

1 Official Teaneck- Official Green Acres correspondence

2 re: whether Teaneck's proposed Votee Park Pavilion meets the Green Acres requirements

3 What appears immediately below is the inverted email sequence provided in response to an OPRA by  
4 Ms. Maude Snyder, Steward for Bergen County in the Bureau of Legal Services, Green Acres Program,  
5 NJDEP. It is inverted to enable the reader to follow the chain chronologically.

6 However, to assure no misunderstanding, this Snyder email in its original form is found **following** this  
7 inverted version.

8 -----  
9 **From:** Snyder, Maude <Maude.Snyder@dep.nj.gov>

10 **Sent:** Friday, November 02, 2018 4:28 PM

11 **To:** Charles Powers (powerscw@charlespowersweb.com) <powerscw@charlespowersweb.com>

12 **Subject:** FW: Votee Park Field House/Teaneck

13 Here is the email correspondence you requested between Green Acres and Teaneck Township  
14 concerning the Votee Park Fieldhouse. I received approval from our Bureau Chief and Program Director  
15 before forwarding this to you.

16 *Maude Snyder*

17 Bureau of Legal Services and Stewardship

18 Green Acres Program, NJDEP

19 [maude.snyder@dep.nj.gov](mailto:maude.snyder@dep.nj.gov)

20 (609) 292-0903

21 ---

22 **From:** Snyder, Maude [<mailto:Maude.Snyder@dep.nj.gov>]

23 **Sent:** Monday, March 5, 2018 4:43 PM

24 **To:** [fgilani@teanecknj.gov](mailto:fgilani@teanecknj.gov)

25 **Subject:** Votee Park redevelopment

26 Hello Ms. Gilani,

27 I understand that Teaneck has plans to replace the Votee Park rink with a pavilion. The NJDEP Green  
28 Acres Program provided Teaneck with a grant and loan for improvement to the Votee Park soccer fields  
29 and their immediate surrounding area including lighting, fencing, landscaping, an asphalt path, and  
30 handicapped parking. Would you kindly send a copy of the RFP and the proposed plans for the new  
31 construction? I would like to be sure that the plans for the building are consistent with Green Acres  
32 rules, that the new construction doesn't encroach into the area that was improved with Green Acres  
33 funds, and the new construction does not trigger the Change in Use process.

34 Thank you for your cooperation,

35 *Maude Snyder*

Bureau of Legal Services and Stewardship

Green Acres Program, NJDEP

[maude.snyder@dep.nj.gov](mailto:maude.snyder@dep.nj.gov)

**From:** Farah Gilani [<mailto:fgilani@teanecknj.gov>]

**Sent:** Thursday, March 8, 2018 12:35 PM

**To:** Snyder, Maude <[Maude.Snyder@dep.nj.gov](mailto:Maude.Snyder@dep.nj.gov)>

**Cc:** 'William Broughton' <[wbroughton@teanecknj.gov](mailto:wbroughton@teanecknj.gov)>

**Subject:** RE: Votee Park redevelopment

Good Afternoon,

As per your request please see attached.

Thank you,

Farah

**Sent:** Tuesday, March 13, 2018 11:52 AM

**To:** [fgilani@teanecknj.gov](mailto:fgilani@teanecknj.gov)

**Cc:** William Broughton ([wbroughton@teanecknj.gov](mailto:wbroughton@teanecknj.gov))

**Subject:** Votee Park Field House

Hello Farah,

Thank you for the fieldhouse information. It appears that the new construction extends into the funded area of Votee Park. Our "as built" plans indicate that Green Acres funded lighting and drainage outside the walking track that surrounds the fields, as well as the handicapped parking on the street. The handicapped parking serves half of the park and therefore encumbers the construction area of Votee as "funded" parkland. Construction of buildings on funded parkland are subject to NJAC 7:36-25.7 (regulation attached). The building must be in support of outdoor recreation (bathrooms, storage, and concession all qualify); however, only 25% may be used for indoor recreation according to 7:36-27.7 (d) below:

*(d) The local government unit or nonprofit may use a portion of any building constructed on funded parkland under this section for public indoor recreation activities, such as arts and crafts and games (including court games), or as a public meeting or multipurpose space, provided the primary use of the building directly supports the use of the funded parkland for recreation and conservation purposes. The use of the building for public indoor recreation activities or public meeting or multipurpose space shall take up no more than 25 percent of the square footage of the building.*

1 Construction of a building on parkland requires the local government to go through the change in use  
2 public hearing process (rule attached) and to submit plans to Green Acres for review and approval:

3  
4 **7:36-25.7 Construction of buildings on funded parkland; use of existing buildings on**  
5 **funded parkland**  
6

- 7 a. A local government unit or nonprofit shall not construct a building on  
8 funded parkland unless the building directly supports the use of the funded  
9 parkland for recreation and conservation purposes, the local government  
10 unit or nonprofit complies with the change in use procedures at N.J.A.C.  
11 7:36-25.6 (as applicable), and the local government unit or nonprofit  
12 obtains prior approval from the Department in accordance with (b) and (c)  
13 below or as part of a Green Acres-funded development project under  
14 N.J.A.C. 7:36-13.3 or 23.3.

15 Can you please provide me with the intended use of the 3 “multi-purpose rooms”? Also, I would like to  
16 know the square footage of the entire structure and the square footage of the 3 multipurpose rooms to  
17 verify that they don’t exceed the 25% restriction. Have you been through “Change in Use” or are you  
18 planning to? I would also like to point out that because you are building on funded parkland the facility  
19 cannot be limited to resident-only use.

