

1 COUNTY OF HUDSON  
2 STATE OF NEW JERSEY  
-----X  
3 In Re: APPLE VIEW  
4 7009-7101 RIVER ROAD  
5 NORTH BERGEN, NEW JERSEY 07047  
6 CASE NO. 4-10  
7  
8 Applicant.  
9 -----X  
10 November 17, 2010  
11 7:40 p.m.  
12  
13 B E F O R E:  
14 THE NORTH BERGEN PLANNING BOARD  
15  
16 PRESENT:  
17 HARRY D. MAYO, III, Chairman  
18 RICHARD LOCICCHIO, Member  
19 SEBASTIAN ARNONE, Member  
20 REHAB AWADALLAH, Alternate Member  
21 MANUEL FERNANDEZ, Alternate Member  
22  
23 GITTLEMAN, MUHLSTOCK & CHEWCASKIE, ESQS.  
24 Attorneys for the Planning Board  
25 BY: Steven Muhlstock, Esq.  
Geraldine Baker, Board Clerk  
Jill Hartmann, Board Planner  
Derek McGrath, Board Engineer  
Reported by:  
CELESTE A. GALBO, CCR, RPR, RMR

Celeste A. Galbo, CSR, RMR

11-17-10 Appleview  
A P P E A R A N C E S:

1  
2  
3 ALAMPI & DeMARRAIS  
4 Attorneys for the Applicant  
5 1 University Plaza  
6 Hackensack, New Jersey 07601  
7 BY: CARMINE R. ALAMPI, ESQ.  
8  
9 BEATTIE & PADAVANO, LLC  
10 Attorneys for Objectors Galaxy Towers  
11 Condominium Association, Inc.  
12 50 Chestnut Ridge Road  
13 Montvale, New Jersey  
14 BY: JOHN J. LAMB, ESQ.  
15  
16 MARIA GESUALDI, ESQ.  
17 Attorney for Objector Township of  
18 Guttenberg  
19 6806 Bergenline Avenue  
20 Guttenberg, New Jersey 07093  
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1 THE CHAIRMAN: Meeting is called to  
2 order. My apologies for the delay, folks  
3 unfortunately I got delayed.

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4 Pursuant to the Open Public Meetings  
5 Act please be advised that notice of this meeting  
6 was faxed to the "Journal/Dispatch" and "Bergen  
7 Record" on November 3rd, 2010 advising that the  
8 North Bergen Planning Board would hold a special  
9 meeting on November 17th, 2010 at 7 p.m. in the  
10 chambers of the municipal building located at  
11 4233 Kennedy Boulevard, North Bergen, New Jersey.  
12 Board members, attorneys and applicants were  
13 mailed notices on that date and a copy of this  
14 notice was posted on the bulletin board in the  
15 lobby of the municipal building for public  
16 inspection.

17 Gerry, please call the role.

18 (Whereupon roll call is taken and  
19 Vice Chairman George Ahto, Jr. and Members Robert  
20 Basalice, Steven Somick and Patricia Bartoli are  
21 absent.)

22 THE CHAIRMAN: All right. Case No.  
23 4-10, 7009 to 7101 River Road.

24 MR. ALAMPI: Thank you. Chairman,  
25 Carmine Alampi for the applicant, Apple View,

Celeste A. Galbo, CCR, RMR

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1 LLC.

2 Chairman, I received a letter  
3 yesterday as the board did from Mr. Lamb  
4 indicating a problem with December 16th. He will  
5 not be available. We had indicated that we would

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6 have this special meeting tonight and the next  
7 meeting reserved for us December 16th. In  
8 reviewing his availability mine and my witnesses  
9 we can be available for December 21. I believe  
10 that's a Tuesday night.

11 THE CHAIRMAN: I will not be here.

12 MR. ALAMPI: It's possible -- are  
13 you away that week?

14 THE CHAIRMAN: I'm away the  
15 entire -- yeah, back end of December.

16 MR. ALAMPI: I have several  
17 conflicts on Wednesday the 15th, Tuesday the 14th  
18 I guess I could make myself available. This will  
19 throw my schedule off but we'd like to conclude  
20 this by year end if it's possible. I think Mr.  
21 McGrath indicated he could not be here the 14th,  
22 he'd have to send a surrogate from his office.

23 THE CHAIRMAN: And I cannot be here  
24 on the 14th either. Now, we could do --

25 MR. ALAMPI: December 2nd?

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1 THE CLERK: No, Winterfest, no good.  
2 (Discussion off the record.)

3 MR. ALAMPI: I know Mr. Lamb more  
4 than 30 years, we're professional associates and  
5 have the highest regard for each other. I have  
6 no doubt that he's out of state and that he's not  
7 available. I don't think it's a charade, but I  
8 can't allow this development application to go on

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9 month after month and I do appreciate the board's  
10 value time. These are special meetings an  
11 expense to the applicant and their volunteerism  
12 as well as Mr. Lamb's busy schedule and my own.

13 But we just discussed pushing this  
14 out to the following week and of there were  
15 several dates none of which are acceptable  
16 because, chairman, you're away and then pushing  
17 it back or pushing it earlier doesn't work as  
18 well. And I would hate to see this linger into  
19 January because of Mr. Lamb's dilemma, and I am  
20 happy to accommodate him, I'm willing to  
21 accommodate him, and I plan to do that but not at  
22 the cost of losing the hearing date all together  
23 in December. Perhaps, John will comment on it.

24 MR. LAMB: Good evening,  
25 Mr. Chairman and members of the board, John J.

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1 Lamb from the law firm of Beattie Padavano. I  
2 sent a letter actually before this meeting when I  
3 realized I had neglected to diary that, I am out  
4 of the state the two Thursdays before Christmas,  
5 I will be out of the state this year, I will be  
6 out of the state next year, and I will be out of  
7 state the year after that.

8 I tried to give a you number of  
9 dates. You, the chairman and the board will  
10 recall that we had this problem with Veteran's

11 Day that we set a date, even before we got to  
12 that the hearing before that we decided that that  
13 second date was no good. I can tell you almost  
14 categorically that the chances of finishing this  
15 application at the next meeting are in my opinion  
16 slim to none. That doesn't mean that we can't  
17 try to set up a date in December, but I don't  
18 believe that we're going to be concluded at that  
19 point.

20 I appreciate that you -- certainly  
21 the chairman's schedule, I know that's a busy  
22 time. Mr. Alampi and I did check and we were  
23 available on the three dates that he gave, and I  
24 understand other people may not be available.  
25 But I mean --

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1 THE CHAIRMAN: You said the 15th  
2 you're not available?

3 MR. ALAMPI: Not on the 15th.

4 MR. LAMB: I mean, I'm available the  
5 14th and the 15th. And then the following week I  
6 gave my availability in the letter.

7 MR. ALAMPI: Well, chairman, you'll  
8 have to call it. I don't want to belabor the  
9 point, I just made my comments. I appreciate  
10 everybody's problem.

11 THE CHAIRMAN: Mr. Lamb, can you  
12 make someone else from your office available?

13 MR. LAMB: I'm the only person that  
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14 was authorized to do this. If you notice I don't  
15 have Mr. Steinhagen with me, it's only me and for  
16 me to try to get somebody up to speed after a  
17 number of meetings is virtually impossible.

18 (Discussion off the record.)

19 THE CHAIRMAN: Is the 7th okay?

20 MR. ALAMPI: December 7th, perfect  
21 it's my birthday I'll be happy to do that.

22 MR. LAMB: I do have a meeting but  
23 that's one I can get out of.

24 THE CHAIRMAN: The board has a short  
25 meeting that night but you'll be on after that

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8

1 short meeting.

2 MR. ALAMPI: Thank you, chairman.

3 MR. LAMB: Mr. Chairman, I just want  
4 to note we'll have our planner Peter Steck  
5 available but I don't know whether he's available  
6 on December 7th. I don't know if we're even  
7 going to be up to him. I do have his schedule  
8 for January and February in case we're looking  
9 ahead.

10 THE CHAIRMAN: Thank you.

11 MR. MUHLSTOCK: The 16th is off.  
12 Celeste, the 16th is off and the applicant will  
13 appear at the regular meeting, that's a regular  
14 meeting so it's not even --

15 THE CHAIRMAN: He's going to appear

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16 in a separate meeting following the regular  
17 meeting.

18 MR. MUHLSTOCK: It's going to be  
19 added to the regular meeting. The board only has  
20 one other application that evening which is not a  
21 complicated application, it should be enough  
22 time.

23 MR. ALAMPI: Okay. Thank you for  
24 the accommodation. So we'll be here December  
25 7th.

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1 THE CHAIRMAN: Okay.

2 MR. ALAMPI: Thank you, chairman.

3 Chairman, we promised to recall Lisa  
4 Mahle-Greco, the geotechnical strictly for the  
5 continuation of the public's questioning of this  
6 witness and then we'll proceed, we have our  
7 traffic consultant and planning consultant this  
8 evening.

9 I do understand the general public's  
10 comments about the pipeline and such and went  
11 into great repetitive concern, I would just ask  
12 that we move just to her area of testimony so we  
13 can proceed quickly to the traffic consultant.  
14 Thank you.

15 MR. LAMB: And, Mr. Chairman, I'm  
16 just going to -- obviously the board has gotten  
17 my letter renewing our request that we made at  
18 the last meeting. I'm not going to dwell on it.



19 I put down all the reasons why that I think that  
20 we need a copy of the proposed draft, maintenance  
21 easement agreement. Again, we're not asking for  
22 financial terms if that are any. We couldn't  
23 care less about the financial terms. We're more  
24 interested in the meat of it and the conditions  
25 and the safeguards. So I'm going to renew that

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1 request.

2 Also, just to remind Mr. Alampi,  
3 Mr. Bertin testified he was going to be subject  
4 to questions by any interested members of the  
5 public.

6 MR. ALAMPI: He's here.

7 MR. LAMB: I know. He did not come  
8 back the next meeting and so therefore still in  
9 the list of outstanding items is if anybody --  
10 I'm not going to ask Mr. Bertin any more  
11 questions, but that's still outstanding on the  
12 list. Thank you.

13 MR. ALAMPI: When I conclude the  
14 planning testimony and all that, Mr. Bertin will  
15 be available for general questions.

16 THE CHAIRMAN: Okay.

17 MR. ALAMPI: With regard to Williams  
18 Gas, we have engaged in more direct discussions  
19 and conferences with legal counsel and  
20 engineering. We are in agreement that instead of

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21 referring to it as a license agreement, it will  
22 be a maintenance agreement, it will be an  
23 easement. And we are going to bring that  
24 together.

25 I don't necessarily agree that

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1 Mr. Lamb and other people should be participating  
2 in and reviewing the agreement, but I will  
3 produce a copy for him and to the extent that he  
4 expresses any concerns, he can express them  
5 through me and I'll discuss it with him  
6 obviously. But as soon as we get it together  
7 we're going to move to a conclusion but before  
8 it's finalized I'm certainly going to share it  
9 with Mr. Lamb and the board.

10 Again, my concern is, and I think  
11 you've heard it from me and even from your own  
12 attorney, that that's not part of the process per  
13 se within the scope of review, but we will share  
14 it and at that. But it's not going to be  
15 something where then Mr. Lamb's clients are going  
16 to involve themselves in a three-way negotiation  
17 but I will produce it for him.

18 MR. LAMB: Mr. Chairman, I want to  
19 make it very clear. I'm not looking to negotiate  
20 that document between the applicant and Transco.  
21 That's their business. But what I can do is  
22 comment on whether there's sufficient safeguards  
23 and that's our position. So if we get this and

24 we don't believe that there are sufficient  
25 safeguards, that is an issue for this board

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1 because they are overseeing a project which is  
2 going to have disruption, blasting -- excuse me,  
3 not blasting but jostling and disturbance close  
4 to the line.

5 THE CHAIRMAN: Let me cut to the  
6 chase. I understand your concern, you'll have an  
7 opportunity to see it and raise any issues if  
8 there are any. Okay?

9 MR. LAMB: Thank you.

10 MR. ALAMPI: Thank you, chairman.  
11 Lisa. We have Miss Mahle-Greco if the public has  
12 geotechnical questions and then we'll move to  
13 traffic.

14 THE CHAIRMAN: Yes. Does anyone  
15 have geotechnical questions to ask this with the?  
16 Any member of the public?

17 JILL HARTMANN, having been duly sworn by the  
18 Notary Public, was examined and testified as  
19 follows:

20 DEREK MCGRATH, having been duly sworn by the  
21 Notary Public, was examined and testified as  
22 follows:

23 LISA MAHLE-GRECO, having been duly sworn by the  
24 Notary Public, was examined and testified as  
25 follows:

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13

Wong

1 THE CHAIRMAN: Miss Wong.

2 PEGGY WONG, residing at 8550 Boulevard East,  
3 North Bergen, New Jersey 07047, having been duly  
4 sworn by the Notary Public, was examined and  
5 testified as follows:

6 THE CHAIRMAN: Yes, ma'am.

7 THE WITNESS: Miss Greco, you said  
8 that you have done a number of projects on River  
9 Road.

10 MS. MAHLE-GRECO: Yes.

11 THE WITNESS: Could you identify  
12 them by project name?

13 MS. MAHLE-GRECO: There's a bunch  
14 in -- well, right up the road there is I think  
15 it's 7300 River Road, and a little farther up the  
16 road, I don't know what the address is, it's the  
17 corner of Churchill Road --

18 THE CHAIRMAN: If you could just  
19 speak up a little so we can hear you too.

20 MS. MAHLE-GRECO: I'm sorry. I'm  
21 sorry. A little further up Churchill Road and  
22 then up, a full farther up in Edgewater I believe  
23 it's Bulls Ferry Road.

