

Approved 11/8/06

**REGULAR PUBLIC MEETING  
TENAFLY PLANNING BOARD  
SEPTEMBER 27, 2006  
MINUTES**

Chairman Sellinger called the public meeting to order at 8:30 p.m.

The announcement was made regarding compliance with the Sunshine Law.

The Secretary was asked to call the roll:

Present: Mr. Sowlakis, Ms. Kelly, Mr. Tremble, Mr. Kelly, Mr. Sellinger, Mr. Allen,  
Councilman Salvatore, Mayor Rustin, Mr. Lee and Ms. Wilmit

Absent: Mr. Galant

Also present: Jeffrey Zenn, Board Attorney  
David Hals, Borough Engineer  
Sean Moronski, Planner

**APPROVAL OF MINUTES** - A motion was made by Mayor Rustin and seconded by Mr. Allen to approve the minutes of the Regular Public Meeting of August 23, 2006. A voice vote carried the motion; all voted in favor of the motion.

**OTHER ACTION BEFORE THE BOARD**

**1. PB#1-06-12 – Site Plan Waiver – Change of Use**

Block 1011, Lot 10 - 6-8 Washington Street

Applicant: Jack Moses

a. Memorializing Resolution

A motion was made by Mr. Tremble; seconded by Mayor Rustin to approve the memorialization of approval with conditions for PB#1-06-12 and carried with the following roll call vote:

For: Mr. Sowlakis, Ms. Kelly, Mr. Tremble, Mr. Sellinger, Mr. Allen,  
Councilman Salvatore, Mayor Rustin, Mr. Lee and Ms. Wilmit

Against: None

**PUBLIC HEARINGS SCHEDULED FOR THIS EVENING**

**1. PB#1-05-25 – Site Plan/Variance (Continuation of Hearing)**

Block 1012, Lot 05

11 Hillside Avenue

Applicant - Ari Realty Corporation

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Mr. Elliot Urdang, attorney, representing the applicant came forward and explained that the bulk of the testimony in this matter was given two months ago. In the interim, the applicant has looked at the recommendations made by the Board as to reducing the size of the building, and what you see before you is a revised plan dated August 2, 2006.

Mr. Urdang called Mr. J.R. Frank, the applicant's architect, to testify as to what the changes are since the last plan.

Attorney Zenn noted that Mr. J. R. Frank had previously been sworn in as an expert in the field of architecture and may continue under oath.

Mr. Frank explained the modifications to the proposed building and presented the following exhibit which was marked:

**Exhibit A-5 – colorized version of revised plans dated 8/02/06**

The site plan has been revised by reducing the size of the proposed building. The building footprint will meet the limits of the adjoining buildings and the second floor has been reduced to approximately 1241 S.F. The rear twenty feet of the building is to be one-story. Mr. Frank noted that the second floor would consist of office space and a conference room. Although the first floor is 1757 S.F. the retail space is only 954 S.F. In addition, there is a small office, storage area and restroom facilities proposed on the first floor. There is no basement in the building. The required parking has been reduced from 26 spaces to 20 spaces. The height of the building has been reduced to match the existing street wall and is still well within the zoning requirements.

Mr. Urdang asked Mr. Frank in reference to the zoning analysis on the plan you indicate a variance is required for rear yard setback, is that correct?

Mr. Frank answered that is **not** correct.

Mr. Urdang pointed out the only variances the applicant is now seeking is the number of parking spaces and impervious coverage.

Mr. Urdang refreshed the Board's recollection that at the earlier hearing there were several things the applicant had agreed to 1) there would only be one office above and 2) the leases with the tenants would provide that the employees would have to obtain parking permits from the Borough.

Mr. Urdang stated that this concludes our testimony.

Chairman Sellinger asked if there were any questions from the Board.

Mr. Tremble commented the design of the building is very nicely done. His only concern was the picture window on the first floor was a little out of scale in line with the other buildings in the neighborhood.

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He also had concern about the fencing on the roof.

Councilman Salvatore suggested bumping up the parapet to obscure the view of the rooftop units rather than a fence.

Mr. Frank did not feel these units would be that visible from the street. He did feel he could work on this detail with something that has more aesthetic appeal for the screening of this equipment.

Attorney Zenn reviewed the changes testified to and summarized the changes.