20 This is only a preliminary response. I am happy to discuss any of the above with you in more detail and  
21 can be reached at the number below.

22 Thank you,

23 *Maude Snyder*

24 Bureau of Legal Services and Stewardship

25 Green Acres Program, NJDEP

26 [maude.snyder@dep.nj.gov](mailto:maude.snyder@dep.nj.gov)

27 (609) 292-0903

28  
29 **From:** Snyder, Maude

30 **Sent:** Thursday, March 29, 2018 11:20 AM

31 **To:** 'fgilani@teanecknj.gov' <[fgilani@teanecknj.gov](mailto:fgilani@teanecknj.gov)>

32 **Cc:** William Broughton ([wbroughton@teanecknj.gov](mailto:wbroughton@teanecknj.gov)) <[wbroughton@teanecknj.gov](mailto:wbroughton@teanecknj.gov)>

33 **Subject:** RE: Votee Park Field House  
34

35 Dear Farah,

36 I'd like to keep the Green Acres approval process moving forward so we don't unnecessarily delay  
37 Teaneck. I'm not sure when Teaneck intends to begin construction, but please be aware that the  
38 Change in Use process takes at least 4 months: 30 days' notice prior to the public hearing and 90 days'

1 waiting period after the meeting (time for the Township to consider and incorporate public comment  
2 into their plans if warranted).

3 The information requested in my email below and a narrative about the project (NJAC 7:36-25.7(b)) is  
4 required before Green Acres can approve the construction of a new building on Votee Park.

5 Please be in touch about the Township's plans at your earliest convenience.

6 Thank you,

7  
8 *Maude Snyder*

9  
10 Bureau of Legal Services and Stewardship

11 Green Acres Program, NJDEP

12 [maude.snyder@dep.nj.gov](mailto:maude.snyder@dep.nj.gov)

13 (609) 292-0903

14  
15  
16 **From:** Yeany, Judeth [<mailto:Judeth.Yeany@dep.nj.gov>]

17 **Sent:** Thursday, August 2, 2018 3:21 PM

18 **To:** John L. Shahdanian II

19 **Cc:** Snyder, Maude

20 **Subject:** FW: Votee Park Field House/Teaneck

21 Here you go—please let me know if the attachments drop out again.

22 Thanks,

23 Judeth

24  
25 **From:** John L. Shahdanian II <[jshahdanian@chasanlaw.com](mailto:jshahdanian@chasanlaw.com)>

26 **Sent:** Tuesday, August 21, 2018 6:43 PM

27 **To:** Yeany, Judeth <[Judeth.Yeany@dep.nj.gov](mailto:Judeth.Yeany@dep.nj.gov)>

28 **Cc:** Snyder, Maude <[Maude.Snyder@dep.nj.gov](mailto:Maude.Snyder@dep.nj.gov)>

29 **Subject:** [EXTERNAL] RE: Votee Park Field House/Teaneck

30 Ms. Yeany:

31 As you may recall, our Firm is the Township Attorney for the Township of Teaneck. I wanted to thank  
32 you for our call on 8/2 and the information that you sent me that day. I have been away for a long  
33 planned vacation, but have had the chance to review same and wanted to follow up.

34 Based on Ms. Snyder's email of 3/13 (and from our telephone call) it appeared that the primary issue  
35 was the use of the "multi-purpose rooms." I have spoken with my client and have been assured that  
36 these rooms are team rooms which will be used by teams that are utilizing the park. They will not be  
37 used for public indoor recreation.

38 Further, it was my understanding from our conversation that, even if the area was "funded" parkland,  
39 the 25% squared footage restriction was a non-issue based on the DEP's calculation of the square  
40 footage of the project.

1 Finally, we discussed the potential need for the Township to engage in the “change of use”  
2 process. However, after reviewing the above issues, it appears that there is no “change of use.” Thus,  
3 we do not believe that such a process is implicated or warranted.

4 All of that said, the Township wishes to have the DEP (and specifically Green Acres) blessing before it  
5 proceeds with the project.

6 If you think a follow-up phone call would be helpful, I am glad to arrange one.

7 Best Regards,

8 John Shahdanian  
9

JOHN L. SHAHDANIAN II

**CHASAN LAMPARELLO MALLON & CAPPUZZO, PC**

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10  
11  
12 **From:** Snyder, Maude [<mailto:Maude.Snyder@dep.nj.gov>]

13 **Sent:** Tuesday, August 28, 2018 4:48 PM

14 **To:** John L. Shahdanian II

15 **Cc:** Yeany, Judeth

16 **Subject:** Votee Park Field House/Teaneck  
17

18 Hello Mr. Shahdanian,

19 We recognize that the proposed Votee Park Fieldhouse is in support of outdoor recreation. And you  
20 correctly understand, from our conversation on August 2<sup>nd</sup>, that Green Acres regulations allow for the  
21 construction of buildings on funded parkland that are in support of outdoor recreation *as long as certain*  
22 *procedures are followed*. Green Acres makes a formal review and approves the construction of buildings  
23 based on a written request. The rule states that:

(b) A local government unit or nonprofit seeking the Department's approval of the proposed construction of a building on funded parkland shall, at least 90 days before approval of the proposed construction by its governing body, submit to Green Acres a written request for approval of the proposed construction. The request shall include a statement of the purpose of the construction, a narrative description of the proposed construction, a site map, and a conceptual drawing of the building (with interior dimensions and uses labeled). N.J.A.C. 7:36-25.7(b)

This request and narrative will be made part of the formal record for this property so that in the future Green Acres inspectors and others will know that the Fieldhouse construction was pre-approved and what the intended use is. If your site plan and/or floor plan is updated, we would like those revised plans.

