

**New Milford Zoning Board of Adjustment
Work Session
September 11, 2012**

Chairman Schaffenberger called the Work Session of the New Milford Zoning Board of Adjustment to order at 7:38 pm and read the Open Public Meeting Act.

ROLL CALL

Mr. Appice	Present
Mr. Binetti	Present
Ms. DeBari	Absent
Mr. Denis	Present
Father Hadodo	Present
Mr. Loonam	Present
Mr. Rebsch	Present
Mr. Stokes Vice Chairman	Absent
Mr. Schaffenberger-Chairman	Present
Ms. Batistic- Engineer	Present
Mr. Sproviero - Attorney	Present

REVIEW OF MINUTES – July 30, 2012 SPECIAL MEETING

The Board Members reviewed the minutes for the Public Session and there were no changes.

REVIEW OF MINUTES – August 14, 2012

The Board Members reviewed the minutes for the Work and Public Sessions and there were no changes.

REVIEW OF MINUTES- August 23, 2012 SPECIAL MEETING

The Board Members reviewed the minutes for the Public Session and there were no changes.

Father Hadodo certified he listened to the recordings from the August 14, 2012 meeting for the Gospel Fellowship Church and 105 New Bridge Properties, LLC applications.

OLD BUSINESS

12-04 – Gospel Fellowship Church – Block 913 Lot 1 – 111 Henley Avenue –

The Board Members had no questions or comments regarding the application

12-03 – 105 New Bridge Properties, LLC – Block 113 Lots 4, 5, 6 –Parking Lot/Restaurant Expansion

The Board Attorney stated the testimonial portion of the presentation was complete and there would be public comments, closing arguments and potentially a vote. The Chairman noted they received a letter from the Department of Planning and Economic Development. The Board Attorney stated it was an approval by the County Planning Board with conditions. Ms. Batistic agreed.

Motion to close was made by Mr. Loonam, seconded by Mr. Binetti and carried by all.

**New Milford Zoning Board of Adjustment
Public Session
September 11, 2012**

Chairman Schaffenberger called the Public Session of the New Milford Zoning Board of Adjustment to order at 8:00 pm and read the Open Public Meeting Act.

ROLL CALL

Mr. Appice	Present
Mr. Binetti	Present
Ms. DeBari	Absent
Mr. Denis	Present
Father Hadodo	Present
Mr. Loonam	Present
Mr. Rebsch	Present
Mr. Stokes Vice Chairman	Absent
Mr. Schaffenberger-Chairman	Present
Ms. Batistic- Engineer	Present
Mr. Sproviero - Attorney	Present

PLEDGE OF ALLEGIANCE

OFFICIAL MINUTES OF THE PUBLIC SESSION for Special Meeting – July 30, 2012

Motion to accept the minutes were made by Mr. Loonam, seconded by Mr. Binetti and carried by all.

OFFICIAL MINUTES OF THE WORK SESSION – August 14, 2012

Motion to accept the minutes for the Work Session were made by Mr. Loonam, seconded by Mr. Binetti and carried by all.

OFFICIAL MINUTES OF THE PUBLIC SESSION – August 14, 2012

Motion to accept the minutes for the Public Session were made by Mr. Loonam, seconded by Mr. Rebsch and carried by all.

OFFICIAL MINUTES OF THE PUBLIC SESSION for Special Meeting– August 23, 2012

Motion to accept the minutes were made by Mr. Rebsch, seconded by Mr. Loonam and carried by all.

OLD BUSINESS

12-04 – Gospel Fellowship Church – Block 913 Lot 1 – 111 Henley Avenue

Mr. Denis had recused himself from the application and stepped down from the dais. Mr. Urdang representing the Gospel Fellowship Church stated they had three witnesses which would conclude their testimony.

The Board Attorney swore in Mr. Michael Elkin 19 Park Avenue Rutherford, NJ.

The Board Members accepted the qualifications of Mr. Elkin as an expert witness in architecture.