24 THE WITNESS: Bulls Ferry Road is  
25 not Edgewater.

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Wong

1 MS. MAHLE-GRECO: I don't know. I'm  
2 sorry, I can't remember.

3 THE WITNESS: Have you done any  
4 projects along the river itself?

5 MS. MAHLE-GRECO: On the other side  
6 of the river, on the east side of the river?

7 THE WITNESS: On the east side of  
8 the river, on the river riverside.

9 MS. MAHLE-GRECO: The river  
10 riverside I can't think of any specific ones off  
11 the top of my head except for farther up in  
12 Edgewater, it was a condo association right on  
13 the water. They were having a problem with  
14 something but it was almost at that French  
15 restaurant.

16 THE WITNESS: Le Jardin?

17 MS. MAHLE-GRECO: Yes, it was almost  
18 up that way.

19 THE WITNESS: Was it Shelter Bay or  
20 Hudson Cove?

21 MS. MAHLE-GRECO: Hudson Cove sounds  
22 familiar.

23 THE WITNESS: The reason why I ask  
24 that some of these developments along the river  
25 are having foundation problems and they're

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Wong

1 sinking and I was curious if you were the

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2 engineer on that or if maybe Mr. Bertin was.  
3 MS. MAHLE-GRECO: Not very many  
4 along the east side of River Road, no.  
5 THE WITNESS: All right. Did you  
6 work on Churchill Estates?  
7 MS. MAHLE-GRECO: Very minimally.  
8 THE WITNESS: And what was your  
9 involvement there?  
10 MS. MAHLE-GRECO: I just saw what  
11 kind of rock they were taking out. I was on  
12 mostly maternity leave at the time.  
13 THE WITNESS: Okay. Because  
14 Churchill Road -- Churchill Estates, the project  
15 is infamous for having mud slides.  
16 MS. MAHLE-GRECO: I didn't know  
17 that.  
18 THE WITNESS: So you're not involved  
19 in any of that?  
20 MS. MAHLE-GRECO: No.  
21 THE WITNESS: Would you define what  
22 the difference is between a geologist and a  
23 geotechnical engineer?  
24 MS. MAHLE-GRECO: A geologist deals  
25 with mainly just rock, the formation of the

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Wong

1 earth, how they're formed. Geotechnical engineer  
2 does the engineering properties of soil and rock.  
3 THE WITNESS: Okay. So you feel  
4 you're qualified to define what is the Palisade

5 cliffs?

6 MS. MAHLE-GRECO: I believe so.

7 THE WITNESS: All right. Because  
8 that in effect your testimony is setting a  
9 benchmark for that definition, and I was curious  
10 whether you would be the last expert that we  
11 would hear on this topic.

12 MS. MAHLE-GRECO: I thought it was  
13 pretty well-defined from the different sources  
14 we've had.

15 THE WITNESS: You said that the  
16 Palisade cliffs are a diabase. You were  
17 describing it as what it was, was it 200 million  
18 years ago or --

19 MS. MAHLE-GRECO: Yeah, the diabase,  
20 yes.

21 THE WITNESS: Now, the diabase is  
22 what?

23 MS. MAHLE-GRECO: It's molten lava  
24 rock that came out from the Watchung Mountains  
25 and pushed its way up over the sandstone,

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1 quartzite base of rock and formed a sill over it.

2 THE WITNESS: And what is bedrock?

3 MS. MAHLE-GRECO: Bedrock is  
4 anything underneath the earth's surface.

5 THE WITNESS: Now, I've read and you  
6 can -- I'm looking for you to check me on this,

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7 I've read that Palisade cliffs at one time were  
8 as high as 1,000 feet and as deep as 300 feet or  
9 3,000 feet.  
10 MS. MAHLE-GRECO: I have heard that  
11 they were more than three times the height that  
12 they are now.  
13 THE WITNESS: And looking at our  
14 cliffs, especially Apple view, how high are those  
15 cliffs?  
16 MS. MAHLE-GRECO: I don't know the  
17 elevation per se. I'd have to look at the  
18 survey.  
19 THE WITNESS: Do you want to look at  
20 it?  
21 MR. ALAMPI: Just for the record,  
22 the record should reflect that Mr. Bertin who  
23 supervises Ms. Mahle-Greco's work is assisting  
24 her in viewing the exhibits. When they're done  
25 he should identify or she should identify which

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Wong

1 exhibit she's referring to.  
2 MR. LAMB: Mr. Chairman, with all  
3 due respect, the question was posed to her.  
4 Mr. Bertin is going to be questioned and although  
5 I'm trying to expedite it a witness can't come up  
6 and show her how to get the answer.  
7 MR. ALAMPI: Let's try to help each  
8 other here.  
9 MR. MUHLSTOCK: Yeah, I don't think  
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10 there's any question about the height, ultimately  
11 the entire height up at the top of the Palisades,  
12 is there? It's a set number, either we know it  
13 or we don't.

14 THE WITNESS: Do you know the  
15 number, Mr. Muhlstock?

16 MR. MUHLSTOCK: I know  
17 approximately, approximately 170 feet, 180 feet,  
18 somewhere in that neighborhood above River Road.

19 MS. MAHLE-GRECO: It varies over the  
20 cliff face. What Mr. Bertin was helping me with  
21 was finding the right plan.

22 MR. ALAMPI: Miss Mahle-Greco, tell  
23 us what plan you're referring to.

24 MS. MAHLE-GRECO: This says the  
25 Bertin Engineering Slope Analysis Plan marked A-6

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1 on 7/29.

2 It appears on this plan that the  
3 exposed cliff face is approximately elevation 90  
4 to 95 feet.

5 THE WITNESS: 90 to 95?

6 MS. MAHLE-GRECO: I'm looking on the  
7 plan here and that's what it says.

8 THE WITNESS: I was going to ask you  
9 what do you think the height is off River Road.

10 MS. MAHLE-GRECO: It varies.

11 THE WITNESS: To what extreme?

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12 MS. MAHLE-GRECO: It can go as high  
13 as 170 feet I know in some places.  
14 THE WITNESS: I'm going to ask you  
15 to project into way, way back into the past when  
16 it was at one point let's say 1,000 feet high and  
17 it gradually came down, down, down, to what you  
18 say is 90 feet. Could you sort of hypothetically  
19 say how that came about? Was it man-made? Was  
20 it erosion?  
21 MS. MAHLE-GRECO: It was erosion of  
22 water and wind.  
23 THE WITNESS: And as it eroded, the  
24 remnants of it, where would it have gone and what  
25 would it have been erosion of soil and dirt?

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Wong

1 MS. MAHLE-GRECO: Some of it would  
2 have eroded to soil and dirt, yes.  
3 THE WITNESS: And this is a stretch  
4 of imagination but some of it, could that be the  
5 base of what we know now as the cliffs?  
6 MS. MAHLE-GRECO: No.  
7 THE WITNESS: No?  
8 MS. MAHLE-GRECO: Not if it's eroded  
9 to soil. It's not going to be a cliff anymore.  
10 THE WITNESS: All right. But  
11 underneath the soil that we have now is bedrock,  
12 is that not true?  
13 MS. MAHLE-GRECO: Yes.  
14 THE WITNESS: And was that not part  
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15 at one point of the original cliffs?

16 MS. MAHLE-GRECO: I have no way of  
17 knowing that. You don't know where it was at the  
18 time. The Hudson River went all the way up to  
19 the cliffs, so it could have been underwater.

20 THE WITNESS: But if the cliffs were  
21 at one point we said 3,000 feet deep or 300 feet  
22 deep? I was hoping that you'd correct me on  
23 that.

24 MS. MAHLE-GRECO: I don't know the  
25 depth, I just know it's three times the height it

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□

Shaw

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1 was now.

2 THE WITNESS: So with all your  
3 knowledge and background and education you  
4 couldn't hypothesize whether the bedrock there  
5 could not be have the cliffs way back when?

6 THE CHAIRMAN: Okay, now we're  
7 getting into guesses.

8 THE WITNESS: That's why we have  
9 experts here.

10 THE CHAIRMAN: She's really said  
11 that she can't answer it.

12 MS. MAHLE-GRECO: I can't guess  
13 that.

14 THE WITNESS: All right. Okay.  
15 Thank you.

16 THE CHAIRMAN: All right. Herb.

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17 You had your hand up next.  
18 HERBERT SHAW, residing at 4402 Liberty Avenue,  
19 North Bergen, New Jersey 07047, having been duly  
20 sworn by the Notary Public, was examined and  
21 testified as follows:  
22 THE WITNESS: As I know it, I'm not  
23 testifying as an expert because I'm only a layman  
24 and I read a book. Hi. I gave you a copy of  
25 this.

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Shaw

1 MS. MAHLE-GRECO: Yes, I briefly  
2 looked at it.  
3 THE CHAIRMAN: would you identify  
4 what the "this" is?  
5 THE WITNESS: Sure. I'm going to  
6 show it to everybody here.  
7 MR. ALAMPI: Thank you, Mr. Shaw.  
8 MR. MUHLSTOCK: why don't you pass  
9 them around.  
10 THE WITNESS: I gave a copy to the  
11 geology engineer and just take a look at it.  
12 MR. MUHLSTOCK: whoa, whoa, whoa, go  
13 back to the microphone.  
14 THE WITNESS: The title of this book  
15 is "The Geology of New York City and Its  
16 Environs." North Bergen is mentioned in here  
17 mainly because of the sill that grows in the  
18 Granton Quarry. Secaucus is mentioned as Snake  
19 Hill, Little Snake Hill and Snake Hill Also  
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20 Laurel Park, it's call Laurel Park is where this  
21 volcanic rock came up --

22 MR. MUHLSTOCK: Excuse me. Excuse  
23 me. Now is not the time to testify. You want to  
24 ask the witness questions, please?

25 THE WITNESS: I'm predicating my

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23

Shaw

1 question on these facts. Now, if you'll notice  
2 the diagram I gave you has a question mark on it.  
3 This is --

4 MR. MUHLSTOCK: What's your question  
5 of the expert?

6 THE WITNESS: Okay. What is the  
7 stability of this sedimentary rock that is  
8 exposed to the waters of the Hudson River and  
9 capped by the igneous rock or volcanic rock of  
10 the Palisades?

11 MR. MUHLSTOCK: Can you answer that?

12 THE WITNESS: Stability. I'm  
13 looking for it to slide into the river.

14 MR. MUHLSTOCK: Can you answer the  
15 question?

16 THE CHAIRMAN: Can you answer the  
17 question?

18 MR. MUHLSTOCK: Do you understand  
19 the question?

20 MS. MAHLE-GRECO: No, I did not  
21 understand the question.

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22 MR. MUHLSTOCK: Can you rephrase the  
23 question so it's understandable?

24 THE WITNESS: Okay. According to  
25 this geologic diagram shown is the sedimentary

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Shaw

1 rock which is in direct contact with the Hudson  
2 River, is that not correct?

3 MS. MAHLE-GRECO: As per this  
4 diagram, yes.

5 THE WITNESS: Is not New York City  
6 shown on top of the micro schist rock?

7 MS. MAHLE-GRECO: In this diagram,  
8 yes.

9 MR. ALAMPI: Could somebody spell  
10 that for me.

11 MS. MAHLE-GRECO: S-C-H-I-S-T.

12 THE WITNESS: Is not this capped by  
13 the igneous sill of diabase?

14 MS. MAHLE-GRECO: What do you mean  
15 capped?

16 THE WITNESS: Sits on top.

17 MS. MAHLE-GRECO: As this diagram  
18 shows it yes, it does show it sitting on top.

19 THE WITNESS: Okay. Do you think  
20 that this is fairly accurate?

21 MS. MAHLE-GRECO: For the site in  
22 question, no.

23 THE WITNESS: For the site in  
24 question, no. Upon what basis? I know you made  
Page 22

25 test borings on other projects, what did you find

Celeste A. Galbo, CCR, RMR

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25

Shaw

1 there?

2 MS. MAHLE-GRECO: The test borings  
3 on this project we found the diabase down in all  
4 test pits and we did not encounter the sandstone  
5 bed.

6 THE WITNESS: Well, is sandstone  
7 shale allavine (phonetic) which is also known as  
8 rotten rock because it disintegrates.

