

## **SAYREVILLE PLANNING BOARD**

### **MINUTES OF July 17, 2024**

The meeting of the Sayreville Planning Board was called to order by Chairman Tighe and opened with salute to the flag. Chairman Tighe announced that the meeting was being conducted in accordance with the Open Public Meeting Law P.L. 1975, c231, Public Law, 1975.

Members of the Planning Board present were: Mr. Allegre, Mr. Bolton, Ms. Lahrman, Mr. Muller, Mr. Shah, Councilman John Zebrowski and Chairman Tighe

Absent Members: Mr. Kandel and Mr. Ellmyer

Also present were: Mr. Cornell, Mr. Fowler, Mr. Sordillo, Esq, Mr. Pohlman, Esq and Mr. Fishinger, Jr.

#### **AT THIS TIME, THE MEETING WAS OPENED:**

**Chairman Tighe asked the Planning Board Secretary if the board meeting was being conducted under the Sunshine Law and if all publications were notified, the secretary had stated, yes.**

#### **SITE PLANS/SUBDIVISION HEARING:**

**Masjid Sadar Community Center/House of Worship  
Preliminary & Final Major Site Plan**

**212-216 Ernston Road, Sayreville**

**Blk 444.04, Lots 23, 24, 25 & 28**

**Atty: Law Office of Lawrence B. Sachs**

**8 Auer Court, #G**

**East Brunswick, NJ 08816**

**Please refer to the attached transcription for the full testimony and public questions/comments.**

**OLD BUSINESS/NEW BUSINESS/ADMINISTRATIVE MATTERS:**

**Masjid Community Center's next meeting will be September 18<sup>th</sup>. The location will be at the same place, 423 Main Street, Sayreville starting at 7:30 p.m.**

**The next planning board meeting will be August 7<sup>th</sup>. Mr. Cornell advised the members that this meeting will have Heyer & Gruel presenting the updated draft elements of the master plan.**

**There being no further business to discuss, Mr. Allegre made a motion to adjourn; seconded by Mr. Bolton.**

**Respectfully submitted,**

**Beth Magnani  
Planning Board Secretary**

1                   BOROUGH OF SAYREVILLE PLANNING BOARD  
2                   COUNTY OF MIDDLESEX - STATE OF NEW JERSEY

3                   -----  
4                   REGULAR MEETING FOR:

5                   MASJID SADAR  
6                   COMMUNITY CENTER/HOUSE OF WORSHIP SITE PLAN  
7                   BLOCK 444, LOTS 23, 24, 25 & 28  
8                   216 ERNSTON ROAD, PARLIN

9                   -----

10                   SAYREVILLE SENIOR CITIZEN CENTER  
11                   MEETING ROOM  
12                   423 MAIN STREET  
13                   SAYREVILLE, NEW JERSEY 08872

14                   ---

15                   WEDNESDAY, JULY 17, 2024

16                   7:30 P.M.

17                   ---

18                   TRANSCRIPT OF PROCEEDINGS

19                   PUBLIC HEARING  
20                   - CONTINUED -

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26                   AB COURT REPORTING, LLC  
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1 BOARD MEMBERS PRESENT:

2 THOMAS TIGHE, CHAIRMAN  
3 JAMES ALLEGRE, JR.  
4 SEAN BOLTON  
5 JUDY LAHRMAN  
6 BARRY MULLER, VICE-CHAIRMAN  
7 NOREN SHAH  
8 DANIEL VOLOSIN  
9 JOHN ZEBROWSKI, COUNCILMAN

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PROFESSIONALS AND STAFF PRESENT:

14 JOSEPH SORDILLO, ESQUIRE, BOARD ATTORNEY  
DiFrancesco, Bateman, Kunzman, Davis, Lehrer & Flaum  
15 BRENT R. POHLMAN, ESQUIRE, RLUIPA ATTORNEY  
16 Mandelbaum Barrett, P.C.  
17 JAY CORNELL, P.E., BOARD ENGINEER  
CME Associates  
18 MICHAEL FOWLER, P.P., AICP, BOARD PLANNER  
19 Michael P. Fowler Associates, LLC  
20 JOSEPH FISHINGER, JR., P.E., PTOE, TRAFFIC ENGINEER  
Bright View Engineering  
21 BETH MAGNANI, BOARD SECRETARY  
22 Borough of Sayreville

23

24 STENOGRAPHICALLY REPORTED BY:

25 ANGELA C. BUONANTUONO, CCR, RPR  
License No. 30XI00233100

1 A P P E A R A N C E S:

2

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3 BY: LAWRENCE B. SACHS, ESQUIRE

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5 T: (732) 613-1441

Email: larry@sachslawnj.com

6

--Counsel for the Applicant

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ALSO PRESENT:

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15 ADNAN KHAN, P.E.

EWZ Engineering

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WITNESSES

PAGE

JOSEPH JAVIER, RA, NCARB  
Javier Architect, LLC

12

1 PUBLIC QUESTIONS/COMMENT:

2	<u>NAME</u>	<u>ADDRESS</u>	<u>PAGE</u>
3			
4	Donald Scarano	42 Frederick Place	30,85
5	Michael Cann	12 Vincent Place	34
6	Gary Bello	Thompson Place	41
7	Elizabeth Pinella	10 Parkway Place	44
8	Mike Weaver	10 Parkway Place	51,86
9	Joe Carminzin	322 Ernston Road	60
10	Hussain Mustafa	Gorniak Drive	64
11	Sumaiyah Sadar	147 Jackson Avenue	67
12	Rose Marie Lubin	18 Eric Court	74
13	Drew Weingarth	East Brunswick	78
14	Osman Zaman	418 Main Street	80
15	Carol Vansickle	Old Bridge	81
16	Heather Pawski	71 Zaleski Drive	84
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E X H I B I T S

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<u>NO.</u>	<u>DESCRIPTION</u>	<u>PAGE</u>
A-5	Revised Architectural Plans	12
A-6	KLAUS Multiparking Manual	12



7

1 CHAIRMAN TIGHE: Good evening. How's  
 2 everybody doing? Please stand for the pledge.  
 3 [Pledge of Allegiance.]  
 4 CHAIRMAN TIGHE: I would like to call  
 5 the planning board of the Borough of Sayreville  
 6 July 17th meeting to order.  
 7 Beth, has this meeting been published  
 8 in accordance with the Sunshine Law?  
 9 SECRETARY MAGNANI: Yes, Chairman, it  
 10 has.  
 11 CHAIRMAN TIGHE: Can we have a roll  
 12 call, please?  
 13 SECRETARY MAGNANI: Mr. Kandel?  
 14 Mr. Allegre?  
 15 MEMBER ALLEGRE: Here.  
 16 SECRETARY MAGNANI: Mr. Bolton?  
 17 MEMBER BOLTON: Yes.  
 18 SECRETARY MAGNANI: Mr. Ellmyer?  
 19 Ms. Lahrman?  
 20 MEMBER LAHRMAN: Here.  
 21 SECRETARY MAGNANI: Mr. Muller?  
 22 VICE-CHAIRMAN MULLER: Here.  
 23 SECRETARY MAGNANI: Mr. Shah?  
 24 MEMBER SHAH: Here.  
 25 SECRETARY MAGNANI: Mr. Volosin?

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1 MEMBER VOLOSIN: Here.  
 2 SECRETARY MAGNANI:  
 3 Councilman Zebrowski?  
 4 COUNCILMAN ZEBROWSKI: Here.  
 5 SECRETARY MAGNANI: Chairman Tighe?  
 6 CHAIRMAN TIGHE: Here.  
 7 SECRETARY MAGNANI: We have a quorum.  
 8 - - -  
 9 (Whereupon, the board continues with  
 10 its posted agenda.)  
 11 - - -  
 12 CHAIRMAN TIGHE: Mr. Sachs, you've got  
 13 the floor.  
 14 ATTORNEY SACHS: Good evening,  
 15 Mr. Chairman, members of the board, board  
 16 professionals, members of the public, Lawrence Sachs  
 17 on behalf of the applicant.  
 18 We were back here last on May 1st, so a  
 19 number of weeks ago. And at that time we presented  
 20 testimony, additional testimony from Mr. Adnan Khan  
 21 who was our engineer. We had some limited  
 22 architectural testimony, and we also had Mr. William  
 23 Stimmel, who was our traffic engineer provide some  
 24 traffic testimony.  
 25 We certainly heard some comments that

9

1 were made by the board, certainly by your  
 2 professionals and by members of the public  
 3 particularly as relating to parking and possibly the  
 4 need for additional services.  
 5 Over the last number of weeks we've  
 6 taken a fresher look at this application and we  
 7 realized we could make some revisions to the plans.  
 8 And what I would like to do this evening,  
 9 Mr. Chairman, is I would like my architect to talk  
 10 about some of the revisions that will be made.  
 11 Some of these revisions will affect  
 12 parking. We will be able to provide more parking on  
 13 this site without doing it on surface. We're going  
 14 to explain that. We will be able to have a stacking  
 15 system in the garage which will increase a number of  
 16 parking spaces, like 57 parking spaces. So we'll be  
 17 a total of 166 parking spaces now on site.  
 18 We'll talk about the elimination of  
 19 some prayer areas which will reduce the occupancy of  
 20 this particular facility.  
 21 We have information about the prayer  
 22 mats, which we'll incorporate into these plans. We  
 23 will talk about the hours of operation in terms of  
 24 these services. I know that was a concern from the  
 25 board last time and I'll make a representation as to

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1 that.  
 2 But I expect to have really limited  
 3 testimony this evening, Mr. Chairman. The only  
 4 testimony really will be from our architect, who is  
 5 under oath, and he's here and he will provide some  
 6 testimony as to some revisions.  
 7 Now, I understand that your  
 8 professionals have not reviewed these exhibits that  
 9 I'm going to -- the two exhibits that I'm going to  
 10 provide this evening. I don't expect the  
 11 professionals, your board professionals to comment  
 12 on them because I know they need time to review it.  
 13 But, certainly, if there are some  
 14 initial comments we can answer that if any members  
 15 of the board have any questions, or certainly  
 16 members of the public. But I certainly expect to  
 17 have limited testimony this evening.  
 18 I know we're going to come back in  
 19 September, I believe it's going to be  
 20 September 18th. And at that time we are going to  
 21 provide an updated traffic report based upon the  
 22 revisions that we have made thus far. And  
 23 Mr. Stimmel will provide that report well in advance  
 24 of your hearing.  
 25 We understand we -- we just got these

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1 exhibits prepared just recently. I would have loved  
 2 to have had them to you ten days in advance of the  
 3 hearing, but it just wasn't feasible. So I don't  
 4 expect any comment really from your board  
 5 professionals at this point, they need to thoroughly  
 6 review it and issue a review letter.

7 But with that said, Mr. Chairman, if I  
 8 could have my architect, who is still under oath.  
 9 Mr. Javier, he'll come up. I have some exhibits to  
 10 pass out and we'll mark them whatever the next  
 11 marking is, I'm not sure.

12 Do you have enough?  
 13 CHAIRMAN TIGHE: We're good.  
 14 ATTORNEY SACHS: Thank you.  
 15 So, Mr. Chairman, I guess we'll mark  
 16 this whatever our next marking is, and I'm not sure  
 17 what it is.

18 ATTORNEY SORDILLO: If you give me one  
 19 second, Mr. Chairman, Mr. Sachs, I'll try to give a  
 20 look myself, look at my notes here.

21 ATTORNEY SACHS: Yeah. And there's  
 22 two exhibits, one of them is a revised architectural  
 23 plans, and the second one is a document from KLAUS  
 24 Multiparking of America, which talks about the  
 25 operations of this stacked parking.

12

1 ATTORNEY SORDILLO: It looks like  
 2 based on my review, unless I missed it, we didn't  
 3 have any exhibits at the last meeting on May 1st, so  
 4 the exhibit, the last exhibit marked was from the  
 5 original hearing on -- which was A-4, so these will  
 6 be A-5 and A-6 based on my notes.

7 ATTORNEY SACHS: Thank you, Mr.  
 8 Sordillo.

9 So A-5 is the revised architectural  
 10 plans.

11 - - -  
 12 (Exhibit A-5, Revised Architectural  
 13 Plans, was marked.)  
 14 - - -

15 ATTORNEY SACHS: And A-6 is the KLAUS  
 16 Multiparking Manual.

17 - - -  
 18 (Exhibit A-6, KLAUS Multiparking  
 19 Manual, was marked.)  
 20 - - -

21 E X A M I N A T I O N  
 22 - - -

23 ATTORNEY SACHS: Mr. Javier, I'll  
 24 caution you that you're still under oath from the  
 25 last hearing and from the first hearing.

