

BOROUGH OF NEW MILFORD
PLANNING BOARD
PUBLIC SESSION
September 27, 2011
7:30 P.M.

Chairman DeCarlo called the Public Session of the New Milford Planning Board to order at 7:45 pm. The Chairman read the Open Public Meetings Act. All recited the Pledge of Allegiance.

ROLL CALL

Chairman DeCarlo	Present
Mayor Subrizi	Absent
Council Liaison Berner	Present
Secretary Castronova	Present
Vice Chairwoman Grant	Present
Ms. Hudak	Present
Ms. Sirocchi	Present
Mr. Santino	Present
Mr. Pecci	Present
Mr. Loonam, Alt. 1	Absent
Ms. Prisendorf, Alt. 2	Present
Mr. Neiss - Attorney	Present
Mrs. Batistic – Engineer	Present

Board Attorney agreed with Mr. Santino who requested to be recused from the application due to his business property being within the two hundred feet of the application. Board Attorney said the Work Session Minutes of September 20, 2011 were officially being added to the agenda.

OFFICIAL MINUTES

Motion by Ms. Sirocchi, seconded by Ms. Prisendorf, and carried by all, to approve the September 20, 2011 minutes subject to minor grammatical corrections from Ms. Grant.

NEW BUSINESS

Application # 11-02 Gospel Fellowship Church

Mr. Gerald Tyne, offices located in Bergenfield, the attorney representing the applicants explained to the Board Members, the application before them was to seek permission to allow a House of Worship use at the former location of the Riverview Racquetball Club. He said the site is located in the A-1 zone and a house of worship is an allowable conditional use in that zone. Mr. Tyne said he believed he will show this particular use is in the best interest of the property, neighborhood and the town. He believed he would show that there was no negative criteria involved in this application. He said the applicant is asking that the resolution, which was approved by the Planning Board on 6/10/08, be part of the application for the parking.

Board Attorney said he was in receipt of the following documentation from Mr. Tyne;
A-1 – copy of applications
A-2 – copy of notices

Board Attorney said Mr. Tyne's notice mentions the June 10, 2008 resolution granted by the Planning Board, as supporting the fact that the variances that was part of that application renders the current application variance free.

Mr. Neiss said the applicant takes the position the notice that was served and published in the paper need not to contain those variances as part of this current application. The Board will note that there are variances requested on the site plan. Mr. Neiss said he needs to analyze whether or not the variances that form the part of this site plan were in fact granted as part of the earlier application. He also said he needed to research whether this application is so different from the previous application as to render it completely new. Board Attorney said he needed to research both those questions. After discussing this matter with Mr. Tyne, he said the Board Members and the Public, needed to be informed of this matter. He felt since the public was noticed, and all the witnesses and Board members were in attendance, the Board could permit the applicant to proceed. He said this would be subject to his and Mr. Tyne's further discussion, on whether the Board has jurisdiction of the current application with regard to the noticing.

Mr. Tyne agreed with the Board Attorney. He said the applicant is willing to proceed under those conditions, he emphasized that this Board has already approved the application for the parking through that 6/10/08 resolution. He said he would be introducing that resolution as part of the application. Board Attorney agreed.

Board Attorney continued on the documentation received;
A-3- affidavit of notice to property owners
A-4 -affidavit of publication in the Bergen Record
A-5 -certification of payment of taxes
A-6- affidavit of ownership of Arthur Latz
A-7- schedule of the services

Board Attorney swore in Mr. Jonathan Kim. Mr. Kim said he worked in New York. In answer to Chairman DeCarlo, Mr. Kim said he was the Deacon to the Gospel Fellowship Church and a member of the Board of Trustees. Mr. Kim said he has been a Deacon to the church and a member of the Board of Trustees for approximately eight years. Mr. Kim said the present address of the church is 10 McDermott Street in Bergenfield. He said he has about 300 members of the church, approximately 200 adults and 100 children. In answer to Mr. Tyne, Mr. Kim said the location in Bergenfield is suitable to their memberships needs however, they lack space for activities that they would like to do. Mr. Kim said the Bergenfield location has two main sections where they preform services in the one building. Mr. Kim said if the application were approved for the New Milford location they would be able to have more Bible Studies, and social gathering fellowships.

Mr. Kim said his plans for growth is approximately fifty or so more members including those who would leave. In answer to Mr. Tyne, Mr. Kim said the reason for moving from Bergenfield is was not for more members but to accommodate the current members with more space. Mr. Kim said his church is a Korean Presbyterian Church.

He said the church is run by Pastor Song, who graduated from a Presbyterian School in Korea. He was a social pastor there for a couple of years, then he moved to Israel where he was a news reporter for seven years. He was also involved with settling strife between Palestine and Israel. He said his vision is towards reconciliation between people, he likes to preach and counsel poor people and people from broken homes. He said Pastor Song is also a resident of New Milford. In answer to Mr. Tyne, Mr. Kim said his institute is incorporated. Mr. Tyne said he would like to mark the certificate of incorporation from the State of New Jersey for the Gospel Fellowship Church as a non-profit corporation as A-22.

