

COUNTY OF BERGEN
TOWNSHIP OF WYCKOFF

CHRISTIAN HEALTH CARE CENTER)
(CHCC) Block 443 Lots 49.03,)
52.01, 51(RA-25); 301)
Sicomac Avenue Amended) TRANSCRIPT OF
Site Plan,) HEARING
Applicant.)
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Memorial Town Hall, Scott Plaza
340 Franklin Avenue
Wyckoff, New Jersey
Tuesday, June 12, 2018, 7:30 p.m.

B E F O R E:

THE ZONING BOARD OF ADJUSTMENT
OF THE TOWNSHIP OF WYCKOFF

BOARD MEMBERS:

CARL FRY, Chairman
ERIK RUEBENACKER, Vice Chairman
BRIAN HUBERT
SUSAN YUDIN
ED KALPAGIAN
ROBERT EBEL
RICH DELEO (Absent)

HAROLD P. COOK, III, ESQ., Counsel for the Zoning
Board of Adjustment

MARK A. DIGENNARO, Borough Engineer
GARY M. ASCOLESE, P.E., Boswell Engineering
SUSAN McQUAID, Board Secretary

LYNANN DRAGONE
CERTIFIED COURT REPORTER
54 STIRLING TERRACE
TOTOWA, NEW JERSEY 07512
(973) 904-1421

ALSO PRESENT:

JEFFER, HOPKINSON & VOGEL, ESQS.
BY: JEROME A. VOGEL, ESQ.
Counsel for the Applicant

DOUGLAS A. STRUYK, President and CEO of Christian
Health Care Center

ALBERT W. ROUGHGARDEN, PE, CHE, Env, SP
Principal of Stantec Consulting Services,
Incorporated

MATTHEW MAHER, PE, PTOE
Traffic Engineer & Transportation Planner for
Stantec Consulting Services, Incorporated

CHAIRMAN FRY: Let's open the meeting.
I'll start by reading the Open Public Meetings Act
statement.

This special meeting of the Wyckoff Board
of Adjustment dated Tuesday, June 12, 2018, is now
in session.

In accordance with Section 8 of the Open
Publics Act, I wish to advise that notice of this
meeting has been posted in the main level of
Memorial Town Hall since Thursday, May 31st, 2018.
A copy of notice has been filed with the Township
Clerk and copies were sent to the Ridgewood News,
Bergen Record, and the North Jersey Herald & News,
and all papers with general circulation throughout
the Township of Wyckoff. This notice establishes
a special meeting for the Christian Health Care
Center. Formal action may be taken at this
meeting.

Sue, roll call, please.

(Roll call was taken, all board members
present respond in the affirmative. Board member
Rich DeLeo is absent)

CHAIRMAN FRY: Okay. Let's rise for the

flag absolute.

Mr. Ruebenacker, if you would, please.

(Pledge of Allegiance)

CHAIRMAN FRY: Okay. So a couple of quick
items. I just want to start with this. So to the
team, we have six board members here tonight.
We're short one. We already had two recuse
themselves from the application. We were
previously down two, we're now down three. So I
do have to ask if you want to postpone the meeting
to the next scheduled meeting or if you would like
to continue with the application being heard
tonight?

MR. VOGEL: Well, it's a hybrid. I would
like to continue with the meeting tonight but I
would like any vote to be taken to be participated
in by seven members. We will provide a copy of
the transcript so that the missing member can read
the transcript, certify it, and then participate
in the vote.

CHAIRMAN FRY: Very good. Thank you.
So we will continue.
For the board members, we had in our

1 packets, we had requested several items. So in
2 the packet for this period that was just provided
3 the other day, you should've had the Stantec very
4 comprehensive report. It's a spiral bound book.

5 We have the correspondence that we had
6 requested between the township and Bergen County.

7 We have a revised police report. There's
8 no date actually on it.

9 I had one minor comment before we get into
10 it.

11 And the transcripts from the previous
12 meeting, which, by the way, I never realized how
13 many times I say "so", so, please remind to stop
14 saying "so".

15 Okay. There are a couple of items that,
16 and just going through the paperwork, I'll kind of
17 start off, just a couple of brief questions and
18 then we'll get to the testimony.

19 It was a very thorough report that you
20 presented, as commented on before. I was good for
21 about the first five or six pages, then I think my
22 eyes rolled in the back of my head. So we're
23 going to need some solid testimony tonight to
24 better understand that.

25 The questions I have, and Mr. Ruebenacker

1 had requested this and I thought it was a key
2 component, and he's a hundred percent right, so
3 with regards to the correspondence, we had also
4 sort of requested a timeline as to let's go
5 through the correspondence to see when we received
6 them, what those correspondence were to make sure
7 everything from the town was captured between
8 either the town and the health care center and the
9 town and the County of Bergen.

10 So just to go through those - I said it
11 already - August 8, 2016, it looks like it was the
12 first of the correspondence.

13 Then we have October 13th of 2016.

14 These were both letters from the County of
15 Bergen.

16 Then the third looks like we have more
17 meeting minutes with a sign-in sheet from
18 July 18th, 2017.

19 Just to touch on the very first one. I
20 thought it was rather important. So the
21 August 8th, the county is recognizing that
22 currently the intersection of Cedar Hill and
23 Sicomac has two failing positions.

24 MS. YUDIN: At least.

25 CHAIRMAN FRY: At least. And they do

1 recognize that they were a little puzzled with the
2 board's previous decision to not add a cross
3 intersection at Cedar Hill but to leave the
4 existing intersection.

5 If you go to the second page, they go on
6 to say, "The county has reservations giving
7 approval for this application as currently
8 approved by the township without a signal and
9 related improvements being installed. Therefore,
10 we wish to gauge the township's interest in seeing
11 this intersection being signalized and improved.

12 We need to know this so that the county
13 engineering division can make the necessary
14 capital budget decisions as well as the County
15 Planning Board requiring a warranted fair share
16 contribution from CHCC as part of their additional
17 approval".

18 It almost seems to me like they were
19 trying to get information and feedback from the
20 town. As much as they were maybe stating their
21 position on it, it sounded like they were very
22 open to the discussion with the town.

23 They follow that up with the October
24 letter, October 13th of '16, which is a little
25 more firm, stating, "We feel that it is absolutely

1 warranted". Again, they're puzzled by the
2 decision. But they also had the engineer's data
3 that they had captured from the county. So I just
4 want to see how this ties to the report that we're
5 going to hear tonight because there's a lot of
6 data on these sheets. I was surprised with the
7 number of cars overall. But just so we can see
8 what they came up with, where they are today,
9 that's why we asked you to come up with a data
10 that's current because these reports, I believe,
11 were from 2006. They're rather dated.

12 Then the final letter was a meeting that I
13 guess they finally had with the town. And there
14 are only five bullet points to that and then a
15 sign-in sheet. And it looks like the intent was
16 to have a discussion with the township committee
17 to see the position.

18 The county did state their position that
19 they will require a traffic light at the
20 intersection. They then tried to get the mayor at
21 the time, Mayor Boonstra, and the representatives
22 that were there to engage, which they were
23 advised, the county was advised, that it wasn't
24 the position of the township committee, it's an
25 application that would go before the Board of

1 Adjustment.

2 The meeting ended with the county advising
3 that they will require a traffic signal and CHCC
4 must determine whether to return to the Land Use
5 Board if they want to modify the entrance/exit.

6 I just want to go on record, these are the
7 only three correspondence that we received. There
8 isn't any other substance; there isn't any other
9 correspondence. It looked like the town really
10 was reluctant to engage the more I started to read
11 into this. So the only correspondence from the
12 town or anything that was associated with the town
13 was that one that I just read from July 18th,
14 2017.

15 MR. HUBERT: Mr. Chairman, in the memo
16 from the county dated October 13th, the first
17 sentence references a meeting with the township
18 representatives on September 27th. I don't see
19 any correspondence from the township, either
20 minutes or any type of response back to the town.

21 CHAIRMAN FRY: It's in the October...

22 MR. HUBERT: October 13th, first sentence.

23 "This letter serves as a followup to our
24 meeting with township representatives on
25 September 27th where we outlined our position".

1 There's no correspondence in here. No --

2 CHAIRMAN FRY: And the only document we
3 had for a meeting was July 18th of '17.

4 MR. HUBERT: I would hope that there would
5 be some type of documentation on what transpired
6 at that meeting.

7 CHAIRMAN FRY: Sue, how do we determine
8 that these were all the correspondence?

9 MS. McQUAID: I got them from Jerry at
10 that last meeting.

11 CHAIRMAN FRY: Mr. Vogel might not have
12 even been part of the meeting at that point.

13 MR. HUBERT: We should see what took place
14 at that meeting.

15 CHAIRMAN FRY: September 27th looks like
16 there was another meeting.

17 MS. McQUAID: 2016. Okay.

18 MS. YUDIN: It looks like copies of this
19 letter went to the mayor and town council at the
20 time and the Board of Adjustment. But I don't
21 know if we ever got this letter.

22 CHAIRMAN FRY: I don't know why it
23 wouldn't have been part of this packet anyway.

24 Okay. So you might have to get some more
25 paperwork from the town.

1 All right. Timing wise, we'll do the same
2 thing. We'll go until 10:30. We'll see where we
3 are. We won't go past 11:00, just so everybody
4 has an idea of when we'll stop the meeting.

5 And as we hear testimony, after the board
6 has any questions for any of the representatives
7 providing testimony, any questions, then just like
8 last time, we'll open up to the public if they
9 have any comments.

10 Okay. Board members, unless you have any
11 other comments, we might as well get right into
12 the Stantec report that we received.

13 Mr. Vogel.

14 MR. VOGEL: Yes.

15 Certainly, as I'm sure you have, since the
16 last meeting I had an opportunity to reflect upon
17 what occurred at the prior meeting. And some of
18 those reflections lead me to believe that some of
19 the focus that we have here may be not quite on
20 point. I say that for the following reason:

21 This application is not about the traffic
22 light. The effect of the traffic light is
23 something imposed by the county. This is an
24 application to amend the site plan to redirect the
25 access from what currently exists to the

1 intersection of Cedar Hill and Sicomac. Now, it
2 may be part of the function of that removal that
3 the traffic light's going to go in, but the
4 traffic light is a reality. It was a reality
5 before we filed years ago; it remained a reality
6 through the whole process here; and it is a
7 reality now.

8 So where were we when we left here with an
9 approval for the site plan? We had to go back to
10 the county. Your resolution required that we go
11 back to the county because the county has
12 jurisdiction over the roadway.

13 We go back to the county and the county
14 did not change its position. They're going to put
15 a traffic light in. As a function of that, we
16 would have a driveway that would be incompatible
17 with the traffic light. We would have spent
18 millions of dollars to build a campus that
19 incorporates the Vista with the existing access
20 and the traffic light not taking advantage of it.

21 So we came to the conclusion that it would
22 be better for all concerned to reorient the access
23 to where the traffic light is going to be one way
24 or the other. And as a result of that, what did
25 we attempt to do?

1 Well, as I've indicated to you, all the
2 stakeholders in this, all the stakeholders,
3 including the Township of Wyckoff and including
4 our neighbors across the way in the shopping
5 center, including the service station operator,
6 including Abbies, including the Market Basket,
7 including the pharmacy, and the result here is not
8 simply a traffic light that's going to be
9 installed, but you have to understand that one of
10 the factors that we were able to accomplish was
11 all of the widening that's going to occur as a
12 result of this amendment to the site plan is going
13 to occur on the frontage of the Christian Health
14 Care Center.

15 Now, what effect does that have on the
16 intersection?

17 Well, number one, it makes it wide enough
18 so that the light certainly can be accommodated.
19 But more importantly, for our neighbors, if we
20 don't do this amendment, if the roadway is not
21 widened on the Christian Health Care Center side
22 of the road, across the street when the light goes
23 in, they're going to lose their parking in the
24 front. The access to the service station is going
25 to be affected.

1 So what has occurred as a result of this
2 proposed amendment is, and if you look at the
3 plans and review the plans, as a result of this
4 amendment, the improvement, even the permanent
5 improvement of both sides of the road, we're only
6 improving our side, even when the other side is
7 improved, does not intrude upon their parking. So
8 what essentially we've done as a function of the
9 light is to preserve the ability of the neighbors
10 across the street to continue.

11 Now, that is a benefit. That's not a
12 benefit to the health care center, but as a
13 neighbor that was something that we could do in
14 order to accommodate that interest. At the same
15 time, we were willing to accommodate the county.
16 The only problem we have is the site plan that was
17 approved did not incorporate the driveway that we
18 now suggest we'll take off, and you'll get that
19 from the witnesses this evening, take off a lot of
20 the traffic that would traverse Sicomac Avenue,
21 traverse the intersection with Mountain Avenue can
22 effectively regulate it.

23 I must say, I commend to every member of
24 the board the independent reports that you have
25 received. Way back when you received an

1 independent report from Dolan & Dolan, who was the
2 traffic expert hired by the board, that report, if
3 you go back and look at it, which I did, indicates
4 that this four-way intersection with a
5 signalization would be the safest methodology you
6 could have within the context of all of the
7 operation of Sicomac and the intersection itself.

8 More recently, if you look at the reports
9 of the Wyckoff Fire Department and if you look at
10 the report of the Wyckoff Chief of Police, both of
11 those reports indicate that with the signalization
12 and the four-way intersection, the safety, the
13 health and welfare of people who traverse that
14 intersection will be better preserved.

15 The testimony will be, and you will hear
16 that where the Level of Service F currently
17 exists, it will be accelerated to be something
18 that is more compatible with the free flow of
19 traffic.

20 The problem is that, and I think the board
21 has recognized it, we're between the county and
22 the township. And what we attempted to do is to
23 bring forth something we thought was for
24 everybody.

25 The traffic light that the county is

1 proposing at this point is much less than it
2 wanted the first time around. The first time
3 around it wanted all of the curbing on the other
4 side of the roadway. It wanted the type of signal
5 that was referred to, I think by some of the
6 people, as something that's not consistent with
7 Wyckoff.

8 What you now have is a modest signal, but
9 one that protects the intersection. But be it as
10 it may, the light is a reality. It is going to
11 occur and the question is whether or not when it
12 occurs it is better to have occurred with the
13 driveway that we now propose as differentiated
14 from what was previously approved. And that's
15 really the focus of this. Not so much about
16 whether there should be a traffic light or not.
17 There's going to be a traffic light. That is not
18 a call that we made at the Christian Health Care
19 Center. It's not a call that can be made by the
20 township. It's not a call that can be made by the
21 Board of Adjustment.

22 As a matter of fact, if you look at the
23 bullet points that were in the one meeting that
24 I'm aware of, there may have been other meetings,
25 but we were neither invited nor advised of them,

1 but the one meeting that we were able to bring to
2 pass in the back room here attended by the county,
3 all of the township representatives, and the
4 Christian Health Care Center, the whole discussion
5 centered around the fact that the county has for
6 many years wanted to have that intersection
7 signalized and that it is about to have it
8 signalized and it takes this opportunity to do it.
9 And the question is whether or not this site plan
10 that we've asked you to amend is going to be
11 compatible with that or it's going to be stuck
12 where it is right now and will not be compatible
13 with it, quite frankly. And that's the issue as I
14 see it that's before you.

15 Absent any question you have of me, we'll
16 call Stantec back to get to the information you
17 requested.

18 CHAIRMAN FRY: I just want to make one
19 comment.

20 The board absolutely understands that
21 point. You are between a rock and a hard place.
22 The board is now looking at the intersection is
23 the focal point for it. And the board already
24 heard several months of testimony and at the end
25 of the day, the answer was there's going to be

1 roughly two percent increase to this. So the
2 board was absolutely challenged with saying that
3 isn't enough to justify having an intersection
4 that's signalized.

5 And now we're back. I think what's
6 important about this, and I appreciate you going
7 back. And listen, you see we're genuinely trying
8 to get to all the facts. We want to see how we
9 can better understand to see why the reason of
10 having a signalized intersection.

11 MR. VOGEL: I'll take the chance that you
12 all who were at the last hearings when the
13 approval was granted have the same recollection I
14 have.

15 My recollection is not that the objection
16 was to the driveway coming out at the
17 intersection. I don't think anybody really
18 objected to that. What people objected to was the
19 traffic light. And that was the reason that the
20 access was deleted at the intersection and left to
21 where it currently is.

22 People didn't come to the conclusion that
23 that was a bad access. My recollection is that
24 the reason that it was changed was solely because
25 they didn't want the traffic light. And I stood

1 here at those meetings and I said, I will go back
2 to the county and I will fight not to have it.

3 I went back. I believe I fought the good
4 fight and I couldn't convince them. And then what
5 we did is we had the meetings here with the
6 township. The township didn't take a position,
7 but there was this indication that before the
8 Board of Adjustment that there were people who
9 were opposed and that, therefore, the site plan
10 was approved with the current access being
11 maintained.

12 But I don't have any recollection of
13 anybody ever concluding that a four-way
14 intersection was inappropriate or indeed there was
15 never any testimony to the effect that it wasn't
16 safer. I believe it is safer. I believe the
17 testimony was it's safer. The reason it got voted
18 down is because people didn't want to have the
19 traffic light.

20 And the problem is we're hung up on the
21 traffic light, which is not the doing of the
22 applicant, not the doing of the township, but the
23 fact of the matter is that if the light goes in,
24 the question before this board is have we approved
25 the site plan that is consistent with what the

1 county's jurisdiction has placed us in a position
2 where we must accommodate it. And that's as I see
3 it.