J. Javier, RA

13

1 So let's talk about some of the  
 2 revisions that we've made, and let's start from the  
 3 ground floor.

4 THE WITNESS: Yes.  
 5 ATTORNEY SACHS: Or, actually, let's  
 6 start in the basement, we'll start where the  
 7 parking, the garage parking is.  
 8 So under the original plans we had 64  
 9 parking stalls in the garage underneath the  
 10 building.

11 THE WITNESS: Yes, originally we had  
 12 64.  
 13 ATTORNEY SACHS: All right. So 64  
 14 parking stalls. And what were you able to  
 15 accomplish with respect to providing more parking,  
 16 if you could describe that to the board.  
 17 And that would be on Sheet A1; am I  
 18 correct?  
 19 THE WITNESS: Sheet A1, yes, shows the  
 20 below-ground parking space.  
 21 We were able to reach out to a  
 22 manufacturer who does lifts, KLAUS. And by doing so  
 23 we were able to utilize -- double up 57 of the 64 to  
 24 increase the number of parking.  
 25 Basically same spot, car would drive

J. Javier, RA

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1 over lift, get lifted, and then you're able to fit  
 2 another vehicle below it.

3 ATTORNEY SACHS: Okay. All right, so  
 4 basically we're going from 64 parking spaces now to  
 5 121 parking space in the garage?  
 6 THE WITNESS: That's correct.  
 7 ATTORNEY SACHS: All right. And how  
 8 are you able to accomplish this; did you have to do  
 9 any raising of the building.  
 10 THE WITNESS: Only the basement  
 11 ceiling has to be increased by 2 feet, but overall  
 12 the building height doesn't get effected because we  
 13 would lower the height of the building an additional  
 14 two feet that we gain in the basement.  
 15 ATTORNEY SACHS: Okay.  
 16 All right, let's go now to the next  
 17 sheet, which is Sheet A2.  
 18 So Sheet A2 is the First Floor Plan.  
 19 And this is where the prayer hall is located and the  
 20 gymnasium and exercise area, correct?  
 21 THE WITNESS: Correct.  
 22 ATTORNEY SACHS: If you look -- well,  
 23 can you describe to the board the change that is  
 24 being made to the First Floor Plan, and specifically  
 25 the elimination of a prayer area.

J. Javier, RA

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1 THE WITNESS: Okay. Well, first of  
2 all, the footprint of the building hasn't changed.  
3 What we did was we eliminated some programming and  
4 spaces to reduce the occupant load.  
5 So on the first floor you will see an  
6 area that's clouded that has dining tables that used  
7 to be men's prayer room, prayer area, which would  
8 mean it would have a high-occupancy load. So by  
9 changing it to a multi-purpose room we are reducing  
10 the number of occupant load for this building.  
11 So that's one of the changes here on  
12 the first floor.  
13 ATTORNEY SACHS: All right. And as  
14 well there was a question that came up at the last  
15 hearing as to the size of the prayer mats and we've  
16 now determined that the prayer mats are  
17 four-by-three?  
18 THE WITNESS: Yes, the prayer mats are  
19 four-by-three. And just like in any other place,  
20 occupancy load is either calculated by area or by  
21 fixed seating, and in this case the floor prayer  
22 mats that we used are standard to determine how much  
23 occupant load the prayer room can hold.  
24 And what we also did is we provided  
25 walking aisles along the perimeter, and in the

J. Javier, RA

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1 middle all of the prayer mats will basically be butt  
2 up next to each other so there's no space. And  
3 that's how we determined the total occupant load for  
4 that main prayer room.  
5 ATTORNEY SACHS: All right, so to --  
6 I'm sorry, Mr. Sordillo?  
7 ATTORNEY SORDILLO: Sorry, I wasn't  
8 mic'd.  
9 Just to clarify, because I don't know  
10 if I heard you correctly, what is the size of the  
11 prayer mats? I don't know if you were saying four  
12 by three feet or is it four by 30 inches or three  
13 feet?  
14 THE WITNESS: Three feet by 4 feet.  
15 ATTORNEY SORDILLO: Okay, thank you.  
16 THE WITNESS: 12 square feet total.  
17 ATTORNEY SORDILLO: I just wanted to  
18 confirm because I wasn't sure if I heard it  
19 correctly. Thank you.  
20 ATTORNEY SACHS: That will be  
21 12 square feet.  
22 Now, you're providing also in the  
23 primary prayer hall and also in the women's prayer  
24 hall, which is on the second floor, you're providing  
25 aisles and walkways?

J. Javier, RA

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1 THE WITNESS: Yes, the aisles is on  
2 the -- along the perimeter only.  
3 ATTORNEY SACHS: All right.  
4 THE WITNESS: Originally we didn't do  
5 that.  
6 ATTORNEY SACHS: All right. And you  
7 provided an exhibit showing that, I'm sure?  
8 THE WITNESS: It's shown there on the  
9 drawing.  
10 ATTORNEY SACHS: Okay. I just wanted  
11 to make sure.  
12 All right, and in terms of the  
13 occupancy now based upon the elimination of the  
14 second gentlemen's prayer hall and converting that  
15 to just a multi-purpose room, now your understanding  
16 -- and we'll make this representation -- is that  
17 that multi-purpose room, which had been the overflow  
18 gentlemen's prayer hall, will not be utilized for  
19 any ritual activities. It will only be utilized  
20 when there's no ritual activities going on.  
21 Is that your understanding?  
22 THE WITNESS: That's correct.  
23 ATTORNEY SACHS: All right. Now the  
24 occupancy load based on your initial plans, I  
25 believe, was 650.

J. Javier, RA

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1 Is that correct?  
2 THE WITNESS: That's correct.  
3 ATTORNEY SACHS: And with the  
4 elimination of that gentlemen's prayer area it's  
5 being reduced to 454?  
6 THE WITNESS: 340.  
7 ATTORNEY SACHS: I'm sorry, 340, okay.  
8 THE WITNESS: So basically we're  
9 taking the overall area of the prayer room, minus  
10 the circulation space along the perimeter, and  
11 divide it by the number of each prayer mat, which is  
12 12 square feet. And that's how we arrived at  
13 340 square feet -- 340 people.  
14 ATTORNEY SACHS: 340 occupants, okay.  
15 Mr. Chairman, I believe at the last  
16 hearing there was a question about -- maybe it was  
17 the first hearing -- about what if the fire marshal  
18 determines that the occupancy in this building is  
19 less than we can show with respect to prayer mats.  
20 We will agree, as a condition, that if the fire  
21 marshal's number is lower than our stipulated  
22 occupancy number based on these prayer mats, we'll  
23 abide by that.  
24 So we'll go by the lesser number to  
25 determine the occupancy.

J. Javier, RA

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1 THE WITNESS: And the 340 people is  
 2 actually the maximum occupancy. So it doesn't mean  
 3 that we'll have 340 people, it could be less.  
 4 ATTORNEY SACHS: All right. Let's  
 5 talk about now the changes made on the second floor,  
 6 which would be A-3.  
 7 THE WITNESS: So again, on the area  
 8 that's clouded, that used to be the multi-purpose  
 9 room. And what we did was we now made it into a  
 10 meeting, two additional classrooms and a  
 11 youth-activity space.  
 12 ATTORNEY SACHS: So essentially you've  
 13 moved the multi-purpose room which was on the second  
 14 floor down to the first floor?  
 15 THE WITNESS: It was -- yes. Yes.  
 16 ATTORNEY SACHS: All right, and now  
 17 you have a youth lounge on the second floor and two  
 18 additional classrooms. All right.  
 19 Those are the only changes to the  
 20 second floor plan?  
 21 THE WITNESS: Correct.  
 22 ATTORNEY SACHS: All right. Let's now  
 23 go to A4, which is the third floor plan.  
 24 And this is where you were able to  
 25 reduce the size of the building; is that correct?

J. Javier, RA

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1 THE WITNESS: Correct.  
 2 ATTORNEY SACHS: All right. So if you  
 3 could show the board on A4, or at least describe for  
 4 them the area that's been eliminated.  
 5 THE WITNESS: Again on the left side  
 6 of the sheet you see a clouded area, that used to be  
 7 about 2,000 square foot of multipurpose room, which  
 8 is now -- has been eliminated and moved down to the  
 9 lower area.  
 10 ATTORNEY SACHS: Okay. And the third  
 11 floor is just going to contain now offices, a  
 12 storage area and a cafeteria?  
 13 THE WITNESS: Yes.  
 14 ATTORNEY SACHS: And also a boys'  
 15 youth activity lounge.  
 16 THE WITNESS: That's correct.  
 17 ATTORNEY SACHS: Okay. Now, the  
 18 reduction in the square footage, is from 44,841  
 19 square feet to 42,687 square feet?  
 20 THE WITNESS: That's correct.  
 21 ATTORNEY SACHS: Okay.  
 22 THE WITNESS: We reduced it by over  
 23 2,000 square feet.  
 24 MEMBER ALLEGRE: I just have a  
 25 question for you. On the third floor --

J. Javier, RA

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1 THE WITNESS: Yes.  
 2 MEMBER ALLEGRE: -- in the clouded area,  
 3 that's no longer -- I forgot what you said it was,  
 4 if you go through the double door, what's behind the  
 5 double doors?  
 6 THE WITNESS: The double door? It's  
 7 just access to the roof. But we can change that to  
 8 a single door, but that's just for access to the  
 9 roof for maintenance.  
 10 MEMBER ALLEGRE: So there's a roof  
 11 outside that door --  
 12 THE WITNESS: Roof, yes.  
 13 MEMBER ALLEGRE: -- or is that the --  
 14 THE WITNESS: Yes, not the roof above  
 15 the second level.  
 16 MEMBER ALLEGRE: Okay.  
 17 THE WITNESS: So that double door will  
 18 probably be eliminated to just a single-access door  
 19 and locked up.  
 20 ATTORNEY SACHS: All right. And I  
 21 think A-5 is just showing the roof layout.  
 22 THE WITNESS: Yes.  
 23 ATTORNEY SACHS: So there's, obviously,  
 24 no changes with respect to that. Okay.  
 25 All right, so then just to summarize,

J. Javier, RA

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1 then, you have reduced the size of the building, you  
 2 have removed over 2,000 square feet of space on the  
 3 third floor. You have eliminated the gent's prayer  
 4 hall on the third floor, which resulted in a  
 5 reduction in occupancy for ritual activities. That  
 6 area will now be used as a multipurpose room only,  
 7 utilized when there's no ritual activities.  
 8 You've converted the second floor to  
 9 two additional classrooms and you've added a youth  
 10 activity room.  
 11 You have determined that the prayer  
 12 mats are three feet by four feet. And as a result  
 13 of all of this we have reduced the occupancy from  
 14 650 to 340.  
 15 THE WITNESS: For the men, 340.  
 16 ATTORNEY SACHS: For the men.  
 17 All right, so when I said 454 I was  
 18 adding in the women's, right?  
 19 THE WITNESS: Yes, correct.  
 20 ATTORNEY SACHS: All right. So the  
 21 total occupancy of men's and ladies is 454?  
 22 THE WITNESS: That's correct.  
 23 ATTORNEY SACHS: Okay.  
 24 And in terms of parking now with the  
 25 stacked parking system -- which, by the way, I don't

J. Javier, RA

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1 really expect any comments from your board  
 2 professionals this evening on that, it's a rather  
 3 extensive document that has to be reviewed -- but  
 4 that will add an additional 57 parking spaces?  
 5 THE WITNESS: Correct.  
 6 ATTORNEY SACHS: Okay.  
 7 Mr. Chairman, I don't have any further  
 8 questions of Mr. Javier. I do want to stipulate two  
 9 other -- one other thing, though.  
 10 I think a question came up -- and we  
 11 have to provide you with the calendar, which I  
 12 looked at my notes this morning and we did not do  
 13 that, but we will provide you with a calendar well  
 14 in advance of the September meeting -- but we can  
 15 stipulate that the times of the services year-round  
 16 on Fridays, and we're talking about the two primary  
 17 services on Fridays -- we understand the early  
 18 morning service changes because of sunrise, and the  
 19 late evening changes because of sunset -- but the  
 20 two primary services with the greatest attendance  
 21 would be from 12:30 to 12:50 p.m. on Friday. And  
 22 then from 1:45 p.m. to 2:15 p.m.  
 23 So we will commit to having two ritual  
 24 prayer services.  
 25 MEMBER ALLEGRE: For the applicant,