Mr. Frank noted they will make the modifications stated in the Borough Engineer's letter dated August 22, 2006.

Mr. Urdang read the modifications into the record and stated that all of these changes will be adhered to.

Next, a discussion took place regarding the property to the rear of the building for pooling of parking.

Mr. Urdang commented the applicant owns two of the properties to the rear of the building. He stated Mr. Kovacs was at the last hearing and indicated his willingness. Since that time we have approached the tudor building on the corner and explained the situation, the owner was going to Greece and we have not heard back from him. We also contacted the brokage office and they will be getting back to us. He commented the logical point of access would be from the Exxon Station on the easterly side. He had spoken with the operator of the station but noted he is only a lessee. Mr. Urdang felt they would have to contact Exxon/Mobile. He asked for the Mayor's help in contacting them to try to assemble everybody. He commented we may very well be able to work out an area in the rear of all of these buildings where we could provide some employee parking. We would contribute our property to that.

Chairman Sellinger asked if there were any questions from the public. There were not any.

Chairman Sellinger asked for comments from the public. There were not any.

Mr. Urdang gave a brief summation. He commented he understood how serious the board is as planners in terms of trying to establish a vision for what Tenaflly should look like and to construct the ordinance that would achieve that vision. He added, sometimes that vision runs into the harsh reality of a developed community. You're faced here with a lot that is half the size the ordinance expects it to be and a width half the size expected. And in a zone that permits a building height of 40 feet. You have what is a little runt of a building of one story with barely marginal retail space and it's hardly any surprise that it's been vacant for a long time. There are appropriate situations, where in specific applications, the planning board can help it envision what downtown Tenaflly should look

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like. In this case you would see the removal of an inferior building and replacing that with a superior building which would enhance the appearance of downtown. That is specifically what a “C-2” variance is all about. It is not based upon hardship but based upon a better planning alternative. Something that will produce a better result more consistent with the goals you have in mind with the central business district. Part of the proofs in that is, if you conceive that to be a benefit, the issue becomes whether that benefit substantially outweighs the detriments. I’m not going to suggest to you that a shortfall of 20 parking spaces is not a detriment. But, if it is, it is a detriment that is shared by virtually all of the properties in the central business district. That’s why you have municipal parking lots and there is a municipal parking lot directly across the street from this facility.

In terms of the impervious surface this is not a situation where the drainage is not going to be able to be handled. It will be handled adequately. The difference in impervious coverage is not very substantial in terms of loss of green space. What you have here is an attempt to make a building which is not very useful into a useful building. The only way to do that is to make it viably commercial so that expense can be made in beautifying the structure and enhancing the image of the downtown. That is what is being proposed here. All things considered, this is a reasonable attempt to develop this property in an economically feasible way which will, as a strong by-product, increase or add to your vision as to what something in the central business district should look like.

Mr. Kelly asked where is the municipal parking lot located across the street? That’s Huyler Park.

Mr. Urdang answered across from Café Angelique.

There was further discussion on the volume of the building.

Chairman Sellinger commended the applicant for the design and noted he appreciated his efforts to reduce the size and listen to the Board’s comments. He commented overcrowding and parking for shopping is a problem in our town and he urged his fellow Board Members to work on getting a parking fee ordinance in place.

Councilman Salvatore made a motion to approve this application with the changes that have been discussed; seconded by Ms. Kelly and carried with the following roll call vote:

For: Mr. Sowlakis, Ms. Kelly, Mr. Tremble, Mr. Kelly, Mr. Sellinger, Mr. Allen, Councilman Salvatore, Mayor Rustin

Against: Mr. Lee

At this point, the Board took a five minute recess.

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**2. PB#1-06-07 – Site Plan/Variances/Conditional Use**

**Block 1309, Lot 03**

**245 County Road**

**Applicant: Di Feo BMW**

**a. Continuation of Hearing**

Chairman Sellinger announced at 9:15 p.m. the next item is the continuation of the hearing on Di Feo BMW. He asked the applicant's representative to come forward.

Mr. Urdang, attorney for the applicant, explained because of the difficulties with the tape we will be treating this as if we are starting a new hearing...

