

**Borough of Ho-Ho-Kus
Bergen County, New Jersey
Planning Board Minutes
July 31, 2014
Special Meeting**

Meeting Called to Order at: 7:33PM

Open Public Meetings Statement: Read into the record by the Board Secretary.

Roll Call: Messrs. Berardo, Corrison (absent), Pierson (absent), Reade, Cirulli, Newman (absent), Iannelli (absent), Councilman Rorty, Chairman Hanlon, Mayor Randall

Approval of Minutes: Councilman Rorty, Reade
May 15, 2014

Ayes: Berardo, Reade, Cirulli, Councilman Rorty, Chairman Hanlon, Mayor Randall

Also in Attendance: Mr. Gary Cucchiara, Board Attorney; Mr. David Hals, Borough/ Board Engineer; Mr. Ed Snieckus, Borough Planner; Ms. JoAnn Carroll, Board Secretary.

Mr. Paul (S.K.) Kim, Ho-Ho-Kus United, Inc., 1 Sheridan Avenue, Block 1007, Lot 8: approval of Tae Kwon Do center with three parking spaces rented from the Borough for employees.

Chairman Hanlon: stated Mr. Berardo had a discussion with Mr. Kim regarding signage.

Mr. Berardo: stated the Board Secretary sent a complete sign application to Mr. Kim; Mr. Kim has yet to contact Mr. Berardo.

Ongoing Business:

Hollows at Ho-Ho-Kus, Chamberlain Developers, W. Saddle River Road/Van Dyke Drive, Block 802, Lots 1, 2, 3, 4 and 10: major subdivision application; the applicant proposes to construct and market single family dwelling units on each of the properties; major soil movement application.

Chairman Hanlon: gave specific instructions regarding procedure; a motion will be made and a vote taken; following month the Board will present the resolution; the Board will review and vote on the resolution; this becomes the Board's official legal record of the hearing.

Mr. Inglima: stated he believed there was some confusion on the part of the public and possibly for members of the Board; at the conclusion of the last meeting there was a discussion regarding the order of presentation of the soil movement application after the subdivision application and the vote on each of those applications; Chairman Hanlon characterized it as an agreement; Mr. Inglima had raised a question about it and then objected to the idea that the applications would be presented sequentially; felt that it was proper for the applications to be the subject of testimony and cross examination at the same time; it was his understanding that the Board ruled against this objection and allowed the applicant to present the two cases sequentially; however the question arises as to whether a vote will be taken on the subdivision application before the beginning of the Planning Board Minutes, July 31, 2014

soil movement application, or whether there will be two votes at the end of the whole process or one vote that covers everything at the end of the process; wants to make sure all parties are on the same page.

Mr. Cucchiara: stated it was his understanding there would be two votes after the soil movement application was presented and certainly any evidence presented in connection with that.

Mr. Whitaker: stated that was his understanding.

Mr. Cucchiara: stated that issue is resolved and asked if Mr. Inglima had any other issues to discuss.

Mr. Inglima: stated the other issue is an item Chairman Hanlon omitted from his discussion earlier; Mr. Inglima wants to know when the municipal consultants are going to give their testimony and be submitted for cross examination by him or members of the public.

Chairman Hanlon: stated the Board may introduce its experts based on all the testimony for both applications; subdivision and soil movement.

Mr. Inglima: stated his clients, through him, wish to cross examine both Mr. Hals and Mr. Snieckus with respect to their reports and to their opinions based on the testimony even if they are not presented affirmatively as witnesses for the Board; wants to know when that will take place.

Mr. Cucchiara: asked for clarification.

Mr. Inglima: stated he understood if the Board wanted him to complete the testimony of his client's witnesses and then he would cross examine them at that time; wanted to know the procedure the Board was following.

Chairman Hanlon: stated after tonight's presentation and Mr. Inglima's clients, the public would then be asked to make their comments; the Board is learning from all the parties going forward; after that is done, the Board will then go to the soil movement application and go through that process; after that process is done, the Board and its experts, or any other experts the Board may bring on board, have listened and heard the entire testimony from beginning to end; at that point they will then make testimony to the Board and to the public and of course be open to cross examination from Mr. Inglima and Mr. Whitaker.

Mr. Inglima: asked if that was in regards to both applications.

Chairman Hanlon: stated that was correct.

Mr. Inglima: stated he had received the Shade Tree Commission's July 30, 2014 review letter from the Board Secretary on this date.

Chairman Hanlon: stated for the record that this evening all members of the Board had received the report from the Shade Tree Commission; copies were presented to both attorneys and all involved; their will be a copy in the applicant's file for the public to review.
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Mr. Inglima: asked for the Shade Tree Commission report to be marked **Exhibit B10**; assumed that all reports from any municipal agency as well as correspondence from other agencies has already been marked into the record.

Chairman Hanlon: stated yes; all correspondence the Board has received to date has been marked; any further correspondence that is received will be provided to all parties; further stated that it was his understanding that Mr. Inglima planned to have 4-6 of his clients come before the Board this evening in addition to one additional person.

Mr. Inglima: stated two other persons.

Mr. Christopher Horan, 9 Deerhill Drive: sworn in by the court reporter.

Mr. Inglima: stated he has called Mr. Horan as a fact witness being presented on behalf of the objectors; Mr. Inglima has previously represented Mr. Horan in several legal matters; he does not represent him before this Board in this matter; Mr. Horan is not a member of one of the nine households who are represented by him; feels the record should be clear that he has represented Mr. Horan in the past; does not represent him presently; asked Mr. Horan to state the reason why he came to testify this evening.

Mr. Horan: stated he has lived in HHK 20 years; owns a house on Deerhill; made a further investment and purchased 956 Washington Avenue; Block 808, Lot 9; found tenant before closing; no problems until very strong rain storms occurred which would come and go in a matter of 15 minutes; took in water being the lowest point in a huge area; flooded twice; basement had about an inch of water; realized the storm drainage system in place is inadequate; on wrong side of road; the area is quite large which includes a cul-de-sac; all that rain collects and runs down to his property which is the lowest point; wasn't aware of a problem when he purchased the home; something structurally wrong with the water management in that area; there is a pipe that runs underneath Washington Avenue and continues around; the angle of the pipe is not adequate enough to move the water.

Mr. Whitaker: objected; no expertise on the part of the witness; pure conjecture.

Mr. Cucchiara: asked if Mr. Horan had personal knowledge of what he just described.

Mr. Horan: stated he has personal knowledge as much as he has employed an engineer; has an engineer's report.