J. Javier, RA

24

1 can you confirm the times in 2024 where the first  
 2 prayer of the day was as early as 5:03 in the  
 3 morning and runs as late as -- well, could you tell  
 4 us how late it runs in the day?  
 5 ATTORNEY SACHS: Mr. Allegre, that's  
 6 something I'm going to have to provide you with that  
 7 calendar in advance of the next meeting. And I will  
 8 do that. So you will know every Friday service.  
 9 MEMBER ALLEGRE: Not just Friday.  
 10 It's five prayers per day, right, it's a fairly  
 11 simple question.  
 12 ATTORNEY SACHS: Well those are just  
 13 the sunrise and those are sunset times.  
 14 MEMBER ALLEGRE: Those are prayer  
 15 times.  
 16 ATTORNEY SACHS: Okay.  
 17 MEMBER ALLEGRE: So we would like to  
 18 have it in advance.  
 19 ATTORNEY SACHS: Yes, I will provide  
 20 that to you.  
 21 MEMBER ALLEGRE: Okay.  
 22 Or the architect, again, do you have  
 23 the occupancy per room of this building?  
 24 THE WITNESS: We can provide that if  
 25 you need, otherwise the primary occupancy is what's

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1 the use, which is the prayer.  
 2 MEMBER ALLEGRE: Is it typical to use  
 3 occupancy based on what we say we're going to use,  
 4 or is it typical to use typical industry standards  
 5 to base occupancy on the design of the room.  
 6 THE WITNESS: It's for the use.  
 7 MEMBER ALLEGRE: Okay. And that  
 8 follows through with codes?  
 9 THE WITNESS: Yes, per NFPA 101, Life  
 10 Safety, and also IBC 2021.  
 11 MEMBER ALLEGRE: Can you repeat that  
 12 again, please, slowly?  
 13 THE WITNESS: NFPA, which stands for  
 14 National Fire Protection Association 101, for  
 15 section Life Safety. And then also the IBC 20, IBC  
 16 which is International Building Code, 2021 Edition.  
 17 MEMBER ALLEGRE: You can provide us  
 18 that for the next meeting?  
 19 CHAIRMAN TIGHE: Any other questions  
 20 from the board?  
 21 COUNCILMAN ZEBROWSKI: Mr. Chairman,  
 22 just one question.  
 23 Mr. Sachs, for the next meeting,  
 24 because I know we asked for this meeting, was you  
 25 had indicated there were several other mosques in

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1 the area that you had used as comparative.  
 2 Can you bring that comparative data to  
 3 the next meeting?  
 4 ATTORNEY SACHS: Yeah, actually we had  
 5 prepared -- we had investigated some of the traffic  
 6 concerns raised by the board. We investigated -- I  
 7 think there was an issue, or there was a development  
 8 that was approved off of Ernston Road or off of  
 9 Bordentown Avenue, and we have information on that.  
 10 What happened is once we decided to  
 11 make revisions to these plans our traffic, our  
 12 revised traffic study became somewhat moot, so now  
 13 it's going to be even further updated, and we have  
 14 that information and we'll provide that.  
 15 CHAIRMAN TIGHE: Anybody else have any  
 16 questions?  
 17 ENGINEER FISHINGER: I have one really  
 18 quick, Mr. Chairman.  
 19 I don't want to get into the details of  
 20 the exhibit, but looking quickly there's seven  
 21 spaces under the building that would not have a  
 22 stacked -- be stacked spaces. Do you know which  
 23 seven those spaces are?  
 24 Do you know which seven spaces those  
 25 are?

<p style="text-align: center;">J. Javier, RA</p> <p style="text-align: right;">27</p> <p>1 THE WITNESS: The ones that are 2 isolated. Like, for example, the handicap area, 3 That would be difficult to do. 4 But we did not specifically locate 5 where the seven was. I think the KLAUS manufacturer 6 will come back and specifically tell us which one's 7 ideal. 8 ENGINEER FISHINGER: Yeah, and if you 9 can let us know which ones will have stackers and 10 which ones won't. 11 THE WITNESS: Okay. 12 ENGINEER FISHINGER: Thank you. 13 ATTORNEY SACHS: We can provide that. 14 CHAIRMAN TIGHE: Anybody else? 15 ATTORNEY POHLMAN: Mr. Chairman? 16 CHAIRMAN TIGHE: Go ahead. 17 ATTORNEY POHLMAN: Looking at your 18 revised plan, multi-purpose room has a passageway to 19 the main gentlemen's sanctuary. Certainly, you 20 know, the concern would be that there really isn't 21 going to be a reduction in the amount of gentlemen's 22 prayer space because of this. 23 So what's the purpose of the passageway 24 to the main gentlemen's prayer space and the now 25 redefined multi-purpose room?</p>	<p style="text-align: center;">J. Javier, RA</p> <p style="text-align: right;">29</p> <p>1 a lot of new information. 2 So we will open it up so you can ask 3 questions if you do have anything that is -- that 4 you want to ask now rather than waiting, but if you 5 do, we will have this information posted on the 6 website, and will be available for your review. 7 You will, you know, before the next 8 hearing also have information regarding our -- the 9 board's professionals reviews and their reports to 10 consider, so that when you come at the next meeting 11 you will probably have more informed questions and 12 be able to know exactly what you want to ask, but 13 that being said, you know, we are here at a public 14 hearing. 15 So if anybody wants to come up at this 16 time to ask any questions regarding testimony given 17 you're more than welcome to. But you will also, 18 once again, be given an opportunity at the following 19 meeting to do so. 20 CHAIRMAN TIGHE: If you want to come 21 up just make a line behind the podium. 22 ATTORNEY POHLMAN: Mr. Chair? 23 CHAIRMAN TIGHE: Go ahead. 24 ATTORNEY POHLMAN: And just to confirm, 25 Mr. Sachs, the architect will be available at the</p>
<p style="text-align: center;">J. Javier, RA</p> <p style="text-align: right;">28</p> <p>1 ATTORNEY SACHS: I guess conceivably 2 we can close that off. 3 THE WITNESS: We can close that off. 4 ATTORNEY SACHS: Yeah, we can close 5 that off. 6 ATTORNEY POHLMAN: Because there's 7 accessway going through the main -- yeah. And I 8 think that would address concern that there's a 9 distinction without a difference. 10 ATTORNEY SACHS: Yes, I think that's a 11 good suggestion. 12 ATTORNEY SORDILLO: Okay. 13 Mr. Chairman, just for members of the public we are 14 going to open it up to public questions of the 15 testimony that was given to the -- that was given 16 this evening. However, I did want to advise 17 everyone that the board has limited questions right 18 now, and so do our professionals, because we're just 19 seeing this. 20 So at the following meeting, after the 21 board's professionals and the board has a chance to 22 review and digest all of this, we will open it back 23 up to the public to ask questions at that time so 24 you have informed questions and not just acting on 25 what we're hearing at this evening, because this is</p>	<p style="text-align: center;">J. Javier, RA</p> <p style="text-align: right;">30</p> <p>1 next meeting to answer any questions members of the 2 public will have after they have reviewed the plans 3 and have the opportunity to hear the comments from 4 the board professionals, correct? 5 ATTORNEY SACHS: That's correct. 6 ATTORNEY POHLMAN: Thank you, sir. 7 CHAIRMAN TIGHE: State your name and 8 where you live, please. 9 DON SCARANO: Frederick Place. 10 Just a quick question now with that 11 passageway, whatever, room, there's two doors, one 12 to get out of the building, and one's to the main 13 prayer room, you're saying. If you lock that door 14 out, doesn't that become a fire problem? 15 ATTORNEY SACHS: Well, as long as -- 16 DON SCARANO: As long as there's an 17 exit out of the building you can't lock, I know this 18 when I work in buildings you can't lock doors or it 19 became a fire hazard. 20 ATTORNEY SORDILLO: All I could say is 21 at this point our engineer, we're going to review 22 it. And if that is an issue that comes up it will 23 be addressed in our report, and it will be addressed 24 to the board. 25 At this time I don't think our</p>

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1 professionals are ready to address that because we  
 2 literally just got it, we don't have that  
 3 information or that review at this time.  
 4 CHAIRMAN TIGHE: And the architect  
 5 said that everything was going to be under the  
 6 national fire code anyway, I mean, so he's got to --  
 7 he's got to make the building fit the codes.  
 8 DON SCARANO: And we're still -- we're  
 9 still at, what, 42,000 square feet?  
 10 THE WITNESS: Yes.  
 11 DON SCARANO: For 330 people?  
 12 THE WITNESS: Yes.  
 13 DON SCARANO: Okay. I understand  
 14 that, that sounds... if we're talking about that  
 15 passage between the -- sounds like common sense  
 16 right there. What else? Let's see, I had one more  
 17 thing to say.  
 18 Shit, I drew a blank on that one.  
 19 Forget it, I'll think about it again.  
 20 I'm not getting -- the main thing I'm  
 21 hearing is how do we police this? Like I understand  
 22 it's 330 people now, 332 people are we going to have  
 23 somebody in there saying, okay, this is a fine, this  
 24 is a fine? Nobody is -- you know, everybody is  
 25 smoke in mirrors, you're only going to have this

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1 many people, this many people, when this does happen  
 2 who is going to be responsible?  
 3 CHAIRMAN TIGHE: The code officials in  
 4 town take care of occupancy laws and if there's a --  
 5 like when we had the first meeting and we had -- we  
 6 couldn't have the meeting because we had too many  
 7 people, they shut us down.  
 8 MEMBER SCARANO: Okay.  
 9 ATTORNEY SACHS: Correct.  
 10 VICE-CHAIRMAN MULLER: Mr. Chair, may  
 11 I ask you a question?  
 12 CHAIRMAN TIGHE: Go ahead.  
 13 VICE-CHAIRMAN MULLER: And I apologize,  
 14 it took me a little while to read through the new  
 15 stuff and compare it to the original application,  
 16 but in the original application it stated for the  
 17 parking analysis that there was going to be 973  
 18 seats in the places of worship.  
 19 Are you telling me now with the  
 20 changing one of the prayer rooms to a multi-purpose  
 21 room that number drops to 454 in the prayer areas?  
 22 ATTORNEY SACHS: I think, Mr. Muller,  
 23 what, happened and we alluded to it at the last  
 24 meeting and I think we explained it, that was based  
 25 on people standing, which, obviously, is not the

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1 case in this scenario. So that was an error.  
 2 The correct number, though, would have  
 3 been 650 based on the size of the building, but once  
 4 we factor in the size of these prayer mats we're  
 5 able to reduce it from 650 down to -- down to 454.  
 6 And in terms of the parking, I do have  
 7 my engineer here this evening and if you want him to  
 8 come up here, an he can come up and talk about what  
 9 the parking requirements are based upon these  
 10 revisions.  
 11 VICE-CHAIRMAN MULLER: Well, I'm just  
 12 trying to -- I know that there was some preliminary  
 13 discussions between I think your engineer and our  
 14 engineer about how you calculate the parking  
 15 requirements and it's either based upon square  
 16 footage or number of chairs, seats.  
 17 ATTORNEY SACHS: Prayer mats.  
 18 VICE-CHAIRMAN MULLER: And I know  
 19 there was some agreement on what formula should be  
 20 used, and I'm not sure that there's -- if that has  
 21 been agreed to on both sides as to what the formula  
 22 should be. I'm just trying to figure out what the  
 23 difference came from.  
 24 ATTORNEY SACHS: Yeah, the 900 is not --  
 25 VICE-CHAIRMAN MULLER: It's not

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1 accurate?  
 2 ATTORNEY SACHS: -- it's not accurate.  
 3 VICE-CHAIRMAN MULLER: So the real  
 4 number is 650 -- or the previous number is 650?  
 5 ATTORNEY SACHS: Correct. The real  
 6 number now is 454.  
 7 VICE-CHAIRMAN MULLER: And that's  
 8 based upon occupancy, number of seats?  
 9 THE WITNESS: Floor mats.  
 10 ATTORNEY SACHS: It's based on the  
 11 floor mats.  
 12 VICE-CHAIRMAN MULLER: It's based on  
 13 the floor mats?  
 14 ATTORNEY SACHS: On the prayer mats,  
 15 yeah.  
 16 VICE-CHAIRMAN MULLER: Okay, thank  
 17 you.  
 18 ATTORNEY SACHS: And also, Mr. Muller,  
 19 and I think again, if the Fire Marshal says the  
 20 number is less, then that's the number we'll agree  
 21 upon obviously.  
 22 CHAIRMAN TIGHE: Sir, you would like  
 23 to speak?  
 24 MICHAEL CANN: I would like to.  
 25 CHAIRMAN TIGHE: Go ahead.