9 MS. MAHLE-GRECO: It was not  
10 encountered during the test pits with --

11 THE WITNESS: Well, it can be  
12 readily seen because it's --

13 MR. ALAMPI: Mr. Chairman.

14 THE WITNESS: It's a brownish red.

15 MR. ALAMPI: The witness is being  
16 argumentative.

17 THE CHAIRMAN: You asked a question,  
18 she answered it.

19 THE WITNESS: Well I countered with  
20 anybody can see it, why didn't she see it. I  
21 don't want to be nasty.

22 THE CHAIRMAN: As you pointed out in  
23 the beginning, she's the expert, you're not.

24 THE WITNESS: Yes, but I believe in  
25 books.

Shaw

1 THE CHAIRMAN: Do you have another  
2 question?

3 THE WITNESS: Who have nothing to  
4 gain. This was 1968 when this book was  
5 published, this man was just a geologist, he had  
6 nothing to gain one way or the other. It's just  
7 an academic study of New York City and its  
8 environs.

9 THE CHAIRMAN: Again, do you have  
10 another question of the witness?

11 THE WITNESS: Okay. Now, is the you  
12 called it bedrock, sedimentary rock, I don't call  
13 it bedrock, it's friable, it crumbles, it breaks.  
14 The sedimentary rock, you go there, hit with a  
15 hammer and it flies into pieces, is that not  
16 true?

17 MS. MAHLE-GRECO: For that type of  
18 rock, yes.

19 THE WITNESS: In this area?

20 MS. MAHLE-GRECO: Not on this site.

21 THE WITNESS: Not on this site.  
22 What is it on this site?

23 MS. MAHLE-GRECO: There's only the  
24 diabase that goes -- there's an exposed diabase  
25 and then it goes down underneath the soil.



1 THE WITNESS: How far?

2 MS. MAHLE-GRECO: In the front of  
3 the property it went down 30, 35 feet.

4 THE WITNESS: Okay. Now, this  
5 diagram is not precise. At some places the  
6 diabase does extend down but still underneath it  
7 is the friable sedimentary rock.

8 MR. ALAMPI: Mr. Chairman --

9 THE WITNESS: Are you aware -- where  
10 is the closest earthquake epicenter for this  
11 area?

12 MR. ALAMPI: Mr. Chairman, if I may  
13 raise an objection.

14 THE CHAIRMAN: Sure.

15 MR. ALAMPI: The examiner is saying  
16 his own exhibit is not accurate and then he poses  
17 -- I don't know what he's saying, but quite  
18 honestly I'm having a hard time following him.

19 MR. MUHLSTOCK: What's -- let's  
20 start this way, what's the next question?

21 THE WITNESS: Simple question.  
22 where is the earthquake epicenter, the closest  
23 one for this area and how far away is it?

24 MR. MUHLSTOCK: Do you know?

25 MS. MAHLE-GRECO: I do not know.

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Shaw

1 MR. MUHLSTOCK: okay, that's the  
2 answer.

11-17-10 Appleview  
3 THE WITNESS: If I told you it was  
4 Gorge Road on the border between North Bergen and  
5 Edgewater, could you say that wasn't true?  
6 MS. MAHLE-GRECO: I would have to  
7 verify that.  
8 THE WITNESS: You haven't verified  
9 it?  
10 THE CHAIRMAN: You just asked it,  
11 Herb.  
12 MR. MUHLSTOCK: It's asked and  
13 answered.  
14 THE WITNESS: Okay. Why haven't you  
15 verified it? Isn't that the first thing an  
16 engineer should do?  
17 MS. MAHLE-GRECO: It's not close to  
18 our site if it is true. It's not right on our  
19 site.  
20 THE WITNESS: If I told you it was a  
21 half mile away, you know where Gorge Road is,  
22 don't you?  
23 MS. MAHLE-GRECO: Yes.  
24 THE WITNESS: Is it a half mile away  
25 approximately?

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Shaw

1 MS. MAHLE-GRECO: Approximately.  
2 THE WITNESS: Yes. Okay, do you  
3 think the opinion of a seismologist is necessary  
4 for this project?  
5 MS. MAHLE-GRECO: No.

6 THE WITNESS: No. Do you or your  
7 firm guarantee that, that it is stable, it can be  
8 built?

9 MR. ALAMPI: I hope so.

10 THE WITNESS: Well --

11 MR. ALAMPI: My client hopes so.

12 THE WITNESS: I read the preliminary  
13 report and it said there was no guarantee  
14 whatsoever. I read it.

15 MR. ALAMPI: The bank hopes so.

16 THE WITNESS: It's a complete  
17 escape.

18 MR. ALAMPI: Everybody would want to  
19 make sure it works.

20 A VOICE: Are you testifying?

21 MR. ALAMPI: No.

22 A VOICE: It sounds like you're  
23 testifying.

24 MR. MUHLSTOCK: Mr. Alampi, don't  
25 answer the question. Is there a question of the

Celeste A. Galbo, CCR, RMR

□

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Shaw

1 witness? Let's move back onto the question.

2 THE CHAIRMAN: I don't want to have  
3 to remove anybody tonight but if there are more  
4 outbursts, I will.

5 THE WITNESS: I suggest that the  
6 gentleman after I finish ask his questions, he'll  
7 be allowed to do so. The object of this hearing

11-17-10 Appleview  
8 is to find the truth whether this project is  
9 viable or not.  
10 THE CHAIRMAN: Okay.  
11 THE WITNESS: My position is it's  
12 not viable and my testimony is according to what  
13 I read in the books and what the --  
14 THE CHAIRMAN: Do you have another  
15 question?  
16 THE WITNESS: The building code says  
17 and a diagram of the earthquake areas on the  
18 eastern seaboard which is nothing compared to the  
19 western seaboard, but it's still there. We have  
20 locally we have the 125th Street --  
21 THE CHAIRMAN: Herb, do you have any  
22 more questions of this witness?  
23 THE WITNESS: I'm predicating my  
24 questions on these facts.  
25 MR. MUHLSTOCK: That's not a

Celeste A. Galbo, CCR, RMR

□

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Shaw

1 predicate and your questioning is not  
2 appropriate. You can't make statements like  
3 that. At this point do you have a question?  
4 Otherwise we'll get someone else because we're  
5 not going to go all night recross-examination on  
6 the witness.  
7 THE WITNESS: 15 minutes.  
8 MR. MUHLSTOCK: 15 total minutes.  
9 THE WITNESS: Well, you keep  
10 interrupting what I'm trying to get at. I'm  
Page 28

11 trying to get at the truth and you don't want to  
12 hear it.

13 THE CHAIRMAN: Herb, I asked you to  
14 ask this witness, before anybody came up,  
15 question this witness. If you're through with  
16 that, let's get somebody else.

17 THE WITNESS: Is your firm  
18 responsible if there should happen to be a  
19 catastrophic earthquake that destroys the  
20 Palisades in this area?

21 MR. MUHLSTOCK: That's objectionable  
22 as a matter of law. Don't answer that.

23 THE CHAIRMAN: All right. Does  
24 anyone else want to --

25 THE WITNESS: Wait a minute. Wait a

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□

Shaw

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1 minute --

2 MR. MUHLSTOCK: That's a conclusion  
3 that calls --

4 THE WITNESS: She's not  
5 responsible --

6 MR. MUHLSTOCK: That calls for a  
7 conclusion of law. That's not for this witness  
8 to state yes or no to that question. It's an  
9 improper question. I know we're informal here  
10 but you can't just ask questions out of left  
11 field like that that have no basis at all. I'm  
12 sorry. I'm sorry.

11-17-10 Appleview  
13 THE WITNESS: What I'm trying to get  
14 at is her firm going to be responsible --  
15 MR. MUHLSTOCK: It's not a proper  
16 question. Sorry.  
17 THE WITNESS: If the Palisades and  
18 especially the area of Churchill Road falls down.  
19 You heard testimony it was falling down now.  
20 THE CHAIRMAN: Herb.  
21 MR. MUHLSTOCK: Get someone else up  
22 there.  
23 THE CHAIRMAN: You're off base  
24 again.  
25 Yes, you had your hand up.

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□

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Rabin

1 THE WITNESS: You know what happened  
2 to Manzo.  
3 JEREMY RABIN, residing at 7004 Boulevard East,  
4 Guttenberg, New Jersey, having been duly sworn by  
5 the Notary Public, was examined and testified as  
6 follows:  
7 THE CHAIRMAN: Again, questions of  
8 this witness on her testimony.  
9 THE WITNESS: Yes. Okay, I have  
10 some questions regarding the zoning ordinance  
11 which applies obviously to this project. This is  
12 North Bergen Zoning Ordinance. The definition of  
13 the cliff and how a rear yard setback should be  
14 established is spelled out here. The zoning  
15 ordinance, if I could just read it --

16 MR. MUHLSTOCK: You don't have to  
17 read it. Just ask the witness if she's familiar  
18 with it.

19 THE WITNESS: Well, it's one  
20 sentence and I wanted her response to it if that  
21 would be okay. It says "In lots having a slope  
22 of 30 percent or more the rear yard shall be  
23 measured horizontally from the first habitable  
24 floor."

25 So my first question is regarding

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□

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Rabin

1 that, do you think that the 30 percent slope has  
2 any bearing on the establishing of where the  
3 setback would go to? You've maintained that the  
4 setback should be measured to the exposed cliff  
5 face which is exposed rock cliff face, and this  
6 ordinance says in lots with a slope of 30 percent  
7 or more. So I want to know what reason do you  
8 think the 30 percent is included in this?

9 MS. MAHLE-GRECO: The reason, so  
10 probably so nothing goes into the proposed  
11 building, but there is a definite difference "see  
12 figure 14" and I don't know that amount off the  
13 top of my head. I'm not a zoning --

14 MR. SHAW: You can't hear the lady  
15 properly. Everybody wants to hear what she has  
16 to say.

17 MS. MAHLE-GRECO: I'm not a zoning

11-17-10 Appleview  
18 official. I don't know the specific dimension  
19 but I think it's 30 or 40 from the proposed first  
20 floor of the building to the cliff face. It says  
21 it right there, not to the ground surface, it  
22 says the cliff face.

23 THE WITNESS: Yes, shall be measured  
24 to the cliff face.

25 So the first part of this sentence

Celeste A. Galbo, CCR, RMR

□

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Rabin

1 says "in lots having a slope of 30 percent or  
2 more." So it would seem that that sets the  
3 requirement and one would imagine therefore that  
4 if it was a slope of 20 percent, you wouldn't  
5 have to measure to the cliff face or if there was  
6 no slope at all one wouldn't therefore have to.

7 MS. MAHLE-GRECO: It appears so.

8 THE WITNESS: So the question would  
9 be what would be special about 30 percent?

10 MS. MAHLE-GRECO: I don't know, I  
11 didn't write the ordinance.

12 THE WITNESS: Well, I think one  
13 explanation --

14 THE CHAIRMAN: It's beyond her  
15 expertise.

16 THE WITNESS: Well, I think that  
17 this zoning ordinance book is pretty crucial to  
18 everything that we're trying to do here.

19 MR. MUHLSTOCK: Well, you can  
20 certainly ask that question to the planner, I



21 would imagine their zoning expert but not the  
22 geotechnical expert.

23 THE WITNESS: I would suggest that  
24 in a sentence that says it must be 30 percent or  
25 more, the 30 percent or more is the cliff face,

Celeste A. Galbo, CCR, RMR

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Rabin

1 that their definition in this one sentence is  
2 that a cliff face is --

3 MR. MUHLSTOCK: That's --

4 MR. ALAMPI: Let me do my job.

5 MR. MUHLSTOCK: Go ahead.

6 MR. ALAMPI: I wanted to allow Mr.  
7 Rabin the opportunity but clearly he's asking  
8 planning questions. We do have a planning  
9 witness who will tie that element of the  
10 ordinance together but this is beyond the  
11 expertise of the geotechnical testimony.

12 THE WITNESS: The witness did  
13 testify about her opinion regarding what was and  
14 was not a cliff face.

15 MR. MUHLSTOCK: But you're not  
16 asking those questions now, you're asking zoning  
17 questions.

18 THE CHAIRMAN: You're asking about  
19 the zoning.

20 MR. MUHLSTOCK: So if you want to  
21 ask geotechnical, ask a couple questions on that.  
22 Don't ask zoning questions.