4 I call Mr. Roughgarden from Stantec -- Mr.
5 Maher.

6 MR. ROUGHGARDEN: Mr. Maher.

7 MR. VOGEL: For the record, state your
8 name again.

9 MR. MAHER: Matthew Maher.

10 MR. VOGEL: Mr. Maher, do you recall you
11 were sworn at the previous meeting?

12 MR. MAHER: Yes.

13 MR. VOGEL: And you understand you remain
14 under oath?

15 MR. MAHER: That's correct.

16 MR. VOGEL: You were asked to provide the
17 board with certain information. Did you?

18 MR. MAHER: Yes.

19 MR. VOGEL: Would you describe to the
20 board what that is.

21 MR. MAHER: Right.

22 We purported the following presentation in
23 direct response to comments we received from the
24 board two weeks ago. The order of topics we're
25 going through is the litany of traffic reports

1 that have been prepared by Stantec in the past,
2 providing you with a timeline or a compendium, if
3 you will, of all that's been done up to this
4 point.

5 Secondly, we're going to go over, once
6 again, the existing traffic conditions and the
7 police crash data that we pulled. The police
8 department did a great job at getting a good turn
9 around time. I'd like to thank Sue for that and
10 Officer Zivkovich.

11 And, thirdly, we are going to be
12 presenting the plan, the county's plan to
13 signalize the intersection and Christian Health
14 Care Center's plan to connect to that intersection
15 via a fourth leg.

16 And we also took a look at a traffic video
17 that showed what would happen if the county put
18 the signal in but Christian Health Care Center
19 maintained existing access.

20 So first we're going to go through the
21 compendium of previous studies all the way from
22 2006 to 2018. I provided you here with a
23 timeline. In 2006, Stantec prepared a report for
24 the county. We took a look at traffic volumes,
25 crash data, and the report showed that a signal

1 was warranted initiating the county's intent to
2 signalize the intersection of Sicomac and Cedar
3 Hill.

4 2008 we did a traffic impact study report
5 for the initial iteration of the 258 units, the
6 original 258 units proposed of senior housing
7 development that included the county signal. The
8 report concluded that there were no significant
9 traffic impacts.

10 Shortly after, we did a queue study letter
11 just taking a look at what the impacts would be at
12 Sicomac and Mountain on queuing and the letter
13 showed that there would be no significant impacts
14 there.

15 Skipping ahead to 2013. We prepared an
16 addendum letter for the Vista for the reduced
17 development size, 199 units. The county signal
18 was not included in this analysis, but the report,
19 nonetheless, concluded no significant traffic
20 impacts.

21 Later that year, same analysis but just
22 presented to the County of Passaic, no significant
23 traffic impacts.

24 And that brings us to today.

25 This is our most current analysis, 199

1 units. The county signal is included in the
2 analysis. Internal site circulation improvements
3 are also included in the analysis, which as the
4 report shows, removes traffic from the
5 intersection of Sicomac and Mountain Avenue. And,
6 likewise, this report concludes that there are no
7 significant traffic impacts.

8 So another question we received from the
9 board two weeks ago is just could you give us a
10 little further detail on what's changed both from
11 trip generation and a traffic volume perspective.

12 So the 258 units have since been reduced
13 to 199. But just comparing the 199 unit trip
14 generation between the 2013 study and the 2018
15 study, we see an increase of 1:00 p.m. peak hour
16 trip, which has a negligible impact. This
17 increase in one trip has to do with varying sample
18 sizes that the ITE Trip Generation Manual, by the
19 way, the ITE Trip Generation Manual is the
20 standard we use to calculate how many trips
21 certain development would put on a certain roadway
22 network. Sample sizes, change, they base these
23 trip generation numbers on count data for similar
24 sites. So that was why that trip went up by one
25 trip.

1 Then just going over changes in traffic
2 volumes from 2008 to 2013 to 2018, we see
3 relatively flat growth. It's not decreasing
4 growth.

5 I would like to note to the board that
6 even though traffic has somewhat decreased since,
7 when the count's performed in 2006, the volumes
8 are still high to warrant the traffic signal both
9 with the eight-hour warrant and the four-hour
10 warrant that were originally justified in the 2006
11 study.

12 CHAIRMAN FRY: Do you know, with the
13 reduction, do you know how close it is now from
14 going from an F to D? Or is it not close enough
15 or significant enough to give a --

16 MR. MAHER: It's not close at all at the
17 intersection of Sicomac and Cedar Hill. That
18 southbound approach is still very much Level of
19 Service F territory. In fact, off the top of my
20 mind, it's a minute over.

21 So does the board have any questions about
22 the analysis that was previously performed?

23 MR. RUEBENACKER: Thank you, Mr. Maher.
24 Quick question, on the timeline.

25 MR. MAHER: Sure.

1 MR. RUEBENACKER: You said, "no
2 significant impact". How do you define "no
3 significant impact"? Less than five percent?
4 Less than two percent? What's the definition of
5 "no significant impact"?

6 MR. MAHER: Two percent is certainly a
7 good rule of thumb. We do cite that. But traffic
8 engineering standards dictate that if there's any
9 change in level of service, if there's any
10 increase in level of service, that there is a
11 significant impact.

12 Just to explain to the board what level of
13 service is, it's much like on your report card you
14 get a grade except with traffic engineers we like
15 to include the grade E. It goes A, B, C, D, E, F.
16 F meaning failing operations or congested or
17 queued conditions like you currently see at
18 Sicomac and Mountain, the Mountain Avenue approach
19 to be specific, and then A meaning free flow
20 conditions. So if there's any worsening in level
21 of service, we would deem that to be a significant
22 impact.

23 CHAIRMAN FRY: Just one quick thing.
24 Briefly, can you go through what is the wait
25 duration from A to F? Time based.

1 MR. MAHER: Sure.

2 For a un-signalized intersection like
3 what's currently out there today, if you're
4 waiting an average of ten seconds or less at a
5 un-signalized intersection, that's Level of
6 Service A. If you're waiting 50 seconds or more,
7 that's Level of Service F.

8 CHAIRMAN FRY: Thank you.

9 MR. MAHER: You're welcome.

10 MR. HUBERT: Are these slides in your
11 presentation?

12 MR. MAHER: The slides are not in the
13 report.

14 MR. HUBERT: Can we get copies of those?

15 MR. MAHER: Certainly.

16 MR. HUBERT: Thank you.

17 MR. MAHER: Any other questions about the
18 analysis previously?

19 CHAIRMAN FRY: Board members? No.

20 MR. MAHER: Okay. So moving forward,
21 albeit recognizing that there's no significant
22 impacts as documented in our report, we would like
23 to go through, just because there's some questions
24 about how the model, how we determine its
25 efficacy, its accurateness, traffic engineers go

1 by the book of the Highway Capacity Manual, which
2 dictates everything from freeways to intersections
3 to roundabouts. We take the volume counts, we put
4 it into the model. But just to make sure it's not
5 a black box effort, type the data in, it spits out
6 whatever it finds, we do go out to the field. And
7 this is the southbound Cedar Hill Avenue approach
8 to Sicomac Avenue during the a.m. peak and during
9 the p.m. peak. This is the heat of the a.m. peak.

10 The a.m. peak hour's 7:30 to 8:30 and this
11 is approximately 7:45 to 8:00 a.m.

12 And then the p.m. peak it hits right
13 around school dismissal within nearby Sicomac
14 Elementary. And the heat of that peak is 3:15 --
15 not 3:15, 3:00 to 3:15.

16 So we noted queuing in the field. These
17 were photos taken just last week. I will submit
18 to the board, however, conditions are typically
19 worse than this because the school year is kind of
20 petering out at this point. If we were to revisit
21 this intersection during mid spring, you might see
22 a larger queue.

23 This is queued all the way back passed the
24 medical building towards the shopping center
25 closer to 208.

1 And this is queuing we captured on the
2 Mountain Avenue approach to Sicomac during the
3 a.m. and p.m. peak hours. Once again, queuing
4 extended past Mulberry Court. So we were able to
5 document this in the photos and --

6 CHAIRMAN FRY: Coming down Mountain Avenue
7 towards Sicomac?

8 MR. MAHER: That's correct.

9 CHAIRMAN FRY: I'll help you out.
10 Mulberry's on the left. Got you.

11 MR. MAHER: So now we'll delve into the
12 traffic model.

13 We were previously asked by the board to
14 take a larger look at the study area, not just
15 focus in on the intersection of Sicomac and Cedar
16 Hill, so we did. So we included both driveways of
17 the Christian Health Care Center.

18 Once again, everything's calibrated. We
19 made sure that the queuing that's shown in the
20 model represents conditions in the field. The
21 cars are running at four times the speed. It's a
22 four-minute model, so this is roughly a 15-minute
23 snapshot of what's going on at the study area
24 intersections.

25 Shortly we'll zoom into the Mountain

1 Avenue and Sicomac Avenue intersection. Get a
2 five-minute modeling time; one-minute snapshot of
3 the intersection just showing the queuing that's
4 going on right there.

5 You may notice queuing that's taking place
6 currently in front of the Christian Health Care
7 Center driveway. Just because vehicles have to
8 turn left, that sometimes stops traffic here, we
9 also incorporated that into our model. That
10 condition, of course, would be rectified with the
11 county's signal. Now vehicles would go through
12 the intersection straight into the site. So that
13 would eliminate that existing queued condition.

14 We'll zoom into Mountain Avenue and
15 Sicomac. So here's the queue that's stacking up.
16 This left turn is waiting for gaps in traffic.

17 I submit to the board that gaps in traffic
18 would improve with the county's construction of
19 the signal at Sicomac and Cedar Hill. But as for
20 now, as documented in the photos, the queuing is
21 going back to Mulberry Court right here.

22 MR. RUEBENACKER: Mr. Maher, can you
23 explain that concept again?

24 I still fail, maybe I'm just forgetful,
25 how does the signal help Mountain and Sicomac?

1 MR. MAHER: The signal creates a
2 platooning arrival pattern. So it stops traffic
3 when it's time to let traffic go on Cedar Hill
4 Avenue. So Sicomac is temporarily stopped.
5 There's a gap that's created for traffic to turn
6 onto Sicomac Avenue downstream.

7 MR. RUEBENACKER: So it provides a gap so
8 that the folks on Mountain Avenue can turn left
9 you're saying.

10 MR. MAHER: That's correct. It increases
11 gaps in the flow of traffic. It's a platooning
12 effect, because vehicles have to stack up at Cedar
13 Hill and Sicomac and it actually operates that
14 Level of Service A, that movement ten seconds or
15 less they wait. But that time that they stack up
16 gives those left turners a chance downstream to
17 enter in the flow of traffic from Mountain.

18 MR. KALPAGIAN: Just out of curiosity,
19 what happens when Sicomac stops, it's stopping in
20 both directions.

21 MR. MAHER: Yes.

22 MR. KALPAGIAN: So the buildup from the
23 light to Mountain, is it, you know, with that time
24 frame?

25 MR. MAHER: No, the level of service for

1 that through movement and stacking isn't the right
2 word there, there's not -- the vehicles are
3 waiting on average ten seconds or less and that
4 gives you a Level of Service A, which is the
5 rating of best conditions possible. But the
6 signal still provides that gapping necessary for
7 more vehicles to turn left out of Mountain Avenue
8 onto Sicomac.

9 MR. KALPAGIAN: No, I understand that.
10 What I'm saying is, you know, roughly the length
11 of your proposal during peak hours, the a.m. and
12 p.m. hours when there's more cars on the road and
13 you have a higher volume going down Sicomac, now
14 the light at Sicomac and Cedar turns red. Totally
15 can see how it stops the traffic. You're sitting
16 in Mountain and Sicomac coming from right to left.

17 MR. MAHER: Right.

18 MR. KALPAGIAN: Now cars are stopping that
19 are headed in the opposite direction on Sicomac at
20 that light. If they stop, if there's enough
21 stoppage all the way back to Mountain, all it
22 takes is one person not making a left now looking
23 to make a right but can't go because there's a red
24 light, you're still going to have a back log.

25 MR. MAHER: No, because the signal is

1 going to result in a Level of Service A
2 conditions. There's turning bays provided to get
3 traffic out of the through movement at the county
4 signal as well.

5 If you take a look at the video we have
6 for the built condition, which includes the county
7 signal, you'll see how that proposed condition
8 operates.

9 MR. KALPAGIAN: Okay.

10 MR. MAHER: While we were discussing that,
11 I would also like to note to the board that there
12 is queued conditions on the Cedar Hill Avenue
13 approach to Sicomac when we zoomed into that
14 intersection, so that is reflective of the photos
15 that we took in the field.

16 CHAIRMAN FRY: So in that direction
17 heading south on Cedar Hill to Sicomac, I'm
18 assuming that's your number 1 is an F?

19 MR. MAHER: Cedar Hill to Sicomac, yes.
20 That whole approach fails. Both the left turn and
21 the right turn.

22 CHAIRMAN FRY: Both the left... Okay. So
23 both F ratings that we see in here, there's one
24 for the left turn and one for the right turn.

25 MR. MAHER: Yes.

1 CHAIRMAN FRY: Both heading in the same
2 direction.

3 MR. MAHER: Right.

4 It operates as more as a one lane approach
5 due to the limited turning bay length. Of course,
6 the county did recently formalize that approach to
7 provide two lanes. But it does operate more as a
8 one lane approach due to the limited stacking
9 provided.

10 CHAIRMAN FRY: But do we know now that
11 it's two lanes, which is a great idea, left and
12 then right turn only/left turn only, so to speak.

13 MR. MAHER: Yes.

14 CHAIRMAN FRY: So now is that left under
15 that condition still an F?

16 MR. MAHER: That is correct. The left is
17 still an F. And it's simply because the F is
18 unable to find sufficient gaps in traffic and as a
19 result of that, as we'll see in the crash
20 analysis, vehicles are accepting shorter gaps in
21 traffic resulting in, at times collisions at that
22 intersection.

23 And we pulled that crash data for you and
24 we'll go over that shortly.

25 CHAIRMAN FRY: Sure. Okay.

1 MR. MAHER: Any additional questions?
2 We'll skip back.

3 CHAIRMAN FRY: Mr. Ascolese, do you have
4 any questions?

5 I apologize.

6 MR. ASCOLESE: I don't. I agree with just
7 about everything Mr. Maher's mentioned.

8 I just have some questions and comments in
9 the report and we'll get to that.

10 CHAIRMAN FRY: Okay.

11 MR. ASCOLESE: I'm familiar with the
12 simulation. And if you notice on the simulation,
13 the main movements at this intersection, as you
14 know, are the right turns from Cedar Hill and the
15 left turns from Sicomac. And why the county I
16 think had indicated the need for a signal is that
17 they were looking over for the total entering
18 volume of the intersection. But when you look at
19 the actual number of turning movements, the right
20 turn from Cedar Hill and the left turn from
21 Sicomac, those two movements themselves add up to
22 about 750 vehicles and they don't conflict.
23 There's no friction between those movements
24 because one guy is making a right; the other guy
25 is making left.

1 So even though the numbers are satisfied,
2 when you look at the federal Manual on Uniform
3 Traffic Control Devices, the numbers that are
4 needed in order to justify a signal, those numbers
5 are met. When you look more closely at the actual
6 turning movements going through it, there's not a
7 lot of friction between that right turn and the
8 left turn. And that's why you're questioning,
9 well, I drive through there, it doesn't seem that
10 bad. It's because those movements don't conflict.
11 And you can see that on the simulation.

12 CHAIRMAN FRY: That's a great analysis.
13 So, in other words, they're looking or they could
14 potentially be looking at the volume, the overall
15 volume. If you were to look at that and then
16 block everything else, okay, that's it. It
17 already meets it. You don't have to look at
18 anymore details.

19 Somehow this intersection does seem to
20 just throw, because like you said, there is no
21 friction between those two impacted turns.

22 MR. ASCOLESE: And that you can see in the
23 report that was prepared on Exhibit 7 and 8. And,
24 again, they broke it down nicely between a.m. peak
25 hour, p.m. peak hour, and Saturday peak hour. You

1 take a hard look at those numbers, you can see
2 that those movements are more or less made
3 simultaneously. They don't conflict. So they add
4 to the number that you need, but because there's
5 no friction between those movements, does not rate
6 that badly.

7 MR. MAHER: I will submit to the board,
8 however, that this is a failing approach. The
9 vehicles are stacked back. They're stacked back
10 beyond the medical center.

11 Failing conditions is something to note.
12 We'll go over the crashes shortly. But the fact
13 of the matter is it does meet the volume warrants
14 for four hour and eight hour. So this is
15 something that's notable.

16 The county's intent is to signalize based
17 on this existing volume and crash data.

18 All right. Moving ahead to p.m. And once
19 again, zoom out and then we'll zoom into Mountain
20 and Sicomac and then we'll zoom into Sicomac and
21 Cedar Hill.

22 Model's calibrated according to the
23 photos.

24 If the signal were here, then we wouldn't
25 have any of the stacking on westbound Sicomac that

1 you might see later on in the simulation.

2 You'll notice that a queue is forming here
3 on the Mountain approach to Sicomac and that's
4 about to stack back to Mulberry and then likewise
5 you'll see actually a right, more pronounced right
6 turn queue on the Cedar Hill Avenue approach
7 during the p.m. peak.

8 I wish there was a way to fast forward
9 this thing, but as we wait, any questions?

10 I'm probably just going to wait until it
11 zooms into Mountain and Sicomac and then move onto
12 the next slide for crash data.

13 So as you can see, now we have longer
14 queue lengths on the Mountain Avenue approach to
15 Sicomac.

16 MR. RUEBENACKER: Just, again, to refresh
17 my memory, peak is from 3:00 to 3:30?

18 MR. MAHER: The whole p.m. peak hours is
19 from 3:00 to 4:00. The heat of the peak, as we
20 like to call the peak 15 minutes, is 3:00 to 3:15.
21 Right around school dismissal.

22 If the board doesn't mind, should I move a
23 slide ahead?

24 CHAIRMAN FRY: Sure.

25 MR. MAHER: Okay.

1 So this is a crash diagram. I apologize
2 for many things that appear up on the screen.
3 It's kind of tiny. But if you see those red dots,
4 we went through all the crash reports with a fine
5 tooth comb to determine which crashes could be
6 correctable by a signal. Nine crashes over here
7 were deemed correctable by a signal, mainly, left
8 turn collisions. People inching their way out of
9 Cedar Hill trying to turn left onto Sicomac. Also
10 people turning left from Sicomac to Cedar Hill.
11 So you see those more severe occurrences of left
12 turn collisions, right angle collisions.