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1 MICHAEL CANN: Good evening.  
2 CHAIRMAN TIGHE: Your name and address,  
3 please.  
4 MICHAEL CANN: Michael Cann, 12 Vincent  
5 Street, Parlin.  
6 I guess my -- I've got questions for  
7 several -- I don't know if it's the applicant would  
8 be the most appropriate, or Mr. Sachs that would  
9 answer the questions?  
10 CHAIRMAN TIGHE: Ask Mr. Sachs.  
11 MICHAEL CANN: Okay.  
12 CHAIRMAN TIGHE: He's getting paid.  
13 ATTORNEY SACHS: Oh...  
14 MICHAEL CANN: I do have a -- first  
15 question is directly pertaining to Mr. Sachs's lack  
16 of testimony. What exactly do Mr. Sachs' words mean  
17 in the order of this event in our discussions and  
18 the planning board meetings, would be my first  
19 question.  
20 ATTORNEY SACHS: Well, I'm not  
21 testifying. All I gave was a summary of what Mr. --  
22 before Mr. Javier testified. I just was giving a  
23 summary of what was being proposed here, but now  
24 that is on the record so you obviously have Exhibit  
25 A-5, which shows the revisions to the plans, and you

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1 have Exhibit A-6.  
2 So I'm not testifying at a hearing,  
3 sir. It's not my function to testify. And  
4 certainly if you have any questions, you know, I  
5 think the applicant --  
6 ATTORNEY SORDILLO: Mr. Chairman, if I  
7 can just add to that. As the attorney, the attorney  
8 doesn't provide testimony or any factual  
9 information. However, the attorney does represent  
10 the applicant as a legal representative, so they can  
11 bind the applicant. So if the attorney does say  
12 that we will agree to something, the applicant has  
13 to agree to it. That is the applicant's legal  
14 representation.  
15 So I think some of your concerns may  
16 be, you know, whether when Mr. Sachs says, "we will  
17 do it," whether that's binding? Yes, it is.  
18 MICHAEL CANN: For example, he claimed  
19 that the illegal structure was gone at the original  
20 meeting back in February, it's still there. That's  
21 inaccurate information that's conveyed and  
22 documented until today.  
23 Mr. Sachs also had previously, not  
24 testified, provided knowledge of the East Brunswick  
25 Islamic Center on 402 New Brunswick Avenue as an

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1 example of a masjid in a residential zone. And  
2 because of his knowledge of that process I have  
3 looked into what exactly that exists in terms of  
4 parking versus the size of the structure that was  
5 approved. And I found 5,476 square foot facility  
6 has 99 parking spots.  
7 You can also find information regarding  
8 the success of the masjid in East Brunswick and the  
9 creation of parking challenges that it creates into  
10 the neighborhood and a genuine concern for residents  
11 in the surrounding area of having to deal with  
12 overflow parking. That -- and I'll reserve comment  
13 for another time, but I don't think that is anywhere  
14 apparent in any of these conversations.  
15 I'm going to ask a question of I  
16 believe it would need to be specific to the  
17 religious proceedings at the masjid that I don't  
18 believe that Mr. Sachs would be appropriate to  
19 answer. So I don't know if it's the engineer who  
20 seems, I would say, would be pretty accurate person  
21 to question regarding timing of the services, how  
22 long the services are, but I would have a particular  
23 question and I would like to address to someone who  
24 is specifically knowledgeable of that process of  
25 now, as it was just provided as not testimony but

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1 comments, a time change from 12 -- service from  
2 12:30 to 12:50, and then apparently a change over to  
3 another service at 1:45 to 2:15.  
4 So, easy math, 45/55 minute changeover  
5 for a pretty well attended event on a holiday/Friday  
6 that I would like to ask a few questions of what  
7 that turnover event between events looks like, and  
8 the time involved to go from the first service to  
9 the second service. And I can ask it now, I don't  
10 know who to ask it of, so if I ask the applicant or  
11 I ask Mr. Sachs, who would be the most relevant  
12 person to provide testimony to how much turnover  
13 time there is between services?  
14 ATTORNEY SACHS: Well, that wouldn't  
15 come from me. That would likely come from my  
16 traffic engineer, who is not testifying this  
17 evening. I mean the only testimony we presented  
18 really was the architect.  
19 CHAIRMAN TIGHE: When you present the  
20 new information to us?  
21 ATTORNEY SACHS: He will.  
22 CHAIRMAN TIGHE: Right.  
23 ATTORNEY SACHS: It will be in his  
24 traffic report, his revised traffic report and that  
25 will be, obviously, subject to any questioning I



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1 guess at your next meeting.

2 MICHAEL CANN: Okay.

3 ATTORNEY POHLMAN: And, Mr. Sachs, to

4 the extent that there are relevant timing issues

5 that may require testimony from a representative of

6 the house of worship, will there be a representative

7 of the house?

8 ATTORNEY SACHS: Absolutely.

9 ATTORNEY POHLMAN: Okay.

10 MICHAEL CANN: So knowing that there's

11 not an expert here this evening I am going to ask

12 the architect a question regarding the lift systems

13 and the time it takes to unload a car from the top

14 of the lift system to the bottom of the lift system

15 and free that car -- two cars from two parking spots

16 to allow two new service attendees for the next

17 service to come in and use those spots.

18 And -- do you want to answer,

19 Mr. Sachs? Or, I'm sorry, architect, that was an

20 architect question.

21 CHAIRMAN TIGHE: Can I ask a question?

22 Mr. Sachs, can we have the lift people come next

23 meeting?

24 ATTORNEY SACHS: Yes. That's what I

25 was going to say.

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1 CHAIRMAN TIGHE: You know, because to

2 me I have the same concerns that you do and I don't

3 want to get into testifying or anything, these are

4 great questions that you're coming up with, but we

5 have to wait so we can go through this.

6 MICHAEL CANN: Understood.

7 CHAIRMAN TIGHE: All right? So I

8 think having the person come in and tell us because

9 I don't know how they work.

10 MICHAEL CANN: Will Mr. Sachs, not

11 testify, but will he provide confirmation that the

12 applicant will provide an onsite lot attendant to

13 provide safe actuation of that lift system at all

14 times if there are any services going on, that --

15 ATTORNEY SACHS: Well, I'm not --

16 MICHAEL CANN: -- no one knows -- no one

17 knows, how many attendees will be there on a given

18 day?

19 So is there going to be a full-time lot

20 attendant seven days a week, 365 days a year onsite

21 to manage your lift system, as they would in a

22 parking deck?

23 As I have experience in parking decks,

24 it takes a few minutes and it's certainly an unsafe

25 operation, in my uninformed opinion, to allow a

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1 self-congregant to unload a 6, 7,000-pound -- I'll

2 take -- I won't use electric vehicles, so we'll use

3 a 3,000 pound vehicle from the top of the lift when

4 there's someone looking to get out from underneath

5 and to pull clothes, and kids and things out of

6 their minivans.

7 I have particular questions regarding

8 the timing and professional natural of an operation

9 that would be safe for congregants to come and go,

10 especially between a quick turnover that would far

11 exceed the rate a professional parking deck would

12 provide services to people hiring for them without a

13 time restraint.

14 I'm leave it at that. Thank you very

15 much for your time.

16 CHAIRMAN TIGHE: Thank you for your

17 input.

18 Anybody else would like to speak?

19 Sir, name and address please.

20 GARY BELLO: Gary Bello, Thompson

21 Place, Parlin.

22 How many lift spaces are there?

23 ATTORNEY SACHS: 57.

24 GARY BELLO: 57? Do they go one at a

25 time, or all at once or --

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1 ATTORNEY SACHS: No, I believe that --

2 again, we'll provide testimony at the next hearing

3 from the manufacturer as to how the system operates,

4 but my understanding is they were one at a time.

5 THE WITNESS: Yes.

6 GARY BELLO: That would be quite an

7 extensive operation to...

8 CHAIRMAN TIGHE: Gary, this is what

9 they gave us to read about for the lift systems.

10 GARY BELLO: Okay.

11 CHAIRMAN TIGHE: It's about a 20-page

12 thing. It's going to take me a night to evaluate

13 this before I have questions for the next meeting.

14 So to answer your question, I don't

15 know what it's going to take, but we're going to

16 find out.

17 GARY BELLO: But they were supposed to

18 be the ones to answer that, not --

19 CHAIRMAN TIGHE: They are going to

20 answer it. They answered it with this for us to

21 read, and then he's going to bring in his people

22 next month at the next meeting.

23 GARY BELLO: All right.

24 CHAIRMAN TIGHE: And then you're going

25 to have expertise be able to -- after our

<p style="text-align: center;">J. Javier, RA</p> <p style="text-align: right;">43</p> <p>1 professionals go over it and give you our insight on  2 it, you're going to be able to put your input in  3 afterwards, okay. But we'll be all a little more  4 informed.</p> <p>5 GARY BELLO: All right.  6 CHAIRMAN TIGHE: Okay?  7 GARY BELLO: Thank you.  8 ATTORNEY POHLMAN: Counsel, can you  9 represent to the folks here this evening that there  10 will not only be a representative of the lift system  11 but also a representative of the mosque who will be  12 able to discuss how it will be implemented and its  13 use as it relates to the hours of operation which  14 are reasonable questions related to the use of the  15 property.</p> <p>16 ATTORNEY SACHS: Yes. And we'll  17 provide that.  18 ATTORNEY SORDILLO: Thank you.  19 ATTORNEY SACHS: Obviously we just  20 recently received this information, so I haven't  21 even fully digested it, but we understand that you  22 have some valid questions, valid concerns, and I  23 think you need to know that during this 55-minute  24 interval --  25 CHAIRMAN TIGHE: That we can do it.</p>	<p style="text-align: center;">J. Javier, RA</p> <p style="text-align: right;">45</p> <p>1 How many people are going to be coming  2 to the buildings at those times?  3 What time is the building open from in  4 the morning to the evening with prayer services and  5 other things going on?  6 This greatly affects me because I live  7 right there.  8 Are overflow going to come up Parkway  9 Place? Louis Street? Vincent Street? Joyce Place?  10 Villanova? Rutgers Road? Where are these cars  11 going?  12 When the cars exit the parking lot if  13 they cannot make a left, are they all going to go  14 down Parkway Place, across Louis, down Center?  15 It takes me sometimes three light  16 changes at Bordentown Road and Ernston Road to make  17 a left turn out of my road because nobody respects  18 the Do Not Block Intersection, and people are flying  19 from the mosque area or further west down the left  20 side to try to get to the left turn sign.  21 I have family and friends and neighbors  22 have accidents down there. I have myself almost  23 gotten hit by cars trying to cross that street.  24 And you're talking about prayer  25 services here, there, wherever, but you have a big</p>
<p style="text-align: center;">J. Javier, RA</p> <p style="text-align: right;">44</p> <p>1 ATTORNEY SACHS: -- that parking lot  2 can be cleared and filled up again. That's what you  3 need to know, and we will provide that.  4 ATTORNEY POHLMAN: And so the public  5 knows, there will be a representative of the mosque  6 to talk about the operational aspect of it at the  7 next meeting?  8 ATTORNEY SACHS: Yes.  9 CHAIRMAN TIGHE: Thank you, sir.  10 Ma'am, name and address please.  11 ELIZABETH PINELLA: My name is  12 Elizabeth Pinella, and I live on Parkway Place in  13 Parlin.  14 I have some major questions here. Now  15 you're saying that the prayer rooms are going to be  16 changed and stuff, so now the occupants during  17 prayer service would be maybe 454 people including  18 men and women in the two prayer rooms, which is  19 fine, you're going to change things around.  20 What happens -- this is a giant  21 building. You have two prayer rooms. You have all  22 this other space. Now during prayer service these  23 other spaces are not being used. When prayer  24 service is not being used, what are these other  25 spaces being used for?</p>	<p style="text-align: center;">J. Javier, RA</p> <p style="text-align: right;">46</p> <p>1 building. So it's not just prayer service, you are  2 opening this up for a lot of other things. You want  3 to have classes there, offices there, basketball  4 there. But this is only for the mosque, this is not  5 for the community.  6 There are other places. Just because  7 this is a house of worship, there are other houses  8 of worship that use one room for basketball,  9 cafeteria, whatever else they need as an all-purpose  10 room. Now you are going to have more all-purpose  11 rooms?  12 I really think the size of this  13 building should be smaller and it should be more for  14 the area. This is a residential area. You are  15 taking the area of three or four homes to build this  16 giant building, and it really should not be here.  17 It's going to cause too much problem on  18 Ernston Road. Too much problem for the people that  19 live in this area. And it doesn't seem that anybody  20 cares. Like you're going to agree to this and  21 you're going to be nice and everything else, but  22 nobody cares. They didn't care when they started.  23 They didn't care now.  24 And, you know, I keep coming to these  25 meetings. I'm here past my bedtime because I work</p>