Mr. Elkin described the floor plan for the first floor consisting of a sanctuary, crying room/choir practice, enlarging the office, an existing bathroom, a multipurpose room, new kitchen, a 2 story youth group room and an elevator and elevator machine room at the main entrance were being added.. Mr. Urdang asked if there would be an addition to the footprint. Mr. Elkin answered yes they were proposing a 14'x11' maintenance storage room.

Mr. Urdang asked why the sanctuary did not show any pews. Mr. Elkin answered they were using folding chairs and tables because it was a flexible space to be used as a sanctuary and a fellowship hall for the adults. There was a commercial kitchen that would be used to prepare rice and soup. He added it would not be a catering kitchen and what was in the kitchen was required under the health code. Mr. Elkin explained the equipment in the kitchen would most likely be induction appliances mounted on counters or legs to be lifted and moved. The Architect stated it would not be heavy duty commercial equipment used in restaurants and the idea was to minimize any damage caused by flooding. The applicant was aware of the floods and they were taking every precaution to make it as safe as possible for a flood. .

Mr. Urdang marked as exhibits A-9A brochure on heavy duty induction cooktops
A-9B brochure on Induction Stock Pot Range
A-9C brochure on counter top high power induction wok
A-10 lower level floor plan
A-11 upper level floor plan

Mr. Elkin described the upper level floor plan. He stated the sanctuary and youth room would remain a two-story space. There would be a 786 sq ft kindergarten elementary room, 782 sq ft bible study elementary room for grades 3 & 4, 780 sq ft bible study elementary for grades 5 & 6, a 928 sq ft young adult room, two meditation rooms, and an existing bathroom. He stated the changes to the exterior of the building would be additional windows and doors and eliminating the skylight. Mr. Urdang asked if the plans were fully compliant with all the building code requirements. Mr. Elkin believed they were and if granted an approval they would file for a construction permit with the building department. He stated if there were any problems they would adjust them at that time.

The Chairman had questions regarding Mr. Lee's testimony regarding the kitchen and the kitchen shown on the plans. Mr. Urdang answered they were not having anything that resembled a catering kitchen and they would be serving a simple lunch after services. Mr. Elkin described the induction cook top that was on its own legs and sits on a table. The Board Attorney clarified it was an induction range as opposed to an oven. Mr. Elkin agreed and said they were having an induction stockpot range for soup. He explained all the equipment would be able to be moved in case of a flood. The Chairman clarified all the appliances were removable. Mr. Elkin agreed except the refrigerator and freezer that would be on a counter.

Mr. Rebsch asked for the dimensions of the kitchen because they were not on the plans. Mr. Elkin answered roughly 400 sq ft and apologized the dimensions were not on the drawings. He reviewed the sizes of the rooms.

Father Hadodo asked what the height was of the building. Mr. Elkin answered the elevation was approximately 25'6" from grade. Mr. Urdang stated the building existed. Father Hadodo questioned if he thought of raising the floor to minimize the damage from the flooding. Mr. Elkin answered it would be very expensive and not worth it.

Motion to open to the public was made by Mr. Binetti, seconded by Mr. Rebsch and carried by all.

No one wished to be heard in the audience.

Motion to close to the public was made by Mr. Loonam, seconded by Mr. Appice and carried by all.

The Chairman asked if there was anything else missing on the plans besides the dimensions. The Board Attorney requested Mr. Elkin reproduce a series of copies of the plans. Mr. Urdang agreed.

The Board Attorney swore in Mr. Bahman Izadmehr 550 Colfax Road Wayne, NJ.

The Board Members accepted the qualifications for Mr. Bahman Izadmehr as an expert in traffic engineering.

Mr. Rebsch requested the Board hire their own traffic engineer. The Chairman suggested the Board hear Mr. Izadmehr's testimony before they decide to retain a traffic engineer. The Board Attorney said if after the testimony the Board Members felt they would like their own traffic expert, the Board could retain a traffic engineer to hear the recordings of the testimony and offer an opinion.