Mr. Tyne asked Mr. Kim what the document marked as A-7 was. Mr. Kim said it was the schedule of services and gatherings for the Church. Mr. Tyne's questioned if these would be the times of services if the application was granted. Mr. Kim said yes. Mr. Kim said on Sundays they meet four times, the first service would be 8:30am–10:00am where approximately 50 members would attend. The second service or main service would be 11:00am-12:30pm where approximately 150 members would attend. The third service is 3:00pm with 70 members attending and the last service would be 6:00pm with approximately 30 members attending. Mr. Kim said they structured the time schedule to alleviate traffic issues in Bergenfield, he said they would be using the same schedule since it has worked well in Bergenfield. Mr. Kim said if the application gets an approval and they see traffic issues arise they would be willing to restructure the schedule. In answer to Mr. Tyne, Mr. Kim said for now they would like to use the same schedule in New Milford as they have used in Bergenfield.

Mr. Kim said they also have a fifteen seat church van which picks up people for the 11am main service. In answer to Mr. Tyne, Mr. Kim said approximately 25-30 cars will be attending the first service. Mr. Kim said there would be approximately 50-75 cars for the second service, which was taking the church van into consideration. He said approximately 30-40 cars would be attending the church for the 3pm service, and approximately 15 cars for the 6pm service. Mr. Kim said on Monday they have a one hour 5:30am service where 25-30 members attend with approximately 15-20 parking spaces to be used. Mr. Kim said on Tuesdays, there is the same 5:30am early morning service with the same amount of people and cars. He said at 10am they have Bible Study for approximately 10-15 members and approximately 5-10 cars. Mr. Kim said on Wednesday they have 5:30am prayer service with the same amount of people and cars. At 8:30pm-10:00pm there is a bible study with approximately 50 members an approximately 25-30 cars. He said Thursday's schedule was the same as Tuesday's schedule. Mr. Kim said on Friday they have the early morning prayer service with the same amount of people and cars. He said at 8:30pm-10:00pm they have a praise service with gospel singing for approximately 60 members and 30-40 cars. Mr. Kim said on Saturday they have nothing during the day and 8pm-9:30 they have choir practice.

Mr. Tyne asked about church services and the holidays. Mr. Kim said they have regular church service on Thanksgiving on Sunday with approximately 200 members in attendance. He said at Christmas they have one service with approximately 250 members in attendance. He said at Easter they have one service with 200 members.

Mr. Tyne asked Mr. Kim if the application is seeking an approval for a nursery. Mr. Kim said no. Mr. Kim said in the Main Room or Sanctuary is where the adults would be

seated, on one side there will be a glass barrier window and a door for exiting and entering. He said this was where children and babies would be seated with their parents in order to not disrupt services. Mr. Kim pointed to the architectural drawings, from Mr. Elkin marked P-11, where the crying room would be located. In answer to Mr. Tyne, Mr. Kim said the crying room is not a nursery. Mr. Kim said there would be also be a room for youth services which was mainly used during the second church service where approximately 30 youth's would attend. He said when they are done with the service, and while waiting for their parents, they could use that room for activities such as basketball. They were thinking about installing a basketball hoop. Mr. Kim said as part of the church services they would have bible study classes for the children which would be located upstairs. In answer to Chairman DeCarlo, Mr. Kim said there were men and women restrooms located downstairs. Chairman DeCarlo asked Mr. Kim if all the elementary classrooms would be upstairs. Mr. Kim said yes. Mr. Tyne asked if there would be a retractable wall in the classrooms. Mr. Kim said yes. Mr. Kim said there would be a commercial kitchen on the first floor and a multi-purpose room.

Mr. Kim said they would like to welcome the community to attend the services, they have English translations available. He said they would welcome anyone celebrating weddings or other services. He said they would like to offer scholarships to various youth groups. In answer to Mr. Tyne, Mr. Kim said his church is open to all denominations. In answer to Mr. Tyne, he said they would welcome all community groups such as Lion's Club, Knights of Columbus, boy and girl scouts, etc.

In answer to Mr. Tyne, they are not looking to make too many changes other than changing the interior to suit the church's needs. He said they are also going to upgrade all the bathrooms and make sure the air conditioning and sprinklers are replaced. They also would like to waterproof the floors and the bottom half of the walls in case of flooding. He said all electrical receptacles would be raised up to three feet from the ground. Mr. Kim said all the seating will be folding chairs this way they can collapse and store them easily in the event of heavy storms.

In answer to Chairman DeCarlo, Mr. Kim said the rooms would be used for kindergarten through elementary school students, and used mostly during church services on Sunday. He said since the walls would be retractable they could use the classrooms for group learning or separate them for individual classrooms. Chairman DeCarlo asked if there was any outside branches of the church that would utilize the classrooms for bible studies or any other type of classes. Mr. Kim said they have never been approached to offer the classrooms and there are no plans to do so, the classrooms would be used for the church members' children. Chairman DeCarlo asked Mr. Tyne if the architect would be testifying with regard to the upstairs bathrooms. Mr. Tyne said yes. Chairman DeCarlo was concerned about opening the building to the community with regard to weddings. Chairman DeCarlo felt that would change the intensity of the use. He said he wanted to be clear on what was being proposed. Chairman DeCarlo said the schedule of services was clear and fit in conformance with other area churches. He said it was admirable to open the church to the community but that changes the way the Board Members may have to decide what the overall and ultimate use of the building would be.