Attorney Zenn interrupted let's be clear since you did notice the first time properly, we're just going to re-state the first hearing's testimony. And we're restating for two reasons, 1) because there were many members that were not here and 2) because we had a problem with the recording system. There was no way to create a record for a court to review this in case it should proceed that way. He added, in essence, Mr. Urdang will have the engineer basically restate the testimony.

Mr. Urdang explained this is a conditional permitted use in the zone and we've complied with all the conditions of that conditional use. The Planning Board does have jurisdiction.

Mr. Urdang explained the witnesses to be presented in the course of this proceeding will be Fred Coco, engineer, Tom Canzani, architect, and Lou Luglio, traffic engineer.

Mr. Urdang called Mr. Alfred Coco, a professional engineer working with Menlo Engineering at 261 Cleveland Avenue, Highland Park, NJ to testify.

Mr. Coco was sworn in by Attorney Zenn. Mr. Coco gave his credentials to the Board and was qualified as an expert witness in the field of engineering.

Mr. Coco gave a narrative giving the existing conditions then explained the site plan that is proposed.

He stated the site is known as Lot 03 in Block 1309 and contains approximately 1.5 acres. The first exhibit he referenced was marked as **Exhibit A-1 – Di Feo BMW Aerial photo of site dated 9/23/06**

Mr. Coco gave a description of locations surrounding the proposed site and stated the site is currently occupied by a building which was Quirk Funeral Home. This building has been vacant for some time and there is a small garage associated with the building. The site has a parking lot which contains approximately 54 parking spaces. That parking lot is currently being utilized by Di Feo under an agreement with the current owner where they park some of their vehicles there today. We have received a letter of interpretation

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from DEP that there are no wetlands on the site or on abutting properties which buffer the site.

The next exhibit was marked as **Exhibit A-2 – DeFeo BMW exhibit dated 9/13/06**

Mr. Coco stated the Board may recall in our original application we had supplied plans to the Board which had a different layout of the front of the building that is shown on this exhibit. We then went to a site plan review committee meeting and a revision was made to that plan in an exhibit which was presented to the Board. Following that, we revised all the drawings to reflect those changes and that is what is shown on **Exhibit A3**.

The changes we had proposed at the last Planning Board meeting was the parking area along the front of the building was pulled back, a retaining wall was eliminated and other revisions were made to try to improve the view along County Road. There was a reduction in the number of parking stalls proposed. This is the plan that was submitted and then reviewed under a second Planning Board site plan review committee meeting which then generated this alternate plan marked as **Exhibit A-4 – Difeo BMW exhibit – sheet numbers 1-3**

This plan reflects the changes discussed at the most recent site plan review committee meeting. Those revisions included eliminating all of the parking along County Road, taking that parking and basically sliding it next to the building. As a result the parking located on the left hand side came a little closer to our neighbor's property and that then opened up even more area in the front and eliminated any parking along the County Road view. We had proposed under the submitted plan that we reduce the parking stall depths to 16 feet. However, at the site review committee meeting it was agreed that we would remove that and now all the parking stalls are 18 feet deep in accordance with your ordinance. We also, as part of the recommendations, installed additional landscaping in the corner that is closest to the proposed residential building to be constructed on the adjoining property.

In terms of the access to the site and how it will operate, this is basically a two-story building with 20,670 s.f. on each floor giving us a total building area of 42,340 s.f. This is an automobile service facility. Customers will still drop their cars at the Di Feo showroom. The technicians that will be working on the cars will bring the cars from the sales building to this site. They will enter the site via County Road. You'll notice the driveway that goes across the front of the site dead ends into the building – the cars are actually driven into the building on the second floor. There are service bays where the cars are actually worked on and serviced by the technicians. When they are finished working on the vehicles they are either staged in the parking around the building or driven back to the showroom area by the technician. The point made was this site is totally for service and the customers will not be coming to this site.

In terms of the number of parking stalls provided there are 37 internal parking spaces on the first floor and 57 parking spaces on the side and rear area. The total number of

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parking spaces is 94 interior and exterior. These are parking spaces for the vehicles that area being serviced and for the employees that will be working here.

He explained that the driveway on County Road is set up so there can be no left turn coming out of that driveway.

He commented we also have a loading zone set up in the rear of the building where vehicles bringing parts and equipment to the location are parked. As part of the delivery operation tractor trailers are not used. The shorter SUV's are used and they are adequate for the operation.

He pointed out there will be a dumpster enclosed area (with a masonry enclosed wall).