11-17-10 Appleview  
23 THE WITNESS: But I think if I  
24 recall her testimony accurately, it was in the  
25 context of the zoning setback requirement that

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Rabin

1 she was giving the definition of cliff face.  
2 cliff face did not matter except regarding --  
3 THE CHAIRMAN: She did not develop  
4 the zoning ordinance.  
5 THE WITNESS: Yes.  
6 THE CHAIRMAN: And you're asking her  
7 to interpret what was behind the development of  
8 the ordinance. She can't do that.  
9 THE WITNESS: Well, let me put it  
10 this way, I'm asking her to explain how she came  
11 to the conclusion that a 30 percent slope is not  
12 a cliff face. And the only testifying that I've  
13 heard from her is that she was able to find the  
14 definition in Webster's dictionary which defined  
15 a cliff face. Now, I looked in Webster's  
16 dictionary and in the Merriam-Webster Collegiate  
17 Dictionary a cliff -- and she used a Webster's  
18 dictionary so I'm just following up on that.  
19 It's a simple sentence "A very steep vertical or  
20 overhanging face of rock, earth or ice." That's  
21 the definition in the Merriam-Webster's  
22 Collegiate Dictionary, it's the first definition  
23 and only definition.  
24 Now, a very steep could be certainly  
25 defined as 30 percent, 30 percent would be a

Celeste A. Galbo, CCR, RMR

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Rabin

1 dangerous thing to be climbing on if you didn't  
2 know what you were doing and certainly falling  
3 rocks would be very likely. So a very steep  
4 earth surface by this definition would be a  
5 cliff. So what I'm asking is how can we  
6 determine that this zoning ordinance when they  
7 say cliff face should be following her definition  
8 that it must be an exposed rock face and not what  
9 seems to be defined here which is a 30 percent  
10 slope or greater.

11 And I'm just asking, this was first  
12 mentioned several months ago and there's been a  
13 lot of time since then, have you yet been able to  
14 find anything in the zoning ordinance that  
15 defines cliff the way you define it as an exposed  
16 rock face, vertical rock face?

17 MS. MAHLE-GRECO: I'm not a zoning  
18 expert. I have been doing just the geotechnical  
19 part and that's geotechnical and a layman's term  
20 of the cliff face.

21 THE WITNESS: But when you were  
22 trying to determine what the setback is going to  
23 be on your property, you're trying to conform --

24 MR. MUHLSTOCK: She didn't handle  
25 that aspect of this application. Your question

Celeste A. Galbo, CCR, RMR

Rabin

1 it's a good line of questioning, hold it for the  
2 planner.

3 THE CHAIRMAN: Wrong witness.

4 MR. MUHLSTOCK: Wrong witness.

5 THE WITNESS: But she did handle the  
6 defining of the cliff, though.

7 MR. MUHLSTOCK: She only defined the  
8 cliff as the exposed rock, that's correct.

9 You're taking the next jump and tying it in. Ask  
10 the planner. That's the right person to ask.

11 THE WITNESS: I hear what you're  
12 saying. I would just like to see if I can get an  
13 answer to this question, though. Have you been  
14 able to find anything in a zoning ordinance that  
15 says that 30 percent slope is not a cliff?

16 MR. MUHLSTOCK: Can you answer that?

17 MS. MAHLE-GRECO: No.

18 MR. MUHLSTOCK: Okay, she can't  
19 answer it. Hold that for the planner. Hold  
20 those questions for the planner. It's a planning  
21 question.

22 THE WITNESS: Well, I was asking  
23 whether she was aware and --

24 MR. MUHLSTOCK: She said no.

25 THE WITNESS: I'm not sure if she

Celeste A. Galbo, CCR, RMR

□

Rabin

1 said no to answering the question or she was  
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2       answering.

3                       I would also like to ask regarding  
4       this is an enlargement but it's the diagram that  
5       corresponds to that statement. And here clearly  
6       there's nothing on this defined with the word  
7       cliff face, however, it clearly says a 30 percent  
8       slope, and it shows the rear yard setback being  
9       measured from the building to the slope. And the  
10      slope is clearly not this vertical line which has  
11      been included here, the slope is this line, a 30  
12      degree slope.

13                   MR. ALAMPI: Chairman, I don't hear  
14      a question but I don't know what diagram the  
15      gentleman --

16                   MR. MUHLSTOCK: It's figure 14 from  
17      the zoning code.

18                   THE WITNESS: It's already been  
19      entered into.

20                   MR. MUHLSTOCK: It's part of the  
21      zoning code.

22                   THE WITNESS: And it was re-entered  
23      several months ago when these questions were  
24      brought up to Mr. Bertin, and I would wonder if  
25      all this time anyone has been able to produce

Celeste A. Galbo, CCR, RMR

□

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Izadmehr - Voir Dire

1      anything in this zoning ordinance which supports  
2      which seems like a rather unusual claim that what  
3      seems to be here isn't here. I think we're

11-17-10 Appleview  
4 supposed to be following the ordinance in terms  
5 of what the requirements are for this building  
6 and I will, you know, try to take this up, you  
7 know, with another witness, but this witness was  
8 the one who spent the most time defining cliffs.  
9 And all we have is one Webster's dictionary  
10 definition. Thank you.

11 THE CHAIRMAN: All right. Let's  
12 move on to your witnesses.

13 MR. ALAMPI: We have a traffic  
14 consultant. Chairman, you may recall at the  
15 September meeting we marked the traffic impact  
16 study which originated in 2009 and then revised  
17 June 10, 2010. It was marked as A-10 in the  
18 exhibit package. And we have Mr. Bahman  
19 Izadmehr, Ph.D., PTOE, and I'll call Dr. Izadmehr  
20 BAHMAN IZADMEHR, having been duly sworn by the  
21 Notary Public, was examined and testified as  
22 follows:

23 VOIR DIRE EXAMINATION

24 BY MR. ALAMPI:

25 Q. Bahman, can you please give the

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Izadmehr - Voir Dire

1 board the benefit of your educational and  
2 professional background and brief curriculum  
3 vitae and any degrees that you hold?

4 A. Sure. I have earned three degrees  
5 in civil engineering from the University of Texas  
6 and I'm professional engineer in the State of New

7 Jersey since 1990. I have appeared before  
8 numerous planning boards and boards of adjustment  
9 as well as Supreme Court of New Jersey as an  
10 expert witness in civil engineering and  
11 transportation engineering and traffic  
12 engineering. I don't remember if I have appeared  
13 before this very board or not but I have appeared  
14 in the neighboring towns. And of I have been  
15 practicing traffic engineering, transportation  
16 and civil engineering since 1980.

17 Q. And have you been qualified as an  
18 expert if traffic engineering and traffic safety  
19 issues?

20 A. Yes, I have.

21 Q. And you've testified in that  
22 category?

23 A. Yes.

24 Q. Have you ever been denied the  
25 opportunity once you presented your credentials

Celeste A. Galbo, CCR, RMR

□

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Izadmehr - Direct

1 to be qualified as an expert in traffic  
2 engineering?

3 A. No.

4 THE CHAIRMAN: You haven't been  
5 before this board but we will qualify you.

6 MR. ALAMPI: So the chairman  
7 remembers you.

8 Q. I want to correct one thing, you

11-17-10 Appleview  
9 said you appeared before the Supreme Court. Do  
10 you mean the Superior Court?  
11 A. Superior Court, yes.  
12 MR. ALAMPI: John.  
13 MR. LAMB: I just have one question.  
14 what percentage of your practice is in traffic  
15 consulting or engineering?  
16 THE WITNESS: About 70, 80 percent.  
17 MR. LAMB: Thank you.  
18 I have no objections. Mr. Chairman.  
19 MR. ALAMPI: Thank you.  
20 THE CHAIRMAN: Thank you.  
21 DIRECT EXAMINATION  
22 BY MR. ALAMPI:  
23 Q. Now Bahman, you participated and  
24 collaborated with Calisto Bertin in the  
25 preparation of a traffic impact study referenced

Celeste A. Galbo, CCR, RMR

□

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Izadmehr - Direct

1 as Apple View, LLC; is that correct?  
2 A. Yes, it's correct.  
3 Q. And this study was initially  
4 prepared and dated July 27, 2009 but revised June  
5 10, 2010; is that correct?  
6 A. That's correct.  
7 Q. And you not only participated but  
8 you authored the report?  
9 A. Yes, I did.  
10 Q. And can you bring us through the  
11 elements of your report and if you need to, there



12 are various exhibits that have already been  
13 entered into the case record and we'll ask  
14 Mr. Bertin to assist you to flip the pages. If  
15 you wish to refer to those pages, just make the  
16 references in your testimony.

17 A. Sure.

18 Q. But bring us briefly through your  
19 report.

20 A. The study that we did on the subject  
21 site basically addresses the traffic impact  
22 associated with the construction of 59 units, the  
23 subject site, residential units on the west side  
24 of River Road.

25 Q. Now, I want to remind you initially

Celeste A. Galbo, CCR, RMR

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Izadmehr - Direct

1 the report referenced 60 unit residential but the  
2 project was modified to establish 59 units,  
3 correct?

4 A. I was going to mention that, thank  
5 you.

6 Q. Is that true?

7 A. That's correct.

8 Q. And the reduction of the one unit,  
9 does that change the details of your report?  
10 would it be necessary for you to amend your  
11 report?

12 A. No, it does not. It doesn't change  
13 traffic count.

14

Q. Thank you.

15

A. As part of the study we did traffic

16

counts at two intersections, one immediately

17

north of the site and one immediately to the

18

south of the site. Mainly --

19

Q. Bahman, you have a Texas accent from

20

the time you were at University of Texas, so

21

speak slowly and into the mike.

22

A. I'm sorry. Sure.

23

Q. And indicate for us exactly where --

24

what intersections you studied and what dates or

25

times of the day you studied.

Celeste A. Galbo, CCR, RMR

□

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Izadmehr - Direct

1

A. Surely. The traffic activities was

2

performed at the signalized intersection of River

3

Road and Hospital Driveway. The traffic counts

4

were taken on December 3rd, 2008 from 7 a.m. to 9

5

a.m., the peak period. And again on Tuesday

6

December 2nd, 2008 during the p.m. peak period

7

namely from 4 p.m. to 6 p.m.

8

Q. Now, you are you mentioning dates

9

that are almost two years old, correct?

10

A. That's correct.

11

Q. And have you had an opportunity to

12

revisit the site and view the traffic pattern

13

since that time?

14

A. I have been on the site many times

15

since that time and there has been actually a

16

reduction in traffic on River Road which I will

17 allude to in a little wide.

18 Q. Now you mentioned the first study  
19 was 7 to 9 a.m. the second study was 4 p.m. to 6  
20 p.m. is it?

21 A. That's correct at that particular  
22 intersection.

23 Q. You referred to those as peak times.  
24 Just explain why you refer to them as peak times.

25 A. In traffic engineering profession

Celeste A. Galbo, CCR, RMR

□

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Izadmehr - Direct

1 for weekday traffic we have normally two peak  
2 periods. For the morning hours they're usually  
3 from 7 to 9 a.m. and for afternoon period they  
4 are usually from 4 to 6 p.m.

5 Q. This is what we refer to as high  
6 commuter hours?

7 A. High commuter hours. That's when  
8 the traffic is highest on those particular  
9 intersection or roads. And usually we do traffic  
10 counts for 15 minute periods during those two  
11 hours and then we select the four consecutive  
12 peak 15 minutes which consists -- which makes up  
13 the peak hour traffic.

14 Q. By segmenting these 15 minute  
15 segments and tying them together, is that an  
16 approved and proper methodology?

17 A. That's correct, that's an approved  
18 methodology in transportation traffic engineering

19 profession.

20 Q. And how do you know that?

21 A. Well, I guess I have a Ph.D. in that  
22 field.

23 Q. And with regard to the study, what  
24 did you find for the peak hour, the a.m. peak  
25 hour and the p.m. peak hour? What were your

Celeste A. Galbo, CCR, RMR

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Izadmehr - Direct

1 findings?

2 A. First the findings are summarized in  
3 our report and found that there is roughly about  
4 1100 cars on River Road going north at that  
5 intersection, and about 1400 cars roughly  
6 going -- I'm sorry, 1600 to 1700 cars going  
7 southbound on River Road during the morning peak  
8 hour. And in the p.m. peak hour the numbers were  
9 about 1400 going northbound and about 1300 going  
10 southbound.

11 We also did traffic count on a  
12 Saturday at that particular site and the Saturday  
13 traffics are lower than the a.m. and p.m. peak  
14 during the weekly.

15 Q. You would expect that?

16 A. Yes.

17 Q. Why?

18 A. Because there are no commuters on  
19 Saturdays. I mean, still some folks work but  
20 most people are off on a Saturday and Sunday, so  
21 you would expect that this not -- no work related

22 traffic.

23 Q. Now, did you study any other points  
24 or intersections?

25 A. Sure. We also performed, again,

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Izadmehr - Direct

1 traffic counts during the a.m. and p.m. peak  
2 periods at the intersection of River Road and  
3 Ferry Road intersection which is about six, 700  
4 feet south of the site on River Road. And we did  
5 those counts again during June of 2006. And by  
6 doing the counts on other sites on River Road we  
7 noticed that the traffic actually has been  
8 reduced by about 10 to 15 percent over the years  
9 and the reason is because River Road enjoys a  
10 good public transportation system. And recently  
11 New Jersey Transit extended public -- the Hudson  
12 Bergen Light Rail, so folks basically are taking  
13 advantage of the buses and public transportation.

14 And also --

15 Q. You can hear the members of the  
16 public laughing, right?

17 A. Sure.

18 Q. They believe that the traffic has  
19 increased. How do you respond to that?

20 A. Well, we have hard data to prove  
21 that traffic actually has reduced over the years.  
22 But, again that does not change the picture  
23 because this is only a 59 unit residential

11-17-10 Appleview  
24 complex which does not generate -- even though we  
25 keep the traffic at the highest level that we

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Izadmehr - Direct

1 have counted, is still based on our capacity  
2 analysis of the intersections and the roadways  
3 and level of service of the traffic at those  
4 intersections and at the driveways, the proposed  
5 driveways at the site are acceptable.