As you state, the 25% rule about multipurpose space does not apply to this building since the originally labeled "multi-purpose" rooms are actually intended to be used as team rooms for meetings and changing. The labeling was changed on the more recent Fieldhouse plans to reflect this.

The above issues are independent of the "Change in Use" issue. "Change in Use" is required for the construction of any new building on parkland pursuant to NJAC 7:36.25.7(a). Please reconsider the need to go through the "Change in Use" process.

If you would like to discuss this further, I am happy to talk with you at your convenience.

Sincerely,

*Maude Snyder*

Bureau of Legal Services and Stewardship

Green Acres Program, NJDEP

[maude.snyder@dep.nj.gov](mailto:maude.snyder@dep.nj.gov)

(609) 292-0903

**From:** John L. Shahdanian II  
**Sent:** Friday, September 14, 2018 3:44 PM  
**To:** 'Snyder, Maude'  
**Cc:** Yeany, Judeth; William F. Rupp  
**Subject:** RE: Votee Park Field House/Teaneck

[Ms. Snyder/Ms. Yeany](#)

[I have attached to this email, a copy of the current plans for the Votee Park Fieldhouse.](#)

[They reflect, as noted by Ms. Snyder below that the originally labeled "multi-purpose" rooms are now properly designated at "team rooms"](#)

[Thank you for your attention.](#)

1 John Shahdanian

JOHN L. SHAHDANIAN II

**CHASAN LAMPARELLO MALLON & CAPPUZZO, PC**

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2

3 **From:** John L. Shahdanian II <[jshahdanian@chasanlaw.com](mailto:jshahdanian@chasanlaw.com)>

4 **Sent:** Friday, September 21, 2018 2:33 PM

5 **To:** Snyder, Maude <[Maude.Snyder@dep.nj.gov](mailto:Maude.Snyder@dep.nj.gov)>

6 **Cc:** Yeany, Judeth <[Judeth.Yeany@dep.nj.gov](mailto:Judeth.Yeany@dep.nj.gov)>; William F. Rupp <[wrupp@chasanlaw.com](mailto:wrupp@chasanlaw.com)>

7 **Subject:** [EXTERNAL] RE: Votee Park Field House/Teaneck

8 Ms. Snyder/Ms. Yeany

9 The Township is still awaiting your approval of the submitted plans. Per my email below, and as  
10 indicated on the plans submitted, the plans now reflect the "team room" designation. Teams that are  
11 playing on the fields at the park will utilize those rooms for changing into uniforms, game preparation,  
12 half time discussions and team meetings.

13 I hope this description is in accord with your understanding of the intended use.

14 Thank you,

15 John Shahdanian

JOHN L. SHAHDANIAN II

CHASAN LAMPARELLO MALLON & CAPPUZZO, PC  
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**From:** Snyder, Maude [<mailto:Maude.Snyder@dep.nj.gov>]

**Sent:** Wednesday, September 26, 2018 4:30 PM

**To:** John L. Shahdanian II

**Cc:** Yeany, Judeth; William F. Rupp; Sapp, Martha

**Subject:** RE: Votee Park Field House/Teaneck

Dear Mr. Shahdanian,

Thank you for your email. We are still awaiting the requested narrative that summarizes what each of the areas of the building will be used for, which will assist future Green Acres inspections.

You addressed the team room use in your email below. However, during my review of the plans, I had the following additional questions:

- Please address the need for two kitchens. In addition, they appear to be much larger and hold significantly more equipment than we would typically see in an athletic field concession kitchen. These kitchens appear to be appropriate for restaurant use. What are the intended dates and times of operation – daily and seasonally?
- Will the kitchens be leased to a concessionaire or will they be used solely by the teams?
- Will revenue be collected from the concession sales and team room leasing? If so, how will those funds be used?
- The plans include an indoor snack table; does that mean that the public will have access to the building for indoor recreation, or would this be in support of the outdoor recreation activities?
- Will the Township schedule the use of the Field House and maintain it? What will be the process for the public to gain access to this building? Will anyone be restricted from using it?
- Who will be using the storage rooms?



As we have discussed, since Green Acres believes that the building is being constructed on Green Acres funded parkland, we will need to review any associated leases or use agreements (but not concession agreements by which services are provided to the park for a term of one year or less).

In addition, please confirm that you have determined that the "change in use" process at N.J.A.C. 7:36-25.7(a) does not apply to this project (and the basis for this determination).

We appreciate your ongoing cooperation in this matter and apologize for the delay in responding to your most recent correspondence. Although the Township will need to address the additional questions above as they pertain to the future operation of the building, we will be able to approve the construction of the building once we receive the final narrative and an explanation of the need for the kitchen facilities currently depicted on the plans.

Thank you,

*Maude Snyder*

Bureau of Legal Services and Stewardship

Green Acres Program, NJDEP

[maude.snyder@dep.nj.gov](mailto:maude.snyder@dep.nj.gov)

(609) 292-0903

**From:** John L. Shahdanian II <[jshahdanian@chasanlaw.com](mailto:jshahdanian@chasanlaw.com)>

**Sent:** Friday, October 19, 2018 5:02 PM

**To:** Snyder, Maude <[Maude.Snyder@dep.nj.gov](mailto:Maude.Snyder@dep.nj.gov)>

**Cc:** Yeany, Judeth <[Judeth.Yeany@dep.nj.gov](mailto:Judeth.Yeany@dep.nj.gov)>; William F. Rupp <[wrupp@chasanlaw.com](mailto:wrupp@chasanlaw.com)>; Sapp, Martha <[Martha.Sapp@dep.nj.gov](mailto:Martha.Sapp@dep.nj.gov)>; Kazinci Dean <[dkazinci@teanecknj.gov](mailto:dkazinci@teanecknj.gov)>