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1 early in the morning, but who cares, because, you  
 2 know, we'll push it off and push it off.  
 3           This is unfair to the residents of this  
 4 neighborhood. Thank you.  
 5           ATTORNEY POHLMAN: Ma'am, you raised a  
 6 lot of excellent points, ma'am. And I'm going to  
 7 start with the bad news, which is that this board,  
 8 whether here or in any other municipality in the  
 9 State of New Jersey does not have the authority with  
 10 respect to governing off-site traffic issues. It's  
 11 a frustration that you will hear people deal with  
 12 from Cape May all the way up to High Point.  
 13           And so the concerns you raised about  
 14 the off-site traffic issues are legitimate. They  
 15 certainly impact everybody who is here. They  
 16 certainly impact everybody who lives and works in  
 17 the area. But as anybody who has served on the  
 18 boards, who has represented the boards, counsel here  
 19 has represented boards, he'll tell you unfortunately  
 20 those are issues that the State of New Jersey has  
 21 told us that we're not able to address.  
 22           Now with respect to the other issues  
 23 that you raised, which are excellent issues, are  
 24 what are going to be the hours of operation of this  
 25 facility with respect to its non-sanctuary,

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1 non-religious uses, the educational uses, the  
 2 recreational uses.  
 3           The applicant has provided testimony on  
 4 those -- on those items. And the applicant's  
 5 representative, as represented by counsel, will be  
 6 back at subsequent meetings and I suspect that as  
 7 part of it -- we're certainly very far from there at  
 8 this point -- but as part of it, should there be a  
 9 memorializing resolution, there would be hours of  
 10 operation that would be set forth in that document  
 11 establishing when it could be used.  
 12           And so certainly there is more than  
 13 just a -- more than just a house of worship here.  
 14 But, what I will tell you is, and I have no opinion,  
 15 I'm not here to express an opinion, I'm here as  
 16 counsel to the board. What the law tells us is that  
 17 there are ancillary uses to religious uses and those  
 18 uses are educational, they are social.  
 19           I happened to grow up in Northern New  
 20 Jersey in a Catholic community where there was a  
 21 Catholic church with a basketball court where there  
 22 was CYO basketball. There were dinners. There were  
 23 meetings. And though that may be what is  
 24 customarily viewed as being part of typical  
 25 religious life, what this applicant is proposing is

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1 an application which includes some of those items.  
 2           Now the hours of operation do need to  
 3 be set forth. There is no right to play basketball  
 4 at 2:00 in the morning. There is no right to have  
 5 parties and weddings at 2:00 in the morning. And I  
 6 don't believe, and I know, I have my notes in front  
 7 of me that the applicant has indicated they will not  
 8 do that, but should this get to a memorializing  
 9 resolution your concerns, ma'am, will be addressed  
 10 there.  
 11           As far as when it can be used, when  
 12 those other uses other than the religious use -- the  
 13 recreational, the educational can be used -- and  
 14 those should be set forth in the resolution, and the  
 15 town is entitled to say this is when that can be  
 16 used and they have the right to do that.  
 17           And so all the items that you raised,  
 18 ma'am, are completely legitimate. And that is the  
 19 purpose of this meeting.  
 20           And I know you said, well, it keeps  
 21 going on and on, but one of the reasons is that this  
 22 board is asking a lot of questions and is trying to  
 23 create the best project available for the  
 24 municipality, and that is what's going on.  
 25           And as I started by saying, I would be

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1 the first person to hold my hand up and agree with  
 2 you with respect to your concerns of offsite  
 3 traffic. And I think anybody who has ever been  
 4 involved in municipal land use, municipal  
 5 development would agree with you.  
 6           Unfortunately, as a board here, this  
 7 board's ability to take into consideration the  
 8 impact of offsite traffic is very limited. It's the  
 9 State of New Jersey has told us that for decades at  
 10 this point.  
 11           So it's not that your concerns aren't  
 12 legitimate. It's not that your concerns are not  
 13 shared by all the members of this board. But as far  
 14 as the offsite traffic impact goes, there's a lot of  
 15 limitations that this board can't consider because  
 16 every application has to be considered on its own.  
 17           And as far as the use of this property  
 18 with respect to non-traditional religious uses, this  
 19 applicant set forth when those uses will be  
 20 permitted and I suspect this board -- I know this  
 21 board will set forth when that will be permitted to  
 22 occur.  
 23           And so you coming here and stating  
 24 that, reinforcing that is great. And it tells  
 25 everybody what your concerns are and what the

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1 community's concerns are, and they'll be addressed.  
 2 And when the State of New Jersey  
 3 revises the law and lets local zoning and planning  
 4 boards have more authority on offsite traffic, I,  
 5 think a lot of people would be very happy. But  
 6 right now they're very limited -- limited scope that  
 7 we can consider that.  
 8 And I know that you don't want to hear  
 9 that, and I don't want to be the person to tell you  
 10 that, but that's where we are, ma'am.  
 11 And thank you for coming up.  
 12 CHAIRMAN TIGHE: Gentleman, name and  
 13 address please.  
 14 MIKE WEAVER: Mike Weaver, 10 Parkway  
 15 Place. I have a couple of questions.  
 16 One is the exhaust system or the carbon  
 17 dioxide system going to be upgraded because you're  
 18 adding these more cars to the garage?  
 19 THE WITNESS: Can you repeat that?  
 20 MIKE WEAVER: The carbon dioxide  
 21 system, the fans that are going to suck all the cars  
 22 exhaust out of the parking garage, is it going to be  
 23 upgraded now because you're adding more cars there?  
 24 And if that's going to be upgraded will  
 25 that take up more space, is that going to be in a

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1 bigger area, and how noisy is that going to be?  
 2 ATTORNEY SACHS: Mr. Chairman, I think  
 3 my engineer can probably answer that question.  
 4 CHAIRMAN TIGHE: Is he sworn in?  
 5 ATTORNEY SACHS: He was sworn in at  
 6 previous meetings. Mr. Adnan Khan.  
 7 CHAIRMAN TIGHE: Go ahead.  
 8 ATTORNEY SORDILLO: You've already  
 9 been sworn, as long as you understand that you're  
 10 still under oath and you continue to be under oath  
 11 for this application.  
 12 ADNAN KHAN: That is correct.  
 13 Yeah, anything, any exhaust system  
 14 will be designed per the codes so -- and again,  
 15 based on the emissions, it has to be whatever the  
 16 fan size should be, where, how high it should be  
 17 discharged. That is all part of the code  
 18 requirements.  
 19 MIKE WEAVER: Okay. Is that inside the  
 20 paperwork that you just -- is any of that noted in  
 21 the paperwork that you just gave them that you are  
 22 going to be upgrading that?  
 23 ADNAN KHAN: Again, we are here for  
 24 the approval at this point. If the applicant gets  
 25 the approval these plans have to go through an

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1 extensive design process for CO's and construction  
 2 documents where we have to comply with all the code  
 3 requirements, whatever code applies. It would be  
 4 subject to the building department, they will review  
 5 against the code, whether we meet the requirements  
 6 or not, before they issue any permits.  
 7 So there is a whole process.  
 8 MIKE WEAVER: Okay. The gentleman in  
 9 the blue, with the blue tie that was just talking,  
 10 you had mentioned something at 2:00 a.m. about  
 11 playing basketball.  
 12 What about having religious services at  
 13 2:00 a.m.? Having religious services at 1:00 a.m.  
 14 with having hundreds of cars pulling onto the  
 15 property during these services; is that allowed?  
 16 ATTORNEY POHLMAN: Sir, I think what  
 17 we have heard from this applicant is that they've  
 18 stipulated for the hours of operation for their  
 19 religious services. And I understand --  
 20 MIKE WEAVER: During Ramadan.  
 21 ATTORNEY POHLMAN: I understand that  
 22 prior to this application there have been issues  
 23 regarding when the property is used and how it's  
 24 being used, but what we can represent to you is that  
 25 through this process this board is -- if this board

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1 adopts a resolution approving this, it would include  
 2 representations by the applicant about when that  
 3 property would be used for those purposes.  
 4 And we have heard this evening,  
 5 including other times when they've been here  
 6 regarding their timing of usage and they would be  
 7 held to those hours of operation.  
 8 MEMBER ALLEGRE: Mr. Counsel, I think  
 9 the issue is the non-testimony we have heard from  
 10 their counsel does not match with what is publicly  
 11 available as prayer times. And we have asked over  
 12 the course of many of these planning board meetings  
 13 for the times and we can't come up with it yet.  
 14 So to answer your -- to ask the  
 15 questions you want to ask, what are the prayer times  
 16 today?  
 17 ATTORNEY SACHS: Well that's a pretty  
 18 broad question.  
 19 MEMBER ALLEGRE: The question is  
 20 today.  
 21 ATTORNEY SACHS: Oh, today?  
 22 MEMBER ALLEGRE: Today.  
 23 ATTORNEY SACHS: Sure, go ahead.  
 24 MEMBER ALLEGRE: What is the first  
 25 prayer time and the last prayer time?

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1 ADNAN KHAN: The first prayer time,  
2 which is what we call fajr, starts around 4, 4:15,  
3 4:20. And you can offer that prayer service from  
4 the start time up to the sunrise time. Sunrise is,  
5 what, I think, 6:30.

6 UNIDENTIFIED SPEAKER: A.m. or p.m.?  
7 ADNAN KHAN: A.m.

8 ATTORNEY SORDILLO: Sunrise is a.m.  
9 ADNAN KHAN: In the morning, yes.  
10 So, yeah. So that is the time.

11 However, the masjid prayer offers the congregation  
12 prayer for fajr time around 5:15 as of today.

13 MEMBER ALLEGRE: And the last?  
14 ADNAN KHAN: The last is isha, which  
15 is the nighttime, It starts around, I would say,  
16 around 10 o'clock these days.

17 And, again, you can pray that service  
18 from 10 o'clock until the morning prayer time, which  
19 is 4 o'clock, but the mosque, of course, nobody is  
20 going to come in the middle of the night to offer  
21 that prayer so --

22 MIKE WEAVER: They're already doing  
23 it.

24 ADNAN KHAN: Let me answer it.  
25 ATTORNEY POHLMAN: Let him answer,

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1 please.

2 ADNAN KHAN: So as soon as the time  
3 happens, 10 o'clock these days, usually 10:10,  
4 10:15, the masjid offers congregation prayer which  
5 lasts 10, 15 minutes, and people go to their home.

6 MEMBER ALLEGRE: All right. So I think  
7 what members of the public -- I don't want to speak  
8 for the public, but maybe some of the concern we're  
9 having is, you know, past testimony tells us it's 6  
10 a.m. to 8:30 p.m. -- you're aware of this, right, in  
11 the past -- when it's not.

12 So the previous concern the previous  
13 gentleman had about non-testimony is what can we do  
14 with the non-testimony?

15 ATTORNEY SACHS: Well, again, that was  
16 the average because the winter months, obviously,  
17 it's obviously -- it terminates much earlier than  
18 10:00 p.m. in the summer service.

19 ADNAN KHAN: If I may?  
20 ATTORNEY SACHS: Sure.

21 ADNAN KHAN: I believe the testimony  
22 that was provided, again we were testifying I think  
23 we started, like, this process I believe it's  
24 February/March, in April, so that was basically the  
25 winter times that we were proposing.

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1 But, again, you're right, the time  
2 changes with summer and winter again on a daily  
3 basis, within a minute or two minutes on a daily  
4 basis up or down depending upon the season or  
5 depending upon the time of year we are in.