Mr. Kim agreed with Mr. Tyne what he meant was if people from New Milford wanted to hold a wedding, the church would be open to assist but if the Board felt that would be

detrimental then he would have no problem not having wedding services. Chairman DeCarlo questioned if the church would open for weddings service and reception ceremony. Mr. Kim said he would like to speak with the other Board of Trustees because there wasn't a set plan. Chairman DeCarlo said the Board needs to be clear before making a decision whether it be for or against the application or approving it with conditions. Mr. Kim said so far they have not decided which way they wanted to proceed with regard to wedding celebrations, they wanted to offer it to the town and they are willing for the Board to direct them with rules or regulations.

Mr. Castronova said two weeks ago at the work session, a growth of 100 members was mentioned. He said Mr. Kim testified that they expected only a 50 member growth between three-five years. Mr. Kim said he didn't testify before today. Mr. Tyne said he was unaware of 100 members number being used but after direction from the Planning Board and a meeting with the Board of Trustees and Pastor the number they arrived at, was 50. Mr. Castronova felt that is a big difference in numbers. Mr. Tyne said the church has testified they wanted to remain small and not grow. Mr. Castronova said but they outgrew the Bergenfield Church which is why they are looking for a bigger space. He felt the main objective of businesses is growth and he felt in all probability there would be growth and he would have to take that into consideration. Mr. Tyne said there was also a probability of a decline in membership. Mr. Kim said they have other churches in Flushing, New York. He said when the congregation got too big they split up into another church. He said they like to remain a small, manageable membership and that was their goal. Mr. Neiss asked if Flushing, New York was the closest Korean Presbyterian Church affiliate. Mr. Kim said he knew of few others in New Jersey but could only think of churches in Norwood and Old Tappan. Mr. Kim said there is not too much interactions with the other churches.

Mrs. Prisendorf said if they were not looking for more congregates, and the goal is to not get bigger, what did the building in New Milford offer then what they have in the Bergenfield building. Mr. Kim said the main objective is for the space. Mr. Kim said the building in Bergenfield was a type of warehouse that housed a landscaping business in which they stored their equipment. He said there were two sections to the building where they would have one service for the adults on one side and the other for the children bible studies. He said the New Milford space would allow the children to be more separate classroom feel and they could decorate their rooms. In answer to Mr. Tyne, Mr. Kim said there was mainly street parking and some parking at the PNC bank where they were granted some spaces to be allowed for their members. He said in the seven years they were there they had never had any complaints with regarding traffic issues. He said they also never had any complaints from the town, police or fire department. In answer to Mr. Tyne, Mr. Kim said the New Milford location is more desirable then the Bergenfield location.

Mrs. Prisendorf noted that Mr. Kim testified to social gatherings, she said this is not on the schedule of meetings sheet (A-7), and asked when they are going to be held. Mr. Kim said social gatherings refer to what is called a fellowship and they are usually held on Sundays after the services they like to get together for coffee or have a meal. In answer to Mrs. Prisendorf, Mr. Kim said the commercial kitchen is because they would like to eat lunch after services. In answer to Mr. Tyne, Mr. Kim said the fellowship is over before the next parishioners arrive for the next service to avoid congestion.

Ms. Hudak asked if they have social gatherings or wedding receptions at the current location. Mr. Kim said no they do not, and they don't intend charge for any type of rental. Ms. Hudak asked if the architect would be testifying as to how many people could fit in the multipurpose room. Mr. Tyne said yes. Mrs. Hudak asked Mr. Kim if there was potential of going over the allowed for a wedding celebration. Mr. Tyne said the architect would be testifying to that as well.

Councilman Berner said he wanted clarity on the holiday schedule. Mr. Kim said on Christmas, Thanksgiving they have one service, even if the holiday falls on Sunday. He said Easter they have the normal Sunday four services and they also have an 11:30pm New Year's Eve service. Councilman Berner said he was unsure why the children who are all under sixth grade are being located upstairs, where it would be difficult for emergency services to get them down the stairs, and out of the building, whereas the multipurpose room and youth room are to be located downstairs. Councilman Berner said he also had concerns of only one small lavatory being upstairs and the children having to go downstairs to use the restroom facilities. Mr. Tyne said the children would be in the classrooms for approximately one hour and it was his understanding that there would not be a great need for the children to use the bathroom consistently within that one hour. Mr. Kim agreed. Mr. Tyne said the architect would testify as to the children getting out safely with emergency services in the event of an evacuation.

Vice Chairwoman Grant, asked if this schedule subject to change. Mr. Kim said this schedule has been utilized for the past year and it seemed to be working well. Mr. Kim agreed nothing is written in stone, but he felt comfortable saying that people are used to this schedule and he felt it would work well in New Milford. Ms. Grant asked if the church were to grow would other services be added on Sunday or another day. Mr. Kim highly doubted another day being changed. He said Sunday maybe changed. Ms. Grant wanted clarification on the amount of members. Mr. Kim said 300 members including children. Ms. Grant asked how many times the church van is used. Mr. Kim said just once for the 11am service and it carries fifteen people. Ms. Grant asked how they determined the amount of cars being proposed. Mr. Kim said they approximated the membership with regard to some people who have kids and don't have kids and they averaged it out. In answer to Ms. Grant, Mr. Kim said there were no rules on how long a family could stay at the social gatherings. He said the schedule has been working and they haven't had a problem of overlapping.