**Subject:** [EXTERNAL] RE: Votee Park Field House/Teaneck

Ms. Snyder:

With respect to your questions below:

- 1) This is to confirm that we have determined that the "change in use" process does not apply. As per our prior conversation with Ms. Yeany and my email of 8/21 this is because there is no change of use.
- 2) Without getting into the day to day operational issues, the two kitchens are there because Votee Sportsplex is multi-functional recreation complex with two large fields for football and college/high school/USSF soccer and for USSF soccer. These fields are next to one another and can be used simultaneously. There is also a two headed scoreboard, one for each field and a press box for the football/soccer field. For example, currently during soccer season on some mid-week nights and on Sunday night, while Teaneck Junior Soccer League is

1 playing their games on the soccer fields, Yeshiva University Men's and women's  
2 Soccer is having practices or games. Once the Fieldhouse is built, the changing  
3 and team rooms will be used for these teams to prepare for their game and  
4 afterwards (as well as any football games played) while the kitchens would be  
5 used by the respective home organizations for a concession stand.  
6

7 3) At this time no concessionaire is being considered.  
8

9 4) Revenue will be collected from sales and used by the respective teams that are  
10 operating the kitchens.  
11

12 5) The Township will be in charge of scheduling the use of the Field House.  
13

14 6) Storage rooms are to be used by Teaneck Junior Football, Teaneck Southern  
15 Little League and Teaneck Soccer.  
16

17 7) Finally, with respect to the requested narrative:  
18

19 1. Bathrooms, self-evident

20 2. Machine room and HVAC room, self-evident

21 3. Team meeting rooms pre-during and post games, be it soccer (no use at half time) or  
22 football (always used at half)

23 4. Storage areas: football, baseball and soccer equipment

24 5. Kitchens, described above  
25

26 I hope that this email answers the questions you have posed and you can confirm that  
27 the plans are acceptable to Green Acres/DEP.

28 Regards,

29 John Shahdanian

JOHN L. SHAHDANIAN II

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1

2 **From:** Snyder, Maude

3 **Sent:** Wednesday, October 24, 2018 9:11 AM

4 **To:** 'John L. Shahdanian II' <[jshahdanian@chasanlaw.com](mailto:jshahdanian@chasanlaw.com)>

5 **Cc:** Yeany, Judeth <[Judeth.Yeany@dep.nj.gov](mailto:Judeth.Yeany@dep.nj.gov)>; 'William F. Rupp' <[wrupp@chasanlaw.com](mailto:wrupp@chasanlaw.com)>; Sapp,  
6 Martha <[Martha.Sapp@dep.nj.gov](mailto:Martha.Sapp@dep.nj.gov)>; 'Kazinci Dean' <[dkazinci@teanecknj.gov](mailto:dkazinci@teanecknj.gov)>

7 **Subject:** RE: Votee Park Field House/Teaneck

8 Dear Mr. Shahdanian:

9 In response to your October 19<sup>th</sup> email:

- 10 1. Thank you for the confirmation.
- 11 2. Thank you for the additional detail about the kitchens. Since football and soccer are both fall  
12 sports, could you please clarify whether the Field House and concession area will be used in  
13 other seasons? If so, who will be operating the kitchen at those times?
- 14 3. Thank you for the clarification. Please note that if, in the future, the Township decides to  
15 engage an outside concessionaire, any lease, use agreement or concession agreement with a  
16 term of more than one year must be reviewed and approved by Green Acres. In addition, any  
17 funds received by the Township from agreements with a term of more than one year must go  
18 back into the park system.
- 19 4. The arrangement you describe is acceptable for concession agreements with a term less than  
20 one year. If the Township charges the teams rent to use the facilities, or receives a portion of  
21 the proceeds, then this money must go back into the park system.
- 22 5. Thank you for confirming that the Township will retain control of the scheduling of the Field  
23 House.
- 24 6. Use of the storage rooms by teams using the fields is acceptable. However, could you please  
25 confirm that the public will have access to the men's and women's restroom facilities during  
26 regular park hours (since the only access to these facilities is from outside the building.)
- 27 7. Thank you for providing the additional detail we requested. Please note that this information  
28 will be provided to our inspectors and used in future inspections of the property. If the uses  
29 listed below change, please inform us as soon as possible to avoid the changes being flagged by  
30 our inspectors. We would also appreciate being consulted in advance of any major changes in  
31 the use of the team meeting rooms, storage areas or kitchens.
- 32

1 Although we would still appreciate receiving the clarifications requested in #2 and #6 above, please  
2 accept this email as confirmation that the plans are acceptable to Green Acres. If there are any  
3 significant changes to the plans before or during construction, please let us know.

4 Sincerely,

5 *Maude Snyder*

6 Bureau of Legal Services and Stewardship

7 Green Acres Program, NJDEP

8 [maude.snyder@dep.nj.gov](mailto:maude.snyder@dep.nj.gov)

9 (609) 292-0903

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1 **Response as originally received for Teaneck-Green Acres Correspondence – re: Field House**

2 -----

3

4 **From:** Snyder, Maude <Maude.Snyder@dep.nj.gov>  
5 **Sent:** Friday, November 02, 2018 4:28 PM  
6 **To:** Charles Powers (powerscw@charlespowersweb.com) <powerscw@charlespowersweb.com>  
7 **Subject:** FW: Votee Park Field House/Teaneck

8 Here is the email correspondence you requested between Green Acres and Teaneck Township  
9 concerning the Votee Park Fieldhouse. I received approval from our Bureau Chief and Program Director  
10 before forwarding this to you.