6 So, yeah, so that's why again, the  
7 testimony is not completely -- I mean, it's not  
8 wrong but it is for winter timings. That is what  
9 you should expect or anticipate that timing of those  
10 prayers during the wintertime.

11 ATTORNEY POHLMAN: Well, let's just go  
12 back to the record.

13 On April 3rd there was testimony  
14 provided that the prayer hours of operation were  
15 6:00 a.m. until 8:30 p.m. And those were  
16 representations that were made by the representative  
17 of the mosque, not a professional, the  
18 representative of the mosque.

19 So I think the board would like to know  
20 that those representations that were made on the  
21 prior hearing date are still represented, still  
22 considered appropriate, and should this application  
23 move forward would be part of any memorializing  
24 resolution.

25 ATTORNEY SACHS: To answer that

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1 question, I believe those representations were made  
2 based upon winter hours.

3 As I indicated at the outset of the  
4 meeting, we will provide this board with an accurate  
5 calendar which will set forth the times which will  
6 occur during the winter, spring, summer, fall.

7 CHAIRMAN TIGHE: Mr. Sachs, are you  
8 also going to tell us where you're going to go with  
9 the big holidays; are you still going to go offsite?

10 ATTORNEY SACHS: Yes.  
11 CHAIRMAN TIGHE: Okay.  
12 ATTORNEY SACHS: That is still  
13 proposed.

14 CHAIRMAN TIGHE: So Ramadan and  
15 anything else that creates a big crowd, you're going  
16 to go somewhere else?

17 ATTORNEY SACHS: Board of Education  
18 property.

19 CHAIRMAN TIGHE: All right.  
20 MIKE WEAVER: All right, next concern  
21 is the garage that is at 214. You guys own the  
22 property at 214. The garage there, that garage is  
23 Schoolhouse A or Schoolhouse 3 Ernston Road? Is  
24 that going to be saved for history? It's a  
25 historical building.

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1 ATTORNEY SACHS: I'm not aware of any  
 2 designation on that. I mean, certainly we can look  
 3 into that. We're not aware of that.  
 4 CHAIRMAN TIGHE: Mr. Cornell?  
 5 BOARD ENGINEER: Don't know.  
 6 CHAIRMAN TIGHE: We're not aware of  
 7 that. But, Mr. Sachs, you're going to check into  
 8 that?  
 9 ATTORNEY SACHS: Yes.  
 10 MIKE WEAVER: My last concern is in  
 11 2007, I believe it was, June 4th, there was an  
 12 explosive device found at the Samsel Elementary  
 13 School from the explosion, glass explosion.  
 14 Is the property going to be searched  
 15 because that property there is .3 miles away from  
 16 where all the stuff went in the air. There could  
 17 possibly be something there.  
 18 Would someone do a search for that?  
 19 ATTORNEY SACHS: Again, I'm not aware  
 20 of that. What was the address, first of all, of the  
 21 school house.  
 22 ATTORNEY SORDILLO: I don't believe it  
 23 is appropriate.  
 24 ATTORNEY POHLMAN: Counsel. Counsel,  
 25 I am going to recommend that you not respond to that

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1 comment at this time, sir.  
 2 ATTORNEY SACHS: Thank you.  
 3 MIKE WEAVER: The schoolhouse address  
 4 was 214 Ernston Road.  
 5 ATTORNEY SACHS: Okay. Thank you.  
 6 MIKE WEAVER: It's the garage on the  
 7 right side, in between 214 and 216.  
 8 And I believe there's a plaque inside  
 9 the garage that states it was schoolhouse.  
 10 All right, that's it. Thank you.  
 11 CHAIRMAN TIGHE: Thank you.  
 12 You're next. Name and address, please.  
 13 JOE CARMINZIN: Good evening. My name  
 14 is Joe Carminzin, 322 Ernston Road. I had a couple  
 15 of questions.  
 16 Firstly, I know there's going to be  
 17 kids. Is there going to be summer camps; are kids  
 18 going to be spending the night there? Is anyone  
 19 ever going to be sleeping there?  
 20 ATTORNEY SACHS: I don't believe so. I  
 21 don't think there's any dormitory facilities in this  
 22 -- in this mosque. So, no.  
 23 JOE CARMINZIN: Okay. Next question  
 24 -- well, it's not really a question, it's more of a  
 25 statement. You know, we've been speaking about the

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1 traffic, you made that long, you know about the  
 2 traffic and how we're kind of powerless against it.  
 3 What about the size of the building in  
 4 the residential area and that it doesn't conform to  
 5 what other buildings look like in the area?  
 6 And I think they testified that the  
 7 lights will never completely turn off, they just dim  
 8 them at night. I mean this is, you know, this is a  
 9 large building, dimly lit. It's going to -- you  
 10 know, that's a -- I live right across the, street,  
 11 so this is a huge concern to me. Something like  
 12 that...  
 13 ATTORNEY POHLMAN: Completely  
 14 legitimate, sir. And I believe from my notes that  
 15 the applicant has provided testimony that the  
 16 building will comply with the municipal lighting  
 17 standards, meaning that there will not be any what  
 18 we call light pollution or overflow to the other  
 19 property, that they will have their lighting  
 20 designed so that it's captured on-site whether it's  
 21 through the number -- you know, number of candles,  
 22 whether it's through the design or the way they have  
 23 the lighting configured, but in testimony those  
 24 questions were asked at a prior meeting.  
 25 JOE CARMINZIN: Also about the signage

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1 because is the sign lit?  
 2 ATTORNEY SACHS: I think the sign is  
 3 probably back illuminated. But again, I think we  
 4 testified in one of the earlier hearings that once  
 5 the building is shut down for the evening there is  
 6 no need to have lights on other than security  
 7 lighting, motion detector.  
 8 ADNAN KHAN: In the parking.  
 9 ATTORNEY SACHS: Right.  
 10 JOE CARMINZIN: Okay.  
 11 Lastly the other night I was reading  
 12 through the Sayreville Municipal Land Use and  
 13 Statute Number 26-65 talks about alternatives in  
 14 Section F. It states: "A discussion of set design  
 15 and project location alternatives that were  
 16 considered shall be provided."  
 17 Furthermore it states, "The discussion  
 18 shall indicate why an alternative was rejected if it  
 19 would have results in less of a negative impact on  
 20 the proposed development."  
 21 I believe I heard some rumblings that  
 22 there were alternative sites presented to them and  
 23 they were declined, but I think they're supposed to  
 24 give reasons for why each site was declined.  
 25 I looked up that statute. You could

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1 talk about it at the next meeting if you want.

2           ATTORNEY SACHS: Well we haven't

3 presented any planning testimony, but I could tell

4 you that this applicant has owned this property for

5 a number of years already. But we haven't presented

6 any planning testimony.

7           JOE CARMINZIN: Yeah, but it says if

8 there's less of a negative effect at another site

9 you have to say why. Just because he's been there

10 for a couple of years operating illegally...

11           Thank you.

12           ATTORNEY POHLMAN: Sir, that's a great

13 planning question, and when they put their planner

14 on they will have to answer that question.

15           JOE CARMINZIN: Thank you.

16           MEMBER ALLEGRE: Question for the

17 architect, what model lift are you using?

18           ATTORNEY SACHS: I'm sorry, what was

19 that?

20           MEMBER ALLEGRE: What model lift are

21 you proposing?

22           THE WITNESS: I believe it's

23 highlighted in the brochure that we submitted. It's

24 also on the drawings.

25           CHAIRMAN TIGHE: Oh, this isn't just

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1 one lift?

2           THE WITNESS: Yeah, it's on the

3 drawings on the first sheet.

4           ADNAN KHAN: It's CP61-190.

5           CHAIRMAN TIGHE: 61 what?

6           ADNAN KHAN: 90.

7           CHAIRMAN TIGHE: Thank you.

8           MEMBER ALLEGRE: And that's not final?

9           THE WITNESS: Yes.

10           CHAIRMAN TIGHE: Sir, name and

11 address.

12           HUSSAIN MUSTAFA: Sure. Hussain

13 Mustafa, Gorniak Drive, Parlin.

14           So I have joined this meeting for

15 several times before and we always hear, I think,

16 the same concerns from our neighbors regarding the

17 mosque project. It will be repeated the same

18 meeting every time. While we see these people, they

19 already did hundreds of amendments in their design

20 and architecture to meet the requirements and the

21 codes of the building to meet New Jersey for each

22 sector, including fire and what else.

23           And at the same time, so regarding the

24 praying times for Muslims, is always different from

25 summer to winter times based on the timing. In

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1 America is keeping change. So in this case, so I

2 don't feel like any confusion regarding this time

3 because it's very clear and obvious if you check any

4 Muslim calendars regarding the prayer times either

5 in the winter or in the summer. It will be very

6 clear for anyone to understand how the praying times

7 are calculated based on the sun time and sunset for

8 either the winter timing or also summer timing.

9           So what I feel right now is that I see

10 the Muslim project to have a worship house in

11 Sayreville is right, that no one can be against it.

12           ATTORNEY POHLMAN: Sir, sir, and I

13 don't mean this with any disrespect. Your opinion

14 is important. This board values your opinion.

15 We're at the stage of this application where the

16 public participation is questions of the relevant

17 testimony that is being provided.

18           This evening testimony is being

19 provided regarding certain operational issues,

20 changes to the configuration of the building,

21 changes to the configuration of the parking. There

22 was testimony provided by both the architect and the

23 engineer for the planner.

24           There will be an opportunity for all

25 members of the public to provide commentary on this

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1 application, but this is not that time.

2           And I am not saying that because I have

3 an opinion on what you're saying. We have to

4 maintain our record appropriately and this is not

5 the time for commentary.

6           So I have to ask you, sir, to please,

7 if you can use this time to ask a question regarding

8 the testimony that was provided here this evening,

9 which was about modifications to the building design

10 or internal design, as well as to the parking.

11           And again, sir, I'm not saying that

12 because your commentary isn't important. There will

13 certainly be a time for that. And on long

14 applications like this it can be frustrating that

15 you have to wait until the end to provide that, but

16 that's the -- that is the standard that we have to

17 follow right now.

18           HUSSAIN MUSTAFA: Sure, I understand.

19 But at the same time I have only one point because I

20 think for --

21           ATTORNEY POHLMAN: But do you have

22 question, sir?

23           HUSSAIN MUSTAFA: Yeah. No, the

24 question for me is I am from the public, or the

25 neighbor, and I have a concern.

