

Approved
12/8/15

**New Milford Zoning Board of Adjustment
Work Session
November 10, 2015**

Vice Chairwoman called the Work Session of the New Milford Zoning Board of Adjustment to order at 7:32 pm and read the Open Public Meeting Act.

ROLL CALL

Mr. Adelung	Present
Ms. DeBari-Vice Chairwoman	Present
Mr. Denis	Present
Mr. Joseph	Absent
Mr. Loonam	Present
Mr. Rebsch	Present
Mr. Stokes	Present
Mr. Weisbrot	Present (8:00)
Mr. Schaffenberger- Chairman	Absent
Mr. Sproviero - Attorney	Present
Ms. Batistic – Engineer	Present

RESOLUTION

15-04 PSEG-182 Henley Avenue – Block 501 Lot 15 and 17

Renovate and upgrade substation

D Variance – Preliminary and final site plan approval, height, use and bulk variances

The Board Members reviewed the resolution and there were no changes.

REVIEW OF MINUTES

The Board Members reviewed the minutes for October 13, 2015 and there were no changes.

OLD BUSINESS

15-02 TOP STONE CHURCH – 435 River Road – Block 1115 Lot 1.01

Child Care Center / Nursery School

Reconsideration of adverse determination

Ms. DeBari stated there was a letter from Mr. Urdang dated 10/26/15 for a motion for reconsideration of the board's adverse decision. Mr. Loonam asked if the Board was bound to hear their request for reconsideration. The Board Attorney said under the MLUL, reconsideration is not prohibited. He believed prior to the adoption of the memorialization of the resolution and the applicant comes forward with a request for reconsideration, the board had the power to hear it. Mr. Sproviero said if the board determined not hear it that adverse determination should be predicated on a substantive finding as opposed to a procedural finding. Mr. Loonam questioned

at what point it becomes a new application. Mr. Sproviero said when the board adopts the resolution. Ms. DeBari asked if the public was notified. Mr. Sproviero answered yes.

The Board Attorney discussed the pending litigation with New Milford Redevelopment Associates.

NEW BUSINESS

15-08 Institute for Education Achievement - Block 1211 Lots 32/33 Construct new adult education building Conditional use, height, parking

The Board Members reviewed the application.

Mr. Loonam clarified that any findings or soil samples in the Alex and Sons application had nothing to do with this application. Mr. Sproviero agreed. Mr. Loonam asked how the original 1999 application weighs in with this application. The Board Attorney said there was a prior application that was not so much with the Alex and Sons property but thought it related to the principle property where the school existed. The Board Attorney said they would still have to employ the same factors in determining whether or not the applicant demonstrates its case either under SICA or Medici or the expansion of the preexisting non-conforming use. Mr. Loonam asked if these properties would be merged so there would be no side yards. Mr. Sproviero said there was certainly carry over from one lot to the other by way of the plan. Mr. Loonam questioned how that would work regarding a walkway connecting to the buildings. Mr. Sproviero said then there would be another bulk variance but they would know better how the applicant wants to present it once they see the presentation. The Board Attorney did not know if they were going to seek a waiver or a merger or a specific variance.

Mr. Rebsch thought he read that they would eventually merge the properties.

The Board Members received the 2016 schedule of meeting for review. There were questions regarding October and November meetings. The Members would review the schedule to be voted at the December meeting.

Motion to close the work session was made by Mr. Loonam, seconded by Mr. Denis and carried by all.

**New Milford Zoning Board of Adjustment
Public Session
November 10, 2015**

Vice Chairwoman DeBari called the Public Session of the New Milford Zoning Board of Adjustment to order at 8:03 pm and read the Open Public Meeting Act

ROLL CALL

Mr. Adelung	Present
Ms. DeBari- Vice Chairwoman	Present
Mr. Denis	Present
Mr. Joseph	Absent
Mr. Loonam	Present
Mr. Rebsch	Present
Mr. Stokes	Present
Mr. Weisbrot	Present
Mr. Schaffenberger-Chairman	Absent
Mr. Sproviero - Attorney	Present
Ms. Batistic – Engineer	Present

PLEDGE OF ALLEGIANCE

OFFICIAL MINUTES OF THE WORK /PUBIC SESSION – October 13 2015

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

RESOLUTION TO BE MEMORIALIZED

15-04 PSEG – 182 Henley Avenue – Block 1115 Lot 1.01

Motion made by Mr. Loonam, seconded by Mr. Rebsch to memorialize the resolution.