Mr. Whitaker: stated then the engineer should be present.

Mr. Inglima: Exhibit O24 marked; copies will be given to the Board; copy of a map that is contained within an exhibit that will be introduced from Mr. Hals' office; his office prepared it; it relates to the drainage conditions in the area located generally to the south and west from the applicant's site; no date on the map; it is a copy/composite of several sheets of the Borough of Ho-Ho-Kus Tax Map; Mr. Hals or one of his employees had made some notations; using to show the relationship between the applicant's site and Mr. Horan's property; exact location of Mr. Horan's property will be indicated on the map.

Mr. Whitaker: asked if the purpose behind this exhibit was to show location of properties on a Tax Map; otherwise, if there is a representation that this has some other notations on the map the author would need to be known.

Mr. Inglima: stated he is representing to the Board that this is a document that was prepared by Mr. Hals and/or his office; Mr. Inglima intends to introduce the full exhibit which was attached to the map during Mr. Hals' testimony; at this time, Mr. Inglima is using this map to show the location of Mr. Horan's property and to give it some relationship to what Mr. Hals is going to be talking about during his testimony; marked the location of Mr. Horan's property on the exhibit.

Mr. Whitaker: no objection to the exhibit for the purpose of locating a lot.

Mr. Inglima and Mr. Horan: showed exhibit O24 to Mr. Horan; Block 808, Lot 9; this is the property Mr. Horan had been describing in his testimony; located at the intersection of Washington Avenue and Valley Forge Way; 956 Washington Avenue address; outlined in blue the location of Mr. Horan's property; (shown to Mr. Whitaker); the flooding was a condition of stormwater runoff; not associated with a broken pipe, water main or sewer line; the water would come in through his driveway and then go into the garage; large amount of water; up to his knees; watermark all away around the garage; Mr. Horan was present on both occasions; seemed like a lake in front of his property that would collect as the water started to amass; water increased and came in from the other catchment areas of the roads; it would suddenly burst and flood; lost tenant as a result of the flooding; the tenant did not do anything to stop the water from entering the house but Mr. Horan placed sandbags in front of the garage doors; some extent effective but not during a huge downpour; believes one incident was during a hurricane; the other incident was just a huge downpour; roughly 2x over the past ten years there was a huge amount of water; more water would have entered without the sandbags; on other occasions the water did come over the edge of the driveway and found its way into the garage; in the aftermath of the events Mr. Horan spoke with Mr. Hals and he employed an engineering company, Bertin Engineering, to come up with a solution that could be proposed to the Town; Mr. Horan was not satisfied with Bertin Engineering's solution; Bertin Engineering proposed a new storm drain to the left and right of his driveway and across the driveway a type of catchment grid which would also feed into those drains; those drains would feed into the main sewer line underneath Washington Avenue; the problem was the main sewer line wasn't going to be changed; Mr. Horan stated he is not an engineer but he could tell it would not work.

Mr. Whitaker: objected; Mr. Horan is not an engineer; no foundation for what he could tell.

Mr. Inglima: stated he could state his observations.

Mr. Inglima and Mr. Horan: stated Bertin Engineering wasn't proposing replacing the pipe underneath Washington Avenue and it was already inadequate; adding more storm drains to the supply was not going to make a difference; the Borough Engineer told him that if he wanted to come up with a plan he would consider it; if acceptable a permit would be issued at his expense; no further testing done by the Borough; the condition that contributes to the flooding is the same as it has been in the past when he has experienced flooding; when the road was designed it wasn't designed to carry the water load it has been made to carry;

should be addressed by the Borough; the tenant originally intended to buy the property but backed out.

Chairman Hanlon: asked if the driveway had recently been upgraded.

Mr. Horan: stated no.

Chairman Hanlon: asked which storms Mr. Horan was referring to which caused the two floods at his property.

Mr. Horan: stated he couldn't pinpoint them; he doesn't believe the first one was an actual storm; it was a major thunderstorm; believes one was a hurricane.

Mr. Berardo: stated a storm was considered a hurricane based on the wind speed not the amount of water.

Chairman Hanlon: stated during Hurricane Sandy the Borough did not have a real heavy rainstorm; more wind than rain; there was a hurricane; would like to know the particular dates Mr. Horan is referring to; wants to know how long the problem has been occurring.

Mr. Horan: stated one was a year ago and the other about three years before that.

Chairman Hanlon: asked how many times he spoke to Mr. Hals and/or the Borough over the last few years regarding this issue.

Mr. Horan: stated he spoke with both Mr. Hals and the Borough several times; no idea how to start tackling this problem; not familiar with American boroughs and how they operate.

Chairman Hanlon: asked if he was the only person to experience this type of flooding on his street.

Mr. Horan: stated yes; his house is at the lowest point.

Chairman Hanlon: stated it is frustrating to hear this has happened to Mr. Horan; many people work on finding out about these types of situations for the Borough; this situation is new to him; Mr. Horan is well over 500 ft. from the applicant's property; if the application was approved Mr. Hanlon was not sure how it would impact his area per say; but it is a municipal problem; may not be the applicant's problem but it is a municipal problem; glad to know of this information; one way or another the Borough should be able to find out what is going on with his property.

Mr. Horan: stated he did want to find out why his house was built like it was; no building permits required when his house was built.

Mr. Berardo: asked if the storm drain was on the wrong side of the road.

Mr. Horan: stated where the drains are located are where the water does not come; if moved to the opposite side of the road where his property is located, it would help; even in a bad flood it doesn't go near the drains.

Mr. Berardo: asked if the drains are at the top of the pitch.

Mr. Horan: stated it is not at the top of the pitch; it is right opposite his property; the pitch goes all the way back; the storm drains are not taking the water when it comes in.

Mr. Berardo: asked if it is located directly across from his property.

Mr. Horan: stated yes; the way the pitch is it takes a little bit of water but nothing like what it should be taking.

Mr. Cirulli: asked when Mr. Horan contacted the Borough.

Mr. Horan: stated two or three years ago.

Mayor Randall: stated Mr. Horan had indicated that one of the storms was a torrential storm; short duration; 15-20 minutes long; asked when the last time there was an intense rain with flooding in the basement.

Mr. Horan: stated about 7-8 months ago.

Mayor Randall: stated there have been a few downpours this summer; asked if it had occurred more recently.

Mr. Horan: stated no; it occurred this year but didn't know the date; seemed like seven inches of water in five minutes.

Chairman Hanlon: stated there was a storm at the end of April which was a four inch major storm that hit the Borough; there was a lot of flooding around town.

