeves? I'm sorry.
12	MR. REEVES: R-E-E-V-E-S.
13	MR. KATES: Your first name,
14	Mr. Reeves.
15	MR. REEVES: Say it again.
16	MR. KATES: Your first name.
17	MR. REEVES: David.
18	It's hard to see from there,
19	Mr. Hubschman.
20	Sara and I, and some others, we've been
21	going to that church since 1976.
22	And it's a wonderful church. You have
23	a wonderful building there. And we were witness to
24	resurfacing the current parking lot about ten years
25	ago.

1	And my question here is, I see a
2	buffer. I could see no buffer from there. I see a
3	buffer here. My layman's understanding is that there
4	should be a buffer of more than 2 or 3 feet for the
5	party right here.
6	Am I correct in that?
7	MR. HUBSCHMAN: Sure.
8	MR. REEVES: I see virtually no buffer.
9	What is the scale?
10	I see here about a quarter-inch.
11	MR. HUBSCHMAN: It's 5 feet. We're
12	proposing a 5-foot buffer there, yeah.
13	MR. REEVES: Five foot.
14	MR. HUBSCHMAN: Correct.
15	MR. REEVES: What is I would ask,
16	are you aware of what the ordinance requires.
17	MR. HUBSCHMAN: It requires 100 feet.
18	MR. REEVES: Hundred feet.
19	And you're going to do 5.
20	MR. HUBSCHMAN: Well, we're just trying
21	to expand the traffic.
22	MR. REEVES: The question is, it's
23	100 feet and you're going to do 5 feet.
24	MR. HUBSCHMAN: Yes.
25	MR. REEVES: Do you have any concern

1	over the does the church have any concern as to
2	the impact to the neighbor next to you, who will be
3	with you said you're not moving.
4	Will you be being a good neighbor by
5	reducing the buffer by 95 percent?
6	MR. CAPIZZI: We're not reducing the
7	buffer my 95 percent.
8	As you said, when you were a member of
9	the church, the parking lot as it stands today is
10	3 feet off. We're extending that. We're actually
11	improving the condition from what it was when you
12	were a member.
13	MR. REEVES: That's a matter of
14	opinion, I submit to you.
15	MR. CAPIZZI: The numbers are the
16	numbers. We're going from 3 to 5.
17	MR. REEVES: From 3 feet to 5 feet, so
18	that's an improvement.
19	What would you say the impact is on the
20	neighbor that you have there?
21	MR. CAPIZZI: We believe we've
22	addressed it appropriately.
23	Mr. Hubschman, can you go through the
24	buffering again, and the adequacy of the buffering.
25	MR. REEVES: Addressing it

1 appropriately is one thing. 2 The impact on --MR. CAPIZZI: Let me have Mr. Hubschman 3 4 MR. REEVES: I'm asking you to directly 5 answer the question. 6 MR. CAPIZZI: I'm a lawyer. I ask 7 Mr. Hubschman is the witness. He'll 8 questions. answer it. 9 MR. HUBSCHMAN: We were proposing the 10 Green Giant arborvitae hedge along there, which would 11 be a virtual, you know, solid evergreen hedge through 12 that whole area. 13 MR. REEVES: For your information, the 14 light that lights up the church, flood lights not 15 only the Kelly residence but comes into our room and 16 is an imposition in our room as well, the flood 17 lights right now. 18 MR. HUBSCHMAN: All right. I'll have 19 20 to go look at that. MR. REEVES: And I have a question. 21 Maybe it's not appropriate right here. 22 But you had mentioned -- the lawyer had 23 mentioned that this is improving -- the house of 24 worship improves the neighborhood. And in a certain 25

1 way that's true. 2 And the question is, where the church 3 resided originally before this location and where the 4 residence of the church reside, I'm not sure there 5 are many in Alpine, or in Closter, or in Cresskill. 6 MR. CAPIZZI: It's not material, sir. 7 MR. REEVES: Well, I submit to you that 8 the lawyer himself -- your name, sir? I'm sorry. 9 MR. CAPIZZI: Matthew Capizzi. 10 MR. REEVES: Mr. Capizzi, 11 MR. CAPIZZI: Yes, sir. 12 MR. REEVES: Mr. Capizzi said this 13 would improve it because it's a house of worship. 14 MR. KATES: He said it's essentially an 15 inherently beneficial use, whoever attends the 16 church. The law requires --17 MR. REEVES: I would differ that if 18 you're coming from a distance away, you are using the 19 church and using the community, not necessarily 20 benefiting it. 21 MR. KATES: Well, the law doesn't look 22 at it that way. It's like a hospital. A hospital is 23 an inherently beneficial use. Not every patient is a 24 resident of the community where the hospital is located. 25

Right. Yeah. 1 MR. REEVES: The same content. 2 MR. KATES: MR. REEVES: The other, of course, is 3 because we live there we see it. And we welcome a 4 house of worship, but you're probably well aware, 5 Mr. Hubschman, and sir, that the traffic on Sunday 6 mornings make it somewhat difficult to access that 7 whole neighborhood. 8 And I think -- I say, as Mr. Kelly 9 does, that a traffic study is appropriate at this 10 11 point. MR. KATES: Understood. 12 MR. KUPFERSCHMID: And, Mike, I just 13 want to bring something up as far as information I 14 have as far as the zoning violation related to work 15 that has taken place there, which was submitted to 16 the owners as far as adding crushed stone and also 17 the poured concrete sidewalk and wooden guardrail 18 that's been added. 19 So there has been activities that's 20 going on without permits that are expanding the use. 21 So the question, what was the footprint 22 before this expansion versus now? 23 I understand you say you don't have 24 25 information on that.