The motion passed by a roll call vote as follows:

For the motion: Members Loonam, Rebsch, Denis, Stokes, Weisbrot, DeBari

OLD BUSINESS

15-02 TOP STONE CHURCH – 435 River Road – Block 1115 Lot 1.01

Child Care Center / Nursery School

Reconsideration of the Adverse Determination

The Board Attorney said there was a letter from Mr. Urdang dated 10/26/15, a letter from Chief Ramaci dated 11/2/15 and a letter from Sgt. DiGenio dated 11/5/15.

The Board Attorney read the letter from the Chief of Police into the record.

Mr. Loonam said he left early at the last meeting and for the record he listened to the recording of the meeting.

Mr. Urdang said at the previous meeting there was a great deal of discussion by their traffic engineer and participation by letter from the police department trying to analyze what would be the impact of the proposed childhood center. Mr. Urdang said both sides were speculating on exactly what would occur. There were a lot of things that impact upon the safety of the operations – the number of children attending, number of drop off spaces and how well the parent dropping off conform to the norm established by the church. Mr. Urdang said the function of this application for reconsideration was to make a proposal to the board that was a pragmatic solution to the situation.

Mr. Urdang reviewed his letter dated 10/26/15. He stated the total number of children would be limited to 60 and said during the last hearing the total was 80. They were proposing that for at least the first year of operation the number of children would be limited to 30. After the first year of operation, the applicant would be permitted to make incremental increases to a maximum of 60. With each incremental increase, Mr. Urdang said the police would be notified. The police would notify them if they saw a problem and the applicant would try to ameliorate it. If at any time in any increment the problem was not solvable, then the police would have the ability to notify the board. He added the board retained jurisdiction. Mr. Urdang stated he did object to the comment in the chief's letter that the town could unilaterally revoke all permits. The Board Attorney said the letter read "that the town has the right to terminate any and all permits issued to Top Stone if the Police department finds the center is causing a safety/traffic problem". The Board Attorney said the chief is not aware of the process. The Board Attorney said if any action would be taken with respect to the approval granted by this board, it would have to come back to the board and this board would make the determination. It would not be made by any unilateral action by either the police or governing body. Mr. Urdang agreed. Ms. DeBari asked how/when would this come back to the board. Mr. Urdang said it would be triggered by the police.

Mr. Urdang said they reserve the right to make an application at a future time for more than 60 but not more than 80 children. The Board Attorney said that would require a new application and be held to the same standards as an expansion of a preexisting non-conforming use. Mr. Urdang agreed.

Ms. DeBari asked if there would be a specific drop off time. Mr. Urdang said instead of trying to speculate on exactly what would be, they have to analyze the situation and know where the drop off time, best time, how efficient the prepping program and how responsive the parents were. Mr. Urdang said what they were proposing fits in with both the state and federal standards and thought it was a reasonable proposal.

Mr. Weisbrot also asked what the drop off/pick up schedule would be for the 32 students and 60 students. Mr. Urdang said they could not tell at this time. Mr. Weisbrot said his objection at the last hearing was the police department said they were comfortable with 10 at a time but not

comfortable with more than 10 at a time. He added that was based on that recommendation as measured by Mr. Olivo's presentation that had more than 10 at a time that caused him to view this negatively. Mr. Weisbrot was less concerned about the number of students as he was concerned about pick up/drop offs as measured by the police department's recommendation to the board on safety for 10 at a time. Mr. Urdang said at that time they were speaking of a larger number and larger period for drop off. Mr. Weisbrot disagreed and said it was for 10 at a time. Mr. Urdang said they were dealing with the fewer people and the ability to spread it out. Mr. Weisbrot said they would have had his vote if they came in with 30, 60 or 100 students with the break down that complied with the police department's recommendation. Mr. Weisbrot said he would have voted yes if they came in proposing 32 students with times 6:30-7 ten cars 7-730 ten cars 7:30-8 ten cars 8 – 830 two cars. Mr. Weisbrot said he would have voted yes with 60 students coming in 10 at a time but the applicant still has not complied with the police recommendation.