Mayor Randall: stated he was in Mr. Horan's neighborhood approximately three weeks earlier when there was a storm; asked if this flooding happened at that time.

Mr. Horan: stated no it didn't.

Mayor Randall: stated this experience has occurred in other areas of Town at different times; there is a certain amount of predictability that the Town knows there will be a problem; seem episodic of when it does and does not happen in his area.

Councilman Rorty: asked if Mr. Horan noticed if the storm grates over the drains are cleaned.

Mr. Horan: stated he doesn't know what was inside, but it was clean on the top.

Councilman Rorty: asked if his driveway was not in place and there was normal curbing 4-6 inches off the road surface, would there still be that type of flooding.

Mr. Horan: stated absolutely.

Mr. Reade: asked if there had historically always been a problem on this property; previous homeowners, neighbors have this problem.

Mr. Horan: stated he looked back at the documents regarding the purchase of the property; looked at engineering reports; when he reviewed it more closely he can see there was something he was missing; go down a ramp of nine inches when driving into the garage; triangular cement blocks that help the tires down; drop about 6 inches; evidence of pumps; believes it had happened before but doesn't know the extent.

Mr. Reade: asked if the home inspection before the purchase of the property turned up anything about flooding.

Mr. Horan: stated it did turn up a little bit of information but it wasn't alarming; believes if he had been clever he might have noticed it.

Mr. Reade: asked if any regrading of the streets had taken place since Mr. Horan purchased his property ten years ago.

Mr. Horan: stated no; same street, same tarmac, etc.

Chairman Hanlon: stated it is a Town problem and hopefully Council can help; not a Planning Board issue; municipal problem; thanked Mr. Horan for his testimony.

Mr. Whitaker: asked if the home was currently occupied.

Mr. Horan: stated no.

Mr. Whitaker: asked if the driveway is lower or higher than the street.

Mr. Horan: stated neither.

Mr. Whitaker: asked if it is pitched towards the home or the street.

Mr. Horan: stated it doesn't pitch.

Mr. Whitaker: asked if there is any curbing present.

Mr. Horan: stated there is a cut away; curbing is present.

Mr. Whitaker: asked if the garage is level with the driveway itself or is the garage floor lower than the driveway.

Mr. Horan: stated it is lower than the driveway.

No questions from the public.

Mr. Ed Solinski, 56 Brandywine Road: sworn in by the court reporter.

Mr. Inglima and Mr. Solinski: property located at Block 805, Lot 1; property is within 200 ft. of the applicant's site; showed copy of sheet 1 of 11 of the applicant's preliminary major subdivision plan, A2; showed where Mr. Solinski's property is located; lives on south side of Brandywine; across from the Dabbagh property; front half is located within 200 ft. of the Planning Board Minutes, July 31, 2014

applicant's property; property originally bordered by Valley Forge Way before he moved there; neighbor across the street used to describe flooding.

Mr. Whitaker: objected; hearsay.

Mr. Inglima and Mr. Solinski: the street was vacated at one point and the road was removed from that location; part of the old street became part of Mr. Solinski's property; there is still concrete located SE of his property; curb and part of a street buried; owned property for 40 years; experienced flooding in the area of his home; summertime, heavy rain, downpour; across the left side of his property water was running down across his property and into the street; there are catch basins in front of his house, across the street and where Valley Forge and Sleepy Hollow meet; not doing their job; water could not be retained; the water went out into the street and flooded; he gets a lot of floods sometimes with just an ordinary rainfall; not water from a broken pipe, just storms; accumulates directly in front of his property which is the lowest point; house is above it; generally the water comes onto his lawn to an extent; water goes into the unpaved sections abutting the roadway; flooding happens mostly during the summertime; occasions the water freezes and it is difficult to get out of his driveway; Mr. Solinski's property is lower than WSRR in the area of Brandywine; lower than Van Dyke Drive in the area of Brandywine; the massive storm when the water ran over his front lawn has happened 2x; a couple of years ago but can't pinpoint exactly; ponding in the street happens more frequently; this condition happened last year during the winter but that was an exceptional winter because of all the ice and snow; removed a few branches from the catch basins; water is not being held back by anything obstructing a catch basin to the best of Mr. Solinski's knowledge.

Chairman Hanlon: asked if the two storms that Mr. Solinski referred to were hurricanes.

Mr. Solinski: stated no, just thunderstorms.

Chairman Hanlon: asked if Mr. Solinski was living in his house in 1999.

Mr. Solinski: stated yes.

Chairman Hanlon: stated in 1999 there was a storm that produced the worst flooding that Ho-Ho-Kus has experienced since 1945; Hurricane Floyd.

Mr. Solinski: stated he was in Cape Code during Hurricane Floyd.

Chairman Hanlon: asked if Mr. Solinski had ever brought this flooding problem to the attention of the Borough.

Mr. Solinski: stated no because the water never got into the house; drives through it; leaves a lot of mud and silt which is annoying.

Chairman Hanlon: stated this seems like a Municipal problem that has not been addressed because it has not been brought to the Town's attention.

Mr. Solinski: stated there is a manhole cover; has seen water coming up out of the manhole cover during a heavy rainstorm; flowing back down into Brandywine.

Chairman Hanlon: stated his concern is that this is a Municipal problem; this is something that has been going on for years and the Borough is only learning about it at this time; the Borough needs to find out what is going on.

Mr. Berardo: asked if the water travels north across his property.

Mr. Solinski: stated it travels from the north towards the south then west.

Mr. Berardo: stated Mr. Solinski had stated the water travels north and the front of his house was the low point; asked for clarification.

Mr. Inglima: stated he believes Mr. Solinski was referring to a specific event when there was a large amount of flooding.

Mr. Berardo: asked if Mr. Solinski's house is higher.

Mr. Solinski: stated yes.

Councilman Rorty: asked if there are storm drains near by Mr. Solinski's property.

Mr. Solinski: stated next to his driveway; interconnected.

Mr. Reade: asked if Brandywine pitches off of WSRR.

Mr. Solinski: stated yes.

Mr. Reade: asked if the majority of the water is coming down off of WSRR, not from the other end of Brandywine.

Mr. Solinski: stated it is coming down off Brandywine; there is some coming off the other side as well.

Mr. Reade: asked if the majority of the volume is coming off of WSRR.

Mr. Solinski: stated yes; street is a low point in the area.

Mr. Hals: asked how long the ponding occurs; couple of minutes or hours.

Mr. Solinski: stated 10-15 minutes.

Mr. Hals: asked if it was a short duration.