1	That's fine.
2	MR. HUBSCHMAN: I mean, historically
3	I thought you were talk about the footprint of the
4	MR. KUPFERSCHMID: I'm saying what's
5	taking place. I think this is as of recent.
6	MR. HUBSCHMAN: Recently, you know, I
7	wasn't party to that, but there was a sidewalk added
8	to the west side I'm sorry the south side of
9	the church.
10	MR. KUPFERSCHMID: Is that in the
11	drawings.
12	MR. HUBSCHMAN: No.
13	MR. KUPFERSCHMID: I'm just trying to
14	clarify.
15	MR. HUBSCHMAN: You're correct.
16	And then there is a sidewalk that was
17	added along the south side of the community building.
18	There was an existing macadam walk along there that
19	was replaced with a concrete walk.
20	MR. KUPFERSCHMID: So what we're
21	looking at as far as existing isn't actually
22	existing.
23	MR. HUBSCHMAN: It was existing in
24	whatever the date of the drawing is, right.
25	MR. KUPFERSCHMID: But as of now we

don't have up-to-date --

2 MR. HUBSCHMAN: Right.

That's not shown on the drawings.

4 You're correct, yes.

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5 MR. KUPFERSCHMID: Thank you.

MR. CAPIZZI: Just as a --

Mr. Kupferschmid, just as a matter of law, sidewalks and such would not be qualified as an intensification of the use.

MR. KUPFERSCHMID: I don't know legally
if that's true or not.

But if you're increasing coverage with concrete -- again, I'll leave this to our attorney.

If you're increasing coverage, then I would think it does matter.

 $$\operatorname{MR}$.$ CAPIZZI: It certainly matters as far as being part of the plan set. That goes without question.

And certainly those kinds of things should have not occurred. The gravel should not have been brought to the property. The sidewalk should not have been either established or reconstructed. The timber rails should not have happened. Those are all things that unfortunately cause certainly some bit of aggravation and concern for the neighborhood.

	59
1	I can appreciate that.
2	MR. KUPFERSCHMID: Is the applicant
3	here tonight?
4	MR. CAPIZZI: Yes.
5	MR. KUPFERSCHMID: Maybe the applicant
6	later will be able to address these.
7	MR. CAPIZZI: I don't think so.
8	The mea culpa, I think, is sufficient.
9	You know, to pepper him more about things that we
10	know he shouldn't have done
11	MR. KUPFERSCHMID: This isn't a
12	peppering.
13	MR. CAPIZZI: Understood.
14	MR. KATES: It's relevant to know what
15	the existing conditions are.
16	MR. CAPIZZI: Right.
17	And that can be done through an amended
18	plan set.
19	MR. KATES: All right. So maybe that's
20	what we'll need.
21	MS. MANGOT: Hi. Allison Mangot.
22	MR. KATES: Spell your last name,
23	Allison.
24	MS. $MANGOT:$ $M-A-N-G-O-T.$
25	ACTING CHAIRWOMAN HERRIES: And your

1	address, please.
2	MS. MANGOT: 19 Old Dock.
3	Your plan has me in that house, but
4	it's wrong. Because that gentleman lives in that
5	house.
6	So, anyway, two things. The existing
7	plan that you have where you said that it would be
8	you have a macadam that says macadam on the plan.
9	MR. HUBSCHMAN: Right.
10	On where? Well, we have the macadam
11	walk, but that's not there anymore.
12	MS. MANGOT: No. The parking lot. The
13	parking lot.
14	MR. HUBSCHMAN: The existing lot.
15	MS. MANGOT: No. I'm talking about the
16	one that you proposing.
17	MR. HUBSCHMAN: The proposed lot here,
18	yes.
19	MS. MANGOT: You have macadam.
20	MR. HUBSCHMAN: Right.
21	MS. MANGOT: I have a picture of what
22	you're talking about.
23	MR. HUBSCHMAN: Well, that's the walk
24	that was added. That's not shown on our plan, right.
25	That was added.