Mr. Sproviero asked Mr. Urdang if a motion was to be made with a condition that limited pickup/drop off to no more than 10 cars per every half hour segment over a 2 ½-3 hour period would his client accept that condition. Mr. Urdang conferred with his client and they agreed.

Mr. Sproviero said that their proposal contemplates after year one an incremental increase up to 60 and asked what the protocol to implement this was. Mr. Urdang said they would notify the police of their intent for an increase which the police would monitor. If the police department feels something could not be done in a safe manner then the police refers it to the zoning board. The applicant would then come back to the board to discuss it. The Board Attorney clarified that only in the event there was an inability to come to a meeting of the minds with the police department with regard to the implementation of the incremental increases would the applicant come back. Mr. Urdang agreed but said the police did not have the unilateral right to shut them down. Ms. DeBari said they were depending on the police to monitor it. Mr. Urdang said the police have a role to monitor it but if they do not want to monitor it was up to them. The Board Attorney added they would react to complaints. If there are complaints there would be police intervention, observations and recommendations which may or may not involve referral back to the board. The Board retains the right to have it come back to the board in the event that there are problems that could not be logistically worked out between the applicant and the police department.

Mr. Stokes asked if it would be prudent to put a number on the increase so not to burden the police. The Board Attorney thought the applicant was trying to establish a data base.

Mr. Loonam said this board's task was to reconsider this application but he did not know how much this has changed as stated in Sgt. DiGenio's letter dated 11/5/15. It read "I was informed that the Church is looking to cut the enrollment of the students to 32 students, of course this would alleviate traffic in the area, but then I was told they were going to increase it up to 60 in a year. This puts us back in the original range of students." Mr. Loonam said he was saying he was not comfortable with 60 because it was likely to be problematic from a traffic safety standpoint. Mr. Loonam thought the applicant was asking the board to take a leap of faith and say they would work it out and monitor it. He thought the leap of faith was getting 32 and he was not comfortable with approving anything up to 60 a year. He had no problem with the staggering

with a limit of 32 because that was what the police department told the board that they thought would alleviate some of the concerns. Mr. Loonam thought if the applicant wanted to increase it they would have to come back to the board. Mr. Urdang said they have substantially decreased the number and it would be monitored by the police. Mr. Loonam felt the applicant would have to come back to the board one more time. He felt the applicant was asking the Board to give them the ability to try up to 60 students. Mr. Loonam had no issue of trying 32 with the guidelines of 5 staggered on Myrtle and 5 on Baldwin. Mr. Urdang said to find common ground would he find a problem with 45. Mr. Loonam said yes because he had two letters from the police department that felt 32 was a manageable number. Mr. Sproviero said if they said no more than 10 and had four ½ hour periods maybe the number to approve would be 40. If they need to go beyond that number, they would have to come back. Mr. Loonam thought that would be agreeable.

Mr. Urdang discussed the idea with his clients and they agreed.

The Board Attorney clarified that the conditions were:

1. Any area designated “no parking” the drop off would be limited to no more than 3 minutes as contemplated by the exception provided by NJSA:39:4-139.
2. Pick up and drop off would be limited to no more than 10 cars -5 cars per street on Myrtle and Baldwin per ½ hour period.
3. The applicant shall designate personnel to oversee, implement and coordinate the drop off and pick up of students.
4. The Board had the continued jurisdiction.