Mr. Izadmehr said he had visited the site on numerous occasions and was familiar with the area. Mr. Urdang stated this was a site that fronts Harvard and Henley and asked if the only exit would be up Henley to River Road. Mr. Izadmehr answered the existing access to the site was from Henley Avenue. The proposed development keeps that driveway which was a one-way ingress to the site with parallel parking along the east side of the driveway. There was a two-way driveway off of Harvard. There was no outlet from Harvard to the north with only a left hand out of the site then a left turn onto Henley Avenue proceeding to the intersection of Henley and River Road with an option to go straight, right or left. The Engineer explained the intersection was controlled by a semi-actuated traffic signal. Mr. Izadmehr stated the traffic light was designed, installed and maintained by the County. The traffic actuation light works in such a fashion that if a car was sitting on Henley Avenue east or west bound the timing set for River Road would turn green. There was a push button for pedestrian crossing. He explained with the absence of traffic or pedestrians on Henley Avenue the signal would remain green. The Chairman clarified that if there was no traffic or pedestrians on Henley Avenue then River Road would remain green all day. Mr. Izadmehr agreed that was the way the signal was designed for safe and efficient operations. He explained if there was one car on Henley the light would be for a minimum duration. Mr. Urdang asked how much space was there from the controlled intersection to the exit on Harvard. Mr. Izadmehr estimated 1000 – 1100 ft. Mr. Urdang asked for the queuing capacity. The Engineer estimated 40 cars.

The Traffic Engineer explained that a 2200 sq ft athletic club generated Monday thru Friday about 66 cars entering and existing during the morning rush hour, 131 during the evening and on Sunday peak hours the club would generate 147 cars. He explained the same building with a conversion for a church would generate 9 cars during the morning rush hour, 8 cars during the evening and 178 cars on Sunday entering and existing. He stated the comparison from the ITE data showed for the athletic club and church 30 more cars were generated on a Sunday. The Traffic Engineer explained there would be staggered departure patterns and the 178 cars would not be all coming and leaving at the same time so that number would be substantially reduced.

Mr. Izadmehr stated the permitted use would be an improvement because the church traffic would only be on a Sunday and would be less traffic. Mr. Urdang asked if the church traffic at the Sunday peak hour would cause traffic problems at Henley or the intersection at Henley and River. Mr. Izadmehr answered no and explained the traffic was higher for a racquetball club than the church. The Traffic Engineer stated he had a couple of solutions if there were any traffic backing up on Henley Avenue because of the existing driveway off of Henley. He stated there could be a church member regulate the traffic leaving the parking lot to alleviate the departures and the church at the discretion of the chief of police they could hire an off duty officer to direct traffic at the signal which would give two points of control one at the parking lot and one at the intersection.

Mr. Urdang asked how many parking spaces were provided with this application. Mr. Izadmehr answered there were 115 spaces provided but understood some Board Members would like the 4 tandem spaces eliminated totaling 111 parking spaces and 107 parking spaces were required.

Mr. Urdang asked the traffic engineer how many parking spaces would be sufficient to serve this facility safely and efficiently. The traffic engineer answered based on his experience he felt a maximum of 75 parking spaces were adequate because not everyone came in a single car and buses also would bring people to the church. Mr. Urdang asked if during the holidays any church had sufficient amount of parking spaces. Mr. Izadmehr answered no but it only happens once or twice a year and the same thing happens at a shopping center. Mr. Urdang asked if he was indicating that this facility could operate comfortable with less parking spaces and the reason this amount of parking spaces were being provided was because of the ordinance. The Traffic Engineer agreed. Mr. Urdang questioned if 75 parking spaces were proposed instead of the 115 parking spaces would that remove some of the impervious surface. Mr. Izadmehr agreed and said every parking space was 180 sq ft of impervious space. Mr. Urdang offered to the Board Members the reduction of parking spaces to 75 which would result in the reduction of impervious surface but it would require a variance from the Board. The Traffic Engineer added a benefit was it would increase the square footage of landscaping.

Mr. Izadmehr concluded that the traffic impact for the proposed church in lieu of the other permitted uses and the prior use of racquetball club was much better in terms of traffic. He stated the church would not impact the traffic on Henley Avenue or the signalized intersection on Henley Avenue and River Road. The traffic engineer pointed out the access to the site and internal circulation was safe and efficient.