13 We also noted that there were one, two,
14 three crashes that resulted in an injury. And,
15 furthermore, with the construction of the county's
16 signal and Christian Health Care Center relocating
17 their driveway to that signal, these three crashes
18 up here would be corrected by the proposed
19 improvement and one of these results in an injury.
20 All three of these collisions are related to
21 people turning left into the site and left out of
22 the site.

23 When you add these collisions up, you have
24 12 crashes. MUTCD --

25 MS. YUDIN: During what period of time?

1 MR. MAHER: I'm sorry. It's from the
2 beginning of 2015 through right now.

3 MUTCD states that you look at the most
4 recent 12-month period when trying to justify the
5 need for a signal based on crashes. And there's
6 corresponding volume warrants alongside with that
7 that are met. And of these 12 crashes, seven of
8 them have occurred within the past year. So not
9 only is it meeting, it's succeeding that threshold
10 dictated by our publication that tells us that a
11 traffic signal is warranted based on crash
12 experience. And that's just another warrant
13 thrown on top of the eight hour and the four-hour
14 warrants that are already justified.

15 So, once again, stressing to the board
16 that the county has a legitimate interest in this
17 intersection both from a safety and a congestion
18 perspective.

19 CHAIRMAN FRY: Just to recap. This is
20 roughly three and a half years worth of data.

21 MR. MAHER: That's right.

22 CHAIRMAN FRY: Nine were correctable had
23 there been an intersection signalized there.

24 MR. MAHER: That's right.

25 CHAIRMAN FRY: Three were directly related

1 to people either turning into or out of the
2 existing drive?

3 MR. MAHER: That's correct, left turns.

4 CHAIRMAN FRY: Left turns.

5 MR. MAHER: Which would be relocated to
6 the county signal with the Christian Health Care
7 Center access relocation that's being proposed.

8 CHAIRMAN FRY: Mr. Ascolese, what is the
9 threshold -- so that's over a three and a half
10 year period. So say there were 12 and it's four a
11 year, is there a threshold -- how does the --

12 MS. YUDIN: He said there were nine in the
13 last year.

14 MR. ASCOLESE: Seven within the last year.
15 And what I would imagine, that may have been as a
16 result of painting out the two lane lines on Cedar
17 Hill Avenue, which was done some time I think in
18 late 2016, early 2017. It kind of freed up Cedar
19 Hill Avenue a little bit. It might have made
20 things a little more cavalier as far as trying to
21 pull out on Cedar Hill.

22 The general rule of thumb that I had used
23 in my career was if you have five accidents a year
24 that were correctable with a traffic control
25 device, you've expended any other means of trying

1 to control those. You have a T-intersection with
2 a stop sign control. The next order of magnitude
3 would be a signalization of that intersection to
4 try to reduce that number.

5 CHAIRMAN FRY: Currently, it's at the
6 maximum protection you could without going to a
7 signal.

8 MR. ASCOLESE: That's correct.

9 CHAIRMAN FRY: You've exhausted everything
10 else you can say up to having put a signal in.

11 MR. ASCOLESE: That's correct. I mean,
12 another alternative would be like a three-way stop
13 sign, which I would absolutely not recommend here.
14 That would be an interim type of thing that I
15 wouldn't recommend.

16 I think the best thing would be to
17 signalize it with an actuated piece of equipment
18 to make sure that things flow freely through the
19 intersection.

20 MR. MAHER: Mr. Ascolese has pointed out
21 correctly that part of that MUTCD warrant of
22 signalization because of crash experience requires
23 that you do a trial of a crash remediation
24 measure, low cost crash remediation measure, to
25 see if crashes at this intersection would be

1 improved, would be brought down below that five
2 crash threshold. And the county's restriped the
3 approach of Cedar Hill Avenue to Sicomac to
4 provide those two through lanes and it has been
5 shown not to reduce the crashes below that
6 threshold.

7 MR. HUBERT: It actually exacerbated the
8 problem. I mean, it solved if you were back to
9 208 --

10 MR. MAHER: I did review the crashes,
11 crash by crash, there were no crashes occurring
12 during the restriping phase. Would drivers become
13 more aggressive during that period after striping;
14 possibly. But it's my opinion that that might
15 have a negligible impact.

16 CHAIRMAN FRY: You probably had people now
17 cutting that turn a little tighter, but now there
18 are two lanes, so another car's pulling up further
19 into the intersection, whereas, before everyone
20 was just stacked one behind the next. So a car
21 could just come right around the front corner, but
22 now if it's double the width, you have to make
23 your turn wider to get around that second lane.

24 MR. ASCOLESE: Yes.

25 CHAIRMAN FRY: So there might have been a

1 learning curve associated with that. Obviously,
2 there was.

3 Okay.

4 MR. RUEBENACKER: One quick question.

5 So of the 12 accidents that you
6 researched, not a single one was pulling in or out
7 of the Market Basket shopping center nor the gas
8 station?

9 MR. MAHER: We did see crashes related to
10 that, two in fact related to the Market Basket
11 parking lot, they are not included in that figure
12 of 12. But we have depicted them on our collision
13 diagram. These orange dots right here.

14 CHAIRMAN FRY: Were the accidents on
15 Sicomac Avenue or in the parking lot where
16 somebody just backed into somebody?

17 MR. MAHER: They were in the parking lot.

18 MR. RUEBENACKER: Okay. So not coming
19 down Sicomac Ave. turning a left into the parking
20 lot and getting hit from an oncoming car on
21 Sicomac Ave.?

22 MR. MAHER: That's correct.

23 Yes?

24 MR. DiGENNARO: You said that the accident
25 summary data was taken from the beginning of 2015

1 to current.

2 MR. MAHER: That's right, yes.

3 MR. DiGENNARO: How does this compare to
4 the prior three years when the application first
5 got approved, initial analysis?

6 MR. MAHER: We submitted to the board
7 because of limited time, case numbers from 2015 to
8 2017 as a means to expedite their pull on the
9 earlier time frame of crash data. But we really
10 believe with the police department's pull of 2017,
11 2018 data we got a better picture of what was
12 going on at the intersection.

13 If you do compare the recent 12 months,
14 the 12 months before that and before that have
15 been lower. But MUTCD dictates that it's a
16 rolling 12-month period that you take a look at.

17 It's my opinion if I asked the board or if
18 I asked the police department to pull crash data
19 without me supplying them case numbers for that
20 whole time period, I believe we would have gotten
21 more crash data from them.

22 Any additional questions on the crashes?

23 MR. EBEL: Do we know if any phone devices
24 were involved in the crashes that would not reduce
25 the crashes if there was a signal or we have no

1 way of knowing that?

2 MR. MAHER: It's not recorded in the --
3 there's no field for it. Yeah, we wouldn't be
4 able to substantiate that.

5 MR. EBEL: Okay.

6 MR. MAHER: My colleague reminded me that
7 all the yellows are crashes too. So there's
8 actually 18 crashes going on at the intersection.
9 Nine of that 18 correctable through a signal. And
10 you'll also note the collisions at Mountain and
11 Sicomac.

12 MR. HUBERT: How many are at Mountain and
13 Sicomac?

14 MR. MAHER: We observed, approximately,
15 looking at the numbers there, around 25. Some of
16 them would be correctable through the installation
17 of the traffic signal, but by and large the
18 crashes that approach that intersection have to do
19 with rear end collisions, have to do with vehicles
20 stacking up on approach to the intersection;
21 person looks down, looks at their phone or maybe
22 drops something and then they look back up, they
23 were kind of slowly proceeding in a traffic jam
24 and all of a sudden there's a stopped car in front
25 of them, they can't slam on their brakes in time,

1 so... Just to delve into that.

2 MR. HUBERT: Do we know what the last 12
3 months were for that?

4 MR. MAHER: We did not take a more in
5 depth analysis here.

6 CHAIRMAN FRY: That number was 23?

7 MR. MAHER: Around 25.

8 CHAIRMAN FRY: Okay. Anything else?
9 Moving right along.

10 MR. MAHER: Okay. So we talked about the
11 legitimate concern by the county according to
12 existing congestion levels and safety issues. Now
13 we're going to be moving onto future conditions.
14 So this is the proposed signal to be
15 constructed by the county to operate at a
16 two-phase 90-second cycle length. This is just
17 previously presented two weeks ago and that's been
18 incorporated in our traffic model.

19 Just to cite what else brings us to 2020
20 built condition volumes. We have the background
21 traffic growth. We have the methodology dictated
22 by the New Jersey Department of Transportation to
23 grow background volumes by a certain amount. We
24 have the redistribution of existing Christian
25 Health Care Center traffic from their existing

1 driveways to the new signalized intersection, plus
2 there's an internal connection so now people that
3 are coming from both the lower and the upper
4 sections of the Christian Health Care Center
5 campus now can easily access either the driveway
6 on Mountain or the driveway on Sicomac thereby
7 removing traffic volumes from this intersection.
8 And then, finally, we added the minimal volumes
9 from the Vista project onto that to arrive at the
10 2020 built condition volumes.

11 CHAIRMAN FRY: So if I read that
12 correctly, it's anticipating 1.5 percent increase?

13 MR. MAHER: Two percent increase.

14 CHAIRMAN FRY: Annually?

15 MR. MAHER: Oh, oh, the background growth
16 rate you're talking about?

17 CHAIRMAN FRY: Yes.

18 MR. MAHER: 1.5 percent per year.

19 CHAIRMAN FRY: 1.5 per year.

20 MR. MAHER: And this is just to make sure
21 that what is being constructed doesn't fail a few
22 years down the road. We just want to design for
23 future conditions.

24 CHAIRMAN FRY: Even though we were just
25 looking at 2006 to 2018 and it's lower than it

1 was?

2 MR. MAHER: Yes, we're modeling based on
3 what we saw in the field.

4 CHAIRMAN FRY: Understood, understood.

5 MR. MAHER: You'll notice that the queue
6 for the built condition does not stack all the way
7 back to Mulberry Court. The queuing is less. If
8 you review the traffic impact study, you'll find
9 that this proposed condition with the county
10 signal, with the revision of the internal site
11 circulation, with Christian Health Care Center's
12 relocated driveway, all three study area
13 intersections would operate better than currently
14 both in the a.m., p.m., and even in the Saturday
15 peak hours.

16 CHAIRMAN FRY: By all three, again,
17 Mountain Avenue, just so we're speaking the same
18 language, Mountain Ave. headed toward Sicomac.

19 MR. MAHER: That's right.

20 We're pulling traffic out of the
21 intersection of Mountain Avenue and Sicomac Avenue
22 because Christian Health Care Center is
23 constructing an on-site roadway to connect the
24 northern and the southern portions of campus and
25 better connect those roadways to the respective

1 driveways that are going on Mountain Avenue and
2 Sicomac Avenue.

3 MR. HUBERT: And once again, I just want
4 to make sure this is clear, this is all based on
5 discussion at the last meeting about the
6 installation of a "temporary" light. Correct?

7 MS. YUDIN: Interim.

8 MR. HUBERT: Interim, sorry. It says
9 "temporary" in the notes.

10 MR. MAHER: That is correct.

11 MR. HUBERT: It's all based off temporary?

12 MR. MAHER: Yeah, the county's proposed
13 signal.

14 MR. HUBERT: Temporary, yes or no?

15 MR. MAHER: Yes, yes.

16 MR. KALPAGIAN: Can you step back one
17 second. I want to make sure I understand one part
18 of what you said.

19 MR. MAHER: Sure.

20 MR. KALPAGIAN: You were stating that
21 there will be less traffic coming down Mountain
22 Avenue because the proposed road that will go
23 right to Cedar Hill, connect Cedar Hill and make
24 that a four-way intersection?

25 MR. MAHER: Right, just to --

1 MR. KALPAGIAN: So, in other words, local
2 traffic will drive through the campus?

3 MR. MAHER: No, no, local traffic will not
4 drive through. In fact, it's not going to be a
5 preferred method because it's going to be somewhat
6 circuitous for traffic to drive through the
7 development to bypass the Mountain Avenue
8 intersection.

9 But what we are saying is the traffic that
10 currently turns right out of the driveway on
11 Mountain Avenue, onto Mountain Avenue to make a
12 left turn afterwards onto Sicomac won't want to
13 wait in that queue anymore, they'll want to use
14 the more easy access afforded to them where they
15 don't have to wait as long at the county signal at
16 Sicomac and Cedar Hill.

17 MR. KALPAGIAN: So you did this study, I
18 assume you have an answer to my next question. At
19 peak hours, how many vehicles is that?

20 MR. MAHER: That is roughly during a.m.
21 conditions around 50.

22 Those numbers are in the traffic report.
23 I can only give you ballpark figures.

24 But in the p.m. it's a notable decrease.
25 Actually, let me get you the exact --

1 CHAIRMAN FRY: You should be able to do
2 the comparison. You got every intersection with
3 the peak, you got every time. So why don't we go
4 to it so we can see what the difference is
5 currently to proposed.

6 And, again, I saw some heads going back
7 and forth. This is the interim. I don't know how
8 much of a difference it makes between a full
9 blown. It may not make any difference. But it's
10 the interim intersection. My understanding is
11 they said, fine. You have to design an
12 intersection. We want you, the health care
13 center, to design an intersection that will be
14 compliant. You said fantastic. We're thrilled to
15 do that. You did it.

16 You also have the interim one, which is
17 let's make everybody happy. Let's not do all the
18 curb cuts. We'll do everything. So it's called
19 an interim. This information is based off the
20 interim.

21 MR. MAHER: Yes.

22 CHAIRMAN FRY: Okay.

23 MR. MAHER: The removed traffic volume, if
24 you want to refer to the traffic report that you
25 have, it's on Exhibit 6.

1 I'll just give you time to orient
2 yourselves to that.

3 So a.m. peak hour volumes are shown
4 without brackets. P.m. peak hours volumes are
5 shown with curved brackets. And more of a cursive
6 bracket for Saturday peak hours.

7 So adding up the left turn from Sicomac to
8 Mountain and the right turn from Mountain to
9 Sicomac... Are you guys on the page?

10 MS. YUDIN: We're having trouble finding
11 Exhibit 6.

12 MR. MAHER: It's below the tons and tons
13 of capacity analysis.

14 MR. KALPAGIAN: The first of the exhibit
15 is a colored legend.

16 MR. MAHER: That's correct. That's
17 Exhibit 1.

18 MR. KALPAGIAN: Just count the exhibits as
19 you go in from there.

20 MR. MAHER: It's halfway through, but
21 closer to the beginning.

22 So I'm just going to add the numbers up
23 here.

24 For a.m., 56 vehicles, during the a.m.
25 peak 56 vehicles would be removed from the

1 intersection of Mountain and Sicomac.

2 During the p.m. peak hour, 108 vehicles
3 would be removed from the intersection of Mountain
4 and Sicomac.

5 And during the Saturday peak hour, 25
6 vehicles would be removed from the intersection of
7 Mountain and Sicomac.

8 MR. KALPAGIAN: I'm looking at Exhibit 6?

9 CHAIRMAN FRY: Exhibit 6?

10 MR. MAHER: Yes.

11 CHAIRMAN FRY: And you're on Mountain and
12 Sicomac?

13 MR. MAHER: Yes. It's the intersection
14 right here.

15 MR. ASCOLESE: If I could explain, Mr.
16 Chairman.

17 CHAIRMAN FRY: Sure.

18 MR. ASCOLESE: The numbers that he's
19 giving you in the a.m. peak hour is the 38 making
20 the left into Mountain plus the 18 making the
21 right out of Mountain. That adds up to the 56
22 that he was just talking about.

23 MR. KALPAGIAN: I think you might have
24 misunderstood my question.

25 MR. MAHER: Okay.

1 MR. KALPAGIAN: You did the study of the
2 traffic flow. The people coming out of the
3 Christian Health Care Center driveway.

4 MR. MAHER: Yes.

5 MR. KALPAGIAN: Right. Currently would
6 make a right on Mountain to make a left on
7 Sicomac. A.m. and p.m. peak hours, how many
8 vehicles do exactly what I just said, right and
9 then left?

10 MR. MAHER: Currently, the right and the
11 left volumes, that would be four during the a.m.
12 you'll see the left turn that's been moved to the
13 signal at the proposed driveway. Four during the
14 a.m., 16 during the p.m., and five during
15 Saturday.

16 MR. RUEBENACKER: So we're going to remove
17 four vehicles.

18 MR. MAHER: Specifically from that left
19 turn movement. But there's also other movements
20 that are accounted for, such as, now the internal
21 access is more connected, so vehicles that
22 previously made a right turn onto Mountain and
23 then a subsequent right turn onto Sicomac would
24 now just simply go straight to the proposed
25 driveway at the signal.

1 MR. HUBERT: So wouldn't spill out onto
2 Mountain?

3 MR. MAHER: That's correct. Mountain
4 would not be a viable alternative. They would
5 prefer the signal over that due to the
6 aforementioned queued conditions.

7 MR. KALPAGIAN: You said before, I just
8 want to get four cars.

9 MR. MAHER: That's right. The left turn
10 volume is less. Most vehicles, we pulled
11 employees' zip code data for Christian Health Care
12 Center, most traffic is going to and from 208 and
13 then there's some traffic going to Mountain, some
14 traffic going down Sicomac, and some going down
15 Goffle Hill.

16 CHAIRMAN FRY: Is that right? Four
17 vehicles will not be making a right onto Mountain
18 Avenue. They're going to be going to the proposed
19 four way.

20 MR. MAHER: No, no, four vehicles would
21 not be making a left from Mountain to Sicomac.
22 They would relocate to that proposed driveway.

23 MR. KALPAGIAN: Right. It's essentially
24 the same thing.

25 MR. VOGEL: Doesn't account for the people

1 going down making a right.

