TOWNSHIP OF WEST ORANGE
PLANNING BOARD MEETING
HELD VIA ZOOM CONFERENCE

WEDNESDAY JULY 1, 2026 :
PLANNING BOARD MEETING :

TRANSCRIPT ORDERED BY:

UNKNOWN

PRESIDING:

CHAIRMAN ROBERT BAGOFF

MEMBERS OF THE PLANNING BOARD:

PRESENT:

CHAIRMAN ROBERT BAGOFF
VICE-CHAIR JERRY GUARINO (Arrived late)
BOARD MEMBER KEN ALPER
BOARD MEMBER CHRISTOPHER MORGAN, SR.
BOARD MEMBER LORI KAPFERER
BOARD MEMBER FRANK NOBORINE

OTHERS PRESENT:

MAYOR SUSAN McCARTNEY
COUNCILWOMAN SUSAN SCARPA
DIANA P. McGOVERN, ESQ., BOARD ATTORNEY
MALVIKA APTE, AICP/PP, CONSULTANT PLANNER
RYAN MacNEILL, PE, CONSULTANT ENGINEER
JAMILET BAQUERIZO VITE, BOARD SECRETARY

APPEARANCES FOR THE APPLICANT:

RICHARD S. SCHKOLNICK, ESQ. (Law Offices of Richard Schkolnick)
Attorney for the Applicant, Crestmont Country Club

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FOR THE APPLICANT:				
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CHAIRMAN BAGOFF: The next application before us is PB-26-03, Crestmont Country Club, 750 Eagle Rock Avenue, Block 174, Lot 1.02, zone R-2. The applicant is proposing the installation of a traffic signal at the intersection of Eagle Rock Avenue and Oval Road, modification to the existing driveway and parking area also being proposed. For the applicant, Mr. Schkolnick.

MR. SCHKOLNICK: Good evening, Chairman.

CHAIRMAN BAGOFF: Good evening. Mr. Schkolnick, I just want to be clear. Is the applicant proposing a traffic light or is the county proposing a traffic light and the applicant is doing modifications that if the county chooses, they'll put a traffic light in?

MR. SCHKOLNICK: The applicant is proposing. We do need approval from the county.

CHAIRMAN BAGOFF: Okay. I just wanted to be sure we clarified that. Go for it, Sir.

MR. SCHKOLNICK: Chairman, as you know, I'm representing Crestmont County Club. We're at 750 Eagle Rock. It's on the tax maps as Block 174, Lot 1.01, R-2 zone. We have a permitted use here. And just to reiterate from the June meeting, we're not proposing

any new buildings. No new buildings. It's new driveways, parking area, grading, and the proposed signal to create a new and safer four-way intersection with Oval Road.

To get us back into it, we started on June 3rd and we marked exhibit A-1, that was the aerial photo, and I called John Cote, the civil engineer, and we qualified him, but he only spoke for a few minutes just to orient the board.

After that, you heard from Dana Cancellaro. She's Crestmont's general manager and COO and she talked about the country club's need for the project, why it makes sense. She talked about safety improvements. She talked about the new driveway. She talked about the four-way intersection and the advantages that would bring and she also talked about the additional parking and that would help to solve some issues faced by the country club. We did her full testimony and cross.

Then I called Karl Pehnke, a traffic expert, and we did his full testimony, but we didn't get to his cross. So that's where we're picking up, with questioning of Mr. Pehnke.

In terms of my lineup, Chairman, I'm going to bring back John Cote, the civil engineer, for the rest

of the civil testimony: the grading, the trees, the stormwater. I think he's going to be about a half an hour on the affirmative side of what we need to put in, around 30 minutes for him, again, what he's going to testify to, and then I'm going to conclude with our planner, Sean Moronski. He's from Langan and he's got about 20 minutes or so of affirmative testimony.

I do note we have the various review letters from your professionals. We don't have any issues addressing those concerns. We believe that they're technical in nature. If the board is inclined, we think those concerns can be handled as conditions of approval in a resolution, if that's the board's inclination.

So, Chairman, that's what I have. If I may, just to confirm, the eligible voters, we have Chair Bagoff, Council President Scarpa, Guarino, Alper, McCarthy (sic), Kapferer, and Noborine. Do I have that right? Is that who we have eligible tonight, those seven?

CHAIRMAN BAGOFF: Jamilet?

SECRETARY VITE: Mr. Guarino is not here. Is Mr. Alper --

MR. SCHKOLNICK: Oh. I'm sorry.

SECRETARY VITE: So just to make sure, Mr.

Alper, Mr. Morgan, Mr. Noborine --

MR. SCHKOLNICK: Oh.

SECRETARY VITE: Ms. Kapferer, Council President Scarpa, Mayor McCartney, Chairman Bagoff.

MR. SCHKOLNICK: Okay. I made a mistake. So it's Morgan who's -- so it's Bagoff, McCarthy (sic), Norborine (sic), Morgan, Scarpa, Alper, and Kapferer?

CHAIRMAN BAGOFF: Okay. Before we get --

SECRETARY VITE: Yes.

CHAIRMAN BAGOFF: -- started, Mr. --

MR. SCHKOLNICK: So we have seven?

CHAIRMAN BAGOFF: Yes. Before we get started, Mr. Schkolnick, a little housekeeping.

(The chairman addresses another issue.)

CHAIRMAN BAGOFF: Okay. Mr. Schkolnick, you have the floor.

MR. SCHKOLNICK: Okay. We're -- Chairman, as I mentioned, we had Mr. Pehnke. We could do a quick recap if you'd like, but --

CHAIRMAN BAGOFF: Go right ahead.

MR. SCHKOLNICK: Karl, are you on?

MR. PEHNKE: I am. And I remain under oath and my license is still in good standing.

CHAIRMAN BAGOFF: Excellent. Thank you, Sir.

MR. SCHKOLNICK: Okay. Karl, if you want to

do a two-minute recap for us to just get us back into it?

MR. PEHNKE: Yeah, certainly. So -- actually, let me see. I might as well share my screen.

MR. SCHKOLNICK: Okay. Karl, if you remember, I'm going to ask you to call out the sheet number and the last revision date of this stuff that's already in the record.

MR. PEHNKE: Yup. So what I'm referencing is a plan submitted as part of the record, as part of the plan set for the improvements along Eagle Rock Avenue. It's entitled, "Signing and Striping Plan". It's sheet 14 of twenty -- of 22 and it's dated 3/12/2026.

So -- so very briefly, we spent some time last week. The applications involves improvements within Crestmont Country Club, including the expansion of parking, the improvement of internal circulation which my partner Mr. Cote will get into more on the site design. Most importantly from a traffic perspective, the relocation of the existing egress drive, which comes down, as you are all aware, to Eagle Rock Avenue on an acute angle today to align opposite Oval Road, improved grading on the approach to Oval Road, flattening the approach in accordance with design

standards that are appropriate, widening of Eagle Rock Avenue towards the project site to separate the left turn movements that turn onto Oval Road from the through movements, providing public safety, traffic signalization as discussed a little bit earlier that incorporates control of both vehicular movements as well as provides for full pedestrian crossings.

So that really sums it up. What I would like to add is, in -- in sum, since the last meeting, we did have the opportunity to have a pre-application meeting on this application with Essex County that included the county planner, David Antonio; the county traffic engineers, Asif Mahmood and Isaac Ojeda; and the county engineer, Sanjeev Varghese.

I can report that the county agrees that this is an appropriate improvement at this location. They like the traffic signal, they think it's needed today. They pointed out that pedestrian crossings in this area are challenging and that the county over the last five years probably faced like 200 res -- pass -- pedestrian incidents crossing roads, so they see a positive benefit in the signalization of this location from that standpoint.

They also like the relocation of the driveway; they actually had suggested it a few years

ago. It does a couple of things for them. It gets rid of that acute angle. It also improves the drainage, which currently flows down onto Eagle Rock Avenue.

I can indicate they had two requests, on of them was self-evident. They wanted us to make sure that we were removing the old pavement of the old driveway and we assured them we were doing that, and they wanted to make sure that we are adding equipment to the Laurel Avenue intersection and to this intersection so that the two intersections are coordinated and talk to each other which, as I testified at the last meeting, is already part of the design.

So I think that really sums up where we were, and a little bit of supplemental information that's occurred since the last meeting.

MR. SCHKOLNICK: Karl, and of course there had been conversations between the various parties over the years as well?

MR. PEHNKE: That's correct. And we discussed those at the last meeting.

MR. SCHKOLNICK: Okay. So Chairman, I did put in all of my direct with -- with Karl, and he just gave you a little recap but we were ready for either board or public questioning.

CHAIRMAN BAGOFF: Okay, great. Let's start with Mayor McCartney. Mayor McCartney, do you have any questions for Mr. Pehnke on his testimony?

MAYOR McCARTNEY: I do not at the moment. Thank you.

CHAIRMAN BAGOFF: Thank you. Council President Scarpa, do you have any questions for Mr. Pehnke on his testimony?

COUNCILWOMAN SCARPA: Not at this moment.

CHAIRMAN BAGOFF: Thank you. Mr. Alper, do you have any questions for Mr. Pehnke on his testimony?

VICE CHAIRMAN ALPER: None from me. Thank you.

CHAIRMAN BAGOFF: Thank you. Mr. Morgan, do you have any questions for Mr. Pehnke on his testimony?

MR. MORGAN: Not at this time, Sir.

CHAIRMAN BAGOFF: Thank you. Captain Noborine, do you have any questions for Mr. Pehnke on his testimony?

MR. NOBORINE: Not at this time, Chairman.

CHAIRMAN BAGOFF: Thank you. Ms. Kapferer, do you have any questions for Mr. Pehnke on his testimony?

MS. KAPFERER: Thank you, Chairman and yeah,

thank you, Mr. Pehnke. Just one question. Can you review, you know, the -- the crosswalks that you have there? Will they be connecting to any existing sidewalk?

MR. PEHNKE: So --

MS. KAPFERER: I don't believe there is any in the area, but.

MR. PEHNKE: Correct. The -- the sidewalk system actually ends over by Wakeman -- Wakeman Street. There is evidence of a path just to the west of that. But in this area, the signal will include connecting sidewalks on the -- the quadrants, handicap ramps, and -- and the crosswalks them -- themselves, particularly providing the crossing, the safe crossing of Eagle Rock Avenue.

So that's -- that's what's currently included in the plans.

MS. KAPFERER: All right. Thank you.

CHAIRMAN BAGOFF: Thank you. Mr. Pehnke, is the applicant going to have a sidewalk from Laurel Avenue down to the easterly aspect of the -- of your land?

MR. PEHNKE: We haven't proposed it as part of this -- this application. We do -- as we talked at the last meeting, as part of the design, we have graded

the frontage so that it is a walkable surface. It isn't today, if you're aware or familiar with the area, it's sort of wooded and a little bit steep in there. So the entire border area will be basically a flat grassed area about eight to nine feet back from the -- from the curb line, but we haven't specifically designed and incorporated a -- a sidewalk in that section in this plan.

CHAIRMAN BAGOFF: Okay. So I'm going to ask that the board, when we're done discussing, review -- my recommendation is to have a sidewalk from Eagle Rock Avenue to the easterly side of the property all along Eagle Rock Avenue. Okay. Ms. Apte, do you have any questions for Mr. Pehnke on his testimony?

MS. APTE: No, Mr. Chairman. Thank you.

MR. PEHNKE: Mr. Chairman, just could I clarify? When you say the easterly side of the property, are you talking --

CHAIRMAN BAGOFF: Of the property. Where the property ends going down Eagle Rock Avenue. Every -- wherever Crestmont Country Club's property ends on the easterly side, I think it goes up to -- on the opposite side of the road, would be the Pleasantdale Chateau? Wherever it ends -- I don't want you to build a road -- a sidewalk on someone else's property, is what I'm

saying.

MR. PEHNKE: Correct. So basically, from roughly opposite Wakeman Street to the intersection, or all the way to Laurel?

CHAIRMAN BAGOFF: All the way to Laurel, this way it's going -- we're -- we're complying with the master plan and what the state recommends for connectivity and walkability. It would make a lot of sense.

MR. PEHNKE: Thank you, Mr. Chairman, for the clarification.

CHAIRMAN BAGOFF: Thank you.

MAYOR McCARTNEY: Chairman, I have a question.

CHAIRMAN BAGOFF: I'm sorry. Mayor McCartney?

MAYOR McCARTNEY: Okay. Thank you. Is there a bus stop at all along that path?

MR. PEHNKE: There isn't a New Jersey Transit bus stop. I'd been advised that there is a para-transit that occurs in this area. I could not find any evidence of a formal assigned bus stop, but I have been told through the years that it does occur at this location, which is one of the reasons why the crossing at this intersection would be advantageous to -- to

assist that para-transit operation.

MAYOR McCARTNEY: Thank you.

CHAIRMAN BAGOFF: Okay. Mr. MacNeill, do you have any questions for Mr. Pehnke on his testimony?

MR. MacNEILL: No questions. Thank you, Chairman.

CHAIRMAN BAGOFF: Thank you. Do -- do any members of the public have any questions for Mr. Pehnke on his testimony? Please raise your hand and be identified.

MS. McGOVERN: Before you get into that, Dr. Bagoff, can -- the sidewalks along Eagle Rock, that's a condition?

CHAIRMAN BAGOFF: Yes. I'm recommending that if we -- we have to vote on it, but I recommend it's a condition of approval --

MS. McGOVERN: Okay.

CHAIRMAN BAGOFF: -- from Laurel Avenue to the easterly side of their property.

MS. McGOVERN: Does the applicant have any object -- no. The applicant consents to that, I would suspect, but --

MR. SCHKOLNICK: We -- we cannot agree to do things on other property, what I think Mr. Bagoff said on our --

CHAIRMAN BAGOFF: I didn't ask that, Mr. Schkolnick. I said on your property.

MR. SCHKOLNICK: I -- I just am duty-bound to clarify that, Chair.

CHAIRMAN BAGOFF: And I said that three times because I am duty-bound to make sure we don't do anything outside of your property.

MS. McGOVERN: Okay. So the -- there is consent to that condition should the application pass?

MR. SCHKOLNICK: Well, we -- well, Counsel, let's get all the conditions at the end and we'll let you know. Okay? Not one by -- let's put them all together if you would and then I'll have a little break and we could -- we could talk about that, but --

CHAIRMAN BAGOFF: Thank you.

MR. SCHKOLNICK: Conceptually, it's not a problem.

CHAIRMAN BAGOFF: Okay. Thank you.

MS. McGOVERN: Okay.

CHAIRMAN BAGOFF: Do any members of the public have any questions for Mr. Pehnke on his testimony? Please raise your hand and be identified.

ZOOM OPERATOR: We'll start with Shana. Please state your name and address for the record.

MS. TOSCANO: Sorry. Can everybody hear me?

CHAIRMAN BAGOFF: Go right ahead.

MS. TOSCANO: Hi. My name is Shana Toscano. I live 1.4 miles from the proposed traffic light site. I have a few questions. As I understand it, you want to put this light here for three reasons; (A), to make the country club members in and out easier, to prevent pedestrian crossing accidents, and you mentioned drainage. Is my understanding correct, or are there other major reasons?

MR. PEHNKE: At the last hearing, I walked through the safety issues at the --

CHAIRMAN BAGOFF: Excuse me one second, Mr. Pehnke. Stop the clock, please, when the -- when the expert answers, we're going to stop the clock. Go right ahead, Mr. Pehnke. I'm sorry.

MR. PEHNKE: Certainly. So at the last meeting, I walked through multiple existing conditions out here that are challenging and impact public safety, one of them being the driveway skew as it approaches into Eagle Rock Avenue, the other being the challenges at Oval Road in terms of sight distances, particularly looking towards the right across the fence line and -- and tree lines of the Essex Fells Country Club, the volumes obviously turning to and from Oval Road, the desire to improve the exit safety and in improving

that, provide for a public benefit and overall improvement to this section of Essex -- Eagle Rock Avenue.

So there's -- there's multiple -- there's multiple things being solved as part of this application which are being driven by the desire of the country club to -- to create some safety for its own members and circula -- and circulation, so it -- it's a multitude of items that we're addressing.

MS. TOSCANO: Thank you. I'm looking at a letter, and it's three pages, and it references addition -- in addition to the preliminary site plan, you're also seeking relief on seven items. And all of the items appear to have a requirement and you're asking for either more or less and I just want to make sure I'm looking at that properly because it looks like you're asking for an exception on a number of things.

I live very close to this site. I travel by there all the time. Personally, I -- I don't see what you're seeing. So I just want to ask are you asking for exceptions on all these seven items? The minimum distance, the number of parking spaces, the setback, the feet required, et cetera? It's on page 3.

MR. PEHNKE: So my part -- so my partner's Mr. Cote, who will -- who has yet to testify and Mr.

Moronski will address each of those items. They're ancillary items that result from the implementation of these improvements, so they're des -- they're driven by design, topography, all that help create the -- the improvement to this intersection and to the public, so they will walk through those on-site impacts of this off-site improvement that are driving the requests for some relief, and Mr. Cote will get into that in detail and so will Mr. Moronski.

MS. TOSCANO: Thank you. What alternatives have been proposed or researched other than this huge plan that requires multiple exceptions to be made for the Crestmont Country Club?

MR. PEHNKE: This -- this is the application that's before the board this evening.

MS. TOSCANO: Were there any other alternatives explored?

MR. PEHNKE: This is the improvement that we are proposing to bring before this board and are requesting approval for. There is no other alternative for consideration.

MS. TOSCANO: Have you explored any alternatives and rejected them, or is this the first idea that you've had?

MR. PEHNKE: As dis -- as discussed at the

last meeting, this improvement has developed for many reason (sic) over many years. It has a long history to it and is the improvement that's proposed. I -- I have not explored any other alternatives. I am in design in permitting for this project and we're before the board tonight for their approval and blessing.

MS. TOSCANO: Anybody else on your team -- does anyone else know if Crestmont Country Club has explored any other ideas than this one? Any other alternatives?

CHAIRMAN BAGOFF: Ma'am --

MR. PEHNKE: We're not aware of any.

CHAIRMAN BAGOFF: You're only addressing Mr. Pehnke.

MS. TOSCANO: I'm addressing whoever can answer the question and he has limited --

CHAIRMAN BAGOFF: You -- you can -- you can address each one individually, but they can't answer as a group. I'm sorry. It's just the way it is.

MS. TOSCANO: All right. I'm just trying to understand what's happening here.

CHAIRMAN BAGOFF: Sure. Absolutely.

MS. TOSCANO: Okay. So I would like to address the West Orange Council. Have any other --

CHAIRMAN BAGOFF: No, no, no. Ma'am? Ma'am?

Ma'am? Listen to me, please. I just want to have a clear record. You can go to --

MS. TOSCANO: Okay.

CHAIRMAN BAGOFF: -- a council meeting and address the West Orange council. This is the planning board. Here, you'll address the planning board with any questions.

MS. TOSCANO: Okay. West Orange Planning Board. Have any other proposals been submitted to solve -- for --

CHAIRMAN BAGOFF: This -- this is the applica -- Ma'am, this is the application that's before us at this time. And that's the only proposal that we have at this moment.

MS. TOSCANO: Great. That's what I wanted to know. Thank you.

CHAIRMAN BAGOFF: You're welcome.

MS. TOSCANO: Am I allowed to make a comment during my last 48 --

CHAIRMAN BAGOFF: No. You -- later. Later. Ma'am, later.

MS. TOSCANO: Okay.