Mr. Solinski: stated yes.

Mr. Hals: stated Mr. Solinski mentioned the storm drain system is surcharging and the water is coming out of the manhole; of the four occasions is that when this happened or is it more frequently.

Mr. Solinski: stated he has seen it a number of times; can't pinpoint when.

Mr. Hals: stated Mr. Solinski stated he had major flooding at least 4x; is that also when the surcharge occurred.

Mr. Solinski: stated he also observed it bubbling out on different occasions.

Mr. Hals: asked if the manhole cover was being lifted up.

Mr. Solinski: stated no; just coming through the holes.

Mr. Whitaker: asked if Mr. Solinski's property also bordered on Valley Forge Way.

Mr. Solinski: stated yes, the back of his property.

Mr. Whitaker: asked if it was correct that over the 40 years Mr. Solinski has lived at the address discussed, he has never registered a formal complaint with the Borough.

Mr. Solinski: stated that was correct.

Mr. Whitaker: asked if, to the best of Mr. Solinski's observations, during the four times that were the most strenuous, he did not recall how long the water that ponded lasted in that location.

Mr. Solinski: stated he did not.

No questions from the public.

Mr. Anthony DiGiacomo, 65 Brandywine Road, sworn in by the court reporter.

Mr. Inglima and Mr. DiGiacomo: indicated he was a member of the group of property owners that are represented by Mr. Inglima in connection with the Hollows application; lived at current address for 2.5 years; purchased with wife; has lived in Ho-Ho-Kus since May 2001; resided at 68 Brandywine Road; homes are across the street from one another; located at the corner of Brandywine and WSRR; Block 805, Lot 23 is 68 Brandywine Road; 65 Brandywine abuts the site; referred to A2, sheet 3 which generally shows the location of his home; pointed out property that was partially outlined at the intersection of WSRR and Brandywine Road; general location of Mr. DiGiacomo's property; property abuts the lowest area of the site which is the SE corner; Mr. DiGiacomo had a chance to view the applicant's plan; did not find the depiction of his home to be accurate; marked **Exhibit O25 survey of property at 65 Brandywine Road, Borough of Ho-Ho-Kus, NJ, January 31, 2012, prepared by Rigg;** true copy of survey of the DiGiacomo property prepared for the DiGiacomos; survey depicts the conditions found on the property on or about January 31, 2012; survey reviewed by Mr. DiGiacomo; changes have occurred since survey was done; renovation done to home; footprint altered; **Exhibit O25A: Survey of 65 Brandywine Road/Rigg Associates; dated 1/31/12; 8.5 x 11; with cross hatched area indicated on front of house;** additional space drawn in by Mr. DiGiacomo; only area which had alterations was the front; to the right of the front entrance and to the left of the garage area; (Mr. Inglima distributed copies of O25 to the Board Members); **Exhibit O25B: Survey of 65 Brandywine Road/Rigg Associates; dated 1/31/12; 8.5 x 11 size;** house has a setback of 41.8 ft. from the right of way line of WSRR; the setback from the SE corner of the garage to the northern right of way line of Brandywine Road is 27.4 ft; setback of 31.5 ft. in the SW Planning Board Minutes, July 31, 2014

corner of the home to the right of way line of Brandywine; the survey indicates the location of an inlet within the right of way of Brandywine Road which is more or less in front of Mr. DiGiacomo's property; inlet located in the grass area; not sure if there is a six inch drainage pipe shown on the exhibit which connects to the inlet; no roof leaders connected to the storm drain; roof leaders connect to the seepage pit in the backyard; the storm drainage which is collected from the impervious surfaces are directed into seepage pits below grade north of the building.

Mr. Whitaker: objected; Mr. DiGiacomo testified to "a" seepage pit; Mr. Inglima stated seepage pit"s".

Mr. Inglima and Mr. DiGiacomo: there is one seepage pit; does not know the size of the seepage pit; Mr. DiGiacomo had the seepage pit installed; the seepage pit was a requirement for the construction that was done on his home; needed a seepage pit even though a relatively small area was filled in front of the house and left the other footprint as it was before; heard testimony of Mr. Solinski in regards to the storm drain; Mr. DiGiacomo observed a lot of flooding in front of his home; water floods across the street connecting to the catch basin in front of Mr. Solinski's house and the catch basin between his home and the Dabbagh house; whole road has been flooded; surface of the pavement is completely filled with water along with some of the grass; water is high enough to be measured while it is raining; water splashes onto the lawns from cars passing through; observed this condition during the current month; July 2014; observes this occurrence anytime there is a significant amount of rain; 2x the past four months; water generally starts at the top of Van Dyke; travels down Van Dyke; turns left onto Brandywine; crosses the street and continues down Mr. Solinski's side of Brandywine and fills the catch basin; some of the water stays on the road and travels to the low spot of Brandywine; the water comes down from Van Dyke and Brandywine and ends up on Mr. Solinski's side; the water that starts on Brandywine on his side and the water that makes the bend on WSRR fills his catch basin first; coming from both sides; most of the water ends up sliding off the road or coming around the bend; this water makes it into his driveway or the catch basin on Brandywine; most of the water from the area of the applicant's site stays there; has not seen ponding in that location; appears the water goes off the road and into areas of the west side of WSRR; received notice of this application in March; received notice of a public hearing; did not recall receiving other notices in regards to this application; reviewed the application when notice was received; notice related to a public hearing on April 20, 2014; spoke with neighbors regarding the application; reaction was the plans seemed to show a lot of homes in a small area; surprised to see cul-de-sac; system of retaining walls proposed behind his home along with a stone trench; stone trench shown on sheet 4 of 11 of A2; hired an attorney and experts after reviewing the application; never expected a 7 ft. high wall to be built behind his house; area behind his home is generally undeveloped; at the same elevation as his property; behind house is relatively flat; slope gradually increases as you move towards Hollywood Avenue and towards the corner of Van Dyke and Hollywood Avenue; no elevated portion of Mr. DiGiacomo's property; there would be no barrier or buffering along the entire length of his backyard because of the stone trench; on Exhibit O25, 34.4 ft. is the distance from Mr. DiGiacomo's home to the common boundary of his property with the applicant's site; stone trench would be 34 ft. from his back wall; there are trees on his property and on the Costanza property; O3 shows the location of two trees on Mr. DiGiacomo's property; there is other landscaping; the two trees shown are the most significant in terms of size on his property; roughly 50 ft. tall; evergreens; branches overhang common boundary; proposed trench to be installed next to the trees; concerned