1 MS. MANGOT: So your plan isn't 2 correct. 3 MR. HUBSCHMAN: Well, that was added after we submitted the plans, yes. MS. MANGOT: Well, you said you were 6 there so... MR. HUBSCHMAN: I was there today. 8 was there. 9 MS. MANGOT: You saw it. Well, you saw 10 it, right. MR. HUBSCHMAN: Well, we're going to 11 resubmit an updated plan showing it. 12 13 MS. MANGOT: But you saw it. 14 My other question for you is, so since 15 then everything is, in quotes, nonconforming, are the 16 rules for your parking, is that -- you know, for the 17 amount of parking for the community center, for the 18 church, et cetera, et cetera -- I didn't know that 19 there were rules for the community center, just for 20 the church -- does that acreage rule apply for the nonconforming size of 2-and-a-half acres or for a 21 5-acre lot. 22 23 MR. HUBSCHMAN: No. The parking 24 requirements are just based on the number of seats, 25 and it doesn't -- it's not part of the conditional

1	use ordinance, I don't believe.
2	MS. MANGOT: You believe but you're not
3	sure.
4	MR. CAPIZZI: They're not, Michael.
5	MR. HUBSCHMAN: It's not, no. The
6	parking section of the ordinance is not in
7	Section 200-10.
8	MS. MANGOT: So it doesn't it's not,
9	like, a law that it has be.
10	MR. HUBSCHMAN: Well, the city or
11	the Borough set up certain requirements and
12	guidelines for parking, number of spaces per seat,
13	and that's how you design those.
14	The church has a certain number of
15	seats, so they want 40 spaces for 120 seats.
16	MS. MANGOT: And has there been any
17	studies about the off-street parking, how it affects
18	the neighborhood on a Sunday.
19	MR. HUBSCHMAN: There hasn't been.
20	But the whole reason for the project is
21	to try to alleviate a lot of
22	MS. MANGOT: Have there been
23	complaints?
24	MR. HUBSCHMAN: I don't know.
25	But I understand there's parking all

1	around
2	MS. MANGOT: I was just curious if
3	people are complaining.
4	ACTING CHAIRWOMAN HERRIES: Yes.
5	MS. REEVES: Sara Reeves, R-E-E-V-E-S.
6	MR. KATES: Your first name is.
7	MS. REEVES: Sara, S-A-R-A. 19 Ridge
8	Street. I'm with him. I have a question.
9	You had something about handicap
10	parking on Old Dock
11	Is that correct?
12	MR. HUBSCHMAN: Well, we were proposing
13	the one ADA space for the community center on Old
14	Dock Road, yes.
15	MR. CAPIZZI: It's not on the road,
16	Michael.
17	MS. REEVES: Why wouldn't you have
18	handicap parking in the parking lot where the person
19	can get to it.
20	MR. CAPIZZI: Michael, you're
21	describing it as though it's in the road. It's not
22	in the road.
23	MR. HUBSCHMAN: It's not in the road.
24	It's off of the road.
25	MS. REEVES: Why is it not in the

1	parking lot of the church where the handicapped
2	people can get into the church? You're now requiring
3	them to cross Old Dock.
4	MR. HUBSCHMAN: No, no. There are two
5	ADA spaces on the church side also. It's a
6	requirement that for each parking lot they have their
7	own ADA requirements.
8	MS. REEVES: Is there also one on the
9	south side on the east side.
10	MR. HUBSCHMAN: Right.
11	There are two proposed on the church,
12	which is the west, and one proposed on the east side.
13	So there are three total.
14	MS. REEVES: Why would you have one
15	away from the church? I'm just asking a question.
16	MR. HUBSCHMAN: Well, because each
17	that building requires has an ADA requirement to
18	have a space.
19	MS. REEVES: So that's the community
20	house ADA requirement.
21	MR. HUBSCHMAN: Yes.
22	MS. MANGOT: Those large circles on
23	your other plan, were those for lighting.
24	MR. HUBSCHMAN: Those were let's see
25	here.

1	MS. MANGOT: That's what I read. Those
2	right there, those.
3	MR. HUBSCHMAN: The circles.
4	MS. MANGOT: Yes.
5	MR. HUBSCHMAN: No. Those are proposed
6	trees.
7	MS. MANGOT: Well, I think but I saw
8	lighting.
9	MR. HUBSCHMAN: Well, the lights are
10	MS. MANGOT: Up to the left.
11	MR. HUBSCHMAN: This one.
12	MS. MANGOT: No. All the way up to the
13	left.
14	MR. HUBSCHMAN: Right. There are two
15	lights proposed in the parking lot.
16	And the Borough Engineer had requested
17	that we move those to the north side.
18	MS. MANGOT: So those big those
19	three big things are trees.
20	MR. HUBSCHMAN: These are proposed
21	street trees, yes.
22	MS. MANGOT: No lights.
23	MR. HUBSCHMAN: Those are not lights.
24	ACTING CHAIRWOMAN HERRIES: Yes.
25	MR. REEVES: A point of order, I think.