11 *Maude Snyder*

12 Bureau of Legal Services and Stewardship

13 Green Acres Program, NJDEP

14 [maude.snyder@dep.nj.gov](mailto:maude.snyder@dep.nj.gov)

15 (609) 292-0903

16

17

18 **From:** Snyder, Maude  
19 **Sent:** Wednesday, October 24, 2018 9:11 AM  
20 **To:** 'John L. Shahdanian II' <[jshahdanian@chasanlaw.com](mailto:jshahdanian@chasanlaw.com)>  
21 **Cc:** Yeany, Judeth <[Judeth.Yeany@dep.nj.gov](mailto:Judeth.Yeany@dep.nj.gov)>; 'William F. Rupp' <[wrupp@chasanlaw.com](mailto:wrupp@chasanlaw.com)>; Sapp,  
22 Martha <[Martha.Sapp@dep.nj.gov](mailto:Martha.Sapp@dep.nj.gov)>; 'Kazinci Dean' <[dkazinci@teanecknj.gov](mailto:dkazinci@teanecknj.gov)>  
23 **Subject:** RE: Votee Park Field House/Teaneck

24

25 Dear Mr. Shahdanian:

26 In response to your October 19<sup>th</sup> email:

- 27 8. Thank you for the confirmation.
- 28 9. Thank you for the additional detail about the kitchens. Since football and soccer are both fall  
29 sports, could you please clarify whether the Field House and concession area will be used in  
30 other seasons? If so, who will be operating the kitchen at those times?
- 31 10. Thank you for the clarification. Please note that if, in the future, the Township decides to  
32 engage an outside concessionaire, any lease, use agreement or concession agreement with a  
33 term of more than one year must be reviewed and approved by Green Acres. In addition, any  
34 funds received by the Township from agreements with a term of more than one year must go  
35 back into the park system.

- 1 11. The arrangement you describe is acceptable for concession agreements with a term less than  
2 one year. If the Township charges the teams rent to use the facilities, or receives a portion of  
3 the proceeds, then this money must go back into the park system.  
4 12. Thank you for confirming that the Township will retain control of the scheduling of the Field  
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9 14. Thank you for providing the additional detail we requested. Please note that this information  
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11 listed below change, please inform us as soon as possible to avoid the changes being flagged by  
12 our inspectors. We would also appreciate being consulted in advance of any major changes in  
13 the use of the team meeting rooms, storage areas or kitchens.  
14

15 Although we would still appreciate receiving the clarifications requested in #2 and #6 above, please  
16 accept this email as confirmation that the plans are acceptable to Green Acres. If there are any  
17 significant changes to the plans before or during construction, please let us know.

18 Sincerely,

19 *Maude Snyder*

20  
21 Bureau of Legal Services and Stewardship

22 Green Acres Program, NJDEP

23 [maude.snyder@dep.nj.gov](mailto:maude.snyder@dep.nj.gov)

24 (609) 292-0903  
25

26 **From:** John L. Shahdanian II <[jshahdanian@chasanlaw.com](mailto:jshahdanian@chasanlaw.com)>

27 **Sent:** Friday, October 19, 2018 5:02 PM

28 **To:** Snyder, Maude <[Maude.Snyder@dep.nj.gov](mailto:Maude.Snyder@dep.nj.gov)>

29 **Cc:** Yeany, Judeth <[Judeth.Yeany@dep.nj.gov](mailto:Judeth.Yeany@dep.nj.gov)>; William F. Rupp <[wrupp@chasanlaw.com](mailto:wrupp@chasanlaw.com)>; Sapp,  
30 Martha <[Martha.Sapp@dep.nj.gov](mailto:Martha.Sapp@dep.nj.gov)>; Kazinci Dean <[dkazinci@teanecknj.gov](mailto:dkazinci@teanecknj.gov)>

31 **Subject:** [EXTERNAL] RE: Votee Park Field House/Teaneck  
32

33 **Ms. Snyder:**  
34

35 **With respect to your questions below:**  
36

1 8) This is to confirm that we have determined that the "change in use" process does  
2 not apply. As per our prior conversation with Ms. Yeany and my email of 8/21  
3 this is because there is no change of use.

4  
5 9) Without getting into the day to day operational issues, the two kitchens are there  
6 because Votee Sportsplex is multi-functional recreation complex with two large  
7 fields for football and college/high school/USSF soccer and for USSF soccer.  
8 These fields are next to one another and can be used simultaneously. There is  
9 also a two headed scoreboard, one for each field and a press box for the  
10 football/soccer field. For example, currently during soccer season on some mid-  
11 week nights and on Sunday night, while Teaneck Junior Soccer League is  
12 playing their games on the soccer fields, Yeshiva University Men's and women's  
13 Soccer is having practices or games. Once the Fieldhouse is built, the changing  
14 and team rooms will be used for these teams to prepare for their game and  
15 afterwards (as well as any football games played) while the kitchens would be  
16 used by the respective home organizations for a concession stand.

17  
18 10) At this time no concessionaire is being considered.

19  
20 11) Revenue will be collected from sales and used by the respective teams that are  
21 operating the kitchens.

22  
23 12) The Township will be in charge of scheduling the use of the Field House.

24  
25 13) Storage rooms are to be used by Teaneck Junior Football, Teaneck Southern  
26 Little League and Teaneck Soccer.