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about the root system; if trees where to fall they would fall onto the house; safety concern; likes the neighborhood and the foliage; safety concerns about the additional traffic caused by more homes and more cars at the intersection; safer area on Hollywood to have driveways; no hill on Hollywood; heard both Steck and Emerson testimony; agrees the development should not include the roadway; use available frontage; detention system has numerous impacts on his property; removal of trees, headlights in his backyard; embankment proposed on WSRR would inhibit trees from being planted because of the mound of dirt; property should be developed without the cul-de-sac, detention system and mound of dirt; more water into system because of the development; agrees with Mr. Steck's comments; Board should engage in fact finding; familiar with the issues relating to the title of the applicant's property; have to be resolved before the Board can take action on this application; **Exhibit O26A-B-C: Series of 3 pictures taken by Mr. DiGiacomo; still pictures from video taken by Mr. DiGiacomo; pictures taken from Mr. DiGiacomo's property shooting across street to Mr. Solinski's property; Mr. Solinski's car and garbage can are in the pictures;** photos are not altered in any way; described photographs in detail; just heavy rain occurring in the photographs; this type of rain occurs frequently in the area; observed ponding 4-5 inches deep between the two catch basins; water is collecting in the street as a result of run off; he dug out a trench to help alleviate some of the water; felt he needed to do something; catch basins were not overflowing; water getting captured on the road; cleared out an area to try to alleviate the problem; never contacted the Borough; tried to be resourceful; clears out the catch basins when it snows; Mr. Solinski's catch basin is very close to the edge of the pavement; there is no obstruction/ridge or higher topography that blocks the flow of water into the catch basin near Mr. Solinski's side of the road; only grass growing in the area Mr. DiGiacomo scoured; no blockages on either side of the road to the two catch basins; the catch basins can't take the water fast enough.

Recess taken at this time: 9:30PM

Meeting called to order: 9:48PM

Roll Call: Messrs. Berardo, Reade, Cirulli, Councilman Rorty, Chairman Hanlon, Mayor Randall

Mr. Whitaker: referred to O25B; asked if Mr. DiGiacomo was familiar with the drainage pipe and inlet which is indicated in the bottom left corner, SW area.

Mr. DiGiacomo: stated only from Mr. Ingle asking him about it.

Mr. Whitaker: confirmed that Mr. DiGiacomo had never seen the pipe and the inlet.

Mr. DiGiacomo: stated he did not look for it; did not know if it functioned.

Mr. Whitaker: stated there is a masonry wall shown on the northern end of the property on the same exhibit.

Mr. DiGiacomo: stated there was a masonry wall.

Mr. Whitaker: asked if the wall exists on the property at this time.

Mr. DiGiacomo: stated yes.

Mr. Whitaker: asked if Mr. DiGiacomo modified the wall.

Mr. DiGiacomo: stated no.

Mr. Whitaker: asked if it has been extended.

Mr. DiGiacomo: stated no.

Mr. Whitaker: asked if Mr. DiGiacomo raised the wall in any manner whatsoever pertaining to height.

Mr. DiGiacomo: stated there were stones that were part of the façade of the house that are sitting there.

Mr. Whitaker: asked if the extra stones had been attached to the wall.

Mr. DiGiacomo: stated no.

Mr. Whitaker: asked where they were sitting.

Mr. DiGiacomo: stated along the wall.

Mr. Whitaker: asked if they were where the concrete curb is or the masonry wall.

Mr. DiGiacomo: stated masonry wall.

Mr. Whitaker: stated Mr. DiGiacomo had testified earlier that he did some modifications to his home; cross hatched area on the exhibit; added some square footage to the home.

Mr. DiGiacomo: stated that was correct.

Mr. Whitaker: stated at the time he was required to install a seepage pit.

Mr. DiGiacomo: stated yes.

Mr. Whitaker: asked where the seepage pit was located.

Mr. DiGiacomo: stated in the NW side of his yard; near the pond.

Mr. Whitaker: asked what drainage goes into that seepage pit.

Mr. DiGiacomo: stated the drainage from the roof of the home.

Mr. Whitaker: asked if all the leaders drain into the one pit.

Mr. DiGiacomo: stated they should drain to that one pit; did not see them being buried.

Mr. Whitaker: asked if there were any leaders from the home that drain onto the property itself.

Mr. DiGiacomo: stated no.

Mr. Whitaker: stated Mr. DiGiacomo testified that he has lived in the neighborhood since 2001.

Mr. DiGiacomo: stated yes.

Mr. Whitaker: confirmed that Mr. DiGiacomo lived across the street at one time.

Mr. DiGiacomo: stated yes.

Mr. Whitaker: asked when that home was purchased.

Mr. DiGiacomo: stated August, 2004.

Mr. Whitaker: asked if he had observed any of these conditions that he testified to this evening at that time.

Mr. DiGiacomo: stated yes.

Mr. Whitaker: asked if he observed them during the time he lived across the street.

Mr. DiGiacomo: stated yes.

Mr. Whitaker: asked if Mr. DiGiacomo had raised any complaints with the Borough Officials by filing a formal complaint.

Mr. DiGiacomo: stated no.

Mr. Whitaker: stated, notwithstanding the conditions he observed, Mr. DiGiacomo chose to purchase a house across the street.

Mr. DiGiacomo: stated yes.

Mr. Whitaker: asked if Mr. DiGiacomo observed water conditions like he observed where he was living on the property that he now owns; did he observe these conditions before he purchased the home.

Mr. DiGiacomo: stated not to the same degree.

Mr. Whitaker: stated that Mr. DiGiacomo recognized there was a water condition/problem that he had observed when he lived and owned the first home.

Mr. DiGiacomo: stated on Brandywine road, yes.

Mr. Whitaker: stated it was evidently not to such a magnitude that stopped him from purchasing a home across the street.

Mr. DiGiacomo: stated that was correct.

Mr. Whitaker: stated Mr. DiGiacomo had stated that he concurred with Mr. Steck's observations.

Mr. DiGiacomo: stated yes.

Mr. Whitaker: asked if Mr. DiGiacomo employed Mr. Steck.

Mr. DiGiacomo: stated yes.

Mr. Whitaker: stated that Mr. DiGiacomo suggested that he thought it would be more apropos to have all the lots face existing roadways.

Mr. DiGiacomo: stated yes.

Mr. Whitaker: stated, from Mr. DiGiacomo's perspective, that would be a better alternative.

Mr. DiGiacomo: stated yes.