The Chairman asked if there was a left hand turn only lane at the intersection of Henley and River Road. Mr. Izadmehr answered no there was a single lane for left, right and thru. He added there was room to provide a left lane if they moved the center lane. The Chairman asked if the Church could recommend that the parishioners make a right hand turn or go straight so not to hold up the traffic. Mr. Urdang said they could suggest to the parishioners not to turn left and also to suggest the governing body consider it because it was a municipal street. Mr. Izadmehr observed the left turn on Henley westbound was extremely heavy. Mr. Rebsch commented that traveling north on River Road making a left into Henley was difficult. The traffic engineer reviewed his traffic counts doing left hand turns on Sunday and said during the peak hours 13 cars made a left. He added this was an existing situation. Mr. Rebsch asked how he knew it would be better with the church than the racquetball club regarding the traffic. Mr. Izadmehr knew because the ITE data showed a racquetball club had constant traffic where the church traffic would be on Sunday and special holidays.

Mr. Loonam liked the idea of a variance for less lot coverage. He clarified the testimony was there would be a maximum of 75 cars on Sunday. The traffic engineer answered that was the maximum amount of cars that would come to a Sunday service during a whole day. Mr. Loonam asked if he counted the street parking spaces. The traffic engineer calculated 60 parking spaces were available on Harvard and Henley and had observed about 10 parking spaces were used by other patrons on Sundays so there would still be approximately 50 available spaces. Mr. Loonam asked how many cars could go through a green light before turning red. Mr. Izadmehr said the intersection at Henley based on the timing today would be 10 cars but more on River Road. Mr. Loonam asked how long the light was set to turn back to red. The traffic engineer answered 25 seconds green and 50 seconds red. Mr. Loonam asked how long a parishioner would be inconvenienced. Mr. Izadmehr answered 3.5 minutes but he did not think that would happen. Mr. Urdang pointed out that the Board and the applicant had no control of offsite parking and the Borough could decide at some point to create no parking.

Father Hadodo asked if he did a count of the traffic at the intersection on a Sunday because there would be no weekday traffic. Mr. Izadmehr answered he observed the intersection and it could handle the traffic and operate efficiently. He said he had not done a count but observed the traffic at the intersection on Sunday and it was about 30-40% less than a weekday.

The Chairman questioned if Harvard was no longer a thru street and would it remain that way. The traffic engineer answered it was not a thru street but it would depend on the municipality if it would remain the same.

Recess

The Board Attorney had a discussion with the Borough Engineer and told Mr. Rebsch if he felt it would be helpful in his determination of this issue to have a traffic report, Boswell Engineering had the capacity to generate a traffic report based on the testimony. The Board Attorney stated when the relief sought by the applicant was before the planning board there was an internal review done by Boswell Engineering which could be generated by a report. The Board Attorney suggested the Board Members request Boswell Engineering to generate a report for the Board and suspend the questioning of the traffic consultant and ask questions at the next meeting. Mr.

Rebsch answered that he was satisfied after the traffic engineer's testimony and withdrew his request. The Chairman thought it would be a good idea to get the report. The Chairman polled the Board Members and the majority of the members did not need any additional information on the traffic report.

Motion to open to the public was made by Mr. Loonam, seconded by Mr. Rebsch and carried by all.

Joanne Prisendorf 317 River Road asked if the cul-de-sac at the end of Harvard was for residential commuter traffic only or could anyone park there. Ms. Batistic answered at the bottom of Henley there was a delineated parking lot and at Harvard as well for commuters. The Traffic Engineer stated in October 2011 there was no sign at the location. The resident questioned his calculation of 40 cars in queue and asked if he allowed for the driveways on Henley Avenue and where there signs posted not to block driveways. The traffic engineer said 40 cars accounted for driveways. Ms. Prisendorf asked if he took into consideration in his analysis that when the Racquetball Club was there Jersey Boys was closed and the Garden Café was not there and now they watch football games at Jersey Boys and the Garden Café was open. The Traffic Engineer answered his calculation was based on what would happen if the racquetball club was open today. He stated all the other businesses would be there and the signalization had the capacity to handle all the uses mentioned plus a racquetball club or church. The Board Attorney read the Police Referral into the record which indicated there was a traffic study prepared in the prior proceeding.