1	David Reeves again.
2	We are seeing the plans for the first
3	time. I'm expecting that there will be some time for
4	deliberation and for response?
5	ACTING CHAIRWOMAN HERRIES: The plans
6	were available prior to the meeting.
7	MR. REEVES: Say it again?
8	MR. KATES: The notice that you
9	received indicated that the plans are on file, I
10	believe, in this building were they available
11	on the website.
12	MS. MYUNG: On the website for over a
13	month.
14	MR. KATES: So the applicant has met
15	the notice requirement.
16	There will be, as I understand it, a
17	revised plan, at least an Existing Conditions Plan.
18	And that will be filed in advance of the next meeting
19	that will continue this application.
20	MR. CAPIZZI: We're not finishing
21	tonight, Miss.
22	MR. KATES: We'll not be finished
23	tonight.
24	MR. POLICANO: Robert Policano. Just
25	one more question.

1	Has the fire department given a
2	required count, people count, for that church on how
3	many is allowed in that church?
4	MR. KATES: Did you receive anything?
5	MR. CAPIZZI: For our certificate.
6	Within the building it's already posted with an
7	occupancy limitation.
8	MR. POLICANO: It's posted.
9	MR. CAPIZZI: Within the building.
10	ACTING CHAIRWOMAN HERRIES: Are there
11	any oh, go ahead.
12	MR. GOLDSTEIN: Lane Goldstein,
13	23 Ridge Street.
14	Will we hear later with regards to the
15	active count of parishioners at the church, families
16	that are currently worshiping there?
17	MR. CAPIZZI: Undecided at this point,
18	sir.
19	MR. GOLDSTEIN: Also, there were no
20	parking studies done to date with regards to on a
21	random Sunday, holidays, any kind of do we have
22	any idea as to how many vehicles are entering the
23	property or entering the church area.
24	MR. CAPIZZI: Michael, have you spoken
25	to somebody from the church who has told you what the

1	demand is.
2	MR. HUBSCHMAN: Yes, we have discussed
3	it with the church.
4	And the number of parishioners, and it
5	did coincide with what the requirements are. So what
6	we're proposing is adequate for the usage of the
7	church.
8	MR. GOLDSTEIN: Are those numbers
9	available to the public and to the board?
10	I would imagine that that would make
11	sense as to if you're asking based on demand what is
12	the actual demand, and is the demand on Easter Sunday
13	72 spaces but the other 51 Sundays of the year
14	potentially 37 spaces.
15	MR. CAPIZZI: No. The parking
16	requirement, sir, was again, I'm sorry, Michael,
17	how much was that, 76?
18	So, 72 were required by ordinance based
19	upon the number of the seats.
20	We're proposing 67.
21	MR. KATES: But the question is
22	relevant.
23	MR. CAPIZZI: I don't believe so.
24	We park based upon ordinance, not based
25	upon utilization.

1 MR. KATES: Well, no, that's not true. 2 I mean, it's still -- it's still a valid point as to 3 the actual use that's taking place in those 4 buildings. It may not weigh heavily, but it's a fair 5 question. And it seems to me that if you're 6 producing somebody representing the church, it's a 7 fair question to ask of that representative. 8 MR. CAPIZZI: If we provide that 9 testimony, then that person will speak to that issue. 10 MR. KATES: And if you don't, then the 11 board will have to decide whether that's --12 MR. CAPIZZI: Right. 13 Whether that's material. Whether that 14 assessment is at all material to a buffer variance or 15 an improved coverage variance -- I believe it's not 16 -- but the board will ultimately have to determine 17 that. 18 MR. GOLDSTEIN: I have another -- just again going back to the use case. So you'll have to 19 20 excuse my naivety to the zoning ordinances and laws. 21 But we have two separate -- two separate zones with structures on each zone. And it seems 22 23 that the numbers are getting blended in some cases 24 and then are being separated in others. 25 So all of this parking that's being

added to a completely different piece of property is for the church, itself, and not the community center? So the church, itself, requires 72 spaces?

MR. HUBSCHMAN: No.

The church, itself, requires 42 spaces, and the community center requires 30.

MR. GOLDSTEIN: Okay. I guess the other question I have is, why is this -- why is this coming in as one and not two separate applications? Because there are two separate pieces of property, there are two separate use cases, there are two separate zones.

MR. CAPIZZI: No.

They're all used -- the site is used in common, sir.

MR. GOLDSTEIN: Okay.

MR. CAPIZZI: So when you attend service on a Sunday at the stone church, you walk across the street to the community center for a post-meal snack and so forth, and there are crossings in services. The only thing that separates them is a municipal street, but otherwise the properties act as one.

MR. GOLDSTEIN: Well, the properties act as one today but they could be subdivided.

They could sell one side tomorrow, and they would sell it with the parking and then we would be back in the same position of needing a variance to increase the parking yet again. MR. KATES: Well, the sale of a portion changes the rules of the game. That user would have to come before the relative board in this town to justify what they intend to put in there. it's a whole new analysis. What's your use? What is the criteria for the use? can't take advantage of the church use if you're not a church. MR. KUPFERSCHMID: But if we grant it and they sell off the right side, or the eastern

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side, that eastern side is going to have these parking spots. We can't take it away.