Mr. Adelung still had concerns regarding the children from the daycare and neighborhood. He said there was a letter from the expert that a problem could arise. Mr. Urdang stated they also have concerns for the safety for children. He added that there was a federal statute that says traffic was not a compelling governmental interest but they were trying to work with the Board. Mr. Adelung said when talking about safety, not traffic, at what cost is the test.

Mr. Denis agreed with Mr. Adelung. He added that parking on Charles could be a problem and was concerned about inclement weather. Mr. Urdang did not see how the parking of a vehicle or a parent walking their child to the school constitutes a danger to anybody.

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

Ann Marie Skrabonja, 416 Kehoe Court, said no one addressed where the teachers would park. Mr. Sproviero said at a previous hearing it was discussed and they would park on the street. Ms. Skrabonja said there are a lot of establishments that have inadequate parking but now they can change the situation and make sure there is adequate parking, safety and the availability of the services of the town which the taxpayers pay for.

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

Mr. Loonam questioned the hours for pick up and drop off. Mr. Urdang said 7-9am and 4-6pm.

Mr. Weisbrot asked what if it is observed that they have 15 drop offs in ½ hour. Mr. Sproviero said the Board would exercise their continuing jurisdiction and could bring them back to the board. Mr. Urdang did not disagree but said the Board of Adjustment was not an enforcing agency. Mr. Sproviero said the members of the board and the board attorney would not be out there but if it could come thru the police or zoning officer.

Vice Chairman DeBari said if there were no more questions or comments, she would entertain a motion.

The Board Attorney clarified it would be a motion to grant reconsideration and approve or deny reconsideration and uphold the prior decision subject to the conditions discussed. He added a condition of a limit of 40 students, limit of 10 cars 5 per street per ½ hour period, continuing jurisdiction, designation of personnel, and three minute limitation for pick up/drop off. Ms. DeBari clarified it would be a total of 40 and anything above that they would have to return to the board. Mr. Sproviero agreed.

Motion made by Mr. Stokes, seconded by Mr. Loonam to grant the variance based on the fact that they have delineated exactly how many students could participate, delineated how many students could be dropped off safely along with all conditions discussed.

For the motion: Members Stokes, Loonam, Denis, Weisbrot, DeBari

Against the motion: Members Rebsch, Adelong

Approved 5-2

NEW BUSINESS

15-08 Institute for Educational Achievement- Block 1211 Lots 32/33

Construct new adult education building

Conditional use, height, parking

Mr. Elliot Urdang, on behalf of the Institute for Educational Achievement (IEA), said that he submitted the notice of public hearing. Mr. Urdang said the Board several years ago approved the application for the IEA School for autistic children. He added the applicant purchased the adjacent lot which was the site that Alex and Sons tried to develop. The applicant proposes to develop on that lot a new building that would house an adult autistic learning facility. The two properties if approved would be consolidated, said Mr. Urdang. He stated a substantial portion of the proposed site has environmental consequences so there was a limitation on available space for development. Mr. Urdang said this application involves an inherently beneficial use.

The Board Attorney stated that the applicant attached a prior resolution relating to prior approval from 1999 and said the board engineer has yet to submit her comments. Ms. Batistic agreed. Mr. Urdang said if they proceed with their engineer he might have to come back. Mr. Urdang would still like to start with him. Mr. Urdang said he heard the Board has characterized this as an expansion of a nonconforming use. He said that was not correct but it was an expansion of the prior variance. The Board Attorney said it was not a nonconforming use because it was previously approved. Mr. Urdang said it was a conditional use in the zone because it was a permitted use in the zone.

Mr. Loonam did not know if there would be a cause for any concern with his wife working as a special education aide at Northern Valley/Old Tappan School. The Board Attorney asked Mr. Loonam if he felt in any way that given your relationship with your wife and what she does that he would be unable to render a fair and impartial determination with regard to the application. Mr. Loonam said no.

Mr. Perry Frenzel, licensed professional engineer from Azzolina & Feury Engineering Inc., was sworn in by the Board Attorney. The Board Members accepted the qualifications for Mr. Frenzel.