Mayor Randall: thanked Mr. DiGiacomo for his testimony; stated he concurred with Mr. DiGiacomo's concern regarding trees falling over; has had to install two seepage pits himself; this was done because there has been a program over the years of having seepage pits so the groundwater can be recharged; it is better for the overall health of the water table and the system; in regards to Mr. DiGiacomo's experts, on his behalf, they advocated for a more natural detention system as opposed to the detention system that required the raising of the level above his property; asked if Mr. DiGiacomo also concurred with his experts that this is a preferable type of detention system to have.

Mr. DiGiacomo: stated he does as it relates to the road; agree with what the expert stated.

Mr. Reade: asked what Mr. DiGiacomo's vision was in ten years in regards to the integration of the property behind him.

Mr. DiGiacomo: stated he couldn't say; not his property; didn't envision something so densely populated and a new road.

Chairman Hanlon: asked regarding "squeezing" the property; asked how many times Mr. DiGiacomo's house had been renovated in the past ten years.

Mr. DiGiacomo: stated one time.

Chairman Hanlon: asked if the person Mr. DiGiacomo purchased the home from had done any renovations.

Mr. DiGiacomo: stated there had to be at least one renovation because of a family room that was not there originally.

Chairman Hanlon: stated the reason he asked is because normally the build on property is 20% and Mr. DiGiacomo is at 26%.

Mr. DiGiacomo: stated he believes he is at 20%; never went in front of the Zoning Board.

Mr. Snieckus: asked if there is a basement in the house.

Mr. DiGiacomo: stated yes.

Mr. Snieckus: asked if Mr. DiGiacomo experienced any flooding.

Mr. DiGiacomo: stated no.

Mr. Snieckus: asked if Mr. DiGiacomo had a sump pump.

Mr. DiGiacomo: stated yes.

Mr. Snieckus: asked if it runs often; trying to better understand the subsurface detention in the area.

Mr. DiGiacomo: stated it runs when it rains.

No questions from the public.

Mr. Mary Hayes, 35 Brandywine Road: sworn in by the court reporter.

Mr. Inglima: stated he would be asking Ms. Hayes questions regarding the application before the Board; at times he will just ask if Ms. Hayes was in agreement with Mr. DiGiacomo's comments; asked if this would be acceptable as long as he adequately defined the limits of what he is asking her to affirm.

The Board had no objection to proceeding in this manner.

Mr. Whitaker: stated he had no objections.

Mr. Inglima and Ms. Hayes: Ms. Hayes moved in to 35 Brandywine Road in March of 2002 with her husband; property is located along the south side of the applicant's site; it is at the west end of the stretch of Brandywine Road; referred to sheet 3 of 11 of A2; pointed and identified Tax Map Block 802, Lot 6; it runs off the map only in the southerly most portion; referred to its dimensions and location by pointing to the map; location indicated correctly; Ms. Hayes and her husband reviewed the plans; also reviewed them as they relate to her property; her home is roughly depicted on the plans; doesn't think her house is as close to Van Dyke as depicted; survey dated 2/4/02, marked as **Exhibit O27**; true copy of a survey prepared for the Hayes' at the time they purchased the property; accurately displays the existing conditions; (copy of A27 distributed to the Board, Mr. Whitaker, Mr. Hals and Mr. Snieckus);)27 shows the location of a home, brick patio, greenhouse, cabana, pool and driveway; home currently faces towards Brandywine Road; mailing address is on Brandywine Road; purchased home because of the way the house was situated, greenery and character of the neighborhood; well maintained property; same characteristics shared with other homes on Brandywine and Van Dyke Drive; characteristics common to area; neighbors on either side have maintained their properties; referred to rear of O27; same level generally as the neighbor; higher plane than neighbor to the east; house on west side is slightly higher in elevation; generally the slope is running down from NW to SE through this area; applicant proposes to instruct improvements shown on sheet 3 and in particular sheet 5 of A2; after reviewing, Ms. Hayes sought the advice of an engineer and an attorney; the addition of a cul-de-sac would change the feel of the neighborhood; new street will

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result in a situation of homes behind hers that are tightly compressed; loss of greenery; water runoff; altering of contours of grade that would be adverse to her property; concerned about the creation of seepage pits in the area directly behind her home; concerned about the loss of trees; soil issues; drainage problems already present; erosion of ground cover close to edge of pavement; road falling apart in the areas north and west; rapid run off down Van Dyke; ponding on Brandywine; stays there for hours; sections of Brandywine flood; commonplace to drive back and forth from Ms. Hayes' house to WSRR; problem to be cured before water is added to the system; familiar with the testimony of the metes and bounds and surveys of the applicant's site; aware of the disparages between boundary lines and those indicated on the deeds; the Board should find the exact locations and center lines; boundary lines and monuments should be established; application cannot be approved without these boundaries being established; shares same concerns as Mr. DiGiacomo; agrees with Mr. Steck's and Mr. Emerson's opinions regarding this application.

Mr. Whitaker: stated Ms. Hayes testified regarding the feel of the neighborhood; asked what zone her property was located in and what was the square footage of a legally conforming lot in her zone.

Ms. Hayes: stated her zone is R2 and doesn't know the exact number; her house is on a double lot; area not developed as an R2 zone.

Mr. Whitaker: asked if that is the way she understands all the lots in her neighborhood to be.

Ms. Hayes: stated many of the lots are double lots; one of which is hers; neighborhood fundamentally damaged if not taken into consideration with this development.

Mr. Whitaker: asked if Ms. Hayes knew how many lots were greater than 10,000 sq. ft. in her neighborhood.

Ms. Hayes: stated no.

Mr. Whitaker: stated in connection with her concern about title questions, asked if Ms. Hayes ever filed any complaints or taken any action disputing title to properties surrounding her property.

Ms. Hayes: stated no; believes her survey is correct; believes there is a deed that is different in regards to the Costanza property.

Mr. Whitaker: asked if Ms. Hayes had a clean title.

Ms. Hayes: stated she believes she does; she now knows there is a difference between the Costanza property and the proposed homes.

Mr. Whitaker: asked how Ms. Hayes knew that.

Ms. Hayes: stated it has come out in the testimony before the Board.

Mr. Whitaker: asked if the basis of her opinion is what she has heard at the meetings.

Ms. Hayes: stated yes.

Mr. Whitaker: asked if she investigated this issue before these meetings.

Ms. Hayes: stated no.

Mr. Whitaker: stated in connection with Ms. Hayes' concerns about road conditions on Van Dyke and Brandywine; asked if she ever filed a complaint with the Borough of Ho-Ho-Kus in connection with her concerns.