2 MR. MAHER: Right.

3 Once again, most traffic's going to and
4 from 208. By and large the benefit that you see
5 on the Mountain approach is the removal of that
6 right turn traffic and less vehicle stacking.

7 MR. KALPAGIAN: Here's the reason, I want
8 to give you a basis for the reason why I'm asking.
9 I'm not doing this to, you know --

10 MR. MAHER: Sure.

11 MR. KALPAGIAN: -- give you a hard time.
12 I have a duty to wrap my brain around how much
13 this benefits, right. And, you know, I've seen it
14 happen more on paper, things look like they're
15 going to get better by necessarily adding a light
16 or adding an extra lane or roadway. Top of my
17 head, you know, I say this half tongue and cheek,
18 but Wyckoff Avenue and Clinton, some genius over
19 the years thought, well, let's put a blinker over
20 there and let's put a traffic light. The traffic
21 light has made things worse than what they are.
22 So I'm just trying to wrap my brain.

23 The big problem was making the left from
24 Mountain to Sicomac. That's what I'm trying to
25 wrap my brain around. Well, how much does that

1 move make that significant an impact to go through
2 this magnitude of, you know, trouble. That's
3 where my brain is going and that's why I'm asking
4 you that question.

5 MR. MAHER: That's only one movement.

6 MR. KALPAGIAN: I know, but that's -- the
7 hardest movement of Mountain and Sicomac is the
8 left turn. Right?

9 MR. MAHER: Granted, granted --

10 MR. KALPAGIAN: That's all I'm asking.

11 MR. MAHER: The majority of traffic for
12 Christian Health Care Center site, however, is
13 going from/coming to 208. So you don't make a
14 left turn if you're going to 208 there, you make a
15 right and then a subsequent left onto Cedar Hill
16 to more quickly access.

17 MR. KALPAGIAN: In theory, you can go up
18 to Russell and take 208 down --

19 MR. MAHER: Yeah, you might go to Russell
20 if you know that 208's queued in the northbound
21 direction. Mostly it's queued in the southbound
22 direction there. But by and large, you would use
23 the Cedar Hill interchange.

24 CHAIRMAN FRY: Mr. Ascolese.

25 MR. ASCOLESE: Mr. Chairman, if we can

1 address again Exhibit 6.

2 In looking at the redistribution of the
3 right turns off of Mountain Avenue minus 18 in the
4 a.m., minus 66 in the p.m., and minus ten on a
5 Saturday, when I look at those numbers as a
6 redistributed right turn off of Mountain and I
7 compare it to your simulation on Mountain Avenue,
8 it's almost as though the backup on Mountain
9 Avenue has dissipated and I can't believe that
10 could be due just for the relocation of 18
11 vehicles in the morning and 66 vehicles in the
12 p.m. peak hour. Can you explain that a little bit
13 more? Because it used to back up to, what is it,
14 Mulberry.

15 MR. MAHER: There still is a backup. It's
16 going to back up farther. And I did mention it
17 earlier because when the model zoomed out at the
18 beginning of all conditions, there's no queue.
19 But it builds throughout the p.m. peak hour. It
20 peaks between Mulberry and Sicomac as opposed to
21 all the way to Mulberry.

22 And if you take a look at the delay in the
23 report, it will be reflective of that drastic
24 reduction. You are seeing, I'm pulling my notes
25 here for the amount of time saved, in Table 3, the

1 reduction approach delay at Sicomac Avenue and
2 Mountain Avenue, that's page 8 of the traffic
3 study, on the northbound approach you're seeing a
4 reduction in 51 seconds of delay. Not to go too
5 much into the minutia, but we do see almost a
6 minute in improved seconds. So that's why you see
7 drastic reduction in queue.

8 MR. ASCOLESE: And, again, in that table,
9 Table 3, that's on the 2020 no build situation.
10 Is that correct?

11 MR. MAHER: That's correct.

12 I would also stress to the board, not only
13 are we pulling traffic out of that intersection,
14 but that's compounded with the fact that we're
15 adding the signal and the signal's creating more
16 gaps in traffic. So the one/two punch, if you'd
17 like to put it that way, is the fact that you're
18 reducing traffic there and then on top of that,
19 you're introducing gaps in traffic with the county
20 signal to improve the conditions on that approach.

21 MR. ASCOLESE: Mr. Chairman, I just think
22 these numbers are a little optimistic when it
23 comes to the delay. I understand they may have
24 done the calculations, but personally, I can't see
25 how putting a signal in, even if it were three

1 phase, at Sicomac and Cedar Hill, would reduce the
2 delay on Mountain Avenue and Sicomac by these
3 numbers.

4 I'm a little hesitant to concur with these
5 numbers. It's going to certainly improve things
6 at Sicomac and Cedar Hill. I'm not sure it's
7 going to have the same effect over Sicomac and
8 Mountain.

9 CHAIRMAN FRY: And why are you suspect?
10 Just by the shear volume number?

11 MR. ASCOLESE: Just the shear numbers of
12 the volume. The conflicting movements over at
13 Sicomac and Mountain. And, again, looking at the
14 delay, a reduction of 51 seconds, 45 seconds, 102
15 seconds. I would agree if it was going to be
16 signalized it may reduce the delay that much, but
17 I can't see, I can't fully comprehend that a
18 device 1,100 feet away that's going to permit
19 right turn on red being made while the left turns
20 are being made and if it made traffic responsive,
21 I don't think you're going to see as much
22 platooning along that artery that the calculations
23 may suggest. And, again, I'm just a little
24 reluctant with these reductions at Mountain.

25 MS. YUDIN: It wouldn't make the situation

1 worse?

2 MR. ASCOLESE: I don't think it's going to
3 make it worse. Like Mr. Maher said, it's going to
4 punch that volume up. But to save that many
5 seconds of delay, I'm a little hesitant to agree
6 with that.

7 MR. MAHER: If I may?

8 This was the same redistribution and
9 traffic presented in the 2013 addendum letter
10 which was approved by the board and Dean & Dolan
11 and they agreed with that analysis.

12 The proposed internal site circulation was
13 reviewed and it was deemed that it definitely
14 would be easier to connect the upper and lower
15 portions of campus thereby pulling traffic out of
16 Mountain and Sicomac making the campus more
17 connective.

18 MR. ASCOLESE: But, again, you're saying
19 in Exhibit 6 that you're only pulling out 18 cars
20 in the morning, 66 in the afternoon. I can't see
21 a reduction of just those numbers.

22 MR. MAHER: 56 in the morning.

23 MR. ASCOLESE: Your number has 18.

24 MR. MAHER: 18 plus 38. Right turn and
25 left turn from Sicomac to Mountain.

1 MR. ASCOLESE: So 56 vehicles at an
2 intersection probably seeing 1,300 conflicting
3 movements, you're saying it's going to reduce the
4 delay by 51 seconds, again, I just agree to
5 disagree.

6 MR. VOGEL: You haven't done any studies,
7 though.

8 MR. ASCOLESE: I haven't done any personal
9 studies at Mountain. I'm basing it on my
10 experience, Mr. Vogel.

11 MR. MAHER: When an intersection's
12 operating at a failing condition, the scales are
13 tipped, so to speak. I don't know if you're
14 familiar with traffic capacity theory.

15 MR. ASCOLESE: Yes.

16 MR. MAHER: The addition of a few extra
17 vehicles could mean the addition of ten seconds,
18 15 seconds, in respectively, so the seconds
19 continue to grow as you add vehicle and vehicle.
20 With the reduction in vehicles, we see the same
21 log rhythmic effect where only the reduction of a
22 few vehicles at a failing condition can improve
23 operations by quite a few seconds.

24 MR. ASCOLESE: Fine.

25 MR. RUEBENACKER: Question, Mr. Maher.

1 What was the Saturday peak hours? I have written
2 down a.m. and p.m. for weekday; what was the
3 Saturday peak hours, please?

4 MR. MAHER: The Saturday peak hour was
5 during the midday portion.

6 MR. RUEBENACKER: 12:00 to 1:00 or
7 something?

8 MR. MAHER: That would be 11:30 a.m. to
9 12:30 p.m. That's based on a count that was done
10 from 11:00 to 1:00 on a Saturday.

11 MR. RUEBENACKER: Okay. I appreciate it.

12 MR. MAHER: If I could redirect the board
13 to the fact that we are seeing improved traffic
14 conditions at all three study area intersections
15 as compared to what's going on right now: At the
16 Mountain and Sicomac intersection; at the
17 Christian Health Care Center existing driveway
18 with Sicomac, which has turned into a right
19 in/right out situation. You can't make a left
20 turn there anymore. You have to access the site
21 at the signal if you used to make a left turn in
22 or left turn out. And then Cedar Hill and Sicomac
23 itself it's no longer failing. It's Level of
24 Service D, as in dog, or better.

25 We just want to highlight the fact that

1 with the proposed signal by the county with
2 Christian Health Care Center's relocated driveway
3 and with the internal site circulation
4 improvements, we would see improvement at all
5 three study area intersections.

6 CHAIRMAN FRY: And all be going from an F
7 to a D?

8 MR. MAHER: That would be the southbound
9 Cedar Hill Avenue approach to Sicomac would be
10 going from an F to a C actually.

11 CHAIRMAN FRY: F to a C. And Mountain
12 Avenue does improve from an F to a D or haven't
13 you been able to --

14 MR. MAHER: Mountain Avenue stays that
15 Level of Service F, however, during the Saturday
16 peak hour it goes just from an E to a D.

17 CHAIRMAN FRY: You said both southbound
18 Cedar Hill making a left and a right, they both go
19 from F to D?

20 MR. MAHER: That is correct.

21 I just want to double check here.

22 So the southbound approach -- I definitely
23 know it's F right now.

24 Yes, to a D.

25 MR. HUBERT: Why are we doing this then?

1 MR. RUEBENACKER: To save ten seconds.

2 CHAIRMAN FRY: If those are the grades my
3 kids got, I wouldn't be ecstatic.

4 So no change except for Saturday at
5 Mountain, although, I understand. Listen, the
6 bottom line is, the wildcard is, how many people
7 may make a left onto Sicomac Avenue. That is
8 going to take every stat you have and throw it
9 into a tailspin. So I understand and I can
10 appreciate it and I understand what Mr. Ascolese
11 is saying as well. I think they're just
12 wildcards. We're hoping that the projections make
13 sense. It's speculation based on fact, I get it.
14 Unfortunately, we're not bringing these from a
15 failing to really a significantly improved.

16 MR. MAHER: However, you are improving on
17 the order of a minute or so varying from peak hour
18 to peak hour.

19 And safety as well at that intersection
20 with the reduced volume, with the improved gaps
21 and so on.

22 The board raised the question, well, what
23 if the county comes in, installs a signal at the
24 intersection as it is, the T-intersection of
25 Sicomac and Cedar Hill, and the Vista project is

1 approved and then if the county came in.

2 So this is under the assumption the county
3 comes in and they say, okay, we wanted a signal,
4 now we're giving you a signal. It's a
5 T-intersection. It's a signalized T-intersection.

6 MR. MAHER: That's right.

7 And just to make this intersection, we
8 didn't want to plop one there without any turning
9 bays. We added turning bays just to improve
10 operations a bit just to give the T signalized
11 intersection a fair shot.

12 As you can see, this queuing still goes
13 back and affects this Christian Health Care Center
14 driveway and, moreover, the queuing in the other
15 direction on Sicomac Avenue.

16 MR. HUBERT: And -- I'm sorry, Mr.
17 Chairman.

18 CHAIRMAN FRY: So the question I have is:
19 The county sees this, they want an intersection
20 there, they're going to have to then review what
21 the impact will be if they put an intersection
22 there and then what if they look at this and say,
23 wait a minute, if we put a signal in there --

24 MR. RUEBENACKER: Our F goes to an F
25 minus.

1 built, what would that look like.

2 So we've recorded a model of that just to
3 go over that topic.

4 Vehicles looking to go back to 208 now
5 have to exit out of the driveway here and then
6 turn left at the intersection. You'll notice that
7 this is still stacking back. Vehicles are having
8 to turn left into the site here and the queue
9 spill back essentially creates a queuing in the
10 westbound direction as well. In fact, the queue
11 extends through the Cedar Hill Avenue and Sicomac
12 Avenue intersection. Furthermore, this queuing
13 creates a sight distance issue. Vehicles trying
14 to turn left out of the Christian Health Care
15 Center driveway now can't see traffic that's
16 buzzing by westbound on Sicomac Avenue due to the
17 vehicles that are stacked up here blocking their
18 sight distance.

19 So we just wanted to point out to the
20 board that we did not deem this option to be
21 effective from both a safety or a congestion
22 standpoint.

23 CHAIRMAN FRY: Okay. I think that is one
24 of the graphics that we did want to see if we were
25 to leave the entrance currently where it's

1 CHAIRMAN FRY: -- our F is going to
2 decrease. We will be causing more of a detriment
3 to that intersection than an improvement.

4 MR. MAHER: Correct.

5 MR. HUBERT: It makes no sense.

6 MR. COOK: I think you have to look at it
7 from a practical point of view though.

8 The county has not approved the plan as
9 approved by the board, so it's not going to be
10 built the way we approved it because the county
11 hasn't blessed our plan. They went to the Bergen
12 County Planning Board for approval, they did not
13 approve it. They want the intersection. They
14 want the ingress and egress down there. So you're
15 not going to see it built the way we approved it
16 and then have the county do an intersection.

17 What's going to happen, from a practical
18 point of view is, if we don't approve their
19 revised plan with this interim light, they're not
20 going to sit stagnant. They're going to go to
21 court. The judge is going to say either you build
22 it the way Wyckoff approved it or you build it the
23 way the county wants it. The fact that the county
24 can get Christian Health Care Center to pay part
25 of it, if I was a betting man, I'd say the judge

1 is going to approve the light not the way we
2 approved it.

3 So your question is, you know, is the
4 county ever going to do this? It's going to do it
5 sooner than you think because they can't sit
6 stagnant with this project. The Court is going to
7 order it one way or another and I think the Court
8 is going to order it that the light be installed.

9 CHAIRMAN FRY: And by the light being
10 installed, that doesn't answer my question. My
11 hypothetical scenario was, the build is we leave
12 it as is.

13 MR. COOK: It will never be built.

14 CHAIRMAN FRY: It will never be built
15 because then --

16 MR. VOGEL: May I have the opportunity to
17 say something?

18 CHAIRMAN FRY: Absolutely.

19 MR. VOGEL: The question is, is there a
20 premise that, well, if we don't approve the change
21 then the county won't build the light is a false
22 premise because that will never happen because the
23 county will not approve the site plan with
24 everything laying where it is. So I just --

25 MR. COOK: That's what I just said.

1 MR. VOGEL: I'm sitting here quietly,
2 which is difficult for me, as you know, most
3 lawyers to sit quietly. And at the risk of
4 offending this board, and I think you understand I
5 have no intention of offending you, you've seen me
6 for too many times come before the board, but I'm
7 obligated to say this. This whole experience that
8 we're going through this evening is for naught.
9 It's as if this board is asking questions to
10 determine whether or not this board is going to
11 vote to have a light at the intersection.

12 All of your inquiries, all of your
13 questions, all of the presentation which you asked
14 for and I was happy to give it to you because you
15 asked for it, and I would always meet every
16 request that I can, but this whole exposition is
17 whether or not there should be a light.
18 Unfortunately, that's not your determination.

19 And I see Mr. Ruebenacker is ready to jump
20 on me.

21 Let me just say this. I'm not for a
22 moment taking away the obligation you have and the
23 jurisdiction you have to determine what a site
24 plan ought to look like. That is wholly within
25 your province and that is your decision.

1 But what's before you is a county that
2 says there's going to be a light. And what has
3 happened is you have an applicant come before you
4 and say, look, I'm caught between somebody who
5 didn't want the light and somebody who does want
6 the light and what I've attempted to do is give
7 you a middle of the road that would accommodate
8 both.

9 In that context, take all of this
10 testimony, all of it comes down to one thing.
11 That light if put in in any configuration makes
12 the circumstance safer. Every, every, every,
13 every report that you have in that regard says
14 that it makes it better. Not one report says it
15 makes it worse. So as to whether or not there
16 ought to be a light, if we go all the way back to
17 the first iteration that was given to you by the
18 witness tonight, it was the warrant study done by
19 the county that says we have sufficient capacity
20 there in order to warrant a light and we want the
21 light.

22 I don't disagree with Mr. Ascolese. I
23 don't disagree with him. The right turn and left
24 turns may not, even though the volume's there, may
25 not order for it but, unfortunately, that's not

1 your judgment. That's the county's judgment and
2 its already made that judgment.

3 And you're not voting on whether or not
4 there should be a light there. Your issue is, do
5 you allow us to move the driveway over to be
6 consistent with the light or do you leave it where
7 it is now. And if your thought is, well, if we
8 leave it where it is now then the county's going
9 to give in. That's not going to happen. Every
10 document that you have, and there aren't that
11 many, but if you take the minutes of the meeting
12 that occurred here, the first statement there in
13 the minutes that were kept by the township is that
14 the county's un-authorable position is it wants
15 the light. If you look at every letter that I
16 have supplied to you, there's only about four, but
17 they all say the county's un-authorable position
18 is they want the light. As a matter of fact, the
19 language was the county's position has been and
20 continues to be that there will be a light.

21 So where are we? We're right where I said
22 we were when I came here. There's going to be a
23 light and the question is does our amendment to
24 the site plan accommodate the interest of the
25 county and accommodate the interest of the

1 township. And my suggestion is this is the best
2 of all because it saves the people across the
3 street. We'll provide all the widening on our
4 side.

5 If that doesn't happen, then I'm left in a
6 position where I'm caught between two governmental
7 entities that can't reach an agreement. And that
8 stymies what it is, as you will recall, an
9 inherently beneficial use and simply puts us in a
10 position where an inherently beneficial use cannot
11 be projected because there are two governmental
12 entities that can't agree.