6 THE CHAIRMAN: I must tell you I  
7 have some real problems with your report. You're  
8 showing A levels of service in quite a few of  
9 these categories. We've had multiple studies  
10 along that road, not one has defined an A level  
11 of service. They're usually D or below.

12 THE WITNESS: Well, actually we do  
13 have Ds.

14 THE CHAIRMAN: Yeah, I saw your Ds  
15 they're westbound going up Ferry Road. You don't  
16 have Ds on River Road. I just find that  
17 incredible.

18 THE WITNESS: Well, the existing  
19 traffic on River Road and Ferry Road for the  
20 northbound is A but then for the eastbound is E,  
21 so is worse than D but those are existing level  
22 of services.

23 THE CHAIRMAN: Going into the  
24 hospital?

25 THE WITNESS: This is Ferry Road

11-17-10 Appleview  
Celeste A. Galbo, CCR, RMR

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Izadmehr - Direct

1 coming down on Ferry Road towards River Road.  
2 THE CHAIRMAN: That's fine, you  
3 define Ferry Road as poor.  
4 THE WITNESS: Ferry Road as I said  
5 is between A and B. -  
6 THE CHAIRMAN: The River Road is  
7 excellent.  
8 THE WITNESS: Not necessarily, River  
9 Road is a C.  
10 THE CHAIRMAN: I see a lot of As and  
11 Bs.  
12 THE WITNESS: Yeah, but overall the  
13 intersection has level of service C which is an  
14 average level of service ranging from A to an E.  
15 MR. ALAMPI: Mr. Chairman, I never  
16 even got to those questions.  
17 THE CHAIRMAN: Yeah, I'm sorry, I  
18 looked ahead.  
19 MR. ALAMPI: But I didn't get there  
20 yet.  
21 Q. Now, you said quite a bit about  
22 level of service and satisfactory functioning.  
23 Just give us some definitions. You're using a  
24 level of service, it's obvious that the chairman  
25 and I know Mr. Lamb, myself, maybe Mr. Bertin

Celeste A. Galbo, CCR, RMR

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1 understands what that is, but what are we talking  
2 about? You say level of service, tell us what  
3 that means to a traffic engineer.

4 A. Well, we measure just the same way  
5 you get the grade which you're in middle school,  
6 middle school or elementary or high school to  
7 grade the performance based on how you do in  
8 overall examinations, homeworks, assignments and  
9 attendance and so forth and so on. And using the  
10 same analogy in traffic engineering profession we  
11 grade the performance, the quality of traffic on  
12 a given --

13 Q. So my teacher might give me an A for  
14 doing my homework every day but my performance in  
15 the class might be deficient so I wind up with a  
16 B or C?

17 A. That's right.

18 Q. And you say when you give a category  
19 of C or B it's a composition of --

20 A. Composition of your performance. Of  
21 your performance.

22 Q. Within that bottom line?

23 A. That's correct.

24 Q. And --

25 A. So using the same analogy, we grade

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Izadmehr - Direct

1 the performance of traffic, vehicular traffic at  
2 a given road or intersection assigning letter



3 grade A through F. Obviously F is failure, that  
4 means everything comes to a standstill, it  
5 becomes sort of a parking lot. And E is the  
6 capacity of the intersection. That means it  
7 could hold the highest number of cars entering an  
8 intersection in an hour or for a highway would be  
9 the number of cars it could hold in a mile lane  
10 of a highway.

11 So it would be basically very little  
12 traffic, not much delay. The delays again are  
13 assigned a letter grade. So in this case if it's  
14 less than 10 seconds at that intersection, that  
15 intersection exhibits level of service A. So as  
16 the delay increases and approaches 60 seconds,  
17 then the level of service becomes an E.

18 So, for an intersection we use the  
19 criteria of delay, how much you actually wait at  
20 that intersection --

21 Q. Let me ask you some questions.

22 If you go to an intersection that  
23 does not have a traffic signal control and you  
24 have to wait there to enter the main road, this  
25 is the delay that you're referring to?

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Izadmehr - Direct

1 A. That's the delay and the same delay  
2 could be measured if you are waiting for a  
3 traffic light to turn green so you could cross  
4 that intersection.

11-17-10 Appleview  
5 Q. Now, there can be a delay for a  
6 motorist but the delay could be deemed  
7 acceptable?  
8 A. That's correct.  
9 Q. Agreeable?  
10 A. That's correct.  
11 Q. Or unacceptable?  
12 A. That's correct.  
13 Q. And that's how you put the  
14 characterization of A through E?  
15 A. Sure. So in traffic engineering  
16 level of service A through E are acceptable. Of  
17 course F is not acceptable, the same way that F  
18 grade in a class is not acceptable.  
19 Q. So now we --  
20 A. So we have a passing grade and we  
21 have a failing grade.  
22 Q. So you first looked at the River  
23 Road and the Hospital Driveway intersection?  
24 A. That's correct.  
25 Q. And I asked you why you selected

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□

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Izadmehr - Direct

1 that point. What was important about that  
2 location?  
3 A. Because those are the two immediate  
4 intersections, one to the north, one to the south  
5 of the site and both of them happen to be  
6 signalized as well. So the importance is based  
7 on the script of the site and also they are

8       signalized.

9               Q.     And because they are signalized they  
10       will control or break the traffic pattern from  
11       time to time, correct?

12              A.     That's correct. And also the fact  
13       that they are signalized because they probably  
14       experienced highest traffic volume in the  
15       vicinity of the site.

16              Q.     Now, could you just briefly describe  
17       for the record, I know everybody here knows this  
18       but River Road itself is a county road, correct?

19              A.     River Road in this section, is a  
20       county road, County of Hudson and further north  
21       it becomes Bergen County road.

22              Q.     And you describe in your report a  
23       four lane county road?

24              A.     It's a four lane, but also it enjoys  
25       a middle lane which becomes a left turn lane or

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□

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Izadmehr - Direct

1       left turn bay at certain intersections alongside  
2       of the road.

3              Q.     And in proximity to the subject site  
4       is there a middle lane in this River Road either  
5       to the north or south of it?

6              A.     There is a middle lane in front of  
7       the site, and as you approach Ferry Road it  
8       becomes an exclusive left turn road into the new  
9       development on the east side of River Road.

11-17-10 Appleview  
10 Q. The new hi-rise building there  
11 you're talking about?  
12 A. Yes. I believe it's called Admiral  
13 walk.  
14 THE CHAIRMAN: No.  
15 THE WITNESS: I'm talking about  
16 going southbound.  
17 Q. Jacobs Ferry, you mean? Admiral's  
18 walk is in Edgewater.  
19 A. Yes.  
20 Q. And with regard to these concerns  
21 raised by the board, Chair and such, you have put  
22 some characteristics as A, B, E, D, and such.  
23 But let's go to River Road. We know that River  
24 Road is a heavy traffic road?  
25 A. That's correct.

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□

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Izadmehr - Direct

1 Q. And yet in some categories you have  
2 affixed a category A to River Road. Where would  
3 that be in your report? Would that be on page  
4 10?  
5 A. It's on page 10 in the table at the  
6 bottom of the page, titled River Road and Ferry  
7 Road Intersection.  
8 Q. Continuing to page 11.  
9 A. Yes, page 11 is the other  
10 intersection, Hospital Driveway and River Road.  
11 Q. Take this out of context because it  
12 seemed to catch the attention. But from pages 10  
Page 52

13 through 11 these are the level of services  
14 analysis for those two intersections that you  
15 described?

16 A. That's correct.

17 Q. And how do you then give an A  
18 category, say, northbound on River Road and Ferry  
19 which seems to surprise some people and then give  
20 a B and all that, how do you assess that?

21 A. Well, I mean, I don't assign those  
22 level of services obviously. There has been  
23 highway capacity analysis procedure developed by  
24 the federal government that we utilize, and it's  
25 basically adopted by almost I should say by all

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□

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Izadmehr - Direct

1 50 states in the country. So we use the  
2 procedures that have been researched and have  
3 been adopted by the Federal Department of  
4 Transportation.

5 Q. Now, Bahman, tell us what type of  
6 studies and treatises that you relied upon to  
7 render these opinions in your report.

8 A. As I mentioned earlier, we did our  
9 traffic counts and we determined what the peak  
10 hour volumes were and we used the procedures set  
11 up for signalized intersection in the Manual of  
12 Highway Capacity and --

13 Q. Is that what it's called, Manual of  
14 Highway Capacity?

11-17-10 Appleview  
15 A. Manual of Highway Capacity, yeah.  
16 And in using the manual, of course we use the  
17 software which is again developed by the federal  
18 government. It's called Highway Capacity  
19 Software, HCS and we basically input the geometry  
20 of the intersection, the signal timing and the  
21 traffic volume and all the other geometric  
22 characteristics of the intersection, then we get  
23 an output which is, again, is in term of delay  
24 and the level of service.  
25 So this letter grades or for the

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Izadmehr - Direct

1 level of service and the delays in seconds that  
2 you see in this table are directly from those  
3 articles which are attached to the end of the  
4 report.  
5 Q. So you indicate, for example, in  
6 your grid that on River Road at the Ferry Road  
7 intersect going northbound in the morning peak  
8 hour 8.9 seconds you attribute A. What does that  
9 mean, 8.9 seconds?  
10 A. That means on the average you will  
11 be delayed 8.9 seconds going northbound at that  
12 intersection of Ferry Road and River Road.  
13 Q. Naturally if you have a red light  
14 you might be there for a minute?  
15 A. Yes, but this is on the average.  
16 But, again, the same way that you may encounter a  
17 red light you may encounter a green light and you

18 may not have to wait at all. So this is a  
19 weighted average of the cars during that peak  
20 period or, I'm sorry, during that peak hour. So  
21 on the average it's expected that you will  
22 experience a delay of nine seconds.

23 Q. In any event, having analyzed each  
24 direction north, south, and east and what time of  
25 day and the peak hour, at the bottom of the grid

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Izadmehr - Direct

1 you've attributed a C in the morning and a B in  
2 the evening?

3 A. That's correct.

4 Q. C is what, that's average?

5 A. C is average.

6 Q. What does that mean when you say  
7 average?

8 A. C means you will experience some  
9 delay, the intersection will not be approaching  
10 to the failure, so you're expected to cross the  
11 intersection either during the first cycle of the  
12 signal or during the second cycle. But once this  
13 conditions get heavier, you will be approaching a  
14 level of service D.

15 Q. And so in the morning you've  
16 attributed C but in the evening peak hour it  
17 appears to improve to a B level of service?

18 A. That's correct.

19 Q. And why is that?

11-17-10 Appreview  
20 A. Either there is a better signal  
21 timing at the site or there is less traffic. But  
22 I can look at the traffic data and see if it's  
23 due to the traffic volume or due to the traffic  
24 signal.  
25 Q. Take a moment and just tell us where

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□

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Izadmehr - Direct

1 your --  
2 A. Again, these are the existing  
3 conditions, it has nothing to do with the  
4 development that we're proposing.  
5 Q. I'm going to get there. Be patient.  
6 Just tell us in your report what exhibit or  
7 appendix you're referring to for you to recall  
8 what you can attribute the difference in the  
9 level of service?  
10 A. Sure. If we look at page 6 you will  
11 see our traffic data on page 6 both for a.m. and  
12 p.m. peak or each movement. So the true traffic  
13 of course on p.m. is heavier is 1081 and in the  
14 morning is 769. So the level of services for the  
15 northbound basically remain the same -- no I'm  
16 sorry, the level of services for the a.m. for the  
17 northbound is A during the a.m. and for p.m. it's  
18 B. So it gets worse then because the traffic  
19 volume gets heavy. So the traffic volume goes up  
20 for the northbound from 769 to 1081 and that's  
21 reflected in a degrading of the level of service  
22 from A to a B.



11-17-10 Appleview

23 Now, on the southbound it's just the  
24 reverse. The a.m. level of service for the  
25 southbound is a C, and in the evening it becomes

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Izadmehr - Direct

1 a B because the traffic volume drops as you can  
2 see on that table in page 6.

3 A.m. is heavy, it's about 1476 and  
4 it's p.m. is 866. So there is a direct  
5 correlation between the level of volume and the  
6 level of service.

7 Q. You would agree that it's a heavy  
8 volume of traffic northbound and southbound  
9 during the peak hours?

10 A. That's correct, but they change  
11 directions, of course.

12 Q. In any event, let's talk about the  
13 proposed development. Tell us your understanding  
14 of the proposed development.