Variances were discussed for rear yard lot coverage which required 65% maximum impervious coverage , 72% is proposed. The reason for this was explained - they have taken the development and pulled it back to make sure there's a path of green area across the front of the site.

The next variance discussed was the buffer adjoining a residential zone where 15' is required and 7' is being proposed. This buffer is required because there is a residential use in an overlay zone on the adjoining property.

Mr. Coco passed out 8 1/2" x 11" (reduced) sheets of the exhibits he had explained to the Board members and also photos of a wall that was being constructed for another of their projects which is similar to the one they will be proposing for this site. The photo of the wall was for a project in Edison, New Jersey and was marked as **Exhibit A-5**. This is an identical wall as is being proposed. The photo was taken by one of Mr. Coco's staff.

Next he discussed the 20' evergreen trees to be planted abutting the JMP (residential) property and he further explained the proposed landscaping plan.

He noted another variance required is to provide three loading docks for the building based on its size. The calculation in the ordinance is more appropriate for retail or industrial use and not service facilities. We don't need the two additional loading spaces.

He discussed the retaining wall along the southwesterly side of the property and stated it would be approximately 5' high. The ordinance stipulates 3' as a maximum height. The retaining wall along County Road (previously submitted) has been completely eliminated and that is all entirely a landscaped area.

We are also requesting a waiver from the width of the parking spaces. Your ordinance request a nine and a half foot (9 1/2') wide parking stall and we're requesting a 9 foot (9') wide stall. The 9' wide is adequate for our use and we're requesting relief from the zoning ordinance for that.

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Next, he discussed the utilities for the site. He noted they will have an underground stormwater management system which meets the NJDEP standards for flow reduction and water quality improvement. That will be an undergrounds system and will be completely maintained by the developer of the property. He stated there will be a reduction of flow from the site. He noted they are putting in some treatment structures and the water will be cleaned up before it exits the site.

Mr. Urdang asked if any comments had been received from Mr. Hals regarding the adequacy of the system?

Mr. Coco answered yes, Mr. Hals recommended that we take the drainage from the roof and use it for infiltration.

Next he explained the water, sewer and electric lines coming into the site.

The next item discussed was the lighting plan. They propose to put in 22' high 400 watt metal halogen lights throughout the site to light the site for the technicians who will be bringing the cars in and out. He explained that half an hour after closing, at approximately 8:00 p.m., the security lighting would turn on. There is no spillage of lights to the adjoining property or the roadway system.

With respect to illumination he had prepared a chart (which he showed) measuring the lighting in the surrounding areas, i.e. Park Avenue Ford, Tenafly Jeep, D & C Honda, Di Feo BMW, and the proposed BMW.

Next discussed was the area of the masonry wall and other fencing which would be like an estate fence - metal and not chain link. He further discussed lighting in and around this area.

He explained there are other permits they will need to seek such as approval of site plan from Bergen County. He commented they had received a letter from NJDEP that there were no wet lands on the site.

Mr. Urdang stated he had no further questions of Mr. Coco.

Chairman Sellinger asked if there were questions from the Board members for Mr. Coco?

Mr. Allen commented with a business such as this there must be a fair amount of leakage of gas, oil etc. from automobiles. You stated that the water released from the northwest corner of the site would be cleaned, will it be cleaned of such things as metals, oil, grease and such?

Mr. Coco answered, yes, all of the service of the vehicle takes place inside the building. Everything is captured in the building and recycled. He further explained the maintenance system.

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Mr. Allen voiced his concerns regarding this water ending up in the Tenakill Brook most likely. He added we have potential problems there from other sources.

Mr. Coco answered they will have state of the art structures on the site that will help prevent this. This requires more maintenance, but definitely polishes the water before it leaves the site.

Mr. Allen commented you know we drink that water.

Mayor Rustin commented you mentioned there will be on site parking for employees, does that mean there will not be any employees seeking off site parking because it is a problem over at the sales area?

Mr. Coco answered, it is my understanding that there will be approximately fifteen employees working in this facility and I imagine they will park here and then walk down the street and start bringing the customers' cars back.

Mr. Urdang interrupted and commented that Mr. Capasso will be discussing the employee parking.

Mr. Tremble asked if the **lighting study** was marked **Exhibit A-6**? Mr. Urdang answered yes.