13 MS. YUDIN: Do we agree with that?

14 CHAIRMAN FRY: I find that hard to
15 believe.

16 MR. COOK: That never happens.

17 CHAIRMAN FRY: That's day-to-day
18 operation.

19 MS. YUDIN: Can I ask a question?

20 CHAIRMAN FRY: Sure.

21 MS. YUDIN: I don't know whether I should
22 direct this to you or to Mr. Vogel.

23 If the light is built, what would be the
24 timeline, in other words, would all the
25 construction take place first and then the road

1 very intelligent people up here. We understand
2 the fact that we're not here debating a light.
3 We've sat here, some of us, for two and a half
4 years debating the site plan and the construction
5 of the Vista. I know we're not debating the
6 light. We're talking about a site plan and how
7 that site plan will impact the traffic of Wyckoff.

8 You're responsible for representing your
9 client; we're here to represent the Township of
10 Wyckoff and the citizens of Wyckoff, so we need to
11 understand the traffic that's going to be impacted
12 by the moving of this site plan and, hence, a
13 potential light being put in at Sicomac and Cedar
14 Hill Avenue by the county. So please don't insult
15 my intelligence by telling me I don't know what
16 I'm listening to and what I'm thinking about --

17 MR. VOGEL: First of all, first of all --

18 MR. RUEBENACKER: -- I do.

19 No, I'm not done talking. Okay. Please.
20 You had your chance to talk and I let you talk.
21 All right.

22 So we're trying to understand here
23 because, yes, we're here as good neighbors and the
24 Christian Health Care Center is a wonderful
25 neighbor to Wyckoff and we appreciate everything

1 and the light?

2 MR. VOGEL: If you look at what I provided
3 to you, which was the answer to the county, they
4 would allow us to use that as the construction
5 road. They would put the light in. They would
6 pay for the light. And that would be our
7 construction road.

8 MS. YUDIN: So the light would be there
9 during the construction phase?

10 MR. VOGEL: During construction. It's in
11 that report.

12 Look, I wish I hadn't come back. I wish
13 that this never happened. But it was predictable
14 and, unfortunately, it places everyone in a
15 position where they have to make a judgment that
16 is not one that is a hundred percent in the
17 direction that they might want to go. But life is
18 made of compromises and the question is, is the
19 compromise one which is consistent with what you
20 believe in the ultimate, in the end is the right
21 thing to do under all of the conditions.

22 MR. RUEBENACKER: Mr. Vogel.

23 MR. VOGEL: Yes, sir.

24 MR. RUEBENACKER: I appreciate your
25 comments and I am slightly offended. We're all

1 that they do for Wyckoff. However, we're trying
2 to understand here the impact to the township by
3 the moving of the site plan and the changing of
4 the site plan knowing full well what the intent of
5 the county is.

6 Now, the warrants that, yes, I'm not going
7 to debate the data, but you can probably pull that
8 data on every intersection in Wyckoff and probably
9 have warrant for a light, namely, Wyckoff Avenue
10 and Monroe Avenue always queues up. Should we put
11 a light in there? I bet you the county would say
12 yes. How about Wyckoff and Russell Avenue? Does
13 it queue up there? Yes. I bet you the county
14 would say yes.

15 But now we have a builder and a private
16 entity like the Christian Health Care Center
17 that's willing to donate land and willing to fund
18 it and all of a sudden the county's on board. All
19 of sudden.

20 Now, sure, the warrants probably show that
21 there's traffic required and a traffic light
22 required, but in my 30 years of living in Wyckoff
23 there's never been a light there and we actually
24 see the traffic going down per the data which was
25 presented.

1 So roll the dice. Could it be five years
2 the traffic light would go in? Ten years? 40
3 years? I don't know. But I think the data would
4 show, sure, there's probably a light needed there.
5 You can probably say that for half the busy
6 intersections of Wyckoff where there are no
7 lights. But now we have the opportunity or the
8 county has the opportunity to do a land graph from
9 the Christian Health Care Center based on a
10 donation with the funding.

11 So, you know, we understand what we're
12 talking about here but let's understand all the
13 facts too. And it's not just the fact that, you
14 know, the board does not understand the situation
15 here and I think the board clearly understands it
16 and we donate a lot of - we don't get paid to sit
17 up here -- extra time every month. All right. So
18 we're being very generous in hearing this
19 application and listening here to all this
20 testimony and trying to represent the citizens of
21 Wyckoff.

22 Thank you.

23 MR. VOGEL: Well, if I can just respond
24 for a moment.

25 First of all, it was not my intention to

1 offend you. Obviously, you were. What I did not
2 say is you misunderstood. You might have
3 interpreted it that way, but that is not what I
4 said. What I said was that we've evolved into
5 going through information that determines whether
6 or not to have a light and that is not your
7 jurisdiction. I understand and I said to you and
8 evidently you either don't recall or you didn't
9 see fit to repeat it, I said, I understand your
10 jurisdiction. I understand your obligation to the
11 people of Wyckoff. I said that in my statement.
12 And I understand that. And I said I would prefer
13 not to be back here with respect to this. But I
14 said the decision has been made by the county and
15 it was made a long time ago.

16 MR. RUEBENACKER: So let them put in a
17 light tomorrow. Let them start building a light
18 tomorrow.

19 MR. VOGEL: Okay. Well, then the question
20 comes back to, I don't remember whether it was you
21 or someone else on the board who said, well, if we
22 deny the change in the site plan, maybe they won't
23 put the light in. Well, the fact of the matter is
24 that the county has said it's going to put the
25 light in at some point and that is not an

1 alternative. What the alternative is for the
2 county is to simply say, on this proposal, we will
3 not approve your site plan.

4 And that the Christian Health Care Center
5 is now left between two entities: The Township of
6 Wyckoff and the County of Bergen, which will say
7 one wants an access at one point, one wants
8 another and, therefore, the project cannot
9 proceed.

10 That's where we are. I said that from the
11 beginning. I don't diminish this board's
12 obligation to the people of the township. But
13 what I am saying is, I don't think you have
14 anything before you, and I am an advocate for my
15 position, I don't think you have anything before
16 you that says that if the light goes in, which the
17 county wants, the conditions will be worse.
18 Indeed, it's to the contrary. I believe what you
19 have from the police department, your fire
20 department, from your own traffic consultant Dolan
21 & Dolan testified that it would be better with the
22 traffic light. So the improvement is there.
23 That's a basis upon which there is some
24 compromise.

25 Listen, I go through that intersection,

1 not everyday like you do, but I would say I go
2 through it at least five times a week. All right.
3 In two directions. And I know that I don't sit
4 there and wait every time I go through the
5 intersection. I know I cut through the back of
6 the gas station more often than not when I leave.
7 But the fact of the matter is that the county has
8 decided that that is an intersection. I don't
9 know about the others you mentioned, whether
10 they've done studies on those. I know the only
11 other study they ever asked us to do was the study
12 at Mountain Avenue and Sicomac. But they've done
13 the study here. They've got the warrants here.
14 They made that decision. That's out of my hands.
15 That's out of your hands. And now we're caught.
16 We're here.

17 So what did we do at the Christian Health
18 Care Center. After we left with our approval and
19 felt elated that we had a site plan, we're ready
20 to build a project, we went back to the county and
21 we said to the county, look, you wanted to have a
22 four-way intersection, the township doesn't want
23 it. This is our site plan. We ask you to approve
24 it.

25 MR. RUEBENACKER: I know, I know.

1 MR. VOGEL: And they came back and said
2 no.

3 So what did we do. I mean, as a lawyer,
4 what would I do. Do I just say, well, throw my
5 hands up. I say, no. I sit down with the county
6 and I say to the county, what can we do somewhere
7 in the middle. How can I address this so that I
8 can accomplish the project that we have.

9 So what did we do. We acted as a go
10 between to have the township meet with the county.
11 And it did. We were at one meeting, we weren't at
12 others when they had separately. We went back to
13 the county and we attempted to reach a compromise,
14 which we did. One of the things was, look, we'll
15 give enough property on our side of the road so
16 you don't have to affect people on the other side.
17 That's a benefit to someone that something that
18 the health care center did not have to give up.
19 And then we sat there with the county and said,
20 look, if you're going to put in a full blown
21 intersection with all the curbs and a light as is
22 projected, it's not going to be acceptable to
23 Wyckoff, how can we do something that is partway
24 that will satisfy your requirements and maybe pass
25 muster in Wyckoff. And we came up with this

1 interim light suggestion. It's the best we can
2 do. It's the best we can do. Listen, you have
3 the ability to accept or reject.

4 MR. RUEBENACKER: Right. And that's what
5 I mean, we need to hear the data to understand
6 whether we're going to accept or reject the change
7 in the site plan. And then the change in the site
8 plan we need to understand what that traffic data
9 will show with the light, whether it goes from an
10 F to C, F to D, what time of day. The light is an
11 important piece of the site plan. So I don't
12 understand why you're saying it's irrelevant for
13 us to hear testimony about the site plan --

14 MR. VOGEL: No, I didn't --

15 MR. RUEBENACKER: -- about the light.
16 Anyway, let's just stop.

17 CHAIRMAN FRY: I have pretty thick skin.
18 You can say whatever you want to me and you're
19 really not going to insult me. And I don't think
20 the board is really insulted.

21 I understand exactly what you're saying.
22 I think all the testimony, so you, your entire
23 team doesn't feel like they've wasted all this
24 effort and I know what's going in your mind, it is
25 a wasted effort because you have the ability to

1 anticipate multiple steps and that's one of the
2 things I can appreciate about you.

3 However, the board in doing their due
4 diligence, we are obviously struggling. And it's
5 not about just an intersection, it's not about
6 just a traffic light. We understand the
7 circumstances perfectly. So in our head we have
8 to hear everything and say, okay. There are
9 improvements. It's not going to be worse.
10 Because the last thing we want is to make an
11 intersection right now that's flowing somehow,
12 whether it's magic, whatever it is, it works. We
13 don't want to make it worse.

14 MR. VOGEL: Right.

15 CHAIRMAN FRY: Now, to your point, we have
16 approved an application that has been deemed
17 inherently beneficial. So we all know what will
18 happen if it goes to another entity to make a
19 determination. They are going to side on the fact
20 that you deemed it inherently beneficial and then
21 they're going to make their determination based on
22 that as well. We understand that. And that's
23 essentially what we're getting at.

24 But for the board, myself as well, there's
25 no way we can look at this and say, it's going to

1 be worse based on the data, but then hear, oh, the
2 county's going to do it anyway. Okay. Perfect.
3 No problem. Good. And rubber stamp it.

4 We have to hear there are improvements,
5 the intersections, we're getting into the details
6 to the benefit of all the neighbors that are going
7 to be stuck with this, and we'll get to them in a
8 minute because there may be questions as well, we
9 do want to get to that. So we have to exhaust
10 everything. We've done the crash data. We are
11 going through the process and I know it may seem
12 like a waste of time. I don't think it's a waste
13 of time.

14 MR. VOGEL: No, it's not.

15 The only point I want to make is that it's
16 not a zero sum game. You know, it's not all one
17 or the other. And maybe as lawyers are often
18 criticized that lawyers are too ready to settle
19 and to make it, so what we attempted to do since a
20 zero sum game is, you know, all or nothing, it's
21 either their way or your way, but it ends up being
22 no way is that unfortunately there's got to be a
23 middle of the road if it's going to be resolved
24 and I don't think it behooves the Christian Health
25 Care Center or any of the parties, including the

1 county or the township, to have some third party
2 decide what it should be.

3 And what I'm saying to you is I come to
4 you with what is really a compromise. Ultimately,
5 it may not be the only compromise or the best
6 compromise. There may be something else. But I'm
7 looking for a solution in order to get this
8 project built and that's really the basis upon
9 which we're here.

10 MR. ASCOLESE: Mr. Chairman, if I can
11 raise just one question. I'm looking at the
12 capacity analysis in the report and I'm looking at
13 the location for Cedar Hill Avenue and Sicomac
14 Avenue under 2020 built condition and that
15 calculation shows that the intersection would
16 operate at Level of Service B.

17 MR. MAHER: Yes.

18 MR. ASCOLESE: That's not a D, it's B.

19 MR. MAHER: Traffic engineers distinguish
20 between level of service for turning movements
21 versus level of service for then intersection as a
22 whole, yes.

23 MR. ASCOLESE: What did you do in the
24 report? What does this Chart 3, Cedar Hill Avenue
25 and Sicomac Avenue 2020 built condition a.m., what

1 fine, that intersection level of service might be
2 operating at a B. We want to highlight what's
3 worse case, what's operating worse than Level of
4 Service B. So that's precisely it.

5 MR. ASCOLESE: So in summary, based on
6 your calculations with a built condition, with a
7 driveway installed opposite Cedar Hill Avenue, if
8 it's signalized and if it's a three-phase
9 signal --

10 MR. MAHER: Two phase.

11 MR. ASCOLESE: Why wouldn't you use a
12 three phase when you have 400 vehicles making a
13 left?

14 MR. MAHER: The proposed interim condition
15 by the county specifies a two-phase operation.

16 MR. ASCOLESE: I didn't see that anywhere
17 and I would never build that. I'm sure I can
18 convince them to make it a three phase.

19 MR. MAHER: That's why it's the interim
20 condition.

21 MR. ASCOLESE: However, based on this, if
22 you signalize it, the intersection's going to be
23 operating at Level of Service B when you're done.

24 CHAIRMAN FRY: What is the average? It's
25 kind of news to me. What is the average right

1 does this indicate, this intersection of level of
2 service?

3 MR. MAHER: The intersection level of
4 service as a whole is B when you average
5 everything out. Some movements operate at C, some
6 movements operate at A. Everything's detailed in
7 the capacity analysis results in the back of the
8 report and is back checked to match the exhibits
9 presented in the report exactly.

10 MR. ASCOLESE: Did you also do a
11 calculation for the p.m. peak hour?

12 MR. MAHER: Yes.

13 MR. ASCOLESE: And that's also Level of
14 Service B --

15 MR. MAHER: Yes.

16 MR. ASCOLESE: -- for Cedar Hill Avenue
17 and Sicomac Avenue?

18 MR. MAHER: That is correct.

19 When we say Level of Service D or better
20 or Level of Service C or better, we're referring
21 to how the movements will operate rather than the
22 intersection as a whole. Because let's say you
23 have a failing movement at the intersection,
24 something's queued back, maybe a left turn is
25 queued back but maybe everything else is operating

1 now?

2 MR. ASCOLESE: My experience -- well, on I
3 think you did an analysis for stop sign control?

4 MR. MAHER: Yes.

5 MR. ASCOLESE: Is that in here?

6 MR. MAHER: For the un-signalized
7 intersection, yeah.

8 MR. ASCOLESE: Where is that?

9 MR. MAHER: If you thumb through the other
10 pages.

11 It goes in this order. The Appendix goes
12 2017 existing condition for all intersections a.m.
13 and then p.m. and then Saturday.

14 And then it goes to 2020 built conditions
15 for a.m., for p.m., and then for Saturday.

16 MR. ASCOLESE: Can you help me out looking
17 in your book?

18 MR. MAHER: Absolutely.

19 MR. ASCOLESE: This is existing stop sign
20 control?

21 MR. MAHER: Yes.

22 Anything that doesn't have the colored
23 bars at the bottom, such as this, isn't
24 signalized. So only this. And this is a
25 two-phase operation as proposed in the interim.

1 MR. ASCOLESE: Okay. But this operates at
2 Level of Service B under stop control?

3 MR. MAHER: That's correct. Well, under
4 signalized.

5 MR. ASCOLESE: How does it operate under
6 stop control?

7 MR. MAHER: Under stop control, it's Level
8 of Service F for the southbound approach.

9 MR. ASCOLESE: So it goes from F to B?

10 MR. MAHER: Yes. Unless you --

11 MR. ASCOLESE: So there is an improvement?

12 MR. MAHER: Yeah, there is an improvement
13 because you're eliminating a failing condition on
14 the southbound approach.

15 MR. ASCOLESE: Okay. One last thing. Did
16 the county absolutely state that they would not
17 put in a multiple phase signal there?

18 MR. MAHER: That would be a final
19 condition, because there's an interim and a final.

20 MR. ASCOLESE: But the control that they
21 would use is capable of timing out four phases.
22 We're talking about two additional heads on the
23 indications. I'm just saying I believe that the
24 township can approach the county if they put in an
25 interim device, it can be made to operate in three

1 phases and get even a better benefit if it were to
2 be signalized.

3 MR. MAHER: Absolutely correct.

4 MR. VOGEL: I agree with Mr. Ascolese.
5 The county could change the phasing and the
6 timing.

7 MR. MAHER: It's at their disposal to do,
8 yes.

9 MR. ASCOLESE: And that's what I would
10 more or less recommend if they were considering a
11 device at this location, they make it an actuated
12 device and they make it multiple phases to handle
13 the heavy eastbound left turn lane phase onto
14 north Cedar Hill Avenue.

15 CHAIRMAN FRY: For the benefit of the
16 board, can you just kind of explain the multiple
17 phases.

18 MR. ASCOLESE: Generally, most traffic
19 signals when you have turning lanes and turning
20 phases you would lead off the left turn phase for
21 say an increment of say anywhere from eight to
22 maybe 12 seconds. It's a protected left turn
23 movement. So it's free flowing without any
24 opposition in the other direction. And being that
25 Cedar Hill Avenue/Goffle Hill Road has the lowest

1 volume on it of all three approaches, there
2 shouldn't be any reason why the county wouldn't do
3 that. So if we weed out the left turns from
4 Sicomac onto Cedar Hill for eight to 12 seconds,
5 that helps free up the entire movement in an
6 eastbound direction between Mountain and Cedar
7 Hill Avenue. And then after that times out, after
8 those eight or 10 seconds or 12 seconds times out,
9 then you would run Sicomac Avenue in an east and
10 westbound direction followed by servicing Cedar
11 Hill Avenue.