15 A. Well, since the use is permitted in  
16 the zone there is really no need for a traffic  
17 study but we just did a traffic study to indicate  
18 that there is really no impact on the existing  
19 conditions. This particular site which we  
20 classify as a mid-rise apartment building has 59  
21 units, 47 two bedrooms and 12 single bedroom  
22 apartments. So based on the data that has been  
23 collected over the years by the profession and  
24 has been compiled by the Institute of Traffic

11-17-10 Appleview  
25 Engineers in their trip generation handbook which

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Izadmehr - Direct

1 has been updated every five, ten years and now  
2 currently we have -- we are using the eighth  
3 edition which was published in 2009, based on the  
4 data that has been collected for similar sites  
5 across the country this particular development is  
6 going to generate the traffic that has been  
7 tabulated on page 8 of my report.

8 Q. So, you used the ITE manual for trip  
9 generation, correct?

10 A. That's correct.

11 Q. The eighth edition is the most  
12 current edition --

13 A. That's the most current edition.

14 Q. And utilizing this compendium of  
15 studies nationwide and analysis you're able to  
16 determine and project the activity of vehicle  
17 movements on and off the site at given times,  
18 correct?

19 A. That's correct.

20 Q. So stated very briefly in the  
21 morning you're able to evaluate or project how  
22 many vehicle movements will go on and off the  
23 site during the peak hours in the morning and  
24 you're able to do the same thing for the evening  
25 hours?

□

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Izadmehr - Direct

1 A. That's correct.

2 Q. And those peak hours would be the  
3 same as you articulated seven to nine in the  
4 morning and four to six in the evening?

5 A. That's correct.

6 Q. Because it's a residential project?

7 A. That's correct.

8 Q. Now being that there are 59 units  
9 all together, not all two bedrooms, and you're  
10 familiar with the number of parking spaces, you  
11 can do that projection?

12 A. Yes, based on the ITE trip  
13 generation rates we can project the number of  
14 trips that this development will generate.

15 Q. And tell us where it is in the  
16 report and tell us what your projection is.

17 A. Yes, it's on page 8 under the  
18 heading Traffic Generation and Distribution.  
19 Again, this is just for one hour during a morning  
20 peak and one hour during the afternoon peak which  
21 coincides with the peak hours that we did a study  
22 of those two intersections that we discussed  
23 earlier.

24 Q. So now in this --

25 MR. MUHLSTOCK: Excuse me. One hour

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□

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Izadmehr - Direct

1 or two hours?

2 THE WITNESS: One hour.

3 MR. MUHLSTOCK: So the trip

4 generation at page 8 --

5 THE WITNESS: That's correct.

6 MR. MUHLSTOCK: -- that I'm looking

7 at, what hour is this? It says a.m. peak hour,

8 what hour?

9 THE WITNESS: It's a.m. peak which  
10 was from seven to eight.

11 MR. MUHLSTOCK: All right. Seven to  
12 eight?

13 THE WITNESS: Yes.

14 MR. MUHLSTOCK: Not seven to nine.

15 And what's the p.m. peak hour?

16 THE WITNESS: The p.m. peak is five  
17 to six.

18 MR. MUHLSTOCK: So it's just one  
19 hour not two?

20 THE WITNESS: Yes. I'm sorry, I'll  
21 correct that, the a.m. is 7:30 to 8:30.

22 MR. MUHLSTOCK: 7:30 to 8:30.

23 THE WITNESS: So during the a.m.  
24 peak based on again ITE trip generation rates for  
25 mid-rise apartment buildings we expect 12 trips

Celeste A. Galbo, CCR, RMR

D

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Izadmehr - Direct

1 during the a.m. and 18 trips during the p.m.

2 Q. Now, the trip is each movement --

3 A. Each movement either coming to the  
Page 60

4 site or leaving the site. And then further IT  
5 also provides distribution of those trips meaning  
6 how many of them are coming to the site and how  
7 many are leaving the site. So in this case for  
8 the morning there will be four coming into the  
9 building and eight leaving the site.

10 Q. Of course this is your projection  
11 based on these analysis, correct?

12 A. Based on this analysis.

13 Q. The building is not built yet, so we  
14 don't know exactly what will happen?

15 A. That's correct.

16 Q. With regard to the next line on the  
17 grid, you make a reference to transit use credit  
18 10 percent. What is that?

19 A. Okay. The trips that I just  
20 mentioned which are on the first row of the table  
21 are if there are no transit use at all, it's  
22 purely cars. But as I mentioned earlier, since  
23 River Road has about four or five bus lines and  
24 is close to the Hudson Bergen Light Rail and is  
25 easily accessible to other railroads in the

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□

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Izadmehr - Direct

1 region, we can take credit for public  
2 transportation.

3 Q. Did you take credit for the ferry?

4 A. No.

5 Q. At Author's Landing?

11-17-10 Appleview  
6 A. By the way the credit that we took  
7 is a minimum just to be conservative.

8 Q. What is your authority to take this  
9 credit and put it into your report?

10 A. Again, ITE. ITE recommends certain  
11 percentages as a credit for utilizing public  
12 transportation. So in this case we took a 10  
13 percent credit which translate to either one or  
14 two trips. And the net result is indicated in  
15 the last row of the table which is 10 in the  
16 morning, 10 trips and 16 trips in the afternoon.

17 Q. Using the ITE manual and studies,  
18 would you be entitled to use a higher transit use  
19 credit given the characteristics of the bus lines  
20 and the railroad transportation in the near  
21 vicinity?

22 A. That's correct, we could use as high  
23 as 30 percent.

24 Q. But you used the 10 percent?

25 A. 10 percent.

Celeste A. Galbo, CCR, RMR

□

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Izadmehr - Direct

1 Q. Is that a conservative --

2 A. Very conservative.

3 Q. -- measure in your mine?

4 A. That's correct.

5 Q. And so then your projection of  
6 activity with a very conservative credit for  
7 transit gives you the net number of what you are  
8 projecting, correct?

11-17-10 Appleview

- 9 A. That's correct.
- 10 Q. Your field is not an exact science,
- 11 is it?
- 12 A. No, it's not.
- 13 Q. It's a projection based upon
- 14 empirical studies, based upon analyses throughout
- 15 the nation, based upon your own observations and
- 16 based upon your collected experience, correct?
- 17 A. That's correct, and also based on
- 18 passed data collections by traffic engineers
- 19 across the country.
- 20 Q. And is it reliable?
- 21 A. Yes.
- 22 Q. And how accurate would you say these
- 23 projections are?
- 24 A. Well, as the projections become
- 25 reality, of course this data gets updated. So

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Izadmehr - Direct

- 1 that's why we are in the eighth edition, we are
- 2 not using the first edition. So the data is
- 3 pretty accurate and reliable and not only this
- 4 planning board but almost all the boards in the
- 5 country are relying on ITE trip generations
- 6 studies.
- 7 Q. Now, when you go on beyond page 8
- 8 into the next pages you talk about traffic
- 9 generation at Hudson Point. What do you mean by
- 10 that?

11 11-17-10 Appleview  
12 A. Okay, when we started collecting  
13 data we contacted the township as well as the  
14 county to find out if there are any major  
15 development in the vicinity of the site so that  
16 we could also take into account the future  
17 traffic generated by those developments. So we  
18 were advised that Hudson Point across from the  
19 site was approved for 24 residential units.

20 Q. And that --

21 A. And then we projected the traffic  
22 for those 24 units and added the traffic to the  
23 existing traffic on River Road.

24 Q. If you look at that analysis which  
25 is a smaller number of units, it seems to have  
almost the same, maybe even more --

Celeste A. Galbo, CCR, RMR

□

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Izadmehr - Direct

1 THE CHAIRMAN: It has more.

2 MR. ALAMPI: I'm going to ask the  
3 question.

4 THE CHAIRMAN: Sorry.

5 MR. ALAMPI: Let me do my job.

6 Q. So it would seem that several people  
7 in the room would question that?

8 A. Sure.

9 Q. And why would a smaller building  
10 have a higher projection than yours?

11 A. Because --

12 Q. Let me ask the question, are you  
13 undercounting your projection at the subject site



14 or what, what's going on?

15 A. No, this is the same rate -- I'm  
16 sorry, the same source of the use for the first  
17 table projections, this is again ITE but these  
18 are condominiums or townhouses, they are only one  
19 floor, so ITE has higher trip rates associated --

20 Q. So those are town homes?

21 A. Those are town homes, yes.

22 Q. They might be larger sized units?

23 A. That's correct, and they're only one  
24 floor by the way as opposed to us which is four  
25 floors.

Celeste A. Galbo, CCR, RMR

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Izadmehr - Direct

1 Q. So there may be less number of units  
2 but the units may contain more people and more  
3 vehicles per unit?

4 A. That's correct.

5 Q. And that --

6 A. That is based on the data that the  
7 ITE has compiled those units of that type  
8 generate more trips than the mid-rise apartment  
9 building.

10 Q. Okay. And then your next grid  
11 analysis 8.4 you're referring to River Road  
12 traffic patterns weekday peak hours. Could you  
13 just explain this?

14 A. Yes, those basically are taken from  
15 the data we have collected at those two

11-17-10 Appleview  
16 intersections. Basically it shows the  
17 distribution of traffic on River Road for a.m.  
18 and p.m. peak in southbound and northbound  
19 directions.

20 Q. When you say distribution, you're  
21 saying that there's two directions so you break  
22 down the volume by each direction?

23 A. That's correct. So as you can see  
24 they add up to 100. For example, during the  
25 morning peak hour there is 914 cars going north

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1 and 1600 almost going south. So that translates  
2 into 36 percent of the traffic is going north and  
3 64 percent is going south.

4 Q. So here's the question, two-thirds  
5 that of the traffic at that point is going south?

6 A. That's correct.

7 Q. Are they going to the Lincoln Tunnel  
8 and Holland Tunnel?

9 A. Lincoln Tunnel, Holland Tunnel,  
10 maybe using Route 3 going west or using Route 495  
11 eventually connecting to Route 3.

12 Q. But only one-third is going north?

13 A. One-third is going north, that's  
14 correct, a little bit more than one-third, yes.

15 Q. Okay.

16 A. But the p.m. is interesting, the  
17 distribution changes, it does not completely  
18 reverse itself. 56 and a half percent go north

19 in the p.m. but 43 and a half percent go south.

20 Q. Yeah, that's curious, so do you have  
21 any thoughts on that?

22 A. That's pretty normal. What happened  
23 people change their route, you know, for the a.m.  
24 and p.m., maybe a.m. is Lincoln Tunnel is better,  
25 p.m. George Washington is better, maybe they come

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1 from that side. So all a.m. leave but they don't  
2 come during that particular hour, you know, which  
3 is the afternoon peak for River Road, maybe they  
4 come earlier or they come later but they change  
5 their routes.

6 Q. Now, the next section 9 is traffic  
7 impact. Just explain to us what the significance  
8 of the next few pages in section 9 traffic impact  
9 just tell us overall what you're attempting to  
10 explain?

11 A. There the procedure again is that we  
12 use the existing data that we collect, then we  
13 take into account other developments that we know  
14 of which will impact the site, the traffic in the  
15 proximity of the site and then we use New Jersey  
16 Department of Transportation projections or the  
17 county traffic projections because it takes a  
18 couple of years after you get approval to build a  
19 project. So in this case we are projecting if  
20 this board approves this project for this

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21 building to be up and running by 2012. And since  
22 we collected our traffic back in that 2008 then  
23 we built onto it, onto the existing traffic 1  
24 percent growth for every year. So basically we  
25 increased that base traffic which was collected

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1 in 2008 by one percent for every year from 2008  
2 to 2012.

3 Q. Why do you select one percent for  
4 each year?

5 A. That's the projection which is  
6 assigned for this area of Hudson County.

7 Q. Assigned by who?

8 A. By New Jersey department of  
9 Transportation and/or Hudson County.

10 Q. And so this section 9 tells us the  
11 flow of vehicles or the volume of vehicles or the  
12 capacity of the road to handle that traffic?

13 A. No, this road -- basically this  
14 table shows us the level of service for existing  
15 conditions and the built year which in this case  
16 is 2012 we without the traffic generated by our  
17 site. And then we combine the two, the built  
18 year which is the projected traffic from the base  
19 year which in this case was 2008 by adding our  
20 projected traffic to the built year which creates  
21 our future traffic once the project is built and  
22 open.

23 Q. Now --

24           A.     So then we perform that same level  
25     of service analysis that we discussed based on

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1     again the procedures in the manual on highway  
2     capacity and we see what the level of services  
3     are.

4           So in this case we can say  
5     northbound level of service goes from A to a B.  
6     So there is minimal impact in terms of the delay,  
7     the delay is increased from 8.9 seconds to 10.7  
8     seconds. So roughly we have two more second  
9     average delay for that particular movement at  
10    that intersection of River and Ferry Road.

11           THE CHAIRMAN: Question.

12           THE WITNESS: Yes?

13           THE CHAIRMAN: In 9.1 you mention a  
14    left turn into Admiral's walk and at Admiral's  
15    walk is approximately 300 feet south of this?