Ms. Hayes: stated no.

Mr. Whitaker: asked if she had filed any type of complaint regarding her road concerns since she moved into her home in 2002.

Ms. Hayes: stated she had not.

Chairman Hanlon: spoke regarding the water coming down Van Dyke by her home; asked where Ms. Hayes sees the water coming from down Van Dyke.

Ms. Hayes: stated she can't say it is coming off of Hollywood Avenue; it looks like it is coming from the corner of Hollywood and Van Dyke; it is not making the turn down Hollywood.

Chairman Hanlon: asked if her observation is that the water coming down Van Dyke towards her house is not coming from Hollywood Avenue.

Ms. Hayes: stated that was correct.

No questions from the Board or from the public at this time.

Mr. Mark Dabbagh, 55 Brandywine Road: sworn in by the court reporter.

Mr. Inglima and Mr. Dabbagh: address is 55 Brandywine Road; Block 802, Lot 8; referred to sheet 3 of 11 of A2; lot immediately west from the lot identified as Mr. DiGiacomo's residence; Mr. Dabbagh owns property with his wife; approximately 3 boundary lines of his property are depicted on sheet 3; outline of a structure indicated on the plan; depiction of his dwelling on the plan is inaccurate; **Exhibit O28: Location survey of Mr. Dabbagh's home; 55 Brandywine Road; 5/22/97;** conditions shown are the conditions as they are today; Malone's sold the house to the Dabbagh's; the name of "Malone" is shown on the survey; (copy distributed to Board, Mr. Whitaker, Mr. Hals and Mr. Snieckus); O28 indicates the distances from the Dabbagh dwelling to the property lines along the east, south and west sides of the building; the dimension from the family room to the adjacent property which is 30 ft. is missing; permit on file with the Borough; addition; not part of the original house.

Mr. Whitaker: objected; looking for a clarification; there was a prior question asking if this 1997 survey accurately depicted the building that is currently located on the property, the answer was yes; asked if there has been a modification to the building.

Mr. Inglima: asked if Mr. Dabbagh was referring to a structure that was added to the dwelling before he took title.

Mr. Dabbagh: stated exactly; the house was built in 1940; the addition was done 15-16 years ago.

Mr. Whitaker: stated there needs to be clarification; Mr. Dabbagh is referring to 15-16 years ago; the survey is dated 1997; asked which came first.

Mr. Dabbagh: stated he misspoke; the addition was before 1997.

Mr. Whitaker: asked if the addition is shown on the survey.

Mr. Dabbagh: stated yes.

Mr. Whitaker: asked why it is called an addition if it is already there.

Mr. Dabbagh: stated he meant an addition to the existing house; to the house that was built in the 40s.

Mr. Inglima: asked if O28 shows the conditions of the property that is found there today.

Mr. Dabbagh: stated that was correct.

Mr. Inglima: asked if a dimension was added from the northern most portion of the building that is depicted on O28 to the north boundary line and common property line with the applicant's site, it would measure 30 ft.

Mr. Dabbagh: stated exactly.

Mr. Inglima and Mr. Dabbagh: Mr. Dabbagh inspected the plans that were submitted as part of this application and did his own investigation; concerned about filling of the land behind his property; his backyard is at a 103 elevation; the Costanza backyard is around 102; shown on the drawings; topographic characteristics of the applicant's site are fairly accurate on the applicant's property but wants the Board to be aware of how his property is depicted; 1/3 of the property from the left going right is flat; (referred to the plan); high point of Mr. Dabbagh's property is almost at the same level of the Bone property; it is also higher than the predominant elevation referred to in A2; Mr. Dabbagh's property is almost a foot higher than the applicant's site; 101 in the far corner; applicant's property is in its natural state; depressed area; most of the rain gets absorbed in that area; by filling and raising the elevation to 111, Mr. Dabbagh feels they are shifting the depressed area to his property and to his neighbor's property; exhibit prepared by Mr. Dabbagh using sheet 3 of 11 of A2; depicts the buildings that are found on the DiGiacomo/Dabbagh/Bone and Hayes properties; surveys drawn to scale on sheet 3 of 11; they do not match; prepared to show what the applicant is showing much larger houses than currently exist; misrepresented the dimensions of the structures and between the structures and the abutting property lines.

Mr. Whitaker: objected; as to what has been required and what the prior testimony was; there was testimony regarding the subdivision plat, it does not have to show the exact

measurements of the homes that surround it, but just show a depiction of a building envelope.

Mr. Inglima: stated he would withdraw the word “misrepresent.”

Mr. Whitaker: continued: and the testimony at this point showed and indicated from the surveyor that no independent surveys were done on adjacent properties; nor are they required for purposes of creating a subdivision plat.

Mr. Inglima: stated the lot lines and the street lines and all of the properties that abut the site are required as part of the subdivision ordinance of Ho-Ho-Kus for a major subdivision and those have not been shown; modified his question to Mr. Dabbagh to eliminate the word “misrepresented” and Mr. Inglima stated he would ask the question again.

Mr. Inglima: asked if this exhibit also corrected any errors in the dimensions indicated between the structures depicted on the four properties described along the south side of the site and the common boundary of those lands with the site.

Mr. Whitaker: objected; does not have any foundation or basis as how this witness measured these; asked if the witness was a licensed surveyor; no foundation or basis.

Mr. Cucchiara: stated we do not know what the exhibit is; asked if Mr. Dabbagh put his own notations on the exhibit.

Mr. Inglima: asked if Mr. Dabbagh had any skills that would have assisted him in preparing this exhibit.

Mr. Dabbagh: stated he has two Master degrees as an architect.

Mr. Whitaker: stated he is not a surveyor.

Mr. Inglima: stated Mr. Dabbagh can create an exhibit based on the location of structures; asked if it was common in Mr. Dabbagh’s practice to create perspective drawings, footprints shown on existing surveys and to provide other details about the location of structures that are being designed or considered for design purposes in the course of his work.

Mr. Dabbagh: stated he does that all the time; these drawings are taken from the exact surveys.

Mr. Whitaker: objected.

Mr. Cucchiara: asked if this was being offered as an exhibit.

Mr. Inglima: stated he was going to.

Mr. Cucchiara: asked if Mr. Inglima was laying some sort of foundation; permitted Mr. Inglima to continue, but stated he was not certain if it was appropriate and advised the Board as to this fact.

Mr. Inglima: asked if the purpose of the exhibit was to accurately reflect the conditions of the individual properties that abut the south boundary line of the site.