27  
28 14) Finally, with respect to the requested narrative:

29  
30 1. Bathrooms, self-evident

31 2. Machine room and HVAC room, self-evident

32 3. Team meeting rooms pre-during and post games, be it soccer (no use at half time) or  
33 football (always used at half)

34 4. Storage areas: football, baseball and soccer equipment

35 5. Kitchens, described above

36  
37 I hope that this email answers the questions you have posed and you can confirm that  
38 the plans are acceptable to Green Acres/DEP.

39  
40 Regards,

1 John Shahdanian

2  
JOHN L. SHAHDANIAN II

CHASAN LAMPARELLO MALLON & CAPPUZZO, PC  
300 LIGHTING WAY, SUITE 200  
SECAUCUS, NEW JERSEY 07094



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☎ 201-348-6633

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3  
4 **From:** Snyder, Maude [<mailto:Maude.Snyder@dep.nj.gov>]

5 **Sent:** Wednesday, September 26, 2018 4:30 PM

6 **To:** John L. Shahdanian II

7 **Cc:** Yeany, Judeth; William F. Rupp; Sapp, Martha

8 **Subject:** RE: Votee Park Field House/Teaneck

9  
10 Dear Mr. Shahdanian,

11  
12 Thank you for your email. We are still awaiting the requested narrative that summarizes what each of  
13 the areas of the building will be used for, which will assist future Green Acres inspections.

14  
15 You addressed the team room use in your email below. However, during my review of the plans, I had  
16 the following additional questions:



- Please address the need for two kitchens. In addition, they appear to be much larger and hold significantly more equipment than we would typically see in an athletic field concession kitchen. These kitchens appear to be appropriate for restaurant use. What are the intended dates and times of operation – daily and seasonally?
- Will the kitchens be leased to a concessionaire or will they be used solely by the teams?
- Will revenue be collected from the concession sales and team room leasing? If so, how will those funds be used?
- The plans include an indoor snack table; does that mean that the public will have access to the building for indoor recreation, or would this be in support of the outdoor recreation activities?
- Will the Township schedule the use of the Field House and maintain it? What will be the process for the public to gain access to this building? Will anyone be restricted from using it?
- Who will be using the storage rooms?

As we have discussed, since Green Acres believes that the building is being constructed on Green Acres funded parkland, we will need to review any associated leases or use agreements (but not concession agreements by which services are provided to the park for a term of one year or less).

In addition, please confirm that you have determined that the “change in use” process at *N.J.A.C. 7:36-25.7(a)* does not apply to this project (and the basis for this determination).

We appreciate your ongoing cooperation in this matter and apologize for the delay in responding to your most recent correspondence. Although the Township will need to address the additional questions above as they pertain to the future operation of the building, we will be able to approve the construction of the building once we receive the final narrative and an explanation of the need for the kitchen facilities currently depicted on the plans.

Thank you,

*Maude Snyder*

Bureau of Legal Services and Stewardship

Green Acres Program, NJDEP

[maude.snyder@dep.nj.gov](mailto:maude.snyder@dep.nj.gov)

(609) 292-0903

1  
2 **From:** John L. Shahdanian II <[jshahdanian@chasanlaw.com](mailto:jshahdanian@chasanlaw.com)>  
3 **Sent:** Friday, September 21, 2018 2:33 PM  
4 **To:** Snyder, Maude <[Maude.Snyder@dep.nj.gov](mailto:Maude.Snyder@dep.nj.gov)>  
5 **Cc:** Yeany, Judeth <[Judeth.Yeany@dep.nj.gov](mailto:Judeth.Yeany@dep.nj.gov)>; William F. Rupp <[wrupp@chasanlaw.com](mailto:wrupp@chasanlaw.com)>  
6 **Subject:** [EXTERNAL] RE: Votee Park Field House/Teaneck

7  
8 Ms. Snyder/Ms. Yeany  
9

10 The Township is still awaiting your approval of the submitted plans. Per my email below, and as  
11 indicated on the plans submitted, the plans now reflect the "team room" designation. Teams that are  
12 playing on the fields at the park will utilize those rooms for changing into uniforms, game preparation,  
13 half time discussions and team meetings.

14  
15 I hope this description is in accord with your understanding of the intended use.  
16

17 Thank you,  
18

19 John Shahdanian  
20

JOHN L. SHAHDANIAN II

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**From:** John L. Shahdanian II  
**Sent:** Friday, September 14, 2018 3:44 PM  
**To:** 'Snyder, Maude'  
**Cc:** Yeany, Judeth; William F. Rupp  
**Subject:** RE: Votee Park Field House/Teaneck

Ms. Snyder/Ms. Yeany

I have attached to this email, a copy of the current plans for the Votee Park Fieldhouse.

They reflect, as noted by Ms. Snyder below that the originally labeled "multi-purpose" rooms are now properly designated at "team rooms"

Thank you for your attention.

John Shahdanian

JOHN L. SHAHDANIAN II

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1

2

3 **From:** Snyder, Maude [<mailto:Maude.Snyder@dep.nj.gov>]

4 **Sent:** Tuesday, August 28, 2018 4:48 PM

5 **To:** John L. Shahdanian II

6 **Cc:** Yeany, Judeth

7 **Subject:** Votee Park Field House/Teaneck

8

9 Hello Mr. Shahdanian,

10 We recognize that the proposed Votee Park Fieldhouse is in support of outdoor recreation. And you  
11 correctly understand, from our conversation on August 2<sup>nd</sup>, that Green Acres regulations allow for the  
12 construction of buildings on funded parkland that are in support of outdoor recreation *as long as certain*  
13 *procedures are followed*. Green Acres makes a formal review and approves the construction of buildings  
14 based on a written request. The rule states that:

15 (b) A local government unit or nonprofit seeking the Department's approval of the proposed  
16 construction of a building on funded parkland shall, at least 90 days before approval of the  
17 proposed construction by its governing body, submit to Green Acres a written request for  
18 approval of the proposed construction. The request shall include a statement of the purpose of  
19 the construction, a narrative description of the proposed construction, a site map, and a  
20 conceptual drawing of the building (with interior dimensions and uses labeled). *N.J.A.C. 7:36-*  
21 *25.7(b)*

22 This request and narrative will be made part of the formal record for this property so that in the future  
23 Green Acres inspectors and others will know that the Fieldhouse construction was pre-approved and  
24 what the intended use is. If your site plan and/or floor plan is updated, we would like those revised  
25 plans.