Chairman DeCarlo said since they are going through the expense of installing a commercial kitchen, he asked if it would be used for larger type events. Mr. Kim said they have lunch after every service. The kitchen would be used to serve mainly rice and soup. In answer to Board Attorney, he said that's typically what they have. He said they have no plans to hold large events. In answer to Councilman Berner, Mr. Kim said the architect would testify with regard to preparation for floods and the proposed kitchen equipment. In answer to Chairman DeCarlo the Bergenfield space does not have a cooking facility. People cook the food at home and bring it to the church. He said it is very inconvenient, and the kitchen is being proposed for that reason. In answer to Mr. Neiss, the parishioners would eat in the multi-purpose room, on folding tables and chairs. He said the tables would not be set up all the time. In answer to Ms. Sirocchi, Mr. Kim said the multipurpose room would be utilized after services for lunch, coffee and tea. He could not think of another reason that room would be utilized for. In answer Ms.

Sirocchi, Mr. Kim said approximately 300 folding chairs would be in the Sanctuary. Ms. Sirocchi said she wanted clarity on renting out the multi-purpose room, kitchen, pantry for any type of party wedding, reception, or gathering. Mr. Kim said they would not be renting any of the rooms for any fee. In answer to Ms. Sirocchi, he said they most likely would have wedding receptions for their members where the couple would be handling the catering.

Motion by Ms. Sirocchi, seconded by Ms. Prisendorf, and carried by all to open the meeting to the public to ask Mr. Kim any questions.

Frank DeBari, asked if comments were allowed at the end of the application hearing. Chairman DeCarlo said yes, but he would like people to address this witness at this time.

No one else wished to be heard.

Motion by Ms. Sirocchi, seconded by Mr. Castronova, and carried by all to close the meeting to the public.

Mr. Roger DeNiscia, offices in Montclair, was sworn in by Board Attorney. The Board listened to and accepted Mr. DeNiscia credentials as a professional planner. Mr. DeNiscia's credentials were marked as A-10. Mr. DeNiscia said he reviewed the plans and the church use is permitted in the zone district at the former racquetball club location. He said the application is variance free, at least until the Board's Attorney completes his review as addressed previously. Mr. DeNiscia said he reviewed the zoning ordinances, prepared a photo exhibit board with seven photos, and made inspections of the site. The photo exhibit was marked as A-23. Mr. DeNiscia explained each photo to the Board.

He said the site is accessed from Henley Avenue where the access to the parking lot is through a driveway located on Henley and accesses the parking lot in the rear of the building. He said the parking lot currently holds approximately forty-nine cars. He said there is no access to this driveway from Harvard Street, however there is an existing driveway cut that is no longer being used. He said the rear of the site has a substantial wooded area. He said the building is no longer occupied and in a state of disrepair.

Mr. DeNiscia said the positive aspect of the application is that the exterior of the building would not have to be changed. He said the only site plan work that is needed is converting the existing forty-nine (49) parking spaces into the one-hundred and nineteen (119) parking spaces. He said right now there is not a storm water management system. He said the engineer will explain about the additional parking area, and that they will be providing a storm water management system to provide assurance to drainage impact. Mr. DeNiscia said he reviewed the schedule of meetings. He felt the church staggered their meetings sufficiently with enough time in between. He said people from the next service could get into the driveway without conflict to the people at the previous service who would be exiting out onto Harvard Street. Mr. DeNiscia said the residential portion of Harvard Street has been blocked off so it is no longer a through street. He said the engineer and traffic expert will discuss that in more detail. He felt the proposed use of a house of worship was an inherently beneficial use. Mr. DeNiscia said the site is situated in the L-1, light industrial zoning district. He said the houses of worship are a permitted use in the zone district. He said because there is no increase in size, height or any other

bulk variances associated with the application, the only standard that is affected is the parking. He said as a result of that, pending the review of the Board Attorney no variances are requested with this proposed application. He said negative criteria is used when there are variances associated with the application. He said he was taking that perspective, until the Board Attorney review has been completed. He said there was a sizable expansion in terms of the parking area. He said while that will not generate any bulk variances it will result to added traffic to the roadway and also added impact on accommodating the number of cars to be parked. He said for that reason a separate traffic study was preformed and the Board will hear the traffic expert's testimony. He said he reviewed the traffic study and the indication was that this application will not have any substantial traffic impact.

Mr. DeNiscia said the only standard that can be applied will be the Federal Religious Institutionalized Person's Act. He said the court's established criteria to review and evaluate variances associated with inherently beneficial uses. He made the Board aware of the Federal regulations. He said the Congress adopted this standard because in most States, unlike New Jersey, that has no standards for houses of worship. He said that Federal legislation requires compelling public interest to deny any houses of worship application. Mr. DeNiscia said obviously traffic and circulation is a compelling public interest which is why the Board asked if there was going to be a traffic study done. Mr. DeNiscia said in the matter of public interest in his professional opinion he felt the traffic study is not compelling, because there are no zoning standards for traffic and parking impact. He said there are zoning standards for the number of parking spaces but they are not seeking a variance for that.