MR. KATES: But they have to justify. They can't take it away without an approval.

MR. KUPFERSCHMID: I think he's making a good point.

MR. KATES: The subdivision, itself, brings into play the diminishing of existing spaces for the side that is retained, and maybe subdivision would be defeated on that basis.

So we're not losing -- the law doesn't

lose sight of what they have.

MR. CAPIZZI: We have no issue,
Mr. Kates, recording cross easements, essentially
tying the properties to each other, so that if the
one was sold, the other would have to be sold and
vise-versa so that they would...

The intention here is to continue using the property as a whole even though it's separated by a municipal street. So we have no issue with formally documenting that.

MR. KATES: That helps.

MR. KUPFERSCHMID: It does.

MR. GOLDSTEIN: And another question with regards to the use case that the attorney alluded to is that the people that are attending the -- that are going to be parking in these 60-some-odd space are going to be in one building for part of the day and another building for the other part of the day and there will not be cross-over, meaning there will not be two simultaneous events going on causing additional parking to be needed?

MR. KATES: Well, we're going to be hearing from the operator of the church, itself. That's a question to reserve for later.

MR. GOLDSTEIN: I'll hold that though.

1 MR. KUPFERSCHMID: Mike, if I can just 2 ask. 3 MR. HUBSCHMAN: Sure. 4 MR. KUPFERSCHMID: We've had lots of 5 applications where people want to expand the use, and therefore they have to bring up to the existing 6 7 standards for various needs. Here you're not expanding the use but 9 you seem to be saying well, we're required to have 10 this much space, we should have it. 11 And it's, kind of, almost backwards in 12 my mind, and going forward. You didn't expand 13 anything, but you're saying, well, we're required to 14 have this much parking so we should have it. 15 just, I've never seen that happen. Well, the property is 16 MR. HUBSCHMAN: 17 nonconforming to parking so we're trying to bring it 18 more into conformance and get the cars from parking 19 on the street. 20 MR. GOLDSTEIN: I'm sorry. 21 Can I ask just a follow-up to that, 22 because that was on my mind; I was going to ask it 23 later to the operator but I guess I'll ask it now. 24 For 156 years the church remained the 25 same size and had 20 spaces. Now, granted times are

different now, but when the church was purchased, the 1 church was purchased and there were 100-and-some-odd 2 seats within the church and there were 20 spaces 3 outside. 5 What changed between when the church was purchased that now today there's a hardship that 6 7 needs to be dealt with? MR. CAPIZZI: That's not a question for 8 the civil engineer to answer. MR. GOLDSTEIN: Okay. Who would answer 10 11 that question? There's no need to -- we 12 MR. CAPIZZI: may or may not have a witness to address that 13 14 question, sir. I think we're really -- we're going 15 down a path here as far as the nature of how the 16 Alpine Community Church may have operated, which is 17 not material, in my opinion, to this application. 18 And how this church operates is equally 19 not material because we have a Certificate of 20 Occupancy to be here. 21 It's an existing house of worship. 22 It's entitled to operate. 23 24 To me, this application is simply

taking a parking need and putting it onto the church

1 property. 2 MR. GOLDSTEIN: But you're saying that 3 there's a hardship, that we're here today because of 4 a hardship. 5 But the church was purchased knowing that this hardship existed. 6 7 MR. CAPIZZI: I haven't made any 8 statements about a hardship, sir. 9 MR. GOLDSTEIN: In the beginning, I 10 believe when you discussed the laws regarding zoning, 11 I thought that you said -- you mentioned --12 MR. CAPIZZI: I did mention the word. 13 I didn't say the application was predicated upon a 14 hardship. 15 MR. KUPFERSCHMID: So, Mike, my fundamental issue is, they're not here to expand the 16 use of the structure. 17 18 MR. HUBSCHMAN: Yes. 19 MR. KUPFERSCHMID: The facilities. 20 They simply want to expand the parking because 21 they're busier. But what if we have a commercial 22 23 district and, you know, it's young Amazon and they 24 have this building. The building they buy, it has X

amount of spots, conforming, nonconforming, it makes

no difference, they buy the property.

1.1.

And suddenly they take off and they go wow, we need 1,000 parking spots. I know it a sounds stupid. Understand the point. Like, so go find another place.

Now, I know you can't tell a church to pick up and go find another place.

But the point is the same, whether it's a church, whether it's a business. You can't just say, well, we're busier so we need more. I'm all about finding solutions for the church. Don't get me wrong.

But to say that we're busier and, by the way, the old rules that we're not conforming with say we should have this much parking, you know, it's a tough one. It's a real tough one.

 $\label{eq:mr.capizzi:} \mbox{Mike, it's not a question}$ for you to answer.

Ms. Bogart will answer it.

Typically reducing a nonconforming condition is -- not typically -- it's always favored. To suggest that somehow it's an oddity that we're taking upon ourselves to voluntarily cure something we may not have the obligation to do so and somehow that's negative, I don't understand how that becomes

part of the assessment, but I don't think it's an appropriate thing for the board to deliberate on certainly as far as thinking it's somewhat of an oddity to resolve or mitigate a nonconforming condition.