12 Now, with the benefit of running an
13 eastbound left-turn lane onto Cedar Hill Avenue,
14 if you permit right turns on red off of Cedar
15 Hill, you're decreasing the backups on Cedar Hill
16 and making that flow a little bit better as well.

17 And, again, the cost of the equipment is
18 insignificant because the time that they're going
19 to put out there is going to have the capable of
20 timing out four phases, not three, not two. It
21 comes standard as four. And we're just talking an
22 extra turning indication and some extra wiring.
23 It's not a big deal for them to incorporate an
24 actuated device as well as an additional phase.

25 MS. YUDIN: How much authority do we have

1 to convince them to do that?

2 MR. ASCOLESE: I think if you work with
3 the township committeeman and indicate that
4 there's a willingness from the township committee
5 to acknowledge the need or the desire to have a
6 signal, it would be based on the premise that an
7 actuated device be placed out there for the
8 interim until, if and when the permanent device,
9 when the permanent improvement might be made.

10 CHAIRMAN FRY: Just one, would it go
11 before the township committee at all? It would be
12 something we would possibly be able to deem --

13 MR. VOGEL: As I said before, what I came
14 back to you with was a solution that we achieved
15 with the county that we brought to you for your
16 observation and concurrence. And I said that may
17 not be the only way. And if Mr. Ascolese comes up
18 with something that would be added to it or
19 subtract from it or vary it, however you want to
20 term it, that would certainly be agreeable to us
21 and I think it would be something that we would
22 have a chance to sell the county if the ultimate
23 end was they would at least have their signal.

24 CHAIRMAN FRY: I just want to back up one
25 second because I think you just confused me.

1 You just brought up a point. We've been
2 studying the terms as being a Level F and they
3 will eventually on Cedar Hill go to a Level D.
4 But now we're hearing the intersection is also
5 graded as an average.

6 MR. MAHER: Yes.

7 CHAIRMAN FRY: And the average will be a B
8 and I thought I heard someone say with a stop and
9 no signals the way it currently is an F.

10 MR. MAHER: That's right.

11 CHAIRMAN FRY: Why wouldn't that be your
12 first point to make?

13 MR. MAHER: That is my main point.
14 Unfortunately, we do have to --

15 CHAIRMAN FRY: You had to have Mr.
16 Ascolese drag that out.

17 MR. MAHER: We do have to touch on these
18 additional finer points. But, yes, I would
19 heavily emphasize that you are improving a Level
20 of Service F condition to an intersection, a
21 signalized intersection to be constructed by the
22 county that would operate as a whole as Level of
23 Service B.

24 MR. HUBERT: Two phase?

25 MR. MAHER: With two-phase operation. And

1 if you implement the three-phase operation that
2 Mr. Ascolese is referring to, you only improve
3 traffic operations.

4 MR. HUBERT: I get that. And that's the
5 reason why I asked the question a half an hour
6 ago, is this the interim solution. The interim
7 solution that the study represents is a two-phase
8 approach. Mr. Ascolese just basically said his
9 experience as an engineer basically says a
10 four-phase. Basically, really, this study then
11 gets a lot better, not a little better, a lot
12 better.

13 MR. ASCOLESE: Correct. It could be much
14 more improved.

15 MR. HUBERT: You're avoiding if you'll
16 queue from Mountain and then basically freeing
17 up --

18 MR. ASCOLESE: And you have the ability to
19 adjust it time of day. Service peak hours and
20 then off peak hours.

21 MS. YUDIN: Can I ask you a question about
22 Exhibit 9. CHCC Expansion Trip Generation
23 Estimate.

24 How did we figure it, for 199 units, how
25 do you figure how many cars are going to be coming

1 and going?

2 MR. MAHER: This is based on the ITE Trip
3 Generation Manual. So traffic engineers have a
4 publication that they can go to to say, all right,
5 I have a shopping center development and it's of
6 yay square footage, how many trips will it
7 generate. And it gives you a sample of traffic
8 studies where counts have been done at similar
9 sites and they actually count the trips that come
10 in and out and they average that data. So
11 they've, likewise, done such counts at senior
12 adult housing facilities. So that's based on
13 similar count data. So this is just a publication
14 we go to. We input the amount of units. It spits
15 back out a trip generation for each of the weekday
16 peak hours and the Saturday peak hour as well.

17 MS. YUDIN: So this is just peak hours.
18 So how many cars do they figure will be at a 199
19 unit development?

20 MR. MAHER: You mean throughout an entire
21 day?

22 MS. YUDIN: Yeah.

23 MR. MAHER: I don't have that data with
24 me. I only have the peak hour data because as
25 traffic engineers, we take a look at worse case

1 impacts. Say during the midday, traffic's not as
2 high and we wouldn't be as concerned if traffic
3 was on the network unless the specific use had a
4 peak during the midday that was considerably
5 notable.

6 But what we've taken a look here is just
7 summarizing the analysis. This is how it peaks
8 during the a.m. when the traffic on the nearby
9 roadway network is also peaking and here's how the
10 traffic peaks from the facility on the p.m. while
11 the roadway is peaking.

12 MS. YUDIN: So these are the key numbers.
13 If this development is built, these are the
14 numbers that will be added to what's already
15 there?

16 MR. MAHER: During the peak hours, yes.

17 MS. YUDIN: Right.

18 CHAIRMAN FRY: Well, two points I just
19 want clarification on.

20 By senior adult housing, the comp is,
21 what's the age?

22 MR. STRUYK: 65 and older.

23 CHAIRMAN FRY: What is it?

24 MR. STRUYK: 65 and older.

25 CHAIRMAN FRY: 65 and over. So the comp

1 is 65 and over.

2 MR. MAHER: So those comparable counts as
3 shown, yes.

4 CHAIRMAN FRY: And the two percent, these
5 numbers, are these numbers just by the residents
6 of 199 or globally what it will take to support
7 the facility with the tenants?

8 MR. MAHER: It's both the residents and
9 the ancillary uses, such as the, let's say there's
10 pickup and drop off, there's para transit,
11 employee traffic. It takes all of that into
12 account.

13 By the way, these are the same trip
14 generation numbers from the 2013 study with the a
15 side of that additional p.m. peak hour trip that
16 we covered.

17 CHAIRMAN FRY: Okay. I just wanted to
18 clarify, it is all inclusive with full support and
19 the residents?

20 MR. MAHER: That's correct.

21 CHAIRMAN FRY: Thank you.

22 MR. MAHER: Any additional traffic
23 questions from the board?

24 CHAIRMAN FRY: Anything else?

25 MR. EBEL: Do we have a time frame as to

1 of, if there's some additional build out in the
2 surrounding areas that is going to increase the
3 volume coming through here dramatically where the
4 county might feel, gee, we can't really handle all
5 of this volume just a single lane going through an
6 intersection, we're going to have to add an
7 additional lane.

8 This is what I mentioned in the last
9 meeting. There were no circuit breakers built
10 into their approval process. They didn't zero in,
11 we need to do this in three years or five years or
12 when there's more accidents or where there's
13 additional volume. They were very vague as to
14 when the permanent improvement might take place.

15 And based on my experience, and I've been
16 around a few years, you might see five, ten, 15
17 years of service out of this device because of the
18 way the lane assignments are; because the area
19 right now is pretty static. There's no real
20 potential for future improvements here unless
21 there's some zoning changes. And you have 208
22 right there that's going to take a brunt of the
23 volume. If people can't get through Sicomac
24 between Mountain and Cedar Hill, they're going to
25 stay on 208 and come in some other way.

1 when the county is going to install the light if
2 we were to do nothing and keep it the way it is?

3 MR. MAHER: I think Mr. Vogel just covered
4 that.

5 MR. VOGEL: If you look at what we
6 submitted, which is the report, and I have a copy,
7 they're prepared to put the light in when we're
8 ready to start construction. Because what we
9 requested was the opportunity to build that road
10 and use that road for construction so we could
11 keep the rest of the campus in its current
12 condition. And they agreed to that. So they were
13 going to put the light in immediately when we
14 start construction.

15 MR. MAHER: Any additional questions?

16 CHAIRMAN FRY: Yeah, one more question.
17 Actually, a couple more questions.

18 MR. MAHER: Sure.

19 CHAIRMAN FRY: If they go to a three phase
20 or four phase.

21 MR. ASCOLESE: Three.

22 CHAIRMAN FRY: Three phase, does it reach
23 a point where they would have to change the
24 curbing on the opposite side of the street?

25 MR. ASCOLESE: That would be a function

1 So I can't anticipate right now that there
2 would be a need to go to a permanent wider
3 solution in the next several years unless
4 something changed dramatically.

5 CHAIRMAN FRY: Well, no matter what, this
6 interim does create a wider scenario.

7 MR. ASCOLESE: It does, it does.

8 CHAIRMAN FRY: So they're already making
9 that improved.

10 MR. ASCOLESE: They are, but they're
11 striping it out, they're hatching it out.

12 CHAIRMAN FRY: Right.

13 MR. ASCOLESE: And so you're going to wind
14 up with 71 feet of pavement there and you're going
15 to have these 12-foot wide striped out areas that
16 really aren't going to serve any use until and if
17 and when the permanent improvement would be
18 necessary.

19 CHAIRMAN FRY: I just wanted to be clear
20 that if we did say, hey, you know what, we can
21 actually make improvements at the interim and make
22 it even better, but then that triggers, oh, by the
23 way, that's great, but then you have to redo all
24 the curbing on the opposite side to make it
25 compliant or something that the county would

1 accept. Because, again, as Mr. Vogel mentioned,
2 that was the biggest obstacle the last time we
3 went through the application. It impacted the
4 other businesses.

5 MR. ASCOLESE: Right.

6 CHAIRMAN FRY: So we don't want to do
7 something that sounds great but then, oh, okay,
8 that's what you want to do, now you have to do the
9 other side.

10 MR. ASCOLESE: I don't think that's going
11 to happen any time soon. Having worked with the
12 county in other towns, there's not a lot of money
13 for physical improvements to be made and I think
14 by putting in a temporary device and getting some
15 additional room on the south side, I don't think
16 there's going to be any, you know, hard press to
17 get a permanent device in there in the next
18 several years. There's too many other locations
19 in the county that are going to need something and
20 they would have rectified the condition at Sicomac
21 and Cedar Hill temporarily with the interim
22 design, I think they would be moving on. They're
23 not going to come back, I don't think, come back
24 and zero in on this, hey, we need to go to the
25 next step. That's my only personal opinion.

1 CHAIRMAN FRY: I think you're right. I
2 think they'll target another intersection that has
3 nothing and say, we want a light at that
4 intersection.

5 MR. ASCOLESE: There's 69 other towns.

6 CHAIRMAN FRY: We got what we want over
7 there, so now let's move onto another.

8 I just want it to be clear that if they
9 did go to three phase that it didn't automatically
10 trigger something that would impact. And I heard
11 Mr. Vogel loud and clear last time, no matter what
12 the township has to be involved with any other
13 future decision if the county wants to go through
14 with it.

15 MR. VOGEL: When I heard your
16 conversation, I pulled out the letter and I'll
17 read again from it. The August 4, 2017, letter
18 from Bergen County states, "The temporary signal
19 remain in place until permanent signal project
20 advances with township cooperation through the
21 execution of a shared services agreement with the
22 township".

23 So as I said to you once before, my
24 understanding of what that says is that the
25 improvement of the other side of the roadway and a

1 permanent signal will never happen unless there's
2 cooperation and a shared services agreement with
3 the township.

4 CHAIRMAN FRY: Okay. So the answer to my
5 question is no, it wouldn't automatically trigger
6 something more severe where we pigeonhole
7 ourselves into having to do a full blown
8 modification.

9 MR. ASCOLESE: Not the way the existing
10 approval from the county is written, no.

11 CHAIRMAN FRY: Thank you.

12 The only other question I had is at what
13 point would it trigger to have something for
14 pedestrian, like pedestrian countdown.

15 MR. MAHER: Those are standard.
16 Pedestrian countdown signal heads? Yeah, those
17 should be standard on new traffic signal
18 installations.

19 CHAIRMAN FRY: Would that be on the
20 interim?

21 MR. ASCOLESE: If I can address that, Mr.
22 Chairman.

23 The way they put the line on the drawing,
24 they're looking to put in a span-wire device, two
25 wood poles and a cable. It doesn't look like

1 they're going to service the pedestrians.
2 However, the cost of a span-wire signal approaches
3 the cost of steel poles with long arms and with
4 those you could do wiring over head. It would be
5 a simple enough task to drop an area line to an
6 adjacent corner so at least you could have a
7 signalized crosswalk as part of that installation.

8 Again, we're not talking about a
9 tremendous amount of money, especially, if we're
10 going to get a couple of years of use out of this.
11 And I think we can perhaps, through the township,
12 try to address those issues. If you're going to
13 come in and do an interim signal, can we at least
14 have you put in the provision to get pedestrians
15 across safely, especially, if you're widening the
16 road as much as they contemplate widening it in
17 the interim phases. I think, again, that can be
18 part of the discussion. The control is the same.
19 A little more wiring, couple more heads. It's not
20 a big deal.

21 CHAIRMAN FRY: So, you were supposed to
22 tell me not to say so.

23 The reason I ask is because a lot of the
24 focal point on this is safety. We've heard crash
25 data. We see there are multiple accidents both at

1 Mountain Avenue, Cedar Hill, around down further
 2 Cedar Hill, and we've approved an application for
 3 199 units and if we think nobody's going to walk
 4 down to that intersection, I think would be a
 5 little naive. And what I'm thinking, no matter
 6 what happens, change is inevitable. However, how
 7 we handle it and how we can come to terms with it,
 8 however the board decides, safety is important.
 9 And we do understand, we have the police report,
 10 we have the fire department's report. And, of
 11 course, for access and egress for emergency
 12 vehicles, they're making the point that the
 13 signalized intersection would be an improvement.

14 MR. MAHER: That's right.

15 CHAIRMAN FRY: Mr. Ascolese, I think
 16 you've been very beneficial to the board. At
 17 least you've answered certain questions just to at
 18 least educate the board on some potential things
 19 that we might be able to build in or at least
 20 we're asking the right questions, I think.

21 MR. ASCOLESE: I'm glad I could be of
 22 help.

23 CHAIRMAN FRY: Thank you.

24 Okay. Do we have any other questions for
 25 Mr. Maher?

1 All right. Why don't we open it up -- Mr.
 2 Vogel, do you have anything else?

3 MR. VOGEL: Nothing else. Thank you.

4 CHAIRMAN FRY: Why don't we open --

5 MR. VOGEL: I've offended enough people
 6 tonight.

7 CHAIRMAN FRY: You want to insult some
 8 more people, is that what you're saying?

9 MR. VOGEL: No.

10 CHAIRMAN FRY: Okay. We'll open it up to
 11 the public.

12 MR. COOK: Raise your right hand. These
 13 are just questions, so you don't have to be sworn
 14 in, but just state your name and address, for the
 15 record.

16 MR. BUCHMAN: Timothy Buchman, 430 Meer
 17 Avenue, Wyckoff.

18 CHAIRMAN FRY: Can you spell your last
 19 name?

20 MR. BUCHMAN: B-u-c-h-m-a-n.

21 CHAIRMAN FRY: Okay. So, again, the
 22 questions would be for the traffic expert.

23 MR. BUCHMAN: Mr. Maher.

24 CHAIRMAN FRY: Mr. Maher.

25 MR. BUCHMAN: Mr. Maher, could you please

1 tell us when the proposed four-way intersection
 2 begins operating as a four-way intersection, how
 3 many of the four approaches will permit right turn
 4 on red after stop?

5 MR. MAHER: As is currently modeled, all
 6 four approaches would permit a right turn on red
 7 after a full stop.

8 MR. BUCHMAN: Mr. Maher, when a traffic
 9 engineer makes a scholarly projection of future
 10 traffic conditions, is there a professional
 11 consensus about whether there's an assumption that
 12 100 percent of the drivers entering the
 13 intersection under study obey all traffic laws and
 14 regulations?

15 Do you want me to ask that a different
 16 way?

17 MR. MAHER: No, no.

18 As modeled, it's an ideal world, we're
 19 trying to base the model as closely as possible on
 20 actual conditions. It's going to operate well.
 21 There's a demonstrated safety improvement.
 22 Unfortunately, there are drivers, not only this
 23 intersection but every single intersection, that
 24 take their own liberties as far as rules on the
 25 road are concerned.

1 MR. BUCHMAN: My main thought in asking
 2 that question actually was about no left turns
 3 from the exiting driveways. But referring to the
 4 four-way intersection, the drawings submitted show
 5 the left-turn lanes stop lines set back as they
 6 are, for example, at Franklin and Wyckoff and I
 7 think that goes to the point that was extensively
 8 discussed at the last meeting, I think by you,
 9 using the term "site triangle".

10 MR. MAHER: Yes.

11 MR. BUCHMAN: And in addition to
 12 disobedient drivers, there are also well meaning
 13 drivers who fail to complete a left turn while
 14 they have the light and they end up in front of
 15 the stop line which completely obscures the site
 16 triangle for the person trying to turn right on
 17 red.

18 MR. MAHER: In that current operation at
 19 the existing Christian Health Care Center
 20 driveway, it's precisely why the signal that the
 21 county is proposing is an improvement in safety
 22 because now the requirement for site triangle is
 23 for the vehicle that is turning right on red.
 24 You're actually being given better site lines with
 25 less conflicting traffic if you're turning left at

1 a signalized intersection rather than a
2 un-signalized intersection, much like was shown on
3 this video. If you're trying to turn left out of
4 a driveway and it's un-signalized, you're not
5 dealing with meter traffic anymore and you don't
6 have the opportunity to go on green. So what
7 we're proposing here is a safety improvement for
8 the scenario that you had mentioned.

9 MR. BUCHMAN: Mr. Maher, are you familiar
10 with blue line drawings 4 and 9 of 12 that are
11 generally titled Phasing of Construction.