Arthur Latz 60 Coopers Lane, River Vale said both the Garden Café and the Jersey Boys Restaurant were both open while the Racquetball Club was there and they had no traffic problems.

Motion to close to the public was made by Mr. Binetti, seconded by Mr. Loonam and carried by all.

The application was carried to the October 9, 2012 meeting. Mr. Urdang asked if he could be first on the October agenda. The Board agreed.

12-03 - 105 New Bridge Properties, LLC – Block 113 Lots 4, 5, 6 – Parking lot/Restaurant Expansion

Mr. Carmine Alampi, representing New Bridge Properties for the Sanzari's New Bridge application, stated this was a continuation of the hearing for 105 New Bridge Properties. He stated they had concluded all the testimony and the Board and Public had asked questions of the witnesses.

Mr. Alampi stated the zone was residential in designation but the site hosted a restaurant for over 60 years. They recognized they were on the border of New Milford and Teaneck and adjacent was a park and one family homes. They were located in an area of commercial businesses, plumbing contractors, storage and warehouse facilities. This applicant proposed an addition to the dining area on the side that hosts the bar while the side of the building facing the single family houses would remain the same. The variances implicated by the building were preexisting

but the addition was not generating a new bulk or dimensional variances because they were expanding into the parking lot area. The Attorney stated there were presently two modest homes bordering New Bridge Road located near a four lane County Road with high traffic volumes and high speed traffic which was not an area that was conducive to buying a home. The properties were also in the flood plain and there was testimony from the Engineer that the mission of the DEP was trying to eliminate people from resettling and building residential properties in the flood plain and to move them out of the flood plain. It was Mr. Costa's opinion that the variances being sought could be justified and the special reasons that would support granting of the variances were this would supplement the parking to an existing commercial use. He added the use in itself upgraded the neighborhood by eliminating a significant amount of off street parking. Mr. Alampi stated the materials being used to construct the parking area would allow for absorption of the water, for retention of the water and slow release. They would be removing people from the flood plain and replacing it with parking area that was a good use for a flood prone area. The applicant has already received approval from the Bergen County Planning Board that had been approved for the double driveway configuration. The Board Members had determined it would be a better plan if it were consolidated into a single driveway. He added the Bergen County Planning Board also approved this plan. Mr. Costa had filed with the DEP for the appropriate permits and there were revisions by the DEP which were provided and resubmitted and they would receive the permits in two weeks.

Mr. Alampi stated this was a D variance request. They received a use variance to renovate and reconstruct the New Bridge facility 6 years ago and they were introducing commercial parking in the residential zone. Mr. Alampi added there were a series of bulk or dimensional variances that were preexisting and would remain. The new variances deal with the proposed 9 x 18 parking stalls required 9x20. They believed the width was more important than the length. They were providing full size drive aisles and creating a parking lot with 65 parking spaces that would run efficiently. Mr. Alampi said they had the setback for the main building, the impervious coverage for the property, the size of the parking stall and the residency boundary line. They were keeping the existing signage and adding a few ground signs in the parking lot for identification, vehicular safety, advance notice of the parking area and direction to park. Mr. Alampi said there were 65 parking spaces with self-service parking and there would be valet service. They understood the Board had concerns that the applicant seemed to abandon their conditions for valet parking at all times. Mr. Alampi explained because of the economy, the volume of activity and the lunch activity was off 50 % they have used valet service as needed. They were asking the Board for valet service on Friday and Saturday evenings and whenever they host a large banquet or use of the upper floor but it was not practical to have valet service 7 days week for lunch and dinner.

Mr. Alampi stated this was a first class restaurant facility serving the need of the public and felt it was an asset to the community. The applicant understood there were neighbors and there have been some conflicts with their activity and operation. He believed they were making the situation better not worse. The applicant was improving the quality of life in the neighborhood. He stated this was an existing restaurant in an area with other commercial uses. The parking lot would relieve street and curb parking to a large degree. Mr. Alampi asked the Board Members to consider favorable on this application. It requires an affirmative vote of five members. Mr.