And the standards that are applied to a commercial business are not nearly the same as they are to apply to a house of worship, so, unfortunately, the hypothetical isn't a good parallel.

MR. KUPFERSCHMID: I have a fundamental issue with that separation. I don't feel either side should have any special treatment. That's my personal belief.

But the law says it.

MR. CAPIZZI: Exactly right.

ACTING CHAIRWOMAN HERRIES:

18 Mr. Garabet?

MR. GARABET: My question is regarding there's only 20 feet from my window. And engines of the car, how are they going to solve this problem from the engines going through my windows in my bedroom.

MR. HUBSCHMAN: Well, we're proposing the 20-foot buffer, which would be adequate with the

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two rows of -- two or three rows of the arborvitaes,
1
    you know, on a nice berm, which would solve the
2
3
    problem.
                   MS. MANGOT: The deer eat the
4
    arborvitaes.
5
                                   The Green Giants.
6
                   MR. HUBSCHMAN:
                   MR. GARABET: I mean, it's too close to
7
                That's what the concern is. The smoke
8
    my window.
    from all these 42 cars obviously will maybe hurt the
9
10
    health or whatever it is.
11
                   MR. POLICANO: I just want to shed some
    light on it since there was some discussion about the
12
    activity in the church. This is right off their own
13
14
    website.
                   MR. KATES: Mr. Policano, it's off
15
16
    message. We're dealing with only one witness.
    You'll have an opportunity to comment at length under
17
           Just hold it.
18
    oath.
19
                   MR. POLICANO: Well, they talked about
20
    the activity.
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MR. KATES: Well, we won't lose sight of it. We're going to have a transcript here of everything that's been stated, and that will be a record for you to look at as well.

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ACTING CHAIRWOMAN HERRIES: Yes.

1	MR. REEVES: David Reeves again. The
2	individuals in the neighborhood purchased their house
3	based on the way the neighborhood exists today
4	existed when they bought it. We bought it a long
5	time ago.
6	MR. KATES: Is this a question for
7	Mr. Hubschman?
8	If it's a comment, I've said now seven
9	times, you'll have your opportunity to make comment.
10	But this is only the time to question
11	Mr. Hubschman.
12	MR. REEVES: And my point my point
13	to talk to Mr. Hubschman is that Mr. Hubschman's
14	proposal in terms of the especially the buffer
15	zones, especially for the neighboring house, okay,
16	this changes the environment of the neighboring
17	house. And that's so while it may be alleviating
18	a hardship from the church, okay, it is putting a
19	hardship on the neighbor and the neighborhood.
20	ACTING CHAIRWOMAN HERRIES: Do any
21	board members have other questions for Mr. Hubschman?
22	MR. KATES: Just one.
23	Mr. Fergus, in referring the matter to
24	us, doing his zoning review, mentioned site plan
25	review as part of this.

1	And I assume that although it's not
2	been stated, we've been focused on the variance
3	you agree that it's site plan review is as well.
4	MR. HUBSCHMAN: Right. We're here for
5	site plan approval also, yes.
6	MR. KATES: Okay, thank you.
7	ACTING CHAIRWOMAN HERRIES: Is there
8	any issue with fire truck access or any changes to,
9	you know, security or safety of these buildings in
10	terms of emergency services.
11	MR. HUBSCHMAN: We did not receive a
12	review letter.
13	But there's no there's no change in
14	access to the buildings at all. It might even
15	enhance the access a little bit more.
16	MR. REEVES: Point of order, there is a
17	change in the access to the stone church now.
18	With that new addition, you've got a
19	new entrance to the church.
20	MR. HUBSCHMAN: I think there were
21	the Chairwoman was talking about fire access.
22	MR. REEVES: I stand corrected.
23	MR. HUBSCHMAN: More fire access.
24	Right. There's a door over by the bathroom.
25	ACTING CHAIRWOMAN HERRIES: Perry?

1	MR. FRENZEL: I have a couple issues.
2	MR. KATES: Mr. Frenzel is the board's
3	Mr. Frenzel is the board's engineer. Can you
4	speak to the
5	MR. KUPFERSCHMID: They're asking you
6	to bring the mask bring that closer.
7	MR. FRENZEL: I'll be glad to.
8	Regarding the property on the east side
9	of Old Dock Road, you and I were out there a while
10	ago and we did some explorations for possible
11	expansions, replacements, of the septic fields if it
12	would be necessary.
13	The parking lot where it is situated,
14	or proposed to be situated, would that negate the
15	ability to replace a septic system for either of
16	those facilities?
17	MR. HUBSCHMAN: No.
18	I remember where we had investigated
19	were both the systems were more or less behind the
20	building, so the parking is sort of in between the
21	two systems.
22	MR. KUPFERSCHMID: Are those single?
23	MR. HUBSCHMAN: Just single, old
24	systems, yes.
25	MR. FRENZEL: Single older systems.