12 I think they were prepared by your firm,
13 but maybe they weren't. They were submitted last
14 time.

15 MR. MAHER: Al, would you be able to speak
16 to that?

17 MR. BUCHMAN: I didn't ask the question
18 yet. Is my question in order about those two
19 drawings?

20 CHAIRMAN FRY: I just want to clarify
21 which drawings you're referring to. You're
22 referring to the drawings that have been
23 submitted?

24 MR. BUCHMAN: Yeah, the exhibit that was
25 delivered --

1 MR. BUCHMAN: Mr. Fry used the term
2 "interim" this evening, which I think was partly a
3 response to the reference to the county's
4 description of a traffic signal as temporary. The
5 reason --

6 CHAIRMAN FRY: That's correct.

7 MR. BUCHMAN: -- the reason I mention that
8 is one of the difficulties I have looking at these
9 drawings was determining how many construction
10 phases there actually are. I thought at first
11 there were only two phases. There was the interim
12 steady state condition after the driveway's in
13 operation and there was a long distance future
14 condition after the shared services agreement is
15 voluntarily entered into. But one of the things
16 that made me confused is that drawing number 4 on
17 the, I think southbound Cedar Hill Avenue
18 approach, there are only two lanes, one with right
19 turn only; one with left turn only and there's no
20 continuous lane into the new construction
21 driveway. So I think --

22 CHAIRMAN FRY: That was clarified at the
23 last meeting.

24 MR. BUCHMAN: I'm sorry, I'll stop.

25 CHAIRMAN FRY: Very valid point. I

1 CHAIRMAN FRY: And it's titled Phasing?

2 MR. BUCHMAN: Well, the title blocks of
3 the drawings refer to construction phasing. I
4 said 4 of 12 and 9 of 12 to help indicate which
5 bundle I'm talking about.

6 CHAIRMAN FRY: All the drawings that were
7 previously submitted were Stantec drawings.

8 MR. BUCHMAN: Okay. Thank you. I don't
9 want to force you to testify about drawings you're
10 not familiar with.

11 Let's start with number 4.

12 MR. MAHER: Okay.

13 MR. BUCHMAN: Before I asked a question --

14 CHAIRMAN FRY: Why don't you identify what
15 it is so you know we're referencing the same
16 drawing.

17 MR. MAHER: Yes, these are titled: The
18 Interim Roadway Plans. It shows the extent of
19 paving and widening and the proposed county signal
20 improvement.

21 Is this the 4 of 12 you were talking
22 about?

23 MR. BUCHMAN: Yes, thank you. Yes, that's
24 the first drawing I was going to refer to.

25 MR. MAHER: Yes.

1 actually drew the arrow in at my drawing as well.

2 So it was clarified --

3 MR. BUCHMAN: Oh, one of those arrows
4 needs to be corrected to be a two road arrow.

5 CHAIRMAN FRY: That's correct. It would
6 be a left and --

7 MR. BUCHMAN: I'm very sorry I took extra
8 time.

9 MR. MAHER: No, that's okay.

10 CHAIRMAN FRY: Am I right?

11 MR. MAHER: You are correct.

12 MR. BUCHMAN: Okay. Thank you.

13 Is there any doubt about the township's
14 ability to enforce a no left turn sign placed on
15 private property, meaning, the two exits from the
16 existing driveways?

17 MR. MAHER: It is our intent to restrict
18 those left turn movements and I would foresee
19 signage being complimentary to the hatched four
20 area that we proposed on the plans.

21 According to state law, you can't make a
22 left turn across a hatched square area like the
23 one shown here. But signs would help to further
24 enforce that.

25 MR. BUCHMAN: Do you know, maybe Mr. Vogel

1 does if you don't, is there an existing easement
2 or mapped street behind the gas station, formal
3 easement or mapped street?

4 MR. VOGEL: My best knowledge is that
5 there is not a formal easement behind it. I think
6 it is just a condition that's grown up and
7 everybody kind of observes it.

8 MR. BUCHMAN: I have one more phasing
9 question then I'll sit down.

10 When we talk about what's temporarily
11 being named the "interim" phase, is the vast
12 amount, setting aside the installation of the
13 temporary traffic light, is the vast amount of the
14 physical construction work going to be done by
15 contractors under the control of the CHCC or is
16 there some substantial amount of work that will be
17 performed by the county?

18 MR. MAHER: From what I understand, the
19 county will be constructing the improvements for
20 the signal with the exception of the driveway
21 that's going into the Christian Health Care
22 Center.

23 MR. VOGEL: The road lining will be done
24 by Christian Health Care Center, the county's only
25 obligation is to install the light.

1 location.

2 MR. VOGEL: Yeah, I think when he used the
3 word "preference", that's the most likely place
4 they're going to come. Will somebody running up
5 to the top go through it --

6 MR. HANLON: I understand it because
7 people, you know, there might be a critical
8 situation.

9 MR. VOGEL: I wouldn't say a hundred
10 percent, but most of them will.

11 MR. HANLON: Right.

12 CHAIRMAN FRY: So let me just touch base
13 on that because I don't want any misconceptions.

14 MR. HANLON: Sure.

15 CHAIRMAN FRY: As a fireman of 28 years, I
16 can tell you the SOP to approach that building,
17 the new building, the entire complex, you have
18 multiple engines, you have trucks, you have rescue
19 vehicles, they will come in from all sides
20 possible depending on where the incident is.

21 MR. HANLON: Of course.

22 CHAIRMAN FRY: So I don't want you to
23 think, oh, okay, perfect, everything is going to
24 be away, they're going to be coming into the main
25 entrance. Just so you understand, the fastest

1 MR. BUCHMAN: Thank you very much.

2 CHAIRMAN FRY: Thank you.

3 Anyone else care to speak?

4 MR. COOK: Sir, would you state your name
5 and address, for the record, please.

6 MR. HANLON: Yes, my name is Patrick
7 Hanlon. I live on the corner of Mountain and
8 Sicomac.

9 MR. COOK: Mr. Hanlon, you're not going to
10 be sworn because these are just questions.

11 MR. HANLON: I just saw the other
12 gentleman, so...

13 In your study, did you evaluate -- or let
14 me ask this another way.

15 Will all emergency vehicles use this
16 intersection to access Christian Health Care?
17 Because, currently, really they come down Mountain
18 Avenue now. I lived there for 35 years. So based
19 on the criticality. I mean, if there's an
20 emergency, I'm sure they want to come in. But
21 will all of the ambulance and transit be required
22 to come in through this new intersection.

23 MR. MAHER: I don't know about a
24 requirement, but they would certainly have a
25 preference to access the side via the signalized

1 way, the path of least resistance.

2 MR. HANLON: No, I understand that. Sure.
3 But I believe now where the dormitories are, most
4 ambulances come out through the road on Mountain
5 Avenue and then come down Mountain Avenue, so for
6 me --

7 CHAIRMAN FRY: Oh, oh, exit the health
8 care center onto Mountain, make a right, come down
9 Mountain back into that same queue that we just
10 beat up.

11 MR. HANLON: Exactly. So that's really
12 the point of me asking that question. Not a
13 matter of it being convenient or to my quality of
14 life, because I live on that corner.

15 CHAIRMAN FRY: Got you.

16 MR. STRUYK: My experience is that the
17 fire department and the ambulance corp and the
18 police generally follow similar protocols and
19 practices. So if the fire department is saying
20 the signal gives them a safer more controlled
21 access, my assumption would be the ambulance and
22 the police would have a similar. That's my
23 assumption. I'm basing it on this letter.

24 MR. HANLON: I don't want to be
25 presumptuous and I understand the nature of that.

1 MR. VOGEL: Fair question.

2 MR. HANLON: So I think it is a fair
3 question.

4 I haven't seen the drawings, but as the
5 road is now, would you actually have two lanes and
6 also this, call it the idle zone for the Market
7 Basket that's there now, if you were to build
8 this?

9 MR. MAHER: An idle zone?

10 CHAIRMAN FRY: The hatched --

11 MR. HANLON: Yeah, the hatching because
12 you're going to have dump trucks and landscapers.

13 MR. MAHER: There's no widening onto the
14 north side of the roadway. So that's not impacted
15 in any sense.

16 CHAIRMAN FRY: So on the south side.

17 MR. HANLON: Right.

18 CHAIRMAN FRY: Which is the health care
19 center side, that side will have proposed interim,
20 has two lanes, a left turn.

21 MR. HANLON: Yup.

22 CHAIRMAN FRY: And then a straight --

23 MR. HANLON: And right turn.

24 CHAIRMAN FRY: And right. And it still
25 has what's indicated 12 feet to the right of that

1 lane which will be hatched.

2 MR. HANLON: Okay.

3 CHAIRMAN FRY: So you will have something
4 similar to maybe what exists now.

5 MR. HANLON: Except just wider on their
6 side.

7 CHAIRMAN FRY: Right. And you'll have
8 essentially two lanes headed east.

9 MR. HANLON: Okay. Thank you.

10 CHAIRMAN FRY: Thank you.

11 MR. GOODMAN: Are we allowed to ask
12 questions of the board also or just Mr. Maher?

13 CHAIRMAN FRY: If it's specific to the
14 testimony we just heard?

15 MR. GOODMAN: Yes.

16 I don't need to say who I am or swear in?

17 CHAIRMAN FRY: Yes, state who you are and
18 address.

19 MR. COOK: Just questions. Just state
20 your name and address. You're not being sworn
21 because we're not taking a statement or testimony,
22 just asking questions.

23 MR. GOODMAN: Got it. Thank you.

24 Stanley Goodman, 691 Birchwood Drive,
25 Wyckoff.

1 First, there have been statements made
2 through the hearings that cities and towns settle
3 these things. Historically, they don't go to
4 conflict or court over it. So what was -- sorry,
5 I made my notes. They're a mess. So if you're
6 going to meet with the county or that if counties
7 and towns don't go into severe conflict over these
8 things, they usually settle them, it sounds like
9 there's an effort or consideration going to meet
10 with the county, from what Mr. Ascolese has said
11 and from what I think you said, so would that be
12 part of the hearing process or would that be after
13 these hearings are completed?

14 CHAIRMAN FRY: I don't think there would
15 be a meeting. What I think we have an option for
16 is making some improvements to the interim and
17 that's what we would either decide to approve,
18 disapprove, or however we deem fit. But it would
19 not be a meeting between us to try to settle
20 something. It would be, we would listen to the
21 expert testimony and then whatever direction the
22 board went, we would build that into this either
23 approval or non-approval.

24 MR. GOODMAN: If there is no meeting and
25 if you're relying simply on let's say Mr. Vogel,

1 whom I respect and who certainly knows his stuff,
2 nonetheless, he can't speak for the county, he
3 can't make a commitment for the county, so
4 wouldn't you at some point need to have direct
5 communications with the county to get approval or
6 not?

7 MR. COOK: The board is not permitted to
8 speak directly to the county. If the board were
9 to approve this application and were to impose
10 certain conditions, they, Mr. Vogel and Christian
11 Health Care, would take that approval to the
12 county and they could see if these conditions were
13 acceptable to the county. If they weren't
14 acceptable, back to square one.

15 MR. GOODMAN: Thank you.

16 On that, regarding safety as a primary
17 objective in this whole process, I wonder if
18 you're considering that the one year's data with
19 the number of accidents that were listed and some
20 that were correctable with the traffic light
21 potentially and some that were not, one year's
22 data doesn't indicate a trend. So you would need
23 more than one year's data and there has been a
24 history of safety of few accidents in this, as I
25 understand it.

1 CHAIRMAN FRY: So it's a very valid point.
2 So just to clarify, we heard three and a half
3 years of crash data.

4 MR. MAHER: That's correct.

5 CHAIRMAN FRY: That's what was presented
6 to us. We focused on one year because they
7 highlighted there were nine accidents, I believe,
8 over a 12-month period.

9 MR. MAHER: Seven.

10 CHAIRMAN FRY: Seven, excuse me. Seven
11 over that period. But the crash data that was
12 presented was over a three and a half year period.

13 MR. GOODMAN: Right. Did I misunderstand?
14 The only part that was isolated with which amounts
15 were potentially correctable with a traffic light
16 and since you were dealing with an annual number
17 of seven, which was a borderline beyond which you
18 have to put in a traffic light and below which
19 maybe you don't, wasn't that only one year that
20 was considered?

21 MR. MAHER: Just to go over the crash data
22 again, the crash poll was for years 2015 through
23 right now, the end of 2018. Based on statewide
24 database data, crash data, I supplied the police
25 department with case numbers from 2015 to 2017.

1 were certainly a number of crashes, which I
2 flagged off of the statewide database that would
3 have been corrected with a signal, but we want to
4 take a look at the more comprehensive data that we
5 were recently provided with.

6 MR. GOODMAN: Right. So then my question
7 comes back to what I initially said, am I not
8 correct in understanding that this figure of seven
9 is an isolated number that at least with the data
10 we have now can't be compared to any other number
11 because we don't know what happened the year
12 before or two years before?

13 CHAIRMAN FRY: So if I understand, you're
14 just looking for what happened in '15, what
15 happened in '16, what happened in '17, what
16 happened in '18. We know the 12 specific for the
17 period. All we heard is the average over a three
18 and a half year period.

19 MR. GOODMAN: But we heard the seven as a
20 threshold, but we don't have any number to say,
21 oh, you know what, this is a trend because it was
22 five years before, it's six, now it's seven or it
23 was eight the year before, now it's seven. So
24 we're consistently here. It could have been just
25 an isolated oddball experience.

1 And the statewide database is notorious for not
2 uploading all their crash data. They didn't
3 provide anything in addition to the case numbers I
4 provided them. However, they did a fresh poll of
5 2018 crashes which gives a better picture of
6 what's going on at the intersection. In fact, the
7 level of seven crashes per year is more indicative
8 of the original study done by the county, which
9 took a look at crash experience at the
10 intersection. It was more in par what was seen in
11 that report.

12 Five is the threshold for crashes in the
13 12-month period. So we're two crashes over that
14 and it's something that's definitely notable. Our
15 publication says, take a look at the most recent
16 12-year period. So that's exactly what we did.

17 MR. GOODMAN: 12-month period.

18 MR. MAHER: 12-month period.

19 MR. GOODMAN: So then you haven't pulled
20 out or am I misunderstanding, that you have not
21 pulled out crash data for the year prior or two
22 years prior to isolate to see if it's five or
23 seven or four or whatever?

24 MR. MAHER: Right. A more comprehensive
25 data poll could be done. We did note that there

1 CHAIRMAN FRY: Right. Except we know it's
2 isolated because if that was the average, then you
3 would be well above what we --

4 MR. GOODMAN: The 12.

5 CHAIRMAN FRY: Yeah, what the period of
6 three and a half years.

7 MR. GOODMAN: So that goes back to my, so
8 it was a one year number.

9 MR. MAHER: If I may show you the crash
10 data that the county pulled back in the 2006
11 study.

12 Bolded crashes are accidents that could
13 have been prevented with a traffic signal based on
14 our view of the accident record. Of course,
15 there's a lot of fluctuation throughout the years.

16 In 2003, we count one, two, three bolded
17 crashes.

18 In 2004, we count one, two, three, four,
19 five bolded crashes.

20 And 2005, very notable year. It's one,
21 two, three, four -- actually, the only two that
22 aren't bolded are these two. So it's 13 minus
23 two, so 11 crashes. So you can see there's a high
24 variability to the crash data going year to year.
25 So just to give you a bit more of a sample size.

1 MR. GOODMAN: Thank you.
 2 MR. MAHER: Yes.
 3 MR. GOODMAN: And my last question I guess
 4 goes mostly to you. Is it Mr. Maher or Mr. Maher?
 5 MR. MAHER: Maher like Bill Maher.
 6 MR. GOODMAN: Oh, Maher. Sorry.
 7 MR. MAHER: That's okay.
 8 MR. GOODMAN: So I have this drawing which
 9 is the number 9 of 12 that was being discussed
 10 before and I read, I've also -- I OPRA'd
 11 communications between the county and the
 12 engineers regarding this, not just between the
 13 county and the town and other county documents
 14 related to the traffic light and I have a
 15 collection of e-mails where people going back to
 16 let's say Chuck Shotmeyer for one had been in part
 17 of these e-mail groups and exchanges and has
 18 commented on the safety and he particularly
 19 commented on this back driveway.
 20 CHAIRMAN FRY: Is this a question?
 21 MR. GOODMAN: It is a question but I just
 22 had to give the background why I got the data. I
 23 thought I should.
 24 So I'm asking, the question is, has
 25 consideration been given to what's going to happen

1 in the later phase versions of the traffic? When
 2 you're talking about safety, if this drawing 9 of
 3 12 shows crossed out parking spaces that Occhis
 4 uses where they store cars, several of them, and
 5 Mr. Shotmeyer said in his e-mail back years ago
 6 that if that happened they would likely have to
 7 close this off, so then people are going to no
 8 longer be able to drive out of this parking lot.
 9 So I'm wondering about the safety of this whole
 10 situation. If you can no longer drive out of the
 11 Market Basket parking lot down this street and
 12 even if you could drive down that street, you're
 13 not going to be able to make left turns, I assume.
 14 Is that correct?
 15 MR. VOGEL: Can I respond to Stanley?
 16 CHAIRMAN FRY: Sure.
 17 MR. VOGEL: We have no discussions with
 18 the county at all about anything that would be
 19 done in the future. Their whole position was that
 20 they wanted a design of the intersection, but they
 21 would never build the other side of it unless they
 22 sat down with the township and had its cooperation
 23 and had a shared services agreement. So whatever
 24 is there is going to have to be subject to a
 25 discussion with the county later. We had no

1 discussion with them about what would be done on
 2 the other side.
 3 MR. GOODMAN: So there has been no
 4 consideration of the safety on the other side?
 5 MR. VOGEL: No, because nothing of that
 6 nature is being done now. The health care center
 7 would only do the construction on its side of the
 8 roadway. And the county, as I read in the letter,
 9 and if you don't have a copy, you should have one
 10 but I'll give it to you, the county said they will
 11 do nothing on the other side unless and until they
 12 have the cooperation of the township and they
 13 signed a shared services agreement.
 14 MR. GOODMAN: Okay. Thank you.
 15 So then you are acting as a representative
 16 of the county?
 17 MR. VOGEL: No, I have a report from the
 18 county, Stanley. I'll give it to you.
 19 MR. GOODMAN: Thank you, thank you.
 20 MS. HANLON: Hi, I'm Gail Hanlon. I live
 21 at 649 Mountain Avenue on the corner of Mountain
 22 and Sicomac on the dead end side.
 23 So basically my question, I guess maybe I
 24 can talk to both of you since you did the traffic
 25 reports and things like that and Mr. Vogel, is you

1 worked with the county that with the --
 2 CHAIRMAN FRY: Mrs. Hanlon, can you just
 3 try speak in the mic.
 4 MS. HANLON: Oh, I'm sorry.
 5 With this installation of the light, has
 6 the county indicated, because of that maybe
 7 something would happen with the speed limit on
 8 that road? Because I think when you look at your
 9 crash data, speed is a real factor in your turning
 10 in Mountain, out of Mountain, onto Sicomac, back
 11 and forth. So I'm wondering, did that ever
 12 come --
 13 MR. VOGEL: I never had a discussion with
 14 them on the speed limit. That never came up in
 15 our discussion.
 16 MS. HANLON: Okay. Because I think that's
 17 a big impact. I was just curious.
 18 MR. MAHER: Just to be clear, the proposed
 19 traffic signal, the traffic signal proposed by the
 20 county doesn't calm traffic conditions. It does
 21 occasionally stop vehicles, so vehicles would
 22 occasionally expect to slow down on Sicomac at the
 23 Cedar Hill Avenue intersection.
 24 MS. HANLON: Well, there, yes, correct.
 25 MR. MAHER: But it's not an official

1 traffic calming device.