CHAIRMAN BAGOFF: Yeah. Once -- once we -- absolutely. 100 percent.

MS. TOSCANO: Okay.

CHAIRMAN BAGOFF: As soon as we're done, we'll go through and we'll ask for comments.

MS. TOSCANO: Thank you for your patience. (Indiscernible.)

CHAIRMAN BAGOFF: My pleasure. Thank you.

MS. TOSCANO: I appreciate it. I -- I'm done. Thank you.

CHAIRMAN BAGOFF: Okay. Thank you. Do any other members of the public have any questions for Mr. Pehnke on his testimony? Please raise your hand and be identified.

ZOOM OPERATOR: Kevin Malanga. Please state your name and address for the record.

MR. MALANGA: Kevin Malanga, Ridge Road. Mr. Chairman, members of the board, good evening.

CHAIRMAN BAGOFF: Good evening, Mr. Malanga. Go right ahead, Sir.

MR. MALANGA: Thank you. Mr. Pehnke, good evening.

MR. PEHNKE: Good evening.

MR. MALANGA: Are you familiar with the application that was made by the applicant in 2017 for an expansion of its parking lot?

MR. PEHNKE: I am not intimately familiar. I am aware that there has been prior applications, as

Crestmont Country Club has proceeded through the years and -- and I've addressed their needs.

MR. MALANGA: All right. So you're not familiar with the fact that Crestmont made an application for an expansion of its parking lot based on need of its members but did not request that there be a traffic light constructed where it is presently proposed?

MR. PEHNKE: No. That -- that's a statement. I -- this application is what's before the board today based on Crestmont Country Club's application.

MR. MALANGA: So what factors result in a need for this parking -- I'm sorry, for this traffic light at the end of this parking lot and driveway?

MR. PEHNKE: That was testified to by the country club manager at the last meeting.

MR. MALANGA: So no one has provided you with that information, other than through that testimony?

MR. PEHNKE: Well, that -- there was -- there was substantial testimony given to this application, its relationship to the needs of the country club, the signalization of this intersection, which is a desire of the township. The discussion was had regarding its relationship to another application, which is the West Essex Highlands application, which also has an

obligation under a settlement agreement that was discussed at the last meeting. So all of that was presented through her testimony at the last meeting.

MR. MALANGA: So, the driveway at Laurel Avenue, that is the entrance to the club. Is that right?

MR. PEHNKE: That is correct.

MR. MALANGA: And there is no means of egress from there?

MR. PEHNKE: That's correct.

MR. MALANGA: Has there been consideration to converting that driveway to ingress and egress?

MR. PEHNKE: No.

MR. MALANGA: And is it -- why is that?

MR. PEHNKE: The -- the applicant has an established circulation pattern on this site. They have -- their porte cocheres are actually oriented to receive from that driveway. This application maintains that on-site pattern, improves the on-site pattern, and -- and improves their parking supply, so it has been coordinate from that standpoint.

MR. MALANGA: So it's really the convenience of the applicant that this new traffic light is being proposed. Is that fair to say?

MR. PEHNKE: I wouldn't -- I wouldn't say

it's the convenience of the applicant. It's -- it's a host of factors that are driving it. There's a desire to improve the site, there's a desire to improve the safety of their egress. That does relate to public improvements that are desired in this area. So all of those things come together to have this make logical sense as a solution that both solves the country club's needs as well as provides a fairly substantial public benefit.

MR. MALANGA: In your professional opinion, would it be possible to construct a driveway at Laurel Avenue that provides both for ingress and egress?

MR. PEHNKE: No.

MR. MALANGA: And why is that?

MR. PEHNKE: Too close to the intersection with Eagle Rock and Laurel. If you're familiar with that intersection, it's channelized. The driveway is probably within 100 feet or 120 feet of the intersection. There's a lot of queuing that goes on there. That -- that's a fairly extensive intersection so in my opinion, no, that would not be an appropriate solution.

MR. MALANGA: Now, you testified that you had discussions with Essex County and those discussions included a mention of pedestrian incidents. Is that

the term that you used?

MR. PEHNKE: That's correct.

MR. MALANGA: And could you describe what those pedestrian incidents were and where they were?

MR. PEHNKE: They're countywide, the county indicated in our -- in our conversation that over the last five years, they've recorded some 200 and something, north of 200 pedestrian hits. An incident is -- is exactly that, it's a pedestrian being hit by a vehicle. It is a problem throughout the county that's a challenge to address and they embrace opportunities to -- to help address those issues.

MR. MALANGA: So was there discussion specifically of Eagle Rock Avenue pedestrian incidents between Laurel Avenue and the proposed traffic light?

MR. PEHNKE: No.

MR. MALANGA: I have no other questions. Thank you.

CHAIRMAN BAGOFF: Thank you, Mr. Malanga. Do any other members of the public have any questions for Mr. Pehnke on his testimony? Please raise your hand and be identi -- identified.

ZOOM OPERATOR: Paul Tractenberg, please state your name and address for the record.

MS. McGOVERN: He's on mute.

ZOOM OPERATOR: I just asked him to un-mute. Let's see. Paul? There you go.

MR. TRACTENBERG: Yeah. Sorry. Sorry. I think I'm now off mute?

CHAIRMAN BAGOFF: Yes, Sir. Go right ahead, Sir.

MR. TRACTENBERG: Paul Tractenberg, 96 Sullivan Drive in West Orange. Mr. Pehnke, two quick questions. One, following up on Mr. Malanga's question about pedestrian crossing near the proposed traffic signal. Do you have -- have you done or has anybody done any count of how many pedestrians try to cross that area? Because I'm familiar --

MR. PEHNKE: We have not --

MR. TRACTENBERG: -- with it and I -- I don't remember anybody trying to cross there.

MR. PEHNKE: We have not specifically done a pedestrian count, and by observation I would suspect it's relatively light. That's neither here nor there. There are no really safe crossing locations of Eagle Rock Avenue, which is a fairly substantial county road, and this provides the opportunity in this area to provide that. So whether it's one person that walks in in a day or week or whether it's 2,000, it's pedestrian safety and it provides the opportunity for a controlled

location, and that's what the county is interested in seeing and that's what this proposal helps bring to -- forward.

MR. TRACTENBERG: Have -- have you done any study of how many pedestrians walk up and down Eagle Rock in the vicinity of the traffic signal?

MR. PEHNKE: I have not.

MR. TRACTENBERG: Other question, please. Have your turning numbers and other indicators taken into account the traffic proposed by the West Essex Highlands development?

MR. PEHNKE: The design has considered both the existing traffic at this intersection as well as it is designed to accommodate increased traffic, including, should that project advance forward, the traffic from that project, yes.

MR. TRACTENBERG: Right. I assume you know that the planning board denied the application. That's not the end of the story, but at the moment, it looks like in the near future at least, there will be no additional traffic. Does that in any way affect your analysis?

MR. PEHNKE: It does not.

MR. TRACTENBERG: So a traffic signal, in your judgment, is required whether or not the

additional development occurs?

MR. PEHNKE: That's correct. The signal's warranted today. The county actually concurs with that position, which is one of the reasons why they are supportive of this moving forward. So whether or not that project moves forward, this is a public benefit, there is a need for it, and this project -- this application or approval of this application will advance that.

MR. TRACTENBERG: And -- and I think earlier, you adverted to the fact that the -- the signal at Laurel and Eagle Rock can somehow communicate with the proposed new signal. Could -- could you elaborate on that a bit?

MR. PEHNKE: Correct. So -- so basically, we -- when you have traffic signals along an arterial corridor, you want to try -- you want to coordinate them. Today, that's done by installing GPS units, basically, clocks that tie into satellites so that all the signals are -- or controllers are operating on the exact same time. When you do that, you can then coordinate the operations of the signal to maintain a progressive flow along Eagle Rock Avenue. So, that is a requirement of the county that we -- that we do that.

MR. TRACTENBERG: Related to that, is -- is

-- my understanding is that there's some engineering principle or -- or traffic signal rule that signals should be at least 1,000 feet apart. Am I stating that accurately?

MR. PEHNKE: No, you are not. That's incorrect.

MR. TRACTENBERG: Could you correct me?

MR. PEHNKE: Traffic signals can be as -- you know, can be as close as a couple hundred feet. I mean, that's -- there's examples of that all -- all over the place. There's no requirement under the Manual of Uniform Traffic Control Devices that they be separated by any particular distance. It's a matter of how you design the intersection, the traffic volumes, and the coordinated system.

What you may have heard as part of another application is a reference to one of the standards that's in the MUTCD that's used for justifying traffic signal. It's a warrant standard. It's called -- I think it's warrant 9, traffic signalization for a coordinated system. I have never used that warrant. I'm not aware of anyone that has ever used that warrant to justify a traffic signal.

Not to be professorial, but basically, the idea behind that warrant is if you have a corridor that

has widely-spaced traffic signals and you have an intersection that otherwise would not warrant a traffic signal based on volume and/or other reasons but the installation of the signal created a good progression and coordination in the corridor by its installation, which would not only help that intersection but help other un-signalized intersections along the way because you're creating a platooning effect, then that is a reason to consider a signal at a location that otherwise would not be considered.

There is a stipulation in that warrant that says it shouldn't be used if the signal would be closer than 1,000 feet to another signal, which makes sense because that would not make -- it would not be consistent with the idea that you have a extended length of corridor and you -- you know, with few signals and you're putting an intervening signal.

So it doesn't apply in this case and it has nothing to do with this application. And as I said, the county is already in agreement that this is an appropriate location for signalization.

MR. TRACTENBERG: Okay. So you're in -- in your professional opinion, having two traffic signals on Eagle Rock within -- I think it's 800 or 820 feet would not be an issue?

MR. PEHNKE: Not at all. In fact, it's going to improve traffic flow in this area and the safety in this area. There is also, as part fo the widening, since we're widening it to create the left turn lane into Oval Road, we are extending the length of the left turn lane onto Laurel Avenue. All of that will significantly help traffic flow and safety along this section of Eagle Rock Avenue.

MR. TRACTENBERG: Ju -- just a final question. So in your -- in your professional opinion, the major reason to signalize that intersection is for public safety, not for the convenience of the country club and its members?

MR. PEHNKE: As I testified to, there's a multitude of reasons. The country club's interest, of course, is its egress and on-site circulation and safety of its -- its egress. It just so happens that Oval Road is also at a location that makes sense to align opposite and is also in need of improvement.

So it's a whole combination of factors that comes together to make this more than just a driveway construction. It creates a consolidated, safe intersection that improves overall safety in the corridor.

MR. TRACTENBERG: Thank you. That's all I

have.

CHAIRMAN BAGOFF: Thank you, mis -- Mr. Tractenberg. Are there any other members of the public that have any questions for Mr. Pehnke on his testimony? Please raise your hand and be identified.

ZOOM OPERATOR: Dr. Deborah Fetchman (sic), please state your name and address for the record. Dr. Deborah? Please un-mute.

CHAIRMAN BAGOFF: Please un-mute yourself.

ZOOM OPERATOR: Okay. I can go back to her.

CHAIRMAN BAGOFF: Okay. Do any other members of the public have any questions for Mr. Pehnke on his testimony? Please raise your hand and be identified.

ZOOM OPERATOR: Seth, please state your name and address for the record.

MR. WEISLEDER: Yes. Good evening. Seth Weisleder, 17 Howell Drive, a driver who drives down Eagle Rock and turning on Laurel and by Crestmont Country Club at least three to four times a week.

MR. SCHKOLNICK: Chair -- Chairman, it's --

MR. WEISLEDER: So --

MR. SCHKOLNICK: Excuse me, Chairman. It's Richard Schkolnick, the applicant's attorney.

CHAIRMAN BAGOFF: Mr. Schkolnick?

MR. SCHKOLNICK: Can I have the camera turned

on for the people that are questioning? I -- I can't see their -- I cannot see their faces.

CHAIRMAN BAGOFF: Yes. Absolutely. Mr. Weisleder, will you turn on your camera, please?

MR. WEISLEDER: I -- I can, but I don't find that to be fair as a point of order that it was not --

CHAIRMAN BAGOFF: Okay. Ms. McGovern?

MR. WEISLEDER: It was not for everyone. Is now it just for me, when I came on?

CHAIRMAN BAGOFF: Mr. -- Mr. Weisleder, hang on a second. Hang on, Sir. Ms. McGovern?

MR. WEISLEDER: It's a point of order.

CHAIRMAN BAGOFF: I understand. That's why we're going to ask the attorney.

MS. McGOVERN: When people are sworn in, they have to have their camera on. This is a matter of --

CHAIRMAN BAGOFF: Questions.

MS. McGOVERN: -- procedure that we've been using, and we haven't asked people to put their cameras, Mr. Schkolnick. I would recommend if -- if Mr. Schkolnick wants to go -- going forward, all of the other people raising their hand -- some may not have a camera because we haven't done that on Zoom, at least in the years that I've been working with the board, they're -- they've never been required when they're

asking a question because they're not being sworn in, they're just asking a question. When they do get sworn in and they're giving testimony, then it is required. So therefore, Chairman, it's your -- it's your prerogative.

CHAIRMAN BAGOFF: Well, we -- we haven't had -- Mr. Schkolnick, we haven't had that as a policy previously and I'm not going to engage that right now. But thank you for your question.

MR. SCHKOLNICK: Okay. I reserve my rights, of course, on that.

CHAIRMAN BAGOFF: Yes, you do, Sir. We -- and we -- we note that for --

MR. SCHKOLNICK: No problem. No problem. I want to move it along, but I --

CHAIRMAN BAGOFF: Okay. Thank you. Mis --

MR. SCHKOLNICK: You know, it's -- it's difficult for me to -- to understand the full demeanor, obviously --

CHAIRMAN BAGOFF: Absolutely. I -- I understand.

MR. SCHKOLNICK: -- of what's happening. Zoom is challenging enough here, so I -- I reserve my rights. But let's try to move on and --

CHAIRMAN BAGOFF: Okay. Thank you.

MR. SCHKOLNICK: We'll do the best we can.

CHAIRMAN BAGOFF: Mr. Weisleder?

MR. WEISLEDER: May I also request my additional 10 seconds back due to this procedural question?

CHAIRMAN BAGOFF: We'll -- we'll -- don't worry.

MR. WEISLEDER: Thank you.

CHAIRMAN BAGOFF: I'm keeping track. Go right ahead. Reset the clock, please. Thank you. Go ahead, Mr. Weisleder.

MR. WEISLEDER: So, Mr. Pehnke, what -- what current operational problems exist with the current driveway, as is?

MR. PEHNKE: So, at the last meeting, I went through that in detail. The existing driveway comes down onto Eagle Rock Avenue at an acute angle. The last section of it is at -- relatively steep, seven to eight percent, as it comes into Eagle Rock Avenue. It comes in just to the west side of a bend in the road. With the existing tree lines and vegetation that's in there, there are restricted site lines. As a result, being able to look up and around the bed on Eagle Rock Avenue, the acute angle makes it difficult for a driver to look left, back up at Eagle Rock Avenue.

So those are some of the operational and safety challenges created by the driveway that's been here for some time. From a drainage standpoint, the -- the drainage actually drains right down onto Eagle Rock Avenue, which we're -- we're correcting with this application.

So those are some of the -- the issues associated with that driveway today that we are correcting.

MR. WEISLEDER: So that driveway has been like that for quite some time. How many crashes have occurred at that current driveway in the last five years? Was that evaluated?

MR. PEHNKE: I haven't done that -- done that analysis. It's immaterial. It's to avoid a future crash. As you're aware, traffic is increasing throughout the state. Eagle Rock Avenue is an important corridor. This is an opportunity by the country club to improve the safety of its driveway for its membership and as well as for the tra -- the traveling public along Eagle Rock Avenue. An intersection not only just serves whoever is exiting or entering onto a private property, but it affects the people that are traveling along the -- the roadway. So that is the application and the reason -- one of the

reasons for the application.

MR. WEISLEDER: And have -- how many pedestrian accidents have happened there in the past five years?

MR. PEHNKE: We haven't researched that.

MR. WEISLEDER: Okay. Is there a documated -- documented safety problem today? I mean, besides your testimony, but a documented problem?

MR. PEHNKE: No. We haven't researched it and we haven't evaluated this on particular accident data. This is based upon the -- the existing operational conditions that are observable in the field by engineering study, conditions that are readily observable by anybody, quite frankly. Whether or not an accident has occurred doesn't mean it's not going to occur and that these are contributing factors to that, and that is what we're looking to do is to create the safest intersection that we can do and that's our obligation as engineers.

MR. WEISLEDER: So as -- you mentioned Essex County a couple of times. Did they request that this driveway be moved?

MR. PEHNKE: Essex County several years ago, quite frankly, it was before my involvement with the West Essex Highland application, which is off of Oval

Road, when the intersection and signalization at Oval Road was discussed with the county back -- back then, they actually made the suggestion that as part of doing that, that this driveway be relocated to make a safer overall section of roadway, so that dates back quite a few years. It's hearsay to me, but I've been told by the prior traffic engineer and -- and by the county traffic engineer that that was their offering several years ago, as they have had input to this through the years.

MR. WEISLEDER: So I just want to make sure it's clear that your analysis evaluates future 2027 build, including West Essex Highlands development. Correct?

MR. PEHNKE: That's correct.

MR. WEISLEDER: Okay. When you evaluated the -- the driveway where it is, did you evaluate restricting left turns?

MR. PEHNKE: No.

MR. WEISLEDER: Did you evaluate right-in, right-out access only?

MR. PEHNKE: No.

MR. WEISLEDER: Did you evaluate --

MR. PEHNKE: There is no -- there is no -- there is no inbound access at that driveway. It's an

egress driveway only.

MR. WEISLEDER: Okay. So right-out access. Did you evaluate limiting event traffic?

MR. PEHNKE: No.

MR. WEISLEDER: Did you evaluate internal circulation changes?

MR. PEHNKE: As I said, there are internal circulation changes associated with this application, associated with improved parking and -- and connectivity to this egress drive. That has been evaluated and incorporated into this application.

MR. WEISLEDER: Okay. And with regards to the light, did you perform any formal sight distance analysis?

MR. PEHNKE: In terms of -- when the signal goes in place, the sight line issues are obviated. I mean, it is clear when you drive through this intersection when you approach on Oval Road and you look to make a -- look to -- to the right that the country club fence line and tree line obscure vision looking towards Laurel Avenue. That's -- that's readily apparent in -- by visual observation.

And the same thing occurs exiting the -- the Crestmont Country Club driveway. Looking to the right, you can readily observe the -- the occlusion that

occurs with the vegetation and the curve that's there.

MR. WEISLEDER: Were crest vertical curves evaluated?

MR. PEHNKE: There's not really -- the sight distance is -- really isn't impacted too much by -- by the vertical curves in this area, it's more the horizontal curve and the border area, vegetative growth and -- and somewhat -- and such not.

MR. WEISLEDER: Mm-hmm. And were stopping distances calculated?

MR. PEHNKE: No. There's no reason to.

MR. WEISLEDER: Okay. So I -- I guess a question is the application's also for 32 additional parking spaces. Correct?

MR. PEHNKE: That's -- that's correct, and Mr. Cote will get into that further.

MR. WEISLEDER: So if this was to be, in your professional opinion, again, I think recommended for additional 32 spots without additional development in the area, the -- basically, this light is serving the -- the country club.

MR. PEHNKE: No. It's also serving Oval Road and controlling traffic along Eagle Rock Avenue. So it has multiple purposes with the relocation of the driveway.