Mr. DeNiscia said the law does allow Boards to add conditions to an approval. He said some of the issues brought up with Mr. Kim's testimony could be considered as stipulations of an approval, such as the scheduling of meetings, and whether to allow outside organizations use for weddings, or to limit the number of people to use the multi-purpose room to further control the extent of development of the site which would not violate the Religious Act. Mr. DeNiscia addressed the Board that the detriment has to be substantial in order to deny the application in accordance with the Federal Religious Act. In answer to Mr. Tyne, Mr. DeNiscia said in his professional opinion he recommends the Board to approve the application due to the application seeking no variances and the traffic and parking impact will be non-existent or minimal.

Mrs. Prisendorf said what seemed to be lacking in this testimony is that this is a flood zone, and the police and fire department have gone above and beyond the call of duty to rescue people. She said people woke up in the morning and they didn't see any water and then at 2:00 in the afternoon they had three feet of water in their homes and businesses. She said in her personal opinion flooding is a huge issue especially when children are involved and the people who may need to be rescued. Mr. DeNiscia said that was a very good concern and the engineer would address that issue. Mr. Castronova said he felt the main negativity of this application was the traffic and parking. He said there will be a possibility of additional 75-100 cars. He said there is only one way in and one way out. He said if there are 100 cars coming out maybe 8-10 traffic light cycles would be needed to clear them. Mr. DeNiscia said the traffic expert will address that concern. Chairman DeCarlo asked if he spoke with anyone from the County, because Henley Avenue is a County Road and he did not know if that portion of Henley Avenue is considered a

County Road. Mr. DeNiscia said the engineer would be better suited to answer that question. He did not make any contact with the County.

Mr. Pecci wanted clarification on the number of proposed parking spaces. Mr. Tyne said Mr. DeNiscia did his report before the receipt of the Fire Advisory letter recommending the applicant to remove for three spaces. Mr. Tyne said the proposed parking spaces would be 115.

Board Attorney asked if he was aware if the applicant was going to have any signage and would that change his analysis. Mr. DeNiscia said he was sure the applicants were going to want people to know where the church is located and he thought since the use was permitted he would assume the applicants would comply with the sign ordinance. He said he thinks it would be a good idea to have a sign. Board Attorney said after reviewing the schedule of meetings and hearing Mr. Kim testimony did he do any analysis of an incredible over abundance of parking. Mr. DeNiscia said the traffic expert has better references would be better suited to answer that question. Board Attorney said when Mr. DeNiscia mentioned circulation did he mean inside the parking lot or around the whole site. He said around the whole site. Board Attorney said from a planning perspective if that worked. Mr. DeNiscia said he thought it worked fine but the traffic expert would go into more detail. He said most of the traffic would be on Sunday when most of the industrial uses around the site will be closed. He said when there was a racquetball club at the site, the businesses all around were open because it was mainly used during the week, and there weren't any traffic issues in the past. Vice Chairwoman Grant asked if he did a study with regard to the neighborhood and flooding, Mr. DeNiscia said that question should be asked to the engineer. Chairman DeCarlo said if he felt there would be an impact on existing businesses in that area. Mr. DeNiscia said the traffic expert was better suited to answer that question.

Motion by Ms. Sirocchi, seconded by Ms. Prisendorf, and carried by all to open the meeting to the public to ask Mr. DeNiscia any questions.

No one wished to be heard.

Motion by Ms. Sirocchi, seconded by Mr. Castronova, and carried by all to close the meeting to the public.

Mr. Bahnan Izadneh, was sworn in by Board Attorney. Mr. Izadneh said he was a traffic expert and civil engineer. Mr. Izadneh resume was marked in as A-9. The Board accepted Mr. Izadneh credentials as a professional traffic expert. Mr. Tyne showed Mr. Izadneh documentation marked as A-20. Mr. Izadneh said that was his traffic impact study he prepared for the applicants regarding this project.

Mr. Izadneh said he visited the site on two occasions one being on Thursday during morning rush hour and again at the evening rush hour, and the other being on Sunday from about 11:30am to about 2:00pm. He said the report was broken down into three sections, a brief introduction; the first section is a project description, which consists of the existing conditions of the site and neighborhood. The second section is a traffic impact analysis that the change of use may have on the neighborhood. The last section was a brief discussion and conclusion regarding the study.

Mr. Izadnehr said the site is currently vacant and is located at the corner of Henley Avenue and Harvard Street. He said Harvard Street used to be a two-way street but now the residential section is blocked by a road barrier from the industrial zone. He said there is no access to the commercial area from the residential side of Harvard Street. He said the building sits on a two-acre property which currently has about 49 parking spaces. The building has a footprint of approximately 15,000 square feet. Inside the building has about 22,000 square feet based on the real estate information he reviewed. The building is partially two-story and the proposal is to convert the existing building into a house of worship.