Mr. Dabbagh: stated that is one reason; the other was to compare the size of the proposed houses; much larger than existing houses.

Mr. Whitaker: objected; stated this goes way beyond the realm of what the subdivision requires; the depiction of buildings on the subdivision are for demonstration purposes only; the testimony was very clear that they do not reflect what would be built; very important to understand that unless there is a surveyor surveying the other properties and putting those surveys on this, an architect is not qualified to do that.

Mr. Inglima: stated surveys have been introduced for 3 out of the 4 properties this evening; that is the foundation upon which Mr. Dabbagh could produce this exhibit.

Mr. Cucchiara: stated he is not certain what it is; asked if this survey was showing his house to the property line; asked under what purpose it was being offered.

Mr. Inglima: (showed the information prepared by Mr. Dabbagh to Mr. Cucchiara and Mr. Whitaker); the footprints added to this exhibit as O29 are based on surveys and measurements Mr. Dabbagh performed.

Mr. Dabbagh: stated he meant to say “footprint” when he spoke regarding the size of the houses.

Mr. Inglima: asked if it was true that the footprints that were indicated in blue were taken from the applicant’s plan; larger or smaller is of no interest to Mr. Dabbagh.

Mr. Dabbagh: stated absolutely.

Mr. Inglima: asked if it would be fair to say that the footprints that are indicated in green reflect the information Mr. Dabbagh obtained from the surveys that have been previously marked; Bone dwelling from Mr. Dabbagh’s measurements.

Mr. Cucchiara: asked what the purpose of this exhibit was.

Mr. Inglima: stated the purpose was to give the Board an understanding of the relationship between existing dwellings on each of these properties and the applicant’s boundary lines; so the record is clear as to what dwellings exist today at those properties.

Mr. Whitaker: stated there are surveys from those that have testified to their surveys from what exists there now; anything else is pure conjecture and also irrelevant.

Mr. Inglima: asked what the harm is if this witness testifies to an exhibit that he produced that basically compiles all of that information into one exhibit.

Mr. Cucchiara: stated it is not Mr. Dabbagh’s area of expertise; questions its reliability; certainly can be argued that it is up to the Board to give whatever weight it deems necessary or appropriate; not sure how helpful this information is at this stage.

Mr. Whitaker: stated there is no relevancy to perspective home on any lot in comparison to existing homes; that is not the test for a subdivision approval.

Mr. Cucchiara: stated he agrees; he is not even certain, although not relevant to this discussion at the moment, if Mr. Dabbagh placed the blue boxes for the proposed dwellings; assumes it was just to locate them because evidently it has nothing to do with boundaries.

Mr. Dabbagh: stated he colored what was there; he did not touch them.

Mr. Inglima: asked what sheet was being referred to.

Mr. Cucchiara: stated he was referring to sheet 3; he shows the outline and then puts blue rectangles.

Mr. Whitaker: stated we have building envelopes which are required on a subdivision plat; to show the bulk requirements can be met as far as setbacks are concerned; subdivision plats do not have to show the size of any proposed dwelling.

Mr. Cucchiara: stated that was understood.

Mr. Inglima: asked Mr. Dabbagh if he took the information from sheet 5 of the applicant's plan and superimposed it on sheet 3.

Mr. Dabbagh: stated sheets 5 and 6; used Autocad.

Mr. Inglima: asked if Mr. Dabbagh scanned an electronic image of the information contained on sheets 5 and 6 of A2; and then used that to create a composite exhibit that used sheet 3 as its base.

Mr. Dabbagh: stated yes; he needed to create a view sheet to show both of them; took footprints and put them on sheet 3 so he could have one view; partial plan shown; on 5 showing nine houses then four on Van Dyke; needed a view that would show all of it.

Mr. Inglima: asked if Mr. Dabbagh felt the preparation of O29 was simply for illustrative purposes to assist the Board in understanding the relationship between the applicant's site and the adjoining properties and their principal dwellings.

Mr. Dabbagh: stated absolutely.

Mr. Whitaker: stated this information is irrelevant to a subdivision application.

Mr. Cucchiara: stated, in terms of the existing dwellings and their actual footprints, asked if that is what Mr. Inglima was referring to.

Mr. Inglima: stated yes; difficult to come before the Board and hear an applicant that prepared erroneous information and put it in front of you and ask for it to be ignored; the objector tries to show what it really is; objections are then heard; why was the information shown wrong on the plans if it was not required at all; structures shown incorrectly.

Mr. Whitaker: stated so the record is clear, the applicant has never proffered that the depiction of buildings off site were accurate; there was testimony to that affect; as is typical, they are placed on a plan not confirmed because there was no survey work done on those properties, nor were surveys used, nor are they required; typically taken from a Google map and placed there; never proffered that they were in the right or wrong location or what the sizes where; the sizes of homes around them, from the standpoint of a subdivision decision, is not relevant for a Board to act on a subdivision plan; the Board has to rely on the bulk requirements being met on the applicant's property.

Mr. Cucchiara: stated that is understood; under the circumstances he would advise the Board to allow it for the limited purpose that has been described by the objector; up to the Board to determine what weight it should be given.

Mr. Whitaker: stated he wants the Board to realize that what is being depicted in blue is merely showing a proposal not a requirement as to where a house could be located; on pages 5 and 6 of the plans; because it also shows where a driveway could be located; if approved, it is not where the building has to be located; does not have to be the size of the building.

Chairman Hanlon: stated that was understood.

Mr. Inglima: exhibit marked O29; full size copy; Mr. Whitaker has a copy; full size copy on the easel; identical to the information described.

Mr. Dabbagh: stated it was identical.

Chairman Hanlon: stated arrangements need to be made for Mr. Dabbagh to return on August 7, 2014; Mr. Dabbagh to continue his presentation; Mr. Inglima has two more witnesses; next meeting will be on August 7, 2014 at 7:30PM in the courtroom at Borough Hall; after Mr. Inglima is finished, the meeting will be opened to the public to make comments as previously stated at the last meeting; there are two public meetings next week; the Board of Adjustment will also be meeting; they will meet in the Ambulance Corps room; expect to have a quorum at next week's meeting on the 7th.

Mr. Snieckus: asked about the extension time for the application.

Mr. Whitaker: stated it has been extended through the 7th of August.

Motion to Adjourn: Mayor Randall, Berardo

All Board Members present approve motion to adjourn.

Meeting Adjourned at 10:55PM.

Respectfully submitted by:
JoAnn Carroll
Planning Board Secretary
November 5, 2014