MR. WEISLEDER: Right. But would the amount of vehicles filling two -- 32 additional spots warrant a full-on traffic light with pedestrian crossings that the other intersection does not have?

MR. PEHNKE: Not at the country club itself. That doesn't warrant the signal. Oval Road traffic warrants the signal, which is why it makes sense to relocate this driveway opposite Oval Road, which is an intersection that is warranted for traffic signalization, creating a singular -- singular aligned intersection that's taking care of both the egress movements from the -- the country club as well as the movements to and from Oval Road. So the whole thing comes together as a package.

MR. WEISLEDER: Okay. Thank you.

CHAIRMAN BAGOFF: Thank you, Sir. Mr. Pehnke, would you -- would you comment, is this consistent with what the RSIS recommends?

MR. PEHNKE: RSIS wouldn't apply in this instance. There's no regulations in the residential site improvement standards that address a intersection design on a public road.

CHAIRMAN BAGOFF: So intersections usually shouldn't -- is it better to have intersections across from each other or angled --

MR. PEHNKE: Oh. In terms of -- absolutely. So that -- that wouldn't be RSIS, the residential site improvement -- that would be more embodied in the design manuals that we use as engineers, which is the American Association of State Highway and Transportation Officials publication, otherwise known as AASHTO. It's nationwide. And -- and yes, it encourages alignment of streets and driveways. It encourages the inclusion of left turn lanes on arterial roads such as this.

The New Jersey DOT design manual, which is based upon AASHTO, also reflects those very design parameters. The signal design meets the standards that would be embodied in the NJDOT design manual, which the county defers to, as -- as well as some supplemental standards that they -- they use. Those are all really the guiding documents and those are statewide and nation -- national documents.

CHAIRMAN BAGOFF: Right. I just had my acronym wrong. Do any other --

MR. PEHNKE: That's fine.

CHAIRMAN BAGOFF: -- members of the public have any questions for Mr. Pehnke on his testimony? Please raise your hand and be identified.

ZOOM OPERATOR: Rachel Klein, please state

your name and address for the record.

MS. KLEIN: Rachel Klein, Howell Drive. Can you hear me?

ZOOM OPERATOR: Yes.

CHAIRMAN BAGOFF: Yes. Go right ahead.

MS. KLEIN: So, we keep hearing that the county wants it, the county thinks it's needed. Why isn't the county doing it? Why is a private entity doing it? If the county's been -- the county was asked to do this over 20 years ago and the county said no, the county was asked again 10 years ago, the county said no. But suddenly, the county is saying yes, but you indicated that the county was saying yes in rela -- in relation to the West Essex Highlands, but that would be an addition of 1200 cars on the road.

So, does the county want it for Crestmont or does the county want it for a possible 1200 more additional cars on the road?

MR. PEHNKE: At the -- at the last meeting, we talked about that a little bit. Basically, it's a funding priority issue. You know, government entities have restrictions and funding that's available. This is certainly a project that rises to the level of a capital improvement by a government agency but probably doesn't arise to the priority. There are a lot of

other priorities that are dealt with on a yearly basis of the county, so not having the money and ability to move forward with it doesn't change the desire to have it done. And in this case, they have the ability to -- to have an improvement done at a private entity's cost.

MS. KLEIN: Are you stating the county doesn't have the money to put a traffic light at Oval and Eagle Rock if it wanted one there?

MR. PEHNKE: I -- I would say unless they wanted to -- unless it -- it rose to the level of priority in their long list of priorities that they deal with countywide, it would -- it would hit that list, but I would respectfully suggest to you that the county has a lot to deal with countywide and apportioning of the money is a very difficult situation for the -- the county engineer, county staff, and -- and the North Jersey Transportation Authority.

So that's really what it comes down to quite frankly. They can't do everything they would like to do.

MS. KLEIN: It's -- I would think if Essex -- I mean, so you're saying that this -- this is a big enough priority for Essex County to want it, but they were just waiting for someone to give it to them for free. Is that what you're saying?

MR. PEHNKE: That's one -- I think -- I think it's something that's desirable. They see the benefit of it. They -- you know, are -- are prepared to --

MS. KLEIN: But not --

MR. PEHNKE: -- improve it, but it doesn't rise --

MR. SCHKOLNICK: Ms. Klein? Ms. Klein? Please let him finish.

MR. PEHNKE: But it doesn't obviate --

MR. SCHKOLNICK: -- question.

MR. PEHNKE: But it doesn't rise to or obviate their other priorities. That's really what it comes -- comes down to.

MS. KLEIN: Thank you. What other private clubs have you used kind of as a basis for this to even warrant this kind of change to a major road just for changing their driveway and some more parking spaces? Because we drive around, we see golf clubs, country clubs, wedding halls through the state and none of them seem to have their own private traffic lights. Did you have any --

MR. PEHNKE: This isn't -- this isn't a private traffic light. We're relocating the driveway to be opposite an appropriate location that is a -- an

intersection that serves a fairly subs -- large residential community on the other side, so we're taking that advantage to create that. As I said before, absent Oval Road, the driveway for the country club itself doesn't warrant the signal. The signal is warranted at its current location and the driveway is moving to where the signal is appropriately placed. So we're taking advantage of that location and placement and making a better intersection for everybody.

MS. KLEIN: But the three other times Crestmont Country Club came before when they wanted to put a traffic light, they didn't propose it at this location, even though Oval Road's been there for 40 years.

MR. PEHNKE: Those applications were made for whatever reason they were made.

MS. KLEIN: Thank you. And lastly, you -- everyone talks about improvements necessary, changes in traffic. Did anyone poll the public who actually use Oval Road on whether or not they actually wanted a traffic light there, or they feel a traffic light is needed there? Because there are not daily accidents there. There are more accidents actually at Laurel an Eagle Rock than Oval and Eagle Rock.

MR. PEHNKE: We're here tonight. This is the

public meeting and public input. I respectfully suggest that because there hasn't been an accident doesn't mean that this is precluding that from happening and this application in my opinion provides a safety improvement both for vehicular movement and pedestrian improvement that may put off something happening at this location because there are a lot of difficulties here. And with all due respect, anyone that does drive through this intersection doesn't need to be an engineer to understand the things that I pointed out as being factual.

MS. KLEIN: And how often do you drive through this intersection?

MR. PEHNKE: I've been through this intersection over the last two years quite a few times to observe the conditions both from observations as well as survey and engineering plans, so I'm familiar with the intersection. I don't live here, but I'm familiar enough as an engineer with the intersection to know that the problems that are there that are things we look to identify as professional engineers.

MS. KLEIN: Well, it's -- I just caution you to say about whether or not who this is benefitting because the residents who use Oval Road may be -- vehemently disagree with you whereas the people in

Crestmont may have a different view. Thank you.

CHAIRMAN BAGOFF: Thank you very much. Do any other members of the public have any questions for Mr. Pehnke on his testimony? Please raise your hand and be identified.

ZOOM OPERATOR: Lori Hassell, please state your name and address for the record.

MS. HASSELL: Hello. Lori Hassell, and I live in the West Essex Highlands. My address is 61 Lapis Circle and I do travel the road and I am very well aware of the traffic and the amount of pedestrians and I can tell you there's not a lot of pedestrians that walk on that road. There are no sidewalks and I've never seen a crash.

So my question for you, Karl, is the Crestmont received an approval back in 2024 for modular housing for seasonal workers. Correct?

CHAIRMAN BAGOFF: Well, we're not --

MR. PEHNKE: I'm not --

CHAIRMAN BAGOFF: Hold it. Hold it. Wait a second. He didn't testify to that, you're testifying. So let's focus on what he did testify to, please.

MS. HASSELL: Okay. Who can I ask this question, then? Crestmont received approval in 2024.

CHAIRMAN BAGOFF: Ma'am, that is not part of

the application here, so nobody now. Thank you, though.

MS. HASSELL: But it's related. I'm sorry to interrupt you, but it is related.

CHAIRMAN BAGOFF: It's -- I'm -- I'm sorry. It's -- modular housing is not part of this application.

MS. HASSELL: So my question is in this application, how is it different from that application in 2024. Were there a need for -- I'm trying to understand. Is there a parking shortage problem for Crestmont community -- Country Club?

MR. PEHNKE: My partner, Mr. Cote, will get into it further, but the existing parking at the country club basically is pressed. There was testimony from the manager last -- last month, she completed her testimony. They're looking to provide some -- a little bit of additional parking because they are seeing a little bit of a struggle during their peak periods and were looking to adjust that and address that.

MS. HASSELL: How many peak periods are there?

MR. PEHNKE: Again, I'll have to defer back to the record on the manager's testimony.

MS. HASSELL: Okay. Because I guess my

question is how many total parking spaces do you current -- does the country club currently have?

MR. PEHNKE: Mr. Cote will get into that.

MS. HASSELL: Okay. Is he here?

CHAIRMAN BAGOFF: Yes. Go right ahead.

MR. PEHNKE: He -- he will be testifying subsequent to my testimony.

MS. McGOVERN: Just one at a time, Miss. One at a time goes. Mr. Pehnke is the witness right now.

MS. HASSELL: Oh. Okay. Okay. I'm sorry. I apologize. Okay. So was there any -- I think the question was actually answered, but I wanted a little bit more clarity. On the idea of a right turn only on the egress, was that investigated?

MR. PEHNKE: No.

MS. HASSELL: Not at all?

MR. PEHNKE: No.

MS. HASSELL: Okay. And so do you feel that the light is more for a benefit of the Crestmont members as opposed to the community that drive on Oval Rock -- Oval Road and Eagle Rock?

MR. PEHNKE: No. As my testimony has -- has been, it's a substantial public improvement that benefits the community that lives off of Oval Road. It certainly provides the opportunity for Crestmont

Country Club to improve its egress and safety and it certainly improves safety and traffic flow along Eagle Rock Avenue, particularly with the ability and the widening that's involved to separate the left turns from the through movements on Eagle Rock, so there are multiple different users of this intersection that are benefitting from the improvement.

MS. HASSELL: Okay. I think that's it for -- for Karl. So if Mr. Cote could answer my other question.

CHAIRMAN BAGOFF: When he come -- when he comes back, yes. But not right now.

MS. HASSELL: Oh. Okay. Okay.

CHAIRMAN BAGOFF: We have to finish with Mr. Pehnke. Thank you very much.

MS. HASSELL: Yes.

CHAIRMAN BAGOFF: Thank you. Do any other members of the public have any questions for Mr. Pehnke on his testimony? Please raise your hand and be identified.

ZOOM OPERATOR: Zoom user, please state your name and address for the record.

MR. COHEN: Lawrence Cohen, 20 Lincoln avenue, Pleasantdale, New Jersey. Pleasantdale section. First, I'd like to thank the Crestmont

Country Club for allowing West Orange to buy the property adjoining Pleasantdale, and now it's a -- it's a forever -- forever wild area, park, and -- and that's very wonderful for West Orange.

Secondly, I'd like to ask Dr. Bagdoff (sic) if he could consider rescinding his -- his suggestion or his condition that sidewalk be including going toward Laurel Avenue. I'm a hiker, so I know this area actually by walking on foot, and I hardly -- I don't see anybody going there, and there are workers in Crestmont Country Club who will make a right and go down Eagle Rock towards the east, you know, and go to the bus -- bus stop at -- at Pleasant Valley Way and -- and Eagle Rock, but they -- the other -- the other direction that Dr. Bagdoff (sic) asked for sidewalk would be just very rural or suburban area that goes right to the highway. Nobody's walking there. Nobody's walking there. I think that would just be urbanizing the -- the -- a suburban area that -- that doesn't need a sidewalk. I think that would be a waste.

And then for people that are scared about the -- the traffic light, I'm -- I'm thinking that if the lights are synchronized, the light at Laurel and the light at this new -- this new proposed light at Oval,

if they're synchronized, I don't think it should really interfere with traffic flow at all. And I think people should understand that --

CHAIRMAN BAGOFF: Sir, would you ask Mr. -- would you ask Mr. Pehnke -- as -- as opposed to testifying --

MR. COHEN: Okay. I'm sorry. The question would be, then --

CHAIRMAN BAGOFF: Thank you.

MR. COHEN: Yeah. The question -- no. I'm -- I mean, actually, the question is for you, Dr. Bagdoff (sic), to -- to rescind that -- that --

CHAIRMAN BAGOFF: It's for -- well, let's go with Mr. Pehnke because he's testifying.

MR. COHEN: Okay. Mr. Pehnke, I guess I would -- would say that -- just -- just a little testimony that I have -- I think it is helpful and I -- I appreciate what you do about letting people cross the road with the light. I've seen workers, you know -- it's a dangerous crossing if you're -- I've walked there from the south side to the north side of Eagle Rock. It's a difficult crossing. So if there are pedestrian crossings there, that's good for the workers of Crestmont Country Club and anybody else who is going to walk and try to cross. That's all. I'm sorry I

didn't have a question for him. Thank you so much.

CHAIRMAN BAGOFF: Okay. Thank you. Do any other members of the public have any questions for Mr. Pehnke on his testimony? Please raise your hand and be identified.

ZOOM OPERATOR: Keith Sly, please state your name and address for the record.

MR. SLY: Yes. Keith Sly representing Pleasantdale Chateau. As you know, 757 Eagle Rock Avenue, right on the corner of Eagle Rock and Oval Road. I apologize in advance to the board and Mr. Pehnke if I'm a little bit ignorant on some matters, but we're just very much getting up to speed on this.

However, I did notice in the proposed site plan that you showed earlier, a median on Pleasantdale Chateau's side of Oval Road. Could you inform me as to how that would affect left turns into our main entrance --

MR. PEHNKE: Yeah. So --

MR. SLY: -- as it sits?

MR. PEHNKE: Maybe the -- let me walk through your frontage. So today, your frontage, you have the -- the gate entry with the sort of half-moon lighting --

CHAIRMAN BAGOFF: Mr. Pehnke, I'm sorry.

Could you put up -- could you put up your diagram so it would be easier for everybody to see what you're speaking about?

MR. PEHNKE: Is my screen not showing?

ZOOM OPERATOR: It is.

MR. SLY: No. I think we're on the clock.

MS. McGOVERN: We have to take the clock down.

CHAIRMAN BAGOFF: Okay. Take the clock down.

ZOOM OPERATOR: No. If you -- okay.

MR. SCHKOLNICK: And Chairman and counsel, I reiterate my objection that -- that --

CHAIRMAN BAGOFF: What -- what -- okay. What is your objection?

MR. SCHKOLNICK: That I cannot see Mr. Sly and he's an attorney and he's --

CHAIRMAN BAGOFF: Mr. Sly's picture is up.

MR. SCHKOLNICK: -- hiding his face.

MR. SLY: I will just to -- if I may, Mr. Schkolnick, for the record, I am not an attorney but I have no objection to showing my face. I'd be more than happy for you to see me.

MR. SCHKOLNICK: Oh. Okay. I thought -- I apologize. You said representing Pleasantdale Chateau. I understand that to --

MR. SLY: Yes. An inform -- a more informal matter than -- than an attorney.

MR. SCHKOLNICK: Okay.

MR. PEHNKE: It's -- it's the suit and tie on the picture that got Rick.

MR. SCHKOLNICK: Yes. Yes. You look like an attorney.

CHAIRMAN BAGOFF: Okay. Let's move on, gentlemen.

MR. SLY: So I'll take that as a compliment.

CHAIRMAN BAGOFF: Yes, Sir.

MR. PEHNKE: So Mr. Sly, let me -- let me take a moment then and -- and maybe hit a few things wit h regard to the Pleasantdale Chateau and its frontage.

MR. SLY: Yes.

MR. PEHNKE: So on our plan, this is the existing driveway going back to the -- the gatehouse. Basically, the -- the half-moon, the landscaping that's in front of there, the little rocks, the little rock wall, your -- the sign on the Pleasantdale Chateau, basically any widening that's occurring is occurring is occurring to -- to the south side and there's a little bit of widening that's occurring as we transition the -- the roadway widening to the left turn back to the

existing conditions. We're also taking the opportunity to make the curb lane a 12-foot lane on our side versus an 11-foot lane. It just makes it a safer -- that's typical engineering standard.

With regard to the median, that's basically still a double yellow line. What you see with the cross-hatching there is just typical shadowing as you transition out the opposing left turn lane. So there is no restriction or change in how movements move into and out of the Pleasantdale Chat -- Chateau.

The stop bar is -- is located just over 100 feet from your -- the westerly side of -- of your driveway. That meets and exceeds any standards actually for state highways by the Department of Transportation. Your inbound side really is over 150 feet away, based on the way your driveway is designed, so the signal really has no influence.

There is no work proposed along the frontage. The only work in the Pleasantdale Chateau quadrant is some of the traffic signal equipment, the handicap ram ps, and the -- the sidewalk pedestrian connection between the handicap ramps, and that's mostly an open area in this location, not really any impact on any vegetation. There is no -- although the -- although your frontage is relatively clear today, there is no

clearing involved, there's no sight line adjustments along the border areas that need to be made so for the most part, from the handicap ramp across the entire Pleasantdale Chateau frontage back into the property, there are no changes. Everything is really happening to the south side onto the -- the country club property.

MR. SLY: Point of information, however, the -- both sides or both of those areas where the drive is to our gatehouse are entrances, it's an entrance only there. So as I see it, correct me if I'm wrong, that does, again, affect oncoming traffic turning left as the median is drawn in this diagram.

MR. PEHNKE: There's no change. The driveway is still accessible across the -- the painted (sic). There's no -- there's no -- that's a permissible -- permissible movement. And of course, the country -- the -- the Pleasantdale Chateau will have the advantage of the traffic signal for the egress movements from the parking lot. So a lot of positives there for --

MR. SLY: As a -- as a professional, in your opinion, does that not add confusion to the average motorists driving across what appears to be a median?

MR. PEHNKE: No. Not at all. It's a typical situation on arterial roads. There's -- there's

nothing prohibitive here.

MR. SLY: I'll reserve my comment on that since it's just testimony. Can you speak to any impingement of that light or potential movement of power lines that exist as present on our property?

MR. PEHNKE: There should be no -- should be no impact on the power lines on your property.

MR. SLY: Okay. You had also, if I recall correctly, don't let me put words in your mouth, but had raised concern over an egress on Laurel Avenue partially out of concern for queuing. How do you feel that the light now will affect queuing ability for folks to turn into our property, our gatehouse, if we're only I'd say approximately 100 feet from that stop sign? It feels like there would be some traffic stacking there for our guests attempting to get in.

MR. PEHNKE: It really -- it really depends on time of day. For the most part, we're seeing excellent operations at this intersection, A levels of service along the -- the main line. So we're seeing average queues that are, you know, in the area of 50 to 70 feet, well -- well short of your driveway. That doesn't mean there might be short, short periods of time where there might be an extension to the -- to the driveway. But again, that's typical near -- near

intersections. As I said, the location of the driveway meets applicable standards and I really don't think there's going to be much of an influence, if anything. Quite frankly, just the opposite, by making a much safe exit for the Pleasantdale Chateau using Oval Road.

MR. SLY: At the -- the risk of making a statement, we've never in our 30 years had complaints or issues of people exiting out of Oval Road. And most of our guests -- as you're aware, we're an event facility primarily. That's the bulk of our business. That would occur 5:00 p.m. or after when there is high volume of traffic. I think folks have testified to the volume of traffic on Eagle Rock, which is why there's point of argument for concern of traffic lights here, that within 100 feet there wouldn't take very many cars to back that up and that could potentially cause inconvenience to our guests but also more difficulty for us accommodating our guests with valet, et cetera, but I'll -- I'll reserve your time on -- on elaborating.