Alampi concluded that this was a commercial parking in a residential zone. He said it was a good use of an area that was prone to tidal flow and tidal waters.

Motion to open to the public was made by Mr. Binetti, seconded by Mr. Denis and carried by all.

Zeevyah Benoff 800 Old New Bridge Road, Teaneck was sworn in by the Board Attorney. The resident stated they have lived at their residence for eight years and at that time there was a small existing restaurant and did not agree with the testimony that there always was a large existing restaurant. The resident said this was a quaint neighborhood on a quiet street. Ms. Benoff disagreed with Mr. Alampi's comment that the two homes had no improvements because of their location near the corner. She added her house was located near the corner and her house had been improved and found it offensive to say houses were of no value that were close to the highway and flood zone. The resident had concerns the restaurant would continue to get more property and turn the whole area into commercial. Ms. Benoff objected to having a parking lot facing their Teaneck homes because it would decrease their property values. She added the guardrail has been hit many times by cars and the intersection was very dangerous. Ms. Benoff felt it would be a safety hazard having cars come around the corner to the parking area. The Teaneck resident commented that the house they were purchasing had never been on the market. She said the restaurant has destroyed the quality of her life and felt it was not a family restaurant but was a nighttime restaurant with drinking and a very loud establishment. She added the old restaurant was a place you could go to for a sandwich. Ms. Benoff had a petition that she has been told she was not allowed to put into evidence but asked if she could read it. Mr. Alampi objected that Ms. Benoff had already crossed the line in enumerating that all these parties had signed the petition and a petition cannot be admitted. Mr. Alampi felt it inappropriate to read the specifics of the petition. The Board Attorney noted the objection and allowed the resident to read the statement but not the signatures. Ms. Benoff did not feel the new impervious pavers would help the flooding in the area. The Teaneck resident felt this was the worst location for a parking lot with the entrance facing the residential neighborhood.

William Broughton, Township Manager of Teaneck was sworn in by the Board Attorney. He pointed out that many of the Teaneck residents who lived in the area were concerned about the impact of this project to their quality of life. He had concerns about how the project would impact the flooding and the issue of additional traffic on Riverview to the families. Mr. Broughton said there were concerns from both the Township Council and residents regarding the ingress and egress to the parking lot. He stated there was no way they could allow traffic to exit the parking lot and go up Riverview Road. Mr. Broughton knew the Council would consider changing the traffic direction on Riverview if something like this occurred. He thought it was important to address those concerns and they were willing to work with the Board for a solution. The Township Manager questioned why they did not enter the parking lot from New Bridge Road. He added this area had many residents observing the Sabbath and walking the streets. Mr. Alampi responded to the comments and stated all traffic was not routed to Riverview and Mr. Alampi asked why the residents not petition their Council for speed bumps. Mr. Broughton stated speed bumps were not an alternative in Teaneck because they did not feel they worked and had no intention of putting them in. The Township Manager stated more traffic going to Riverview was unacceptable and they were not willing to allow this to happen to the residents. The Chairman appreciated his comments but agreed with Mr. Alampi that it was never

represented that all the traffic would go to Riverview. He said the Board had concerns about a driveway by New Bridge Road and the Board requested the driveway moved down further with an ingress/egress driveway. The Chairman also commented that speed bumps slow down cars. Mr. Broughton disagreed. Mr. Loonam agreed with the Chairman that the Board did not consider having people not make a left hand turn out of the proposed parking lot. Father Hadodo suggested enforcing the speed limit. The Township Manager felt the best solution was to make the entrance off of New Bridge Road. Mr. Alampi explained the County had jurisdiction and it would never happen because of the high speeds and curvature of the roads.