Mr. Tremble asked if these were taken in front of the sales areas?

Mr. Coco answered yes from the front of the building to the road.

Mr. Tremble asked is this facility a sales area?

Mr. Coco answered no; we were trying to select something that a Board member might relate to when driving around town.

Mr. Tremble stated so this is a reference to something that doesn't really fit this building as a service facility.

Next he asked Mr. Coco to explain the locations of the light standards on exhibit A-3.

The security lighting in reference to the residential building was further discussed.

Mr. Tremble also asked Mr. Coco to show him on the cross section where the lights would show up in terms of height. Mr. Coco further explained this matter.

Mr. Tremble expressed his concerns regarding the reflections of two fixtures which were closest to the residential area .

Mr. Coco stated that is something they could explore.

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Mr. Tremble commented he had concern about the location of the trash enclosure. He stated it is at the closest point to residential and when the truck comes to empty they make loud noises. He asked is there an alternate location?

Mr. Coco answered they selected this location for the ease of getting in and out. He commented he would have to defer to Mr. Capasso to state how many times the garbage is picked up during the week. He then stated he had just been told pickup is once a week. He added they could add a stipulation that the pickup occur at certain hours.

Mr. Tremble noted on the plan you show spaces in the bump out that are sort of landlocked.

Mr. Coco answered, yes, they're parking lot locked. At the suggestion of your engineer (he actually had a good idea) to take the handicap spaces and place them there because it is less likely they would be filled. Any cars waiting to be serviced could be placed in that space and when the part comes in a few days later they could then move the car out.

Mr. Tremble asked is this an opportunity, if these spaces are to be less utilized, for you to think of some more pervious or impervious type of paving material for those three spaces? If so, then we can get the pervious coverage or the impervious coverage number down a little bit.

Mr. Coco next discussed porous pavement and he did not recommend this type of pavement for the soil on this location.

Mr. Tremble asked how many of these vehicles do you expect to be parked overnight on this site?

Mr. Coco stated he would have to defer that to someone in operations.

Chairman Sellinger asked if there were any other questions for the witness from the Board members?

Chairman Sellinger had a question for the Borough Engineer?

Attorney Zenn swore Mr. Hals, Borough Engineer, in for testimony.

Chairman Sellinger commented there are two variances, one for the drop-off space and the other for the width of the parking. One of the representations that was made specific to use here is that the employees will drive the vehicles to the site and not the customer. And secondly, the way that this particular facility will have the parts delivered. To the extent there's a different user or different owner would they have to come back to the Board?

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Mr. Hals answered if the use will continue as an auto repair facility, no they would not have to come back before the Board. If they were going to make other modifications to this with another type of user such as requiring loading spaces, yes they'd have to come back to the Board. He further explained that automobile dealership have their parts delivered at night. They're delivered off hours. There generally is a lock box type of facility for the parts to be delivered – an individual has a key to the lock box. The parts are moved into a special area and there is no other access except for the area where the parts are being dropped off. The vehicle dropping off the parts is generally right next to the building and then they leave. These parts are delivered off hours when the facility is not in use. I do agree that in this facility their loading space is in the drive aisle and that is the industry standard for automobile dealerships.

Mr. Urdang pointed out that the delivery of parts is the same as presently used in the service facility now. It's essentially a cage that's rolled into the service area, and the deliveries are made off hours. He added Mr. Capasso will testify to this.

Attorney Zenn and Mr. Coco reviewed the exhibits and the dates on the exhibits. He pointed out that A-3 reflects the changes that were discussed at the latest site review committee meeting and that is the plan they're asking approval on.

Attorney Zenn asked Mr. Coco if he had received David Hals letter of September 27<sup>th</sup>?

Mr. Coco answered, yes.

Mr. Hals interrupted and pointed out there had been no testimony regarding the waiver of variance for Section C, the parking space accesses there; that's the three spaces (parking spaces).

Mr. Coco commented you're right I had forgotten that. He explained one of the waivers we're seeking, as a result of the site review committee meeting, in order to get the driveway to fit better is the reduction of the driveway width from 25' wide to 24'.

Mayor Rustin asked length or width?

Mr. Coco answered width of the driveway.

Mr. Tremble asked the driveway aisle width?