Mr. Izadnehr said the proposed development consists of the main Sanctuary of approximately 5,000 square feet, also proposed is a kitchen, multipurpose room, bathrooms, classrooms, and a youth area.

Mr. Izadnehr said he was at the intersection of River Road and Henley Avenue on three different occasions, he said the traffic signal ran very well. He said he admired the County and the Borough Officials who have upgraded the traffic signal. He said the traffic signal used to be a fixed time controller which meant the times were preset and predetermined by a traffic engineer. He said the traffic signal was set for 60 seconds on River Road and 30 seconds on Henley Avenue. He said the County felt that corner was unsuited for that type of signal and they upgraded the traffic signal with cameras. He said anytime there is traffic on Henley Avenue the video detection will detect those cars and provide adequate timing in order to cross River Road. The same thing has been done on River Road from the left turn approach going southbound making a left onto Henley Avenue. The County has provided two push buttons for pedestrians crossing River Road. He said the signals operated very well on the occasions he visited.

In answer to Mr. Tyne, Mr. Izadnehr felt there would be no traffic impact because if there were a queue of people on Henley Street the traffic signal will provide more time for those cars to pass through the intersection. He said he visited the site on Sunday because that would be more appropriate due to the proposed application having the most traffic on Sunday early afternoons. He said he rated this intersection a B, with A being the best and F being unacceptable. He said based on the traffic data he collected on a Sunday and analyzed it with the Federal procedures. He said based on the discussions he had with the applicants and based on the review of the services schedule, he said they expect approximately 100 parents and 50 children during the Sunday mass, he said that basically means approximately 50-75 cars. He said in answer to a previous Board member's question the applicants are providing 115 spaces where the town requirements are 108 spaces. He said it was advisable to provide more spaces to allow for any overlapping due to the staggered services. He felt there was sufficient time between the services to allow parishioners to enter and exit at different times. He would advise them to have additional spaces over the 75 intended spaces. He said especially in the case of Holiday services or any special event. Mr. Izadnehr said there will be plenty of parking provided in the lots however, if the need ever to occur there is plenty of parking on the streets because the area businesses would be closed on Sunday and the other businesses that are open are located at the top of Henley and not affected by any additional overflow on street parking on Harvard Street or the end of Henley Avenue.

Mr. Izadnehr said in regarding the traffic he felt that all the people would not be leaving

at the same time. He said you cannot leave all at the same time because you still have to queue up. He said the light will provide the maximum amount of time to cross the River Road intersection, whether it is to make a left, make a right or continue straight through. He said there has to be a balance otherwise River Road would be backed up and the County has provided that balance due to the cameras on the traffic signal. He said compared to the athletic club which was used during peak hours during the weekday. He said there would be less impact with the conversion into a church because the peak hours are not during the week.

In answer to Mr. Tyne, he provided a graphic comparing the church to the athletic club. He said in the report the square footage of the building was listed as 15,000 however the square footage is closer to 22,000 square feet including the second floor. He said based on those calculations the total traffic of the athletic club would be 160 cars, mainly 78 cars entering and 82 cars exiting, during the peak hours on a weekend. He said when comparing the church he used the worst case scenario, of 15,000 square feet being used, not just the Sanctuary. Using this calculation he came up with 179 cars, which would not be the case as they would not be utilizing the entire building for religious activities. He said there was a difference of only 19 cars for a worst case scenario. He said during the week the athletic club would have had a lot more traffic, than the church use as shown in the graphic. He said also during the week there is a lot more traffic on the streets on both River Road and Henley Avenue due to commuting hours. He said using these calculations, in his professional opinion; there will be absolutely no impact on traffic compared to its previous use. He said due to the church services are mostly busy on a Sunday he felt that worked in the town's favor by balancing the traffic.

Chairman DeCarlo asked Mr. Izadnehr how he felt the local businesses, in which some are open on a Sunday, would be impacted. He said the applicants' busiest mass would be ending at 1:30pm. Mr. Kim testified that they have social services after the Sunday mass and he said using the scenario that people would start leaving at 2:00-2:30pm. He said that would be after the restaurant owners' peak times. Councilman Berner asked if Mr. Izadnehr asked the business owners if that was their off peak hours. Mr. Izadnehr said no. He felt Mr. Izadnehr couldn't make that generalization that was off peak for them without speaking to them. Councilman Berner said according to the schedule there is a service that ends at 10am; he said that's about the time he is going to the Garden Cafe for breakfast on Sunday. He questioned if he was going down Henley Avenue and making a left turn into Garden Cafe's parking lot, and there will be 20 cars online from the church patrons, is he going to be stopping traffic up Henley Avenue all the way past River Road. He said Wine and Roses is open on Sunday, Jersey's Boy's is open on Sunday, Toro's is open on Sunday, the nail salon he believed was open on Sunday as well as Garden Cafe, all of which parking lots exit and enter onto Henley Avenue. He said I don't know if you could make that generalization that all those businesses would be off peak hours.