16           THE WITNESS: Yes.

17           THE CHAIRMAN: what are you actually  
18    referring to, not Admiral's walk?

19           THE WITNESS: In the middle of River  
20    Road there is a fifth lane.

21           MR. McGRATH: It's got to be the  
22    condominium that's in Guttenberg.

23           Q.     Bahman, you're referring to  
24    Admiral's walk we believe that you're mistaken  
25    that that's not the name?

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1 A. I realize that, yes.

2 Q. The chairman is asking you do you  
3 recall what the name of the project is?

4 A. I don't.

5 MR. McGRATH: There was 140  
6 condominiums built in Guttenberg just kind of  
7 opposite Ferry Road approximately five or six  
8 years ago. That's what he's referring to.

9 A. It was --

10 MR. McGRATH: Jacob's Ferry further  
11 south and it has a different name in Guttenberg  
12 and it eludes me.

13 THE WITNESS: Yeah, I think it was  
14 mentioned Bulls Ferry.

15 MR. McGRATH: But that's what he's  
16 referring to, it's not Admiral's Walk.

17 THE WITNESS: I think the initial  
18 name might have been Admiral's walk.

19 MR. McGRATH: I don't think so  
20 because Admiral's walk has been in Edgewater for  
21 years further up the road.

22 Q. So everyone in the room except you  
23 by mistake were referring by the wrong name but  
24 this is the project that you were meaning to --

25 A. That's correct.

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1 Q. And so with this traffic impact  
2 section, this chapter nine, you're discussing the  
3 volume of traffic on River Road at these points  
4 just north and south of the subject property  
5 between these two intersection points?

6 A. The table that I'm referring on page  
7 10 is actually for intersection of River Road and  
8 Ferry Road.

9 Q. Okay.

10 A. Which is to the south of the subject  
11 site. And the next table on page 11 is for River  
12 Road and Hospital Driveway. Here we do a  
13 comparison of the level of services for the  
14 existing conditions and for the combined built  
15 which means the future.

16 Q. Well, combined built is a term of  
17 art. What do you mean by combined built?

18 A. Okay, in 2008 we collected the data.  
19 Then we use the projection rates of one percent  
20 in increasing traffic to bring it up to today's  
21 traffic -- I'm sorry, today built year which in  
22 this case will be 2012. So that will be the  
23 built year or the future traffic.

24 Q. We understand that.

25 A. Minus, minus basically the traffic

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1 that the project will generate. Then we add the

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2 traffic that this project and the project across  
3 the street will generate.

4 Q. Show us where you've added your  
5 projection for this project and also incorporated  
6 the projects across the street that you're  
7 referring to. Where did you draw that drawings?

8 A. Those are shown, they're shown in  
9 figures. I'll call your attention to Figure 3 in  
10 the attachment section of the report towards the  
11 middle of the report.

12 Q. Towards the middle of the report you  
13 have a series of figures?

14 A. Figures.

15 Q. You referring to a sheet that's  
16 referred to as Figure 3 dated June 2010; is that  
17 correct?

18 A. That's correct.

19 Q. And could you just show us how to  
20 read this sheet, this figure and what it tells  
21 us?

22 A. Okay, the orientation of the figure  
23 is from south at the bottom of the figure to the  
24 north at the top of the figure. So the  
25 north-south line which is labeled River Road that

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1 shows the traffic on River Road at intersection  
2 of Ferry Road at the bottom of the figure, south  
3 of the site, and at the signalized intersection  
4 of Hospital Driveway, Palisades General Hospital  
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5 Driveway and River Road which is on the top of  
6 the figure toward the north of the site.

7 Now, you will see some directional  
8 arrows, you know, on top of each number. And you  
9 will also see letters A and P. A indicating a.m.  
10 peak hour traffic, and P indicating p.m. traffic,  
11 peak traffic hour.

12 For example, at the bottom of the  
13 figure where it says River Road, you will see 29  
14 and then you will see 57 with an arrow pointing  
15 to the left. So that means during the a.m. peak  
16 29 cars are making a left turn into Ferry Road  
17 from River Road. And during the p.m. peak 57  
18 cars are making that left turn.

19 Q. Now, Bahman, at the same time where  
20 57 cars would be turning to the left during the  
21 p.m. peak --

22 A. Yes.

23 Q. -- 1081 vehicles would be going  
24 straight?

25 A. Going straight up on River Road

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1 north. So this basically shows the existing peak  
2 hour traffic for the morning and afternoon hours  
3 during the times that we collected the data in  
4 2008.

5 The next page shows the traffic that  
6 our site will generate.

7 Q. Bahman, the next page is referred to  
8 as Figure 4?

9 A. The next page, I'm sorry is  
10 referring to Figure 4. Again, is dated June 2010  
11 with the same configuration except it shows our  
12 driveway, our proposed driveway and also it shows  
13 Hudson Point residential development which has  
14 not been built yet.

15 Q. Where does it show our driveway?

16 A. It shows directly above Ferry Road  
17 where it shows the site and it shows two  
18 driveways, one is the entrance driveway which is  
19 directly across from Hudson Point residential  
20 development and a little bit lower than that it  
21 shows the exit driveway right to the right of  
22 Galaxy residential complex.

23 Q. So if we're looking at the little  
24 square that says site --

25 A. Yes.

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1 Q. -- and then moving to the line that  
2 depicts River Road --

3 A. That's correct.

4 Q. -- on the right side of that line it  
5 says 1 A and 6 P with an arrow that points in the  
6 direction of the site, points westerly. What is  
7 that telling us?

8 A. That's telling us there will be one  
9 in the morning, one vehicle in the morning making

10 a left from River Road to our entrance driveway.

11 Q. And in the p.m.?

12 A. P.m. six, making that left. And it  
13 will also show the turning movement to be  
14 expected from Hudson Point residential  
15 development?

16 Q. And if we are going in the  
17 southbound direction I see 2 A and 4 P, what does  
18 that mean?

19 A. It means two vehicles will be  
20 turning from River Road into our entrance  
21 driveway during the morning peak hour and four  
22 cars making the same turn during the p.m. peak  
23 hour.

24 MR. MUHLSTOCK: Shouldn't this  
25 Figure 4 line up with your page 8 chart?

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1 THE WITNESS: Which chart, I'm  
2 sorry?

3 MR. MUHLSTOCK: Your chart on page 8  
4 which was the traffic generation --

5 THE WITNESS: Yeah.

6 MR. MUHLSTOCK: -- into the subject  
7 --

8 THE WITNESS: But this is  
9 distributed. This shows from all directions  
10 coming to the site, but that just gives you the  
11 total number of trips this site will generate.

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12 THE CHAIRMAN: No, no, no, no.  
13 Q. Now, Bahman, you said this and that.  
14 A. Yes.  
15 Q. Not only can I not read that back  
16 next month in the transcript but I don't know  
17 what you're talking about. So you answered Mr.  
18 Muhlstock, you looked at Figure 4 and then he  
19 asked you to reconcile that with your grid on  
20 page 8.  
21 A. That's correct.  
22 Q. How do you reconcile?  
23 A. Figure 4 shows the distribution of  
24 the trips that will be generated by the site on  
25 River Road and Ferry Road and in this case there

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1 is really no trip from the hospital coming to the  
2 site. But mainly from River --  
3 MR. MUHLSTOCK: If I look at the  
4 chart on page 8, do you have that in front of  
5 you?  
6 THE WITNESS: Yes.  
7 MR. MUHLSTOCK: All right. Into the  
8 site during the a.m. peak hour there are  
9 projected to be four vehicles going in the --  
10 THE WITNESS: That's correct.  
11 MR. MUHLSTOCK: Now, if I look at  
12 Figure 4 I only count three vehicles going in.  
13 One vehicle coming north and turning left and two  
14 vehicles coming south on River Road to make the  
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15 right.

16 THE WITNESS: No, but if you look at  
17 the bottom of the table on page 8, the net trips  
18 after taking credit for transit use is three.

19 MR. MUHLSTOCK: Okay.

20 THE WITNESS: Therefore two plus one  
21 is three.

22 MR. MUHLSTOCK: Okay.

23 Q. So now we understand --

24 A. That's correct.

25 Q. -- that the Figure 4 is the activity

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1 on and off the site with the transit use credit  
2 so it's with the bottom line what you call the  
3 net?

4 A. Net, that's correct.

5 Q. And if you were to go through each  
6 of these, would you likewise show that these are  
7 correlated?

8 A. That's correct.

9 Q. Okay.

10 MR. MUHLSTOCK: Okay.

11 Q. And that's what was confusing the  
12 board. We don't all know how to read these  
13 grids.

14 A. Yes.

15 Q. Thank you.

16 I was bringing you through this

11-17-10 Appleview  
17 section 9 and I think I'm done with that.

18 The next section of your report you  
19 refer to gap study. Tell us what a gap study is  
20 and what its purpose is? Why do you do this  
21 analysis?

22 A. Very simple, gap study as the name  
23 implies we go out there to the site and measure  
24 the existing gap which means the time difference  
25 or the time difference between two cars -- two

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1 successive arrivals of two cars. So we stand at  
2 the proposed driveway on River Road and then a  
3 car passes by going south, let's say. We measure  
4 the time that the car passes that given point.  
5 And then we measure the arrival of the next car  
6 or the follow car, the car behind the first car.  
7 Let's say we use a stopwatch.

8 Q. You use a stopwatch?

9 A. Yes. So let's say 15 seconds later  
10 or 20 seconds later the next car arrives. So the  
11 difference between the two successive arrivals of  
12 a given direction for a given movement is called  
13 gap.

14 Q. And do you take into account the  
15 speed, the respective speed of each vehicle?

16 A. No, just purely on the time  
17 differences between two arrivals.

18 Q. Do you assume that they're doing the  
19 speed limit that's posted?

20           A.     Well, we don't measure the speed  
21     limit at all, no, we don't. We just basically  
22     measure the actual gaps that exist in the traffic  
23     stream between two successive drivers for a given  
24     movement.

25                     Then of course there is a critical

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1     gap which depends on the type of movement. For  
2     example, a left turn usually takes about seven  
3     seconds for a roadway of this type. But in this  
4     case since we have that center hatch, the center  
5     median which is either hatched or which is  
6     converted to a left turn lane in either direction  
7     going north or going south, and we are proposing  
8     to continue that so we will have an exclusive  
9     left turn lane in the middle of the River Road  
10    which would be utilized by cars entering the site  
11    or exiting the site. So if you are approaching  
12    the site from the south going north you could  
13    move to that center median, the striped center  
14    median and wait for an acceptable gap in the  
15    traffic going south before you make your left  
16    turn into the entrance driveway.

17           Q.     Now, this design exists now or this  
18     is what you're proposing?

19           A.     This design does not exist but has  
20     been approved by Hudson County for the project --  
21     I'm sorry I forgot the name, the boat?

11-17-10 Appleview  
22 Q. Bulls Ferry?  
23 A. Yes and for us. It's been approved  
24 for both projects.  
25 Q. When you say it's been approved for

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1 us, you're saying that the earlier application  
2 for a larger building had worked its way down to  
3 the county planning board and county transit  
4 review and traffic review, correct?  
5 A. That's correct.  
6 Q. And so that larger project then  
7 received approval for this design?  
8 A. That's correct.  
9 Q. You are of course in the process of  
10 proceeding with this revised plan and likewise  
11 processing that at the county level at this time,  
12 correct?  
13 A. That's correct. And, again, this is  
14 a trend on River Road so any time there is a  
15 development they do install that left turn lane  
16 in the middle of the road. Again, is a dual left  
17 so you could utilize it for making left in either  
18 side of River Road from either direction.  
19 Q. Is this design advantageous to the  
20 general public and to the users of the property?  
21 A. Yes, yes. Yes.  
22 Q. And how is it advantageous?  
23 A. Because if you are exiting the  
24 subject site or any development on that site



25 trying to make a left turn, you don't have to

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1 cross three lanes at the same time. So you only  
2 have to find gap in one direction either  
3 southbound or northbound before you make your  
4 left turn.

5 So you would come and you would stay  
6 in the middle lane and then when you will look at  
7 your rear mirror as well as to turning your head  
8 and look at the -- look at your side, to your  
9 right side to make sure there is no car coming  
10 behind you before you change lane and move to the  
11 middle lane or to the right lane.

12 Q. Now, this gap study or gap analysis  
13 helps you to project whether there will be  
14 reasonable or sufficient time for a vehicle to  
15 make the turning motion on and off the road?

16 A. That's correct.

17 Q. And that's the importance of that?

18 A. That's the importance of it and we  
19 have compiled the data for gap study both for  
20 northbound and southbound for both entering  
21 vehicles into the site and exiting vehicles from  
22 the site.

23 Q. Can you tell the board where that  
24 gap study analysis is in your appendix or study?

25 A. The gap study is on page 12 under

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1 the heading paragraph number 10 or the subheading  
2 number 10 Gap Study, and it is continued on page  
3 13 and also associated raw data are included  
4 almost at the end of the report under Gap Study  
5 for Morning Peak Hour which unfortunately there  
6 is no page number but it's Gap Study Morning Peak  
7 Hour Traffic, the title of the table which is  
8 followed by the Evening Peak Hour Traffic Gap  
9 Study and then there is one was done on a Tuesday  
10 on February 13, 2007, the next one was done for  
11 the evening peak hour traffic on February 13,  
12 2007, and another one was done on February 15th,  
13 2007 during the morning peak hour and we did  
14 another one on the same day on February 15, 2007  
15 for the evening peak hour. So we did actually  
16 four gap studies, two for the morning, two for  
17 the afternoon.