Mr. Coco answered yes, the aisle width. We feel because of the type of operation we have, the size of the vehicles we have, and the 24' wide aisle with an 18' deep stall is one of the parking standards; we feel it's adequate. And it will work for this operation.

Mr. Hals also addressed with Mr. Coco the reduced setback of the parking driveway aisle and parking areas. He stated the ordinance requires 5'.

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Mr. Coco answered, yes and we're requesting a reduction to 4' just to try to keep the green space against the boundary rather than against the building.

Mr. Hals noted on the southerly side of that plan you reduce it even further.

Mr. Coco answered yes, that's being reduced to 2.2'.

Mr. Hals noted the mention of the three loading spaces of which they are providing one in the drive aisle. He commented that loading space in a drive aisle requires a variance.

Mr. Coco answered okay, then we'll request that.

Mr. Hals stated the driveway aisle along the rear of the building is also not against the building. The loading zone is shown to be within that driveway aisle and based on our understanding of the operation this is where the parts truck will park in off hours.

Mr. Coco noted there is one more thing that Mr. Hals faxed us. He suggested a revision in the plan where the driveway along the front of the building will be turned a little bit to come in more perpendicular and give us a little more green space – we can agree to do that.

Mr. Tremble commented excellent suggestion.

Attorney Urdang asked the witness regarding Mr. Hals' latest report, is there anything that we are unable to comply with or unwilling to comply with?

Mr. Coco stated I think you'll hear from the architect regarding item No. 8. But everything else we can stipulate to and agree to.

Mrs. Kelly asked if the Board heard from the Fire Department on reducing the drive aisle?

It was determined the Board had not heard from the Fire Department on this matter. Chairman Sellinger asked Mrs. Lorberbaum to have the Assistant Fire Chief address this.

Chairman Sellinger asked if there were any questions of this witness from the audience.

There being no further questions Mr. Urdang called his next witness, Mr. Steven Capasso.

Attorney Zenn swore in Mr. Steven Capasso, United Auto Group, One Harmon Place, Secaucus, New Jersey.

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Mr. Capasso stated he is Vice President of Operations for the northeast region of United Auto Group which includes New York, New Jersey and Connecticut. The relationship between United Auto Group and Di Feo BMW is United Auto Group is a publicly owned company and Di Feo BMW is one of the dealerships they own.

He explained to the Board he's been with United Auto Group for fourteen years and in those years has retrofitted probably 40 some odd dealerships. He's done some work on BMW (here in Tenafly), Lexus stores, BMW stores and Mercedes stores. He has done work (building) for Westinghouse Electric in California and a company called Knoll Furniture in Pennsylvania.

He spoke about where the BMW sales office is presently located and how a variance was sought some years ago to have the service facility located adjacent to the sales office. He commented there are sixteen work bays and four prep bays or wash bays in that existing facility. Over the years what's happened with BMW is the product has become far more popular and the computers and electronics have become far more detailed. The cars seem to break down more than they used to, specifically because of those computers. He stated, and one of the areas we have problems with is the amount of time it takes to work on those cars today. The diagnostic time it takes to work on a car today, compared to ten years ago, is almost ten times the amount of time. And that problem causes us not to have enough capacity to take care of the customers who either don't have a diagnostic problem or who would just like to service their car more frequently.

Mr. Capasso explained service standards promulgated by BMW of North America have come out through 2011 and those requirements must be met if you wish to continue to have their shingle. He explained if these requirements are not met they will put penalties on us. He stated what we propose to build here today will take us to 2012 requirements.

He discussed the different functions of the site. He noted their goal will be to park as many employees on this site as possible (either inside or outside the building). He explained he would not promise no parking on Summit. In the case of this new facility, a porter comes down; the customer goes upstairs, is written up and will not see their car again until the end of the day. The porter or technician that is located at the existing facility will then run that car over to the new facility. The car gets pulled automatically into the building onto one of the mechanic bays of storage spots inside or is parked outside in one of the open spots there. No customer will access this property. He further explained the procedure of how the customer will pick up his car. Next he discussed the parts department, lighting and environmental safeguards.

Chairman Sellinger asked the Board if they had any questions for Mr. Capasso.

Ms. Kelly asked what they plan to do with the service area at the present facility.