One further question. Could you help me understand the amount of flow that you currently have exiting your property, use whatever metrics of time and volume that -- that you would like on that, so I can get an understanding of -- of the need for -- for this

based on the volume of exit of your property.

MR. PEHNKE: Well, it varies. Obviously, the country club also has event-type traffic and that occurs bas -- and it has some seasonality to it. On a typical day, you know, the country club membership itself, you see volumes in the morning that are relatively low as the day starts. The afternoon hours, as the afternoon hours progress, we're basically seeing somewhere on the order of 50 to 60 vehicles per hour that egress the country club. And then event traffic is -- is different.

Oval Road itself is experiencing during those same hours variations in volume, anywhere from 90 vehicles per hour to 120 vehicles per hour. And then Eagle Rock Avenue itself is experiencing in excess of 900 vehicles per hour.

So they -- they're all -- those are the general metrics overall, and they vary through the day, as a typical day, morning a little lighter than the evening. Mid-morning drops off, mid-afternoon drops off, then it comes back up. And then certainly, event-type traffic on a Saturday or in the evenings generally occurs when the roadway traffic flows are down.

MR. SLY: So are you saying that a range of 50 cars in an hour is what we're pursuing all of these

changes for?

MR. PEHNKE: It's -- as I -- my testimony's been much more extensive than that. We are addressing conditions at the country club that include some parking, internal circulation, and a driveway that they would like to improve the safety of. There is the intersection of Oval Road, that it is desirable to have that improved, and relocating the Crestmont Country Club driveway opposite that location all become part of that package, and -- and that's what we've discussed over the last two meetings.

MR. SLY: Thank you, Mr. Pehnke. One final question, and please don't take offense to this, but do you feel that advantaging one business in the area should be done at the sake of another?

MR. PEHNKE: I don't think anybody's getting --

MR. SCHKOLNICK: Object to the question.

MR. PEHNKE: -- advantaged with this application. In fact, the Pleasantdale Chateau will get the advantage of the traffic signal that is being built to deal with the overall traffic, so I don't -- I don't see that there's any advantage to anybody. The benefits accrue to everyone at this -- in this particular instance.

MR. SLY: Thank you for your time, Mr. Pehnke. I'll yield the rest of my time.

CHAIRMAN BAGOFF: Thank you, Mr. Sly. Do any other members of the public have any questions for Mr. Pehnke on his testimony? Please raise your hand and be identified.

ZOOM OPERATOR: Joe P., please state your name and address for the record. You're un-muted.

MR. PANNULLO: Hello? Hello? I'm sorry. Am I audible?

CHAIRMAN BAGOFF: Yes.

MS. McGOVERN: Yes.

CHAIRMAN BAGOFF: Go right ahead, Sir.

MR. PANNULLO: Thank you. I'm sorry. My name is Joseph Pannullo, Holton Lane, Essex Fells. Questions for Mr. Pehnke, please.

CHAIRMAN BAGOFF: You have the floor, Sir.

MR. PANNULLO: Thank you. Mr. Pehnke, can you tell us who has discretion over the four-way intersection where the traffic signal is proposed? Is that the town of West Orange or Essex County?

MR. PEHNKE: Essex County is the jurisdictional agent along Eagle Rock Avenue. The planning board, obviously, with this application, has jurisdiction over the site plan and the -- the layout

of the -- the egress. But the signal improvements, the intersection improvements, the signal operation all fall within the jurisdiction of the county.

MR. PANNULLO: And who has discretion over crosswalks, sidewalks on all four sides of what would be a signalized intersection?

MR. PEHNKE: That would be the county. That's -- it's -- it's standard now to a traffic signal to ensure we incorporate pedestrian -- all modes of flow.

MR. PANNULLO: Okay. Fair. So in other words, Essex County, Essex County Planning Board ultimately has discretion over what the final form of all four sides of this intersection would look like should it go forward. Yes?

MR. PEHNKE: Correct. They will review and provide comment and input to the design plans, which we will incorporate into the final design plans as part of their review and approval process.

MR. PANNULLO: So is any of that design for crosswalks or sidewalks on all sides in the current plan or do -- I have not see, unfortunately, in this case documents submitted or design plans. I saw wh at you put up in terms of striping and painting. I'm not sure what it -- what it's referring to as it's off the

screen, but has anything else been submitted?

MR. PEHNKE: The -- a preliminary plan set was submitted to this board. A more full plan set was just submitted to the county to start their approval and review process. It basically advant -- advances all the elements of a design that is shown on the exhibit before you. What's before you is basically what it will look like when it is done, where the crosswalks will be, where the sidewalks will be, where the signal equipment will be. It might tweak a little but for the most part, what's shown on this exhibit before you is what I would expect will be approved by the county.

MR. PANNULLO: I appreciate the time clock on the screen, but is it possible to put the other screen that Mr. Pehnke had displayed earlier? I appreciate it. And -- and with regard to the last comment, so at the beginning of this application tonight, I think Chairman Bagoff asked that sidewalks be added both on -- I think he referred to them as the easterly side? I think maybe it's the southern side of Eagle Rock on the Crestmont side on both sides of the driveway. Is that correct?

MR. PEHNKE: That's what he requested, yes.

MR. PANNULLO: And is that anticipated in the

drawing on the screen?

MR. PEHNKE: No.

MR. PANNULLO: So would that encroach on the existing Crestmont frontage, if you will?

MR. PEHNKE: It would -- it would fall within the area that we've already graded and intend to dedicate to the county. That's already been -- the area -- the border area behind the curb has already been contemplated for dedication to the county and has already been designed to standards. Those standards would accommodate a sidewalk.

MR. PANNULLO: Understood. So, in that event, is that going to affect, and maybe you're the wrong one to answer that, but if those sidewalks get put into place and the relief sought in the application with regard to the -- the steepness of the slope, setbacks of improvements, in all cases, points at least 3, 4, 5, 6, and 7 in the March 17th submission by Richard Schkolnick, would those have to be adjusted to accommodate, at minimum, the sidewalks that Chairman Bagoff requested?

MR. PEHNKE: No.

MR. PANNULLO: Okay. How does Oval traffic -- so traffic on all four sides of this intersection design, crosswalks, et cetera, is at the discretion of

Essex County. I think you said that. Is that correct?

MR. PEHNKE: Well, it's under the jurisdiction of Essex County.

MR. PANNULLO: Okay.

MR. PEHNKE: It -- it is standard for traffic signals to incorporate pedestrian accommodation. It's -- it's part and parcel to traffic signal design today, so it's really -- I don't know why you wouldn't do it.

MR. PANNULLO: I don't disagree. I'm just trying to make sure we know who's in charge of the final footprint of what's going to be approved.

MR. PEHNKE: At the end of the day, the signal falls within the county's jurisdiction.

MR. PANNULLO: Thank you. So is it fair to say that the traffic coming into -- coming from any direction into ingress/egress from all four sides is material to whatever's engineered here from a design standpoint, from a level of service, from stacking, et cetera?

MR. PEHNKE: Yes. It's all taken into consideration.

MR. PANNULLO: Okay. So with regard to the existing Oval Road directly across from the driveway, at the proposed driveway at the Crestmont, what changes if any would need to occur to Oval Road to accommodate

this application?

MR. PEHNKE: There's -- there's no widening on Oval Road. There'll be regulatory signage and some updated striping.

MR. PANNULLO: Okay.

MR. PEHNKE: A stop bar associated with the signal rather than a stop sign, stop sign removal, the -- the pedestrian crosswalk striping. But all of that falls within the existing cartway.

MR. PANNULLO: So was a traffic study done to determine how much traffic leaving Oval Road during any time, peak time, et cetera, goes east, goes west, and goes south toward 280?

MR. PEHNKE: Yes.

MR. PANNULLO: Okay. What was the date of that study?

MR. PEHNKE: The study that was submitted with this application is dated January of 2026. There was prior studies through the years done of this intersection for various reasons that were also available and considered in review.

MR. PANNULLO: So I think in the prior application, at least across the street on the Highlands, the application from Walter Lubanecki was from 2018/19, which we all -- I think we can agree the

county will require another study to be done for that side. Would you agree with that?

MR. PEHNKE: It's already been done. It's a document within that study I just referenced.

MR. PANNULLO: So the study you just referenced took into account all four sides, including traffic emanating from Oval Road coming egress out?

MR. PEHNKE: That's correct.

MR. PANNULLO: Okay. So how many feet is it from Oval Road, turning right, to get into the Laurel Avenue traffic signal as we stand today?

MR. PEHNKE: It's roughly eight -- eight to nine hundred feet.

MR. PANNULLO: And how many cars that leave Oval Road head south?

MR. PEHNKE: It depends on the time of -- it depends on the time of day.

MR. PANNULLO: Worst case. Mo -- most -- in the peak, worst-case time of day.

MR. PEHNKE: Bear with me. I need glasses.

MR. PANNULLO: Sure. Thank you.

MR. PEHNKE: So, I'm going to reference our most current traffic count. We actually just took the opportunity to get a new traffic count before schools closed back in beginning of June.

MR. PANNULLO: Is that on the record here, Sir?

MR. PEHNKE: What's that?

MR. PANNULLO: Is that on record? Do we -- is that on the agenda we could see? Not right now, but is it there?

MR. PEHNKE: It's not in the -- it's not in the file. As I said, we just took this data.

MR. PANNULLO: Understood.

MR. PEHNKE: It's consistent with the data that is in the record and documented in our traffic study. Quite frankly, it's very -- very similar, but --

MR. SCHKOLNICK: Karl? Karl?

MR. PEHNKE: Yeah.

MR. SCHKOLNICK: Why don't you -- for -- for tonight's purposes, just in case we end of finishing tonight and voting, why don't you just reference what's in the January 21st, 2026 report? If we don't finish, we'll deal with new counts, but why don't you just answer on the January 21st, 2026 study?

MR. PEHNKE: Give me a minute. So, if we look at the Oval Road approach, your heavier peak periods are generally occurring mornings, 6:00 to 7:00 a.m. where we're seeing about 89 vehicles making a

right, 69 vehicles making a left. It drops off the next hour; 66 making a right, 45 making a left. In the evening hours, higher hours, like 5:00 to 6:00 p.m., we're seeing volumes of about 63 vehicles making a right, 38 making a left. And like I said, that varies throughout the day.

MR. PANNULLO: So making a right or making a left from Oval to Eagle Rock means going east or west. And my question --

MR. PEHNKE: That's --

MR. PANNULLO: -- is how many -- right? Is that correct?

MR. PEHNKE: That's correct.

MR. PANNULLO: Okay. So how many -- but how many of those cars that need to turn right in order to go south, which is to say, turn left on Laurel Avenue, which is also to say get across three lanes to do so, how many of those cars that exit Oval Road are intending to go south, not just east or west?

MR. PEHNKE: We don't trace the -- the travel path as you leave the site, but there's more than enough distance. And -- and quite frankly, under traffic signal control, there is no -- the right turn movement is protected, so you could either turn into the curb lane or you could turn into the -- the median

lane when you leave a traffic signal, so there's no weave or need to, as in the un-signalized condition, to make that movement.

MR. PANNULLO: So -- so I guess the point, though, is is what is it going to take for cars, how many cars, to get across three -- make the right turn onto Eagle Rock and get across three lanes to the left turn lane to go to Oval to head down to 280?

MR. PEHNKE: Same thing -- same thing they're doing today, except under the traffic signal, they could directly turn into the lane and continue down because there'll be no opposing traffic. So somebody making a right out of Oval Road today is looking for a gap in the traffic -- in the traffic. Once they see the gap, then they turn onto the road. If somebody's coming up on them, then they may need to make that weave maneuver decision. Under traffic signal control, a vehicle waiting to make a right gets a re -- a green light. There is no opposing traffic coming westbound on Eagle Rock Road. So if they're heading toward Laurel Avenue, they can turn right out into the second lane and get right into the left turn lane for Laurel Avenue. So, that's another advantage of the traffic signal.

MR. PANNULLO: Understood. And so is Oval

Road going to remain one lane in, one lane out?

MR. PEHNKE: We are looking at re-striping the wide approach to provide the -- a left turn lane and a through right-turn lane on Oval Road.

MR. PANNULLO: Okay. And that would not require widening of the road?

MR. PEHNKE: Not at all. The road is -- is substantially wide today.

MR. PANNULLO: And is it possible that in the -- so you -- you were the traffic engineer for the West Essex Highlands application and testified about average daily trips from the traffic that would be added to the existing traffic and de minimis exceptions notwithstanding, there were I think 2300 some-odd average daily trips just generated from the new proposed application, which did not take into account what's existing now. What's existing now stacks in one lane with no signal --

CHAIRMAN BAGOFF: Mr. Pannullo, you're testifying. Ask a question, please.

MR. PANNULLO: Actually, no, Sir. I'm actually testifying to -- I mean, it's already in the record and I'm going to ask a question, and the question is simple. Since the application last time did not take into account average daily trips in total

but in this case, in the purpose of the -- the purposes of the signal, which was also justified in that one, here, there'd be 5300 -- we can disagree about it or not, but how are you going to do that in one lane?

MR. PEHNKE: The analysis has always taken into account the potential development of the -- the Highlands, both for that application and in the design of the signal. It's a peak hour, hourly analysis that's reflected in the study that's submitted, it's reflected in the data that's being reviewed by the county. It is -- it is considered.

MR. PANNULLO: So is there absolutely no circum --

CHAIRMAN BAGOFF: Thank you, Mr. Pannullo. Your time is up. Sir, you -- your time is up. Thank you very much for your questions.

MR. PANNULLO: What happens with the rest of my questions? How do they get submitted?

CHAIRMAN BAGOFF: You can come back later if everybody else has been satisfied. At this time, we're going to take a --

MR. PANNULLO: Thank you.

CHAIRMAN BAGOFF: -- 10-minute break. Thank you very much. We're on break now. Ten minutes.

(Brief recess.)

CHAIRMAN BAGOFF: Okay. Do any members of the public have any questions for Mr. Pehnke on his testimony? Please raise your hand and be identified.

ZOOM OPERATOR: Okay. Joyce Rudin, please state your name and address for the record.

MS. RUDIN: Good evening. Joyce Rudin, Woodland Avenue.

CHAIRMAN BAGOFF: Good evening, Ms. Rudin. Go right ahead.

MS. RUDIN: Good evening. I'd like to ask if 63 vehicles exiting during peak hours is considered significant?

MR. PEHNKE: I'm not sure the origin of the 63.

MS. RUDIN: You had mentioned that there were 63 vehicles that exit during an hour in your study.

MR. PEHNKE: I -- I talked about a variation in traffic. We talked about the specifics on right turns and left turns. But in general, what I spoke to earlier was that coming out of Oval Road, generally we're seeing volumes of between 90 and 120 vehicles per hour exiting Oval Road and exiting the country club. On a typical day, we're seeing volumes of somewhere very low in the morning and evening hours somewhere between 40 to 60 vehicles per hour as the afternoon

progresses. It varies by hour.

MS. RUDIN: Has the police, fire department, and EMS reviewed your proposal?

MR. PEHNKE: I -- I can't speak to what the town's professionals may have reviewed.

MS. RUDIN: Can anyone answer that?

MS. McGOVERN: Only the witness that's --

MS. RUDIN: Okay. So --

MS. McGOVERN: -- present can testify.

MS. RUDIN: At this -- at this point, we do not know whether the police, fire, or EMS have reviewed this proposal?

CHAIRMAN BAGOFF: That's his testimony.

MS. RUDIN: Okay. Adding this traffic light, can you -- can you interpret whether or not it would -- it would affect the emergency response times?

MR. PEHNKE: It -- it would not. Emergency response times, you know, basically, vehicles get priority, so the -- the int -- the signalized intersection really should have no -- no meaningful impact on response times up and down the corridor.

MS. RUDIN: Okay. Is -- what evidence demonstrates that the traffic signal is the absolute best and least intrusive solution to this problem?

MR. PEHNKE: Well, least -- least intrusive

is -- is not a criteria. We're looking to solve multiple concerns at this intersection. We're looking to solve volume operation, we're looking to solve substandard geometry, we're looking to solve some -- some questionable sight lines and operations, so it's a whole host of different aspects we're looking at. And in doing that, our objective as engineers is to create the most efficient and safest intersection possible.

We have engineering documents that guide us in that, design manuals. Those design manuals speak to consideration of separating turn movements from through movements at intersections, aligning intersections, and then the types of controls at this int -- at intersections. And at this particular intersections, the volumes have risen to the level that traffic signal control is appropriate.

Now, when you get into traffic signal control, you then move on to the ancillary items such as pedestrian control and pedestrian accommodation as an ancillary element of -- of signalization. So all of that plays into engineering study, engineering evaluation of intersection improvements. At the end of the day, our obligation is the health, safety, and welfare of the motoring public and in my opinion, this intersection absolutely checks all those boxes.

MS. RUDIN: Why didn't you look to getting the traffic off of Eagle Rock and -- and evaluate the exit at -- at Laurel?

MR. PEHNKE: Laurel Road? Laurel is just as heavy a county road, so there's really no advantage to trying to concentrate all the traffic there. The onsite circulation really isn't set up for that. There are geographic issues associated with that, so the application that is made maintains the integrity of what has historically existed on the country club and improves upon it.

MS. RUDIN: But there -- there's a lot of land on Laurel, and a lot of land that could be -- could be exited off of Laurel. Did you consider any other re-routing of internal traffic patterns?

MR. PEHNKE: No. This is the application that's -- that's before it and as -- as was testified to at the last meeting and by the manager, it is also associated with the intent to improve the intersection of Oval Road. So, Oval Road does not exist on Laurel Avenue.

MS. RUDIN: What is the total cost of installation for this traffic light?

MR. PEHNKE: I haven't done a current estimate on --

MS. RUDIN: And for this whole construction?

MR. PEHNKE: I haven't done a current estimate.

MS. RUDIN: Who would be responsible for paying for all of this?

MR. PEHNKE: The -- the application carries the burden of the costs.

MS. RUDIN: And the application is paid for by who?

MR. PEHNKE: The -- the -- as was testified to, there's the application, which is Crestmont Country Club, and they are coordinating with West Essex Highlands.

MS. RUDIN: Okay. So West Essex Highlands is actually going to be paying for this. Where --

MR. PEHNKE: I can't -- I can't speak to the --

CHAIRMAN BAGOFF: Ms. Rudin -- Ms. Rudin, please don't -- please don't testify, and --

MS. RUDIN: Will there be --

CHAIRMAN BAGOFF: -- Mr. Pehnke doesn't know that for a fact. Ms. Rudin, let's keep the record clear. Nobody testified to who's paying for it. This is supposition. Okay? So let's keep the record clear, please.

MS. RUDIN: Are there annual maintenance and electricity costs associated with this?

MR. PEHNKE: There are.

MS. RUDIN: There are? And who will bear the cost of -- of those expenses?

MR. PEHNKE: Generally in a situation such as this, the county will enter into a developer's agreement with the property owners and apportion those costs between themselves and the property-owner as they see fit. Gen -- and that's an agreement that's done between the applicant and the county.

MS. RUDIN: As a professional --

MR. SCHKOLNICK: Chairman? Chair -- excuse me. Excuse me. Chairman, has Mr. Guarino joined the call?

MS. McGOVERN: Yeah. I just noticed that as well.