26 As you state, the 25% rule about multipurpose space does not apply to this building since the originally  
27 labeled "multi-purpose" rooms are actually intended to be used as team rooms for meetings and  
28 changing. The labeling was changed on the more recent Fieldhouse plans to reflect this.

1 The above issues are independent of the "Change in Use" issue. "Change in Use" is required for the  
2 construction of any new building on parkland pursuant to NJAC 7:36.25.7(a). Please reconsider the need  
3 to go through the "Change in Use" process.

4 If you would like to discuss this further, I am happy to talk with you at your convenience.

5 Sincerely,

6 *Maude Snyder*

7  
8 Bureau of Legal Services and Stewardship

9 Green Acres Program, NJDEP

10 [maude.snyder@dep.nj.gov](mailto:maude.snyder@dep.nj.gov)

11 (609) 292-0903  
12  
13  
14

15 **From:** John L. Shahdanian II <[jshahdanian@chasanlaw.com](mailto:jshahdanian@chasanlaw.com)>

16 **Sent:** Tuesday, August 21, 2018 6:43 PM

17 **To:** Yeany, Judeth <[Judeth.Yeany@dep.nj.gov](mailto:Judeth.Yeany@dep.nj.gov)>

18 **Cc:** Snyder, Maude <[Maude.Snyder@dep.nj.gov](mailto:Maude.Snyder@dep.nj.gov)>

19 **Subject:** [EXTERNAL] RE: Votee Park Field House/Teaneck  
20

21 Ms. Yeany:  
22

23 As you may recall, our Firm is the Township Attorney for the Township of Teaneck. I wanted to thank  
24 you for our call on 8/2 and the information that you sent me that day. I have been away for a long  
25 planned vacation, but have had the chance to review same and wanted to follow up.  
26

27 Based on Ms. Snyder's email of 3/13 (and from our telephone call) it appeared that the primary issue  
28 was the use of the "multi-purpose rooms." I have spoken with my client and have been assured that  
29 these rooms are team rooms which will be used by teams that are utilizing the park. They will not be  
30 used for public indoor recreation.

31 Further, it was my understanding from our conversation that, even if the area was "funded" parkland,  
32 the 25% squared footage restriction was a non-issue based on the DEP's calculation of the square  
33 footage of the project.

1 Finally, we discussed the potential need for the Township to engage in the “change of use”  
2 process. However, after reviewing the above issues, it appears that there is no “change of use.” Thus,  
3 we do not believe that such a process is implicated or warranted.

4 All of that said, the Township wishes to have the DEP (and specifically Green Acres) blessing before it  
5 proceeds with the project.

6 If you think a follow-up phone call would be helpful, I am glad to arrange one.

7 Best Regards,

8 John Shahdanian  
9

JOHN L. SHAHDANIAN II

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10  
11  
12 **From:** Yeany, Judeth [<mailto:Judeth.Yeany@dep.nj.gov>]

13 **Sent:** Thursday, August 2, 2018 3:21 PM

14 **To:** John L. Shahdanian II

15 **Cc:** Snyder, Maude

16 **Subject:** FW: Votee Park Field House/Teaneck

17 Here you go—please let me know if the attachments drop out again.

18 Thanks,

1 Judeth

3 **From:** Snyder, Maude

4 **Sent:** Thursday, March 29, 2018 11:20 AM

5 **To:** 'fgilani@teanecknj.gov' <[fgilani@teanecknj.gov](mailto:fgilani@teanecknj.gov)>

6 **Cc:** William Broughton ([wbroughton@teanecknj.gov](mailto:wbroughton@teanecknj.gov)) <[wbroughton@teanecknj.gov](mailto:wbroughton@teanecknj.gov)>

7 **Subject:** RE: Votee Park Field House

9 Dear Farah,

10 I'd like to keep the Green Acres approval process moving forward so we don't unnecessarily delay  
11 Teaneck. I'm not sure when Teaneck intends to begin construction, but please be aware that the  
12 Change in Use process takes at least 4 months: 30 days' notice prior to the public hearing and 90 days'  
13 waiting period after the meeting (time for the Township to consider and incorporate public comment  
14 into their plans if warranted).

15 The information requested in my email below and a narrative about the project (NJAC 7:36-25.7(b)) is  
16 required before Green Acres can approve the construction of a new building on Votee Park.

17 Please be in touch about the Township's plans at your earliest convenience.

18 Thank you,

20 *Maude Snyder*

22 Bureau of Legal Services and Stewardship

23 Green Acres Program, NJDEP

24 [maude.snyder@dep.nj.gov](mailto:maude.snyder@dep.nj.gov)

25 (609) 292-0903

27 **From:** Snyder, Maude [<mailto:Maude.Snyder@dep.nj.gov>]

29 Dear Farah,

30 I'd like to keep the Green Acres approval process moving forward so we don't unnecessarily delay  
31 Teaneck. I'm not sure when Teaneck intends to begin construction, but please be aware that the  
32 Change in Use process takes at least 4 months: 30 days' notice prior to the public hearing and 90 days'  
33 waiting period after the meeting (time for the Township to consider and incorporate public comment  
34 into their plans if warranted).