He said what Sunday Mr. Izadnehr did his study. Mr. Izadnehr said he made his observation this past Sunday. He said he did not see any traffic issues while he was there over two hours this past Sunday. Councilman Berner said but that would be an observation without a line from the church parishioners to see how the traffic would be impacted. Mr. Izadnehr said the restaurant was 75 percent full. He said he would see one, maybe two cars waiting to exit Henley Street. Mr. Izadnehr said the traffic light will assist the parishioners because the most critical turn in traffic is a left and while the left is

being made onto River Road people could enter the businesses. He said he observed no more than two cars in a queue waiting at the light. Mr. Berner said that there is a significant incline on Henley at the intersection and asked how many cars could go through the light maybe 3 or 4 cars. Mr. Izadneh said 10 cars went through the light. He said he observed two cycles where 10 cars were in line and they were all able to get through the light. He said he saw a line of about 10 cars waiting to go westbound onto River Road and at the next cycle there was a clear intersection. He said the operation is excellent. Mr. Izadneh said he was a professional traffic expert and he has been doing this for 25 years, he stated he teaches students about traffic impact.

Councilman Berner said after the second service in which 75-100 people would be in attendance and the estimate would be about 50-75 cars parked for this service. He said there could be line of 30 cars waiting to exit. He said in his professional opinion this would never happen, he said he has designed over 2000 traffic signals in his life. He said you would see at most 15 cars waiting on a line, from the church and restaurants, 10 cars would be let through at a time because that would max out the time limit then there will be 5 more cars plus the next group will line up.

Vice Chairwoman Grant wanted clarification of how long was Mr. Izadneh there for on Sunday, because she felt it did not coincide with the report which stated 12am to 1am. Mr. Izadneh said he was doing a traffic count for one hour and he observed for the other hour. He said the report reflected the time he was doing the traffic count. Mrs. Prisdorf said the report stated 12am-1am. Mr. Izadneh apologized it should be 12pm-1pm. Vice Chairwoman Grant questioned why he chose the hours from 12pm-1pm to do the traffic count when that was not the church's peak hour. He answered that is a recommended time for peak hour for weekends, not the peak hour for the church. Ms. Grant questioned if it would be more prudent to do a traffic count for the church's peak hour and how that would affect the neighborhood. He said its not the church area that would be impacted but the intersection that would be affected by the proposal, which is why he went during the recommended peak hours for the study. Mr. Izadneh said he was there from approximately 11:30am-2pm and the intersection would no longer be impacted after then. Ms. Grant said there was another service scheduled at 3pm and she was curious how that would impact the intersection during the other service times because the area businesses would still be open. Mr. Izadneh said those services have less members attending. Ms. Grant felt 30-40 cars at the 3pm were a lot of people. Mr. Izadneh said this traffic light performs well during the weekday peak hour times. She felt she does not have an accurate picture of how the traffic will impact the intersection. She felt two hours was not enough time to give an accurate study.

Mr. Izadneh said there is limited number of funds for the applicant, so typically traffic experts around the country pick peak hours to do traffic studies. Councilman Berner agreed and he felt the town needed an accurate study. Councilman Berner also felt this study was inaccurate. Councilman Berner said he worked for a real estate developer and he did four counts to give the town sufficient evidence that the numbers were reliable. Councilman Berner said what he was concerned about was about these peak times during the services throughout the day and how they will impact this community.

Ms. Hudak said she was there on Sunday having lunch and she said it was unusually quiet. Mr. Izadneh agreed. Mr. Castronova felt all the charts and graphs didn't hold any

water in his opinion because there would be a strong possibility that between 1:30 and 2:30 there could be 70 cars coming out of the parking lot, and possibly another 20 cars going in for the next service. He said Henley Avenue cannot hold 90 cars; it will take 10 traffic light cycles to remove all those cars. Chairman DeCarlo said he understands how it's not typical to stand out at the traffic light for 8 hours. Chairman DeCarlo said there could be a possibility of weddings and large amounts of people gathering in one location in this assembly. Then leaving around the same time, maybe staggered hours but at a minimum there could be 15-20 in a queue waiting to go up Henley Avenue and that most certainly in his opinion is going to impact the businesses at any given time. He said this schedule could change he said a one hour snapshot is not viable.

The Chairman questioned Mr. Izadnehr as a traffic expert and a planner if he felt one way in and one way out is sufficient. Mr. Izadnehr said definitely because it is like a circle. He said in his estimation the queue will not be more than 15 cars. Chairman DeCarlo said from the church. Mr. Izadnehr said no, from the church traffic, and the current businesses. Mr. Izadnehr explained that if he goes back this Sunday and sees 4-5 cars in the queue he still has to add the congregation to the projections, because the church does not exist. He said unless he goes to a similar church and count the actual cars lining up to an intersection similar to this one. He said he was willing to do that. Vice Chairwoman Grant asked if he did a traffic study at the church on River Road just before Route 4. Mr. Izadnehr said no, he has done other churches but not that particular one. Chairman DeCarlo suggested that might be something to look into. Mr. Izadnehr agreed, he said because the formulas to use the square footage of the building and the church's schedule of services will still only yield an estimated figure. That is why he did a comparison of the prior use and the proposed use. Vice Chairwoman said comparing the two uses are not compatible, because the racquetball club did not have a large gathering of people whereas people left throughout the day and night.