<p style="text-align: center;">J. Javier, RA</p> <p style="text-align: right;">67</p> <p>1 So this concern should be only for the</p> <p>2 traffic? Or also I have to ask about what is going</p> <p>3 inside this building in terms of they have</p> <p>4 classrooms, they have blah, blah, blah; Is this my</p> <p>5 right to ask something like this?</p> <p>6 ATTORNEY POHLMAN: Yes, absolutely.</p> <p>7 HUSSAIN MUSTAFA: For the internal</p> <p>8 building itself?</p> <p>9 ATTORNEY POHLMAN: Yes, sir. If you</p> <p>10 have questions about -- tonight there was testimony</p> <p>11 provided about changes to the internal structure</p> <p>12 configuration of the building, as well as changes to</p> <p>13 the parking configuration. If you have questions</p> <p>14 about that, this applicant has provided two</p> <p>15 witnesses who are experts in that area and they will</p> <p>16 answer those questions. And that's what we're</p> <p>17 addressing right now.</p> <p>18 HUSSAIN MUSTAFA: Okay. I already hear</p> <p>19 their answers and it's very clear for everyone.</p> <p>20 Thank you.</p> <p>21 ATTORNEY POHLMAN: Thank you, sir. And</p> <p>22 to the extent you have commentary, you certainly can</p> <p>23 come back.</p> <p>24 SUMAIYAH SADAR: Hello, Sumaiyah Sadar,</p> <p>25 Jackson Ave.</p>	<p style="text-align: center;">J. Javier, RA</p> <p style="text-align: right;">69</p> <p>1 matter of the testimony provided here tonight?</p> <p>2 SUMAIYAH SADAR: I was going to say is</p> <p>3 there someone, a Muslim expert, that can answer</p> <p>4 questions for the next meeting?</p> <p>5 ATTORNEY POHLMAN: This board does not</p> <p>6 qualify its experts based on religious belief.</p> <p>7 SUMAIYAH SADAR: Someone who is</p> <p>8 knowledgeable on Islam. They don't need to be</p> <p>9 Muslim.</p> <p>10 But I would like to continue to say</p> <p>11 that I am part of the public because I want the</p> <p>12 masjid to come there, and second of all the word is</p> <p>13 maas-juh'd, masjid. I want the masjid to come there.</p> <p>14 Someone mentioned that is taking down three houses,</p> <p>15 but it's building --</p> <p>16 ATTORNEY POHLMAN: Ma'am. Ma'am, do</p> <p>17 you have a question for the applicant's experts?</p> <p>18 SUMAIYAH SADAR: I did ask my</p> <p>19 question. And then there's some --</p> <p>20 ATTORNEY POHLMAN: What was it, ma'am?</p> <p>21 And I'll make sure they answer it -- the chairman</p> <p>22 will make sure they answer it.</p> <p>23 What's your question?</p> <p>24 SUMAIYAH SADAR: I'm just confused why</p> <p>25 there is so much -- I can't speak freely, but other</p>
<p style="text-align: center;">J. Javier, RA</p> <p style="text-align: right;">68</p> <p>1 I have a question first but I wanted --</p> <p>2 I may have some commentary as well. And I know just</p> <p>3 now he was told to not continue with his commentary,</p> <p>4 but I think today we're allowing a lot of commentary</p> <p>5 so we should allow it for everyone. And the next</p> <p>6 meeting, hopefully, we can tell everyone if you</p> <p>7 don't have a question please stop.</p> <p>8 My first question is, I think there's a</p> <p>9 lot of misunderstanding because, like, what is</p> <p>10 prayer according to a Muslim. So maybe is it</p> <p>11 possible to have a demonstration or a video for next</p> <p>12 meeting, if possible?</p> <p>13 Because a prayer service -- right now a</p> <p>14 lot of people just walked out, it's because they</p> <p>15 have to go do prayer. And it has three units to a</p> <p>16 prayer. So they'll come back in, like, five</p> <p>17 minutes.</p> <p>18 Because there's not that understanding</p> <p>19 it's, like, why are you going 5:00 o'clock in the</p> <p>20 morning? How long are you going to take? All of</p> <p>21 that concern, but that's not always the case.</p> <p>22 I wanted to say --</p> <p>23 ATTORNEY POHLMAN: Ma'am, ma'am, do</p> <p>24 you have questions for the applicant's experts, or</p> <p>25 the applicant's representative regarding the subject</p>	<p style="text-align: center;">J. Javier, RA</p> <p style="text-align: right;">70</p> <p>1 people can speak freely. And then, there's at the</p> <p>2 end a little bit of this back and forthness.</p> <p>3 I don't mind it; I appreciate it. But</p> <p>4 I think it should be held for everyone because I</p> <p>5 didn't know commentary is allowed right now.</p> <p>6 ATTORNEY POHLMAN: There is a -- so</p> <p>7 the way the applications before this board work is</p> <p>8 that the applicant presents testimony. And in this</p> <p>9 case because of -- it's a large project. Sometimes</p> <p>10 you come before a board and it's a very simple</p> <p>11 project, and they put their experts on and that's</p> <p>12 that.</p> <p>13 Here, this is a large project and --</p> <p>14 SUMAIYAH SADAR: So why --</p> <p>15 ATTORNEY POHLMAN: Ma'am.</p> <p>16 -- and this project has different</p> <p>17 applications, right; there's a religious</p> <p>18 connotation, there's religious uses, there are</p> <p>19 recreational uses, there are parking concerns, there</p> <p>20 are open space concerns. And so the applicant has</p> <p>21 been actually very, very accommodating and has been</p> <p>22 presenting their testimony and presenting their</p> <p>23 experts and updating their testimony and their</p> <p>24 exhibits as they go along.</p> <p>25 So it hasn't been as traditional, you</p>



<p style="text-align: center;">J. Javier, RA</p> <p style="text-align: right;">71</p> <p>1 know, A, B, C, as you would see on a smaller one,  2 but the applicant has been putting on their  3 presentation throughout this. And it's moved  4 around.  5           And the way, or how the applications  6 work is that you will have -- the applicant will put  7 on their expert for engineering, their expert for  8 architecture, for parking, for traffic, for  9 planning. We haven't gotten to planning yet, we'll  10 get there. And the public -- the board, the board's  11 experts and the public will have an opportunity to  12 ask questions about that.  13           And then, when that's all done, what  14 happens is there is an opportunity to provide  15 commentary on that and to give your position on the  16 application as a whole.  17           And in smaller applications that are  18 not this large, then that's one meeting, maybe it's  19 two meetings. This is a very large application so  20 this is taking longer.  21           And while you may want to do that  22 tonight and say I don't want to come back and do  23 that, unfortunately how we have to prepare, we have  24 to maintain this application moving along is an  25 appropriate method.</p>	<p style="text-align: center;">J. Javier, RA</p> <p style="text-align: right;">73</p> <p>1 may respond?  2           SUMAIYAH SADAR: Thank you.  3           ATTORNEY SACHS: If I can respond,  4 first of all, I will state for the record that this  5 board is doing the proper thing in scrutinizing this  6 application. And it wouldn't be just because it was  7 a mosque. If it was a synagogue, if it was a  8 church, if it was any type of use that's in a  9 residential neighborhood, it needs to be  10 scrutinized. So it doesn't make a difference what  11 the type of application is.  12           I would encourage you to come back at  13 the last hearing and you can certainly state your  14 opinion as to whether you're in favor or against  15 this application.  16           SUMAIYAH SADAR: Thank you.  17           ATTORNEY SACHS: But if you don't have  18 a question for either my architect or engineer, then  19 you can preserve your comment for another day.  20           SUMAIYAH SADAR: Thank you.  21           ATTORNEY SACHS: Thank you.  22           CHAIRMAN TIGHE: Thank you.  23           Hang on. Is there anyone -- you spoke  24 already. He spoke already, does anyone -- you spoke  25 already. So does anybody else want to speak before</p>
<p style="text-align: center;">J. Javier, RA</p> <p style="text-align: right;">72</p> <p>1           SUMAIYAH SADAR: I understand.  2           ATTORNEY POHLMAN: So what I'm going to  3 ask you is if you have questions for the applicant's  4 experts, or the applicant's representative regarding  5 the subject matter of the testimony being provided  6 here this evening, I am sure they will answer it.  7 And if they don't the chairman will tell them to  8 answer it, to get you an answer.  9           SUMAIYAH SADAR: I understand your  10 process.  11           ATTORNEY POHLMAN: If you have  12 commentary on the overall merit or your support of  13 the application, which is completely legitimate,  14 whether you agree with the application or that you  15 don't agree with it, you have the opportunity to  16 appear before this board and express those beliefs,  17 but this evening is not the time to do it.  18           SUMAIYAH SADAR: I understand that. I  19 am asking why can't we have the same standard for  20 everyone?  21           CHAIRMAN TIGHE: We do.  22           ATTORNEY POHLMAN: We do.  23           CHAIRMAN TIGHE: Show me where we  24 haven't? Everybody --  25           ATTORNEY SACHS: Mr. Chairman, if I</p>	<p style="text-align: center;">J. Javier, RA</p> <p style="text-align: right;">74</p> <p>1 he does?  2           MEMBER OF THE AUDIENCE: I would like  3 to --  4           CHAIRMAN TIGHE: I'm not cutting you  5 off, I'm just giving everybody else a chance. If  6 you're patient I will let you be last.  7           MEMBER OF THE AUDIENCE: That's fine.  8           CHAIRMAN TIGHE: Name and address  9 please, ma'am.  10           ROSE MARIE LUBIN: Hi. My name is Rose  11 Lubin and I live at 18 Eric Court, which is a  12 dead-end street at the end of Ernston Road.  13           So in order for me to leave my  14 development I have to go to Ernston Road because  15 it's dead-end. Every morning I get up and I'm out  16 on the road, I try to cross onto Ernston Road at  17 7:30 in the morning, which I used to do fine over  18 the years, I have been here for 58 years, so the  19 town has quadrupled.  20           ATTORNEY SORDILLO: Ma'am --  21 Mr. Chairman, if I can. Ma'am, just as we just  22 spoke about to the other witness, this is not the  23 time to give testimony or comments, it's questions  24 to these witnesses based on their testimony.  25           ROSE MARIE LUBIN: Okay, so --</p>

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1 ATTORNEY SORDILLO: If you want to  
2 provide testimony about, you know, your issues with  
3 the property that you've addressed, that's at the  
4 end.  
5 ROSE MARIE LUBIN: Having to do with  
6 traffic which is the main --  
7 ATTORNEY SORDILLO: Well, traffic  
8 wasn't provided today. We're saying their traffic  
9 engineer is coming at the next hearing. So if you  
10 have any traffic questions of their witnesses he's  
11 not here today to address it.  
12 ROSE MARIE LUBIN: Okay.  
13 ATTORNEY SORDILLO: That would have to  
14 happen at the next meeting.  
15 ROSE MARIE LUBIN: What about parking,  
16 can I discuss parking problems?  
17 ATTORNEY SORDILLO: Well, they did  
18 provide testimony as to the new parking design for  
19 the underground parking, so you can ask questions  
20 relating to that, yes.  
21 ROSE MARIE LUBIN: Nothing to do with  
22 the parking?  
23 ATTORNEY SORDILLO: No, I said you  
24 can.  
25 ROSE MARIE LUBIN: Okay.

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1 ATTORNEY SORDILLO: They provided  
2 testimony regarding parking.  
3 ROSE MARIE LUBIN: Okay. So I don't  
4 know how long you have been on the planning board --  
5 ATTORNEY SORDILLO: But it just has to  
6 be a question.  
7 ROSE MARIE LUBIN: Okay. But when --  
8 I live by the high school also, so you can imagine  
9 what I have to deal with at my end, okay?  
10 So I try to make -- I try to make a  
11 left out of there but I can't, I have to take a  
12 right in order to go to South Amboy. That's how bad  
13 it is.  
14 The other thing is, I live by the high  
15 school. When the high school was added onto,  
16 obviously, I don't know if it was the planning board --  
17 ATTORNEY SORDILLO: Excuse me, ma'am,  
18 you're still discussing --  
19 ROSE MARIE LUBIN: Well, I'm taking --  
20 all right.  
21 ATTORNEY SORDILLO: -- driving  
22 conditions on outside parking, and we have already  
23 had our other attorney explain that that can't be  
24 considered by us.  
25 ROSE MARIE LUBIN: Okay, but I'm

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1 talking about beware of mistakes made because our  
2 high school was added onto, my neighbor and I went  
3 down and told them you are losing -- you're taking  
4 away the parking spots, we don't have enough. We're  
5 adding onto the school and making it larger, so we,  
6 therefore, need more parking space, but the opposite  
7 happened. So where do the kids park in Kennedy  
8 Park?  
9 ATTORNEY SORDILLO: Ma'am, is it about  
10 this application or about the school?  
11 ROSE MARIE LUBIN: Every day in Kennedy  
12 Park, and the kids are on --  
13 ATTORNEY SORDILLO: Ma'am, this is not  
14 the appropriate -- this is not the --  
15 CHAIRMAN TIGHE: This has nothing to  
16 do with this application.  
17 ROSE MARIE LUBIN: That's what it is --  
18 CHAIRMAN TIGHE: Ma'am, the parking at  
19 Kennedy Park and the high school have nothing to do  
20 with this application.  
21 ROSE MARIE LUBIN: But it shows an  
22 example of stupidity. Okay?  
23 CHAIRMAN TIGHE: If you have questions  
24 about parking and traffic when the parking --  
25 ROSE MARIE LUBIN: Well, it's a

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1 beautiful temple. It deserves to be on a beautiful  
2 piece of land, not that land. It's not nice enough  
3 and it's inappropriate.  
4 You need a place with land that looks  
5 beautiful. And I hope you get it. I hope you do.  
6 Thank you.  
7 CHAIRMAN TIGHE: Hang on.  
8 ATTORNEY POHLMAN: I ask that the  
9 members of the board disregard those comments as far  
10 as their evaluation.  
11 CHAIRMAN TIGHE: Sir, name and  
12 address.  
13 DREW WEINGARTH: Drew Weingarh,  
14 W-E-I-N-G-A-R-T-H, East Brunswick, New Jersey. Even  
15 though I live in East Brunswick, I have -- was  
16 conceived and raised in Madison Park, the Old Bridge  
17 section of 08859.  
18 Just for clarification questions,  
19 please, for the architect, I think the drive-home  
20 message from tonight what we've heard is the  
21 following: Based on the changes for the rooms and  
22 the parking, what did you -- can you please confirm  
23 that you did say that based on these changes the  
24 overall building height is not changing?  
25 THE WITNESS: Correct, the height is