The Board Attorney marked as Exhibit A-1 site plan 6 pages 8/13/15.

Mr. Frenzel discussed the existing conditions. The existing lot had a one story building that was used by the Institute. The existing building was approximated 13,800 sf on one floor. The building had 41 parking spaces surrounding it and access to the site was a driveway at the western end of the premises. He added lot 32 was the site that was subject of a prior application by Alex & Sons. The lot had a large area in the back which has been determined to be wetlands which has been acknowledged by the NJDEP dated June 26, 2012. He said about 45% of lot 32 was unusable. Mr. Frenzel said this lot was fairly flat and slopes to the north and east down to the wetland area. He added any rainfall that was not absorbed in the ground would flow overland down into the wetlands.

Mr. Frenzel discussed the site plan. He stated along with the building that had a footprint of approximates 7,000 sf. connected to the existing building there was also a major modification to the parking area. He stated there was 41 existing parking spaces proposed 71 spaces. There would be a second driveway that would be used in conjunction with the existing driveway which would improve the access. Mr. Frenzel said the proposed building was close to the wetland buffer line.

Mr. Urdang stated in the event the application was approved, the two lots would be formally consolidated. It would not be two separate lots.

Mr. Frenzel said the proposed two way driveway would be in the center of the frontage along Madison Avenue. Mr. Urdang said the new lot was essentially the continuation of the parking in the front yard that already exists. Mr. Frenzel said it follows the same line and setback from the front lot line.

Mr. Frenzel said the existing lot has a series of catch basins that pick up all of the water from the parking lot and roof line. The water is collected in the system and after the rainfall event it slowly seeps back into the ground. There is no connection from that system into any system to Madison Avenue and no visible point of discharge directly into any other portion of the site. Mr. Frenzel noted that this method was a methodology that was promoted by the DEP. Mr. Frenzel said at the new site there would be Filterra devices which were catch basins that have a filtration medium in them. Any water from the parking lot would go into them and remove the suspended solids, said the engineer. He explained the DEP's criteria looks to remove 80% of all suspended

solid from the water being collected in an impervious parking lot. Those devices have been accepted by the DEP. Mr. Frenzel said there was no discharge from that system into the wetlands or the municipal system. He added a storm management report has been submitted to the Board Engineer.

Mr. Frenzel said generally the site was flat and added that there would be neither an import nor export of soil at this site. All the soil would be kept on the site and added there was a series of test pits done in conjunction with the Alex & Sons application. Mr. Urdang asked Ms. Batistic how many cubic yards for the town storm water ordinance. Ms. Batistic said the major was 200 and it would be subsumed by the zoning board but the calculations must be submitted.

Mr. Frenzel reviewed the tree management plan. He stated there has been particular attention paid to the road frontage along Madison and the buffering to the east. He said along the east they have proposed Green Giant Arborvitae which grows rapidly up to 2-3' a year. There were a few of them in the front of the property mixed in with a few other evergreen species to buffer the parking lot from Madison Avenue. Mr. Urdang asked if the function of the peripheral plants along the site was to insulate the site from the neighbors. Mr. Frenzel said absolutely. Mr. Weisbrot questioned if 66 trees were being removed. Mr. Frenzel agreed.

Mr. Frenzel discussed the lighting plan. The proposed fixtures would match the fixtures in front of the building. The fixtures along neighboring property to the east were shielded to prevent spillover of light.

Mr. Urdang asked if there would be any other governmental approvals needed. Mr. Frenzel said they would need county approval, Bergen County Soil District and did not believe they needed any further DEP approval.

Mr. Urdang commented that they needed to wait for the Board Engineer's report so they would bring back the witness. Mr. Sproviero wanted the record to reflect that the Board Engineer did not have the report because the application was only filed on October 27, 2015. Mr. Urdang understood.

Ms. DeBari asked if they would keep both entrances. Mr. Frenzel said yes.