One looked like it was either just a septic tank, or it could have been just an old seepage pit. That's why I asked. Because at some point in the future if this -- this property is more used, they're going to need to be expanded.

So if there is adequate room to do that and the parking lot is not going to expand it, that's an important issue.

ACTING CHAIRWOMAN HERRIES: Would the construction of the parking lot impact those existing systems negatively?

12 MR. FRENZEL: I don't think so.

ACTING CHAIRWOMAN HERRIES: Heavy

14 equipment or...

MR. FRENZEL: No. They're located far enough away from the area that would be disturbed, so.

I don't see that that's the issue. I see future expansion would be more of a concern. I believe that -- my opinion was that there is adequate room to do that. But I just wanted to make sure that the parking lot wasn't going to be on top of one of those systems the way it's constructed right now or to be constructed.

I have an issue -- and if revised plans

are going to be submitted, I'd like to talk my way through it with you -- with the ADA space on the east side. I understand the need for it. I understand the issue with the slope and the maximum allowable longitudinal slope of the path for ADA-subject people. And I understand that that is probably about the only area you could put an ADA compliant space on that side of the street.

The thing I don't care for is the fact that whoever parks in that space has to back out onto the road. I'd like to explore, or you to explore and I can take a look at it, if there's any way to turn that 90 degrees so we can get it off of the road but parallel to the road rather than causing someone to back out.

MR. HUBSCHMAN: Right. Well, I'll take a look at that with the revised plan.

MR. KUPFERSCHMID: Perry, you just brought up something I didn't think about. Here I am thinking this expansion of parking to regulations. But if we've got this greater use now we're looking at this expansion, if we don't have septics that are up to current code and dealing with it. You're going to have a problem with the septic fields because the septic can't fit on the property.

MR. KUPFERSCHMID: We have old septic 1 2 systems. You have -- on the church MR. FRENZEL: 3 side you have a new system. 5 MR. KUPFERSCHMID: Yeah. I'm talking about the other side. 6 The east side you have a 7 MR. FRENZEL: 8 residence for the -- for the pastor. MR. KUPFERSCHMID: Then we have the 9 10 community house. Right. 11 MR. FRENZEL: 12 The community house, that may take a look at, may warrant taking a look at, sure. 13 On the other side of the road, I'd also 14 like to focus in the revised plan on the water course 15 from the expanded parking lot down to Closter Dock 16 I'd like to see if there's any way we can 17 Road. create a swale closer to the church building rather 18 19 than up near Mr. Garabet's property to get the water away from that edge of the property. 20 MR. HUBSCHMAN: 21 Yeah. MR. FRENZEL: The last thing I have is 22 The church parking lot on that side of 23 a question. the street, you're showing a parking lot with a width 24 of 32 plus 23 feet, 55 feet, and then a 5-foot buffer

1 between the parking lot and the house to the north. 2 for the property to the north. 3 If that 5-foot buffer was expanded, 4 would that not so reduce the parking lot to the point 5 where that row of parking along the northerly edge 6 would not be usable? 7 If you had a 10-foot buffer on that 8 side, you cut those spaces down to about 11-feet 9 deep? 10 MR. HUBSCHMAN: Right. 11 The proposed -- you would lose all of 12 the proposes spaces. And the existing is 3 feet. 13 So we tried to hold 5 feet, which would 14 be adequate for an arborvitae in that area. 15 MR. FRENZEL: So if there was a deeper 16 buffer on that side, you'd effectively lose what 17 you're trying to gain by losing that entire row of 18 parking on that side. 19 MR. HUBSCHMAN: You'd lose the nine 20 spaces, yeah. MR. KUPFERSCHMID: Mike, why couldn't 21 the whole thing be shifted closer to the church so 22 23 basically the parking lot -- where they have their 24 It's just not a paver walk anymore. paver walk?

We could do that.

MR. HUBSCHMAN:

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But we were trying to align it with the
1
    original, and thought we could jog it to the left.
2
                   MR. KUPFERSCHMID: If you're doing that
3
    much work, you can change the whole long, move it
4
5
    over.
                                   Just move the whole
                   MR. HUBSCHMAN:
6
7
    thing over.
                   MR. KUPFERSCHMID: Give some relief to
8
9
    the neighbors.
                   MR. HUBSCHMAN: You could probably move
10
    it over 8 feet or so, right.
11
                   MR. BONHOMME: You're going to have to
12
    have some area for plowed snow also to store that.
13
14
                   MR. HUBSCHMAN:
                                   Right.
                   Now plow it back. No. They're pile it
15
    in a space or at the end of the -- the end of the
16
    row. Even on the row, you know, on the lawn area by
17
    the septic.
18
                   ACTING CHAIRWOMAN HERRIES:
                                                Quiet,
19
20
    please.
                   MR. ABAD: Perry, you said the existing
21
     -- so the existing occupancy of the church is 120.
22
                   Mike, I think you told us this.
23
     the current septic for the church is adequate for
24
     120?
25
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1	MR. HUBSCHMAN: It was designed for 150
2	or 140 seats, yes.
3	MR. ABAD: Is that still
4	MR. KUPFERSCHMID: Well, that's all
5	brand-new.
6	MR. ABAD: It is brand-new.
7	MR. KUPFERSCHMID: They didn't have
8	restrooms there before.
9	MR. HUBSCHMAN: Yeah, that's new.
10	It was just installed a year or so ago.
11	MR. FRENZEL: We have to keep in mind
12	with that, this is not a 24-hour-a-day, 7-day-a-week
13	use. This is an occasional use.
14	So we believe it is adequate, more than
15	adequate actually.
16	MR. KUPFERSCHMID: And it's a brand-new
17	system.
18	MR. FRENZEL: Right.
19	MR. REEVES: I'll be very quick because
20	I've talked a lot tonight. My family accuses me of
21	this all the time.
22	Having been very, very familiar with
23	this this area because we're so close we were
24	involved in the church, okay. And to see the buffer
25	zone of 5 feet is this much, okay, 5 feet isn't much

for a buffer zone, okay, for your closest neighbor, okay. You all know -- Mr. Hubschman, you know as well -- I'll address it to you as required -- that there is by layman's guess at least a quarter acre, maybe more, east of the community house and the manse, and that has been basically lost land for as long as we've been here probably 50 or 100 years more. And we were the parking lot to be positioned east of the community house so that you cannot impinge upon the Kelly residence and upon Bob's residence, which you are doing now in an awful way.

That would solve -- that would solve impinging upon two families who bought this place with the way it's existing and assumed it would be kept that way.

 $$\operatorname{MR}.$$ KATES: So the question is, can that be done.

MR. HUBSCHMAN: I think you're talking about to the east of the -- this area is all steep, and there's wetlands and transition area. Any further east, we really can't go any further east than we're showing here. We're already showing two 5-foot walls in that location on the east in order to bring it up To a reasonable grade.

MR. REEVES: It would take a lot of

1	work and expense, I grant you.
2	But it would save the impingement upon
3	the neighbors close to the church.
4	MR. HUBSCHMAN: From an engineering
5	point, it really couldn't be moved any further east
6	than I've shown it here.
7	MR. ABAD: Do you have wetlands?
8	MR. HUBSCHMAN: We had an LOI here, a
9	wetlands and a 50-foot transition. And it's very
10	steep in that area.
11	MR. ABAD: So the whole building
12	envelope is that dashed line there.
13	MR. HUBSCHMAN: Right. That dashed
14	line inside of that is basically
15	MR. ABAD: The building envelope,
16	right.
17	ACTING CHAIRWOMAN HERRIES: Are there
18	any other questions for Mr. Hubschman?
19	MR. KATES: You'll be back,
20	Mr. Hubschman, I assume, so that we'll be renewing
21	this line of questioning again to a certain extent.
22	Do we want to take a brief break for
23	the reporter?
24	ACTING CHAIRWOMAN HERRIES: Sure.
25	MR. KATES: We'll resume then with our
I	

next witness. 1 (Whereupon, a brief recess is held.) 2 ACTING CHAIRWOMAN HERRIES: We'd like 3 to reconvene. 4 MR. CAPIZZI: So, Madame Chair, we'd 5 like to take the opportunity to carry the matter to 6 the next hearing date so we can have an opportunity 7 to clean up the plan set to see what we can do to 8 modify the parking area on the church property so as 9 to put it on an angle and see if we can increase that 10 buffer and address some of the other concerns that 11 the board and the neighbors have raised this evening. 12 MR. KATES: That said, we're going to 13 continue this hearing. Our May date is May 19. 14 MS. MYUNG: Yes. 15 May 19th. 16 MR. KATES: If the applicant can please get your 1.7 revised plans filed. I know there's no ten-day 18 requirement, but if you can do a ten-day requirement, 19 considering the publication of this application, it 20 would be very helpful to these people. 21 MR. CAPIZZI: Understood. 22 ACTING CHAIRWOMAN HERRIES: For the 23 public, the plans will be available in the Borough 24

Clerk's office and also on the borough website if

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1
     you'd like to see them in advance of the next
 2
     meeting.
 3
                    MR. CAPIZZI: So that will be 5-19-22
 4
     without further notice, correct.
 5
                    MR. KATES: That's correct.
 6
                    (Whereupon, the matter is continuing at
 7
            a future date. Time noted: 9:10 p.m.)
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CERTIFICATE

I, RONDA L. REINSTEIN, a Certified Court

Reporter of the State of New Jersey, authorized to

administer oaths pursuant to R.S.41:2-2, do hereby

certify that the foregoing is a true and accurate

transcript of the testimony as taken stenographically

by and before me at the time, place and on the date

herein before set forth, to the best of my ability.

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

RONDA L. REINSTEIN, CCR No. 30X100217800