CHAIRMAN BAGOFF: Okay. Let the record show Mr. Guarino is on the ca -- on the -- at 9:25.

MR. SCHKOLNICK: You -- if we vote tonight, he won't be eligible, but --

CHAIRMAN BAGOFF: That's correct. Okay. Mr. Schkolnick, don't worry. I'll take care of the administration, please. Thank you. I appreciate your help, though.

MR. SCHKOLNICK: Well -- well, Chairman, I want to create a fair process for everybody, obviously, so --

CHAIRMAN BAGOFF: And trust me, it will be a fair process.

MR. SCHKOLNICK: When -- when he -- when he starts popping in, you know --

CHAIRMAN BAGOFF: That's why they keep me around. No problem. Thank you.

MR. SCHKOLNICK: I appreciate that.

CHAIRMAN BAGOFF: Okay. Ms. Rudin, go right ahead. Or Mr. Pehnke, I'm sorry. You were answering.

MR. PEHNKE: No. I think I answered.

CHAIRMAN BAGOFF: Okay. Ms. Rudin?

MS. RUDIN: Yeah. I -- I just want to go back to concerns about traffic on Eagle Rock. You said that Laurel is just as bad Eagle Rock? Is that your statement?

MR. PEHNKE: It's a heavily-traveled county road, also. Yes.

MS. RUDIN: But wouldn't it be safer to drive some of the traffic to Eagle Rock rather than pushing it onto -- on Laurel rather than -- than circuiting it through Laurel?

MR. PEHNKE: Not necessarily.

MS. RUDIN: What do you mean, not necessarily?

MR. PEHNKE: It -- you'd have to study the impacts of that. That hasn't been done. There's no reason to do that. That's not the application that's before the board tonight.

MS. RUDIN: Why wasn't that done? If the concern was that there is a lot of traffic coming out of the country club, which is a very large land mass, why wasn't there another study done on another egress that could be constructed?

MR. PEHNKE: So if you -- if you weren't here at the last meeting, to -- to just recap, there is -- the application arises from the requirement of the West Essex Highlands in a settlement agreement with the Township to pursue traffic signalization. Regardless of what may or may not have occurred with the planning board in the recent past, that obligation still stays with the settlement agreement.

Over the last several years, that owner has been in coordination with Crestmont Country Club, as was testified to by the coun -- the manager with regard to the impacts on the country club's project -- property with regard to improving the Oval intersection. As a result of that, the country club

has taken the opportunity to marry improvements that they need to see done on the property, some parking improvements, some circulation improvements, and improvement of their driveway to the improvement at Oval Road. Oval Road does not exist on Laurel Avenue, so the whole thing comes together as a package where the country club is getting the advantage of an obligation of another owner in the area to implement improvements that work for them on their property and as a result, they will be contributing under whatever agreement the necessary properties to make that work. So it all comes together, and that was the testimony at the last --

MS. RUDIN: Are you testify -- are you testifying that this whole application is really not being driven by Crestmont Country Club? But it is being --

MR. PEHNKE: It's both. It was tes --

MS. RUDIN: It is being driven by another application which this board has recently rejected?

MR. PEHNKE: The board heard the testimony at the last meeting of the manager and of myself, yes.

MS. RUDIN: Okay. No more questions. Thank you.

CHAIRMAN BAGOFF: Thank you. Do any other

members of the public have any questions for Mr. Pehnke on his testimony? Please raise your hand and be identified.

ZOOM OPERATOR: Dr. Deborah Fruchtman, please state your name and address for the record. Please try to un-mute yourself. Okay. She must be having trouble. I'll get back to her.

CHAIRMAN BAGOFF: Do any other members of the public have any questions for Mr. Pehnke on his testimony? Please raise your hand and be identified.

ZOOM OPERATOR: Deb's iPhone --

DR. FRUCHTMAN-BUTENSKY: I -- I un-muted.

CHAIRMAN BAGOFF: Oh, great.

DR. FRUCHTMAN-BUTENSKY: Noelia?

ZOOM OPERATOR: Yes. State your name and address for the record.

DR. FRUCHTMAN-BUTENSKY: Okay. The name is Deborah Fruchtman-Butensky. I live in The Grande, 11 Rappleye Court, West Orange.

CHAIRMAN BAGOFF: Go right ahead.

DR. FRUCHTMAN-BUTENSKY: I live in The Grande and use Oval Road daily to enter and exit. You said that you didn't consider Laurel as an egress, but have you ever done the traffic study to prove beyond a shadow of the doubt that Oval Road, the traffic will

actually be improved versus impeded by having this traffic light there?

MR. PEHNKE: Yes. The traffic studies that we have done and prepared show that the intersection will be substantially improved associated with this application.

DR. FRUCHTMAN-BUTENSKY: And that you're not going to be causing traffic back-up during school hours and during the morning -- how is that done, as a hypothetical?

MR. PEHNKE: It's not done as a hypothetical. There are analysis procedures that are available to engineers that we use that are standards that are used nationwide that are accepted by the transportation industry. It includes sampling existing traffic, projecting future traffic, and following analysis methodologies.

As I've indicated, the improvement at this intersection is substantive and the operation of the intersection will be very good levels, excellent levels of service when it is completed, with safety improvements provided, with the separation of left turns from the through movements and the control by the traffic signal.

DR. FRUCHTMAN-BUTENSKY: And was there a

traffic study to assess how the light would affect the traffic going into and out of the Chateau as well?

MR. PEHNKE: It's -- it's all included. Coming out of the Chateau, they'll have the advantage of the -- the traffic signal. And as I testified to just a little while ago to some questioning, in my opinion, the ingress to the Chateau will not be impacted.

DR. FRUCHTMAN-BUTENSKY: And I don't know if you're aware, but since you have statistics over the past five years, there is no longer bus service that goes down and -- and -- east/west on Eagle Rock Avenue. The DeCamp line is gone. This was an answer to the mayor. There's no longer a bus. How many traffic accidents have occurred at the site that you keep referring to in the -- with the five-year study versus has there been a two-year study since there no longer are any buses going and there's no need for people to cross from the north and south of Eagle Rock Avenue to make a bus, let's say?

MR. PEHNKE: As I testified to before, we don't have pedestrian accident data, but we know that this improvement is improving the opportunity and providing a safe crossing location and an appropriate location along Eagle Rock Avenue that doesn't exist

today.

DR. FRUCHTMAN-BUTENSKY: But -- except there's no need to cross, as somebody else said. I mean, I live there, I walk every day.

MR. PEHNKE: With -- with all due respect, there's no need to provide a cross until somebody is injured and hurt.

DR. FRUCHTMAN-BUTENSKY: But then why don't we do it at --

MR. PEHNKE: This -- this improvement provides the mechanism to provide a safe crossing. There's no argument that -- that --

DR. FRUCHTMAN-BUTENSKY: Why don't we do it at The Cliffs? Why are we ar -- artificially, arbitrarily doing it at Eagle Rock Avenue where I'm not convinced, and I'd like to see the studies that show that you're saying it's going to be an improvement for my egress and ingress every single day because I use Eagle Rock Avenue on a daily basis. Where can we see those traffic studies?

MR. PEHNKE: The study's in the record, so it's available for inspection. Certainly, the county will have the advantage of the study and their own knowledge of the intersection. And everything on the -- the plans are available for inspection and are

finding -- are following proper design standards.

DR. FRUCHTMAN-BUTENSKY: And it seems like we're doing a whole lot of revamping and a lot of variances. I ask you again, and I know you've answered it, but why did we never evaluate a right turn only egress so we don't need this light?

MR. PEHNKE: I defer to the record of the last meeting that also laid the foundation as to the overall objectives of this project, which isn't just the driveway. It ties into the improvements at Oval Road, so it's a bigger package.

DR. FRUCHTMAN-BUTENSKY: Well, you're saying it's an improvement. How do we know it's -- it's not a detriment? I mean, there's --

MS. McGOVERN: (Indiscernible.)

DR. FRUCHTMAN-BUTENSKY: -- engineer -- engineer -- traffic engineer? How are you proving that -- that it's an improvement? It's a development. It's a change. But how are we saying it's not an im -- it's not a detriment to the traffic?

MR. PEHNKE: Because there are identifiable substandard conditions which I've walked through during the last meeting and rehashed this evening at those intersections. They're readily observable by an engineer as well as the public. There are engineering

studies we've done from an analysis standpoint to look at the operations of the intersections. There are standards that the transportation industry and all of the transportation agencies utilize to evaluate --

DR. FRUCHTMAN-BUTENSKY: Well, concretely, I want to know is -- is there a difference between improvements for the country club people versus improvement for us residents who reside at The Grande and The Highlands, because --

MR. PEHNKE: Because --

DR. FRUCHTMAN-BUTENSKY: Have you considered the impact to the residents alone versus your statements purporting to be improving the egress and ingress to the country club?

MR. PEHNKE: Ab -- absolutely. The improvements without a doubt provide safety improvements and operational improvements both to the motoring public traveling along Eagle Rock Avenue through the intersection, people traveling into and out of Oval Road, including The Grande and the Chateau, and people egressing from the country club.

All of them -- all of those elements benefit from the improvement. The safety improvements include separating the left turns along Eagle Rock Avenue into a separate left turn lane by widening onto the country

club and having the impact on the country club which triggers some of the -- the variances that have been requested.

That is a very simple toolbox that is encouraged by transportation agencies and all design documents. It's a -- it's a basic tenet of intersection design to -- to provide that safety, widening for the left turn lanes. That'll benefit everybody turning onto Oval Road.

The traffic signal control will provide improved and enhanced operation of the ability to egress Oval Road -- Oval Road and the -- the country club under signal protection. And --

DR. FRUCHTMAN-BUTENSKY: I understand what you're saying, and you realize that you're being paid for and advocating for the country club. I would suggest that the planning board please hire an independent traffic assessor to assess the veracity of Mr. Pehnke's studies. That's what I --

MR. PEHNKE: So that is -- that is done. It is done by the fact that the county engineer and the county traffic engineer, whose jurisdiction the intersection lies, does a full review in accordance with the same standards that I utilize. We are all professional engineers. While I may be a paid

consultant, my obligation under my licensure and my professional engineering is the health, safety, and welfare of the public and in all my years --

DR. FRUCHTMAN-BUTENSKY: And you're saying you're totally objective. Right? You're saying this is has no ulterior motives. Right?

MR. PEHNKE: In -- in terms of the design and identifying the safety improvements and the operation of this intersection and the benefits that it's providing, no.

DR. FRUCHTMAN-BUTENSKY: Well, it's incomplete because you haven't done a before and after from the past five years versus the past two years when there's no longer a bus going down, coursing through Eagle Rock Avenue. So -- so your study at the last is incomplete. You would have to admit that. Correct?

MR. PEHNKE: No. The bus -- a bus going up and down Eagle Rock Avenue has no impact on --

DR. FRUCHTMAN-BUTENSKY: Absolutely, it does because --

MR. PEHNKE: -- the study.

DR. FRUCHTMAN-BUTENSKY: -- there are no people that have to cross from north to south to get to the other side of the road to catch a bus.

MR. PEHNKE: I -- I defer to my prior

testimony with regard to the implication of traf -- of pedestrian controls across Eagle Rock Avenue.

DR. FRUCHTMAN-BUTENSKY: There are very few pedestrians, as you've heard, on multiple occasions.

MR. PEHNKE: So -- so --

DR. FRUCHTMAN-BUTENSKY: Okay. Thank you.

CHAIRMAN BAGOFF: Okay. Thank you very much. And do any other members of the public have any questions for Mr. Pehnke on his testimony? Please raise your hand and be identified.

ZOOM OPERATOR: Justin Goldsman, please state your name and address for the record. Justin? Please un-mute yourself.

MR. GOLDSMAN: Hi. Good evening.

CHAIRMAN BAGOFF: Good evening.

MR. GOLDSMAN: Justin Goldsman, West Orange. I just have a few quick questions.

UNIDENTIFIED FEMALE: Thank you, God.

MR. GOLDSMAN: Given that we've just re-paved and have experienced a ton of traffic delays on Eagle Rock, is there any consideration as to why this application didn't seem to take advantage of the already, you know, discomforting situations that we've had in terms of timing? I feel like if there was ever going to be a subsequent disruption, we could have

addressed that an earlier point.

And I guess really just my only other question is will the increase in traffic delays, you know, we have -- if a new stop sign is there -- a new traffic light is there, we will have additional delays. Will that cause any subsequent traffic patterns to change, whether that's in your plan or not? Can you speak to it as -- as an expertise? You know, I'm specifically thinking of the left further down on Eagle Rock onto Oak, where there's limited hours to make that turn. Do you see a situation in which, due to the exacerbated traffic, we might have to change additional traffic patterns?

MR. PEHNKE: So to answer your question regarding timing, we don't control timing. There's a process involved with progressing plans, approvals, and -- and permits that we don't control as the applicant and the engineers.

With regard to impact on traffic patterns in the area, no, the signal will not have any impact on traffic patterns in the area. It'll simply provide for safe control of the egress movements from Oval Road and from the country club.

MR. GOLDSMAN: And -- thank you. And I think just my only other question is I -- I believe, and

sorry if I missed your testimony earlier, you mentioned that sidewalks might be a recommendation? I believe that the chairman suggested it which, if this does go through, I would hope that that is factored in. So would that cause any decrease in the width -- in the width of Eagle Rock, by any chance? Would they -- would they impede the -- the dimensions of the road?

MR. PEHNKE: It would not change any of the design that we've talked to -- to this evening.

MR. GOLDSMAN: Thank you very much. I appreciate your time.

MR. PEHNKE: You're welcome.

CHAIRMAN BAGOFF: Thank you. Do any members of the public have any questions for Mr. Pehnke on his testimony? Please raise your hand and be identified.

ZOOM OPERATOR: The two people with their hands up have already talked. Would you like to -- them to talk again?

CHAIRMAN BAGOFF: No. Unless somebody else has got more questions.

ZOOM OPERATOR: No? Okay.

CHAIRMAN BAGOFF: Does anybody else have any questions? Any other first-timers?

ZOOM OPERATOR: Seeing none.

CHAIRMAN BAGOFF: Okay. So you can go back

to them for three minutes.

ZOOM OPERATOR: Okay. Joe P., please state your name and address for the record.

MR. PANNULLO: Joseph Pannullo, Holton Lane, Essex Fells.

ZOOM OPERATOR: Go ahead.

MR. PANNULLO: Thank you. Mr. Pehnke, the existing -- you said before -- you testified that the lights through -- between the new proposed light and Laurel Avenue would be synchronized. Is that correct?

MR. PEHNKE: That's correct.

MR. PANNULLO: And so the synchronization of those two lights would be for traffic just coming out of either side of what would be the Oval -- existing Oval and the new driveway, or would it take into account traffic that also meets at Laurel Avenue and Eagle Rock?

MR. PEHNKE: What it does is we prioritize the flow on the main line being Eagle Rock Avenue, so it's -- the -- it's done by analysis, where we'll set up a platoon and progression to make sure that traffic progresses along the corridor as close to as -- or better than what it does today.

MR. PANNULLO: So has it -- has it occurred -- has the eastbound traffic on Eagle Rock into Laurel

Avenue as a right turn lane that blocks with two cars, if you haven't seen it, you can -- people making a right onto Laurel that are in the right lane, two cars deep, can't make that right. The traffic that goes right -- much of -- some of that traffic goes -- you make a left into the existing entrance to the Crestmont Country Club. When that traffic gets onto Laurel and stops to make that left, it encounters traffic heading north on Laurel into Eagle Rock. Is that going to be taken into account in any signalization that synchronizes both of those lights?

MR. PEHNKE: Yeah. It takes -- it takes it into account. And in terms of the operation of the Laurel Avenue intersection, that actually becomes the master and --

MR. PANNULLO: Okay.

MR. PEHNKE: -- this intersect -- the new signal becomes basically the slave to that. So the operation of that intersection really doesn't change as you experience it today, it -- it continues. We just ensure that the new signal basically coordinates and -- and talks -- receives its signals from that signal. So that becomes the controlling signal in the corridor.

MR. PANNULLO: Understood. Thank you. There was a -- the mention of a bus stop. I think there was

one proposed originally on at least the eastbound side of Eagle Rock as a possibility. Is that correct?

MR. PEHNKE: We're prepared to -- to install a bus stop. As I said, in looking at it, I know there's been para-transit or suburban in -- in the past. Whether or not they've discontinued or will continue, we're certainly prepared to plan for it and -- and keep it incorporated. It all has to do with the sidewalk locations and so forth, so if it happens, it's there. If it comes back, it's accommodated.

MR. PANNULLO: Understood. In that event, would you imagine there might be a westbound bus lane or way to take traffic in the alternate direction?

MR. PEHNKE: They would be able to disembark either before the intersection or after the intersection and use the crosswalks at the signal.

MR. PANNULLO: I'm sorry. The traffic going westbound on Eagle Rock.

MR. PEHNKE: On Eagle Rock? Yeah. If they chose to stop, you know, they would probably stop at -- on the near side of the intersection and they would be able to take the -- use the crosswalks through the intersection, if they choose.

MR. PANNULLO: So would that occur in the existing right lane or would there be an accommodation

for that bus stop and anybody that might be standing there, or --

MR. PEHNKE: Yeah. The bus -- the bus stops are always in the live lane.

MR. PANNULLO: I'm sorry?

MR. PEHNKE: They would be in the curb -- they would be on the curb lane.

MR. PANNULLO: Is that to say the right lane, or is that -- that to say there'd be a new space added to allow the bus to stop without impeding traffic?

MR. PEHNKE: No. We wouldn't be -- we wouldn't be installing any pull-outs, no.

MR. PANNULLO: Okay. So the -- Eagle Rock wouldn't have to be widened in any place to accommodate bus traffic in two different directions?

MR. PEHNKE: No. No. The stops are always from the live lane.

MR. PANNULLO: And so how do you accommodate that from a traffic management standpoint in terms of timing? The buses don't exist now so I guess you don't need to account for it. How do you account for it after the fact?

MR. PEHNKE: It -- it's a matter of the operations of the bus and the frequency. It's just a matter of properly signing the bus stop location and

providing an accommodate -- accommodation from a sidewalk standpoint. There's really no changes or impacts on any of the design features of a traffic signal.

MR. PANNULLO: Okay. In -- in the prior application with regard to testimony on Oval Road and the widening or not, you represented to Essex Fells Country Club and were thanked for it by their counsel that in no circumstance would Oval Road need to be widened. Is that -- is that still the case?

MR. PEHNKE: That remains true; yes.

MR. PANNULLO: So is the applicant willing to stipulate that under no circumstance will Oval Road be widened? Or is that a question for counsel?

CHAIRMAN BAGOFF: That's a question for counsel, not for Mr. Pehnke.

MR. PANNULLO: Okay. I'll leave that stand. How many cars will it take going eastbound on Eagle Rock to turning left into the Pleasantdale Chateau to stack before they can't make a left turn?

MR. PEHNKE: I'm not sure I'm following that question.

MR. PANNULLO: Traffic -- there are two ways into --

MR. PEHNKE: There's two lanes eastbound

along Eagle Rock Road through the intersection. Are we talking at the Pleasantdale Chateau driveway?

MR. PANNULLO: Yes, which -- yeah. Which I think you said was about 100 feet from the signal -- the new intersection.

MR. PEHNKE: Yeah. It's a little better than 100 feet from the stop bar. From the intersection itself, it's -- it's probably a little better than that, maybe 120 feet.

MR. PANNULLO: So, four or five cars?