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

Terence. Mc Mackin, 400 Madison Avenue, clarified that the existing building was 13,000 sf. Mr. Frenzel answered between 13,000 and 14,000 sf. The resident question that new building was 7,000 sf. Mr. Frenzel said the footprint would be approximately 7,000 sf. Mr. Mc Mackin questioned if it was one or two floors. Mr. Frenzel said it was two levels. The resident said it would then be about 14,000 sf. Mr. Mc Mackin questioned that they would be sacrificing 20 parking spaces for this building. Mr. Frenzel there would be a total of 71 parking spaces.

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

Dr. Eric Rozenblat, 37 Nokomis Avenue, Oakland NJ was sworn in by the Board Attorney.

Dr. Rozenblat stated he was a board certified behavior analyst, the director of the program and was in charge of the day to day activity. He stated they were a school that serves children with autism and a program for adults with autism. They currently have 28 children ages 3- 21 and 6 adults in a program beyond 21. There was 27 instructors who work a 1:1 program in the education program and 2:1 ratio in the adult program so there were 4 life skill coaches. There was also 3 administrative staff, nurse, principal, director and another 7 members in the training team.

Dr. Rozenblat discussed the program and explained some of the students that graduate from their program go on to other school settings and those who remain with them go into the adult program. Mr. Urdang asked if the adult program was conducted on site or off site. Dr. Rozenblat said both but most of them were off site because they had jobs. Mr. Urdang asked if the adults went thru the children's program. Dr. Rozenblat said they have come thru their education program and have been with them for about 20 years. With the adults that have been with them for twenty years they were working on furthering their independence. He explained the adults were in the building about 20% of the day and were off at jobs, food shopping, at the bank, learning how to order in restaurants etc. None of their adults were able to go out on their own so a staff member were always with them. He stated the staff members pick them up with their own vehicles or they have two mini vans.

Mr. Urdang asked what kind of occupancy would there be in the proposed adult building. Dr. Rozenblat said with 6 adults now at any given time there might not be any adults in the building or 6 in the early morning or at the end of the day. Mr. Urdang asked what the interior of the building was used for. Dr. Rozenblat said when they back there they still have to stimulate teaching situations which they require additional teaching and skills. He explained both programs enter at the same time but the life skill coaches will go to their parking spaces with their adult learners and enter the building.

Mr. Urdang asked if he thought the 71 spaces would be sufficient to service the needs of both facilities. Dr. Rozenblat said yes. Mr. Urdang asked if there were any other governmental approvals that would be required for the adult care. Dr. Rozenblat said they were currently a Department of Education approved provider for the children and DDD (division developmental disability) provider and would need a site approval from DDD.

Mr. Loonam asked if this program had a residential setting. Mr. Rozenblat said no. Mr. Loonam asked if there were future plans for residential setting. Dr. Rozenblat was not aware of it. Mr. Rebsch asked if there was security for accessing the building. Mr. Rozenblat said you would have to be buzzed into the building. Mr. Urdang asked if the connector breezeway between the buildings would it also be controlled. Dr. Rozenblat agreed that it would be controlled access with limited staff being able to move across. He explained the intention was to make two different facilities keeping the institute for the education program and make a distinct learning environment for the adults.

Ms. DeBari asked how old was the oldest adult and was there a cut off age that a person could go to the facility. He answered the oldest adult was 25 and they have not taken anyone in outside of their program. Ms. DeBari clarified that this new facility would be for children that would continue on. Dr. Rozenblat agreed. Ms. DeBari asked if they would take in any adults that have not gone thru the facility. Dr. Rozenblat did not anticipate that to happen. Ms. DeBari asked how many students would be able to be housed in the new facility. Dr. Rozenblat said they would never exceed 30 adults.

Mr. Weisbrot said the building seemed large for only 6 adults. Dr. Rozenblat said there were 6 adults currently and would progress over the years. He added that none of the adults students drive and they do all the driving. Ms. DeBari asked how the students ages 3-21 get to the school. Dr. Rozenblat said mostly parents drop them off but some use bus companies and they come from various districts.