2 MR. GOODMAN: Okay. Thank you.

3 CHAIRMAN FRY: Out of curiosity, is that
4 something that the county would have the
5 absolute -- can anybody have input into that? How
6 does that work if there was to be a reduction
7 maybe in the speed limit?

8 MR. VOGEL: You have to -- that's the guy
9 to ask right over here.

10 MR. ASCOLESE: Having done that for 40
11 years, the speed limits on Cedar Hill Avenue and
12 Sicomac Avenue were established through a speed
13 zone process whereby the county police, when there
14 was a county police, they would go out and sample
15 100 free flowing vehicles in each direction and
16 they would plot them and the speed limit would be
17 based on the 85th percentile speed of free flowing
18 traffic on the roadway. The 85th percentile means
19 that 85 percent comply with the posted speed limit
20 and only 15 percent exceed that.

21 If the township wished for the county to
22 reassesses the speed limits on Sicomac Avenue or
23 Cedar Hill Avenue, what they would be asked to do
24 is to provide accident data for three years and
25 the segment that they would want analyzed. And I

1 would believe at this point it would be the County
2 Sheriff's Department would go out and do that
3 sampling in an unmarked vehicle so they can get a
4 true representation. Once that data is collected
5 and plotted, the engineering staff would make a
6 determination what is the average speed, what is
7 the 85th percentile speed of those vehicles, and
8 they have the ability to make a reduction in that
9 limit from anywhere from maybe five to seven miles
10 per hour based on the prevailing speed and the
11 accident rate and perhaps the lack of sidewalks
12 and the lack of crosswalks, the number of
13 driveways. More or less, how much friction takes
14 place along that roadway.

15 The county has lowered speed limits along
16 the roads over years as traffic volumes have
17 increased, as pedestrian volumes have increased,
18 as more drivers have come in along the county
19 roads and it's something that the township can
20 request to be analyzed on any segment of road
21 along the county roadway system. So that's how it
22 would take place.

23 CHAIRMAN FRY: Is that something that if
24 we had concrete evidence that if it were reduced
25 it would benefit the proposed intersection or the

1 current intersection and it's something that
2 should be considered?

3 MR. ASCOLESE: Well, they wouldn't be
4 taking it at intersections because you really
5 don't have free flowing vehicles between Cedar
6 Hill and Sicomac. They would probably take it
7 maybe five to 700 feet east of Cedar Hill Avenue,
8 maybe beyond a little bit between Sicomac School
9 and maybe get an idea of what the free flowing
10 characteristics are. They would certainly take
11 into consideration the friction caused by the
12 intersection of Sicomac and Mountain as well as
13 Sicomac and Cedar Hill. And, again, based on the
14 accident experience, whether it be correctable by
15 another traffic control device or not, they would
16 take a look at the overall accident experience and
17 again the narrowness of the lanes, the fact that
18 you don't have curbs, the fact that you have
19 asphalt sidewalks in some areas pretty much along
20 the shoulder of the road, those issues are taken
21 into consideration and they generally result in a
22 reduction.

23 CHAIRMAN FRY: Thank you.

24 Anyone else from the public?

25 MS. MAHON: Mary Mahon, M-a-h-o-n, 64

1 Emeline Drive, Hawthorne.

2 My question's to the board. The first one
3 Mr. Cook answered that you're not allowed to talk
4 to the Planning Board, Bergen County Planning
5 Board.

6 MR. COOK: Correct.

7 MS. MAHON: However, I did and I asked two
8 questions you've been talking about all night and
9 I didn't know if I can tell you the answers.

10 MR. COOK: You can address the board at
11 another time. This is just a provision to ask
12 questions regarding the testimony of the witness.
13 It's not --

14 MS. MAHON: This was all discussed. I
15 mean, I'm not --

16 MR. COOK: No, it's just questions now.
17 At the end of the presentation you'll be given an
18 opportunity to make whatever statement you want.

19 MS. MAHON: Okay. Well, my question would
20 you want to know the answer to two questions
21 you've been asking? I can't give you those?

22 MR. COOK: This is really, this is the
23 time just to ask questions to the witness
24 regarding his testimony.

25 MS. MAHON: Okay. But I thought we could

1 ask the board the questions, so that was my
2 question.

3 MR. COOK: It's really not appropriate to
4 ask the board questions. Now, the chairman was
5 being, I think, very kind to entertain it. But
6 really this is just a provision or a time in the
7 evening where the questions --

8 MS. MAHON: All right. It's just hard
9 when you're asking questions and I heard answers.
10 So that's all I want to say.

11 Thank you.

12 CHAIRMAN FRY: Thank you.

13 Anyone else from the public? Questions
14 for the Stantec traffic expert or Mr. Vogel?

15 MR. VOGEL: Well, you indicated that we
16 would first discuss the phase that had to do with
17 the access and the light. I think we've exhausted
18 that from our presentation standpoint. If there's
19 more information that the board would request from
20 us, we're certainly prepared to satisfy that
21 request, but I think we, at this point, have
22 exhausted the subject from our presentation.

23 CHAIRMAN FRY: Okay. So why don't we do
24 this. I'll do one more pass through to see if
25 anybody has anymore comments or questions and then

1 an hour, at most.

2 CHAIRMAN FRY: Okay. So let me ask the
3 board if we have anymore questions for tonight to
4 try to round out tonight's testimony and then I
5 think what we'll do is we'll shut it down. We'll
6 identify the dates for the next meeting.

7 MS. YUDIN: I have a question about Mr.
8 Vogel's summary.

9 I was wondering if they're going to
10 address any change to the water retention plan
11 because of the road expansion and if they were
12 going to address the materials or the building, if
13 there were any changes since the last time.

14 MR. VOGEL: All of that would be LAN
15 testimony and Mr. Karle would testify to that.

16 MS. YUDIN: That will be included?

17 MR. VOGEL: Yes.

18 CHAIRMAN FRY: Okay. So Board, why don't
19 we try to wrap up for tonight. If there are any
20 other questions that we have relative to the
21 traffic, although, I think we've heard quite a bit
22 and we've asked a lot of questions.

23 MR. VOGEL: Excuse me, Mr. Chairman.

24 CHAIRMAN FRY: Sure.

25 MR. VOGEL: The other part of that as to

1 why don't we sort of outline, because it is
2 getting a little bit later, why don't we outline
3 the next step so that we're prepared for the next
4 meeting.

5 MR. VOGEL: All right. Well, what I have
6 left is the interior of the site itself. We
7 talked about the exterior. The only exterior
8 aspect being the two access points, the existing
9 and the proposed, and the interior is how the
10 roadway would serpentine its way through the site.
11 And there are two small buildings that are having
12 small additions put on them with additional
13 facilities and that testimony would come from LAN
14 Associates. Mr. Karle is here. And he would
15 testify to that and that would complete our
16 application on the amendments as proposed.

17 CHAIRMAN FRY: Okay. So we'll get into
18 the site plan internal, so to speak, with the
19 roadway change to the four-way.

20 MR. VOGEL: Correct.

21 CHAIRMAN FRY: That you're proposing and
22 then the two structures that you're making
23 proposing additions to.

24 MR. VOGEL: Yes. My expectation is that
25 direct testimony probably would not take more than

1 whether or not you have anymore questions about
2 traffic is whether or not any of the board members
3 would request that we have Stantec come back, Mr.
4 Maher and Mr. Roughgarden. If we've completed
5 with them, I would not have them back. If you
6 want them back because you think there might be
7 some more questioning of them, then I will
8 certainly have them here.

9 CHAIRMAN FRY: Not that I want you to have
10 to bring people back, but I suspect that there may
11 be a couple of questions. So I would advise, yes,
12 bring them back.

13 MR. VOGEL: Okay. I just wanted to be
14 sure.

15 CHAIRMAN FRY: Okay. Thank you.

16 MR. KALPAGIAN: I did have one question.
17 Doesn't pertain to the light but a little bit with
18 the traffic pattern.

19 In testimony last week, two of the access
20 roads going from Christian Health Care Center to
21 Cedar Hill, what was the logic of keeping those if
22 it would improve access from Cedar Hill direct?
23 What was the logic behind keeping those two other
24 access points even though you not permit left
25 turns at one, what's the thought process or logic?

1 Because I didn't see it in the testimony.

2 MR. VOGEL: I think Doug can respond to
3 that.

4 MR. STRUYK: The existing driveway, I
5 think, quite frankly, because it's already there
6 and because it does provide another means,
7 especially, of entrance to the campus for those
8 coming, I'm not good with north, south, east, or
9 west, those coming from Franklin Lakes towards
10 Hawthorne would be able to enter the campus. But
11 probably most significantly is that the emergency
12 services have always stressed that they want to
13 have more than one means of access to the campus,
14 though, they would always choose to use the one
15 that's most optimal, that they prefer and want to
16 have more than one means of access. So that,
17 again, for some reason, if one was blocked, that
18 they know that there's another way that they can
19 get onto the campus.

20 MR. VOGEL: And that is right in and right
21 out only.

22 CHAIRMAN FRY: I would think from an
23 emergency vehicle standpoint as well, if it's
24 Building 3 of the first building, as soon as you
25 come in, you're going to want to take that

1 of lights in Wyckoff that can turn six or eight
2 times before you get through them. I'm sure it
3 wasn't planned that way, but it worked out that
4 way.

5 MR. MAHER: Okay.

6 CHAIRMAN FRY: Okay. Just for the benefit
7 of the applicant, does the board have any
8 document, any piece of information?

9 Sue, we know we're going to try to get the
10 September 26th or whatever the one missing
11 document is.

12 MS. McQUAID: Right.

13 CHAIRMAN FRY: We'll try to get that from
14 the town so the board has it.

15 Is there any other piece of information,
16 data, question, that you would want the applicant
17 to come back and be prepared to testify? Maybe
18 since you will be back, maybe we can do a little
19 more crash data analysis to just cover the other
20 years and see if we can get a year by year. Is
21 that something the township has to provide, the
22 police department?

23 MR. MAHER: I would have to coordinate
24 with the police department on that. It's going to
25 be a considerable amount of labor. I presume that

1 entrance that's existing now rather than going to
2 the light, going up, and having to find your way
3 through.

4 MR. KALPAGIAN: Yes.

5 CHAIRMAN FRY: Anyone else?

6 MR. EBEL: My one question is, the margin
7 of error, when you do the traffic pattern, what is
8 the percentage that is just totally off and it
9 does become a terrible traffic corner? It does
10 happen.

11 MR. MAHER: You're talking about when we
12 do before and after studies. Right?

13 MR. EBEL: Yes.

14 MR. MAHER: In the before and after
15 studies that I've participated in, particularly,
16 in downtown Newark with New Jersey Transit, we've
17 seen a tolerance of five to 10 percent. That's
18 what I previously testified to two weeks ago as
19 well.

20 MR. EBEL: Okay.

21 MR. MAHER: We try to prognosticate
22 traffic conditions to the best of our ability
23 given the methodologies that we're playing by with
24 standard publications that were authored.

25 MR. EBEL: Only because we have a couple

1 they only gave me the crashes for the case numbers
2 I supplied to them because it's incredibly
3 exhaustive to go through about 20,000 crashes per
4 year to find out what's occurring within the study
5 area and what's not. So I submit to you the 2017
6 to 2018 data that we testified to use should be
7 sufficient to justify the safety issue, but if
8 requested by the board, we can do a more thorough
9 poll and see what we get.

10 CHAIRMAN FRY: You know, the benefit to it
11 is we can see a pattern. So you had 2005, 2006
12 and now you have 2015 to 2018. See if you can
13 fill in the gaps because then we can see the full
14 picture and it might help with the analysis.

15 MR. MAHER: I was advised by Sergeant
16 Zivkovich that they do destroy records prior to
17 2014 at this point, so I wouldn't be able to look
18 before that year, but...

19 CHAIRMAN FRY: Okay. Then there's really
20 no point in trying to do anymore research.

21 MR. MAHER: Yeah.

22 CHAIRMAN FRY: Okay. Then you answered my
23 question.

24 Anything else?

25 Sue, what is the date for the next

1 meeting?

2 MS. McQUAID: Thursday, June 28th.

3 CHAIRMAN FRY: Thursday, June 28th.

4 MR. VOGEL: I'm not available that night.

5 CHAIRMAN FRY: I don't think that was the
6 date because I have a conflict with that date.

7 MR. VOGEL: Sue, did we talk about the
8 26th as a possible?

9 CHAIRMAN FRY: I don't think that came up.
10 That whole week I'm actually out, the 24th to the
11 30th.

12 How does that impact noticing or anything
13 else if we were to change the 28th?

14 MS. McQUAID: We have a regular meeting on
15 the 21st.

16 CHAIRMAN FRY: What does the agenda look
17 for that right now?

18 MS. McQUAID: It's doable, yeah. Two
19 applications.

20 CHAIRMAN FRY: Anybody on the board
21 opposed to hearing the next part at the regular
22 meeting? If I can cut back on all the special
23 meetings, I would love to, by the way.

24 So the only thing I would say, maybe as a
25 courtesy to the applicants that are on the docket

1 CHAIRMAN FRY: I apologize. I do have
2 something I have to do with my kids.

3 MR. VOGEL: Sometimes it's the most
4 difficult thing to do is to schedule another
5 meeting.

6 The problem I always run into in July
7 tends to get into people's vacation time. So if
8 there's one week, if we can try like the second
9 week in July, is that a possibility?

10 MS. McQUAID: We'll have to see if the
11 room's available.

12 CHAIRMAN FRY: Yeah, we have to see
13 availability for the room.

14 Sue, maybe if you can --

15 MS. McQUAID: July, we could have
16 July 10th.

17 Why don't we carry it to June 21st and
18 then between this week and next we'll see what
19 else is available. That's about all we can do
20 right now.

21 CHAIRMAN FRY: Okay. So we'll carry the
22 application to the June 21st meeting and then all
23 we'll do is we'll open it up and announce the next
24 date. We won't hear any testimony.

25 MR. VOGEL: Okay. And I can be in touch

1 or will be, we will hear them first and then
2 hear...

3 Are you okay for the 21st?

4 MR. VOGEL: The 21st.

5 CHAIRMAN FRY: 21st. What we'll do is
6 combine it with a regular meeting.

7 MR. VOGEL: No, I'm due to be in Montvale
8 that night, the 21st. That's a special meeting
9 for me for another assisted living.

10 CHAIRMAN FRY: Do we have to declare the
11 date for the next meeting?

12 MS. McQUAID: Yes, tonight.

13 MR. COOK: Yes.

14 CHAIRMAN FRY: But it has to be determined
15 tonight?

16 MS. McQUAID: Correct.

17 MR. COOK: Yes.

18 CHAIRMAN FRY: I was just asking if we had
19 to determine the night for the next meeting at
20 this meeting. She answers yes.

21 MR. VOGEL: Well, you would have to carry
22 this to the 21st and then on the 21st announce
23 when the next meeting would be then we wouldn't
24 have to re-serve everybody.

25 MS. McQUAID: Right, okay.

1 with Sue in the interim.

2 CHAIRMAN FRY: Absolutely. We'll all be
3 in touch to coordinate a solid date.

4 MS. McQUAID: It's carried to June 21st at
5 7:30.

6 MR. VOGEL: And the 21st will only be to
7 set a new date.

8 MS. McQUAID: To set a new date.

9 CHAIRMAN FRY: Correct.

10 So the answer is no, you don't have to
11 bring Stantec back to the next meeting.

12 MR. VOGEL: The problem is I just asked
13 Stantec about July and they've got some got
14 unavailability problems.

15 CHAIRMAN FRY: Okay. We'll do the best we
16 can.

17 Thursday, June 21st. We'll make the
18 announcement for the next date.

19 Can I get a motion to adjourn?

20 MR. RUEBENACKER: So move.

21 CHAIRMAN FRY: By Mr. Ruebenacker.
22 Second?

23 MR. EBEL: Second.

24 CHAIRMAN FRY: All in favor.

25

(Whereupon, all board members present
agree to adjourn the meeting at 10:30 p.m.)

C E R T I F I C A T E

I, LYNANN DRAGONE, License No. XIO1388, a
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