Michael Goldschmidt 796 Old New Bridge Road, Teaneck was sworn in by the Board Attorney. The Teaneck resident stated the applicant ignored Board stipulations from a previous variance. Mr. Goldschmidt disagreed with the statement that the proposed houses to be demolished would be hard to sell because they have not tried to sell it. The Teaneck resident stated testimony was the DEP wanted residents to move out of flood plain for their safety but they do not mean they want these spaces filled with companies and industries. He said there was no evidence that the DEP wanted them to build this. Mr. Goldschmidt had doubts about the impervious pavers. He questioned why the proposed parking lot could not be built 14" below the current grade level to alleviate the flooding. The resident questioned if there was testimony on the signs and felt the signs were advertisements in a residential area and a distraction for drivers. Mr. Goldschmidt thought the applicant had a disregard for the safety and quality of life for those living in the residential neighborhood when it comes to expanding their business. He questioned how Sanzari's could seek a variance on a property they did not own. The resident also questioned if the applicant consulted a traffic engineer. His main concern was for the safety of the children and families.

Dominick Mazzella 804 Old New Bridge Road, Teaneck was sworn in by the Board Attorney. He felt it was good-looking restaurant but had concerns about the delivery trucks and early deliveries. He complained about the off street parking and a larger restaurant meant more parking. Mr. Mazzella felt there was a lot of pollution as a result of the restaurant.

Robin Zimmerman 733 Riverview Avenue, Teaneck recently bought a house in the area. She felt the expanded restaurant would have more staff. Ms. Zimmerman said they were taking away her freedom because patrons get drunk and she no longer was comfortable leaving her daughter home alone because she never knew who was on her street. Her main issue was with the safety of her children and the issue associated with predators. Ms. Zimmerman felt they should find a way that Riverview was not impacted.

Zeevyak Benoff 800 Old New Bridge Road, Teaneck mentioned that Teaneck decided because of the restaurant and lack of sidewalks it was too dangerous to have a bus stop on Cottage and moved the bus stop to her house. She was not opposed to the speed as much as the volume of cars for the restaurant. The Teaneck residents said why not expand the parking lot on the commercial side.

Michael Fatigati 41 Hirschfeld Place felt this restaurant was part of New Milford and it was very convenient place to meet.

Robin Zimmerman 733 Riverview Avenue, Teaneck said this was no longer going to be a quaint restaurant but a large catering hall.

Motion to close was made by Mr. Binetti, seconded by Mr. Rebsch and carried by all.

Mr. Alampi gave his summation and was not going into a debate. He stated everyone agreed there was an overflow of parking that congests the streets and the parking lot would alleviate it. He felt a parking lot was a good thing and everyone agreed a parking lot was necessary but didn't want it near them but in a different location. This facility was in operation and would continue to be in operation. He asked the Board to take a vote and support the application and grant the variance for the demolition of the two houses and construction of the parking facility.

The Chairman felt there were still issues to discuss and asked if they ever entertained the possibility of getting a traffic engineer. The Chairman was sympathetic for the public and understood nobody liked change. He was not comfortable voting that night on the application. Mr. Alampi respected his comments and would be disappointed not to bring this application to a conclusion and vote yet he respected the process and understood the Board wanted to ponder this. The Chairman polled the Board and the majority wished to carry the application. Mr. Alampi agreed to extend the statutory time to render a decision. The Board Attorney questioned the need for a traffic engineer. Ms. Batistic would have to ask their expert. Mr. Loonam felt this was the same use and didn't know what a traffic study would prove. The Chairman answered there were comments on direction and speed. Mr. Alampi commented that the issue of traffic safety was addressed by the Board and redesigned and resubmitted to the County. They were not requesting a variance for the number of parking spaces with an existing use so traffic volume was not the issue it was parking capacity. Mr. Alampi believed there was limited value to the traffic analysis. The Board Attorney agreed there was not a change of use and the issue was the impact of the parking lot. Mr. Binetti needed some time to absorb the testimony and comments. Mr. Appice asked if there were outdoor parties. Mr. Scuderi answered yes with the town approval. He stated there were three fundraisers for the Hackensack Medical Center.

The Chairman stated the application would be carried to October 9, 2012.

As there was no further business to discuss, a motion to close was made by Mr. Binetti, seconded by Mr. Loonam and carried by all.

Respectfully submitted,
Maureen Oppelaar