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

Lori Barton, 399 Roslyn Avenue, asked what the total number of staff was now. Dr. Rozenblat said 45. Ms. Barton said there were currently 41 spaces and asked if they were aware that there is a minimum of 8 cars parked on Kehoe Court. Dr. Rozenblat was aware that cars park there. Ms. Barton said they were already 8-10 spaces deficient in their current numbers. She asked if they were increasing the parking from 41 to 71 spaces and were already 8-10 parking spaces deficient did he think the 71 would handle their staff. Dr. Rozenblat did because this would be a progression. Ms. Barton said her concern was there would not be enough parking.

Terence Mc Mackin, 400 Madison Avenue, asked what was the pick-up and drop off hours. Dr. Rozenblat said their program opened around 9 am. Mr. Mc Mackin asked when employees arrive for work. He said people arrive for work by 8:30 am for the education program and adult program they arrive around 8 am. The education program gets dismissed at 2:45 pm and the adult program gets dismissed at 3 pm. Mr. Mc Mackin suggested the times being changed because of all the flow of traffic during the day time.

Ann Marie Skrabonja, 416 Kehoe Court, started to explain the parking issues by her home. The Board Attorney explained this was the time to ask questions of the witness and there would be an opportunity at the end of the application to make comments. He added if her questions were going to be supplemented with factual predicate he would need to swear her in. The Board Attorney swore in the resident. Ms. Skrabonja asked with all the extra cars parked on Kehoe Court has he made any contingency for emergency vehicles exiting and entering Kehoe Court. Dr. Rozenblat said it was street parking. The resident asked if he was aware that cars were parked on both sides of the street right to the corner. Dr. Rozenblat was not aware of it. Mr. Urdang said the traffic engineer would be able to answer that question. The resident asked if he was aware that the garbage trucks were having problems picking up garbage because the cars were parked in front of the receptacles. Dr. Rozenblat was not aware of it. The resident asked if he was aware that the homeowners on Kehoe Court had no place to park their cars on the street. Dr. Rozenblat was not aware of it.

Motion to close to the public was made by Mr. Stokes, seconded by Mr. Rebsch and carried by all.

Ms. DeBari asked Dr. Rozenblat if he was aware of the teachers parking on Kehoe. Dr. Rozenblat was aware.

Mr. Charles Olivo, Stonefield Engineering & Design, Rutherford, NJ was sworn in by the Board Attorney.

Mr. Urdang stated they have submitted a report from Stonefield Engineering dated 10/28/15.

Ms. DeBari said for the record Mr. Weisbrot has left the meeting.

Mr. Olivo discussed the existing conditions and stated that there was currently one full movement driveway along Madison Avenue. He stated that part of the proposed redevelopment of the site (lot 32) would be modified with the new building with a connection to the school. Mr. Olivo said they conducted their counts and observations during the peak drop off and peak pick up period. They studied this from 7:15 am to 9:30 am and during 2:30 pm to 7 pm. He noted that they took some observations during the day to understand the parking situation and commented that around 2 pm the lot was full. They also observed that approximately 6 vehicles were parked on Kehoe Court. He explained in terms of parking demand today they were looking at about 47 parked vehicles that want to be parked on the site. The proposed plan provided 71 parking spaces.

Mr. Olivo stated that Madison Avenue was a county arterial roadway providing an east-west connection thru out the area and the roadway begins to see elevated traffic starting at 3pm to around 7 pm. He stated this site was busy from about 2:20 pm – 3 pm so the peak of the site was outside of the peak of Madison Avenue. Mr. Olivo said the staff does not begin to leave the site until about 3:30- 4pm. He said there was a staggered discharge of both the child students, adult learners and employees/staff.