MR. PEHNKE: Yeah. Gen -- generally, you look at 20 -- 20 to 22 feet per vehicle, so five -- say it's a -- say it's a little bit better than five vehicles. Yeah.

MR. PANNULLO: Okay. I have one last point and that is that the -- the cost of the light is -- is in evidence before this board in PB-24-01, and that's attached to this application. So the notion about the cost of the light is -- is on the applicant. It's in evidence and I just wanted to make sure that was clear, because it was raised. Thank you.

CHAIRMAN BAGOFF: Okay. Thank you very much.

MR. PANNULLO: I'll have other questions for you -- I'll have other for your civil engineer, but we'll do that later.

CHAIRMAN BAGOFF: Thank you very much. Do any other members of the public have any questions for Mr. Pehnke on his testimony? Please raise your hand and be identified.

ZOOM OPERATOR: Hey. Seth Weisleder, please state your name and address for the record.

MR. WEISLEDER: Yes. Seth Weisleder, Howell Drive, West Orange, New Jersey. So, Mr. Pehnke, just to make sure I'm clear, your recommendation seems to be a lot on concerns, which you mentioned that word many times and I'm glad there our private and public entities that are concerned for the public safety and stuff, but the -- your recommendations for a new traffic signal is not based on documented crashes, pedestrian studies, or alternative analysis. Is that correct?

MR. PEHNKE: No. It's not correct. It's -- it's -- as I testified at the first meeting, it's -- it's based upon engineering study, which includes volume analysis, volume warrants. We meet an eight-hour warrant at that intersection. It's based upon observations of the existing conditions at the intersection, including sight lines, the acute angles. Those are what have been taken into account. I didn't delve into accident history because I wasn't looking to

warrant the traffic signal based on accident history, and nor do I think we probably would get to the level. That's a fairly substantial warrant. Quite frankly, I've very rarely used that in my career. But the engineering study that's been done is based upon the methodologies and the Manual of Uniform Traffic Control Devices, which is -- includes looking at the existing conditions, the geometry, the traffic control, the traffic volumes, and all of that is weighed into the determination that this is an appropriate location for -- for improvement and traffic signalization.

MR. WEISLEDER: Giv -- given that this is a Crestmont Country Club application for Crestmont Country Club for the parking lot and other things, did you take into account or do a traffic study of the number of cars actually going in and out of Crestmont Country Club alone?

MR. PEHNKE: I do have volume data that -- that we have in our records that we'll be using for the design of the tra -- final traffic signal timing. As I testified to earlier, that varies throughout the day. It's relatively low in the morning. It ramps up in the evening. And then certainly, there is event-type traffic that occurs a little more randomly, so to speak.

MR. WEISLEDER: Right, but during those times, isn't the traffic flow on the -- on the roads around Crestmont lower in the -- in the --

MR. PEHNKE: Yes that would be correct.

MR. WEISLEDER: -- early morning -- right.

MR. PEHNKE: That's -- that's correct. It really wouldn't be the controlling time period. Generally, the controlling time periods here are the hours that we've studied, the -- the morning peak commuter hour and the evening weekday peak commuter hours. Those are typically -- as engineers, what we look at as our controlling design hours.

MR. WEISLEDER: Right. So just a question. I'm -- I'm kind of a little confused, then, and this has been brought up that this was all started because of the West Essex Highlands potential development or now hypothetical development. But how would that impact the rest of the design inside the country club, excluding the light?

MR. PEHNKE: Be -- because the -- the light isn't in and of itself the impactful part of it, it is the associated improvements that we consider as engineers when we're changing the control of an intersection such as the desire to separate left turn traffic from through traffic. That's the most

impactful, the design of the left turn lane, which is --

MR. WEISLEDER: But -- but my question is not how it impacts the light, it -- how does it impact the rest of the application?

MR. PEHNKE: Right. So what happens is --

MR. WEISLEDER: If nothing's built, how would that affect having 32 parking lots and redesigning a parking lot. I'm confused.

MR. PEHNKE: So -- so the obligation that's being advanced, as was testified to at the last meeting, is to signalize the intersection, which involves the country club. The country club, as was testified by the manager at the last meeting -- in fact, I'm not going to re-summarize that. I'll let her testimony stand for the record. But basically, the country club took the opportunity associated with the impacts on their property with the improvements that are being provided at this intersection to marry the improvements they want to do on site and have been planning on site with regard to parking, circulation, and -- and then tying that into the improvement at their driveway. So it's a -- it's an application of opportunity to take care of multiple things as a result of the impact of providing the improvement at Oval Road

and Eagle Rock Avenue.

MR. WEISLEDER: Based on concerns. Correct?

MR. PEHNKE: Based on concerns. Uh --

MR. SCHKOLNICK: Can you answer that, Karl?

MR. PEHNKE: I'm not sure I understand.

MR. SCHKOLNICK: Sir, can you try to rephrase?

MR. WEISLEDER: Oh. Okay. So anyway --

MR. PEHNKE: Based on everything I've testified -- based on everything I've testified --

MR. WEISLEDER: We can move on. It's okay.

MR. PEHNKE: -- to over the last two meetings, yes.

MR. WEISLEDER: Yes. Okay. Thank you. So I -- I guess I want to just clarify something because I was confused when Mr. Keith Sly asked a question. I think there's an important distinction, and maybe you can tell us, between a double yellow center line and a painted median, or what do you call that area that you put those diagonal --

MR. PEHNKE: It's -- it's a gore area, and there's no prohibition of crossing the gore area into a private driveway.

MR. WEISLEDER: Right. So -- but I thought you're not allowed to -- so -- but that is to look like

a median. Correct? According to New Jersey Transit, Department of Transportation. Correct?

MR. PEHNKE: No. It's -- it's a gore area. It's a transition area. And -- and there's no prohibition to crossing it.

MR. WEISLEDER: Okay. So if I make my left turn when that is done, apparently then I wouldn't get a ticket?

MR. PEHNKE: That's correct.

MR. WEISLEDER: Okay. I think there's some distinction that needs to be made between two double yellow lines and then a striped painted median island, that that's what that looks like. But maybe I'm wrong.

MR. SCHKOLNICK: Is that a question, Sir?

MR. WEISLEDER: S, it's not a double -- it's not a painted -- to look like a painted median. Correct?

MR. PEHNKE: Correct.

MR. WEISLEDER: Okay. Thank you. That is a question. I'm done. Thank you, Mr. Chairman.

CHAIRMAN BAGOFF: Thank you very much. And a little bit more housekeeping.

(The chairman briefly addresses another applicant.)

CHAIRMAN BAGOFF: Okay. Do any other members of the public have any questions for Mr. Pehnke about

his testimony? Please raise your hand and be identified.

ZOOM OPERATOR: Okay. Zoom user, please state your name and address for the record.

MR. COHEN: Yes. Lawrence Cohen, 20 Lincoln Avenue again. It seems like there's an elephant in the room and I just realized it, so I have a question. If the traffic expert could -- I'm asking him if he could ask his employer, the Crestmont Country Club, to disassociate itself with the West Essex Highlands Garden Homes on this project because this town has a very polarized view of garden homes and the big apartment buildings that were planned there, and that the -- that the planning board by a -- a tie vote --

CHAIRMAN BAGOFF: Sir, you -- you may ask a -- you may ask a question --

MR. COHEN: Well, that's the question --

CHAIRMAN BAGOFF: -- about his testimony. Sir?

MR. COHEN: Would you be -- would you be willing to ask your employer to try to disassociate and not take any money from Garden Homes --

CHAIRMAN BAGOFF: Sir?

MR. COHEN: -- and just make this --

CHAIRMAN BAGOFF: Sir?

MR. COHEN: -- a traffic light for Crestmont?

CHAIRMAN BAGOFF: Sir? Sir? Mr. Cohen. Mr. Cohen?

MR. COHEN: Huh?

CHAIRMAN BAGOFF: Mr. Cohen?

MR. COHEN: Yes.

CHAIRMAN BAGOFF: Mr. Cohen? Mr. Cohen? Okay.

MR. COHEN: Yes.

CHAIRMAN BAGOFF: Here's the rules. Here's the rules. You can ask him a question about his testimony this evening. That is a -- not a question for him. Okay? I want to be cl ear. I want to keep the record clear.

MR. COHEN: No. He had testimony that there was payment made by West Essex Highlands --

CHAIRMAN BAGOFF: You're asking him a legal question about -- about business decisions. He can testify about payments but not who -- which employer, employee, company is going to do what with their businesses. He didn't testify to that --

MR. COHEN: No, I'm --

CHAIRMAN BAGOFF: -- Sir.

MR. COHEN: Okay. I'm just asking if he could ask his employer to consider --

CHAIRMAN BAGOFF: That is -- that is --

MR. COHEN: -- disassociating --

CHAIRMAN BAGOFF: Sir, that is not germane to his testimony.

MR. COHEN: Okay. He mentioned that. He mentioned that connection, so. Okay. That's it. That's all I have to ask because it's -- it's a highly controversial thing that West Essex Highlands is connected. Thank you.

CHAIRMAN BAGOFF: Thank you very much, Sir. I appreciate that. Do you have any other questions for Mr. Pehnke on his testimony?

ZOOM OPERATOR: So that was it for him.

CHAIRMAN BAGOFF: I guess that's a no.

ZOOM OPERATOR: -- person is Deb's iPhone. Please state your name and address for the record.

DR. FRUCHTMAN-BUTENSKY: Yes. So it's Deborah Fruchtman-Butensky, The Grande, Rappleye Court specifically. Can I ask the traffic engineer to please go through the route with me. Currently, I enter and exit through Oval Road to get to my house at The Grande. If I am traveling north on Laurel, there's a traffic light. I wait at the light. I now make a right turn. 800 feet from that, there's another traffic light. I want to make a left turn onto Oval

Road. Am I going to have to now wait again at the next traffic light to make my left onto Oval?

MR. PEHNKE: There will be a traffic light at that location, but as you do today, you will queue to make a left instead of waiting for a gap in the opposing traffic -- well, as you do today at times, you'll just -- as -- wait for a gap in the opposing traffic because the traffic will be flowing in both directions through the green arr -- green balls. Then you'll make your left in.

There'll be periods of time where you reach the light and there'll be a green arrow that will direct you to turn directly into Oval Road, unconflicted. And there will be potentially periods of time when you hit a red arrow and may be delayed a little bit in a protected left turn lane before you receive the green arrow that will turn you into O val Road.

DR. FRUCHTMAN-BUTENSKY: Okay. That's -- helps. So that's significant. So there will be a left turn arrow to allow the left turn on Eagle Rock Avenue going eastbound to get into Oval Road from --

MR. PEHNKE: Yes.

DR. FRUCHTMAN-BUTENSKY: Okay. So that's very helpful. And do you have any idea -- when you say

the coordination between the light at Laurel and Eagle Rock versus this particular light, can you be a little more granular in what you mean by that?

MR. PEHNKE: So -- so basically, when we -- when we design a new traffic signal on a corridor, we want -- for instance, when the traffic is flowing eastbound on Eagle Rock Avenue as it approaches Laurel Avenue and has a green ball and travels through that intersection, you -- you want to design the signal in such a way that as it travels through that intersection and then reaches this intersection, it will continue uninterrupted.

So you look to establish the timing of the intersection so that you have a continuous progression of traffic flow along the predominant movements through the two -- two intersections. In this case, we're -- we're looking at it a little more sophisticated because there is a heavy amount of traffic that actually turns to and from Laurel Avenue, so we're going to look to progress through both phases. And it's basically just to -- to make sure that we keep that movement traffic as you get your green ball and travel through the intersections, that you're not, you know, hitting a red light, hitting a red light, hitting a red light, you just move through the system. That's the intent of coordination and -- and synchronization.

DR. FRUCHTMAN-BUTENSKY: Right. I understand that. That makes sense. Is there a computerized system which -- maybe on the road which measures how much traffic is going at a particular time of day? So is there variability in -- in the coordination of those two? Computerized variability?

MR. PEHNKE: Traf -- traffic flow is relatively con -- consistent, so we're able to set a timing directive that is -- is somewhat responsive to traffic flow, but it's based upon the detectors at each -- at each intersection. And then the offsets are -- are measured from the -- the base -- the base phasing.

So it -- it is factored in. It's an analysis procedure to determine how the offsets are set on these coordinated systems and then of course, they can always be tweaked over time and that's -- that's an important aspect of it, too. That's something that the county maintains and takes care of.

DR. FRUCHTMAN-BUTENSKY: Well, I'm trying to understand. Are there sensors in the road so that these things change during -- during peak flow and during the time of day, or are the --

MR. PEHNKE: So -- so there's -- sensors in the road is -- is a past technology. There's cameras, basically. Essex County uses video detection. So yes, there is video detections that's used to identify when

a vehicle is present and provide green indications based upon its underlying established timing program.

DR. FRUCHTMAN-BUTENSKY: So the goal is to help me continue to be able to get into the left lane and to smoothly be able to make the left based with the -- the green arrow. Correct? That's --

MR. PEHNKE: That is -- that is correct.

DR. FRUCHTMAN-BUTENSKY: That would be the coordination between the two intersections, ideally?

MR. PEHNKE: That is correct.

DR. FRUCHTMAN-BUTENSKY: Okay. Thank you.

CHAIRMAN BAGOFF: Thank you very much. Do any other members of the public have not had a first question or a second question only? We're not going to third questions as the hour grows late this evening and the applicant has other things to present. Does anybody have a first time not asking a question or a second time question? No third questions this evening?

ZOOM OPERATOR: Okay. So yes, I will allow Keith Sly to please un-mute yourself and state your name and address for the record.

MR. SLY: Keith Sly, Pleasantdale Chateau. I'll try to brief, but if you'll allow me, Chairman, a little bit of exposition to make the question more understandable, I'd like to piggy-back on Mr. Pannullo's prior question of left turn into

Pleasantdale Chateau's entrance.

If presumably a large portion of our clientele arrive from 280 along Laurel Avenue, turning then right when the light is green onto Eagle Rock heading towards Pleasantdale Chateau, they then have to cross over to the left lane of traffic and then will arrive at the light at Oval Road if installed. When that light turns green, they will have to proceed another hundred-plus yards that you have outlined, Mr. Pehnke, and then turn left into that area.

Assuming that a large portion of our events happen around rush hour, 5 o'clock, 6 o'clock, et cetera, what is the remedy for our clients' safety and convenience turning left there when they may be left stranded sitting before they can allow the remainder of the traffic to pass going in the opposite direction so they can then make that left turn in?

MR. PEHNKE: It's really no different than they're -- you're experiencing today. The left -- the left in is -- is an uncontrolled, un-signalized that they have to choose their gap against the same traffic that'll be there with or without the traffic signal, so there's -- there's really no significant differentiation of what the driveway is operating and experiencing today as to what it'll operate as and experience with the signal.

MR. SLY: I'm -- may I question your certainty on that, as the traffic then will be stopped by the light, therefore allowing traffic to build? The advantage of the free flow of traffic without a light allows more gaps, prevents that traffic from piling up because it will continue to flow in both directions. With the addition of the light, traffic will then build up in both directions and presumably add difficulty in turning left as potentially well as right into that lot. And then cars will be sitting in that Eagle Rock lane with other cars now coming behind them either having to go around them while they wait to turn left in or, if there's no one behind them, speeding up Eagle Rock to a potentially stopped vehicle in the roadway.

MR. PEHNKE: So -- so the priority movements remains Eagle Rock. The priority traffic green time is to Eagle Rock. So for the -- for the most part, the experience that's experienced today is what'll be experienced with -- with the signal. It's -- it's not -- you're not making a right at Laurel and then getting to this intersection, hitting a red, creating a long queue and then that queue goes and then stops at your driveway with a vehicle. That's -- that's just not the experience that's going to occur here.

The -- the experience that's going to occur here basically is going to have green balls for the

predominant amount of time to eastbound and westbound Eagle Rock, which maintains the flow on Eagle Rock and only when there's calls on the side street of Oval Road and/or the Crestmont Country Club, in coordination with what's happening at Laurel Avenue, will -- will the traffic stop on -- on Eagle Rock Avenue.

So I -- I really don't see a substantial change in ingress to the Chateau.

MR. SLY: So rather than wasting more of your time, could you refer me to the specific study that has identified that?

MR. PEHNKE: I haven't specifically done that. It's based upon the location of your driveway and how it generally interacts with a -- a traffic signal.

MR. SLY: Is that solely your expert opinion, then, or where are you gathering that information from?

MR. PEHNKE: Well, it's -- I mean, we follow standards. There's a reason why we like to have driveways set 100 feet on state highways from -- from traffic signals. It's -- it's for these very reasons. It's why those standards are -- are set. It's 50 feet for un-signalized intersections. It's for those very considerations.

MR. SLY: I'm failing to gain clarity, but I don't have a question to ask, so thank you for your

time. I yield the remainder.

CHAIRMAN BAGOFF: Thank you. Do any other members of the public have a question for the first time or the second time only? Please raise your hand and be identified.

ZOOM OPERATOR: Okay. Rachel Klein, please state your name and address for the record.

MS. KLEIN: Rachel Klein, Howell Drive. I want to piggy-back on Mr. Sly just for a second. You just mentioned that that's the reason that you -- traffic signals and driveways are 100 feet apart. Do you mean all driveways, or driveways that could take in 500 cars in a span of 30 minutes because they're going to have a wedding?

MR. PEHNKE: Basic -- basically, commercial driveways. Driveways to private properties, no definition to, whether it's a shopping center, a gas station, it's basically a relationship of having a commercial private driveway with relation to a traffic signal.

MS. KLEIN: Okay. I would think a wedding hall would be different. So, you seem particularly focused on Oval Road, but Oval Road has really nothing to do with Crestmont Country Club. Why is there so much attention being dedi -- directed there instead of the actual impacts related to the Crestmont site? Who

decided Oval Road should be included in this analysis? Would your conclusions have changed if Oval Road were excluded from your data?

MR. PEHNKE: I've got to defer to the testimony that was given by the -- the country club manager at the last meeting. That set the groundwork for the reason for this application and why we're here tonight.

MS. KLEIN: So may I ask if this analysis is being conducted preemptively to support a project that has been denied twice by the same -- by this exact board as opposed to --

MR. PEHNKE: That -- that --

MS. KLEIN: -- being for Crestmont?

MR. PEHNKE: That testimony was placed in the record last month with regard to the applications under a settlement agreement with the Township for the West Essex Highland and the country club's involvement and working with. That was all testified to at the last meeting.

MS. KLEIN: This plan as it stands this moment, is it consistent with Safe Streets and Vision Zero?

MR. PEHNKE: It incorporates all the toolbox-type improvements that would be consistent with that, yes.

MS. KLEIN: Even though it's going to have sidewalks to nowhere?

MR. PEHNKE: Well --

MR. SCHKOLNICK: That was the request. That was the request of the chairman.

MR. PEHNKE: But -- but you've got to start somewhere.

MR. SCHKOLNICK: That's --

MR. PEHNKE: The project has a beginning and end point. The beginning and end point is -- is within the project limits and, you know, you -- you build toward Vision Zero by putting in pieces of what you can and hopefully, someday, they all come together.

MS. KLEIN: I'm not sure, I haven't looked through everything in the record yet, but is there a written determination from the county saying that the traffic light is warranted or is this just from conversations?

MR. PEHNKE: There is an application with the county that's -- we've had a pre-app meeting with the county. They've indicated their concurrence that they believe this is an appropriate location for traffic control and should be controlled, and we fully expect that they will approve this application.