18 Q. Now, these studies are more than  
19 three years olds?

20 A. Yes.

21 Q. Why are they still relevant?

22 A. Well, because this basically  
23 indicates a traffic pattern on River Road and as  
24 I said earlier, the traffic actually has  
25 decreased on River Road even though if it changed

1 stayed the same or increased still you will find  
2 these gaps because the gaps are not only a  
3 function of traffic volume, but are also a  
4 function of traffic control devices, namely in  
5 this case two traffic signals which are at either  
6 end of the site. So the traffic signals actually  
7 stop traffic and then start traffic. So by that  
8 start and stop process you create gaps in traffic  
9 volumes on River Road.

10 Q. When you say he that stop traffic,  
11 of course they stop traffic on the main road for  
12 a short interval to allow a release of traffic  
13 from the side.

14 A. From the side, yeah.

15 Q. But it still controls -- it creates  
16 gaps in traffic?

17 A. It still creates because there is a  
18 delay associated every time we change the right  
19 away assignment at a traffic signal.

20 Q. Did you have an opportunity to  
21 analyze or observe the signalization itself as  
22 far as the timing of the lights and the sequence  
23 of those two traffic lights?

24 A. Sure.

25 Q. Can you tell us what you found?

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1 THE CHAIRMAN: If I may, for just a  
2 moment, Mr. Alampi, how much longer do you

3 anticipate?

4 MR. ALAMPI: I think about less than  
5 15 minutes.

6 THE CHAIRMAN: Okay.

7 MR. ALAMPI: If you want to take a  
8 break, chairman --

9 THE CHAIRMAN: No, I want to finish.

10 MR. ALAMPI: I should bring it to a  
11 conclusion in short fashion.

12 THE CHAIRMAN: Okay.

13 Q. So you did have the opportunity to  
14 observe and analyze the signals?

15 A. Oh, sure.

16 Q. Of each intersection?

17 A. Yes.

18 Q. And are they controlled in a way  
19 that you could explain to us?

20 A. Yes. Actually they are in the  
21 report. We have to know how the traffic signals  
22 are operating, what the signal lengths are, the  
23 duration of the cycle.

24 Q. Is that in your report?

25 A. Yes.

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1 Q. Just tell us where it is so the  
2 board --

3 A. It is on page 4 of the report under  
4 the heading of Roadways.

5 Q. When I ask you to tell us where it  
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6 is, we can all read the headings. What I'm  
7 looking for is where do you have the raw data to  
8 support those studies, if you have it at all?

9 A. Well, there is no raw data, it's  
10 basically a description of how the signals are  
11 operating and whether they are assigned phasing  
12 time for those roads.

13 Q. Okay. In the back of your report I  
14 note that you have attached what looks like bus  
15 schedules?

16 A. Yes.

17 Q. And is that just to show the board  
18 that there are bus routes that are actively  
19 servicing River Road?

20 A. Exactly. This is just a sample bus  
21 schedule that we received from New Jersey  
22 Transit.

23 Q. Now, Bahman, overall you also have  
24 some raw data showing the total volume of traffic  
25 throughout the 24 hour cycle; is that correct?

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1 A. No.

2 Q. What is it?

3 A. No, we only have the data compiled  
4 in those appendixes for peak periods in the  
5 morning and the afternoon on various times and  
6 days for those two intersections that we  
7 discussed.

8 Q. And now, drawing to the conclusion  
9 on page 13 you draw a conclusion. Firstly, could  
10 you describe what impact the development of this  
11 59 unit residential complex will have by way of  
12 traffic volume or traffic impact to the level of  
13 service or capacity of River Road?

14 A. Of course there will be traffic  
15 impact from this development for 24 hours a day  
16 if they select to use -- to enter or exit their  
17 apartment units during the off peak hours, but we  
18 as traffic engineers are concerned about peak  
19 hour periods. So we discussed that during the  
20 morning rush hour we won't expect more than 10  
21 trips generated by the site and during the p.m.  
22 peak 16. So that's the extent of the traffic  
23 impact being associated with this 59 unit  
24 residential.

25 Q. Can you characterize it as to

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1 whether it will be a one percent, 2 percent, a  
2 half a percent, one-tenth of one percent?

3 A. Will be roughly one percent -- one  
4 to two percent of the traffic on River Road.

5 Q. And with regards to the parking, you  
6 indicate parking on the site is adequate. Did  
7 you look at the ordinance requirements and the  
8 RSIS requirements for this building?

9 A. Yes, I did.

10 Q. Do we meet those standards?

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11           A.     We meet the standard and also we  
12     meet the ADA requirements.

13           Q.     With regard to the size of the  
14     parking stalls, the distribution of the stalls,  
15     guests parking, handicapped spaces and the drive  
16     aisles do we meet all those requirements  
17     standards?

18           A.     We meet all the standards of the  
19     township but RSIS requires nine foot stalls but  
20     we have limited number of stalls with 8-1/2 foot  
21     width.

22           Q.     And --

23           A.     Which, again, which is in compliance  
24     with the township ordinance.

25           Q.     With regard to the truck traffic to

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1     be associated, did you do any studies regarding  
2     the type of trucks that would be coming to the  
3     site from time to time and do any templates for  
4     turning radius and did you do any analysis?

5           A.     We did a template for, again, a  
6     single unit truck, truck that you would see for  
7     deliveries and for garbage collection. That was  
8     the extent of --

9           Q.     You say a single unit truck. There  
10    are different size trucks that are studied in  
11    these various manuals and software that does an  
12    analysis of their axle distance and their

11-17-10 Appleview

13 turning, correct?

14 A. Yes.

15 Q. So what -- when you say single, what

16 did you call it --

17 A. Single unit trucks, that means they

18 are not trailers.

19 Q. These would be like a UPS truck?

20 A. Like a UPS or a FedEx or garbage

21 trucks.

22 Q. So you didn't do an analysis with

23 tractor trailers on this site?

24 A. Oh, no. The site is not designed

25 for tractor trailers and there is no need for it

Celeste A. Galbo, CCR, RMR

□

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Izadmehr - Direct

1 anyway.

2 Q. And with regard to your report about

3 ample site visibility or motorists exiting the

4 site and such, what did you do? Did you do any

5 kind of site distance study or site triangle?

6 A. Yes, we followed the standards

7 spelled in actually the American Association of

8 State Highway Officials Handbook.

9 Q. That's AASTHOH?

10 A. AASTHOH, which is a geometric design

11 policy adopted by all 50 states which is again

12 being approved by the federal government so we

13 follow the criteria in AASTHOH for sight distance

14 and both are driveways, the entering driveway and

15 exit driveway meets those standards.



16 Q. Do you know whether or not there  
17 were any diagrams on any of the plans generated  
18 by Bertin Engineering that show that analysis?

19 A. No, because there was really no  
20 reason to show that diagram because the site is  
21 clear, there is no obstruction. So normally we  
22 would show it if there is any obstruction, either  
23 to the north or to the south of the exiting  
24 driveway.

25 Q. But you did do the analysis?

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□

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Izadmehr - Direct

1 A. We did the analysis. We did not see  
2 any problem whatsoever.

3 Q. Since you didn't show it on the  
4 diagram, would you show how you did the  
5 analysis?

6 A. Basically in this case the concern  
7 is only about the exit driveway. So you come to  
8 a stop sign or a stop line and you should be able  
9 to look to your left, which is in this case  
10 looking north on River Road, and to look to your  
11 south which is looking to your right.

12 Q. Come back to the mike, Bahman.

13 A. Okay.

14 Q. So when you say you should be able  
15 to do it, did you go out there and do that?

16 A. Well, the driveways don't exist now  
17 but we looked at the site of course and we did

18 not see any obstruction within the limits of the  
19 site distance from the driveway.

20 Q. And you've been on the site?

21 A. I have been on the site several  
22 times, yes.

23 MR. MUHLSTOCK: How far do you have  
24 to be able to see along the county road in each  
25 direction coming out of the proposed driveways?

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□

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Izadmehr - Direct

1 THE WITNESS: For this particular  
2 roadway with a speed limit of 40 miles per hour  
3 it's about three to 400 feet.

4 MR. MUHLSTOCK: 400 feet?

5 THE WITNESS: Yes, to either side.

6 MR. MUHLSTOCK: And then there are  
7 no obstructions 400 feet in either direction?

8 THE WITNESS: No.

9 MR. MUHLSTOCK: At the front --

10 THE WITNESS: At the proposed  
11 driveways.

12 MR. MUHLSTOCK: At the proposed  
13 driveways?

14 THE WITNESS: That's right.

15 Q. The River Road at that point going  
16 to the north and south is straight?

17 A. It's very straight, that's correct.

18 Q. And flat?

19 A. Relatively flat at the site but as  
20 you approach south it gets a little pitch, yes,

21 closer to Ferry Road.

22 Q. Thank you. And do you have an  
23 opinion overall as to whether or not this  
24 development, the traffic generated by this  
25 development and the location of the ingress,

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□

99

Izadmehr - Direct

1 egress driveways along with your opinion as to  
2 the site distance required can operate safely and  
3 efficiently and properly?

4 A. Yes. As I indicated previously,  
5 since this proposed project does not require a  
6 use variance, so there is really no need for a  
7 traffic study but we went beyond the call of duty  
8 and prepared a traffic study as well as a gap  
9 study and we concluded that the project will have  
10 minimal traffic impact. As I said, it will  
11 generate maximum 16, 18 cars. So 16, 18 cars  
12 compared to 600, 700 cars on River Road is  
13 basically nothing. That assuming if all trips  
14 are new trips, that means nobody will move from  
15 let's say a neighboring block to this site. And  
16 we took a minimum credit for excessive public  
17 transportation available on River Road, and we  
18 indicated that the parking was in compliance with  
19 both the township as well as RSIS. And we also  
20 are in the discussions with the county for this  
21 new application to ask them for that dual left  
22 turn into the middle of River Road to improve the

11-17-10 Appleview  
23 access to the site and egress from the site.  
24 Q. Now, you've said several times a  
25 traffic study wasn't required because it's not a

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□

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Izadmehr - Direct

1 use variance but you do agree that under the  
2 township's ordinance and their site plan review  
3 process and their checklist, that a traffic  
4 impact study is required and we did perform that?

5 A. That's correct.

6 Q. Thank you.

7 A. You're welcome.

8 MR. ALAMPI: I have nothing further,  
9 Mr. Chairman.

10 THE CHAIRMAN: It's now 25 to 10.  
11 Mr. Lamb, I assume you have your normal  
12 cross-exam.

13 MR. LAMB: It would be the normal,  
14 Mr. Chairman.

15 THE CHAIRMAN: You're going to have  
16 to bring him back, Mr. Alampi.

17 MR. ALAMPI: Absolutely. And I  
18 guess Mr. Lamb was clairvoyant because he didn't  
19 think we'd finish in December, and he wasn't  
20 talking about him be verbose, but he was talking  
21 about me. Right? You were counting on this.

22 MR. LAMB: No comment.

23 THE CHAIRMAN: In this case he's  
24 probably accurate.

25 All right. I'll going to call it for  
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1       tonight. Our next meeting then will be at the  
2       December 7th regular meeting of the planning  
3       board. This will be the second item on the  
4       agenda for that night.

5               Ladies and gentlemen, you will not  
6       receive new notice, this is your notice I'm  
7       giving you right now. Please make a note on your  
8       calendar, December 7th, 7 p.m. in these chambers.

9               The Chair will entertain a motion for  
10      adjournment.

11              MR. LOCRICCHIO: Motion to adjourn.

12              THE CHAIRMAN: Do we have a second?

13              MR. ARNONE: I second.

14              THE CHAIRMAN: Moved and seconded.

15      All in favor?

16              (Chorus of ayes.)

17              THE CHAIRMAN: Opposed?

18              (No response.)

19              THE CHAIRMAN: Meeting stands  
20      adjourned.

21              (Time noted 9:37 p.m.)

22

23

24

25

Celeste A. Galbo, CCR, RMR

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Celeste A. Galbo, CCR, RMR

STATE OF NEW JERSEY )  
COUNTY OF BERGEN ) :ss

I, CELESTE A. GALBO, a Certified  
Court Reporter and Notary Public within and for  
the State of New Jersey do hereby certify:

That all the witnesses whose  
testimony is hereinbefore set forth, was duly  
sworn by me and that such is a true record of the  
testimony given by such witnesses.

I further certify that I am not  
related to any of the parties to this action by  
blood or marriage and that I am in no way  
interested in the outcome of this matter.

In witness whereof, I have hereunto  
set my hand this 1st day of December 2010.

CELESTE A. GALBO  
License No. 30X100098800

Celeste A. Galbo, CCR, RMR