Mr. Olivo stated that they were increasing the parking stalls to 71 which was an increase of 31. He added that if every member of the staff at the full projection of 2033 parked on the site there still was more than adequate capacity to park. Mr. Olivo said the benefit of the proposed condition was that they went from a capacity of 15 stacked cars and now have the ability to have change the queuing pattern and fit about 25 cars. They were increasing the parking capacity by 30 parked cars on the site and increasing the queuing capacity by about 10 queued vehicles on the site. There is no expectation to grow the education program for the child learners but the goal is to bring the adult learner building to the site.

Mr. Olivo discussed the projected trip generation. He stated that both driveways would operate safely and effectively at levels of service that were acceptable. He added that the site lines were open. Mr. Olivo said the adult learners all park in a parking space and were not queuing with the education program. He added that the dismissal/arrival times were not to change. Mr. Olivo

commented on Kehoe Court which he said was a public cul-de-sac designed for full navigation of a fire truck. They can ask the fire chief if they have had issues circulating Kehoe Court

Mr. Olivo added that they will provide stop bars at various locations to control the flow of traffic.

Mr. Loonam asked if this was a private school. Mr. Urdang answered yes. Mr. Loonam clarified that the number of 32 students were potentially moving forward. Mr. Olivo said that is what they included in the trip analysis generation. Mr. Loonam asked if there was a likelihood because there is an unmet need that it could increase faster than the projections. Mr. Urdang said they would recall Dr. Rozenblat.

Mr. Adelung asked if there was any overnight parking. Mr. Olivo believed the vans stayed overnight.

Mr. Urdang recalled Dr. Rozenblat.

Mr. Rebsch asked if there was a waiting list for the education program. Dr. Rozenblat said they have a referral list and only take kids as an opening appears within their program. He explained as students age out of their program or graduate there would be an opening.

Mr. Loonam had questions on their program growing faster than expected. Dr. Rozenblat said their program will never exceed 30 from the education or adult program. Mr. Loonam asked if there was a chance that there would be less demand for younger kids and a greater demand for adults or vice versa. Dr. Rozenblat said no.

Ms. DeBari asked if there were grade levels. Dr. Rozenblat answered it was age range.

Mr. Adelung said they proposed 71 spaces and questioned if there was a way in their plan to have more spaces because it was tight. Mr. Olivo said too much parking does not serve any purpose and they would want to provide vegetated area if possible. He stated they proposed 71 spaces because they were projections for 2033 assuming everything was at the peak. Mr. Adelung asked again if there was any way to have more than 71 spaces. Mr. Olivo said his only suggestion would be that the vans onsite could potentially be removed.

Mr. Rebsch thought the two access driveways were too close together. Mr. Olivo said they do need the county approval but thought getting 100' between two driveways were adequate.

Mr. Denis said there seemed to be concerns from the public with the employees parking on Kehoe Court and asked Dr. Rozenblat if that could be changed. Mr. Denis said the 71 spots would alleviate it.

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

Terence Mc Mackin, 400 Madison Avenue, asked what days he observed the traffic flow. Mr. Olivo said they conducted their counts on Wednesday, September 16, 2015. Mr. Mc Mackin said they can wait about 8 minutes to get out of his driveway and asked if he was aware of why the traffic flow stops from the Boulevard to Dumont. Mr. Olivo said because of the demand on Madison Avenue and traffic signals. Mr. Mc Mackin had concerns about emergency vehicles and asked if there was any way to alleviate this problem because they were adding onto a potential problem. Mr. Olivo said very minimal traffic would be added as part of this project. Mr. Olivo said with emergency vehicles they would use their flashers and everyone would stop. Mr. Mc Mackin said it doesn't fit. Mr. Olivo said it was a county road and does fit. Mr. Mc Mackin said he has made his own observations from living in the neighborhood. He asked Mr. Olivo if it was his opinion that adding 15-20 vehicles per day would not exacerbate the situation. Mr. Olivo said it would not significantly change it.

Motion to close was made by Mr. Stokes, seconded by Mr. Adelung and carried by all.

The Board Attorney said they may need the engineer back depending on what is in the Board's Engineer report. Mr. Urdang agreed.

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

Respectfully submitted,
Maureen Oppelaar