MS. KLEIN: And can you just explain the relationship between a driveway that accommodates

hundreds of vehicles' movement and the need for a traffic signal?

MR. PEHNKE: I'm not sure I follow that question.

MS. KLEIN: I -- I'll withdraw it. I think I'm -- thank you.

CHAIRMAN BAGOFF: Thank you very much. Do any other members of the public have any first-time questions or second-time questions for Mr. Pehnke on his testimony?

ZOOM OPERATOR: Okay. Luisa Casar, please state your name and address for the record. Luisa? Luisa, you're muted. This is the last person with a hand up currently. Can you please un-mute, Luisa? Okay.

(Brief pause.)

ZOOM OPERATOR: Luisa, can you please un-mute? Okay. The next person is Paul Tractenberg. Please state your name and address for the record.

MR. TRACTENBERG: Paul Tractenberg, 96 Sullivan Drive, West Orange. Just one quick question. I think an obvious answer. Mr. Pehnke, if, contrary to your apparent impression, the county were to deny the -- the traffic signal, does that mean the project is abandoned by the country club, or is there something that it could choose to try to salvage?

MR. PEHNKE: I -- I can't speak to what the country club might -- may or may not do, based on that hypothetical.

CHAIRMAN BAGOFF: Mr. Tractenberg, do you have any other questions?

MR. TRACTENBERG: No. That's it. Thank you.

CHAIRMAN BAGOFF: Thank you. Do any other members of the public have a first- or second-time question only? Please raise your hand and be identified.

ZOOM OPERATOR: Okay. Luisa's trying again. Luisa, please state your name and address for the record. Please un-mute yourself. There you go. Hello? Luisa, you're un-muted.

MS. CASAR: Now?

ZOOM OPERATOR: There you go.

MS. CASAR: Okay. Thank you. My name is Luisa Casar and I live on 59 Davy Road. Now, I wanted to ask Mr. Pehnke -- I don't know if he's aware, but there is a massive apartment/townhouse development currently being built on Harrison Avenue in Roseland, New Jersey. The construction and development are split into two primary phrases and one future-designated development. The proximity of this development to Eagle Rock is of concern as it will undoubtedly contribute adversely to an already high traffic volume.

So have you taken into consideration this development, because it is quite large?

MR. PEHNKE: So that's taken into consideration by the growth factors that the county and state has us utilize to accommodate those particular regional growth patterns that do occur, yes.

MS. CASAR: What factors are those?

MR. PEHNKE: There are growth factors that are published by the Department of Transportation on a yearly basis that are utilized to -- to project forward traffic.

MS. CASAR: Well, give me an example. I -- I would like to know what they might be.

MR. PEHNKE: You know, for instance, in -- on arterial roads in Essex County, I believe the current growth factor is an anticipated 1.75 percent per year on the highways, the Essex County highways. I believe that's the number. And that's -- that's updated every year based upon traffic count data that's --

MS. CASAR: But this is on a county road, not a highway.

MR. PEHNKE: It's a county road. Correct.

MS. CASAR: Yeah. Okay. Yes. And so I was wondering how this will impact Oval Road, and I'm not feeling as though I'm getting a satisfactory answer because when you pass by there, it is alarming when you

see how massive it is. And then I find out there's two phases and then there's a future designation it might be a nursing home or something to that -- to that effect. And so I think this needs to be taken into consideration because the traffic pattern now is incredible, especially during rush hour. And to have the traffic light and the congestion would further exacerbate this problem.

MR. PEHNKE: You know, it would actually be exactly the opposite. The growth of traffic along Eagle Rock Avenue is going to make it more and more difficult for residents on Oval Road and Crestmont Country Club to egress onto Eagle Rock -- Eagle Rock Avenue, so that -- for that very reason, it is why the signal is becoming more and more warranted and the improvement more and more warranted, because you need to safely be able to move traffic onto and off. And as growth such as that occurs in the area, that is what drives the need for improvements such as this.

And -- and we've absolutely taken growth into account and as I testified to, the signal has a lot of capacity to accommodate future growth beyond what we've even anticipated.

MR. SCHKOLNICK: All right. Is -- is the question, Ma'am, if there's more -- if there's more traffic, would the traffic light be a negative or a

positive? Is that what you're trying to ask us?

MS. CASAR: I'm saying there's -- there's enough, with the traffic light, it would be negative. Absolutely. That's what I'm saying. Yes.

MR. SCHKOLNICK: Okay.

MS. CASAR: And, also --

MR. SCHKOLNICK: Because there -- because there's going to be another development, you're saying a traffic light would cause problems? Okay. That's fine.

MS. CASAR: Well, it'll be backed up, because there's a lot of traffic. There -- there will have been a lot of traffic. That's for sure.

MR. SCHKOLNICK: Okay.

MR. PEHNKE: But for the record, that -- for the record, that is not the case and the traffic signal actually will be one of the solutions for continued regional growth.

MS. CASAR: We shall see. Thank you.

CHAIRMAN BAGOFF: Thank you. Do any other members of the public have any first or second questions for Mr. Pehnke on his testimony? Please raise your hand and be identified.

ZOOM OPERATOR: Jennifer Sharret, please state your name and address for the record.

MS. SHARRET: Hi. Jennifer Sharret, Howell

Drive, West Orange. Can you hear me?

ZOOM OPERATOR: Yes.

CHAIRMAN BAGOFF: Yes. Go right ahead, Ma'am.

MS. SHARRET: Okay. Great. Thank you. And I just want to apologize if I ask a repetitive question because I'm -- I came a little late. I understand the light is, again, going to be at -- I guess at Oval, right, and Eagle Rock? Are there -- I thought there was going to be some digging of some sort on the other side, like, right above Edgemont. Is that -- is that true?

MR. PEHNKE: I'm not sure I'm clear on the question. Digging? In terms of --

MS. SHARRET: Like, are -- are things being cleared -- like, if you live, like, on Edgemont or Beachwood or Sherwood, are -- is any part of, like, above you where there might be trees, like, is that being cleared in order to make room for the light?

MR. PEHNKE: No.

MS. SHARRET: Okay. So there's no -- so all this is is just to physically install the light and there's nothing else being done to other parts of the surrounding area?

MR. PEHNKE: There is the widening into the Crestmont Country Club frontage to improve -- to

provide the turn lanes and the requisite geometry of the intersection, which impacts the Crestmont Country Club property only.

MS. SHARRET: Okay. And are trees being felled in order to do that?

MR. PEHNKE: Yes. And that's part of the application; yes.

MS. SHARRET: Okay. And how -- again, I apologize if you already answered this, but -- and how many trees is -- are being felled?

MR. PEHNKE: I'm deferring to my partner who's handling the site plan application on this and would be nest -- next to testify.

MS. SHARRET: Okay. Oh, great. So I can save that question. Okay. Thank you.

CHAIRMAN BAGOFF: Thank you. Do any other members of the public have any questions for Mr. Pehnke for the first or second time only? Please raise your hand and be identified.

ZOOM OPERATOR: Art Butensky, can you state your name and address for the record? Art? Please un-mute. Art Butensky?

CHAIRMAN BAGOFF: Okay. Do any other members of the public have any questions for Mr. Pehnke on his testimony, first or second time only? Please raise your hand and be identified.

ZOOM OPERATOR: Again, I'm just seeing -- Art Butensky, can you un-mute? Okay. I am seeing none.

CHAIRMAN BAGOFF: Okay. Well, seeing none, give Mr. Butensky one more try. Mr. Butensky, can you un-mute, Sir?

MS. McGOVERN: I think he's gone.

ZOOM OPERATOR: Yeah. He's gone.

CHAIRMAN BAGOFF: He's gone? Okay. We're going to close this portion of the meeting. Mr. Schkolnick, you're up.

MR. SCHKOLNICK: Thank you, Mr. Chairman. Could -- could we take judicial notice that the United States has defeated Bosnia 2 to 0 in the World Cup?

CHAIRMAN BAGOFF: The chair takes notice.

MR. SCHKOLNICK: We'll -- we'll get started, I guess. Chairman, what time do you want to go to?

CHAIRMAN BAGOFF: 10:50.

MR. SCHKOLNICK: We'll try to get started, I guess.

CHAIRMAN BAGOFF: Okay.

MR. SCHKOLNICK: Call John Cote.

MR. COTE: Good evening.

CHAIRMAN BAGOFF: Good evening.

MS. McGOVERN: Okay, Mr. Cote. Please --

MR. COTE: I have previous --

MS. McGOVERN: Please raise your right hand.

MR. COTE: All right. Yeah.

MS. McGOVERN: Do you swear or affirm --

MR. COTE: I was sworn in last time. I don't know if you want to keep that or not.

MS. McGOVERN: Oh. I didn't realize that. Dr. Bagoff, do you want him to be re-sworn or --

CHAIRMAN BAGOFF: No.

MS. McGOVERN: -- just remind him that he's under oath?

CHAIRMAN BAGOFF: Do you -- you understand you're still under oath, Sir, and your license is still good in the state of New Jersey. Is that correct?

MR. COTE: Yes. That is correct.

CHAIRMAN BAGOFF: Okay. Good enough for me. Go for it.

MR. SCHKOLNICK: Thank you.

MR. COTE: So what I'm going to do is we're going to just go through the plan set, the site civil plan set that was delivered in concert with what both -- both Ms. Cancellaro talked about as well as Mr. Pehnke in their testimony. And I'll tie back into --

MR. SCHKOLNICK: Okay. John, I'm sorry. I just want the board to confirm that you were qualified as an expert and we don't have an issue with that. I apologize.

MR. COTE: Sure.

MR. SCHKOLNICK: Chairman, we did qualify him. I want to make sure that's recognized for the record so we don't --

CHAIRMAN BAGOFF: Yes. Yes. Everything that we did last time still follows through.

MR. SCHKOLNICK: Okay. I just don't want to have an issue with that. I'm sorry.

DIRECT EXAMINATION BY MR. SCHKOLNICK:

Q Okay. Thank you, John.

A All right. So what I'm going to do is I'll share my screen and we'll go through the -- the plans here.

Q John, if you'd call out the sheet number and the last revision date.

A Sure. So this is the first drawing we put up last session, last hearing, and it's exhibit A-1 now in terms of the -- the reference and it's drawing lab -- excuse me, labeled "Project Aerial Map". Exhibit EX-05 is the drawing number on it and it's dated June 1st, 2026. And that's consistent with what we've presented previously.

And this is, again, just for orientation. Looking at the site with the north to the right of the site. The location of the area in question for the bulk of our improvements is located again between Laurel and Eagle Rock Avenue and we're going to spend -- I'll go through my components of the on-site related

improvements.

So I'm going to switch now to the site plan set proper, and when we talk about the site, we talk about the east and west side of the site in terms of the way the sheets are set up. Orientation-wise, the Laurel Ave and Eagle Rock intersection is on the westerly sheet and then Oval and the -- the driveway is on the eastern side -- eastern side.

So, the westerly portion of the site consists of a number of improvements, starting with the addition of a stormwater basin located along -- at the intersection of Laurel and Eagle Rock Avenue. That basin will serve multiple purposes for the -- certain terms of both water quantity, water quality, treatment for the site.

As you progress -- as you weigh in -- into the site through the entrance off of Laurel, as you come up to towards the porte cochere to the main entrance to the building, we're looking to propose an additional parking area adjacent to the existing parking and I'm going to refer to this parking as the upper level parking because that will be in reference to what we'll see on the next drawing. And in that area, we're proposing 39 parking spaces, and they'll be integrated to connect into the existing parking lot that's there today as an add-on basically pushing, more or less, the extent of the parking to the north on the site.

I'll refer to more content relative to the design of each of the elements, but basically, we're providing within that -- the 39 parking spaces in this area, two EV parking spaces. And I'll just touch on really quick, I'm going to kind of divert to some comments that were made from the engineers' and planners' letters, and in particular, one of the EV spaces here will require to be an ADA EV -- EV space and we're going to provide that EV ADA space on the existing EV -- excuse me, existing ADA space on the site. So we'll accommodate that requirement for one EV being an ADA space on the existing handicap space or ADA space on the site today.

So, looking at the orientation of the left-hand side, you'll see -- the western side, you'll see the combination of the -- the basin and the parking lot. There are representations of where the walls are, and I'll talk a little bit more about that when we get into the design -- elements.

And then there's the -- the widening of Eagle Rock Ave. And part of that is to grade Eagle Rock Ave in accordance with Mr. Pehnke's testimony to level off the area adjacent to the roadway. To provide that level area, we're proposing a wall along the frontage, and that wall will run the length of the Eagle Rock Ave from Laurel Ave into the new intersection being

proposed.

I'm going to now switch to the easterly sheet site plan, and I apologize. I will state the sheet numbers. The first -- and do you want to tell me if you want to make the set A-2, or do you want to make --

Q No. No, no, no.

A -- the set -- each one individually will be -- individual. Okay. So we're going to --

Q We're -- we're not re-marking, John. These are already --

A Understood.

Q These are in the record.

A These are in the record. Okay. I just want to make sure. All right. So then the easterly partial site plan is now what I have on the screen, and the easterly partial shows the intersection that we've been referring to in the earlier testimony by Mr. Pehnke, Eagle Rock Ave. And it also shows the on-site improvements relative to the new egress drive.

The new egress drive starts at the upper level parking lot and progresses down to the new intersection with Oval. That roadway will be a 24-foot wide connection into there, providing the two lanes, a left and a right and a through movement exiting out onto Eagle Rock Avenue.

In doing that, there's an underlying arching area

that I'll call the lower level that we're modifying. In reconfiguring that parking lot, we're basically creating a 64-space parking lot in that lower level that now connects to the new egress drive and maintains the existing connection to the upper level parking lot that's along the -- the south center portion of that lower lot.

That lot will also provide -- there's an area where we're providing water quality measures, porous pavement along a northern portion of that, and that'll tie into some of our water quality measures that we're providing for the site.

One note here for the purpose of the variance, we do have a location where fence is locat -- guide rails located within less than five feet of a parking space and the reason for that configuration is based upon the previously-approved modular structure that was built there to provide a separation between the parking spaces and the pedestrian movements to that building. So that's one element of a variance that we're asking for.

Looking at the site in the -- in that northern -- I'm sorry, the eastern edge on the northern side, we are proposing another detention basin. This detention basin, again, similar to the one that's at the corner of Eagle Rock and Laurel, will be to treat -- for both

water quality and water quantity for the purpose of balancing out the stormwater and achieving compliance with the stormwater regulations.

One item to point out relative to the site plan, the combination of these two sheets is that the existing site today has 256 parking spaces. The prior variance that was granted for this site was actually granted at 252, but a physical count of the spaces out there yielded 256.

Based upon the 256, we're adding an additional 36 spaces and I'm going to qualify those 36 spaces be -- it's 32 physical spaces that we're adding in total, the net between the revisions of the new parking lot as well as the lower -- reconfiguration of the lower lot and four of those total spaces are what are referred to as the EV credits so that for each EV space, we have a credit of one additional parking space counting towards our parking compliance. That is a part of that calculation. So there will be physically, for the record, 288 spaces built, total, and completed with the additional spaces, and the additional four towards the parking count that's part of the variance request here to get us to 292 are those EV credit spaces.

So then --

Q When you -- John, when you say variance request, there's already a deficit.

A Correct.

Q We're reducing --

A Reducing. Yes.

Q We're reducing the existing deficit.

A That is correct. My -- yeah. So you can qualify it as that these increase in spaces reduces the current relief that you granted this site previously so that we're going from the 252 spaces previously approved in the -- in a prior site plan variance against the 700 that the ordinance would call for to 292 spaces, and therefore reducing the relief previously granted on the site.

So, these layouts of the roadways with the standard parking spaces, the 24-foot drive aisle, the configuration I -- I've referred to in terms of the connection, what we've done is we've taken for emergency vehicles, I'm going to switch now to our traffic circulation, or excuse me, our fire truck circulation plan, and routed those through these new features added to the site to show that they can maneuver and emergency vehicles can access these locations and progress through them.

So this is the westerly side, showing through the new parking facility based upon the West Orange ladder truck that's been given to us dimensionally for this particular support of this area. And then on the

easterly half of the site, the same scenario there. We show now the fire truck maneuvering both through the existing parking lot also making its way through the proposed reconfiguration of the lower lot as well as using the egress scenario to access -- to exit out onto Eagle Rock Avenue, both in an easterly and a westerly fashion.

So moving on to the way the site is graded for the purpose of the -- the layout, I refer to the upper level and lower level parking lot because of the changing grades as we make our way along, and the changing grades on this site are significant. There are a number of locations where we're overcoming the existing conditions, the grades, and in -- part of the driving factor between where we've put walls on this site and the reason for the walls are to help minimize the number of trees removed. And I'm going to get to the testimony about the number of trees to be removed and the number of trees that are going to be replaced as a function of the development.

But basically, just to give a quick perspective on it, if Eagle Rock Avenue is sitting at let's say an area where I'm pointing to at elevation 547, the upper parking lot area here is at 566. And we're making the stormwater and the -- and the grading associated with this to control all the runoff from the site as a

combination of these small-scale basins I referred to earlier, one in the northwest corner and one at the east end of the site, northeast end of the site, and we're also providing a swale at the top of the wall to direct water rather than sheet-flowing out onto Eagle Rock Avenue, to progress into the system and make its way into a controlled drainage conveyance system, the -- the piping network that conveys this, flows from the site.

One of the things we did towards the discussion about the safety associated with Eagle Rock Avenue is we also evaluated the stormwater on Eagle Rock Avenue and found the existing system to be deficient and we're upgrading that system along Eagle Rock Avenue to accommodate the flows that -- and the deficient scenario where now can get a suitable system installed associated with these improvements.

So that'll improve the drainage aspects of Eagle Rock Ave, controlling the sheet flow that goes uncontrolled today as well as doing the volume reduction -- the -- excuse me, the -- the flow reductions that we need to do to be compliant with the stormwater regulations.

Looking at the second sheet, on the east side of the site, and again, the upper parking lot configuration, just to kind of give people a sense of

where we are elevation-wise, this upper lot is, say, 560, elevation 560, 558 and along that range at the -- the top end of it. Then we make our way to 564, making our way up to the top of what is the new exit driveway. And that exit driveway at 564 runs down the driveway until we get down to Eagle Rock Avenue, which is roughly around elevation 538.

So from 564 to 538, one of the elements needed for that is we needed to make the driveway at eight and a half percent to support that move -- that transition and grade down. And in addition to that transition of the eight and a half percent to get down to Eagle Rock Ave, we also had to utilize walls to be able to support those changes in grades to maintain the upper level parking lot, the grades adjacent to going -- making your way down the hill to Eagle Rock Avenue, and also to allow for a stormwater basin to be built on the site.

So one of the variance requests in this application is for the height of the walls. And the 21.5-foot height of the wall occurs where we have this lower level basin, you know, basically at a level that is compatible with getting it out to the street for street grade and dealing with the Eagle Rock discharges and supporting the upper level parking, and that transition occurs at this north end.

The walls along Eagle Rock Avenue from the pull-back of the grades that Mr. Pehnke referred to earlier create an approximate eight to nine-foot high wall that'll be along Eagle Rock Avenue from the corner of Laurel and Eagle Rock to the new access drive, or, excuse me, new egress drive.