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1 going to be the same, it's not going to get higher.  
 2 I mean, the basement ceiling got higher, but we're  
 3 also going to reduce the overall height of the  
 4 building. So it's still going to remain the same.  
 5 DREW WEINGARTH: Thank you very much.  
 6 And based on the changes of the interior of the  
 7 building, based on the prayer area going to the  
 8 multi-purpose room, the footprint -- can you please  
 9 confirm that the footprint still has not changed?  
 10 THE WITNESS: The footprint is still  
 11 the same, correct.  
 12 DREW WEINGARTH: So that means the  
 13 square footage of the building is still the same?  
 14 THE WITNESS: No, we eliminated some  
 15 programming and space, so we did reduce the overall  
 16 square footage.  
 17 DREW WEINGARTH: Can you please  
 18 confirm -- can you please state what the reduction  
 19 in the square footage was as a result of that?  
 20 THE WITNESS: The reduction on the  
 21 third floor removed over 2,000 square feet and  
 22 allocated the programming to the lower areas.  
 23 ATTORNEY SACHS: Yeah, Mr. Chairman, I  
 24 think at the outset of the meeting I indicated that  
 25 the square footage was being reduced from

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1 44,841 square feet to 42,687. So roughly  
 2 2,200-square foot reduction.  
 3 CHAIRMAN TIGHE: Thank you, sir.  
 4 DREW WEINGARTH: Thank you for that  
 5 very much. And thank you all for your time and  
 6 service.  
 7 Thank you very much.  
 8 CHAIRMAN TIGHE: Thank you.  
 9 Anybody else? This gentleman.  
 10 OSMAN ZAMAN: Hi. My name is Osman,  
 11 O-S-M-A-N, last name Zaman, Z-A-M-A-N. I live at  
 12 418 Main Street.  
 13 I know hours of operation are coming  
 14 up. So I actually have a question for the board.  
 15 Is there ordinances that this application has to  
 16 abide by being non-profit or for-profit? Like how  
 17 are the hours of operation being determined. That's  
 18 actually a question -- either Mr. --  
 19 ATTORNEY SORDILLO: Mr. Chairman, I  
 20 can -- I'm going to look into it, to give a definite  
 21 answer, but I'm not aware of any specific ordinance  
 22 that addresses hours of operation in the township  
 23 for any kind of use, specifically if it's industrial  
 24 or commercial, or so forth, but I will confirm that  
 25 for the next meeting.

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1 However, that being said, there are  
 2 other ordinances that may come into effect on  
 3 certain things, noise ordinances, light ordinances,  
 4 that will affect how certain uses can be operated or  
 5 whether they could be operated.  
 6 But that usually before this board,  
 7 what this board asks or any planning board asks for  
 8 any applicant is what is your hours of operation,  
 9 and as the attorney had mentioned previously, that  
 10 gets then included in the resolution, if the  
 11 application is approved, and then that becomes the  
 12 governing document that says when that operation can  
 13 be, you know, open, closed, the hours or operation  
 14 that's permitted. And that gets enforced by the  
 15 zoning official for the Borough.  
 16 So even if there is no specific  
 17 ordinance, which I said I will confirm whatever this  
 18 body decides for any type of use, that becomes then  
 19 now the governing document for that.  
 20 OSMAN ZAMAN: Thank you for the  
 21 clarification.  
 22 CHAIRMAN TIGHE: Anybody else?  
 23 Ma'am, name and address, please.  
 24 CAROL VANSICKLE: My name? It's Carol  
 25 Vansickle, spelled all one word. No extra letters

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1 for Carol. I live on the other side of Ernston Road  
 2 in Old Bridge.  
 3 Now I have a question. I guess this is  
 4 engineering. Have they done soil studies so that  
 5 they don't end up with a big sink hole?  
 6 Now, I remember the sinkhole at the  
 7 intersection of Ernston Road and Bordentown. And I  
 8 want to know did they do soil studies; have they  
 9 done that?  
 10 Have they considered a retaining wall  
 11 where they took out all those trees and are going to  
 12 be taking out all those trees, so they don't end up  
 13 with the neighbors in the parking lot?  
 14 ADNAN KHAN: As far as soil study, we  
 15 did some soil studies for the stormwater management  
 16 system. However, after the approval there will be a  
 17 detailed soil study done for bearing capacity and  
 18 for the structural design.  
 19 When the project gets into that phase  
 20 of structural design there is a very extensive  
 21 requirement that a structural engineer would require  
 22 to prepare what kind of a foundation and what loads  
 23 the soil can take. So that is part of the next  
 24 phase after the approval.  
 25 As far as the retaining wall, you don't

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1 just put the retaining wall exactly where the trees  
 2 are taken out. Usually there are certain criteria  
 3 where you want to cut down the slope, or you want to  
 4 save the slope. But in this case we are not  
 5 proposing any retaining walls as no retaining walls  
 6 are required on the property.  
 7           ATTORNEY POHLMAN: And, ma'am, I'm  
 8 looking at my notes from our April meeting and the  
 9 applicant has represented --  
 10           CAROL VANSICKLE: I had financing  
 11 questions but I won't ask those.  
 12           ATTORNEY POHLMAN: That's not  
 13 appropriate for -- ma'am, ma'am, hold on.  
 14           CHAIRMAN TIGHE: Ma'am.  
 15           ATTORNEY POHLMAN: Ma'am, we have more  
 16 information.  
 17           Ma'am, I was looking at my notes from  
 18 the April meeting and the applicant has represented  
 19 to the board that they are going to undertake soil  
 20 or any sample analysis to determine whether or not  
 21 the construction would undermine any of the adjacent  
 22 properties.  
 23           Because there were neighbors who raised  
 24 concerns about whether or not this construction  
 25 would -- would result in there being an undermining

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1 of their property, and the applicant has represented  
 2 to this board, and is willing to put it in a  
 3 subsequent approval that they will undertake those  
 4 studies to ensure that there will not be any damage  
 5 or any undermining or anything resulting as a result  
 6 of their construction on that property.  
 7           Is that correct, Counsel?  
 8           ATTORNEY SACHS: Mr. Pohlman, you have  
 9 excellent notes and that is correct.  
 10           CAROL VANSICKLE: Okay, thank you.  
 11           CHAIRMAN TIGHE: Anyone else? Seeing  
 12 none, the man -- oh, one more, go ahead.  
 13           Ma'am, name and address please?  
 14           HEATHER PAWSKI: Hi, my name is Heather  
 15 Pawski, 71 Zaleski Drive.  
 16           I'm actually here on behalf of the  
 17 Sayreville Historical Society just in regard to  
 18 Schoolhouse Number 3. Considering that structure  
 19 was built in 1894, is there anyone that we could  
 20 connect with as the Historical Society to possibly  
 21 gain access to view that building?  
 22           ATTORNEY SACHS: Yes. Ma'am, if you  
 23 want to reach out to my office I'll put you in  
 24 touch.  
 25           HEATHER PAWSKI: Okay, so after the

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1 meeting I'll just get your contact; is that okay?  
 2           ATTORNEY SACHS: Yes.  
 3           HEATHER PAWSKI: Thank you very much.  
 4           CHAIRMAN TIGHE: Thank you.  
 5           Going once, going twice.  
 6           The man in the red shirt.  
 7           DON SCARANO: Just a quick question  
 8 more for you guys.  
 9           CHAIRMAN TIGHE: Thank you for being  
 10 patient.  
 11           DON SCARANO: Just a quick question.  
 12 It might be more for you guys.  
 13           CHAIRMAN TIGHE: Thank you for being  
 14 patient.  
 15           DON SCARANO: No problem.  
 16           Is there a reason why you guys can't --  
 17 like, I know they did a traffic study, it was two  
 18 weeks long. Is there a request you guys could make?  
 19 Why are guys not running this traffic study until  
 20 this meeting is over?  
 21           The more information the more you will  
 22 see, like, during different times, different months,  
 23 is there a reason why we can't request that?  
 24           Why can't I run the -- like, they run  
 25 the traffic studies two weeks and then it's gone,

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1 the strips. I've seen them.  
 2           Why can't we be running those strips  
 3 from now until the next meeting?  
 4           CHAIRMAN TIGHE: I think there's a --  
 5 I believe there's a standard of how long they have  
 6 to do it to make it complete, and they're not going  
 7 to do it any longer than they have to.  
 8           I mean, there's an expense involved in  
 9 doing traffic studies, and they've done two already  
 10 and they're going to have to do another one because  
 11 they have changed things around.  
 12           DON SCARANO: I got an idea, how about  
 13 the fines that -- why don't we use some of that fine  
 14 money to pay for another traffic study, run the  
 15 traffic study, what's the difference.  
 16           ATTORNEY POHLMAN: I'm going to direct  
 17 the board to disregard that comment. Thank you.  
 18           No disrespect, sir.  
 19           DON SCARANO: That's good, no tax  
 20 money is good.  
 21           CHAIRMAN TIGHE: Sir, do you want to  
 22 speak again?  
 23           MIKE WEAVER: Yeah, I've just got one  
 24 question, basically it has to do with the traffic  
 25 study. When is the next meeting?

1 Mike Weaver, 10 Parkway.  
 2 When is the next meeting?  
 3 ATTORNEY SORDILLO: The next meeting  
 4 for this application is going to be carried to  
 5 September 18th.  
 6 MIKE WEAVER: And when is the next  
 7 traffic study going to be done?  
 8 ATTORNEY SORDILLO: It's going to be  
 9 -- well, I'll let the applicant's attorney...  
 10 ATTORNEY SACHS: Well I don't think  
 11 we're performing another traffic study; we have  
 12 already done two of them. But we'll have a new  
 13 traffic report which will be provided for review by  
 14 the board.  
 15 MIKE WEAVER: Okay. Thank you.  
 16 CHAIRMAN TIGHE: Having no other  
 17 questions, do we have any other unfinished business?  
 18 ATTORNEY SORDILLO: No. So just for  
 19 the public's awareness, this application is being  
 20 carried to the September 18th planning board  
 21 meeting.  
 22 CHAIRMAN TIGHE: It will be here,  
 23 right?  
 24 ATTORNEY SORDILLO: That's what I was  
 25 just looking at the secretary. It will be at this

1 location, same time at 7:30, no further notice is  
 2 going to be given unless that meeting then gets  
 3 cancelled for some other reason.  
 4 Otherwise if you want to hear the  
 5 continuation of this application be here  
 6 September 18th at 7:30.  
 7 CHAIRMAN TIGHE: I would like to  
 8 appreciate the public for their decorum tonight,  
 9 everything was pretty level handed.  
 10 Thank you very much.  
 11 I'll take a motion to adjourn?  
 12 MEMBER ALLEGRE: Make a motion to  
 13 adjourn.  
 14 CHAIRMAN TIGHE: Second?  
 15 VICE-CHAIRMAN MULLER: Second.  
 16 SECRETARY MAGNANI: All in favor?  
 17 BOARD MEMBERS IN UNISON: Aye.  
 18 SECRETARY MAGNANI: Opposed? Thank  
 19 you.  
 20 - - -  
 21 (Whereupon, the application was  
 22 adjourned and the meeting concluded.)  
 23 - - -  
 24 (Time noted, 9:00 p.m.)  
 25 \* \* \*



CERTIFICATE

1  
 2  
 3 I, ANGELA C. BUONANTUONO, a Notary  
 4 Public and Certified Court Reporter of the State of  
 5 New Jersey and Registered Professional Reporter, do  
 6 hereby certify that prior to the commencement, the  
 7 witness was duly sworn to testify the truth, the  
 8 whole truth and nothing but the truth.  
 9 I DO FURTHER CERTIFY that the foregoing  
 10 is a true and accurate transcript of the proceeding  
 11 as taken stenographically by and before me at the  
 12 time, place and on the date hereinbefore set forth.  
 13 I DO FURTHER CERTIFY that I am neither a  
 14 relative nor employee nor attorney nor counsel of any  
 15 of the parties to this action, and that I am neither  
 16 a relative nor employee of such attorney or counsel,  
 17 and that I am not financially interested in the  
 18 action.  
 19  
 20  
 21  
 22  
 23 Angela C. Buonantuono, CCR, RPR, CLR  
 24 NJ License No. 30XI00233100  
 Notary Public of the State of New Jersey  
 25