Mr. Capasso answered we talked about this but nothing has been firmed up as of yet. One thought was to maybe make it a preowned used car department, another was to keep a few of those bays to be able to wash our used cars in but nothing has been decided.

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Ms. Kelly asked will the diagnostics be done in the new facility?

Mr. Capasso answered yes.

Councilman Salvatore asked regarding oil recycling, how is this reclaimed?

Mr. Capasso answered a tanker truck would come in between 7:30 and 9:30 once every two weeks and suck the oil out .

Councilman Salvatore asked do you have a car wash facility? Yes we propose to have one. It is a hand wash facility that is fully recyclable.

Councilman Salvatore questioned the noise inside the building being audible on the outside.

Mr. Capasso commented when the doors are closed you hear nothing on the outside.

Mr. Kelly asked if there was a basement?

Mr. Capasso answered no.

Mr. Tremble asked how many vehicles get dropped off from your peak time 7:30a.m. to 9:30a.m.?

Mr. Capasso answered probably 25 vehicles.

Mr. Tremble asked your evening peak is 4:00p.m. till 6:00p.m and you would have the same scenario in reverse?

Mr. Capasso answered pretty much so. Next he discussed the exhaust system with Mr. Tremble.

Mr. Allen asked does your average customer get a loaner car?

Mr. Capasso answered about 60 percent.

Mr. Allen asked when you have a porter take a car to the new facility how does he get back?

Mr. Capasso answered we hope he's bringing another car back to make it more efficient for us. But if not they're walking back.

Mr. Sellinger asked about the HVAC unit and signage.

Mr. Capasso explained the HVAC unit.

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Mr. Urdang answered we have not yet determined signage and we're not asking for any approval of signage. We'll comply with the sign ordinance or seek a deviation from it.

There being no further questions from the Board members, Chairman Sellinger asked if anyone in the audience had questions of this witness?

Carrie Putelo, 107 Hudson Avenue, asked when the porters are coming out of the exit onto County Road they would take the shortest way back to the dealership, (which would be to make a left on Prospect, a right on Magnolia and a left on Hudson to get back down to County), correct? She noted her concern was Magnolia has no sidewalks and is a road that leads to an elementary school.

Mr. Undang commented they could use Hudson.

Ms. Putelo commented she certainly would be more comfortable with that.

The Mayor stated regarding that route there's a lot of pedestrian traffic, mostly children and parents walking to school. He felt assurance that the applicant would not use that route would be very helpful.

Mr. Capasso stated we would be very comfortable with that.

Ms. Putelo asked in terms of parking how many outside parking spaces are on the site?

Mr. Capasso answered fifty-seven on the outside.

Ms. Putelo commented in terms of employees, there are going to be 30 within the next year, and right now currently at the location there are about 40 to 50 cars. My concern is spill-over onto Hudson Avenue, could you respond to that? Hudson Avenue is not a double wide street, if someone parks on one side it's difficult to get by. If someone parks on both sides, it's impossible to get by. Whether it's the employees or moving cars over, I'm concerned.

Mr. Capasso stated you're concerned about the employees parking on Hudson the way they are trying to park on Summit. I think the goal would be no. We would try to give you assurances that we're not interested in having them park on Hudson.

Ms. Putelo asked is there an outdoor intercom system?

Mr. Capasso answered no.

There were no further questions from the audience.

Mr. Urdang commented we have two more witnesses to get through, the likelihood of doing that, I think, is fairly remote.

Approved 11/8/06

A discussion followed on the date for a continuation of hearing. It was decided the entire evening of November 8<sup>th</sup> would be for this hearing.

Mr. Urdang asked if the public meeting could start a little bit earlier. He commented that way we could be sure that we'll finish and you'll be able to make a determination because we are really up against time constraints.

Chairman Sellinger noted the Board could accommodate them.

Mr. Zenn stated we'll start the work session at 7:30 p.m. and the public hearing. at 8:00 p.m. on November 8<sup>th</sup>. This public hearing will be continued to November 8<sup>th</sup> without further notice.

**PUBLIC COMMENTS FOR AGENDA AND NON-AGENDA ITEMS**

There were not any.

A motion was made by Mayor Rustin and seconded by Mr. Allen to adjourn the meeting at 10:58 p.m. A voice vote carried the motion.

Respectfully submitted,

Dee Lorberbaum,  
Acting Secretary