In answer to Mrs. Prisendorf who asked if the study took into consideration most of the people would be going back to Bergenfield. Mr. Izadnehr said the parishioners are from all over, not just Bergenfield. Mr. Tyne said obviously the Board has a lot of questions with regard to traffic. He said he would like to bring the traffic expert back with some more information to satisfy to the Board.

Chairman DeCarlo said he would like to give the public a chance to question this professional. He said it might give him more information when he returns to the Board next month.

Motion by Ms. Sirocchi, seconded by Ms. Prisendorf, and carried by all to open the meeting to the public to ask Mr. Izadnehr any questions.

Mr. Lou Denis, owner of Wine and Roses and the Garden Cafe, said he has been on that corner for over 25 years. He said that intersection was the third busiest traffic light in Bergen County. He explained River Road is a thoroughfare it goes from Route 4 all the way down to Mahwah. He said there are two major churches in the area and the traffic flow doesn't start until 1pm. He said being on that corner for over 25 years he has witnessed River Road has traffic. He said the train parking is an issue to consider to get in and out of the city to watch football games. He said Curtis Circulation staggered its work hours just so his own people could exit the parking lot and get out onto Henley

Avenue. He said before they staggered the work day, the traffic impact of all 50 employees leaving at one time was enormous. He said he is not opposed to a church, however he felt the traffic will affect the neighborhood. He said there is also two major gas stations on that corner where he witnessed a line of cars going both ways onto River Road. He felt it was going to be a nightmare exiting out onto River Road for the church patrons. He felt proposing a church with one way in and one way out was a disaster waiting to happen. He said he was sorry to see the gym go, but at no time did he have 10- 20 cars leaving that driveway at the same time. He felt there is no comparison with the gym and a church for the impact of traffic.

Mr. Pat Santino, owns the property adjoining the proposed application. Mr. Santino said he owns the strip mall where Harvey's, Jersey Boys, Toro's Mediterranean Food, nail salon and more store tenants as well as apartments above the businesses. He said one Sunday does not represent the true traffic in that area. He said he has owned his business for over 30 years and he seen a lot of businesses come and gone. He explained how Sunday is usually a big party day. Jersey Boy's usually has parties starting at 11am and typically last 4 hours. He said the parking lot is usually packed. He said there is typically a line trying to make a left hand turn onto Henley to get up to River Road. He said when the Racquetball club would hold events he would get called at home on a Sunday's from the businesses that were open saying the parking lot was totally packed and their customers could not get in. He said this area has had traffic problems before. He said he was not against the church; however he cannot see how this could not negatively impact the area. He felt it would impact the surrounding businesses and his businesses complex too. He is very concerned and it was a big concern to his tenants too.

Chairman DeCarlo recommended Mr. Izadnehr to perhaps speak with the long time business owners prior to the next meeting because they hold a wealth of information.

Mr. Art Latz, one of the owners of the Riverview Racquetball Club said he has been involved with that property for 40 years. He said he only wished that the traffic that the people are explaining happened, because he wouldn't have had to sell the property. He said he didn't remember ever waiting at that light. He said Lou Denis is there more but he has been there longer. He said he never seen more than 3 or 4 cars at the most. He felt the traffic issue was being beaten to death. He said he is not saying at one time there could have been 10 or 11 cars waiting, but generally there was not a huge impact to the intersection. He said he had tournaments at the club and hired additional staff but he never seen any type of traffic problem with additional cars on Henley Avenue. He said he knew River Road was a busy street. He felt there would not be any great impact to River Road with a small member church. He felt the Board's should not have concerns with regard to the impact of traffic to the neighborhood. He said the Board should check with the police department to see if there was ever any traffic or accident problem. He said he could only remember one fender bender they had at that intersection.

Chairman DeCarlo said the police and fire departments as well as other departments are always involved in these all Planning Board applications. He said they have received letters from the different departments they just didn't have enough time this evening to read them into the record. He assured Mr. Latz the police department among others would be an intricate part of the process.

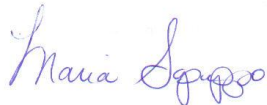
Motion by Ms. Sirocchi, seconded by Mr. Castronova, and carried by all to close the meeting to the public.

Chairman DeCarlo said he understands Mr. Tyne has more experts to testify but due to the time and the length that everyone has been there for he felt it best to stop the meeting at this point and they can reconvene with Mr. Izadnehrr at the next meeting. Chairman DeCarlo strongly suggests the traffic expert comes back with numbers that are more reflective of what the likely use and the volume, intensity and the time lines would be, and how it would affect the local businesses. He said he felt there were enough questions from the Board for him to come back with more information that could satisfy their concerns. He said the town just received a grant to expand the street scape up to Henley Avenue and all this intensity is going to impact the area.

Board Attorney asked if another traffic study would be prepared or amended. Mr. Izadnehrr was unsure. Board Attorney said they received this report tonight and he would like to request if another report was going to be submitted they would need sufficient lead time in order for the police department as well as the Board time to review. Mr. Izadnehrr agreed.

As there was no further business to be conducted by the Board, a motion to adjourn was offered by Mr. Castronova seconded by Ms. Grant and carried by all. The Public Session to hear this matter would be held on October 18, 2011 at 7:30 pm.

Respectfully submitted,



Maria Sapuppo
Recording Secretary