35 The information requested in my email below and a narrative about the project (NJAC 7:36-25.7(b)) is  
36 required before Green Acres can approve the construction of a new building on Votee Park.

37 Please be in touch about the Township's plans at your earliest convenience.

38 Thank you,

40 *Maude Snyder*

42 Bureau of Legal Services and Stewardship

43 Green Acres Program, NJDEP

44 [maude.snyder@dep.nj.gov](mailto:maude.snyder@dep.nj.gov)

45 (609) 292-0903

1  
2  
3  
4  
5  
6 **Sent:** Tuesday, March 13, 2018 11:52 AM  
7 **To:** [fgilani@teanecknj.gov](mailto:fgilani@teanecknj.gov)  
8 **Cc:** William Broughton ([wbroughton@teanecknj.gov](mailto:wbroughton@teanecknj.gov))  
9 **Subject:** Votee Park Field House

10  
11 Hello Farah,

12  
13 Thank you for the fieldhouse information. It appears that the new construction extends into the funded  
14 area of Votee Park. Our "as built" plans indicate that Green Acres funded lighting and drainage outside  
15 the walking track that surrounds the fields, as well as the handicapped parking on the street. The  
16 handicapped parking serves half of the park and therefore encumbers the construction area of Votee as  
17 "funded" parkland. Construction of buildings on funded parkland are subject to NJAC 7:36-25.7  
18 (regulation attached). The building must be in support of outdoor recreation (bathrooms, storage, and  
19 concession all qualify); however, only 25% may be used for indoor recreation according to 7:36-27.7 (d)  
20 below:

21  
22 *(d) The local government unit or nonprofit may use a portion of any building constructed on*  
23 *funded parkland under this section for public indoor recreation activities, such as arts and crafts*  
24 *and games (including court games), or as a public meeting or multipurpose space, provided the*  
25 *primary use of the building directly supports the use of the funded parkland for recreation and*  
26 *conservation purposes. The use of the building for public indoor recreation activities or public*  
27 *meeting or multipurpose space shall take up no more than 25 percent of the square footage of*  
28 *the building.*

29  
30 Construction of a building on parkland requires the local government to go through the change in use  
31 public hearing process (rule attached) and to submit plans to Green Acres for review and approval:

32  
33 **7:36-25.7 Construction of buildings on funded parkland; use of existing buildings on**  
34 **funded parkland**  
35

- 36 a. A local government unit or nonprofit shall not construct a building on  
37 funded parkland unless the building directly supports the use of the funded  
38 parkland for recreation and conservation purposes, the local government



unit or nonprofit complies with the change in use procedures at N.J.A.C. 7:36-25.6 (as applicable), and the local government unit or nonprofit obtains prior approval from the Department in accordance with (b) and (c) below or as part of a Green Acres-funded development project under N.J.A.C. 7:36-13.3 or 23.3.

Can you please provide me with the intended use of the 3 “multi-purpose rooms”? Also, I would like to know the square footage of the entire structure and the square footage of the 3 multipurpose rooms to verify that they don’t exceed the 25% restriction. Have you been through “Change in Use” or are you planning to? I would also like to point out that because you are building on funded parkland the facility cannot be limited to resident-only use.

This is only a preliminary response. I am happy to discuss any of the above with you in more detail and can be reached at the number below.

Thank you,

*Maude Snyder*

Bureau of Legal Services and Stewardship

Green Acres Program, NJDEP

[maude.snyder@dep.nj.gov](mailto:maude.snyder@dep.nj.gov)

(609) 292-0903

**From:** Farah Gilani [<mailto:fgilani@teanecknj.gov>]  
**Sent:** Thursday, March 8, 2018 12:35 PM  
**To:** Snyder, Maude <[Maude.Snyder@dep.nj.gov](mailto:Maude.Snyder@dep.nj.gov)>  
**Cc:** 'William Broughton' <[wbroughton@teanecknj.gov](mailto:wbroughton@teanecknj.gov)>  
**Subject:** RE: Votee Park redevelopment

1 Good Afternoon,

2 As per your request please see attached.

3 Thank you,

4 Farah

8 **From:** Snyder, Maude [<mailto:Maude.Snyder@dep.nj.gov>]

9 **Sent:** Monday, March 5, 2018 4:43 PM

10 **To:** [fgilani@teanecknj.gov](mailto:fgilani@teanecknj.gov)

11 **Subject:** Votee Park redevelopment

13 Hello Ms. Gilani,

14 I understand that Teaneck has plans to replace the Votee Park rink with a pavilion. The NJDEP Green  
15 Acres Program provided Teaneck with a grant and loan for improvement to the Votee Park soccer fields  
16 and their immediate surrounding area including lighting, fencing, landscaping, an asphalt path, and  
17 handicapped parking. Would you kindly send a copy of the RFP and the proposed plans for the new  
18 construction? I would like to be sure that the plans for the building are consistent with Green Acres  
19 rules, that the new construction doesn't encroach into the area that was improved with Green Acres  
20 funds, and the new construction does not trigger the Change in Use process.

21 Thank you for your cooperation,

23 *Maude Snyder*

25 Bureau of Legal Services and Stewardship

26 Green Acres Program, NJDEP

27 [maude.snyder@dep.nj.gov](mailto:maude.snyder@dep.nj.gov)

28 (609) 292-0903

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11  
12 

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