So from a grading point of view, you know, we had the existing driveways that are -- that are out there today that was referred to multiple times as the acute angle driveway. That is being removed in its entirety. Those slope conditions will be gone relative to that, but we are keeping the 10-and-a-half percent existing drive that we're keeping, tying in the lower level and the upper level parking lot. So the variance also speaks to the 10-and-a-half percent that is on the driveway that's existing but being slightly modified but not steeper to keep the connection between the two drive -- two parking lots.

Going from the -- you know, the area associated with the -- both the detention basins, handling both the parking lots and the new driveway, I'll look at the -- I'll flip now to the drainage plan, the bio-retention -- small-scale bio-retention basin basically is going to serve that water quality and water quantity reduction. We are tying in drains that were previously just sheet-flowed out from the site and connecting them

-- and the idea behind this is basically to get everything into the pipes as opposed to having it sheet-flow over Eagle Rock Avenue and -- which would help relative to potential icing conditions and things along that lines in terms of safety on Eagle Rock Ave.

When I look at the eastern side, it's a similar scenario. You have another small-scale bio-retention basin. We are going to be planting one basin with woody vegetation; that'll provide part of the discussion about what we're doing for landscaping and I'll get into that in a little bit, but the idea behind these is that the bio-retention provides that water quality in concert with the porous pavement that's proposed in the parking lot.

And again, all of these measures, the retention basins, the porous pavement, and -- and everything else that's been tied together is to achieve compliance with your current stormwater regulations.

So then what I'm going to talk about here is the tree count and the tree removal and replacement. So I'm now switching to the partial tree removal plan, and what that does is identifies trees that are within the limit of the disturbance that are -- are -- that are basically being removed and then the -- using the town's calculations for replacement based upon the diameters of the existing trees, the condition is we're

removing 313 trees. And as a function of the replacement ratios that are required by the town by the ordinance, we're going to be putting back a total of 486 trees.

Now, I'm going to modify that by 11 the way this plan refers to the 400 -- 586 trees to address a comment from your engineer that the 11 or (indiscernible) planner. I apologize. That the 11 trees we counted for compliance with your landscape in parking lot requirements, we're going to not take credit for those as replacement trees, we're going to add 11 more trees. So this will be a count of 597 trees for the purpose of the replacement trees.

Q So John, what --

A Those trees --

Q John, what -- what sheet are we on? And --

A So I am on -- I'm on -- I apologize. I'm on the partial tree removal plan, which is LD-101.

Q Okay. And you're making a -- an oral amendment here to basically saying we'll comply with the --

A To address the comment. Yeah.

Q Just, you'll comply with the review letter and add --

A That's correct.

Q -- 11 more trees because of the -- the way

the calculation was done. We're -- we're happy to add the 11 additional to the 586 --

A Correct.

Q -- already.

A Correct.

Q Okay.

A And then, you know, again, based on the ratios, we're at the 586 but in particular, the way the trees are being replaced, we have them in a combination of locations on the site.

So there's a summary table on the plan identifying the 586 trees and the placement relative to the areas where we're doing our bulk improvements up along Eagle Rock Ave and Laurel and the parking areas that are being reconfigured as well as then on the whole -- Crestmont property as a whole. So 303 trees will be placed along that frontage area and an addition 239 trees will be placed on the overall Crestmont property.

And then to get to the full count, we had proposed 44 trees off-site in coordination with your forester for the -- to hit the 586. But that 44, to the -- to an amend -- oral amendment of this plan, will become 55 to get the additional 11 trees that we proposed. So we'll have a total of the 597 trees to be planted as associated with this application.

So what I'll do now is I'm going to talk a little

bit about the location where the trees are being taken out are based on the limits of disturbance of the property. And one of the questions about why are the walls being proposed in the steep slope areas is that by going with the wall configuration -- have the grading, we'd have been able to minimize the trees that need to come out. Had we eliminated and not done walls along either Eagle Rock or at the base elevation of the upper level parking enhancements and increased parking, it would have required more of these trees that you see un-X-ed out here would have had to been taken out as a function of the -- the grading.

So the walls serve two purposes: one, to consolidate the development limits to minimize disturbance, but also to eliminate removal of additional trees.

So looking at, then -- I'm going to advance to the planting plans, I'll -- I'll show the second sheet, I'm sorry, first -- west -- easterly sheet. And in a similar fashion, the easterly sheet, the trees that are being removed are being removed associated with the disturbances in the areas and anything, you know, from a -- outside the limit of disturbance will be subject to tree protection measures that are consistent with your forester's and your -- your ordinance requirements.

So, now, looking at the planting plan and looking at what's proposed there, so for the total number of trees that are being placed on the site as a whole, the 303 trees that are proposed along the frontage area, I'll call it that, the northerly portion where the predominant improvements are being proposed, they're a combination of different types of trees. I'm not going to speak to the -- the actual species of the trees, but rather -- I'll -- the plans refer to those but also we are going to make substitutions in accordance with the review comments we got. There's a request in the review comments to make various substitutions, so the plan will be consistent with those comments as a function of, you know, complying with the -- the comments provided to us.

But a combination of shade trees, ornamental trees are the predominant, those are the trees being used for the replacement. There's also additional to that the deciduous trees -- I'm sorry, the evergreen trees, excuse me. That'll be part of that planting as well as shrubs, both evergreen and deciduous shrubs, ornamental grasses, ground covers, and perennials.

So there's a substantial planting program here, and what I referred to a little bit earlier is we are going to be planting the -- the small-scale bio-retention basin and that'll be compliant with DEP

standards.

Now, the trees -- the 40 trees that are going to be planted in there are going to be what they refer to as whips. They don't count towards your restoration, or towards -- we don't -- we -- they're not a -- a number to offset our trees removed and trees restored, but they will grow to become additional trees here that you may not see initially as substantial, but this should be a substantial feature of additional trees as they grow over time.

So the -- the planting scenario also allows for what'll look like somewhat of a streetscape along Eagle Rock Ave. Right now, if you were to look at the existing trees, they're one, in -- in various states of -- various conditions, but there's also a lot of scrub and a lot of other growth there that is on an embankment slope. So, what we're going to do is basically clean that up to create this area that we talked about before, allow for the wall to be imposed along that area to allow for those grades to be pulled back, and then along the lines of the area adjacent to Eagle Rock, there'll be a significant replacement filling in those areas where trees were removed but now are being replaced by the new trees.

And in a similar fashion, on the east end of the site, we're doing a very similar scenario along Eagle

Rock Avenue. And then within the islands that get reconfigured associated with the existing parking, the lower level. So, again, this is -- you know, should present, you know, in terms of being an extensive planting scenario.

And then with that, we're also planting elsewhere in the site to get the tree count for the property as a whole to hit that higher number minus the 55 that'll be proposed off-site. So what I'm going to refer to is I'll get -- turn to the -- in this particular case, to the tree restoration plans. These, again, are drawings that are in the set. The drawings are titled -- sorry, in the submitted sets. The tree restoration plan is LP-201 and the tree restoration plan shows the big picture of where the additional areas, areas A through H throughout the site. And these were coordinated with the golf course operations folks to basically walk the entire site and come up with areas where additional trees can be planted, don't interfere with the golf operations or the golf experience itself but allow for a supplemental tree plantings around those areas to fill in, if you want to say, blanks, or areas that have an opportunity for additional trees.

So, again, these areas span from both -- both the northerly Eagle Rock Ave location all the way to the southern portion of the site and making your way around

all -- the property that's within the West Orange limits of the property.

So, looking back, then, at the plant set, the other elements we're adding to this are lighting. The lighting plans, this is LL-101, which is the partial lighting plan associated with the westerly portion of the site. We're providing fixtures in the new parking lot area and we're also providing fixtures along Eagle Rock Avenue. There were comments in the letters asking about the two different mounting heights. On-site, we're using the 18-foot, or ordinance mounting height. Off-site, we're working with the existing layout of the holes that are out there now, and they operate at a 27-foot height. And the -- those are the standard -- they're referred to as cobra head-type lights. That'll be lighting the county. And that's -- that will be within the county's jurisdiction, so we're not proposing 27-foot high on the property. So we don't see that as a variance, because it's going to be under the county's jurisdiction. But we want to make note of why there's a differential between the two different heights.

Another item noted, and I'm going to go to the easterly drawing now. This is LL-102. In a similar fashion, we're providing lighting in the upper parking lot area down the access drive. When we get to the end

of the access drive, there's a note about a potential variance about a foot-candle intensity of 3.5 at the property line where the driveway comes out. We're lighting the driveway for purposes of the county's review, so I don't know, if it's considered a variance, if it would be under county's jurisdiction for the purpose of the lighting. But if it is, you know, then we would ask for that variance to be granted associated with it being to comply with the off-site roadway design requirements for the lighting along Eagle Rock Avenue.

Otherwise, the light fixtures are -- I'm going to refer down to the detail sheet. This is sheet LL-501. They'll -- they're the -- what they refer to as the pedestrian post-mount op -- sorry, post-top pedestrian lights. Are basically fixture heads mounted at the 18-foot mounting height. That's per the ordinance. And then out on the street, on Eagle Rock Avenue, they'll have the -- excuse me, the cobra head light, which -- people may be familiar -- familiar with. They're similar to what's out there now along Eagle Rock Avenue.

So, you know, looking at it from the -- the big picture, go back -- excuse me, I apologize, to the overall site and the variances that we're asking for, I'm just going to renumerate (sic) them, if you don't

mind, just to put it on record. I'm going to go back to the initial plan for the site plan.

So we have the variance from section 25-12.1.b, the minimum distance from parking area to fencing, screening, or structure. Again, that occurs in proximity to the modular structure that was recently constructed and we're using that as a protective measure for the allowing still the pedestrian access adjacent to that modular building.

The second variance, or next variance was the minimum number of parking spaces. We -- where 700 is required. We're -- we're reducing the current variance from 252 spaces to 292 spaces, and that's associated with the testimony provided by -- by the -- for the operations to say that the additional parking is associated with changes the way the facility's been utilized in recent times.

The next variance is the -- section 25-28.8.f.11, the maximum retaining wall height of feet. We're proposing 21.2 -- 21.5 feet, excuse me. And again, that's specifically related to the area where we are combining the upper lot improvements and in contrast to the lower level retention basin that we need, or retention -- small-scale bio-retention basin needed to hit the water quality and water quantity requirements for stormwater management. So that area is basically

where that occurs.

Then, looking at the variance request for the -- related to the steep slopes, so a lot of what I spoke about earlier is reflected in the steep slopes exhibits that are provided in the plan set. This is actually the partial steep slope analysis with site plan overlay drawing, EX-04.

What EX-04 identifies is the various areas on the site, and the -- and the extent of the slopes within those areas. So the --

Q John? John, hold on one second. We didn't submit that colorized, did we?

A Yes, we did.

Q We did -- our plan set has it colorized?

A Yeah. Yeah.

Q Okay.

A That's -- that's correct. Yes. So -- so, looking at that from an overall -- you know, the big picture is that this end of the site, in order to make your way from where we're starting with at the upper level parking lot and lower level parking lot out to Eagle Rock Avenue, there's a transition in topography to get down to Eagle Rock Avenue. Those -- those elevations I was talking about before in that 20- to 30-foot range of changing grade over portions of the site.

So, in order to minimize some of the disturbances,

like the example I was referring to earlier, we are imposing a wall along this portion of where the steep slopes are for the -- in order to minimize that disturbance.

These walls, for the purpose of, you know, record, will become -- you know, they'll be designed and have to be approved by the building department for the purpose of construction of the walls so the -- the idea behind this is that they'll -- there'll be a -- the safety factor associated with the walls is built into that design and that would have to be, again, reviewed by the building department as a function of the -- the construction. So we have a second level of -- of review on that as that -- that comes to bear if this project were to be approved.

Additionally, transitioning from the upper level parking lot down to the lower level parking lot, we have an area where we're traversing that slope, so in or der to smooth that slope out to make it a drivable en -- exit maneuver, we have to put the walls as well as the roadway through, again, portions of the steep slopes to make -- to allow for that exit maneuver.

And then on a similar note, along Eagle Rock Ave, the area that we are leveling off is that steeper slope that you see out there today from where the curb line is out to the top of the slope, pulling that back and

imposing a retaining wall along the length of that in order to create the safe -- I can't think of the right term for it, but the safe zone from the curb line to the -- to the -- where the wall is proposed. I may not be using the right term, but Karl Pehnke's description earlier about that more leveled-off area adjacent to the roadway is -- is part of the technical design for the -- for compliance for the county's purpose.

So from a steep slopes point of view, you know, the .38 acres that we're disturbing associated with the total of the 3.8 acre areas that are 25 percent or greater are, again, associated with minimizing disturbance, allowing the roadway access to make its way through and allow for the proper design of the off-site roadway, Eagle Rock Avenue.

The last item we had was the maximum driveway slope, section 25-28.8.f.8 where six percent is allowed and we're proposing a combination of both eight and a half and ten and a half. The ten and a half is the existing condition that's there today and the eight and a half is along our main driveway.

And again, the -- the difficulty on this si te was to connect the grades at a county-compliant access point to Eagle Rock Avenue with grades in the ranges going from the five percent coming off of this intersection through to eight and a half percent back

to the grades that tie into the upper level parking, and that's what creates the condition for the eight and a half percent. And again, the ten and a half is existing.

The section 25-14.1, the lighting I spoke to earlier, if that is a variance, we will request that, again, if -- if necessary, again, providing safety for both vehicular and pedestrian movements through the intersection.

We do also have requests for a site plan waiver regarding the removal of trees on the 10 percent slopes or greater. If you look at this plan, there's a significant amount of 10 percent slopes throughout the area, so those trees, again, are not only -- they're being removed, but they're also then being replaced with the multiplier that the town has for the restoration component of it. So, again, it's associated with the grading needed from Eagle Rock Avenue even, again, trying to minimize grades and impacts associated with the new parking lot and the driveways.

So those trees being removed in those areas are -- are associated with the -- again, trying to minimize those for where we need to put the various improvements in.

So, I believe that's the heart of my testimony. I

wanted to keep it concise. If there's any questions from there or any additional information I need to provide, I'm, you know, happy to provide any additional content.

MR. SCHKOLNICK: Are you anticipating any questions, Mr. Cote?

CHAIRMAN BAGOFF: At this hour, Mr. Cote, Mr. Schkolnick, we're going to carry this and the board will ask questions the next time. I recommend we carry this to the September 2nd regular planning board meeting at 6:30 p.m. via Zoom. Will that work for you, Mr. Schkolnick, and your experts?

MR. SCHKOLNICK: Chairman, could we -- could we advise at a later time if we want to go --

CHAIRMAN BAGOFF: Yes.

MR. SCHKOLNICK: -- by Zoom?

CHAIRMAN BAGOFF: Well, I'm going to -- I'm going to -- I want to post it. We can change it.

MR. SCHKOLNICK: Okay.

CHAIRMAN BAGOFF: Is that okay, Ms. --

MS. McGOVERN: No, no. Hold on.

CHAIRMAN BAGOFF: -- McGovern?

MS. McGOVERN: If -- if you're going to carry it and then change it, then they'd have to do all new notices again. Right?

CHAIRMAN BAGOFF: SO if we car -- we can

carry it to the August 12th meeting --

MS. McGOVERN: August meeting.

CHAIRMAN BAGOFF: And then you can tell -- you can tell us then. Would that work for you, Mr. Schkolnick?

MR. SCHKOLNICK: I'd like to discuss that with my client, Chairman.

MS. McGOVERN: So --

MR. SCHKOLNICK: Can you carry to the August for scheduling purposes only?

CHAIRMAN BAGOFF: Yes. Yes. Correct.

MR. SCHKOLNICK: And we'll announce --

CHAIRMAN BAGOFF: And notice purpose -- and notice purposes.

MR. SCHKOLNICK: And notice purposes. And then you could let the public know --

CHAIRMAN BAGOFF: Yes.

MR. SCHKOLNICK: You know, that -- that they can check in or check the agenda whether --

CHAIRMAN BAGOFF: Yes.

MR. SCHKOLNICK: -- we're going to go. And we -- and we could have those conversations. But I'd like to have a chance to talk to my client about that.

CHAIRMAN BAGOFF: Yeah. This'll -- that'll preserve notice for you going forward.

MR. SCHKOLNICK: Okay. So we're going to be

--

MAYOR McCARTNEY: Chairman? Chairman? Excuse me. Sorry, Mr. Schkolnick.

CHAIRMAN BAGOFF: Mayor?

MAYOR McCARTNEY: I think Mr. Schkolnick should be reminded that that is not the first Wednesday is August, that we did move it to August 12th.

MR. SCHKOLNICK: We appreciate that. August 12th --

CHAIRMAN BAGOFF: Right. That -- that's for -- that's for preserving notice.

MR. SCHKOLNICK: Yes. So we'll --

MS. McGOVERN: At -- at 6:30.

CHAIRMAN BAGOFF: At 6:30, via Zoom.

MR. SCHKOLNICK: So we're not going to have a hearing that night. We're going to have some discussion about notice and whether we're going to go on September 2nd --

CHAIRMAN BAGOFF: That's correct.

MR. SCHKOLNICK: -- on Zoom or perhaps some other date in person. But I would like a chance to talk to my client about that.

CHAIRMAN BAGOFF: That's fine.

MR. SCHKOLNICK: Okay? So the pub -- Chairman, just to reiterate, just so that there's no issue with the public, that they're going to check in,

we're -- the meeting's carried without further notice to Zoom on August 12th, where we'll have some discussion at the beginning of the meeting about the next hearing --

CHAIRMAN BAGOFF: Correct. At 6:30 p.m. That's correct.

MR. SCHKOLNICK: 6:30. And it's possible we'll be September 2nd on Zoom or some other time, which we'll announce.

CHAIRMAN BAGOFF: That's correct. But you -- you can speak to your client and then get to Ms. McGovern and we'll work it out.

MR. SCHKOLNICK: I appreciate that consideration.

CHAIRMAN BAGOFF: We all good? I like this. Okay. Okay. So don't go --

MR. SCHKOLNICK: Okay. And we're marking it that Mr. Cote finished his direct --

CHAIRMAN BAGOFF: Yes.

MR. SCHKOLNICK: -- and we're going to pick up, whenever that is --

CHAIRMAN BAGOFF: Yes.

MR. SCHKOLNICK: -- with his -- with his questioning from board professionals or --

CHAIRMAN BAGOFF: Board. The board first.

MR. SCHKOLNICK: -- board members and the --

and the public.

CHAIRMAN BAGOFF: Okay. So PB-26-03, Crestmont Country Club, 750 Eagle Rock Avenue, Block 174, Lot 1.01, zone R-2 will be carried to the August 12th planning board regular meeting at 6:30 p.m. via Zoom. And then at that time, we will decide, after you speak to Ms. McGovern, when your client wishes to go forward with the meeting.

There will -- no additional notice will be required.

MR. SCHKOLNICK: We appreciate that consideration.

CHAIRMAN BAGOFF: Okay. Thank you. And I just need a couple minutes from the board before everybody leaves. Thank you, Mr. Schkolnick, Mr. Cote.

MR. COTE: Take care.

CHAIRMAN BAGOFF: And everybody else. Okay.

****

(Requested presentation concluded.)

CERTIFICATION

I, Sarah Fetz, the assigned transcriber, do hereby certify the foregoing transcript of proceedings, 03:20:26 in duration, is prepared in full compliance with the current transcript format for judicial proceedings and is a true and accurate non-compressed transcript of the proceedings as recorded.

/S/ Sarah L. Fetz	AD/T 626
Sarah L. Fetz	AOC Number
The Digital Deposition Group	11/01/2026
Agency Name	Date

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